



**CITY OF SANTA MARIA
PLANNING COMMISSION
MINUTES FOR REGULAR MEETING OF
APRIL 19, 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.

MEMBER ABSENT: None.

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, Bill Shipsey
Planner II – Brian Halvorson, Tina Frank
Deputy City Attorney II – Phil Sinco
Recording Secretary – Kathleen Villegas

By motion, approved the Planning Commission minutes of March 15, 2006.

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 CONSISTENCY FOR AN ABANDONMENT OF UTILITY EASEMENTS ON THE LA BREA PLAZA PROPERTY, SP-2006-006.** Review of the Conditions of Approval for the La Brea Plaza project PD-2003-012 that require relocation of an existing on-site City sewer main. A new sewer main has been constructed in the proper location, and the old line has been abandoned. The property owner has processed documents which will dedicate the appropriate sewer easement for the new sewer main. The Public Works Department is seeking the Planning Commission's determination that the proposed abandonment is consistent with the General Plan. (Project Engineer: Rodger Olds)

STAFF RECOMMENDATION: That the Planning Commission adopt a resolution affirming that the subject vacation is in conformity with the City's General Plan.

ACTION: Adopted Resolution No. 2414, affirming that the subject abandonment is in conformity with the City's General Plan.

- b. **GENERAL PLAN CONSISTENCY FOR THE PURCHASE OF A PORTION OF PROPERTY ADJACENT TO THE SMAT MAINTENANCE YARD 111-580-003, SP-2006-009.** The Engineering Division is seeking the Planning Commission's finding of General plan consistency for the purchase of 2/3 of an acre on Fairway Drive immediately west of the SMAT Maintenance and Operations yard. The purchase of the property will effectively create a new lot 2/3 of an acre in size.

STAFF RECOMMENDATION: That the Planning Commission adopt a resolution affirming that the subject purchase and effective creation of a separate lot is in conformity with the City's General Plan.

ACTION: Adopted Resolution No. 2415, affirming that the subject purchase and effective creation of a separate lot is in conformity with the City's General Plan.

- c. **GENERAL PLAN CONSISTENCY FOR THE ABANDONMENT OF A WATER-LINE EASEMENT ACROSS 2811 AIRPARK DRIVE, SP-2006-010.** The waterline was relocated in 1984 to move the waterline outside of the foundation of the building being built at that time. The waterline was intended to be abandoned at that time; however, it was not recorded.

STAFF RECOMMENDATION: That the Planning Commission adopt a resolution affirming that the subject vacation is in conformity with the City's General Plan.

ACTION: Adopted Resolution No. 2416, affirming that the subject abandonment is in conformity with the City's General Plan.

PUBLIC HEARINGS:

ITEM 2 – CONDITIONAL USE PERMIT FOR CLASSIC CAR SALES, LOCATED AT 2026 NORTH PREISKER LANE, U-2006-003, E-2006-013. Review of a Conditional Use Permit to allow the indoor display and sales of cars within an existing multi-tenant building in a PD/CM (Planned Development/Commercial Manufacturing) zoning district, Assessor's Parcel No. 128-003-043. The project qualifies for a Class 1 Categorical Exemption. No further environmental review is required. (Project Planner: Tina Frank)

ACTION: By motion, adopted Resolution No. 2409, making a determination that the establishment of indoor display and sales of classic cars within the existing Gateway Plaza is a permitted use and approved the project subject to the conditions outlined in the Preliminary Draft of Conditional Use Permit as amended. (Vote: 5-0)

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 for Classic Car Sales located at 2026 North Preisker Lane. The project parcel is a 2.44 acre site, located west of Highway 101, within an existing building currently occupied by Harley Davidson Motorcycles. The parcel is zoned PD/CM (Planned Development/Commercial Manufacturing). The Commission previously approved a planned development permit at the project site for Gateway Plaza (Z-91-24 (PD)), and adopted a list of approved permitted and conditional uses at the site (GPZ-2000-005). The applicant is requesting approval of a Conditional Use Permit for the indoor

display and sales of 15-20 classic cars within an existing 7,387 square foot tenant space. Access to the site is from an existing driveway off of Preisker Lane. The existing parking and landscaping is in conformance with the previously approved planned development permit's conditions of approval. Staff is recommending a special condition limiting the outdoor display of vehicles on the property to not exceed two days per month. In addition, since the existing tenant space does not currently have restrooms, staff is recommending a special condition that at such a time that the access to a neighboring tenant's restrooms is discontinued, restrooms shall be installed in the applicant's tenant space. This project qualifies for a Class 1 categorical exemption based on the CEQA Guidelines; therefore, no further environmental review is required. Staff is recommending approval of the project in accordance with the draft Conditional Use Permit, and that the Planning Commission adopt a resolution making a determination that the establishment of indoor display and sales of classic cars within the existing Gateway Plaza is a permitted use. Staff is available for any questions.

Commissioner Brown asked staff regarding the two days a month for display. On page 4 of the white sheets, fourth paragraph, it addresses that condition. He asked if the other dealerships on the site are limited in the same fashion.

Tina Frank responded that currently the entire planned development permit list of uses as seen in Exhibit D excludes outdoor display. There has been outdoor display going on, and this provision would allow for that to continue on an intermittent basis. Staff doesn't believe that it is a negative use, but wanted to permit it through this conditional use permit which would allow any dealer there to have outdoor storage, not just this applicant.

Commissioner Brown inquired if any complaints have been received over the outdoor display.

Tina Frank responded that staff has not received complaints.

