



## **CITY OF ATASCADERO PLANNING COMMISSION AGENDA**

**In accordance with City Council Resolution No. 2021-069 and the requirements of AB 361, the Planning Commission Meeting will not be physically open to the public and Planning Commissioners will be teleconferencing into the meeting.**

### **HOW TO OBSERVE THE MEETING:**

To maximize public safety while still maintaining transparency and public access, the meeting will be available by clicking on the following link:

<https://us02web.zoom.us/j/83250238111?pwd=SG9OdGxyNHNTNmRWEpHTzRQK0VnQT09>  
Webinar ID 832 5023 8111 (No Passcode Required)

### **HOW TO SUBMIT PUBLIC COMMENT:**

Members of the public are highly encouraged to participate in live public comment through the Zoom platform using the link above or by calling **669-900-6833** to listen and provide public comment via phone.

If you wish to comment but not via a live platform, please email public comments to: [pc-comments@atascadero.org](mailto:pc-comments@atascadero.org) by 12:00 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 forwarded to the Planning Commission and made a part of the administrative record. If a comment is received after the deadline for submission but before the close of the meeting, the comment will still be included as a part of the administrative record of the meeting but will be forwarded to the Planning Commission the next business day. ***Please note, email comments will not be read into the record.***

### **AMERICAN DISABILITY ACT ACCOMMODATIONS:**

Any member of the public who needs accommodations should contact the City Clerk's Office at [cityclerk@atascadero.org](mailto: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](http://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](http://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 are available for public inspection during City Hall business hours by appointment.



# **CITY OF ATASCADERO PLANNING COMMISSION AGENDA**

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**REGULAR MEETING**  
**Tuesday, January 18, 2022**  
**6:00 P.M.**

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

## **CALL TO ORDER**

Pledge of Allegiance

## **OATH OF OFFICE**

Administration of Oath of Office to new Planning Commissioner Greg Heath by the City Clerk's Office.

**Roll Call:** Chairperson Jeff van den Eikhof  
Vice Chairperson Tori Keen  
Commissioner Jason Anderson  
Commissioner Victoria Carranza  
Commissioner Greg Heath  
Commissioner Randy Hughes  
Commissioner Dennis Schmidt

## **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.)

## **PRESENTATION**

A. Recognition of outgoing Planning Commission member Jennifer McIntyre.

**WEBSITE:**



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**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. **APPROVE THE DRAFT MINUTES OF NOVEMBER 16, 2021**
  - Recommendation: Commission approve the November 16, 2021 Minutes.
  
2. **APPROVAL OF TIME EXTENSION FOR 940 EL CAMINO REAL (TEX21-0105).**
  - Recommendation: Commission approve the Time Extension
  
3. **APPROVAL OF TIME EXTENSION FOR 11885 HALCON ROAD (TEX21-0108)**
  - Recommendation: Commission approve the Time Extension

**PLANNING COMMISSION BUSINESS**

None

**COMMUNITY DEVELOPMENT STAFF REPORTS**

None

**PUBLIC HEARINGS**

None

**COMMISSIONER COMMENTS AND REPORTS**

**DIRECTOR'S REPORT**

Staff will provide a status update on the upcoming General Plan Update and a summary of the upcoming General Plan Scoping Study Session to be held on Friday, January 28<sup>th</sup> at 6 PM.

**ADJOURNMENT**

*The next regular meeting will be held on February 1, 2022, 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.*

**WEBSITE:** [www.atascadero.org](http://www.atascadero.org)



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

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

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

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

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

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

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

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

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

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

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

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

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

**WEBSITE:** [www.atascadero.org](http://www.atascadero.org)



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## CITY OF ATASCADERO PLANNING COMMISSION

# DRAFT MINUTES

Regular Meeting – Tuesday, November 16, 2021 – 6:00 P.M.  
City Hall (Teleconference)  
6500 Palma Avenue, Atascadero, California

### CALL TO ORDER - 6:00 p.m.

Chairperson van den Eikhof called the meeting to order at 6:02 p.m. and Commissioner Hughes led the Pledge of Allegiance.

### ROLL CALL

Present: **By Teleconference** - Commissioners Anderson, Hughes, Schmidt, and Chairperson van den Eikhof

Absent: Commissioner Victoria Carranza (excused absence)  
Commissioner Jennifer McIntyre (excused absence)  
Vice Chairperson Tori Keen (*arrived late*)

Vacant: None

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

Staff Present: **By Teleconference** –  
Community Development Director, Phil Dunsmore  
Senior Planner, Kelly Gleason  
Associate Planner, Mariah Gasch

Staff Absent: None

### APPROVAL OF AGENDA

**MOTION:** **By Commissioner Schmidt and seconded by Commissioner Hughes to approve the Agenda.**

***Motion passed 4:0 by a roll-call vote.  
(Commissioner Keen absent)***

### PUBLIC COMMENT

None

***Chairperson van den Eikhof closed the Public Comment period.***

## **CONSENT CALENDAR**

### **1. APPROVE THE DRAFT MINUTES OF OCTOBER 5, 2021**

- **Recommendation:** Commission approve the October 5, 2021 Minutes.

