

RESOLUTION NO. XXXX-22

A RESOLUTION OF THE SAN LUIS OBISPO PLANNING COMMISSION APPROVING THE ARCHITECTURAL DESIGN OF A NEW 30,986 SQUARE FOOT AUTO DEALERSHIP AND SIGN PROGRAM WITH A REQUEST FOR A FENCE HEIGHT EXCEPTION AND A DETERMINATION THAT THE PROJECT IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) AS REPRESENTED IN THE PLANNING COMMISSION AGENDA REPORT AND ATTACHMENTS DATED MAY 25, 2022 (1381 CALLE JOAQUIN, FILE #ARCH-0783-2021)

WHEREAS, the Architectural Review Commission of the City of San Luis Obispo conducted a public hearing in the Council Chambers of City Hall, 990 Palm Street, San Luis Obispo, California on April 18, 2022 for the purpose of reviewing development review application ARCH-0783-2021, Rich Development, applicant, for a new auto dealership, sign program and fence height exception and recommended the Planning Commission approve the design with direction to include additional articulation along the auto dealership's exterior north elevation through the use of colors, materials, and/or windows; and

WHEREAS, the Planning Commission of the City of San Luis Obispo conducted a public hearing in the Council Chambers of City Hall, 990 Palm Street, San Luis Obispo, California on May 25, 2022 for the purpose of reviewing development review application ARCH-0783-2021, Rich Development, applicant, for a new auto dealership, sign program and fence height exception; and

WHEREAS, notices of said public hearing were made at the time and in the manner required by law; and

WHEREAS, the Planning Commission has duly considered all evidence, including the testimony of the applicant, interested parties, recommendation by Architectural Review Commission, and the evaluation by staff, presented at said hearing.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of San Luis Obispo as follows:

Section 1. Findings. Based upon all the evidence, the Commission hereby approves the architectural design of a new auto dealership, sign program and fence height exception ("Project"), application ARCH-0783-2021, based on the following findings:

1. The project will not be detrimental to the health, safety, and welfare of persons living or working at the site or in the vicinity because the project respects site constraints and will be compatible with the scale and character of the neighborhood.
2. The project design is appropriate and compatible with the surrounding character and scale of the existing neighborhood because it is single story, maintains a similar front yard setback as other nearby auto dealerships and provides landscaping that enhances the architecture and site design.

3. The project design is consistent with the City's Community Design Guidelines, Section 3.4(A) Auto dealerships because it provides on-site areas for the unloading of vehicles from carriers, storage and outdoor activity areas (e.g., car washing, stacking areas for vehicles waiting for service, etc.) are screened from view from public right of way, as conditioned the building provides 4-sided architecture and is consistent on all sides in terms of architectural style and exterior finish materials, the showroom is oriented toward the street, the fencing is consistent with the architectural design of the building, service areas are entirely contained within the building, and landscaping is provided along the perimeter of the site and will be maintained at low level.
4. The proposed auto dealership is consistent with the General Plan at the proposed location because it complies with Land Use Element Policy 8.1 and Program 3.7.5 which has identified the site as an appropriate location for auto sales.
5. The proposed auto dealership is consistent with Chapter 17.52 (Special Focus Area (S-F) Overlay Zone) of the Zoning Regulations because the project complies with the development standards of the underlying zone and provisions outlined in Chapter 8 of the Land Use Element.

Sign Program

6. The proposed sign program is consistent with the Sign Regulations because the signage will be architecturally compatible with the new structure and the character of surrounding development, while providing for effective identification for the business.
7. The proposed sign program is consistent with Community Design Guidelines Sections 6.6(B)(C)(F)(J) because the design of the signs compliments the architecture of the building and the type of business activity conducted within.
8. The proposed signs consist of a superior design that complies with the Design Principles of the Sign Regulations that do not result in clutter or excessively sized signage in comparison to the other commercial structures in the vicinity. The proposed signs have been reviewed by the Architectural Review Commission and found to be consistent with the intent of the Sign Regulations and Community Design Guidelines.

Fence Height Exception

9. The fence height exception is consistent with the intent of section 17.70.070 of the Zoning Regulations because the additional height of 2 feet, for a total height of 8 feet, addresses concerns related to security for the project site.
10. The additional fence height would not pose any potential adverse effects on surrounding properties such as, traffic, vehicular and pedestrian safety, scale, and lighting because the proposed fence is an open picket iron fence design that allows for visibility from adjacent properties and is not located within any site triangles for vehicular or pedestrian paths of travel.

