

PLANNING COMMISSION AGENDA REPORT

SUBJECT: REVIEW, CONTINUED FROM MAY 26, 2021, OF A TENTATIVE TRACT MAP (TRACT 3157) TO CREATE 23 RESIDENTIAL LOTS ON A 4.98-ACRE SITE WITHIN THE LOW-DENSITY RESIDENTIAL (R-1) ZONE. PROJECT INCLUDES THE EXTENSION OF STANFORD DRIVE, WHICH WILL CONNECT TO AN EXTENSION OF CUESTA DRIVE. AN INITIAL STUDY/MITIGATED NEGATIVE DECLARATION IS PROPOSED FOR ADOPTION (CEQA).

PROJECT ADDRESS: 468/500 Westmont Ave.

BY: Kyle Van Leeuwen,
 Associate Planner
 Phone Number: (805) 781-7091
 E-mail: kvanleeuwen@slocity.org

FILE NUMBER: SBDV-0169-2020,
 EID-0170-2020

FROM: Tyler Corey, Deputy Director

RECOMMENDATION

Adopt a resolution (Attachment A) recommending the City Council approve Tentative Tract Map (TTM) No. 3157 and adopt the associated Initial Study/Mitigated Negative Declaration.

SITE DATA

Applicant	Andrew G. Meinhold, Alice Jo Meinhold Survivors Trust
Representative	Katie Rollins, Cannon
Zoning	Low-Density Residential (R-1)
General Plan	Low Density Residential
Site Area	4.98 acres
Environmental Status	Initial Study-Mitigated Negative Declaration (IS/MND)



SUMMARY

The applicant has submitted a Tentative Tract Map (TTM) application to subdivide the subject parcel into 23 residential lots. No residential development is proposed at this time; however, recordation of the map would require the installation of public improvements, including new roads, water, wastewater, and stormwater infrastructure (Attachment B, Vesting Tentative Tract Map & Phasing Plan). This project was reviewed by Planning Commission on May 26, 2021. The commission moved to continue the item to allow for

completion of the 30-day public comment period on the environmental document prepared for the project and to allow for staff to incorporate additional information and clarifications that address public comments regarding California red-legged frog, burrowing owl, and other concerns about biological impacts. The commission also directed staff to work with the applicant to review alternative grading concepts to further preserve large trees, and to address concerns raised related to transportation and traffic impacts (Attachment C, Planning Commission Staff Report and Meeting Minutes).

At the hearing on May 26th, many neighbors stated that they did not receive a mailed notice about the Planning Commission hearing. Since that hearing, staff discovered that the notices intended to be sent for the May 26th hearing did not go out with the appropriate batch and were received late. Due to the circumstances, review of this item is considered a de novo hearing and will be presented as such with additional attention to those areas highlighted at the previous hearing. This will also allow for those commissioners not present at the May 26th hearing to participate.

1.0 COMMISSION'S PURVIEW

Review the project for consistency with the General Plan, Subdivision Regulations and applicable City development standards and guidelines. Planning Commission (PC) review is required for projects that include the subdivision of five or more lots (Subdivision Regulations, Table 1). The PC's role is to make a recommendation to the City Council on the proposed subdivision and associated environmental document (Attachment D, Initial Study/Mitigated Negative Declaration). This project is subject to the Department of Housing and Urban Development's Housing Accountability Act.¹

2.0 PROJECT STATISTICS AND SETTING

The project proposes 23 residential lots on a 4.98-acre site zoned for residential use (R-1). The proposed lots are consistent with the Subdivision Regulations standards for lot size and dimensions and the proposed streets and other improvements are consistent with current engineering standards. No exceptions to the subdivision regulations have been proposed. The project site has a creek that crosses the western portion of the site. Lots have been proposed in an arrangement that allows for creek setbacks to be applied to those lots adjacent to the creek and allow for an adequate buildable area outside those applied setbacks.

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A tentative tract map application to subdivide lots for residential use is a "housing development project" under the HAA, and is therefore, afforded the protections set forth in California Government Code Section 65589.5(j)(1). (See *Honchariw v. County of Stanislaus* (2011) 200 Cal. App. 4th 1066, 1074.)

