



**CITY OF SANTA MARIA
PLANNING COMMISSION
MINUTES FOR REGULAR MEETING OF
MARCH 15, 2006**



Chair John Everett called the meeting to order at 6:30 p.m.

MEMBERS PRESENT: Commissioners Lawnae Hunter, Michael W. Moats, Rodger Brown, Vice-Chair Etta Waterfield, and Chair John Everett.

STAFF PRESENT: Planning Division Manager – Peggy Woods
Deputy City Attorney – Wendy Stockton
Senior Civil Engineer – Rodger Olds
Park/Landscape Planning Tech – Patty Ellis
Planner III – Benjamin Kimball
Planner II – Brian Halvorson and Tina Frank
Recording Secretary – Kathleen Villegas

PUBLIC COMMENT PERIOD: There was no one present who wished to comment.

ITEM 1 – CONSENT CALENDAR: The consent calendar is approved with one motion.

VOTE: Ayes-Commissioners Hunter, Moats, Brown, Waterfield and Chairman Everett;
Noes-None; Absent-None; Abstained-None.

- a. **GENERAL PLAN ANNUAL REPORT, SP-2006-005.** Review of recommendation to the City Council regarding filing of the General Plan Annual Report for the 2005 calendar year. (Project Planner: Bill Shipsey)

STAFF RECOMMENDATION: By motion, recommend that City Council receive the 2005 General Plan Annual Report and direct the City Clerk to file said report with the Office of Planning and Research (OPR), the Department of Housing and Community Development (HCD), and the Santa Barbara County Grand Jury.

ACTION: By motion, recommended that City Council receive the 2005 General Plan Annual Report and direct City Clerk to file with the Office of Planning and Research, the Department of Housing and Community Development, and Santa Barbara County Grand Jury. Tentatively scheduled for April 4, 2006, City Council meeting.

- b. **ZONING ORDINANCE TEXT AMENDMENT RELATING TO THE REGULATION OF BARBECUES, APPLICABLE THROUGHOUT THE CITY OF SANTA MARIA, Z-2005-003, E-2005-082.** Review of recommendations to the City Council regarding a negative declaration, E-2005-082, and amending Title 12 of the City's Municipal Code (Zoning Regulations) relating to the regulation of barbecue. (Project Planner: Bill Shipsey)

STAFF RECOMMENDATION: By motion, to continue this item to April 5, 2006.

ACTION: By motion, continue this item to April 5, 2006, Planning Commission meeting.

PUBLIC HEARINGS:

ITEM 2 – AN AMENDMENT TO A PREVIOUSLY APPROVED PLANNED DEVELOPMENT PERMIT FOR FAIRSKY LOCATED AT THE SOUTHWEST CORNER OF SKYWAY AND FAIRWAY, PD-99-10.

Review of an Amendment to revise parking restrictions on Building No. 5 to a previously approved Planned Development Permit for Fairisky located in a PD/M-1 (Planned Development/Light Manufacturing) zoning district, Assessor's Parcel No. 111-430-018. This project qualifies for a Class 1 Categorical Exemption. No further environmental review is required. (Project Planner: Brian Halvorson)

ACTION: By motion approved subject to the conditions outlined in the Amended Preliminary Draft with changes to the Planned Development Permit.

VOTE: Ayes-Commissioners Hunter, Moats, Brown, Waterfield and Chairman Everett; Noes-None; Absent-None; Abstained-None.

Brian Halvorson presented the staff report. Item 2 is located at the Skyway Commerce Center, also known as the Fairisky Technology Park, located at southwest corner of Skyway and Fairway. The applicant is seeking to amend a previously approved planned development permit. The current zoning is PD/M-1. The applicant would like to amend the previously approved PD permit, conditions 1, 3 and 5, in order to increase the allowed amount of office space, from 35/65 ratio, to 46 percent office, and 54 percent minimum of warehouse manufacturing for building 5. Parking would be available provided limitations suggested by staff are followed. Staff recommended approval of the project, and was available for questions.

Commissioner Hunter inquired as to the percentage of office space allowed in industrial buildings.

Mr. Halvorson responded that it depends on how much parking can be provided.

