

*** 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:

Here is the webinar link:

<https://attendee.gotowebinar.com/register/6851444390302813707>

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 AGENDA

**REGULAR MEETING
Tuesday, September 15, 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 SEPTEMBER 1, 2020

- Recommendation: Commission approve the September 1, 2020, Minutes.

COMMUNITY DEVELOPMENT STAFF REPORTS

None

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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 FOR NEW GYM (8200 El Camino Real)

The proposed project consists of a new gym, Planet Fitness. The project qualifies for a Class 1 Categorical Exemption under CEQA Section 15301, Existing Facilities.

Ex-Parte Communications:

Recommendation: Approve the project with conditions. (USE20-0045)

3. CONDITIONAL USE PERMIT FOR GARAGE (7900 Sinaloa Ave.)

The proposed project consists of an oversized detached garage. The project qualifies as a Class 3 Categorical Exemption under CEQA Section 15303, construction of accessory (appurtenant) structures.

Ex-Parte Communications:

Recommendation: Approve the project with conditions. (USE20-0061)

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

The next regular meeting will be held on October 6, 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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CITY OF ATASCADERO PLANNING COMMISSION

DRAFT MINUTES

**Regular Meeting – Tuesday, September 1, 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 6:08 p.m. and Commissioner Wolff led the Pledge of Allegiance.

ROLL CALL

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

Absent: Commissioner Zirk

Others Present: Recording Secretary, Annette Manier

Staff Present: Community Development Director, Phil Dunsmore
Director/City Engineer, Nick DeBar
Assistant Planner, Mariah Gasch
Senior Planner, Kelly Gleason
Associate Planner, John Holder

Director Dunsmore polled the Commissioners on who wanted electronic vs. paper packets.

APPROVAL OF AGENDA

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

Motion passed 6:0 by a roll-call vote.

PUBLIC COMMENT

The following member of the public spoke during public comment: Pastor Wayne Riddering.

Chairperson Dariz closed the Public Comment period.

CONSENT CALENDAR**1. DRAFT MINUTES OF JULY 21, 2020**

- Recommendation: Commission approve the July 21, 2020, Minutes.

MOTION: By Commissioner Wolff and seconded by Vice Chairperson van den Eikhof to approve the Consent Calendar.

Motion passed 6:0 by a roll-call vote.

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:

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2. Del Rio Commercial Area Specific Plan Amendment (1905 El Camino Real)

The proposed project consists of an Amendment to the Del Rio Commercial Area Specific Plan at 1905 El Camino Real and surrounding properties including, but not limited to 2055 El Camino Real. The Amendment proposes modifications to land uses, traffic mitigation, and minor edits for clarity. An addendum to the certified FEIR has been prepared in accordance with CEQA.

Ex-Parte Communications:

Recommendation: Approve the project with conditions. (AMND18-0079)

EX-PARTE COMMUNICATIONS

None

Director Dunsmore gave a background on the project, and presented the staff report.

Director Dunsmore, Planner Gleason, and Director DeBar answered questions from the Commission.

PUBLIC COMMENT

The following members of the public spoke during public comment: Ted Lawton and Juanita McDaniel. Mr. Lawton asked the Commission to consider recreational vehicle park use in the Specific Plan.

Chairperson Dariz closed the Public Comment period.

MOTION: By Commissioner Anderson and seconded by Keen to approve the Draft Resolution recommending the City Council approve an addendum to the previously certified Final EIR for the Del Rio Commercial Area Specific Plan and determine that said addendum, together with the previously-certified EIR serves as the appropriate environmental documentation for the proposed Specific Plan Amendments AND

Recommending the City Council approve amendments to the Del Rio Road Commercial Area Specific Plan for AMND18-0079 at 1800, 1829, 1831, , 1843, 1905, 2005, 2115, 2205, 2325, 2375, 2405 El Camino Real and 4999, 5505, 5700, 5701, 5705 Del Rio Road, APNs 049-131-070, 049-151-005, 049-151-036, 049-151-037, 049-151-040, 049-151-041, 049-102-020, 049-102-031, 049-102-032, 049-102-045, 049-102-056, 049-112-002, 049-112-018, 049-112-019, 049-112-022, 049-112-036, 049-112-039, with the added condition that the Council further explore the possibility of CUP parameters to add recreational vehicle park use to the South-East project site of the Specific Plan as long as the use is not the primary use on the site and is screened from El Camino Real, and to collect TOT if this use is added.

Motion passed 6:0 by a roll-call vote.

COMMISSIONER COMMENTS AND REPORTS

None

DIRECTOR'S REPORT

Director Dunsmore gave an update on items for the next hearing, and gave an update on the Downtown Enhancement Plan.

ADJOURNMENT – 7:28 p.m.

The next regular meeting is scheduled for **September 15, 2020**, at City Hall, Council Chambers, 6500 Palma Avenue, Atascadero.

MINUTES PREPARED BY:

Annette Manier, Recording Secretary
Administrative Assistant



Atascadero Planning Commission

Staff Report – Community Development Department

USE 20-0045 8200 El Camino Real / Indoor Recreation Service (Gym)

RECOMMENDATION(S):

Planning Commission adopt PC Resolution 2020 approving USE20-0045 allowing an Indoor Recreation Service use in the Commercial Retail (CR) zone, based on findings and subject to Conditions of Approval.

Project Info In-Brief:

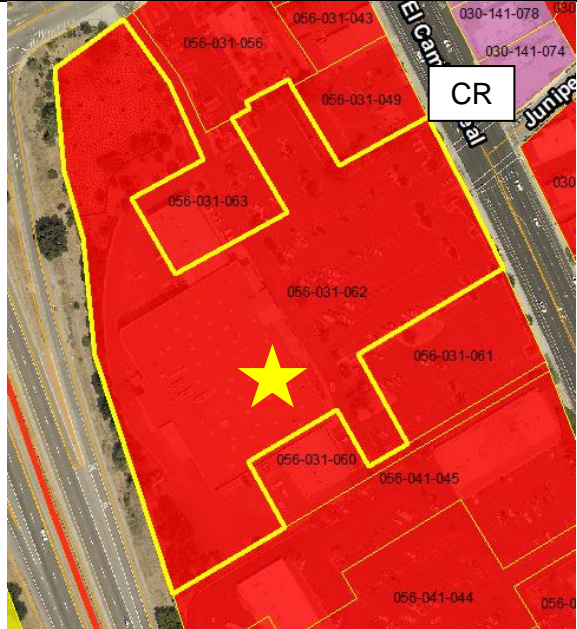
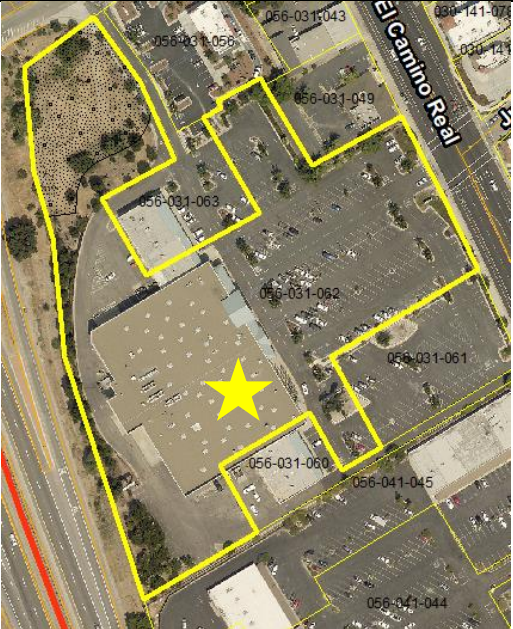
PROJECT ADDRESS:	8200 El Camino Real	Atascadero, CA	APN	056-031-062
PROJECT PLANNER	Mariah Gasch Assistant Planner	(805)470-3436	mgasch@atascadero.org	
APPLICANT	Rachel Bielert; PF Atascadero			
PROPERTY OWNER	Roscher Arno & Adelheid L/TR			
GENERAL PLAN DESIGNATION:	ZONING DISTRICT:	SITE AREA	EXISTING USE	PROPOSED USE
General Commercial	Commercial Retail (CR)	6.1 Acres	Grocery Store/ Vacant	Indoor recreation Service (Gym)
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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<http://www.atascadero.org>
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DISCUSSION:

