



CITY OF ATASCADERO PLANNING COMMISSION AGENDA

At the time of this publishing, it is expected that this meeting will be held virtually. Should circumstances change, which would allow for the meeting to be physically open to the public, the change will be noted on the City's website with the posting of the agenda and agenda packet.

**REGULAR MEETING
Tuesday, July 21, 2020
6:00 P.M.**

**City Hall Council Chambers
6500 Palma Avenue, 4th Floor
Atascadero, California 93422**

CALL TO ORDER

Pledge of Allegiance

Roll Call: Chairperson Mark Dariz
Vice Chairperson Jeff van den Eikhof
Commissioner Duane Anderson
Commissioner Tori Keen
Commissioner Michael Shaw
Commissioner Jan Wolff
Commissioner Tom Zirk

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. DRAFT MINUTES OF JULY 7, 2020

- Recommendation: Commission approve the July 7, 2020, Minutes.

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COMMUNITY DEVELOPMENT STAFF REPORTS

None

PUBLIC HEARINGS

(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).

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.

2. CONDITIONAL USE PERMIT AT 9005 EL CAMINO REAL

The proposed project consists of a proposal to allow a new Auto Repair and Storage use with accessory vehicle storage. The project is exempt from the California Environmental Quality Act (CEQA), under Categorical Exemption §15301, Class 1 Existing Facilities.

Ex-Parte Communications:

Recommendation: Approve the project with conditions. (USE18-0141-West Coast Auto)

COMMISSIONER COMMENTS AND REPORTS**DIRECTOR'S REPORT****ADJOURNMENT**

The next regular meeting will be held on August 4, 2020, at 6:00 p.m.

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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*** COVID-19 NOTICE ***

Consistent with Executive Orders N-25-20 and No. N-29-20 from the Executive Department of the State of California and the San Luis Obispo County Health Official's March 18, 2020 Shelter at Home Order, the Planning Commission Meeting will not be physically open to the public and Planning Commissioners will be teleconferencing into the meeting.

HOW TO SUBMIT PUBLIC COMMENT:

Members of the public are highly encouraged to call **805-538-2888** to listen and provide public comment via phone, or submit written public comments to pc-comments@atascadero.org by 5:00 pm on the day of the meeting. Such email **comments must identify the Agenda Item Number in the subject line of the email**. The comments will be read into the record, with a maximum allowance of 3 minutes per individual comment, subject to the Chairperson's discretion. All comments should be a maximum of 500 words, which corresponds to approximately 3 minutes of speaking time. If a comment is received after the agenda item is heard but before the close of the meeting, the comment will still be included as a part of the record of the meeting but will not be read into the record.

If you would like to view presentations provided during the meeting, you may access them by clicking on the following link:

<https://attendee.gotowebinar.com/register/269533589203152395>

AMERICAN DISABILITY ACT ACCOMMODATIONS:

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

Planning Commission agendas and minutes may be viewed on the City's website: www.atascadero.org.

Copies of the staff reports or other documentation relating to each item of business referred to on the Agenda are on file in the Community Development Department and are available for public inspection on our website, www.atascadero.org. Contracts, Resolutions and Ordinances will be allocated a number once they are approved by the Planning Commission. The Minutes of this meeting will reflect these numbers. All documents submitted by the public during Planning 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 by contacting the Community Development Department. All documents will be available for public inspection during City Hall business hours once City Hall is open to the public following the termination of the Shelter at Home Order.



CITY OF ATASCADERO PLANNING COMMISSION

DRAFT MINUTES

**Regular Meeting – Tuesday, July 7, 2020 – 6:00 P.M.
City Hall (Teleconference)
6500 Palma Avenue, Atascadero, California**

CALL TO ORDER - 6:00 p.m.

Chairperson Dariz called the meeting to order at 6:03 p.m. and Commissioner Zirk led the Pledge of Allegiance.

ROLL CALL

Present: Commissioners Anderson, Shaw, Wolff, Keen, Zirk, Vice Chairperson van den Eikhof and Chairperson Dariz

Absent: None

Others Present: Recording Secretary, Annette Manier

Staff Present: Community Development Director, Phil Dunsmore
Associate Planner, John Holder
Assistant Planner, Mariah Gasch

APPROVAL OF AGENDA

MOTION: By Commissioner Wolff and seconded by Commissioner Anderson to approve the Agenda.

***Motion passed 6:0:1 by a roll-call vote.
(Commissioner Shaw absent)***

PUBLIC COMMENT

None.

Chairperson Dariz closed the Public Comment period.

CONSENT CALENDAR**1. DRAFT MINUTES OF JUNE 2, 2020**

- Recommendation: Commission approve the June 2, 2020, Minutes.

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

Motion passed 6:0:1 by a roll-call vote.
(Commissioner Shaw absent)

Commissioner Shaw joined the meeting at 6:06 p.m.

COMMUNITY DEVELOPMENT STAFF REPORTS

None

PUBLIC HEARINGS

(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).)

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1. TENTATIVE PARCEL MAP AT 7850 CURBARIL AVE.

