



Atascadero City Council

Staff Report – Community Development Department

PLN 2009-1325
General Plan Amendment Cycle 2009-1
General Plan Amendment, Zone Change General Plan Consistency
Determination and Lot Line Adjustment for
Stadium Park Accessway
(City of Atascadero)

(The proposed project consists of a General Plan Amendment, Zone Map Change, General Plan consistency determination, and Lot Line Adjustment for the purchase of property between an existing developed residential property and Stadium Park for the purposes of providing an accessway from Capistrano Avenue.)

RECOMMENDATIONS:

Planning Commission recommends City Council:

1. Adopt Draft Resolution A approving General Plan Amendment 2009-0024 amending a portion of APN 029-105-028 from SFR-Y (Residential Single-Family–Y) to REC (Recreation) consistent with the proposed Lot Line Adjustment; and,
2. Introduce for first reading, by title only, Draft Ordinance A amending the zoning designation of a portion of APN 029-105-028 from RSF-Y (Residential Single-Family–Y) to L (Recreation); and,
3. Adopt Draft Resolution B finding that the purchase of a portion of the Renzaglia/Hughes property for inclusion as part of Stadium Park is consistent with the General Plan as proposed for amendment; and,
4. Adopt Draft Resolution C approving Lot Line Adjustment 2009-0098 between the Renzaglia/Hughes property and Stadium Park.

REPORT-IN-BRIEF:

The City has submitted an application requesting a General Plan consistency determination as part of a Lot Line Adjustment between a residential and recreation zoned parcel. The application also includes a General Plan amendment and Zone Map change to bring the purchased portion into conformance with existing General Plan designations for Stadium Park.

DISCUSSION:

Situation and Facts:

1. Property Owners: Gary J. Renzaglia & Sandra E. Hughes
6900 Valle Avenue, Atascadero, CA 93422

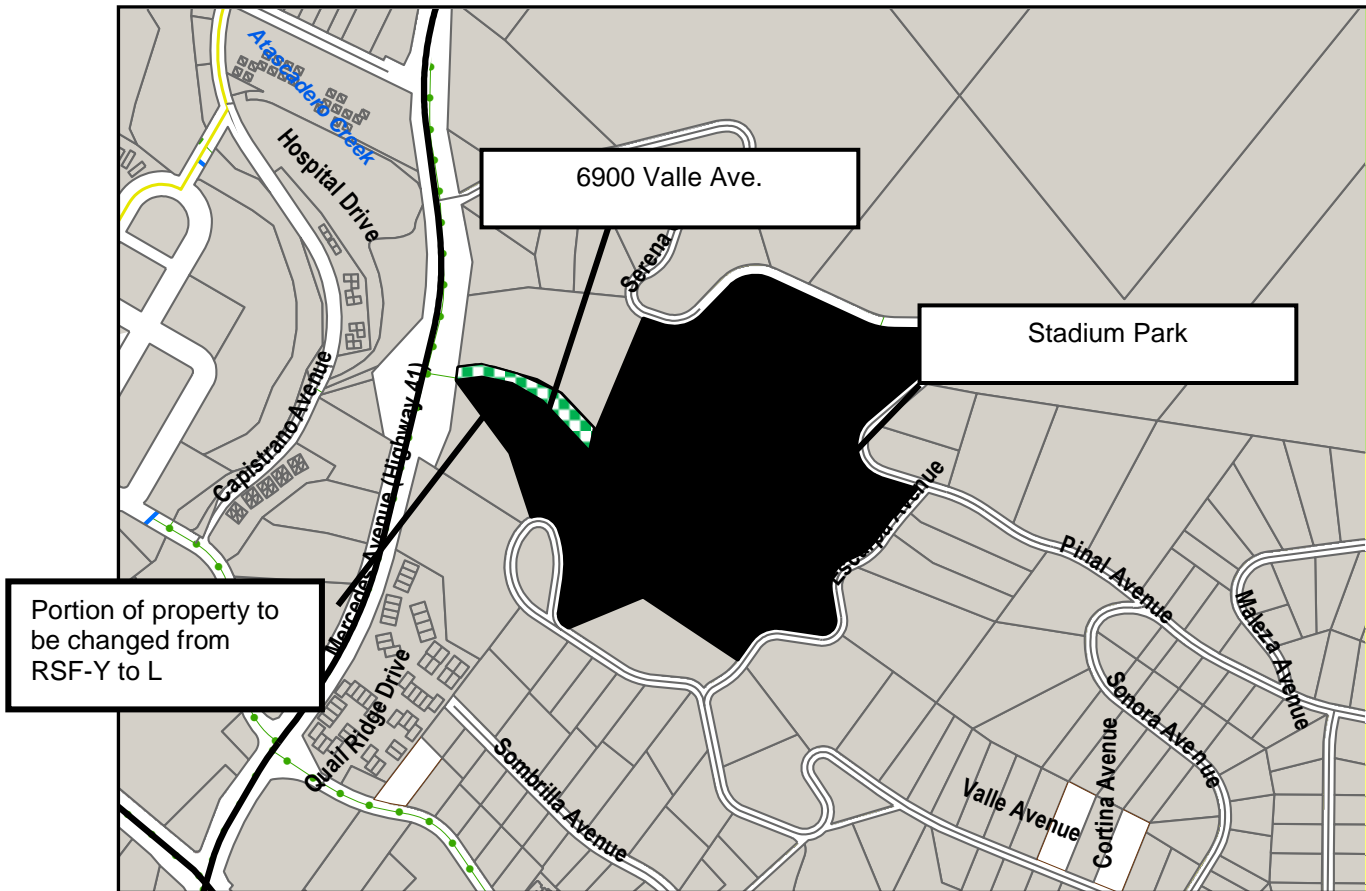
City of Atascadero, 6907 El Camino Real
Atascadero, CA 93422
2. Applicant: City of Atascadero, 6907 El Camino Real
Atascadero, CA 93422
3. Project Address: Stadium Park, Atascadero, CA 93422
APN 029-105-004

