



# **CITY OF ATASCADERO PLANNING COMMISSION AGENDA**

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**REGULAR MEETING  
Tuesday, December 4, 2018  
6:00 P.M.**

**Historic City Hall Council Chambers  
6500 Palma Avenue, 4<sup>th</sup> Floor  
Atascadero, California 93422**

## **CALL TO ORDER**

Pledge of Allegiance

Roll Call: Chairperson Jerel Seay  
Vice Chairperson Tom Zirk  
Commissioner Duane Anderson  
Commissioner Ryan Betz  
Commissioner Mark Dariz  
Commissioner Josh Donovan  
Commissioner Jan Wolff

## **APPROVAL OF AGENDA**

## **PUBLIC COMMENT**

*(This portion of the meeting is reserved for persons wishing to address the Commission on any matter not on this agenda and over which the Commission has jurisdiction. Speakers are limited to **three minutes**. Please state your name for the record before making your presentation. The Commission may take action to direct the staff to place a matter of business on a future agenda.)*

## **CONSENT CALENDAR**

*(All items on the consent calendar are considered to be routine and non-controversial by City staff and will be approved by one motion if no member of the Commission or public wishes to comment or ask questions.)*

### **1. APPROVAL OF DRAFT MINUTES OF NOVEMBER 20, 2018**



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**PLANNING COMMISSION BUSINESS****COMMUNITY DEVELOPMENT STAFF REPORTS**

None

**PUBLIC HEARINGS****DISCLOSURE OF EX PARTE COMMUNICATIONS:**

Prior to a project hearing Planning Commission Members must disclose any communications they have had on any quasi-judicial agenda items. This includes, but is not limited to, Tentative Subdivision Maps, Parcel Maps, Variances, Conditional Use Permits, and Planned Development Permits. This does not disqualify the Planning Commission Member from participating and voting on the matter, but gives the public and applicant an opportunity to comment on the ex parte communication.

(For each of the following items, the public will be given an opportunity to speak. After a staff report, the Chair will open the public hearing and invite the applicant or applicant's representative to make any comments. Members of the public will be invited to provide testimony to the Commission following the applicant. Speakers should state their name for the record and can address the Commission for three minutes. After all public comments have been received, the public hearing will be closed, and the Commission will discuss the item and take appropriate action(s).)

**2. AMENDMENT TO CUP FOR 10630 WEST FRONT ROAD (INGLESIDE)**

<b>Property Owner/Applicant:</b>	Shirley Barratt / William Vaughn
<b>Project Title:</b>	AMND18-0091
<b>Project Location:</b>	10630 West Front Road, Atascadero, CA 93422 APN 045-353-007, San Luis Obispo County
<b>Project Description:</b>	The proposed project is an Amendment to Conditional Use Permit 2000-0004 to allow the phased expansion of <b>Ingleside Assisted Living</b> to accommodate 50 assisted-living residents and 9 hospice-care patients. The expanded facility would include 34 bedrooms, and a 2,880 square-foot detached garage. Staff recommendation is to approve the project with conditions.
<b>City Staff:</b>	Associate Planner, Katie Banister, kbanister@atascadero.org, Phone: (805) 470-3480
<b>Environmental Determination:</b>	Categorical Exemption CEQA – Guidelines Section 15332
<b>Recommendation:</b>	Planning Commission adopt PC Resolution 2018-A, approving the Conditional Use Permit with Conditions of Approval.

**3. TENTATIVE PARCEL MAP FOR 11885 HALCON ROAD (JOY)**

<b>Property Owner/Applicant:</b>	Michael and Laura Joy
<b>Project Title:</b>	SBDV18-0092
<b>Project Location:</b>	11885 Halcon Road, Atascadero, CA 93422 APN 045-401-014, San Luis Obispo County



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<b>Project Description:</b>	The proposed project is a Tentative Map to subdivide the property into three parcels in the RSF-Y zoning district. Two parcels will be 1-acre, the third will be 2.88-acres. The site is developed with a single-family residence that is proposed to remain.
<b>City Staff:</b>	Kelly Gleason, Senior Planner, kgleason@atascadero.org, Phone: (805) 470-3446
<b>Environmental Determination:</b>	Previously certified MND No. 2015-0007
<b>Recommendation:</b>	Planning Commission adopt PC Resolution 2018-A, approving the Tentative Parcel Map with Conditions of Approval.

#### **4. TENTATIVE PARCEL MAP FOR 7300 EL CAMINO REAL (DYNAMIC)**

<b>Property Owner/Applicant:</b>	Dynamic Atascadero Investments
<b>Project Title:</b>	SBDV18-0110
<b>Project Location:</b>	7300 El Camino Real, Atascadero, CA 93422 APN 030-222-048, San Luis Obispo County
<b>Project Description:</b>	The proposed Tentative Parcel Map would subdivide one (1) existing commercial parcel into two (2) parcels which will include separate buildings for the existing <b>MedPost and The Habit Restaurant</b> which is currently under construction.
<b>City Staff:</b>	Callie Taylor, Senior Planner, ctaylor@atascadero.org, Phone: (805) 470-3448
<b>Environmental Determination:</b>	Categorical Exemption CEQA – Guidelines Section 15315
<b>Recommendation:</b>	Planning Commission adopt PC Resolution 2018-A, approving the Tentative Parcel Map with Conditions of Approval.

#### **5. CONDITIONAL USE PERMIT FOR 8451 EL CAMINO REAL (COLONY TAVERN)**

<b>Property Owner/Applicant:</b>	Jim Russell / Jonathan Velasco
<b>Project Title:</b>	USE18-0123
<b>Project Location:</b>	8451 El Camino Real, Atascadero, CA 93422 APN 030-512-007, San Luis Obispo County
<b>Project Description:</b>	The proposed project is a Conditional Use Permit to allow a new bar/ tavern at this location.
<b>City Staff:</b>	Mariah Gasch, Assistant Planner, mgasch@atascadero.org, Phone: (805) 470-3436
<b>Environmental Determination:</b>	Categorical Exemption CEQA – Guidelines Section 15301: Existing Facilities
<b>Recommendation:</b>	Planning Commission adopt PC Resolution 2018-A, approving the Conditional Use Permit with Conditions of Approval.



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## **COMMISSIONER COMMENTS AND REPORTS**

### **DIRECTOR'S REPORT**

### **ADJOURNMENT**

*The next regular meeting will be on January 15, 2019, at 6:00 p.m. at City Hall Council Chambers, 6500 Palma Avenue, Atascadero.*

***Please note: Should anyone challenge in court any proposed development entitlement listed on this Agenda, that person may be limited to raising those issues addressed at the public hearing described in this notice or in written correspondence delivered to the Planning Commission at, or prior to, this public hearing.***



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*City of Atascadero***WELCOME TO THE ATASCADERO PLANNING COMMISSION MEETING**

The Planning Commission meets in regular session on the first and third Tuesday of each month at 6:00 p.m. at City Hall, Council Chambers, 6500 Palma Avenue, Atascadero. Matters are considered by the Commission in the order of the printed Agenda.

Copies of the staff reports or other documentation relating to each item of business referred to on the Agenda are on file in the office of the Community Development Department and are available for public inspection during City Hall business hours at the Front Counter of City Hall, 6500 Palma Avenue, Atascadero, and on our website, [www.atascadero.org](http://www.atascadero.org). All documents submitted by the public during Commission meetings that are either read into the record or referred to in their statement will be noted in the minutes and available for review in the Community Development Department. Commission meetings are audio recorded, and may be reviewed by the public. Copies of meeting recordings are available for a fee. Contact the City Clerk for more information (470-3400).

In compliance with the Americans with Disabilities Act, **if you need special assistance to participate in a City meeting or other services offered by this City**, please contact the City Manager's Office or the City Clerk's Office, both at (805) 470-3400. Notification at least 48 hours prior to the meeting or time when services are needed will assist the City staff in assuring that reasonable arrangements can be made to provide accessibility to the meeting or service.

**TO SPEAK ON SUBJECTS NOT LISTED ON THE AGENDA**

Under Agenda item, "PUBLIC COMMENT", the Chairperson will call for anyone from the audience having business with the Commission to approach the lectern and be recognized.

1. Give your name for the record (not required)
2. State the nature of your business.
3. All comments are limited to 3 minutes.
4. All comments should be made to the Chairperson and Commission.
5. No person shall be permitted to make slanderous, profane or negative personal remarks concerning any other individual, absent or present.

This is when items not on the Agenda may be brought to the Commission's attention. A maximum of 30 minutes will be allowed for Public Comment Portion (unless changed by the Commission).

**TO SPEAK ON AGENDA ITEMS (from Title 2, Chapter 1 of the Atascadero Municipal Code)**

Members of the audience may speak on any item on the agenda. The Chairperson will identify the subject, staff will give their report, and the Commission will ask questions of staff. The Chairperson will announce when the public comment period is open and will request anyone interested to address the Commission regarding the matter being considered to step up to the lectern. If you wish to speak for, against or comment in any way:

1. You must approach the lectern and be recognized by the Chairperson.
2. Give your name (not required).
3. Make your statement.
4. All comments should be made to the Chairperson and Commission.
5. No person shall be permitted to make slanderous, profane or negative personal remarks concerning any other individual, absent or present.
6. All comments limited to 3 minutes.

If you wish to use a computer presentation to support your comments, you must notify the Community Development Department at 470-3402 at least 24 hours prior to the meeting. Digital presentations brought to the meeting should be on a USB drive or CD. You are required to submit to the Recording Secretary a printed copy of your presentation for the record. Please check in with the Recording Secretary before the meeting begins to announce your presence and turn in the printed copy.

The Chairperson will announce when the public comment period is closed, and thereafter, no further public comments will be heard by the Commission.



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ITEM NUMBER: 1

DATE: 12-4-18

## **CITY OF ATASCADERO PLANNING COMMISSION**

# **DRAFT MINUTES**

**Regular Meeting – Tuesday, November 20, 2018 – 6:00 P.M.  
City Hall Council Chambers  
6500 Palma Avenue, Atascadero, California**

### **CALL TO ORDER - 6:01 p.m.**

Chairperson Seay called the meeting to order at 6:01 p.m. and Commissioner Anderson led the Pledge of Allegiance.

### **ROLL CALL**

Present: Commissioners Anderson, Dariz, Donovan, Vice Chairperson Zirk, and Chairperson Seay

Absent: Commissioner Betz (excused absence)  
Commissioner Wolff (excused absence)

Others Present: Recording Secretary, Annette Manier

Staff Present: Community Development Director, Phil Dunsmore  
Senior Planner, Kelly Gleason

### **APPROVAL OF AGENDA**

**MOTION: By Vice Chairperson Zirk and seconded by Commissioner Anderson to approve the Agenda.**

***Motion passed 5:0 by a roll-call vote.***

### **PUBLIC COMMENT**

None

***Chairperson Seay closed the Public Comment period.***

### **PLANNING COMMISSION BUSINESS**

None

### **CONSENT CALENDAR**

#### **1. APPROVAL OF DRAFT MINUTES OF NOVEMBER 6, 2018**

## **2. APPROVAL OF 2019 PLANNING COMMISSION MEETING SCHEDULE**

**MOTION:** By Commissioner Dariz and seconded by Commissioner Anderson to approve the Consent Calendar.

*Motion passed 5:0 by a roll-call vote*

### **COMMUNITY DEVELOPMENT STAFF REPORTS**

None

### **PUBLIC HEARINGS**

#### **DISCLOSURE OF EX PARTE COMMUNICATIONS:**

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(For each of the following items, the public will be given an opportunity to speak. After a staff report, the Chair will open the public hearing and invite the applicant or applicant's representative to make any comments. Members of the public will be invited to provide testimony to the Commission following the applicant. Speakers should state their name for the record and can address the Commission for three minutes. After all public comments have been received, the public hearing will be closed, and the Commission will discuss the item and take appropriate action(s).)

### **EX PARTE COMMUNICATIONS**

Commissioners Anderson and Dariz reviewed this project at the Design Review Committee.

## **3. TENTATIVE PARCEL MAP FOR 6450 PORTOLA ROAD**

<b>Property Owner/Applicant:</b>	Michael Sanders / David Graves
<b>Project Title:</b>	SBDV18-0094
<b>Project Location:</b>	6450 Portola Road, Atascadero, CA 93422 APN 054-072-006, San Luis Obispo County
<b>Project Description:</b>	The proposed project is a Tentative Parcel Map for a two-lot subdivision in the single-family residential zoning district.
<b>City Staff:</b>	Kelly Gleason, Senior Planner, kgleason@atascadero.org, Phone: (805) 470-3446
<b>Recommendation:</b>	Planning Commission adopt PC Resolution 2018-A, approving the Tentative Parcel Map with Conditions of Approval.

Senior Planner Gleason presented the staff report and answered questions from the Commission.

## **PUBLIC COMMENT**

The following members of the public spoke during public comment: Sharon West and Gordon West.

***Chairperson Seay closed the Public Comment period.***

Staff answered questions raised by Sharon and Gordon West, and defined what a no build zone is.

**MOTION:** By Commissioner Anderson and seconded by Commissioner Donovan recommending the Planning Commission adopt PC Resolution 2018-A, approving SBDV18-0094, approving Tentative Parcel Map AT 18-0087 to subdivide one residential parcel into two residential parcels, with the addition of a condition to allow horse stalls, or a 3-sided animal/hay/storage structure on the lot.

***Motion passed 5:0 by a roll-call vote.***

## **COMMISSIONER COMMENTS AND REPORTS**

None

## **DIRECTOR'S REPORT**

Director Dunsmore gave an update on the four projects coming to the Planning Commission on December 4, 2018. Director Dunsmore also gave an update on upcoming projects in the City.

Director Dunsmore announced that the Planning Commission meeting on December 18, 2018, has been cancelled.

## **ADJOURNMENT – 6:47 p.m.**

The next regular meeting of the Planning Commission will be on December 4, 2018, at City Hall, Council Chambers, 6500 Palma Avenue, Atascadero.

## **MINUTES PREPARED BY:**

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Annette Manier, Recording Secretary  
Administrative Assistant



## ***Atascadero Planning Commission***

### ***Staff Report – Community Development Department***

**AMND 18-0091  
PLN 2008-1290 / CUP 2000-0004  
Ingleside Assisted Living**

#### **RECOMMENDATION(S):**

The Design Review Committee (DRC) has recommended changes to the design of the site plan, buildings, and landscaping, which have been incorporated into the plans and proposed conditions of approval.

Staff recommends the Planning Commission approve Draft PC Resolution 2018-A allowing the phased expansion of Ingleside Assisted Living with maximum occupancy of 59 clients.

#### **Project Info In-Brief:**

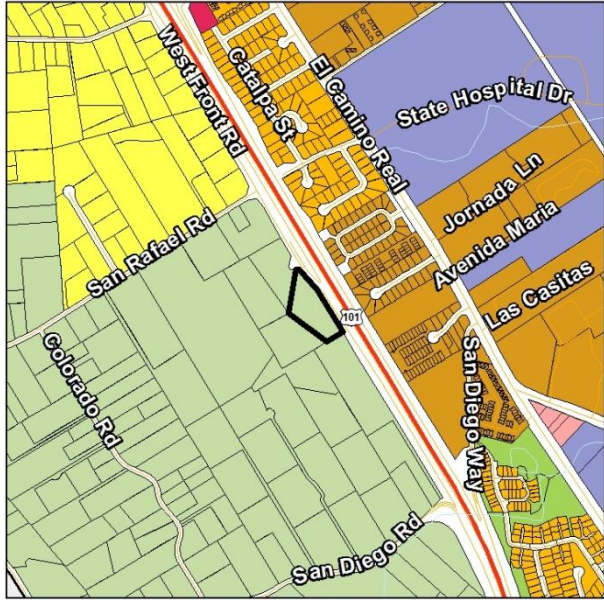

<b>PROJECT ADDRESS</b>	10630 West Front	Atascadero, CA	<b>APN</b>	045-353-007
<b>PROJECT PLANNER</b>	Katie Banister Associate Planner	805-470-3480	kbanister@atascadero.org	
<b>APPLICANT</b>	William Vaughn, applicant Pam Jardini, representative			
<b>PROPERTY OWNER</b>	Shirley Barratt			
<b>GENERAL PLAN DESIGNATION</b>	<b>ZONING DISTRICT</b>	<b>SITE AREA</b>	<b>EXISTING USE</b>	<b>PROPOSED USE</b>
Rural Estate (RE)	Residential Suburban (RS)	2.56 acres	16-client Residential Care Facility for the Elderly	59-client Residential Care Facility for the Elderly
<b>ENVIRONMENTAL DETERMINATION</b>				
<input type="checkbox"/> Environmental Impact Report SCH: _____				
<input type="checkbox"/> Negative / Mitigated Negative Declaration No. _____				
<input checked="" type="checkbox"/> Categorical Exemption CEQA – Guidelines Section 15332				
<input type="checkbox"/> Statutory Exemption §§ 21000, et seq & _____				

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

## DISCUSSION:

### Existing Surrounding Uses / Parcel Configurations:

Zoning		2014 Aerial	
			
North:	South:	East:	West:
RS RSF-Y	RS	HWY 101 RMF-24	RS

### Background:

- A Conditional Use Permit (CUP) was approved in November of 2000 for an assisted living facility on a vacant parcel of land. The use permit authorized a 6,480 square-foot, 15-bed residential care facility; however, the previous owner constructed a 7,652 square-foot facility with a different architectural style.
- In 2008, the use permit was amended to recognize the discrepancy in the building size and design.
- In 2012, the Planning Commission approved an Amendment to the use permit to allow an increase to the number of client beds to 16 within the existing building.
- Building and encroachment permits were issued in January of 2017 to attach the facility to the public sewer; previously, waste was treated by an on-site septic disposal system (septic tank and leach field).

### Summary:

The applicant proposes an amendment to the master plan of development to expand the facility to accommodate additional clients as described in the following phases:

#### Phase 1

1. Construct a 2,880 square-foot detached garage for parking and storage;
2. Construct a paved driveway with 19 additional parking spaces;





3. Provide landscaping in proximity to the new garage and along the rear property line; and
4. Expand services to a maximum of 30 clients within 15 existing rooms.

**Front Perspective looking Northeast at Completion of Phase 3**



**Phase 2**

1. Construct a 6,709 square-foot, 10-bedroom expansion to the existing facility for 20 additional clients;
2. Construct a new front parking area for 7 cars;
3. Construct a 325 square-foot detached covered patio behind the existing building; and
4. Relocate the existing gazebo to the front of the building.

**Phase 3**

1. Construct a 3,936 square-foot, 9-bedroom hospice-care building for 9 additional clients.

**Hospice Care Building Looking Northeast from Driveway**



**Hospice Care Building Looking Southeast from Phase 1 Driveway**



Analysis:

The DRC reviewed the project twice, first in September, 2017 and again in September, 2018. Their comments have been incorporated into the plans and conditions of approval in the attached draft resolution.

**Neighborhood Compatibility**

In order to approve this Amendment to the Conditional Use Permit for the project, the Planning Commission must find the proposed expansion is compatible with the neighborhood, which is in the Residential Suburban zoning district, primarily intended for low-density single-family residential uses. The site is accessed from a driveway shared with 3 other single-family residential properties. It is located immediately adjacent to an on-ramp for Highway 101.

In 2017, the Design Review Committee was generally comfortable with an expansion of the facility to 30 beds, but expressed concerns over further expansion. The current proposal is for 59 beds at build-out. AMC 9-3.252 provides the allowed density for medical extended care services in the multi-family zones. In the high-density multi-family zone (RMF-24), up to 55 care-facility beds per acre are permitted. In the low-density multi-family zone (RMF-10), up to 34 beds per acre are permitted. No maximum density is prescribed for the RS zoning district. The project would have a density of 23 beds per acre.

Although the project is within the RS zone, this site is unique in its freeway-oriented location, and may be appropriate for such a use. Conditions to increase neighborhood compatibility are provided in the attached draft resolution. Required findings have been tailored to the special circumstances of the site to avoid setting a precedent for other properties with similar zoning that are within a more rural setting.

**Parking**

Atascadero Municipal Code 9-6.134 requires one parking space for each 4 beds in skilled nursing and residential care facilities. Currently, 10 onsite parking spaces are located in a fenced lot within the site. Care-facility parking is spilling out into an unimproved lot in the future location of the proposed hospice building and onto the shared driveway. The table below provides an analysis of the required and proposed parking spaces.

**Parking Analysis**

Phase	Total Beds	Parking Requirement	Proposed Parking Change	Total Parking Proposed
Existing	16	4		10
Phase 1	30	8	+ 19	29
Phase 2	50	13	- 3	26
Phase 3	59	15		26



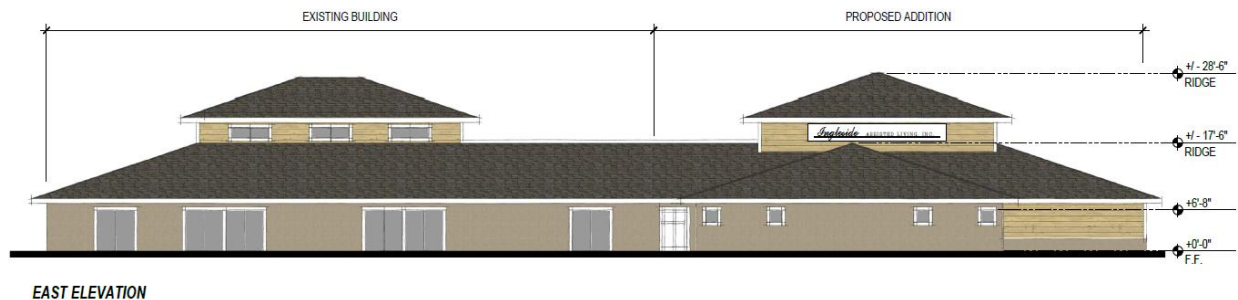


## Signage

The 2008 CUP Amendment limited on-site commercial signage to one 20 square-foot wall sign, and one 20 square-foot, 6-foot tall monument sign. No freeway-oriented signs were permitted with the original use permit. Atascadero Municipal Code 9-15.009 requires the approval of a use permit for all freeway-oriented signage, however such signs are not allowed within residential zones. Within commercial zones, on buildings greater than 10,000 square feet in size, 60 square feet of freeway-oriented signage may be approved. The applicant proposes a freeway-oriented sign on the building expansion proposed for Phase 2. The sign would be 55 square feet in size with 18-inch tall letters. The sign would not be visible within the surrounding neighborhood.

While freeway-oriented signage is not typically permitted in the residential zones, the DRC did endorse the proposed sign, as it is not visible from the neighborhood and is proportional to the size of the building. However, staff does not support a freeway-oriented sign for this location, as it is not necessary to support the proposed land use and is not consistent with the residential character of the site.

### Freeway-Facing Elevation with Proposed Sign



## Fencing

Atascadero Municipal Code 9-4.128 requires 6-foot tall solid fencing or similar screening between commercial and residential uses. Currently, the fencing between the care facility and adjacent residences is transparent, ag-type and metal fencing. At the September 2017 DRC meeting, the neighbors expressed a concern for tall fencing at the rear property line, which would block their view of the area. The Planning Commission may modify fencing requirements of the Municipal Code. The DRC recommends a split rail fence with landscape screening as an alternative. Required findings and related conditions of approval are included in the attached draft resolution,

## Native Trees

Conditions of approval for the 2008 Amendment included a requirement to plant 20 native trees. Nine of the planted trees are near the proposed Phase 1 driveway and parking area. Eight of the trees must be removed to accommodate the improvements. Trees to be removed are four live oaks totaling 28 inches in diameter, one blue oak with a 5-inch diameter, and three valley oaks totaling 9 inches in diameter. Required mitigation is planting nineteen 5-gallon native trees. The attached draft resolution



includes required findings for the removal of native trees and conditions for the owner to provide mitigation.

**Conclusion:**

The proposed project is a phased, but substantial expansion of a commercial use on the west side of Atascadero. The use is quasi-residential in nature and the site is located immediately adjacent to a southbound on-ramp for Highway 101, which makes the project well-suited to this location. The attached resolution includes a series of conditions that will increase the neighborhood compatibility of a large residential care facility in the Residential Suburban zoning district.

**ENVIRONMENTAL DETERMINATION:**

The proposed project is Categorically Exempt (Class 32) from the provisions of the California Environmental Quality Act (California Public Resources Code §§ 21000, et seq., "CEQA") and CEQA Guidelines (Title 14 California Code of Regulations §§ 15000, et seq.) CEQA pursuant to CEQA Guidelines Section 15332, because it occurs within City limits on less than 5 acres surrounded by urban uses. The site has no habitat value for endangered, rare or threatened species. The project will not result in significant effects related to traffic, noise, air quality or water quality. This exemption is included in the draft resolution (Attachment 3).

**FINDINGS:**

To approve AMND 18-0091, the Planning Commission must make the following findings. These findings, and the facts to support these findings, are included in the attached resolution (Attachment 3)

*Conditional Use Permit (AMC Section 9-2.110)*

1. The proposed project or use is consistent with the General Plan.
2. The proposed project or use satisfies all applicable provisions of the Zoning Ordinance.
3. The establishment, and subsequent operation or conduct of the use will not, because of the circumstances and conditions applied in the particular case, be detrimental to the health, safety or welfare of the general public or persons residing or working in the neighborhood of the use, or be detrimental or injurious to property or improvements in the vicinity of the use.
4. That the proposed project or use will not be inconsistent with the character of the immediate neighborhood or contrary to its orderly development.
5. That the proposed use or project will not generate a volume of traffic beyond the safe capacity of all roads providing access to the project, either existing or to be



improved in conjunction with the project, or beyond the normal traffic volume of the surrounding neighborhood that would result from full development in accordance with the land use element.

*Fencing and Screening Modification (AMC Section 9-4.128)*

1. That specifically identified characteristics of the site or site vicinity would make required fencing or screening unnecessary or ineffective.

*Native Tree Removal Findings (AMC Section 9-11.105(2))*

1. That the native trees to be removed are obstructing proposed improvements that cannot be reasonably designed to avoid the need for tree removal, as certified by a report from the site planner and determined by the Community Development Department.