The proposed project consists of a proposal to allow for the creation of a 3-unit condominium subdivision in the Residential Multi-Family (RMF-10) zoning district. The project is exempt from the California Environmental Quality Act (CEQA), under Categorical Exemption §15315, Class 15 Minor Land Divisions.

Ex-Parte Communications:

Recommendation: Approve the project with conditions. (SBDV19-0069-Winslow)

EX-PARTE COMMUNICATIONS

Commissioner Anderson reviewed this project at DRC.

Chairperson Dariz reviewed this project at the DRC.

Commissioner Wolff drove by the project, but did not speak to anyone.

Planner Gasch presented the staff report. Planner Gasch and Director Dunsmore answered questions from the Commission.

PUBLIC COMMENT

The following members of the public spoke during public comment: Eric Winslow. Eric stated that there will be an HOA and CC&R's for this project.

Chairperson Dariz closed the Public Comment period.

MOTION: By Commissioner Zirk and seconded by Vice Chairperson van den Eikhof to approve Draft Resolution 2020 approving a Tentative Parcel Map AT19-0052 (SBDV19-0069) on APN 031-231-019 to allow the division of one lot with a vacant Colony home and two new residences into three condominiums in the Residential Multi-Family (RMF-10) zoning district, based on findings and subject to conditions of approval.

Motion passed 7:0 by a roll-call vote.

2. CONDITIONAL USE PERMIT AT 3335 CHICO ROAD

The proposed project consists of a proposal to allow an oversized accessory structure (garage) on a residential parcel in the Residential Single-Family (RSF-Y) zoning district. The project is exempt from the California Environmental Quality Act (CEQA), under Categorical Exemption §15303, Class 3 accessory (appurtenant) structures.

Ex-Parte Communications:

Recommendation: Approve the project with conditions. (USE20-0046-Erwin)

EX-PARTE COMMUNICATIONS

None

Planner Holder presented the staff report. Planner Holder and Director Dunsmore answered questions from the Commission.

PUBLIC COMMENT

The following members of the public spoke during public comment: Scott Erwin.

The following email was received and was read into the record by Recording Secretary Manier: Email from Fred Munroe (Exhibit A).

Chairperson Dariz closed the Public Comment period.

MOTION: By Commissioner Shaw and seconded by Commissioner Anderson to approve the Draft Resolution 2020 approving a Conditional Use Permit (USE20-0046) on APN 049-072-008 allowing a 682 square foot garage addition to an existing workshop based on findings and subject to conditions of approval.

Motion passed 7:0 by a roll-call vote.

COMMISSIONER COMMENTS AND REPORTS

None

DIRECTOR'S REPORT

Director Dunsmore stated that there is one item scheduled for the next meeting.

Director Dunsmore answered questions about Walmart entitlements, and gave an update on the K-Mart shopping center and the Housing Element.

ADJOURNMENT – 7:04 p.m.

The next regular meeting is scheduled for **July 21, 2020**, at City Hall, Council Chambers, 6500 Palma Avenue, Atascadero.

MINUTES PREPARED BY:

Annette Manier, Recording Secretary
Administrative Assistant

The following Exhibit is available in the Community Development Department:
Exhibit A – Email from Fred Munroe



Atascadero Planning Commission

Staff Report – Community Development Department

USE 18-0141

9005 El Camino Real- Auto Repair and Vehicle Storage

RECOMMENDATION(S):

Planning Commission adopt PC Resolution 2020 approving USE 18-0141 allowing an Auto Repair and Vehicle Storage use in the Commercial Retail (CR) zone, based on findings and subject to Conditions of Approval.

Project Info In-Brief:

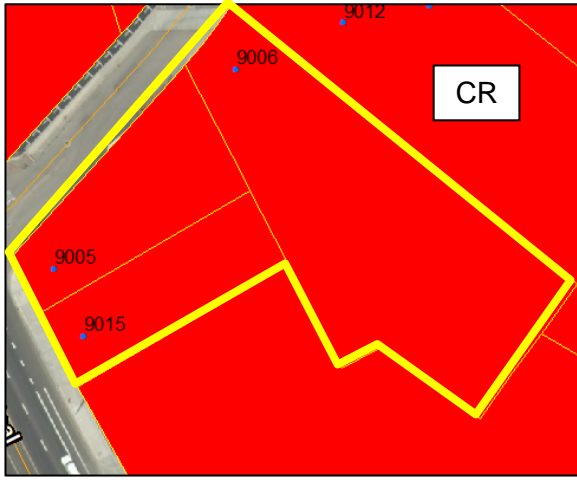

PROJECT ADDRESS:	9005 El Camino Real	Atascadero, CA	APN	030-502-032,-033 & -034
PROJECT PLANNER	Mariah Gasch Assistant Planner	(805)470-3436	mgasch@atascadero.org	
APPLICANT	Ryan Amborn			
PROPERTY OWNER	Ryan Amborn			
GENERAL PLAN DESIGNATION:	ZONING DISTRICT:	SITE AREA	EXISTING USE	PROPOSED USE
General Retail	Commercial Retail (CR)	2.1 Acres	Auto Repair/ Vacant	Auto Repair and Vehicle Storage
ENVIRONMENTAL DETERMINATION				
<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				
<input type="checkbox"/> Statutory Exemption §§ 21000, et seq & _____				
<input type="checkbox"/> No Project – Ministerial Project				

