



**CITY OF SANTA MARIA
PLANNING COMMISSION
MINUTES FOR REGULAR MEETING OF
AUGUST 2, 2006**



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

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

ABSENT: Commissioner Lawnae Hunter.

STAFF PRESENT: Planning Division Manager – Peggy Woods
Deputy City Attorney – Wendy Stockton
Senior Civil Engineer – Rodger Olds
Park/Landscape Planning Tech – Patty Ellis
Recording Secretary – Kathleen Villegas
Planner III – Bill Shipsey
Planner II – Bill Scott, Brian Halvorson

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 Waterfield, Moats, Brown and Everett; Noes: None; Absent: Commissioner Hunter; Abstained: None.

ITEM 1.A. - ONE YEAR EXTENSION OF TIME FOR PLANNED DEVELOPMENT PERMIT PD-2004-008 (LA VIGNA AT WESTGATE RANCH), LOCATED AT THE NW CORNER OF WESTGATE ROAD AND MARSALA AVE. Review of a one year extension of time for a previously approved Planned Development permit to allow 142 single-family homes located in a PD/R-2 (Planned Development/Medium Density Residential) zoning district. 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)

STAFF RECOMMENDATION: That the Planning Commission, by motion, grant an extension of time for one year authorized by Planned Development Permit PD-2004-008.

ACTION: By motion, granted an extension of time for one year authorized by the Planned Development Permit.

ITEM 1.B. - REGENCY CENTERS DEVELOPMENT AGREEMENT, SP-2006-020. THAT THE Planning Commission consider the staff recommendation to adopt a resolution recommending to City Council approval of a Development Agreement for the Regency Centers/Kohl's Project. If the City and Developer enter into a Development Agreement, the Developer will construct additional traffic improvements that the community needs now. In turn, the City can reimburse the developer for construction costs that exceed the developer's fair share. (Project Engineer: Rodger Olds)

STAFF RECOMMENDATION: That the Planning Commission, by motion, continue this item to the August 16, 2006 public hearing.

ACTION: By motion, continued this item to the August 16, 2006, public hearing.

ITEM 1.C. - LA VENTANA I DEVELOPMENT AGREEMENT, SP-2006-017. That the Planning Commission consider the staff recommendation to adopt a resolution recommending to City Council approval of a Development Agreement for the La Ventana I and if the City and Developer enter into a Development Agreement, the Developer can efficiently provide additional traffic improvements the community needs now. In turn, the City can reimburse the developer for construction costs that exceed the developer's fair share. The Developer is Inland Pacific Builders. (Project Engineer: David Whitehead)

STAFF RECOMMENDATION: That the Planning Commission, by motion, continue this item to the August 16, 2006 public hearing.

ACTION: By motion, continued this item to the August 16, 2006, public hearing.

ITEM 1.D. - GENERAL PLAN AMENDMENT, PREZONING, SPHERE OF INFLUENCE BOUNDARY AMENDMENT, AND ANNEXATION FOR THE DIANI HOMESITES, LOCATED AT 1689 WEST STOWELL ROAD, GPZ-2006-004, E-2006-061, A PORTION OF ANNEXATION #106 (10.45 ACRES). Review of recommendation to City Council regarding an amendment to the General Plan (Land Use) to 10.45 acres of LWDR-4 (Lower Density Residential), and prezoning to 10.45 acres of RA (Residential Agriculture) with a minimum site of 5 acres per dwelling unit. The Planning Commission will also consider a recommendation on the application to amend the City sphere of influence boundary and annexation of the project site. Assessor's Parcel No.117-191-012. The proposed projects are Class 1 and Class 19 Categorical Exemptions because the project will not intensify or otherwise change the present use of the project site. (Project Planner: Bill Shipsey)

STAFF RECOMMENDATION: That the Planning Commission, by motion, continue this item to the August 16, 2006 public hearing.

ACTION: By motion, continued this item to the August 16, 2006, public hearing.