Commissioner Brown spoke concerning the outdoor display. He believes it helps the project to have outdoor display, but he thinks staff should make it legal for all of them instead of only one dealer having only 2 days.

Tina Frank responded that if the Commission so desired, special condition 1 on page 2 could be changed to read, "Outdoor display of vehicles on the property shall be permitted within hours of operation of the businesses."

Commissioner Hunter spoke concerning the Gateway Plaza and the signs there. She asked staff if all the signs on the buildings and tower have been permitted.

Brian Halvorson responded that staff has reviewed the signs on the site and to his knowledge, they are permitted. Sometimes the temporary signs in windows are not, but the building signs have been permitted.

Tom Martinez, Tom Martinez & Associates, 2450 Professional Parkway, architects for the second phase of the project, was present representing the applicant. Kevin Jones of the Harley Davidson dealership was also present. They agreed with all the conditions. They welcomed the idea of being able to display vehicles outside more frequently.

Chairman Everett asked staff if the additional days of outdoor display would be detrimental to the parking.

Tina Frank responded that the parking should not be affected if only a limited number of spaces are encumbered for display. The site has adequate parking. She deferred the question of how many spaces would be used to the applicant.

Tom Martinez responded that the applicant does not really know yet how many spaces would be used. The parking requirement there is currently based on a straight commercial use, and

since the center is being used with bulk sales, it is currently over parked. He commented on the Fire Department's concern that the displays not block the circulation pattern for the building in the event of an emergency.

Commissioner Hunter asked staff how the other tenants would get the information about this condition if this outdoor display area was approved. She asked if they would need to come in to amend their CUPs.

Tina Frank responded that if the Planning Commission desired, the list of permitted uses that were originally permitted on the planned development permit for Gateway Plaza could be amended to allow such a use.

Peggy Woods stated that when the original planned development permit for this development was processed, it included outdoor pad areas close to the highway that were allowed for outdoor display. Outdoor display is restricted under condition 31D to those pad areas. This CUP adds to those outdoor areas. All the tenants at the site can use the pad areas. She didn't think that it included a time limit.

Commissioner Hunter commented on the issue of fairness to the other tenants at the site.

Peggy Woods stated that this is the first conditional use permit that is being processed for the site. None of the other tenants have a CUP; if they desire additional display, then they will need to file for a CUP or amend the original PD.

Commissioner Moats asked staff if the motorcycles are currently being displayed in parking stalls or if they are on the permitted pad areas.

Commissioner Brown responded that he's noticed motorcycles displayed in the parking spaces. He commented that perhaps it would make sense to approve this tonight and let the applicant speak with the other tenants at the site and they could come back to the Commission with a plan.

Tom Martinez commented that they were not the architects on the original building, only on the second building on the site. So as far as the display pads were concerned, he was not aware of where they were nor has he seen them. The motorcycles displayed on the southern half of the site basically use parking spaces adjacent to the building.

Commissioner Moats asked Mr. Martinez how many parking spots his applicant wanted to use for display.

Mr. Martinez' client, Kevin Jones, responded by stating that they would only be using four or five parking spaces for the classic cars during business hours for visibility from the highway.

Commissioner Brown suggested approving the CUP but come back to it later after the other tenants have talked and see if they come up with an idea concerning display space.

Commissioner Waterfield agreed.

Commissioner Brown said that the displays add to the ambiance of the site. However, if the condition for display only two days was passed, then they would all be in violation.

Chairman Everett asked the applicant how he felt about the suggestion.

Tom Martinez responded that they would be willing if it didn't include an entirely new application permit process, time delay and fees.

Chairman Everett asked staff how they felt about the suggestion.

Peggy Woods restated the question to Chairman Everett, clarifying that the request is to leave the conditions as worded, and encouraging the tenant to go back and coordinate an effort to

have a group or congregated outdoor display area and bring it back to the Planning Commission.

Tom Martinez asked the Commissioners if that agreement would be an amendment or a brand new CUP.

Chair Everett asked staff for direction.

Peggy Woods responded that staff would research the outdoor display areas initially specified and perhaps determine those locations. The PD may need a modification, but that wouldn't hold up this particular use permit.

Commissioners Everett and Brown agreed that before deciding on the outdoor display, all the tenants should be consulted so their opinion could be incorporated into the decision.

Commissioner Hunter concurred.

Tom Martinez asked if that decision would include the tenants on the west side of the building site.

Chair Everett clarified that this would just include the tenants on the east side of the building that have display availability off the highway.

Commissioner Hunter clarified that if the tenants do not come to some agreement, the Commission would go ahead and look at this application for this particular applicant with the intent of allowing them to have display more than two days a month.

Chair Everett asked for it to be noted in the record that the Commission would allow it.

Wendy Stockton reminded the Commission that the action tonight would be final, so it would need to be either an amended permit or a modification under the planned development permit.

Wendy Stockton explained the procedures that would need to be taken.

Tom Martinez asked the Commissioners to take into consideration the fact that a map is currently being processed to split the property into two separate entities. The Jones' have expressed an interest to purchase the northern building from Mr. Montgomery. He questioned coming back and tying this tenant to the others when it is going to be its own freestanding parcel very soon. If the tenants in the other portion don't agree, then the Jones' will be limited.

Commissioner Hunter suggested approving the application with the outdoor display area as Commissioner Brown said, and let Code Compliance look into the other building.

Chair Everett clarified that the applicant is requesting that the Commission approve the application with unrestricted outdoor display, not restricted to two days.

Commissioner Waterfield remembered that at study session, the applicant didn't want to leave the vehicles outside because they're classic cars.