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DISCUSSION:

Existing Surrounding Uses / Parcel Configurations:

Existing Zoning		Existing Aerial / Surrounding	
			
North:	South:	East:	West:
Commercial Retail	Commercial Retail	Commercial Retail	Commercial Service

Design Review Committee

This project went before the Design Review Committee (DRC) on December 11, 2019. The DRC determined that the use is not an impound lot and that vehicle storage is an accessory use to the existing business for short-term storage only. The existing business is auto repair. The DRC recommended approval of a fence up to seven feet tall at the vehicle storage yard perimeter, and that the applicant shall add additional landscaping along La Linia Avenue and El Camino Real. The DRC also agreed that the use does not require more than 12 parking spaces and that the applicant obtain a Preliminary Stormwater Control Plan prior to scheduling a Planning Commission hearing. Finally, the DRC clarified where the vehicle storage area and parking area for auto repair should be located. The applicant has included the DRC's recommendations in their project submittal.

Project History

The original structure was built in 1951 and served as a part of a construction company operation and repair facility. An addition to the structure was complete in 1959 that added the existing office and lobby. There is no record of the addition, but it is assumed to have been added prior to the County requiring issuance of building permits. The site received Conditional Use Permit (CUP) approval in 2012 to allow an Automotive Repair and Outdoor Vehicle Storage use for Jespersen's Tire (City of Atascadero PC Resolution 2012-0002-Attachment 7). Jespersen's Tire operated from this site for a brief time period prior to the site becoming vacated. West Coast Auto moved into the site in early 2019.



and began restoring the building and site in preparation for relocating their business from the former location behind Lemos Ranch feed store, just north of the site.

Project Description / Summary

The proposed project consists of an application for a Minor Conditional Use Permit to allow for an auto repair use. The proposed project includes utilizing an existing 4,155 square foot (sf) shop building for auto repair and office space. The applicant is proposing to utilize the rear portion of the site to use as accessory storage for impounded vehicles.

Analysis

Zoning

The location of the site is designated as retail on the City's Zoning Map. The retail designation is reserved for retail and restaurant uses and may include offices and mixed-use projects. It is the City's least intensive commercial zone and is intended to be reserved for retail sales unlike the City's service, commercial park, and Industrial zones that are reserved for more intensive uses such as vehicle storage, repair, and other outdoor uses. The following discussion examines several land use definitions that might accommodate West Coast Auto.

Auto Repair and Services

The Atascadero Municipal Code (AMC) Section 9-3.232 (i) states that an automotive repair and services use is a conditionally allowed use within the Commercial Retail (CR) zone. Auto repair and services does allow for some vehicle storage; however, vehicles being stored shall only be those vehicles that are awaiting repair. The applicant can get approval through a conditional use permit for this part of the business.

Vehicle and Equipment Storage

The Vehicle and Equipment Storage land use includes establishments primarily engaged in the business of storing **operable** vehicles and equipment. Vehicle and Equipment Storage was a conditionally allowable use in the Retail Zone until the Zoning Regulations were amended in April 2019. West Coast Auto did file an application prior to this zoning update; however, vehicle and equipment storage does not appropriately fit the intended land use. An impound yard is not consistent with the definition of vehicle and equipment storage since an impound yard typically stores wrecked, abandoned or dismantled vehicles. Vehicle and equipment storage is not appropriate in a retail zone, and the land use is not consistent with the nature of business that West Coast Auto is seeking which is the temporary storage of wrecked or otherwise impounded vehicles. An impound yard is subject to specific standards (AMC 9-6.131) and is only allowed within the City's Industrial zone.

Accessory Storage

Section 9-6.103 of the Municipal Code defines Accessory storage. Under that section, the storage of vehicles under repair is discussed. The intent of the section is to allow vehicles that are awaiting repair to be stored on the site of an auto repair facility. It does **not** authorize the accessory storage of vehicles that are being impounded that are not



awaiting repair. Impounded vehicles are associated with Section 9-6.131 and are defined separately.

*(1) Vehicles Under Commercial Repair. The repair of vehicles is allowed only in commercial or industrial zones as provided by Chapter 9-3, except for repair of a personal vehicle by the vehicle owner on a site owned or rented by the vehicle owner. The storage of inoperative vehicles in a commercial or industrial zone for the purposes of repair, alteration, painting, **impoundment** or temporary storage by a towing service is subject to Section 9-6.168.*

The Commercial Retail zoning district is intended for a range of commercial uses to accommodate retail and personal services needs including restaurants, offices, mixed-use and related. An impound lot does not correspond with other Commercial Retail uses and is considered to be more appropriate in the Industrial zone.

Subordinate Uses to a Primary Use

On August 10, 2009, Community Development Department Policy 2009-0030, *Subordinate Uses to a Primary Use (Commercial)*, was signed. This policy states:

When an applicant wishes to establish a subordinate, related use to a primary use, and the subordinate use is not permitted by the zoning code, the subordinate use may be established as long as the floor area devoted to the subordinate use does not occupy more than 20% of the total business floor area.