6900 Valle Avenue, Atascadero, CA 93422
APN 029-105-028
4. General Plan Designation: Single-Family Residential-Y / Recreation
5. Zoning District: Residential Single-Family-Y / Recreation
6. Site Area: Renzaglia Parcel: 2.91 acres (RSF-Y) /

Stadium Park: 24.6 acres (L)
7. Existing Use: Single-Family Residence / City
Park

Analysis: The subject parcel is approximately 2.91 acres and is designated Single-Family Residential-Y in the General Plan. The zoning designation is Residential Single-Family-Y with a 1.0 acre gross minimum lot size. The parcel shares the eastern boundary with Stadium Park, is bordered by State Highway 41 to the northwest, and a residential parcel to the north and south. The existing single-family residence takes access from Valle Avenue.

Stadium Park is approximately 24.6 acres of recreation and open space within the City of Atascadero. Stadium Park has a land use and zoning designation of Recreation.



The City has an opportunity to purchase a 0.52 acre piece of land from the Renzaglia/Hughes property which will provide the City with an access to Stadium Park from Capistrano Ave. There is an existing dirt access road that provides access to the park, but this road crosses the Renzaglia/Hughes property without easements. The City Council has determined that the best way to resolve this access issue is to purchase the land occupied by the road. The portion of land proposed for inclusion into Stadium Park includes an existing 10-foot wide easement for City access purposes that is not in the location of existing road. This proposed property sale will give the City this area of land plus additional acreage for future City use.

The proposed General Plan Amendment and Zone Change will bring the purchased portion of the Renzaglia/Hughes property into conformance with existing Stadium Park designations. The 0.52 acre piece of land proposed for transfer to City ownership does not meet minimum lot size for a RSF-Y parcel. Although the total parcel size will be 25.12 acres including the existing Stadium Park land area, the Zoning and General Plan designations must be changed for consistency with minimum lot size standards and conformance with existing Stadium Park zoning. The Renzaglia/Hughes parcel will

become 2.39 acres with the proposed Lot line Adjustment, exceeding the 1-acre minimum lot size and remaining consistent with the General Plan and Zoning Ordinance.

General Plan Consistency Determination

State Law requires that the Planning Commission make a finding of consistency with the General Plan for all property purchases. The proposed property purchase provides a strategically located strip of land for the City to utilize for access to Stadium Park. The proposed General Plan Amendment and Zone Change will bring the property designations into conformance with the existing designations for Stadium Park.

FINDINGS:

General Plan Amendment

1. The proposed amendment is in the public interest.
2. The proposed amendment is in conformance with the adopted General Plan goals, policies, and programs and the overall intent of the General Plan.
3. The proposed amendment is compatible with existing development, neighborhoods and the environment.
4. The proposed amendment will not create any new significant and unavoidable impacts to traffic, infrastructure, or public service impacts.
5. The proposed amendment is consistent with adopted General Plan EIR and mitigation monitoring program.
6. The proposed amendment is in the best interest of the City to enact this amendment to the General Plan Land Use Diagram to protect the health, safety and welfare of its citizens and is compatible with existing and proposed development.

Zone Map Amendment

As specified in the City's General Plan and Zoning Ordinance, the following specific findings for the proposed Zone Change shall be made in order to approve the proposed project:

1. The proposed Zone Change is in conformance with the adopted General Plan goals, policies, and programs and the overall intent of the General Plan.

2. The proposed Zone Change is compatible with existing development, neighborhoods and the environment.
3. The proposed Zone Change will not create any new significant and unavoidable impacts to traffic, infrastructure, or public service impacts.
4. The proposed Zone Change is consistent with the project-specific Mitigated Negative Declaration.

Lot Line Adjustment

1. The application, as submitted, conforms to all applicable building and zoning regulations of the City of Atascadero and is consistent with the City's General Plan.

Conclusion: The proposed Lot Line Adjustment and associated General Plan Amendment and Zone Change applications are consistent with the goals and policies of the General Plan and provide consistency with the existing Stadium Park designations. The City Council must also find that the proposed property purchase is consistent with the General Plan. The Planning Commission has found that the proposed property purchase and associated applications are consistent with the General Plan and provide the City with expanded access opportunities to Stadium Park.

FISCAL IMPACT:

There is no fiscal impact of this action.