Commissioner Hunter commented on her ambivalence of having office uses go into the industrial zone.

Mr. Halvorson said that a condition was going to be amended in section D, amended special conditions page. Condition 1 will be replaced with: "The applicant shall submit a parking agreement between buildings 5 and 6 to address the parking and percentage of office, warehouse, manufacturing space exchanged to the Community Development Department and the City Attorney's office. Said agreement shall be reviewed and approved by the Community Development Department and City Attorney. The City of Santa Maria shall become a party to this agreement." That will replace the amended wording that is currently in the staff report as condition 1.

Steve Shievely, owner of Dennis Bethel & Associates, representing the applicant, as one of the proposed users of the building, was present. He stated that the net effect of this proposal is not one of more office space, just rearranging the space as approved. The parking agreement between the two buildings makes sense. The main use of the space will be engineering, architecture, surveying, and planning.

Chairman Everett closed the public hearing. Wendy Stockton read into the record the revised wording of the agreement—the agreement should go with the buildings, so if “the parking breakdown shall be incorporated into the conditions of approval”, then the agreement will stick. Commissioner Waterfield made the motion to approve an amendment to a previously approved planned development permit for Fairsky located at the southwest corner of Skyway and Fairway, PD-99-10, subject to the conditions as outlined in the Amended Preliminary Draft with changes to the Planned Development Permit and as read into the record by the City Attorney. Commissioner Moats seconded the motion and it was carried with a vote of 5-0.

ITEM 3 -- PASQUINI PARCEL MAP, LOCATED AT THE SOUTHWEST CORNER OF BROADWAY AND GRANT STREET, TRACT 5868. Review of a tentative parcel map that would create three commercial lots that range in size from 1.00 to 1.97 acres, in a PD/C-2 (Planned Development/General Commercial) zoning district, Assessor's Parcel Numbers 117-040-022, -023, and -024. This project qualifies for a Class 15 Categorical Exemption. No further environmental review is required. (Project Planner: Tina Frank)

ACTION: Adopted Resolution No. 2408, approving the design as shown on the Official Tentative Map and conditions set forth in the October 26, 2004, Subdivision Committee Minutes.

VOTE: Ayes-Commissioners Hunter, Moats, Brown, Waterfield and Chairman Everett; Noes-None; Absent-None; Abstained-None.

Tina Frank presented the staff report. The project is located at the southwest corner of Broadway and Grant Street. The project site is 3.95 acres and is zoned PD/C-2. The applicant is requesting approval of a tentative parcel map that would create 3 commercial lots, ranging in size from 0.98 to 1.97 acres each. This project qualifies for a Class 15 Categorical Exemption pursuant to the California Environmental Quality Act guidelines; therefore, no further environmental review is required.

Engineering had no additional comments regarding the project; the conditions are as stated.

Ms. Frank continued that staff is recommending approval of the Pasquini Parcel Map, Tract 5868, subject to the design as shown on the Official Tentative Map and the conditions as set forth in the October 26, 2004, Subdivision Committee Minutes. Staff was available to answer any questions.

None of the Commissioners had any questions.

Tom Martinez, 2450 Professional Parkway, architect and agent for Mr. Pasquini, the applicant, was present. They have reviewed the conditions and agree with them; Mr. Pasquini is also available for any questioning. He clarified that Calderon Tire on the site is still open for business.

Commissioner Brown asked if the issues with the alley way on the south side were agreed upon, and Mr. Martinez responded that those issues were resolved with Engineering. The applicant has no concerns with the conditions as written.

Chairman Everett closed the public hearing and called for a motion. Commissioner Brown made the motion to adopt Resolution No. 2408 to approve the Pasquini Tentative Parcel Map, Tract 5868, subject to the design as shown on the Official Tentative Map and conditions set forth in the October 26, 2004 (revised March 7, 2006), Subdivision Committee Minutes. Commissioner Waterfield seconded the motion, and it was carried with a vote of 5 – 0.