The area designated by the DRC as being appropriate for vehicle storage takes up approximately 0.33 acres. This storage area would be approximately 16% of the entire site. The proposed accessory storage use can be considered subordinate to the auto repair use and fall within this policy.

Staff recommends that the outdoor storage area be used as storage **only for operable and fleet vehicles**. This may include the tow trucks for West Coast Auto and Towing or storage of vehicles being serviced by the auto repair shop. The vehicle accessory storage area shall be restricted to the area shown in Exhibit B. Staff recommends that the lot not be used as an impound lot for vehicles to be stored long term. In order to allow an impound lot in this location, the applicant would need to amend the General Plan and Zoning designation for this site.

Screening

The Zoning Ordinance has slightly different screening standards for auto repair uses and impound lots when compared to other commercial uses.

- Section 9-6.168 requires auto repair storage areas to have a “six (6) foot high solid fence, such that storage or repair activities are not visible from the public street.”

The applicant recently replaced the fence to the storage area along El Camino Real. The new fence includes wood and corrugated metal which fits in the with building's industrial aesthetic. The fence along La Linia Avenue is still chain-link. Fences along all other property lines are also chain-link. The fence on La Linia Ave. can be along the property



line but shall remain outside of the right-of-way. Staff recommends that the fence on La Linia Ave. be built to match the new fence on El Camino Real. Staff also recommends that all remaining fences around the site be solid and the fence for the vehicle accessory storage shall be pushed back on the site to enclose no more than what is shown on Exhibit B.

Staff recommends approval for the fencing onsite to exceed 6 feet in height. The property is highly visible from El Camino Real and La Linia Avenue. A solid but decorative 7-foot tall fence is appropriate in this location as it is setback approximately 50 feet from the sidewalk along El Camino Real and will be able to block taller vehicles that may be stored in the back from being seen from a main street. The fence that the applicant has installed also has decorative qualities that add interest to the site and add to the industrial characteristics.

Fence along El Camino Real



Parking

The site does not currently meet the minimum standards for an Auto Repair and Services use. The use requires four parking spaces per service bay and one per 1,000 square feet of outdoor active use area. The auto repair shop has three bays and no outdoor active use area. The vehicle storage use does not require additional parking spaces, provided there is sufficient parking for employees and visitors onsite. Twelve (12) parking spaces are required for the proposed uses. The applicant is proposing 12, including one accessible space. AMC 9-4.119(g) requires parking lots abutting a public street to be separated from the street right-of-way by a landscaping strip with a minimum width of 10 feet. The applicant's landscape plan includes landscaping along El Camino Real and La Linia Ave.

AMC 9-4.119(a), requires parking lots inside the urban services line to be paved with asphalt or concrete. The parking lot along El Camino Real is fully paved. However, the applicant is only showing pavement inside the parking spaces along La Linia Ave. Staff has added a condition that the entire parking lot and area of the site that cars drive on frequently shall be paved. Exhibit C shows the approximate area staff is referring to that shall be paved with concrete or asphalt.

Design

The applicant is not proposing any changes to either of the buildings' exteriors. However, the applicant recently did paint the building from a light tan to grey to give it an updated appearance.

The applicant has indicated that they plan to demolish the existing metal building in the middle of the site. The building does not meet current code standards and is not currently in use. It does not meet today's setback standards and may be crossing the rear property line. The building does not add architectural value to the site. Staff has added a condition that the applicant shall apply for a demolition permit and get the building completely removed from the site and the demolition permit completed prior to receiving a business license.

Existing Building



Landscaping

AMC 9-4.125 requires commercial developments to landscape at least 10% of the site. The applicant has provided a landscape plan incorporating new landscape areas along El Camino Real and La Linia Avenue. The proposed landscaping will only cover approximately 3% of the entire site. The applicant is requesting an exception from the Planning Commission for landscaping. The current landscape plan includes five new



Chinese Pistache trees as well as shrubs surrounding the parking areas and along the El Camino Real and La Linia Ave. frontages.

Staff cannot make the findings required for the Planning Commission to approve a landscaping reduction. Due to the nature of the project and the low visibility of most of the site due to tall fences, landscaping within the site will remain largely hidden. Staff is looking for further guidance from the Planning Commission and will be discussing this further at the public hearing. A condition to landscape at least 10% of the site has been added. Additional landscaping can be located along the edges of the storage area to provide shade coverage.

ENVIRONMENTAL DETERMINATION:

The proposed project is Categorically Exempt (Class 1) 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 15301, because it involves negligible expansion of an existing use.

FINDINGS:

To approve USE 19-0141, the Planning Commission must make the following findings. These findings and the facts to support these findings are included in the attached resolution.

