Atascadero Planning Commission

Staff Report - Community Development Department
Alfredo R. Castillo, AICP, Planner, (805) 470-3436, acastillo@atascadero.org

PLN 2016-1597
2535, 2605, 2705 El Camino Real
Emerald Ridge Apartments
(RRM Design Group / LDC Commercial, Inc.)

SUBJECT:
The proposed project consists of an application for a Conditional Use Permit (CUP) and Tree Removal Permit (TRP) to construct a 208-Unit apartment complex on 7.5 acres. The applicant is requesting up to a 15% density bonus consistent with the City’s General Plan Policy 2.1.2, which allows for additional residential units beyond the maximum density for “exceptionally high design quality.”

RECOMMENDATION:
Staff Recommends the Planning Commission adopt:

1. Draft Resolution PC 2016-A certifying Mitigated Negative Declaration 2016-0003;
2. Draft Resolution PC 2016-B, approving TRP 2016-0200, permitting the removal of up to 80 coast live oak native trees for the construction of a proposed 208-unit multi-family development;

Staff and the Design Review Committee Recommends Planning Commission:
3. Adoption of Draft Resolution PC 2015-C, approving Conditional Use Permit (CUP) 2016-0298 for the construction of a multi-family apartment complex and approving a 15% density bonus, based on findings, allowing an additional 27 units above the maximum allowed density in the RMF-20 zone, for a total of 208 residential units.

Situation and Facts:

1. Applicant: RRM Design Group
   3765 S. Higuera St. #102, San Luis Obispo, CA 93401

2. Owners: LDC Commercial, Inc.
   PO Box 2003, Monterey, CA 93942-2003
3. Project Address: 2535, 2605, 2705 El Camino Real, Atascadero, CA 93422 (San Luis Obispo County) APN 049-151-009, 011, 063

4. General Plan Designation: High Density Residential (HDR)

5. Zoning District: Residential Multi-family (RMF-20)

6. Site Area: 7.5 acres

7. Existing Use: Existing Colony Home / Vacant

8. Environmental Status: Proposed Mitigated Negative Declaration 2016-0003

DISCUSSION:
Background:
The proposed project is located along El Camino Real between San Benito Road and Madera Place and is less than ½ mile from the Del Rio Road / El Camino Real regional marketplace (Walmart / Annex). Emerald Ridge was originally approved in 2004 as a 45-unit attached multi-family condominium project and was granted a density bonus for “high quality architectural design”, consistent with the adopted 2002 General Plan. In 2005, additional phases were approved and proposed architecture was revised. A total of 132 units were approved. This approval expired in May of 2016. Due to changing market conditions, the applicant and their design team have revised the original project to incorporate the City’s increased density within the High Density Residential (HDR) / Residential Multi-Family zone. This zone formerly allowed up to 16 units per acre with no minimum lot size and now allows for up to 24 units per acre. Additionally, as with the previously approved project, the applicant is seeking a density bonus for “exceptionally high quality design”, consistent with the City’s General Plan Policy 2.1.2. This density bonus does not require a dedication for “affordable housing”, instead it is a policy incentive for developers to bring forth high quality residential design that can be used as a model for similar development throughout the City. The density bonus that they are seeking would allow 208 units where 181 units would be allowed. It is important to note that this site would allow up to only 165 units without the density bonus if the applicant where to include the local road connection since the road portion (approximately 0.7 acres) would be excluded from density calculations. However the applicant has worked with Staff and included this road connection as a part of the project scope knowing the significance of this future roadway connection to support both residential and commercial properties.

This site has been identified by the City’s General Plan and Housing element as one of the suitable locations for high density housing. The applicant is not proposing to
subdivide for ownership and instead intends to develop the project as rental housing over three (3) phases.

**Surrounding Land Use and Setting:**

<table>
<thead>
<tr>
<th>North</th>
<th>South</th>
<th>East</th>
<th>West</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential Suburban (RS)</td>
<td>El Camino Real / Commercial Park (CPK)</td>
<td>Residential Suburban (RS)</td>
<td>Residential Multi-Family (RMF-20)</td>
</tr>
</tbody>
</table>

\[Image: Aerial Photo of the proposed site with surrounding land use and setting information.\]
DRC Review
The Design Review Committee reviewed the proposed project on August 24, 2016 and on September 28, 2016 for architectural design, landscape, and site planning. Concerned residents attended the meetings and provided input for the DRC’s consideration. The DRC provided comments to the applicant team and ultimately recommended approval of the proposed project to the Planning Commission with the following recommendations:

- The applicant should show parking consistent with the Americans with Disabilities Act and California Building Code (COA #22);
- The applicant must provide City Staff with a parking management plan for each phase of the project (COA #19);
- Direct City Staff to utilize parking along proposed “Street B” as guest parking to count towards meeting the project’s parking requirement.

The DRC is recommending to the Planning Commission conditional approval of the proposed site plan, as well as, recommending that the Commission adopt findings that the proposed project is of “high quality architectural design” based on the submitted architectural elevations, floor plans, and proposed color scheme and finishes.

Analysis

Site Plan
The proposed project’s originally approved site plan, as amended, included two (2) vehicle access points off of El Camino Real, extensive grading with the use of retaining walls, and minimal open space. The applicant did not move forward with the originally approved project due to costs, as well as the economic downturn. The applicant has chosen to re-design the project into a multi-family apartment complex versus for sale air-space condos.

During this time period, Staff was processing the Del Rio Road Commercial Area Specific Plan. As a part of this work effort, the Public Works Department developed a conceptual access plan for a proposed new collector road that would need to be constructed with the Specific Plan and a preliminary circulation plan for the neighborhood between the eastern boundary of the Specific Plan and San Benito Road. This preliminary circulation plan (shown as “A” street in the exhibit below) depicted how the future collector road could provide connectivity to future potential development areas. This circulation plan has not been adopted by the City, but has been used as a guide for future development. The portion of the “A” street identified within the Wal-Mart site is identified on their tentative map and has been named “Gran Mercado.”
With the preliminary circulation route and the ability to obtain higher densities, the applicant is proposing a new site plan that incorporates a key future connection to this neighborhood (Street B). It is likely to reduce the cost of the original project by minimizing grading and the use of retaining walls, and maximizing density as allowed in the RMF-20 zone. The applicant is proposing to shift “Street B” over to the edge of their property and stub the street for future connection. Because of this design change, the applicant lost the ability to accommodate additional parking. To rectify this, the applicant is providing parallel parking areas (31 spaces total) to assist with the parking demand of the proposed project. The DRC has directed Staff to include this parking as a part of its on-site parking calculation. Street B will be a critical future link to not only this project, but potential future circulation of the neighborhood.