**ALTERNATIVES:**

1. The Planning Commission may include modifications to the project and/or conditions of approval for the project. Any proposed modifications including conditions of approval, should be clearly re-stated in any vote on any of the attached resolutions.
2. The Planning Commission may determine that more information is needed on some aspect of the project and may refer the item back to the applicant and staff to develop the additional information. The Commission should clearly state the type of information that is required. A motion, and approval of that motion, is required to continue the item to a future date.
3. The Planning Commission may deny the project. The Commission must specify what findings cannot be made, and provide a brief oral statement, based on the Staff Report, oral testimony, site visit, correspondence, or any other rationale introduced and deliberated by the Planning Commission.

**ATTACHMENTS:**

1. Conditions of Approval PC Resolution 2008-0031
2. Conditions of Approval PC Resolution 2012-0021
3. Draft PC Resolution 2018-A



**ATTACHMENT 1: Conditions of Approval PC Resolution 2008-0031**  
**AMND18-0091 / PLN 2008-1290**

<b>Conditions of Approval / Mitigation Monitoring Program</b>	<b>Timing</b>	<b>Responsibility /Monitoring</b>	<b>Mitigation Measure</b>
<b>10630 West Front</b> <b>PLN 2008-1290</b>  <b>Amendment to CUP 2000-0004</b>	BL: Business License GP: Grading Permit BP: Building Permit FI: Final Inspection TO: Temporary Occupancy FO: Final Occupancy FM: Final Map	PS: Planning Services BS: Building Services FD: Fire Department PD: Police Department CE: City Engineer WW: Wastewater CA: City Attorney	
<b>Planning Services</b>			
1. The approval of this use permit shall become final and effective for the purposes of issuing building permits fourteen (14) days following the Planning Commission approval unless prior to the time, an appeal to the decision is filed as set forth in Section 9-1.111(b) of the Zoning Ordinance.	<b>BP / FO</b>	<b>PS</b>	
2. Approval of this Conditional Use permit shall be valid for twelve (12) months after its effective date. At the end of the period, the approval shall expire and become null and void unless the project has received a building permit or final occupancy.	<b>BP / FO</b>	<b>PS</b>	
3. The Community Development Department shall have the authority to approve minor changes to the project that (1) increase the intensity of the project by less than 10%, (2) result in a superior site design or appearance, and/or (3) address a construction design issue that is not substantive to the Conditional Use Permit.	<b>BP / FO</b>	<b>PS</b>	
4. The applicant shall defend, indemnify, and hold harmless the City of Atascadero or its agents, officers, and employees against any claim or action brought to challenge an approval by the City, or any of its entities.	<b>BP / FO</b>	<b>PS</b>	
5. All site improvements, landscaping, and building elevations shall be consistent or superior to those shown in attached Exhibits B through E.	<b>BP / FO</b>	<b>PS</b>	
6. This Conditional Use Permit shall be for a 15-bed Residential Care Facility for elderly care at the property located at 10630 West Front Road (APN 045-353-007) regardless of owner.	<b>BP / FO</b>	<b>PS</b>	
7. The project shall provide a total of 10 on-site parking spaces as shown on Exhibit D.	<b>BP/FO</b>	<b>PS</b>	<b>15.f</b>
8. All signage shall be exteriorly illuminated. A single wall sign of 20 square feet of sign area maximum, scaled to the building, will be permitted with individual letters mounted below the roof feature. Any future monument sign shall be architecturally compatible with the Residential Care Facility and limited to 20 square feet of sign area and 6-feet in overall height, with a decorative base, subject to staff approval. The monument sign shall include the site address and have ornamental landscaping at its base. The facility name and address may be displayed on a decorative entrance feature in lieu of a monument sign, provided that the total sign area does not exceed 20 square feet. The applicant shall submit a separate application for the sign permit. No freeway oriented signs will	<b>BP / FO</b>	<b>PS</b>	



<b>Conditions of Approval / Mitigation Monitoring Program</b>	<b>Timing</b>	<b>Responsibility /Monitoring</b>	<b>Mitigation Measure</b>
<b>10630 West Front</b> <b>PLN 2008-1290</b>  <b>Amendment to CUP 2000-0004</b>	BL: Business License GP: Grading Permit BP: Building Permit FI: Final Inspection TO: Temporary Occupancy FO: Final Occupancy FM: Final Map	PS: Planning Services BS: Building Services FD: Fire Department PD: Police Department CE: City Engineer WW: Wastewater CA: City Attorney	
be permitted.			
9. All lighting shall be designed to eliminate off-site glare. All exterior lights shall utilize full cut-off "hooded" lighting features to prevent off-site glare and spillage. Free standing parking lot lights shall be prohibited. A wall mounted parking lot light will be installed on the northeast side of the building.	BP / FO	PS	1.d.1
10. The use permit and business license shall prohibit the tenants from parking any personal vehicles on the project site.	On going	PS	15.a
11. A trash enclosure will be constructed of decorative masonry materials and have solid metal gates. The enclosure shall be constructed of either split face block or CMU block covered in stucco. The perimeter of all such facilities shall be landscaped when visible to the public.	BP / FO	PS	
12. The maintenance of the private road / access easement shall be divided among the property owners. The care facility (10630 West Front) shall be responsible for 54% of the maintenance costs of the road. Each of the residences (10620 and 10610 West Front) would be responsible for 23% of the maintenance costs. Upon presentation to the applicant of a maintenance agreement confirming the presented shares of 54% and 23% for each residence as provided herein, applicant shall design the maintenance agreement.	Ongoing	PS	
13. The existing landscaping installed around the perimeter of the site, outside the new wrought iron fence, shall remain and be maintained in good condition.	Ongoing	PS	
14. The light fixtures on the outside of the building shall be replaced with hooded light fixtures to limit off-site glare.	FO	PS	
15. A mixed variety of oak species shall be installed on the north part of the site, outside the new wrought iron fence and away from the septic system and leach filed. A total of 20 five gallon trees shall be installed. The trees shall be double staked.	FO	PS	
16. A screening wall shall be installed around the roof mounted HVAC equipment.	FO	PS	
<b>Engineering Conditions:</b>			
17. The applicant shall enter into a Plan Check / Inspection Agreement with the City.	BP	CE	
18. The applicant shall be responsible for the relocation and/or alteration of all existing utilities which interfere or conflict with the proposed	FO	CE	



<b>Conditions of Approval / Mitigation Monitoring Program</b>	<b>Timing</b>	<b>Responsibility /Monitoring</b>	<b>Mitigation Measure</b>
<b>10630 West Front</b> <b>PLN 2008-1290</b>  <b>Amendment to CUP 2000-0004</b>	BL: Business License GP: Grading Permit BP: Building Permit FI: Final Inspection TO: Temporary Occupancy FO: Final Occupancy FM: Final Map	PS: Planning Services BS: Building Services FD: Fire Department PD: Police Department CE: City Engineer WW: Wastewater CA: City Attorney	
improvements.			
19. The applicant shall install all new utilities underground.	<b>BP / FO</b>	<b>CE</b>	
20. Prior to the final inspection, domestic water facilities shall be extended to the facility in conformance with the West Frontage Road Street and Water Improvement plans prepared by Cannon Associates which were accepted by the City Engineer On March 3, 2000.	<b>FO</b>	<b>CE</b>	
21. Prior to the issuance of building permits, the applicant shall submit a grading and drainage plan prepared by a registered civil engineer for review and approval by the City Engineer.	<b>BP</b>	<b>CE</b>	
22. Prior to the final inspection, the applicant shall submit a written statement from a registered civil engineer that all work has been completed and is in full compliance with the approved plans and the Uniform Building Code (UBC) prior to the final inspection.	<b>FO</b>	<b>CE</b>	
<b>Fire Department Conditions:</b>			
23. The building shall be equipped with an automatic fire sprinkler system.	<b>BP</b>	<b>BS / FD</b>	
<b>Atascadero Mutual Water Company Conditions:</b>			
24. Prior to the final inspection, the applicant shall construct an extension to the existing water main in West Front Road. The pipe for the water main extension shall have a minimum diameter of 8-inches. Plans for the water main extension shall be submitted for review and approval by the Atascadero Mutual Water Company prior to the issuance of building permits.	<b>FO</b>	<b>AMWC</b>	
25. Prior to the final inspection, the applicant shall Prior to the issuance of building permits, the applicant shall submit plans showing the water distribution facilities required to serve the project for review and approval by the Atascadero Mutual Water Company. The plans shall show the facilities required for fire protection.	<b>FO</b>	<b>AMWC</b>	
26. Prior to the issuance of building permits, the applicant shall obtain a "Will Serve" letter from the Atascadero Mutual Water Company.	<b>BP</b>	<b>AMWC</b>	
27. Prior to the issuance of building permits, the applicant shall pay all installation and connection fees required by the Atascadero Mutual Water Company.	<b>BP</b>	<b>AMWC</b>	



**ATTACHMENT 2: Conditions of Approval PC Resolution 2012-0021**  
**AMND18-0091 / PLN 2008-1290**

<b>Conditions of Approval / Mitigation Monitoring Program</b>  <b>10630 West Front Amendment #2</b>  <b>CUP 2000-0004 / PLN 2008-1290</b>	<b>Timing</b>  BL: Business License GP: Grading Permit BP: Building Permit FI: Final Inspection TO: Temporary Occupancy FO: Final Occupancy FM: Final Map	<b>Responsibility /Monitoring</b>  PS: Planning Services BS: Building Services FD: Fire Department PD: Police Department CE: City Engineer WW: Wastewater CA: City Attorney
1. The approval of this use permit shall become final and effective for the purposes of issuing building permits fourteen (14) days following the Planning Commission approval unless prior to the time, an appeal to the decision is filed as set forth in Section 9-1.111(b) of the Zoning Ordinance.	<b>BL</b>	<b>PS</b>
2. The Community Development Department shall have the authority to approve minor changes to the project that (1) increase the intensity of the project by less than 10%, (2) result in a superior site design or appearance, and/or (3) address a construction design issue that is not substantive to the Conditional Use Permit.	<b>Ongoing</b>	<b>PS</b>
3. The applicant shall defend, indemnify, and hold harmless the City of Atascadero or its agents, officers, and employees against any claim or action brought to challenge an approval by the City, or any of its entities.	<b>Ongoing</b>	<b>PS</b>
4. This Conditional Use Permit shall be for a <b>16 client Residential Care and Assisted Living Facility</b> for elderly care at the property located at 10630 West Front Road (APN 045-353-007) regardless of owner.	<b>Ongoing</b>	<b>PS</b>
5. All site improvements, landscaping, and building elevations shall be consistent or superior to those shown in attached Exhibits B through E of the original approval PC Resolution 2008-0031.	<b>Ongoing</b>	<b>PS</b>
6. All conditions of approval of PC Resolution 2008-0031 shall remain in effect unless specifically amended by this resolution.	<b>Ongoing</b>	<b>PS</b>



**ATTACHMENT 3: Draft Resolution**  
**AMND18-0091 / PLN 2008-1290**

**DRAFT PC RESOLUTION 2018-A**  
**CONDITIONAL USE PERMIT AMENDMENT**

**RESOLUTION OF THE PLANNING COMMISSION**  
**APPROVING AN AMENDMENT TO**  
**CONDITIONAL USE PERMIT 2000-0004**  
**RESIDENTIAL CARE FACILITY FOR THE ELDERLY**  
**VAUGHN / 10630 WEST FRONT ROAD**  
**AMND18-0091 / PLN 2008-1290**

**WHEREAS**, an application has been received from William Vaughn (applicant) and Shirley Barratt (owner) to consider AMND18-0091 for an amendment to Conditional Use Permit 2000-0004 on a 2.56-acre site located at 10630 West Front Road, Atascadero, CA 93422 (APN 045-353-007); and

**WHEREAS**, the General Plan land use designation of the site is Rural Estates (RE); and

**WHEREAS**, the zoning district of the site is Residential Suburban (RS); and

**WHEREAS**, Residential Care Facilities for the Elderly with seven (7) or more clients are a conditionally allowed use in the Residential Suburban zoning district; and

**WHEREAS**, the Planning Commission approved Conditional Use Permit 2000-0004 on November 21, 2000; and

**WHEREAS**, the Planning Commission approved an amendment to Conditional Use Permit 2000-0004 on June 17, 2008; and

**WHEREAS**, the Planning Commission approved an additional amendment to Conditional Use Permit 2000-0004 on November 20, 2012; and

**WHEREAS**, the Design Review Committee reviewed the physical design of the project at timely and properly noticed meetings on September 27, 2017 and September 26, 2018; and

**WHEREAS**, the proposed project qualifies for a Categorical Exemption consistent with CEQA Guidelines Section 15332: infill development projects; and

**WHEREAS**, the laws and regulations relating to the preparation and public notice of environmental documents, as set forth in the State and local guidelines for implementation of the California Environmental Quality Act (CEQA) have been adhered to; and





**WHEREAS**, a timely and properly noticed public hearing was held by the Planning Commission of the City of Atascadero at which hearing evidence, oral and documentary, was admitted on behalf of said amendment to the master plan of development; and

**WHEREAS**, the Planning Commission of the City of Atascadero, at a duly noticed public hearing held on December 4, 2018, studied and considered AMND18-0091.

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Commission of the City of Atascadero makes the following findings and determinations with respect to the proposed conditional use permit:

**SECTION 1. Findings of Environmental Exemption.** The Planning Commission finds as follows:

1. The proposed project is categorically exempt from the provisions of the California Environmental Quality Act (California Public Resources Code §§ 21000, et seq., “CEQA”) and CEQA Guidelines (Title 14 California Code of Regulations §§ 15000, et seq.) pursuant to CEQA Guidelines Section 15332, for infill development projects. A notice of exemption is included as Exhibit A.

**SECTION 2. Findings for approval of conditional use permit.** The Planning Commission finds as follows:

1. The proposed project or use is consistent with the General Plan.

**Fact.** The General Plan Housing Element acknowledges the population of Atascadero is aging and identifies the need for assistance to this demographic. In 2001, only seven residential care facilities were located in Atascadero. That number has increased in the intervening years, but care facilities for the elderly are in demand. Land Use, Open Space and Conservation (LOC) Element Program 2.1.5 is to “Require Conditional Use Permit approval for social establishments, including senior citizen facilities, in residential areas.” This program is in support of LOC Policy 2.1, which is to “Ensure that new development is compatible with existing and surrounding neighborhoods.” The conditions of approval require the owner to construct and operate the facility in a manner that is compatible with the neighborhood.

The Rural Estates land use designation is generally for large lots located outside the urban services line. The intended use is detached single-family homes. The subject property is just outside the Urban Services Area, which has a boundary that runs along the eastern property line adjacent to the highway. “Beyond the USL, the plan intends for the Rural Service Area to retain rural residential to reinforce the City's identity and maintain open space characteristics.” The owner recently constructed an extension of the sewer to serve his property in 2017. The site is a candidate for a future expansion of the Urban Services Area. The close proximity to Highway 101 detracts from the residential character of the neighborhood and the proposed expansion acts as a buffer between the freeway and the nearby single-family residential uses.

2. The proposed project or use satisfies all applicable provisions of the Zoning Regulations of the Atascadero Municipal Code.



**Fact.** The proposed structure meets the general site requirements for the RS zoning district (e.g. setback, height, lot coverage, driveway design, etc.). Residential Care Facilities for the Elderly with 7 or more clients are conditionally allowed in the RS zoning district.

3. The establishment, and subsequent operation or conduct of the use will not, because of the circumstances and conditions applied in the particular case, be detrimental to the health, safety or welfare of the general public or persons residing or working in the neighborhood of the use, or be detrimental or injurious to property or improvements in the vicinity of the use.

**Fact.** The proposed facility is located on West Front Road next to the southbound Highway 101 entrance for Santa Rosa Road. Unlike many properties in the RE land use designation, the access to the property is not via a narrow winding road through a heavily wooded area. The property has good site distance and will not create a significant traffic impact. The site has been used for a care facility since the early 2000's. The use is quasi-residential and generally quiet. The expansion includes new parking areas that will reduce the impact of care-facility parking on the driveway shared with the neighbors. No hazardous materials will be created by the use.

4. The proposed project or use will not be inconsistent with the character of the immediate neighborhood or contrary to its orderly development.

**Fact.** Properties in the RS zoning district do not have a maximum size limitation; a single-family residence could be constructed with the area and height as the proposed structure. While a commercial use, the project is quasi-residential providing a residence to elderly persons in need of assistance with daily tasks.

5. The proposed use or project will not generate a volume of traffic beyond the safe capacity of all roads providing access to the project, either existing or to be improved in conjunction with the project, or beyond the normal traffic volume of the surrounding neighborhood that would result from full development in accordance with the land use element.

**Fact.** The 9th Edition of the Institute of Transportation Engineers (ITE) Trip Generation Handbook indicates an Assisted Living Facility will generate the number of trips indicated in the table below.

Expected Vehicle-Trip Generation

Phase	Beds	Daily Trips	Peak Hour AM	Peak Hour PM
Existing	16	43	2	4
Phase 1	30	80	4	7
Phase 2	50	133	7	11
Phase 3	59	157	8	13

The *Traffic Impact Study for Atascadero Family Apartments* prepared by Whitlock and Weinberger Transportation, Inc. in 2015 notes the intersection of Santa Rosa Road and El Camino Real, and the on-ramps for both northbound and southbound traffic at Highway 101 and Santa Rosa Road (West Front and East Front Roads) operate at a level-of-service B. Local



intersections are capable of accommodating expected project traffic without significant impact to level of service. The project will be required to pay reimbursement to the developer who funded recent Santa Rosa interchange improvements.

6. Specifically identified characteristics of the site or site vicinity would make required fencing or screening unnecessary or ineffective.

**Fact.** The zoning ordinance requires a six-foot tall solid fence or wall between commercial and residential uses. The neighbor at 10620 West Front Road has requested no tall fence be placed along the rear property line, as it would impede his view of the landscape on the other side of the freeway.

7. The native trees to be removed are obstructing proposed improvements that cannot be reasonably designed to avoid the need for tree removal, as certified by a report from the site planner and determined by the Community Development Department.

**Fact.** The native trees to be removed were planted about 10 years ago as a condition of approval. They are located in the middle of the proposed parking area near the Phase 1 garage. The owner has submitted an arborist's report, which states it is not possible to design a driveway to the garage that complies with fire department standards without removing the trees.

**SECTION 7. Approval.** The Planning Commission of the City of Atascadero, in a regular session assembled on December 4, 2018 resolved to amend Conditional Use Permit 2000-0004, subject to the following:

1. EXHIBIT A: Notice Of Exemption
2. EXHIBIT B: Conditions of Approval
3. EXHIBIT C: Phased Site Plan
4. EXHIBIT D: Phase 1 Garage
5. EXHIBIT E: Phase 2 Building Addition and Covered Patio
6. EXHIBIT F: Phase 3 Building
7. EXHIBIT G: Color and Materials
8. EXHIBIT H: Landscape Plan
9. EXHIBIT I: Signage



On motion by Commissioner \_\_\_\_\_ and seconded by Commissioner \_\_\_\_\_  
the foregoing resolution is hereby adopted in its entirety by the following roll call vote:

AYES: ( )

NOES: ( )

ABSTAIN: ( )

ABSENT: ( )

ADOPTED:

CITY OF ATASCADERO, CA

\_\_\_\_\_  
Jerel Seay  
Planning Commission Chairperson

Attest:

\_\_\_\_\_  
Phil Dunsmore  
Planning Commission Secretary



**EXHIBIT A: Notice of Determination**  
**AMND 18-0091 / PLN 2008-1290**



**CITY OF ATASCADERO**  
**NOTICE OF EXEMPTION**

6500 Palma Avenue

Atascadero, CA 93422

805.461.5000

TO: ☒ File

Date Adopted: December 4, 2018

FROM: Katie Banister, Associate Planner  
City of Atascadero  
Community Development Department  
6500 Palma Avenue  
Atascadero, CA 93422

SUBJECT: Filing of Notice of Determination in Compliance with Section 21152.1 of the Public Resources Code.

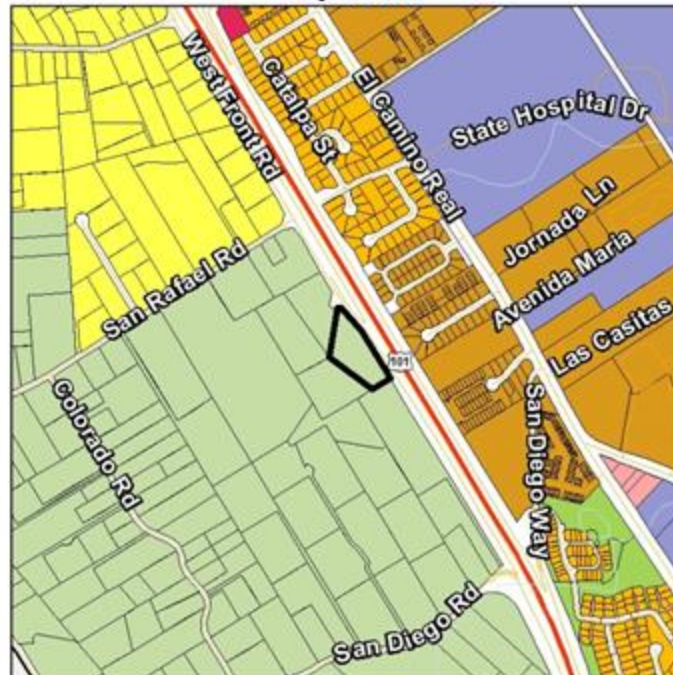
Project Title: AMND 18-0091 – Amendment to the Master Plan of Development for Ingleside Assisted Living (PLN 2008-1290 / CUP 2000-0004)

Project Applicant: William Vaughn, 10630 West Front Road, Atascadero, CA 93422

Project Owner: Shirley Barratt, 10630 West Front Road, Atascadero, CA 93422

Project Location: 10630 West Front Road, Atascadero, CA 93422 (San Luis Obispo County, 046-353-007)

**Project Site**



Project Description:

The proposed project consists of a phased expansion of a Residential Care Facility for the Elderly (RCFE) (Ingleside Assisted Living) at 10630 West Front Road in the Residential Suburban (RS) zoning district / Rural Estates (RE) land use designation. The removal of eight native oaks trees planted about 10 years ago is proposed

Existing

- 16-client RCFE
- 7,650 square-foot facility

Phase 1

- Construct a 2,880 square-foot detached garage for parking and storage;
- Construct a paved driveway with 19 additional parking spaces;
- Construct a curb along the shared driveway between West Front and the guest parking lot to discourage parking;
- Install landscaping in proximity to the new garage and along the rear property line; and
- Expand services to a maximum of 30 clients within 15 existing rooms.

Phase 2

- Construct a 6,709 square-foot, 10-bedroom expansion to the existing facility for 20 additional clients;
- Construct a new front parking area for 7 cars;
- Complete the curb along the shared driveway;
- Construct a 325 square-foot detached covered patio behind the existing building; and
- Relocate the existing gazebo to the front of the building.

Phase 3

- Construct a 9-bedroom hospice-care building for 9 additional clients.

Name of Public Agency Approving Project: City of Atascadero

Name of Person or Agency Carrying Out Project: William Vaughn

Exempt Status:

- |  |  |
|--|--|
| <input type="checkbox"/> Ministerial (Sec. 15073)                                  | <input type="checkbox"/> Emergency Project (Sec. 1507 (b) and (c)) |
| <input type="checkbox"/> Declared Emergency (Sec. 15061 (a))                       | <input type="checkbox"/> General Rule Exemption (Sec. 15061.c)     |
| <input checked="" type="checkbox"/> Categorically Exempt (Sec. 15301-15333): 15332 |  |

Reasons why project is exempt: The Class 32 Exemption of the California Environmental Quality Act (CEQA) (Section 15332, In-Fill Development projects) consists of projects characterized as in-fill development meeting the following conditions:

- a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.

The General Plan Housing Element acknowledges the population of Atascadero is aging and identifies the need for assistance to this demographic. In 2001, only seven residential care facilities were located in



Atascadero. That number has increased in the intervening years, but care facilities for the elderly are in demand. Land Use, Open Space and Conservation (LOC) Element Program 2.1.5 is to “Require Conditional Use Permit approval for social establishments, including senior citizen facilities, in residential areas.” This program is in support of LOC Policy 2.1, which is to “Ensure that new development is compatible with existing and surrounding neighborhoods.” The conditions of approval require the owner to construct and operate the facility in a manner that is compatible with the neighborhood.

Safety and Noise Element Goal 6 is to “Protect the citizens of Atascadero from the harmful and annoying effects of exposure to excessive noise.” The project is conditioned to be constructed to meet noise standards of the General Plan.

The Rural Estates land use designation is generally for large lots located outside the urban services line. The intended use is detached single-family homes. The subject property is just outside the Urban Services Area, which has a boundary that runs along the eastern property line adjacent to the highway. “Beyond the USL, the plan intends for the Rural Service Area to retain rural residential to reinforce the City's identity and maintain open space characteristics.” The owner recently constructed an extension of the sewer to serve his property in 2017. The site is a candidate for a future expansion of the Urban Services Area. The close proximity to Highway 101 detracts from the residential character of the neighborhood and the proposed expansion acts as a buffer between the freeway and the nearby single-family residential uses.

Residential Care Facilities with 7 or more clients require approval of conditional use permit when located in the RS zoning district. The project complies with setback, height, lot coverage, density and similar standards of the zoning ordinance.

- a) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.

The proposed project is within the City limits of the City of Atascadero on a site 2.56 acres in size. The property is surrounded by single-family residential uses. The proposed project is located on a site with an existing care facility.

- b) The project site has no value as habitat for endangered, rare or threatened species.

The project site is immediately adjacent to Highway 101 and is surrounded by single-family residential uses. Undeveloped portions of the site are annual grassland typical of Atascadero. City staff has observed no significant plants on the site. The proximity to the highway limits the value of the site for animals. No endangered species are known to inhabit the site.

- c) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.