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

***Motion passed 4:0 by a roll-call vote.  
(Commissioner Keen absent)***

## **PLANNING COMMISSION BUSINESS**

None.

## **COMMUNITY DEVELOPMENT STAFF REPORTS**

None.

## **PUBLIC HEARINGS**

### **2. NEW APARTMENT BUILDING 10165 EL CAMINO REAL (CA MANOR II)**

The proposed project includes the construction of a new apartment building with 76 residential units that will be restricted for low-income seniors. The project will also subdivide the property into 2 parcels; the front being 2.83 and the back 1.9-acres. Multiple exceptions to the Municipal Code standards including height, open space, and landscaping reductions are being requested. The project is exempt from the California Environmental Quality Act (CEQA) under Categorical Exemption § 15332, Class 32 In-Fill Development. (DEV21-0045)

## **EX PARTE COMMUNICATIONS**

Chairperson van den Eikhof saw this item at the DRC.

***Vice Chairperson Keen arrived at 6:08 p.m. and stated that she has no ex parte communications.***

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

## **PUBLIC COMMENT**

The following members of the public spoke: Scott Mercer (Project Architect) and Jeri Lynn.

Scott Mercer asked the Commission to remove the requirement for balconies in Condition 23, and to strike Condition 24.

***Chairperson van den Eikhof closed the Public Comment period.***

The Commission deliberated on the item.

***Chairperson van den Eikhof reopened the Public Comment period.***

### **PUBLIC COMMENT**

The following members of the public spoke: Scott Mercer. Scott Mercer addressed questions raised by the Commission and Jeri Lynn.

***Chairperson van den Eikhof closed the Public Comment period.***

**MOTION:** By Vice Chairperson Keen and seconded by Commissioner Schmidt to adopt PC Draft Resolution 2021-0014 approving Conditional Use Permit and Tentative Parcel Map AT21-0014 for the construction of a 76-unit, low-income affordable senior housing apartment building and two-lot subdivision located at 10165 El Camino Real on APN 030-461-044, based on findings and subject to conditions of approval, with the following added conditions:

- **Modify Condition 7 to state that the property owner must provide the City documentation three years after final occupancy verifying that the landscape and vegetation is continuously maintained in a healthy and thriving manner.**
- **Modify Condition 23 to add “no cloth awnings.”**
- **Strike Condition 24.**

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

### **COMMISSIONER COMMENTS AND REPORTS**

None

### **DIRECTOR’S REPORT**

Director Dunsmore gave an update on Senate Bill 9 (lot splits).

Director Dunsmore stated that we do not currently have items ready for the first meeting in December, so that meeting might be cancelled.

**ADJOURNMENT – 8:15 p.m.**

The next regular meeting is scheduled for December 7, 2021, 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***

**Home Depot Center Phase II**  
**TEX 21-0105**  
**940 El Camino Real**  
**(DEV18-0073)**

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

Staff recommends the Planning Commission adopt the Resolution approving a one-year Time Extension (TEX21-0105) for an amendment to the Home Depot Center Master Plan of Development (CUP 2000-0014) to allow a hotel where two retail buildings were previously approved.

### Project Info In-Brief:

<b>PROJECT ADDRESS:</b>	940 El Camino Real	Atascadero, CA	<b>APN</b>	049-045-033 049-045-034 049-045-035
<b>PROJECT PLANNER</b>	Mariah Gasch Associate Planner	470-3434	mgasch@atascadero.org	
<b>APPLICANT</b>	Westar Associates 2925 Bristol Street, Costa Mesa, CA 92626			
<b>PROPERTY OWNER</b>	Atascadero 101 Associates 2925 Bristol Street, Costa Mesa, CA 92626			
<b>GENERAL PLAN DESIGNATION:</b>	<b>ZONING DISTRICT:</b>	<b>SITE AREA</b>	<b>EXISTING USE</b>	<b>PROPOSED USE</b>

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

Commercial Park (CPK)	Commercial Park (CPK) PD-9 Overlay	Appx. 2.25 acres	Vacant retail pads and parking area	131-room hotel
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**DISCUSSION:**

Existing Surrounding Uses / Parcel Configurations:

Existing Zoning		Existing Aerial / Surrounding	
<b>North:</b>	<b>South:</b>	<b>East:</b>	<b>West:</b>
Marriot Hotel RSF-X OS Salinas River	HWY 101 RS RMF-24	Home Depot CPK / PD-9	HWY 101 Graves Creek RS

Background:

The Planning Commission approved Conditional Use Permit DEV18-0073 with Resolution PC 2019-0001 on January 15, 2019. The applicant applied for their first-time extension on November 5, 2020, which expired on January 15, 2022. The applicant applied for a 2nd time extension on December 3, 2021. Consistent with California Government Code 661452.6(e), when an application for a time extension is received, the project is automatically extended for 60 days.