Existing Surrounding Uses / Parcel Configurations:

Existing Zoning		Existing Aerial / Surrounding	
			
North:	South:	East:	West:
Commercial Service	Commercial Retail	Commercial Professional/ Commercial Retail	HWY 101/ Single Family Residential

Project History

Originally constructed in 1999, the entire 57,680 SF space in the shopping center was originally built and occupied by the grocery store Albertsons. In 2016, Smart and Final took over the lease and required a smaller space than the previous grocery store. Smart & Final applied for a tenant improvement building permit to split the building into two smaller spaces, occupying approximately two-thirds of the building and leaving the last third vacant behind an existing blank wall. Currently, there is no indication from the front of the building that there is a vacant space here since there is no door or entryway visible from the street or parking lot.

Project Description / Summary

The proposed project consists of an application for a Minor Conditional Use Permit to allow for an indoor recreation use in the Commercial Retail zoning district. The project consists of a fitness club that will operate on a 24-hour basis. The proposed location is an 18,416 SF vacant space located inside the 57,680 square foot building shell currently occupied by Smart & Final and separated by a demising wall.



The proposed Planet Fitness gym will be owned and operated by a franchisee, which owns and operates multiple locations throughout the United States. Planet Fitness proposes to develop the vacant space to include approximately 10,403 SF of workout area that will include approximately 80 pieces of cardio equipment and 80 pieces of strength training equipment.

Analysis

The proposed project is for a Minor Conditional Use Permit for a gym (Indoor Recreation Service) in the Commercial Retail zone. Currently, the building has floor area of 57,680 SF, of which Smart & Final occupies a majority of the building. The 18,416 square feet of vacant space is separated by a demising wall with acoustical insulation and is where Planet Fitness proposes to operate. Proposed hours of operation are 24 hours a day, seven days a week.

The Atascadero Municipal Code (AMC 9-3.223) allows Indoor Recreation Services (defined in AMC 9-3.701), such as health and athletic clubs, in the Commercial Retail zone with a Conditional Use Permit. The Planning Commission has the authority to approve or deny the CUP subject to findings, and to adopt conditions of approval.

Parking

AMC 9-4.118 requires one parking space per 300 square feet for health spas. The provide one parking space per 300 square feet of floor area in the gym, 62 parking spaces will be required. Smart & Final requires 203 parking spaces for a total requirement of 265 spaces for the two uses in the space. The existing parking lot has over 300 parking spaces. There are sufficient parking spaces on-site to accommodate the proposed use.

It is important to note that Planet Fitness does not offer Classes at its facilities; therefore, it generally requires fewer parking spaces than most fitness club facilities.

Noise

Planet Fitness does not anticipate any noise to emanate from the building to the outdoors or to the Smart & Final space, especially since the demising wall has acoustical installation. Light music will be played for those using the fitness club but the music will be kept at a volume only heard within the facility.

Design & Landscaping

There is currently no public entrance to the tenant space. The applicant is proposing to add a new entrance that is compatible and consistent with what is existing in the shopping center. Staff does not recommend any changes to what is being proposed.



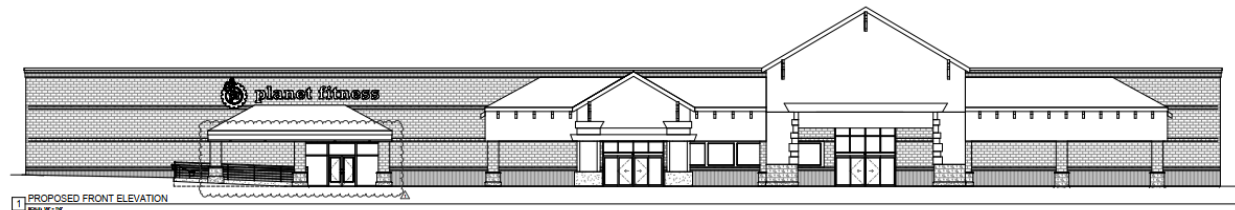
Existing storefront



Existing Elevation



Proposed Elevation



The parking lot is landscaped with planters throughout the parking spaces. However, some of the planters are becoming barren with irrigation driplines becoming very visible. Staff recommends filling in the landscape “voids” with drought tolerant plants of the same or similar species that are currently on the site.

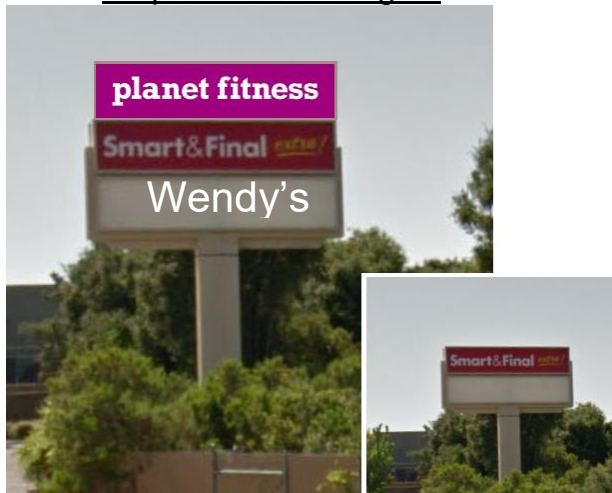


Signs

The applicant is proposing two signs. The first is a wall sign with the Planet Fitness logo to be located above the new entrance. The second is an addition to an existing freestanding pylon sign facing Highway 101 currently occupied by Smart & Final and Wendy's. Each of these signs is 4' x 18.5' for a total of 74 square feet each.

Discretionary approval is required for all freeway-oriented signage. The pole sign was approved with the original building permits for Albertsons. The center has a master sign program but this does not include language about the pole sign. The applicant has provided two conceptual renderings of their proposed addition to the sign. The first includes an addition to the top of the sign and the second places their sign below the existing signs.

Proposed Rendering #1



Proposed Rendering #2



Existing Sign



AMC9-15.009 limits pole-mounted signs to no taller than 50 feet. The existing sign is 30 feet tall. Since the proposed gym would be a major tenant for the center, utilizing the second largest tenant space, Staff is recommending that the Planning Commission approve the second conceptual rendering shown above. This would allow Planet Fitness to add an additional sign face to the existing freeway sign beneath the other two tenant signs. Staff recommends that the sign addition location remain consistent with what is shown in the proposed rendering #2. The sign's dimensions should also be consistent with the two existing signs at 4' x 18.5'.

Wastewater

In November 2019, the City of Atascadero adopted a revised fee structure for new wastewater connections. A set of new capacity charges were adopted by the City Council. The new fees are in place due to the fact that the existing wastewater facility is nearing capacity and will need to be expanded in capacity in order to accommodate future growth. The new fees apply to both new buildings and changes in occupancy. This change in occupancy converting a vacant space into a gym will be subject to new capacity fees. A list of the capacity fees has been included as Attachment 6.