**Traffic.** City Staff analyzed expected daily trips and total peak “hour” trips for the project using the Institute of Traffic Engineers (ITE) Vehicle Trip Generation Manual, 9<sup>th</sup> edition. When fully built, the project is expected to generate 157 daily trips including 8 “AM peak” trips and 13 “PM peak” trips (existing conditions generate 43 daily trips including 2 “AM Peak” trips and 4 “PM Peak” trip) . The project is immediately adjacent to a southbound entrance ramp to Highway 101. The *Traffic Impact Study for Atascadero Family Apartments* prepared by Whitlock and Weinberger Transportation, Inc. in 2015 notes the intersection of Santa



Rosa Road and El Camino Real, and the on-ramps for both northbound and southbound traffic at Highway 101 and Santa Rosa Road (West Front and East Front Roads) operate at a level of service B. Local intersections are capable of accommodating expected project traffic without significant impact to level of service. The project will be required to pay reimbursement to the developer who funded recent Santa Rosa interchange improvements.

**Noise.** The expansion of the care facility will put sensitive receptors in closer proximity to Highway 101, a major noise source for the community, but will not create significant noise impacts on the neighborhood. CEQA requires the analysis of the impact of the project on the environment, not the impact of the existing environment on the project. The General Plan Safety and Noise Element states hospitals are acceptable in areas with a Community Noise Exposure of 60 dB, and conditionally acceptable in areas with a Community Noise Level of up to 75dB, if the project incorporates “mitigation measures to reduce noise in outdoor activity areas and interior spaces to or below” acceptable levels. An acoustics assessment was conducted by Sarah Taubitz of 45dB Acoustics on October 23, 2018, which found the existing noise level on the site where the exterior walls are proposed is 64 dBA CNEL. “Outdoor activity areas do not exceed 60 dBA, due to the sound blocking from buildings”. The facility will be conditioned to meet an interior noise standard of 45 dB and an exterior noise standard of 60 dB in outdoor use areas in conformance with the General Plan Safety and Noise Element.

**Air Quality.** The proposed project has been analyzed for air quality impacts utilizing the San Luis Obispo County Air Pollution Control District (SLOAPCD) thresholds of significance for both construction and operational impacts, as outlined in the agency’s CEQA Air Quality Handbook, April 2012, and 2017 updates and clarification memos. Projects expected to exceed 1150 CO<sub>2</sub>e (MT/year) of greenhouse gases (GHG) and 25 lb/day of ozone precursors (ROG +NO<sub>x</sub>) are considered significant. Emissions are calculated using the size and use of a structure.

SLOAPCD reports that a hospital (most similar use in the screening table) would need to be larger than 31,000 sf to exceed operational and construction thresholds for GHG. Similarly, a hospital exceeding 57,000 sf may cause a project to exceed the ozone precursor threshold. At full build out, the proposed facility would be about 18,500 square feet of care facility space with approximately 3,500 square feet of accessory storage and covered patio space. The proposed project falls below the established threshold for operational and construction standards for GHG and ozone precursor emissions.

During construction, the production of some diesel particulate matter and fugitive particulate matter (PM<sub>10</sub>) dust is anticipated. Cumulatively, the project includes 2,270 cubic yards of cut and 2,270 cubic yards of fill, which is expected to produce 11.1 pounds of diesel particulate matter and approximately 3,000 pounds of PM<sub>10</sub>. Projects creating 260 pounds of diesel particulate matter and 5,000 pounds of PM<sub>10</sub> per quarter are below the threshold of significance for construction operations. The project falls below the established threshold of significance with particulate matter during construction operations.

**Water Quality.** There are no drainage swales or creeks on or in proximity to the site. During construction, the project will be required to prevent erosion and pollutant-carrying runoff by stabilizing graded areas and slowing water leaving the site. Once complete, the project must comply with Regional Water Quality Control Board Post-Construction Stormwater Management Requirements. The proposed site plan leaves a large portion of the permeable soils on site undisturbed, and will direct runoff to vegetated areas. At the time of applying for building permits, the applicant will submit a stormwater control plan to the City staff, who will ensure compliance.

- d) The site can be adequately served by all required utilities and public services.





The proposed project is currently served by all utilities including electric (Pacific Gas and Electric Company), natural gas (Southern California Gas Company) and telecommunication (Charter Cable / AT&T). The site was recently attached to the public sewer, and water service is provided by the Atascadero Mutual Water Company (AMWC). These service providers have adequate capacity to continue to serve the site at completion of the project.

Contact Person: Katie Banister, Associate Planner, [kbanister@atascadero.org](mailto:kbanister@atascadero.org), (805) 470-3480

Date: November 20, 2018

  
Katie Banister, Associate Planner



<b>EXHIBIT B:      Conditions of Approval</b> <b>AMND 18-0091 / PLN 2008-1290</b>
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<b>Conditions of Approval</b>
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<b><i>Master Plan of Development</i></b> <b><i>Residential Care Facility for the Elderly</i></b> <b>10630 West Front Road</b> <b>AMND18-0091 / PLN 2008-1290 / CUP 2000-0004</b>
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- |   |
|---|
| 1. Conditional Use Permit 2000-0004, as amended, shall be for a phased master plan of development for a Residential Care Facility for the Elderly use as described in attached Exhibits C, D, E, F, G, and H located at 10630 West Front Road, legally described as Parcel 2 of Parcel Map AT 99-190, recorded in Book 54 page 57 of Parcel Maps, City of Atascadero, County of San Luis Obispo, California (assessor's parcel number 045-353-007), regardless of owner.  |
| 2. The approval of this use permit shall become final and effective for the purposes of issuing building permits fourteen (14) days following the Planning Commission approval unless an appeal of the decision is filed as set forth in Section 9-1.111(b) of the Zoning Ordinance.  |
| 3. All conditions of approval of PC Resolution 2012-0021 shall remain in effect unless specifically amended by this resolution.   |
| 4. The Community Development Department shall have the authority to approve minor changes to the project that (1) modify the site plan of the project by less than 10%, (2) result in a superior site design or appearance, and/or (3) address a construction design issue that is not substantive to the Conditional Use Permit.   |
| 5. Approval of Phase 1 of this Conditional Use Permit shall be valid for twenty-four (24) months after its effective date. At that time, the entire amendment approval shall expire and become null and void unless the project has received a building permit for Phase 1 improvements or a time extension.<br><br>Approval of Phase 2 of this Conditional Use Permit shall be valid for thirty-six (36) months after its effective date. At that time, the approval for Phases 2 and 3 shall expire and become null and void unless the project has received a building permit for Phase 2 improvements or a time extension.<br><br>Approval of Phase 3 of this Conditional Use Permit shall be valid for sixty (60) months after its effective date. At that time, the approval for Phases 3 shall expire and become null and void unless the project has received a building permit for Phase 3 improvements or a time extension. |
| 6. The owner and applicant shall defend, indemnify, and hold harmless the City of Atascadero or its agents, officers, and employees against any claim or action brought to challenge an approval by the City, or any of its entities, concerning this conditional use permit.   |

Planning Services
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- |  |
|--|
| 7. Before building permits may be finalized for each addition of clients and/or each increase in habitable space, the owner shall apply for and receive all required county, state and federal approvals and permits for care facilities of the applicable size. |
| 8. Before building permits are issued for each phase, the owner shall pay applicable traffic fees to the West Front Reimbursement District.  |
| 9. All structures shall be set back a minimum of 25 feet from the edge of the 30-foot wide private access and utility easement shared driveway easement created with Parcel Map AT 99-190.   |



10. In all phases, structures shall be constructed so that internal habitable spaces do not exceed CNEL of 45dBA.
11. Before the building permit for the Phase 2 expansion is finalized, any existing onsite aerial utilities shall be relocated underground. In all phases, all new utilities shall be placed underground.
12. All parking areas and driveways shall be given a paved surface, either asphalt, concrete or similar to the satisfaction of the Community Development Director.
13. Before building permits are issued for any phase of the project, the owner shall record a shared driveway maintenance agreement with parties sharing the private access driveway (owners of 10610 and 10620 West Front Road). The agreement shall require the owner of the subject property to be responsible for a minimum of fifty-four percent (54%) of the maintenance costs for the driveway unless said interested parties provide signed statements stating their preference for requiring the owner to be responsible for a smaller portion of the maintenance costs. Driveway improvements required by this conditional use permit shall be the sole responsibility of the owner of the subject property.
14. The owner may accelerate the construction of the required site improvements for any phase (e.g. construct Phase 2 site improvements with Phase 1), but shall not begin construction of subsequent phases until site improvements for the previous phase are complete (e.g. Phase 2 may not begin until Phase 1 site improvements are complete).
15. Ongoing, changes to the architectural design and exterior building materials of the facility, and major changes to the site plan not in compliance with the conditions and exhibits of this resolution shall require approval by the Design Review Committee. Increases in the floor area, height and/or number of clients shall require an amendment to the conditional use permit approved by the Planning Commission.
16. Ongoing, other than the split rail fence at the rear property line, any fencing installed around the facility shall be ornamental, open, metal fencing, such as wrought iron or aluminum. The fencing shall be painted all one color of a dark shade such as black or dark brown.
<i>Phase 1</i>
17. Phase 1 shall permit the owner to: <ul style="list-style-type: none"> <li>a. increase the number of clients within the existing facility to a total of 30, and</li> <li>b. construct the garage described in the conditions and exhibits of this resolution, and</li> <li>c. remove eight native trees totaling 42 inches in diameter.</li> </ul>
18. The owner shall apply for a building permit to increase the occupancy of the existing facility. All applicable building and fire codes shall be observed. Any exterior alterations to the existing facility shall be in conformance with the conditions and exhibits of this resolution.
19. The garage shall be a maximum of 3,000 square feet in size.
20. The garage shall be a maximum of 22 feet in height.
21. The owner shall construct the garage with a concrete tile roof and horizontal siding of the same colors and materials as the existing building.
22. Before the building permit is finalized for any Phase 1 improvement listed in Condition 17 above, the owner shall construct at least 19 additional parking spaces. The driveway and parking area shall be bounded by a vertical curb on all sides except at the entrance, and where cuts are needed for stormwater management or accessibility. The top of the curb shall be at least 6 inches above the surface of the driveway. The curb shall be constructed of either asphalt or concrete, and shall not be mountable.



23. Before the building permit is finalized for any Phase 1 improvement listed in Condition 17 above, the owner shall construct vertical curb on the eastern side of the shared driveway between the approach to the new driveway to the garage and the entrance to the existing parking area as shown in Exhibit C. The top of the curb shall be at least 6 inches above the surface of the driveway. The curb shall be constructed of either asphalt or concrete, and shall not be mountable.
24. Before the building permit is finalized for any Phase 1 improvement listed in Condition 17 above, the owner shall install split rail fence at the rear property line as shown in Exhibit H.
25. The owner shall submit a landscape and irrigation plan with the application for building permit(s) for the garage in general conformance with Phase 1 of Exhibit H. The Phase 1 landscape plan shall comply with the water efficient landscape standards current at the time of building permit application for Phase 1. Before the building permit for the garage is finalized, the applicant shall complete the landscaping and irrigation plan. No occupancy (temporary or permanent) shall be granted until installation is complete. The Director of Community Development shall have the authority to approve changes to the landscape phasing that do not affect more than 10% of the total area of new landscaping shown in all phases of Exhibit H.
26. Existing native trees shall not be removed until the building permits for the garage are approved.
27. The Phase 1 landscape plan shall include planting at least 19 native trees, at least 5 gallons in size each.
28. The Phase 1 landscaping plan shall include bushes and trees on the rear property line to screen the garage from neighboring properties.
29. The care-facility shall not create off-site light spill that exceeds the amount expected from a single-family residence. All building-mounted exterior lighting shall be installed below the lowest height of the roof of the existing building. Any freestanding lights shall be pointed at the ground and shall not exceed 6 feet in height. All exterior light fixtures shall be shielded or full cut-off so no exposed bulbs can be seen off-site. Motion detecting lights shall be utilized whenever feasible.
30. A photometric light study shall be submitted with the building permits for Phase 1 improvements and shall consider all new lights proposed and all existing lights proposed to be retained. The lighting plan shall not include any lights that cause light in excess of 0.05 footcandles at the property boundaries adjacent to residential properties and .01 footcandles adjacent to Highway 101. Planning Services staff shall conduct a night-time inspection of lights before the building permits for Phase 1 improvements may be finalized.
<i>Phase 2</i>
31. Phase 2 shall permit the owner to: <ul style="list-style-type: none"> <li>a. construct an addition to the existing care facility building, and</li> <li>b. increase the number of clients to a total of 50, and</li> <li>c. construct a detached covered patio.</li> </ul>
32. The Phase 2 addition shall not exceed 7,000 square feet and shall not exceed 10 bedrooms.
33. The Phase 2 addition shall not exceed the height of the existing building.
34. The laundry facility shall be used only for clothing and linens used on-site. Laundry shall not be brought to this location to be serviced from other facilities, even those under common ownership.
35. The Phase 2 addition shall be constructed in general conformance with the design shown in Exhibit E. Exterior materials shall be horizontal siding and concrete tile roofing of the same color and materials as the existing building.



36. The windows in the bedrooms and offices of the addition shall be the same color and constructed of comparable materials as the windows in the existing building. The bedrooms and office windows shall be the same height, and mounted at the same elevation as those in the existing building. Windows in bathrooms, the laundry room and the roof towers may be a different size and type of window, but shall be the same color, material and architectural style as the bedroom and office windows. If comparable windows are not available or at the discretion of the owner, new windows can be installed throughout the existing building and addition, so long as all windows in the entire expanded building are the same color, material, and general design.
37. Bedroom doors in the addition shall be French doors with glass window panes.
38. Habitable spaces shall not exceed a noise level of 45 dBA. Window/wall/door assemblies for residential units facing Highway 101 with an Outdoor/Indoor Transmission Class (OITC) 29 / Sound Transmission Class (STC) 36 or greater are recommended. Alternate sound dampening mechanisms are subject to approval by the City Building Official and may require additional acoustical analysis.
39. All roof-mounted mechanical equipment shall be screened from view on all sides by the roof as shown in Exhibit E. Ongoing, all roof-mounted mechanical equipment shall be shorter than the screening parapet wall/roof section.
40. The detached covered patio shall only be permitted if the exterior noise level does not exceed 60dBA where proposed. If additional sound dampening is required, the following mitigations are shown in order of priority: <ul style="list-style-type: none"> <li>a. Postpone the construction of the patio cover until the Phase 3 building is constructed and attenuates the noise level.</li> <li>b. Move the patio cover further from the highway.</li> <li>c. Construct an earthen berm.</li> <li>d. Construct a structural barrier.</li> </ul>
41. The detached covered patio shall not exceed 500 square feet in size measured from the outside edge of the roof. The architectural style and color of the structure shall match or complement the care facility building to the satisfaction of the director of Community Development.
42. Before the building permit is finalized for the Phase 2 addition, the owner shall construct a new front parking area with 7 parking spaces as shown in Exhibit C. If fewer parking spaces are proposed in the front parking area, the same number of spaces shall be replaced along the Phase 1 driveway to the garage designed to the satisfaction of the director of Community Development.
43. The front parking area shall include a central landscaped island as generally shown in Exhibit H.
44. The front parking area shall be bounded by vertical curb. The top of the curb shall be at least 6 inches above the surface of the driveway. The curb shall be constructed of either asphalt or concrete, and shall not be mountable.
45. Any gates installed around the front parking area shall have a design in keeping with the residential character of the neighborhood to the satisfaction of the director of Community Development.
46. Following the Phase 1 expansion of occupancy, but prior to issuance of building permits for the Phase 2 addition, care-facility-related parking shall be reviewed by Planning Services staff. If the Community Development director determines additional parking mitigation measures are warranted to reduce neighborhood impacts, the Design Review Committee may approve additional measures including but not limited to: additional curbing, additional signage and/or striping, and additional parking spaces.
47. Before the building permit is finalized for the Phase 2 addition, the owner shall complete the vertical curb on the eastern side of the shared driveway. The curb shall extend from the entrance of the Phase 1 driveway to the rear property line except at entrances to the front parking area, as shown in Exhibit C. The top of the curb shall be at least 6 inches above the surface of the driveway. The curb shall be constructed of either asphalt or concrete, and shall not be mountable.
48. The owner shall submit a landscape and irrigation plan with the application for building permit(s) for the Phase 2 addition in general conformance with Phase 2 of Exhibit H. The Phase 2 landscape plan shall comply with the



<p>water efficient landscape standards current at the time of building permit application for the Phase 2 addition. Before the building permit for the addition is finalized, the applicant shall complete the landscaping and irrigation plan. No occupancy (temporary or permanent) shall be granted until installation is complete. The director of Community Development shall have the authority to approve changes to the landscape phasing that do not affect more than 10% of the total area of new landscaping shown in all phases of Exhibit H.</p>
<p>49. Before the building permit for the addition may be finalized, the owner shall construct a garbage enclosure as shown in Exhibit C. The enclosure shall be constructed of split-face masonry block or similar solid material approved by the director of Community Development. The enclosure shall be at least 6 feet in height. The enclosure shall have a solid metal gate that completely screens garbage bins or dumpsters from neighboring properties, the shared driveway and roads. The enclosure shall have a paved floor.</p>
<p>50. All building-mounted exterior lighting in the Phase 2 addition shall be installed below the lowest height of the roof of the existing building. Any freestanding lights shall be pointed at the ground and shall not exceed 6 feet in height. All exterior light fixtures shall be shielded or full cut-off so no exposed bulbs can be seen off-site. Motion detecting lights should be utilized whenever feasible.</p>
<p>51. A photometric light study shall be submitted with the building permits for the Phase 2 addition and shall consider all new lights proposed and all existing lights proposed to be retained. The lighting plan shall not include any lights that cause a light in excess of 0.05 footcandles at the property boundaries adjacent to residential properties and .01 footcandles adjacent to Highway 101. Planning Services staff shall conduct a night-time inspection of lights before the building permits for the Phase 2 addition may be finalized.</p>
<p>52. No freeway-oriented signage is permitted.</p>
<p><i>Phase 3</i></p>
<p>53. Phase 3 shall permit the owner to:</p> <ol style="list-style-type: none"> <li>construct a detached care building, and</li> <li>increase the number of clients to a total of 59.</li> </ol>
<p>54. The Phase 3 building shall not exceed 4,000 square feet in floor area and shall not exceed 9 bedrooms.</p>
<p>55. The Phase 3 building shall not exceed 20 feet in height.</p>
<p>56. The Phase 2 addition shall be constructed in general conformance with the design shown in Exhibit F. Exterior materials shall be horizontal siding and concrete tile roofing of the same color and materials as the existing building.</p>
<p>57. The windows in the Phase 3 building shall be the same color, materials, size and design as those in the existing building. The bedroom doors shall be French doors with glass window panes to match the Phase 2 addition.</p>
<p>58. Sliding doors in the portion of the original building shall be replaced to match the doors in the addition before the building permit(s) for Phase 3 may be finalized.</p>
<p>59. All mechanical equipment mounted on the roof of the Phase 3 building shall be screened from view on all sides as shown in Exhibit F. Ongoing, all roof-mounted mechanical equipment shall be no taller than the screening wall.</p>
<p>60. Following occupancy of the Phase 2 addition, but prior to issuance of building permits for the Phase 3 building, care-facility-related parking shall be reviewed by Planning Services staff. If the Community Development director determines additional parking mitigation measures to reduce neighborhood impacts are warranted, the Design Review Committee may approve additional measures including but not limited to: additional curbing, additional signage and/or striping, and additional parking spaces.</p>



61. Following occupancy of the Phase 2 addition, but prior to issuance of building permits for the Phase 3 building, Planning Services staff shall review the condition of care-facility lighting. If lighting is found to spill onto neighboring properties, the Community Development director may approve additional lighting mitigation measures to reduce the impact of lighting on neighboring properties to the level expected for a single-family residence. Mitigation measures shall be implemented as soon as feasible and before building permits for the Phase 3 building are finalized.
62. All building-mounted exterior lighting in the Phase 3 building shall be installed below the lowest height of the roof of the existing building. Any freestanding lights shall be pointed at the ground and shall not exceed 6 feet in height. All exterior light fixtures shall be shielded or full cut-off so no exposed bulbs can be seen off-site. Motion detecting lights should be utilized whenever feasible.
63. A photometric light study shall be submitted with the application of building permits for the Phase 3 building and shall consider all new lights proposed and all existing lights proposed to be retained. The lighting plan shall not include any lights that cause light in excess of 0.05 footcandles at the property boundaries adjacent to residential properties and 0.1 footcandles at the property boundary adjacent to Highway 101. Planning services staff shall conduct a night-time inspection of lights before the building permits for the Phase 3 building may be finalized.
64. The owner shall submit a landscape and irrigation plan with the application for building permit(s) for the Phase 3 building in general conformance with Phase 3 of Exhibit H. The Phase 3 landscape plan shall comply with the water efficient landscape standards current at the time of building permit application for the Phase 3 building. Before the building permit for the building is finalized, the applicant shall complete the landscaping and irrigation plan. No occupancy (temporary or permanent) shall be granted until installation is complete. The Director of Community Development shall have the authority to approve changes to the landscape phasing that do not affect more than 10% of the total area of new landscaping shown in all phases of Exhibit H.
Building Services
65. Grading for the Phase 2 building addition and Phase 3 building pad may be reviewed with building permits for Phase 1 improvements. Pads shall be designed and constructed to the satisfaction of the City Building Official.
66. A building permit shall be obtained for the Phase 1 increase in residents to the satisfaction of the City Building Official.
67. Each phase shall comply with the adopted building codes current at the time of building permit application.
Fire Department
68. A fire turnaround shall be provided for the Phase 1 garage to the satisfaction of the City Fire Marshall and in general conformance with Exhibits C and D.
69. The porte-cochere shall have overhead clearance of at least 14 feet to accommodate emergency vehicles.
Public Works
70. Prior to issuance of a building permit, the applicant shall provide a letter from a licensed civil engineer stating that the existing sewer ejector system has adequate capacity to convey the additional flow from the proposed expansion. If the existing system is deficient, a system capacity upgrade shall be included in the construction plans.
71. A Storm Water Control Plan and associated supporting calculations is required prior to issuance of a building permit.

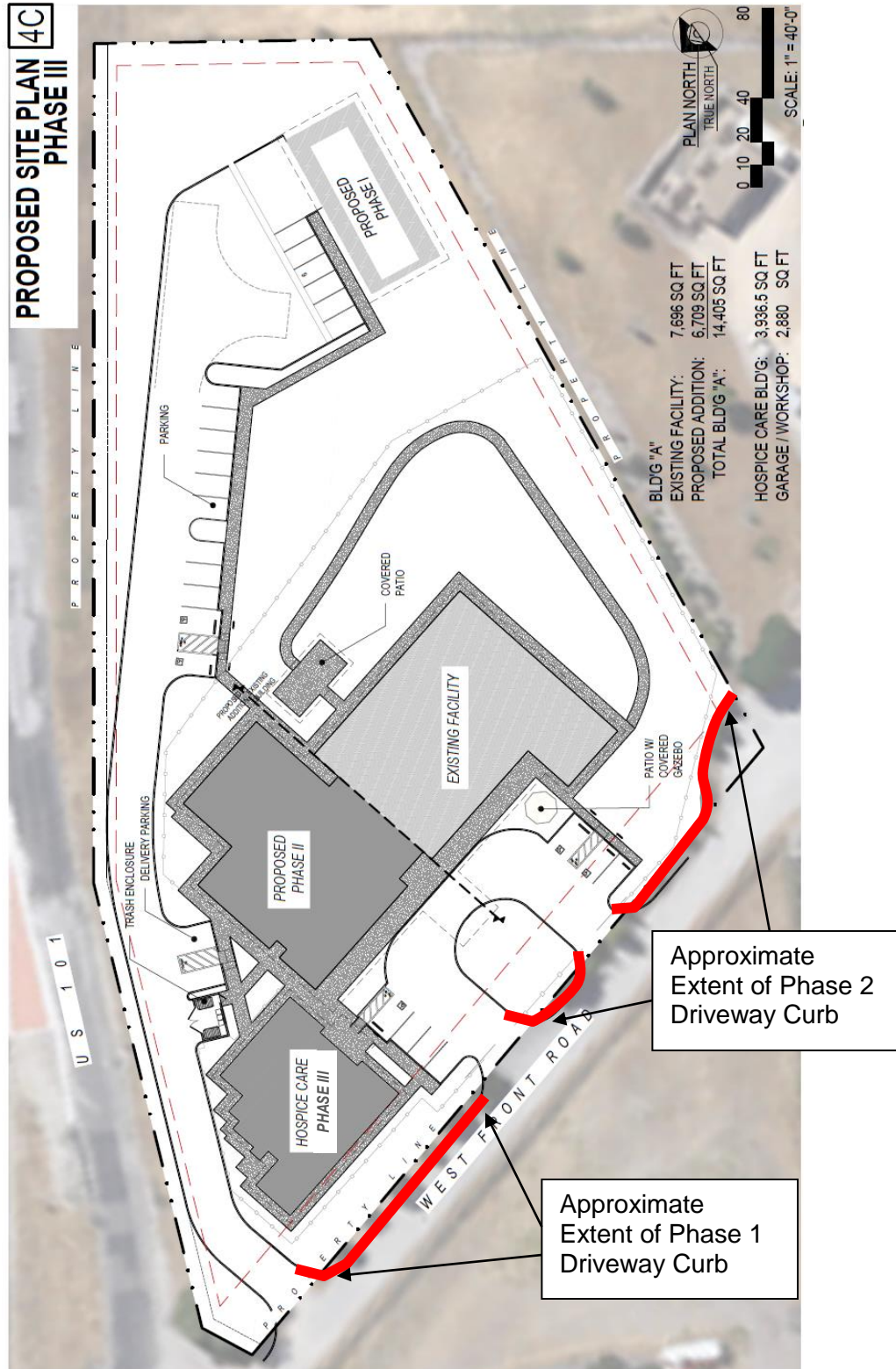


72. A percolation test shall be completed at the proposed drainage basin area. The project engineer shall provide calculations that demonstrate the proposed basin will drain completely within 5-7 days.