ITEM 4 - CONDITIONAL USE PERMIT FOR BOTTELSEN DART OUTDOOR STORAGE, LOCATED AT 945 WEST MCCOY LANE, U-2005-038, E-2005-055. Review of a Conditional Use Permit to allow the establishment of outdoor storage in a PD/M-1 (Planned Development/Light Manufacturing) zoning district, Assessor's Parcel Number 111-270-032. This project qualifies for Class 3 and Class 4 Categorical Exemptions. No further environmental review is required. (Project Planner: Tina Frank)

ACTION: By motion, approved the project subject to the conditions outlined in the Preliminary Draft of the Conditional Use Permit.

VOTE: Ayes-Commissioners Hunter, Moats, Brown, Waterfield and Chairman Everett; Noes-None; Absent-None; Abstained-None.

Tina Frank presented the staff report. The project parcel is a 40,059 square foot site located at the northeast corner of Meredith Lane and McCoy Lane. The parcel is zoned PD/M-1. The Commission previously approved a planned development permit at the site for the manufacturing, assembly, warehousing and distributing of various championship and amateur darts and dart parts within the two existing buildings. The applicant is requesting approval of a conditional use permit for screened outdoor storage located in the northeast corner of the property. This area would be screened by an existing 7' chain link fence with slats along the west and south sides of the property. The combination of the fence and the exterior of the buildings would provide the screening of the storage area on the interior of the lot. Cargo containers would be moved onto the designated storage area on the north end of the site. Materials and goods proposed to be stored in the containers would include paper, plastic, and cardboard for the shipping of the manufactured products. Machine parts, typically spare parts or parts in need of repair waiting to be shipped out, would also be stored in these containers. The smaller storage area located south of the trash enclosure would be used for the storage of wooden pallets and small miscellaneous items not needing weather protection. Storage would not exceed the top of the fence. Access to the site is from three driveways, and 25 parking spaces are required for this site, and 26 have been provided. Staff is also requiring that the compact parking spaces be restriped as standard size parking stalls. A portion of the landscaping planter will be removed and replaced with asphalt. Even with this landscape removal, 24% of the site will remain in landscape. The project qualifies for a Class 1 Categorical Exemption based on the California Environmental Quality Act Guidelines; therefore, no further environmental review is required. Staff is recommending approval of the project in accordance with the draft conditional use permit, and is available for questions.

Tom Martinez, 2450 Professional Parkway, architect and agent for the applicant, Mr. Bottelsen, was present. They agree with all conditions presented and are available for any questions.

There were no other comments or questions. Chairman Everett closed the public hearing and called for a motion. Commissioner Waterfield made a motion to approve the conditional use permit for the Bottelsen Dart Outdoor Storage, located at 945 West McCoy Lane, U-2005-038, E-2005-055, subject to the conditions as outlined in the preliminary draft of the conditional use permit. Commissioner Hunter seconded the motion, and it was carried, 5-0.

ITEM 5 - PLANNED DEVELOPMENT PERMIT FOR AN EXPANSION TO AN INDUSTRIAL BUILDING FOR OKONITE, 2900 SKYWAY DRIVE, PD-2005-029, E-2005-075. Review of a mitigated negative declaration and Planned Development Permit to allow the construction of an 80,000 square foot addition to an existing industrial building located in a PD/M-1, (Planned Development/Light Manufacturing), zoning district, Assessor's Parcel Number 111-292-008. (Project Planner: Benjamin Kimball)

ACTION: By motion, authorized the filing of a mitigated negative declaration and approved subject to the conditions as amended in the preliminary draft of the Planned Development Permit.

VOTE: Ayes-Commissioners Hunter, Moats, Brown, Waterfield and Chairman Everett; Noes-None; Absent-None; Abstained-None.

