



# ***Atascadero City Council***

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

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### **La Plaza Project Amendments (PLN 2017-1649)**

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

*The Planning Commission recommends the City Council adopt:*

1. Draft Resolution 2018-A, approving the La Plaza development project, and;
2. Draft Resolution 2018-B, approving the Tentative Parcel Map, Road Abandonment and road closure.

#### **DISCUSSION:**

##### Background:

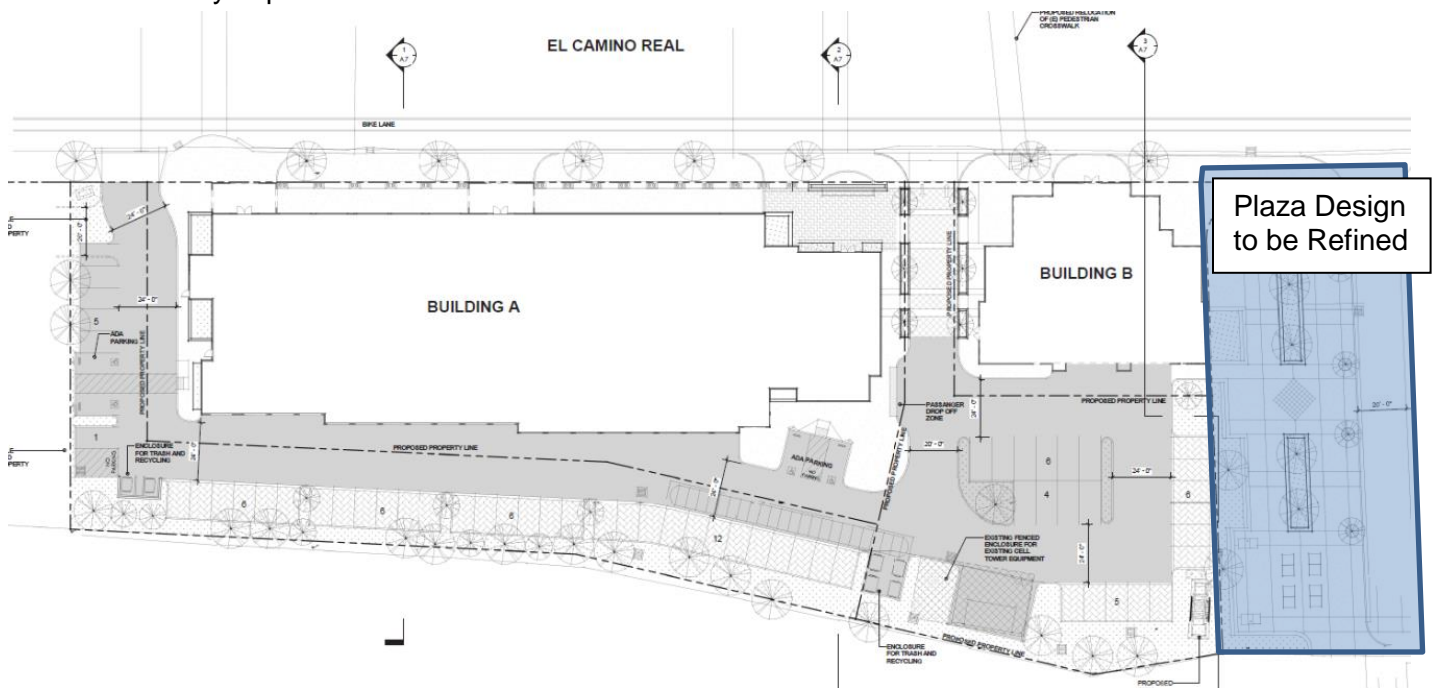
On November 21, 2017, the Planning Commission reviewed the La Plaza Mixed-Use project and recommended approval of the development project and the related road abandonment, road closure and plaza project to the City Council. Following review by the Commission, the applicant amended the project to replace proposed office space with residential units on the upper floors of Building A, thereby triggering additional review by the Planning Commission. The Planning Commission reviewed the project a second time on March 6, 2018 and recommended the project approval to the City Council. The project currently includes the following:

- Building A: One three-story building with approximately 14,000 square feet of commercial space on the first floor and 38 air space residential condominium units on the 2<sup>nd</sup> and 3<sup>rd</sup> floors
- Building B: One three story building with 3,749 square feet (sf) of commercial uses on the first floor and two residential units on each of the 2<sup>nd</sup> and 3<sup>rd</sup> floors.
- Tentative Parcel map to allow separate ownership of commercial and residential spaces and adjustments to the right of way to include abandonment and closure
- Public improvements that include a pedestrian plaza and a driveway access on Atascadero Mall

The project includes 86 new parking spaces between the building and Hwy 101. In order to accommodate the development and implement City plans for a plaza, a proposed right-of-way abandonment of portions of El Camino Real, Atascadero Avenue, and partial vehicular closure of Atascadero Avenue (Atascadero Mall) are proposed. A

height exception is requested to allow buildings to be 45 feet in height where 18 feet is allowed, with an additional 20-feet for unoccupied architectural features such as tower features.

A component of the Project will further the goals of the Downtown Revitalization plan by facilitating the development of a public plaza in the location of Atascadero Mall, directly across from Sunken Gardens Park. This requires the vehicular closure of Atascadero Avenue (Atascadero Mall) to accommodate the plaza improvements. A 20-foot wide vehicular access road would be preserved in order to provide access from El Camino Real to the existing auto repair business at 6700 El Camino Real. The plaza space would remain a publicly owned space. Action by the City Council includes the tentative subdivision map, which includes the action to vacate (Abandon) and close roadways. The completion of the road closure and abandonment of the roadway would occur with recordation of the map following completion of necessary improvements.



*Office vs Residential*

The applicant team felt that the change from Office to residential would reduce the parking demand of the project and allow increased marketability. Staff has found that most office spaces that are less than 2,000 square feet have higher vacancy rates. However, larger office spaces within prominent locations are readily occupied. In essence, many business that formerly relied on small offices, now work remotely or from home. The proposed office space in the La Plaza project would have been a total of 9,700 square feet and the office space would be upstairs overlooking Sunken Gardens Park and City Hall, presumably a very desirable location.

Residential uses above the ground floor are an allowed use within the Downtown Zoning District and “mixed-use” in the downtown is encouraged by the General Plan. However, some concerns do exist when placing residential above what is assumed to be the City’s prime restaurant and retail environment:



1. Residential uses can be a barrier to nearby restaurants, particularly restaurants that wish to remain open late and serve alcohol. Alcohol Beverage Control (ABC) has historically severely restricted the licenses of businesses that are within 100 feet of a residence, potentially reducing the viability of restaurants and bars.
2. Residential tenants above an active business may be a barrier to land uses such as restaurants, night clubs and other entertainment uses because of the noise conflicts and potential for complaints.
3. The proposed residential units that will be directly above the restaurant/retail space will be 3-bedroom units. 3-bedroom units are typically marketed to families. Such an environment may not be compatible with family living.
4. Larger units may have some tendency to increase parking demand that would overlap the parking demand of restaurants while offices would likely have an offset demand.

In summary, Mixed-use is a desired use in the downtown and can add to a vibrant “24-hour presence”. The previous office use would have generated the need for approximately 30 parking spaces while the 2 additional residential units will not result in more than 6 parking spaces. Therefore, overall parking demand will be reduced. The 2 additional units will maximize the density allowance on the site in consideration of the 15% density bonus that was endorsed by the Planning Commission. Modifying the project from office to residential is not likely to alter the exterior appearance of the building and is not inconsistent with the General Plan; however, specific project conditions need to be incorporated to ensure that the residential land use will not result in detrimental impacts to the desired economic development of the downtown. Suggested conditions includes:

1. A disclosure shall be required for all residential tenants to inform them that the property is within a commercial zoning district and will be exposed to noise levels that will exceed levels found within a residential neighborhood.
2. Occupancy of commercial spaces are prioritized over the residential uses and residential occupancy shall not preclude the operation, permitting, hours of operation or land use allowed within the first floor commercial spaces.

#### *Height Exception, View Corridor*

The Planning Commission recommends approval of the height exception that would allow the buildings to exceed the 18-foot height limit. The height limit was intended to preserve the viewshed of City Hall from Highway 101 between Atascadero Creek and Traffic Way. In the previous staff report, a lot of attention was given to the discussion of the height exception, and the Commission adopted findings to allow the exception. However, what was not clearly discussed is the location of Building B, within the Atascadero Mall right of way, and how it will narrow the field of vision from Highway 101. The location of Building B will be directly across from Sunken Gardens Park and will alter the historical symmetry of Atascadero Mall.

In exchange for economic development, and towards the implementation of the Downtown Revitalization plan, the addition of the new building within Atascadero Mall may be appropriate since it will complete the pedestrian plaza, be visually attractive,



and help align pedestrian traffic coming through the Highway 101 undercrossing to a safe crossing at El Camino Real. However, the design of the building within this critical location should be carefully considered, as it will be within this prominent view corridor. Previous design iterations for this location proposed a two-story building in the road abandonment area with an upstairs patio facing the park. The current designs proposes a larger three story building with two first floor spaces that would be conducive to restaurants with patio dining.

*Photo-simulation of building design "B" within the Atascadero Mall right of way*



### *Building Design*

The design of the building originated from a design charrette that utilized input from a variety of local design professionals. RRM Design group, perfected the design scheme, which is a modern interpretation of historic Atascadero. Buildings will utilize a color palette that complements City Hall, with a brick veneer exterior, tile roofs, columns and other detailing. The project incorporates ample areas for sidewalk dining with an 10 foot wide sidewalk and an approximately 10 foot wide covered patio area that extends across the front of the building, resulting in nearly 20 feet of space between building entries and the curb at El Camino.

The retail spaces on the ground floor are design with the intent of incorporating restaurant tenants and will be built to accommodate kitchens, hoods and other features necessary to support restaurants.





BUILDING A

### *Proposed Plaza*

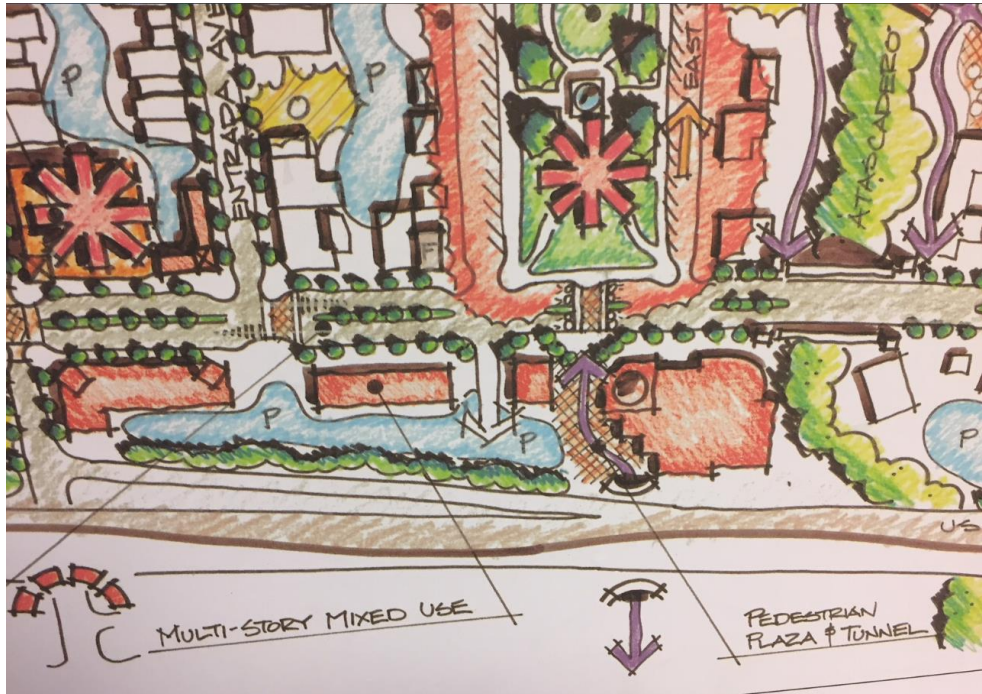
The applicant is working with the City to refine the design of the plaza area that will be developed on the existing street right-of-way of Atascadero Mall to ensure adequate flexibility of the space. The pedestrian plaza would connect the existing pedestrian undercrossing at the dead-end of Atascadero Avenue and US Highway 101. This would also ensure a safe pedestrian flow from the undercrossing to a relocated pedestrian crossing at El Camino Real and West Mall. Proposed improvements include passive recreational activities, container gardens, and plaza area that could be used for events or vendors.

An important part of the plaza is the inclusion of a vehicle access road that will continue to provide access to the service station (Klems) and to the auto mechanic (La Rosa's). The 20-foot wide street would be developed as part of the plaza improvements and would allow for vehicular access to the automotive business separate from the plaza. Conditions require a pedestrian barrier to prevent pedestrians from utilizing the road for access between EL Camino Real and the tunnel. The project includes the elimination of the current pedestrian crosswalk at East Mall and relocation of a new crosswalk at West Mall at the south end of the signalized intersection. This condition is included in Draft Resolution 2017-B.

The applicant team is currently working on engineered drawings for both the plaza and the public improvements (curb, gutter, sidewalk and street furniture) that will be built along with the project. The applicant would like to incorporate angled parking facing building A at El Camino Real and would like to help the City incorporate traffic calming features that may come out of the current traffic calming study that is now underway. A consultant is currently assisting the City with a traffic calming study at this time, however the results from that study will not be ready for review by staff or the public until late summer of this year. It is anticipated that the La Plaza project may be ready for construction by fall of this year, close to the same time that any traffic calming plans for El Camino are ready for review. Therefore, it may be possible for La Plaza to incorporate/implement plans that result from a traffic calming plan for the corridor.



Ultimately, the proposed improvements are consistent with the City's Downtown Revitalization Plan. The plan envisioned a future plaza connecting the existing tunnel to the Downtown, along with improved pedestrian crossings at El Camino Real. Through this private / public partnership, the plan is being implemented with the proposed project.