Section 2. Environmental Review. The project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) (Class 32, Infill Exemption) because the project is consistent with General Plan policies for the land use designation and is consistent with the applicable zoning designation and regulations. The project site occurs on a property within city limits, of no more than five acres, substantially surrounded by urban uses, with no value as habitat for endangered, rare, or threatened species. Based on compliance with existing regulations, approval of the project would not result in any significant effects relating to noise, air quality, or water quality, and is served by required utilities and public services. The project has been reviewed by the City Public Works Department, Transportation Division, and no significant traffic impacts were identified, based on the size and location of the project.

Section 3. Action. The Project conditions of approval do not include mandatory code requirements. Code compliance will be verified during the plan check process, which may include additional requirements applicable to the project. The Planning Commission does hereby grant final approval of the Project, application ARCH-0783-2021, located at 1381 Calle Joaquin, subject to the following conditions:

Planning Division – Community Development Department

1. Final project design and construction drawings shall be in substantial compliance with the project plans as approved through this architectural review process. A separate, full-size sheet shall be included in working drawings submitted for a building permit that lists all conditions of project approval as Sheet No. 2. Reference should be made in the margin of listed items as to where in plans requirements are addressed. Any change to approved design, colors, materials, or other conditions of approval must be approved by the Community Development Director or reviewed by the Architectural Review Commission with a recommendation to the Community Development Director or Planning Commission, as deemed appropriate.
2. Plans submitted for a building permit shall include windows along the building's exterior north elevation as presented in the Planning Commission Staff Report dated May 25, 2022, subject to the approval of the Community Development Director.
3. Plans submitted for a building permit shall call out the colors and materials of all proposed building surfaces and other improvements. Colors and materials shall be consistent with the color and material board submitted with the Development Review application.
4. Plans submitted for a building permit shall include window trim details. Plans shall indicate the type of materials for the window frames and mullions, their dimensions, and colors. Plans shall include the materials and dimensions of all lintels, sills, surrounds, recesses and other related window features. Plans shall demonstrate the use of high-quality materials for all design features that reflect the architectural style of the project and are compatible with the neighborhood character, to the approval of the Community Development Director.

5. Plans submitted for a building permit shall clearly depict the location of all required short and long-term bicycle parking for all intended uses; plans submitted for construction permits shall include bicycle lockers or interior space or other area for long-term storage. Short-term bicycle racks shall be consistent with the City Active Transportation Plan Design Guidelines and feature “hi-low style” campus racks (such as “Peak Racks”) or City-approved equivalent (inverted “U” rack designs shall not be permitted) and shall be installed in close proximity to, and visible from, the main entries into the building. Sufficient detail shall be provided about the placement and design of bike racks and lockers or interior rooms to demonstrate compliance with relevant Engineering Standards and Community Design Guidelines, to the satisfaction of the Public Works and Community Development Directors.
6. The locations of all lighting, including landscaping or parking lot lighting, shall be included in plans submitted for a building permit. All wall-mounted lighting fixtures shall be clearly called out on building elevations included as part of working drawings. All wall-mounted lighting shall complement building architecture. The lighting schedule for the building shall include a graphic representation of the proposed lighting fixtures and cut-sheets on the submitted building plans. The selected fixture(s) shall be shielded to ensure that light is directed downward consistent with the requirements of the City’s Night Sky Preservation standards contained in Chapter §17.70.100 of the Zoning Regulations.
7. Mechanical and electrical equipment shall be located internally to the building. With submittal of working drawings, the applicant shall include sectional views of the building, which clearly show the sizes of any proposed condensers and other mechanical equipment. If any condensers or other mechanical equipment is to be placed on the roof, plans submitted for a building permit shall confirm that parapets and other roof features will adequately screen them. A line-of-sight diagram may be required to confirm that proposed screening will be adequate. This condition applies to initial construction and later improvements.
8. Plans submitted for a building permit shall include a landscape plan that is in substantial compliance with the project plans as approved through the architectural review process and include an irrigation system plan. The legend for the landscaping plan shall include the sizes and species of all groundcovers, shrubs, and trees with corresponding symbols for each plant material showing their specific locations on plans. The surfaces and finishes of hardscapes shall also be identified and included on the landscaping plan.
9. The location of any required backflow preventer and double-check assembly shall be shown on all site plans submitted for a building permit, including the landscaping plan. Construction plans shall also include a scaled diagram of the equipment proposed. Where possible, as determined by the Utilities Director, equipment shall be located inside the building within 20 feet of the front property line. Where this is not possible, as determined by the Utilities Director, the back-flow preventer and double-check assembly shall be located in the street yard and screened using a combination of paint color, landscaping and, if deemed appropriate by the Community Development Director, a low wall. The size and configuration of such equipment shall be subject to review and approval by the Utilities and Community Development Directors.

10. Building plans shall include elevation and detail drawings identifying all colors and materials of all walls and fences. Fences shall be in substantial with the project plans and shall not exceed a maximum height of 8 feet.
11. Plans submitted for project signage shall be in substantial conformance with the project plans Sign Program. Modifications to the Sign Program or a request for additional signage may require review by the Architectural Review Commission or the Community Development Director, as deemed appropriate.