Summary:

The approved Master Plan of Development amendment includes replacing 18,000 square feet of unbuilt retail space with a 4-story, 131-room hotel. Only a conceptual design for the hotel has been provided and approved.

**Current Proposal - Aerial Perspective Looking West**



Analysis:

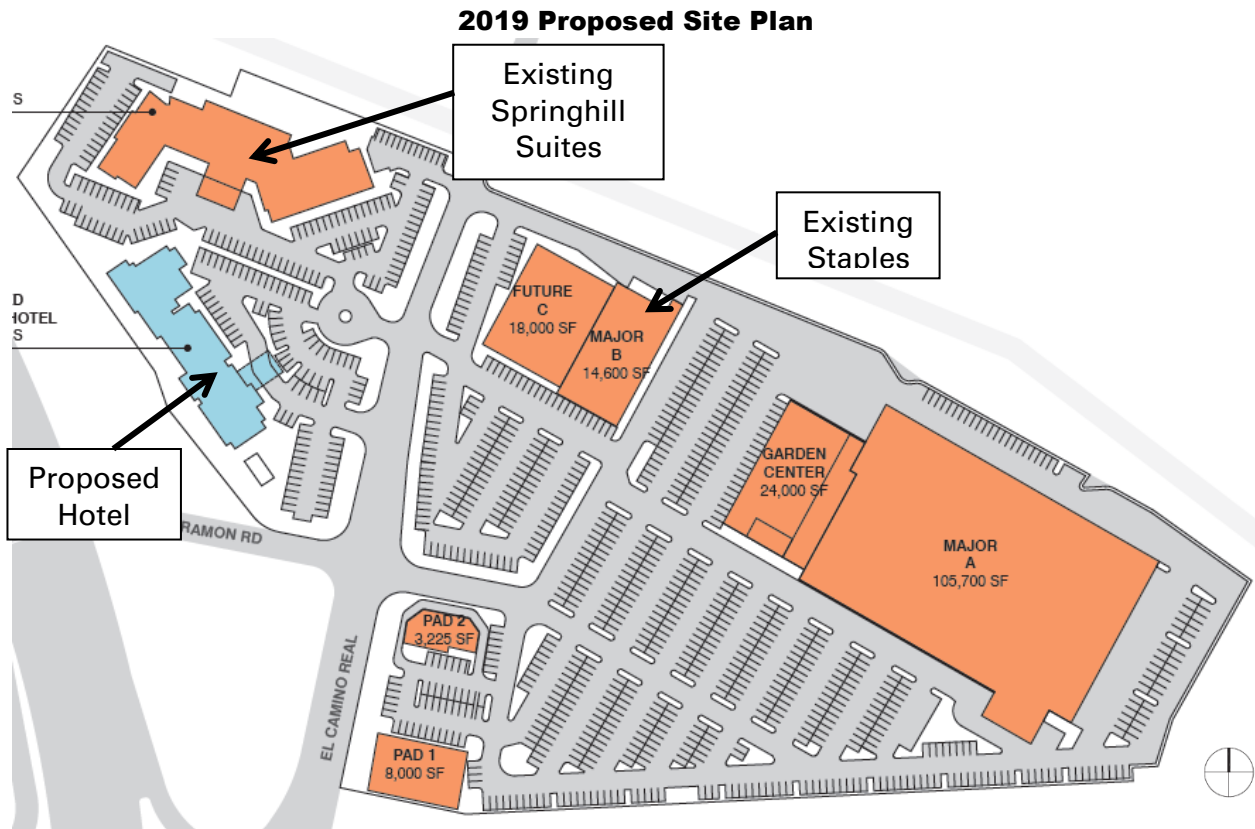
Atascadero Municipal Code Section 9-2.117 allows the Planning Director to grant a one-year extension to the time limit of an entitlement. That first one-year extension was previously granted. The Planning Commission may grant additional extensions after the first extension. The proposed time extension would extend the amount of time the applicant has to satisfy conditions of the Conditional Use Permit. The applicant must apply for a building permit for the hotel structure on or before January 15, 2023, unless an additional time extension has been granted, or the Amendment to the Master Plan of Development shall expire.

The applicant has requested that the entitlement be extended for 3-years due to Covid and the current economic trends impacting lodging uses. However, staff, nor the Planning Commission has the ability to grant an extension that exceeds one year, consistent with Section 9-2.117.

**Simulation of the View from Northbound Highway 101**







## Conclusion

The requested time extension would grant an additional 12-months to apply for building permits for the hotel structure approved through DEV18-0073. There is no limit to the number of extensions that may be granted by the Planning Commission, provided findings are able to be made. No significant factors have changed to warrant reconsideration of project conditions or entitlements. Staff recommends the Planning Commission approve the time extension as requested.

## **FINDINGS:**

To approve Time Extension TEX 21-0105, the Planning Commission must make the following findings. These findings and the facts to support these findings are included in the attached resolution.