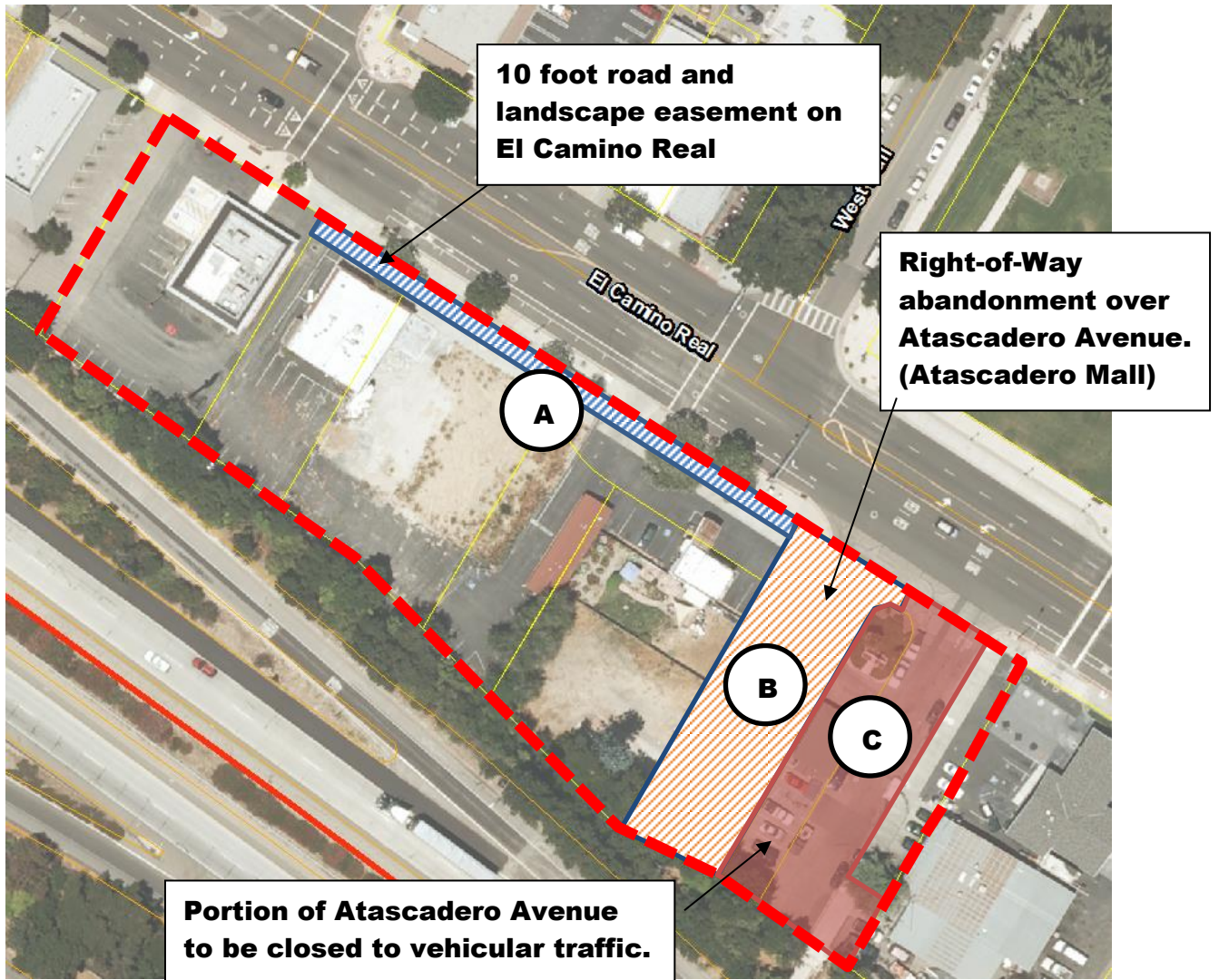
**Image of a portion of the Downtown Revitalization Plan Vision. Note the proposed plaza and configuration of Multi-Story Mixed Use buildings with parking adjacent to Hwy 101 in very similar layout to the La Plaza project.**

#### *Abandonment / Road Closure*

The road abandonment requires final action by the City Council and would be completed through recordation of the Tentative Parcel Map. There are three pieces of land that are associated with the Road Abandonment and Road Closure as identified on the graphic on the following page:

- A. There is a 10-foot landscape easement along El Camino Real that is no longer needed for public purposes and would facilitate the development of the new buildings. This land is owned by the applicant but has an easement on it that would be abandoned.
- B. There is a portion of road right-of-way that is no longer needed for public purposes on Atascadero Mall. This land is already owned by the applicant but has a road easement on it that would be abandoned. A portion of building B would extend onto what is now the roadway.
- C. This section contains both a City owned property (former Main Street building) and a portion of road right of way. Both of these would be retained by the City and utilized for the development of a public plaza and access road. This would be a road closure but not an abandonment.





### **Proposed Atascadero Avenue Vehicular Closure Schematic**

#### *Tentative Parcel Map*

The applicant is proposing a Tentative Parcel Map that combines the underlying seven (7) lots and proposes to combine them into four (4) parcels, with the ability for two (2) of the four (4) parcels to be further subdivided into air space condominiums through the final map process. The tentative map has been reviewed for consistency with the AMC, the California Subdivision Map Act, and the California Street and Highways Code because of the proposed vacancies of right-of-way. The attached resolution B recommends the City Council approve the map in conjunction with the project.



Conclusion:

The La Plaza Redevelopment Project represents a significant step forward in implementing the City's Downtown Revitalization Plan that was crafted over 10 years ago. While development proposals for this key piece of property have been previously proposed and approved, the applicant and property owner have made a significant commitment to Atascadero and is ready to proceed forward with development of the site. The proposed project is expected to be a catalyst for future development within the Downtown and includes a mix of uses that will contribute to a "24-hour" feel of downtown with residences and retail/services. Although staff would prefer that the project retain some upstairs office or commercial use, the project continues to retain elements that will implement the City's vision for downtown.

The La Plaza project is an identified City Council priority project and its approval is included in its 2017-2018 Action Plan.

**ENVIRONMENTAL DETERMINATION:**

The City of Atascadero prepared an Initial Study to determine if the proposed project would have a significant adverse effect on the environment. A Mitigated Negative Declaration was prepared for the project and was certified by the Planning Commission. (See Attachment 3).

**ALTERNATIVES:**

1. The City Council may suggest 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 the attached resolution.
2. The City Council 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 Council 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 City Council may deny the project. The Council 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 City Council.

**ATTACHMENTS:**

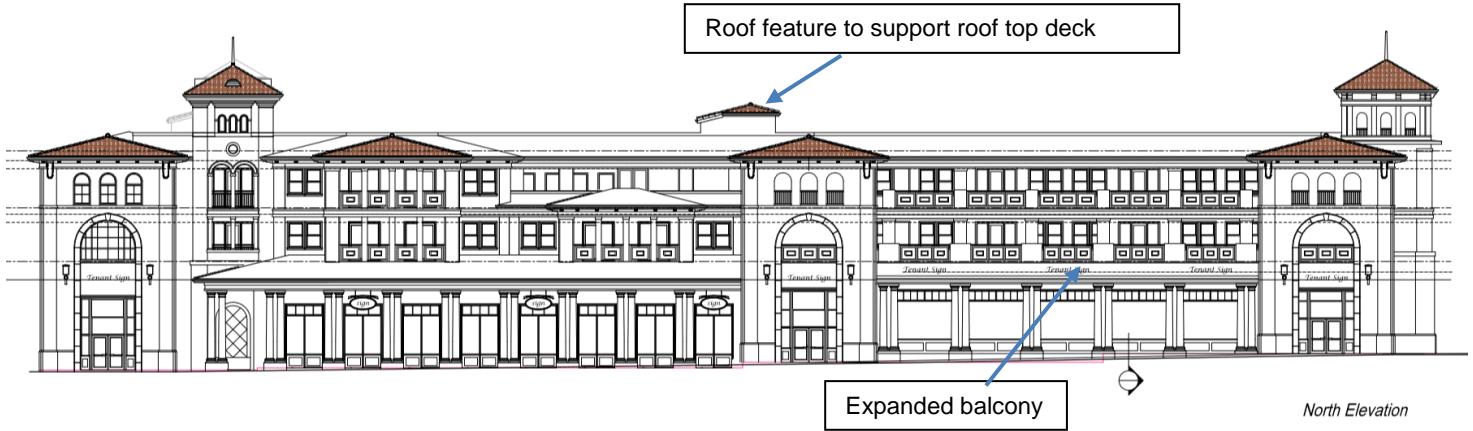
1. Applicant's conceptual design package; 1A Project Amendments
2. Applicant's Project Description
3. Draft Resolution A (includes Complete Development Plans)
4. Draft Resolution B, Tentative Map and Road Abandonment



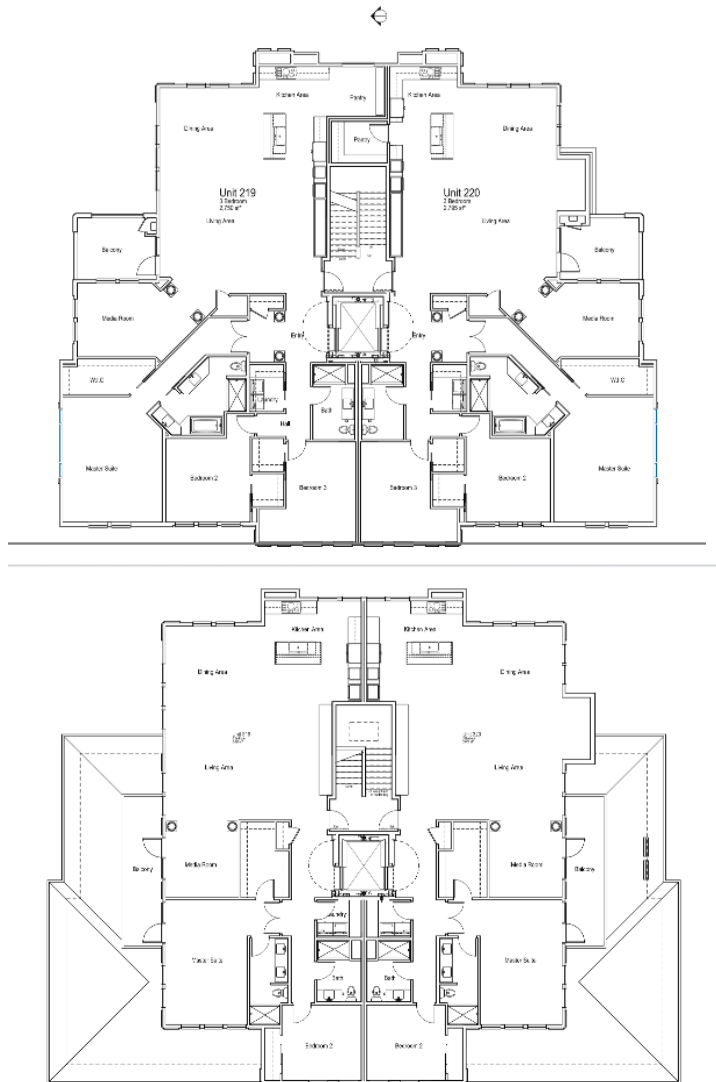


**ATTACHMENT 1A: PROJECT AMENDMENTS**

**Building A Proposed West Elevation**



**Building B Proposed residential floorplans**



**Attachment 2: APPLICANT'S PROJECT DESCRIPTION**

## Project Description

The Atascadero La Plaza development project is located in the heart of the Atascadero downtown across El Camino Real from The City Hall and The Sunken Garden. The project location has been the victim of a number of unfortunate circumstances and was originally the site of the Atascadero Hotel, which was burned down in 1965. A portion of the project site was rebuilt and most recently housed the North County Christian Thrift Store, which then burned down in 2009. Jack in the Box occupied the North East side of the project, but vacated this downtown location for a more freeway accessible location off of 101 freeway at the Santa Rosa exit. This vacated Jack in the Box was tied up in 30 years of lease 'options to extend' since (2009/2010). The years following the North County Christian Thrift Store fire, the property changed ownership 3 times and has had many proposed projects presented to the Atascadero City Planning Department and City Counsel. Many other circumstances such as adjacent property acquisition, cell tower easements, and bankruptcy have kept these dilapidated buildings and vacant land from being re-developed.

The proposed La Plaza development is an homage to Atascadero history and its founding years. The original La Plaza, which was also known as the Mercantile, was built in 1917 and then fell victim to a fire in 1934. The development team is heavily inspired by the founding days of Atascadero, which has spurred the desire to reference certain attributes of these first buildings of Atascadero. The architectural style of the proposed La Plaza development is in the same Palladian style as the City Hall building, The Printery building, and the former La Plaza building. E.G. Lewis, Atascadero's founder, envisioned all the main and dominant buildings within the Atascadero Estates to be built in this style and it is the goal of the La Plaza development team to continue in that vision.

Our project, like the original La Plaza, will consist of commercial/retail space and residential uses. The new La plaza will have two buildings with a combined total of 18,000SF of commercial/retail space and 42 residential units built to condominium specifications. There will be 5 different floor plans for the residential units and the retail/commercial space will be divided on an as needed basis. All commercial/retail space will be equipped with venting, electrical, and plumbing that any restaurant would need. The



La Plaza development team is focused on “class A” tenants and will be focused on a healthy tenant mix throughout the available leasing space.

The land is currently configured in 6 separate assessor’s parcels with a total gross area of 1.83 acres (79,541 SF). The parcels are going to be reconfigured with this project. There will be 4 ground parcels and 42 airspace condos to allow for condominium sale in the future (Parcel map on pg.\*\*). The zoning for this project is Downtown Commercial and typically would only allow for 36 residential units, but The City of Atascadero granted the project a 15% bonus for architectural excellence. This allows the project to move forward with 42 units. Because this project is in a “Downtown Commercial Zone” where there is no requirement for parking for the commercial space. However, one space is required per residential unit so our requirement for parking is 42, 27 of which will be private garages. The proposed project recognizes the city and local businesses need for more parking and will be providing a total of 89 parking spaces on site, 4 of which will be designated for electric car charging stations.

The construction of the proposed La Plaza project is anticipated to be steel framed for the bottom floor of commercial/retail space because of the 20ft ceilings and minimal support beams. The residential levels will be wood framed.



