



**COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT**

PLANNING COMMISSION

*Promoting the wise use of land
Helping build great communities*

MEETING DATE July 23, 2015	CONTACT/PHONE Brian Pedrotti 788-2788	APPLICANT Private Capital Investments	FILE NO. DRC2014-00153
SUBJECT Request by Private Capital Investments for a Conditional Use Permit to increase the number of senior apartments to 40 units from the approved 36 units. The proposal amends the original Conditional Use Permit (DRC2013-00003) by dividing the approved single building into two buildings and reconfiguring the parking lot design. The project will result in the disturbance of approximately 1.08 acres. The proposed project is located on the east side of Mary Avenue, in the community of Nipomo. The site is in the South County Inland planning area.			
RECOMMENDED ACTION Recommend to the Board of Supervisors: 1. Consider and rely on the Negative Declaration that was previously adopted on original adoption date. 2. Approve Conditional Use Permit DRC2014-00153 based on the findings listed in Exhibit A and the conditions listed in Exhibit B.			
ENVIRONMENTAL DETERMINATION The Environmental Coordinator finds that the previously adopted Negative Declaration is adequate for the purposes of compliance with CEQA because no substantial changes are proposed in the project which will require major revision of the previous Negative Declaration, no substantial changes occur with respect to the circumstance under which the project is undertaken which will require major revision of the previous Negative Declaration, and no new information of substantial importance has been identified which was not known at the time that the previous Negative Declaration was adopted.			
LAND USE CATEGORY Commercial Retail	COMBINING DESIGNATION None	ASSESSOR PARCEL NUMBER 092-572-057	SUPERVISOR DISTRICT(S) 4
PLANNING AREA STANDARDS: Sec. 22.98.070 – South County Areawide Standards. Circulation, transit-oriented development. Sec. 22.108.040 – Nipomo Community Urban Area Standards, communitywide. Connection to sewer. Sec. 22.108.040C.1 – Commercial Retail, Central Business District.			
EXISTING USES: Undeveloped			
SURROUNDING LAND USE CATEGORIES AND USES: North: Commercial Retail, approved assisted living facility East: Commercial Retail, undeveloped open space South: Commercial Retail; Vons shopping center West: Office and Professional; undeveloped			
<p>ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER γ SAN LUIS OBISPO γ CALIFORNIA 93408 γ (805) 781-5600 γ FAX: (805) 781-1242</p>			

OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: South County Advisory Council, Nipomo Community Services District, County Public Works, Air Pollution Control District, Cal Fire	
TOPOGRAPHY: Gently sloping	VEGETATION: Grasses and coastal shrub
PROPOSED SERVICES: Water supply: Community system (NCSD) Sewage Disposal: Community system (NCSD) Fire Protection: Cal Fire	ACCEPTANCE DATE: June 23, 2015

PROJECT DESCRIPTION

The applicant, Private Capital Investments, is requesting a Conditional Use Permit to increase the number of senior apartments to 40 units from the approved 36 units. The proposal amends the original Conditional Use Permit (DRC2013-00003) by dividing the approved single building into two buildings and reconfiguring the parking lot design.

The original project consisted of a two-story assisted living facility and a single two-story senior apartment building, as well as a lot line adjustment to locate the buildings on separate parcels. Since the original approval in February 2014, the new parcels have been recorded and the assisted living facility is requesting construction permits separately. The applicant proposes to amend the senior apartment portion of the original project by:

- 1) Dividing the single building into two buildings to accommodate a more efficient grading plan and break up the massing of the original structure.
- 2) Adding a community room and kitchen on the first floor of the apartment buildings as an amenity for the future residents;
- 3) Adding four apartments to increase the total number from 36 to 40;
- 4) Adding a third floor to accommodate the first floor amenities described above.

The number of parking spaces on the senior apartment property will remain at 45, and the four additional required parking spaces will be accommodated on the assisted living facility property to the north with a shared parking agreement.

PROJECT ANALYSIS

Ordinance Compliance – Conditional Use Permit:

<u>Standard</u>	<u>Allowed/Required</u>	<u>Proposed</u>
Minimum Site Area	None	1.08 acres
Setbacks		
Front	0 feet	20 feet
Side	0 feet	24 and 78 feet
Rear	0 feet	28 feet
		(see discussion below under “Other Issues”)
Height	45 feet	43 feet
<u>Parking</u>		
Assisted Living Facility on adjacent parcel	1 space / 4 beds = 24 spaces	24
Senior Apartments	1 space / one bedroom or studio + guest parking = 49 spaces	49
Total	73 spaces	97 spaces (see discussion below)

Parking

The original project required a total of 69 parking spaces between the assisted living facility and the senior apartments with a shared parking agreement. The 96-bed assisted living facility requires 1 space per 4 beds for a total of 24 spaces. The 40 senior apartments require one parking space each, plus 9 guest parking spaces, for a total of 49 required spaces. 45 parking spaces are proposed on-site. The total parking required for the two properties is 73. The applicant has provided a total of 97 parking spaces across both parcels. Although the parking for the senior apartments cannot be accommodated entirely within the boundaries of the proposed parcel, the applicant has an excess of parking spaces available on the assisted living facility parcel. The applicant will provide a shared parking agreement between the two properties to ensure parking demand is met for both uses. The shared parking spaces on the assisted living site are in close proximity to the senior apartment parcel and are therefore appropriate to serve the needs of the apartments.

