



Meeting Date: May 26, 2021
Item Number: 2

PLANNING COMMISSION AGENDA REPORT

SUBJECT: Review 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 (CEQA).

PROJECT ADDRESS: 468/500 Westmont Ave. **BY:** Kyle Van Leeuwen, Associate Planner
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FILE NUMBER: SBDV-0169-2020,
EID-0170-2020

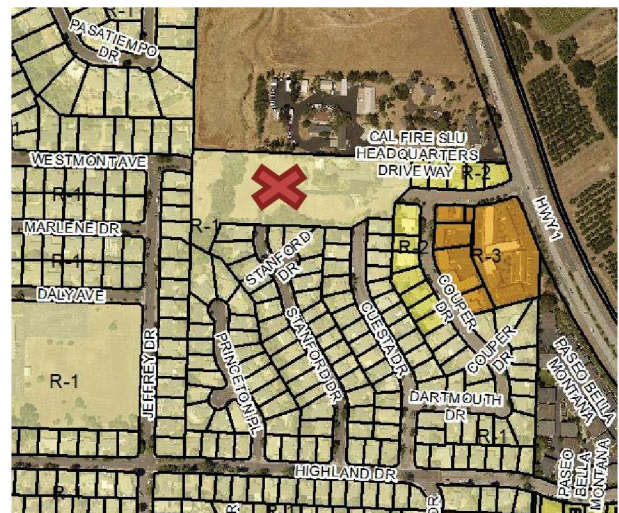
FROM: Tyler Corey, Deputy Director

RECOMMENDATION

Adopt a resolution 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 storm water infrastructure (Attachment 2, Project Plans and Vesting Tentative Tract Map). To accommodate the onsite improvements, 86 ornamental, native and non-native trees would be removed, 51 of which are identified as subject to tree removal permitting and compensatory requirements.

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 review.

2.0 PROJECT STATISTICS AND SETTING

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 a residential structure 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 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 3, 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). Staff does not recommend retention of these trees as retention of the eucalyptus in the creek corridor is inconstant with wildfire mitigation measure W-1, and retention of trees near the southern property line would require a redesign of the stormwater treatment/retention system and changes in lot grading.

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 standards, as discussed in this analysis.

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.

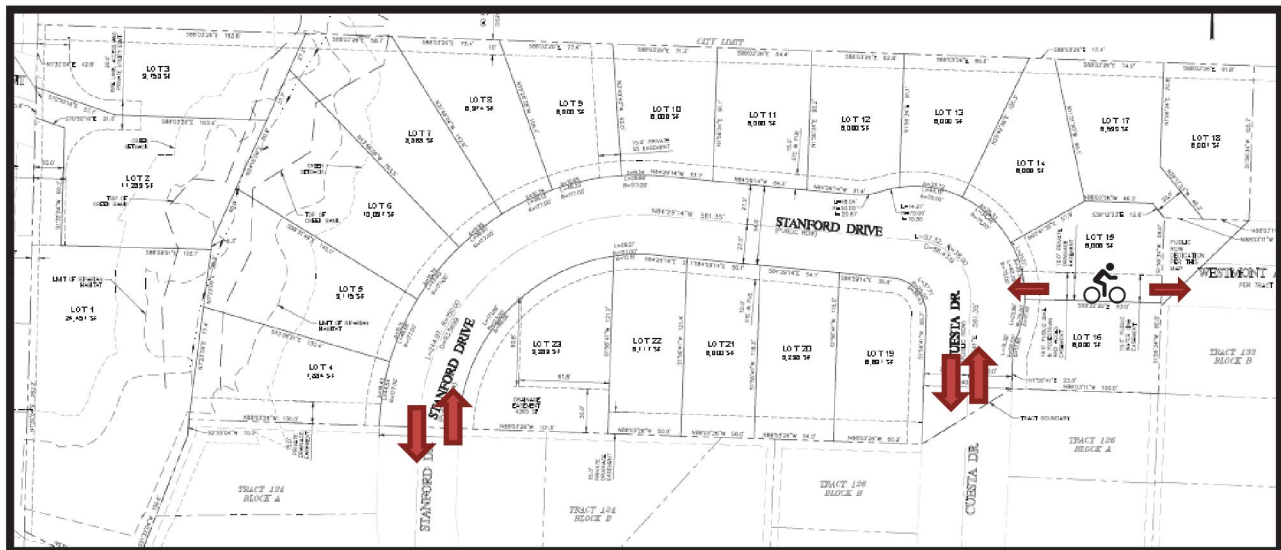


Figure 1: Subdivision Design Circulation Connections

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).