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 this title;
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; and
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; and



Fencing Height (AMC 9-4.128(b).(3))

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

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. Aerial Photo
2. Site Plan
3. Landscape Plan
4. Site Photos
5. Draft Resolution 2020



ATTACHMENT 1: Aerial Photo
USE 18-0141



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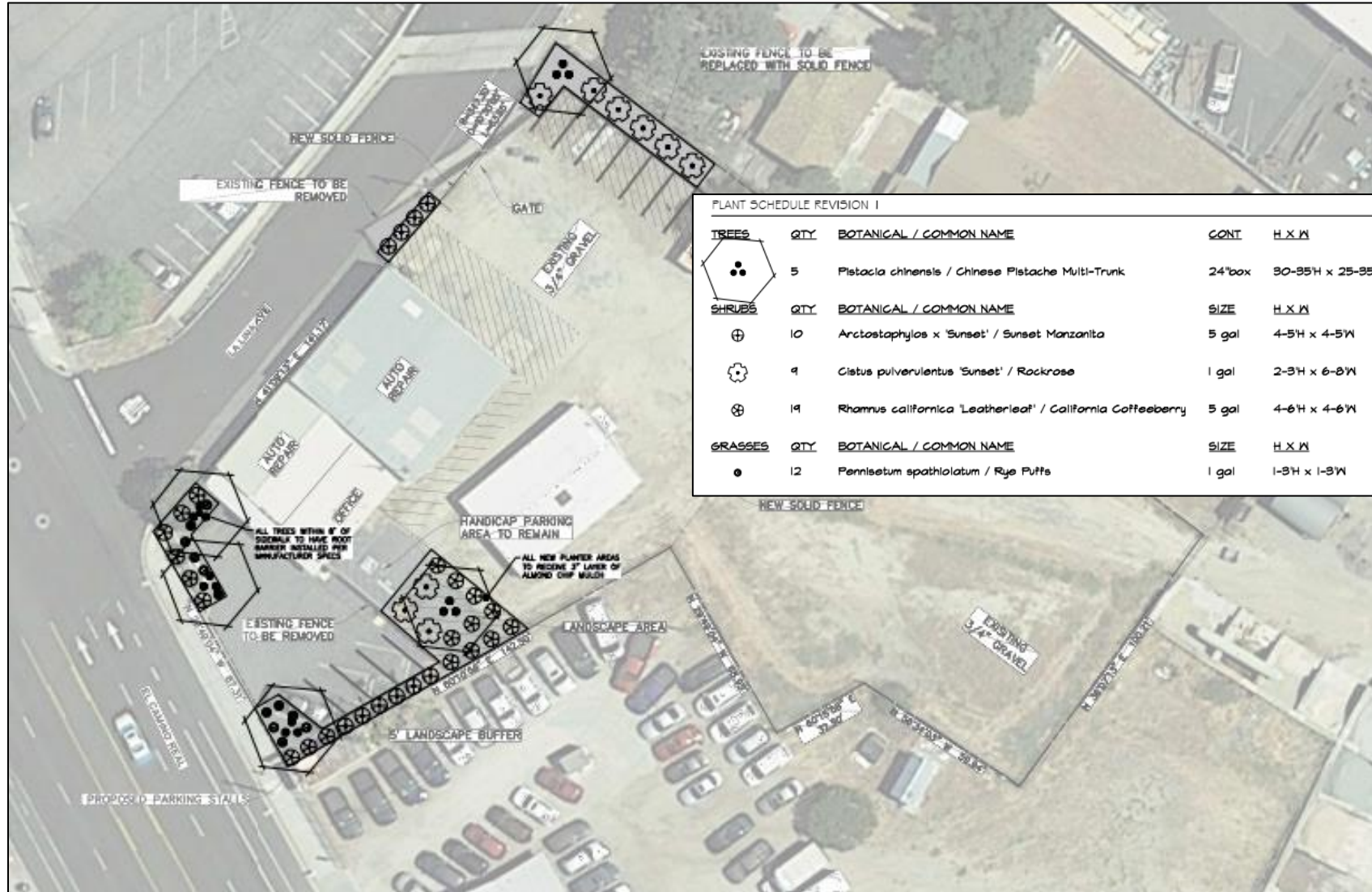
ATTACHMENT 2: Site Plan
USE 18-0141



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ATTACHMENT 3: Landscape Plan
USE 18-0141



PLANT SCHEDULE REVISION 1

TREES	QTY	BOTANICAL / COMMON NAME	CONT	H X W	MUGOLS
	5	<i>Pistacia chinensis</i> / Chinese Pistache Multi-Trunk	24"box	30-35'H x 25-35'W	Low
SHRUBS	QTY	BOTANICAL / COMMON NAME	SIZE	H X W	MUGOLS
	10	<i>Arctostaphylos</i> x 'Sunset' / Sunset Manzanita	5 gal	4-5'H x 4-5'W	Low
	9	<i>Cistus pulverulentus</i> 'Sunset' / Rockrose	1 gal	2-3'H x 6-8'W	Low
	19	<i>Rhamnus californica</i> 'Leatherleaf' / California Coffeeberry	5 gal	4-6'H x 4-6'W	Low
GRASSES	QTY	BOTANICAL / COMMON NAME	SIZE	H X W	MUGOLS
	12	<i>Pennisetum spatholatum</i> / Rye Puffs	1 gal	1-3'H x 1-3'W	Low-Med

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ATTACHMENT 4: Site Photos
USE 18-0141

View from El Camino Real



View from La Linia Ave.