Benjamin Kimball presented the staff report. The project is a proposal for a planned development permit to allow the construction of an 81,000 square foot addition to the Okonite building located at 2900 South Skyway Drive, including various site improvements. The proposed expansion is to the north of the existing building, and includes improvements to the parking lot on the west side of the expansion, a new drive approach to Skyway Drive, parking along the northern edge. Under a previous planned development permit approved a few weeks ago, two parking lots were improved, and these parking lot areas will help to serve the existing building as well as the proposed expansion. They are previously approved but are also tied to this expansion as they help meet the necessary parking requirements for this expansion. Also proposed is the south side of the site being designated as future parking. The proposed addition includes adding only five new employees, the majority of the expansion being for machinery and equipment, staff recommends and agrees to the proposal to maintain this parking approved at this meeting as required parking, but not improved until at such time as circumstances demand that, such as change of use, change of ownership of the building, or a change of how the business is run so that a significant number of employees is brought in. Landscaping currently exists on the site on the western side. A proposed landscape plan shows significant landscape improvements in the parking lot along the northwest corner of the property. Landscaping is required for this project, and staff suggests that landscaping that would otherwise be required to go in the rear parking lot where it wouldn't be seen should be relocated towards the front of the building where it can be seen and enhance the aesthetics of the building. There is also a special condition of approval in the planned development permit for the future parking being designated as such, stating what would trigger the need to improve that parking lot. Elevations of the building as proposed were also shown. Materials of these elevations consist of concrete, corrugated metal siding and different features that are designed to match the existing building. The environmental review brought up a few issues that are addressed in the staff report. Potential

significant environmental impacts all had mitigation measures to bring them to a level of insignificance. One was the aesthetic impact, and there are special mitigation measures and conditions of approval to address that, such as the materials of the addition need to match the existing building, and that the parking lot facing Skyway Drive shall be landscaped consistent with the City's landscape standards. Also, air quality impacts were largely from construction activities, and the City has standard dust control measures that would be applied during the time of construction to mitigate that. A third issue was geology and soils; the City requested as a mitigation measure that the applicant submit a detailed soils and engineering report at the time of building permit application, which is a standard condition. Concerning traffic circulation and impacts, because a new driveway is being installed, the mitigation measure is to limit the driveway to a right-turn in only and right-turn out only, and not include crossing across traffic to access that site. Staff recommends approval of this project, and is available to answer any questions.

Commissioner Waterfield asked for clarification concerning the parking requirement—that the City is approving a new designated parking area but not asking for improvements; she asked if the applicant is okay with that.

Benjamin Kimball responded that the applicant is aware of the conditions and have agreed to them.

Rodger Olds, of the Public Works Engineering Department, made a deletion to Special Condition #9-b, a sentence fragment.

Wendy Stockton also deleted the last two sentences of Special Condition #7, pertaining to landscaping trees, in order to comply with AB1600.

Dave Cross, Fletcher-Cross & Associates, was present representing the applicant. He clarified on page 4, item 7, regarding trees, that Okonite did supply a payment in lieu of those trees to the Recreation & Parks Department. He believes this is a good project that's worked out with the City, and seeks the Planning Commission's approval.

Lawnae Hunter commented on the sad state of repair of the parking lot to the north of the site. She would like to see some additional landscaping that will make a better presentation to the street, perhaps around the existing sign. She also requested that staff request full-size landscape plans from applicants in the future because the smaller ones are too hard to read.

Dave Cross responded that Okonite would be willing to conform with whatever requirements the City had in regards to the landscaping.

Nick Harvanovich of Okonite stated that the parking lot will be repaved, and that there are plans to have landscaping in the front of it to block the view from the street, so it will be much improved from what it is now. Also, they will work with staff concerning landscaping around the sign.

Commissioner Hunter commented on the importance of the Okonite building and bringing up the landscape standards to enhance the aesthetics of the site.

The Commissioners all agreed that they'd like to see enhanced landscaping around the sign in front of the site.

Benjamin Kimball read into the record a change to the conditions, on page 4, special condition 6, site landscaping, "The site landscaping shall be installed in substantial compliance with the landscape plan shown on Planning Commission Exhibit E, date stamped October 6, 2005, and the conditions of approval." Some additional wording can be, "Landscaping areas at the entrance of the site and around the sign shall be re-landscaped."

Wendy Stockton read into the record a change to special condition 7, on the same page: "The applicant has made an in-lieu payment to the Recreation and Parks Department to the satisfaction of this condition."

Dave Cross reiterated Okonite's desire to have a good looking functional project and willingness to work with staff to make sure that happens.