### Finding #1

There have been no changes to the provisions of the General Plan or zoning regulations applicable to the project since the approval of the entitlement (AMC 9-2.117(a)(1));

*There have been no applicable changes to the General Plan or zoning regulations since the project was entitled. All conditions of approval and required mitigation*



*measures are to be completed in addition to all applicable zoning requirements and General Plan requirements.*

## Finding #2

There have been no changes in the character of the site or its surroundings which affect how the standards of the General Plan or zoning regulations apply to the project (AMC 9-2.117(a)(2)).

*There has been no new construction within the Master Plan of Development area and very little turnover in tenants. There have been no changes in the character or its surroundings which affect how the standards of the General Plan or zoning regulations apply to the project.*

## ALTERNATIVES:

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

## ATTACHMENTS:

1. Conditions of Approval PC Resolution 2019-0001
2. Draft PC Resolution 2022-A



**ATTACHMENT 1: Conditions of Approval  
TEX 21-0105**

**Conditions of Approval**

***Master Plan of Development***  
***Hotel***  
**940 El Camino Real**  
**DEV18-0073 / TEX21-0105**

1. This Conditional Use Permit shall amend CUP 2000-0014 to allow a hotel use as described in these Conditions of Approval and generally shown in attached Exhibits C D, and E located at 940 El Camino Real, legally described as Parcels 2, 3 and 4 of Lot Line Adjustment ATAL 12-0072 (Certificates of Compliance recorded as Official Records 12-004603, 12-004604, and 12-004605), City of Atascadero, County of San Luis Obispo, State of California, (Assessor's Parcel Numbers 049-045-033, 049-045-034 and 049-045-035), regardless of owner.
2. The approval of this use permit shall become final and effective for the purposes of issuing building permits fourteen (14) days following the Planning Commission approval unless an appeal of the decision is filed as set forth in Section 9-1.111(b) of the Zoning Ordinance.
3. All Conditions of Approval of Planning Commission Resolution 2012-0020 shall remain in effect unless specifically amended or superseded by this resolution. The approval to allow two retail pads on the subject lots shall remain in force as an alternative to the hotel.
4. Ongoing, any increase to the number of hotel rooms, the maximum height of the building, or the addition of exhibit/conference space must be approved by the Planning Commission.
5. Before the project may receive building permits, the site plan, landscape plan, elevations, and signage plan shall be reviewed by the Design Review Committee. The determination of the Design Review Committee shall be binding on the project unless appealed to the Planning Commission.
6. The Community Development Department shall have the authority to approve minor changes to the project that (1) modify the site plan of the project by less than 10%, (2) result in a superior site design or appearance, and/or (3) address a construction design issue that is not substantive to the Conditional Use Permit.
7. Approval of this Conditional Use Permit shall be valid for twenty-four (24) months after its effective date. At that time, the Master Plan of Development shall revert back to the project described in Planning Commission Resolution 2012-0020, unless the project has applied for a building permit for the hotel structure or received a time extension.
8. The owner and applicant shall defend, indemnify, and hold harmless the City of Atascadero or its agents, officers, and employees against any claim or action brought to challenge an approval by the City, or any of its entities, concerning this conditional use permit.
9. The hotel shall be limited to a maximum of 131 bedrooms.
10. All buildings shall be limited to a maximum of 4 above-ground stories and 60 feet in height.
11. To the satisfaction of the Design Review Committee, the architectural style, colors and materials of the hotel shall be compatible with the existing hotel.
12. The owner shall install any new utilities placed for the hotel underground.



13. Before building permits may be issued, the owner shall apply for and record a Lot Line Adjustment so that buildings are not constructed over lot lines. Easements shall be provided for drainage and circulation throughout the subject site as needed.
14. Before building permits may be issued, the owner shall prepare an acoustical analysis of noise received by the project from Highway 101 and other sources. The project shall be designed and constructed so that noise in outdoor activity areas does not exceed 60 dBn or CNEL, and noise indoors does not exceed 45 dBn or CNEL.
15. No new free-standing freeway-oriented signage structures may be erected (no additional pylon signs or pole signs). New sign faces for the hotel may be placed on/in existing pylon structures. Sign faces added to the pylon sign shall not have a white or similar pale-color background.
16. No new free-standing or monument signs may be erected unless the existing monument sign near the intersection of El Camino Real and the first entrance to the center is removed. Any new monument sign may be permitted up to 10 feet in height with 60 sq. ft. of sign area per side. Landscaping shall be installed at the base of the sign. No cabinet signs are permitted on the existing or future monument signs.
17. Wall-mounted signage may be installed on walls of the building that face the freeway, a parking lot, or public street. Each sign shall be proportionate to the size of the wall as determined by the Design Review Committee, not to exceed 1 square foot per linear foot of building frontage. Wall signs shall be made of individual channel letters or be exteriorly illuminated (no internally illuminated cabinet signs permitted).
18. The owner shall provide a minimum of 200 parking spaces within the center on the west side of El Camino Real. The parking spaces may be used in common for the entire center.
19. The owner shall provide and maintain a minimum of 323 parking spaces within 400 feet of the subject property. The parking spaces may be used in common for the entire center.
20. If project uses change from those anticipated by the Trip Generation Analysis prepared by Associated Transportation Engineers on October 18, 2018, then the circulation impacts of the project shall be reanalyzed. Depending on anticipated impacts, signalization of the El Camino Real / San Ramon intersection may be required to be installed by the owner.
21. The owner shall provide an accessible paved sidewalk connection between the front door of the hotel and the parking lot immediately in front of the existing hotel as generally shown in Exhibit D. The design and location shall be to the satisfaction of the Director of Community Development.
22. The owner shall provide an accessible paved sidewalk connection between the front door of the hotel and the El Camino Real sidewalk as generally shown in Exhibit D. The design and location shall be to the satisfaction of the Director of Community Development.
23. The owner shall provide crosswalk striping, signage and/or lighting to the satisfaction of the City Engineer across El Camino Real at the intersection with the second driveway into the center as generally shown in Exhibit D.
24. The owner shall provide an internal paved pedestrian/bicycle connection to the public bicycle path located along the southwest side of the property between the two hotels as generally shown in Exhibit D. The design and location of the connection shall be to the satisfaction of the Director of Community Development and the City Engineer.
25. A minimum 10-foot wide landscaped setback shall be maintained between the public bicycle path and the rear of the hotel and/or any fencing or walls in proximity to an outdoor swimming pool/recreation area.
26. No fence or wall shall be placed between the hotel and the public bicycle path except in proximity to an outdoor swimming pool/recreation area to the satisfaction of the Design Review Committee.
27. The landscape plan shall include trees with an expected height of approximately 20 feet on both sides of the bicycle path at a rate of 30 feet on center.