**EXHIBIT C: Phased Site Plan**  
**AMND 18-0091 / PLN 2008-1290**

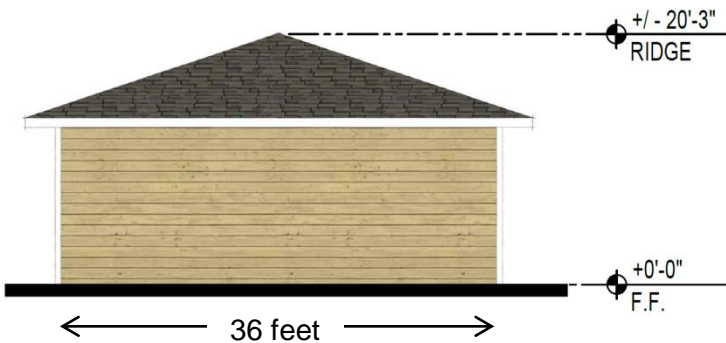


**EXHIBIT D: Phase 1 Garage**  
**AMND 18-0091 / PLN 2008-1290**

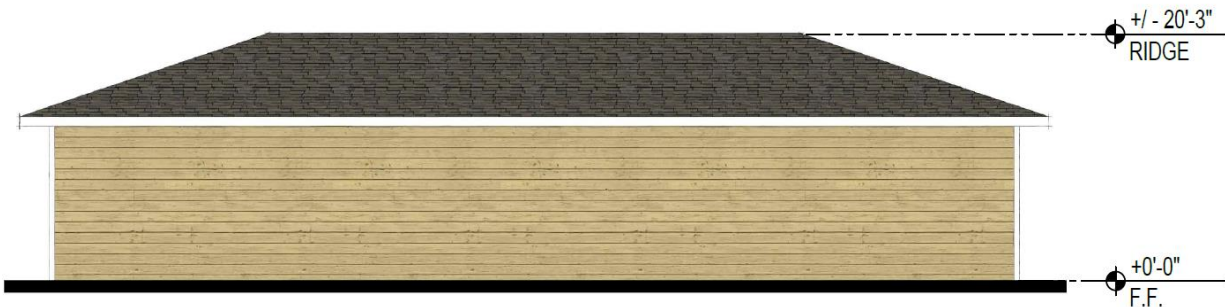
**North Elevation – Freeway Facing**



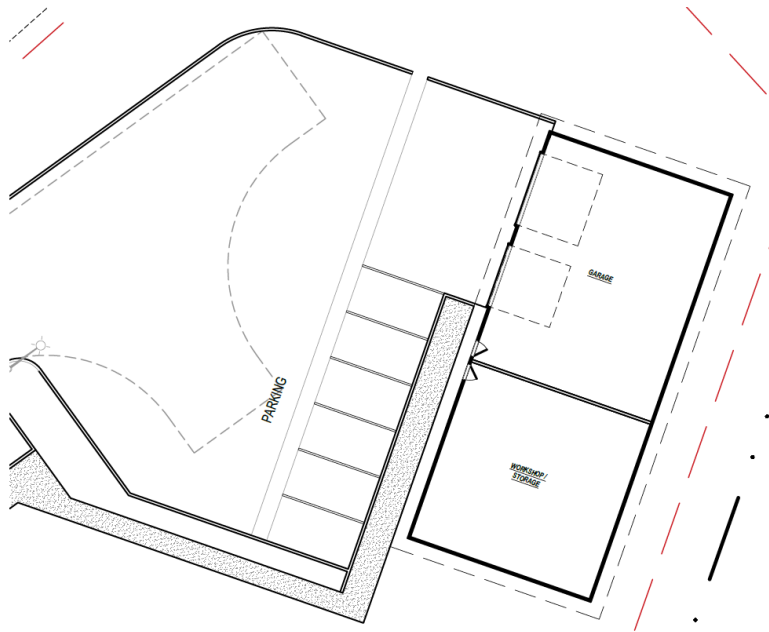
**Side Elevations**



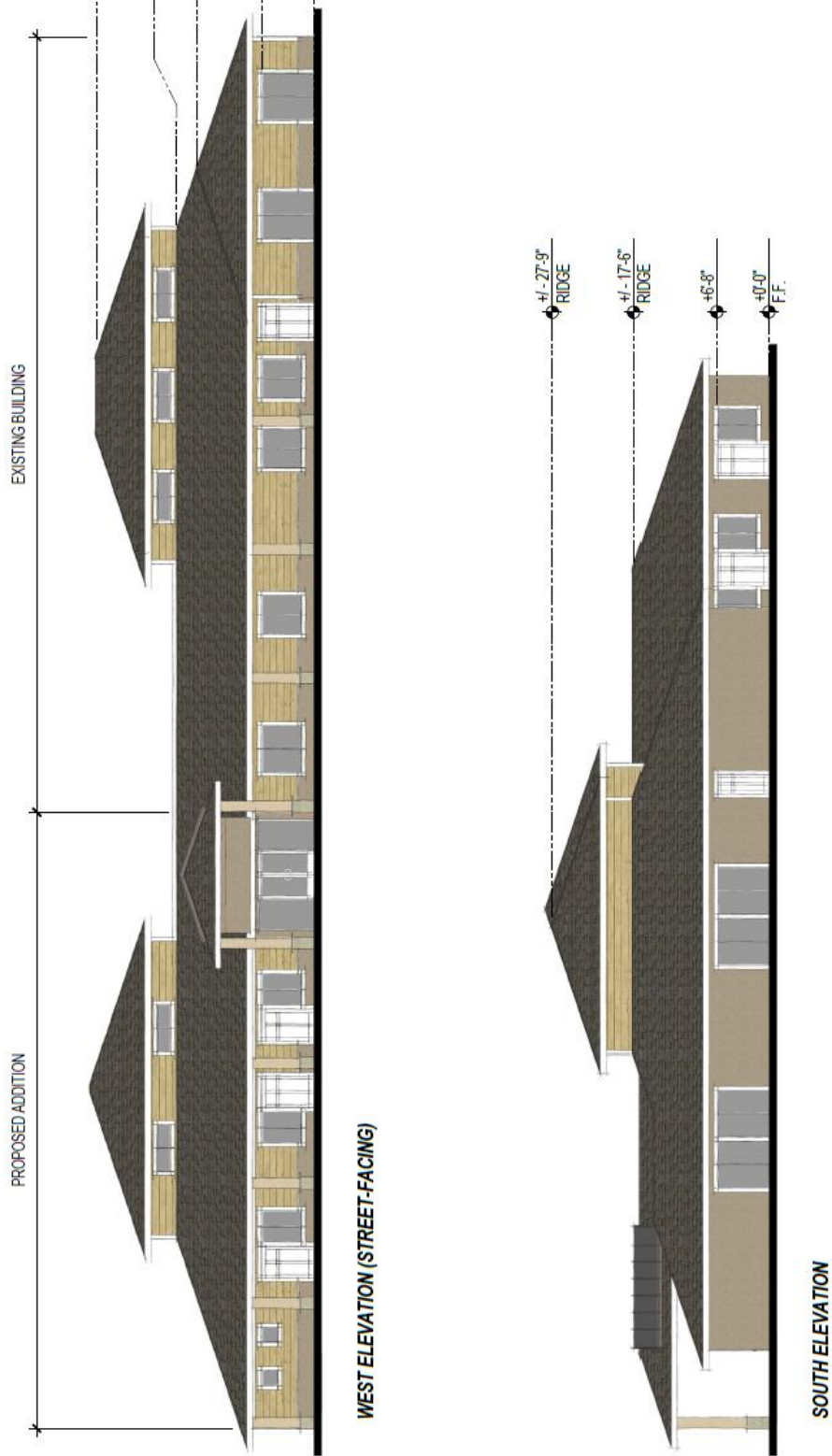
**South Elevation – Facing Neighbor**



**Garage Floor Plan**

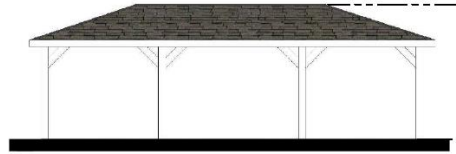


**EXHIBIT E: Phase 2 Building Addition and Covered Patio**  
**AMND 18-0091 / PLN 2008-1290**

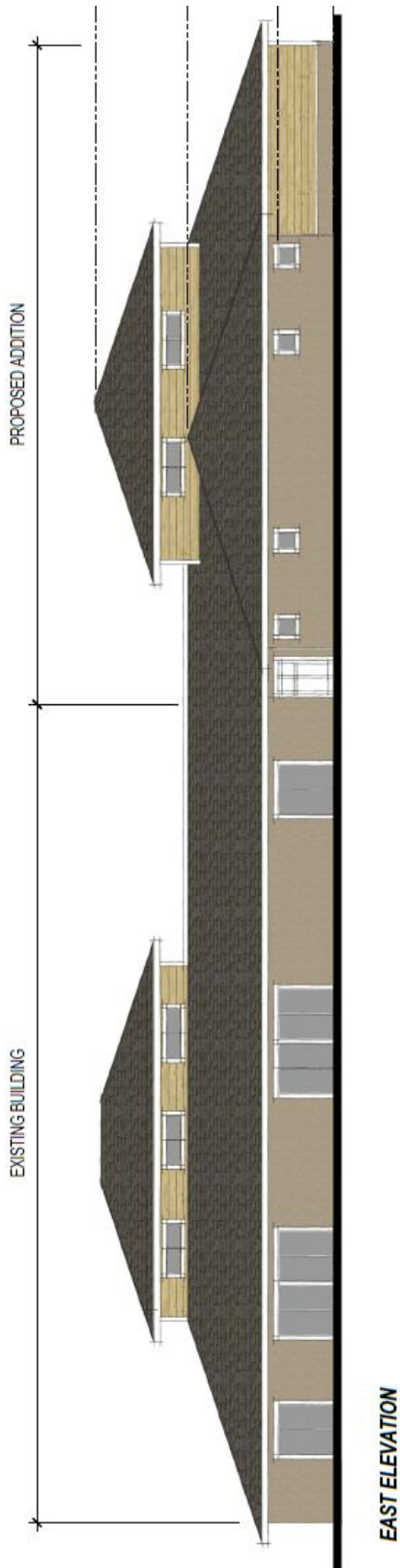




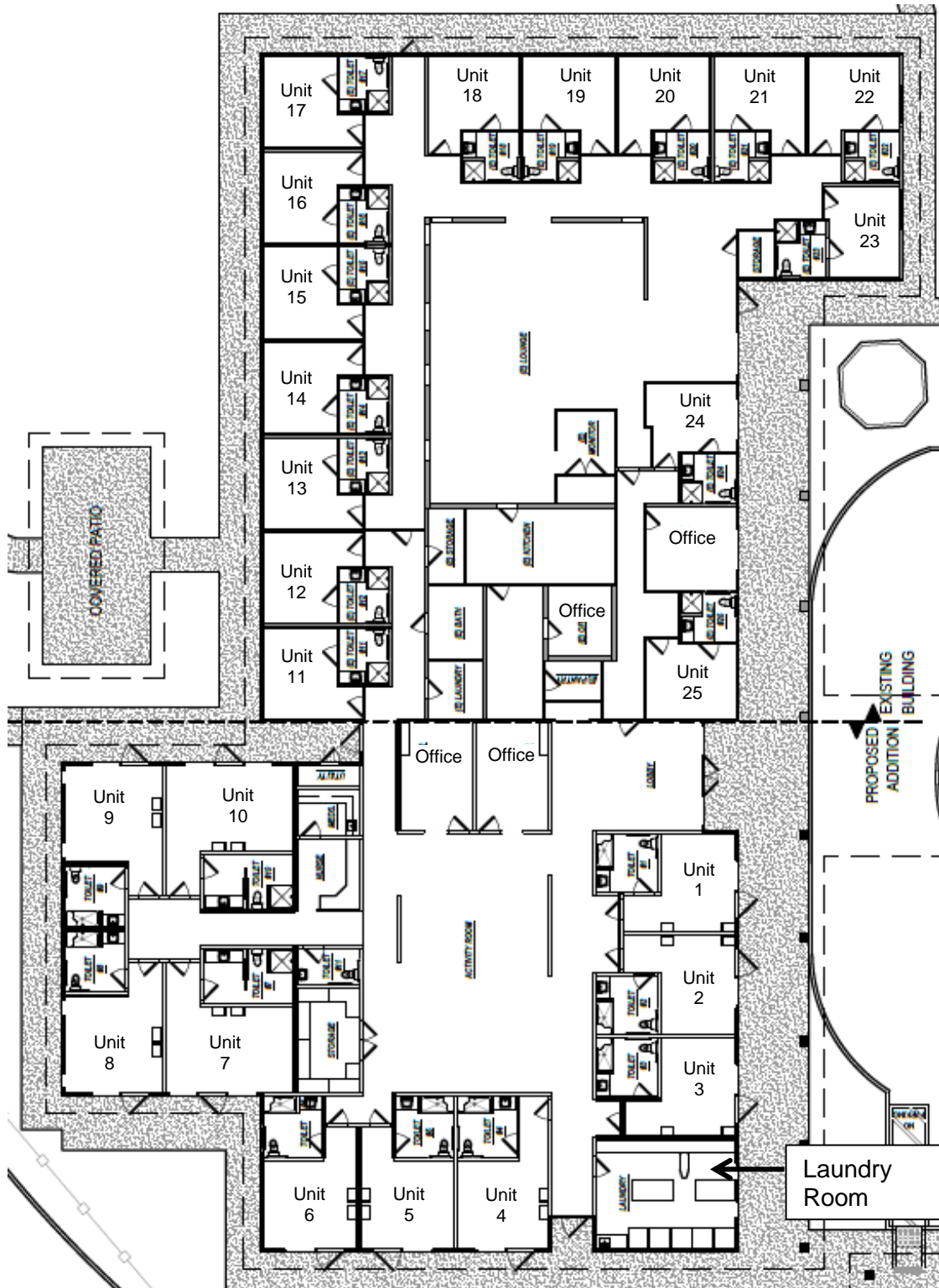
**CONCEPTUAL  
 COVERED PATIO ELEVATIONS**



**WEST / EAST ELEVATION**



**Conceptual Floor Plan**



**EXHIBIT F: Phase 3 Building**  
**AMND 18-0091 / PLN 2008-1290**

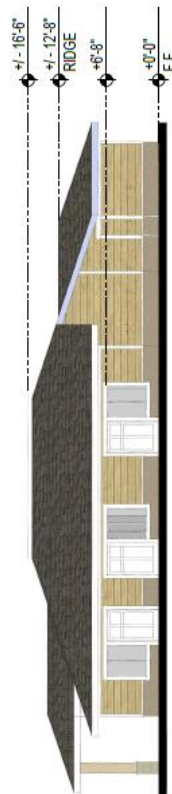
**Elevations**



NORTH ELEVATION (STREET-FACING)



SOUTH ELEVATION



EAST ELEVATION



WEST ELEVATION (STREET-FACING)

**Conceptual Floor Plan**





**EXHIBIT G: Color and Materials**  
**AMND 18-0091 / PLN 2008-1290**



EL DORADO STONE  
MARQUEE24 - SANDERLING



ROOFING - CONCRETE TILE  
(MATCH EXISTING)



SHERWIN-WILLIAMS  
SW 7005 "PURE WHITE"  
(MATCH EXISTING)



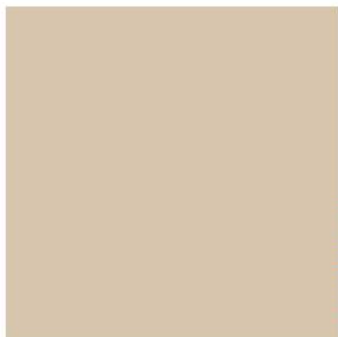
TRIM - JAMES HARDIE  
(MATCH EXISTING)



SHERWIN-WILLIAMS  
SW 6080 "UTTERLY BEIGE"  
(MATCH EXISTING)



TEXT. PLASTER  
(MATCH EXISTING)

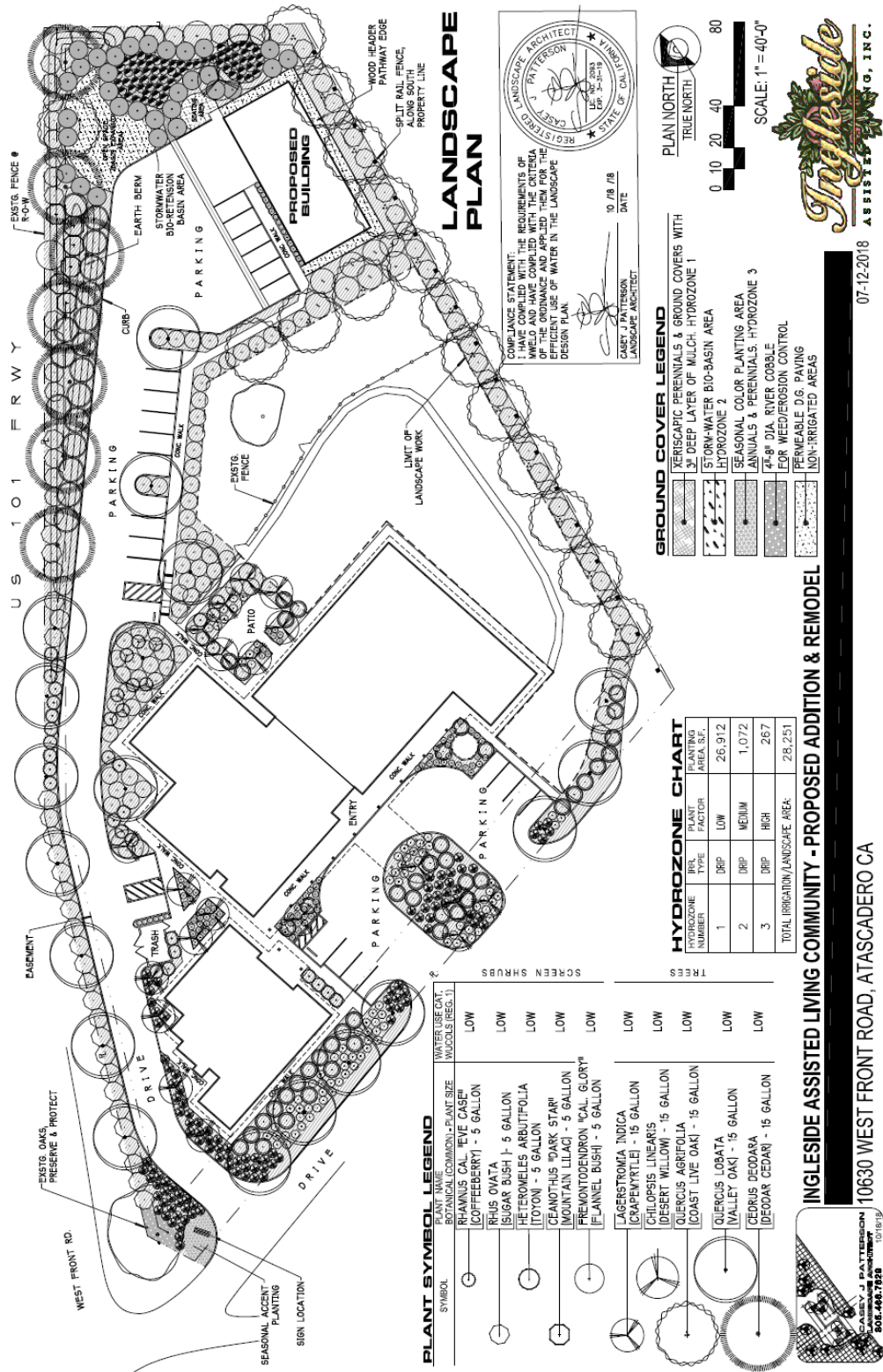


SHERWIN-WILLIAMS  
SW 6106 "KILIM BEIGE"  
(MATCH EXISTING)








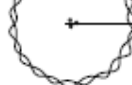
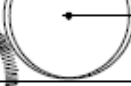



LAP SIDING - JAMES HARDIE  
(MATCH EXISTING)

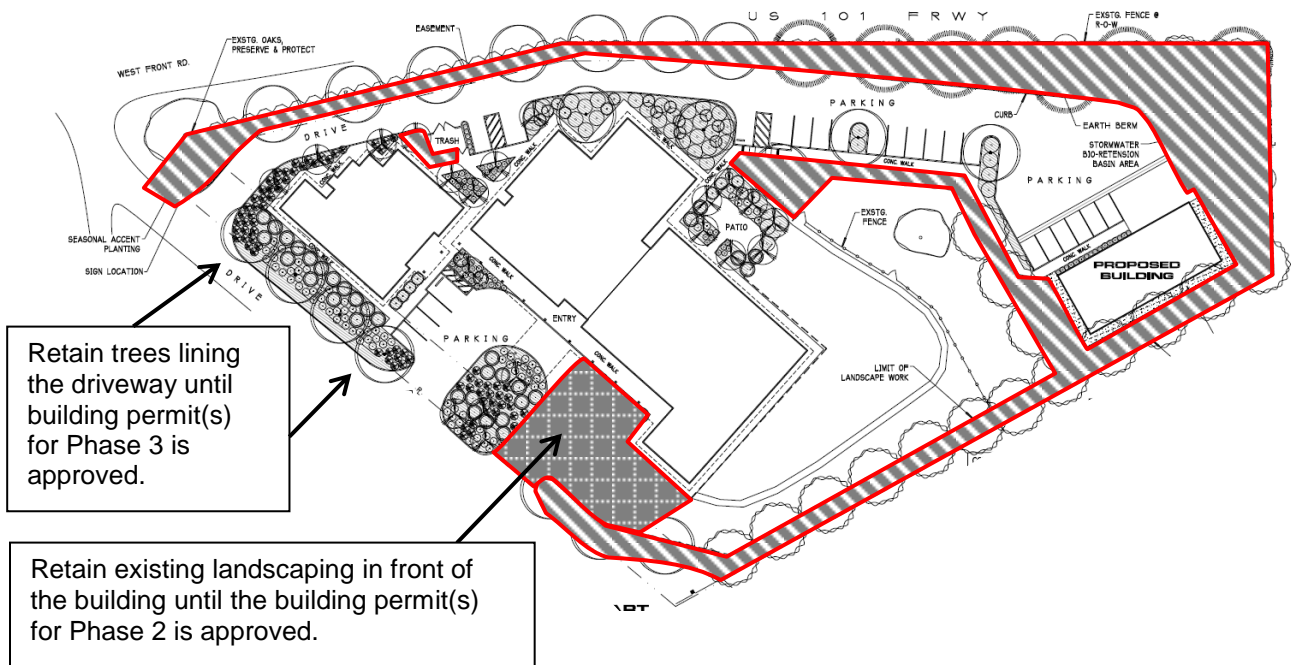
**EXHIBIT H: Landscape Plan**  
**AMND 18-0091 / PLN 2008-1290**



### PLANT SYMBOL LEGEND

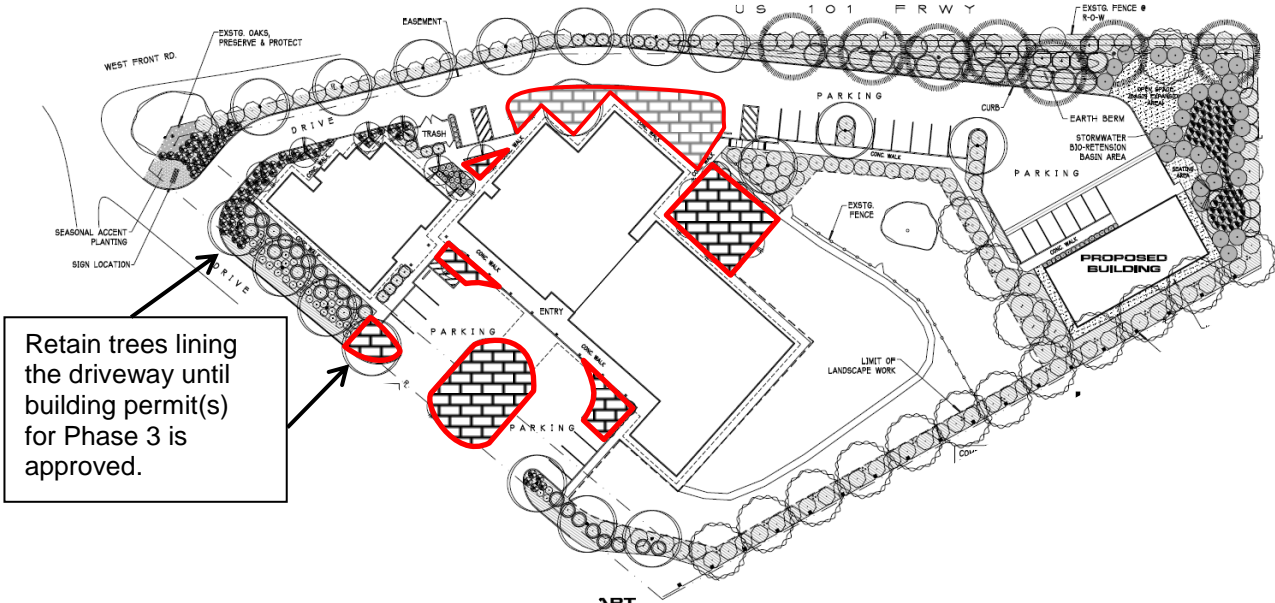
SYMBOL	PLANT NAME BOTANICAL (COMMON) - PLANT SIZE	WATER USE CAT. WUCOLS (REG. 1)	
	RHAMNUS CAL. "EVE CASE" (COFFEEBERRY) - 5 GALLON	LOW	SCREEN SHRUBS
	RHUS OVATA (SUGAR BUSH) - 5 GALLON	LOW	
	HETEROMELES ARBUTIFOLIA (TOYON) - 5 GALLON	LOW	
	CEANOTHUS "DARK STAR" (MOUNTAIN LILAC) - 5 GALLON	LOW	
	FREMONTODENDRON "CAL. GLORY" (FLANNEL BUSH) - 5 GALLON	LOW	
	LAGERSTROMIA INDICA (CRAPEMYRTLE) - 15 GALLON	LOW	TREES
	CHILOPSIS LINEARIS (DESERT WILLOW) - 15 GALLON	LOW	
	QUERCUS AGRIFOLIA (COAST LIVE OAK) - 15 GALLON	LOW	
	QUERCUS LOBATA (VALLEY OAK) - 15 GALLON	LOW	
	CEDRUS DEODARA (DEODAR CEDAR) - 15 GALLON	LOW	

### Portion of Landscaping to be completed with Phase 1

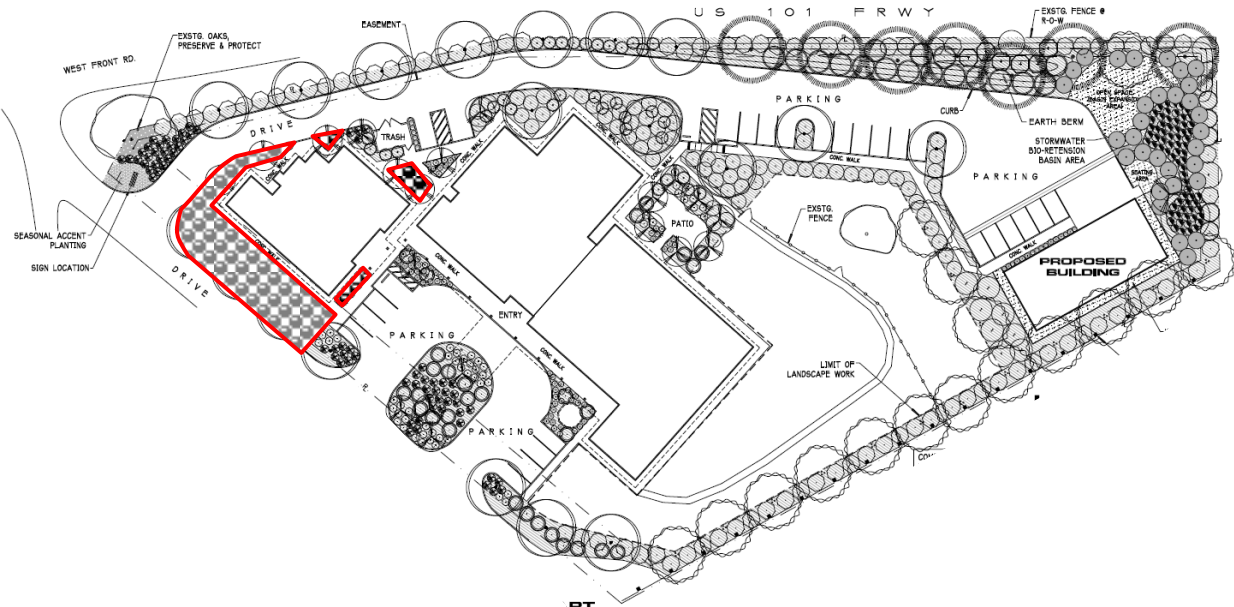




### Portion of Landscaping to be completed with Phase 2



### Portion of Landscaping to be completed with Phase 3





# Atascadero Planning Commission

## Staff Report – Community Development Department

### SBDV18-0092 Tentative Parcel Map

#### RECOMMENDATION(S):

Staff recommends the Planning Commission adopt PC Resolution 2018-A approving Tentative Parcel Map AT 18-0123 to subdivide one residential parcel into three residential parcels.