Landscaping

Proposed landscaping will be generally consistent with the original approved plan. Proposed landscaping includes a variety of county-approved trees and native, drought-tolerant shrubs to be installed along the perimeter of the project site and within the parking areas.

The project is required to meet the landscaping requirements in Section 7 of the West Tefft Corridor Design Plan, which calls for enhanced landscape design to enhance building architecture, reduces storm water run-off, reduces glare and provides shade. The project is also subject to the water conservation measures required in the Nipomo Mesa Water Conservation Area, which limits the amount of both turf and irrigated landscaping. The landscaping of the original combined project had been reviewed several times to ensure the minimal irrigation necessary to support a pleasant pedestrian atmosphere and meet the low impact design standards and guidelines as required by both the West Tefft Design Plan and the Land Use Ordinance.

Based on the nature of the use, the applicant received an adjustment to the requirements of the Nipomo Mesa Water Conservation Area limits on irrigated landscaping. The size of the property limits the total project to 12,300 square feet of irrigated landscaping. The applicant proposed approximately 37,000 square feet of irrigated landscaping between the entire original site, which exceeded the requirement. The proposed use of a residential care facility and senior apartments requires some open areas of irrigated landscaping for long-term care residents, including plazas and community vegetable garden areas. In addition, the applicant is not proposing any turf on and has proposed very low water use and drought-tolerant plant species for the landscaping plan. For these reasons, as well as that enhanced landscaping and screening are envisioned in the West Tefft Corridor Design Plan, staff continues to support the proposed adjustment for this revised project.

PLANNING AREA STANDARDS: The following discusses the planning area standards that apply to this project.

Section 22.98.070 Areawide Standards

22.98.070. C – Circulation Planning:

1. Land divisions shall provide offers of dedication for public streets, bikeways and pathways.
2. Gross acreage may be utilized to calculate the allowable number of parcels.
3. Traffic noise mitigation required in the form of setbacks/open space, site layout, earthen berms, or structural measures, in that order of priority.
4. Transit-oriented standards

Response: As conditioned, the project meets these standards. Mary Avenue will be dedicated to county standards, which provide sufficient width for street and pathway improvements. The project is located within the urban core and within walking distance of a shopping center, providing enhanced pedestrian access.

22.98.070. F – Nipomo Mesa Water Conservation Area.

Response: See discussion above under Landscaping. As proposed and conditioned, this standard has been met.

Section 22.108.040 Nipomo Community Standards

22.108.040. A – Community-wide standards:

1. Connection to community sewers.

Response: As proposed, the project meets these standards. Community sewer is anticipated through the Nipomo Community Services District.

22.108.040. C – Commercial Retail:

1. Central Business District – Achieve an intensive, compact and pedestrian-oriented commercial development pattern. Compliance with design and circulation plan. Multi-family dwellings as a principal use may be authorized by Conditional Use Permit approval.

Response: Mary Avenue will be dedicated to county standards, which provides sufficient width for street and pathway improvements. These roads follow the design and circulation plan of Nipomo which connects Mary Avenue from Juniper Street to Tefft Street. The project proposes senior apartments that will have easy pedestrian access to the commercial services available in downtown Nipomo. Since the applicant is requesting all multi-family dwellings for the site, the subject permit is a Conditional Use Permit.

OTHER ISSUES

West Tefft Corridor Design Plan

The West Tefft Corridor Design Plan (WTCDP) has been adopted for the community of Nipomo. The plan is a part of the County General Plan and Land Use Ordinance, and is intended to guide the design and development of projects within the planning area. The proposed project generally meets the principles and standards of the draft design plan. The project is pedestrian-friendly, with walkway connections as envisioned in the design plan. Streetscape features of wide sidewalks, landscaping, and public gathering spaces have been incorporated in the project as amenities.

The original building design was a single two-story building, whereas the proposed design is for two three-story buildings. This design allows for the project to address the steeper grade of the site from north to south and break up the pads to provide some horizontal articulation. This in turn will help reduce the massing of the project, consistent with the WTCDP.

The required setback of the building is zero feet, with an exception that the setback may be 20 feet to allow for public outdoor space. The applicant is proposing a 20-foot setback to accommodate a wide sidewalk, landscaping, and outdoor public area.

AGENCY REVIEW:

Public Works. Original conditions from the previous land use permit are included. Mary Avenue will be constructed to public road standards, including a right-turn lane from Mary to Juniper. Drainage, sedimentation and erosion control measures, and South County road impact fees are also required conditions of approval.

COMMUNITY ADVISORY GROUP COMMENTS: The South County Advisory Council heard the item at their June 22, 2015 meeting and recommended support for the project with a condition that the building design conform to the West Tefft Design plan. In particular, the Council had concerns about the lack of a third floor setback.

Staff Response: The project meets the building design standards of the West Tefft Design Plan. As identified above, the plan allows a setback of the building to allow for public outdoor space, which has been provided with the project.

LEGAL LOT STATUS:

The existing lot was legally created by a recorded lot line adjustment map in COAL13-0075.

ATTACHMENTS:

Attachment 1 – Exhibit A Findings

Attachment 2 – Exhibit B Conditions of Approval

Attachment 3 – Graphics

Attachment 4 – Referral Comments

Attachment 5 – Previously Adopted Mitigated Negative Declaration

Staff report prepared by Brian Pedrotti and reviewed by Karen Nall.