PUBLIC HEARINGS:

ITEM 2 - CONDITIONAL USE PERMIT FOR THE COMPASSIONATE CHRISTIAN CENTER, 2601 SKYWAY DRIVE (UNIT B), U-2006-012. Review of a conditional use permit to allow a church in an existing building located in the PD/M-1 (Planned Development/Light Manufacturing) zoning district, Assessor's Parcel No. 111-430-023. This project qualifies for a Class I categorical exemption. No further environmental work is required. (Project Planner: Brian Halvorson)

ACTION: By motion, approved subject to the conditions as outlined in the Preliminary Draft of the Conditional Use Permit, as amended. Vote: 4-0-1.

Brian Halvorson presented the staff report, stating that the project is located at 2601 Skyway Drive at the southwest corner of Fairway and Skyway. The proposed use is a church that would occupy Unit B, which is 6,470 square feet. The proposed hours include worship on Sundays 10a.m. – 1p.m., Wednesdays 7p.m. - 8:30p.m., and office hours Tuesday through Friday, 10a.m. – 2p.m. An average attendance would be approximately 80 on Sundays. Staff has included a special condition of approval which restricts the maximum seating capacity of the church to 208 interlocking chairs in the sanctuary area. This restriction was placed by staff so that the parking would not be a problem. The applicant is concerned with this number restriction, as they plan on growing higher than the 208 number. The church proposes to have a 1,779 square foot sanctuary, with a sound room and platform, three meeting rooms, four offices and bathrooms for both men and women. Two employees are proposed for this Church at this time. The Church would not contain a nursery, daycare, or a pre-school now, or in the future. Forty-two parking spaces are required for the church use, based on the maximum occupancy in the sanctuary. The site currently has 61 stalls. All 3 tenant spaces in this multi-tenant building were analyzed for parking demand. The total is approximately 111 stalls, which is why staff has placed the church's limitation to 61 parking spaces. Staff recommends approval of this permit in accordance with the preliminary draft of the conditional use permit. Mr. Halvorson concluded staff's report and was available for questions.

Commissioner Brown asked if there was a conflict with the parking.

Mr. Halvorson clarified that there was a disagreement between the pastor and staff; the pastor would like to have the ability to grow beyond the 208 interlocking chairs. Right now the church has an attendance of 80, but they expect membership to grow. If the capacity grows to 250 or higher, then the parking would be a difficult balance with the other tenants. There is reciprocal parking throughout the center, but staff is trying to preserve as much parking as possible for other tenants that may go into this center.

Commissioner Brown asked if the center had a limit on the number of tenants which would limit reciprocal parking.

Mr. Halvorson responded that there was no maximum limit on occupancy, but there is maximum allowable office space. He stated that churches are different than office use. Assembly occupancies require more parking, although on limited days.

Commissioner Brown clarified that the Conditional Use Permit is for five years. He asked if adjustments could be made at the end of that five year period if a parking problem occurred.

Mr. Halvorson responded that it would be advisable to reanalyze the parking situation in five years. He also stated that the pastor was concerned about what would happen with parking after the five year time period.

Commissioner Moats commented that there are two ways to restrict membership: chairs and parking. He asked staff if the sanctuary was filled with chairs now, or if there was room to grow.

Mr. Halvorson stated that the architect did write in a larger number than 208, so there is room to grow. If the allowable number of chairs went up to 250, then the church use would need 50 parking spaces. If the allowable number of chairs went up to 275, then 55 parking spaces would be required. With only 61 total parking spaces, there is concern about sharing the available parking with the other tenants. Currently Inland Pacific Building and the dance studio are in the center as well as space for other future tenants.

Commissioner Moats noted that a lot of churches have busses to pick up worshippers. He asked if the center has a provision for bus parking, or if the applicant had a desire for bus parking.

Mr. Halvorson stated that to his knowledge, there are no city incentives which would replace required parking spaces with bus parking.

Commissioner Waterfield commented on her knowledge of a similar situation with the Vision of Hope Church located on the corner of Industrial Parkway and Skyway Drive. That church had a large sanctuary which seated approximately 250 people. The bulk of the parking need was on Sunday mornings, and they parked throughout the complex. There were no problems, because the industrial area was closed on Sundays. On Wednesday evenings, the majority of businesses were gone when the services were held. She was not sure how the dance studio hours were structured, whether they had evening classes or not, but she didn't think that it would be a problem with this church, based on her experience.