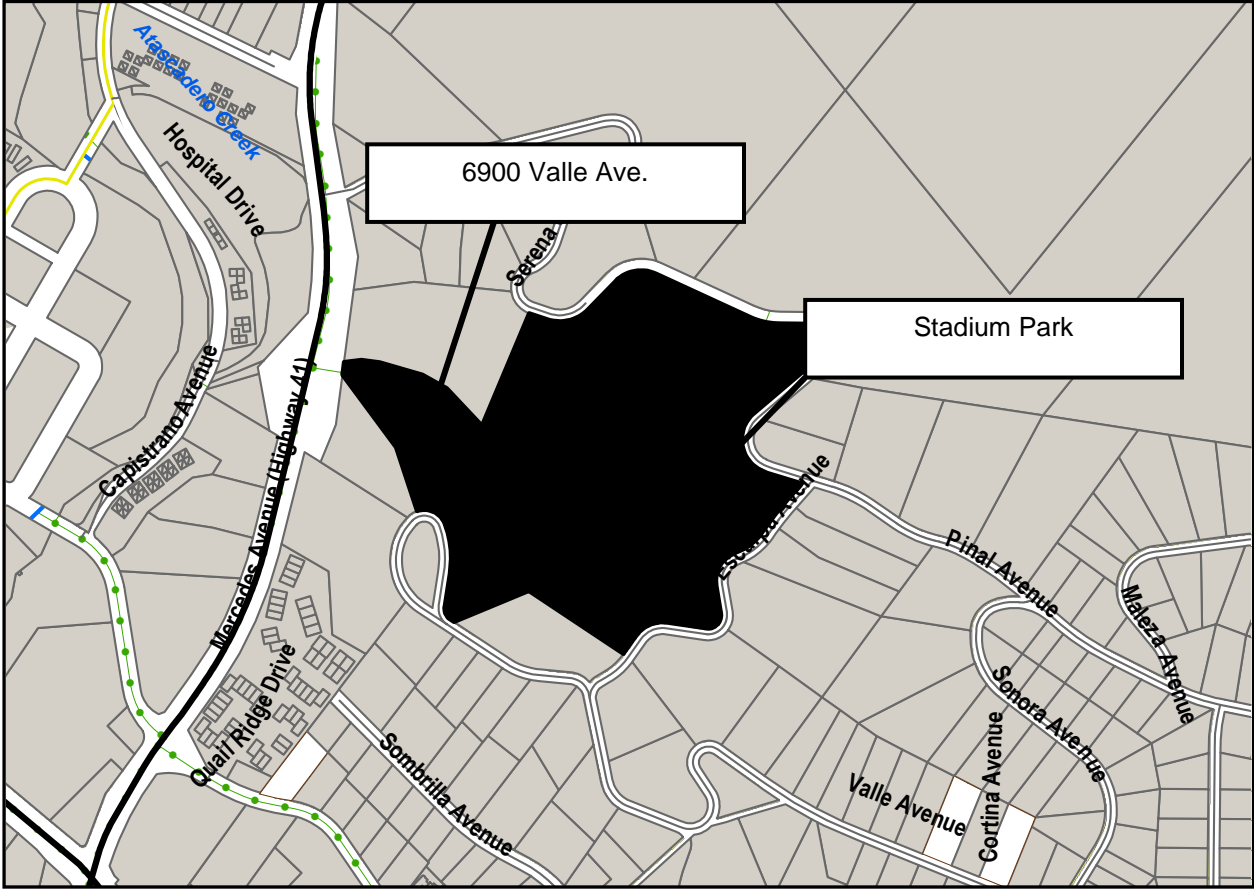
ALTERNATIVES:

1. The City Council can find that the proposed property purchase and associated applications are not consistent with the General Plan. The City Council should be specific about which finding(s) cannot be made.
2. The Council may continue the hearing and refer the item back to staff for additional information or analysis. Direction should be given to staff on required information.

ATTACHMENTS:

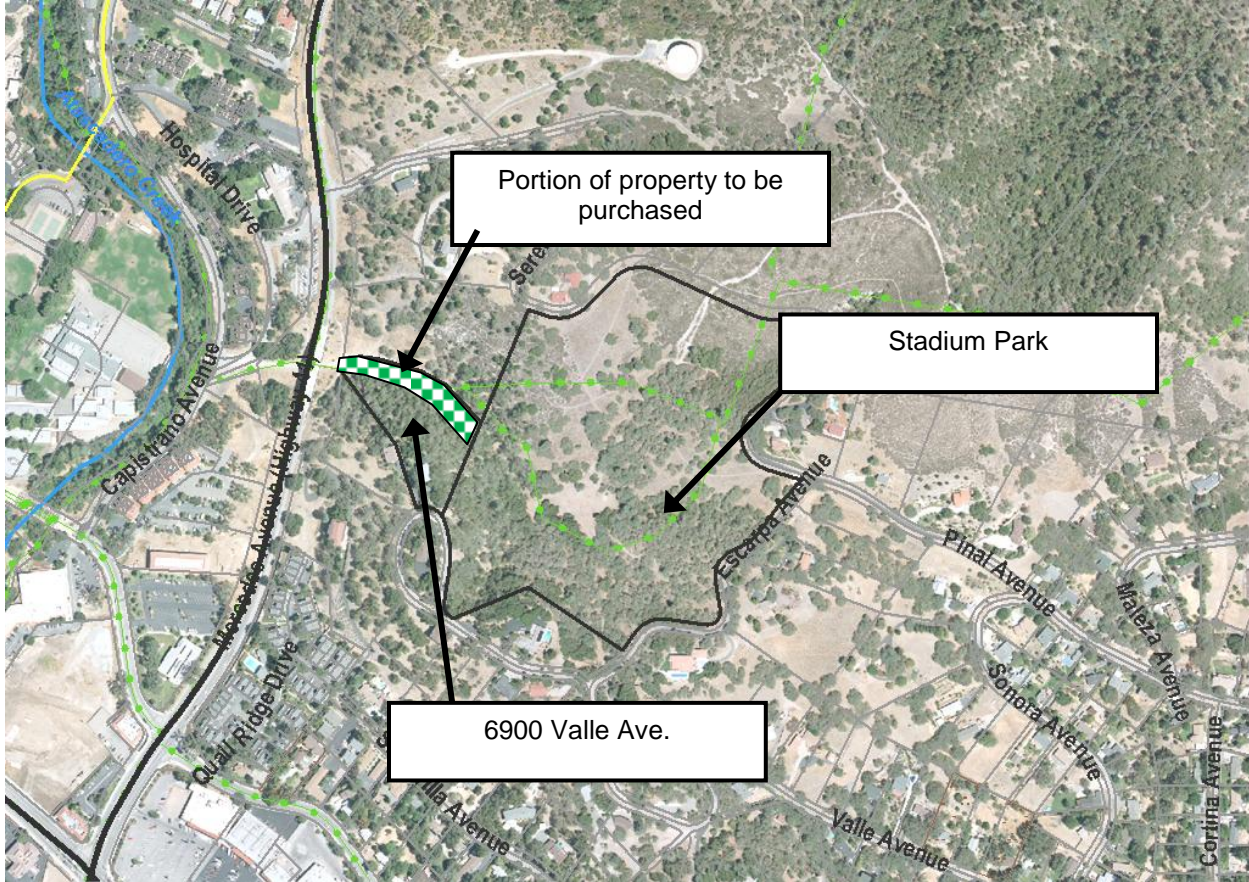
- Attachment 1: Location Map (General Plan & Zoning)
- Attachment 2: Aerial Photo
- Attachment 3: Draft Resolution A
- Attachment 4: Draft Ordinance A
- Attachment 5: Draft Resolution B
- Attachment 6: Draft Resolution C

ATTACHMENT 1: **Location Map (Zoning Map)**
PLN 2009-1325 / LLA 2009-0098 / GPA 2009-0024
APN 029-105-004, 028



Zone: Residential Single-Family (RSF-Y) & Recreation (L)
Land Use Designation: Single-Family Residential (SFR-Y) & Recreation (REC)

ATTACHMENT 2: **Aerial Photo**
 PLN 2009-1325 / LLA 2009-0098 / GPA 2009-0024



ATTACHMENT 3: Draft Resolution A
PLN 2009-1325 / LLA 2009-0098 / GPA 2009-0024

DRAFT RESOLUTION A

**RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF ATASCADERO, CALIFORNIA, APPROVING GENERAL PLAN
AMENDMENT 2009-0024, AMENDING THE GENERAL PLAN
DESIGNATION OF A PORTION OF APN 029-105-028 CONSISTENT
WITH LOT LINE ADJUSTMENT 2009-0098
(City of Atascadero/Renzaglia-Hughes)**

WHEREAS, an application has been received from the City of Atascadero, 6907 El Camino Real, Atascadero, CA, 93422, (Applicant and Property Owner), and Gary J. Renzaglia & Sandra E. Hughes, 6900 Valle Avenue, Atascadero, CA 93422, (Property Owner), to consider a project consisting of a consistency determination for the purchase of property for inclusion into Stadium Park and associated Lot Line Adjustment, General Plan Amendment, and Zone Change application; and,

WHEREAS, the site's General Plan Designations are (REC) recreation and (SFR-Y) Single-Family Residential - Y; and,

WHEREAS, the site's current zoning districts are L (Recreation) and RSF-Y (Residential Single-Family – Y); and,

WHEREAS, the planning Commission has recommended that the City Council approve a Lot line Adjustment that would incorporate 0.52-acres of existing residential property into Stadium Park; and,

WHEREAS, the proposed lot line adjustment applications qualifies for a CEQA exemption per section 15305: Minor alterations in land-use limitations; and,

WHEREAS, the Planning Commission has determined that it is in the best interest of the City to enact this amendment to the General Plan Land Use Diagram to protect the health, safety and welfare of its citizens by applying orderly development; 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 General Plan Amendment 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 general plan amendment; and,

WHEREAS, the Planning Commission of the City of Atascadero, at a duly noticed Public Hearing held on April 21, 2009 studied and considered General Plan Amendment 2009-0024, and,

WHEREAS, the City Council of the City of Atascadero, at a duly noticed Public Hearing held on May 12, 2009, studied and considered the proposed project; and,

NOW, THEREFORE, the City Council of the City of Atascadero, California, hereby resolves to take the following actions:

SECTION 1. Findings for Approval of a General Plan Amendment: The City Council finds as follows:

1. The proposed amendment is in the public interest.
2. The proposed amendment is in conformance with the adopted General Plan Goals, Policies, and Programs and the overall intent of the General Plan.
3. The proposed amendment is compatible with existing development, neighborhoods and the environment.
4. The proposed amendment will not create any new significant and unavoidable impacts to traffic, infrastructure, or public service impacts.
5. The proposed amendment is consistent with adopted General Plan EIR and mitigation monitoring program.
6. The proposed amendment is in the best interest of the City to enact this amendment to the General Plan Land Use Diagram to protect the health, safety and welfare of its citizens and is compatible with existing and proposed development; and,

