

ADMINISTRATIVE HEARING AGENDA REPORT

SUBJECT: Request for a Minor Use Permit to establish a 1,566 square foot daycare facility for up to 45 children within an existing building in the Airport Area. The project is categorically exempt from environmental review under Section 15301 (Existing Facilities) of the CEQA Guidelines.

PROJECT ADDRESS: 4725 Allene Way

BY: Hannah Hanh, Associate Planner
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FILE NUMBER: USE-0639-2022

RECOMMENDATION: Approve the request for a Minor Use Permit to allow the establishment of a daycare facility for up to 45 children, based on the findings and subject to the conditions of approval.

SITE DATA

Applicant	Adam Nielson
Representative	Maurin Goodwin
Zone	Service Commercial in the Airport Area (C-S-SP)
Land Use Designation	Services & Manufacturing
Site Area	2.25 acres
Project Area	1,566 square feet
Environmental Determination	Categorically exempt under Section 15301 (Existing Facilities) of the CEQA Guidelines



Figure 1 – Project Site

1.0 SUMMARY

Adam Nielson (Applicant) has applied for a Minor Use Permit to establish a 1,566 square foot daycare facility (Legacy Daycare) within an existing building located at 4725 Allene Way. The project would provide daycare services for up to 45 children, ages 2 to 5 years old, between 8:00 a.m. to 5:00 p.m. on Mondays through Fridays, and be open to the public. The proposed daycare would be converted from, and share space with, an existing commercial recreation (i.e., gymnastics) facility (Legacy Training Center), and include fenced, outdoor activity areas.

2.0 PROJECT INFORMATION

Site Information

Present Use & Development	Developed property with existing multi-tenant building and site improvements such as parking, access, and landscaping. Existing onsite uses include warehousing and commercial recreation (i.e., gymnastics training center).
Topography	Relatively flat, downwards sloping near the adjacent drainage basin
Access	Allene Way located between Farmhouse Lane and Kendall Road
Zone & Surrounding Uses	<p>North: C-S-SP; light manufacturing and office uses, vacant and undeveloped lots</p> <p>South: C-S-SP; office use, drainage basin</p> <p>East: C-S-SP; office and food preparation uses</p> <p>West: C-S-SP / County of SLO; drainage basin, SLO County Regional Airport</p>

Project Background

The project site contains an existing 25,000 square foot multi-tenant building that includes warehousing (Myogenix) and commercial recreational (Legacy Training Center) uses and site improvements that were established when the site was previously located within the unincorporated area of San Luis Obispo County (County). In May 2021, the project site was annexed into the City of San Luis Obispo (City) as part of Annexation No. 81 (Fiero East-West Areas). Therefore, any new, or expansion of existing, development or use shall comply with all applicable City standards and regulations.

Project Description

The Applicant has applied for a Minor Use Permit to establish a daycare facility (Legacy Daycare) within an existing building located at 4725 Allene Way (Attachments A, B – Project Description, Project Plans). The project would provide childcare services for up to 45 children, ages 2 to 5 years old, between 8:00 a.m. to 5:00 p.m. on Mondays through Fridays, and be open to the public. The daycare would provide full-day childcare sessions and operate with eight (8) employees (i.e., one (1) director, four (4) teachers, and three (3) aides). Children would be divided into three (3) separate classes that rotate between indoor and outdoor activities throughout the day.

The proposed 1,566 square foot daycare would be converted from, and share space with, the existing commercial recreation facility (Legacy Training Center) and include three (3) new fenced areas for outdoor activities. The daycare would utilize the separate room under a mezzanine and share preschool gymnastics and spring floor areas with Legacy Training Center in between training classes. Three (3) fenced areas would also be installed to provide outdoor activity areas (e.g., playground, sandbox, garden, sidewalk chalk, reading library, etc.) and serve as safety measures when children are being dropped off and picked up.

3.0 PROJECT ANALYSIS

On June 1, 2021, the City Council adopted [Ordinance No. 1698 \(2021 Series\)](#), which amended Table 4.3 (Allowed Uses) to facilitate additional opportunities for childcare within the Airport Area. Per

Table 4.3, a day care use requires approval of a Minor (i.e., Administrative) Use Permit to operate in the Service Commercial (C-S) Zone. Approval of the Minor Use Permit is subject to requirements, outlined in [Section 17.110.060](#) (Criteria for Approval) and [Section 17.110.070](#) (Required Findings), for consistency with standards and limitations of the General Plan, Airport Land Use Plan, Airport Area Specific Plan, and Municipal Code. Staff has evaluated the project against relevant standards and guidelines and found it to be in compliance as discussed in the following analysis.

Consistency with the General Plan

The project is located in the Services and Manufacturing land use designation, which the [Land Use Element](#) (LUE) describes as intended for a wide range of service and manufacturing uses that meet the needs of the City and demands of the region, including convenience activities such as childcare in centers of employment (Table 1). Additionally, Community Goal No. 22, Policies 3.8.1 and 3.8.2, and Program 3.16 state the City would support the provision of childcare services throughout the City and especially within commercial and industrial developments.

As proposed, the project is consistent with the intent of the land use designation and would advance the preceding goal, policies, and program by establishing a daycare facility that (a) provides childcare services for the general public, including employers within the immediate vicinity; (b) shares facilities with a compatible use (i.e., gymnastics training facility); and (c) is located in proximity to existing commercial and industrial developments in the Airport Area.

Consistency with the Airport Land Use Plan

The project is located within the boundaries of the Airport Influence Area (AIA). Therefore, any proposed development or use must be consistent with the [Airport Land Use Plan](#) (ALUP), including established height, use, noise, safety, and density criteria, to ensure compatibility with current and future airport operations. Requirements of the preceding criteria vary depending on the Aviation Safety Zone(s) applicable to the project site.

As shown in Figure 2-2 (San Luis Obispo County Airport Safety Zones), the project site is located primarily within Safety Zone 4 and partially within Safety Zone 6. It is noted that a daycare facility is identified as an incompatible use that should not be permitted under any circumstances in Safety Zone 4 per Table 4-5 (Airport Land Use Compatibility Table). While review by the Airport Land Use Commission (ALUC) is not mandatory for individual development projects within the City, the project was referred to the County for a determination of consistency or inconsistency by the ALUC under Section 2.9.1 (Small-Scale Individual Projects) due to this identified conflict with ALUP land use policies. Under Section 2.9.1, the strict application of ALUP policies may be inappropriate in the review of small-scale individual projects, and the ALUC is authorized to find an individual project consistent if specific findings outlined in Section 2.9.1(a) – (e) are met.

On [May 17, 2023](#), the ALUC reviewed and determined the project to be consistent with the ALUP under the authority of Section 2.9.1 based on required findings and subject to the conditions of consistency (Attachment C – Notice of ALUC Action, Condition No. 4). The project was subsequently referred back to the City for review and final action.

Consistency with the Airport Area Specific Plan

The project is located within the boundaries of the Airport Area. Therefore, policies and regulations set forth in the [Airport Area Specific Plan](#) (AASP) apply.

Section 4.1 Land Use Goals

The project would advance Goals 4.1.2 (Jobs Creation) and 4.1.5 (Employment Opportunities) by establishing a daycare facility that provides services to support existing and future employment in the vicinity and throughout the City. The proposed daycare would operate and share facilities with a compatible use (i.e., gymnastics training facility) within an existing building consistent with Goal 4.1.4 (Existing Buildings). In addition, the ALUC reviewed and determined the project to be consistent with ALUP policies for compatibility with airport operations as described in Goals 4.1.6 (Land Use Compatibility) and 4.1.9 (Airport Operations).