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View from La Linia Ave.



ATTACHMENT 5: Draft Resolution 2020 USE 18-0141
--

DRAFT PC RESOLUTION 2020

**RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF ATASCADERO, CALIFORNIA, APPROVING A
CONDITIONAL USE PERMIT (USE18-0141) ALLOWING AN
AUTO REPAIR AND VEHICLE STORAGE USE IN THE COMMERCIAL
RETAIL ZONING DISTRICT
APN 030-502-033
(Amborn)**

WHEREAS, an application has been received from Property Owner, Ryan Amborn, (9199 El Camino Real, Atascadero, CA 93422) to consider a Conditional Use Permit (USE 18-0141) to allow an Auto Repair and Vehicle Storage Use in the Commercial Retail zoning district; and

WHEREAS, the site's General Plan Designation is Commercial Retail (CR); and

WHEREAS, the site's Zoning is General Commercial (GC); and

WHEREAS, the proposed project qualifies for an Categorical Exemption consistent with CEQA section 15301: Existing Facilities; 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 July 21, 2020, studied and considered the Conditional Use Permit USE 18-0141.

NOW THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of Atascadero, California, makes the following findings, determinations and recommendations with respect to the proposed Conditional Use Permit:

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 use is consistent with the General Plan; and

Fact: The General Plan states that retail commercial zoning districts are provided to “meet both the comparison and convenience shopping needs of residents in the City and surrounding area”. With traditional retail on the decline, a service such as an auto repair use can be considered to adhere to the General Plans intentions as it conveniently provides an easily accessible service. General Plan Land Use, Open Space and Conservation Element Policy 1.3 aims to enhance the appearance of the City. One program includes uses upgrading to a contemporary design while screening loading and service areas. The applicant has updated the look of the building and will continue to enhance the site by removing the dilapidated building, adding vegetation, paving a new parking lot, and adding new fencing and landscaping.

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

Fact: The Auto Repair and Services land use as a conditionally allowed use as stated in AMC 9-3.330. Community Development Department Policy 2009-0030 allows a related, subordinate use such as vehicle storage as long as it does not exceed 20% of the total business floor area.

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; and

Fact: The proposed used is not 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 will not be inconsistent with the character or the immediate neighborhood or contrary to its orderly development; and

Fact: The applicant is implementing appropriate landscaping and screening measures to hide the automotive use. The property will remain commercial in appearance.

5. That the proposed 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 project is located off El Camino Real, one of the most heavily traveled roads in the city. The use is consistent with surrounding uses and will not bring excessive traffic.

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

Fact: The property is highly visible from El Camino Real and La Linia Avenue. A solid but decorative 7-foot tall fence is appropriate in this location as it is setback approximately 50 feet from the sidewalk along El Camino Real and will be able to block taller vehicles that may be stored in the back from being seen from a main street. The fence that the applicant has installed also has decorative qualities the add interest to the site and add to the industrial characteristics.

SECTION 3. Approval. The Planning Commission of the City of Atascadero, in a regular session assembled on July 21, 2020, resolved to approve Conditional Use Permit Use 18-0141 subject to the following:

EXHIBIT A: Conditions of Approval
EXHIBIT B: Site Plan
EXHIBIT C: Landscape Plan

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: ()

ABSENT: ()

ABSTAINED: ()

ADOPTED:

CITY OF ATASCADERO, CA



Mark Dariz
Planning Commission Chairperson

ATTEST:

Phil Dunsmore
Planning Commission Secretary



Exhibit A: Conditions of Approval
USE 18-0141

Conditions of Approval / Mitigation Monitoring Program	Timing	Responsibility /Monitoring
9005 El Camino Real USE 18-0141	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
Planning Services Conditions		
1. This Conditional Use Permit shall allow for the establishment of an Auto Repair and Vehicle Storage use at 9005 El Camino Real described on the attached exhibits and located on APN 030-502-033, regardless of owner.	Ongoing	PS
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.	Ongoing	PS
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%, and/or (2) result in a superior site design or appearance.	BL	PS, CE
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 building permit.	BL	PS
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.	Ongoing	CA
6. The vehicle storage area shall not be used as an impound lot for non-operable vehicles unless the site is rezoned to an appropriate zoning designation.	Ongoing	PS
7. Landscaping onsite shall remain consistent with the approved landscape plan in Exhibit C. Additional landscaping shall be added to meet the 10% minimum required in the Commercial Retail Zone. All landscaping shall be irrigated.	BL/Ongoing	PS
8. All fences enclosing the auto repair shop and vehicle storage areas must be solid.	BL/Ongoing	PS
9. Fencing up to 7 feet tall is allowed but is subject to design review from the Community Development Department. Fencing along La Linia Avenue shall match fencing seen from El Camino Real.	BL/Ongoing	PS
10. Accessory vehicle storage is limited to the area shown in Exhibit B.	Ongoing	PS