Housing Programs – Community Development Department

12. Prior to the issuance of building permits, the applicant shall pay the required Inclusionary Housing In-lieu fee per Municipal Code Section 17.138.060, subject to the satisfaction of the Community Development Director.

Engineering Division – Public Works/Community Development

13. Projects involving the construction of new structures requires that complete frontage improvements be installed, or that existing improvements be upgraded per city standard, Municipal Code 12.16.050.
14. The building plan submittal shall show any section of damaged or displaced curb, gutter or sidewalk to be repaired or replaced to the satisfaction of the Public Works Director. The building plan submittal shall show and label on the plans that the street improvements shall include pave-out of the street or repair along the property frontage to correct any existing separation between the asphalt and adjoining gutter line, if applicable.
15. An encroachment permit will be required from the Public Works Department for any work or construction staging in the public right-of-way.
16. The building plan submittal shall show the existing or proposed fire service lateral and double-check assembly per City Engineering Standards and adopted codes for the required fire sprinkler system. The double check assembly, type, location, and screen plantings shall be approved to the satisfaction of the Fire Department and Planning Division. The location of the FDC whether on the device or remote shall be approved by the Fire Department. The location of the on-site fire hydrant shall be approved to the satisfaction of the Fire Department.
17. This property is located within a designated flood zone as shown on the Flood Insurance Rate Map (FIRM) for the City of San Luis Obispo. As such, any new structures shall comply with all Federal Emergency Management Agency (FEMA) requirements and the city's Floodplain Management Regulations per Municipal Code Chapter 17.84.

18. The building plan submittal shall show compliance with the Floodplain Management Regulations. An elevation certificate or topographic survey will be required as part of the building permit review with a final elevation certificate provided at the completion of construction. Unless an alternate analysis is received and approved, the Base Flood Elevation (BFE) established in conjunction with the parcel map and minor subdivision improvements shall be honored. The building shall be elevated or protected to at least one foot above the BFE. The existing flood storage volume shall be maintained or replaced in accordance with the original analysis.
19. This development shall comply with the Waterway Management Plan. The building plan submittal shall include a complete hydrologic and hydraulic analysis report in compliance with the Waterway Management Plan Volume III Drainage Design Manual. The project shall show how the post development run-off will not exceed the pre-development flows for the 2 through 100-year storm events. The detention basin(s) used for peak management shall be able to drain within 48 hours.
20. The building plan submittal shall show compliance with the Post Construction Stormwater Requirements (PCR's) as promulgated by the Regional Water Quality Control Board for developed sites. Provide a Post Construction Stormwater Control Plan Template as available on the City's Website. The plans and reports shall utilize retention-based Stormwater Control Measures (SCM's) unless an alternate strategy is specifically approved as part of the treatment train.
21. An operations and maintenance manual will be required for the post construction stormwater improvements. The manual shall be provided at the time of building permit application and shall be accepted by the City prior to building permit issuance. A private stormwater conveyance agreement will be required and shall be recorded prior to final inspection approvals.
22. **EPA Requirement:** General Construction Activity Storm Water Permits are required for all storm water discharges associated with a construction activity where clearing, grading or excavations result in land disturbance of one or more acres. Storm water discharges of less than one acre, but which is part of a larger common plan of development or sale, also requires a permit. Permits are required until the construction is complete. To be covered by a General Construction Activity Permit, the owner(s) of land where construction activity occurs must submit a completed "Notice of Intent" (NOI) form, with the appropriate fee, to the State Regional Water Quality Control Board. An application is required to the State Board under their recently adopted Stormwater Multi-Application, Reporting, and Tracking System (SMARTS).
23. The building plan submittal shall include a copy of the Storm Water Pollution Prevention Plan (SWPPP) for reference. Incorporate any erosion control measures into the building plans as required by the Board, identified in the SWPPP, and in accordance with Section 10 of the city's Waterways Management Plan. The building plan submittal shall include reference to the WDID number on the grading and erosion control plans for reference.

