



CITY OF ATASCADERO PLANNING COMMISSION AGENDA

In accordance with City Council Resolution No. 2022-003 and the requirements of AB 361, the Planning Commission Meeting will not be physically open to the public and Planning Commissioners will be teleconferencing into the meeting.

HOW TO OBSERVE THE MEETING:

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

Planning Commission - 832 5023 8111 (No Passcode Required)

<https://us02web.zoom.us/j/83250238111?pwd=SG9OdGxyNHNTNmRWEpHTzRQK0VnQT09>

HOW TO SUBMIT PUBLIC COMMENT:

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

If you wish to comment but not via a live platform, please email public comments to: pc-comments@atascadero.org by 12:00 pm on the day of the meeting. Such email **comments must identify the Agenda Item Number in the subject line of the email**. The comments will be forwarded to the Planning Commission and made a part of the administrative record. If a comment is received after the deadline for submission but before the close of the meeting, the comment will still be included as a part of the administrative record of the meeting but will be forwarded to the Planning Commission the next business day. ***Please note, email comments will not be read into the record.***

AMERICAN DISABILITY ACT ACCOMMODATIONS:

Any member of the public who needs accommodations should contact the City Clerk's Office at cityclerk@atascadero.org or by calling 805-470-3400 at least 48 hours prior to the meeting or time when services are needed. The City will use their best efforts to provide reasonable accommodations to afford as much accessibility as possible while also maintaining public safety in accordance with the City procedure for resolving reasonable accommodation requests.

Planning Commission agendas and minutes may be viewed on the City's website: www.atascadero.org.

Copies of the staff reports or other documentation relating to each item of business referred to on the Agenda are on file in the Community Development Department and are available for public inspection on our website, www.atascadero.org. Contracts, Resolutions and Ordinances will be allocated a number once they are approved by the Planning Commission. The Minutes of this meeting will reflect these numbers. All documents submitted by the public during Planning Commission meetings that are either read into the record or referred to in their statement will be noted in the Minutes and available for review by contacting the Community Development Department. All documents are available for public inspection during City Hall business hours by appointment.



CITY OF ATASCADERO PLANNING COMMISSION AGENDA

**REGULAR MEETING
Tuesday, March 1, 2022
6:00 P.M.**

**City Hall Council Chambers
6500 Palma Avenue, 4th Floor
Atascadero, California 93422**

CALL TO ORDER

Pledge of Allegiance

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

APPROVAL OF AGENDA

PUBLIC COMMENT (This portion of the meeting is reserved for persons wishing to address the Commission on any matter not on this agenda and over which the Commission has jurisdiction. Speakers are limited to three minutes. Please state your name for the record before making your presentation. The Commission may take action to direct the staff to place a matter of business on a future agenda.)

CONSENT CALENDAR (All items on the consent calendar are considered to be routine and non-controversial by City staff and will be approved by one motion if no member of the Commission or public wishes to comment or ask questions.)

1. APPROVE THE DRAFT MINUTES OF FEBRUARY 15, 2022

- **Recommendation:** Commission approve the February 15, 2022 Minutes.

WEBSITE:



Find us on
Facebook



Follow us on
Twitter

www.atascadero.org

<http://www.facebook.com/planningatascadero>

[@atownplanning](https://twitter.com/atownplanning)

Scan this QR Code
with your smartphone
to view the Planning
Commission Website.



PLANNING COMMISSION BUSINESS

COMMUNITY DEVELOPMENT STAFF REPORTS

None

PUBLIC HEARINGS

(For each of the following items, the public will be given an opportunity to speak. After a staff report, the Chair will open the public hearing and invite the applicant or applicant's representative to make any comments. Members of the public will be invited to provide testimony to the Commission following the applicant. Speakers should state their name for the record and can address the Commission for three minutes. After all public comments have been received, the public hearing will be closed, and the Commission will discuss the item and take appropriate action(s).

DISCLOSURE OF EX PARTE COMMUNICATIONS:

Prior to a project hearing, Planning Commission Members must disclose any communications they have had on any quasi-judicial agenda items. This includes, but is not limited to, Tentative Subdivision Maps, Parcel Maps, Variances, Conditional Use Permits and Planned Development Permits. This does not disqualify the Planning Commission Member from participating and voting on the matter, but gives the public and applicant an opportunity to comment on the ex parte communication.

2. AMENDMENT FOR HOME DEPOT CENTER AT 905 EL CAMINO REAL

The proposed project includes an Amendment to the Home Depot Use Permit to allow a new Tool Rental Center (TRC) building addition. The project is exempt from the California Environmental Quality Act (CEQA), under Categorical Exemption § 15332, Class 1 Existing Facilities Projects.

Recommendation: Staff's recommendation is to approve the project with conditions. (AMND21-0094).

3. ZONE CHANGE FOR 5901 EAST MALL

The proposed project includes a Planned Development (PD) overlay zone for Centennial Plaza lots. The PD would guide future development towards restaurant and retail development subject to specific design standards. The project is exempt from the California Environmental Quality Act (CEQA), under Categorical Exemption § 15305, Class 5 Minor Alterations to land use limitations.

Recommendation: Staff's recommendation is to approve the project with conditions. (ZCH22-0022).

COMMISSIONER COMMENTS AND REPORTS

WEBSITE: www.atascadero.org



<http://www.facebook.com/planningatascadero>



[@atownplanning](https://twitter.com/atownplanning)

Scan this QR Code
with your smartphone
to view the Planning
Commission Website.



DIRECTOR'S REPORT

ADJOURNMENT

The next regular meeting will be held on March 15, 2022, at 6:00 p.m.

Please note: Should anyone challenge in court any proposed development entitlement listed on this Agenda, that person may be limited to raising those issues addressed at the public hearing described in this notice or in written correspondence delivered to the Planning Commission at, or prior to, this public hearing.

WEBSITE: www.atascadero.org



<http://www.facebook.com/planningatascadero>



[@atownplanning](https://twitter.com/atownplanning)

Scan this QR Code
with your smartphone
to view the Planning
Commission Website.



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

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

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

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

TO SPEAK ON SUBJECTS NOT LISTED ON THE AGENDA

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

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

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

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

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

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

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

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

WEBSITE: www.atascadero.org



Find us on
Facebook

<http://www.facebook.com/planningatascadero>



Follow us on
Twitter

[@atownplanning](https://twitter.com/atownplanning)

Scan this QR Code
with your smartphone
to view the Planning
Commission Website.





**CITY OF ATASCADERO
PLANNING COMMISSION**

DRAFT MINUTES

**Regular Meeting – Tuesday, February 15, 2022 – 6:00 P.M.
City Hall (Teleconference)
6500 Palma Avenue, Atascadero, California**

CALL TO ORDER - 6:00 p.m.

Chairperson van den Eikhof called the meeting to order at 6:00 p.m. and Commissioner Heath led the Pledge of Allegiance.

ROLL CALL

Present: **By Teleconference** - Commissioners Anderson, Carranza, Heath, Schmidt, and Vice Chairperson Keen, Chairperson van den Eikhof

Absent: Commissioner Hughes (excused absence)

Vacant: None

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

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

Staff Absent: None

APPROVAL OF AGENDA

MOTION: By Commissioner Anderson and seconded by Vice Chairperson Keen to approve the Agenda.

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

PUBLIC COMMENT

None

Chairperson van den Eikhof closed the Public Comment period.

CONSENT CALENDAR**1. APPROVE THE DRAFT MINUTES OF JANUARY 18, 2022**

- Recommendation: Commission approve the January 18, 2022 Minutes.

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

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

PLANNING COMMISSION BUSINESS**PLANNING COMMISSION REORGANIZATION:****A. Election of Chairperson and Vice Chairperson**

Chairperson van den Eikhof accepted nominations for Chairperson.

MOTION: By Commissioner Keen and seconded by Commissioner Anderson to nominate Chairperson van den Eikhof as Chairperson. Chairperson van den Eikhof accepted the nomination.

Chairperson van den Eikhof accepted nominations for Vice Chairperson.

MOTION: By Commissioner Schmidt and seconded by Commissioner Anderson to nominate Vice Chairperson Keen as Vice Chairperson. Vice Chairperson Keen accepted the nomination.

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

COMMUNITY DEVELOPMENT STAFF REPORTS

None.

PUBLIC HEARINGS**2. CONDITIONAL USE PERMIT FOR OUTDOOR SALES YARD AT 6501 VIA AVE.**

The proposed project includes a Conditional Use Permit for outdoor sales yard. The project is exempt from the California Environmental Quality Act (CEQA), under Categorical Exemption 15331, Class 1 Existing Facilities Projects
Recommendation: Staff's recommendation is to approve the project with conditions.

EX PARTE COMMUNICATIONS

Vice Chairperson Keen stated that she lives close to the 500 ft. radius for voting. Planner Gleason checked her address against the project address and stated that she is just outside 500 feet, so she can vote.

Commissioner Anderson stated that he owns a business across the street, however, there is no monetary value in him voting on the project. He has had cursory discussions with the owner, simply as a neighbor.

Commissioners Carranza and Heath had no ex parte.

Commissioner Schmidt stated that he reviewed this project at DRC.

Chairperson van den Eikhof stated that he reviewed this project at DRC. He has also rented equipment from the business owner in the past and discussed the project before it came before the Commission.

Planner Gasch presented the staff report and stated that staff is recommending removing Condition 8 from the Conditions of Approval. There were no questions from the Commission.

PUBLIC COMMENT

None

Chairperson van den Eikhof closed the Public Comment period.

MOTION: By Commissioner Schmidt and seconded by Vice Chairperson Keen to adopt the PC Resolution approving USE21-0083, a CUP allowing a new business that includes outdoor sales of landscaping material and equipment rentals in the Industrial Zone at 6501 Via Ave., subject to findings and conditions of approval, with the removal of Condition 8.

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

COMMISSIONER COMMENTS AND REPORTS

Commissioner Carranza gave an update on the Equality Mural Project.

DIRECTOR'S REPORT

Director Dunsmore gave an update on the General Plan Update, the Valley Fresh Market at Del Rio/El Camino Real, funding for the Downtown Infrastructure Enhancement Plan, and La Plaza. Additionally, SB9 and the ADU Ordinance will be coming to the Commission and Council in the Spring of 2022.

Commissioner Anderson asked Director Dunsmore what the chances would be to install a stop sign at Traffic Way and Via Ave. Director Dunsmore stated that the Public Works Director would need to weigh in on this, and it's a larger conversation.

The next meeting will be held on March 1st and the Commission will hear an Amendment to the Home Depot Center and a Zone Change.

ADJOURNMENT – 6:43 p.m.

The next regular meeting is scheduled for March 1, 2022, at City Hall, Council Chambers, 6500 Palma Avenue, Atascadero.

MINUTES PREPARED BY:

Annette Manier, Recording Secretary
Administrative Assistant



ITEM NUMBER: 2

DATE: 3/1/22

Atascadero Planning Commission

Staff Report – Community Development Department

Home Depot Tool Rental Center AMND21-0094

RECOMMENDATIONS:

Design Review Committee Recommends Planning Commission:

1. Adopt a resolution to approve a Conditional Use Permit Amendment to allow for a building addition to the Home Depot Commercial building that will include a new tool and equipment rental center, subject to findings and conditions.

DISCUSSION:

Project History:

Home Depot is currently located at 905 El Camino Real and was originally approved in March, 1999 under CUP 99-011. The project is located on parcel number 049-045-001 in the Commercial Park (CPK) zoning designation and within Planned Development Overlay Zone #9 - 9-3.653

(https://library.gcode.us/lib/atascadero_ca/pub/municipal_code/item/title_9-chapter_3-article_28-9_3_653). The existing business is comprised of 105,700 SF of floor space with an additional 24,109 SF outdoor garden center. The project was approved in 1999 and developed between 2000 and 2001. The parking lot is utilized seasonally for outdoor sales of rugs, Christmas trees, and other items. A permanent outdoor sales installation of sheds is located on the northwest side of the site.

The applicant proposes the construction of an approximately 2,500 square foot building addition to south side of the existing Home Depot store to accommodate a new Tool Rental Center (TRC). The TRC will provide a range of small power tools and larger power equipment to customers and contractors. The building addition will include approximately 2,520 SF for sales and display in addition to a 1,329 SF storage space for tools. The addition will have access from the Home Depot store and will match the existing building material.