The Public Works Director will work with the applicant to determine the amount of fees due at the time of the construction permit. In some cases, fees can be adjusted based on the size and wastewater demand of the facility and based on the credits that remain from the previous use. In this case, the previous supermarket did have a significant capacity impact since it provided a full service bakery, a full service butcher shop, and expanded grocery services that are no longer in place. The slimmed down supermarket is now a discount, limited service store without the bakery and butcher shop services.



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 an interior remodel and no expansion of an existing use.

FINDINGS:

To approve USE 20-0045, 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

Freeway Sign Exception (AMC Section 9-15.011)

6. The sign is consistent with the purposes set forth in Section 9-15.002;
7. The opportunity to combine signs for more than one (1) use on a single sign structure has been considered;
8. For freeway-oriented signs, the sign area and height are the minimum needed to achieve adequate visibility along the freeway due to highway ramp locations and grade differences; and



9. Conformance with all other applicable codes and ordinances of the City, including, but not limited to, the Zoning Ordinance, General Plan and its several elements, and the appearance review guidelines.

ALTERNATIVES:

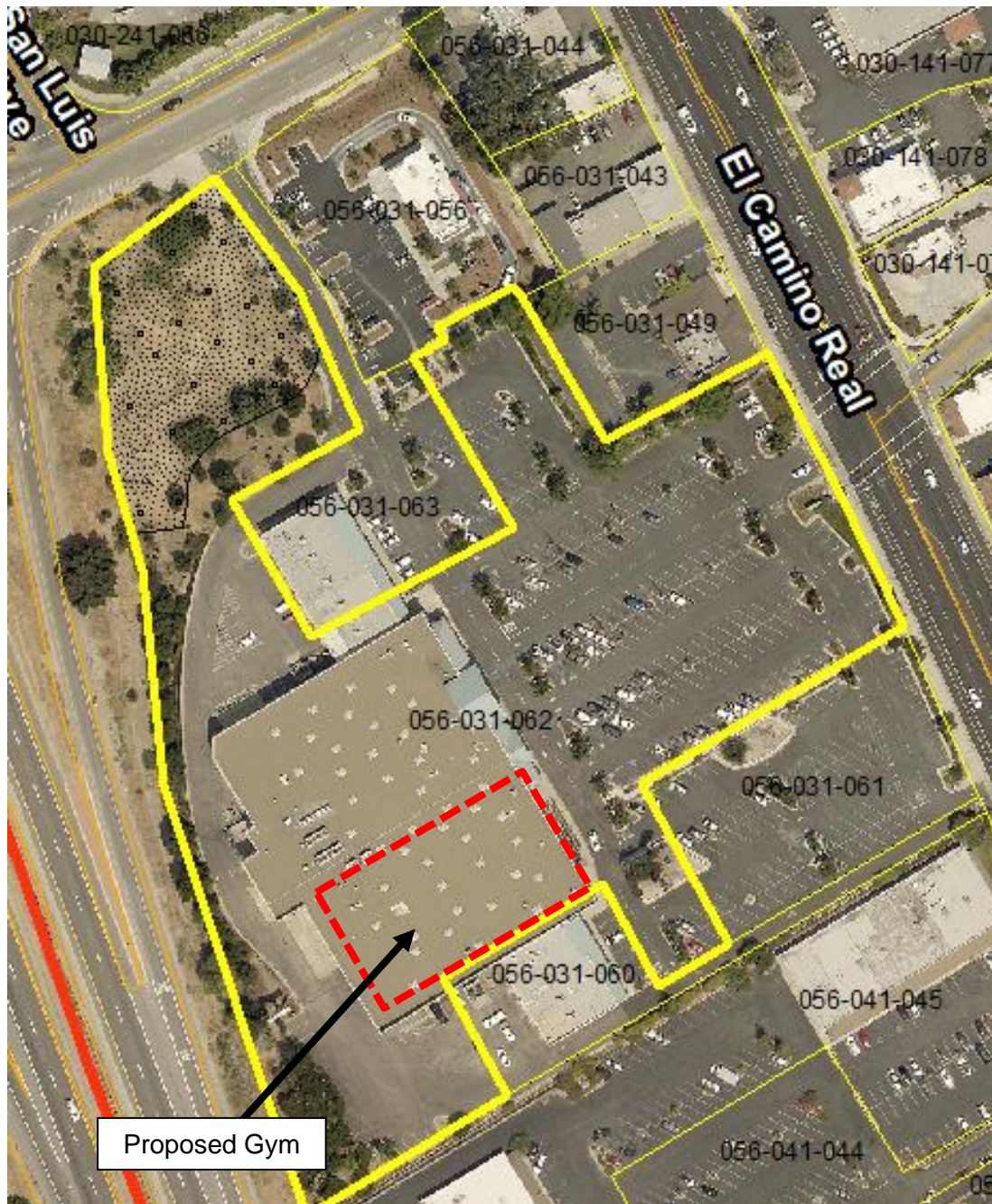
1. The Planning Commission may include modifications to the project and/or conditions of approval for the project. Any proposed modifications, including conditions of approval, should be clearly re-stated in any vote on any of the attached resolutions.
2. The Planning Commission may determine that more 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. Elevations
4. Floor Plan
5. Site Photos
6. Sewer Capacity Charges
7. Draft Resolution 2020



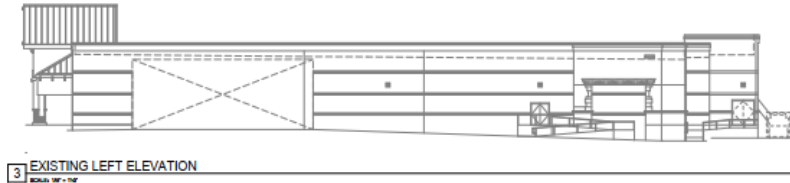
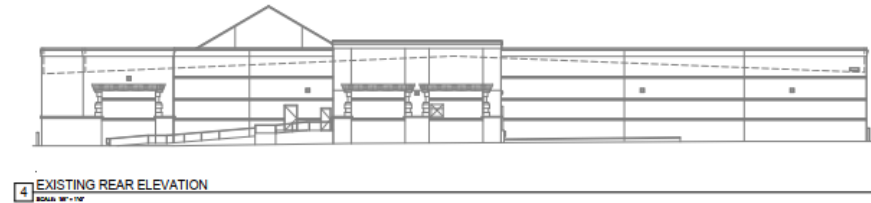
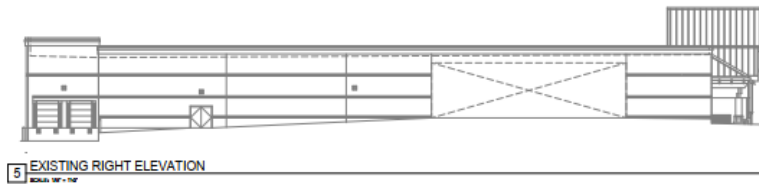
ATTACHMENT 1: Aerial Photo
USE 20-0045