Section 4.2 Land Use Designations and Zoning

Per Section 4.2.2 (Service Commercial), the C-S Zone is intended for a wide range of service and manufacturing uses that meet local needs and demands of the region. As proposed, the project is consistent with the intent of the zone by providing daycare services that would support needs of employment centers located within the vicinity and throughout the City.

While this project is a standalone daycare facility that would be open to the general public and is not an amenity for one specific employer, it is noted that childcare services are identified as an amenity incentive and encouraged for development projects throughout the Airport Area per Section 4.4.7 (Amenity Incentive).

Section 4.4 Development Intensity Standards

Staff evaluated the project for compliance with applicable standards in Section 4.4 (Development Intensity Standards) and no conflicts were identified. Standards related to existing parcel dimensions (Section 4.4.1), building intensity and coverage (Section 4.4.2), building setbacks (Section 4.4.4), building height (Section 4.4.6) remain the same as the project is limited to a change of use in the existing building and does not include construction of additional building square footage. Affected development standards are discussed below.

Section 4.4.3 Employee and Customer Concentrations (Density and Intensity)

As discussed in the [Staff Report](#) for the May 17, 2023 ALUC hearing, the project was evaluated by the County for compliance with allowable intensities in Table 4-2 (Allowable Residential, Nonresidential, and Mixed-Use Land Use Density) of the ALUP. The project would result in a maximum occupancy of 265 persons, where the maximum intensity of 270 persons per acre is permitted. Condition No. 4 requires the project operate in compliance as proposed to the ALUC. As conditioned, the project would comply with density requirements of the ALUP to ensure compatibility with current and future airport operations.

Section 4.4.5 Parking Requirements

Because the project site was developed when it was located within the unincorporated area of the County, the site contains 71 car, three (3) motorcycle, and two (2) loading spaces to serve the existing uses. Since the total number of existing spaces provided does not meet current City parking standards, requirements in [Section 17.72.060](#) (Nonconforming Parking) apply.

As shown in Table 1 (Parking Requirements) below, the project includes a change of use from commercial recreation to daycare, which results in a decrease in overall parking demand from 101 to 96 spaces. Therefore, the change in use may be permitted per [Section 17.72.060\(C\)](#) (Use Changes) because the proposed daycare use would not increase overall parking demand and existing parking spaces are maintained for the site.

Table 1 – Parking Requirements					
	Existing Square Footage	Required Parking per Existing Use	Proposed Square Footage	Parking Standard	Required Parking per Existing or Proposed Use
Warehousing (Myogenix)	3,575 SF	2.38 spaces	3,575 SF	1 per 1,500 SF	2.38 spaces
Commercial Recreation (Legacy Training Center)	19,680 SF	98.4 spaces	18,114 SF	1 per 200 SF of indoor space	90.57 spaces
Daycare Center (Legacy Daycare)	-	-	1,566 SF	1 per 500 SF	3.13 spaces
Total Required Parking (Existing Demand):		101 spaces	Total Required Parking (Proposed Demand):		96 spaces

Consistency with Municipal Code

Daycare

Per [Section 17.86.100\(C\)](#) (Performance Standards for Daycare Facilities), daycare facilities serving more than eight (8) children shall comply with noise and traffic standards to address potential conflicts between different uses.

Noise

Per [Chapter 9.12](#) (Noise Control), the project is required to comply with exterior and interior noise standards. The project does not include amplified sounds in the outdoor activity areas and would comply with an exterior noise limit of 70 dBA in the C-S Zone. The project is also obligated under the California Building Code to ensure interior noise levels do not exceed 45 dBA, consistent with Chapter 9.12, from all exterior noise sources, including transportation noise sources. Therefore, the

project would comply with applicable noise standards.

Additionally, the project site is located outside of the 60 dB community noise equivalent level (CNEL) noise contour of the ALUP. Therefore, the project would not result in the permitting of a noise sensitive land use within a noise contour and be consistent with ALUP noise policies.

Traffic

Childcare services would be provided as full-day sessions from 8:00 a.m. to 5:00 p.m. However, parents may drop off and pick up their children anytime within operating hours based on their personal schedules. Parents would utilize the parking lot, which contains 71 spaces, to park and drop off or pick up their children. There is also an existing designated drop-off and pick-up loading area located on the south side of the building for two (2) spaces. The loading area is offset from the driveway and located adjacent to a building entrance for convenient drop-off and pick-up.

Most drop-offs are expected at 8:00 a.m. when the daycare opens. At that time, there would be ample availability in the parking lot because the adjacent tenants include small-scale operations (i.e., four (4) employees for Myogenix) or are not open yet (i.e., Legacy Training Center opens at 9:00 a.m.). Most pick-ups are expected between 3:00 p.m. – 3:30 p.m. when school is released, which is also when most gymnastics classes are in session. Therefore, there would be limited overlap between parents who are picking up their children from daycare and parents who are dropping off their children for training classes at that time. If children are picked up immediately before the daycare closes at 5:00 p.m., which coincides with the end and start of regular gymnastics training classes offered from 4:00 p.m. – 4:55 p.m. and 5:00 p.m. – 5:55 p.m., daycare staff will be available outside to direct traffic as necessary and address potential parking and traffic-related conflicts (Condition No. 8). As proposed, operation of the daycare would not result in any traffic or safety hazards.

4.0 CONCURRENCE

The project has been reviewed by the Planning Division, Building Division, Fire Department, Engineering Division, and Utilities Department. Any conditions or informational notes provided by each department or division have been incorporated into the approval of this Minor Use Permit.

5.0 ENVIRONMENTAL REVIEW

The project is categorically exempt from provisions of the California Environmental Quality Act (CEQA) described in Section 15301 (Existing Facilities) of the CEQA Guidelines because it consists of the operation, permitting, leasing, licensing, and minor alteration of an existing private structure that involves no expansion of the existing use. The project is limited to the conversion and improvement of part of an existing tenant space that is currently utilized for commercial recreation (i.e., gymnastics training) use to daycare use. No addition to the existing building is proposed.

6.0 ATTACHMENTS

- A. Project Description
- B. Project Plans
- C. Notice of ALUC Action

7.0 ACTION

- Approve, based on findings and subject to conditions listed below
- Approve as modified, based on findings and subject to conditions listed below
- Deny
- Continue to: _____ to allow _____

- Continue indefinitely to allow: _____

Brian Leveille, Senior Planner
Hearing Officer

Findings

Minor Use Permit

1. The project is consistent with the General Plan and Airport Area Specific Plan because the daycare use is permitted in the Services and Manufacturing land use designation and Services Commercial Zone of the Specific Plan. The daycare use is consistent with the intent of the land use designation and zone by establishing childcare services that support existing and future employment in the vicinity and throughout the City to advance Goals 4.1.2 (Jobs Creation) and 4.1.5 (Employment Opportunities). Additionally, the daycare would operate and share facilities with a compatible use (i.e., gymnastics training facility) within an existing building consistent with Goal 4.1.4 (Existing Buildings).
2. The daycare use is permitted in the Service Commercial Zone and has been designed, or conditioned, to comply with all applicable provisions of the Zoning Regulations and Municipal Code.
3. The design, location, size, and operating characteristics of the project will be compatible with existing and future land uses in the vicinity because the proposed daycare would share facilities with an existing compatible use (i.e., gymnastics training facility) within a development, consistent with Goal 4.1.4 (Existing Buildings), and provide childcare services to support employment within the vicinity and throughout the City.
4. As conditioned, the site is physically suitable in terms of (a) its design, location, shape, size, and operating characteristics of the proposed daycare use, (b) traffic generation and provision of public and emergency vehicle (e.g., fire and medical) access, (c) public protection services (e.g., fire protection, police protection, etc.), and (d) the provision of utilities (e.g., potable water, schools, solid waste collection and disposal, storm drainage, wastewater collection, treatment, and disposal). The project site is surrounded by other developed properties, has access to the City’s circulation system, and will be served by existing utility services.