Additionally, the applicant requests to utilize approximately ten (10) parking stalls for permanent display of larger rental equipment and eight (8) parking stalls designated for rental truck parking. The business currently includes 546 on-site parking spaces, exceeding the City's requirement of 1 space per 500 SF, by 281 spaces. No maintenance of equipment or vehicles will be done on-site.

On January 27, 2022, the project was reviewed and endorsed by the Atascadero Design Review Committee with the following recommendations:

1. All exterior building lighting shall be fully shielded to limit light intrusion onto adjacent properties while providing for adequate perimeter safety.
2. Home Depot should provide a formal site plan that identifies the location of all seasonal sales, events and outdoor storage and display areas (to include locations and calendar).
3. Additional landscape screening shall be provided at the southwest corner of the property to buffer visual impacts to the adjacent residential properties.

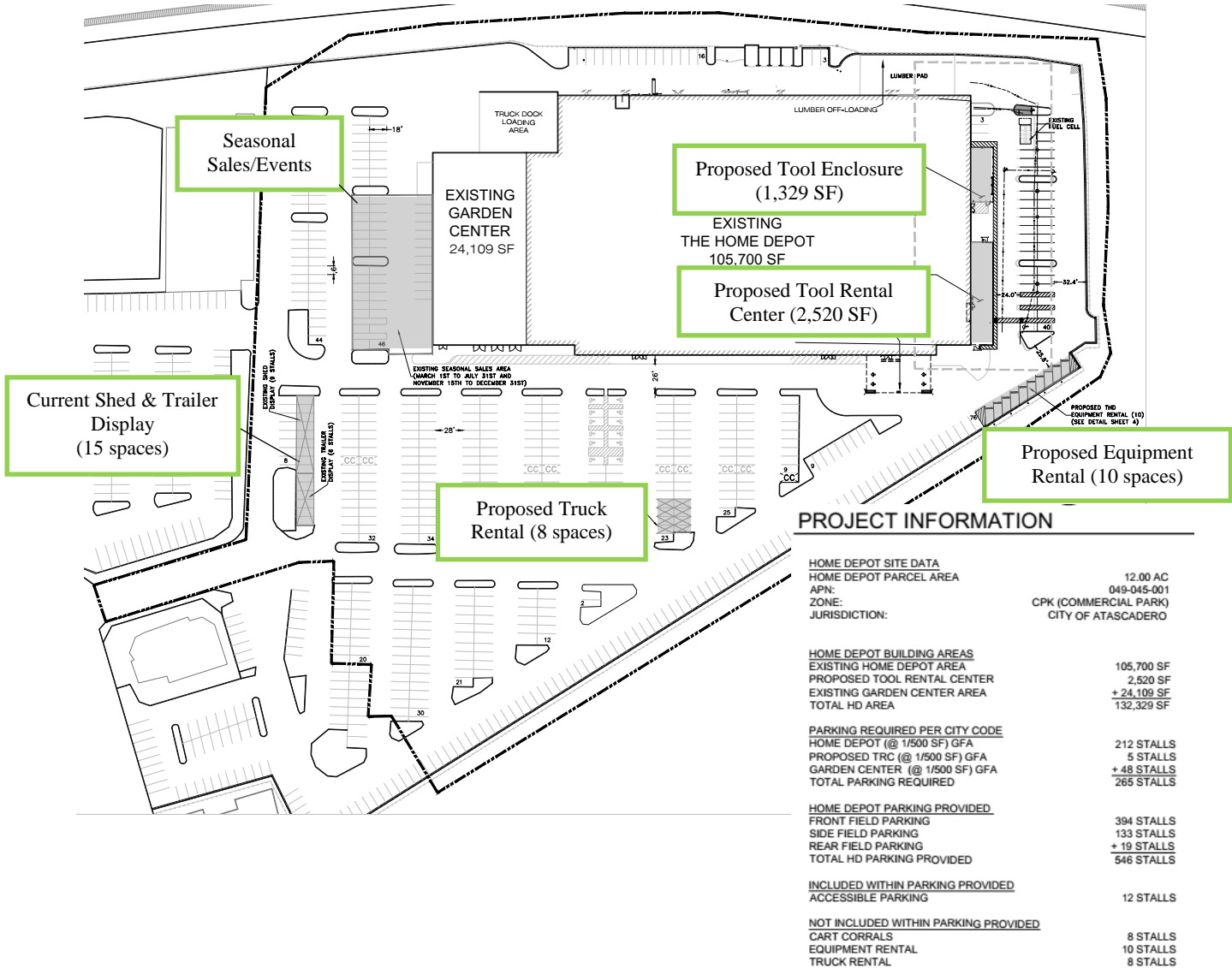
ANALYSIS:

Site Design

The proposed addition is on the south side of the existing building and will extend the footprint by 23.3 feet to the south. Public entry to the rental center will occur through the existing building. Only employees will be able to access a tool storage area that will be within the new addition. No existing parking spaces will be eliminated to accommodate the building addition. The proposal includes the following components:

1. **Tool Rental Center (TRC)** – A 2,520 SF expansion for rental of tools associated with general construction (ranging from a drill to larger equipment such as tall ladders). This will also include a 1,329 SF enclosure of vinyl coated mesh to store the new rental tools and equipment.
2. **Display of Rental Equipment** - Ten (10) parking stalls at the southeast corner of the property will be used to display large equipment that can be rented at the Tool Rental Center. The equipment will be placed on trailers that are locked and chained but readily available for customers to hook up to their vehicles upon rental. Equipment to be displayed includes larger compact power rental equipment such as a backhoe or trencher.
3. **Truck Rental** – Eight parking stalls will be designated for Home Depot Rental Truck parking. This program will allow customers the ability to rent trucks between 12' to 26' in length to transport large items and/or tow equipment trailers. It is anticipated that three to six trucks will be parked on-site at a time.

Walkways have been included to mitigate conflict between pedestrians and vehicles after exiting the new tool rental center. Additionally, equipment rental parking stalls have been sited along the southeast retaining wall below the grade of adjacent residential properties to mitigate noise. The following site plan identifies the proposed changes to the current project.



Neighborhood Compatibility (Noise)

This proposed project is limited to the boundaries of the existing Home Depot Center. The original use permit includes conditions to ensure that neighborhood noise impacts are minimized and limited to the hours of 7 a.m. to 9 p.m. At the DRC meeting, several neighbors spoke about the existing conditions at Home Depot and their history of noise sources and impacts to their property. The neighbors are concerned that the Tool Rental Center addition may increase potential noise impacts.

The proposed Tool Rental Center includes indoor customer space for the display and rental of equipment as well as a tool storage space that is enclosed by wire mesh. This portion of the addition faces the south adjacent to single-family residential properties. The adjacent properties slope upward away from the site and the nearest residence is approximately 300 feet away. The tool rental center will be limited to business hours. Additionally, the equipment and truck parking areas are located within the existing parking area near the contractor entrance and material loading area.

ITEM NUMBER: 2

DATE: 3/1/22

The applicant provided an acoustical analysis to address any potential increase in noise from any of the proposed uses. The study concluded that the proposed use and equipment rental display location will not increase existing noise levels and will have no noise impact on the project so long as there are three or less large equipment trailer rentals per hour.

Architectural Design:

The addition has been designed to match the existing materials of the building including stucco siding painted to match. The addition is 20-feet in height, lower than the existing roofline. Imagery of similar tool rental centers is included below.



The rental center also includes a tool storage area that is enclosed by black vinyl coated wire mesh. A portion of this area is covered by a solid roof with the remaining area uncovered.

ITEM NUMBER: 2

DATE: 3/1/22



All exterior building lighting has been conditioned to be fully shielded to limit light intrusion onto adjacent properties while providing for adequate perimeter safety.



Outdoor Storage and Events:

Currently, a schedule and site plan for outdoor sales and seasonal events such as Christmas tree sales, shed display and outdoor “tent sales” have not been formalized. Staff requested that the applicant provide a site plan and approximate annual calendar for staging of all sales and events as well as shed display to better understand parking and site visibility. The applicant has identified 15 spaces on the north side of the site that are currently being utilized for display of sheds and trailers for sale (see Site Plan). Additionally, Home Depot has designated the parking location adjacent to the Garden Center as the area for future events and sales. The applicant has responded that such events will take place from March 1st to July 31st and November 15th to Dec. 31st.

- Prior to issuance of a construction permit for the new Tool Rental Center, the project conditions for the use permit require Home Depot to provide a formal submittal of a seasonal sales, events and outdoor storage and display plan (to include locations and calendar).

Economic Health and Viability of the Commercial Center

Since the development of Home Depot in the early 2000’s, there have been many economic cycles and natural turnover in the spaces at the commercial center. Over the past 20 years, the center has had vacancies within existing tenant spaces, and there remains several vacant lots near Staples, and the Springhill Suites Hotel. Staff believes this lack of synergy and economic vibrancy at the existing center may be partly due to a restrictive non-compete clause that was put in place decades ago between Home Depot and Westar (the property owner) which prohibits a list of specific businesses from leasing space from Westar in the adjacent buildings. A healthy retail center thrives on the synergy of related business types. Businesses that can cater to specific types of materials and home improvement trades would greatly add to both Home Depot’s and the City’s success.

Staff has revisited the PD 9 Planned Development Overlay Zone the property falls within, and has identified suggested modifications to expand the list of allowable uses to consider market shifts and provide flexibility to increase the number of businesses that may locate there. Staff will bring back a City-sponsored zoning code change at a later date. In turn, the City would also like to review or collaborate with the applicant on the existing Home Depot non-compete clause as part of the lease agreement with Westar to propose revisions that will increase the prospective tenant list and the vibrancy in this location. This has been added as a condition of approval.

Conclusion

Staff believes that expanding the current operation to include these rental services is an added community benefit. Residents and customers in need of equipment for a limited amount of time can rent, rather making a larger investment and purchasing the item outright. The selection of available construction equipment will be expanded and patrons who do not have a large vehicle to transport their purchases to their home, now have the ability to rent a truck for transport.

However, staff remains concerned about the long-term viability of the Home Depot Center, should the remaining parcels stay vacant. To improve the health and viability of the center, staff recommends that prior to issuance of a construction permit, the applicant shall revisit the non-compete clause as part of the lease agreement with Westar. Because the current lease agreement has prohibited some interested businesses from locating in this center, many spaces have remained vacant or have had turnover due to critical mass of occupancy negatively impacting the vibrancy of this center.

ATTACHMENTS:

1. Draft Resolution
2. Design Package
3. Noise Study conducted by Veneklasen Associates on 12/3/2021

PC RESOLUTION 2022-A

**RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF ATASCADERO, CALIFORNIA, APPROVING A
CONDITIONAL USE PERMIT AMENDMENT (AMND21-0094)
ALLOWING A TOOL RENTAL CENTER ADDITION TO THE EXISTING
HOME DEPOT BUILDING AT 905 EL CAMINO REAL
APN 049-045-001
(Home Depot)**

WHEREAS, an application has been received from Applicant, Home Depot c/o Janay Mommer, (905 El Camino Real, Atascadero, Ca 93422) to consider a Conditional Use Permit (AMND21-0094) to allow an expansion of their current operation to include a new tool and equipment rental center.

WHEREAS, the site's General Plan Designation is Commercial Retail (CPK); and

WHEREAS, the site's Zoning is General Commercial (CPK); and

WHEREAS, the proposed project qualifies for a Categorical Exemption consistent with CEQA section 15301: Existing Facilities; and

WHEREAS, the laws and regulations relating to the preparation and public notice of environmental documents, as set forth in the State and local guidelines for implementation of the California Environmental Quality Act (CEQA) have been adhered to; and

WHEREAS, a timely and properly noticed Public Hearing upon the subject Conditional Use Permit Amendment application was held by the Planning Commission of the City of Atascadero at which hearing evidence, oral and documentary, was admitted on behalf of said Conditional Use Permit Amendment; and

WHEREAS, the Planning Commission of the City of Atascadero, at a duly noticed Public Hearing held on March 1, 2022 studied and considered the amendment AMND21-0094.