**Indoor Recreation Service
USE20-0045/ Planet Fitness**

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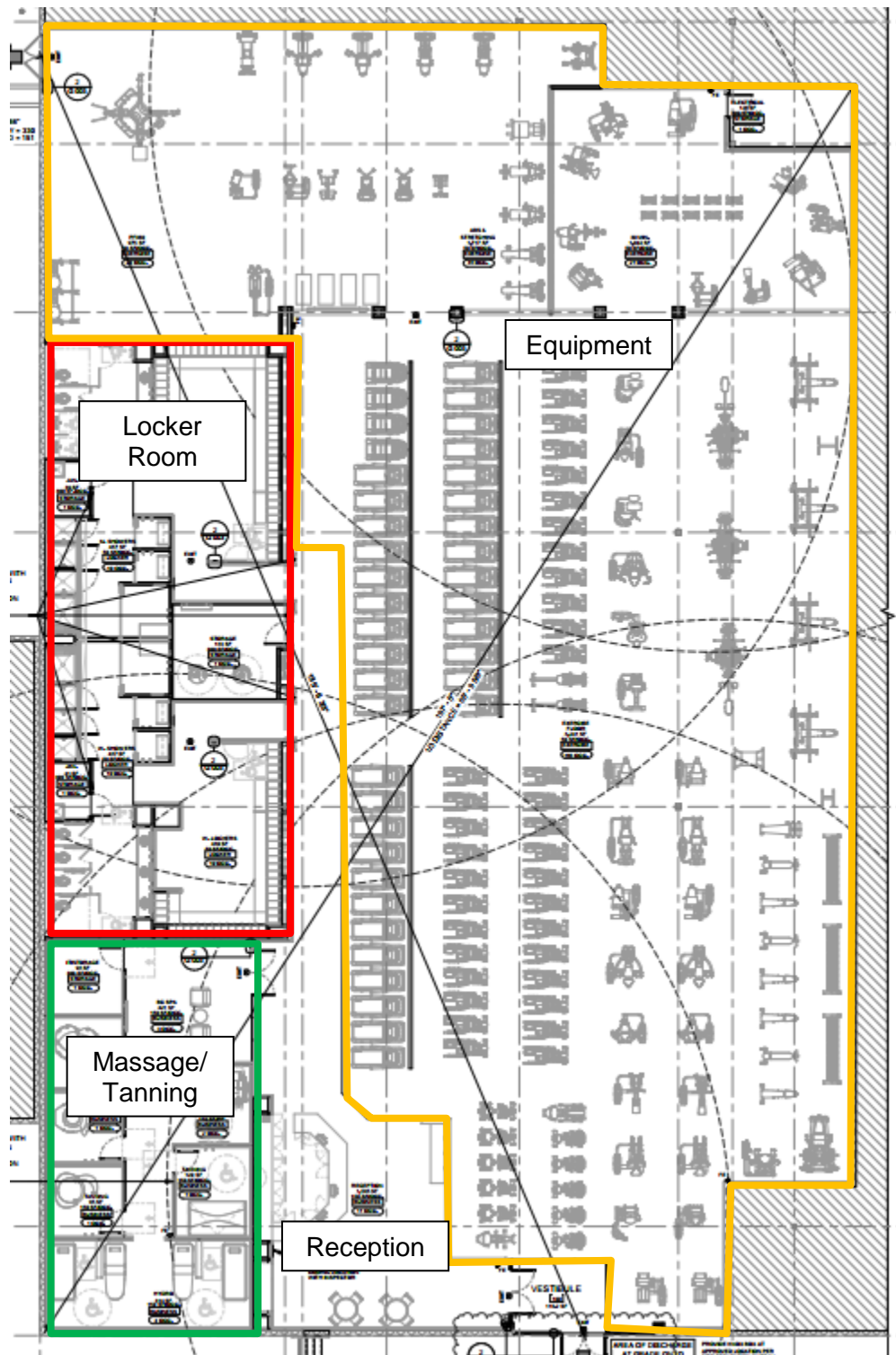
ATTACHMENT 3: Elevations
USE 20-0045



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ATTACHMENT 4: Floor Plan
USE 20-0045



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ATTACHMENT 5: Site Photos
USE 20-0045

Existing Facade



Parking Lot



ITEM 2
Indoor Recreation Service
USE20-0045/ Planet Fitness



ATTACHMENT 6: Sewer Capacity Charges
USE 20-0045**CITY OF ATASCADERO**
CURRENT AND PROPOSED SEWER CAPACITY CHARGES

Classification Description	EDU ³ Multiple	Unit of Measure	Capacity Charges	
			Current	Proposed ¹
Residential				
Single Family	1.00	Dwelling Unit	\$ 1,783	\$ 5,584
Apartment, Condo	0.75	Dwelling Unit	\$ 1,656	\$ 4,188
Mobile Home	0.60	Spaces	\$ 1,401	\$ 3,350
Senior Apartment Unit	0.35	Dwelling Unit	\$ 1,656	\$ 1,954
Non-Residential			\$ 64.00 per fixture unit	
Financial Institutions	2.00	Unit		\$ 11,168
Bars	1.50	Unit		\$ 8,376
Carwash	7.50	Unit		\$ 41,880
Churches/Meeting Halls				
< 150 seats	1.33	Seats		\$ 7,427
150 to 250 seats	2.66	Seats		\$ 14,853
> 250 seats	3.00	Seats		\$ 16,752
Commercial Unit	1.00	Unit		\$ 5,584
Funeral Home	9.00	Unit		\$ 50,256
Gas Station	2.00	Unit		\$ 11,168
Grocery Store > 10,000 sq. ft.	8.00	1,000 sq. ft.		\$ 44,672
Gymnasium	10.00	Unit		\$ 55,840
Laundry	9.00	Unit		\$ 50,256
Motel (per room)	0.33	Room		\$ 1,843
Office Unit	1.00	Unit		\$ 5,584
Rest Home (per bed)	0.35	Bed		\$ 1,954
Restaurants				
< 40 seats	4.00	Seats		\$ 22,336
40 to 60 seats	6.00	Seats		\$ 33,504
61 to 100 seats	8.00	Seats		\$ 44,672
> 100 seats	10.00	Seats		\$ 55,840
Schools (per student on Mar. 1)	0.05	Student		\$ 279
Theater	4.00	Unit		\$ 22,336
Veterinarians	3.00	Unit		\$ 16,752
Unlisted Uses ²	1.00	Unit	▼	\$ 5,584

¹ Proposed Rates effective November 23, 2019² Unlisted uses or are determined by use of fixture units from the California Plumbing Code or as by means deemed appropriate by the City Engineer.³ EDU = Equivalent Dwelling Unit is the average daily flow of wastewater discharge from a single family residence (240 gallons per day, max. monthly flow).ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE ATASCADERO
COMMUNITY DEVELOPMENT DEPARTMENT AT<http://www.atascadero.org>

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ATTACHMENT 7: Draft Resolution 2020
USE 20-0045

DRAFT PC RESOLUTION 2020

**RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF ATASCADERO, CALIFORNIA, APPROVING A
CONDITIONAL USE PERMIT (USE20-0045) ALLOWING AN
INDOOR RECREATION SERVICE USE IN THE COMMERCIAL RETAIL
ZONING DISTRICT
APN 056-031-062
(Planet Fitness)**

WHEREAS, an application has been received from Applicant, Rachel Bielert; PF Atascadero, LLC , (9 Grand Ave. #2D, Toms River, New Jersey 08753) to consider a Conditional Use Permit (USE 20-0045) to allow an Indoor Recreation Service 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 September 15, 2020, studied and considered the Conditional Use Permit USE 20-0045.

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. CEQA. The Planning Commission finds as follows:

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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. The Planning Commission finds as follows:

Conditional Use Permit:

1. The proposed use is consistent with the General Plan; and

Fact: The proposed indoor recreation service use at this location is consistent with the General Commercial designation of the General Plan and the General Plan Land Use Element Goals LOC 13 for a sound economic base and LOC 14 for attracting new businesses, Policies 14.2 and Land Use Program 1.1.7.

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

Fact: As conditioned, the project satisfies the provisions of the Atascadero Municipal Code. The Atascadero Sign Code allows for deviation from standard signage requirements with an Administrative Use Permit or Conditional Use Permit from the City. The existing parking is adequate to serve the proposed use.