**ATTACHMENT 3: DRAFT RESOLUTION 2018 A – MASTER PLAN OF DEVELOPMENT**

**DRAFT RESOLUTION 2018-A**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
ATASCADERO, CALIFORNIA, APPROVING THE LA PLAZA  
DEVELOPMENT, INCLUDING AN EXCEPTION TO BUILDING HEIGHT  
STANDARDS AND RESIDENTIAL DENSITY STANDARDS**

**LA PLAZA DOWNTOWN REDEVELOPMENT  
Z3 LLC  
6500 El Camino Real  
(PLN 2017-1649)**

**WHEREAS**, an application has been received from Z3 LLC, Owner / Applicant (8189 San Dimas Lane, Atascadero, CA 93422), to consider Planning Application PLN 2017-1649, for a project consisting of a Master Plan of Development (CUP), Tentative Parcel Map, Roadway Abandonment, and certification of a Mitigated Negative Declaration ("MND") on a 1.83 acre site located on 6300 through 6500 El Camino Real (APN's 030-193-001,003,017,016, 031,030,033); and,

**WHEREAS**, the site's current General Plan Land Use Designation is Downtown (D); and

**WHEREAS**, the site's current Zoning District is Downtown Commercial (DC); and

**WHEREAS**, Atascadero Municipal Code § 9-2.110(a)(2) requires that multiple-family developments consisting of twelve (12) or more units, even if such development is listed as an allowed use in a particular zoning district, receive an approval of Master Plan of Development in the form of a Conditional Use Permit (CUP); and

**WHEREAS**, Atascadero Municipal Code Section 9-4.113(b)(1) allows the Planning Commission modification of height limitations, provided the 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; and,

**WHEREAS**, Atascadero Municipal Code Section 9-15.1011 allows the Planning Commission the ability to modify signage standards, provided that the Planning Commission make the appropriate four (4) required findings; and,

**WHEREAS**, the Atascadero General Plan Policy 2.1.2 allows the Planning Commission to grant up to a fifteen percent (15%) density bonus for "exceptionally high quality architecture" through required findings; and,



**WHEREAS**, an Initial Study and proposed Mitigated Negative Declaration, Environmental Document No. 2017-0018 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 Planning Commission of the City of Atascadero, at a Public Hearing held on March 6, 2018, studied and considered PLN 2017-1649 to approve a Master Plan of Development, after first studying and considering the proposed Mitigated Negative Declaration prepared for the project, and

**WHEREAS**, the City Council of the City of Atascadero, at a Public Hearing held on March 27, 2018, studied and considered PLN 2017-1649 to approve a Master Plan of Development, after first studying and considering the proposed Mitigated Negative Declaration prepared for the project, and

**NOW THEREFORE**, the City Council of the City of Atascadero, California hereby resolves to approve development plans for the La Plaza project subject to the following:

SECTION 1. The City Council makes the following findings, determinations and approvals with respect to the proposed Master Plan of Development:

**A. Findings for Approval of Height Waiver**

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

**FACT:** The proposed project does not result in substantial detrimental effects to the enjoyment of the use of adjoining properties, as the building height is necessary to meet the proposed density, as required by the California Department of Housing and Community Development, and the proposed height will help to identify the downtown as the commercial core of the City. Additionally, all proposed structures are well articulated and consist of high quality architectural design, similar to the existing surrounding development.

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

**FACT:** The Atascadero Emergency Services Department (Atascadero Fire Department) has reviewed the proposed project and determined that, based on building placement including setbacks, location of turnouts and fire lanes, the proposed project will not exceed the lifesaving equipment capabilities of the Department.

**B. Findings for Sign Ordinance Design Exception**



1. **FINDING:** The sign is consistent with the purposes set forth in Section 9-15.002;.

**FACT:** The proposed signage meets the intent established by the City's Signage Ordinance, in particular the proposed signage will minimize the adverse impacts of signage and maintain a positive City image, and reasonably allow for the identification of businesses within La Plaza.

2. **FINDING:** The opportunity to combine signs for more than one (1) use on a single sign structure has been considered.

**FACT:** The applicant is proposing the use of both a freeway oriented pylon sign and a monument sign. While it may be optimal to include just signage over a business, the applicant wishes to increase visibility and marketability of spaces for lease with additional signage oriented towards El Camino Real and Highway 101. Ensuring viability and marketability of these spaces is a priority for City Staff and the City Council.

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

**FACT:** The height of the freeway oriented sign is a similar height based on a balloon test completed for the existing 76 Gasoline Station on the other side of the freeway completed in 2013. The 7-foot clearance is tall enough that it will not be lost in the existing foliage that is adjacent to Highway 101.

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

**FACT:** The proposed project is consistent with all applicable codes and ordinances, and meets the intent of the appearance review guidelines, and City Way Finding program.

### **C. Findings for Density Bonus**

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

**FACT:** The proposed project is inspired by City landmarks including Historic City Hall and the Printery. The proposed project is an Italianate design and a visual appealing project. The proposed project utilizes similar materials found in both these historic structures and appropriately uses tower elements, pop-outs, and other architectural features to create a design that will become one of the center-pieces of Downtown Atascadero, complimenting Historic City Hall and the Sunken Gardens.



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

**FACT:** The proposed project utilizes materials, pop-outs, decking, and other features to reduce bulk and density.

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

**FACT:** The proposed project includes tower elements, varied rooflines, columns, and the use of colonnades to create a visually appealing project within Downtown Atascadero.

4. **FINDING:** The proposed project utilizes architectural materials appropriate with the vernacular of the architectural theme.

**FACT:** The proposed project utilizes Italianate design similar to Historic City Hall and the Printery. The applicant has included the use of brick material, and Spanish tile in similar color schemes to that of City Hall to present a unified design theme for buildings near the Sunken Gardens.

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

**FACT:** The proposed project includes a significant contribution to the Community in the form of a new pedestrian plaza that will be constructed within the right-of-way of Atascadero Avenue (Mall). This key pedestrian linkage was envisioned by the City's Vision Plan for Downtown. The applicant may be afforded credits for parkland facilities fees in exchange for construction of the proposed project.

#### **D. Findings for Approval of Master Plan of Development**

1. **FINDING:** The proposed project or use is consistent with the General Plan.

**FACT:** The proposed project is consistent with the intention of vertical mixed-use in the Downtown. The proposed project meets the underlying zoning ordinance's prescribed density requirements for 20 units per acre and includes a mix of commercial, office, and residential uses.

2. **FINDING:** The proposed project or use satisfies all applicable provisions of the Title 9 of the Atascadero Municipal Code this title.

**FACT:** With adoption of findings made for the height waiver exception, and Density Bonus, the proposed project satisfied all applicable provisions of the Atascadero Municipal Code.



3. **FINDING:** 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.

**FACT:** The proposed project will not be detrimental to the health, safety or welfare of the general public or persons residing or working in the vicinity, as the proposed project includes a mix of uses including residential, non-residential uses such as retail, professional services, and tourist commercial uses that are consistent with the City's underlying zoning (DC), as well as consistent with the goals and policies of the City's General Plan and Housing Element. Residential uses will not involve hazardous waste handling.

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

**FACT:** The proposed project is consistent with the immediate neighborhood as the proposed project is consistent with the adopted Downtown Revitalization Plan, and the Downtown Vision Plan.

5. **FINDING:** The proposed use or project will not generate a volume of traffic beyond the safe capacity of all roads providing access to the project, either existing or to be improved in conjunction with the project, or beyond the normal traffic volume of the surrounding neighborhood, that would result from full development in accordance with the land use element.

**FACT:** The proposed project will generate 1,304 average new daily trips on a new local roadway that intersects with El Camino Real, the City's primary north / south arterial. El Camino Real is a roadway facility that currently operates at an acceptable level of service, consistent with the City's adopted General Plan and will continue to operate at an acceptable level of service with the proposed project, as well as what is considered build-out for the General Plan. The proposed project has been conditioned to pay development impact fees for proposed increases in traffic on regional serving highways (US 101) and other transportation related impacts.

6. **FINDING:** The proposed project is in compliance with any pertinent City policy or criteria adopted by Ordinance or Resolution of the City Council.

**FACT:** The proposed project meets the City Council's Policy on vertical mixed-use processing and the project been conditioned to annex into the City's Community Facilities District to make the proposed project fiscally neutral. The proposed project meets the thresholds for high quality architectural design, landscaping, common open spaces. Therefore, the project, as proposed, is in





compliance with pertinent City policies established by the City Council.

SECTION 2. Approval of Master Plan of Development.

1. EXHIBIT A: Conditions of approval / Mitigation Monitoring Program
2. EXHIBIT B: Master Plan of Development / Site Plan
3. EXHIBIT C: Landscape Plan
4. EXHIBIT D: Elevations / Floor Plan / Sections
5. EXHIBIT E: Colors and Materials Board
6. EXHIBIT F: Signage
7. EXHIBIT G: Grading and Drainage Plan
8. EXHIBIT H: Utility Plan
9. EXHIBIT I: Proposed Plaza Improvements

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

AYES:

NOES:

ABSTAIN:

ABSENT:

ADOPTED:

CITY OF ATASCADERO

\_\_\_\_\_  
Tom O'Malley, Mayor

ATTEST:

\_\_\_\_\_  
Lara K. Christensen, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Brian A. Pierik, City Attorney



Exhibit A

Conditions of Approval  
City of Atascadero



PLN 2017-1649  
LA PLAZA REDEVELOPMENT  
6500 EL CAMINO REAL  
PARENT APN 030-193-001,003,017,016, 031,030,033

The following conditions of approval apply to the project referenced above. The conditions of approval are grouped under specific headings that relate to the timing of required compliance. Additional language within a condition may further define the timing of the required compliance.

1. Conditions of Approval in PC Resolution for Tentative Parcel Map AT 17-0088 shall be incorporated herein.  PLN
2. For the purposes of development impact fee collection, impact fees shall be based on the date of building permit submittal, consistent with the California Subdivision Map Act.  PLN
3. A landscape and irrigation plan shall be approved prior to the issuance of building permits and included as part of site improvement plan consistent with EXHIBIT C, with the exception of the proposed public plaza located within the right-of-way of Atascadero Avenue (Mall), and must include the following:  PLN
  - All exterior meters, trash storage areas, air conditioning units and mechanical equipment shall be screened with landscape material and/or architecturally compatible enclosures.
  - London Plane Sycamore or similar trees with a minimum size of 24 inch box shall be provided along El Camino Real at a maximum spacing of 30 feet on center (tree variety may be adjusted upon approval of Community Development Director). Groupings of additional accent trees may be allowed to accommodate sight-distance, topographical features, subject to the approval of the Community Development Director and City Engineer.
4. The public plaza is expected to be a versatile park-like space that can be used for events. The applicant shall work with the City on the final design of proposed public plaza within the Atascadero Avenue (Mall). The draft and final design shall be approved by the Community Development Director and shall include the following provisions:  PLN
  - a. Design elements such as low decorative fencing to guide pedestrians towards the signalized intersection
  - b. Removable fencing to allow maximum use of the roadway and the plaza if the road is closed during events and happenings
  - c. Provisions to accommodate food trucks, electrical needs, lighting, emergency access and other elements necessary for events and happenings



- d. Landscaping as approved by the Public Works Director/Community Development Director
  - e. The design shall not incorporate a curb, gutter or sharp grade change between the roadway and plaza
  - f. The applicant may revise items a. – e. with the advance written approval of the City Manager or designee thereof
5. Plaza improvements shall be completed prior to occupancy of Buildings A or B.  PLN
6. Exterior finishes, including brick color shall be approved by the City Community Development Department.
7. The portion of Atascadero Avenue (Mall) extending southwesterly from El Camino Real that is to remain for vehicular access to the adjacent property (gas station and auto services) shall be at least 20-feet wide and shall terminate approximately 40 feet northeasterly of the entrance to the pedestrian tunnel under State Rte 101, to the satisfaction of the Public Works Director. The design and improvements of said vehicular access and the Public Plaza area shall be to the approval of the Public Works Director and Community Development Director. Public improvement plans prepared by a licensed civil engineer are required to be approved by the Director of Public Works.
8. Fire hydrant locations shall be to the satisfaction of the City Fire Marshall and Public Works Director.  FD
9. Properties and/or areas that are managed or owned by an Association, or other such private entity shall be metered separately, as required by the Public Works Director.  PLN
10. Ground monument signage fronting El Camino Real shall be limited to a total of (2) monument signs and shall be consistent with Sign standards shown in Table 15-2 for ground monument signage with the following exceptions:
- Maximum of six (6) feet in total height
  - Total of 60 square feet of signage allowed for each side
  - Ground monument signage may be permitted directly adjacent to the back of sidewalk
  - Ground monument signage shall be located no closer than 200-feet from each other
11. A total of four (4) Building Name signs shall be permitted within the development with the name “La Plaza”. Size shall be proportional to wall façade or placement on tower element.
12. A freeway oriented pylon sign shall be permitted on-site with the maximum height of 75-feet. Additional height may be granted by the Design Review Committee. Signage shall include the City’s Logo and “Downtown Atascadero” on the faces of the sign. The City’s Logo and “Downtown Atascadero” shall not count against the maximum signage area. Maximum signage area shall be



determined by the Community Development Director or their designee.

13. Maximum project density shall not exceed 42 dwelling units. Any additional dwelling units shall be approved by the Planning Commission as a minor conditional use permit or its equivalent.
14. Building heights shall not exceed the following:
  - 45-Foot maximum for occupied spaces;
  - 65-Foot maximum for un-occupied spaces.Additional height exception may be granted by the Design Review Committee.
15. The El Camino Real pedestrian entry/exit doors serving the proposed structures shall not swing into the public right-of-way more than one foot.
16. The proposed waterfall structure in front of Building A shall be located entirely within the subject property and shall not encroach into the public right-of-way.
17. A disclosure shall be required for all residential tenants to inform them that the property is within a commercial zoning district and will be exposed to noise levels that will exceed levels found within a residential neighborhood.
18. Occupancy of commercial spaces are prioritized over the residential uses and residential occupancy shall not preclude the operation, permitting, hours of operation or land use allowed within the first floor commercial spaces.
19. The following land uses shall be prohibited on the ground floor:
  - a. Health Care Services
  - b. Offices
  - c. Government offices and facilities
20. All site work, grading, and site improvements shall be in substantial conformance with the Master Plan of Development as shown in any of the enclosed exhibits.  PLN
21. Native tree protection shall be installed and up at all times during construction related activities per the tree protection plan.  PLN
22. Pedestrian ramps on El Camino Real shall be constructed on each side of the street type entrance between Buildings A and B.
23. The applicant shall relocate the (E) sewer main that extends under proposed Building "B", to the satisfaction of the City Engineer. An easement over the re-routed sewer main shall be dedicated to the public, to the satisfaction of the City Engineer.
24. Construction of the new driveway approach, northwesterly of Building A, requires removal of the existing driveway approach serving the adjacent northwesterly property. Vehicular access to this property shall be combined with the subject property.



