

**RESOLUTION NO. 5525-09**

**A RESOLUTION OF THE SAN LUIS OBISPO PLANNING COMMISSION  
APPROVING USE PERMIT MODIFICATION APPLICATION #MOD 28-09,  
FOR THE PROPERTY LOCATED AT 1290 FOOTHILL BOULEVARD**

WHEREAS, the Planning Commission of the City of San Luis Obispo conducted a public hearing in the Council Chamber of City Hall, 990 Palm Street, San Luis Obispo, California, on May 27, 2009, pursuant to a proceeding instituted under application #MOD 28-09, Alpha Phi Sorority, applicant; 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, and the evaluation and recommendations by staff, presented at said hearing.

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

**Section 1. Findings.**

1. The proposed use, as conditioned, will not be detrimental to the health, safety, and welfare of persons living or working in the area, because limits on hours for events and numbers of persons allowed on site will restrict activities and limit disturbances to neighbors.
2. The subject use is appropriate at the proposed location and will be compatible with surrounding land uses provided that the sorority complies with all conditions at all times.
3. The proposed use conforms to the General Plan because it is a group housing use, which the General Plan designates as potentially appropriate for Medium-High Density (R-3) and High-Density (R-4) Residential areas.
4. The proposed use meets Zoning Ordinance requirements because it is a sorority in a High-Density Residential (R-4) zone, where sororities are allowed with approval of a Planning Commission use permit.
5. The proposed use is consistent with General Plan Land Use policy LU 2.7.4 to reduce commute travel since it provides housing for students in very close proximity to Cal Poly.

**Section 2. Environmental Review.**

1. Categorically exempt under Class 1, Existing Facilities, Section 15301 of the CEQA Guidelines.

**Section 3. Action.**

1. The Commission hereby approves Use Permit Modification MOD 28-09 allowing a total of 30 residents at the Alpha Phi Sorority, subject to the following conditions.

Conditions

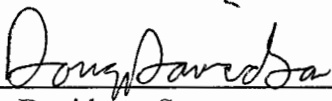
1. No more than thirty (30) persons shall reside at the house at any time. Additions to structures or additional occupancy shall require a use permit amendment. The applicant shall allow the City to verify occupancy of the house by allowing an inspection of the records or by a visual inspection of the premises. Any inspection shall be at a reasonable time and shall be preceded by a 24-hour notice to the residents.
2. The three compact parking spaces along the west side of the sorority house shall be striped in accordance with City standards. On-site parking shall be maintained at all times for the intended use.
3. The maximum number of persons allowed on the site for routine meetings and gatherings is 45, except as specifically approved by the Community Development Director for special events. For such special events, the applicant shall also submit a parking and transportation plan.
4. No meetings, parties, or other types of similar activities that would violate City Noise Ordinances or other City regulations or that would exceed the maximum 45 persons provisions noted in the above condition may take place between the hours of 10 p.m. and 9 a.m., except as approved by the Community Development Director.
5. Provide names and telephone numbers of responsible persons to the Community Development Department and SLOPD Neighborhood Services Manager on a yearly basis. Responsible persons shall be available during all events and at reasonable hours otherwise to receive and handle complaints.
6. Events, including meetings or parties, on site, shall be limited to those listed on a meeting and activities schedule, submitted to and approved by the Community Development Director in the fall of each year. Exceptions to this schedule must be approved by the Community Development Director. If the Director determines the change is significant and may have an adverse impact on the neighborhood, then it will be referred to the Planning Commission for consideration.
7. Only signs permitted by the City and consistent with Sign Regulations may be displayed on the premises unless approved by the Community Development Director for temporary events.
8. The use permit shall be reviewed if any reasonable written citizen or Police or Fire Department complaints are received by the City. In review of the use permit, the Planning Commission may add, delete, or modify conditions of approval or revoke the use permit. The Planning Commission may consider adding a condition requiring sorority officers to perform a community service project in the neighborhood.

9. Failure to comply with any of the above conditions or code requirements, or the conduct of the use so as to constitute a violation of Federal, State, or local law, or so as to constitute a public nuisance, or so as to cause adverse impacts on the health, safety, or welfare of persons in the vicinity of this use is prohibited and may constitute grounds for revocation of this permit.

On motion by Commissioner Drazé, seconded by Commissioner Boswell, and on the following roll call vote:

AYES: Commissioners Drazé, Boswell, Singewald, Multari, Stevenson, Meyer, and Whittlesey  
NOES: None  
REFRAIN: None  
ABSENT: None

The foregoing resolution was passed and adopted this 27<sup>th</sup> day of May, 2009.



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Doug Davidson, Secretary  
Planning Commission