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|--|
| 28. All landscape areas shall be maintained in good condition in perpetuity and dead or damaged/diseased landscape shall be replaced with like species.  |
| 29. No growth control agents shall be applied to landscape trees.  |
| 30. Tree canopy trimming shall preclude trimming of primary leader branches on trees. Trees shall be pruned and trained to reach natural height, while thinning overall canopy for balance and maintenance.  |
| 31. A Preliminary Storm Water Control Plan (PSWCP) must be submitted and shall be prepared in accordance with the State regulations (Regional Water Quality Control Board Res. No. R3-2013-0032). The PSWCP shall be completed using the City standard form available from the Building Permit Counter and shall include a preliminary hydrology report. The preliminary hydrology report shall be prepared and submitted for review and approval by the City Engineer. The analysis shall indicate the effects of the proposed development on adjacent and downstream properties. The scope of the study shall include analysis of all existing public and private drainage infrastructure between the subject property and an adequate point of discharge. Storm water detention or retention facilities will be required. Detention or retention facilities and associated drainage improvements shall be privately owned and maintained by the property owner. |





**ATTACHMENT 2: Draft Resolution  
TEX 21-0105**

**DRAFT PC RESOLUTION 2022-A**

**A RESOLUTION OF THE PLANNING COMMISSION OF  
THE CITY OF ATASCADERO, CALIFORNIA, APPROVING A ONE-YEAR TIME  
EXTENSION (TEX 21-0105) FOR HOME DEPOT CENTER PHASE II  
ON APN 049-045-033, 049-045-034, and 049-045-035**

**WESTAR ASSOCIATES  
940 EL CAMINO REAL**

**WHEREAS**, an application has been received from Westar Associates (Owner), 2925 Bristol Street, Costa Mesa, CA 92626 to consider a second one-year time extension for an amendment to the Home Depot Center Master Plan of Development (CUP 2000-0014) to allow a hotel where two retail buildings were previously approved. (APN 049-045-033, 049-045-034); and

**WHEREAS**, the Planning Commission approved an amendment to the Master Plan of Development (DEV18-0073) on January 15, 2019; and

**WHEREAS**, the applicant was granted a one-year administrative time extension on December 3, 2020 extending the expiration date of the entitlement to January 15, 2022; and

**WHEREAS**, the applicant has requested a second one-year time extension for the amendment to the Home Depot Center Master Plan of Development (CUP 2000-0014) to allow a hotel where two retail buildings were previously approved, consistent with Atascadero Municipal Code Section 9-2.117; and

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

**SECTION 1. Findings for approval of Time Extension.** The Planning Commission finds as follows:

1. There have been no changes to the provisions of the General Plan or zoning regulations applicable to the project since the approval of the entitlement;
2. There have been no changes in the character of the site or its surroundings which affect how the standards of the General Plan or zoning regulations apply to the project.

**SECTION 2. Approval.** The Planning Commission of the City of Atascadero, California does hereby approve a one-year time extension of the amendment to the Master Plan of Development (DEV18-0073), to extend the expiration date to January 15, 2023.



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

AYES: ( )

NOES: ( )

ABSTAIN: ( )

ABSENT: ( )

ADOPTED:

CITY OF ATASCADERO, CA

\_\_\_\_\_  
Jeff van den Eikhof  
Planning Commission Chairperson

Attest:

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





# ***Atascadero Planning Commission***

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

**Tentative Parcel Map  
 TEX 21-0108  
 11885 Halcon Road  
 (AT 18-0123 / SBDV 18-0092)**

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

Staff recommends the Planning Commission adopt the Resolution approving a two-year Time Extension (TEX21-0108) for Tentative Parcel Map AT18-0019, a 3-parcel residential subdivision.