25. The applicant shall coordinate with the Regional Transit Authority regarding the relocation and modification to the existing bus shelter and bus stop. Final location shall be approved by the Regional Transit Authority and the City Engineer.
26. Discharges to the public storm drain system are subject to review under the City's MS4 State Permit and the requirements established by the Regional Water Quality Control Board for discharges to waters of the United States. Illicit discharges shall not be approved and shall be eliminated where known to exist or are identified. Certain non-storm water discharges may not be considered illicit where it can be shown that these waters are not contaminated. Uncontaminated spring water, pumped ground water, and water from crawl space pumps are not considered illicit discharges and are therefore not prohibited from discharging to the storm drain system. The applicant shall provide verification to the satisfaction of the City Engineer that the proposed discharge waters are not contaminated.
27. All landscaping is to be installed prior to final inspection of development within Parcel Map AT 17-0088.  PLN
28. The entitlement described at the location per this resolution is determined to be vested with the property upon issuance of a building permit.  PLN
29. Approval of this entitlement shall be final and effective consistent with Atascadero Municipal Code (AMC) section 9-1.111 seq. et. al.  PLN
30. Project construction must be in accordance with provided Exhibit(s), adopted with this Resolution. Changes to architecture, landscaping design, and non-substantive subdivision design may be approved by the Community Development Director or the Design Review Committee (DRC).  PLN
31. In accordance with the Atascadero Municipal Code section 9-8.105, any violation of any of the Conditions of Approval is unlawful and may be cause for revocation of this entitlement and subject the applicant and/or future property owners to the penalties set forth in the Atascadero Municipal Code, as well as any other available legal remedies.  PLN
32. The applicant shall agree to indemnify and defend at his/her sole expense any action brought against the City, its present or former agents, officers, or employees because of the issuance of this approval, or in any way relating to the implementation thereof, or in the alternative, to relinquish such approval. The applicant shall reimburse the City, its agents, officers, or employees, for any court costs and attorney's fees which the City, its agents, officers or employees may be required by a court to pay as a result of such action. The City may, at its sole discretion, participate at its own expense in the defense of any such action, but such participation shall not relieve applicant of his/her obligations under this condition.  CM
33. Should the described use be abandoned or extinguished, the property may be  PLN



used and / or developed with any use allowed by the underlying zoning district.

PWD

- A. The following are mitigation measures that mitigate adverse environmental effects identified in the prepared Environmental Document. Any change in these measures may affect the validity of the adopted Environmental Document, and a new or amended Environmental Document may be required.**

	<b>MITIGATION MEASURE</b>	<b>TIMING</b>
<b>Aesthetics</b>		
AES-1	At the time of building permit submittal of the proposed project, applicant must submit a photometric plan showing locations of proposed on-sight lighting. Prior to final occupancy, City Staff and the applicant shall meet on-site and review lights at dusk condition to ensure off-site light spillage and glare are limited.	Prior to Building Permit Issuance
AES-2	Any luminaire pole height shall not exceed 14-feet in height to minimize off-site light spillage for consistency with the Atascadero Municipal Code.	Prior to Building Permit Issuance
AES-3	Limit intensity to up to 3.0 foot candles at ingress/egress, and otherwise 0.6 foot candle minimum to 1.0 maximum in parking areas and/or for street lighting, bollards, etc to be reviewed at the time of building final.	Prior to Building Permit Final
<b>Air Quality</b>		
AQ-1	Demolition activities can have potential negative air quality impacts, including issues surrounding proper handling, abatement, and disposal of asbestos containing material (ACM). Asbestos containing materials could be encountered during the demolition or remodeling of existing structures or the disturbance, demolition, or relocation of above or below ground utility pipes/pipelines (e.g., transit pipes or insulation on pipes). If this project will include any of these activities, then it may be subject to various regulatory jurisdictions, including the requirements stipulated in the National Emission Standard for Hazardous Air Pollutants. These requirements include, but are not limited to: 1) written notification, within at least 10 business days of activities commencing, to the APCD, 2) asbestos survey conducted by a Certified Asbestos Consultant, and, 3) applicable removal and disposal requirements of identified ACM. Please contact the APCD Engineering & Compliance Division at (805) 781-5912 for further information or go to <a href="http://slocleanair.org/rules-regulations/asbestos.php">slocleanair.org/rules-regulations/asbestos.php</a> for further information. To obtain a Notification of Demolition and Renovation form go to the "Other Forms" section of <a href="http://slocleanair.org/library/download-forms.php">slocleanair.org/library/download-forms.php</a> .	Prior to Building Permit Issuance



**MITIGATION MEASURE**

AQ-2	<p>Based on the information provided, San Luis Obispo APCD is unsure of the types of equipment that may be present during the project's construction phase. Portable equipment, 50 horsepower (hp) or greater, used during construction activities may require California statewide portable equipment registration (issued by the California Air Resources Board) or an APCD permit.</p> <p>The following list is provided as a guide to equipment and operations that may have permitting requirements, but should not be viewed as exclusive. For a more detailed listing, refer to the Technical Appendices, page 4-4, in the APCD's 2012 CEQA Handbook.</p> <ul style="list-style-type: none"> <li>• Power screens, conveyors, diesel engines, and/or crushers;</li> <li>• Portable generators and equipment with engines that are 50 hp or greater; and,</li> <li>• Electrical generation plants or the use of standby generator;</li> </ul> <p>Internal combustion engines;</p> <ul style="list-style-type: none"> <li>• Rock and pavement crushing;</li> <li>• Unconfined abrasive blasting operations;</li> <li>• Tub grinders;</li> <li>• Trommel screens; and,</li> <li>• Portable plants (e.g. aggregate plant, asphalt batch plant, concrete batch plant, etc).</li> </ul> <p>To minimize potential delays, prior to the start of the project, please contact the APCD Engineering &amp; Compliance Division at (805) 781-5912 for specific information regarding permitting requirements.</p>	During Construction
AQ-3	<p>Effective February 25, 2000, the APCD prohibited developmental burning of vegetative material within San Luis Obispo County. If you have any questions regarding these requirements, contact the APCD Engineering &amp; Compliance Division at (805) 781-5912</p>	During Construction
AQ-4	<p>Construction activities can generate fugitive dust, which could be a nuisance to local residents and businesses in close proximity to the proposed construction site. Projects with grading areas that are greater than 4-acres or are within 1,000 feet of any sensitive receptor shall implement the following mitigation measures to manage fugitive dust emissions such that they do not exceed the APCD's 20% opacity limit (APCD Rule 401) or prompt nuisance violations (APCD Rule 402):</p> <ul style="list-style-type: none"> <li>a. Reduce the amount of the disturbed area where possible; and,</li> </ul>	During Construction



**MITIGATION MEASURE**

**TIMING**

- b. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site and from exceeding the APCD's limit of 20% opacity for greater than 3 minutes in any 60 minute period. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible. **Please note that since water use is a concern due to drought conditions, the contractor or builder shall consider the use of an APCD-approved dust suppressant where feasible to reduce the amount of water used for dust control.** For a list of suppressants, see Section 4.3 of the CEQA Air Quality Handbook.
- c. All dirt stock pile areas should be sprayed daily and covered with tarps or other dust barriers as needed;
- d. Permanent dust control measures identified in the approved project revegetation and landscape plans should be implemented as soon as possible following completion of any soil disturbing activities;
- e. Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading should be sown with a fast germinating, non-invasive, grass seed and watered until vegetation is established;
- f. All disturbed soil areas not subject to revegetation should be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD;
- g. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used;
- h. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site;
- i. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with CVC Section 23114;
- j. "Track-Out" is defined as sand or soil that adheres to and/or agglomerates on the exterior surfaces of motor vehicles and/or equipment (including tires) that may then fall onto any highway or street as described in California Vehicle Code Section 23113 and California Water Code 13304. To prevent "track out", designate access points and require all employees, subcontractors, and others to use them. Install and operate a "track-out prevention device" where vehicles enter and exit unpaved roads onto paved streets. The "track-out prevention device" can be any device or combination of devices that are effective at





**MITIGATION MEASURE**

**TIMING**

preventing track out, located at the point of intersection of an unpaved area and a paved road. Rumble strips or steel plate devices need periodic cleaning to be effective. If paved roadways accumulate tracked out soils, the track-out prevention device may need to be modified;

- k. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers shall be used with reclaimed water should be used where feasible. Roads shall be pre-wetted prior to sweeping when feasible;
- l. All PM<sub>10</sub> mitigation measures required should be shown on grading and building plans; and,
- m. The contractor or builder shall designate a person or persons to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints, reduce visible emissions below the APCD's limit of 20% opacity for greater than 3 minutes in any 60 minute period. Their duties shall include holidays and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD Engineering & Compliance Division prior to the start of any grading, earthwork or demolition.

AQ-5

This project is in close proximity to nearby sensitive receptors. Projects that will have diesel powered construction activity in close proximity to any sensitive receptor shall implement the following mitigation measures to ensure that public health benefits are realized by reducing toxic risk from diesel emissions:

During  
Construction

**To help reduce sensitive receptor emissions impact of diesel vehicles and equipment used to construct the project, the applicant shall implement the following idling control techniques:**

- 1. California Diesel Idling Regulations
  - a. **On-road diesel vehicles** shall comply with Section 2485 of Title 13 of the California Code of Regulations. This regulation limits idling from diesel-fueled commercial motor vehicles with gross vehicular weight ratings of more than 10,000 pounds and licensed for operation on highways. It applies to California and non-California based vehicles. In general, the regulation specifies that drivers of said vehicles:
    - 1. Shall not idle the vehicle's primary diesel engine for greater than 5 minutes at any location, except as noted in Subsection (d) of the regulation; and,
    - 2. Shall not operate a diesel-fueled auxiliary power system (APS) to power a heater, air conditioner, or any ancillary equipment on that vehicle during sleeping or resting in a sleeper berth for greater



**MITIGATION MEASURE**

**TIMING**

- than 5.0 minutes at any location when within 1,000 feet of a restricted area, except as noted in Subsection (d) of the regulation.
- b. **Off-road diesel equipment** shall comply with the 5-minute idling restriction identified in Section 2449(d)(2) of the California Air Resources Board's In-Use Off-Road Diesel regulation.
- c. Signs must be posted in the designated queuing areas and job sites to remind drivers and operators of the state's 5-minute idling limit.
- d. The specific requirements and exceptions in the regulations can be reviewed at the following web sites: [www.arb.ca.gov/msprog/truck-idling/2485.pdf](http://www.arb.ca.gov/msprog/truck-idling/2485.pdf) and [www.arb.ca.gov/regact/2007/ordiesl07/frooal.pdf](http://www.arb.ca.gov/regact/2007/ordiesl07/frooal.pdf).

AND/OR

2. Diesel Idling Restrictions Near Sensitive Receptors  
 In addition to the state required diesel idling requirements, the project applicant shall comply with these more restrictive requirements to minimize impacts to nearby sensitive receptors:
  - a. Staging and queuing areas shall not be located within 1,000 feet of sensitive receptors;
  - b. Diesel idling within 1,000 feet of sensitive receptors shall not be permitted;
  - c. Use of alternative fueled equipment is recommended; and
  - d. Signs that specify the no idling areas must be posted and enforced at the site.

AQ-6	Exterior architectural coating shall be limited to Volatile Organic Compound (VOC) of 50 grams per liter maximum to the extent feasible.	During Construction
AQ-7	Interior architectural coating shall be limited to Volatile Organic Compound (VOC) of 0 grams per liter maximum to the extent feasible within residential and non-residential spaces.	During Construction
AQ-8	Should hydrocarbon contaminated soil be encountered during construction activities, the APCD must be notified as soon as possible and no later than 48 hours after affected material is discovered to determine if an APCD Permit will be required. In addition, the following measures shall be implemented immediately after contaminated soil is discovered: <ul style="list-style-type: none"> <li>• Covers on storage piles shall be maintained in place at all times in areas not actively involved in soil addition or removal;</li> <li>• Contaminated soil shall be covered with at least six inches</li> </ul>	During Construction



**MITIGATION MEASURE**

**TIMING**

- of packed uncontaminated soil or other TPH –non-permeable barrier such as plastic tarp. No headspace shall be allowed where vapors could accumulate;
- Covered piles shall be designed in such a way to eliminate erosion due to wind or water. No openings in the covers are permitted;
  - The air quality impacts from the excavation and haul trips associated with removing the contaminated soil must be evaluated and mitigated if total emissions exceed the APCD’s construction phase thresholds;
  - During soil excavation, odors shall not be evident to such a degree as to cause a public nuisance; and,
  - Clean soil must be segregated from contaminated soil.

The notification and permitting determination requirements shall be directed to the APCD Engineering & Compliance Division at (805) 781-5912.

**Green House Gas Emissions**

- GHG-1 The proposed project shall include a minimum of four (4) electric vehicle (EV) chargers within the proposed parking lot. Vehicle chargers shall be counted as parking spaces for the purposes of parking calculations. Prior to Building Permit Final

**Cultural Resources**

- CR-1 Recordation and documentation shall be produced according to the California Register of Historic Resources prior to issuance of demolition permits for both 6452 and 6490 El Camino Real. Documentation shall include the following: Prior to Demo Permit Issuance
- Completion of State of California Form DPR 523B;
  - Large scale color photographs of exterior and interior with scale and caption;
  - Large scale site plan and floor plan of existing building(s) with legend and callouts of location photographs taken;
  - Copies of selected historic photographs;
  - Written description of construction and use of the structures; and,
  - Digital copies of all materials submitted in PDF format.
- CR-2 In the event that human remains are discovered on the property, all work on the project shall stop and the Atascadero Police Department and the County Coroner shall be contacted immediately. The Atascadero Community Development Director shall be notified. If the human remains are identified as being native American, the California Native American Heritage Commission (NAHC) shall be contacted at (916) 653-4082 within 24 hours. A representative from both the Chumash Tribe and the Salinan Tribe shall be notified during the excavation of any During Construction



**MITIGATION MEASURE**

**TIMING**

remains.