NOW THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of Atascadero, California, makes the following findings, determinations and recommendations with respect to the proposed Conditional Use Permit Amendment:

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

1. The proposed project has been found Categorically Exempt under Class 1, Section 15301, existing facilities, of the California Environmental Quality Act.

SECTION 2. Findings. The Planning Commission finds as follows:

Conditional Use Permit Amendment:

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

Fact: The proposed tool rental center expansion center consistent with the Commercial Park designation of the General Plan and the General Plan Land Use Element Goals LOC 13 for a sound economic base and LOC 14 for attracting new business, Policies 14.2 and Land Use Program 1.1.7.

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

Fact: As conditioned, the project satisfies the provisions of the Atascadero Municipal Code. The existing parking is adequate to serve the proposed use.

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

Fact: The proposed used is not detrimental to the health, safety or welfare of the general public or persons residing or working in the neighborhood of the use, or be detrimental or injurious to property or improvements in the vicinity of the use.

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

Fact: The proposed use will provide a community benefit. Residents and patrons in need of tools or large equipment can now rent for a limited period, rather than make a much larger investment and purchase the equipment in need.

5. That the proposed project will not generate an increase in noise or a volume of traffic beyond the safe capacity of all roads providing access to the project, either existing or to be improved in conjunction with the project, or beyond the normal traffic volume of the surrounding neighborhood that would result from full development in accordance with the Land Use Element.

Fact: The project is an approximately 5,000 SF expansion of the existing business located off El Camino Real and the Santa Cruz/San Ramon Highway 101 offramp, which are heavily traveled roads in the City. The use is consistent with surrounding uses and will not bring excessive traffic to the area.

SECTION 3. Approval. The Planning Commission of the City of Atascadero, in a regular session assembled on March 1, 2022, resolved to approve Condition Use Permit Amendment AMND21-0094 subject to the following:

- EXHIBIT A: Conditions of Approval
- EXHIBIT B: Project Design Package

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

AYES:	(0)
NOES:	(0)
ABSENT:	(0)
ABSTAINED:	(0)
ADOPTED:	

CITY OF ATASCADERO, CA

Jeff van den Eikhof
Planning Commission Chairperson

ATTEST:

Phil Dunsmore
Planning Commission Secretary

Exhibit A: Conditions of Approval
AMND21-0094

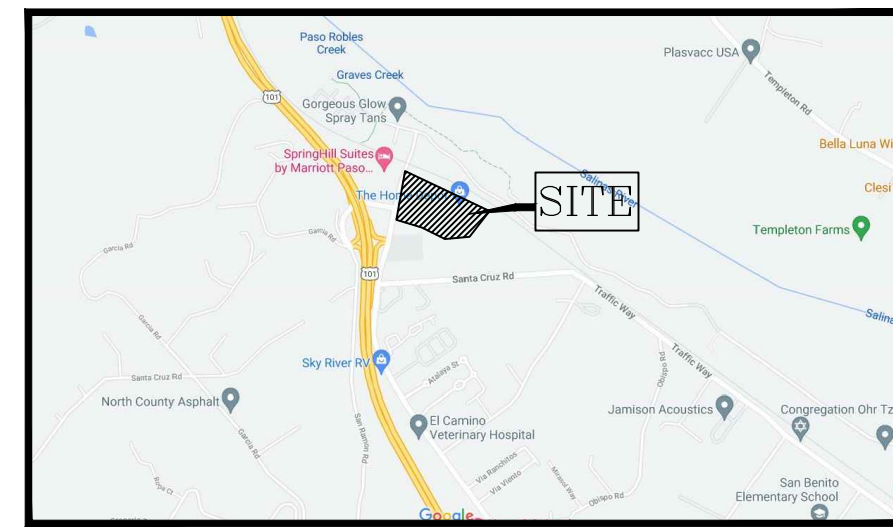
Conditions of Approval / Mitigation Monitoring Program 905 El Camino Real AMND21-0094	Timing BL: Business License GP: Grading Permit BP: Building Permit FI: Final Inspection TO: Temporary Occupancy FO: Final Occupancy	Responsibility /Monitoring PS: Planning Services BS: Building Services FD: Fire Department PD: Police Department CE: City Engineer WW: Wastewater CA: City Attorney
Planning Services Conditions		
1. This Conditional Use Permit Amendment shall allow for the establishment of a Tool and Equipment Rental Center at the existing Home Depot Business at 905 El Camino Real described on the attached exhibits and located on APN 049-045-001, regardless of owner.	Ongoing	PS
2. The approval of this Conditional Use Permit Amendment shall become final and effective for the purposes of issuing building permits fourteen (14) days following the Planning Commission approval, unless an appeal to the decision is filed as set forth in Section 9-1.111(b) of the Zoning Ordinance.	Ongoing	PS
3. The Community Development Department shall have the authority to approve the following minor changes to the project that (1) modify the site plan project by less than 10%, and/or (2) result in a superior site design or appearance.	BL	PS, CE
4. Approval of this Conditional Use Permit Amendment shall be valid for twenty-four (24) months after its effective date. At the end of the period, the approval shall expire and become null and void unless the project has received a building permit. If the use is established and becomes vacant, establishment of a similar use shall be done in accordance with the City's non-conforming use code.	BL	PS
5. The applicant shall defend, indemnify, and hold harmless the City of Atascadero or its agents, officers, and employees against any claim or action brought to challenge an approval by the City, or any of its entities, concerning this Conditional Use Permit Amendment.	Ongoing	CA
6. All exterior building lighting shall be fully shielded to limit light intrusion onto adjacent properties while providing for adequate perimeter safety.	BP	PS
7. Conditions from previous Conditional Use Permit project remain valid (CUP 99011).	BP	PS
8. Applicant must provide a photometric plan with building permit application.	BP	PS
9. Applicant shall provide a formal site plan that identifies the location of all seasonal sales, events and outdoor storage and display areas (to include locations and calendar).	BP	PS

Conditions of Approval / Mitigation Monitoring Program 905 El Camino Real AMND21-0094	Timing BL: Business License GP: Grading Permit BP: Building Permit FI: Final Inspection TO: Temporary Occupancy FO: Final Occupancy	Responsibility /Monitoring PS: Planning Services BS: Building Services FD: Fire Department PD: Police Department CE: City Engineer WW: Wastewater CA: City Attorney
10. Applicant must add additional landscape screening at the southwest corner of the property to buffer visual impacts to the adjacent residential properties.	BP	PS
11. Applicant should Provide Non-Compete Clause/Lease Agreement to City for confidential conversation.	BP	PS
12. Home Depot and City staff will meet and discuss possible areas for modification to both the City's PD 9 overlay zone and HD/Westar Lease agreement.	BP	PS
13. Both parties must make a good faith effort to amend respective documents to expand list of allowed uses as appropriate and mutually beneficial	BP	PS
14. Any agreed to modifications must be made prior to issuance of construction permit.	BP	PS

Exhibit B

See Following Design Package

SITE DEVELOPMENT PLANS TOOL RENTAL CENTER & EQUIPMENT RENTAL FOR THE HOME DEPOT #1031



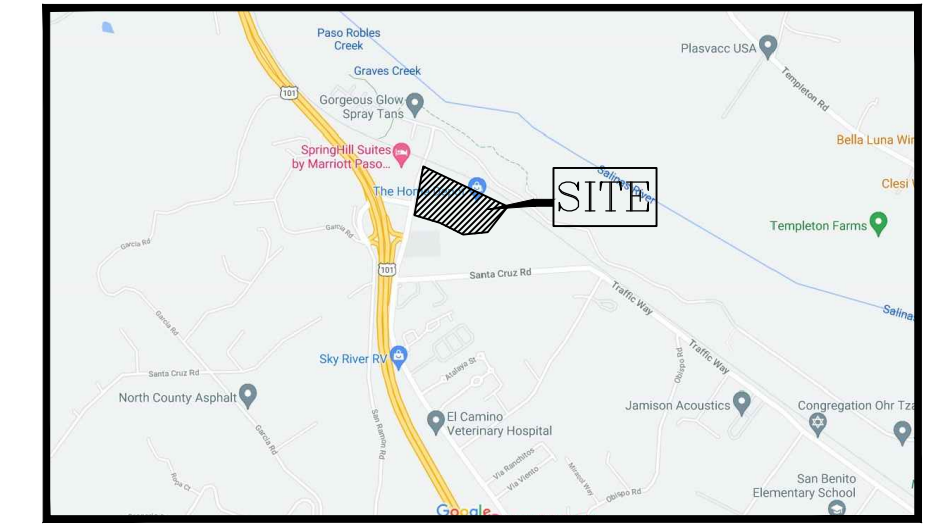
VICINITY MAP
NOT TO SCALE



SHEET INDEX

Sheet NO.	DESCRIPTION
1	OVERALL TRC SITE PLAN
2	TRC SITE PLAN
3	B&W ELEVATIONS
4	COLOR ELEVATIONS
5	DETAILS
6	MATERIAL BOARD





VICINITY MAP
NOT TO SCALE

PROJECT INFORMATION

HOME DEPOT SITE DATA	12.00 AC
HOME DEPOT PARCEL AREA	049-045-001
APN:	CPK (COMMERCIAL PARK)
ZONE:	CITY OF ATASCADERO
JURISDICTION:	

HOME DEPOT BUILDING AREAS	105,700 SF
EXISTING HOME DEPOT AREA	2,520 SF
PROPOSED TOOL RENTAL CENTER	+ 24,109 SF
EXISTING GARDEN CENTER AREA	+ 24,109 SF
TOTAL HD AREA	132,329 SF

PARKING REQUIRED PER CITY CODE	212 STALLS
HOME DEPOT (@ 1/500 SF) GFA	5 STALLS
PROPOSED TRC (@ 1/500 SF) GFA	+ 48 STALLS
GARDEN CENTER (@ 1/500 SF) GFA	+ 48 STALLS
TOTAL PARKING REQUIRED	265 STALLS

HOME DEPOT PARKING PROVIDED	546 STALLS
FRONT FIELD PARKING	394 STALLS
SIDE FIELD PARKING	133 STALLS
REAR FIELD PARKING	+ 19 STALLS
TOTAL HD PARKING PROVIDED	546 STALLS