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 use 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 proposed use would fill a vacant space located in an existing shopping center. The change of use will help to bring people to the shopping center where they will be able to find a variety of goods and services in one location.

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 to the area.

Signage Exception:

10. The sign is consistent with the purposes set forth in Section 9-15.002;

Fact: The proposed signs accomplish three of the required purposes. Section 9-15.002 (b) describes the purpose to “Encourage the effective use of signs as a means of communication in the City and reduce possible traffic and safety hazards from confusing or distracting signs.” Section 9-15.002(e) describes the purpose of minimizing “possible adverse impacts of signs on private and public property in order to maintain property values and to maintain a positive City image”. Finally, Section 9-15.002 (i) describes the purpose of regulating “signs in a manner so as not to physically interfere with or obstruct the vision of pedestrian or vehicular traffic.”

11. The opportunity to combine signs for more than one (1) use on a single sign structure has been considered;

Fact: The proposed sign addition is located on an existing sign structure. No new sign structures are proposed.

12. For freeway-oriented signs, the sign area and height are the minimum needed to achieve adequate visibility along the freeway due to highway ramp locations and grade differences; and

Fact: The sign addition will not add additional height to the existing structure. Visibility along the highway ramp will not be affected by the proposed addition.

13. Conformance with all other applicable codes and ordinances of the City, including, but not limited to, the Zoning Ordinance, General Plan and its several elements, and the appearance review guidelines.

Fact: Improving the appearance and character of Atascadero, including signage, is a Framework Principle of the General Plan. These signs in this zoning district are appropriate for the desired appearance and character of the City.

SECTION 3. Approval. The Planning Commission of the City of Atascadero, in a regular session assembled on September 15, 2020, resolved to approve Conditional Use Permit Use 20-0045 subject to the following:

- EXHIBIT A: Conditions of Approval
EXHIBIT B: Site Plan



EXHIBIT C: Elevations
EXHIBIT D: Freeway Pole Sign Rendering

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 20-0045

Conditions of Approval / Mitigation Monitoring Program	Timing	Responsibility /Monitoring
8200 El Camino Real USE 20-0045	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 Indoor Recreation Service use at 8200 El Camino Real described on the attached exhibits and located on APN 056-031-062, 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. If the use is established and becomes vacant, establishment of a similar use shall be done in accordance with the City's non-conforming use code.	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. Off-street parking shall be provided at a minimum ratio of 1 space per 300 sq. ft. of floor area.	Ongoing	PS
7. Wall signs shall be consistent with the size shown in Exhibit C. A freeway-oriented sign may be added to the existing pylon sign for the center along Highway 101. The sign shall be located below the existing two tenant signs and be consistent with what is shown in Exhibit D. The sign's dimensions shall be 4' x 18.5' to match the two existing signs.	Ongoing	PS
8. Elevations shall be consistent with what is shown in Exhibit C. Colors and materials shall match the existing façade.	Ongoing	PS
9. A final landscape and irrigation plan shall be approved by the City prior to the issuance of building permits. Barren areas of landscape planters within the parking lot shall be filled in with native, drought tolerant vegetation.	BP/ Ongoing	PS

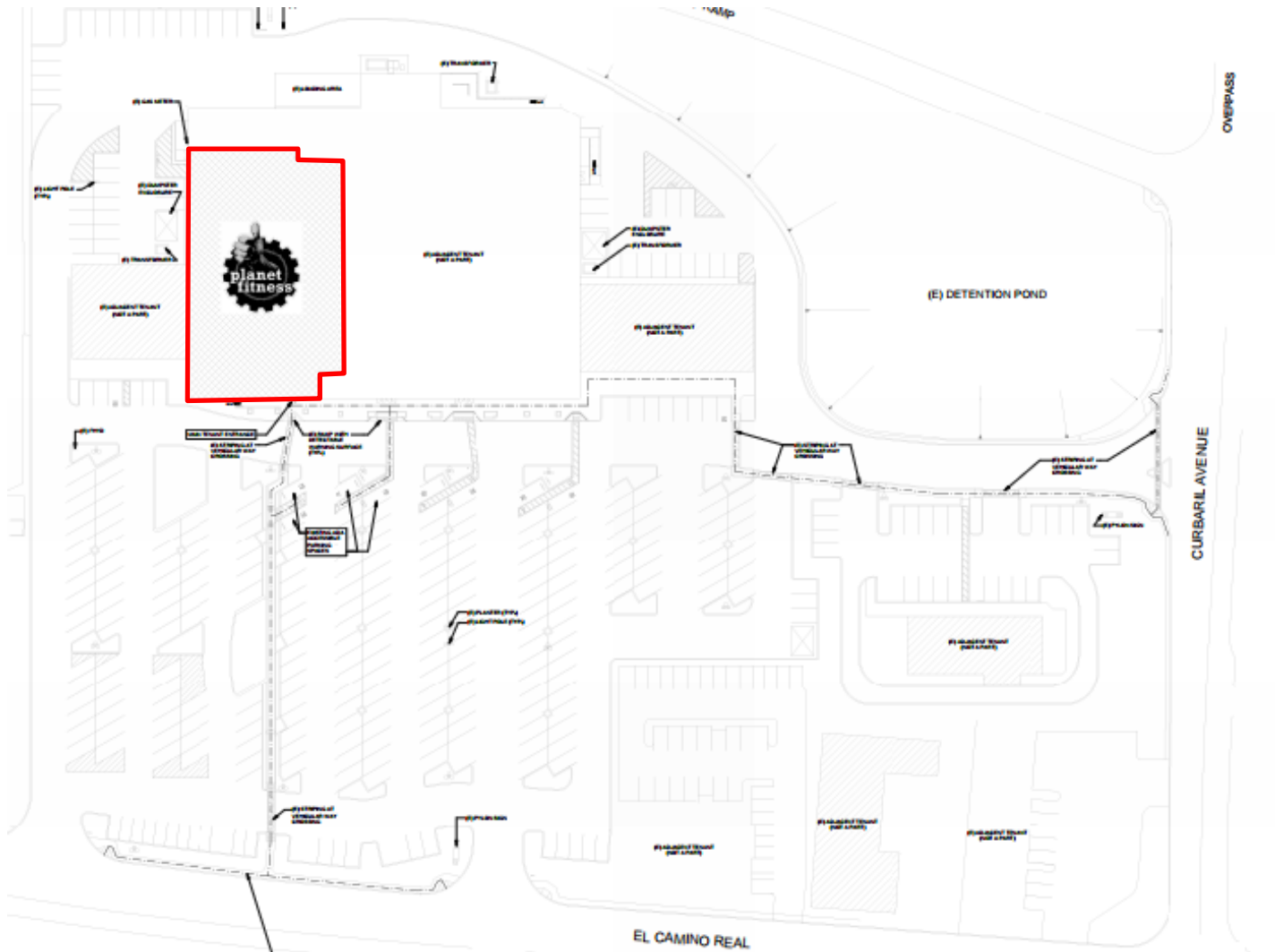


ITEM 2
Indoor Recreation Service
USE20-0045/ Planet Fitness

Conditions of Approval / Mitigation Monitoring Program	Timing	Responsibility /Monitoring
8200 El Camino Real USE 20-0045	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
Public Works Conditions		
10. Payment of Sewer Capacity Charges. Applicant is required to pay Sewer Capacity Charges associated with the addition of a fitness club (gymnasium) and change of use to the property. Per Ordinance 628 (AMC 7-4.008) "Capacity charges shall be paid according to the user classification for new connections, and the change in user classification (occupancy) for existing connections". A gymnasium has an Equivalent Dwelling Unit (EDU) multiplier of 10.00 (Resolution 2019-077). Applicant can request the City Engineer to consider a re-evaluation of the EDU multiplier with supporting documentation.		
11. Partial Payment of Sewer Service Charges. Applicant is required to pay a prorated share of the Sewer Service Charges associated with the addition of a fitness club (gymnasium) and change of user classification (occupancy) to the property. This partial charge shall be calculated for the number of full months remaining in the fiscal year after the date of issuance of the Building Permit. Payment shall be collected prior to or concurrent with issuance of Building Permit.		
Fire Conditions		
12. Submittal of fire sprinkler plans as required by Fire Marshall at time of tenant improvement-building permit submittal.		