Additionally, the proposed daycare results in a decrease in parking demand for the site and does not include activities that generate service or utility demands beyond those anticipated with uses permitted in the vicinity.

5. As conditioned, the establishment and subsequent operation or conduct of the use will not, because of the circumstances and conditions applied in the particular case, be detrimental to the health, safety, or welfare of the general public or persons residing or working in the neighborhood of the use, or be detrimental or injurious to property of improvements in the vicinity of the use because the proposed daycare would share facilities with a compatible use (i.e., gymnastics training facility), provide childcare services that support surrounding employment centers, and operate in a manner that addresses potential noise-, traffic-, and parking-related conflicts with adjacent uses.
6. As conditioned, the project is consistent with all applicable Airport Land Use Plan policies under the authority of Section 2.9.1 (Small-Scale Development Projects), as represented in the Staff Report and Attachments for the Airport Land Use Commission Hearing on May 17, 2023.

Environmental Determination

7. The project is categorically exempt from provisions of the California Environmental Quality Act (CEQA) described in Section 15301 (Existing Facilities) of the CEQA Guidelines because it consists of the operation, permitting, leasing, licensing, and minor alteration of an existing private structure that involves no expansion of the existing use. The project is limited to the conversion and improvement of part of an existing tenant space that is currently utilized for commercial recreation (i.e., gymnastics training) use to daycare use. No addition to the existing building is proposed.

Conditions of Approval

The conditions of approval do not include mandatory code requirements. Code compliance shall be verified during the building permit review, which may include additional requirements applicable to the project.

Planning Division – Community Development Department

1. Plans submitted for a building permit shall be in substantial conformance with the submitted project description and plans and incorporate the conditions of approval. A separate, full-sized sheet shall be included in the working construction drawings submitted for a building permit that lists all conditions of approval. Reference shall be made in the margin of listed conditions as to where these requirements are addressed in the plans.
2. The Minor Use Permit shall be reviewed by the Community Development Director for compliance with the conditions of approval, or to determine whether a modification of the Minor Use Permit is necessary upon significant change to the project description, approved plans, and other supporting documentation submitted with this application or in the event of

a change in ownership which may result in deviation from the project description or approved plans. Minor changes to the project description or approved plans may be authorized by the Community Development Director and substantial modifications shall require modification of the Minor Use Permit.

3. The Minor Use Permit shall be reviewed by the Administrative Hearing Officer if the City receives substantiated written complaints from any citizen, Code Enforcement Officer, or regulatory agency, which contain information and/or evidence supporting a conclusion that a violation of this Use Permit, or of City Ordinances or regulations has occurred. At the time of Minor Use Permit review, conditions of approval may be added, modified, or removed, or the Use Permit may be revoked to ensure ongoing compatibility with nearby uses. The Administrative Hearing Officer may refer to the complaint to the Planning Commission at the Hearing Officer's discretion.
4. The daycare facility shall operate in a manner consistent with the project represented in the Staff Report and Attachments for the Airport Land Use Commission Hearing on May 13, 2023. As part of the consistency determination by the Airport Land Use Commission, the following Conditions of Consistency shall apply:
 - a. The average intensity for the site shall be 120 persons per acre, and the densest portion of the site shall have a maximum intensity of 270 persons per acre.
 - b. The project shall comply with noise policies as required by the ALUP.
 - c. No structure, landscaping, apparatus, or other feature, whether temporary or permanent in nature shall constitute an obstruction to air navigation or a hazard to air navigation, as defined by the ALUP.
 - d. Any use that may entail characteristics which would potentially interfere with the takeoff, landing, or maneuvering of aircraft at the Airport is prohibited, including:
 - i. Creation of electrical interference with navigation signals or radio communication between the aircraft and airport;
 - ii. Lighting which is difficult to distinguish from airport lighting;
 - iii. Glare in the eyes of pilots using the airport;
 - iv. Uses which attract birds and create bird strike hazards;
 - v. Uses which produce visually significant quantities of smoke; and
 - vi. Uses which entail a risk of physical injury to operators or passengers of aircraft (e.g., exterior laser light demonstrations or shows).
 - e. Avigation easements shall be recorded for each property developed within the Project site prior to the issuance of any building permit or conditional use permit.
 - f. All owners, potential purchasers, occupants (whether as owners or renters), and potential occupants (whether as owners or renters) shall receive full and accurate disclosure concerning the noise, safety, or overflight impacts associated with Airport

operations prior to entering any contractual obligation to purchase, lease, rent, or otherwise occupy any property or properties within the Airport Area.

5. The site shall be maintained in a clean and orderly manner at all times to the satisfaction of the Community Development Director.
6. Plans submitted for the building permit shall clearly show the location and dimensions of the existing two (2) loading spaces that are designated for drop-off and pick-up.
7. Plans submitted for the building permit shall clearly show the three (3) fenced outdoor activity areas, including location, dimensions, height, color, and materials. To demonstrate compliance with fence height requirements per Section 17.70.070 (Fences, Walls, and Hedges), the plans shall also clearly indicate the proposed front setback of the fenced area located adjacent to Allene Way.
8. To address potential parking- and traffic-related conflicts, daycare staff shall be available to direct traffic, as necessary, during drop-off or pick-up times that coincide with the end or start of gymnastics training classes.

Indemnification

9. 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 City shall fully cooperate in the defense against an Indemnified Claim.

Applicable Application or Code Requirements and Informational Notes

10. The daycare facility shall be subject to all applicable provisions of Chapter 9.12 (Noise Regulations).
11. Designated delivery and pick-up areas shall not pose any traffic or safety hazards. The operator of the daycare facility shall provide carpool-matching services to all clients.
12. A building permit is required for the occupancy change to A3/E occupancy. Please note that plans must comply with all applicable code requirements.
13. A sign permit is required for any new signage. Please note that proposed signage must comply with all applicable requirements outlined in Chapter 15.40 (Sign Regulations).

LEGACY DAYCARE

**4725 Allene Way
San Luis Obispo, Ca 93401**

Legacy Daycare Center is excited to offer its services to employees of Legacy Training Center, Myogenix, and the general public. We will be situated inside the 25,000 square foot space currently occupied by Legacy Training Center and Myogenix. Legacy Daycare will operate during normal business hours; Monday through Friday from 8 to 5 and will be available for children ages 2-5. The total daily occupancy will be a total of 45 children per day. There will only be full day sessions from 8 to 5, however parents are free to pick up and drop off their children based on their personal schedules. We anticipate children to be dropped off between 8 and 9, and pickups to start after school releases, around 3-3:30.