The proposed project consists of two (2) legal lots and one (1) remainder parcel on 7.55 acres. The site contains one existing Colony House which is located at 2605 El Camino Real. Currently the site contains site plan includes the following:
- Construction of 6 separate apartment buildings completed in three (3) separate phases;
- Three (3) buildings, three-stories each, with a mix of one bedroom apartment units and two (2) bedroom attached townhome units;
- Three (3) buildings, four-stories each, with a mix of one bedroom apartment units and two (2) bedroom attached townhome units;
- Reuse of historic colony home into a clubhouse for private use of residents;
- Recreational amenities including community pool, BBQ area and tot lot;
- Dedication and Construction of a new street “B” for future connection into Gran Mercado (Del Rio Road Specific Plan);
- Revision to recreation amenities including a new proposed dog run;
- Proposed pedestrian amenities and walkways;
- On-Site parking demand met consistent with City Code;
- Use of solar panels on carports;
- Proposed improvements along El Camino Real.

Proposed Site Plan
Two (2) sidewalk access paths from the proposed sidewalk along El Camino Real are proposed. While these are key components, Staff is recommending two (2) additional connections to the El Camino Real proposed sidewalk to facilitate better transit uses, active transportation, and reduction of Vehicle Miles Traveled (VMT) and Greenhouse Gas (GHG) emissions. Also, staff is concerned that people will shortcut through the landscape if these paths are not provided. There are grade changes that may make this infeasible such as American with Disability Act (ADA) switchbacks and other improvements may be necessary that add additional costs, so staff has included qualifiers that this may be waived.

Based on the AMC Section 9-3.252(b), the **Minimum** number of units allowed on-site is 150 units with a **Maximum** of 181 units on-site. The applicant is proposing a total of 208 units, or 28 units per acre, which is 4 more units per acre that the maximum density allowed. The applicant is requesting that the Planning Commission grant a 15% density bonus consistent with General Plan Policy 2.1.2 which allows for such a bonus for exceptionally high quality architectural design.

The applicant is proposing improvements to be completed in phases. The following is a program for improvements for the proposed project:

- Phase 1: 70 units, project entry monument signage, proposed Street B improvements; carports;
- Phase 2: 70 units, additional on-site parking; El Camino Real improvements, colony house refurbishment, tot-lot area, carports;
- Phase 3: 68 units, common pool area and recreational area, parking and carport area, final El Camino real improvements.

**Proposed Phase Plan**
Parking
The Atascadero Municipal Code requires projects to provide off-street parking. For multi-family residential projects, the code has minimum parking standards for the number of parking spaces per bedroom, for guests, and the number of covered versus uncovered spaces. The code also has the ability to reduce parking requirements by adding bicycle racks and motorcycle parking (AMC 9-4.115 (a)-(c)). The following are the parking requirements for consistency with the Atascadero Municipal Code:

<table>
<thead>
<tr>
<th>Unit Types</th>
<th>Number of Units</th>
<th>Typical Parking Requirement - AMC</th>
<th>Parking Spaces Needed- AMC</th>
<th>Provided Spaces On-Site</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 bedroom unit</td>
<td>72</td>
<td>1.5 spaces per unit</td>
<td>108 spaces</td>
<td>98 uncovered spaces</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>247 Covered Spaces</td>
</tr>
<tr>
<td>2 bedroom unit</td>
<td>136</td>
<td>2 spaces per unit</td>
<td>272 spaces</td>
<td>11 uncovered guest spaces</td>
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<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>31 uncovered guest spaces (Street B)</td>
</tr>
<tr>
<td>Guest Spaces</td>
<td>1 per 5 units</td>
<td></td>
<td>42 spaces</td>
<td></td>
</tr>
<tr>
<td>Motorcycle Parking</td>
<td>1 motorcycle</td>
<td></td>
<td>-21 spaces</td>
<td></td>
</tr>
<tr>
<td>Substitution</td>
<td>space per 20</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>spaces</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bicycle Parking</td>
<td>1 bicycle rack</td>
<td></td>
<td>-21 spaces</td>
<td></td>
</tr>
<tr>
<td>Substitution</td>
<td>per 20 spaces</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total Number of Parking Spaces Required under AMC</strong></td>
<td><strong>380 spaces</strong></td>
<td></td>
<td><strong>401 spaces provided</strong></td>
<td></td>
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</table>

The applicant has met the required number of parking spaces through the inclusion of 31 guest parking spaces on Street B, which has been conditioned to be dedicated as a public street (COA #11/32). The applicant has worked with City Staff to include this vital neighborhood circulation route that has been preliminarily outlined. If Street B were not included, this project would likely meet both maximum density and minimum parking standards. Because the proposed project deviates from how parking is calculated through the municipal code, AMC section for 9-4.115 allows for the Planning Commission to modify parking standards through the conditional use permit process through specific findings.


(h) Planning Commission Modification. The parking standards of this title may be modified through conditional use permit approval based upon specific findings of fact that the characteristics of a use or its immediate vicinity do not necessitate the number of parking spaces, type of design, or improvements required by this title and that reduced parking will be adequate to accommodate on the site all parking needs generated by the use.
Staff supports the parking exception to allow off-site guest parking and tandem parking since the proposed project is along a major transit line for regional transit and is located less than ½ mile away from the Del Río Road Commercial Area Specific Plan, which has been identified as a major commercial node. Additionally, the project provides significant neighborhood benefits with the proposed street connection.

Proposed Architectural Elevations / Colors / Materials
The applicant has substantially revised the elevations to accommodate the additional density, as well as meet the superior architecture for potential density bonus. The proposed architecture has been inspired by the existing colony home on-site, as well as the dominate craftsmen style architecture predominately found in colony homes. The proposed architecture includes:

- Use of hardy plank cement board (faux-wood)siding on some elevations;
- Craftsman style gables and pop-outs that complement the existing colony house;
- Varying roof elevations and heights;
- Use of topography to reduce grading and step elevation architecture to mask elevation heights and density;
- Use of varied colors and stone veneer to provide a variation in elevations;
- Enhanced architecture elevations along El Camino Real to provide a sense of place.
- On-site preservation and adaptive re-use of the existing Colony House.

The applicant is proposing six (6) buildings total with three or four stories. The use of existing grades help mask building heights through the use of sub floors, and step construction to provide the project an appearance of reduced massing and scale. Through this methodology of design, coupled with the use of varying roof elevations, gables, and pop-outs, the architecture of the proposed project to reduces the mass and gives the appearance of lower density. The applicant is also preserving the existing colony house for use as a common area and updating the exterior porch for consistency with the craftsmen theme.