Project Info In-Brief: The applicant proposes to divide the property at 11885 Halcon Road into a total of three parcels. The resulting parcels meet the minimum lot size of 1 gross acre minimum. This parcel was a part of the Planned Development and rezoning that established the adjacent residential development and established a street connection to this project.

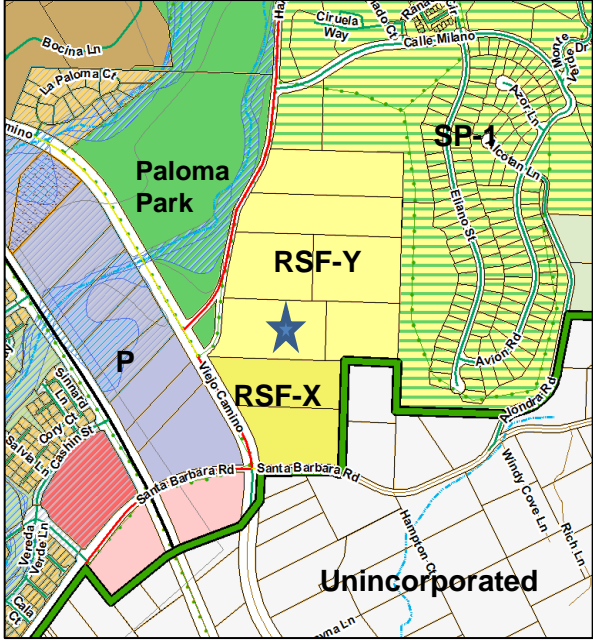

<b>PROJECT ADDRESS:</b>	11885 Halcon Rd	Atascadero, CA	<b>APN</b>	045-401-014
<b>PROJECT PLANNER</b>	Kelly Gleason Senior Planner	470-3446	kgleason@atascadero.org	
<b>APPLICANT</b>	Michael and Laura Joy; Pamela Jardini, Representative			
<b>PROPERTY OWNER</b>	Michael and Laura Joy, 11885 Halcon Rd, Atascadero, CA 93422			
<b>GENERAL PLAN DESIGNATION:</b>	<b>ZONING DISTRICT:</b>	<b>SITE AREA</b>	<b>EXISTING USE</b>	<b>PROPOSED USE</b>
Single Family Residential (SFR-Y)	Residential Single Family (RSF-Y) / PD 33	5 acres	One Single-Family Residence	Three Single-Family Residences
<b>ENVIRONMENTAL DETERMINATION</b>				
<input type="checkbox"/> Environmental Impact Report SCH: _____				
<input checked="" type="checkbox"/> Previously certified Negative / Mitigated Negative Declaration No. 2015-0007				
<input type="checkbox"/> Categorical Exemption CEQA – Guidelines Section 15315				
<input type="checkbox"/> Statutory Exemption §§ 21000, et seq & _____				
<input type="checkbox"/> No Project – Ministerial Project				

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

## DISCUSSION:

Existing Surrounding Uses / Parcel Configurations: The property is located in the RSF-Y zoning district (Residential Single-Family with a 1 acre gross minimum lot size). Halcon Rd is designated as a minor arterial.

Existing Zoning		Existing Aerial	
			
North:	South:	East:	West:
Residential-Single Family (RSF-Y) / PD33	Residential-Single Family (RSF-X) / PD33	Paloma Park	Unincorporated – large lot residential

### Summary:

The proposed project is a subdivision of one existing single-family parcel into three single family parcels.

### Existing Parcel

11885 Halcon Rd  
 APN 045-401-014  
 Gross Area: 5.03 acres



***Proposed Parcels***

*Parcel 1*

Gross Area: 1.11 acres  
Net Area: 0.94 acre

*Parcel 2*

Gross Area: 1.04 acres  
Net Area: 0.98 acre

*Parcel 3*

Gross Area: 2.88 acres  
Net Area: 2.65 acres

The existing parcel is developed with a single-family residence. The existing access is from a shared driveway off of the unimproved portion of the old Halcon right-of-way alignment. The proposed lot configuration allows this home to remain as currently sited; however, the access driveway will be abandoned and new access will be taken through the adjacent project currently under construction.

**Background:**

This parcel was part of a recent General Plan Amendment and rezoning with Planned Development Overlay that included the adjacent residential project currently under construction (formerly known as the Groves, currently known as Cerro Robles) and the adjacent properties to the east up to the Las Lomas development. The approvals included consolidated access points and planned shared access connections through the Cerro Robles development. This property and the parcel to the south both take access off of an existing shared driveway located off of the unimproved “old Halcon” right-of-way. This access will be abandoned and the newly proposed lots, as well as the existing lot to the south, will take access through the adjacent Cerro Robles development with the approval of this map.

**Analysis:**

*Slope.* The entire site has an average slope of less than 20%, although some portions of the site are 20% or slightly greater. The average slope does not exceed 30% and building locations have been identified on each new lot with an average slope of 20% or less. Sewer was brought to the site by the developer of the adjacent Cerro Robles development. All future residences, as well as the existing residence, will be served by City sewer.

**Access:**

A cul-de-sac will be constructed at the terminus of the new road constructed by the Cerro Robles development. Shared driveways are proposed off of this cul-de-sac terminus to the existing residences (one a part of the map and one adjacent to the south) and the new parcels. Easements have been provided and a condition has been included to ensure that enough width is provided to accommodate future development and subdivision scenarios.

**Frontage Improvements:**

Halcon Road is currently constructed with enough width to accommodate development and future projected traffic. The Planned Development Overlay District (PD33) required pedestrian and multi-modal improvements in the form of a multi-use trail along the subdivision frontage. This trail is required to be a minimum of 10-feet wide and can be decomposed granite or paved. This project abuts the old Halcon right-of-way and the existing area is fairly wide and flat. The required trail will be constructed in this area.



Natural street tree groupings are conditioned to be installed concurrent with building permit for construction of each residential unit.

*Biology/Sensitive Species Review*

Per PD 33 standards, a biologist was contacted to analyze any potential impacts to sensitive species. The biologist concluded that any surveys should be completed during the spring months. A condition has been added to require biological surveys if construction occurs during the spring months when sensitive species may be present.

Conclusion:

The subdivision of 11885 Halcon Road meets minimum lot size requirements set forth in the Atascadero Municipal Code and is consistent with the previously approved Planned Development Overlay Zone (PD 33).

**ENVIRONMENTAL DETERMINATION:**

The subdivision is consistent with the previously certified Mitigated Negative Declaration prepared for this project and the surrounding neighborhood.

**FINDINGS:**

To approve Tentative Parcel Map AT18-0123, the Planning Commission must make the following findings. These findings and the facts to support these findings are included in the attached draft resolution.

*Tentative Parcel Maps*

1. The proposed subdivision, together with the provisions for its design and improvement, is consistent with the General Plan (Government Code§§ 66473.5 and 66474(a) and (b)), and
2. The site is physically suitable for the type of development (Government Code§ 66474(c)), and
3. The site is physically suitable for the proposed density of development (Government Code § 66474(d)), and
4. The design of the subdivision or the proposed improvements will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat. (Government Code § 66474(e)), and
5. The design of the subdivision or the type of improvements will not cause serious health problems. (Government Code § 66474(f)), and
6. The design of the subdivision will not conflict with easements for access through or use of property within the proposed subdivision. (Government Code § 66474(g)), and





7. The installation of any public improvements are deemed necessary prior to recordation of a Final Map is in order to insure orderly development of the surrounding area (Government Code § 66411.1(b)(2)).

**ALTERNATIVES:**

1. The Planning Commission may include modifications to the project and/or Conditions of Approval for the project. Any proposed modifications, including Conditions of Approval, should be clearly stated in any vote on the attached resolution.
2. The Planning Commission may determine that more information is needed on some aspect of the project and may refer the item back to the applicant and staff to develop the additional information. The Commission should clearly state the type of information that is required. A motion, and approval of that motion, is required to continue the item to a future date.
3. The Planning Commission may deny the project. The Commission must specify what findings cannot be made and provide a brief oral statement based on the Staff Report, oral testimony, site visit, correspondence, or any other rationale introduced and deliberated by the Planning Commission.

**ATTACHMENTS:**

1. Draft Resolution PC 2018-A



**ATTACHMENT 1: Draft Resolution PC 2018-A**  
**SBDV18-0092**

**DRAFT PC RESOLUTION 2018-A**

**RESOLUTION OF THE PLANNING COMMISSION OF  
THE CITY OF ATASCADERO, CALIFORNIA,  
APPROVING AT 18-0123 TO ALLOW A SUBDIVISION  
AT 11885 HALCON RD (APN 045-401-014)  
(JOY)**

**WHEREAS**, an application has been received from Michael and Laura Joy, 11885 Halcon Rd, Atascadero, CA 93422 (Applicant and Owner) to consider a project consisting of Tentative Parcel Map to allow the subdivision of one parcel into three parcels at 11885 Halcon Rd (APN 045-401-014); and

**WHEREAS**, the site's current General Plan Designation is Single-Family Residential (SFR-Y); and

**WHEREAS**, the site's current zoning district is Residential Single-Family / Planned Development Overlay Zone #33 (RSF-Y / PD33); and

**WHEREAS**, the minimum lot size within the RSF-Y zoning district is 1 acre (gross) for a new subdivision, consistent with the Atascadero Municipal Code; and

**WHEREAS**, the existing site has a gross area of 5.03 acres; and

**WHEREAS**, the proposed project is consistent with previously certified Mitigated Negative Declaration 2015-0007; and

**WHEREAS**, the laws and regulations relating to the preparation and public notice of environmental documents, as set forth in the state and local guidelines for implementation of the California Environmental Quality Act (CEQA) have been adhered to; and

**WHEREAS**, a timely and properly noticed Public Hearing upon the subject Tentative Parcel Map application was held by the Planning Commission of the City of Atascadero, at which hearing evidence, oral and documentary, was admitted on behalf of said Tentative Parcel Map; and

**WHEREAS**, the Planning Commission of the City of Atascadero, at a duly noticed Public Hearing held on December 4, 2018, studied and considered Parcel Map AT 18-0123; and

**NOW, THEREFORE**, the Planning Commission of the City of Atascadero takes the following actions:



**SECTION 1. Findings for approval of Tentative Parcel Map.** The Planning Commission finds as follows:

1. The proposed subdivision, together with the provisions for its design and improvement, is consistent with the General Plan (Government Code §§ 66473.5 and 66474(a) and (b)), and

**Fact:** The General Plan designation for the site is Single-Family Residential with a one acre minimum lot size (SFR-Y). The lots created will each be a minimum of 1 acre (gross). They will also have a General Plan designation of SFR-Z.

2. The site is physically suitable for the type of development (Government Code § 66474(c)), and

**Fact:** The lots are located along a minor arterial road with utilities available. The site is surrounded by similarly-sized, single-family residential properties and subdivision of this property into up to 4 parcels was anticipated with the approved PD33 overlay zoning district. The topography is gently to moderately sloped (less than 20% grade average) and building envelopes with slopes less than 20% have been identified.

3. The site is physically suitable for the proposed density of development (Government Code § 66474(d)), and

**Fact:** The proposed lots are each one acre in size and the parcel with the existing residence is 2.9 acres. Under current standards, each lot could have a primary residence, accessory dwelling unit, and two detached accessory structures. The topography and suitable soil conditions can support the proposed density. The Planned Development Overlay zone anticipates up to 4 parcels on this site.

4. The design of the subdivision or the proposed improvements will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat. (Government Code § 66474(e)), and

**Fact:** The site has previously been used for residential purposes. It does not have significant tree coverage or water drainage features that might support fish or significant wildlife habitat. The project will utilize existing roads and will not affect the drainage pattern of the neighborhood. Future residences are subject to post-construction stormwater requirements that will prevent significant impact to the watershed. Consistent with previous approvals, a biological survey was completed and no sensitive species were found. Additional surveys will be required should any future construction take place during the spring months.

5. The design of the subdivision or the type of improvements will not cause serious health problems. (Government Code § 66474(f)), and

**Fact:** The eventual construction of two single-family residences will not cause serious health problems.



6. The design of the subdivision will not conflict with easements for access through or use of property within the proposed subdivision. (Government Code § 66474(g)), and

**Fact:** There is an existing access and utility easement located on the subject property that serves the existing developed residential parcel to the south. This easement will be replaced by a new access and utility easement allowing access through the adjacent Cerro Robles development and overlaying the existing shared driveway. The proposed easement is conditioned to be wide enough to accommodate future development potential of the adjacent southerly residential parcel.

7. The installation of any public improvements deemed necessary prior to recordation of a Final Map is in order to insure orderly development of the surrounding area (Government Code § 66411.1(b)(2), and

**Fact:** Public improvements are largely installed for the site. The tentative map is conditioned to provide any additional utility easements along the project frontage and to construct a multi-use pathway as required by PD33.

8. The subdivision and subsequent development will be accomplished without detriment to adjacent properties.

**Fact:** Subdivision of the parcel was anticipated with the approval of Planned Development Overlay Zone #33. Subdivision and subsequent development of this parcel will not be detrimental to adjacent properties.



**SECTION 2. Approval.** The Planning Commission of the City of Atascadero, in a regular meeting assembled on December 4, 2018, resolved to approve Parcel Map AT 18-0123 subject to the following:

EXHIBIT A: Conditions of Approval  
EXHIBIT B: Tentative Parcel Map

On motion by Commissioner \_\_\_\_\_, and seconded by Commissioner \_\_\_\_\_ the foregoing resolution is hereby adopted in its entirety by the following roll call vote:

AYES: ( )

NOES: ( )

ABSTAIN: ( )

ABSENT: ( )

ADOPTED:

CITY OF ATASCADERO, CA

\_\_\_\_\_  
Jerel Seay  
Planning Commission Chairperson

Attest:

\_\_\_\_\_  
Phil Dunsmore  
Planning Commission Secretary



**EXHIBIT A: Conditions of Approval**  
**SBDV 18-0092 / AT 18-0123**

<b>Conditions of Approval</b>  <b><i>Tentative Parcel Map</i></b> <b>11885 Halcon RD</b> <b>SBDV 18-0092 / AT 18-0123</b>	<b>Timing</b>  <small>FM: Final Map BP: Building Permit FO: Final Occupancy</small>
<b>Planning Services</b>	
1. The appeal period is fourteen (14) days following the Planning Commission approval as set forth in Section 9-1.111(b) of the Zoning Ordinance.	<b>Ongoing</b>
2. Approval of this Tentative Parcel Map shall be valid for a period of twenty-four (24) months and shall expire no sooner than <b>December 4, 2020</b> , consistent with Section 66452.6(a)(1) of the California Subdivision Map Act.	<b>FM</b>
3. The Community Development Department shall have the authority to approve minor changes to the project that (1) result in a superior site design or appearance, and/or (2) address a construction design issue that is not substantive to the Tentative Parcel Map.	<b>FM</b>
4. The Subdivider shall defend, indemnify, and hold harmless the City of Atascadero or its agents, officers, and employees against any claim or action brought to challenge an approval by the City, or any of its entities, concerning the subdivision.	<b>Ongoing</b>
5. The Subdivider shall pay all applicable Quimby Act fees to the City in accordance with the fee schedule and policies in effect at the time of subsequent applications.	<b>FM</b>
6. The access easement serving parcel 045-401-013 to the east shall be a minimum of 25-feet in width and shall be demonstrated at final map that a 20-foot paved road with 2 foot shoulders can be accommodated.	<b>FM</b>
7. A biology report will be required to be submitted with any residential building permit where construction will take place during the spring months.	
8. Trees shall be installed along the Halcon Rd frontage concurrently with any building permit for a residence on proposed Parcel 1 and 2. Trees shall be a maximum of 35-feet on center. Natural tree groupings shall be permitted provided no less than the number of trees required at a 35-foot spacing are installed.	
9. Affordable Housing Requirement: The applicant shall submit a payment of 5% of the building valuation for each residential unit to be placed into the City's inclusionary housing fund. Payment shall be required prior to building permit issuance.	
10. The emergency services and facility maintenance costs listed below shall be 100% funded by the project in perpetuity. The service and maintenance costs shall be funded through a community facilities district established by the City at the developer's cost. The funding mechanism must be in place prior to or concurrently with acceptance of the final maps. The funding mechanism shall be approved by the City Attorney, City Engineer and Administrative Services Director prior to acceptance of any final map. The administration of the above mentioned funds shall be by the City. Developer agrees to participate in the community facilities district and to take all steps reasonably required by the City with regard to the establishment of the district and assessment of the property.	



<b>Conditions of Approval</b>  <b><i>Tentative Parcel Map</i></b> <b>11885 Halcon RD</b> <b>SBDV 18-0092 / AT 18-0123</b>	<b>Timing</b>  <small>FM: Final Map BP: Building Permit FO: Final Occupancy</small>
<ul style="list-style-type: none"> <li>▪ All Atascadero Police Department service costs to the project.</li> <li>▪ All Atascadero Fire Department service costs to the project.</li> <li>▪ Off-site common City of Atascadero park facilities maintenance service costs related to the project.</li> </ul>	
<p>11. All tract maintenance costs listed below shall be 100% funded by the project in perpetuity. The service and maintenance cost shall be funded through a Home Owners Association established by the developer subject to City approval. The Home Owners Association must be in place prior to, or concurrently with, acceptance of any final maps. The Home Owners Association shall be approved by the City Attorney, City Engineer and Administrative Services Director prior to acceptance of any Final Map. The administration of the above mentioned funds, and the coordination and performance of maintenance activities, shall be the responsibility of the Home Owners Association.</p> <ul style="list-style-type: none"> <li>a) All streets, bridges, sidewalks, streetlights, street signs, roads, emergency access roads, emergency access gates, and sewer mains within the project.</li> <li>b) All parks, trails, recreational facilities and like facilities.</li> <li>c) All open space and native tree preservation areas.</li> <li>d) All drainage facilities and detention basins.</li> <li>e) All creeks, flood plains, floodways, wetlands, and riparian habitat areas.</li> <li>f) All common landscaping areas, street trees, medians, parkway planters, manufactured slopes outside private yards, and other similar facilities.</li> <li>g) All frontage landscaping and sidewalks along public streets</li> </ul>	
<p>12. Prior to issuance of building permits for any residential unit, the applicant shall pay their fair share toward improvements at the US 101/Santa Barbara interchange based on the City approved cost estimate of 6.5 million for the build-out improvements, not to exceed \$8,000 per unit.</p>	
<b>Engineering</b>	
<p><b>GENERAL</b></p> <ol style="list-style-type: none"> <li>1. Public improvement plans (PIPs) shall be prepared by a licensed civil engineer. PIPs shall be prepared on 24"x36" plan sheets, shall use the City Standard border and signature block, and shall comply with Section 2 of City Standard Specifications.</li> <li>2. The Applicant is responsible for all rights-of-way acquisitions and associated costs.</li> </ol>	<b>Ongoing</b>
<p><b>PARCEL MAP</b></p> <ol style="list-style-type: none"> <li>1. Prior to recording the Parcel Map, the Applicant shall have the map reviewed by the public utility providers for power, telephone, gas, cable TV, and the Atascadero Mutual Water Company. The Applicant shall obtain a letter from each utility company stating that the easements and rights-of-way shown on the map for public utility purposes are acceptable.</li> <li>2. Documents to be recorded concurrently with the Parcel Map (e.g.: off-site rights-of-way dedications, easements not shown on the map, agreements, etc.) shall be listed on the certificate sheet of the map.</li> <li>3. The City of Atascadero may require an additional map sheet for information purposes in accordance with the Subdivision Map Act.</li> </ol>	<b>FM</b>



<b>Conditions of Approval</b>  <b><i>Tentative Parcel Map</i></b> <b>11885 Halcon RD</b> <b>SBDV 18-0092 / AT 18-0123</b>	<b>Timing</b>  <small>FM: Final Map BP: Building Permit FO: Final Occupancy</small>
<b>EASEMENTS</b> <ol style="list-style-type: none"> <li>1. A 6-foot wide Public Utility Easement (PUE) shall be dedicated contiguous to the road rights-of-way.</li> <li>2. Road slope easements shall be dedicated where the road prism cut/fill slopes extend beyond the right-of-way. The easement shall extend not less than five feet (horizontally) beyond any daylight or catch line of the graded slope or other required road facility (such as a brow ditch, retaining wall, drainage swale, etc.), to the satisfaction of the City Engineer.</li> <li>3. Common driveway easements shall include ingress/egress, public &amp; private utilities, and drainage, to the satisfaction of the City Engineer.</li> <li>4. Wherever an easement is created for commonly owned or operated improvements for the benefit of more than one lot, there shall also be created a maintenance and operations agreement, to the satisfaction of the City Engineer and City Attorney.</li> <li>5. Easements that are not intended to continue in perpetuity shall not be shown on the Final Map and shall be recorded by separate instrument.</li> </ol>	<b>FM</b>
<b>OFF-SITE ROAD IMPROVEMENTS</b> <ol style="list-style-type: none"> <li>1. The Applicant shall extend Via Milagro into the subject property and terminate the roadway in a cul-de-sac, to the satisfaction of the City Engineer.</li> <li>2. A 10-foot wide combination pedestrian &amp; bicycle trail shall be designed and constructed within the old alignment of the Halcon Rd right-of-way. The trail shall connect to the existing paved trail in Tract 3078 and shall extend northeasterly within the right-of-way (on the southeasterly side of the existing basin) and shall terminate at the northerly property line of the subject property.</li> </ol>	<b>FM</b>
<b>ON-SITE ROADWAYS</b> <ol style="list-style-type: none"> <li>1. The new cul-de-sac and road connection to Via Milagro shall be completed prior to recordation of the Parcel Map, or, bonded for in accordance with the City of Atascadero Municipal Code and the Subdivision Map Act.</li> <li>2. The retaining wall supporting the new cul-de-sac shall be located beyond the cul-de-sac right-of-way. A slope and retaining wall easement shall be dedicated on the Parcel Map, to the satisfaction of the City Engineer.</li> <li>3. The horizontal and vertical design of roads shall be in compliance with the City of Atascadero Engineering Standards and Standard Specifications, to the satisfaction of the City Engineer. The City Engineer reserves the right to make modifications to all submitted road designs, when in the opinion of the City Engineer, the public's health and safety is benefitted.</li> <li>4. The design of structural pavement sections shall be based on a Traffic Index (TI) = 5.5 and a 50-year design life.</li> </ol>	<b>FM / BP</b>