The daycare will operate in a completely separate space from Myogenix, and will share some space with Legacy Training Center. Myogenix currently operates using the warehouse storage space and two office spaces. Legacy Training Center currently occupies the training space. The daycare will utilize a separate room under the mezzanine, they will share the preschool gymnastics area with Legacy Training Center in between operating classes, as well as the spring floor in between classes. The daycare will also utilize the extensive outdoor space currently available and not being used for Myogenix or Legacy Training Center. Drop off for the daycare will utilize the existing parking lot. Myogenix only has 4 employees that work in the facility, and Legacy Training Center doesn't open until 9am. For that reason, we will have ample parking for drop-offs for the children in the morning. At pickup we have several strategies to help mitigate congestion in the parking lot. We have a loading zone capable of handling 2 cars with a 10-minute time limit on the south side of the building. The daycare area has 2 doors with direct access to the street side of the building, and we will encourage families to utilize the streetside parking, if available, if they are picking up their children between 4:50 and 5:00 when our parking lot is at its busiest. We also have a staff member available for the 10-minute window in which congestion is more likely to occur. Legacy Training Center offers classes from 4-4:55 and from 5-5:55, so staff is on hand to direct traffic as necessary for that 10-minute window while the last children are being picked up from the daycare. Outside of the 5-10 minutes leading up to 5pm there is plenty of available parking for families in our existing parking lot for picking up their children.

The daycare will operate with 8 employees. This includes 1 director, 4 teachers, and 3 aides. These teachers will have 3 separate classes that will rotate through the indoor and outdoor spaces during the day. All areas are capable of handling 2 classes at one time, and during inclement weather when the outdoor spaces aren't available, we do have other options. One of the outdoor spaces will have a covering making it usable during lighter weather events. We do also have the traditional classroom space, the preschool gymnastics space, and the spring floor which is particularly useful for large group activities. The outdoor spaces and the indoor sections will all be notated on the plans provided. Outdoor play area 1 is located directly outside of the preschool classroom and will have supplies for sidewalk chalk and outdoor art activities. Outdoor play area 2 is located on the south side of the building and will have bikes and cars as well as an outdoor reading library for children. Outdoor play area 3 is located near the front entrance of the building and will include a small play area with slide, a garden, sandbox, and other activities.

There is also a concurrent building permit that has been submitted and is in progress. That building permit number is BLDG-3282-2022. This permit is to build a wall in the warehouse area, converting 694 square feet of warehouse space to training space. This building permit also includes an additional 15 bike spaces. Upon approval of this minor use permit, that training space will be converted to daycare space.

In early 2020 we opened our doors under a class B occupancy with the County, but we were annexed into the city about a year later. During a routine fire inspection following the annexation we discovered that a mistake had been made with the county, and we should hold a class A occupancy. We immediately began steps to rectify the issue, and we are currently still in the process of getting all the necessary documentation compiled and submitted to the city. We had been interested in potentially opening a daycare for some time, and since we already had to make updates to be in line with the class A occupancy, we decided to move forward with an A/E occupancy. In order to meet the new requirements, we are building a wall to convert some of the storage space to additional occupancy, adding a heating system to the new room, updating door fixtures, and adding strobes and strokes to the fire system. Currently Myogenix makes use of the warehouse and storage space and the office space and is involved in the sports nutrition business. Legacy Training Center is a gymnastics center focusing on athletics and fitness for children ages 1 through 18.

We are excited at the prospect of opening a daycare facility that would serve many of the families in our area. We have several employees who have children currently and have struggled finding childcare in the area. One employee in particular had to enroll her child in a facility in Santa Maria simply because there weren't any available spaces closer. We also have several families that have expressed an interest in enrolling their preschool aged children in our daycare if we opened one. We are excited to offer quality instruction in an environment that promotes play and physical activity as part of the physical environment. Children will be able to use all the age-appropriate equipment inside the space occupied by Legacy Training Center, under the instruction of trained teachers. We will also be fencing in some of our outside areas to provide a safe place to engage in outdoor activities as well. There is only one daycare that is within a 3-mile radius, and with the growing number of businesses in the airport park area there are many families who could potentially benefit from having a care facility near at hand.

During the process of updating our occupancy we have investigated the parking particularly closely. Our current facility is zoned C-S has two uses, one is a gymnastics gym classified as commercial recreation – small scale, and the other is warehousing and indoor storage. The county approved parking was 1 space/2000 square feet of warehouse space, and 1 space/300 square feet for the commercial recreation area. When looking into the city requirements we quickly became aware that the parking requirements for the same classifications were different. Within the city limits the commercial recreation requires 1 space/200 square feet of indoor space, the warehouse 1 space/1500 square feet, and the proposed daycare requires 1 space/500 square feet.

Please see the excel spreadsheet provided for a breakdown of all current and proposed figures. According to section 17.72.010 of the municipal code, section B: "The minimum off-street parking spaces established in this section shall be provided for new construction or intensification of use, and for the enlargement or increased capacity and use of the land." While the total provided parking is less than city requirements, we are exempt since we were approved under county guidelines. The change to

add a daycare use, and the bike storage we are currently in the process of adding, brings us closer to being in compliance by reducing our total required parking from 89 spaces to 84 spaces. In this situation we are not a new construction, the facility has been built and in operation since early 2020, and we are not intensifying the use. While opening the daycare is a new use, we are taking some of the current gymnastics training space to operate the daycare. The daycare requires significantly fewer parking spots than the training center per the code, and the two businesses have minimal overlap regarding their main hours of operation.

With parking, there are some additional considerations as well. We are part of the airport area. Under table 4-8 of the airport specific plan related to parking it states, "The parking for care facilities serving multiple employers will be determined through the required use permit and may take into consideration loading or short-term stopping lanes on the site as well as any curbside parking spaces in the public right-of-way." Two businesses currently operate at our address, Myogenix and Legacy Training Center. Myogenix and Legacy Training Center employees will be given priority for open daycare positions, as will employees of the daycare. There is a loading zone large enough to park two cars, and there is ample curbside parking. There are rarely more than 1 or 2 cars parked along the curb of the entire street, and so it would be quite easy to accommodate 15-20 cars with curbside parking if necessary. This brings the total available parking spaces well within the 87 required by city guidelines. We would like to request that the parking calculations remain intact that were approved with the county of San Luis Obispo under permit issuance and not be increased due to the daycare or the occupancy classification change.

JENNIFERMARTIN ARCHITECTURE + DESIGN



LEGACY TRAINING CENTER

4725 ALLENE WAY SAN LUIS OBISPO, CA

PROJECT INFORMATION + SITE PLAN

IF THE ABOVE DIMENSION DOES NOT MEASURE ONE WHICH IS EXACTLY, THIS DRAWING WILL HAVE BEEN ENLARGED OR REDUCED AFFECTING ALL LABELED DIMENSIONS

BY	REVISIONS	DATE
Jm	align pc1	3/1/23
Jm	align pc2	5/12/23
Date:	5/15/23	
Scale:	AS NOTED	
Drawn:		
Job:		
Sheet:		

A2.1

Plotted On: 5/15/23

OWNER INFORMATION:

LEGACY GYM
4725 ALLENE WAY
SAN LUIS OBISPO, CA
ADAM NIELSON

PROJECT DESCRIPTION:

CHANGE OCCUPANCY FROM PREVIOUS PERMITTED OCCUPANCY B TO A-3S-2 AND ADDED DIVIDING WALL IN WAREHOUSE TO PROVIDE MORE ARE TO CURRENT ADD 692 SF TO EXISTING TRAINING AREA

SITE SUMMARY:

ADDRESS: 4725 ALLENE WAY, SAN LUIS OBISPO
APN: 076-512-025
ZONING: COMMERCIAL SERVICES
EXISTING USE: SPECIALIZED EDUCATION + TRAINING
GROSS LOT AREA: 2.25 ACRES
EXISTING PARKING PROVIDED: 71 SPACES

BUILDING CODE DATA:

CHAPTER 3 OCCUPANCY GROUPS: A-3 + S-2
CONSTRUCTION TYPE VB
FIRE SPRINKLERS: YES
STORIES: 1 PLUS MEZZANINE

BUILDING AREA:
FIRST FLOOR: 23,353SF
MEZZANINE: 1,672SF

Since the project includes a nonconforming number of parking spaces (i.e., previously approved under the County), refer to Section 17.72.050(C) (Nonconforming Parking - Use Changes). Under this section, parking must be provided for the increased parking demand that is generated by the change in use. Based on staff's preliminary calculations, it appears three (3) additional parking spaces are required (i.e., approximately 700 square feet of warehouse space to 700 square feet of commercial recreation space). The requirement for these three (3) spaces may be satisfied through providing replacement motorcycle or bicycle spaces per Section 17.72.050(F) (Bicycle and Motorcycle Parking Reduction Rates). To address the increased parking demand, consider providing 15 replacement bicycle spaces that are consistent with short- and long-term allocations per Table 3-6 (Required Bicycle Parking) and with design requirements for bicycle parking in the Active Transportation Plan.

PARKING REQUIRED - PROPOSED CITY OF SLO

TRAINING AREA: 1 SPACE/200 SQ FT = 17,259/200 = 86.30 SPACES
WAREHOUSE: 1 SPACE/1,500 SQ FT = 3,516/1,500 = 2.34 SPACES

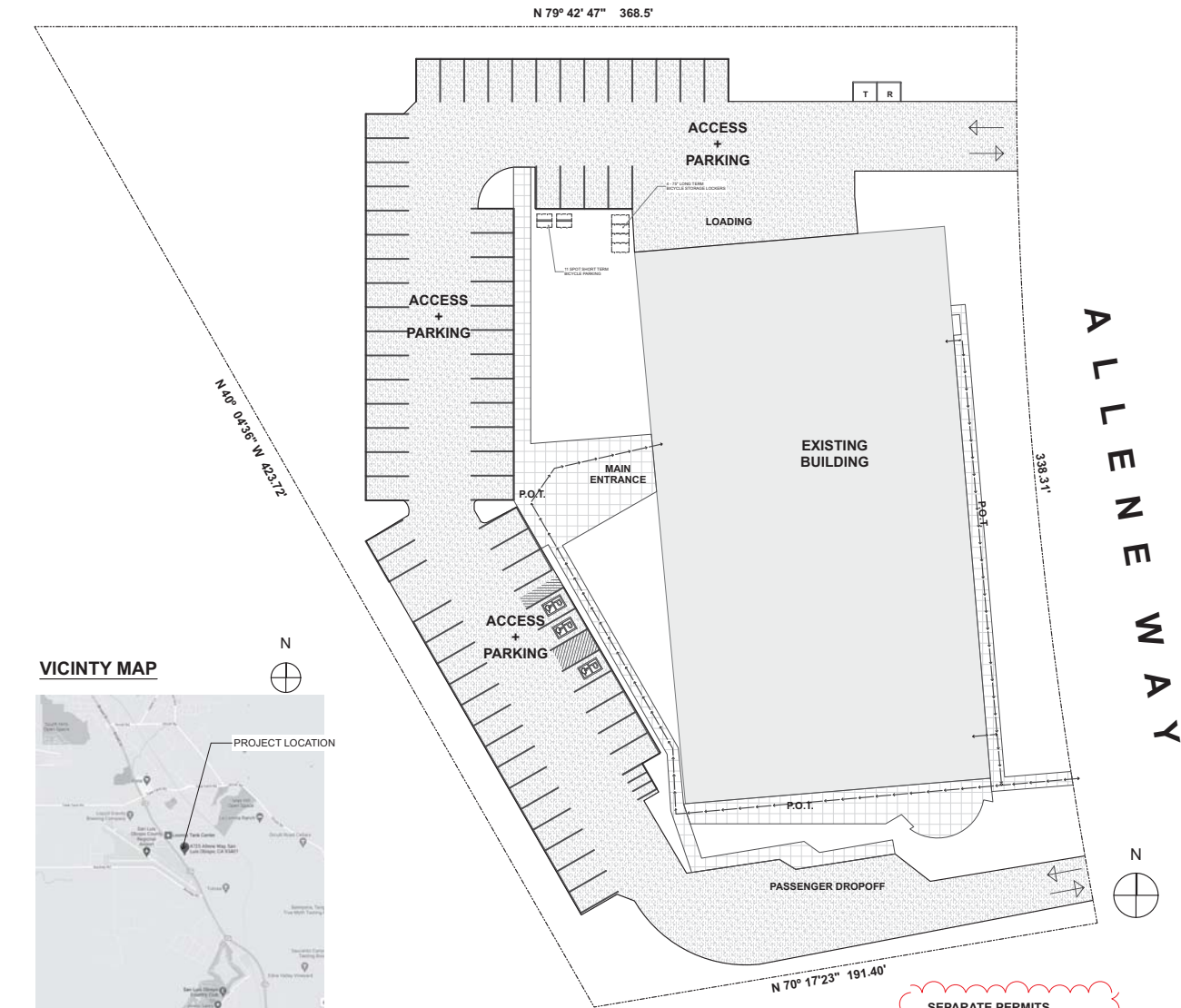
PROPOSED TRAINING AREA: 1 SPACE/200 SQ FT = 692/200 = 3.46SPACES
ACCESSORY OFFICES: 518 SQ FT INCLUDED W/ WAREHOUSE ABOVE PER 17.72.030 TABLE 3

TOTAL REQUIRED: EXISTIG NON COMFORMING PARKING REQUIREMENT. REQUIRES ADDITION OF 3 NEW PARKING SPACES. PROJECT PROPOSES THE ADDITION OF 15 NEW BIKE SPACES 11 OF WHICH SHORT TERM AND 4 LONG TERM PER THE CITY'S CODE TABLE 3-6 OF 75% - 25% RATIO.

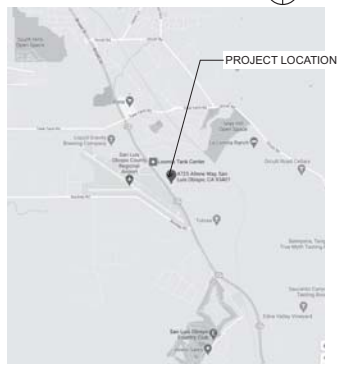
SHEET INDEX

A2.1	PROJECT INFORMATION + SITE PLAN
A3.1	FIRST LEVEL PLAN
A3.2	MEZZANINE LEVEL PLAN
S-1	FOUNDATION & MEZZANINE FRAMING PLAN
MP0.0	MECHANICAL & PLUMBING NOTES AND LEGEND
MP1.0	MECHANICAL & PLUMBING SCHEDULES & DETAILS
MP2.0	MECHANICAL & PLUMBING FLOOR PLAN
MP3.0	MECHANICAL & PLUMBING ROOF PLAN
E1	ELECTRICAL NOTES, SYMBOLS AND LEGENDS
E2	PARTIAL ELECTRICAL PLAN
EN1.0	ENERGY DOCUMENTS

APPLICABLE CODES
THIS PROJECT SHALL COMPLY WITH THE 2019 EDITIONS OF THE CALIFORNIA RESIDENTIAL CODE (CRC) AND/OR THE CALIFORNIA BUILDING CODE (CBC), CALIFORNIA MECHANICAL CODE (CMC), CALIFORNIA PLUMBING CODE (CPC), CALIFORNIA ELECTRICAL CODE (CEC), CALIFORNIA GREEN BUILDING STANDARDS CODE AND CALIFORNIA ENERGY CODE (CEC). ALL AMENDMENTS TO THE CA CODES ADOPTED BY THE CITY OF SAN LUIS OBISPO AND ALL OTHER CODES, REGULATIONS, AND APPROVALS ESTABLISHED BY THE CITY OF SAN LUIS OBISPO.