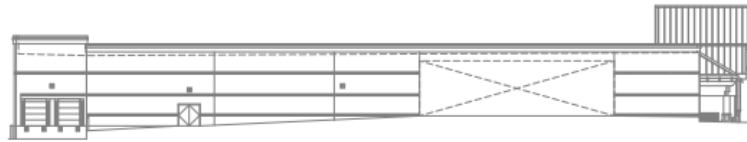
Exhibit B: Site Plan
USE 20-0045



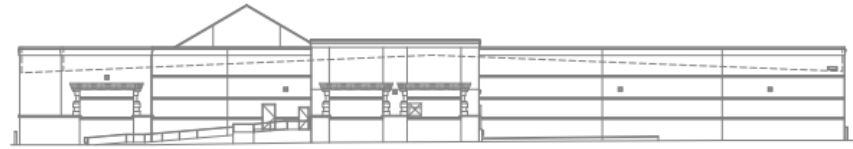
ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE ATASCADERO COMMUNITY DEVELOPMENT DEPARTMENT AT

<http://www.atascadero.org>
6500 PALMA AVENUE | ATASCADERO, CA 93422 | (805) 461-5000

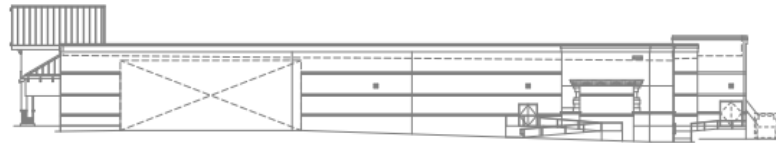
EXHIBIT C: Elevations
USE 20-0045



5 EXISTING RIGHT ELEVATION
Scale: 1/8" = 1'-0"



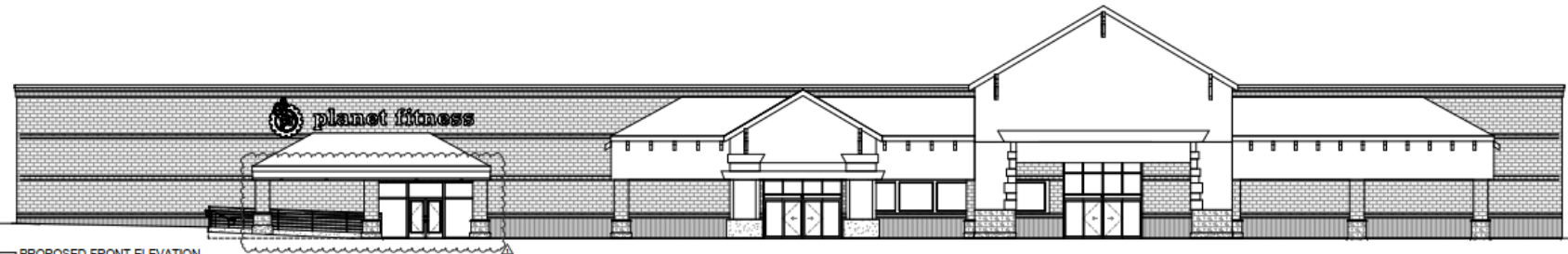
4 EXISTING REAR ELEVATION
Scale: 1/8" = 1'-0"



3 EXISTING LEFT ELEVATION
Scale: 1/8" = 1'-0"



2 EXISTING FRONT ELEVATION
Scale: 1/8" = 1'-0"



1 PROPOSED FRONT ELEVATION
Scale: 1/8" = 1'-0"



EXHIBIT D: Freeway Pole Sign Rendering
USE 20-0045



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Atascadero Planning Commission

Staff Report – Community Development Department

USE 20-0061

Conditional Use Permit for an Oversized Accessory Structure

RECOMMENDATION(S):

Staff Recommends: The Planning Commission adopt the draft Resolution approving Conditional Use Permit (CUP) USE20-0061 allowing a 720 square foot detached garage based on findings and subject to Conditions of Approval.

Project Info In-Brief:

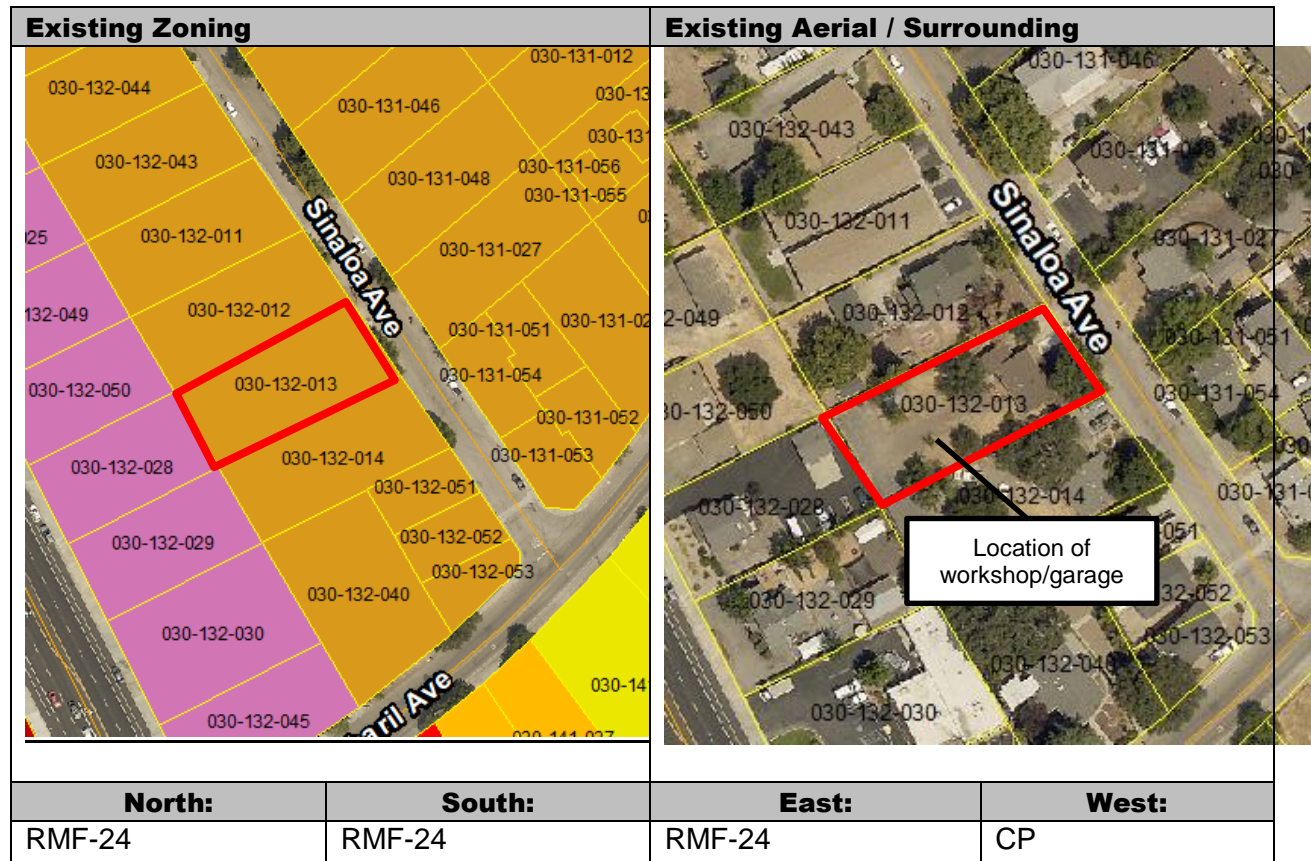
PROJECT ADDRESS:	7900 Sinaloa	Atascadero, CA	APN	030-132-013
PROJECT PLANNER	John Holder Associate Planner	470-3448	jholder@atascadero.org	
PROPERTY OWNER	Joel and Briana Hitchen			
GENERAL PLAN DESIGNATION:	ZONING DISTRICT:	SITE AREA	EXISTING USE	PROPOSED USE
High-Density Residential (HDR)	Residential Multiple-Family (RMF-24)	0.29 acres	Non-conforming Single-Family Residence	Non-conforming Single Family Residence including Accessory Storage/Garage
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 15303				
<input type="checkbox"/> Statutory Exemption §§ 21000, et seq & _____				
<input type="checkbox"/> No Project – Ministerial Project				