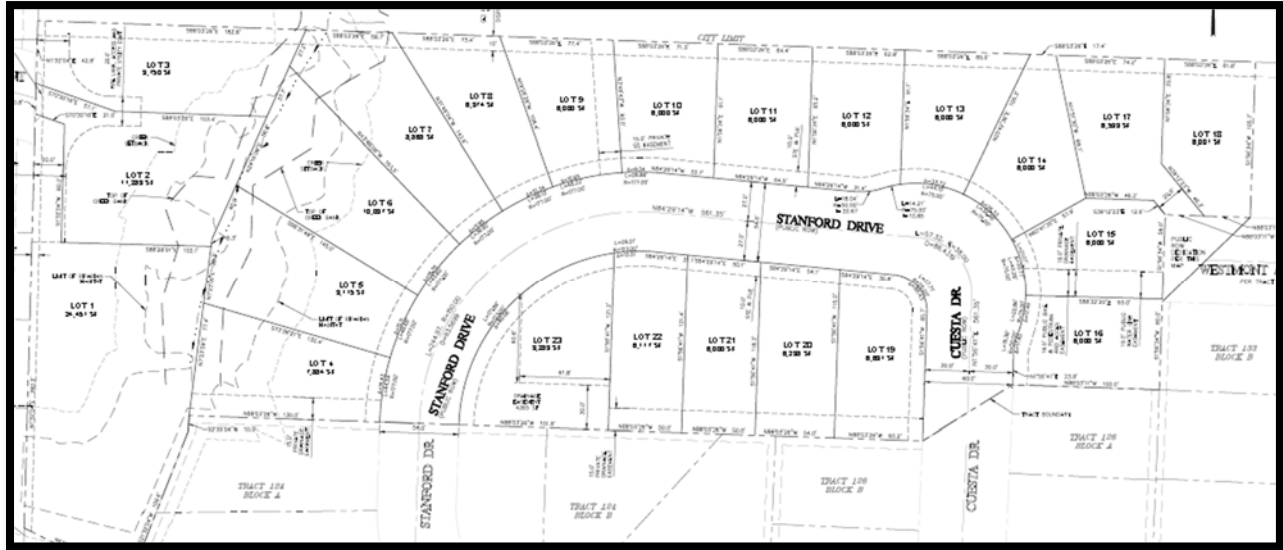


Figure 1: Subdivision Design

TABLE 1: SUBDIVISION: GROSS AND NET LOT SIZE

Lot	Gross Lot Size (sf)	Net Lot Size* (sf)	Lot	Gross Lot Size (sf)	Net Lot Size* (sf)
1	24,451	20,109	13	6,000	Same
2	11,283	9,265	14	6,000	Same
3	9,750	8,976	15	6,000	Same
4	7,884	6,598	16	6,000	Same
5	9,115	7,468	17	6,533	Same
6	10,097	7,931	18	6,001	Same
7	8,868	6,823	19	6,691	Same
8	6,374	Same	20	6,298	Same
9	6,000	Same	21	6,117	Same
10	6,000	Same	22	9,283	Same
11	6,000	Same			
12	6,000	Same		Minimum Req Net	6,000

**Net lot size excludes areas between creek top of bank*

2.1 SETTING

The project site is located adjacent to the northern city limit line just west of Highway 1. The 4.98-acre site is located at the terminus of the east and west portions of Westmont Avenue and the northern terminus of Cuesta Drive and Stanford Drive. Existing development on the project site includes two residential structures and associated accessory structures, a pool, and other site improvements. Vegetation on the property

includes a freshwater forested/shrub wetland with associated riparian habitat that extends through the western portion of the site. The site is generally comprised of developed/ruderal land, riparian habitat, and annual grassland. There are 177 ornamental and native trees throughout the project site.

Surrounding land and Zoning are as follows:

West: Single-family residences zoned Low-Density Residential (R-1).

North: Cal Fire San Luis Obispo Unit Headquarters (Fire Station #12), outside city limits.

East: Single- and multi-family residences zoned Low-Density (R-1) and Medium-Density (R-2).

South: Single-family residences zoned Low-Density Residential (R-1).

3.0 PREVIOUS REVIEW

The project was previously reviewed by the Planning Commission (PC) on May 26, 2021; however, as noted above, review of this item is considered a de novo hearing. At the May 26th hearing, the PC received presentations and testimony from staff, the applicant's team, and the public, and provided direction and comments to staff and the applicant. The result of this hearing was a motion to continue the item to allow for the completion of the 30-day public comment period on the environmental document, and to allow for staff to incorporate additional information and clarifications that address public comments regarding wildlife and biological resources, to explore alternative grading concepts that would allow for greater protection of large trees, and to address concerns raised related to transportation impacts (discussed below).

The project was reviewed by the City's Tree Committee on May 17, 2021, for consistency with the Tree Regulations. The Tree Committee (TC) recommended that, with the inclusion of the recommended condition of approval for compensatory planting, the PC find the proposed tree removals consistent with the City's Tree Regulations (Attachment E, Tree Committee Staff Report and Draft Minutes). The TC recommended that the project approval include a condition to provide compensatory tree plantings at a one-to-one ratio on site, consistent with Municipal Code requirements, and that compensatory plantings consist of an even mix of 15-gallon and 24-inch tree box sizes. The recommendation also stipulated that 50% of the required compensatory plantings be of a native species. This condition has been included in the proposed resolution as Condition #5. The TC also included in their motion a request that the Planning Commission consider the retention of several specific trees onsite. This included one eucalyptus within the creek corridor (#114), and two eucalyptus and one live oak near the southern edge of the property line on proposed lots 23 (#s 33, 34, & 91).

4.0 PROJECT ANALYSIS

The project must conform to the standards and limitations of the Subdivision Regulations and be consistent with the General Plan. Staff has evaluated the project and the PC shall consider if the project is in substantial compliance with the applicable policies and standards, as discussed in this analysis. The project aligns with the Major City Goal to address Housing and Homelessness, as the project would facilitate the production of housing; 23 lots for single-family residential development created from one existing residential lot.

4.1 Consistency with the General Plan

The General Plan Land Use Element (LUE), Circulation Element (CE), and Housing Element (HE) provide policies for the conservation and development of residential neighborhoods. The Conservation and Open Space Element (COSE) also provides policies to preserve and protect natural resources on the project site. The project is consistent with these policies in several aspects.