Tom Martinez clarified that they would not be outside all night like a car dealership; they would only be outside during business hours and then rolled inside at night.

Chair Everett asked the Commission how they felt about unlimited display.

Commissioner Moats voted to let them have unlimited display.

Commissioner Brown didn't change his mind.

Commissioner Hunter agreed with Commissioner Moats to make it simpler.

Commissioner Waterfield asked for clarification as to what the rest of the tenants at the site are going to do.

Chair Everett responded that if the other tenants feel it is a violation, they could come in and request an amendment to their restrictions.

Commissioner Waterfield asked Peggy Woods if there was any amount of days specified in the original planned development permit.

Peggy Woods responded that staff would need to research the original planned development (PD) permit. According to the conditions of the PD, motorcycle sales and service is allowed, excluding outdoor display. Also, uses specifically not permitted include outdoor display, storage or service activities, but the PD permit also states that the Planning Commission may approve the outdoor display of a single product on a landscape pad subject to the following conditions: there shall be a limit of one display per parcel; the display product shall be only that product which is sold on premises; the overall height of the display shall not exceed the height of the building on the same parcel; the display shall not be located within the required landscape strip adjoining Highway 101.

Ms. Woods continued that she remembered that the display pads were adjacent to the landscape strips within the parking area. So there may be parking spaces now that were intended as display. There may be allowable display areas at the site now.

Tom Martinez asked if that was one display per parcel or one display per tenant?

Peggy Woods responded that the PD says one per parcel.

Mr. Martinez replied that the entire site is one parcel.

Ms. Woods answered that the original PD would need to be consulted to see what parcels it covered.

Commissioner Waterfield was satisfied with that answer and felt better that the other tenants may not be in violation. She would vote to pass this with unlimited display days.

Mary Jacka, 2226 Signal Avenue, Santa Maria spoke. She drives by the site every day and thinks that the improvements will be an asset to the City.

Chair Everett asked staff to read how special condition 1 would be amended.

Peggy Woods responded, "the outdoor display of vehicles on the property is permitted but shall not encumber more than the required parking spaces."

Chair Everett remarked he thought that was too nebulous.

Ms. Woods offered "the outdoor display of vehicles on the property shall not encumber more than four parking spaces."

Chair Everett suggested "outdoor display of vehicles is permitted up to four parking spaces, and not obstruct the flow of traffic."

Chair Everett closed the hearing and called for a motion. Commissioner Hunter made a motion by Resolution No. 2409 to approve a conditional use permit for classic car sales located at 2026 North Preisker Lane, U-2006-003, E-2006-013, with the changes as recommended by staff. Commissioner Moats seconded it, and it was carried, 5-0.

ITEM 3 - PLANNED DEVELOPMENT PERMIT FOR S. BROADWAY MIXED USE BUILDING LOCATED AT 1111 SOUTH BROADWAY, PD-2005-012, E-2005-051. Review of a Planned Development Permit to allow the construction of a mixed use building that would include 2,480 square feet of commercial office and two residential units in a PD/CPO (Planned Development/Commercial Professional Office) zoning district. Assessor's Parcel No.123-241-007. This project qualifies for a Class 32 categorical exemption. No further environmental review is required. (Project Planner: Brian Halvorson)

ACTION: By motion, approved the project subject to the conditions outlined in the Preliminary Draft of the Planned Development Permit. (Vote: 4-0-1; Commissioner Hunter took no part in the hearing or action on the item due to a conflict of interest)

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

Brian Halvorson presented the staff report. The project is a request for a planned development permit located at 1111 South Broadway. The request is for a mixed use project. The zoning designation is PD/CPO. The size of this project is approximately 8,997 square feet. The present use is vacant. The proposed project is a mixed use building, including 2,480 square feet of commercial office on the first floor, as well as commercial space above the garage, and two residential units on the second floor, each unit approximately 939 square feet. All set back, parking and height restrictions have been met per the mixed use ordinance. The proposed floor plan shows the first floor divided into three commercial spaces and a two car garage, and a staircase leads to the second floor. No elevator is required. The second floor also has two residential units and a commercial unit above the garage. The landscaping requirement has been met. Primary access to the site is from South Broadway as well as alley access to the rear of the site. No onsite storm water basins are proposed or required. Staff recommends approval and is available to answer any questions.

There were no additional comments from Engineering.

In response to Commissioner Moats' question concerning the lack of an elevator serving the commercial component upstairs, Brian Halvorson stated that the Uniform Building Code does not require an elevator. He wasn't sure of why, but the plans were thoroughly reviewed by the Building Official, Bob Marshall.

Commissioner Brown inquired about the shared driveway with the property to the south, which is also owned by the applicant, and asked staff if anything was going to be stipulated in the deed concerning that shared driveway should either of the two properties be sold.

Rodger Olds of Public Works responded by stating that in the conditions of approval, it has been required to record a reciprocal access and drainage easement across the access, so it will be recorded and go along with the deed should the property change hands.

Brian Halvorson clarified for Commissioner Moats that the driveway in question will serve only the proposed new building; the building on the southern parcel does have a parking lot in the rear.

James Wilber, 549 Clubhouse Drive, Santa Maria, the applicant, was present and available to answer any questions.

Chair Everett closed the public hearing, and called for a motion. Commissioner Waterfield made a motion to approve the planned development permit for South Broadway mixed use building located at 1111 South Broadway, PD-2005-012, E-2005-051, as outlined in the preliminary draft of the planned development permit. Commissioner Brown seconded the motion, and it was carried, 4-0-1.