**Noise**

- |      |  |                                   |
|------|--|-----------------------------------|
| NO-1 | Soffit vents, eave vents, dormer vents and other wall and roof penetrations shall be on the walls and roofs facing away from the noise source wherever possible.   | Prior to Building Permit Issuance |
| NO-2 | The walls of habitable spaces and office space on second and third stories nearest the noise source shall have wall construction with an S.T.C. (Sound Transmission Class) rating of 30 or greater. For instance, stucco exterior or equivalent on 2" x 4" stud walls with minimum R-13 batt insulation and two layers of ½" gypsum board on the interior will provide an S.T.C. rating of 30 or greater along these walls.  | Prior to Building Permit Issuance |
| NO-3 | Common acoustic leaks, such as electrical outlets, pipes, vents, ducts, flues, and other breaks in the integrity of the wall, ceiling or roof construction on the side of the dwellings nearest transportation noise sources shall receive special attention during construction. All construction openings and joints on the walls on the noise facing side of the site shall be insulated, sealed and caulked with a resilient, non-hardening, acoustical caulking material. All such openings and joints shall be airtight to maintain sound isolation. | Prior to Building Permit Issuance |
| NO-4 | To meet the interior LDN 45 dBA requirements, windows for habitable spaces on the second and third floors of affected units facing the noise source shall be of double-glazed construction with one light of laminated glass, and installed in accordance with the recommendations of the manufacturer. The windows shall have full gaskets, with an S.T.C. rating of 30 or better, as determined in testing by an accredited acoustical laboratory.   | Prior to Building Permit Issuance |

**Transportation & Traffic**

- |      |  |   |
|------|--|---|
| TP-1 | The applicant or developer must relocate the existing pedestrian crossing at the midblock crossing at the intersection of East Mall and El Camino Real to the signalized intersection of West Mall and El Camino Real. The applicant shall re-stripe and provide conduit for a new pedestrian crossing signal adjacent to the project site. The proposed improvement may be eligible for TIF credits based on the adopted Capital Improvement Plans at the time of building permit issuance. | Prior to release final sign off of off-site improvements. |
| TP-2 | The applicant shall work with City Staff and the Regional Transit Authority to relocate the adjacent southbound RTA stop that currently exists near the intersection of Entrada and El Camino Real. This includes relocation or re-construction of a bus shelter, as deemed appropriate by the City Engineer   | Prior to release final sign off of off-site improvements. |



**MITIGATION MEASURE**

**Utilities Services**

- |      |  |  |
|------|--|--|
| UT-1 | The proposed project must pay all applicable sewer connection fees at the time of building permit issuance. A fee credit may be applicable for all existing fixtures and connections listed in demolition permits for buildings removed.   | Prior to Building Permit Issuance                        |
| UT-2 | The applicant shall be responsible for providing fair share impact fees for wastewater in effect at the time of building permit issuance.  | Prior to Building Permit Issuance                        |
| UT-3 | The developer must include trash and recycle receptacles near public entries and a minimum of (3) trash and recycle receptacles within the proposed plaza to be dispersed throughout the length of the plaza. Receptacle design shall be approved by Staff and included on landscaping plans at the time of building permit submittal. | Prior to release final sign off of on-site improvements. |

**\*\*END CONDITIONS\*\***



**EXHIBIT B: MASTER PLAN OF DEVELOPMENT / SITE PLAN**

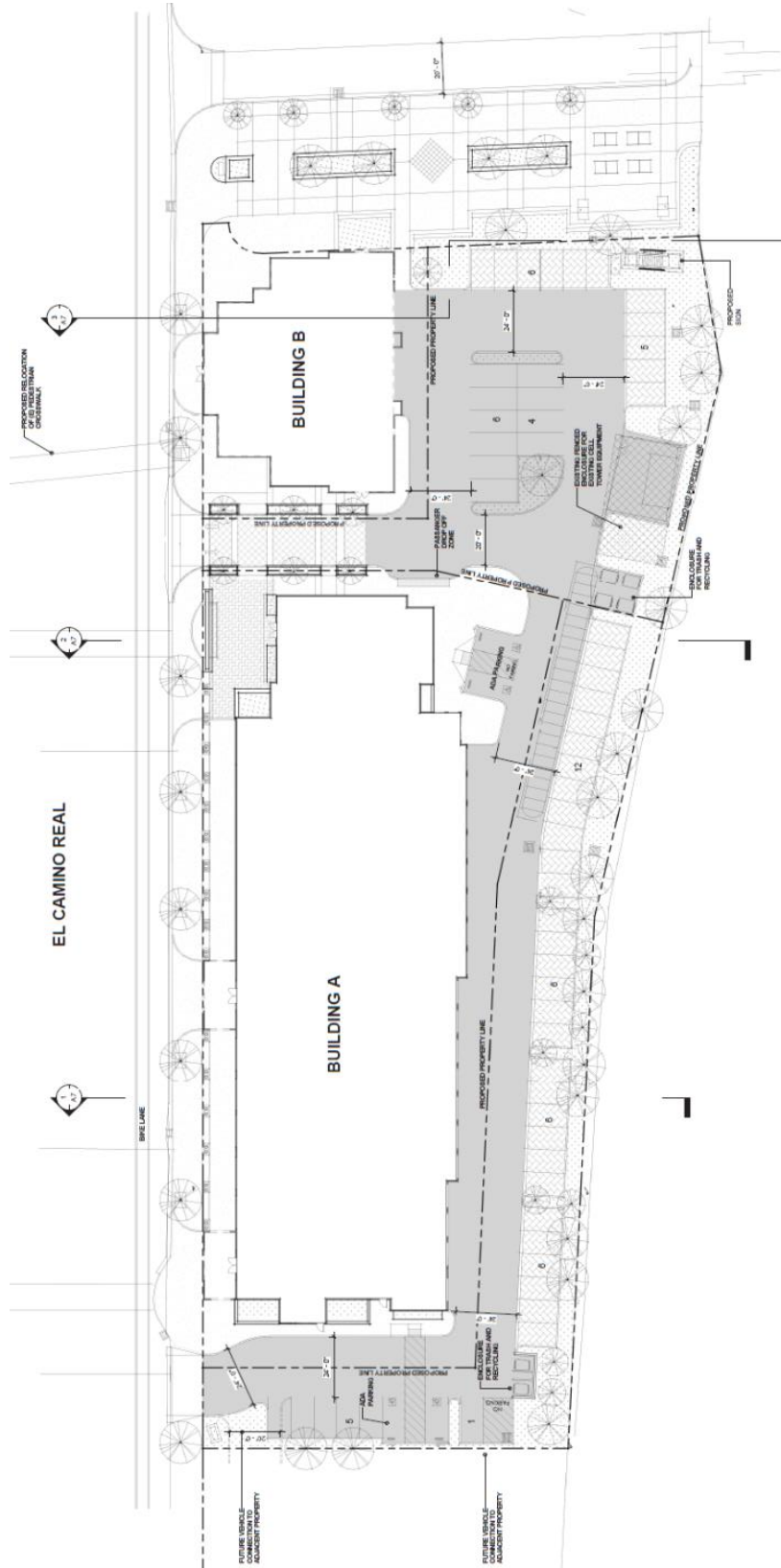


EXHIBIT C: LANDSCAPE PLAN



METHOD OF IRRIGATION

THE IRRIGATION SYSTEM WILL UTILIZE THE FOLLOWING METHODS:  
 DRIP AND BUBBLER IRRIGATION WILL BE USED TO APPLY WATER ACCURATELY TO THE PLANT ROOT ZONES AT A RATE THAT IT CAN INFILTRATE TO IMPROVE IRRIGATION EFFICIENCY.  
 LOW SPRINKLER HEADS WILL BE USED WHERE NEEDED TO APPLY WATER UNIFORMLY AND SLOWLY.  
 OVER-SPRAY AND EVAPORATION WILL BE MINIMIZED AND MATCHED PRECIPITATION RATE NOZZLES WILL BE USED WITHIN EACH CONTROL VALVE AND CIRCUIT.  
 A WEATHER BASED, SELF-ADJUSTING IRRIGATION CONTROL WITH A RAIN SHUT OFF DEVICE WILL BE INSTALLED. THE IRRIGATION SYSTEM WILL BE CONTROLLED BY A TIME CLOCK WITH THE ABILITY TO ADJUST RUNTIMES BY DATA COLLECTED FROM RAIN AND ET SENSORS.  
 THE WATERING SCHEDULE WILL BE BASED UPON PLANT NEEDS, SOIL TYPE, SLOPE, AND SEASON. IRRIGATION WILL BE SCHEDULED TO AVOID WATERING DURING RAIN AND FREEZE EVENTS.

MWELO WATER CALCULATIONS

MAXIMUM ANNUAL AFFIRED WATER ALLOWANCE  
 (MWWA) 142,830 GALLONS; 171.83 UNITS  
 ESTIMATED TOTAL WATER USE  
 (ETWU) 106,651.99 GALLONS; 142.83 UNITS  
 PROPOSED PROJECT IS USING 74.02% OF THE MAXIMUM WATER ALLOWANCE PER GOVERNOR'S ORDER NO. 8-20-13

LEGEND

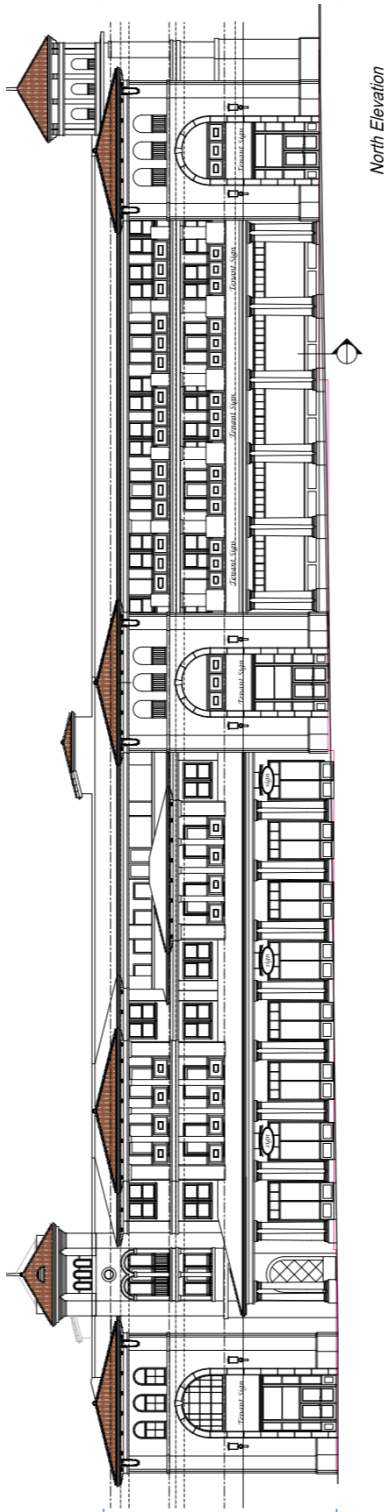
- 1 PEDESTRIAN CONNECTION
- 2 OUTDOOR DINING
- 3 PERMEABLE PAVEMENT
- 4 EXISTING VEGETATIVE BUFFER (CALTRANS)
- 5 12' X 12' INTERACTIVE CHESS BOARD
- 6 MONUMENT SIGN / BIRRY FEATURE
- 7 WATER WALL AND PLANTER
- 8 RAISED PLANTER SEAT WALLS
- 9 TRASH ENCLOSURES
- 10 DECORATIVE CONCRETE PAVING
- 11 PAVES / ACCENT BANDS
- 12 CONTAINER GARDENS
- 13 STREET TREES (SEE TREE EXHIBIT)
- 14 FILTER STRIPS
- 15 CONCRETE PING PONG / FOOTBALL
- 16 COLUMNS, SEE ARCH PLANS
- 17 SWALE, SEE CIVIL PLANS
- 18 FLOWERING TREES WITH TWINKLE LIGHTING
- 19 RE-LOCATED CURB
- 20 E.G. LEWIS STATUE + HISTORICAL MONUMENT
- 21 MIXED PLANTING BUFFER AT PARKING AREAS
- 22 CELL TOWER BASEMENT
- 23 BOLLARDS
- 24 STEEL TREE GRATES
- 25 DROP-OFF
- 26 DROUGHT TOLERANT LANDSCAPING
- 27 CORNHOLE COURT



**EXHIBIT D: Elevations / Floor Plan / Sections**

**Building A front elevation**

**Building A Rear Elevation**





**Building B Elevations**



*East Elevation*



*North Elevation*



*West Elevation*

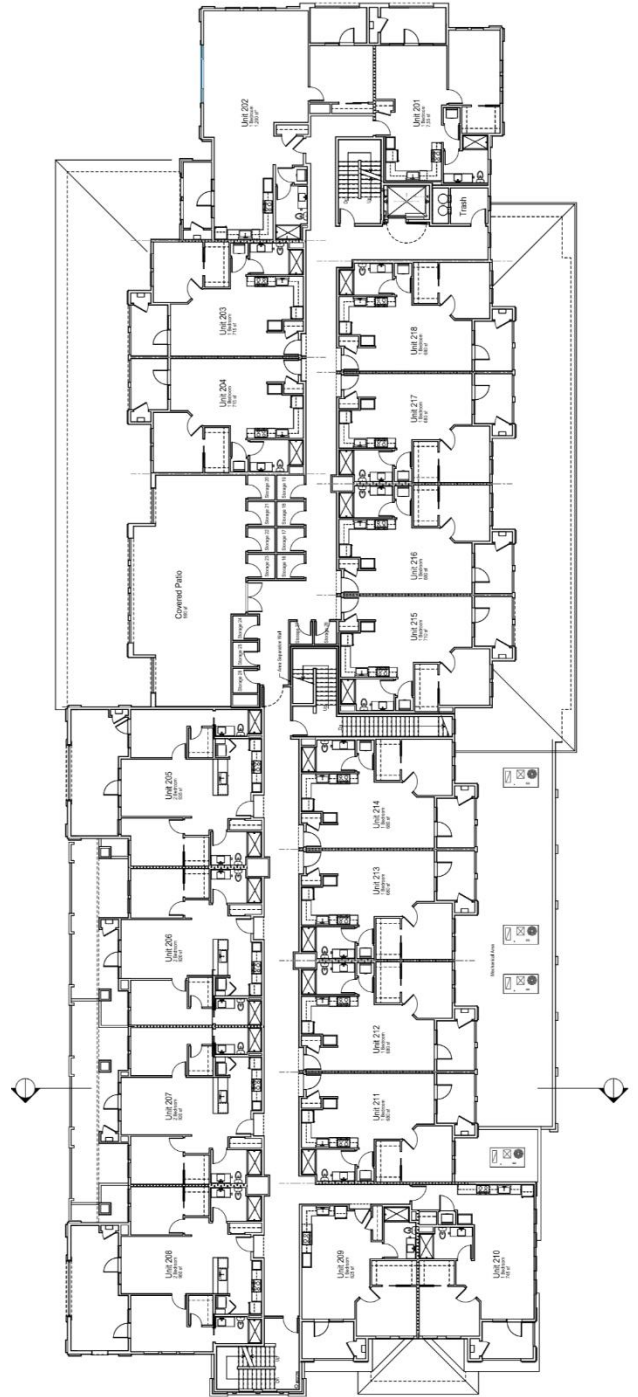
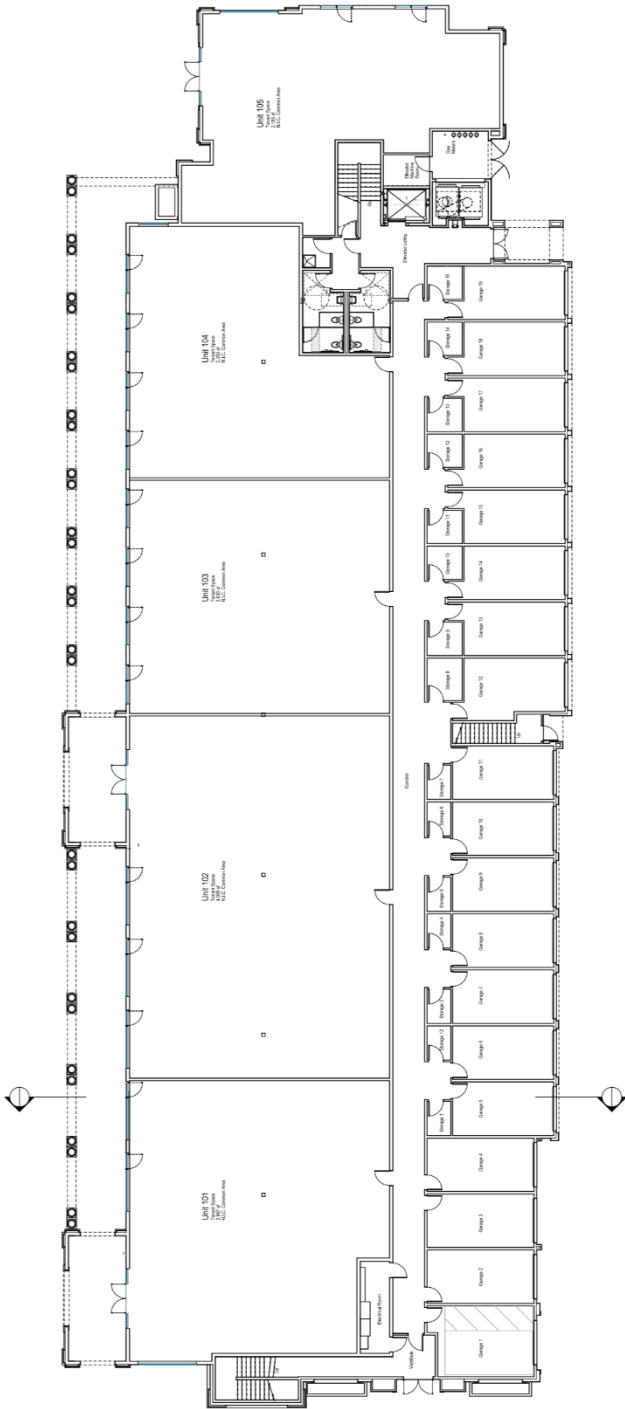