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<http://www.atascadero.org>
6500 PALMA AVENUE | ATASCADERO, CA 93422 | (805) 461-5000

DISCUSSION:

Existing Surrounding Uses / Parcel Configurations:



Summary:

The subject property site is an approximately 0.29-acre parcel located within the Residential Multi-Family (RMF-24) zoning district on Sinaloa Avenue. The property is developed with an existing single family residence and considered to be existing non-conforming under the zoning district. One driveway provides access to the residence from Sinaloa Avenue. The applicant is proposing a non-conditioned 720 square foot detached garage.

Analysis:

According to Atascadero Municipal Code (AMC) Section 9-6.106, residential accessory structures are permitted as a residential accessory use and are limited to a floor area no greater than fifty percent (50%) of the gross floor area of the principle structure on the property. The existing residence on the property on the property is considered the principle structure on the property. The code also limits each property to a total of two accessory structures unless a Conditional Use Permit is approved by the Planning Commission.



The existing primary residence is approximately 864 square feet. The applicant is proposing a new detached garage of 720 square feet to allow for the storage of vehicles. The proposed garage is beyond the fifty percent (50%) limit for an accessory structure. The detached garage would be served by an existing driveway on site and existing asphalt area towards the rear of the property. The new garage area would have entrances on the north side of the structure. The accessory structure use is compatible with surrounding residential structures and consistent with the primary residential structure on site. The structure will not be highly visible from Sinaloa Avenue.

The project is required to comply with policies in the Atascadero General Plan and regulations in the AMC including setback, height, and the native tree regulations. The construction of the project is not expected to impact native trees on the property. However, the proposed structure would be over the size limit for an accessory structure. The applicant is also requesting an exception to the required rear setback standards to allow the structure to be placed 5-feet from the rear property line. The required rear yard setback in the RMF-24 zone is 10 feet. The applicant is requesting a reduction to allow a 5-foot setback in order to place the accessory structure on an existing asphalt pad. In order to qualify for a setback exception, the structure would have to be 12-feet in height or less. The proposed height of the accessory structure is 13.5 feet, and therefore, the exception cannot be approved. Staff believes that the existing rear yard setback standard is appropriate and a condition has been added to comply with the 10-foot rear setback. The current site plan does show the structure at the 10-foot setback and no changes to the site layout will occur as a result of the setback condition.

Architectural Design and Neighborhood Compatibility

The surrounding parcels are generally developed with single-family residences in the RM-24 zone, characterized by small lots abutting commercial uses along El Camino Real to the west. The parcel directly to the north contains a historic colony home. The prefabricated detached garage addition is proposed with galvanized corrugated steel sheathing for the walls and roof. There is a garage and pedestrian door on the north elevation facing the driveway. No windows or façade features are proposed for the other three elevations.

While this type of structure does not contain architectural detailing similar to the surrounding residences, the gable roof design and the fact that the structure is at the rear of the site and not visible from the street minimizes the impact to neighborhood compatibility.

However, additional building articulation will be required in order to make the findings for neighborhood compatibility. Staff has added a condition of approval to add windows, larger roof overhangs and earth toned color to the structure.



ENVIRONMENTAL DETERMINATION:

The proposed project is Categorically Exempt (Class 3) 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 15303, because it is an accessory (appurtenant) structure and will not require any grading on slopes over 20%.

FINDINGS:

To approve the Conditional Use Permit, the Planning Commission must make the following findings. These findings and the facts to support these findings are included in the attached PC Resolution 2020 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 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.

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. Draft Resolution
2. Site Photos



**ATTACHMENT 1: Draft Resolution 2020
USE20-0061**

DRAFT PC RESOLUTION 2020

**A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF ATASCADERO, CALIFORNIA,
APPROVING USE20-0061, TO ALLOW THE CONSTRUCTION OF AN
OVERSIZED ACCESSORY STRUCTURE**

7900 SINALOA (030-132-013)

WHEREAS, an application was received from Joel and Briana Hitchen (Owner), 7900 Sinaloa, Atascadero, CA 93422, for a Conditional Use Permit to allow the addition of an oversized accessory structure (garage); and

WHEREAS, the site's General Plan Designation is High Density Residential; and

WHEREAS, the property is in the Residential Multifamily (RMF-24) zoning district; and

WHEREAS, any residential accessory structures in excess of fifty (50) percent of the primary residence on site are subject to the approval of a minor Conditional Use Permit; 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 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 reviewed the proposed Conditional Use Permit application on September 15, 2020, at 6:00 p.m. and considered testimony and reports from staff, the applicants, and the public.

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

SECTION 1. CEQA. The Planning Commission finds as follows:

1. The proposed project is Categorical Exempt (Class 3) 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 15303, for new construction of accessory structures.

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; and



Fact: The existing single family use is considered to be existing non-conforming. Detached accessory structures are consistent with the existing residential land uses and Conservation Element Program 1.1.6, which requires the size, use and appearance of accessory structures in the residential zoning districts to be compatible with the surrounding neighborhood. The proposed structure has an appearance compatible with the architecture of the surrounding area and existing structures on the property.

2. The proposed project or use satisfies all applicable provisions of the Zoning Ordinance; and

Fact: As proposed, the project will meet the property's setback, height and other site design requirements. The use of the structure will be limited to uses permitted by the Zoning Ordinance. The project, with Planning Commission approval of this Conditional Use Permit, satisfies all applicable provisions of the Zoning Ordinance related to residential accessory structures.

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 use of the accessory structure will be for accessory storage. This is a typical use in of accessory structures on parcels containing residential uses. The proposed structure will be constructed to meet the standards of the building code.

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

Fact: The proposed structure will be towards rear of the property and behind the primary residential structure, with limited visibility from the public right of way. The structure is residential in character and fits into the neighborhood.

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 addition of a residential accessory structure will not contribute additional traffic in the neighborhood. The use of the structure will be similar to uses currently onsite and no additional residential units will be added.