ITEM 4 - TENTATIVE TRACT MAP FOR MATTEI'S LANDING, LOCATED NORTH OF BATTLES ROAD, WEST OF BLOSSER ROAD, SOUTH OF LA BREA AVENUE AND EAST OF "A" STREET, TRACT 5864.

Review of a tentative tract map that would create 375 modular home lots and 3 common lots on a 52.5 acre lot. The zoning of the site is PD/RMH (Planned Development/Residential Mobile Home). Assessor's Parcel No. 117-240-006. The project has been reviewed in a Supplemental Environmental Impact Report (E-2003-022). No further environmental review is required. (Project Planner: Brian Halvorson)

ACTION: By motion, Adopted Resolution No. 2410, approving the Tentative Map, Tract 5864, and the following; the design as shown on the Official Tentative Map; and the conditions set forth in the August 23, 2005, Subdivision Committee Minutes as amended.

VOTE: AYES: Commissioner Hunter, Waterfield, Moats, Brown and Chairman Everett;
NOES: None; ABSTAINED: None; ABSENT: None.

Item 4 was considered concurrently with Item 5.

ITEM 5 - PLANNED DEVELOPMENT PERMIT FOR MATTEI'S LANDING, LOCATED NORTH OF BATTLES ROAD, WEST OF BLOSSER ROAD, SOUTH OF LA BREA AVENUE AND EAST OF "A" STREET, PD-2005-017, E-2005-050.

Review of a Planned Development permit to allow 375 modular home units located in a PD/RMH (Planned Development/Residential Mobile Home) zone. Assessor's Parcel No. 117-240-006. The project has been previously reviewed in a Supplemental Environmental Impact Report (E-2003-022). No further environmental review is required. (Project Planner: Brian Halvorson)

ACTION: By motion, approved subject to the conditions as outlined in the Preliminary Draft of the Planned Development Permit as amended. (Vote: 5-0)

Brian Halvorson presented the staff report for both Items 4 and 5. The project is Mattei's Landing, the tentative map and the planned development permit. The project is located within the Blosser Southwest Specific Plan. The zoning is PD/RMH (Planned Development/Residential Mobile Home). The applicant proposes to subdivide a 52 acre parcel into 375 modular home lots and three common lots. The size of the lots would range from 3,041 square feet to 9,140 square feet. Access to the site is from a driveway on La Brea Avenue and a driveway on Battles Road. The planned development permit is also for 375 modular lots that would accommodate modular homes. The permit is proposing a community center and recreational facility, which includes a pool, spa, basketball court, children's playground, and also trails. The development is proposed to have RV storage. All setback, parking and height restrictions have been met in accordance with the requirements of the Blosser Southwest Specific Plan. Parking requirements have also been met; all mobile home units are proposed to have a two car garage and one guest space for every four mobile home sites. 94 guest spaces are required; the applicant is proposing 306 guest spaces, which is modified from the original staff report. Forty-three spaces for recreational vehicles have also been provided on the northeast corner of the site. Landscape plan shows approximately 108,914 square feet of landscape open space, of which 84,800 is required. The architectural guidelines would dictate how the homes will look. They will be reviewed in conjunction with the guidelines by the developer, and staff will make sure that they meet the requirements before they are built. The community center building has two staff apartments included so that they can live on site and manage the mobile home park. Staff is recommending approval of both the map and the planned development permit application with some amendments to the conditions that have

been passed out to the commissioners, including some conditions that do not apply and some clarifications. Staff is available for questions.

Jason McCoy of RRM Design Group, was present representing Martin Farrell Homes, the applicant. He commented on a few of the conditions that were marked on the memo that was passed out, including the corner lot cut back requirements, and they worked out with Public Works that those would be 25 feet. He also commented on the project being considered a mobile home park versus a single family development. The conditions of approval indicate that single family rates are being applied, but it is in fact a multi family project, a mobile home park.

Rodger Olds of Public Works responded to Mr. McCoy's concern by stating that the fees mentioned in the terms of conditions are advisory in nature, and they can be changed the time the permit is issued, and the fee will be determined at that time.

Brian Halvorson commented that he spoke with Bruce Nybo in the Engineering Division, and Mr. Nybo clarified that the mobile home rate for AB1600 fees applies to this project, not the single family rate, if the mobile home units are less than 1500 square feet. If they are over that size, then the single family AB1600 rate would apply.

Jason McCoy spoke on condition 38 on the gold pages in the planned development permit concerning the medians and width of the entry. Mr. McCoy had with him an agreement with Mr. Owen of the Fire Department. They met with the Fire Department July 21, 2005. The agreement was to reduce the landscape island in the middle of the entry to 8 feet and have 13 foot travel lanes. There will also be fire breaks in the median, and rolled curbs. The conditions do not reflect those points, so he asked that they be included.

Brian Halvorson responded that staff does have a copy of that agreement, and that those conditions will be incorporated into the final document.

Wendy Stockton suggested the wording for the condition "Streets with medians with one way enter/exit drives shall have a minimum clear width as approved by the Fire Department and Public Works Engineering."

Jason McCoy commented on Recreation and Parks conditions 2-C and 53 on the gold pages concerning landscaping; the applicant does not want to have landscaping removed for ease of maintenance.

Brian Halvorson stated that more landscaping is being required than the minimum suggested by Recreation and Parks, because the supplemental environmental impact report indicated that more trees would be needed to mitigate certain environmental impacts from this project.

Jason McCoy also inquired about item 50 in the special conditions on the green pages, item 50, dealing with garage doors. It specifies "off white", yet the design guidelines are in place to regulate the colors.

