



CITY OF ATASCADERO

In accordance with City Council Resolution No. 2022-010 and the requirements of AB 361, the Design Review Committee Meeting will not be physically open to the public and Staff will be teleconferencing into the meeting.

INTERESTED INDIVIDUALS are invited to participate through the Zoom platform using the link below and will be given an opportunity to speak in favor or opposition to the project or may call 669-900-6833 to listen and provide public comment via phone.

HOW TO SUBMIT PUBLIC COMMENT:

To provide written public comment, please email comments to: drc-comments@atascadero.org by 5:00 p.m. the day before the meeting. Email comments must identify the Agenda Item Number in the subject line of the email. Comments will be forwarded to the Design Review Committee and made a part of the administrative record. If a comment is received after the deadline for submission but before the close of the meeting, the comment will still be included as part of the record of the meeting. Please note, email comments will not be read into the record. All comments received may become part of the public record and are subject to the Public Records Act.

To join the virtual meeting:
Zoom Link

<https://us02web.zoom.us/j/81712225756>

Meeting ID: 817 1222 5756

AMERICAN DISABILITY ACT ACCOMMODATIONS:

Any member of the public who needs accommodations should contact the City Clerk's Office at cityclerk@atascadero.org or by calling 805-470-3400 at least 48 hours prior to the meeting or time when services are needed. The City will use their best efforts to provide reasonable accommodations to afford as much accessibility as possible while also maintaining public safety in accordance with the City procedure for resolving reasonable accommodation requests.

Design Review Committee agendas and minutes may be viewed on the City's website: www.atascadero.org.

Copies of the staff reports or other documentation relating to each item of business referred to on the Agenda are on file in the Community Development Department and are available for public inspection on our website, www.atascadero.org. All documents submitted by the public during Design Review Committee meetings that are either read into the record or referred to in their statement will be noted in the Minutes and available for review by contacting the Community Development Department. All documents will be available for public inspection by appointment during City Hall business hours.



CITY OF ATASCADERO DESIGN REVIEW COMMITTEE AGENDA

**Committee Meeting
Thursday, April 28, 2022
2:00 P.M.**

**City Hall
6500 Palma Avenue
Atascadero, California**

CALL TO ORDER

Roll Call: Chairperson Heather Newsom
Vice Chairperson Susan Funk
Committee Member Emily Baranek
Committee Member Dennis Schmidt
Committee Member Jeff van den Eikhof

APPROVAL OF AGENDA

PUBLIC COMMENT

CONSENT CALENDAR

1. APPROVAL OF THE APRIL 14, 2022 DRAFT MINUTES



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DEVELOPMENT PROJECT REVIEW

2. DESIGN AND NEIGHBORHOOD COMPATIBILITY REVIEW OF STORAGE CONTAINER AT 7130 SERENA COURT

The proposed project includes a request to legalize a cargo container used as accessory storage on a single-family zoned lot, outside the City right-of-way.

Recommendation: Staff requests the DRC review plans for the legalization of a cargo container used as accessory storage on a single-family zoned lot. Direct the applicant to make any modification to the site or building design as necessary prior to requesting a building permit or direct the applicant to remove the container. (PRE21-0011)

COMMITTEE MEMBER COMMENTS AND REPORTS

DIRECTOR'S REPORT

ADJOURNMENT

The next DRC meeting is tentatively scheduled for Thursday, May 12, 2022, at 2:00 p.m.

Agendas, Minutes and Staff Reports are available online at www.atascadero.org under City Officials & Commissions, Design Review Committee.



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CITY OF ATASCADERO DESIGN REVIEW COMMITTEE

DRAFT MINUTES

Regular Meeting – Thursday, April 14, 2022 – 2:00 P.M.
City Hall (Teleconference)
6500 Palma Avenue, Atascadero, CA 93422

CALL TO ORDER – 2:00 p.m.

Vice Chairperson Funk called the meeting to order at 2:01 p.m.