24. Any changes proposed to the reciprocal access easement(s) and storm drain easement(s) shall be resolved prior to building or grading permit issuance to the satisfaction of the Public Works and Community Development Departments. The landscape and site development plans shall honor the existing access easements unless otherwise approved for abandonment and quit-claim by the grantee. A separate covenant agreement and plan to complete the landscaping in the easement may be required if development on the neighboring parcels abandons the access easement in the future. If temporary landscaping is proposed and supported, a separate agreement to remove the landscaping and irrigation may be required. Any driveway approaches approved for abandonment shall be abandoned per City Standards. Any required quit-claim deeds and other easement agreements, etc. shall be recorded prior to building permit issuance.
25. The building plan submittal shall show and label the right-of-way width, location of frontage improvements, front property line location, and all easements. All existing frontage improvements including street trees shall be shown for reference.
26. Development of the driveway and parking areas shall comply with the Parking and Driveway Standards for dimension, maneuverability, slopes, drainage, and materials. Alternate paving materials are recommended for water quantity and/or quality control purposes and in the area of existing or proposed trees and where the driveway or parking area may occur within the dripline of any tree. Alternate paving material shall be approved to the satisfaction of the Planning Division.
27. Provisions for trash, recycle, and green waste containment, screening, and collection shall be approved to the satisfaction of the City and San Luis Obispo Garbage Company. The respective refuse storage area and on-site conveyance shall consider convenience, aesthetics, safety, and functionality. Run-off from the containment area shall be treated as a potential point source for pollutions. The PCR SCM's may be used for water quality treatment to the satisfaction of the Community Development and Utilities departments.
28. The building plan submittal shall include a complete site utility plan. All existing and proposed utilities along with utility company meters shall be shown. Proposed underground and overhead services shall be shown along with any proposed alterations or upgrades. Services to the new structures shall be underground. All work in the public right-of-way shall be shown or noted.
29. The building plan submittal shall show all required street trees. One 15-gallon street tree is required for each 35 linear feet of frontage. The City Arborist shall approve the tree species and planting requirements.

30. The building plan submittal shall show all existing or proposed tree and shrub planting upgrades or alterations to the landscaping located within the parkway between Calle Joaquin and Highway 101 for the portion located in front of the property as required by the conditions of approval of ARC 9-06. This area shall be properly landscaped and maintained with this development to the satisfaction of the Community Development Department. Landscape irrigation, if required, may extend across Calle Joaquin with an encroachment agreement. Otherwise, the developer could work with the adjoining property owner(s) and the existing irrigation system(s) and metering. The building plan submittal shall show and label the existing or proposed landscape buffers between the City Ag Open Space and between the adjoining parcels.

Transportation Division - Public Works Department

31. Project shall be required to pay applicable Citywide Transportation Impact Fees and Los Osos Valley Road Subarea Add-On Transportation Impact Fees. Fees are due prior to issuance of building permits.

Utilities Department

32. Where automobiles are serviced, greased, repaired, or washed, separators shall be provided to prevent the discharge of oil, grease, and other substances harmful or hazardous to the City's wastewater collection system consistent with City standards. Any proposed automobile service bays and equipment wash-down areas shall be sloped to prevent any spills, contaminants, or wash water from flowing out of the service bays. The service bays shall include a floor drain system that includes a clarifier or sand/oil separator, as appropriate, that then discharges to the sanitary sewer. Any drain that flows to the sanitary sewer shall be covered and protected to prevent storm water from entering the wastewater collection system.
33. An Industrial Wastewater Discharge Survey and Permit Application shall be submitted, and permit obtained prior to issuance of occupancy permit.
34. The project's estimated total water use (ETWU) to support new ornamental landscaping shall not exceed the project's maximum applied water allowance (MAWA). Information shall be submitted during the Building Permit Review Process for review and approval by the Utilities Department prior to issuance of a Building Permit to support required water demand of the project's proposed landscaping.
35. The construction plans for sewer, water, and recycled water services shall be in accordance with the engineering design standards in effect at the time the building permit is approved.
36. Building permit submittal shall clarify size of existing and proposed water services and water meters for the project, including both potable and recycled water. Building permit submittal shall include a site utility plan showing the size of existing and proposed sewer and water services.

37. Trash enclosure(s) shall conform the requirements by the San Luis Garbage Company and refuse bins shall be sized to provide a reasonable level of service. Separate refuse bins shall be accommodated within the site for the three (3) waste streams, trash, recycling, and organics.
38. Upon submittal of a building permit, plans shall include an interim temporary connection for potable irrigation to be used to establish landscaping until completion of construction and installation of the recycled water meter.

Indemnification

39. The applicant shall defend, indemnify, and hold harmless the City and/or its agents, officers, and employees from any claim, action, or proceeding against the City and/or its agents, officers, or employees to attack, set aside, void, or annul the approval by the City of this project, and all actions relating thereto, including, but not limited to, environmental review ("Indemnified Claims"). The City shall promptly notify the applicant of any Indemnified Claim upon being presented with the Indemnified Claim and the City shall fully cooperate in the defense against an Indemnified Claim.

On motion by _____, seconded by _____, and on the following roll call vote:

AYES:

NOES:

REFRAIN:

ABSENT:

The foregoing resolution was passed and adopted this day of May 25, 2021.

Rachel Cohen, Secretary
Planning Commission