INCLUDED WITHIN PARKING PROVIDED ACCESSIBLE PARKING	12 STALLS
---	-----------

NOT INCLUDED WITHIN PARKING PROVIDED	
CART CORRALS	8 STALLS
EQUIPMENT RENTAL	10 STALLS
TRUCK RENTAL	8 STALLS

TRC SITE PLAN

DATE:	10/5/2021
REVISION DATES:	11/16/2021

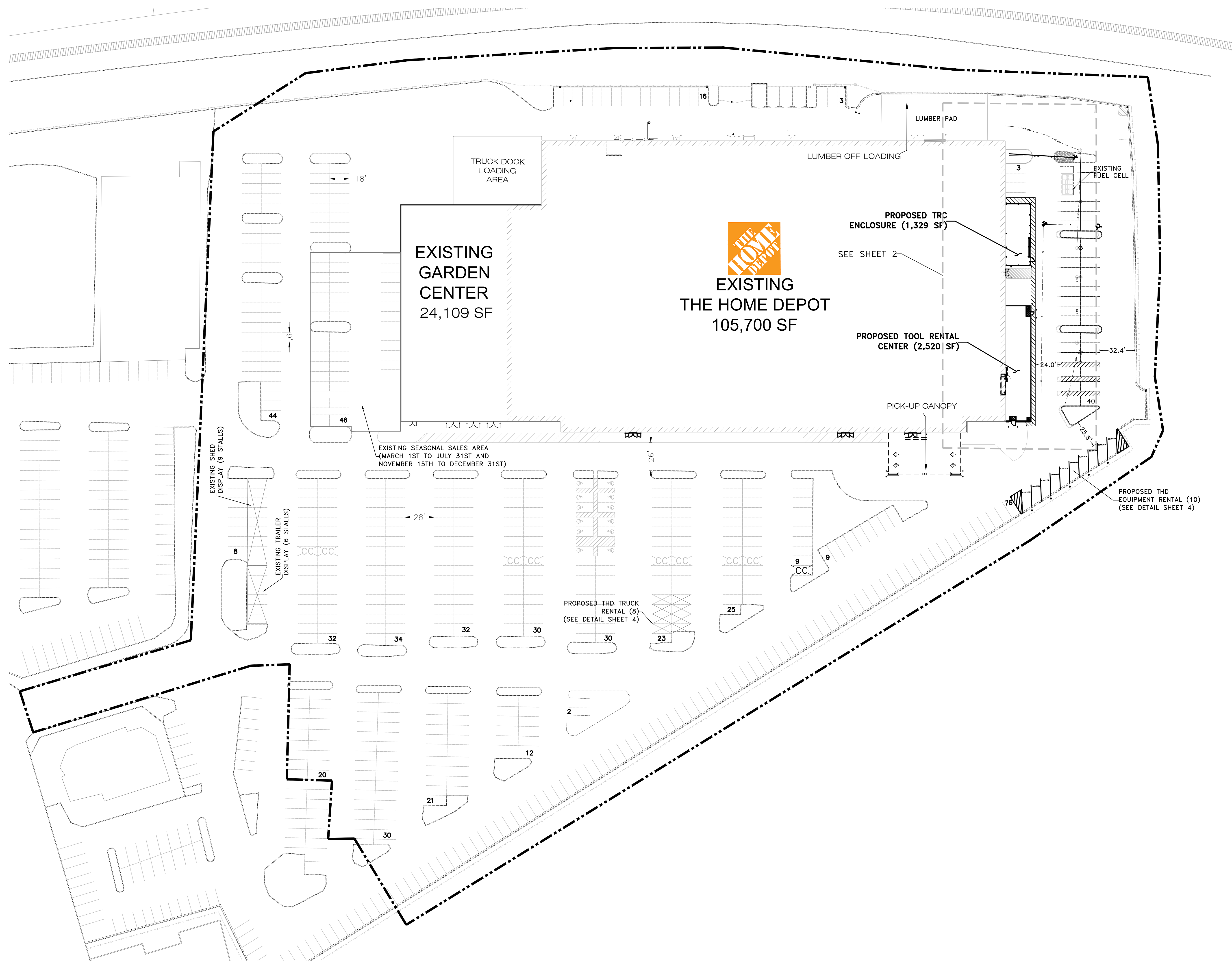
SITE PLANNER	DAVID BORSCH
SITE DEV. COORDINATOR	SCOTT MOMMER
R. E. MARKET	
R. E. AGENDA NAME	
R. E. MANAGER	

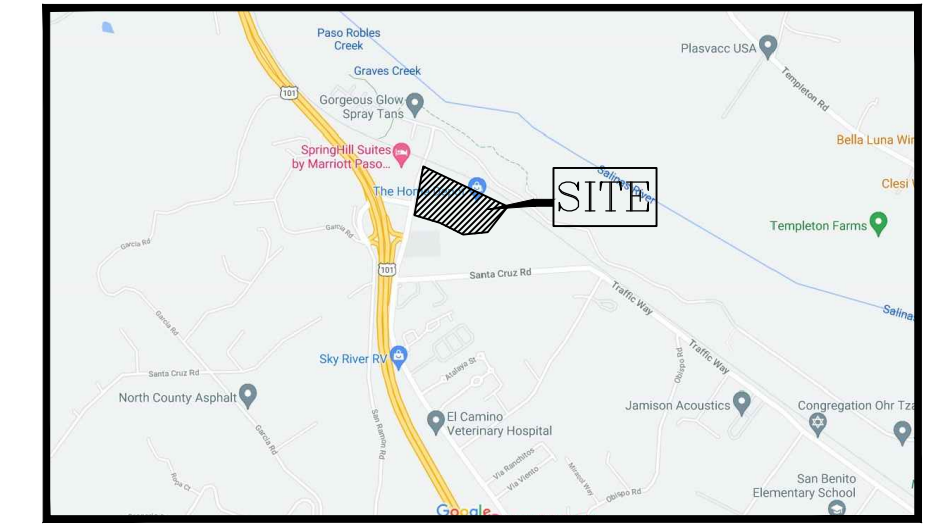


CA- ATASCADERO STORE # 1031

ADDRESS: 905 EL CAMINO REAL
ATASCADERO, CA, 93422

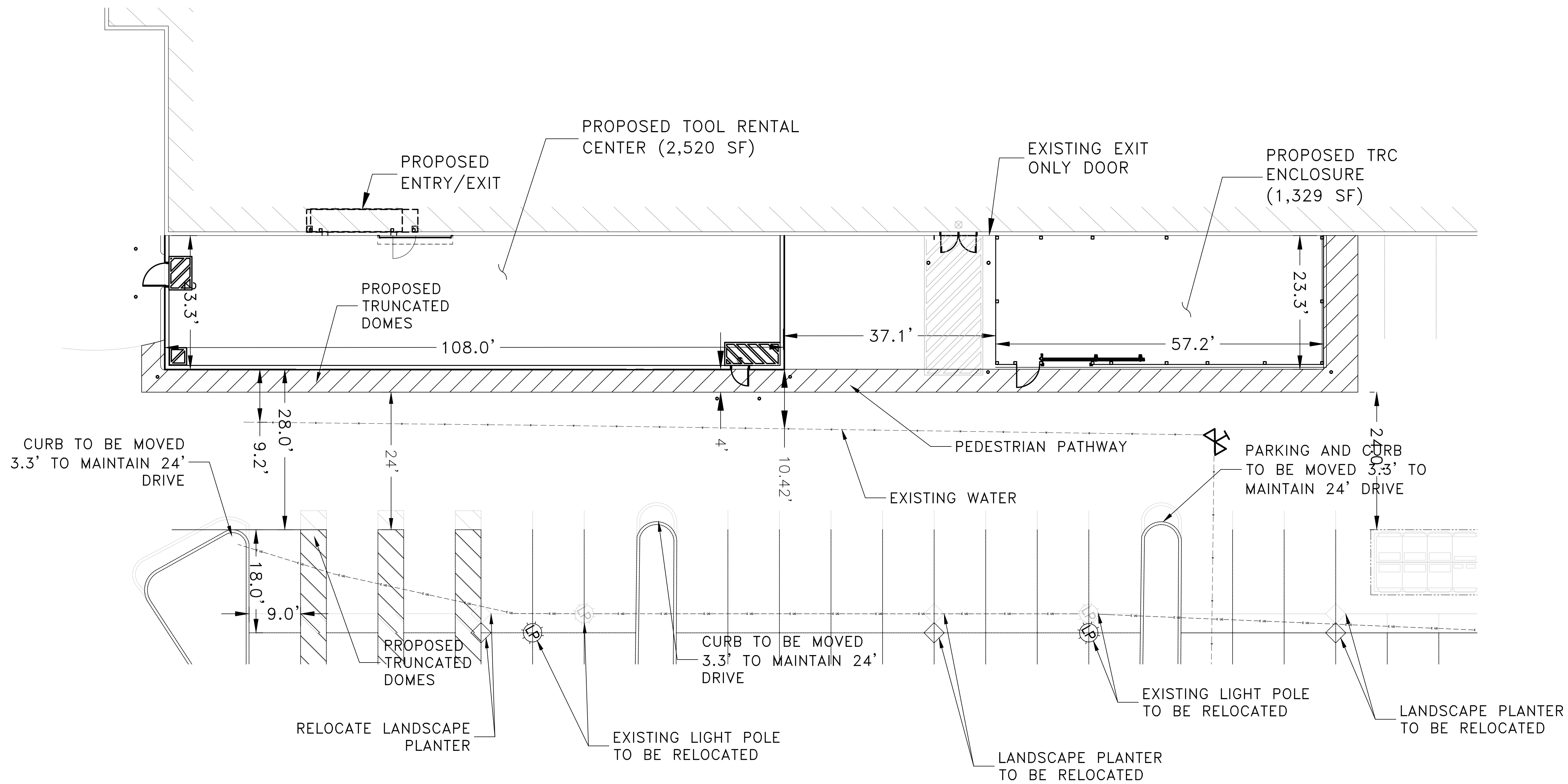
LA PROJECT NUMBER 18184.00





VICINITY MAP
NOT TO SCALE

PROJECT INFORMATION



TRC SITE PLAN

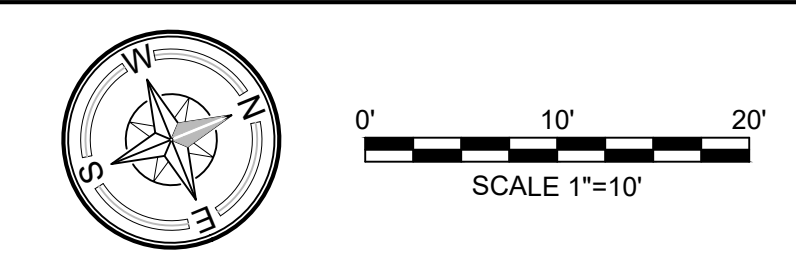
DATE:	10/5/2021
REVISION DATES:	11/16/2021
SITE PLANNER	DAVID BORSCH
SITE DEV. COORDINATOR	SCOTT MOMMER
R. E. MARKET	
R. E. AGENDA NAME	
R. E. MANAGER	



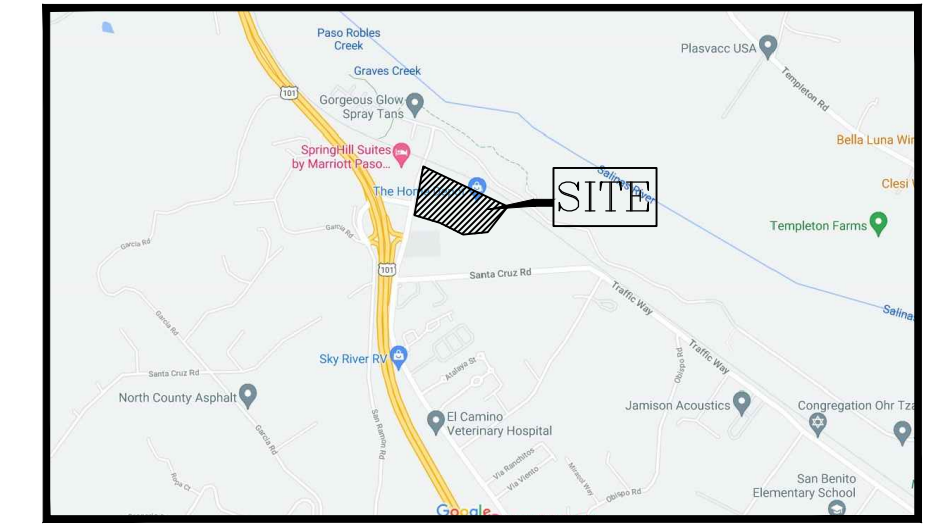
**CA- ATASCADERO
STORE # 1031**

ADDRESS: 905 EL CAMINO REAL
ATASCADERO, CA, 93422

LA PROJECT NUMBER 18184.00

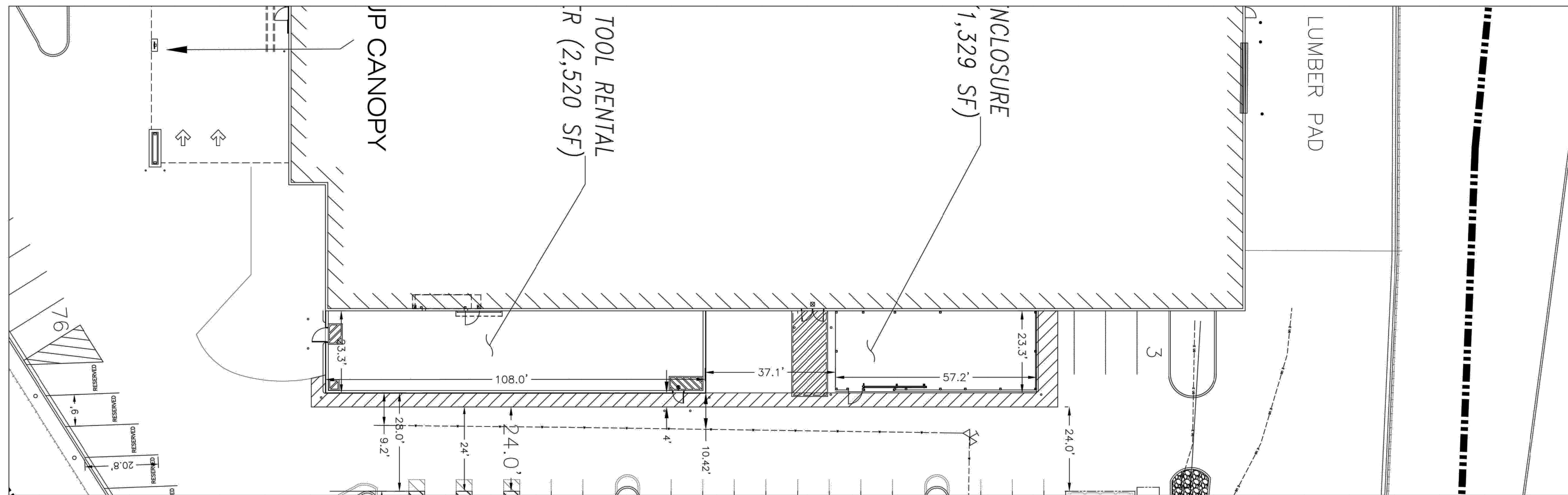


NOTE: EXISTING UTILITIES HAVE BEEN PLOTTED FROM AS-BUILT DRAWINGS FOR THE DEVELOPMENT. FIELD VERIFICATION WILL BE REQUIRED BEFORE DEVELOPING CONSTRUCTION DRAWINGS.