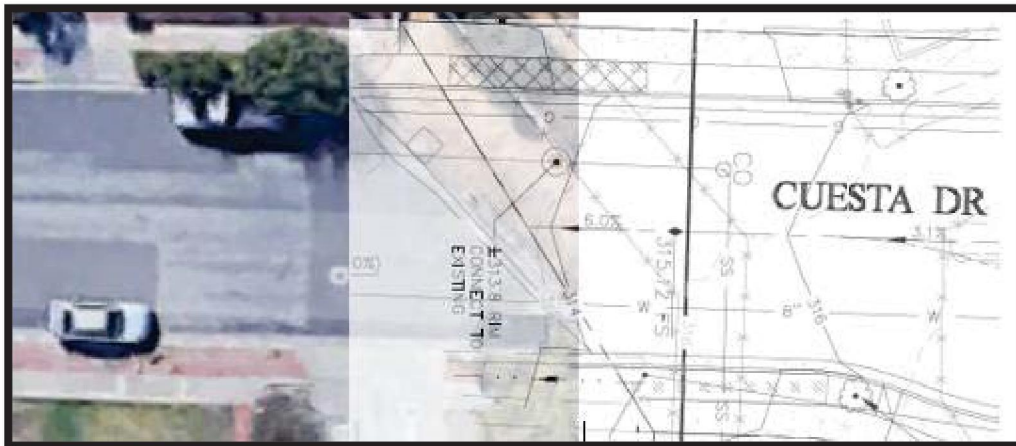


Figure 2: Cuesta Drive Street Design Connection to Existing

LUE Policy 2.3.7. Natural Features: *The City shall require residential developments to preserve and incorporate as amenities natural site features, such as land forms, 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 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.

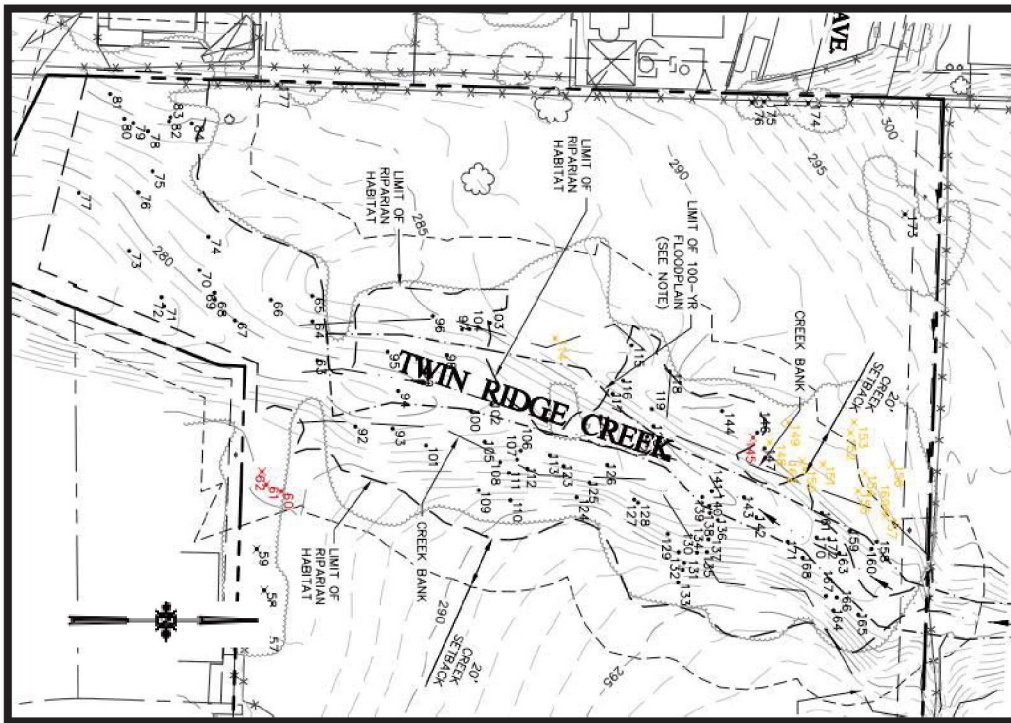


Figure 3: Creek Corridor, trees number in black within setbacks are retained

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 of 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).