LUE Policy 2.2.3 Neighborhood Traffic: *Neighborhoods should be protected from intrusive traffic. All neighborhood street and circulation improvements should favor pedestrians, bicyclists, and local traffic. Vehicle traffic on residential streets should be slow. To foster suitable traffic speed, street design should include measures such as narrow lanes, landscaped parkways, traffic circles, textured crosswalks, and, if necessary, stop signs, speed humps, bollards, and on-street parking and sidewalks.*

LUE Policy 2.2.4 Neighborhood Connections: *The City shall provide all areas with a pattern of streets, pedestrian network, and bicycle facilities that promote neighborhood and community cohesiveness. There should be continuous sidewalks or paths of adequate width, connecting neighborhoods with each other and with public and commercial services and public open space to provide continuous pedestrian paths throughout the city. Connectivity to nearby community facilities (such as parks and schools), open space, and supporting commercial areas shall also be enhanced, but shall not be done in a method that would increase cut-through traffic.*

CE Policy 4.1.4 New Development: *The City shall require that new development provide bikeways, secure bicycle storage, parking facilities and showers consistent with City plans and development standards. When evaluating transportation impacts, the City shall use a Multimodal Level of Service analysis.*

CE Policy 5.1.3 New Development: *New development shall provide sidewalks and pedestrian paths consistent with City policies, plans, programs, and standards. When evaluating transportation impact, the City shall use a Multimodal Level of Service analysis.*

HE Policy 7.3: *New residential developments should incorporate pedestrian and bicycle linkages that provide direct, convenient and safe access to adjacent neighborhoods, schools, parks, and shopping areas.*

The design of the subdivision protects the existing neighborhood from intrusive traffic by only connecting the two existing streets to the south, avoiding any increase in cut-through traffic between other existing neighborhoods and Highway 1. The subdivision design also incorporates a potential bicycle and pedestrian connection to the east, as well as parkways, on-street parking, and sidewalks.

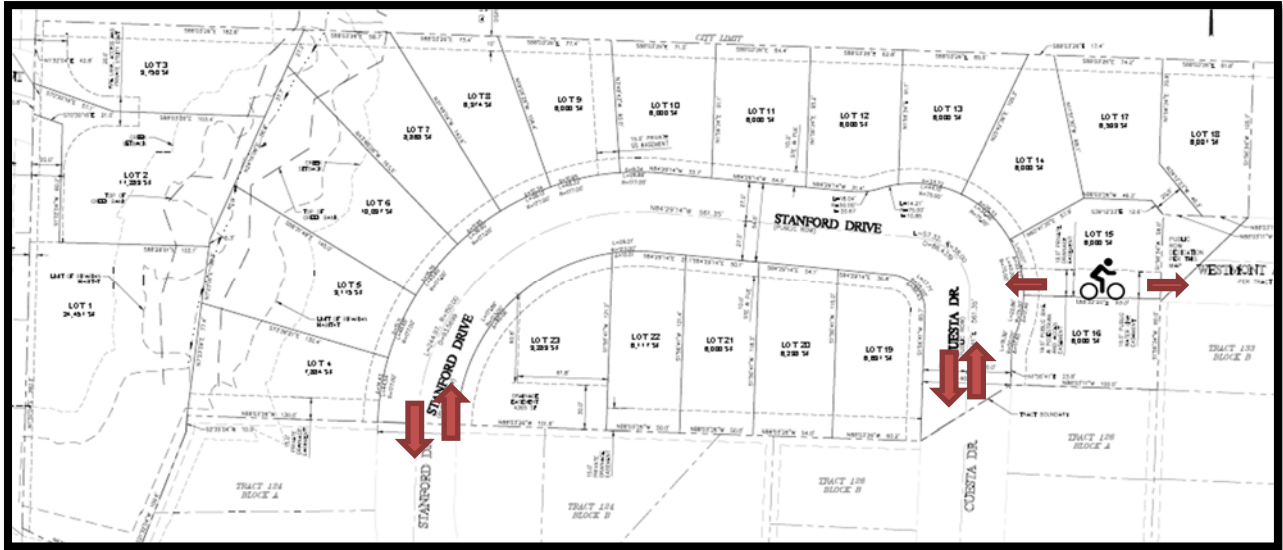


Figure 1: Subdivision Design Circulation Connections

LUE Policy 2.3.5. Neighborhood Pattern: *The City shall require that all new residential development be integrated with existing neighborhoods. Where physical features make this impossible, the new development should create new neighborhoods.*

The design of the subdivision integrates with the existing neighborhood by continuing the street layout of Stanford and Cuesta Drive, including street width, sidewalks, and parkways (see Figure 2 as example).