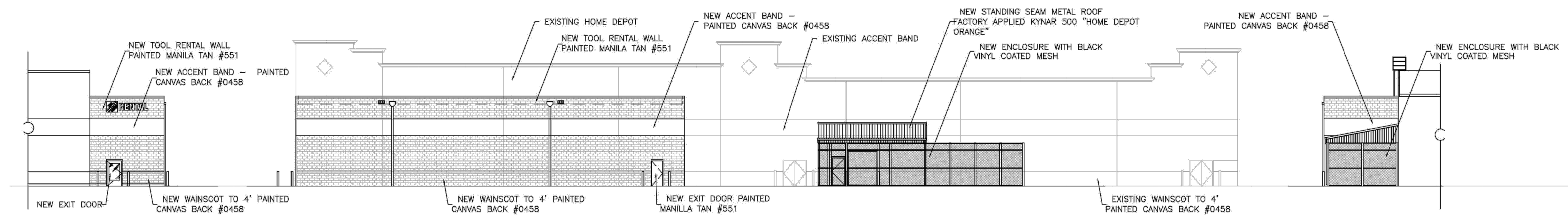


VICINITY MAP
NOT TO SCALE

PROJECT INFORMATION



1 PARTIAL FLOOR PLAN (NEW TOOL RENTAL CENTER)
 Scale: 1/16" = 1'-0"



2 EAST ELEVATION
 Scale: 1/16" = 1'-0"

2 NORTH ELEVATION
 Scale: 1/16" = 1'-0"

2 WEST ELEVATION
 Scale: 1/16" = 1'-0"

ELEVATIONS

DATE: 10/5/2021
 REVISION DATES: 11/16/2021

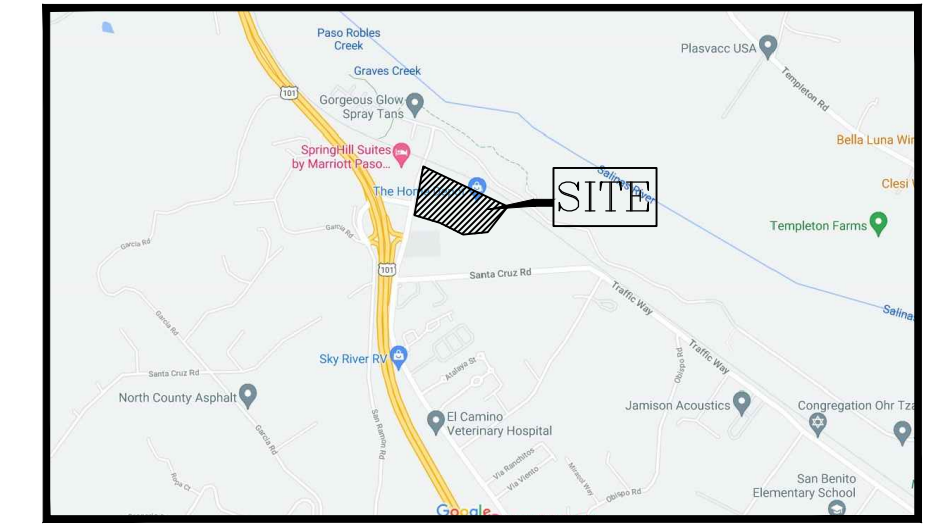
SITE PLANNER: DAVID BORSCH
 SITE DEV. COORDINATOR: SCOTT MOMMER
 R. E. MARKET
 R. E. AGENDA NAME
 R. E. MANAGER



**CA- ATASCADERO
 STORE # 1031**

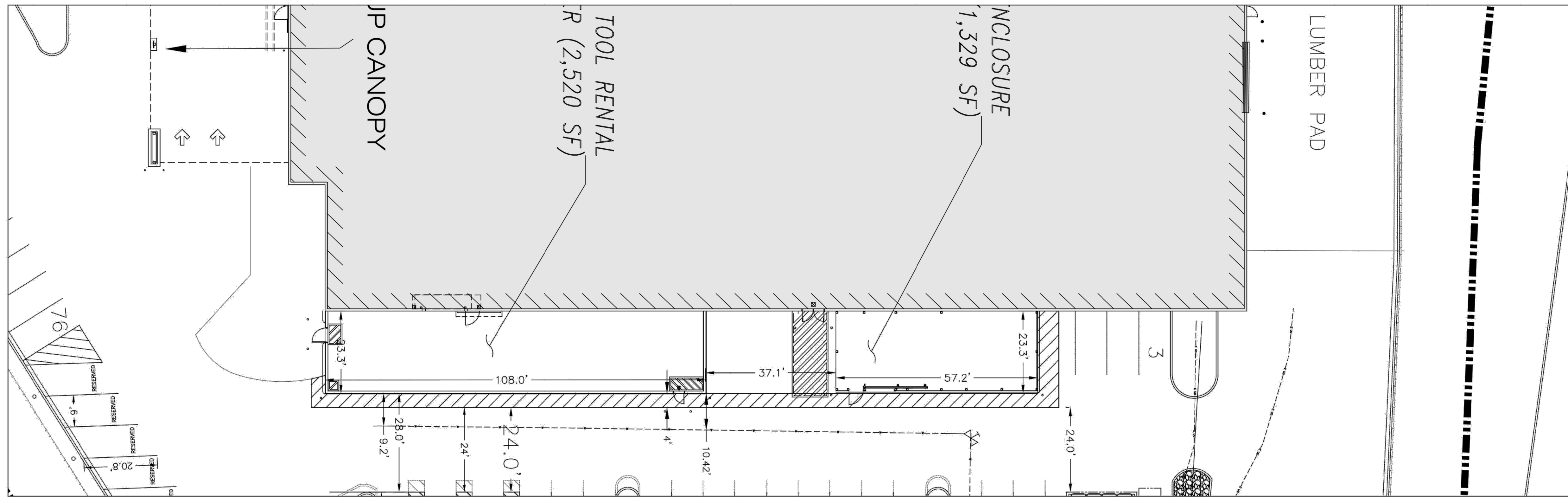
ADDRESS: 905 EL CAMINO REAL
 ATASCADERO, CA, 93422

LA PROJECT NUMBER: 18184.00

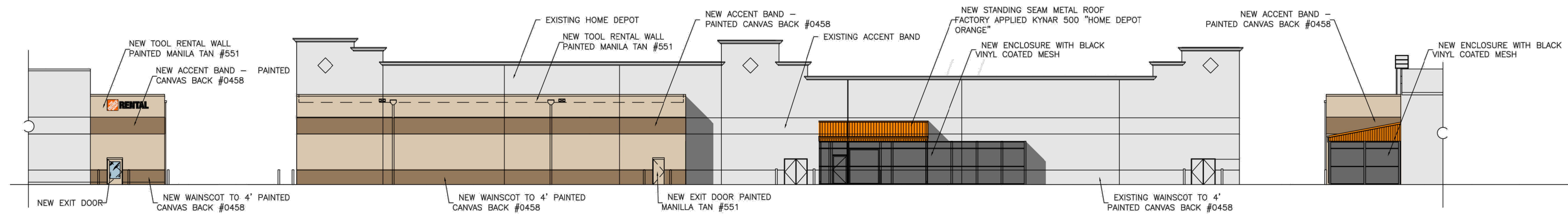


VICINITY MAP
NOT TO SCALE

PROJECT INFORMATION



1 PARTIAL FLOOR PLAN (NEW TOOL RENTAL CENTER)
 Scale: 1/16" = 1'-0"



2 EAST ELEVATION
 Scale: 1/16" = 1'-0"

2 NORTH ELEVATION
 Scale: 1/16" = 1'-0"

2 WEST ELEVATION
 Scale: 1/16" = 1'-0"

ELEVATIONS

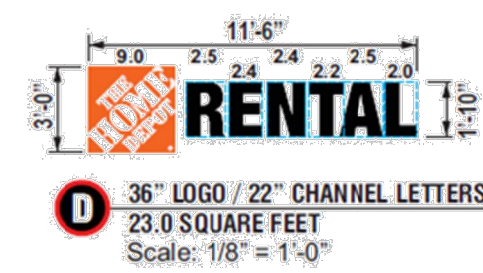
DATE:	10/5/2021
REVISION DATES:	11/16/2021
SITE PLANNER	DAVID BORSCH
SITE DEV. COORDINATOR	SCOTT MOMMER
R. E. MARKET	
R. E. AGENDA NAME	
R. E. MANAGER	