Mr. Halvorson remarked that he didn't believe it would be a problem; however, it seemed to staff that the bounds were being stretched. He stated concern that there are two businesses with Conditional Use Permits citing hours that could conflict with each other, hence the wording in the condition.

Applicant Pastor Hilby Jackson, 598 East Clark Avenue, stated that he is only looking for 250 seats for the membership capacity to grow. He stated that before that capacity was reached, he would look into a second service on Sundays. He hoped the Planning Commission would consider that when reaching its decision. He also reminded the commissioners that Inland Pacific Builders was only open Monday through Friday during normal business hours, and that church services are held Sunday morning, evening, and Wednesday nights. He also mentioned that he had several conversations with Mr. King, of King Dance Studios, and they agreed to work together so that there would be no operating or parking conflicts.

Chairman Everett suggested that the church be allowed the additional chairs, but if a complaint is filed, they would remove chairs down to the stipulated 208.

Attorney Wendy Stockton suggested that another way to work the problem would be to perhaps remove the Tuesday through Friday, 10a.m. to 2p.m. hours from the permit.

Pastor Jackson responded that the Tuesday through Friday, 10a.m. to 2p.m. hours, are his personal business hours for counseling and completing office business.

Chairman Everett suggested to stipulate that the Tuesday through Friday, 10a.m. to 2p.m. hours be listed as "office hours" and not for church assemblies or services.

Chairman Everett clarified that the condition would be changed to 254 chairs, and if a valid complaint is filed, then the number would be reduced down to 208 chairs.

Chairman Everett closed the hearing and called for a motion to approve the project.

Commissioner Waterfield made the motion to approve the Conditional Use Permit for the Compassionate Christian Center, 2601 Skyway Drive, Unit B, U-2006-012, subject to the conditions outlined in the preliminary draft of the Conditional Use Permit, and Community Development Department special condition 2 would be modified to read as follows: The number 208 would be replaced with 254, and a new sentence would be added to read as follows "provided however that if a complaint is received, regarding parking from a tenant of Fairsky Park, a hearing will be scheduled to consider to reduce seating capacity to 208." Also, special condition number 3, Hours of Operation, additional language will be added after "Tuesday through Friday" that stipulates "Pastor Office Hours." Commissioner Moats seconded the motion, and it passed, 4-0-1.

ITEM 3 - PLANNED DEVELOPMENT PERMIT FOR CALE-WEST STREET FOR EIGHT NEW DETACHED RESIDENTIAL UNITS, 302-308 WEST STREET, PD-2006-002, E-2005-036. Review of a Planned Development Permit to allow the construction of eight new single family residential units in a PD/R-2 (Planned Development/Medium Density Residential) zoning district, Assessor's Parcel No.117-340-069. This project qualifies as a Class 32 Categorical Exemption. No further environmental review is necessary. (Project Planner: Tina Frank)

ACTION: By motion, continued the item to September 6, 2006 after City Council action on the associated tentative map, Tract 5915. Vote: 4-0-1.

Chairman Everett stated that the Commission had received a letter, dated August 2, 2006, requesting a continuance. He then requested a motion to continue the matter to the September 6, 2006, Planning Commission Hearing.

Commissioner Waterfield made the motion to continue the Planned Development permit for Cale-West Street for eight new detached residential units, 302-308 West Street, PD-2006-002, E-2005-036 to continue to September 6, 2006. Commissioner Moats seconded the motion, and it was carried 4-0-1.

ITEM 4 - REVIEW OF A PLANNED DEVELOPMENT PERMIT TO ALLOW A MULTI-TENANT INDUSTRIAL BUILDING, LOCATED ON THE SOUTH SIDE OF WEST MC COY LANE OPPOSITE OF WESTGATE ROAD, PD-2006-010, E-2005-080. Review of a Planned Development permit to allow the construction of a 24,614 square-foot light manufacturing building located on the south side of West McCoy Lane opposite of Westgate Road (1430 West McCoy Lane) in a PD/M-1 (Planned Development/Light Manufacturing) zoning district, Assessor's Parcel No.111-050-016. This project qualifies for a Class 32 Categorical Exemption. No further environmental review is required. (Project Planner: Bill Scott)

ACTION: By motion, approved subject to the conditions as outlined in the Preliminary Draft of the Planned Development Permit. Vote: 4-0-1.