The maximum building height in the RMF-20 zone is limited to two (2) stories in height, as well as 30-feet maximum, as measured from finished grade. The average building height of all the buildings within the proposed development is approximately 36.5-feet, with building 3-A containing the maximum building height of 46-feet from finished grade. The City’s fire department and building department has reviewed the proposed building elevations and has determined that the elevation will not exceed the lifesaving equipment capabilities. The Planning Commission may waive the height requirement consistent with the following:
Atascadero Municipal Code – Height Waiver section 9-4.113(b)

(b) Exceptions to Height Limitations.

(1) Planning Commission Waiver. The height limitations of this section may be modified through conditional use permit approval, provided the Planning Commission first finds the project will not result in substantial detrimental effects on the enjoyment and use of adjoining properties and that the modified height will not exceed the lifesaving equipment capabilities of the Fire Department.

Staff has included the required findings for this Planning Commission modification in the findings, as well as a part of draft PC Resolution 2016-C.

Building Elevation – Prototype A

Building Elevation – Prototype B
High Quality Architectural Design Density Bonus
The applicant is requesting an additional 27 units through the General Plan Density Bonus for high quality architecture above the maximum allowed units for the RMF-20 zone (181 units) for a total of 208 units in the proposed project. General Plan Policy 2.1.2 states the following:

General Plan Policy 2.1.2
Develop standards and procedures to allow the Planning Commission to grant up to a 15% density bonus for attached multi-family projects of exceptionally high design quality through the Conditional Use Permit process.

The City has approved three (3) density bonuses for high quality architecture:

- Las Lomas / Woodridge Specific Plan, including multi-family housing component;
- Dove Creek;
- The Originally approved Emerald Ridge Townhomes / Condos.

Las Lomas Apartment
This density bonus is for exceptionally high quality design, and is not connected to affordable housing. This is a discretionary action that the Planning Commission may grant to the applicant and has been included as a General Plan policy as a tool to encourage high quality, innovative design in the City's multi-family projects. The dedication of the road should be considered part of the quality design contribution to the neighborhood and a significant reason to support the density bonus as proposed. Additionally, the preservation and re-use of the colony house on this site should be viewed as a contribution to the quality of this project. Projects that are granted this type of density should be viewed as “standard bearers” for future projects that are similar in density.

When Staff reviews such requests, it takes the following into consideration:
1. Utilizes high quality materials and finishes through all four sides of the building(s) located on-site;
2. The project uses reduction of massing and other techniques to reduce appearance of bulk, and density;
3. Use of varied rooflines, pop-outs, architectural appendages and other elements that create visually appealing projects;
4. Use of architectural materials appropriate with the vernacular of the architectural theme.
5. Significant contributions to the community such as a park, historic preservation, or road dedications.

Proposed Architectural Elevations – Renderings
The proposed project includes the following “high quality” design features:

- Use of high quality materials such as brick veneer, stone veneer, siding, and other finishes consistent with the California Craftsman architectural style that is on-site on all four sides of the building;
- The proposed project utilizing massing, coupled with grading techniques to reduce bulk and the apparent density of the project with the appearance of large lot homes instead of typical apartment style homes;
- The proposed project utilizes varies roof line types, pop-outs, eve brackets, exposed rafter tails, and other architectural features that enhance the California Craftsman style of architecture and create a visually appealing project from the City’s major arterial, El Camino Real;
- The proposed project incorporates materials consistent with the California Craftsman style of architecture;
- The proposed project include rehabilitation and re-use of a historic colony house and integrates this as a “clubhouse”, as well as, takes design cues from the existing colony house that compliments the overall development. Additionally, the proposed project includes a critical roadway connection to the future Gran Mercado collector road.

Staff has included specific findings for the high quality architectural bonus as a part of Draft Resolution PC 2016-C.

**Landscape Design**

The applicant has submitted a proposed landscaping plan. The applicant is preserving existing large and matures oaks that are located near the proposed clubhouse and recreation area, and along El Camino Real. The applicant is proposing significant landscaping along El Camino Real, the proposed pedestrian entry, and along future Street B.

The applicant is proposing landscaping that includes drought tolerant planting plan for the buildings and areas open space areas. A condition has been added requiring the applicant to enter into a water wise program or similar program offered by the Atascadero Mutual Water Company. The proposed landscaping plan is consistent with the City’s water efficient landscaping.

**Wastewater and Utilities**

Sanitary sewer will be connected to existing sewer facilities. Sanitary sewer will be connected to existing sewer facilities within the El Camino Real right-of-way. The Wastewater Treat Plant and the City collection system have sufficient capacity to handle the proposed additional effluent. The Atascadero Municipal Water Company (AMWC) has reviewed the proposed project and provided comments in regards to this project.
Stormwater Drainage
The proposed project conforms with Post-Stormwater Construction requirements established by the Central Coast Regional Water Quality Control Board (RWQCB). The applicant is proposing to meet stormwater and drainage requirements through the use of on-site storm water detention and filtration chambers located under portions of the parking lot and water quality treatment areas located along El Camino Real and the recreation area near the clubhouse. The project has been conditioned to meet both the City and RWQCB rules and requirements.

Native Tree Removal
The project site includes over 119 native coast live oaks on-site. The applicant is proposing to preserve at least 19 native trees. The applicant is proposing removal of 689-inches DBH of Coast Live Oak. The majority of the trees that are proposed to be removed include small native trees that are within building footprints, driveways, and within the designated bio-swales needed to comply with State mandated stormwater drainage regulations. The average size of the trees proposed for removal is 8.6 inches in diameter, with many of the mature trees being preserved on-site. The City’s tree removal ordinance requires tree removal permits and mitigation for all native evergreen trees greater than 4-inches in diameter.

The Applicant is required to pay $11,483.33 into the tree fund or replant 230 five-gallon native trees. A combination of mitigation fees and replanting is also available. Final mitigation fees based on re-plantings will be calculated as a part of a building permit submittal for on-site improvements.

Circulation
Circulation system upgrades are a key component of this project. This includes construction of the proposed new “Street B” which will allow for a future connection to “Street A” in the preliminary circulation concept. With the improvement plans submitted by the future Walmart store as a part of the Del Rio Road Commercial Area Specific Plan, the applicant has re-designed their project to incorporate Street “B” with a future connection to the new collector Road, Gran Mercado (Street “A”).