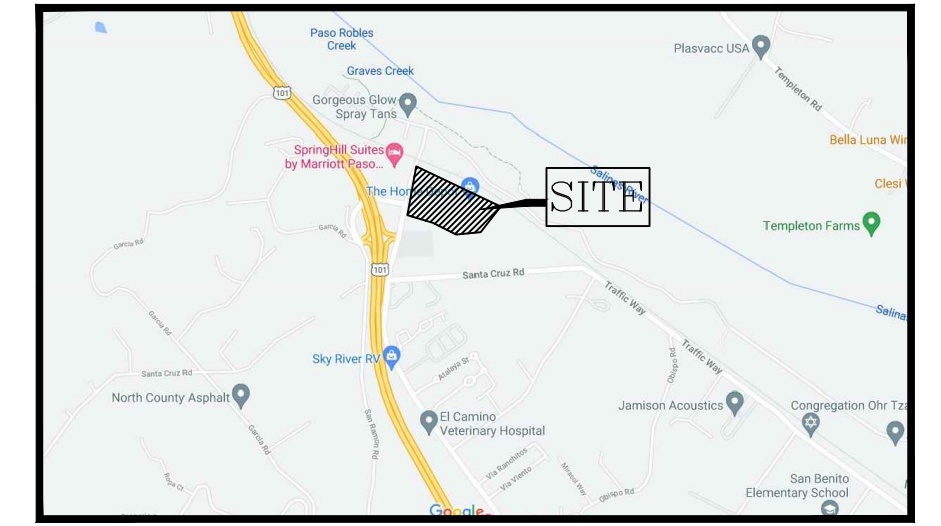


**CA- ATASCADERO
 STORE # 1031**

ADDRESS: 905 EL CAMINO REAL
 ATASCADERO, CA, 93422

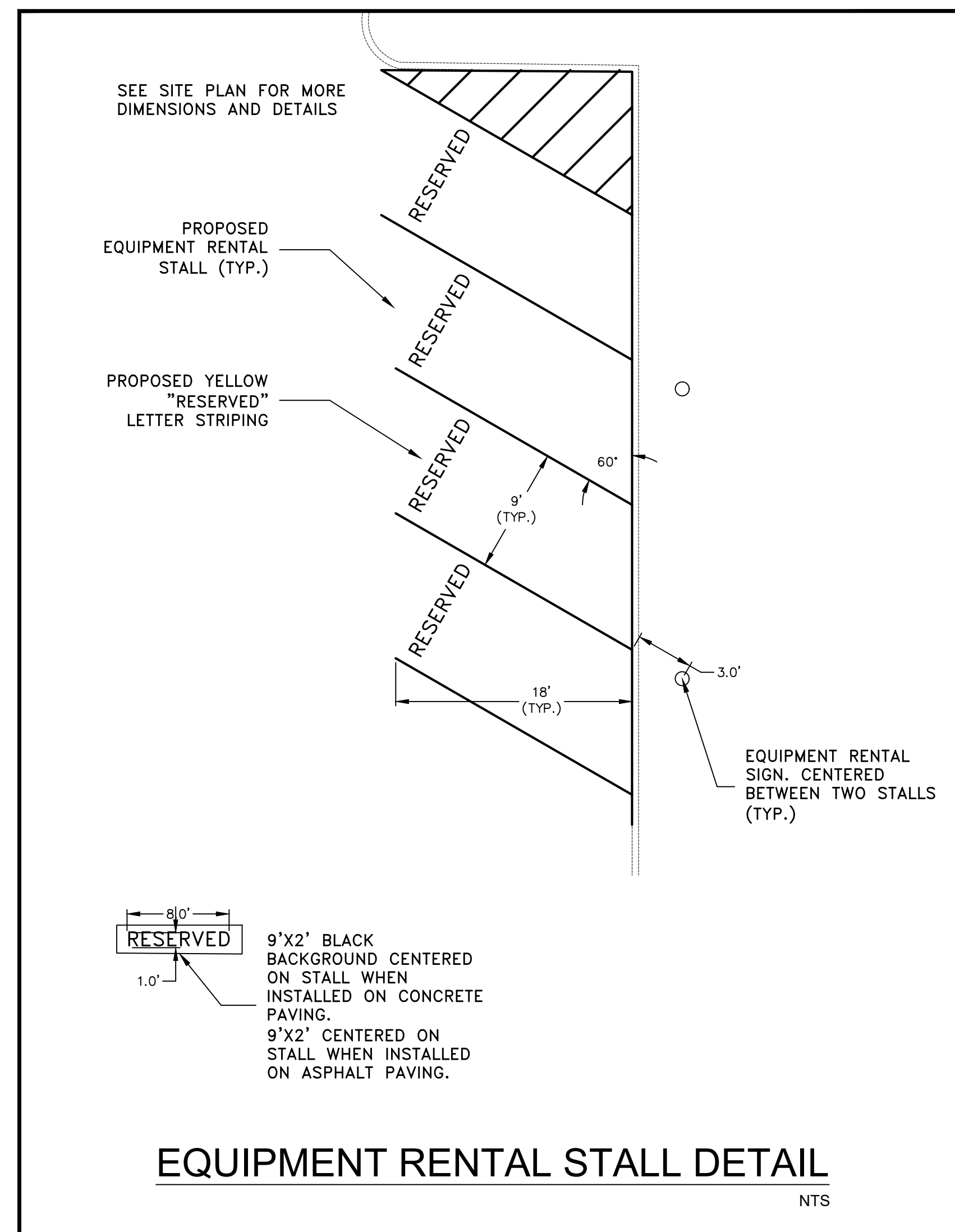
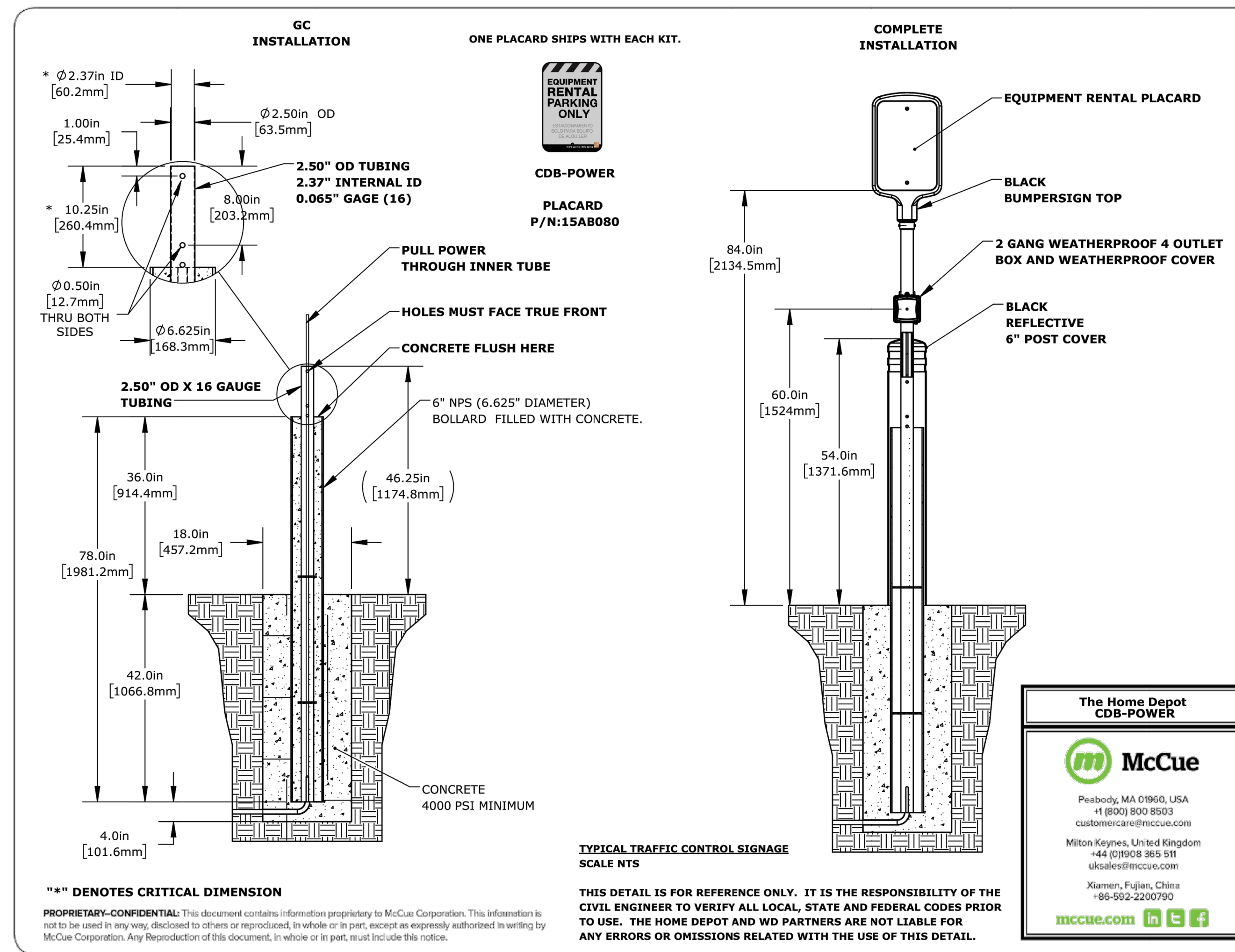
LA PROJECT NUMBER 18184.00





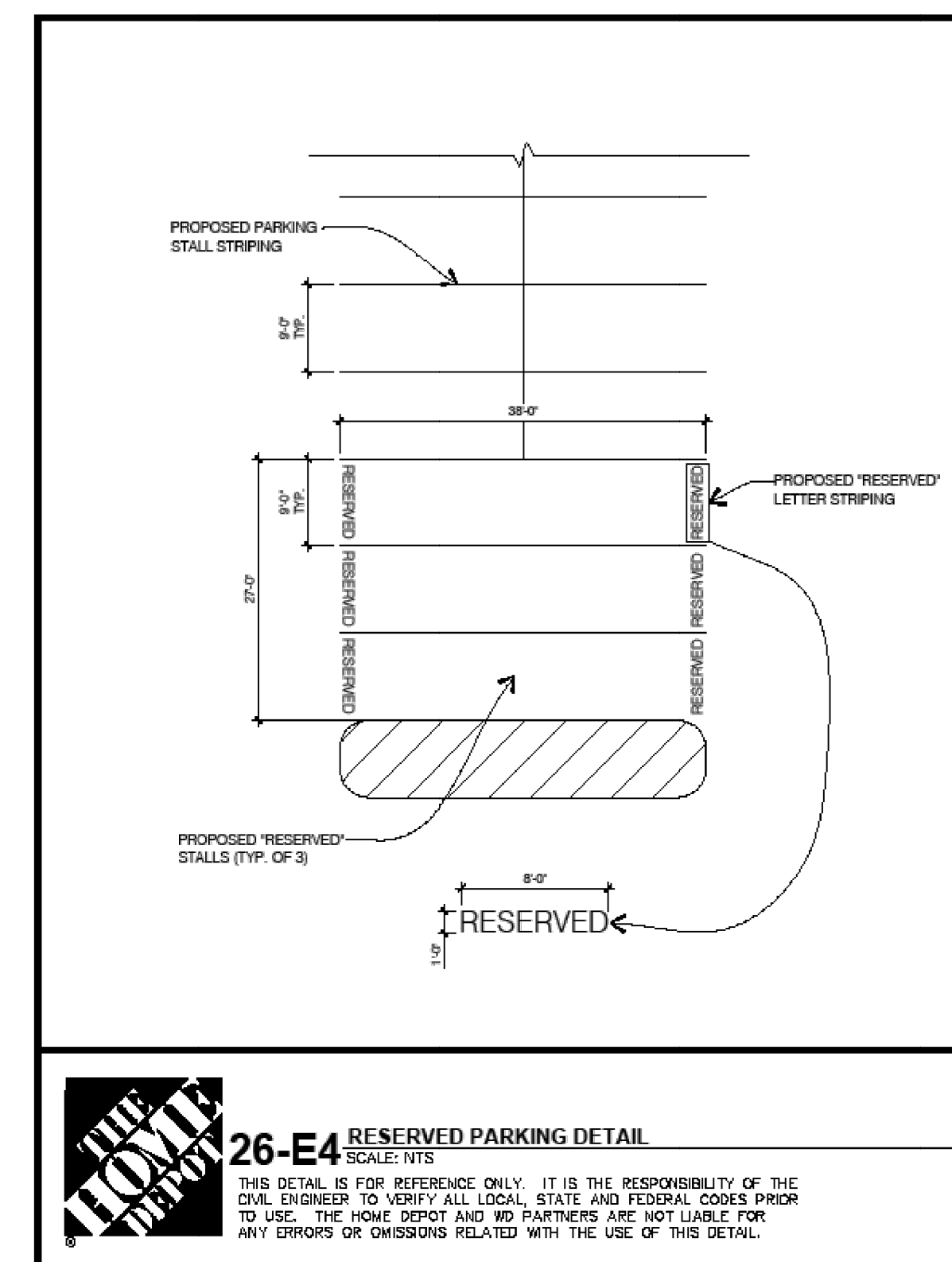
VICINITY MAP
 NOT TO SCALE

PROJECT INFORMATION



Section 7: CIVIL DRAWING REQUIREMENTS

Figure 26-E4



DETAILS

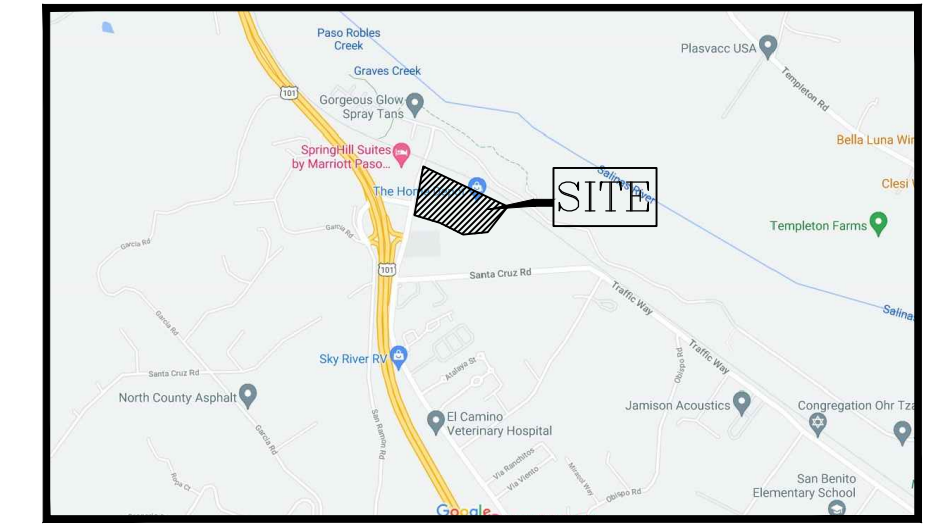
DATE:	10/5/2021
REVISION DATES:	11/16/2021
SITE PLANNER	DAVID BORSCH
SITE DEV. COORDINATOR	SCOTT MOMMER
R. E. MARKET	
R. E. AGENDA NAME	
R. E. MANAGER	