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 ENVIRONMENTAL REVIEW

The proposed project has been analyzed pursuant to the California Environmental Quality Act (CEQA). An Initial Study-Mitigated Negative Declaration (IS/MND) was prepared and is currently being circulated. The IS/MND was noticed for circulation on April 29, 2021 and will be circulated until May 29, 2021 for public review. The Planning Commission shall review the environmental analysis (refer to Attachment 4 Initial Study/Mitigated Negative Declaration) and provide a recommendation to the City Council regarding adoption of the IS/MND. The following discussion highlights some of the more significant topics of the environmental analysis.

Biology

The initial study and associated biological survey identified Cambria morning glory within the annual grassland on site, which is a special-status plant species. Construction of the project would result in the removal or disturbance of the Cambria morning glory. Implementation of Mitigation Measures BIO-1 and BIO-2 reduce potential impacts to Cambria morning glory to less than significant. These measures require implementation of a Rare Plant Mitigation Program that would establish replanting of Cambria morning glory so that after a 5-year period there would be no net loss of the plant on site.

The project site contains a riparian forest along the onsite creek located in the western portion the property. The identified riparian forest consists of native riparian trees and shrubs, and native understory plants are also present within the riparian area. In addition, the Fire Protection Plan requires removal of non-native trees within the riparian habitat, resulting in the removal of 13 trees, primarily acacia (silver wattle) trees. The proposed TTM shows the extent of the riparian area and a 20-foot creek setback, which would be further protected by implementation of mitigation measure BIO-11, which requires recordation of a biological easement on the Final Map and application of creek setback standards. No paving or structures would be permitted in the biological easement area, however, grading activity is proposed in several areas within the creek setback for stabilization, and placement of rip rap pads are proposed within or adjacent to the setback¹. The project requires permits described in Mitigation Measure BIO-10 for work proposed within the riparian area. The easement and application of creek setback standards would affect proposed Lots 1–8.

Wildfire

The project area and adjacent lands are identified as low and moderate wildland fire risk in the Safety Element of the General Plan. The Element states that development shall only be approved when adequate fire suppression services and facilities are available or will be made concurrent with development. Parcel upgrades include emergency access, upgraded roads, and necessary utility connections. To manage wildfire risk associated with placing residents in close proximity to moderate and high fire hazard severity areas, a Vegetation/Fuel Management Plan for the project site has been identified in Mitigation Measure WF-1. Additionally, a Wildland Fire Protection Report identifies mitigation measures to further reduce wildland fire hazards to future development and is described in Mitigation Measure WF-2. Part of this mitigation measure calls for the removal of non-native plant species within the creek corridor to manage wildfire risk.

¹ **Zoning Regulations § 17.70.030 G. Exceptions to Creek Setback:** 2. Accessory Structures and Uses. The following items may be located within the required creek setback without obtaining a discretionary exception unless otherwise noted, provided, that they do not extend beyond the top of bank into the creek channel; will not cause the removal of native riparian vegetation; will not reduce any flooding capacity in compliance with the City's flood damage prevention regulations; in total occupy not more than one-half of the total required creek setback area; and are consistent with other property development standards of the Zoning Regulations.

h. Natural flood control and stormwater improvements, including vegetated buffers, bioswales, and rain gardens.

5.1 Comments Received

Comments were received from the State Department of Toxic Substances Control recommending certain broad-based evaluations be included in the MND Hazards and Hazardous Materials section. In review of these recommendations, staff finds that the Initial Study sufficiently identifies the potential impacts related to hazardous materials for this project and project site. Given the project's size, location, and surroundings, potential impacts would be mitigated by Mitigation Measures AQ-3, AQ-4 and AQ-5. This was the only comment received at the time of publication of this report. The applicant has agreed to all mitigation measures proposed specific to this project. The IS/MND shall constitute the complete environmental determination for the project.

5.0 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.

6.0 ACTION ALTERNATIVES

- 6.1 Continue the item. An action to continue the item should include a detailed list of additional information or analysis required.
- 6.2 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.