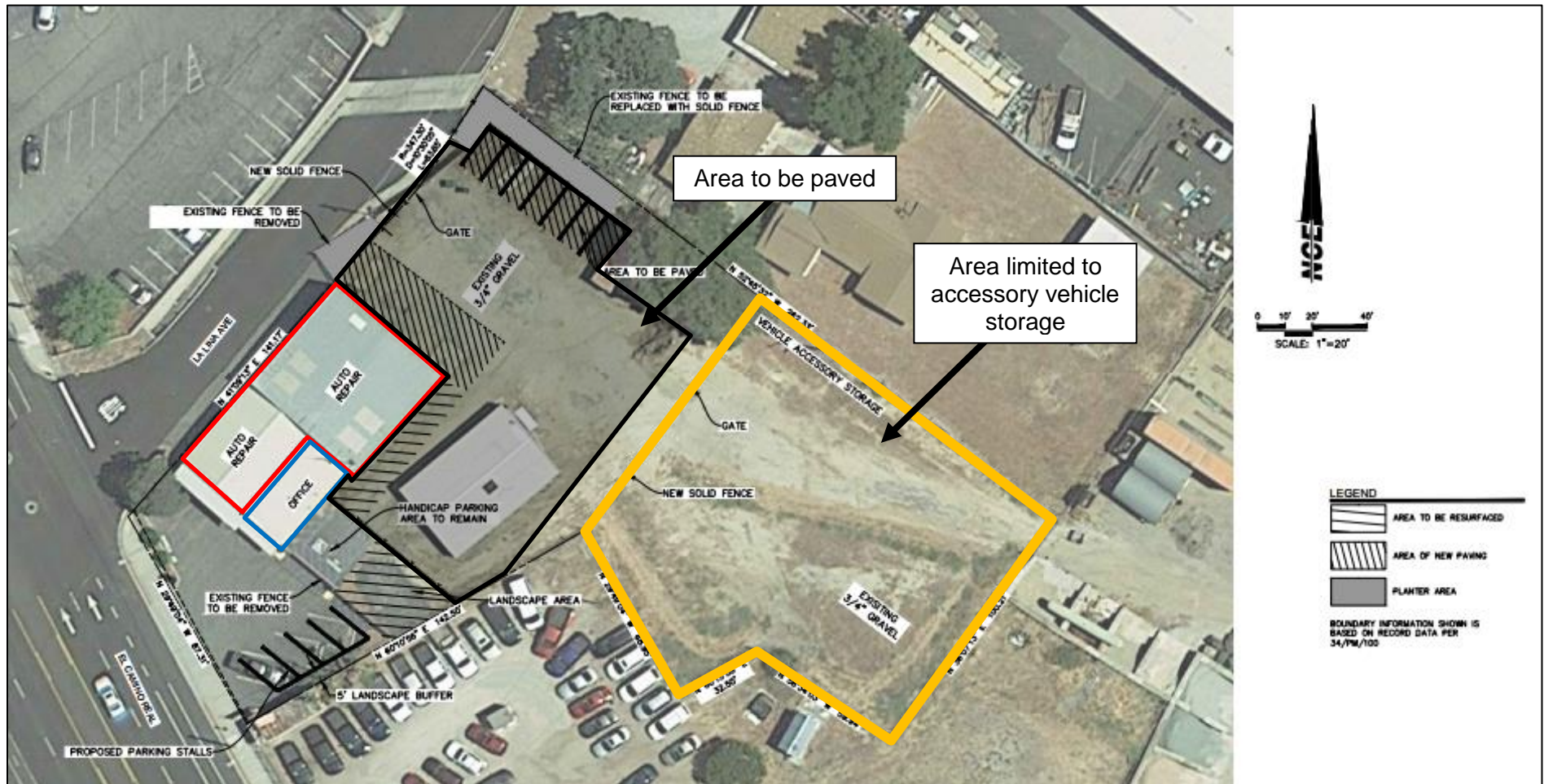


ITEM 2
West Coast Auto
USE 18-0141/ Amborn

Conditions of Approval / Mitigation Monitoring Program	Timing	Responsibility /Monitoring
9005 El Camino Real USE 18-0141	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
11. The office/ auto shop building shall remain a neutral color.	Ongoing	PS
12. The owner shall apply for a demolition permit to remove the dilapidated metal building as indicated in Exhibit B. The owner must final this demolition permit prior to receiving business license approval.	BL	PS
13. The owner shall pave the parking lot as indicated in Exhibit B prior to receiving business license approval.	BL	PS
14. The Use Permit shall be subject to additional review upon receipt of noise or operational complaints to ensure the use remains consistent with approved conditions of approval.	Ongoing	PS
15. Any noncompliant use or storage of inoperable vehicles shall be removed within 60 days of the CUP approval. If such uses are not removed on or before August 4, 2020, the approved CUP shall expire, becoming null and void.		PS
Public Works Conditions		
16. New curb and gutter shall be constructed on La Linia Ave, to the satisfaction of the City Engineer.		
17. The existing curb ramp on the southeasterly corner of El Camino Real and La Linia Ave shall be removed and replaced with a single direction ADA compliant curb ramp, to the satisfaction of the City Engineer.		
18. A Storm Water Control Plan (SWCP) shall be prepared in accordance with City Standard Specifications and the Regional Water Quality Control Board Res. No. R3-2013-0032. The SWCP shall be completed on the City standard form available from the City Engineer.		