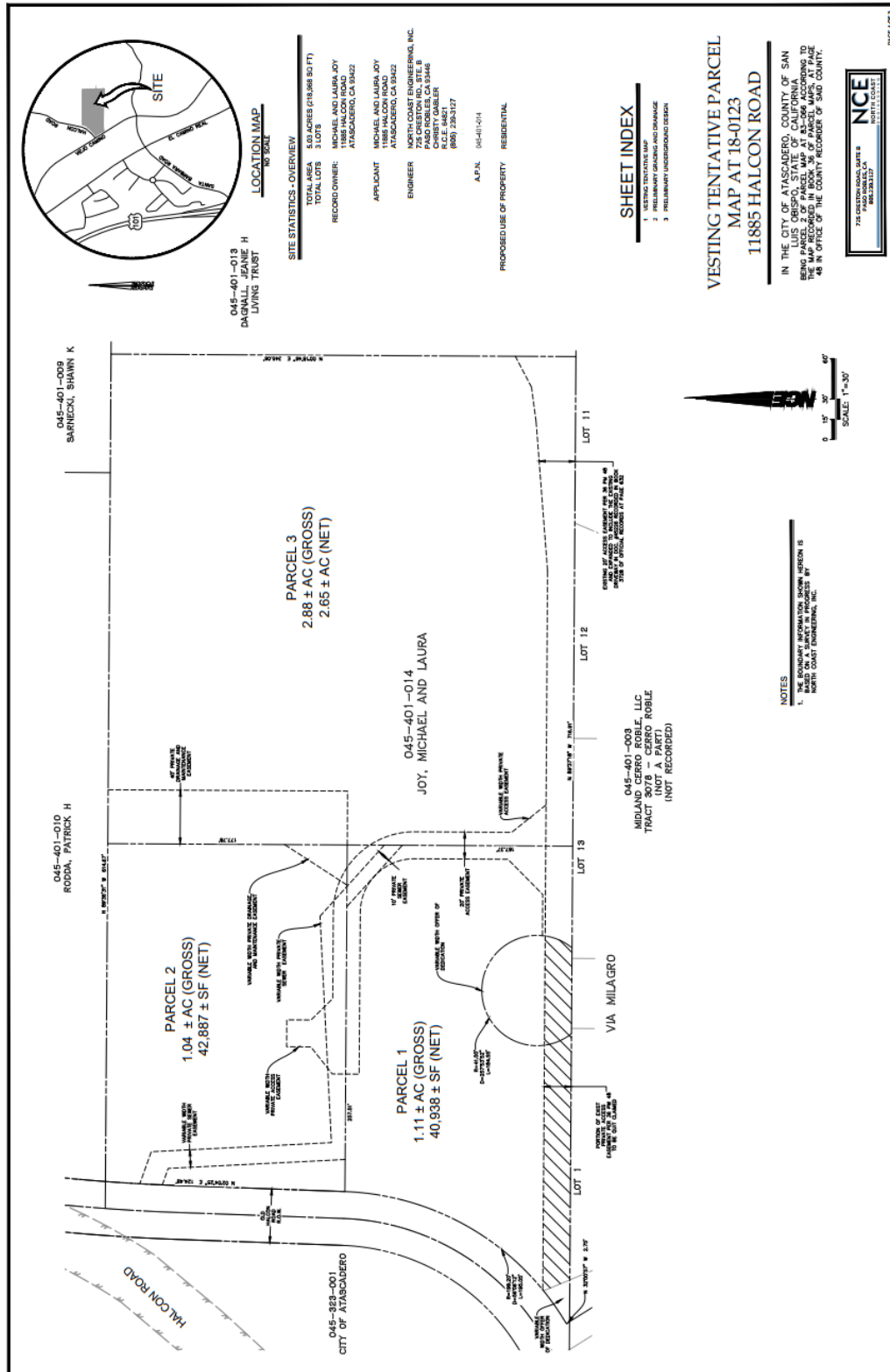
<b>Conditions of Approval</b>  <b><i>Tentative Parcel Map</i></b> <b>11885 Halcon RD</b> <b>SBDV 18-0092 / AT 18-0123</b>	<b>Timing</b>  <small>FM: Final Map BP: Building Permit FO: Final Occupancy</small>
<p>New roads with pavement placed prior to the construction of buildings will be subjected to additional construction traffic and wear associated with the on-site construction not included in the design life of the pavement section. Therefore to off-set this, the AC thickness shall be increased from that which is derived from Caltrans method by either:</p> <ul style="list-style-type: none"> <li>• 1" if the pavement is placed prior to building construction (not phased).</li> <li>• 1.5" if the pavement construction is phased (i.e. – a portion of the ultimate pavement thickness is deferred and a final pavement cap placed prior to final inspection). Final pavement cap shall not be less than 1.5".</li> </ul> <ol style="list-style-type: none"> <li>5. A street centerline monument shall be provided in the Cul-de-sac in accordance with City Standard Specifications and Drawings.</li> <li>6. The existing driveway connection to Viejo Camino shall be removed and rerouted to connect to the new Via Milagro cul-de-sac.</li> <li>7. Prior to recordation of the Parcel Map, the Applicant shall either:               <ol style="list-style-type: none"> <li>a. Establish a benefit maintenance assessment district, or similar funding mechanism approved by the City, to provide sufficient funds on an annual basis to pay for the operation, maintenance and future replacement of the internal cul-de-sac, or,</li> <li>b. Annex into the adjacent southerly property Home Owners' Association (HOA) (Tract 3078).</li> </ol> </li> <li>8. Pavement and base sections shall be designed and constructed in accordance with the City of Atascadero Engineering Standard Specifications and Drawings. When said specifications are not clear, lack necessary details, or are silent, the minimum standard shall be based upon the current edition of the San Luis Obispo County Public Improvement Standards or Caltrans Standard Drawings and Standard Specifications, as determined by the City Engineer.</li> </ol>	
<p><b>STORM WATER</b></p> <ol style="list-style-type: none"> <li>1. Stormwater run-off from the proposed cul-de-sac and common driveways shall be contained within the subject property. Post-construction stormwater shall comply with the Regional Water Quality Control Board Res. No. R3-2013-0032</li> <li>2. A Storm Water Pollution Prevention Plan (SWPPP) is required prior to any ground disturbing activities of one acre or more.</li> <li>3. When common drainage basins (serving multiple lots) are proposed, the basins shall be designed to desilt, detain and meter storm flows in accordance with City regulations.</li> <li>4. Where storm water is concentrated as a result of new improvements, the drainage shall be conveyed in a non-erosive, controlled condition to an adequate point of discharge, to the satisfaction of the City Engineer. Where concentrated drainage from new improvements cannot be avoided and crosses more than one property, easements may be required.</li> </ol>	<p><b>BP</b></p>



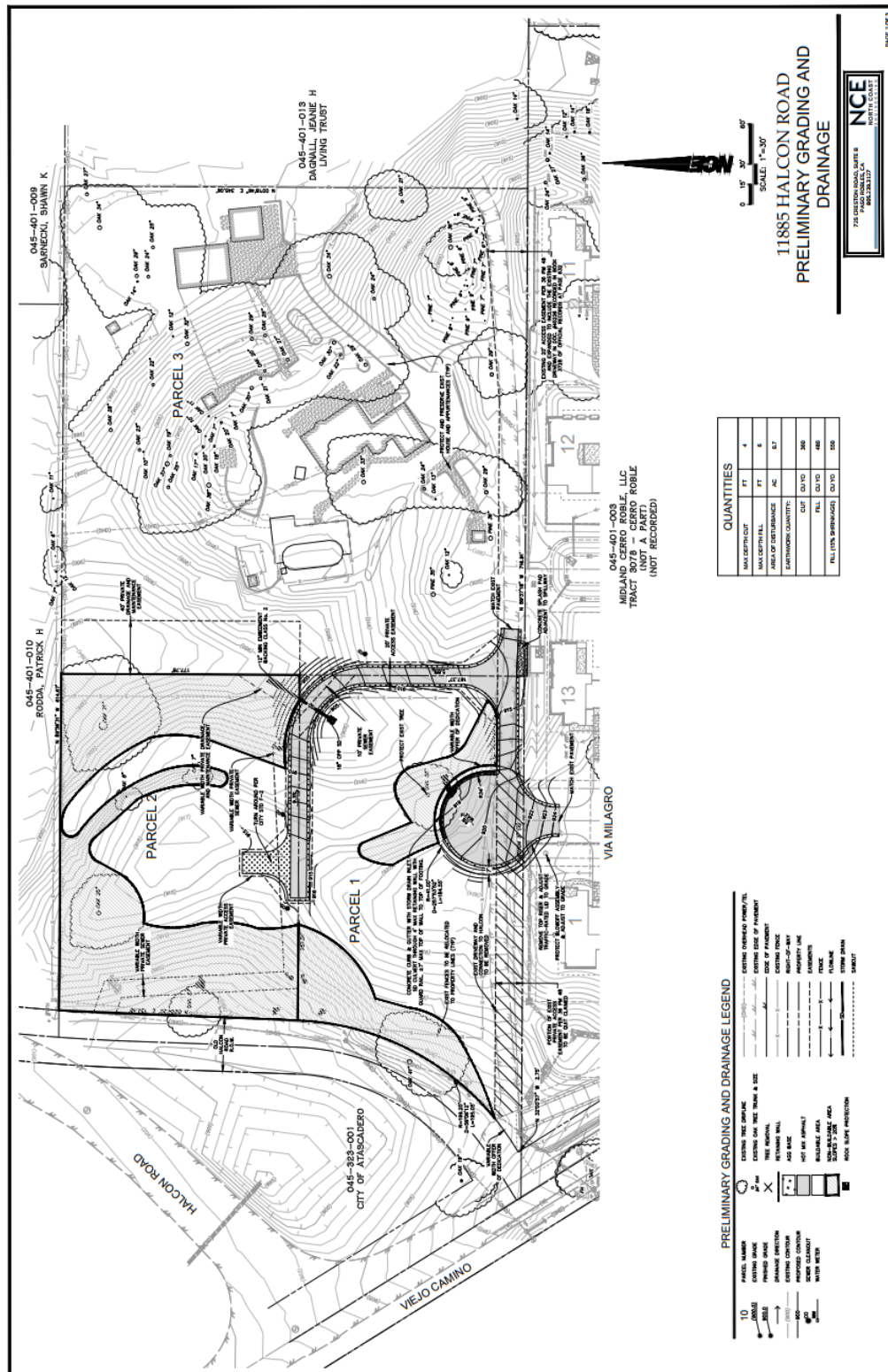
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<b>WATER DISTRIBUTION SYSTEM</b>  <ol style="list-style-type: none"> <li>1. The Applicant shall extend the water distribution system to the satisfaction of the Atascadero Mutual Water Company (AMWC), Fire Marshall, and City Engineer.</li> <li>2. Each lot shall be served with a separate water lateral and meter in accordance with the AMWC requirements.</li> <li>3. Where the water distribution system requires an above ground reduced pressure unit, pressure booster station or other significant above ground facility, said facility shall be located in an easement contiguous to the road right-of-way and shall include visual screening, to the satisfaction of the AMWC, Community Development Director, and City Engineer.</li> <li>4. Fire hydrant locations shall be to the satisfaction of the Fire Marshall.</li> </ol>	<b>BP</b>
<b>WASTEWATER</b>  <ol style="list-style-type: none"> <li>1. Each lot shall be provided a separate sewer lateral to the public sewer main in Halcon Rd in accordance with City Standard Specifications and Drawings. Easements may be required wherever lateral(s) cross adjacent lots.</li> </ol>	<b>BP</b>
<b>UTILITIES</b>  <ol style="list-style-type: none"> <li>1. Each lot shall be served with separate services for water, sewer, gas, power, telephone and cable TV. Utility laterals shall be located and constructed to each lot in accordance with City Standard Specifications and Drawings.</li> </ol>	<b>BP</b>



**Exhibit B: Tentative Parcel Map**  
**SBDV 18-0092 / AT 18-0123**



**Exhibit B: Tentative Parcel Map**  
**SBDV 18-0092 / AT 18-0123**







# Atascadero Planning Commission

## Staff Report – Community Development Department

### SBDV18-0110 Tentative Parcel Map at 7330 & 7340 El Camino Real

#### RECOMMENDATION:

Staff recommends the Planning Commission adopt PC Resolution 2018-A approving Tentative Parcel Map AT 18-0128 for SBDV18-0110 to subdivide one (1) commercial parcel into two (2) commercial parcels.

Project Info In-Brief: The applicant proposes to divide the commercial property at 7330 and 7340 El Camino Real into a total of two (2) parcels. The subdivision would include parking and utilities easements for both properties.

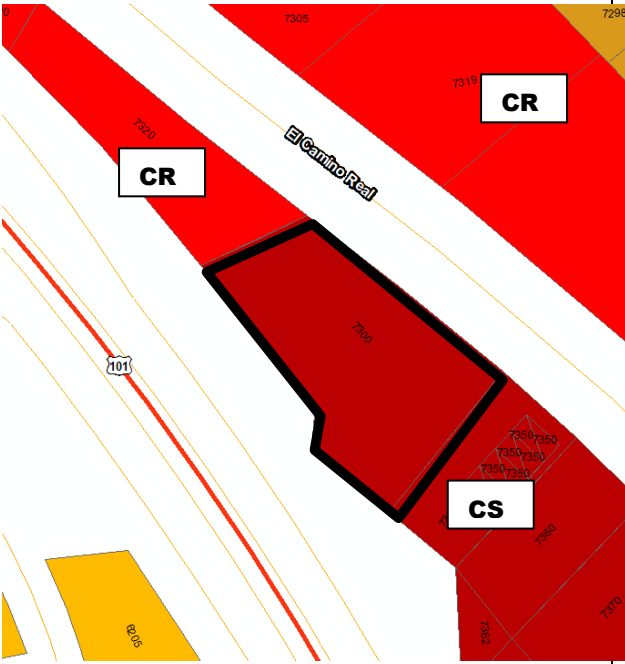

<b>PROJECT ADDRESS:</b>	7330 & 7340 El Camino Real (7300 El Camino Real is original parcel address)	Atascadero, CA	<b>APN</b>	030-222-048
<b>PROJECT PLANNER</b>	Callie Taylor, Senior Planner Erick Gomez, Planning Intern	(805)470-3448	ctaylor@atascadero.org	
<b>REPRESENTATIVE</b>	Pamela Jardini, Planning Solutions			
<b>PROPERTY OWNER</b>	Dynamic Atascadero Investments, 1725 21 <sup>st</sup> Street, Santa Monica, CA 90404			
<b>GENERAL PLAN DESIGNATION:</b>	<b>ZONING DISTRICT:</b>	<b>SITE AREA</b>	<b>EXISTING USE</b>	<b>PROPOSED USE</b>
Service Commercial (SC)	Commercial Service (CS)	0.9 acres	Med-Post Urgent Care Habit Restaurant (under construction)	Same uses as existing, to be located on 2 separate parcels
<b>ENVIRONMENTAL DETERMINATION</b>				
<input type="checkbox"/> Environmental Impact Report SCH: _____ <input type="checkbox"/> Negative / Mitigated Negative Declaration No. _____ <input checked="" type="checkbox"/> Categorical Exemption CEQA – Guidelines Section 15315 <input type="checkbox"/> Statutory Exemption §§ 21000, et seq & _____ <input type="checkbox"/> No Project – Ministerial Project				

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



## DISCUSSION:

Existing Zoning		Existing Aerial	
			
North:	South:	East:	West:
El Camino Real, Commercial Retail (CR)	Highway 101, Residential Multiple-Family (RMF-10)	Commercial Service (CS)	Commercial Retail (CR)

### Summary:

The proposed project is a subdivision of one (1) existing Commercial Service zoned parcel into two (2) commercial parcels.

### **Existing Parcel**

7330 & 7340 El Camino Real (7300 El Camino Real parent address)  
APN 030-222-048  
Ptn Lot 13, 14 & 15, Block TA  
Gross Area: 39,005 sq. ft. (0.9 acres)

### **Proposed Parcels**

#### Parcel 1

Area: 16,182 sq. ft. (approx. 0.4-acres)  
Existing Med Post Urgent Care  
7330 El Camino Real

#### Parcel 2

Area: 22,823 sq. ft. (approx. 0.5-acres)  
The Habit Restaurant under construction  
7340 El Camino Real



**Background:**

The subject parcel was previously the home of Coco's Restaurant at 7300 El Camino Real until its operations ceased several years ago. The Coco's building has recently been demolished. In 2016, after going through the City's design review process, the applicant began construction of the MedPost Urgent Care facility on the northern portion of the site. The medical offices are an allowed use in the Commercial Service zoning district. The MedPost building and parking lot improvements have been completed and are open to the public. In October 2017, the Planning Commission approved a Conditional Use Permit for a drive-through restaurant on the southern portion of the site. The Habit Restaurant is currently under construction on the subject site.

**Analysis:**

The subject parcel is located within the Commercial Service (CS) zoning district on El Camino Real approximately one-quarter mile southeast of the El Camino Real and Highway 41 intersection. The applicant is proposing to split the parcel into two separate commercial properties with shared parking and utilities easements to allow each building on the site to be owned separately.

Authority of approval of new subdivisions is given to the Atascadero Planning Commission. In accordance with the Atascadero Municipal Code (AMC), proposals for subdivisions must: 1) be consistent with the General Plan, specific plans, and zoning ordinances; 2) recognize existing physical conditions (i.e. adjacent land uses, soil type, and slope); 3) consider options to best meet the needs of the occupants and community (AMC 11.6.01).

As stated in AMC section 9-3.344, the Commercial Service zoning district does not have a minimum lot size requirement. The proposed Tentative Parcel Map identifies splitting the existing 0.9 acre commercial parcel into two (2) parcels at 16,182 sq. ft. and 22,823 sq. ft. each. The proposed lot sizes comply with the Municipal Code. Conditions have been included for shared parking, access easements, and utilities easements to be provided with the Final Parcel Map prior to recording. In addition, any site improvements shown on the building permits for The Habit Restaurant, including site improvements, landscape and street trees, shall be required to be installed on Parcel 1 (MedPost parcel) prior to Final Map recording. Ensuring that all improvements are installed for the restaurant prior to recording the lot split will ensure that new ownership does not prohibit completion of the restaurant which is currently under construction.

The existing medical office development and the drive-through restaurant were reviewed and found to be consistent with all applicable land use ordinances and compatible with adjacent land uses prior to construction of those buildings. Since the site has two separate businesses that are operating on the same parcel, the proposed subdivision serves the interests of the occupants by allowing each building to be owned separately in the future after completion of the current construction.







air quality or water quality. The project will be served by existing roads, utilities, and all necessary public services and facilities. This project meets the listed CEQA exemption qualifiers as proposed.

## **FINDINGS:**

To approve Tentative Parcel Map AT 18-0128 for SBDV18-0110, the Planning Commission must make the following findings. These findings and the facts to support these findings are included in the attached draft resolution.

### *Tentative Parcel Maps*

1. The proposed subdivision, together with the provisions for its design and improvement, is consistent with the General Plan (Government Code §§ 66473.5 and 66474(a) and (b)), and
2. The site is physically suitable for the type of development (Government Code § 66474(c)), and
3. The site is physically suitable for the proposed density of development (Government Code § 66474(d)), and
4. The design of the subdivision or the proposed improvements will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat. (Government Code § 66474(e)), and
5. The design of the subdivision or the type of improvements will not cause serious health problems. (Government Code § 66474(f)), and
6. The design of the subdivision will not conflict with easements for access through or use of property within the proposed subdivision. (Government Code § 66474(g)), and
7. The installation of any public improvements are deemed necessary prior to recordation of a Final Map in order to insure orderly development of the surrounding area (Government Code § 66411.1(b)(2)).

## **ALTERNATIVES:**

1. The Planning Commission may include modifications to the project and/or Conditions of Approval for the project. Any proposed modifications, including Conditions of Approval, should be clearly stated in any vote on the attached resolution.
2. The Planning Commission may determine that more information is needed on some aspect of the project and may refer the item back to the applicant and staff



to develop the additional information. The Commission should clearly state the type of information that is required. A motion, and approval of that motion, is required to continue the item to a future date.

3. The Planning Commission may deny the project. The Commission must specify what findings cannot be made and provide a brief oral statement based on the Staff Report, oral testimony, site visit, correspondence, or any other rationale introduced and deliberated by the Planning Commission.

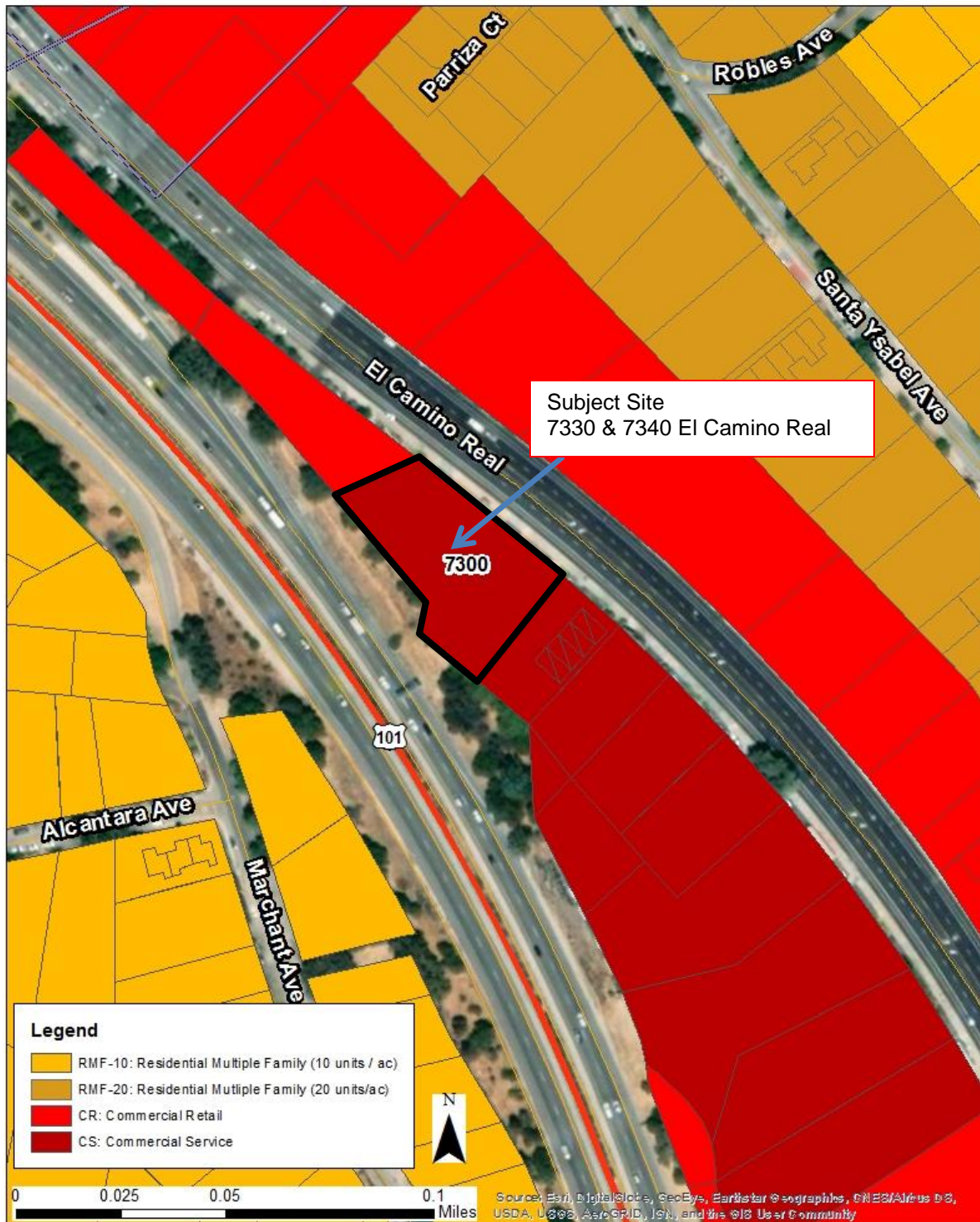
**ATTACHMENTS:**

1. Zoning Map
2. Site Plan of Approved Buildings (MedPost & The Habit)
3. Draft Resolution PC 2018-A

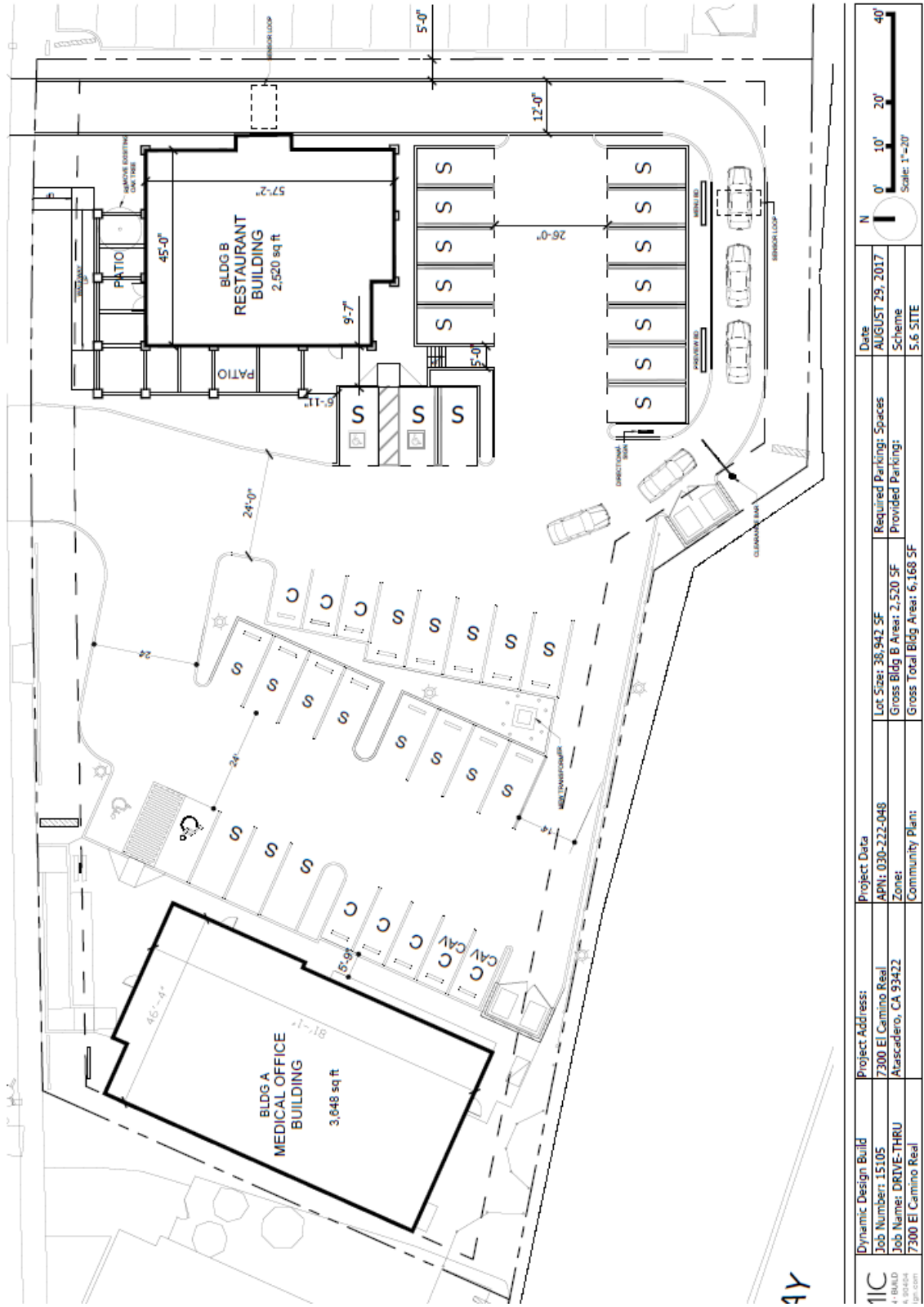


**ATTACHMENT 1: Zoning Map**

**SBDV18-0110 / AT 18-0128**



ATTACHMENT 2: Site Plan of Approved Buildings  
SBDV18-0110 / AT 18-0128



**ATTACHMENT 3: Draft Resolution PC 2018-A**  
**SBDV18-0110 / AT 18-0128**

**DRAFT RESOLUTION PC 2018-A**

**RESOLUTION OF THE PLANNING COMMISSION OF  
THE CITY OF ATASCADERO, CALIFORNIA  
APPROVING SBDV18-0110 / AT 18-0128 TO ALLOW A SUBDIVISION  
AT 7330 & 7340 EL CAMINO REAL (APN 030-222-048)**