VICINITY MAP



SEPARATE PERMITS

- FIRE SPRINKLER PERMIT
- FIRE ALARM SYSTEM

1 SITE PLAN SCALE: 1" = 20'

San Luis Obispo City Planning Department | 20230522 - Legacy Gym Occupancy Change (A2.1) | Page 10 of 10 | 5/15/23

NOTE: FIRE ALARM SYSTEM TO BE INSTALLED WITH DEFERRED SUBMITTAL

LEGEND

- NO WORK IN THIS AREA
- 44" MIN PATH OF TRAVEL

WALL LEGEND

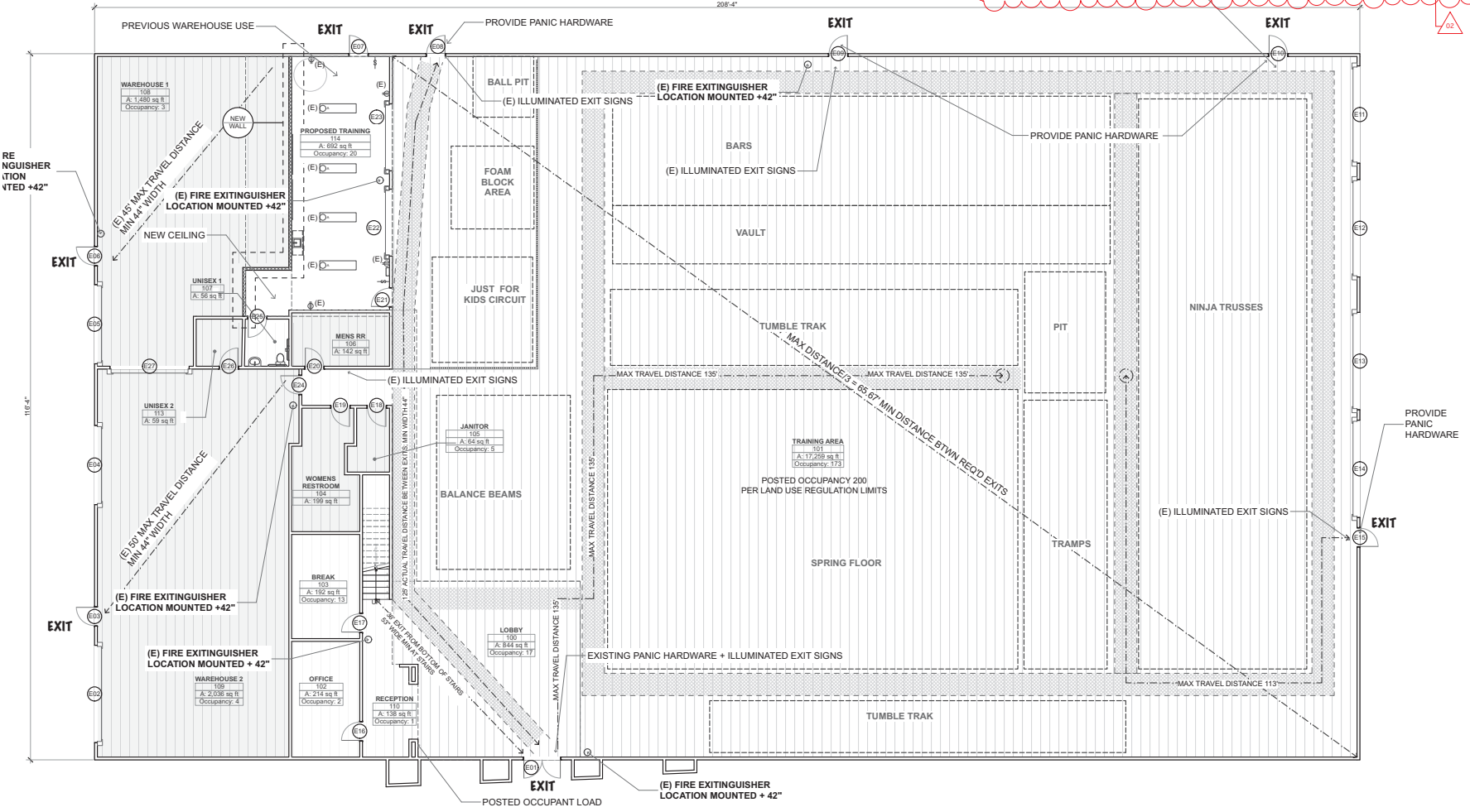
- 2X4 WOOD STUD WALL
- 2X6 WOOD STUD WALL
- EXISTING WALL TO REMAIN
- STRUCTURAL POST

OCCUPANCY SCHEDULE

NO.	NAME	AREA	OCC.	LOAD FACTOR	OCC. LOAD	EXIT WIDTH MIN. INCHES*	EXITS REQUIRED	NOTES
100	LOBBY	846	A-2	50	37	3	2	
101	CLASS TRAINING AREA	11,200	A-2	50	560	40	2	**SEE OCCUPANCY PER TABLE 1006.5.1C
102	OFFICE	250	A-2	100	1	2	1	
103	REAR	150	A-2	50	15	1	1	
104	REAR RESTROOM	60	A-2	0	0	0	1	
105	WASHROOM CLOSET	60	A-2	0	0	0	1	
106	REAR RESTROOM	60	A-2	0	0	0	1	
107	REAR RESTROOM 1	60	A-2	0	0	0	1	
108	RESTROOM 2	1480	A-2	100	7	1	1	
109	RESTROOM 3	2000	A-2	100	4	1	1	
110	RESTROOM 4	150	A-2	100	1	1	1	
111	REAR RESTROOM 2	60	A-2	0	0	0	1	
112	JANITOR	60	A-2	20	4	1	1	
113	REAR RESTROOM 1	60	A-2	0	0	0	1	
114	PROPOSED ADDITIONAL TRAINING SPACE	1200	A-2	100	8	1	1	MINIMUM TRAVEL DISTANCE TO EXIT TO BE 135' PER TABLE 1006.5.1C
115	OFFICE	400	A-2	100	4	1	1	
116	OFFICE	400	A-2	100	4	1	1	
117	OFFICE	400	A-2	100	4	1	1	
118	OFFICE	400	A-2	100	4	1	1	
119	OFFICE	400	A-2	100	4	1	1	
120	OFFICE	400	A-2	100	4	1	1	
121	OFFICE	400	A-2	100	4	1	1	
122	OFFICE	400	A-2	100	4	1	1	
123	OFFICE	400	A-2	100	4	1	1	
124	OFFICE	400	A-2	100	4	1	1	
125	OFFICE	400	A-2	100	4	1	1	
126	OFFICE	400	A-2	100	4	1	1	
127	OFFICE	400	A-2	100	4	1	1	
128	OFFICE	400	A-2	100	4	1	1	
129	OFFICE	400	A-2	100	4	1	1	
130	OFFICE	400	A-2	100	4	1	1	
131	OFFICE	400	A-2	100	4	1	1	
132	OFFICE	400	A-2	100	4	1	1	
133	OFFICE	400	A-2	100	4	1	1	
134	OFFICE	400	A-2	100	4	1	1	
135	OFFICE	400	A-2	100	4	1	1	
136	OFFICE	400	A-2	100	4	1	1	
137	OFFICE	400	A-2	100	4	1	1	
138	OFFICE	400	A-2	100	4	1	1	
139	OFFICE	400	A-2	100	4	1	1	
140	OFFICE	400	A-2	100	4	1	1	
141	OFFICE	400	A-2	100	4	1	1	
142	OFFICE	400	A-2	100	4	1	1	
143	OFFICE	400	A-2	100	4	1	1	
144	OFFICE	400	A-2	100	4	1	1	
145	OFFICE	400	A-2	100	4	1	1	
146	OFFICE	400	A-2	100	4	1	1	
147	OFFICE	400	A-2	100	4	1	1	
148	OFFICE	400	A-2	100	4	1	1	
149	OFFICE	400	A-2	100	4	1	1	
150	OFFICE	400	A-2	100	4	1	1	
151	OFFICE	400	A-2	100	4	1	1	
152	OFFICE	400	A-2	100	4	1	1	
153	OFFICE	400	A-2	100	4	1	1	
154	OFFICE	400	A-2	100	4	1	1	
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194	OFFICE	400	A-2	100	4	1	1	
195	OFFICE	400	A-2	100	4	1	1	
196	OFFICE	400	A-2	100	4	1	1	
197	OFFICE	400	A-2	100	4	1	1	
198	OFFICE	400	A-2	100	4	1	1	
199	OFFICE	400	A-2	100	4	1	1	
200	OFFICE	400	A-2	100	4	1	1	