*South Elevation*



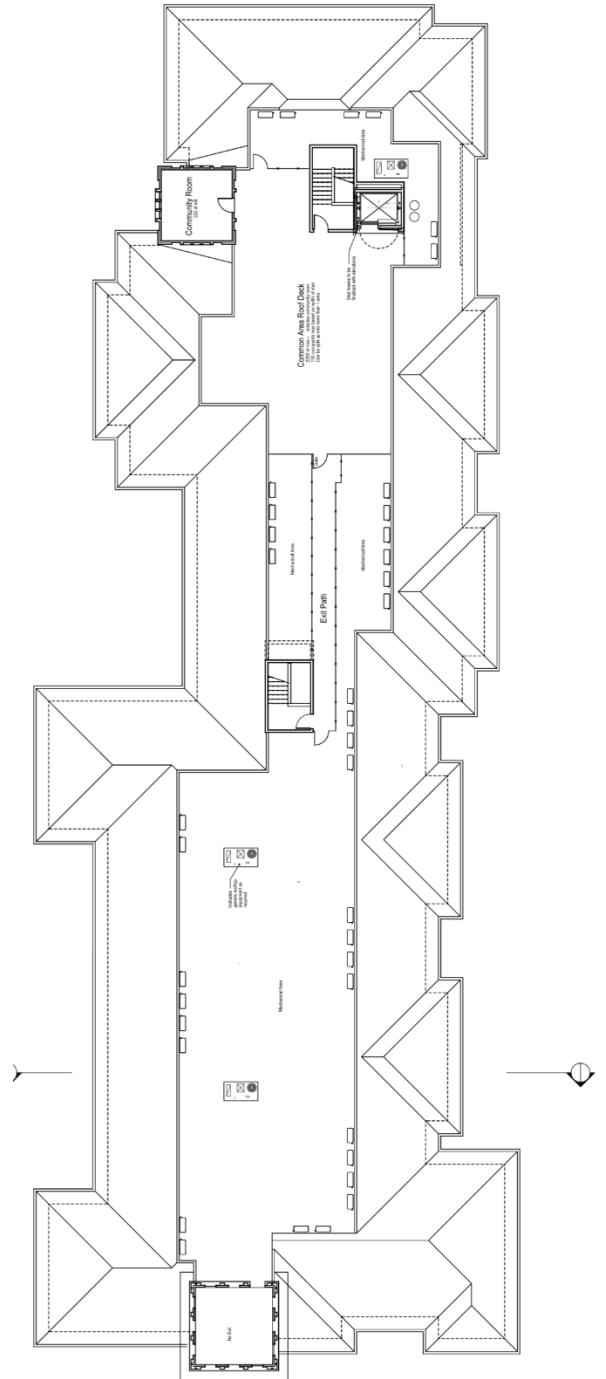
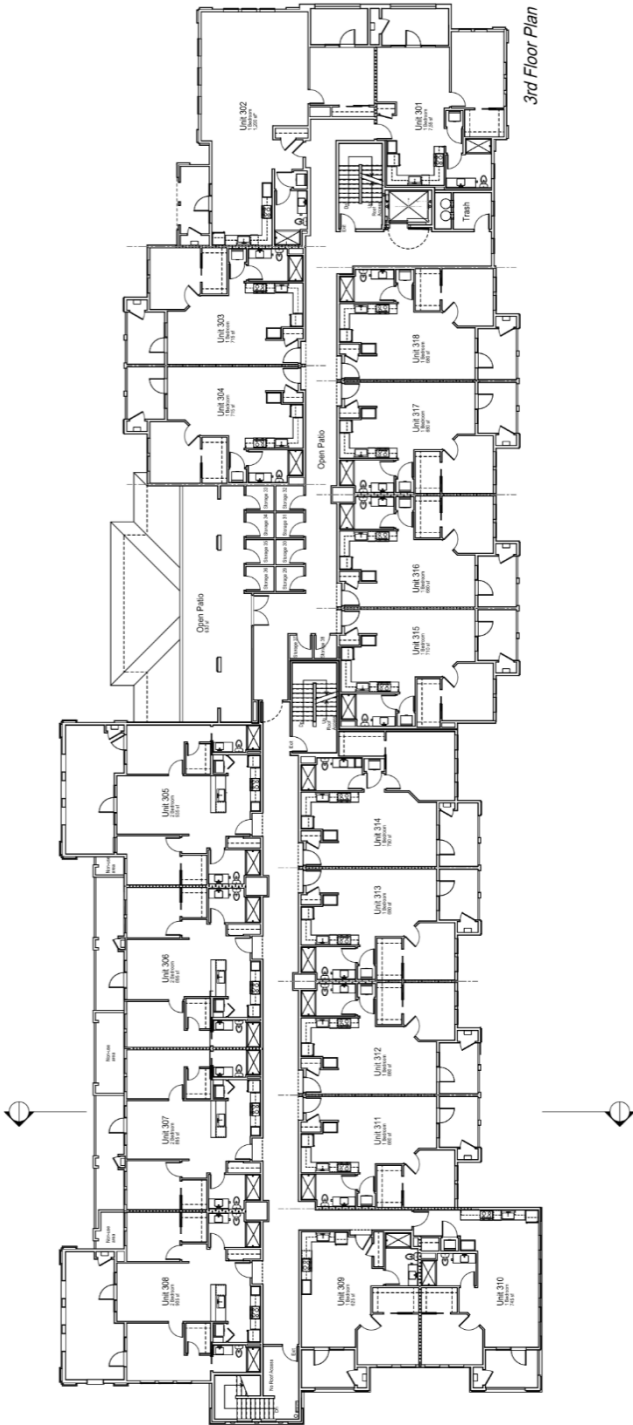
**"A" First Floor Plan**

**"A" Second floor plan**



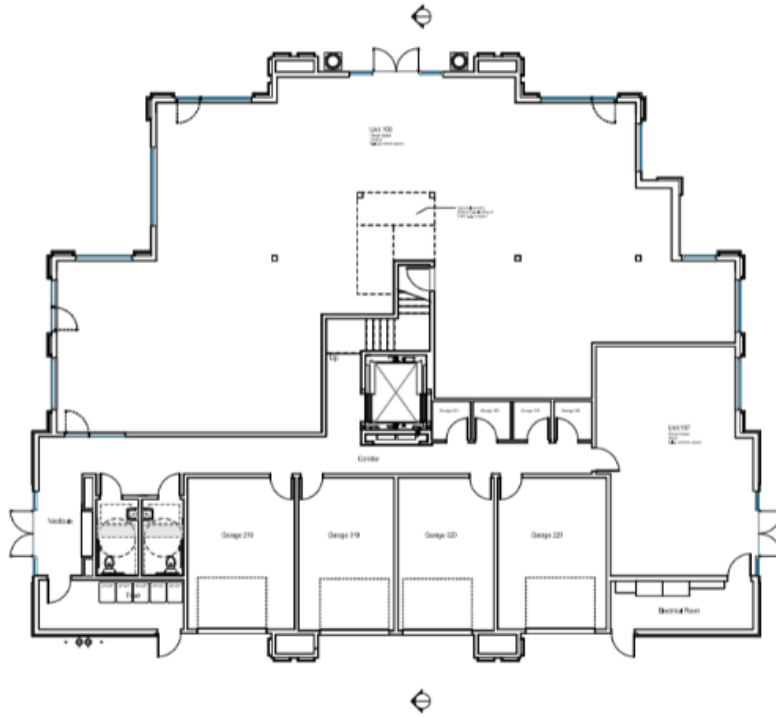
**"A" Third Floor Plan**

**"A" Roof Plan**

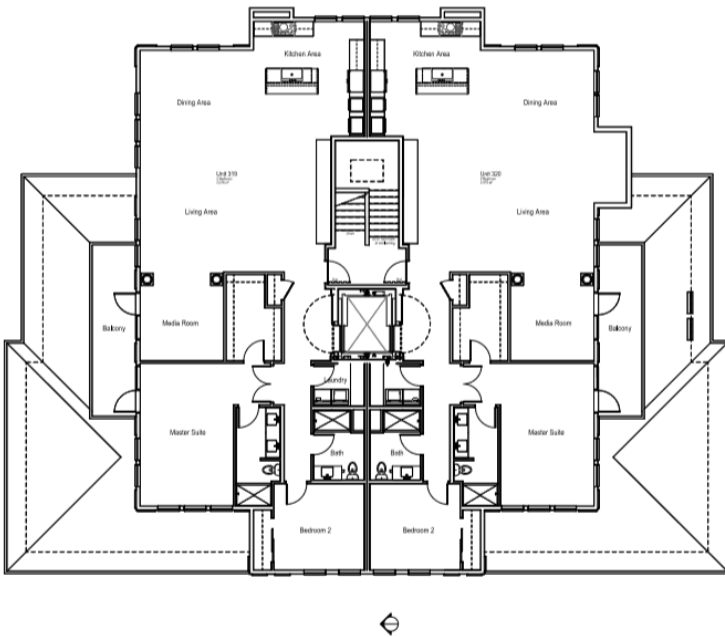


**Building B**

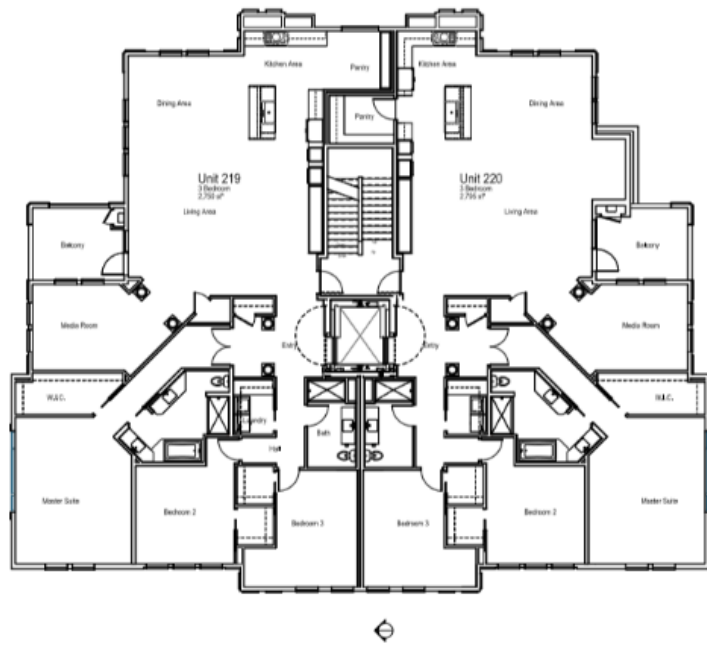
**First Floor**



**Second Floor**



**Third Floor**



**EXHIBIT E: COLORS AND MATERIALS BOARD**

**Painted Fascia**  
 Dunn Edwards DE6105  
 Weathered Leather

**Painted Cornels & Rafter Tails**  
 Dunn Edwards DE5173  
 Deep Coral

**Pylon Sign**

**Painted Stucco Field Color**  
 Dunn Edwards DE6206  
 Desert Suede

**Porcelain Tile Base Accent**  
 American Olean - Method  
 MT05 Khaki Approach, polished

**Painted Stucco Accent Color**  
 Dunn Edwards DE6376  
 Looking Glass

**Aluminum Doors and Windows**  
 Medium Bronze

**Precast GFRC Concrete Panels**  
 Veristone-J. Ginger  
 Sandalwood accents on Cornelsk base

**Precast GFRC Trim + Base**  
 Veristone-J. Ginger in Silverstone



**EXHIBIT F: SIGNAGE**



**Pylon Sign**









**EXHIBIT I: Conceptual PLAZA IMPROVEMENTS**



**ATTACHMENT 4: DRAFT RESOLUTION - B, TENTATIVE MAP & ROAD  
ABANDONMENT**

**DRAFT RESOLUTION 2018-B**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
ATASCADERO, CALIFORNIA, RECOMMENDING APPROVAL OF  
TENTATIVE PARCEL MAP AT 17-0088, INCLUDING A ROAD  
ABANDONMENT TO VACATE PORTIONS OF AN EASEMENT FOR  
PUBLIC USE ALONG EL CAMINO REAL, AND A PORTION OF RIGHT  
OF WAY FOR ATASCADERO AVENUE PURSUANT TO SECTION 8332  
OF THE CALIFORNIA STREETS AND HIGHWAYS CODE  
AND A VEHICULAR CLOSURE OF ATASCADERO AVENUE FOR THE  
CONSTRUCTION OF A PUBLIC PEDESTRIAN PLAZA PURSUANT TO  
SECTION 12920 OF THE CALIFORNIA STREETS AND HIGHWAYS  
CODE**