A traffic impact report was completed in conjunction with the Mitigated Negative Declaration. This traffic impact report indicated that with the completion of the project, the intersection of Del Rio Road and El Camino Real will operate at acceptable Levels of Service (LOS) consistent with the City’s General Plan. The analysis assumed the completion of the roundabout at EL Camino and Del Rio which is currently being developed by the Wal-Mart project.

The traffic study also evaluated the intersection of San Benito Road and EL Camino Road and found that this will remain at LOS “A” following project completion. However, the LOS for El Camino Real and Del Rio Road is expected to drop to a level “C” operation in the cumulative scenario (the proposed project plus all additional growth anticipated by the City’s General Plan such as Wal Mart, the Annex project and assuming all area properties are completely developed). Even with this drop in service
operation, the anticipated LOS still meets the City’s current General Plan standard for acceptable traffic volumes.

**Del Rio Road / El Camino Circulation**
The traffic study indicated that the following would need to be implemented to reduce traffic impacts created by the proposed development:

- A new Southbound left turn lane on El Camino Real at future Street B will be warranted under future plus project traffic volumes;
- Contribution of City Wide Traffic Impact Fee program for 181 units.

Additional traffic impacts will be created at the Del Rio Road / US 101 interchange, specifically for vehicle queue lengths that already exceed available storage. With no adopted additional mitigation fee for the Del Rio Road / US 101 interchange, the TIF program will contribute to this fair share improvement, however this traffic impact fee only anticipates the maximum general plan build out of 181 units, and not the additional 27 units.

Therefore, the applicant will need to provide mitigation for the additional 27 units through an additional traffic impact fee based on its fair share of impact to the US 101 / Del Rio Road interchange, in addition to the standard development impact fee required at the time of permit issuance. The traffic mitigation shall be as follows:

- Contribution of City Wide Traffic Impact Fee program plus Del Rio Road / US 101 fair share contribution for 27 bonus units.

With payment of standard traffic impact fees for the 181 units, and standard traffic impact fee plus fair share of interchange fee on the 27 bonus units, this potential impact is considered less than significant with mitigation as indicated in the attached environmental analysis.

**General Plan Consistency**

The General Plan High Density Residential (HDR) land use designation permits a maximum density of 24 dwelling units per acre. Implementing General Plan programs requires appearance review of architectural design, materials, landscaping, and incorporate architectural themes into the site and building design. The General Plan also allows for the Planning Commission to permit an additional 15% density bonus, consistent with Policy 2.1.2 for high quality architectural design. As analyzed above, the proposed project, as conditioned, is consistent with the City’s adopted General Plan.

In staff’s opinion, the project is consistent with the goals and policies of the Land Use Element and the Housing Element. The project will provide an additional 208 new dwellings units of high quality multi-family rental units that assist the City in meeting its 2014-2019 Regional Housing Needs Allocation (RHNA) goals. As conditioned, the project incorporates architectural and landscape elements that are consistent with the character of the surrounding neighborhood, and the General Plan’s appearance review requirement.
Findings:

**Conditional Use Permit (Master Plan of Development):**
A Master Plan of Development is required for all multi-family projects over 12 units, which is approved through the Conditional Use Permit process (AMC section 9-2.110(2)). The Conditional Use Permit process provides the opportunity for the public and the Planning Commission to review the specifics of land use proposals, such as architectural design, site design, landscape, and specific standards of the Zoning Ordinance. The following five findings must be made to approve a Conditional Use Permit:

1. *The proposed project or use is consistent with the General Plan and the City’s Appearance Review Manual.*

   **Staff Comment:** The use and appearance is consistent with the high density residential designation of the Plan and General Plan Land Use Element Policies and Housing Element Policies.

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

   **Staff Comment:** As conditioned, the project satisfies the City’s Zoning Code provisions, incorporating high-quality architectural design. Staff has included findings for density bonus, parking, and height waivers. Upon adoption of these findings, the project as conditioned will satisfy this and all other requirements.

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

   **Staff Comment:** The proposed residential project will not be detrimental to the general public or working persons’ health, safety, or welfare.

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

   **Staff Comment:** The project has been designed to be consistent with the existing neighborhood character as the site has taken into account environmental consideration and site design challenges to provide the necessary high density targets.
5. That the proposed use or project will not generate a volume of traffic beyond the safe capacity of all roads providing access to the project, either existing or to be improved in conjunction with the project, or beyond the normal traffic volume of the surrounding neighborhood that would result from full development in accordance with the Land Use Element.

Staff Comment: The proposed project and use is consistent with the traffic projections and road improvements anticipated within the General Plan. A traffic impact report was produced as a part of the proposed project and projects traffic volumes associated with the proposed project to meet LOS level C or above.

Based on staff’s analysis in the preceding sections, it appears that all of the required findings for approval of a Master Plan of Development (Conditional Use Permit) can be made. The project is consistent with the City’s General Plan Land Use and Housing Elements.

Density Bonus Findings:
The Planning Commission must make the following findings to grant a 15 percent (15%) density bonus, consistent with General Plan Policy 2.12 for exceptionally high quality architectural design:

1. The proposed project utilizes high quality materials and finishes through all four sides of the building(s) located on-site.

Staff Comment: The proposed project utilizes high quality materials such as brick veneer, stone veneer, siding, and other finishes consistent with the California Craftsman architectural style that is on-site on all four sides of the building.

2. The proposed project utilizes reduction of massing and other techniques to reduce appearance of bulk, and density.

Staff Comment: The proposed project utilizing massing reduction techniques, coupled with grading to reduce bulk and the apparent density of the project with the appearance of large lots homes instead of typical apartment style homes.

3. The proposed project implements the use of varied rooflines, pop-outs, architectural appendages and other elements that create visually appealing projects.

Staff Comment: The proposed project utilizes varies roof line types, pop-outs, eve brackets, exposed rafter tails, and other architectural features that enhance the California Craftsman style of architecture and create a visually appealing project from the City’s major arterial, El Camino Real.
4. The proposed project utilizes architectural materials appropriate with the vernacular of the architectural theme.

Staff Comment: The proposed project incorporates materials consistent with the California Craftsman style of architecture.

5. The proposed project incorporates significant contributions to the community such as a park, historic preservation, or road dedications.

Staff Comment: As proposed, the project includes rehabilitation and re-use of a historic colony house and integrates this as a “clubhouse”, as well as, takes design cues from the existing colony house that compliments the overall development. Additionally, the proposed project includes a critical roadway connection to the future Gran Mercado collector road.