Bill Scott presented the staff report stating that the project is a request for a Planned Development Permit to allow a multi-tenant industrial building on a vacant 1.5 gross acre site in a PD/M-1 (Planned Development/Light Manufacturing) zoning district. The project site is located on the south side of McCoy Lane, opposite Westgate Road. The General Plan designation is Light Industrial. The proposed project is a single story, 24,614 square foot, multi-tenant, industrial building. The building would contain 20 manufacturing shop units and two warehouse units. Each manufacturing unit is 1,225 square feet in size, containing a small shop and office. The building is single story building, 23 feet in height. The front of the building would include a decorative trellis supported by masonry columns. The project does conform to all the setback requirements in the M-1 (Light Manufacturing) zoning district. Access would be provided by two, 25 foot wide driveways that form a loop around the building. The applicant has enhanced the building architecture. He has provided a detail with a slump stone masonry wall at the base of a retention basin which will be in the revised plans that were submitted with the packet. The decorative trellis would include the planting of vines.

Mr. Scott stated that another issue was conformance to the requirements of the Santa Barbara County Flood Control District. The rear of the property does back up to the Santa Barbara County Flood Control District retention basin. The Santa Barbara County Flood Control District has an easement across the basin. The project would encroach about 20 feet into that basin area. The Santa Barbara County Flood Control District supports the project upon issuance of an encroachment permit through the district. The project has been conditioned to require issuance of that encroachment permit by the district prior to any issuance of any building permits.

Mr. Scott continued that the third issue concerned parking. The primary use is for manufacturing shops, with a low parking ratio (approximately one parking space to every 360 square feet of floor area). The project has been conditioned to allow a maximum of 6% office. Staff believes that with those issues in place, the project would be an asset. It would provide inexpensive space, which is good for start-up businesses, consistent with the policies of the General Plan and the zoning district. Staff concluded the report and was available to answer questions.

Vladimir Milosevic, the architect on the project, stated that he and the applicant were in concurrence with the staff report and conditions. He was then available for questions.

Commissioner Moats asked what the retention basin of 40,000 square foot basin was going to look like.

Mr. Milosevic responded that it would be fully landscaped.

Commissioner Moats noted that, in his opinion, the Internal Revenue Service building retention basin landscaping looked awful.

Mr. Milosevic replied that the basin at the project site would be incorporated with the surrounding landscaping and would include many trees and bushes.

Bill Scott stated that staff had reviewed the landscaping plans, and believed the retention basins are well integrated into the landscaping with a variety of trees, plants and groundcover.

Chairman Everett noted that the plans stated that there would be no welding allowed in the building. He has observed a lot of shops that do allow welding in that area and wondered how they could be sure that there would be no welding. He also asked what improvements would need to be made to the project to allow welding.

Mr. Milosevic indicated that the business license would specify if a potential renter would require a welding area. He stated that he was unaware what modifications would need to be made to the project to allow welding.

Attorney Stockton and the Engineering Department were not able to address the welding modification issue without further study.

Chairman Everett addressed the assembly and asked if anyone else wanted to speak in favor of the project.

Tom Viola, the applicant, stated that he was in favor of the plan being approved.

Chairman Everett asked if anyone present wanted to speak in opposition of the plan. There were no comments in opposition.

Chairman Everett closed the hearing and entertained a motion to approve the project.

Commissioner Moats made the motion to approve the project. A Planned Development permit to allow a multi-tenant, industrial building, located on the south side of West McCoy, opposite of Westgate Road, PD-2006-010, E-2005-080, subject to the conditions outlined in the preliminary draft of the Planned Development Permit. Commissioner Brown seconded it. Motion passed, 4-0-1.

ITEM 5 - CONDITIONAL USE PERMIT FOR DON AHERN OF AHERN RENTALS TO INSTALL ABOVE-GROUND FUEL TANKS AND ASSOCIATED EQUIPMENT, 1105 SOUTH BLOSSER, U-2005-034, E-2005-045. Review of a Conditional Use Permit to allow the installation of an above-ground fuel storage tank, gasoline and propane tanks with dispensers and display of static equipment at a height of 25 feet, in a PD/CM (Planned Development/Commercial Manufacturing) zoning district, 1105 S. Blosser, Assessor's Parcel No.117-630-002 & -003. The project is a Class 3 Categorical Exemption from the provisions of the California Environmental Quality Act. No further environmental review is required. (Project Planner: Benjamin Kimball)

ACTION: By motion, continued this item to the September 20, 2006, public hearing. Vote: 4-0-1.