Peggy Woods clarified that the City doesn't want to have stark bright reflective white; an off white is fine, and there are many renditions of off white.

John Martin proposed to amend the design guidelines to reflect that condition.

Peggy Woods suggested amending the wording to strike "or non-white" and keep "off white" which includes a variety of off-whites.

John Martin clarified that they weren't bothered by the color, but by how to implement that condition when it's not in the design guidelines.

Wendy Stockton spoke of how Code Compliance will be able to enforce those guidelines; and that if the amendment was made to the conditions of approval that would be easier to enforce.

Brian Halvorson and Peggy Woods drafted up some wording for condition 50: "Roll-up garage doors shall be installed; the color of the garage doors shall be non-white."

Commissioner Hunter suggested the wording "shall not be bright white."

Staff and applicant agreed to that.

Brian Halvorson also clarified on the corner cutback question brought up earlier, condition 7C: "Corner lots shall be no less than 5' from the side street measured from the property line. Corner cutback requirements apply as described in Municipal Code Section 12-27.03 or as required by the Public Works Director."

Chair Everett closed the hearing.

Commissioner Hunter spoke on the 290 uncovered guest parking spaces. She wanted to be sure that the developer or project manager would have the right to reassign some of those to owners should they see fit.

Brian Halvorson commented that that could be inserted into the conditions.

Chair Everett called for a motion. Commissioner Waterfield made a motion that the Planning Commission by Resolution No. 2410, approve the tentative tract map 5864 for Mattei's Landing, subject to the following: the design as shown on the Official Tentative Map; and the conditions set forth in the August 23, 2005, Subdivision Committee Minutes as amended, to also include the memo dated April 19, 2006 from the Community Development Department as they pertain to Tract 5864. Commissioner Moats seconded it, and it was carried, 5-0.

Commissioner Waterfield made a motion to approve the planned development for Mattei's Landing, located north of Battles Road, west of Blosser Road, south of La Brea Avenue and east of "A" Street, PD-2005-017, E-2005-050, subject to the conditions as outlined in the Preliminary Draft of the Planned Development Permit as amended, with revisions that include item 7C, "Corner lots shall be no less than 5' from the side street measured from the property line. Corner cutback requirements apply as described in Municipal Code Section 12-27.03 or as required by the Public Works Director"; also revision to item 8, "Guest parking. A total of 290 uncovered guest parking spaces are being provided, or additional owner parking, with an additional sixteen optional guest parking spaces should demand warrant their construction." Also to include revisions to the Community Development Department special conditions #50 concerning garage doors, "the color of which shall not be bright white," also condition #48, "the January 20, 2006 Architecture and Design Guidelines would replace the October 12, 2005 Architecture and Design Guidelines", also item #38 pertaining to medians shall read, "Streets with medians with one way enter/exit drives shall have a minimum clear width on both sides as approved by the Fire and Public Works Engineering Departments." Commissioner Hunter seconded it, and it was carried, 5-0.

ITEM 6 - TENTATIVE TRACT MAP FOR WESTFIELD AT PACIFIC CREST, LOCATED ON THE EAST SIDE OF BLOSSER ROAD BETWEEN SONYA LANE AND BATTLES ROAD, TRACT 5899. Review of a tentative tract map that would create 128 condominium lots in a PD/R-3 zoning district, Assessor's Parcel No's. 118-005-001. The environmental impacts of the project were adequately addressed in the Environmental Impact Report prepared for the Blosser-Southeast Specific Plan, Sphere of Influence Study and Concurrent Annexation. (Project Planner: Benjamin Kimball)

ACTION: By motion, adopted Resolution No. 2411, approving the Tentative Map, Tract 5899; with the design as shown on the Official Tentative Map and the conditions set forth in the July 22, 2005, Subdivision Committee Minutes as amended. (Vote: 5-0)

VOTE: AYES: Commissioner Hunter, Waterfield, Moats, Brown and Chairman Everett;
NOES: None; ABSTAINED: None; ABSENT: None.

Item 6 was considered concurrently with Item 7.

ITEM 7 - PLANNED DEVELOPMENT PERMIT FOR WESTFIELD AT PACIFIC CREST LOCATED ON THE EAST SIDE OF BLOSSER ROAD BETWEEN SONYA LANE AND BATTLES ROAD, PD-2005-014, E-2005-048.

Review of a Planned Development Permit application that would create 128 condominium lots in a PD/R-3 zoning district, Assessor's Parcel No's. 118-005-001. The environmental impacts of the project were adequately addressed in the Environmental Impact Report prepared for the Blosser-Southeast Specific Plan, Sphere of Influence Study and Concurrent Annexation. (Project Planner: Benjamin Kimball)

ACTION: By motion, approved subject to the conditions as outlined in the Preliminary Draft of the Planned Development Permit as amended. (Vote: 5-0)

VOTE: AYES: Commissioner Hunter, Waterfield, Moats, Brown and Chairman Everett;
NOES: None; ABSTAINED: None; ABSENT: None.