7.0 ATTACHMENTS

1. Draft Resolution
2. Vesting Tentative Tract Map & Phasing Plan
3. Tree Committee Staff Report and Draft Meeting Minutes 5.17.21
4. Initial Study/Mitigated Negative Declaration



Minutes

Planning Commission

Regular Meeting Wednesday, May 26, 2021

CALL TO ORDER

A Regular Meeting of the San Luis Obispo Planning Commission was called to order on Wednesday, May 26, 2021 at 6:07 p.m., via teleconference, by Chair Robert Jorgensen.

ROLL CALL

Present: Commissioners Hemalata Dandekar, Mike Wulkan, Vice Chair Nicholas Quincey, and Chair Robert Jorgensen

Absent: Commissioners Michael Hopkins, Steve Kahn, and Michelle Shoresman

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

1. CONSIDERATION OF MINUTES

ACTION: MOTION BY COMMISSIONER DANDEKAR, SECOND BY VICE CHAIR QUINCEY, CARRIED 4-0-3 (Commissioner Hopkins, Kahn, and Shoresman absent) to approve the Planning Commission Minutes of April 28, 2021.

PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Public Comments:

None

--End of Public Comment--

PUBLIC HEARINGS

2. Review of a Tentative Tract Map (Tract 3157) to create 23 residential lots on an existing 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 (CEQA); **Project Address: 468 & 500 Westmont. Case #: SBDV-0169-2020 & EID-0170-2020; Alice Jo Meinhold Survivors Trust/Andrew G. Meinhold, owner/applicant.**

Associate Planner Kyle Van Leeuwen presented the staff report and responded to Commission inquiries with input given by Supervising Civil Engineer Hal Hannula, Transportation Manager Luke Schwartz, and Community Development Director Michael Codron.

Applicant representative, Katie Rollins, Canon Corporation, and Kevin Merk, project biologist, provided a brief overview of the project and responded to questions raised.

Chair Jorgensen opened the public hearing.

Public Comment:

Maryann Stansfield

Becky Keehn

Robert Schroeter

Rayleen Wight

Genevieve Czech

Adolph Czech

Eileen Amaral

—End of Public Comment—

Chair Jorgensen closed the public hearing.

ACTION: MOTION BY VICE CHAIR QUINCEY, SECOND BY COMMISSIONER WULKAN, CARRIED 4-0-3 (Commissioner Hopkins, Kahn, and Shoresman absent) to continue this item to the June 23, 2021 Planning Commission meeting to allow for completion of the environmental review period, incorporating all comments given during the 5/26/2021 meeting, directing staff to work with the applicant to review alternative grading concepts to preserve as many large trees as possible, and to address concerns raised related to transportation and traffic impacts.

3. Review of the City's Public Draft Parks + Recreation Blueprint for the Future: 2021-2041 (Parks and Recreation Plan and General Plan Element Update) that will supersede the 2001 Parks and Recreation Master Plan and General Plan Element. A Negative Declaration of Environmental Impact pursuant to the California Environmental Quality Act (CEQA) is recommended for the project; **Project Address: Citywide; Case #: GENP-1942-2018 & EID-0150-2021; Zone: Citywide; City of San Luis Obispo, applicant.**

Parks and Recreation Director Greg Avakian introduced the plan and Senior Planner Shawna Scott presented the staff report and Mr. Avakian and Ms. Scott responded to Commission inquiries.

Chair Jorgensen opened the public hearing.

Public Comment:

None

--End of Public Comment--

Chair Jorgensen closed the public hearing.

ACTION: MOTION BY COMMISSIONER DANDEKAR, SECOND BY COMMISSIONER WULKAN, CARRIED 4-0-3 (Commissioner Hopkins, Kahn, and Shoresman absent) to adopt a resolution entitled:

“A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN LUIS OBISPO, CALIFORNIA, RECOMMENDING THE CITY COUNCIL APPROVE THE PARKS AND RECREATION BLUEPRINT FOR THE FUTURE: 2021-2041 (PARKS AND RECREATION PLAN AND GENERAL PLAN ELEMENT UPDATE) (GENP-1942-2018, EID-0150-2021; CITYWIDE)”

COMMENT AND DISCUSSION

4. Agenda Forecast

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

ADJOURNMENT

The meeting was adjourned at 9:46 p.m. The next scheduled Regular Meeting of the Planning Commission for Wednesday, June 9, 2021 has been cancelled. The following Regular Meeting of the Planning Commission meeting is scheduled for June 23, 2021, 6:00 p.m., via teleconference.

APPROVED BY THE PLANNING COMMISSION: 07/14/2021