ROLL CALL

Present: **By Teleconference**
Vice Chairperson Susan Funk
Committee Member Emily Baranek
Committee Member Dennis Schmidt

Absent: Chairperson Heather Newsom (excused absence)
Committee Member van den Eikhof (excused absence)

Others Present: **By Teleconference** - Recording Secretary, Annette Manier

Staff Present: **By Teleconference**
Senior Planner, Kelly Gleason
Associate Planner, Mariah Gasch

Staff Absent: Community Development Director, Phil Dunsmore

Others Present: **By Teleconference**
James Mullins
Janet Fillmore

APPROVAL OF AGENDA

MOTION: **By Committee Member Schmidt and seconded by Vice Chairperson Funk to approve the Agenda.**

***Motion passed 3:0 by a roll call vote.
(Newsom, van den Eikhof absent)***

PUBLIC COMMENT

None

Vice Chairperson Funk closed the Public Comment period.**CONSENT CALENDAR****1. APPROVAL OF THE MARCH 10, 2022 DRAFT MINUTES**

MOTION: By Committee Member Schmidt and seconded by Committee Member Baranek to approve the Consent Calendar.

Motion passed by 3:0 by a roll call vote.
(Newsom, van den Eikhof absent)

DEVELOPMENT PROJECT REVIEW**2. DESIGN AND NEIGHBORHOOD COMPATIBILITY REVIEW OF A FENCE AT 8850 EL CENTRO**

The proposed project includes a request to install a 6-foot, metal picket fence within the front setback on APN 030-513-004.

Recommendation: Staff requests the DRC approve the request for an exception to the front setback fencing requirement to allow a fence of six feet in height where a maximum fence height of four feet would normally be allowed based on findings and subject to Conditions of Approval. (PRE22-0033).

EX PARTE

Vice Chairperson Funk drove by the property and walked the backside of the property. Committee Baranek drove by the property. Committee Member Schmidt visited the site.

Planner Gasch presented the project, and she and Senior Planner Gleason answered questions from the Committee.

PUBLIC COMMENT

The following members of the public spoke during public comment: Janet Fillmore, who read an email that was also submitted via the public comment email, but was received after the deadline (Exhibit A).

Vice Chairperson Funk closed the Public Comment period.

The Committee deliberated on the item, and asked the applicant if he would be willing to remove the spikes on the top of the fence, and the applicant agreed.

MOTION: **By Committee Member Schmidt and seconded by Committee Member Baranek to approve the following:**

- Install a 6-foot wrought-iron fence, no spikes on the top of the fence.
- Either modify the existing wood fence within the front setback to be a maximum height of four feet or replace the opaque non-conforming fence on the side yard (within the 25 foot setback area). This fence can be a maximum of 6-foot wrought iron fence with no spikes, matching what was approved by the DRC along the front property line.
- Sliding gate must meet the site-distance requirements as approved by our City Engineer.
- If this becomes unworkable/cost-prohibitive for the applicant, then it can be appealed to the Planning Commission within 14-days in writing. A member of the public can appeal by paying a fee, or a Planning Commissioner or Council Member can appeal it at no charge.

Motion passed by 3:0 by a roll call vote.
(Newsom, van den Eikhof absent)

COMMITTEE MEMBER COMMENTS AND REPORTS

None

DIRECTOR'S REPORT

Senior Planner Gleason gave an update on Barrel Creek, Del Rio Marketplace, and stated that La Plaza called for a pre-final. She also gave an update on SB9/ADU's and stated those should go to hearing in May.

The next meeting is scheduled for April 28th, and we have one item, a cargo container on Serena Court.

ADJOURNMENT– 3:18 p.m.

The next regular meeting of the DRC is scheduled for Thursday, April 28, 2022.

MINUTES PREPARED BY:

Annette Manier, Recording Secretary
Administrative Assistant

The following Exhibit is available in the Community Development Dept.