Native Tree Removal Findings:
The Planning Commission must make the following findings related to removal of a native tree(s) that is 24-inches or above:

- The tree is obstructing proposed improvements that cannot be reasonably designed to avoid the need for tree removal, as certified by a report from the site planner and determined by the Community Development Department based on the following factors:
  a. Early consultation with the City,
  b. Consideration of practical design alternatives,
  c. Provision of cost comparisons (from applicant) for practical design alternatives,
  d. If saving tree eliminates all reasonable use of the property, or
  e. If saving the tree requires the removal of more desirable trees.

Staff Comment: The applicant has consulted with the City and has considered design alternatives. In order to meet density targets in the land use designation, the applicant has sited buildings to preserve as many native trees as feasibly possible.

Based on Staff’s analysis and the arborist report, staff recommends that the Planning Commission can make the required findings for native tree removals.

Parking Modification Findings:
The Planning Commission must make the following findings to modify parking requirements for off-street parking, consistent with AMC section 9-4.115 through 9-4.123:

1. The characteristics of a use or its immediate vicinity do not necessitate the number of parking spaces, type of design, or improvements required by this title.
Staff Comment: The proposed project meets the parking requirements through off-site visitor parking that is to be located on “Street B” which is directly adjacent to the proposed project. The remainder of the project provides covered, uncovered parking consistent with the City’s Municipal Code.

2. **Reduced parking will be adequate to accommodate on the site all parking needs generated by the use.**

Staff Comment: At minimum, the proposed project is able to accommodate parking of residents. Additional guest parking is available on-site and with an additional parking located along both “Street B” and El Camino Real, parking will be sufficient for the proposed use.

**Building Height Waiver Findings:**
The Planning Commission must make the following findings to modify building height requirements in the RMF-20 zone for buildings in excess of two (2) stories and greater than 30-feet in height, consistent with AMC section 9-113(b)(1):

1. **The project will not result in substantial detrimental effects on the enjoyment and use of adjoining properties.**

Staff Comment: The proposed project and its stories and heights utilize existing grades that minimizes the bulk and appearance of height of the structures. The site is gently sloping and utilizes the grade change to reduce the visual appearance of the buildings, therefore the proposed project will not result in substantial detrimental effects on the enjoyment of the adjoining properties.

2. **The modified height will not exceed the lifesaving equipment capabilities of the Fire Department.**

Staff Comment: The proposed project, as reviewed by the City’s Fire Department, has been determined to not exceed the lifesaving equipment capabilities of the department.

**Proposed Environmental Determination**

Staff has prepared a Draft Mitigated Negative Declaration that was circulated to public agencies and interested members of the public on October 27, 2016. The Environmental Analysis identified concerns regarding potential impacts to aesthetics, air quality, biology, cultural resources, geology and soils, water quality, noise, and traffic. Mitigation measures pertaining to these areas are included. A finding is proposed that this project would not have a significant effect on the environment based upon the implementation of the identified mitigation measures.
Staff is recommending the Commission recommend that the City Council certification of Proposed Mitigated Negative Declaration 2016-0003.

CONCLUSION:
The proposed project is consistent with the General Plan and Atascadero Municipal Code, as analyzed within this staff report. The project has been reviewed by the City’s Design Review Committee and recommendations have been included in the plans or conditioned in the attached resolutions. It is staff’s opinion that the proposed project, as conditioned, allows the Planning Commission to make all of the required findings for project approval.

ALTERNATIVES:

1. The Commission may recommend modifications to the project and/or conditions of approval for the project.

2. The 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 and move to continue the item to a future date.

3. The Commission may deny the project. The Commission should specify the reasons for denial of the project and make an associated finding with such action.

ATTACHMENTS:

Attachment 1: Location Map, General Plan, and Zoning
Attachment 2: Applicant Project Narrative
Attachment 3: Applicant Design Package
Attachment 4: Proposed Mitigated Negative Declaration 2016-0003
Attachment 5: Draft Resolution PC 2016-A – Certification of Mitigated Neg Dec
Attachment 6: Draft Resolution PC 2016-B – Tree Removal Permit
Attachment 7: Draft Resolution PC 2016-C – CUP / Density Bonus Approval
Attachment 1: Location Map, General Plan, and Zoning

Existing Designations:
- General Plan: High Density Residential (HDR)
- Zoning District: Residential Multi-Family (RMF-20)
Attachment 2: Applicant Project Narrative

EMERALD RIDGE PROJECT NARRATIVE

Applicant: LDC Commercial
Representative: RRM Design Group
Addresses: 2605, 2555, 82705 El Camino Real
APNs: 049-151-063, 049-151-049, 049-151-011
Land Use/Zoning: Residential Multiple-Family High Density (RMF-20)

Project Description: 208 residential units on 7.55 acres

The units include:

1) One-bedroom units (72); and
2) Two-bedroom units (136).

Density Calculations

Per Municipal Code Section 9-3.173 (f), a density bonus may be granted, subject to approval by the City Council through a master plan of development (CUP), consistent with Sections 9-3.801 through 9-3.806. In addition, General Plan Policy 2.1 supports approval of a 15% density bonus through the CUP upon a finding of superior design.

Allowed Density: 24 units/acre
Calculation: 24 x 7.55 = 181.2
15% Density Bonus: 181 x 0.15 = 27
Proposed Density: 181 + 27 = 208 units

Proposed Density – Rationale for Support:

Consistent with the following Housing Element goals and policies:

1) Goal HOS 1: Promote diverse and high-quality housing opportunities to meet the needs of all segments of the community.
2) Policy 1.2: Encourage a variety of high-quality housing types in multi-family areas.
3) Goal HOS 3: Ensure that an adequate amount of rental housing exists.
4) Policy 4.3: Encourage attractive architecture and site landscaping that respect terrain and native trees.
5) Policy 6.3: Encourage multi-family projects that provide affordable housing (affordable by design).
6) Policy 10.1: Encourage infill and intensification in areas suitable for housing within the Urban Services Line (USL).
### Parking Calculations

**Table 1. Required Parking per City Zoning Code**

<table>
<thead>
<tr>
<th>Unit Type</th>
<th>Parking Requirement</th>
<th>Spaces Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>One-bedroom (72)</td>
<td>1.5 spaces/unit</td>
<td>72 x 1.5 = 108.0</td>
</tr>
<tr>
<td>Two-bedroom (136)</td>
<td>2.0 spaces/unit</td>
<td>136 x 2.0 = 272.0</td>
</tr>
<tr>
<td>Guest</td>
<td>1.0 space/5 units</td>
<td>208/5 = 42.0</td>
</tr>
<tr>
<td><strong>SUBTOTAL</strong></td>
<td></td>
<td><strong>422.0</strong></td>
</tr>
<tr>
<td>Parking Substitution²</td>
<td></td>
<td>- 21.0</td>
</tr>
<tr>
<td>Car Space Substitution for Motorcycle Parking</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Parking Substitution³</td>
<td></td>
<td>- 21.0</td>
</tr>
<tr>
<td>Car Space Substitution for Bicycle Rack Parking</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>TOTAL - 208 UNITS</strong></td>
<td></td>
<td><strong>380</strong></td>
</tr>
</tbody>
</table>

1. One covered space/unit required
2. City ordinance 9-4.115(b). Parking spaces may be replaced at a ratio of (1) motorcycle space for each (20) spaces.
3. City ordinance 9-4.115(c). Parking spaces may be replaced at a ratio of (1) bike rack for each (20) spaces.