Chairman Everett stated that the Planning Commission had received a memorandum from the Community Development Department, dated August 2, 2006, for continuance to the September 20, 2006, hearing.

Commissioner Waterfield made the motion to continue the use permit for Don Ahern of Ahern Rentals to install above-ground fuel tanks and associated equipment, 1105 South Blosser, U-2005-034, E2005-045, to the September 20, 2006, Planning Commission Public Hearing, per the memo dated August 2, 2006. Commissioner Brown seconded, and the motion was carried, 4-0-1.

ITEM 6 - CONDITIONAL USE PERMIT FOR SAHAGUN TOWING STORAGE YARD AT 609 WEST BETTERAVIA, U-2004-048, E-2003-018. Review of a Conditional Use Permit to allow the establishment of a tow truck storage yard in the CM (Commercial Manufacturing) zoning district. Assessor's Parcel No. 117-760-04. The project is a class 32 categorical exemption. No further environmental review is required. (Project Planner: John Shoals)

ACTION: By motion, approved subject to the conditions as outlined in the Preliminary Draft of the Conditional Use Permit, as amended. Vote: 4-0-1.

Bill Shipsey presented the staff report. This item is a continuance from the previous meeting to allow staff time to talk with the applicant to determine if the project constitutes a building site under Santa Maria Municipal Code, Section 12-28. After meeting with the applicant, Engineering, and Planning, it was agreed to revise the project; the proposed project would be solely an enclosed storage yard for vehicles. It will eliminate the use of a building as an office. There will be no office use on the site. The applicant will deliver vehicles to another site. With the revisions, staff is recommending a slight modification to the conditions of approval.

Under Special Condition No. 1, the applicant would be required to incorporate a climbing vine on a fence. Special Condition No. 9, states that prior to occupancy, a sidewalk would be extended along the frontage. Those are the two changes to the conditions.

The project has been revised to be a fenced or enclosed vehicle storage yard. Exhibit E illustrates the changes: an existing fence in front of the building that would extend five feet from the building; there will be no parking in front of the building; and, a minimum of 40 feet will be required to allow a tow vehicle to pull into the storage yard without blocking traffic on Betteravia Road.

Mr. Shipsey stated that with the aforementioned changes, staff is recommending approval.

Mr. Rodger Olds stated that Special Condition Number 9c, titled Comments, should be deleted in its entirety.

Commissioner Brown requested clarification with regards to the driveway, storage yard, and landscaping.

Mr. Shipsey replied that the driveway would be paved; the grounds inside would be a base treated with a cement mixture to create a crusted pavement; and, the area between the sidewalk and the fence would be completely landscaped. He believed that these improvements would increase the value of the property, and if it is further developed in the future, the improvements would meet the standards.

Mr. Shipsey stated that this is a transitional site. Depot Street will eventually be extended through to Betteravia. At that time, the property value will increase and the property will probably be sold for another use. In the interim, this would be sufficient to carry the property through to the next phase of development.

Commissioner Moats asked why build a masonry wall at all, if it is only to be temporary. He suggested that chain link would be fine for a temporary fence.

Mr. Shipsey replied that, if it was the wish of the Commission, a chain link fence could be substituted with a climbing vine on it. His opinion was that a masonry wall was overkill and would agree with the more temporary fencing.

Commissioner Moats asked if the building was going to stay abandoned, or if the applicant was going to try to use the building. He commented that if the applicant was going to fix it up, no one would see it behind the fence. He also inquired if the building would have bathrooms and if it would be connected to a septic tank.

The applicant, Mr. Sahagun, responded that he was going to try to fix up the old building. The building does have two existing bathrooms with running water. He hoped that when the building was more presentable, maybe the fence in front of it would be opened up. He felt that this would also improve the worth of the property.