**LA PLAZA DOWNTOWN REDEVELOPMENT  
Z3 LLC  
(PLN 2017-1649)**

**WHEREAS**, an application has been received from Z3 LLC, Owner / Applicant (8189 San Dimas Lane, Atascadero, CA 93422), to consider Planning Application PLN 2017-1647, for a project consisting of a Master Plan of Development (CUP), Tentative Parcel Map (including condominiums), roadway abandonment, and certification of a Mitigated Negative Declaration ("MND") on a 1.83 acre site located on 6300 through 6500 El Camino Real (APN's 030-193-001,003,017,016, 031,030,033); and,

**WHEREAS**, an application has been received from Z3 LLC, Owner / Applicant (8189 San Dimas Lane, Atascadero, CA 93422) to abandon an approximate 0.11 acre portion of a public access easement directly adjacent to the El Camino Real Right-of-Way; abandon a portion of right-of-way, which is approximately 0.24 acre of Atascadero Avenue (also referred to as "Atascadero Mall"), being portions of Lots 18 and 19, Block H-B, Atascadero Colony Subdivision, City of Atascadero, County of San Luis Obispo, State of California and filed for record on October 21, 1914 in Book 4 at Page 32 of Maps; and partially close to vehicular traffic in the remaining portion of right-of-way along Atascadero Avenue (Mall), with the exception of 20-feet for the construction of a pedestrian plaza; and

**WHEREAS**, the site's current General Plan Land Use Designation is Downtown (D); and

**WHEREAS**, the site's current Zoning District is Downtown Commercial (DC); and



**WHEREAS**, Atascadero Municipal Code § 9-2.110(a)(2) requires that multiple-family developments consisting of twelve (12) or more units, even if such development is listed as an allowed use in a particular zoning district, receive an approval of Master Plan of Development in the form of a Conditional Use Permit (CUP); and

**WHEREAS**, Atascadero Municipal Code Section 9-4.113(b)(1) allows the Planning Commission modification of height limitations, provided the 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; and,

**WHEREAS**, Atascadero Municipal Code Section 9-15.1011 allows the Planning Commission the ability to modify signage standards, provided that the Planning Commission make the appropriate four (4) required findings; and,

**WHEREAS**, the Atascadero General Plan Policy 2.1.2 allows the Planning Commission to grant up to a fifteen percent (15%) density bonus for “exceptionally high quality architecture” through required findings; and,

**WHEREAS**, Official City of Atascadero Land Use and Zoning Maps reflect a portion of El Camino Real as right-of-way; however, this portion of right-of-way has been quitclaimed by the City of Atascadero through City Council Resolution 06-95; and,

**WHEREAS**, the proposed abandoned portion of the right-of-way for Atascadero Avenue (Mall) is shown on portion of Lot 18, Block H-B, Atascadero Colony Subdivision, City of Atascadero, County of San Luis Obispo, State of California and filed for record on October 21, 1914 in Book 4 at Page 32 of Maps, approximately 0.24 acres, will become a part of the adjacent property currently zoned Downtown Commercial; and,

**WHEREAS**, the proposed abandoned the public use easement, approximately 0.11 acres created by an offer of dedication per Official Record 88-O.R.-114 along for El Camino Real will become a part of the adjacent property currently zoned Downtown Commercial; and,

**WHEREAS**, the remaining right of way, approximately 74-feet, as shown in Lot 8 of Block H-B, and a portion of Lot 6 Block E-B, Atascadero Colony Subdivision, City of Atascadero, County of San Luis Obispo, State of California and filed for record on October 21, 1914 in Book 4 at Page 32 of Maps shall be closed to vehicular traffic, with the exception of a 20-foot paved section directly southeast of Lot 6, Block E-B; and,

**WHEREAS**, an Initial Study and proposed Mitigated Negative Declaration, Environmental Document No. 2017-0018 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**, a timely and properly noticed Public Hearing on the subject Tentative Parcel Map was held by the Planning Commission of the City of Atascadero at which hearing evidence, oral and documentary, was admitted on behalf of said Subdivision; and

**WHEREAS**, the Planning Commission of the City of Atascadero, at a duly noticed Public Hearing held on November 21, 2017, and March 6, 2018 studied and considered Tentative Parcel Map (AT 17-0088) for PLN 2017-1649, after certifying Mitigated Negative Declaration Environmental Document No. 2017-0018, prepared for the project.

**WHEREAS**, the City Council of the City of Atascadero, at a duly noticed Public Hearing held on March 27, 2018 studied and considered Tentative Parcel Map (AT 17-0088) for PLN 2017-1649, after certifying Mitigated Negative Declaration Environmental Document No. 2017-0018, prepared for the project.

**NOW THEREFORE**, the City Council of the City of Atascadero, California hereby resolves to authorize staff to process a General Plan Land Use Diagram Amendment at 5705 Olmeda Ave, consistent with Exhibit A and subject to the following:

SECTION 1. The Planning Commission makes the following findings, determinations and approvals with respect to the Tentative Parcel Map, Road Abandonment and Road Closure:

**A. Findings for Approval of Tentative Parcel Map**

2. **FINDING:** The proposed subdivision, together with the provisions for its design and improvement, is consistent with the General Plan and the proposed Zone Text Change Amendment (Government Code §§ 66473.5 and 66474(a) and (b)).

**FACT:** The proposed subdivision has been designed and includes proposed improvements that are consistent with the City's adopted General Plan, in addition to the requirements that have been considered for the adoption of the Master Plan of Development.

3. **FINDING:** The site is physically suitable for the type of development (Government Code § 66474(c)).

**FACT:** The proposed site is suitable for this type of development as the grades are gently sloping. Based on the existing grades and proposed grading plan, the proposed subdivision contains a number of parcels and ultimately a number of residential air space condominiums and non-residential air space condominiums on Parcels 2 and 3 that are consistent with the density of the underlying Downtown Commercial (DC) zoning district.

4. **FINDING:** The site is physically suitable for the proposed density of development (Government Code § 66474(d)).



**FACT:** The site is a redevelopment of formerly developed commercial properties within the City's Downtown Core. The proposed development is consistent with the proposed density within the Downtown Commercial zoning district with an appropriate mix of uses. Therefore, the project is consistent with the surrounding neighborhood and is suitable for the proposed density.

5. **FINDING:** The design of the subdivision or the proposed improvements will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat (Government Code § 66474(e)).

**FACT:** The proposed project has been analyzed, consistent with the California Environmental Quality Act (CEQA), through certified Mitigated Negative Declaration, Environmental Document No. 2017-0018. With the incorporation of mitigation measures, in addition to project conditions, the proposed project's impacts will be mitigated to a threshold of less than significant, therefore the proposed project will not create substantial environmental damage.

6. **FINDING:** The design of the subdivision or the type of improvements will not cause serious health problems (Government Code § 66474(f)).

**FACT:** The proposed project and the types of improvements includes the subdivision of seven (7) existing parcels into four (4) parcels with two (2) parcels for future condominium purposes which includes a total 42 air space residential condominiums and eight (8) air-space non-residential condominiums. Because the proposed project is consistent with envisioned downtown redevelopment, and the improvements have been reviewed for consistency with the threshold established by the City, through adopted Ordinances, and City policies, the proposed project will not cause serious health problems.

7. **FINDING:** The design of the subdivision will not conflict with easements for access through or use of property within the proposed subdivision (Government Code § 66474(g)).

**FACT:** The installation of public improvements are necessary, prior to recordation of a Final Map, in order to ensure orderly development of the surrounding area (Government Code § 66411.1(b)(2)).

8. **FINDING:** The proposed project or use satisfies all applicable provisions of the Title 9 of the Atascadero Municipal Code this title.

**FACT:** Public improvements that are included, as conditioned by the City Engineer, are required and consistent with the City's adopted General Plan, Master Facilities Plan, and Municipal Code. Therefore the proposed improvements are necessary to ensure orderly development of the surrounding area.

## **B. Findings for Roadway Abandonment SHC §8332**



1. At the hearing, the legislative body shall hear the evidence offered by persons interested.

**Finding.** The proposed road abandonment is consistent with the City's General Plan Land Use and Circulation Element. The Atascadero Mall right of way was bisected by Highway 101 in the 1950's and no longer serves a necessary purpose for street access.

**Fact.** The Planning Commission received oral testimony by the project applicant, project representative, and interested persons prior to making a recommendation for vacation of public easements and roadway abandonment.

2. The street, highway, or public service easement described in the notice of hearing or petition is unnecessary for present or prospective public use

**FACT.** The Planning Commission, after hearing public testimony by persons interested in the vacation of a public easement along El Camino Real, and the abandonment of a portion of right-of-way in Atascadero Avenue directly adjacent to the proposed project, recommends to the City Council that these portions of right-of-way and public easements are unnecessary for the present or prospective use of the public and therefore should be vacated through recordation of Tentative Parcel Map AT 17-0088.

### **B. Findings for Partial Vehicular Closure SHC §1920**

1. The governing body of a city by resolution or ordinance removes a street from public use, or closes it to vehicular or pedestrian traffic, such resolution or ordinance may set forth such minimum maintenance requirements, including the maintenance of drainage, for the street as the governing body determines are necessary for the public safety.

**FACT.** The Planning Commission recommended, through approval of a resolution, to the City Council that a portion of Atascadero Avenue be closed to vehicular traffic; however, public right-of-way shall be retained for the use of pedestrians, and bicyclists, and shall continue to be maintained by the City necessary for public safety.

SECTION 3. The City Council takes the following actions with respect to roadway abandonment pursuant to §8332 and partial vehicular closure pursuant §1920 to of the California Streets and Highways Code:

A. Abandoning a portion of the right-of-way for Atascadero Avenue (Mall) shown as a portion of Lot 18, Block H-B, Atascadero Colony Subdivision, City of Atascadero, County of San Luis Obispo, State of California and filed for record on October 21, 1914 in Book 4 at Page 32 of Maps, approximately 0.24 acres, converting this portion of property to a General Plan Land Use Designation of Downtown (D), and a Zoning District of Downtown Commercial (DC);

B. Abandoning a public use easement, approximately 0.11 acres created by an offer of dedication per Official Record 88-O.R.-114 along El Camino Real and reverting this portion of property to a General Plan Land Use Designation of Downtown (D), and a Zoning District of



Downtown Commercial (DC);

C. Approximately 74-feet of right-of-way, owned and maintained by the City of Atascadero, as shown in Lot 8 of Block H-B, and a portion of Lot 6 Block E-B, Atascadero Colony Subdivision, City of Atascadero, County of San Luis Obispo, State of California and filed for record on October 21, 1914 in Book 4 at Page 32 of Maps shall be closed to vehicular traffic, with the exception of a 20-foot paved section directly southeast of Lot 6, Block E-B to construct a public pedestrian plaza.

SECTION 2. The City Council, in a regular session assembled on March 27, 2018, resolved to approve Tentative Parcel Map (AT 17-0088) for PLN 2017-1649, and accompanying road abandonment, subject to the following, on file in the Community Development Department and incorporated herein by reference:

1. EXHIBIT A: Tentative Subdivision Map (AT 17-0088)
2. EXHIBIT B: Road Abandonment map
3. EXHIBIT C: Conditions of Approval
4. EXHIBIT D: Grading Plan
5. EXHIBIT E: Utility Plan

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

AYES:

NOES:

ABSTAIN:

ABSENT:

ADOPTED:

CITY OF ATASCADERO

\_\_\_\_\_  
Tom O'Malley, Mayor

ATTEST:

\_\_\_\_\_  
Lara K. Christensen, City Clerk



APPROVED AS TO FORM:

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Brian A. Pierik, City Attorney







Exhibit B



**Exhibit B: Road Abandonment diagram**

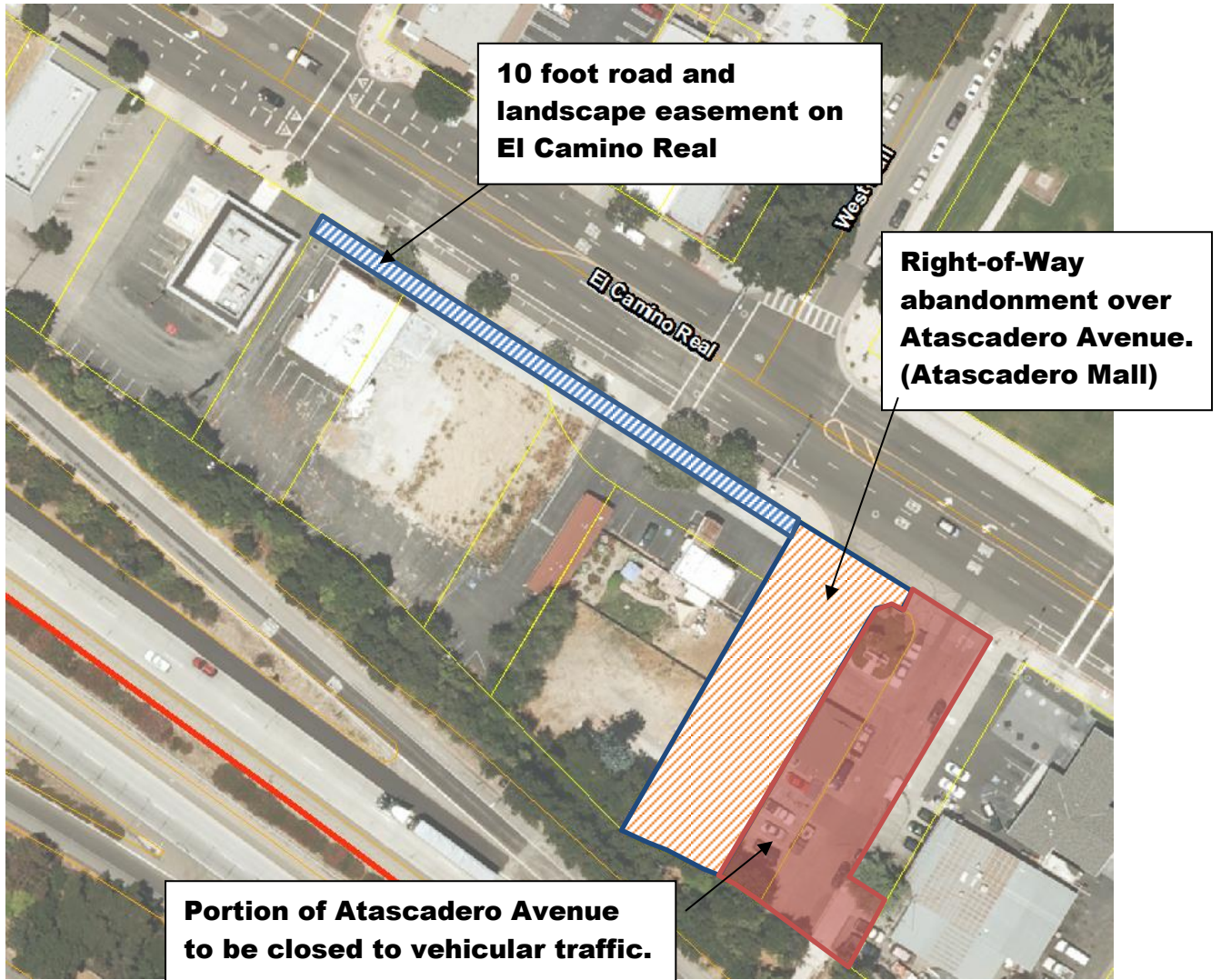


Exhibit C

Conditions of Approval  
City of Atascadero

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PLN 2017-1649  
LA PLAZA DOWNTOWN REDEVELOPMENT  
TENTATIVE PARCEL MAP AT 17-0088  
Road Abandonment  
6500 EL CAMINO REAL  
PARENT APN 030-193-001,003,017,016, 031,030,033

The following conditions of approval apply to the project referenced above. The conditions of approval are grouped under specific headings that relate to the timing of required compliance. Additional language within a condition may further define the timing of the required compliance.