#### Project Info In-Brief:



<b>PROJECT ADDRESS:</b>	11885 Halcon Road	Atascadero, CA	<b>APN</b>	045-401-014
<b>PROJECT PLANNER</b>	Bailey Sullivan Assistant Planner	470-3404	bsullivan@atascadero.org	
<b>APPLICANT</b>	Leaha Magee, MBS Land Surveys, 3559 S. Higuera St. SLO, CA 93401			
<b>PROPERTY OWNER</b>	Michael and Laura Joy, 11885 Halcon Rd. Atascadero, CA 93422			
<b>GENERAL PLAN DESIGNATION:</b>	<b>ZONING DISTRICT:</b>	<b>SITE AREA</b>	<b>EXISTING USE</b>	<b>PROPOSED USE</b>
Single-Family Residential (SFR-Y)	Residential Single-Family (RSF-Y), Planned Development #33	5.03 acres	Single-Family Residential	3 lot Subdivision

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

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

**DISCUSSION:**

Existing Surrounding Uses / Parcel Configurations:

Existing Zoning		Existing Aerial / Surrounding	
			
North:	South:	East:	West:
Single-Family Residential (RSF-Y)	Single-Family Residential (RSF-X)	Single-Family Residential (RSF-Y)	Recreation (L)

Background:

The Planning Commission approved Tentative Parcel Map AT 18-0123 (SBDV18-0092) with Resolution PC 2018-0033 on December 4, 2018. The applicant applied for their first-time extension on October 6, 2020, which set the map expiration to December 4, 2021. The applicant contacted the City for a Time Extension on December 1, 2021. Consistent with California Government Code 661452.6(e), when an application for a time extension is received, the map is automatically extended for 60 days.

Summary:

The approved tentative map consists of a proposal to subdivide one (1) existing parcel (5.03 acres) into three (3) lots. The building envelopes are as follows: parcel one at 1.04 acres in size, parcel two at 1.11 acres in size, and parcel three at 2.88 acres in size. Building envelopes have been established specific to each parcel per the provisions of the Atascadero General Plan. Any new development would have to occur within these envelopes. No development is proposed at this time.

Analysis:



The Subdivision Map Act mandates an initial two-year life for a tentative map. The City may extend or continue to extend, in increments up to 2 years, the time at which the map expires for a period of periods not to exceed a total of six (6) years. The Planning Commission has discretion on whether they want to extend the map, or defer the decision to the City Council. The proposed time extension would extend the amount of time the applicant has to satisfy conditions of the tentative map and request acceptance of the parcel map from the Planning Commission. With approval of this extension, the parcel map must be accepted by the Planning Commission on or before December 9, 2023, unless an additional time extension has been granted, or the map approval shall expire.

### Conclusion

The requested time extension would grant an additional 24-months to record Tentative Parcel Map AT 18-0123. The applicant is currently working with an engineer to develop plans for public improvements on the private access easement for the project to ensure that the easements shown on the map can accommodate future construction of the planned cul-de-sac. No significant factors have changed to warrant reconsideration of project conditions or entitlements. Staff recommends the Planning Commission approve the time extension as requested.

### **FINDINGS:**

To approve Time Extension TEX 21-0108, the Planning Commission must make the following findings. These findings and the facts to support these findings are included in the attached resolution.

#### Finding #1

There have been no changes to the provisions of the General Plan or zoning regulations applicable to the project since the approval of the entitlement (AMC 9-2.117(a)(1));

*There have been no applicable changes to the General Plan or zoning regulations since the project was entitled. All conditions of approval and required mitigation measures are to be completed in addition to all applicable zoning requirements and General Plan requirements.*

#### Finding #2

There have been no changes in the character of the site or its surroundings which affect how the standards of the General Plan or zoning regulations apply to the project (AMC 9-2.117(a)(2)).

*The applicant is working with City staff and a new engineer to have their grading plan endorsed in order to ensure that all subdivision improvements can be constructed. No new structures have been constructed on the surrounding properties adjacent to the subject properties. There have been no changes in the*



*character or its surroundings which affect how the standards of the General Plan or zoning regulations apply to the project.*