Dave Cross answered Commissioner Moats' question that the 80,000 square foot addition will be used for warehousing, testing cable, storage, and other things relating to cable. The area is primarily for testing, which requires very few people; hence, the addition of only 5 personnel. The equipment is very large and not very labor intensive, so it does not require many people to work.

Commissioner Brown requested a tour of the facility once the project is completed. Nick Harvanovich responded the Commissioners are more than welcome to come in.

Commissioner Everett asked for clarification of the delivery truck routes.

Nick Harvanovich answered Commissioner Hunter's question that the addition will be painted to match the existing building.

Chairman Everett closed the public hearing and called for a motion. Commissioner Waterfield made a motion to approve the planned development permit for an expansion to an industrial building for Okonite, 2900 Skyway Drive, PD-2005-029, E-2005-075, authorizing the filing of the mitigated negative declaration and approval subject to the conditions as amended in the preliminary draft of the Planned Development Permit, including the deletion of Public Works special condition 9-b, and last two sentences under Community Development special condition 7 concerning trees, and note that "The applicant has made an in-lieu payment to the Recreation and Parks Department to the satisfaction of this condition," and under Site Landscaping, item 6, that we will add "relandscaping entrance around the Okonite sign". Commissioner Brown seconded the motion and it was carried, 5-0.

ITEM 6 - SUNRISE TERRACE GENERAL PLAN AMENDMENT AND ZONE CHANGE LOCATED AT THE NORTHEAST CORNER OF SUNRISE DRIVE/SANTA MARIA WAY AND THE SOUTHEAST CORNER OF MILLER/ SANTA MARIA WAY, GPZ-2005-005, E-2005-030. Review of recommendation to City Council regarding a mitigated negative declaration and amendments to the General Plan (Land Use) and Zoning for properties located at the northeast corner of Sunrise Drive/Santa Maria Way and the southeast corner of Miller/Santa Maria Way. An amendment to the General Plan (Land Use) from 10.03 acres of CC (Community Commercial) to 3.22 acres of CC (Community Commercial) and 6.80 acres of HDR-16 (High Density Residential/16 units per acre). A zone change from 10.03 acres of PD/C-2 (Planned Development/General Commercial) to 3.22 acres of PD/C-2 (Planned Development/General Commercial) and 6.80 acres of PD/R-3 (Planned Development/High

Density Residential). Assessor's Parcel Nos. 109-010-029, 128-090-023, and 128-090-022. (Project Planner: Brian Halvorson)

ACTION: By motion, continued this item to the April 20 study session for the May 3, 2006, Planning Commission meeting.

VOTE: Ayes-Commissioners Hunter, Moats, Brown, Waterfield and Chairman Everett; Noes-None; Absent-None; Abstained-None.

Brian Halvorson presented the staff report. The site is located at the northeast corner of Sunrise Drive and Santa Maria Way and the southeast corner of Miller Street and Santa Maria Way. It is across from K-Mart and directly across from the Mission Creek development. The applicant is requesting to amend 10.03 acres of CC (Community Commercial) to 3.22 acres of CC (Community Commercial) and 6.80 acres of HDR-16 (High Density Residential/16 units per acre). A zone change from 10.03 acres of PD/C-2 (Planned Development/General Commercial) to 3.22 acres of PD/C-2 (Planned Development/General Commercial) and 6.80 acres of PD/R-3 (Planned Development/High Density Residential) is also being requested. Access to the site will be from Miller Street, Santa Maria Way and Sunrise Drive, as shown in the conceptual development scenarios attached to the staff report. A mitigated negative declaration has been completed and circulated for public comment, and mitigation measures have been incorporated into the staff report conditions of approval. Staff's recommendation is two-fold: first, that the Commission recommend to the City Council the adoption of a Mitigated Negative Declaration, E-2005-030, for the proposed general plan amendment and zone change, as amended; secondly, recommend adopting a resolution to amend the general plan and recommend adopting an ordinance to rezone the site as shown on exhibit A. Staff recommends approval and is available for any questions.

Commissioner Moats asked about the concrete walkway that connects the park with Santa Maria Way. The exhibit indicates no change, but the newer plan doesn't show it.