NOTE: PER THE AIRPORT LAND USE PLAN THIS PROPERTY IS LIMITED TO 131 PERSONS PER ACRE. BASED ON 2.25 ACRES X 131 = 295 TO MEET THIS REQUIREMENT (PER ORIGINAL PERMIT WITH THE COUNTY OF SLO) THE TRAINING AREA WAS POSTED A SIGN IN THIS AREA TO LIMIT THE OCCUPANCY TO 200.

(E) ILLUMINATED EXIT SIGNS



LEGACY TRAINING CENTER
4725 ALLENE WAY
SAN LUIS OBISPO, CA

BY	REVISIONS	DATE
Jm	alloy pc2	3/1/23
Jm	alloy pc2	5/12/23

Date: 5/15/23
Scale: AS NOTED
Drawn:
Job:
Sheet:

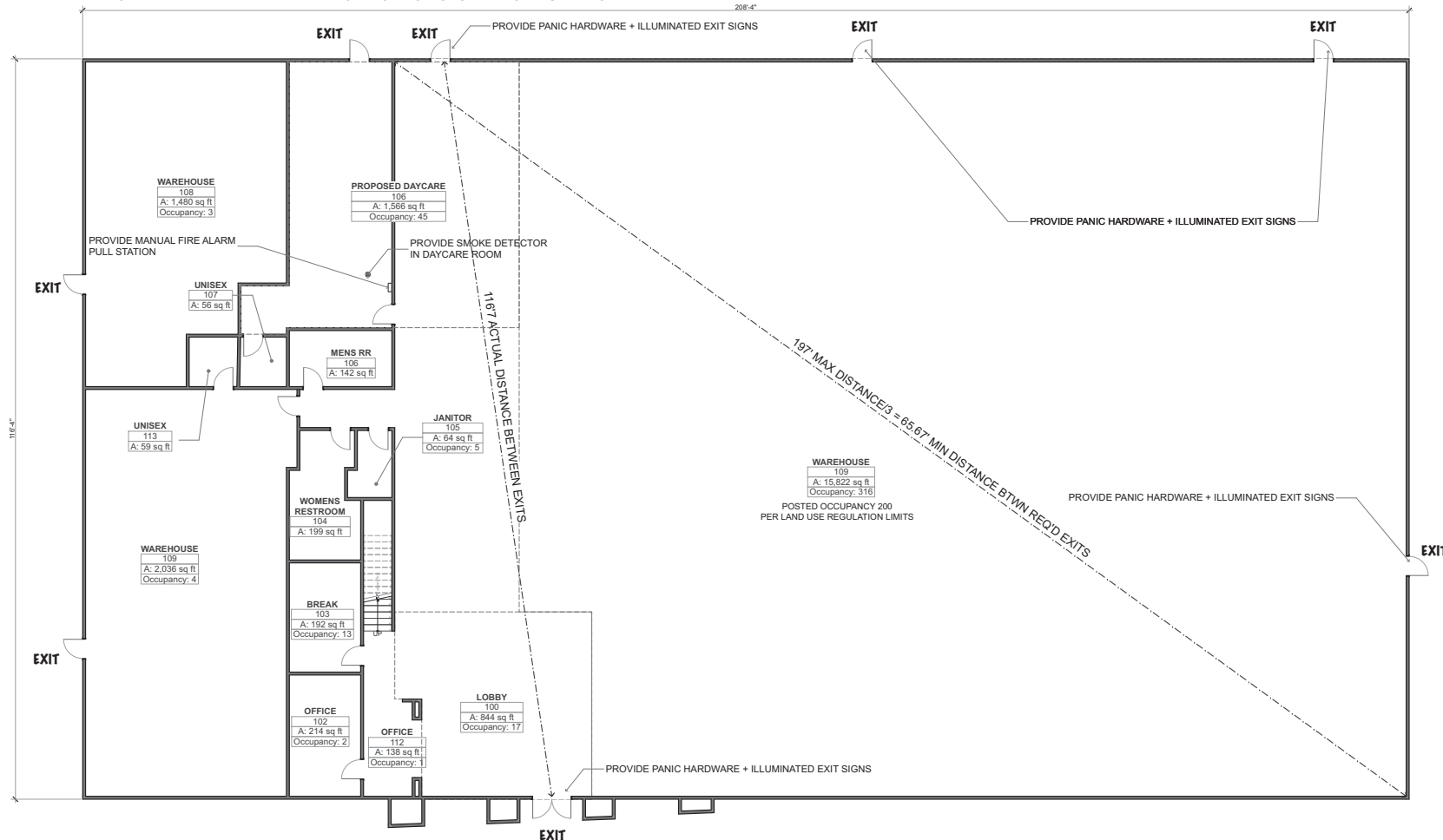
A3.1
First Level Plan
Printed On: 5/15/23

Architect: Jennifer Martin Architecture + Design, 4725 Allene Way, San Luis Obispo, CA 93426