Commissioner Brown asked how many linear feet of wall was being proposed.

Mr. Shipsey responded that it was approximately 60 feet.

Commissioner Waterfield agreed that a wall would be a lot of money for only a temporary use. She thought that a chain link fence with slats would make more sense.

Chairman Everett referred to Number 9 in the Special Conditions. He asked about the extended sidewalk and if it included gutters and curbs, and also asked what material would be used for the sidewalks.

Mr. Shipsey responded that the sidewalk would either be concrete or asphalt, not decomposed granite.

Chairman Everett asked for clarification of that wording. He also commented that he would like to make sure that the chain link fence would be fully slatted, from top to bottom.

Mr. Sahagun agreed that he would install slats in the chain link fence with climbing vines in front.

Commissioner Brown asked Rodger Olds for an approximate time that Depot Street would be extended.

Mr. Olds replied that the plan for the extension of Depot Street was not currently in any capital improvement program, so it would be impossible to forecast when it will get done.

Commissioner Brown clarified that the project could conceivably be a "temporary use" for 15 to 20 years. He expressed concern that the vines would become unsightly in the long run.

Mr. Olds replied that it is entirely up to the owner of the property how long it would be used as a "temporary" enclosed storage yard. Even once Depot Street is extended, the owner could wish to use the property as a storage yard.

Mr. Sahagun commented that he did not plan on retaining the property for "15 to 20 years", and recently had offers on the property. He also stated that the concrete mixture he would be using in the storage yard was a proven dust controller, so the vines should keep their green appearance longer than if the storage yard was packed dirt or gravel.

Wendy Stockton stated that she had a conversation with Zeke Moreno in Code Compliance. Mr. Moreno wanted to be sure that the project proceeds at a diligent pace. To that end, he will go out and take photographs and monitor the project on a frequent basis. Mr. Moreno urged Mr. Sahagun to call him if there are any problems, and inform him of any delays in the process.

Attorney Stockton informed the Commission that, in the past, Code Compliance had spent an exorbitant amount of time working with Mr. Sahagun. She stated that the problem was that Mr. Sahagun was “putting the cart before the horse.” Mr. Sahagun had started to store junk cars on site before he cleaned up the lot. He should have obtained a Conditional Use Permit to clean up the lot before he began towing cars there. Code Compliance worked almost two years with Mr. Sahagun on this issue and was concerned that he would not proceed with this project in a timely manner.

The applicant took offense to these statements, stating that he had waited 3 ½ to 4 years to proceed with this project. He just wanted to get it done.

Mr. Michael Montoya, civil engineer for the applicant, stated that he worked on the previous project in question. He recalled that the first time they got comments back from the City on that project was almost 2 ½ years after submitting the Conditional Use Permit.

The applicant stated that he didn’t mind being the subject of Mr. Moreno’s scrutiny; he just wanted to move forward with the project. He agreed to complete all of the outlined improvements, including building repair, fencing and landscaping, prior to storing any vehicles on the premises.

Mr. Shipsey stated that Condition 2 says that all landscaping will be put in prior to operation of the business, and “fencing” could be added to that condition.

Following further discussion regarding the fencing, where various options of masonry and chain link fencing, with and without planters, were suggested, it was decided that a licensed landscape architect would submit a design for the landscaping in front of the fence.

Mr. Sahagun next brought up the stated hours of operation. The Conditional Use Permit states that the hours of operation will be from 7a.m. to 7p.m. He stated that the towing business is 24 hours a day.

Mr. Shipsey explained that was in the staff report, but not in the conditions that limits the hours of operation.

Commission Everett asked how tall the building is, and if it would be visible above the fence.

Mr. Shipsey replied that the pitched portion of the roof behind the fence would be visible.

Mr. Sahagun stated that he would add a nice façade to the house so that it looks nice over the wall.

Chairman Everett summed up the discussion by stating that they would agree to a chain link fence, remove the 8’ block wall, have a paved driveway and sidewalk, nicely landscaped by a licensed architect, fix the fence all the way around with the slats, and then at that time, can commence pulling the cars in, and prepare the soil.

Mr. Shipsey commented that staff would have to put in a condition concerning the top portion of the building that would show over the fence.