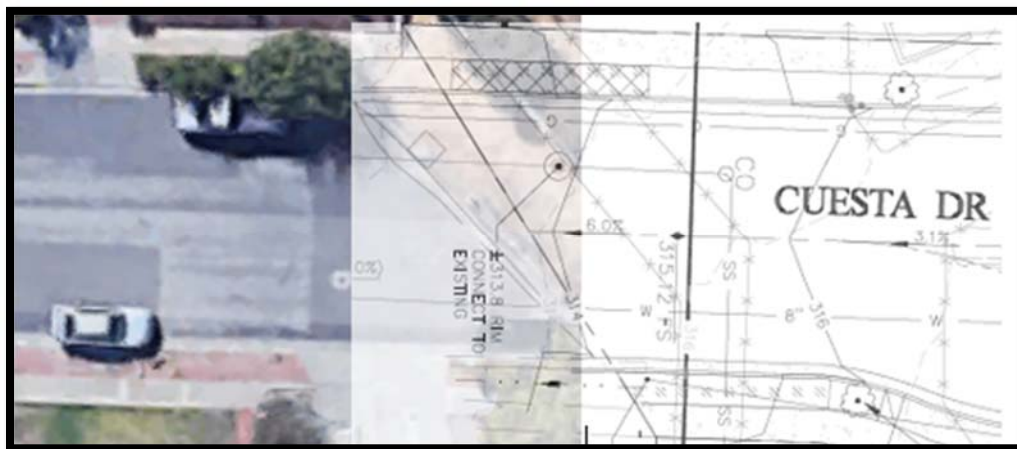


Figure 2: Cuesta Drive Street Design Connection to Existing

LUE Policy 2.3.7. Natural Features: *The City shall require residential developments to preserve and incorporate as amenities natural site features, such as landforms, views, creeks, wetlands, wildlife habitats, wildlife corridors, and plants.*

LUE Policy 2.3.10 Site Constraints: *The City shall require new residential developments to respect site constraints such as property size and shape, ground slope, access, creeks and wetlands, wildlife habitats, wildlife corridors, native vegetation, and significant trees.*

COSE Policy 7.7.9 Creek Setback B.: *Development approvals should respect the separation from creek banks and protection of floodways and natural features identified in part A above (buildings, streets, driveways, etc.), whether or not the setback line has been established.*

The TTM identifies the dimensions of the creek and existing riparian area. The lots proposed adjacent to the creek are a larger size so that creek protection measures, such as compliance with the applied creek setback requirements, can be met and still allow development of the created parcel. The TTM also proposes no development or grading activities in the southwest corner of the site, where the creek and associated vegetation is most prominent and established. In all, over 60 coast live oaks, will be retained within the protected creek corridor area, as well as other native species.

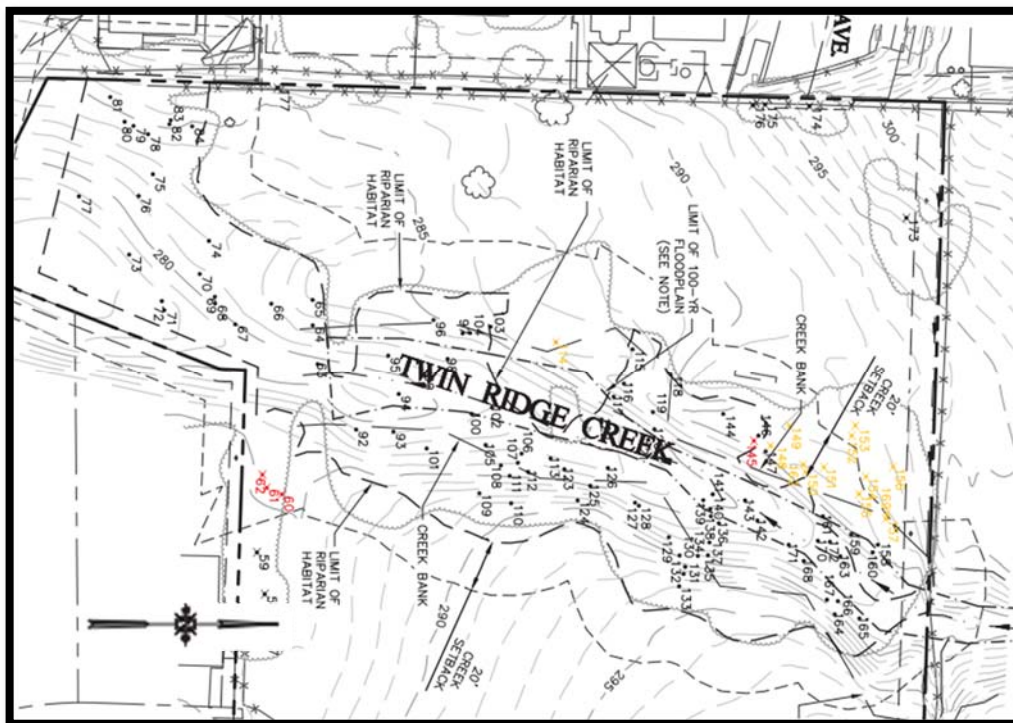


Figure 3: Creek Corridor, trees number in black within setbacks are retained

4.2 Consistency with Subdivision Regulations

Lots Size and Dimensions

The Subdivision Regulations regulates minimum lot sizes in the R-1 zone and sets specific development standards. The minimum lot size allowed in the R-1 zone is 6,000 square feet with a minimum width of 50 feet and a minimum depth of 90 feet. Lots are also required to have a minimum street frontage of 20 feet. All the lots within the proposed

subdivision meet these base requirements for size and dimension. Additionally, the Subdivision Regulations states that any area between creek banks shall be excluded from the calculation of minimum lot area. The TTM has also demonstrated compliance with this requirement (See Table 1 above). The Subdivision Regulations also call for natural contours of the site to be preserved to the greatest extent possible in new subdivisions and for lot lines to be generally perpendicular to the street (§16.18). The design of the subdivision is consistent with these standards.