Brian Halvorson responded that originally the applicant was going to rezone that piece (0.44 acres), half for commercial and half for residential, but recently they've come to the City and indicated that they don't own the parcel—it's owned by Unocal. Staff supports that that portion be a trail connecting to Santa Maria Way, but that won't be reviewed until the planned development permit process. For now, the consideration is just to rezone the land and change the general plan designation, excluding that piece.

Sylvia Gonzales, Urban Planning Concepts, was present representing the applicant, Inland Pacific Builders. They are asking for the slight adjustment in the commercial component. Inland Pacific Builders believes that a smaller commercial component will be more feasible for this site.

Commissioner Moats inquired why the smaller commercial component was more feasible, and Sylvia Gonzales responded that they are responding to a slower commercial market.

Commissioner Hunter expressed her concern on the proposed site plan, although it is not formally up for review, that it is not acceptable, citing the straight rows of buildings with no parking in garage areas, no recreational amenities, and no walking amenities. She wanted to state that now before the planned development process, because to come in with the project the way it is presented now, she would have serious issues with it.

Commissioner Brown responded that perhaps the recreational needs would be met by the three parks situated near the project site.

Commissioner Everett agreed with Commissioner Hunter that better articulation on the project site would be desirable.

Commissioner Hunter agreed that the nearby parks are great; however, for smaller children, they need to have recreational sites closer for their use, as well as better parking.

Brian Halvorson reminded the Commissioners that the conceptual drawing of the site plan was only provided because it is an application requirement. The design is not currently being reviewed at this time. The final will be coming before the Commission at a later date and will undoubtedly have the amenities that the Commission is looking for.

Steve Wagoner, 516 Capistrano, spoke in opposition of the project. He alleged that the notification dates were not correct, stating that he didn't get his notice until March 10th. He's concerned that the Harvest Ranch Park Villas II Homeowners Association needs time to review the proposal in order to give their input. He also spoke of concerns concerning the bike lane corridor, wanting to be sure that it is maintained. He also expressed concerns over the density of the proposed project. The homeowners association supports infill, but not necessarily that much density.

Commissioner Brown asked what the maximum density for this site would be, and Brian Halvorson answered that the maximum would be 22 units per acre, and the proposal is for 16 units per acre.

Steven Wagoner reiterated that the proposed density needs to be looked at in consideration of the surrounding single family home neighborhoods, as well as what it will look like.

Chairman Everett inquired as to legal council about the legal noticing. Wendy Stockton responded that Mr. Wagoner testified that he lives within 300 yards of the project site, and legal notices only go to residents within 300 feet, so he may have received a notice as an interested person.

Brian Halvorson clarified that residents living within 300 feet receive notices; Steven Wagoner called staff and requested to be put on the list to receive notices. So that is a different mailing, not in the same category.

Commissioner Hunter asked if Rodenberger Park is directly behind the project site, and staff responded that it is. Commissioner Hunter commented that it appears that not too many people live within 300 feet of the project site, and yet there is a single-family residential neighborhood close by that has concerns about what will happen here. She expressed concern over the amount of R-3 projects being approved. There don't seem to be many R-2 projects coming through. Since this is so close to an R-1 neighborhood, she feels it's important that they have some input. Perhaps R-2, not so dense or high, may blend better with the surrounding neighborhoods.

Commissioner Waterfield asked about the differences between R-2 and R-3 designations, and how many units per acre are permitted in each designation.

Brian Halvorson responded that the applicant is not interested in putting more than 16 units per acre on this project.

Commissioner Hunter commented that 16 units per acre is still dense, not leaving much room for amenities for meandering streets, more parking, tot lots, and the like that lead to quality of life issues. We have a lot of housing being created in the City right now, and it's important to look at these decisions carefully, especially as there is no shortage right now.

Chairman Everett reverted to the notice mailing issue, and asked if there was a possibility that Mr. Wagoner's notice was mailed out at a different time than the others, and that they were legally posted at the correct time.

Brian Halvorson responded that yes, the file indicates that it was posted on the date noted.

Brian Halvorson asked Wendy Stockton that since Mr. Wagoner is not in the 300 foot radius, and only received the notice because he requested it, is it a requirement that he receive it by a certain date?