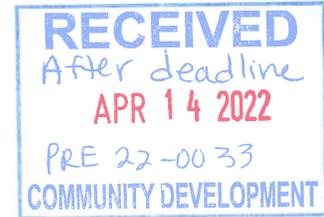
Exhibit A – Email from Janet Fillmore

From: Janet S Fillmore
Sent: Thursday, April 14, 2022 10:01 AM
To: DRC Public Comment
Subject: City of Atascadero

City of Atascadero Design Review Committee - Committee Meeting

Thursday, April 14, 2022, 2:00 P.M.

Agenda Item #2 – Development Project Review



Design and Neighborhood compatibility review of a fence at 8850 El Centro Road

The proposed project includes a request to install a 6-foot, metal picket fence within the front setback on APN 030-513-004.

I am writing this e-mail to express my strong opposition to allowing a 6-foot fence in the setback of the property mentioned above. The current design plan states a fence within the front setback be no more than 4-foot tall which is more than ample to draw boundaries.

I concur with the current design plan of fences withing the front setback be no more than 4-foot tall. If the board allows a 6-foot fence in this area I believe it will be a complete eye sore to those who live and drive on the street. Blocking this home from its current view will move our quiet little street into an industrialized atrocity. Making this kind of a change in our residential neighborhood will blemish the view and simplicity of our neighborhood.

As a resident of El Centro Road, I beg you not to allow this fence. It will be the biggest monstrosity in the neighborhood and is not acceptable to me, my husband, children, grandchildren, and other neighbors.

I hope you consider the feelings of those of us who will have to live with this disgrace and vote against this horrid encroachment to our neighborhood.

Thank you for your time,

Janet Fillmore

ATTENTION:

This email originated from outside the City's network. Use caution when opening links and attachments.



Atascadero Design Review Committee

Staff Report

Serena Court Cargo Container (PRE21-0011)

MEETING DATE	PROJECT PLANNER	APPLICANT CONTACT	PLN NO.	
April 28, 2022	Mariah Gasch Associate Planner	Mike and Debbie Shuford	PRE21-0011	
RECOMMENDATION				
<p><i>Staff Recommends to the Design Review Committee:</i></p> <ol style="list-style-type: none"> Review plans for the permitting of an existing cargo container used as accessory storage on a single-family zoned lot. Direct the applicant to make any modification to the site or building design as necessary prior to requesting a building permit or direct the applicant to remove the container. 				
PROJECT ADDRESS	GENERAL PLAN DESIGNATION	ZONING DISTRICT	ASSESSOR PARCEL NUMBER(S)	SITE AREA
7130 Serena Ct	Single Family Residential Y (SFR-Y)	Residential Single-Family Y (RSF-Y)	029-105-038	1.23 acres
PROJECT DESCRIPTION				
<p>The proposed project includes the movement and permitting of an existing 20-foot cargo container located on a single-family residential property. The cargo container, which has been on the property for 11 years but has not been permitted, is located within the City's public right of way. Therefore, the applicant is proposing to move the cargo container out of the public right of way with the goal of acquiring a building permit for the accessory storage structure.</p>				
ENVIRONMENTAL DETERMINATION				
<input type="checkbox"/> EIR / MND / ND / Statutory Exemption to be circulated	<input type="checkbox"/> Prior CEQA Review CEQA # _____ Certified: _____	<input checked="" type="checkbox"/> Cat. Exemption Class <u>CEQA Guidelines § 15301</u>	<input type="checkbox"/> No Project - § 15268 Ministerial Project	
EXISTING USES				

ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE ATASCADERO COMMUNITY DEVELOPMENT DEPARTMENT AT

<http://www.atascadero.org>

6500 PALMA AVENUE | ATASCADERO, CA 93422 | (805) 461-5000

Existing use is a single-family residence.			
ZONING AND LOCATION		AERIAL	
			
SURROUNDING ZONING DISTRICTS AND USES			
North: RSF-Y	South: RSF-Y	East: RSF-Y	West: RSF-Y

DISCUSSION:

Project Description / Summary

The existing site is a double frontage lot (both on Serena Ct) and contains a single-family residence, an approximately 150 square foot cargo container, and a shed to be demolished. Both the cargo container and the shed are unpermitted and currently within the City’s right of way. The proposed project includes moving the cargo container from the right of way onto the property itself and acquiring a building permit to be in compliance with City regulations. The new proposed location is near the property line where it is currently located. The cargo container has been on the property for 11 years and is in good condition. It is used for the storage of private belongings.