Per Municipal Code Section 9-4.115 (h), the City's parking standards may be modified through conditional use permit approval based on specific findings of fact that the characteristics of a use or its immediate vicinity do not necessitate the number of parking spaces, type of design, or improvements required by this title and that reduced parking will be adequate to accommodate on the site all parking needs generated by the use.
Table 2. Proposed Parking

<table>
<thead>
<tr>
<th>Unit Type</th>
<th>Parking Requirement</th>
<th>Spaces Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>One-bedroom (72)</td>
<td>1.5 spaces/unit(^1)</td>
<td>72 × 1.5 = 108.0</td>
</tr>
<tr>
<td>Two-bedroom (136)</td>
<td>2.0 spaces/unit(^1)</td>
<td>136 × 2.0 = 272.0</td>
</tr>
<tr>
<td>Guest</td>
<td>1.0 space/5 units</td>
<td>208/5 = 42.0</td>
</tr>
</tbody>
</table>

**SUBTOTAL** 422.0

Parking Substation\(^2\)
Car Space Substitution for Motorcycle Parking
Parking Substation\(^2\)
Car Space Substitution for Bicycle Rack Parking

**TOTAL – 208 units** 387.0

Supplemental off-site parking (El Camino Real) +/-25.0

**With Supplemental Guest Parking at El Camino Real** 412.0

---

1. One covered space/unit required
2. City ordinance P-4.1.5(b). Parking spaces may be replaced at a ratio of (1) motorcycle space for each (2) spaces.
3. City ordinance P-4.1.5(c). Parking spaces may be replaced at a ratio of (1) bike rack for each (2) spaces.
Table 3. Proposed Parking Breakdown Summary

<table>
<thead>
<tr>
<th>Parking Space Type</th>
<th>Spaces Provided</th>
</tr>
</thead>
<tbody>
<tr>
<td>Uncovered Standard</td>
<td>57</td>
</tr>
<tr>
<td>Uncovered Compact</td>
<td>35</td>
</tr>
<tr>
<td>Electric Car</td>
<td>6</td>
</tr>
<tr>
<td>Carports Standard</td>
<td>124</td>
</tr>
<tr>
<td>Carports Compact</td>
<td>48</td>
</tr>
<tr>
<td>Carports/Tandem (Bldg A)</td>
<td>75</td>
</tr>
<tr>
<td>Guest</td>
<td>42 (21 stalls on Street B)</td>
</tr>
<tr>
<td><strong>TOTAL Vehicle Stalls</strong></td>
<td><strong>387</strong></td>
</tr>
<tr>
<td>Off-Site Supplemental Guest Parking</td>
<td>25</td>
</tr>
<tr>
<td><strong>TOTAL Vehicle Stalls Plus Off-Site Supplemental Guest Parking</strong></td>
<td><strong>412</strong></td>
</tr>
<tr>
<td>Motorcycle Stalls</td>
<td>14</td>
</tr>
<tr>
<td>Bicycle Racks (5 bikes per rack)</td>
<td>21</td>
</tr>
<tr>
<td><strong>TOTAL Motorcycle and Bicycle</strong></td>
<td><strong>35</strong></td>
</tr>
</tbody>
</table>

1 Code allows 26% compact spaces. Total of 26% compact spaces proposed consisting of uncovered and as carports.

2 Covered Parking. One (1) covered parking space (carport or tandem) per dwelling unit required. Total of 247 proposed; 200 required.
Table 3. Proposed Parking Breakdown Summary

<table>
<thead>
<tr>
<th>Parking Space Type</th>
<th>Spaces Provided</th>
</tr>
</thead>
<tbody>
<tr>
<td>Uncovered Standard</td>
<td>57</td>
</tr>
<tr>
<td>Uncovered Compact</td>
<td>35¹</td>
</tr>
<tr>
<td>Electric Car</td>
<td>6</td>
</tr>
<tr>
<td>Carports Standard</td>
<td>124²</td>
</tr>
<tr>
<td>Carports Compact</td>
<td>48²</td>
</tr>
<tr>
<td>Carports/Tandem (Bldg A)</td>
<td>75²</td>
</tr>
<tr>
<td>Guest</td>
<td>42 (21 stalls on Street B)</td>
</tr>
<tr>
<td><strong>TOTAL Vehicle Stalls</strong></td>
<td><strong>387</strong></td>
</tr>
</tbody>
</table>

| Off-Site Supplemental Guest Parking| 25              |
| **TOTAL Vehicle Stalls Plus Off-Site Supplemental Guest Parking** | **412** |
| Motorcycle Stalls                 | 14              |
| Bicycle Racks (5 bikes per rack)  | 21              |
| **TOTAL Motorcycle and Bicycle**  | **35**          |

¹ Code allows 20% compact spaces. Total of 20% compact spaces proposed, consisting of uncovered and carports.
² Covered Parking. One (1) covered parking space (carport or tandem) per dwelling unit required. Total of 247 proposed; 200 required.
Building Height

Per Municipal Code Section 9-4.113 (b)(1), height may be modified through the CUP process provided that the “Planning Commission first finds the project will not result in substantial detrimental effects on the enjoyment and use of adjoining properties and that the modified height will not exceed the lifesaving equipment capabilities of the Fire Department.” In order to meet full density consistent with City Housing Element goals and to protect on-site resources, the applicant is requesting three-story apartment buildings with subterranean parking garage level at some buildings.

Reasons to support the added height include:

1) Development along the main project streetscape is a combination of two and three stories, so there are gaps in the massing and a variety of roof heights.

2) Taller buildings are oriented to the center and back of the site where they do not impact the privacy or solar access of adjacent properties.

3) The apparent mass of the of the building is minimized by stepping the building foundation with the slope of the existing topography.

4) Development is placed along the perimeter of the site leaving a large central open area to accommodate preservation of the existing Colony House and healthy native oak trees per the Arborist’s Report.