## **ALTERNATIVES:**

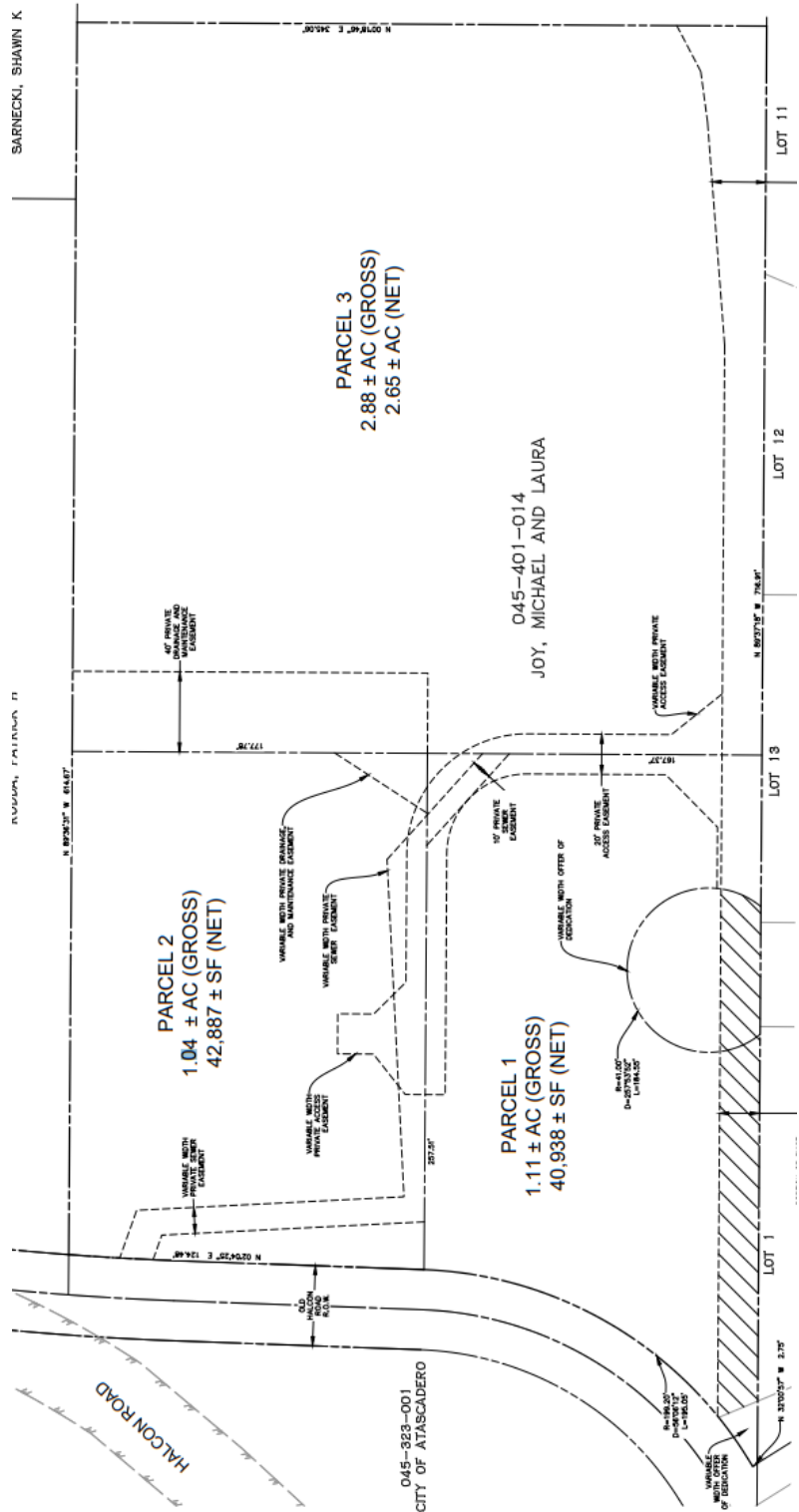
1. The Planning Commission may include modifications to the project and/or conditions of approval for the project. Any proposed modifications including conditions of approval, should be clearly re-stated in any vote on any of the attached resolutions.
2. The Planning Commission may determine that more 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. Tentative Map AT 18-0123
2. Conditions of Approval PC Resolution 2018-0033
3. Draft PC Resolution 2022-A