SECTION 2. Approval. The City Council of the City of Atascadero, California, in a regular session assembled on May 12, 2009 hereby resolves to approve General Plan Amendment 2009-0024 consistent with the following:

Exhibit A: General Plan Amendment Diagram

On motion by Council Member _____, and seconded by Council Member _____, the foregoing resolution is hereby adopted in its entirety by the following roll call vote:

- AYES: ()
- NOES: ()
- ABSTAIN: ()
- ABSENT: ()
- ADOPTED:

CITY OF ATASCADERO, CA

Ellen Beraud, Mayor

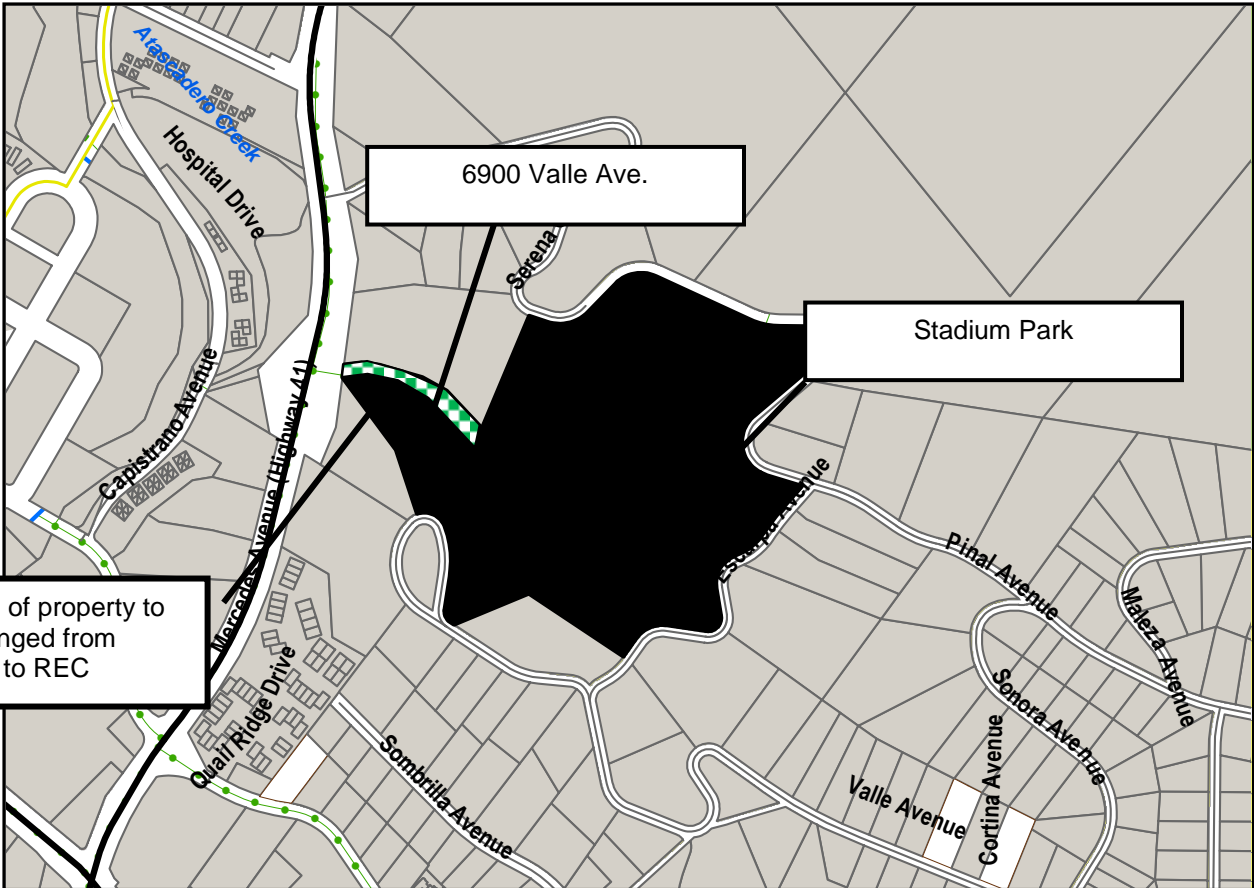
ATTEST:

Marcia McClure Torgerson, C.M.C., City Clerk

APPROVED AS TO FORM:

Brian A. Pierik, City Attorney

EXHIBIT A: General Plan Amendment Diagram



Portion of property to be changed from SFR-Y to REC

6900 Valle Ave.

Stadium Park

Zone: Residential Single-Family (RSF-Y) & Recreation (L)
Land Use Designation: Single-Family Residential (SFR-Y) & Recreation (REC)

ATTACHMENT 4:	Draft Ordinance A PLN 2009-1325 / LLA 2009-0098 / GPA 2009-0024
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DRAFT ORDINANCE A

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ATASCADERO, CALIFORNIA, APPROVING ZONE CHANGE 2009-0153, AMENDING THE OFFICIAL ZONING MAP DESIGNATION OF A PORTION OF APN 029-105-028 FROM RSF-Y (RESIDENTIAL SINGLE-FAMILY-Y) TO L (RECREATION) (City of Atascadero/Renzaglia-Hughes)