Corner Lots

Lot 19 of the TTM is the only “corner lot” included in the proposed subdivision. Per Table 3 of the Subdivision Regulations, corner lots in residential subdivisions shall have a minimum area of 15% greater than otherwise required and shall be ten feet wider than otherwise required. Lot 19 does provide a width of no less than 60 feet, consistent with this standard, but is less than 15% larger than the minimum lot area. Staff has included in the proposed resolution condition #3 which requires the area of lot 19 to be increased to no less than 6,900 square feet for final map recordation, consistent with regulations standards for corner lots. This can be achieved by moving the lot line between Lot 19 and lot 20 approximately 2 feet, without compromising Lot 20’s compliance with minimum lot size or dimension standards. Only minor changes in site grading will be needed with this adjustment of lot lines.

5.0 ANALYSIS OF PC DIRECTIONAL ITEMS

The following analysis section concentrates on the specific areas identified by the PC at the May 26th hearing.

5.1 Environmental Review

Prior to the May 26th hearing public comment was received regarding the biological analysis incorporated into the Initial Study. Areas of concern were specific to the adequate protection of the riparian and wildlife corridor, the California red-legged frog, and the burrowing owl. In response to these comments, the applicant’s biologist and City’s Sustainability and Natural Resource Officer re-visited the site on June 10th to further evaluate the conditions of the site and adjacent creek areas, and the applicant’s biologist, Kevin Merk, has provided a memorandum in response to those comments (Attachment F). The conclusions of that analysis and additional staff analysis are provided below.

The Initial Study/Mitigated Negative Declaration has been updated in certain areas as needed in connection to the information below in response to public comments and Planning Commission direction. These modifications do not require recirculation of the IS/MND because the edits constitute minor modifications and clarifications to an adequate MND and do not include significant new information that would result in a new significant environmental impact or a substantial increase in the severity of a significant environmental impact. Within the Initial Study document all new text is indicated by **underlined, bold, and italicized text**. Deleted text is indicated by strike-through (Attachment D). Additional information and discussion about certain areas of the Environmental Review are provided in Attachment C.

Riparian Corridor and Creek Protection

The project proposes to remove nonnative species from the riparian corridor and this removal is recommended by the project's Fire Protection Plan (Attachment K) to reduce fuel loads; this does not include the redwood trees in the corridor. The effects of these actions and other measures within the creek corridor are described in the Biological Resource Analysis and further discussed in the Memorandum, provided by Kevin Merk. The conclusion of that analysis is that with the application of creek setbacks, establishment of an open space easement, and the habitat enhancements proposed (such as the removal on non-native species and replanting of native species), the habitat value of this creek area will increase, and the wildlife corridor connecting areas to the north and south will be maintained and enhanced.

Additional Information on Creek Protection

The section of Twin Ridge Creek located on the project site is not a creek subject to creek setback requirements outlined in the General Plan and Zoning Regulations. While the project plans identify a 20-foot setback from the riparian area, these 20-foot setbacks do not reflect a current requirement for the site. The creek setback standards in the Zoning Regulations (Section 17.70.030 (B)), state: *creek setback requirements shall apply to all creeks as defined in the General Plan Open Space Element and shown on that element's creek map, and only to those creeks.* This section of Twin Ridge Creek is not identified on the Conservation and Open Space Element² (COSE) Creek Map and therefore, is not currently subject to creek setback requirements.

The creek setbacks were shown on plans at the recommendation of staff and are intended to show that a usable building envelope is provided on each lot adjacent to the creek, in anticipation that the application of creek setbacks would likely be included as a mitigation measure or tract condition. This also demonstrates that the lots were specifically designed by the applicant to include appropriate creek protection, even if the Zoning Regulations do not specifically require a 20-foot setback for the onsite creek. Creek protection is also consistent with guidelines found in the Subdivision Regulations.³ The IS/MND includes mitigation measure BIO-11, which requires the application of creek setback standards to the sites adjacent to the creek. This means that creek setback requirements will be applied to the newly created lots adjacent to the creek when structures are proposed, even though this section of Twin Ridge Creek is not identified on the COSE creeks map.

Extent of Riparian Edge

During the recent review of the riparian corridor and associated analysis documents, a discrepancy was identified in the method used to determine the extent of the creek's riparian area, and the extent of jurisdictional areas. The applicant's initial delineation of the creek's riparian area did not include areas covered by non-native trees such as the eucalyptus and acacia trees, and the delineation has been adjusted to include this additional area in Attachment G (Review of Preservation of Trees & Alternative Grading Concept). This revised delineation is consistent with the City's Creek Setback standards,

² City of San Luis Obispo, Conservation and Open Space Element: Figure 9: Creeks and Wetlands: <https://www.slocity.org/home/showpublisheddocument/4110/635497639403930000>

³ Subdivision Regulations, §16.18.155 (1): Creeks and their corridors are to be preserved as open space, and creek corridors are to be maintained in essentially a natural state to protect the community's water quality, wildlife diversity, and aesthetic value.

which state that creek setbacks shall be measured from the existing top of bank or from the edge of the predominant pattern of riparian vegetation, whichever is further from the creek flow line (Section 17.70.030.C). While the City's creek setback requirements do not apply to this specific creek, as noted above, the language in the Zoning Regulations explaining how the setback would be measured is a useful tool to use when determining the extent of riparian area that should be protected.