Chairman Everett closed the public hearing and called for a motion. Commissioner Brown made a motion to approve the Conditional Use Permit for Sahagun Towing Storage Yard, at 609 West Betteravia Road, U-2004-048, E-2003-018, subject to the conditions as outlined in the preliminary draft with addition to Special Condition No. 1 to state that the landscape plan will be "drawn by a licensed landscaped architect." Special Conditions No. 5 and 8 will change "wall" to "fence or wall". Also, Special Condition Number 35 should be deleted. It is understood that any chain link fence will include slats and the portion facing the front (along Betteravia) will also include vines and/or other landscaping. Commissioner Waterfield seconded the motion and it passed, 4-0-1.

ITEM 7 - PLANNED DEVELOPMENT PERMIT FOR THE HARVEST GLEN TOWNHOMES, LOCATED SOUTH OF SONYA LANE, WEST OF BISCAYNE STREET (EXTENDED), EAST OF BLOSSER AND NORTH OF CARMEN LANE (EXTENDED), PD-2005-031, E-2005-079. Review of a Planned Development permit to allow 203 townhome units located in a PD/R-3 (Planned Development/High Density Residential) zone. Assessor's Parcel No. 117-330-018. The project has been reviewed in a Supplemental Environmental Impact Report for GPZ-2002-007. 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. Vote: 4-0-1.

Brian Halvorson presented the staff report. The applicant is requesting permission to exceed the height requirement of 35 feet, as some of the structures will go up to 37 feet. The Zoning Administrator can approve heights higher than in the code, and staff recommends that for this project.

Mr. Halvorson stated that as proposed, the project provides 402 covered parking stalls. The Municipal Code requires 406 covered parking stalls; therefore, the project is deficient four covered parking stalls. Although the code requires two covered parking stalls per unit, the Planning Commission has the ability to approve this project with variable parking. In fact, the Planning Department is considering removing some covered carports so that there will be better visibility of the tot lot.

Mr. Halvorson continued with the staff report by stating that approximately 28% of the site would be landscaped. The site would include two parks, one tot lot, and a community building with perimeter landscaping. Access to the site would be from three proposed driveways along Biscayne and a fourth driveway would be provided for emergencies and trash pick-up only. A regional basin, which is located to the northeast of the project site, would serve for water collection. Mr. Halvorson displayed the elevations, which showed the variety of materials to be used, and the Mission-style architecture. The floor plans show that each unit will be three stories and each unit will have a two-car garage, the sizes ranging from 1,100 to 1,600 square feet. All townhome units would have at least two or three bedrooms and at least 2 ½ to 3 ½ bathrooms.

Mr. Halvorson reiterated the changes made in accordance with the last Planning Commission hearing. The applicant added 42 carports, which have been relocated closer to the residences, and 33 guest parking stalls were removed. The applicant eliminated the private storage along the Blosser Road wall to put parking there instead. Lastly, the wall along Carmen Lane was changed from a three-foot wall to a five-foot wall in the area where noise

would be a concern (Units 199 to 203). The other units, which are set back, will have a three-foot wall.

Mr. Halvorson stated that at the August 1, 2006, City Council meeting, the City Council approved the tentative map, Tract 5906, with the reduced lot size on a 5-0 vote.

Mr. Halvorson continued by stating that the applicant had submitted some samples of potential carport designs under consideration, and asked for input from the Commissioners on the proposals. He concluded the staff report by stating that staff is in support of this project, and was available for questions.

Commissioner Moats asked if the four units that don't have covered parking would have an assigned uncovered spot elsewhere.

Mr. Halvorson stated that there would be the spaces provided for them with appropriate signage, so that there wouldn't be a parking issue.

Commissioner Brown asked if it was possible to move the units that needed parking spaces to another spot in the development so they could be closer to the parking.

Mr. Halvorson replied that the applicant would address that when he spoke.

Commissioner Brown also asked if the carports in Westgate required roofing material to match the units there.

Mr. Halvorson stated that, to his knowledge, the roofing material did match the units in Westgate. He also stated that the applicant had explained that they decided to build the carports with flat roofs so they wouldn't distract from the elevations.

Ms. Peggy Woods, Planning Division Manager, remarked that if the applicant used tile roofing materials, the roofs would have to be pitched.