Wendy Stockton responded by stating that the law states notice needs to be given to people living within 300 feet of a proposed project. The evidence in the record is that that notice occurred. According to Mr. Wagoner's testimony, he is in within 300 yards of the project site. So there is no evidence that there is a legal problem with notice.

Chairman Everett inquired if the Commission wanted to continue with this item, or continue it on the grounds that perhaps some neighbors weren't noticed.

Steve Wagoner reiterated his claim that the neighborhood was not properly noticed.

Commissioner Hunter inquired if anyone lives within the 300 foot requirement.

Brian Halvorson responded that very few residents actually live within the 300 foot area. Many of the property owners live elsewhere.

Steve Wagoner suggested going beyond what is legally required and noticing more of the neighborhood that is going to be impacted by this project.

Brian Halvorson reminded the Commission that people can also obtain information about upcoming projects at the library. Interested citizens can check with the library and see what is noticed there.

Chairman Everett asked the rest of the Commissioners if they wanted to continue this item based on the noticing question.

Commissioner Brown expressed sympathy for Mr. Wagoner's point, but said that he felt this would be opening a can of worms by postponing this.

Commissioner Waterfield agreed with Commissioner Brown, and said that there will be another opportunity to discuss this project with Urban Planning Concepts and Inland Pacific Builders.

Commissioner Hunter felt that it was appropriate to have a continuance, because it's important to get input from people that are affected from this project. This is dense zoning. If it's approved, then the neighboring residents won't be able to do much about it.

Chairman Everett said that it could be appealed to the City Council.

Commissioner Moats agreed that the item should proceed.

Discussion ensued as to the difference between R-2 and R-3 requirements. Chairman Everett asked about converting community commercial to R-3 as to the height limitation.

Peggy Woods, Planning Division Manager, responded to the question that the height limit in R-2 is 30 feet; in the CC it is also 30 feet. In terms of the density, if the land use density is 16 units per acre, that is the maximum. The PD does not give authority to have a flexible density. The underlying land use will govern the density, and projects cannot be approved beyond that density. The height limitation on R-3 is 35 feet, and the height on R-2 limitation is 30 feet. There is a five foot difference between R-3 and R-2, but not between CC and R-2.

Commissioner Hunter asked Ms. Woods if later on, this project became an affordable housing site, would they be able to get a density bonus?

Ms. Woods responded that yes, if they applied for it.

Brian Halvorson clarified that to qualify for the density bonus, it would have to be low-income or senior housing. That's built into the density bonus.

Peggy Woods stated that if the project was mixed use, then there are allowances for height increases. The zoning administrator can approve an increase up to 10%, and the Planning Commission can increase height up to 25% of the allowable, and it can go to City Council for more than 25% increase.

Mr. Kerin Adam, representing Adam Farms, owner of the parcel directly north of the project site, spoke in opposition to the project. His property is between the animal clinic and the project site. They are concerned with the entrance on Miller which appears to go right on the property line. Right now their property is zoned C-2, and they are also concerned with having a row of apartment directly next to a potential commercial development on their property. Pushing high density right up against their commercial project site could pose some problems. He asked the Commission to look at the setbacks on the project so that there would be some sort of a buffer between the residential and potential commercial.

Chairman Everett asked for an aerial photo to be put up, and asked if the backyard setbacks in the existing residential area are adequate.

Mr. Adam responded that those are already there, and that they have been built up around his property. He knows they have to deal with neighbors; however, it's different to have a row of high density backing up onto a commercial project.

Commissioner Hunter commented on the setback issue. By rezoning this property, the setback is being changed, and she asked staff what that would be.

Brian Halvorson answered that if this property was not rezoned, he could develop his commercial property to the property line. By rezoning this property, he will be required a setback to the property that he adjoins. Staff knows that this is a sensitive issue, and included a specific mitigation measure in the northeast corner of the site. The requirements include a minimum building setback of 20 feet for any residential buildings proposed for the northeast corner of the site adjacent to the single family homes. A larger setback could be specified. The Planning Commission could recommend to the City Council something higher.