WHEREAS, an application has been received from the City of Atascadero, 6907 El Camino Real, Atascadero, CA, 93422, (Applicant and Property Owner), and Gary J. Renzaglia & Sandra E. Hughes, 6900 Valle Avenue, Atascadero, CA 93422, (Property Owner), to consider a project consisting of a consistency determination for the purchase of property for inclusion into Stadium Park and associated Lot Line Adjustment, General Plan Amendment, and Zone Change application; and,

WHEREAS, the site's General Plan Designations are (REC) recreation and (SFR-Y) Single-Family Residential - Y; and,

WHEREAS, the site's current zoning districts are L (Recreation) and RSF-Y (Residential Single-Family - Y); and,

WHEREAS, the planning Commission has recommended that the City Council approve a Lot line Adjustment that would incorporate 0.52-acres of existing residential property into Stadium Park; and,

WHEREAS, the proposed lot line adjustment applications qualifies for a CEQA exemption per section 15305: Minor alterations in land-use limitations; and,

WHEREAS, the Planning Commission has determined that it is in the best interest of the City to enact this amendment to the Official Zoning Map to protect the health, safety, and welfare of its citizens by applying orderly development of the City; 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 Zone Change 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 Zoning Amendments; and,

WHEREAS, the Planning Commission of the City of Atascadero, at a duly noticed Public Hearing held on April 21, 2009 studied and considered Zone Change 2009-0153; and,

WHEREAS, the City Council of the City of Atascadero, at a Public Hearing held on May 12, 2009, studied and considered Zone Text Amendments to the PD-12 Overlay Zone, and,

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

SECTION 1. Findings for Approval. The City Council finds as follows:

1. The zone change is consistent with General Plan policies and all other applicable ordinances and policies of the City.
2. Amendment of the zoning ordinance will provide for the orderly and efficient use of lands where such development standards are applicable.
3. The zone change will not, in itself, result in significant environmental impacts.

SECTION 2. Approval. The City Council of the City of Atascadero, California, in a regular session assembled on May 12, 2009, resolved to introduce for first reading by title only, an ordinance that would rezone a portion of the subject site consistent with the following:

Exhibit A: Location Map/Zone Map Amendment Diagram

SECTION 3. A summary of this ordinance, approved by the City Attorney, together with the ayes and noes, shall be published twice: at least five days prior to its final passage in the Atascadero News, a newspaper published and circulated in the City of Atascadero, and; before the expiration of fifteen (15) days after its final passage in the Atascadero News, a newspaper published and circulated in the City of Atascadero. A copy of the full text of this ordinance shall be on file in the City Clerk's office on and after the date following introduction and passage and shall be available to any interested member of the public.

INTRODUCED at a regular meeting of the City Council held on _____, and PASSED and ADOPTED by the City Council of the City of Atascadero, State of California, on _____, by the following roll call vote:

AYES: ()

NOES: ()

ABSENT: ()

ABSTAIN: ()

ADOPTED:

CITY OF ATASCADERO, CA

Ellen Beraud, Mayor

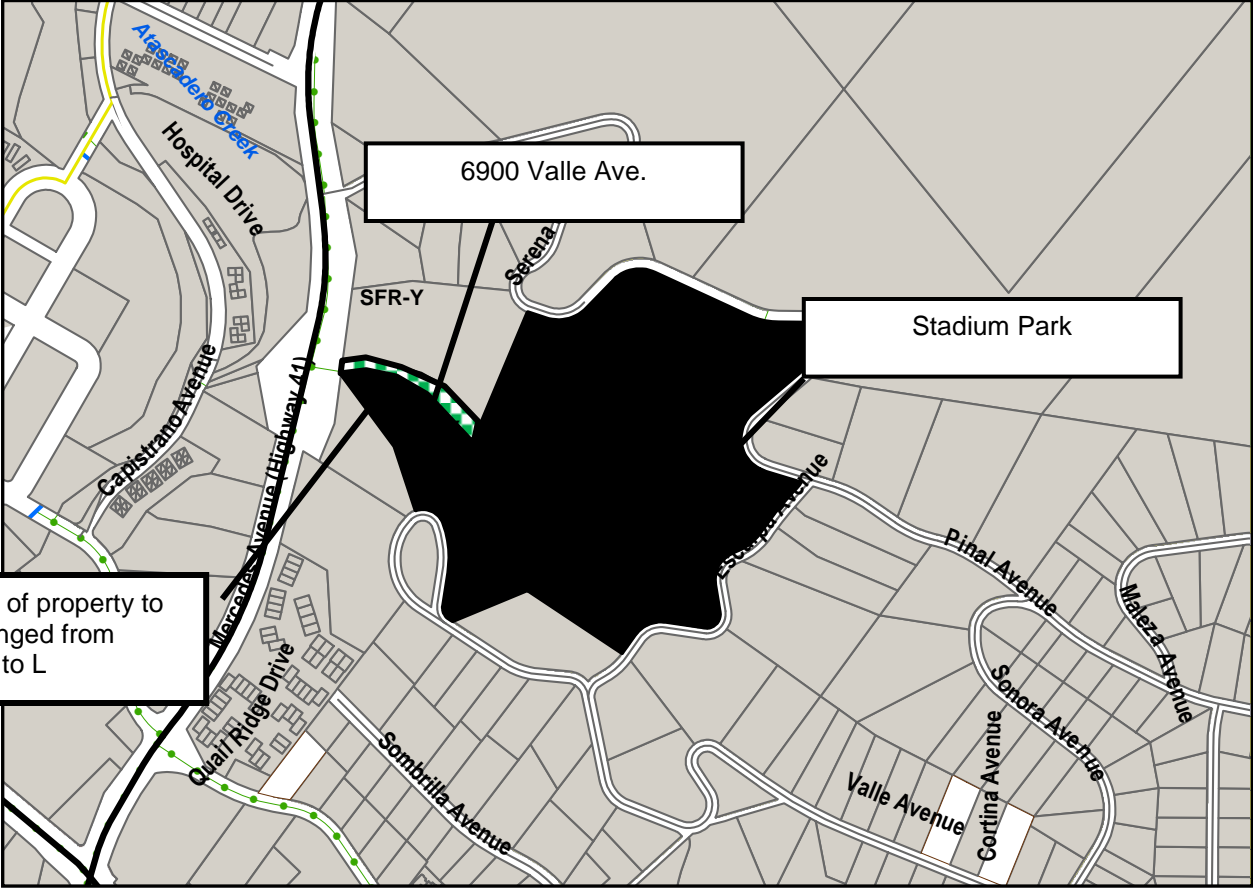
ATTEST:

Marcia McClure Torgerson, C.M.C., City Clerk

APPROVED AS TO FORM:

Brian A. Pierik, City Attorney

EXHIBIT A: Zoning Map Amendment Diagram



Zone: Residential Single-Family (RSF-Y) & Recreation (L)
Land Use Designation: Single-Family Residential (SFR-Y) & Recreation (REC)

ATTACHMENT 5:	Draft Resolution B PLN 2009-1325 / LLA 2009-0098 / GPA 2009-0024
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DRAFT RESOLUTION B

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ATASCADERO, CALIFORNIA, FINDING THAT THE PURCHASE OF A PORTION OF 6900 VALLE AVE. (APN 029-105-028) FOR INCLUSION INTO STADIUM PARK IS CONSISTENT WITH THE GENERAL PLAN (City of Atascadero / Renzaglia-Hughes)

WHEREAS, an application has been received from the City of Atascadero, 6907 El Camino Real, Atascadero, CA, 93422, (Applicant and Property Owner), and Gary J. Renzaglia & Sandra E. Hughes, 6900 Valle Avenue, Atascadero, CA 93422, (Property Owner), to consider a project consisting of a consistency determination for the purchase of property for inclusion into Stadium Park and associated Lot Line Adjustment, General Plan Amendment, and Zone Change application; and,

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

WHEREAS, the site's current zoning district is (RSF-Y) Residential Single-Family - Y; and,

WHEREAS, the proposed property transfer and associated applications qualify for a CEQA exemption per section 15305: Minor alterations in land-use limitations; 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 applications was held by the Planning Commission of the City of Atascadero at which hearing evidence, oral and documentary, was admitted on behalf of said amendments; and,

WHEREAS, the Planning Commission of the City of Atascadero, at a Public Hearing held on April 21, 2009, studied and considered the proposed property purchase; and,

WHEREAS, the City Council of the City of Atascadero, at a duly noticed Public Hearing held on May 12, 2009, studied and considered the proposed project; and,

NOW, THEREFORE, the City Council of the city of Atascadero, California, takes the following actions:

SECTION 1. Findings for Approval. The City Council finds as follows:

1. The proposed property purchase of a portion of APN 029-105-028 for inclusion into Stadium Park is consistent with the General Plan.

SECTION 2. Approval. The City Council of the City of Atascadero, in a regular session assembled on May 12, 2009 resolved to find that the purchase of a portion of the Renzaglia/Hughes property (APN 029-105-028) is consistent with the General Plan as follows:

Exhibit A: General Plan Amendment Diagram

On motion by Council Member _____ and seconded by Council Member _____, the foregoing Resolution is hereby adopted in its entirety on the following roll call vote:

AYES: ()

NOES: ()

ABSENT: ()

ABSTAIN: ()

ADOPTED:

CITY OF ATASCADERO, CA

Ellen Beraud, Mayor

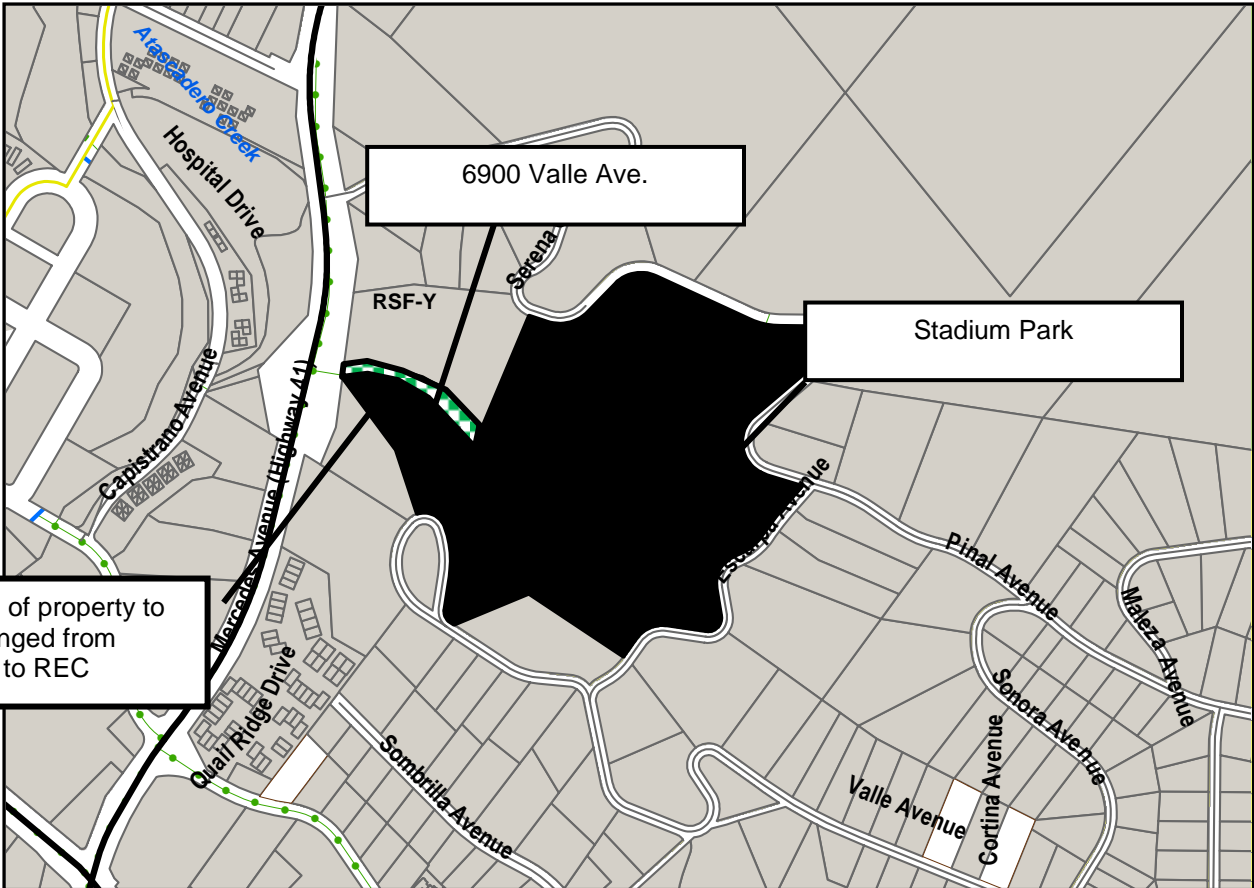
ATTEST:

Marcia McClure Torgerson, C.M.C., City Clerk

APPROVED AS TO FORM:

Brian A. Pierik, City Attorney

EXHIBIT A: General Plan Amendment Diagram
PLN 2009-1325 / LLA 2009-0098 / GPA 2009-0024



Zone: Residential Single-Family (RSF-Y) & Recreation (L)
Land Use Designation: Single-Family Residential (SFR-Y) & Recreation (REC)

ATTACHMENT 6: Draft Resolution C

DRAFT RESOLUTION C

**RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF ATASCADERO, CALIFORNIA, APPROVING LOT
LINE ADJUSTMENT 2009-0098 BETWEEN THE RENZAGLIA/HUGHES
PROPERTY (APN 029-105-028) AND STADIUM PARK (APN 029-105-004)
(City of Atascadero/Renzaglia-Hughes)**

WHEREAS, an application has been received from the City of Atascadero, 6907 El Camino Real, Atascadero, CA, 93422, (Applicant and Property Owner), and Gary J. Renzaglia & Sandra E. Hughes, 6900 Valle Avenue, Atascadero, CA 93422, (Property Owner), to consider a project consisting of a consistency determination for the purchase of property for inclusion into Stadium Park and associated Lot Line Adjustment, General Plan Amendment, and Zone Change application; and,

WHEREAS, the site's General Plan Designations are (REC) recreation and (SFR-Y) Single-Family Residential - Y; and,

WHEREAS, the site's current zoning districts are L (Recreation) and RSF-Y (Residential Single-Family - Y); and,

WHEREAS, the Planning Commission has found that the proposed property purchase is consistent with the General Plan; and,

WHEREAS, the proposed property transfer and associated applications qualify for a CEQA exemption per section 15305: Minor alterations in land-use limitations; 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 amendment 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 Zoning amendments; and,

WHEREAS, the Planning Commission of the City of Atascadero, at a duly noticed Public Hearing held on April 21, 2009, studied and considered the proposed project; and,

WHEREAS, the City Council of the City of Atascadero, at a duly noticed Public Hearing held on May 12, 2009, studied and considered the proposed project; and,

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

SECTION 1. Findings for Approval. The City Council finds as follows:

- 1. The application as submitted conforms to all applicable building and zoning regulations of the City of Atascadero and is consistent with the City's General Plan.

SECTION 2. Approval. The City Council of the City of Atascadero, California, in a regular session assembled on May 12, 2009, resolved to approve the proposed Lot Line Adjustment application subject to the following:

EXHIBIT A: Lot Line Adjustment Map

On motion by Council Member _____ and seconded by Council Member _____, the foregoing Resolution is hereby adopted in its entirety on the following roll call vote:

- AYES: ()
- NOES: ()
- ABSENT: ()
- ABSTAIN: ()
- ADOPTED:

CITY OF ATASCADERO, CA

Ellen Beraud, Mayor

ATTEST:

Marcia McClure Torgerson, C.M.C., City Clerk

APPROVED AS TO FORM:

Brian A. Pierik, City Attorney

EXHIBIT A: Lot Line Adjustment Map