OCCUPANCY SCHEDULE

NO	NAME	AREA	OCC	LOAD FACTOR	LOAD	OCC LOAD	EXITS REQUIRED	NOTES
200	LOBBY	844	A-3	50	17	1	1	
201	SPACE TRAINING AREA	1482	A-3	50	205	2	2	**SEE OCCUPANCY PER TABLE 1006.1.1.C
202	OFFICE	214	A-3	100	1	1	1	
203	BREAK	192	A-3	15	13	1	1	
204	WOMENS RESTROOM	199	A-3	0	0	0	0	
205	UNIFORMS CLOSET	64	A-3	0	0	0	0	
206	MENS RESTROOM	142	A-3	0	0	0	0	
207	UNISEX RESTROOM	56	A-3	0	0	0	0	
208	WAREHOUSE	1480	L3	100	3	1	1	
209	WAREHOUSE	2036	L3	100	4	1	1	
210	WOMENS RESTROOM	199	A-3	0	0	0	0	
211	UNIFORMS CLOSET	64	A-3	0	0	0	0	
212	OFFICE	214	A-3	100	1	1	1	
213	UNISEX RESTROOM	56	A-3	0	0	0	0	
214	PROPOSED DAY CARE	1566	E	75	45	1	1	MAXIMUM TRAVEL DISTANCE TO EXIT = 75' PER TABLE 1006.1.1
215	OFFICE	188	A-3	100	3	1	1	
216	MENS RESTROOM	83	A-3	0	0	0	0	
217	OFFICE	424	A-3	100	3	1	1	
TOTAL POSTED OCCUPANCY LOAD						295		
TOTAL OCCUPANCY LOAD PER TABLE 1006.1.1						304		
**NO SEPARATION REQUIRED BETWEEN A-3 - L3								
***NOTE TRAINING AREA POSTED TO OCCUPANCY MAX OF 200								

PROVIDE NEW FIRE ALARM AND NOTIFICATION SYSTEM FOR BUILDING PER NFPA 72



WAREHOUSE
109
A: 15,822 sq ft
Occupancy: 316
POSTED OCCUPANCY 200
PER LAND USE REGULATION LIMITS



LEGACY TRAINING CENTER

4725 ALLENE WAY
SAN LUIS OBISPO, CA

BY REVISIONS DATE

DATE	REVISIONS	BY
7/26/22		

Date: 7/26/22
Scale: AS NOTED
Drawn:
Job:
Sheet:

A3.1

Plotted On: 7/26/22

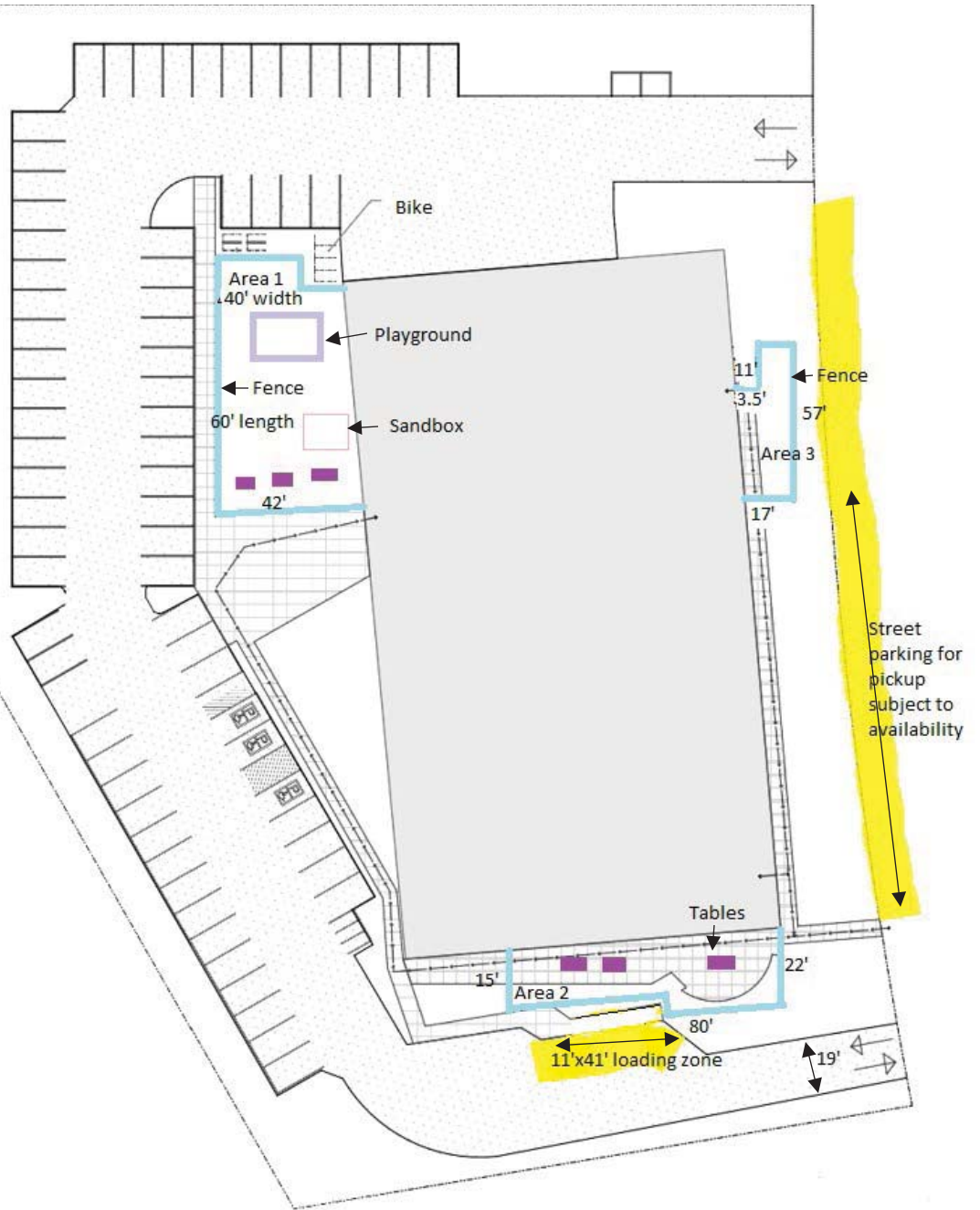
FIRST LEVEL PLAN

1 FIRST FLOOR PLAN
SCALE: 1/8" = 1'-0"

Approximate Square Footage
Area 1: 2200sqft
Area 2: 1465sqft
Area 3: 930sqft

Fencing is 5' black wrought iron and matches existing fencing

Surface material is staying consistent, no change to hardscape



 <p>COUNTY of SAN LUIS OBISPO</p>	<p style="text-align: center;">SAN LUIS OBISPO COUNTY</p> <hr/> <p style="text-align: center;">AIRPORT LAND USE COMMISSION</p>	<p>Michael Cripe Craig Piper Jeremy Klyde Adam Verdin Allen Settle Erich Schaefer Marc Dart</p>
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NOTICE OF AIRPORT LAND USE COMMISSION ACTION

HEARING DATE: May 17, 2023

RECOMMENDATION TO: **San Luis Obispo (County)**

SUBJECT: Hearing to consider a referral by the **City of San Luis Obispo** for a determination of consistency or inconsistency with Airport Land Use Plan (ALUP) for the San Luis Obispo County Regional Airport (AIRPORT) of a minor use permit (PROJECT) change of use to allow a daycare within an existing recreational training facility.

Agency: San Luis Obispo County File Number: USE-0639-2022
 Project Manager: Eric Tolle Applicant: Maurin Wade
 Recommendation: Consistent with the ALUP

On **May 17, 2023**, the Airport Land Use Commission determined the above referenced project Consistent with the San Luis Obispo County Regional Airport, Airport Land Use Plan and referred it back to the County of San Luis Obispo.

If you have any questions regarding this matter, please contact me at (805) 781-1006 or yeighmy@co.slo.ca.us

Sincerely,

Ysabel Eighmy

Ysabel Eighmy, Secretary
 Airport Land Use Commission