5) Development preserves the existing colony home and offers adaptive reuse of existing home by converting the structure into common clubhouse facility.

6) Development provides large centralize common open space to allow community connectivity.

Conditional Use Permit - Rationale for support:

1) The project will provide community linkage to pedestrian and vehicular access by working with City staff to incorporate Street “B” to the project.

2) Project respects site topography; the building footprints have been sited to step with elevation changes and help minimize extensive grading. The goal is to have balanced cut and fill on site.

3) Heritage oak trees will be saved as feasible, consistent with the recommendations of the Arborist, and adequate room provided for their health and survival.

4) The historic Colony House will be rehabilitated and saved in place with its adaptive reuse as a project amenity (central clubhouse).

5) Garages are provided which will reduce the visual impact of total vehicles parked on site.

6) Community storage provided to help reduce visual clutter.
Attachment 3: Applicant Design Package

Please see the following Attachment at end of this packet
ITEM NUMBER: 6
DATE: 11-15-16

Attachment 5: Proposed Mitigated Negative Declaration 2016-0003

Please see the following Attachment
DRAFT RESOLUTION PC 2016-A

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF ATASCADERO, CALIFORNIA, CERTIFYING
PROPOSED MITIGATED NEGATIVE DECLARATION 2016-0003
PREPARED FOR, CONDITIONAL USE PERMIT 2016-0298, AND TREE
REMOVAL PERMIT 2016-0200,
ON APN 045-151-009, 011, 063
(2605, 2535, 2705 El Camino Real El Camino Real)

RRM Design Group / LDC Commercial, Inc.

WHEREAS, an application has been received from RRM Design Group (3765 South Higuera Street, #102, San Luis Obispo, CA 93401), Applicant and LDC Commercial Inc. (PO Box 2003, Monterey, CA 93942-2003), Property Owner, for approval of a Conditional Use Permit consistent with Atascadero Municipal Code section 9-2.110(a), a tree removal permit to remove 608-inches DBH of coast live oaks, and a fifteen (15%) percent density bonus request consistent with the City’s adopt General Plan Policy 2.1.2 on APN 049-151-009, 011, 063 for the construction of 208 multi-family residential units; and,

WHEREAS, an Initial Study and Proposed Mitigated Negative Declaration 2016-0003 were prepared for the project and made available for public review in accordance with the requirements of the California Environmental Quality Act (CEQA); and,

WHEREAS, the Planning Commission of the City of Atascadero held a public hearing on November 15, 2016 following the close of the review period to consider the Initial Study and Proposed Mitigated Negative Declaration; and,

NOW, THEREFORE, the Planning Commission of the City of Atascadero hereby certify Proposed Mitigated Negative Declaration 2016-0003 based on the following Findings as shown in Exhibit A:

1. The Proposed Negative Declaration has been completed in compliance with CEQA guidelines section 15070 through 15075; and,
2. Proposed Negative Declaration 2015-0002 was circulated for a 20-day public review from October 27, 2016 to November 15, 2016, consistent with CEQA Guidelines Section 15105 (b); and

3. CEQA Section 21091(f) and 15704 require a lead agency to consider a Negative Declaration together with any comments received before approving the projects, one (1) written comments received by the lead agency; and

4. The City of Atascadero Community Development Department is the custodian of Negative Declaration 2016-0003 along with other material that constitutes the record of proceedings upon which this determination is made, which this record is available to the public for viewing at 6500 Palma Avenue, Atascadero, CA 93422; and

5. Based on the Planning Commission recommendation there is no substantial evidence that the project may have a significant effect on the environment; and

6. Based on the entire record, including any comments received, and the Planning Commission determines that there is no substantial evidence that the project may have a significant effect on the environment; and

7. The Negative Declaration prepared for the project reflects the Planning Commission’s independent judgment and analysis.
BE IT FURTHER RESOLVED that a copy of this Resolution be delivered forthwith by the Planning Commission Secretary to the City Council of the City of Atascadero.

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

Jan Wolff
Planning Commission Chairperson

Attest:

Phil Dunsmore
Planning Commission Secretary
## NOTICE OF INTENT TO ADOPT PROPOSED
## MITIGATED NEGATIVE DECLARATION

NOTICE IS HEREBY GIVEN that the Environmental Coordinator of the City of Atascadero has completed a review of the following project and is proposing the following environmental determination:

<table>
<thead>
<tr>
<th>Property Owner/Applicant:</th>
<th>Peter Laughlin, P.O. Box 200, Monterey, CA 93942</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project Title:</td>
<td>Emerald Ridge Apartments</td>
</tr>
<tr>
<td></td>
<td>PLN 2016-1997 / CUP 2016-0298 / TRP 2016-0208</td>
</tr>
<tr>
<td>Project Location:</td>
<td>2705, 2605, 2335 El Camino Real, Atascadero, CA 93422</td>
</tr>
<tr>
<td></td>
<td>(San Luis Obispo County) APN: 049-151-001, 049-151-005, 049-151-003</td>
</tr>
<tr>
<td>Project Description:</td>
<td>The project consists of a high density apartment complex:</td>
</tr>
<tr>
<td></td>
<td>• 208 apartment units: 72 one bedroom units &amp; 136 two bedroom units;</td>
</tr>
<tr>
<td></td>
<td>• 1,125 square foot clubhouse with a community pool, BBQ area, dog run, &amp; tot lot;</td>
</tr>
<tr>
<td></td>
<td>• Pedestrian trail along El Camino Real &amp; connected pathways throughout site; and</td>
</tr>
<tr>
<td></td>
<td>• Construction of a new street for future connection into Gran Mercado (Del Rio Road Specific Plan)</td>
</tr>
</tbody>
</table>

Development includes a total of 208 residential units with six (6) separate apartment buildings. Three (3) buildings will be three (3) stories each, with a combination of one (1) bedroom apartment units and two (2) bedroom attached townhouse units. The remaining three (3) buildings will be four (4) stories each, with a combination of one (1) bedroom apartment units and two (2) bedroom attached townhouse units. The project site is approximately 7.5 acres with slopes varying from 0-20 percent. Currently, there is one historic colony house on the site, which will be converted into a clubhouse for private use of the residents. RMF-20 zoning districts allow for up to 24 units per acre. The applicant is requesting a density bonus for an additional 25 units. The City's Zoning Policy 2.1 allows a density bonus for projects that exhibit high quality design.