**WHEREAS**, an application has been received from Dynamic Atascadero Investments, 1725 1st Street, Santa Monica, CA 90404 (Applicant & Owner) to consider a project consisting of Tentative Parcel Map AT 18-0128 to allow the subdivision of one parcel into two parcels at 7330 and 7340 El Camino Real (Parent address 7300 El Camino Real, APN 030-222-048); and,

**WHEREAS**, the site's current General Plan Designation is Service Commercial (SC); and

**WHEREAS**, the site's current zoning district is Commercial Service (CS); and

**WHEREAS**, the CS zoning district does not require a minimum lot size, as stated in the Atascadero Municipal Code; and

**WHEREAS**, the existing site has an area of 39,005 square feet (0.9-acres); and

**WHEREAS**, the proposed project qualifies for an Categorical Exemption consistent with CEQA Guidelines Section 15315 for minor land divisions; and

**WHEREAS**, the laws and regulations relating to the preparation and public notice of environmental documents, as set forth in the state and local guidelines for implementation of the California Environmental Quality Act (CEQA) have been adhered to; and

**WHEREAS**, a timely and properly noticed Public Hearing upon the subject Tentative Parcel Map application was held by the Planning Commission of the City of Atascadero, at which hearing evidence, oral and documentary, was admitted on behalf of said Tentative Parcel Map; and

**WHEREAS**, the Planning Commission of the City of Atascadero, at a duly noticed Public Hearing held on December 4, 2018, studied and considered Tentative Parcel Map AT 18-0128; and

**NOW, THEREFORE**, the Planning Commission of the City of Atascadero takes the following actions:





**SECTION 1. Findings for approval of Tentative Parcel Map.** The Planning Commission finds as follows:

1. The proposed subdivision, together with the provisions for its design and improvement, is consistent with the General Plan (Government Code §§ 66473.5 and 66474(a) and (b)).

**Fact:** The General Plan designation for the site is Service Commercial. The zoning district is Commercial Service (CS), which has no minimum lot size. Both new parcels will remain under the Service Commercial General Plan designation.

2. The site is physically suitable for the type of development (Government Code § 66474(c)).

**Fact:** The lots are located along El Camino Real and are serviced by the City's sewer system. The site is surrounded by similarly-sized, commercial uses. Prior permits, including Conditional Use Permits, Design Review, and building permits, were obtained for the two buildings on the property and addressed aspects related to physical characteristics of the site. No changes to the site development design or existing uses will result from the proposed commercial subdivision.

3. The site is physically suitable for the proposed density of development (Government Code § 66474(d)).

**Fact:** There is no minimum lot size in the Commercial Service zone. Prior permits for development of the property found the existing development density suitable for the parcel. Density will not be increased as result of the proposed commercial subdivision.

4. The design of the subdivision or the proposed improvements will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat. (Government Code § 66474(e)), and

**Fact:** The subdivision will primarily address ownership amongst the two buildings on the property. The two buildings on the existing commercial parcel were previously approved through the processes required for construction, including environmental review. There are no additional construction activities that are proposed with the subdivision of the existing parcel. Approval of the tentative parcel map will not cause environmental damage.

5. The design of the subdivision or the type of improvements will not cause serious health problems. (Government Code § 66474(f)), and

**Fact:** The subdivision of this property will not cause any serious health problems. Site improvements were previously reviewed and permitted prior to submittal of the tentative parcel map, and those improvements will not cause serious health problems.

6. The design of the subdivision will not conflict with easements for access through or use of property within the proposed subdivision. (Government Code § 66474(g)), and



**Fact:** The project is conditioned to show all easements for shared access, shared parking, and any utilities that cross the property line on the Final Parcel Map prior to recordation.

7. The installation of public improvements are necessary prior to recordation of a Final Map in order to insure orderly development of the surrounding area (Government Code § 66411.1(b)(2), and

**Fact:** The site has been previously developed and public improvements previously installed. The Habit Restaurant is currently under construction on Parcel 2. The issued building permits show some improvements and landscape that will be installed on Parcel 1 as part of the current construction. A condition has been included that those improvements and landscape are either installed prior to the recording of the Final Parcel Map, or that an easement be recorded with the Final Map to allow installation of improvements on Parcel 1 which are shown on building permits for The Habit Restaurant.

**SECTION 2. Approval.** The Planning Commission of the City of Atascadero, in a regular meeting assembled on December 4, 2018 resolved to approve Tentative Parcel Map AT 18-0128 subject to the following:

- EXHIBIT A: Notice of Exemption
- EXHIBIT B: Conditions of Approval
- EXHIBIT C: Tentative Parcel Map AT 18-0128





On motion by Commissioner \_\_\_\_\_, and seconded by Commissioner \_\_\_\_\_ the foregoing resolution is hereby adopted in its entirety by the following roll call vote:

AYES: ( )

NOES: ( )

ABSTAIN: ( )

ABSENT: ( )

ADOPTED:

CITY OF ATASCADERO, CA

\_\_\_\_\_  
Jerel Seay  
Planning Commission Chairperson

Attest:

\_\_\_\_\_  
Phil Dunsmore  
Planning Commission Secretary



**EXHIBIT A: Notice of Exemption**  
**SBDV18-0110 / AT 18-0128**



**CITY OF ATASCADERO**  
**NOTICE OF EXEMPTION**

6500 Palma Avenue

Atascadero, CA 93422

805.461.5000

TO: ☒ File

Date Adopted: December 4, 2018

FROM: Callie Taylor, Senior Planner  
City of Atascadero  
Community Development Department  
6500 Palma Avenue  
Atascadero, CA 93422

SUBJECT: Filing of Notice of Determination in Compliance with Section 21152.1 of the Public Resources Code.

Project Title: SBDV18-0110 - Subdivision of Parcel at 7330 & 7340 El Camino Real

Representative: Pamela Jardini, 1360 New Wine Place, Templeton, CA 93465

Project Owner: Dynamic Investments, LLC, 1725 21st Street, Santa Monica, CA 90404

Project Location: 7330 & 7340 El Camino Real, Atascadero, CA 93422 (San Luis Obispo County, 030-222-048)

Project Description:

The proposed project would subdivide the commercial property at 7330 & 7340 El Camino Real into a total of two parcels. The subdivision would include parking and utilities easements for both properties.

Name of Public Agency Approving Project: City of Atascadero

Name of Person or Agency Carrying Out Project: Dynamic Investments, LLC

Exempt Status:



Ministerial (Sec. 15073)

Declared Emergency (Sec. 15061 (a))

Categorically Exempt (Sec. 15301-15333): 15315



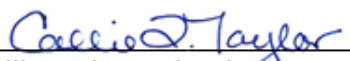
Emergency Project (Sec. 1507 (b) and (c))

General Rule Exemption (Sec. 15061.c)

Reasons why project is exempt: Class 15 Categorical Exemption to the California Environmental Quality Act (CEQA Section 15315) exempts minor land divisions that conform to the General Plan and Zoning Ordinance, where services and access are available, the lot has not been involved in another division within the previous 2 years and the average slope is less than 20 percent. The site is zoned for the proposed use. The surrounding area is not environmentally sensitive, and includes urban uses without valuable habitat for threatened species. The project will not result in significant impacts to traffic, noise, air quality or water quality. The project will be served by existing roads, utilities, and all necessary public services and facilities.

Contact Person: Callie Taylor, Senior Planner, ctaylor@atascadero.org, (805) 470-3448

Date: December 4, 2018

  
Callie Taylor, Senior Planner



**EXHIBIT B: Conditions of Approval**  
**SBDV18-0110 / AT 18-0128**

<b>Conditions of Approval</b>  <b><i>Tentative Parcel Map</i></b> <b>7330 &amp; 7340 El Camino Real</b> <b>SBDV18-0110 / AT 18-0128</b>	<b>Timing</b>  <small>BL: Business License  FM: Final Map  GP: Grading Permit  BP: Building Permit  FI: Final Inspection  TO: Temporary Occupancy  FO: Final Occupancy</small>
<b>Planning Services</b>	
1. SBDV18-0110 (Tentative Parcel Map / AT 18-0128) shall be for the subdivision of 7330 and 7340 El Camino Real (APN 030-222-048) as generally shown in attached Exhibit B, regardless of owner.	<b>Ongoing</b>
2. The approval of this application shall become final, subject to the completion of the conditions of approval, fourteen (14) days following the Planning Commission approval unless prior to the time, an appeal to the decision is filed as set forth in Section 9-1.111(b) of the Zoning Ordinance.	<b>Ongoing</b>
3. Approval of this Tentative Parcel Map shall be valid for a period of twenty-four (24) months and shall expire on <b>December 4, 2020</b> , consistent with Section 66452.6(a)(1) of the California Subdivision Map Act.	<b>FM</b>
4. The approved Tentative Parcel Map may be extended consistent with Section 66452.6(e) of the California Subdivision Map Act. A one (1) year extension may be granted consistent with Section 9-2.117(a) of the Atascadero Municipal Code. Any subsequent tentative map extensions shall be consistent with Section 11-4.23 of the Atascadero Municipal Code.	<b>FM</b>
5. The Community Development Department shall have the authority to approve minor changes to the project that (1) result in a superior site design or appearance, and/or (2) address a construction design issue that is not substantive to the Tentative Parcel Map.	<b>FM</b>
6. The Subdivider shall defend, indemnify, and hold harmless the City of Atascadero or its agents, officers, and employees against any claim or action brought to challenge an approval by the City, or any of its entities, concerning the subdivision.	<b>Ongoing</b>
7. Prior to recordation of the Parcel Map, the Subdivider shall pay all applicable Quimby Act fees to the City.	<b>FM</b>
8. Parcel 2 of AT 18-0128 is currently under construction, and includes improvements, utilities, and landscape identified on the approved building permits which must be installed on Parcel 1. All site improvements and landscaping, including street trees, which are associated with the development and construction of Parcel 2 (The Habit restaurant) shall either be installed on Parcel 1 prior to the recording of the Final Parcel Map, or an easement shall be recorded with the Final Map to allow installation of improvements on Parcel 1 as shown on permits for the Habit restaurant.	<b>FM</b>
<b>Public Works</b>	<b>FM</b>
9. The Parcel Map shall include utility and drainage easements, as necessary, to accommodate existing utilities and drainage that crosses the common property line between the two new parcels.	<b>FM</b>
10. A reciprocal parking and driveway easement is required to be recorded concurrently with the map. A common driveway and parking maintenance agreement shall be prepared by the subdivider and recorded concurrently with the Parcel Map.	<b>FM</b>







## Atascadero Planning Commission

### Staff Report – Community Development Department

USE 18-0123  
Colony Tavern

#### RECOMMENDATION:

Staff recommends the Planning Commission adopt PC Resolution 2018-A permitting a Bar/Tavern land use in the Commercial Retail zoning district.

#### Project Info In-Brief:

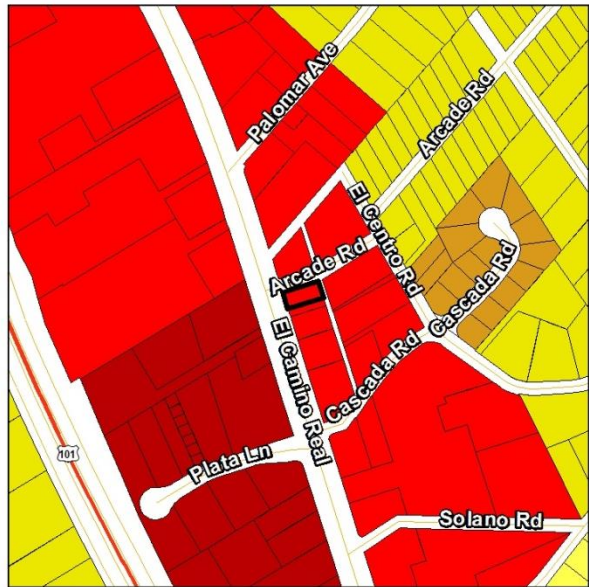
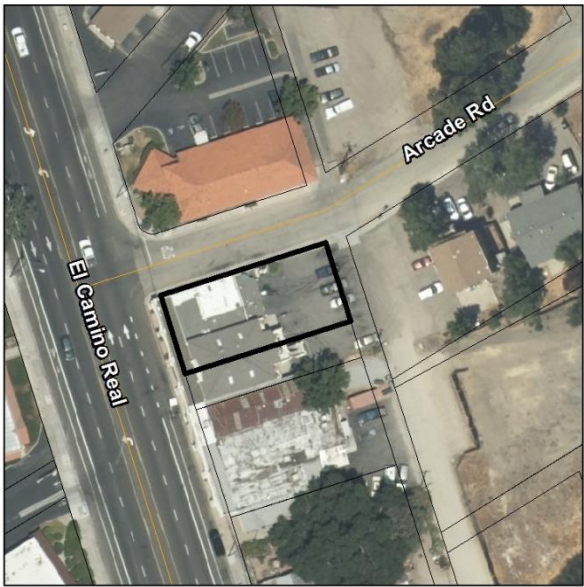
<b>PROJECT ADDRESS:</b>	8451 El Camino Real	Atascadero, CA	<b>APN</b>	030-512-007
<b>PROJECT PLANNER</b>	Mariah Gasch Assistant Planner	805-470-3436	mgasch@atascadero.org	
<b>APPLICANT</b>	Jonathan Velasco			
<b>PROPERTY OWNER</b>	Jim Russell			
<b>GENERAL PLAN DESIGNATION:</b>	<b>ZONING DISTRICT:</b>	<b>SITE AREA</b>	<b>EXISTING USE</b>	<b>PROPOSED USE</b>
General Commercial (GC)	Commercial Retail (CR)	0.14 acre	Vacant, formerly Club Soda Bar	Bar / Tavern
<b>ENVIRONMENTAL DETERMINATION</b>				
<input type="checkbox"/> Environmental Impact Report SCH: _____				
<input type="checkbox"/> Negative / Mitigated Negative Declaration No. _____				
<input checked="" type="checkbox"/> Categorical Exemption CEQA – Guidelines Section 15301: Existing Facilities				
<input type="checkbox"/> Statutory Exemption §§ 21000, et seq & _____				
<input type="checkbox"/> No Project – Ministerial Project				

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

**DISCUSSION:**

Existing Surrounding Uses / Parcel Configurations:

Existing Zoning		Existing Aerial / Surrounding	
			
North:	South:	East:	West:
CR	CR	CR LSF-X RMF-24 / PD-7	El Camino Real CS

Background:

Club Soda was in operation at the subject location as a bar from 1989 until 2015. Atascadero Municipal Code 9-3.330 requires a Conditional Use Permit (CUP) to establish a bar or tavern use in the Commercial Retail zoning district. The right to continue a nonconforming use expires after 6 months of discontinued use. In 2016, the City received an application for a CUP for a new bar called Skip's Speakeasy (PLN 2016-1601). The Planning Commission approved CUP 2016-0299 with PC Resolution 2016-0020 for the Skip's Speakeasy. However, Skip's never completed the project and never opened their business, therefore, the use permit expired July 19, 2018.

The City received a new inquiry about the site a few months after the permit for Skip's Speakeasy had expired. The current applicant requests the approval of a new CUP for a nearly identical bar at the same location.

The applicant seeks a type 42 license from the Department of Alcohol and Beverage Control (ABC), typical of bars and taverns. This type of license would permit the applicant to sell beer and wine for on or off-site consumption, but not distilled spirits. ABC would prohibit minors on site. Food service is not required.





The property has two commercial spaces on the ground floor, which front El Camino Real, and a residential use on the second floor accessed from the rear of the building. Nardonne's Restaurant and the Moose Lodge are in adjacent properties that appear to be part of the same building, but are under separate ownership.

**Summary:**

The applicant is proposing to establish a bar/tavern use that would include a bar, patron tables, and game tables such as pinball and pool. The property includes a parking lot in the rear of the building with approximately 11 parking spaces that are shared between 3 tenants. The applicant is proposing two new windows and an additional door on the front of the building. The applicant is also proposing two new signs with the name of the business "Colony Tavern." One proposed sign would be on the El Camino Real Frontage and the other would be on the Arcade Road frontage.

**Analysis:**

A CUP is required to establish a bar in the Commercial Retail zoning district (AMC 9-3.223). Club Soda (a bar/tavern use) operated in this location without a CUP as a legal, non-conforming use until the summer of 2015. The space has been vacant since that time. AMC 9-7.106 requires full conformance for a new use when a nonconforming use is discontinued for 6 months or more.

The Commercial Retail zoning district extends from El Camino Real to El Centro Road, but the properties behind the proposed bar are currently used for residences. The multi-family residential building is approximately 125 feet from the rear of the proposed bar. The residential parking lot is approximately 70 feet away. The ABC license may limit hours of operation. The applicant tentatively proposes the business will be open from 12 p.m. until 10 p.m. Sunday through Thursday and from 12 p.m. until 2 a.m. on Friday and Saturday.

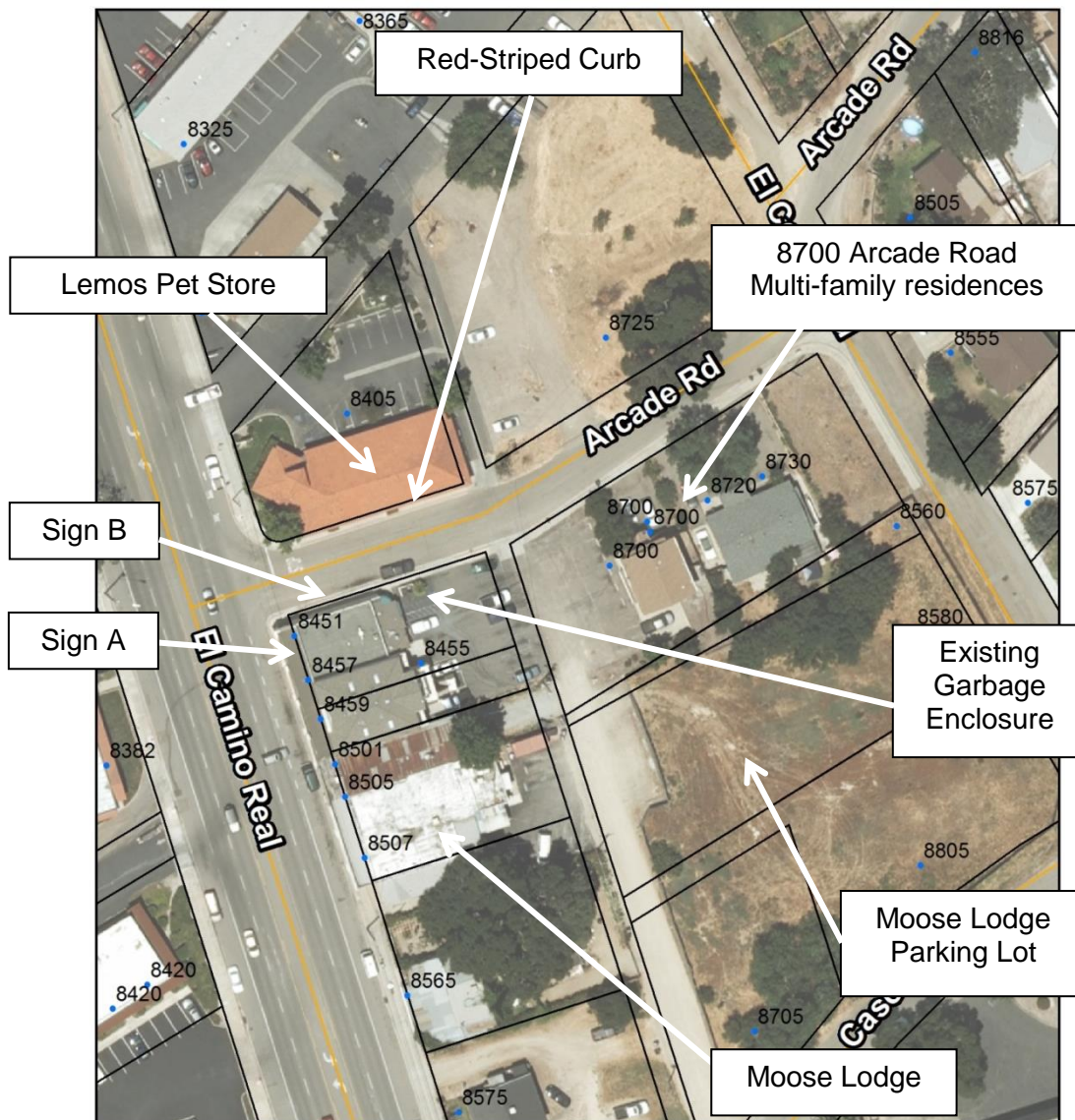
**Screening**

AMC 9-4.128(4)(i) requires a 6 foot solid wall or fencing at the side or rear property line of commercial uses adjacent to residential uses. Due to sight distance constraints on this site, the maximum height of the wall would be limited to 3 feet tall. The applicant is requesting an exception to this requirement as it may result in a loss of parking spaces.





### Aerial photograph



### Parking

The property includes a parking lot in the rear of the building with approximately 11 parking spaces that are shared between 3 tenants. The discount cigarette store next door, the upstairs residence, and Colony Tavern will share this lot. The Municipal Code requires 3 off-street spaces for the retail space, and 2 off-street parking spaces for the residence. Six parking spaces remain in the lot for the proposed bar.

The onsite parking requirement for eating and drinking places, including bars, is determined largely by the number of tables and bar stools:



### Off-Street Parking Requirement

Parking requirement	Rate	Spaces
1 space per customer table	8 tables	8
1 space per 2 barstools	19 barstools	9
1 space per 6 tables for employees	8 tables	1
1 space per 100 s.f. of kitchen	Space behind bar	1-2
<b>TOTAL</b>		<b>19</b>

Colony Tavern cannot provide sufficient off-street parking spaces per the Municipal Code requirements. The Planning Commission may reduce the parking requirement through this CUP if it finds that “the characteristics of a use or its immediate vicinity do not necessitate the number of parking spaces, type of design, or improvements required by this title and that reduced parking will be adequate to accommodate on the site all parking needs generated by the use” (AMC 9-4.115(h)).

The curb is striped red to prevent parking directly in front of the business on El Camino Real for about two parking-space lengths. About one parking-space length is also striped red on Arcade Road adjacent to the business. The curb on the opposite side of Arcade is entirely red precluding any parking there. There are 4 on-street parking spaces in the immediate vicinity of the proposed bar.

Several businesses in the vicinity operate during the daytime, while the bar will be busiest in the evening and nighttime hours, suggesting shared peak-hour parking may be a possibility. Lemos Pet Store is open 9-7pm and the cigarette store closes at 9pm. There are also several unpaved vacant lots nearby. Staff has included a condition for the applicant to seek agreements with neighbors to allow the use of their unused parking lots in the evening.

Staff recommends the on-site parking lot be re-striped as the previous striping is almost entirely worn away. A re-striped lot will provide the most efficient use of the space lot. The standard aisle width for 90 degree parking spaces is 24 feet. However, this can be reduced by widening parking stalls to 9 or 10 feet. If wider stalls are not used, larger vehicles will have a more difficult time backing out and may require a multiple back and forth maneuver to get out. Staff is recommending that the aisle width be reduced to a minimum of 22 feet when re-striping. A condition is included to require these improvements.

### Proposed Elevations

The applicant is proposing to add two new windows to the front of the building as well as a second door facing El Camino Real. The new windows and door addition will be the only changes made to the existing elevations.

### Signage

The applicant is proposing two (2) new wall signs. One sign would be placed on the



building façade facing El Camino Real under the arcade structure roof (Sign A in Exhibit E of the draft resolution) and one sign on the façade facing Arcade Road (Sign B). The applicant proposes signs with western style letters and lights illuminating the sign from above. The applicant also proposes metal letters as shown in the image below.