Analysis

Background

The applicant stated that the cargo container has been on the property for 11 years, from the time the primary residence was permitted. The container is highly visible from the neighbor’s property on Serena Court. The City was notified of the cargo container through a code enforcement complaint. Once investigated, it was also discovered that the container was located within the City right of way and has to be moved onto the private property and within required setbacks to acquire a proper permit.



Zoning and Accessory Storage Standards

The parcel is located in the Residential Single-Family Y (RSF-Y) zone and has a double frontage along two sections of Serena Court with a shared access driveway through adjacent parcels. The cargo container is currently located within the undeveloped public right of way behind the residence. Atascadero Municipal Code 9-6.103(h) outlines the City's cargo container standards. Cargo containers are allowed to be used as accessory storage on single family residential lots greater than 1 acre, subject to Design Review Committee (DRC) review for neighborhood compatibility and approval of a building permit. Cargo containers used as accessory storage require a building permit if they are larger than one hundred and twenty (120) square feet in size. Cargo containers also must be located in the rear half of the property and are to be consistent with underlying zone setback requirements. If the DRC approves relocation of the cargo container, it will be eligible for a permit.

Current Cargo Container Location



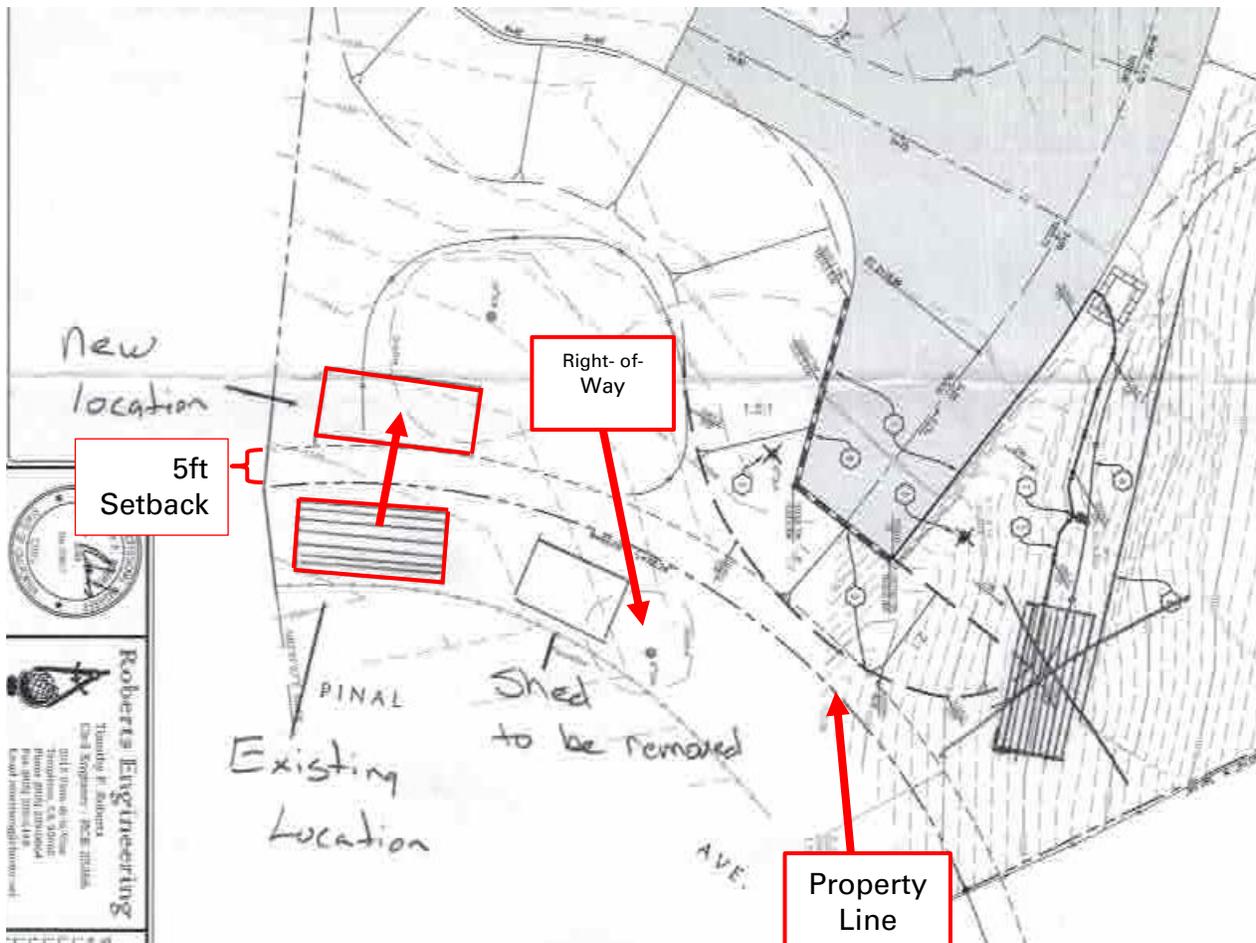
Setbacks and Proposed Site

The cargo container currently sits atop a slope and is highly visible to the adjacent property. The house with the container sits approximately 15 feet lower than the current container location. The proposed location for the cargo container is directly adjacent to the current location but within the owner's property line. The project is located in the RSF-Y zone and is a Double Frontage Lot, with both frontages on a different section of the