In response to this discrepancy, and the direction from PC to explore the possibility of retaining more trees on site (discussed further below), the applicant has provided an additional exhibit showing the revised delineation in addition to an alternative grading approach and new locations for storm water treatment/retention. These new grading and retention locations would be outside this expanded riparian area and would allow for the retention of the non-native species; however, as discussed further below, retaining these non-native trees would conflict with the Fire Protection Measures that are recommended to mitigate a potential wildfire impact. This change in delineation of the riparian corridor to include non-native species does not result in a new significant impact or increase the severity of an identified impact because the physical effects of the project on the environment, including and not limited to proposed tree removals, was adequately addressed in the Initial Study, and the clarifications that have been incorporated into the Initial Study include evidence in support of the impact determinations. Mitigation requiring compensatory plantings would be required.

California Red Legged Frog

In the Biological Resource Assessment provided by Kevin Merk, it was stated that California red-legged frog (CRLF) was "unlikely" to occur on the project site based on lack of suitable habitat and separation from known breeding sites to the north. Public comments received by the City suggested that a "permanently wetted" branch of Twin Ridge Creek downstream of the site may provide suitable habitat for CRLF. Upon further review by Merk (Attachment F), the areas identified by the commenter are not suitable for CRLF breeding due to the small size of pools and insufficient water depth and lack of vegetation cover. Furthermore, while this creek is within a 116,517-acre area designated as critical habitat for the CRLF, Twin Ridge Creek has not been identified as red-legged frog habitat in the California Natural Diversity Database (Attachment H, Biological Resource Assessment). Any currently identified breeding sites are separated from the project site by a major barrier (Highway 1), leading to the conclusion that there is a very low potential for CRLF to utilize the project site or adjacent wetted areas for breeding or dispersal. In addition, required mitigation includes pre-construction surveys and biological monitoring to ensure avoidance and protection of special-status species. Based on the analysis in the IS/MND and supplemental evaluation (Attachment F), no additional studies or mitigation measures are warranted.

Burrowing Owl

Burrowing owls are rare in the coastal San Luis Obispo area, and according to the California Department of Fish and Wildlife are believed to no longer nest in this region. The project site is highly manipulated from years of human occupation, and the onsite grassland areas are used regularly for horses and are mowed and managed. This species is very sensitive to human activity and the proximity of the site to dense urban

development in the city further reduces the habitat value for this species, especially considering the extensive grasslands to the north along Highway 1 that are further away from human activities. No Burrowing Owls were observed during field investigations. The mitigation measures included with the IS/MND require a pre-construction survey and provide protections in the case that a Burrowing Owl is discovered on site or in close proximity. Based on this analysis no additional studies or mitigations are warranted.

Hydrology and Water Quality

Public comments received by the City stated that the project would result in substantial erosion and increased discharge into the creek, and that the project would substantially decrease groundwater recharge. While the project would increase the amount of impervious surface, the project will be required to comply with the drainage requirements of the City's Waterways Management Plan. This plan was adopted for the purpose of ensuring water quality and proper drainage within the City's watershed. The Waterways Management Plan and Low Impact Development (LID) stormwater treatment requires that site development be designed so that post-development site drainage does not significantly exceed pre-development run-off.

The proposed drainage measures would be implemented to catch additional surface runoff generated from the project during operation. As further described in the Drainage Report (Attachment I), the proposed approach to peak flow management for this project would result in an overall reduction in peak flow into Twin Ridge Creek. The proposed approach to peak flow management includes collecting a portion of the runoff from the proposed development, detaining that flow in a detention facility, and then introducing it to Twin Ridge Creek. Other locations on site collect and detain runoff within an underground detention facility and then released onto streets consistent with the current drainage condition for the site.

The project is also required to comply with Post-Construction Stormwater Management Requirements, including requirements for site design, water quality treatment, runoff retention, and peak discharge management. These requirements include, and are not limited to, minimizing impervious surfaces, collecting stormwater runoff to reduce pollutant discharge, and maintaining the pre-developed hydrology by reducing overland flow and promoting groundwater recharge. Therefore, based on compliance with existing regulations and recommended mitigation measures, no significant hydrology and water quality impacts would occur.

5.2 Tree Preservation

The Planning Commission directed staff and the project applicant to explore alternative grading approaches to further preserve large trees currently on site that are identified for removal (Attachment J, Tree Removal Exhibit). Staff discussed and evaluated with the applicant possible modifications to site grading, and this analysis also took into consideration how changes in proposed site grading would affect the project's compliance with Subdivision Regulations, Engineering Standards and other City codes and standards. The overall conclusion of these evaluations was that greater tree protection in most instances would require such changes in grading or site engineering that the project would be brought out of compliance with applicable regulations and standards related to

grading and site engineering. A summary of this evaluation and conflicts has been provided by the applicant (Attachment G, Review of Preservation of Trees & Alternative Grading Concept). In addition, retention of the non-native trees would conflict with the Fire Protection Report, which calls for non-native trees within the corridor to be removed.