**CA- ATASCADERO
 STORE # 1031**

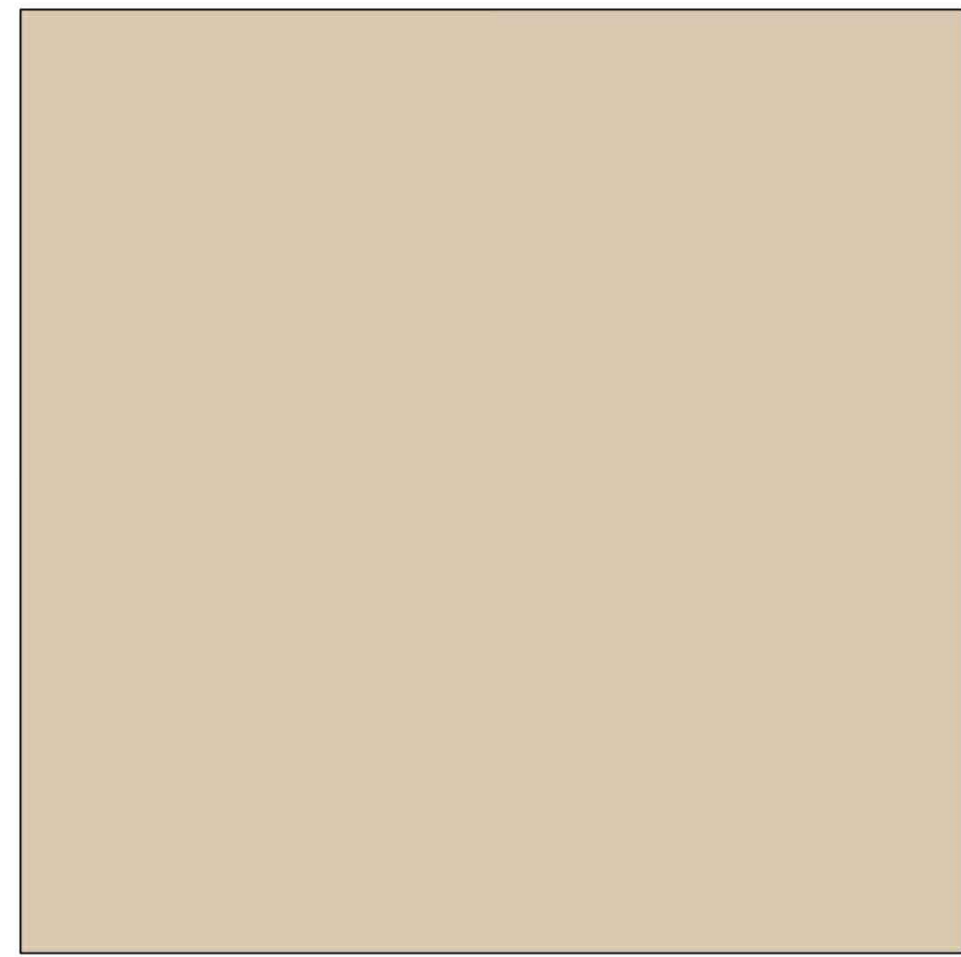
ADDRESS: 905 EL CAMINO REAL
 ATASCADERO, CA, 93422

LA PROJECT NUMBER 18184.00

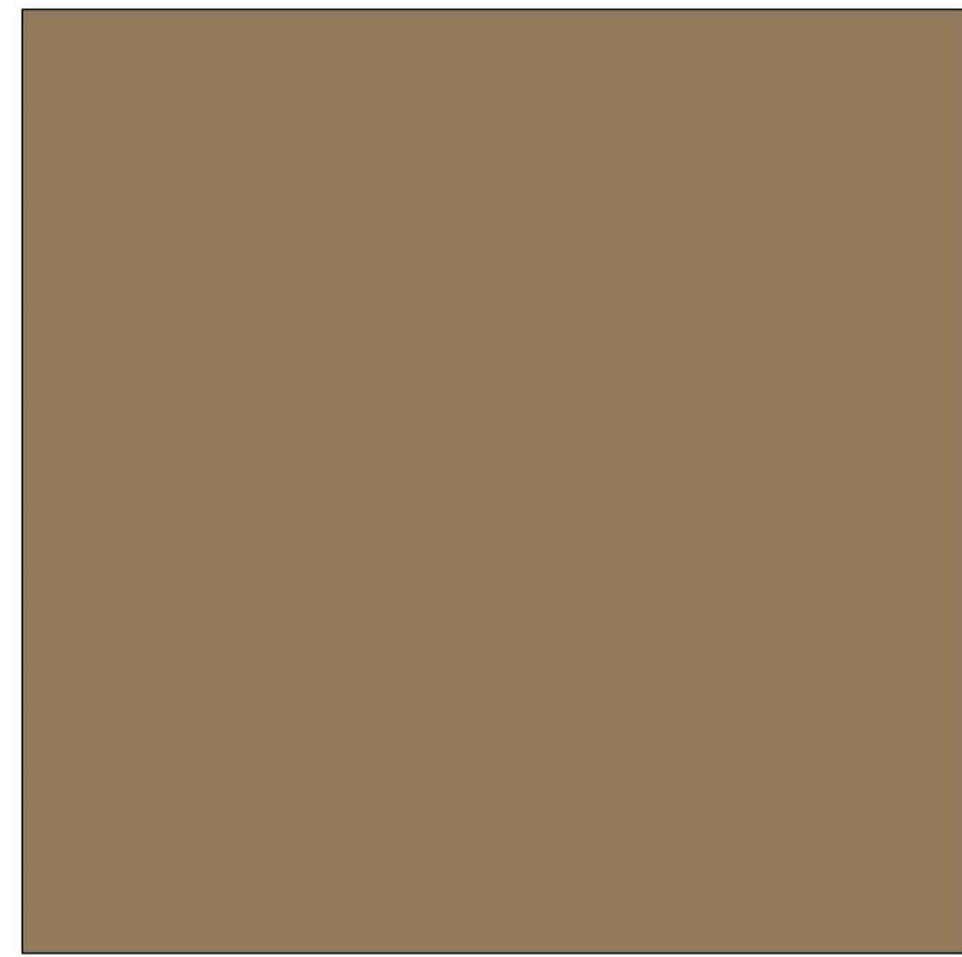


VICINITY MAP
 NOT TO SCALE

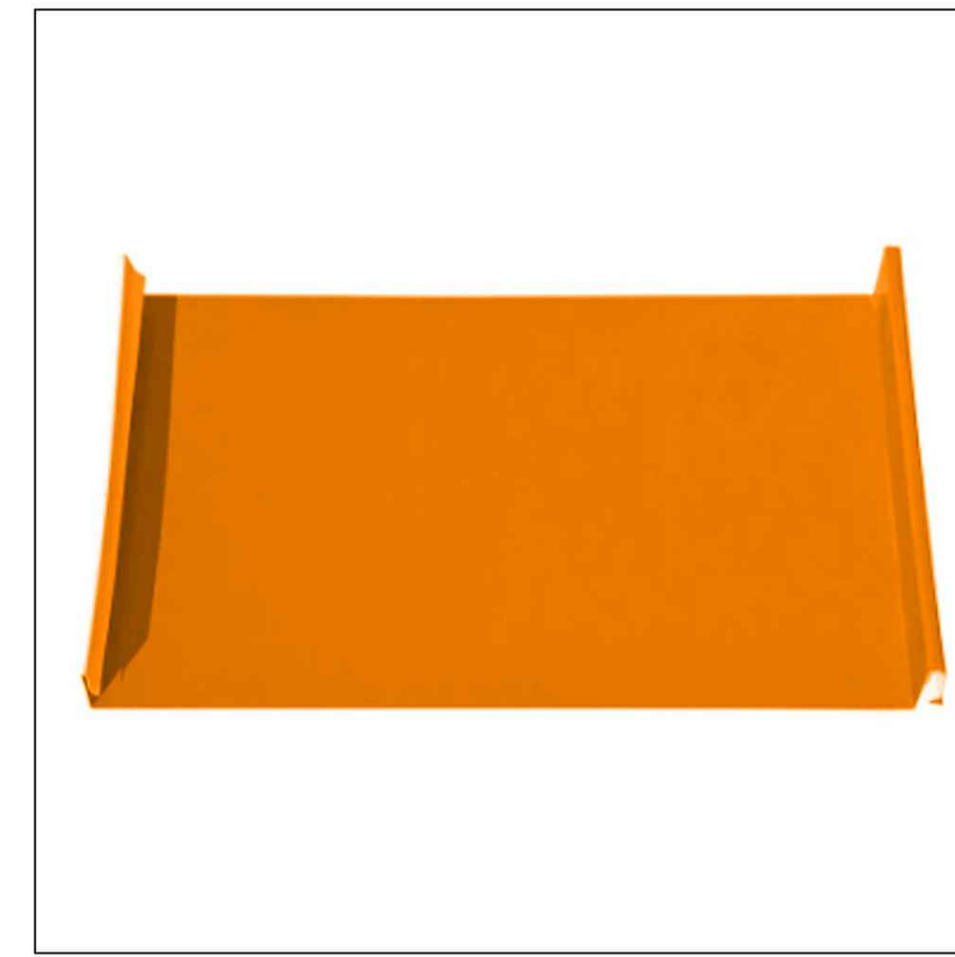
PROJECT INFORMATION



MAIN WALL: PAINT MANILLA TAN #551



ACCENT BAND & WAINSCOT: PAINTED CANVAS BACK #0458



NEW STANDING SEAM METAL ROOF: FACTORY APPLIED
 KYNAR 500 "HOME DEPOT ORANGE"



FENCE: 11 GA. X 3/8" BLACK VINYL COATED GALVANIZED SECURITY MESH
 FRAMING TO HAVE DIRECT TO METAL COATING THAT MATCHES SECURITY MESH

MATERIAL BOARD

DATE: 10/5/2021
 REVISION DATES: 11/16/2021

SITE PLANNER: DAVID BORSCH
 SITE DEV. COORDINATOR: SCOTT MOMMER
 R. E. MARKET:
 R. E. AGENDA NAME:
 R. E. MANAGER:



**CA- ATASCADERO
 STORE # 1031**

ADDRESS: 905 EL CAMINO REAL
 ATASCADERO, CA, 93422

LA PROJECT NUMBER: 18184.00

Attachment 3

Noise Study

December 3, 2021

Lars Andersen & Associates, Inc.

4694 W Jacquelyn Avenue
 Fresno, CA 93722

Attention: Janay Mommer | Project Coordinator

Subject: **Home Depot Tool Rental Center (TCR)**
Atascadero, California
Tool Center Noise Analysis
Veneklasen Project No. 7917-002

Dear Janay,

Veneklasen Associates, Inc. (Veneklasen) was contracted to predict and evaluate the noise impact of the addition of a tool rental center at The Home Depot in Atascadero, CA. This report analyzes the proposed new tool center’s sound levels as they relate to the conditions of approval.

1.0 INTRODUCTION

This study was conducted to determine the impact of a tool rental center that will be added to The Home Depot Atascadero. Veneklasen’s scope of work included measuring the existing impact of The Home Depot Atascadero, calculating the sound levels at the applicable distances, and determining compliance status with the City of Atascadero conditions of approval.

The property is bounded by residential spaces to the south and east, by El Camino Real to the west, and a train line to the north.

2.0 NOISE CRITERIA

The following section from the conditions of approval by the City of Atascadero is applicable to the project:

Conditions of Approval EXC 2002-0036

Continued operation and new construction will be subject to Resolution No. PC 2002-0036. The existing noise levels from Home Depot on adjacent residential properties must remain at their current level through mitigation measures 1 through 9 of Resolution No. PC 2002-0036.