Serena Ct right of way. The part of the Serena Ct right of way where the cargo container is currently located is undeveloped but is still considered a frontage. Per AMC 9-4.106, setbacks on Double Frontage Lots require a full-front setback (25 feet) on one frontage, and a setback of one-half (1/2) the required depth on the other frontage. Therefore, the setback is required to be 12.5 feet. The proposed plan shows the cargo container to be only 5 feet from the property line. If the container were to be moved to the proper setback it will come into conflict with a native oak tree, which would necessitate an arborist report to determine if the tree requires removal or protection measures. Also, it should be noted that moving the container to this new location without any visual alterations will only somewhat alleviate view quality issues from the adjacent property as it will still be visible. If there is no appropriate place for the cargo container to be moved it will have to be removed from the site. If this is the case it will likely necessitate a substantial dismantling process and may destroy the container altogether. However, if it is approved it should be recognized that the container will still require a building permit. There is also an existing shed within the right-of-way that the applicant has indicated will be removed.

Proposed Project Site Plan



Staff is requesting that the DRC provide direction to the applicant on whether to proceed with legalizing the cargo container or having it removed. If the DRC approves the cargo container on site staff is requesting that the DRC provide input on design and location recommendations to make it compatible with the surrounding neighborhood.

DRC DISCUSSION ITEMS:

DRC Items for Discussion

- Site Design
 - Location of Cargo Container
 - Setbacks
- Architectural Design
- Time requirements for removal or permitting

ATTACHMENTS:

1. DRC Action Form
2. Cargo container photos
3. Site plan



Attachment 1: DRC Action Form



CITY OF ATASCADERO

Community Development Department

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DRC Action Form

Project #: PRE21-0011
Project Title: Serena Court Cargo Container
Planner/ Project Manager: Mariah Gasch
DRC Review Date(s): 4/29/22

Final Action: DRC PC CC

Conditions & Recommendations:

- The structure must be within the proper setbacks required by the underlying zoning.
- The structure should either be made to be visually appealing through paint, siding, etc. or be properly screened by vegetation to blend in with the surrounding scenery.
- Staff is seeking guidance from DRC to determine whether or not approval would be feasible.