Ben Kimball presented the staff report for both Items 6 and 7. The project site is a 10.05 acre parcel site located on the east side of South Blosser between Sonja and Battles Road, part of the larger Pacific Crest development going on. The proposed tentative map is to divide one lot into six lots, as well as 128 air space condominiums. The northern-most lot contains the current retention basin. The environmental review was previously conducted as part of the general plan amendment and zone change. The planned development proposes 128 condominiums and carports for covered parking, and there are two carport spaces being proposed for each unit. There are also open covered parking spaces, one space per each two units plus ten additional spaces. These units are oriented in a linear fashion around miniature courtyards, so each residential unit has some frontage on the courtyard. There is also a larger courtyard in the middle and a common open space with a clubhouse-type facility and swimming pool and some amenities adjacent to that. The site takes vehicular access off of Biscayne and Sonja to the south, as well as private streets. The elevations include Mediterranean, Spanish and French Country styles. The proposed units are 3-bedroom, 2-bath units, just under 1200 square feet in size, with a covered deck. There will be eight units per building, four units upstairs and four downstairs. Mr. Kimball also drew attention to special condition #24 on the green sheets, #6, as a result of discussion at the last study session, including amenities to be included on the site; staff recommends that the word "small" be removed from "playground equipment for small children" so that it will be for all children. Other environmental conditions required as a result of the EIR completed on the site regard water availability, soils and grading, noise issues. Many of the improvements being required in the conditions of approval have already been accomplished, such as the drainage facility, streets, the median on Blosser, and so on. Staff recommends approval of this project by adopting the draft resolution for the tentative map, and the draft conditions of approval for the planned development permit. Staff is available to answer any questions.

Rodger Olds responded to Commissioner Waterfield's question concerning street work by stating that the applicant has already installed the boundary streets and those streets have been accepted by the City. They are listed as requirements simply because they were a requirement for the underlying subdivision map, but they have been accomplished.

Bill Isaman of Inland Pacific Builders was present representing the applicant. He pointed out that at the study session, a barbecue area was requested as well as a play area, and those

amenities were included into the common area where the clubhouse is adjacent to the pool and tot lot. The parking was increased by 15%, which equates to 10 spaces. Also, Biscayne Street is designed to have parking on both sides of the street. That would allow for an additional 33 parking spaces adjacent to the project site where guests could park. The last point he covered was the project's proximity to the park which is kitty corner to the project—six acres of park, a retardation basin. By design, it is fairly level and the majority of the year will be an area where kids can play.

Commissioner Moats inquired where the additional 10 parking spaces were taken from.

Bill Isaman responded that they were taken from what would have been green space.

Commissioner Hunter expressed her struggle with approving this project. This site is approved for all three-bedroom units, and as she sees it, there are just not enough amenities for children. There are children too old for a small tot lot, and yet too young to go across to the park alone. She believes there needs to be more space for kids. There are too many units and not enough area for kids.

In response to Commissioner Moat's question, Mr. Isaman stated that Sonya is not a through street and therefore would not be a very busy street for kids to cross to go to the park across the way.

Commissioner Hunter asked Rodger Olds if that six-acre retardation basin is guaranteed to stay as open space.

Mr. Olds responded that the six acres is a regional retardation basin for the Acquistapace tract and also the Zimmerman property to the south. Also, just south of the retardation basin is a park site.

Laurie Tamura of Urban Planning Concepts commented on the maintenance of the retardation basin, saying that it was designed as a 25 year basin, not a 150 year basin as the one on the other site, and is designed to drain within 24 hours, moving water through quickly, not letting it sit. Negotiations are ongoing between the City, school and current land owner concerning the school site and the park area as to who will purchase which pieces and who will maintain what. It will be publicly maintained.

Commissioner Hunter reiterated her stance that this site needs more recreational space and amenities to accommodate the number of units and residents.

Mr. Olds responded to her inquiry by stating that the basin across the street in question is intended to be used as soccer fields, similar to the Adam Basin. It will be part of the landscape maintenance districts maintained by the City.

Mr. Olds clarified the difference between retardation basins and retention basins. Retardation basins are designed to slow down the water, also called detention basins. The infiltration basin, or terminal basin, is designed to keep the water and hold it until it soaks into the groundwater or evaporates.

Laurie Tamura commented that this six acre parcel was designed to be the central park for the Blosser Southeast Specific Plan. She also said that when the original specific plan was designed, the density for this site was 220 units; what's being proposed is 128 units, which is substantially less. The Oak Creek and Mission Creek projects are doing well, and they are similar projects.

Commissioner Hunter commented on the responsibility to build a better community, and the need to make sure that projects that go forward have amenity packages that will accommodate

the residents of the site. She believes that this project does not do that, and she is not happy to approve this kind of project for Santa Maria.

Laurie Tamura responded to Commissioner Hunter's concerns by stating how nice the architecture is on these buildings, and that is where the applicant put their money.

Commissioner Brown concurred with Commissioner Hunter. He has been very concerned with the density that is being allowed in the City, which packs too many people into too small of a space. He stressed the need to step back and look at what is happening to the City.

Commissioner Moats commented on the Smart Building that was discussed at the Planners Institute in Monterey, and it seemed to him that they were saying high density is better, and low density and sprawl is worse.

Chair Everett closed the hearing and asked for a motion. Commissioner Waterfield made a motion to approve the tentative tract map for Westfield at Pacific Crest, located on the east side of Blosser Road between Sonya Lane and Battles Road, Tract 5899; Resolution No. 2411, with the design as shown on the Official Tentative Map and the conditions set forth in the July 22, 2005, Subdivision Committee Minutes as amended. Commissioner Hunter seconded, and it was carried, 5-0.

Chair Everett asked for a motion for the planned development permit. Commissioner Waterfield made a motion to approve the planned development permit for Westfield at Pacific Crest located on the east side of Blosser Road between Sonya Lane and Battles Road, PD-2005-014, E-2005-048, subject to the conditions as outlined in the Preliminary Draft of the Planned Development Permit as amended. Commissioner Moats seconded, and it was carried, 5-0.