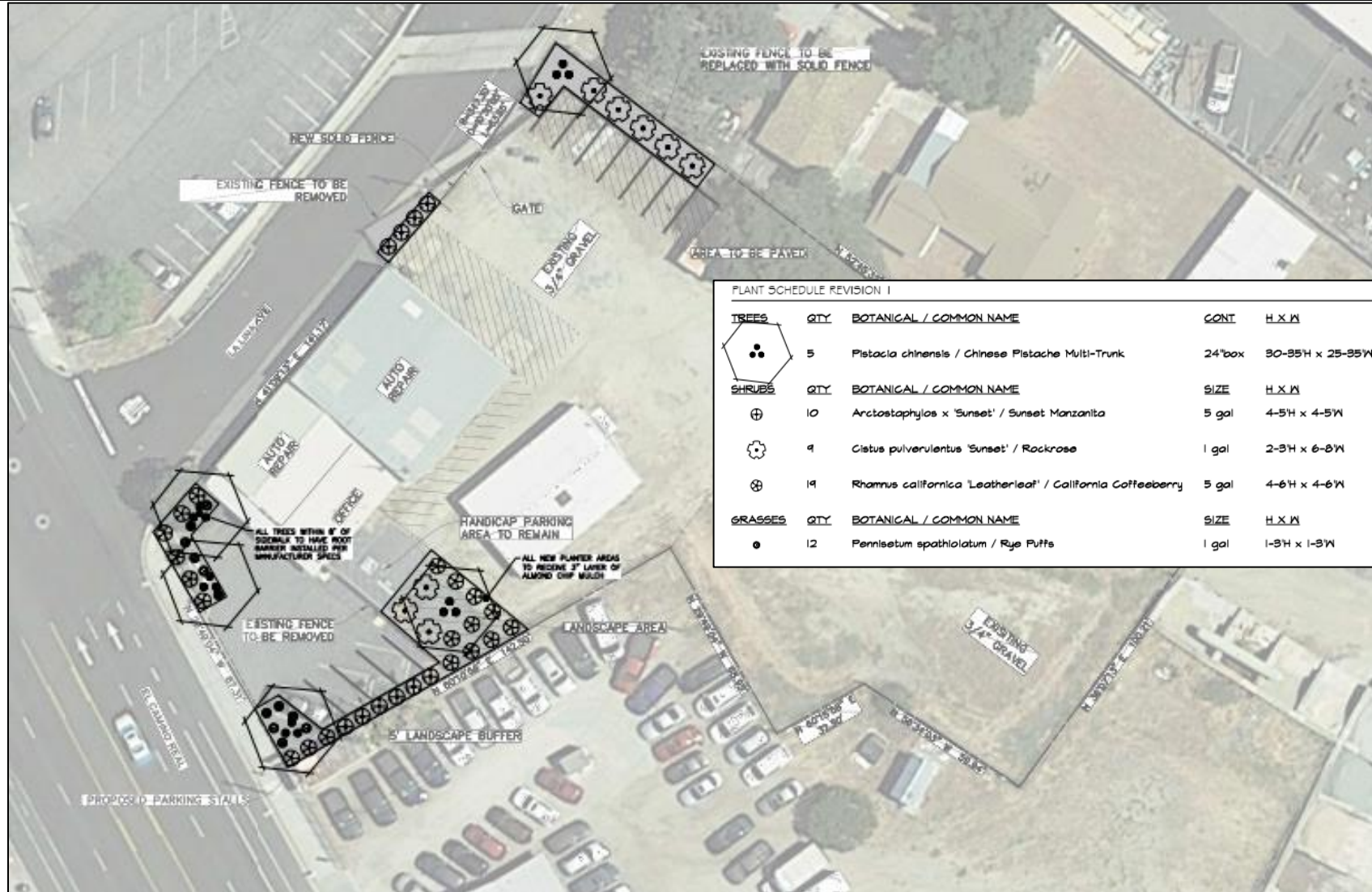
Exhibit B: Site Plan
USE 18-01



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

Exhibit C: Landscape Plan
USE 18-0141



PLANT SCHEDULE REVISION 1					
TREES	QTY	BOTANICAL / COMMON NAME	CONT	H X W	MULCH
	5	Pistacia chinensis / Chinese Pistache Multi-Trunk	24"box	30-35'H x 25-35'W	Low
SHRUBS	QTY	BOTANICAL / COMMON NAME	SIZE	H X W	MULCH
	10	Arctostaphylos x 'Sunset' / Sunset Manzanita	5 gal	4-5'H x 4-5'W	Low
	4	Cistus pulverulentus 'Sunset' / Rockrose	1 gal	2-3'H x 6-8'W	Low
	14	Rhamnus californica 'Leatherleaf' / California Coffeeberry	5 gal	4-6'H x 4-6'W	Low
GRASSES	QTY	BOTANICAL / COMMON NAME	SIZE	H X W	MULCH
	12	Pennisetum spatholatum / Rye Puffs	1 gal	1-3'H x 1-3'W	Low-Med

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