Attachment 2: Cargo Container Photos

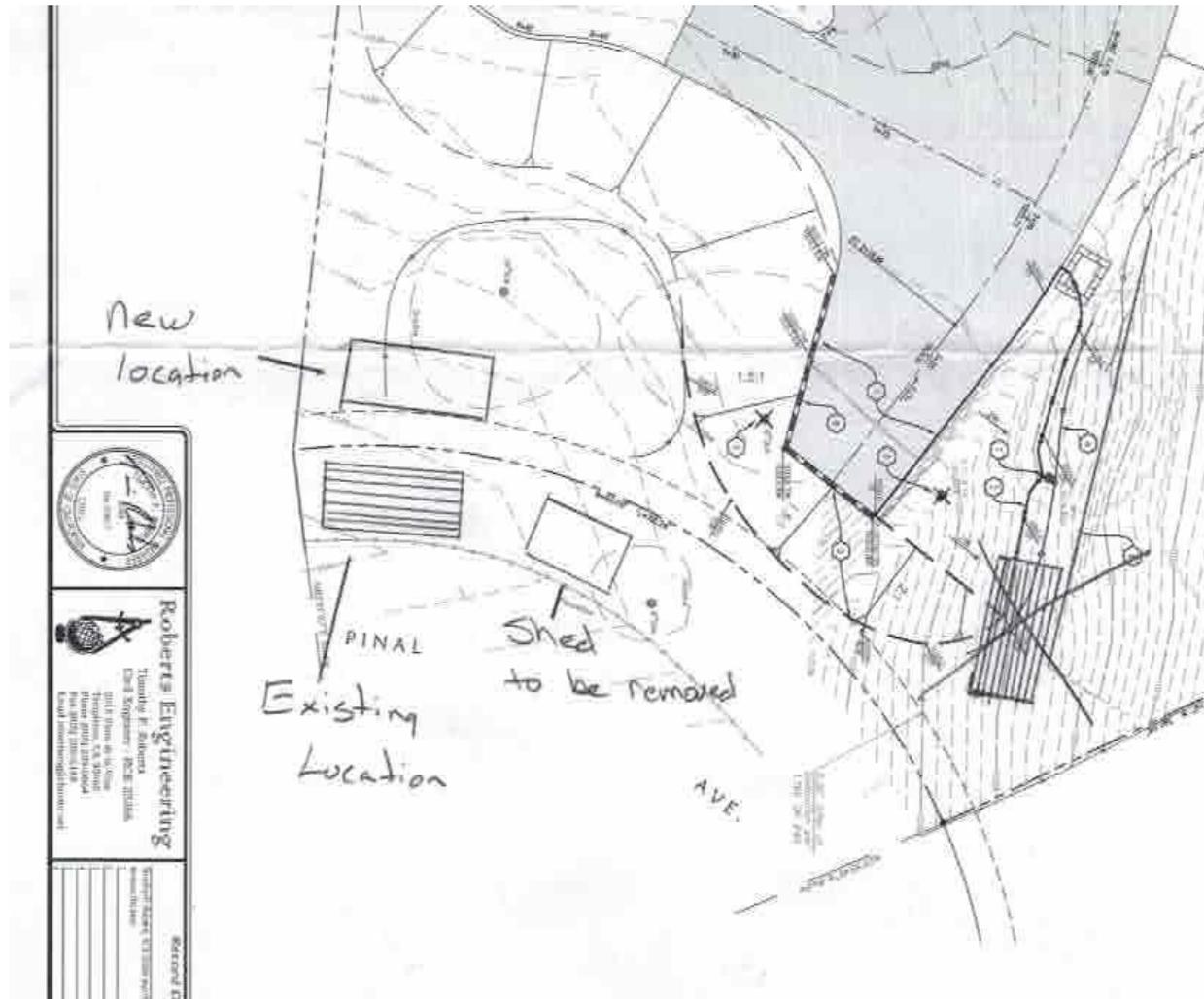




From the adjacent property



Attachment 3: Proposed Site Plan



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