Peggy Woods clarified her earlier comments. On the C-2 zone, the height restriction is 3 stories or 40 feet, whichever is less. R-3 is 35 feet; R-2 is 30 feet. In C-2, it can be built up to the property line, and in R-3, a set back is required.

Sylvia Gonzales, of Urban Planning Concepts, responded that the site layout that staff has is mainly conceptual. There have been several iterations to this layout. They hope to come back in the PD process with much more input from the community and Commission and come up with a solution that works for everyone involved.

Commissioner Brown commented that it would be helpful for the developer to get together with Mr. Wagoner and the adjoining neighbors to work out issues before the project comes back to the Commission.

Chairman Everett asked Sylvia Gonzales if the zoning was changed to R-2, would that render the project not economically feasible.

Ms. Gonzales responded that she couldn't answer for Inland Pacific Builders. But from her own experience, it would not.

Chairman Everett closed the public hearing and invited the Commissioners' comments.

Commissioner Hunter stated that she thinks R-2 is a more appropriate zoning for at least part of this site. Her first choice would be to ask for a continuance so that the developer can work with the neighbors. Her other issue is that the R-3 is not appropriate for this site, so she won't vote in favor of the R-3.

Commissioner Brown agreed with Commissioner Hunter. Instead redoing the entire site as R-3, he suggested perhaps making some of it R-2 and some R-3, which might help to eliminate some of the problems that have come up and give a buffer zone.

Commissioner Waterfield agreed, saying that we need to keep the nearby neighborhoods in mind and perhaps a mix of R-2 and R-3 would be appropriate.

Commissioner Moats stated that if he lived there, he'd want it to be R-1, and if he was the developer, he'd want it to be R-4. He thinks that the R-2 and R-3 mix sounds like a nice compromise.

Chairman Everett asked legal counsel what the procedure now would be.

Wendy Stockton answered that the Commission has several choices at this point. It may not be feasible to just change the zoning from R-3 to R-2; that would have to be directed to staff.

In terms of procedure, the Commission can send that recommendation to City Council. She wasn't sure of the effect on the environmental review.

Brian Halvorson responded that he performed the environmental review, and basically, if the recommendation is for R-2, that wouldn't make any difference to the environmental review because they're down-zoning the land. Less units mean less environmental impacts.

Commissioner Moats asked about the parking requirement for R-2.

Brian Halvorson responded that the code does not distinguish between a garage and a carport. The code just requires covered parking.

Benjamin Kimball stated to the Commission two things to keep in mind: that staff would be hesitant to recommend proceeding at this time with approving an R-2 zoning designation when it may not be the intent of the applicant, and the applicant is not here to express their feelings on it. There might also be a need to re-notice the item. Staff would rather be safe than sorry.

Commissioner Brown stated that he's not against the rezoning the site to R-2, but is against Mr. Wagoner's request to continue the item based on the noticing delay. He's been on the Commission a long time and knows that staff endeavors to get out the noticing in a timely fashion. He's in favor of continuing the project for the purpose of looking at rezoning, giving the neighborhood time to give input.

Chairman Everett commented that it looks as though the Commission wants to continue this item, and he asked for a motion. Commissioner Brown made a motion to continue this item to the April 19, 2006 study session for the May 3, 2006, Planning Commission meeting. Commissioner Moats seconded the motion and it was carried, 5-0

OTHER BUSINESS:

ORAL REPORTS OF PLANNING COMMISSIONERS AND STAFF.

Commissioner Brown brought up the subject of Planning Commission meeting minutes. The transcribed minutes have been behind for several months; however, they are kept on cassette tapes. Commissioner Brown recommended starting up with the minutes from this meeting forward as opposed to trying to catch up from the previous three months' worth of meetings. The other Commissioners agreed.

ADJOURNMENT: The meeting was adjourned at 9:00 p.m. to a Study Session on March 16, 2006 at 10:00 a.m. in the Community Development Department conference room, 110 S. Pine Street, Santa Maria.

Respectfully submitted,

/s/ Peggy Woods
PEGGY WOODS, ASSISTANT SECRETARY
CITY PLANNING COMMISSION