**ATTACHMENT 1: Tentative Map AT 2018-0123  
 AT 18-0123 / TEX 21-0108**



**ATTACHMENT 2: Conditions of Approval**  
**AT 18-0123 / TEX 21-0108**

<b>Conditions of Approval</b>	<b>Timing</b>
<p><b><i>Tentative Parcel Map</i></b>  <b>11885 Halcon RD</b>  <b>SBDV 18-0092 / AT 18-0123</b></p>	<p>FM: Final Map            BP: Building Permit            FO: Final Occupancy</p>
<b>Planning Services</b>	
1. The appeal period is fourteen (14) days following the Planning Commission approval as set forth in Section 9-1.111(b) of the Zoning Ordinance.	<b>Ongoing</b>
2. Approval of this Tentative Parcel Map shall be valid for a period of twenty-four (24) months and shall expire no sooner than <b>December 4, 2020</b> , consistent with Section 66452.6(a)(1) of the California Subdivision Map Act.	<b>FM</b>
3. The Community Development Department shall have the authority to approve minor changes to the project that (1) result in a superior site design or appearance, and/or (2) address a construction design issue that is not substantive to the Tentative Parcel Map.	<b>FM</b>
4. The Subdivider shall defend, indemnify, and hold harmless the City of Atascadero or its agents, officers, and employees against any claim or action brought to challenge an approval by the City, or any of its entities, concerning the subdivision.	<b>Ongoing</b>
5. The Subdivider shall pay all applicable Quimby Act fees to the City in accordance with the fee schedule and policies in effect at the time of subsequent applications.	<b>FM</b>
6. The access easement serving parcel 045-401-013 to the east shall be a minimum of 25-feet in width and shall be demonstrated at final map that a 20-foot paved road with 2 foot shoulders can be accommodated.	<b>FM</b>
7. A biology report will be required to be submitted with any residential building permit where construction will take place during the spring months.	
8. Trees shall be installed along the Halcon Rd frontage concurrently with any building permit for a residence on proposed Parcel 1 and 2. Trees shall be a maximum of 35-feet on center. Natural tree groupings shall be permitted provided no less than the number of trees required at a 35-foot spacing are installed.	
9. Affordable Housing Requirement: The applicant shall submit a payment of 5% of the building valuation for each residential unit to be placed into the City's inclusionary housing fund. Payment shall be required prior to building permit issuance.	
10. The emergency services and facility maintenance costs listed below shall be 100% funded by the project in perpetuity. The service and maintenance costs shall be funded through a community facilities district established by the City at the developer's cost. The funding mechanism must be in place prior to or concurrently with acceptance of the final maps. The funding mechanism shall be approved by the City Attorney, City Engineer and Administrative Services Director prior to acceptance of any final map. The administration of the above mentioned funds shall be by the City. Developer agrees to participate in the community facilities district and to take all steps reasonably required by the City with regard to the establishment of the district and assessment of the property.	
<ul style="list-style-type: none"> <li>▪ All Atascadero Police Department service costs to the project.</li> </ul>	





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



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



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



<b>Conditions of Approval</b>	<b>Timing</b>
<p><b><i>Tentative Parcel Map</i></b>  <b>11885 Halcon RD</b>  <b>SBDV 18-0092 / AT 18-0123</b></p>	<p>FM: Final Map  BP: Building Permit  FO: Final Occupancy</p>
<ol style="list-style-type: none"> <li>2. Each lot shall be served with a separate water lateral and meter in accordance with the AMWC requirements.</li> <li>3. Where the water distribution system requires an above ground reduced pressure unit, pressure booster station or other significant above ground facility, said facility shall be located in an easement contiguous to the road right-of-way and shall include visual screening, to the satisfaction of the AMWC, Community Development Director, and City Engineer.</li> <li>4. Fire hydrant locations shall be to the satisfaction of the Fire Marshall.</li> </ol>	
<p><b>WASTEWATER</b></p> <ol style="list-style-type: none"> <li>1. Each lot shall be provided a separate sewer lateral to the public sewer main in Halcon Rd in accordance with City Standard Specifications and Drawings. Easements may be required wherever lateral(s) cross adjacent lots.</li> </ol>	<b>BP</b>
<p><b>UTILITIES</b></p> <ol style="list-style-type: none"> <li>1. Each lot shall be served with separate services for water, sewer, gas, power, telephone and cable TV. Utility laterals shall be located and constructed to each lot in accordance with City Standard Specifications and Drawings.</li> </ol>	<b>BP</b>



**ATTACHMENT 3: Draft Resolution  
AT 18-0123 / TEX 21-0108**

**DRAFT PC RESOLUTION 2022-A**

**A RESOLUTION OF THE PLANNING COMMISSION OF  
THE CITY OF ATASCADERO, CALIFORNIA, APROVING A TWO-YEAR TIME  
EXTENSION (TEX 21-0108) FOR AT18-0123  
ON APN 045-401-014**

**JOY  
11885 HALCON ROAD**

**WHEREAS**, an application has been received from Michael and Laura Joy (Owner), 11885 Halcon Rd., Atascadero, CA 93422 to consider a two-year time extension for Tentative Parcel Map AT 18-0123 at 11885 Halcon Rd (APN 045-401-014); and

**WHEREAS**, the Planning Commission approved Tentative Map AT 18-0123 on December 4, 2018; and

**WHEREAS**, the applicant was granted a one-year administrative time extension on October 23, 2020 extending the expiration date of the map to December 4, 2021; and

**WHEREAS**, the applicant has requested a two-year time extension for the Tentative Map, consistent with Atascadero Municipal Code Section 11-4.23 and California Government Code §66452.6; and

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

**SECTION 1. Findings for approval of Time Extension.** The Planning Commission finds as follows:

1. There have been no changes to the provisions of the General Plan or zoning regulations applicable to the project since the approval of the entitlement;
2. There have been no changes in the character of the site or its surroundings which affect how the standards of the General Plan or zoning regulations apply to the project.

**SECTION 2. Approval.** The Planning Commission of the City of Atascadero, CA does hereby approve a two-year time extension of Parcel Map AT 18-0123 (SBDV 18-0092), to extend the expiration date to December 9, 2023.



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

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

CITY OF ATASCADERO, CA

\_\_\_\_\_  
Jeff van den Eikhof  
Planning Commission Chairperson

Attest:

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