The Subdivision Regulations call for the natural contours of a site to be largely preserved, and storm water and drainage standards call for runoff to be retained and managed within the site. Compliance with these requirements paired with the fact that large trees are often located at low points of the site where water naturally collects, presents an unavoidable conflict with the preservation of trees. For other larger trees not located in low lying areas, engineering standards for street and driveway grades, and limits on retaining wall heights, constrain how much the subdivision design can be modified to facilitate tree preservation while maintaining compliance with those standards. While tree protection policies are applicable to the project, a proposed subdivision must first and foremost be compliant with the Subdivision Regulations and Engineering Standards. This project does not include any exceptions to subdivision standards or engineering standards for streets and driveways.

Trees within the Creek Corridor

The applicant has provided an additional exhibit showing how the project can be executed while retaining the non-native trees within and directly adjacent to the riparian area, with grading and stormwater treatment/retention areas moved outside of these areas. While retention of the non-native trees in this area is possible as shown on the applicant's additional exhibit, staff notes that this would conflict with the Fire Protection Report, which calls for non-native trees within the corridor to be removed. The City's Fire Marshall required a Fire Protection Report be provided for the project, and this report provides effective ways to mitigate fire risk. The Fire Protection Report's recommendations are incorporated as mitigation measures for the project and would mitigate potential wildfire impacts to a less than significant level.

In conjunction with the removal of non-native trees in the riparian area, mitigation measure BIO-10 requires a compensatory mitigation program to ensure no net-loss of riparian habitat. These replanting efforts will "fill in" some areas where non-native species were removed and will become the new riparian edge. When development of specific lots occurs, the setback will be measured from this edge. Staff recommends that the language of condition #4 be modified from the previous resolution as follows:

*Plans submitted for final map recordation shall include the Biological Easement required by mitigation measure BIO- 11. This easement shall include all the area between the creek top of bank, or current riparian area, **or replanted areas which are planned directly adjacent to the creek,** whichever is furthest from the centerline of the creek. The easement shall also cover all areas identified for Cambria morning glory replanting required by mitigation measure BIO-1.*

This will ensure that compensatory planting areas intended to compensate for removal of non-native species receive open space easement protections.

5.3 Transportation and Traffic Concerns

Planning Commission directed staff to address concerns raised by neighboring residents related to traffic impacts of the project. The evaluation of the project includes analysis of Vehicle Miles Traveled (VMT), consistency with the Circulation Element, potential hazards due to a geometric design feature or incompatible uses, and emergency access. This analysis concludes that there are no significant impacts related to transportation and traffic. In evaluating the impacts of new streets and level of service, staff found that the existing streets would become safer than the current condition with the extension of Cuesta Drive connecting to an extension of Stanford Drive. While the extension of the two streets would increase the number of vehicles utilizing them, approximately seven additional homes using Stanford and nine using Cuesta, these new street connections would also improve emergency access. Currently, these two streets do not terminate in a cul-de-sac turnaround, which is an undesirable scenario. With the two streets connected, residents in the area will have a second means of evacuation, and emergency vehicle response is improved. For these reasons, staff does not recommend modifications to the project's current street design.

6.0 OTHER DEPARTMENT COMMENTS

The project has been reviewed by various City departments and divisions including Planning, Engineering, Utilities, Fire, Building, Office of Sustainability, Natural Resources, and the City Arborist. Comments have been incorporated into the draft resolution as conditions of approval.

7.0 ACTION ALTERNATIVES

- 7.1 Continue the item. An action to continue the item should include a detailed list of additional information or analysis required.
- 7.2 Deny the project. An action denying the application should include findings that cite the basis for denial and should reference inconsistency with the General Plan, Subdivision Regulations, Zoning Regulations or other policy documents or make findings required by the Housing Accountability Act (California Government Code Section 65589.5(j)(1) that the project either results in a "specific, adverse impact" and "there is no feasible method to satisfactorily mitigate or avoid the adverse impact."

8.0 ATTACHMENTS

- A. Draft Resolution
- B. Vesting Tentative Tract Map & Phasing Plan
- C. Planning Commission Staff Report and Meeting Minutes 5.26.21
- D. Initial Study/Mitigated Negative Declaration
- E. Tree Committee Staff Report and Draft Meeting Minutes 5.17.21
- F. Response to Comments Regarding Biological Resources, Kevin Merk Associates
- G. Review of Preservation of Trees & Alternative Grading Concept, Cannon
- H. Biological Resource Assessment
- I. Drainage Report
- J. Tree Removal Exhibit
- K. Fire Protection Plan



Planning Commission Minutes

July 28, 2021, 6:00 p.m.
City Hall, 990 Palm Street, San Luis Obispo

Planning Commissioners Present: Chair Bob Jorgensen, Vice Chair Nick Quincey, Commissioner Hemalata Dandekar, Commissioner Michael Hopkins, Commissioner Steve Kahn, Commissioner Michelle Shoresman

Planning Commissioners Absent: Commissioner Mike Wulkan

City Staff Present: Community Development Director Michael Codron, Deputy Community Development Director Tyler Corey, Assistant City Attorney Markie Jorgensen, Kevin Christian, Deputy City Clerk

1. CALL TO ORDER

A Regular Meeting of the San Luis Obispo Planning Commission was called to order on July 28, 2021 at 6:01 p.m.