3.0 EXTERIOR NOISE ENVIRONMENT

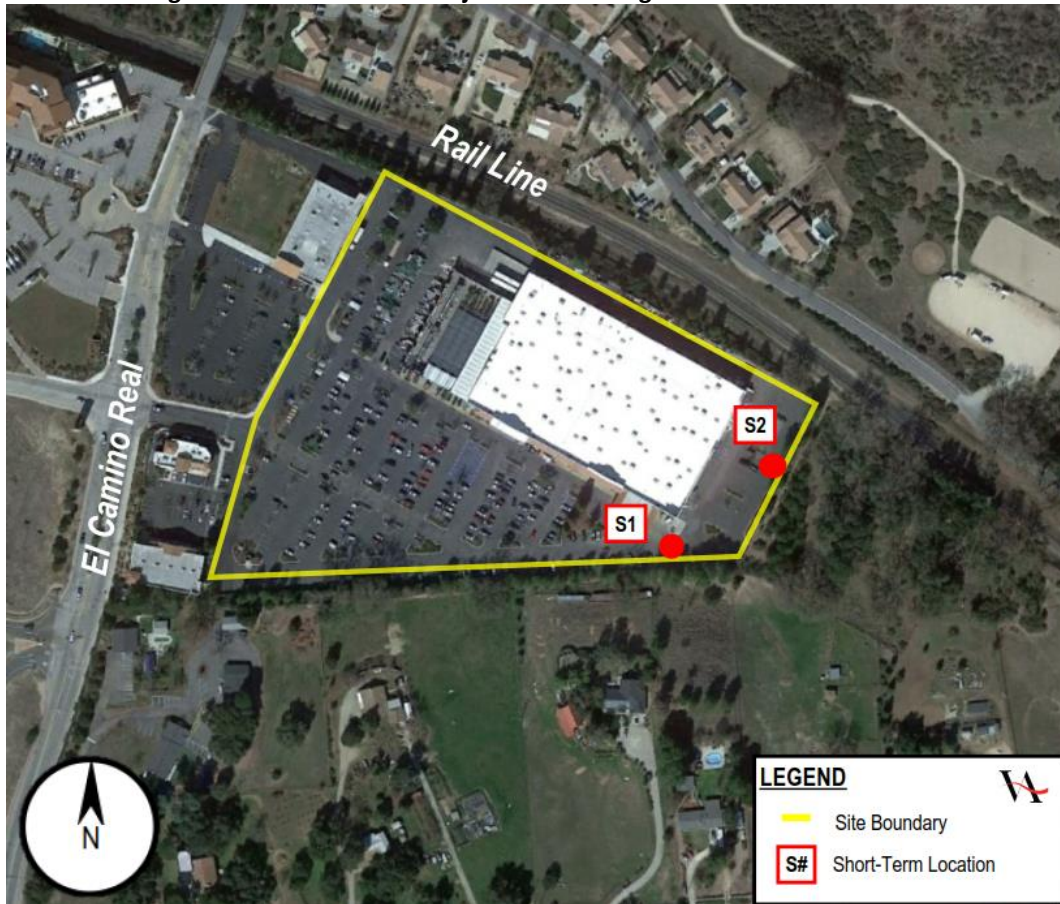
3.1 Noise Measurements

The existing activity at The Home Depot Atascadero was the primary source of noise affecting the site. Veneklasen visited the site on Monday, November 20, 2021, and conducted short-term noise measurements. Table 1 and Figure 1 show the location and summary of the noise measurements.

Table 1 – Measured Sound Levels

Location	Leq dBA
S1	64
S2	56

Figure 1 – Aerial View of Project Site Showing Measurement Locations



4.0 EQUIPMENT SOUND LEVELS

Veneklasen also measured sound levels from dual axle and single axle trailer hitching and pickup truck idling which may occur while hitching a trailer to the truck. These sound levels were measured at ten feet from the noise sources. The dual axle trailer hitching was louder than the single axle hitching, and this louder sound level was used for the analysis. The sound data is reproduced in Table 2.

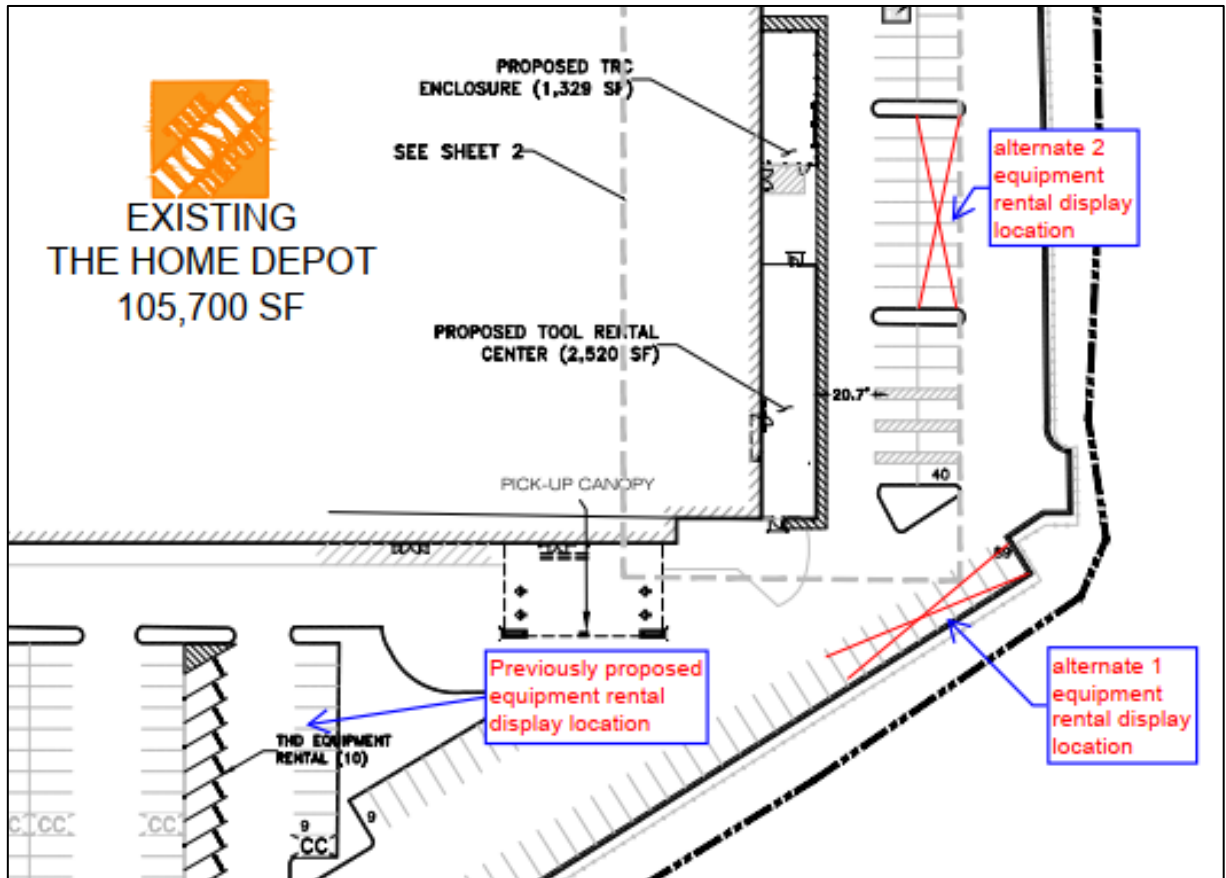
Table 2 – Tool Rental Operation Noise Levels

Source	Sound Pressure Level (dBA, Leq)
Single-axle trailer hitching to pickup truck	59
Dual-axle trailer hitching to pickup truck	61
Pickup truck idling	67

4.1 Equipment Location

Figure 2 shows the planned location of the tool rental center and the planned and alternate locations for the larger equipment maintained on utility trailers relative to the neighboring project boundaries.

Figure 2 – Aerial View of Project Site Showing Tool Rental Center Locations



5.0 ANALYSIS

Veneklasen predicted the increase in levels due to noise from an associated tool rental noise levels at the property line. Most of the tool rental process will take place inside the enclosed Tool Rental Center, and the noise created within this enclosed building and penetrating through the exterior construction will be considerably quieter than the existing ambient noise level and will not raise the existing ambient.

The rental equipment maintained outside the enclosed building consists of the larger equipment located on utility trailers. Because these utility trailers are towed by either cars or trucks, no air brake sound discharge is present. Attaching the trailer to a vehicle is a fairly easy process where the trailer is lowered onto a hitch ball utilizing a hand crank jack, the ball is captured with a retaining fork and secured with a hitch pin, safety chains are attached to secure the trailer to the tow vehicle, and an electrical plug connects the trailer lights to the tow vehicle. This entire process requires two to three minutes to accomplish.

Table 3 indicates the number of minutes in each hour that each noise source can operate without raising the hourly noise level at each location. The previously proposed location will not cause an increase in the hourly noise level. Alternate location 1 will cause an increase in the hourly noise level if there is a pickup truck idling for more than 20 minutes in an hour. Alternate Location 2 will cause an increase in the hourly noise level if there is pickup truck idling for more than 10 minutes in an hour and if there are dual-axle trailers being hitched for more than 45 minutes in an hour.

Table 3 – Tool Rental Operation Activity Time

Source	Minutes per Hour		
	Previously Proposed Location	Alternate 1	Alternate 2
Single-axle trailer hitching to pickup truck	60	60	60
Dual-axle trailer hitching to pickup truck	60	60	45
Pickup truck idling	60	20	10

For this activity to exceed the hourly time limits and subsequently increase the ambient noise level utilizing Alternate Location 1, it would require constant truck idling during six large equipment trailer rentals every hour, equivalent to 90 trailer rentals during the 15-hour operating day; utilizing Alternate Location 2 would require constant truck idling during three large equipment trailer rentals every hour, equivalent to 45 trailer rentals per day, or hitching 15 dual-axle trailers during an hour. This activity exceeds both the number of expected large equipment rentals during an hour and the total large equipment available for rental. Therefore, the ambient noise level will not increase due to the inclusion of the Tool Rental Center no matter which proposed location is used for the large equipment trailers.

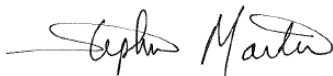
CONCLUSIONS

The following summarizes the acoustical items required to satisfy the noise criteria as described in this report.

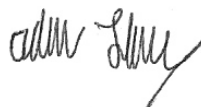
- The proposed tool rental center will not raise the hourly noise level at the property lines of its nearest neighbor with the expected number of three or less large equipment trailer rentals per hour.

If you have any questions or comments regarding this report, please do not hesitate to contact us.

Sincerely,
Veneklasen Associates, Inc.



Stephen Martin, *Ph.D., PE*
 Associate Principal
 Director, Environmental Acoustics



Adam Thompson
 Associate



ITEM NUMBER: 3
DATE: 3-1-22

Atascadero Planning Commission

Staff Report – Community Development Department

Centennial Plaza Planned Development (ZCH22-0022)

RECOMMENDATION(S):

Continue the item to March 15, to allow additional time for legal review of the proposed Planned Development language.

DISCUSSION:

Background:

The City currently owns four vacant lots that surround Centennial Plaza on East Mall. Each of the lots are 25-feet wide. One lot is south of the Plaza and the other three are north of the Plaza, between the Plaza and the parking lot. One additional 25-foot wide lot directly adjacent to Dr. Pambrum’s orthodontist office is privately owned. On September 14, 2021, the City Council held a Study Session to consider the future use and disposition of the lots. At the hearing, the City Council provided direction to staff to prepare a planned development overlay zone for the parcels to help guide future development with an emphasis on enriching the downtown and providing for quality aesthetics and economic development. At the same time, the City Council determined that the lots should eventually be utilized for private development that supports desired retail, restaurant, and related active uses around Sunken Gardens Park. The PD zone will apply to all of the vacant parcels between Dr Pambrum’s Office and the Public Parking lot, including the lot that is privately owned by the O’Malley family and Centennial Plaza.

The following process was outlined at the City Council hearing:

1. Remove the abandoned structure from the site (completed December 2021)
2. Proceed with a Planned Development (PD) overlay zone for the sites
3. Prepare a declaration of surplus land, consistent with the Surplus Land Act (SLA)
4. Develop an RFP/RFQ to invite development proposals for the sites, consistent with the PD overlay zone.

At this time, staff needs additional time to complete a legal review of Planned Development overlay zone (step 2), prior to recommending the adoption of the PD overlay zone.

ATTACHMENTS:

None