SECTION 3. Approval. The Planning Commission of the City of Atascadero, in a regular session assembled on September 15, 2020, resolved to approve Conditional Use Permit USE20-0061, subject to the following:

- EXHIBIT A: Conditions of Approval
- EXHIBIT B: Site Plan
- EXHIBIT C: Elevations
- EXHIBIT D: Floor 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

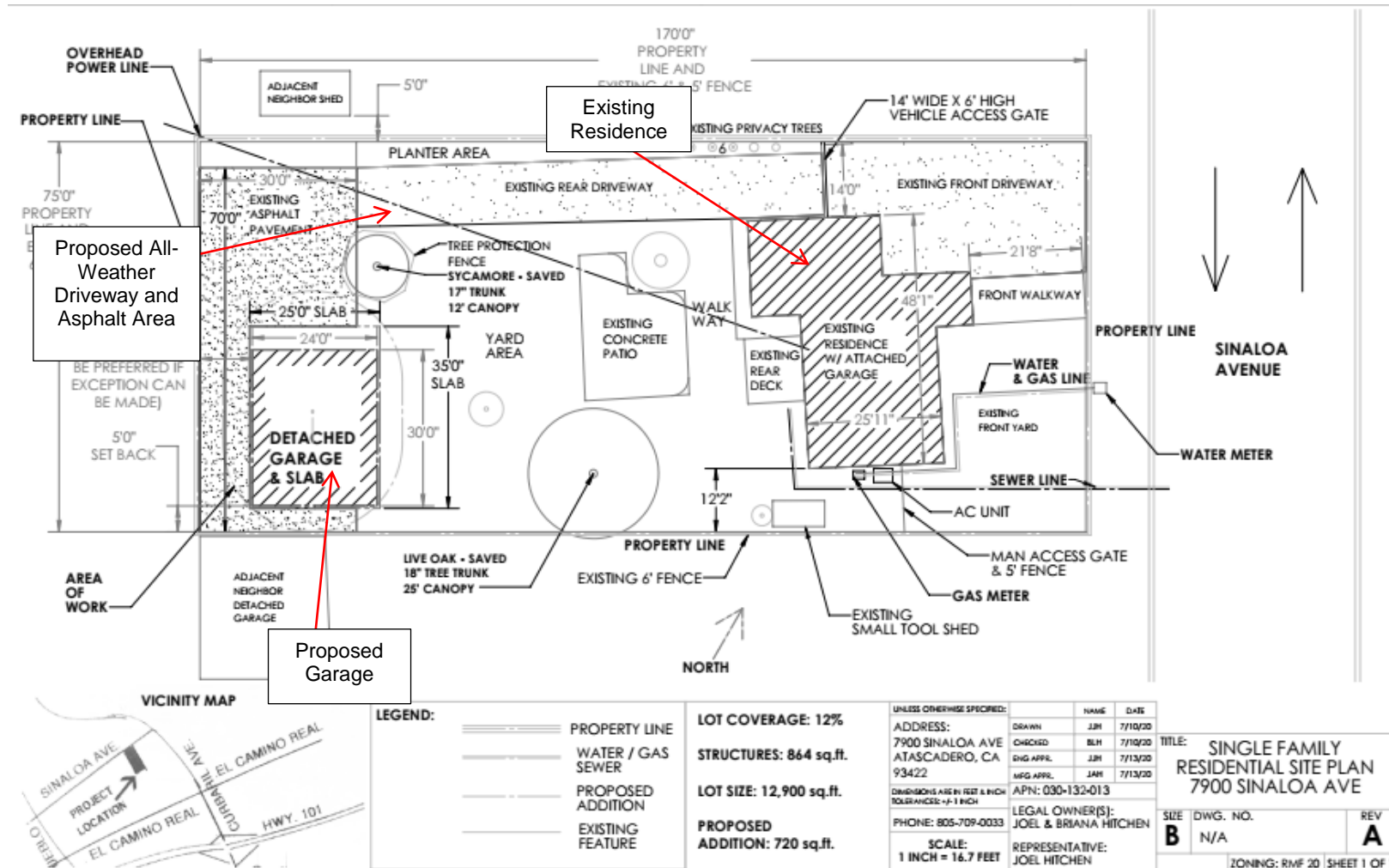


EXHIBIT A: Conditions of Approval USE20-0061
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Conditions of Approval USE20-0061 7900 Sinaloa Road. Oversized Accessory Structure	Timing BL: Business License GP: Grading Permit BP: Building Permit FI: Final Inspection TO: Temporary Occupancy FO: Final Occupancy
Planning Services Conditions	
1. This Conditional Use Permit shall allow the accessory structure described in the attached exhibits and located on APN 030-132-013	Ongoing
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
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 Master Plan of Development.	BP
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.	BP
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 the construction or use of the detached accessory structure.	Ongoing
6. Exterior building and roof colors and materials shall be earth toned. The roof shall be a darker contrasting color than the walls.	BP / FI
7. Windows and larger roof overhangs shall be added to the structure to ensure neighborhood compatibility.	BP / FI
8. The code required minimum 10-foot rear setback shall be maintained.	BP / FI
9. All utilities servicing the accessory structure shall be installed underground.	BP
10. Building Height shall comply with the standards of the Zoning Ordinance.	BP
11. The proposed structure shall not be used as a secondary residential unit. The accessory structure shall not have cooking facilities including a kitchen or wet bar. No overnight stays are permitted.	Ongoing

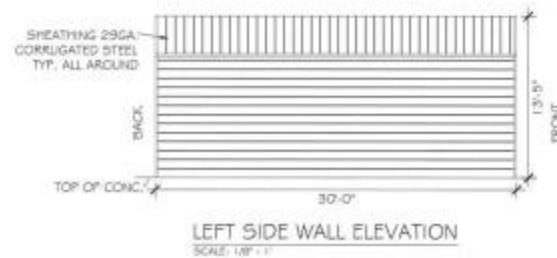
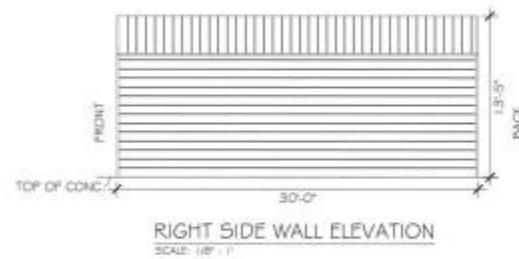
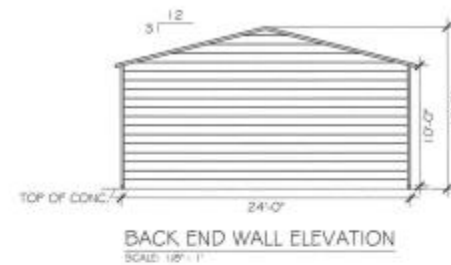
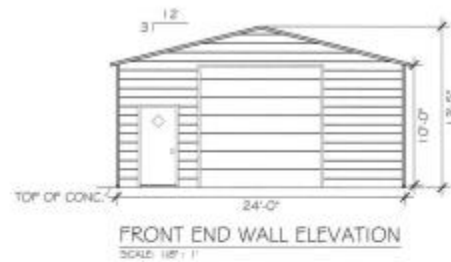
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 COMMUNITY DEVELOPMENT DEPARTMENT AT
<http://www.atascadero.org>
 6500 PALMA AVENUE | ATASCADERO, CA 93422 | (805) 461-5000

**EXHIBIT B: Site Plan
USE20-0046**



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

EXHIBIT C: Elevations
USE20-0046



**EXHIBIT D: Floor Plan
USE20-0046**



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**ATTACHMENT 2: Site Photos
USE20-0046**

View of proposed garage location.



Location of
proposed new
garage



Demolished
structure. Location of
proposed new
garage