2. PUBLIC COMMENT

Public Comment:
None

--End of Public Comment--

3. CONSENT

3.a CONSIDERATION OF MINUTES - JULY 14, 2021 PLANNING COMMISSION MINUTES

Approve the Planning Commission Minutes of July 14, 2021.

Motion By Commissioner Dandekar
Second By Commissioner Kahn

Ayes (6): Chair Jorgensen, Vice Chair Quincey, Commissioner Dandekar, Commissioner Hopkins, Commissioner Kahn, and Commissioner Shoresman

Absent (1): Commissioner Wulkan

CARRIED (6 to 0)

4. PUBLIC HEARINGS

4.a 468/500 WESTMONT AVE (SBDV-0169-2020, EID-0170-2020) REVIEW OF TTM NO. 3157, 23 LOT SUBDIVISION AND ENVIRONMENTAL REVIEW

Commissioner Kahn declared a conflict on this item. (Cannon, his employer, provides the Project Representative and Engineer for this project. At 6:05 p.m., Commissioner Kahn recused himself and left the room.)

Associate Planner Kyle Van Leeuwen presented the staff report, expounding on focus topics that arose in the original hearing, and responded to commission inquiries with input from Community Development Director, Michael Codron, Deputy Community Development Director, Tyler Corey, Assistant City Attorney, Markie Jorgensen, and Supervising Civil Engineer, Hal Hannula.

Applicant representative, Katie Rollins, provided a brief overview of the project and areas of concern raised previously by the Commission and public, and responded to questions raised.

Chair Jorgensen opened the public hearing.

Public Comments:

David Brodie

Robert Schroeder

Maryann Stansfield

Eileen Amaral

Genevieve Czech

Adolf Czech

Becky Keen

Laurie Fenwick

--End of Public Comment--

Chair Jorgensen closed the public hearing.

The Commission directed staff to include a full account of alternative traffic circulation options in their report to City Council.

Motion By Commissioner Hopkins

Second By Commissioner Shoresman

Adopt a Resolution entitled, "A Resolution of the Planning Commission of the City of San Luis Obispo, California, recommending the City Council adopt a Mitigated Negative Declaration of Environmental Review and Tentative Tract Map No. 3157 to create twenty-three (23) residential lots in the Low-Density (R-1) Zone (SBDV-0169-2020, EID-0170-2020)." with the following condition modification and added condition:

Modification to Condition #4 - Plans submitted for final map recordation shall include the Biological Easement required by mitigation measure BIO-11. This easement shall include all the area between the creek top of bank, ~~or~~ current riparian area, **or replanted areas which are planted directly adjacent to the creek**, whichever is furthest from the centerline of the creek. The easement shall also cover all areas identified for Cambria morning glory replanting required by mitigation measure BIO-1.

New Condition - to include the development of a Construction Communication Plan.

Ayes (4): Chair Jorgensen, Vice Chair Quincey, Commissioner Hopkins, and Commissioner Shoresman

Noes (1): Commissioner Dandekar

Absent (1): Commissioner Wulkan

CARRIED (4 to 1)

4.b 950/990 AERO DRIVE (ARCH-0165-2020) REVIEW OF A REQUEST FOR A USE PERMIT AND DESIGN REVIEW FOR A PROPOSED 125,500-SQUARE FOOT, THREE-STORY, 204-ROOM, DUAL-BRANDED HOTEL

Senior Planner Shawna Scott presented the staff report and responded to Commission inquiries.

Applicant representative, Pamela Jardini, provided an overview of the project and responded to questions raised by the Commission.

Chair Jorgensen opened the public hearing.

Public Comments:

None

--End of Public Comment--

Chair Jorgensen closed the public hearing.

Motion By Commissioner Kahn

Second By Commissioner Hopkins

Adopt a Resolution entitled, "A Resolution of the Planning Commission of the City of San Luis Obispo, California, Approving The Airport Hotel Project including approval of a Planning Commission Use Permit to allow a hotel in the Business Park Zone, and associated exceptions to Lot Frontage Side Parking Standard, Loading Space Standard, and Sign Regulations for wall signs as represented in the staff report dated July 28, 2021, and adoption of the associated Initial Study/Mitigated Negative Declaration (ARCH-0165-2020, USE-0294-2019, and EID-0650-2020; 950 and 990 Aero Drive)" with a Condition amendment:

Condition #47 - The time frame when no left turn is permitted should be specified on the proposed signage, subject to approval by the Public Works Director.

Ayes (6): Chair Jorgensen, Vice Chair Quincey, Commissioner Dandekar, Commissioner Hopkins, Commissioner Kahn, and Commissioner Shoresman

Absent (1): Commissioner Wulkan

CARRIED (6 to 0)

5. COMMENT AND DISCUSSION

5.a STAFF UPDATES AND AGENDA FORECAST

Deputy Community Development Director Tyler Corey provided an update of upcoming projects.

6. ADJOURNMENT

The meeting was adjourned at 8:51 p.m. The next Regular Meeting of the Planning Commission meeting is scheduled for August 11, 2021 at 6:00 p.m. in the Council Chambers at City Hall, 990 Palm Street, San Luis Obispo, California.

APPROVED BY PLANNING COMMISSION: XX/XX/202X