**A. General Conditions.**

1. The emergency services and facility maintenance costs listed below shall be  PLN 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.
  - All Atascadero Police Department service costs to the project.
  - All Atascadero Fire Department service costs to the project.
  - Off-site common City of Atascadero park facilities maintenance service costs related to the project.
  
2. Prior to recordation of the Parcel Map, the Applicant shall establish a,  PLN Property Owners' Association, 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 privately owned-in-common subdivision improvements. The engineer of record shall prepare and submit an estimated operating budget and capital improvement replacement analysis for review and approval by the City Engineer, prior to recordation of the Parcel Map.
  
3. Prior to recording the Final Map, the Applicant shall have the map reviewed  PWD 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.



4. Documents that the City of Atascadero requires to be recorded concurrently with the Final 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.  PWD
5. The City of Atascadero may require an additional map sheet for information purposes in accordance with the Subdivision Map Act.  PWD
6. The El Camino Real pedestrian entry/exit doors serving any building shall not swing into the public right-of-way more than one foot.  PWD
7. The proposed waterfall structure in front of Building A shall be located entirely within the subject property and shall not encroach into the public right-of-way.  PWD
8. The relocation of the existing public sewer main shall be completed prior to issuance of, or, in conjunction with the issuance of building permits for the southerly most building (Tentative Parcel 3).  PWD
9. Atascadero Mall Plaza improvements shall be completed prior to occupancy of Buildings A or B.
10. Rights-of-way acquisitions and/or abandonments shall be completed in accordance with City regulations, the Streets and Highways Code, the Subdivision Map Act, and to the satisfaction of the City Engineer. Public rights-of-way abandonments completed through the Parcel Map process shall be adequately identified on the certificate sheet of the map as well as on subsequent map sheets.  PWD
11. All plans shall contain the City of Atascadero "Standard Notes for Improvement Plans" on file in the City Engineer's office.  PWD
12. Rights-of-way abandonments shall be completed through the Parcel Map process in accordance with City regulations, the Streets and Highways Code, the Subdivision Map Act, and to the satisfaction of the City Engineer.
13. Easements that are not intended to continue in perpetuity shall not be shown on the Parcel Map and shall be recorded by separate instrument.
14. Frontage improvements shall be designed and constructed in accordance with City adopted standards and specifications including but not limited to decorative paver bands, street furniture, tree wells, trash containers, raised planters, etc. Paver bands along the back of curb or within the pedestrian plaza shall be stamped concrete pavement that matches the City adopted standard paver pattern and color.

**B. Roadway Improvements**



15. Construction of the new driveway approach, northwesterly of Building A, requires removal of the existing driveway approach serving the adjacent northwesterly property. Vehicular access to this property shall be combined with the subject property.  PWD
16. Pedestrian ramps on El Camino Real shall be constructed on each side of the street type entrance located between Buildings A and B.  PWD
17. The southeasterly 20-feet of Atascadero Mall shall be extended southwesterly as a vehicular access drive to a point that provides adequate vehicular access to the adjacent southerly property, to the satisfaction of the City Engineer and Community Development Director.  PWD
18. Improvement of Atascadero Mall northwesterly of the access drive and adjacent to the subject property shall be improved as a public plaza and shall include pedestrian channelization (including physical barriers such as raised planters, decorative fencing or short walls, planter islands, etc.) necessary to direct pedestrians exiting the pedestrian tunnel through the open plaza area, to the satisfaction of the City Engineer and Community Development Director.  PWD
19. The applicant shall coordinate with the Regional Transit Authority regarding the relocation and modification to the existing bus shelter and bus stop. Final location shall be approved by the Regional Transit Authority and the City Engineer.  PWD
20. Roadway signing, striping, and traffic signal modifications shall be in accordance with the California Manual on Uniform Traffic Control Devices (CA-MUTCD) and shall be designed and constructed to the satisfaction of the City Engineer.  PWD

**C. Wastewater Collection System**

21. The public gravity sewer system within the subject property shall be modified in accordance with City Standards and to the satisfaction of the City Engineer. The new sewer main system shall be offered to the public and shall include a 20-foot wide public sewer easement. The wastewater collection system shall be designed and constructed in accordance with City standards and specifications, to the satisfaction of the City Engineer.  PWD
22. Gravity sanitary sewer (SS) mains shall terminate in manholes.  PWD
23. The on-site sewer laterals shall be privately owned and maintained by individual lot owners.  PWD
24. Each lot served by the wastewater collection system shall pay all sewer fees prior to the issuance of a building permit.  PWD

**D. Stormwater**

25. The project shall be designed and constructed in accordance with the post-  PWD



construction storm water management regulations in accordance with City Standards and the State RWQCB Resolution R3-2013-0032.

26. Common drainage basins (serving multiple lots) shall be designed to desilt, detain and meter storm flows in accordance with City regulations.  PWD
27. Storm Sewer shall be of either cast-in-place or precast reinforced concrete pipe, polyvinyl chloride pipe, high density polyethylene pipe or an approved equal.  PWD
- Minimum pipe diameter allowable on any storm drain within a roadway or road right-of-way shall be 18" diameter. A lesser size may be used for down drains on fill slopes if approved by the City Engineer.
  - Minimum design velocity in closed conduits shall be 2 f.p.s. when conduit is flowing to capacity and should not exceed 15 f.p.s.
  - Closed conduits shall be designed to convey the 10-year storm flow with gravity flow, the 25-year storm flow with head, and provide a safe overland route for the conveyance for the 100-year storm overflow.
  - Manholes or junction boxes, entry to which does not fall in the gutter line, must have standard 24" diameter manhole covers. Those falling in the gutter line may use the standard grated manhole cover and serve also as an inlet manhole.
28. Prior to approval of subdivision improvement plans, the project engineer shall provide calculations and a report confirming compliance with City regulations and the low-impact development requirements.  PWD
29. When a Storm Water Operation - Maintenance Plan (OMP) is required for an individual lot or group of lots, the City Engineer can require the OMP to be recorded as an agreement against each property. When recordation of an OMP agreement is required, the agreement shall contain provisions allowing the City to enter the property, following reasonable notice to the property owner or tenant, to conduct an inspection of the storm water system and post-construction storm water management controls.  PWD
30. When an OMP is required, the OMP shall include a section addressing annual inspection and reporting to the City by a third party, to the satisfaction of the City Engineer.  PWD

**E. Easements**

31. On-site easements for ingress, egress, pedestrian traffic, drainage, utilities, etc., shall be shown on the Parcel Map, or, created by separate documents to be approved by the City Engineer and City Attorney (as necessary) and recorded concurrently with the Parcel Map.  PWD
32. Driveways serving more than one lot shall require an easement/maintenance agreement for ingress/egress, public & private utilities, and drainage, to the satisfaction of the City Engineer and  PWD



Community Development Director.

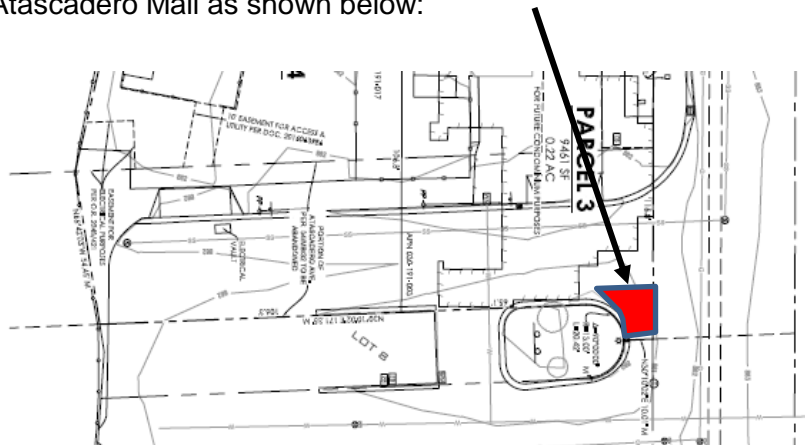
- 33. Drainage easements shall be dedicated over areas containing drainage improvements that benefit or serve more than one property. The determination as to whether the easement is private or offered to the public will be determined by the City Engineer prior to approval of the subdivision improvement plan and Parcel Map.  PWD
- 34. 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.  PWD
- 35. Easements that are not intended to continue in perpetuity shall not be shown on the Parcel Map and shall be recorded by separate instrument.  PWD

**F. Utilities**

- 36. New utility distribution systems and services shall be constructed underground, to the satisfaction of the City Engineer.  PWD

Each parcel 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 Standards and Standard Specifications.  PWD

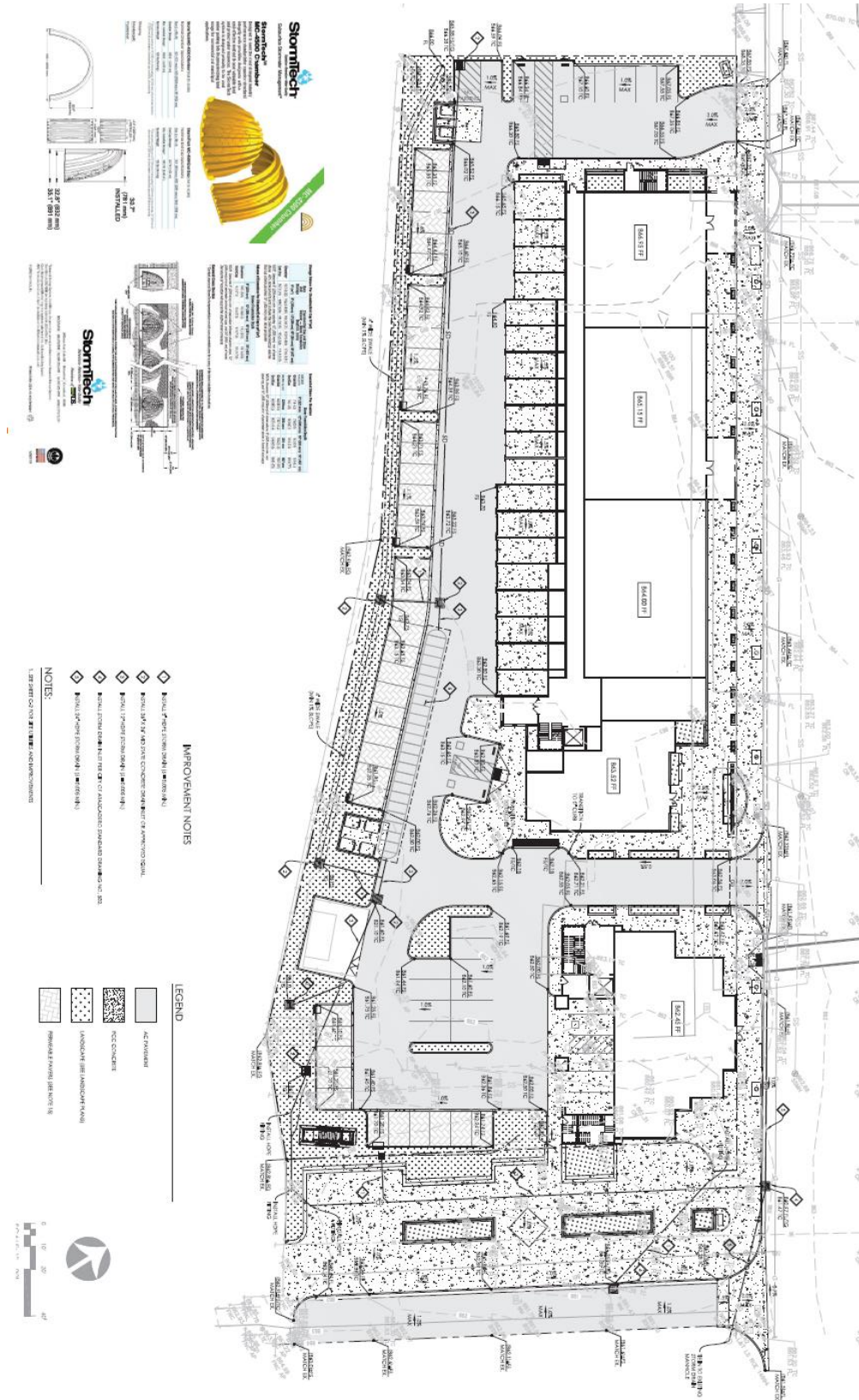
- 37. The right of way abandonment shall exclude that portion of right of way between El Camino Real and the City's property at Atascadero Mall as shown below:



**\*\*END CONDITIONS\*\***



**EXHIBIT D – GRADING & DRAINAGE PLAN**



**EXHIBIT E – UTILITY PLAN**