Example of Western-style lettering



Metal letters



The Municipal Code allows one wall sign per building face (AMC 9-15.005(a)(5)). The sign may be 1 square foot for each lineal foot of the building to a maximum 20 square feet. Sign A on the 30-foot-wide El Camino Real façade is a 20 square foot logo sign.

Sign B is an 18 square foot logo sign proposed for the 70-foot-wide Arcade Road façade.

In addition, the adjacent cigarette store has a sign posted at this corner. Signs for the two businesses should be spaced adequately to reduce interference between messages. A related condition is included. AMC 9-15.008 limits 1 wall sign per building face with a public street frontage. Staff cannot locate permits for the cigarette store's sign facing Arcade Road. The Planning Commission may also add a condition of approval to remove this sign if the applicant cannot provide a building permit record for it.

### Landscaping

The Atascadero Municipal Code requires landscaping in parking lots consistent with AMC 9-4.119(f); however, the Planning Commission "may waive, modify or increase the landscaping requirements of this section if a finding can be made that existing vegetation topography or structural arrangement preclude the need for landscaping," (AMC 9-4.125). In this case, the structural arrangement leaves little to no exposed soil. The building is not setback from El Camino Real and the asphalt parking lot covers the entire back yard area. Accommodating landscaping would require significant changes to the existing hardscape. Staff recommends the Planning Commission require the applicant to landscape the extremely limited exposed soil on the site.

### Garbage Collection

AMC 9-4.129 requires commercial uses to provide an enclosure that screens garbage collection bins. The site has an existing enclosure that generally meets the requirements of the Municipal Code.

### General Plan Consistency

The proposed project is consistent with the following General Plan Land Use Element Goals and Policies:

Land Use Program 1.1.7: Within the Urban Core, encourage infill development or revitalization or reuse of land already committed to urban development where utilities and public services exist.

Land Use Program 3.1.5: Develop incentives to attract new businesses to underutilized locations along El Camino Real.

Land Use Program 3.1.11: Amend and maintain the Zoning Ordinance to require Conditional Use Permit approvals of bars, dance halls, night clubs, drive through restaurants, and service stations (all gasoline sales uses).



Goal LOC 3: Transform the existing El Camino Real “strip” into a distinctive, attractive and efficient commercial, office and industrial park area which can provide for the long term economic viability of the community.

Goal LOC 13: Provide a sound economic base to sustain the City’s unique character by establishing a range of employment and business opportunities and generate sufficient revenue to support adequate levels of public services, and environment, social and educational quality.

Land Use Policy 13.1: Facilitate convenient location of goods and services needed by local residents.

Goal LOC 14: Retain and expand existing business and attract new businesses to improve the availability of goods and services.

**Conclusion:**

The applicant has submitted a proposal to locate a bar/tavern use, Colony Tavern, at 8451 El Camino Real (APN 030-512-007), in the former location of Club Soda. Based on the above analysis and incorporated conditions, staff believes that the findings for approval of the CUP can be made.

**ENVIRONMENTAL DETERMINATION:**

This project qualifies for a Class 1 Categorical Exemption under CEQA Section 15301, Existing Facilities, specifically interior or exterior alterations involving such things as interior partitions, plumbing, and electrical conveyances. The scale of the proposed project is not significant enough to trigger a full Environmental Impact Report.

**FINDINGS:**

To approve Use 18-0123, the Planning Commission must make the following findings. These findings and the facts to support these findings are included in the attached resolution PC 2018-A.

*Conditional Use Permit (AMC Section 9-2.110(b).(3).(iv)*

1. The proposed project or use is consistent with the General Plan.
2. The proposed project or use satisfies all applicable provisions of the Zoning Ordinance.
3. The establishment, and subsequent operation or conduct of the use will not, because of the circumstances and conditions applied in the particular case, be detrimental to the health, safety or welfare of the general public or persons residing or working in the neighborhood of the use, or be detrimental or injurious to property or improvements in the vicinity of the use:



4. That the proposed project or use will not be inconsistent with the character of the immediate neighborhood or contrary to its orderly development:
5. That the proposed use or project will not generate a volume of traffic beyond the safe capacity of all roads providing access to the project, either existing or to be improved in conjunction with the project, or beyond the normal traffic volume of the surrounding neighborhood that would result from full development in accordance with the land use element:
6. That the proposed project is in compliance with any pertinent City policy or criteria adopted by Ordinance or Resolution of the City Council.
7. That the existing vegetation, topography or structural arrangement preclude the need for landscaping.

**ALTERNATIVES:**

1. The Planning Commission may include modifications to the project and/or Conditions of Approval for the project. Any proposed modifications including Conditions of Approval, should be clearly re-stated in any vote on any of the attached resolutions.
2. The Planning Commission may determine that more information is needed on some aspect of the project and may refer the item back to the applicant and staff to develop the additional information. The Commission should clearly state the type of information that is required. A motion, and approval of that motion, is required to continue the item to a future date.
3. The Planning Commission may deny the project. The Commission must specify what findings cannot be made, and provide a brief oral statement, based on the Staff Report, oral testimony, site visit, correspondence, or any other rationale introduced and deliberated by the Planning Commission.

**ATTACHMENTS:**

1. Site Photos
2. Statement of Justification
3. Draft Resolution PC 2018-A





**ATTACHMENT 1:      Site Photos**  
**USE18-0123**



Existing building



Sign for Discount Cigarette store at corner of building





Rear of the bar with residence on the next property



Rear parking lot with no separation between residences beyond



Garbage enclosure with limited landscaping area



<b>ATTACHMENT 2:</b>	<b>Applicant's Statement of Justification USE18-0123</b>
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San Luis Obispo County has been a popular location for enjoying good local wine, beer, food and entertainment for many years. That is why we believe that the Colony Tavern, a historic specialty beer tavern, wine bar and entertainment venue will thrive in the city of Atascadero. Our target market includes beer and wine connoisseurs, college students, and anyone who enjoys playing games and listening to live music while socializing with friends. We hope to bring the people of Atascadero and the entire North County a fun, safe, and professional neighborhood tavern for everyone to enjoy.

The bar industry in San Luis Obispo County has grown steadily and has been a staple in the lives of the community for years. The people of SLO County revel in local beer, wine and entertainment, and Atascadero has limited selection when it comes to a location that provides all of these. That is why The Colony Tavern will strive to accommodate the public from venturing out to other cities to seek entertainment elsewhere. The types of amenities and entertainment offered at the Colony Tavern will be a variety of local beer, wine and cider, fun and entertaining games to play such as billiards, pin ball, darts, arcade games, televisions and live music.

Due to the existing competition, we understand the importance of differentiating ourselves from our competitors. We plan to do that by providing a rustic, western themed bar and incorporating a historic Atascadero colonial flare. We would like to keep the general layout of the bar the same, but include some interior and exterior upgrades. We would like to add windows to the outside wall that runs along El Camino Real, similar to what Nardonn's pizza and the cigarette shop. Inside we plan on staining the concrete floor, new light fixtures, relocating the stage, adding wall coverings and touching up the bar to have a more country appearance.

We plan to open the Colony Tavern at 8451 Suite A, El Camino Real Atascadero, California in the previous site of club soda which was an bar establishment in Atascadero for more than 25 years. We plan on providing a clean, fun, and safe establishment to serve as a neighborhood tavern for all adults to enjoy. Our hours of operation would be 7 days a week from 12am- 12pm and weekend 12am-2am.



**ATTACHMENT 3:      Draft Resolution 2018-A  
USE18-0123**

**DRAFT PC RESOLUTION 2018-A**

**RESOLUTION OF THE PLANNING COMMISSION OF  
THE CITY OF ATASCADERO, CALIFORNIA,  
APPROVING USE 18-0123 TO PERMIT A  
BAR/TAVERN USE AT 8451 EL CAMINO REAL (APN 030-512-007)  
(VELASCO)**

**WHEREAS**, an application has been received from Jonathan Velasco, 9100 San Gabriel Road, Atascadero, CA 93422 (Applicant), and Jim Russell, 9205 San Marcos Road, Atascadero, CA 93422 (Owner) to consider a project consisting of Conditional Use Permit 2016-0299 to allow a bar/tavern use on a 0.15 acre parcel at 8451 El Camino Real (APN 030-512-007); and,

**WHEREAS**, the site's current General Plan Designation is General Commercial (GC); and,

**WHEREAS**, the site's current zoning district is Commercial Retail (CR); and,

**WHEREAS**, the laws and regulations relating to the preparation and public notice of environmental documents, as set forth in the State and local guidelines for implementation of the California Environmental Quality Act (CEQA) have been adhered to; and,

**WHEREAS**, a timely and properly noticed Public Hearing upon the subject Minor Conditional Use Permit application was held by the Planning Commission of the City of Atascadero at which hearing evidence, oral and documentary, was admitted on behalf of said Conditional Use Permit; and,

**WHEREAS**, the Planning Commission of the City of Atascadero, at a duly noticed Public Hearing held on December 4, 2018, studied and considered Conditional Use Permit USE 18-0123; and,

**NOW, THEREFORE**, the Planning Commission of the City of Atascadero takes the following actions:

**SECTION 1. Findings of Environmental Exemption.** The Planning Commission finds as follows:

1. The proposed project has been found Categorically Exempt under Class 1, Section 15301 (Existing Facilities) of the California Environmental Quality Act.

**SECTION 2. Findings for approval of Conditional Use Permit.** The Planning Commission finds as follows:

1. The proposed project or use is consistent with the General Plan, as well as the City's Appearance Review Manual and any pertinent City policy or criteria adopted by ordinance or resolution of the City Council.



*Staff Comment: The proposed bar/tavern use at this location is consistent with the General Commercial designation of the General Plan and the General Plan Land Use, Open Space and Circulation (LOC) Element Goals 3, 13, and 14; Policies 13.1 and Land Use Programs 1.1.7, 3.1.5, 3.1.11. The project will fill an underutilized commercial space on El Camino Real near an identified commercial node.*

2. The proposed project or use satisfies all applicable provisions of the Title (Zoning Ordinance).

*Staff Comment: As conditioned, the project satisfies the provisions of the Atascadero Municipal Code. The Zoning Ordinance allows the Planning Commission to make adjustments to the screening, parking, signage, and landscaping requirements.*

3. The establishment, and subsequent operation or conduct of the use will not, because of the circumstances and conditions applied in the particular case, be detrimental to the health, safety, or welfare of the general public or persons residing or working in the neighborhood of the use, or be detrimental or injurious to property or improvements in the vicinity of the use.

*Staff Comment: The project is conditioned to address potential conflicts regarding lighting, parking and noise that could negatively impact the neighborhood. The business will be required to be respectful to neighbors, particularly residential neighbors.*

4. That the proposed project or use will not be inconsistent with the character or the immediate neighborhood or contrary to its orderly development.

*Staff Comment: The proposed use would fill a vacant space located in an existing commercial building. The previous use of the tenant space was as a bar also with amplified music. Further, the Moose Lodge, a member organization with a tavern component, is located several doors south on El Camino Real. The project is conditioned to address potential impacts on residential uses.*

5. That the proposed use or project will not generate a volume of traffic beyond the safe capacity of all roads providing access to the project, either existing or to be improved in conjunction with the project, or beyond the normal traffic volume of the surrounding neighborhood that would result from full development in accordance with the Land Use Element.

*Staff Comment: Existing traffic projections and future road improvement plans anticipate a commercial use in this building.*

6. That the proposed project is in compliance with any pertinent City policy or criteria adopted by ordinance or resolution of the City Council.

*Staff Comment: The proposed use is consistent with all pertinent City policies and criteria adopted by the City Council.*

7. That the existing vegetation, topography or structural arrangement preclude the need for landscaping.

*Staff Comment: The site was previously developed without a front setback or landscape area in the rear of the property. The current structural arrangement will not accommodate significant additional landscaping.*



**SECTION 3. Approval.** The Planning Commission of the City of Atascadero, in a regular session assembled on December 4, 2018, resolved to approve Conditional Use Permit USE 18-0123 subject to the following:

EXHIBIT A: CEQA Exemption  
EXHIBIT B: Conditions of Approval  
EXHIBIT C: Floor Plan  
EXHIBIT D: Site Plan  
EXHIBIT E: Signage

On motion by Commissioner \_\_\_\_\_, and seconded by Commissioner \_\_\_\_\_ the foregoing resolution is hereby adopted in its entirety by the following roll call vote:

AYES: ( )

NOES: ( )

ABSTAIN: ( )

ABSENT: ( )

ADOPTED:

CITY OF ATASCADERO, CA

\_\_\_\_\_  
Jerel Seay  
Planning Commission Chairperson

ATTEST:

\_\_\_\_\_  
Phil Dunsmore  
Planning Commission Secretary



**Exhibit A: Notice of Exemption  
USE18-0123**



**CITY OF ATASCADERO  
NOTICE OF EXEMPTION**

6500 Palma Avenue

Atascadero, CA 93422

805.461.5000

TO: ☒ File

FROM: Mariah Gasch  
Assistant Planner  
City of Atascadero  
6500 Palma Avenue  
Atascadero, CA 93422

SUBJECT: Filing of Notice of Determination in Compliance with Section 21152 of the Public Resources Code.

Project Title: USE 18-0123

Project Applicant: Jonathan Velasco, 9100 Gabriel Road, CA, 93422

Project Location: 8451 El Camino Real, Atascadero, CA 93422, San Luis Obispo County (APN 030-512-007)

Project Description: Conditional Use Permit to allow a bar/tavern use in a commercial retail zone.

Name of Public Agency Approving Project: City of Atascadero

Name of Person or Agency Carrying Out Project: Jonathan Velasco, 9100 Gabriel Road, CA, 93422

Exempt Status:

- |   |  |
|---|--|
| <input type="checkbox"/> Ministerial (Sec. 15073)                     | <input type="checkbox"/> Emergency Project (Sec. 1507 (b) and (c)) |
| <input type="checkbox"/> Declared Emergency (Sec. 15061 (a))          | <input type="checkbox"/> General Rule Exemption (Sec. 15061.c)     |
| <input checked="" type="checkbox"/> Categorically Exempt (Sec. 15301) |  |

Reasons why project is exempt: Class 1 exemption of the California Environmental Quality Act (CEQA) (Section 15301, Existing Facilities: for the operation, repair, permitting, or minor alteration of existing private structures.

Contact Person: Mariah Gasch (805) 470- 3436

Date: December 4, 2018

Mariah Gasch  
Assistant Planner





**Exhibit B: Conditions of Approval**  
**USE18-0123**

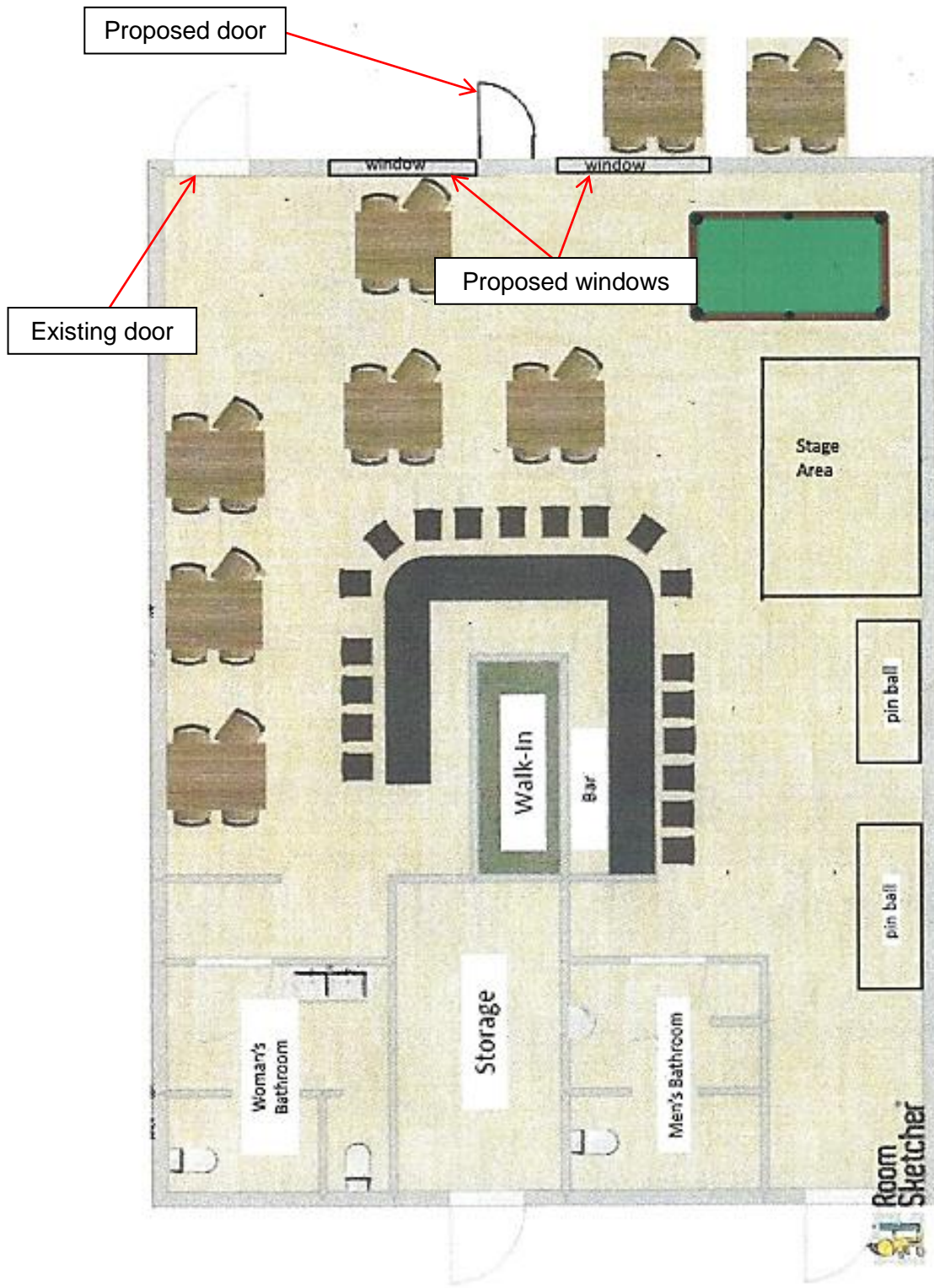
<b>Conditions of Approval</b>	<b>Timing</b>	<b>Responsibility /Monitoring</b>
<b>Colony Tavern</b> <b>8451 El Camino Real</b> <b>USE 18-0123</b>	BL: Business License GP: Grading Permit BP: Building Permit FI: Final Inspection TO: Temporary Occupancy FO: Final Occupancy	PS: Planning Services BS: Building Services FD: Fire Department PD: Police Department CE: City Engineer WW: Wastewater CA: City Attorney
<b>Planning Services</b>		
1. Conditional Use Permit USE 18-0123 shall be for a bar/tavern use as generally described in attached Exhibits C, D and E located on parcel 030-512-007, regardless of owner.	<b>Ongoing</b>	<b>PS</b>
2. The approval of this use permit shall become final and effective for the purposes of issuing building permits fourteen (14) days following the Planning Commission approval unless an appeal to the decision is filed as set forth in Section 9-1.111(b) of the Zoning Ordinance.	<b>Ongoing</b>	<b>PS</b>
3. The Community Development Department shall have the authority to approve the following minor changes to the project that (1) modify the site plan project by less than 10%, (2) result in a superior site design or appearance, and/or (3) address a construction design issue that is not substantive to the Conditional Use Permit.	<b>Ongoing</b>	<b>PS, CE</b>
4. Approval of this Conditional Use Permit shall be valid for twenty-four (24) months after its effective date. At the end of the period, the approval shall expire and become null and void unless the project has received a City business license or a time extension.	<b>BL</b>	<b>PS</b>
5. The applicant shall defend, indemnify, and hold harmless the City of Atascadero or its agents, officers, and employees against any claim or action brought to challenge an approval by the City, or any of its entities, concerning this Conditional Use Permit.	<b>Ongoing</b>	<b>CA</b>
6. Any tenant improvements to the building shall conform to all Building Code requirements including permitting, room sizes, restrooms, exiting, path of travel, etc. Inclusion of the floor plan with this conditional use permit does not provide relief from standard Building Codes in place at the time of submittal of tenant improvement permits.  A building permit shall be obtained prior to beginning any demolition or construction work on site.	<b>BP</b>	<b>BS</b>
7. A minimum of 11 shared, off-street parking spaces shall be provided in the rear parking lot.	<b>BL</b>	<b>PS</b>
8. Parking blocks shall be added for all spaces and parking lot shall be re-striped to include an accessible parking space that is compliant with current ADA parking standards.	<b>BL</b>	<b>BS / PS</b>
9. The restriped parking lot shall comply with Municipal Code standards with a minimum reduced aisle width of 22 feet.	<b>BL</b>	<b>PS</b>



<b>Conditions of Approval</b>  <b>Colony Tavern</b> <b>8451 El Camino Real</b> <b>USE 18-0123</b>	<b>Timing</b>  BL: Business License GP: Grading Permit BP: Building Permit FI: Final Inspection TO: Temporary Occupancy FO: Final Occupancy	<b>Responsibility /Monitoring</b>  PS: Planning Services BS: Building Services FD: Fire Department PD: Police Department CE: City Engineer WW: Wastewater CA: City Attorney
10. The applicant shall seek shared parking agreements with neighboring properties with excess parking spaces or dissimilar peak hour parking needs. The applicant shall report progress to Planning Services staff at time of business license application.	<b>BL</b>	<b>PS</b>
11. All proposed signs require a building permit in conformance with the California Building Code	<b>BP</b>	<b>BS / PS</b>
12. Sign A, placed on the front elevation of the building shown in Exhibit E, shall be limited to a total area of 20 square feet and shall be centered above the arches of the front arcade structure.	<b>BP</b>	<b>BS / PS</b>
13. One sign shall be permitted on the Arcade Road frontage. Sign B, a logo sign shall be a minimum of 10 square feet and maximum 20 square feet in size. It shall be placed away from the arch at the corner of the building as generally shown in Exhibit E.	<b>BP</b>	<b>BS / PS</b>
14. Off-site glare and light spill toward residential properties shall be minimized through sign design and placement.	<b>BP / Ongoing</b>	<b>PS</b>
15. Sign lighting shall be turned off at close of business, or 2 am, whichever is earlier.	<b>Ongoing</b>	<b>PS</b>
16. The business shall conform to state laws regarding the hours alcohol may be sold.	<b>Ongoing</b>	<b>PS</b>
17. Amplified music shall be limited to between the hours of 9 a.m. and 11 p.m.	<b>Ongoing</b>	<b>PS</b>
18. The business shall conform to the City Noise Ordinance, Atascadero Municipal Code 9-14, or successor code section including:  Nighttime exterior noise level (between 9 p.m. and 7 a.m.), measured at the property line of any affected residence, hospital, or church, shall not exceed 45 dB (hourly equivalent sound level) or 65 dB maximum.  Daytime exterior noise level (between 7 a.m. and 9 p.m.), measured at the property line of any affected residence, hospital, or church, shall not exceed 50 dB (hourly equivalent sound level) or 70 dB maximum.	<b>Ongoing</b>	<b>PS</b>
19. No unscreened outdoor storage of garbage or other refuse shall be permitted.	<b>Ongoing</b>	<b>PS</b>
20. Any new roof-mounted equipment shall be screened from view in all directions.	<b>BP/ Ongoing</b>	<b>PS</b>



**Exhibit C: Floor Plan**  
**USE18-0123**



**Exhibit D:     Site Plan**  
**USE18-0123**

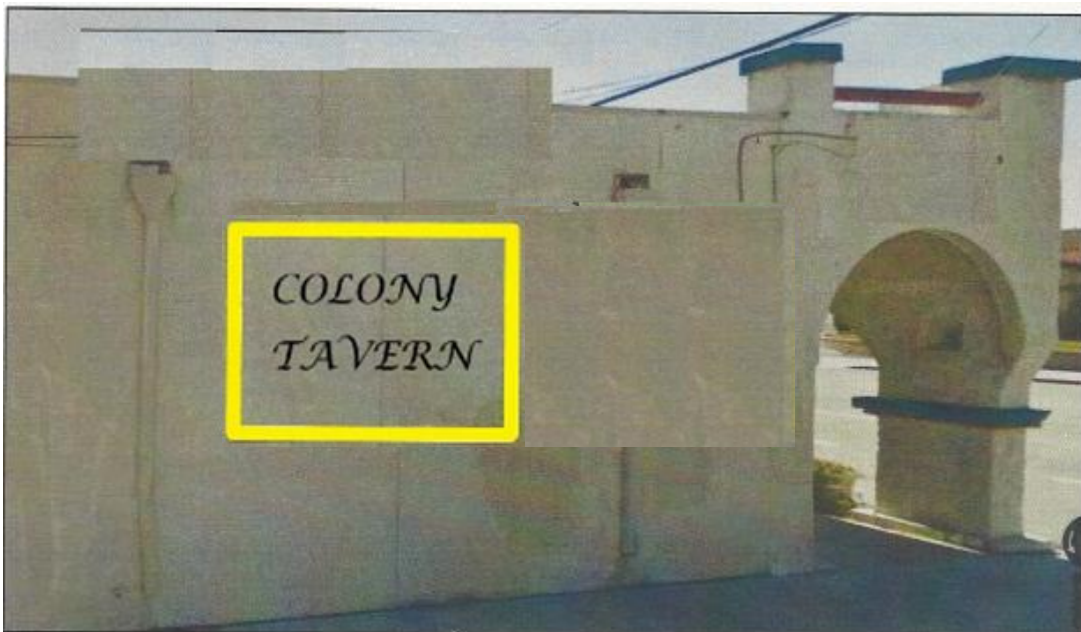




**Exhibit E:      Signage**  
**USE18-0123**



Sign A: El Camino Real frontage 2 ft x 10 ft logo sign



Sign B: Arcade Road frontage 3 ft x 6 ft logo sign