Laurie Tamura with Urban Planning Concepts, the applicant, along with Jay Higgins, Capital Pacific Homes, and engineers Mike Cannon and Tom Martin, expressed their thanks to the staff and the Planning Commission for all of their help and ideas on this project. She stated that, as Commissioner Brown suggested, they did flip the E units so that they would be closer to the carports. They also worked to make other units closer to their assigned carports. The E units would have a one-car garage with lower living space as well. She further discussed the other parking throughout the complex and the availability of parking on Biscayne.

Jay Higgins, of Capital Pacific Homes, spoke on the parking distance from some of the units to the carports and the changes the applicant made for the Planning Commission. He requested that the assigned carports along Biscayne to be uncovered so that they keep the more open garden feel which would look nicer from across the street.

Laurie Tamura stated that the plans show the flat roof carports, so that it would be less of a feature to distract from the building itself. She requested that the carports be flat roofed and subdued, instead of being a feature in and of themselves. In comparison with the Westgate Apartments, she pointed out that those carports don't have nearly as much detail as this project proposes.

Ms. Tamura pointed out that Capital Pacific Homes was honored this last year with a Gold Nugget Award for a project they built in Santa Barbara. They hope that this project will win the Gold Nugget Award as well. She concluded by stating that she was available for any questions.

Ms. Tamura responded to Commissioner Moats' question by stating that there would be several small groupings of carports spread throughout the development, but that each group would be together and continuous and that no assigned parking would be covered.

Ms. Wendy Stockton, City Attorney, stated that one concern of Code Compliance was that flat roofed carports are often used for dare devil stunts, and junk gets thrown on top of the carport roofs, especially as the projects age. She asked for some clarification as to how close the flat roofed carports would be to the buildings and what, if any, access to the roofs would be available.

Ms. Tamura replied that there were no balconies proposed that would overhang the carports. She also stated that since this is an HOA, they would have lots of monitoring on the site. She stated her appreciation for the concern, but didn't agree that it would pose a problem for these newer projects.

Commissioner Brown asked Jay Higgins if he was proposing to eliminate the four parking spots on the edge of the project. That would reduce the original 47 covered carports to 38 covered carports; however, the number of parking spaces would remain.

Mr. Higgins responded that since this community was not going to be "walled in," they were trying to make the project as visually pleasing as possible. The carports he was proposing to not cover would be the ones facing the street. He believed that not only would it look better, but it would give a clear view from the project to the elementary school across the street, which would be a good selling point to young families. He reminded the Commission that he did not want to have covered carports because of aesthetic reasons, but that he was trying to accommodate the Commission's requests without compromising the design of the "open" community.

After discussing the carport issue extensively, and the Commission having no further questions for the staff or applicant, Chairman Everett opened the floor to any other speakers in favor of, or opposed to, the project. No one came forward to speak for or against the project, and Chairman Everett closed the public portion of the hearing.

Chairman Everett then asked for the Commissioners to deliberate on the issue of keeping the carports in question, or eliminating them for aesthetic reasons.

After extensive deliberation, the Commission was split with Commissioners Moats and Waterfield in favor of eliminating the carports and Commissioners Everett and Brown opposed. Mr. Higgins then addressed the Commission, stating that rather than have a split decision on the project, he would remove the carport elimination request and build the carports as originally presented in the plan. The discussion then turned to which carport design to use, and if the design should be a condition of the permit. It was decided to leave the aesthetic design of the carports to the applicant.

Commissioner Brown made a motion to approve the Planned Development Permit for the Harvest Glen Townhomes, located south of Sonya Lane, west of Biscayne Street extended, east of Blosser, and north of Carmen Lane extended, PD-2005-031, E-2005-079, subject to the conditions as outlined in the preliminary draft of the Planned Development Permit. Commissioner Moats seconded the motion and was carried 4-0-1.

ADJOURNMENT: The meeting was adjourned at 8:50 p.m. to a Study Session on August 3, 2006, at 10:00 a.m. in the Community Development Department conference room, 110 S. Pine Street, Santa Maria.

Respectfully submitted,

PEGGY WOODS, ASSISTANT SECRETARY
CITY PLANNING COMMISSION