ITEM 8 - TENTATIVE TRACT MAP FOR THE WEST "A" STREET BUSINESS CENTER TO CREATE INDUSTRIAL LOTS LOCATED AT 1503 "A" STREET, TRACT 5879, E-2005-

060. Review of a mitigated negative declaration of environmental impact and tentative map to create 34 building lots ranging in size from 9,900 to 35,377 square feet and one 13,675 square foot retardation basin lot. Access to the property would be via "A" Street and West Betteravia Road with interior lots accessed from private streets. The property is in a PD/CM (Planned Development/Commercial Manufacturing) zoning district, Assessor's Parcel No. 111-040-004. (Project Planner: Bill Shipsey)

ACTION: By motion, Adopted Resolution No. 2412, authorizing the filing of a Mitigated Negative Declaration, E-2005-060, and approving a Mitigation Monitoring Program for projects, Tract 5879 and PD-2005-024. (Vote: 5-0)

VOTE: AYES: Commissioner Hunter, Waterfield, Moats, Brown and Chairman Everett; NOES: None; ABSTAINED: None; ABSENT: None.

ACTION: Adopted Resolution No. 2413, approving the Tentative Map, Tract 5879 with the designs shown on the Official Map and the conditions set forth in the January 10, 2006 (revised date March 30, 2006), Subdivision Committee Minutes. (Vote: 5-0)

VOTE: AYES: Commissioner Hunter, Waterfield, Moats, Brown and Chairman Everett; NOES: None; ABSTAINED: None; ABSENT: None.

Item 8 was considered concurrently with Item 9.

ITEM 9 - PLANNED DEVELOPMENT PERMIT FOR WEST "A" STREET BUSINESS CENTER FOR AN INDUSTRIAL BUILDING COMPLEX, LOCATED AT 1503 "A" STREET, PD-2005-024, E-2005-060.

Review of a Planned Development Permit to allow the construction of an industrial project with 34 separate businesses ranging in size from 3,229 square feet to 10,971 square feet in a PD/CM (Planned Development/Commercial Manufacturing) zoning district, Assessor's Parcel No. 111-040-004. (Project Planner: Bill Shipsey)

ACTION: By motion, approved the project subject to the conditions as outlined in the Preliminary Draft of the Planned Development Permit as amended. (Vote: 5-0)

VOTE: AYES: Commissioner Hunter, Waterfield, Moats, Brown and Chairman Everett;
NOES: None; ABSTAINED: None; ABSENT: None.

Bill Shipsey presented the staff report. This item was continued from the April 5, 2006, Planning Commission meeting. At that time, the Planning Commission felt that additional biological assessments were required before approving the mitigated negative declaration. Those assessments have been completed and are on file in the Community Development Department. Staff recommends that the Planning Commission receive the testimony on the negative declaration first, before continuing on to the tentative map and the planned development permit.

Wendy Stockton, Senior Deputy City Attorney, stated that the biological studies have been completed. The evidence is now before the Commission so that they can make a decision. She requested that the consultant be very specific about which professional did what in the study.

Commissioner Waterfield commented on the fact that the Commissioners had only just gotten the study and did not have an opportunity to review it.

Robb Eidemiller, President and CEO of Sierra Delta Corporation, 935 Riverside Avenue, Paso Robles, California, was present. Sierra Delta Corporation completed the protocol surveys for the red-legged frog as required by the US Fish & Wildlife Service. A total of four daytime surveys and four nighttime surveys were conducted for the red-legged frog. They also surveyed for the two species of plants and the burrowing owls, and none of them were found. The biologists included all their notes and what they did in the report that staff has.

Gordon Gill, 1010 South Broadway, was present representing the applicant. The applicant agrees with all the items in the staff report as it relates to the tentative map. They would like to have some of Mr. Shipsey's comments from the last public hearing included in the approval process. They also believe there is a typo concerning the number of street trees required to be planted along Betteravia Road: it called for 11 trees and 100 feet of distance fronting on Betteravia; it probably should read 3' to meet the standards of the Recreation & Parks Department.

Bill Shipsey responded that on page 21 of the gold sheets, #72, of the planned development permit, it reads 11 trees; and it should read 2. The 28 street trees on "A" Street should be increased to 37. That would be consistent with the Recreation & Parks Department condition 2 of attachment B on the pink pages of the tentative map, which requires 40 feet on center.

Gordon Gill also stated that the landscape requirement is for the entire site, not the individual lots.

Bill Shipsey read the condition on the green sheets on the planned development permit, #11 on page 5, concerning landscaping, and add "overall site shall conform with the 15% minimum landscape requirement allowing individual lots to be less than 15% as long as the overall is achieved."

Gordon Gill stated that currently, the calculations for landscaping come out to 14.5% for the total site. The applicant is requesting that 14.5% landscaping be accepted.

In response to Commissioner Moats' question, Mr. Gill stated that they have not received a complaint in regard to this project.

Chair Everett closed the public hearing, and invited discussion from the Commissioners concerning the landscaping revision from 15% to 14.5%.

Commissioner Moats stated that it didn't bother him.

Commissioner Hunter stated she was okay with it.

Bill Shipsey suggested an amendment on the green sheets, page 5, #11, "Landscaping at 14.5% shall be calculated based on the whole development area rather than the individual lots."

Wayne Lipold, Pacific Architecture, 1010 South Broadway, addressed the Commissioners regarding the architecture on the project, highlighting some of the features.