The project is proposed to be completed over three (3) phases. The phases are as follows:

- **Phase 1** - 70 units with construction of Street "IP" and portion of improvements to El Camino Real;
- **Phase 2** - 70 units with rehabilitation of the historic colony house, new lot and other amenities and the remainder of improvements to El Camino Real;
- **Phase 3** - 68 units with the remainder of amenities improvement.

General Plan Designation: High Density Residential (HDR)  
Zoning District: Residential Matrix-Family (RMF-20)
Exhibit A: Proposed Mitigated Negative Declaration 2016-0003

|                           | Ends: November 15, 2016 |
| Electronic Public Review:  | This Document Can be found electronically in PDF format on the City of Atascadero Website: [http://www.atascadero.org/environmentaldocs](http://www.atascadero.org/environmentaldocs) |
| Proposed Environmental Determination: | Based on the Initial Study prepared for the project, a Mitigated Negative Declaration is proposed. The Mitigated Negative Declaration is available for public review from 10/27/2016 through 11/15/16 at 6500 Palma Ave., Community Development Department from 8:30 a.m. to 5:00 p.m. Monday through Friday. |

Any interested person may review the proposed Mitigated Negative Declaration and project files. Questions should be directed to Alfredo R. Castillo, AICP, Planner at 461-5000.

Phel Dunsmore, Community Development Director  
10/27/16  
Date
DRAFT RESOLUTION PC 2016-B


RRM Design Group / LDC Commercial, Inc.

WHEREAS, an application has been received from RRM Design Group (3765 South Higera Street, #102, San Luis Obispo, CA 93401), Applicant and LDC Commercial, Inc.(PO Box 2003, Monterey, CA 93942-2003), Property Owner, for approval of a Conditional Use Permit consistent with Atascadero Municipal Code Section 9-2.110(a), a tree removal permit to remove 608-inches DBH of coast live oaks, and a fifteen (15%) percent density bonus request consistent with the City’s adopt General Plan Policy 2.1.2 on APN 049-151-009, 011, 063 for the construction of 208 multi-family residential units; and,

WHEREAS, the site’s current General Plan Land Use Designation is General High-Density Residential (HDR); and,

WHEREAS, the site’s current Zoning Designation is Residential Multi Family (RMF-20); and,

WHEREAS, Atascadero Municipal Code Section 9-11.105(d) requires a Planning Commission decision regarding all tree removal application requests involving native trees 24-inches dbh or larger; and,

WHEREAS, the Planning Commission has certified Mitigated Negative Declaration 2016-0003 that was prepared for the project and made available for public review in accordance with the requirements of the California Environmental Quality Act (CEQA); 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, timely and properly noticed Public Hearings upon the subject Tree Removal Permit was held by the Planning Commission of the City of Atascadero at which hearing evidence, oral and documentary, was admitted on behalf of said Tree Removal Permit; and,

WHEREAS; the Planning Commission reviewed the proposed Tree Removal Permit on November 15, 2016, and considered testimony and reports from staff, the applicants, and the public after first studying and considering the Mitigated Negative Declaration 2016-0003 prepared for the project, and;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Atascadero makes the following findings and determinations with respect to the proposed Native Tree Removal Permit:

SECTION 1. Findings for Approval of Tree Removal Permit. The Planning Commission finds as follows:

1. The trees obstruct proposed improvements that could not be reasonably designed to avoid the need for tree removal, as certified by a report from the Site Planner and determined by the Community Development Department based on the following factors:
   a. Early consultation with the City;
   b. Consideration of practical design alternatives;
   c. Provision of cost comparisons (from applicant) for practical design alternatives;
   d. If saving tree eliminates all reasonable uses of the property; or if saving the tree requires the removal of more desirable trees.

SECTION 2. Recommendation of Approval. The Planning Commission of the City of Atascadero, in a regular session assembled on November 15, 2016, approved Tree Removal Permit TRP 2016-0200 subject to the following Conditions and Exhibits:

1. EXHIBIT A: Conditions of Approval
2. EXHIBIT B: Mitigation Chart
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

Jan Wolff
Planning Commission Chairperson

ATTEST:

Phil Dunsmore
Planning Commission Secretary
### EXHIBIT A: Conditions of Approval / Mitigation Monitoring
**PLN 2016-1597 / TRP 2016-0200**

<table>
<thead>
<tr>
<th>Conditions of Approval</th>
<th>Timing</th>
<th>Responsibility / Monitoring</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Emerald Ridge Apts.</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1. The approval of this application shall become final, subject to the completion of the conditions of approval, fourteen (14) days following the Planning Commission approval unless prior to that time, an appeal to the decision is filed as set forth in Section 9-1.111(b) of the Zoning Ordinance.</td>
<td>Tree removal</td>
<td>PS</td>
</tr>
<tr>
<td>2. The applicant and/or subsequent owners 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 proposed tree removal.</td>
<td>Ongoing</td>
<td>PS</td>
</tr>
<tr>
<td>3. The owner or applicant shall mitigate the tree removals by replanting native trees, making appropriate payment to the tree mitigation fund, or a combination thereof as shown in Exhibit B. Larger box trees may be substituted for five-gallon replacement trees per the Atascadero Native Tree Guidelines.</td>
<td>Building Permit</td>
<td>PS</td>
</tr>
<tr>
<td>4. Payment to the tree mitigation fund or approval of a tree replanting and irrigation plan shall occur before trees are removed.</td>
<td>Building Permit</td>
<td>PS</td>
</tr>
<tr>
<td>5. If tree replanting is selected, the owner or applicant shall provide drip irrigation to new trees until they are established.</td>
<td>Building Permit / Ongoing</td>
<td>PS</td>
</tr>
</tbody>
</table>
### Exhibit B  
**Required Tree Removal Mitigation**

PLN 2016-1616 / TRP 2016-0204

<table>
<thead>
<tr>
<th>Evergreen Native Trees (inches)</th>
<th>Deciduous Native Trees (inches)</th>
<th>Totals</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>dbh</strong> notes</td>
<td><strong>dbh</strong> notes</td>
<td></td>
</tr>
<tr>
<td>1 689-inches Coast Live Oak</td>
<td>1</td>
<td>689-inches</td>
</tr>
<tr>
<td>2</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>3</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>4</td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>5</td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>6</td>
<td></td>
</tr>
<tr>
<td><strong>Total 689-inches</strong></td>
<td><strong>Total 0-inches</strong></td>
<td><strong>689-inches</strong></td>
</tr>
</tbody>
</table>

**Mitigation Requirement**

- **req’d tree replacements**: 230 five gal trees
- **Proposed Replanting**: 0 five gal trees
- **Remaining Mitigation**: 230 five gal trees
- **Tree Fund Payment**: $11,483.33