Chair Everett again closed the hearing, and called for a motion. Commissioner Waterfield made the motion to approve the tentative tract map for the West "A" Street Business Center to create industrial lots located at 1503 "A" Street, Tract 5879, E-2005-060, by Resolution No. 2412, authorizing the filing of a Mitigated Negative Declaration, E-2005-060, and approving a Mitigation Monitoring Program for projects, Tract 5879 and PD-2005-024. Commissioner Moats seconded the motion, and it was carried. (Vote: 5-0)

Chair Everett called for a motion for the Tentative Tract Map. Commissioner Waterfield made the motion to approve by Resolution No. 2413 the Tentative Map, Tract 5879 for West "A" Street Business Center subject to the designs shown on the Official Map and the conditions set forth in the January 10, 2006 (revised date March 30, 2006), Subdivision Committee Minutes. Commissioner Hunter seconded the motion, and it was carried. (Vote: 5-0)

Chair Everett called for a motion for the Planned Development Permit. Commissioner Waterfield made a motion for the Planned Development Permit for West "A" Street Business Center for an industrial building complex, located at 1503 "A" Street, PD-2005-024, E-2005-060 with the following corrections: under Community Development Department Special Conditions, item 11, "landscaping of 14.5% for total site, not individual lots," and item 72, on the goldenrod sheets, page 21, under Recreation and Parks Code Requirements, "one tree per every 40 feet." By motion, approve the project subject to the conditions as outlined in the Preliminary Draft of the Planned Development Permit. Commissioner Brown seconded the motion, and it was carried. (Vote: 5-0)

Gordon Gill and Richard Meyer both expressed their appreciation and thanks to the staff, Planning Department, City Attorney's office and Engineering for their cooperation and help in processing this project.

ITEM 10 - 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 fundraising barbecues. (Project Planner: Bill Shipsey)

ACTION: By motion, recommend that the City Council approve the amended Negative Declaration, E-2005-082, as amended, and introduce an ordinance amending

Santa Maria Municipal Code, Title 12 to regulate the operation of community event barbecues, occasional event barbecues, and special event barbecues in the City of Santa Maria. (Vote: 5-0)

Bill Shipsey presented the staff report. This item was continued from February 15 and March 15 Public Hearings. It is the Barbecue Ordinance, which would place non-profits, charitable and occasional event barbecues under the umbrella of the City's community events resolution, which was adopted by the City Council. That was spurred by changes in state law which regulated the outdoor sale of food items off premise, which means not associated with a health-permitted site, such as a restaurant. During the February and March public hearings, the testimony clearly supported the continued operation of fund-raiser barbecues in the City. Santa Maria Valley Chamber of Commerce has submitted a letter in support of the ordinance. Part of the contention in the past arose from the equipment operated by the Valley Christian Academy (VCA) related to the size and location of that equipment, as well as the hours and number of days of operation. Since the last public hearing, the VCA operators have come to an agreement to move to the Santa Maria Fairpark off West Stowell Road and they will start operating there on May 5, 2006. Therefore, the provisions of this ordinance would not apply to VCA because it would be exempted by state law since it will be on state property. Before the Commission is a draft ordinance which includes amendments to section 12-2 of the zoning text, which is the definitions; it adds some conditional uses in section 12-35.302, which lists the different kinds of barbecues.

Commissioner Waterfield asked staff for clarification concerning the limitation of streets.

Bill Shipsey responded that the draft ordinance did include a limitation of locations to the commercial corridors of the City. The barbecue ordinance evolved through a few iterations. The Commission has the ability to find that the mitigated negative declaration applies City-wide, meaning that they won't be any different than they are now.

Commissioner Waterfield asked staff if the mitigated negative declaration could be changed to state that any restrictions limiting the locations would be removed.

Phil Sinco responded that an amendment could be made without having to re-circulate it. The impacts would be even less if the areas were not restricted, but spread out throughout the City, then the change could be made on the negative declaration, thereby making it an amended negative declaration, and then it would be reflected in the staff report to City Council explaining that the project location was amended and there are no impacts.

Mr. Larry Viegas, manager of the Knights of Columbus building at 501 South McClelland, addressed the Planning Commission. He has years of experience with barbecuing. He doesn't understand the restrictions that are being proposed. They have had no problems ever with their barbecues. He believes that some of the restrictions are too much.

Bill Shipsey clarified for Mr. Viegas that the barbecue permit would last for a year, and they need to have proof of a health permit.

Bill Shipsey responded to Commissioner Brown by stating that there would be no fee required, and it could be done over the fax, and kept in a file.

Commissioner Hunter clarified that if any organization is barbecuing for themselves, or in a public park, there is no permit required. A permit is only required when barbecuing for sale to the general public.

Chair Everett closed the public hearing and called for a motion. Phil Sinco reminded staff and the Commissioners that they would be making a *recommendation* to City Council for approval of the amended negative declaration.

By motion, recommend that the City Council approve the amended Negative Declaration, E-2005-082, as amended by staff, item #4 in the Environmental Check List, the project location is not limited to the street frontages of Broadway, Betteravia and Main Streets; the project area would be the entire City limits, and introduce an ordinance amending Santa Maria Municipal Code, Title 12 to regulate the operation of community event barbecues, occasional event barbecues, and special event barbecues in the City of Santa Maria. Commissioner Moats seconded the motion, and it was carried. (Vote: 5-0)

ADJOURNMENT: The meeting was adjourned at 10:00 p.m. to a Study Session on April 20, 2006, at 10:00 a.m. in the Community Development Department Conference Room, 110 S. Pine Street, Santa Maria.

Next regular Public Hearing: May 3, 2006

Respectfully submitted,

PEGGY WOODS, ASST. SECRETARY
CITY PLANNING COMMISSION