



**CITY OF SANTA MARIA
PLANNING COMMISSION
MINUTES FOR REGULAR MEETING OF
AUGUST 16, 2006**



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

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

ABSENT: None.

STAFF PRESENT: Planning Division Manager, Peggy Woods
Senior Deputy City Attorney, Wendy Stockton
Senior Civil Engineer, Rodger Olds
Recording Secretary, Kathleen Villegas
Planner III, Bill Shipsey
Planner III, Ben Kimball
Planner II, Tina Frank
Planner II, Bill Scott

By motion, approved the Planning Commission minutes of May 17, 2006, as written.

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: 5-0 AYES: Commissioners Hunter, Moats, Brown, Waterfield and Everett.

NOES: None.

ABSENT: None.

ABSTAIN: None.

ITEM 1A – SANTA MARIA DOWNTOWN SPECIFIC PLAN, SPZ-2004-001, E-2004-001.

Review of a Downtown Specific Plan, prepared in accordance with the guidelines of California Government Code Section 65450-65457, including design, traffic, revitalization, market feasibility, and public participation components. The Specific Plan addresses regulating future development in the Downtown Area, generally bounded by Fesler Street to the North, Park Street to the South, Curryer Street to the West and College Drive to the east. This project is currently going through additional environmental review. (Project Planner: Benjamin Kimball)

STAFF RECOMMENDATION: That the Planning Commission continue the item indefinitely, until the Environmental Impact Report is finished and the plan can be acted upon as an ordinance.

ACTION: By motion, continued this item indefinitely to allow preparation of an EIR

(Environmental Impact Report).

ITEM 1B - REGENCY CENTERS DEVELOPMENT AGREEMENT, SP-2006-020. That the Planning Commission will 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 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 continue the item to the September 6, 2006 public hearing.

ACTION: By motion, continued this item to the September 6, 2006, public hearing.

ITEM 1C - LA VENTANA I DEVELOPMENT AGREEMENT, SP-2006-017. That the Planning Commission will 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 continue the item to the September 6, 2006 public hearing.

ACTION: By motion, continued this item to the September 6, 2006, public hearing.

PUBLIC HEARINGS:

ITEM 2 – CONDITIONAL USE PERMIT FOR CARING HANDS PET CLINIC FOR A SMALL ANIMAL VETERINARY CLINIC, 2009 SOUTH MILLER STREET, U-2006-018, E-2006-040. Review of a Conditional Use Permit to allow the construction of a 2,400 square foot small animal veterinary clinic in an existing tenant space within the existing Target Shopping Center in a PD/C-2 (Planned Development/General Commercial) zoning district, Assessor's Parcel No. 128-085-012. The project qualifies for a Class 3 categorical exemption. No further environmental review is required. (Project Planner: Tina Frank)

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

Ms. Tina Frank presented the staff report for Caring Hands Pet Clinic, located at 2009 South Miller Street, in an existing approximately 25,000 square foot commercial building, east of the Target Shopping Center. The project site is a vacant 2,400 square foot commercial tenant space and is zoned Planned Development/General Commercial. The applicant is requesting approval of a Conditional Use Permit that would allow the construction of a small animal veterinary clinic within the existing tenant space. No changes to the façade of the building are proposed as part of the project. Parking and landscaping are already in place. This project qualifies as a Class 3, categorical exemption, pursuant to the California Environmental Quality Act, therefore, no further environmental review is required. Staff is recommending approval of the project in accordance with the draft Conditional Use Permit and was available for any questions.

Commissioner Hunter excused herself due to the fact that she owned property within the 300 to 500 foot limit. Chairman Everett agreed and Commission Hunter stepped down from this issue.

The applicant, Cynthia Massey, 410 Mesa Road, Nipomo, CA 93444, addressed the Commissioners. She had nothing to add to the staff report, but she did state that she feels there is a need for this service in the area and that the proposed site is a good location for this business.

Commission Everett opened the floor to any other public speakers in favor of or opposition to the project. No one came forward.

Commissioner Everett closed the public hearing and requested a motion to approve the amended conditions. Commissioner Moats made a motion to approve the Conditional Use Permit for Caring Hands Pet Clinic, for a small animal veterinary clinic, 2009 South Miller Street, U-2006-018, E-2006-040, subject to the conditions outlined in the preliminary draft of the Conditional Use Permit. Commissioner Brown seconded the motion and it was carried 5-0.

ITEM 3 – PLANNED DEVELOPMENT PERMIT FOR CINGULAR WIRELESS FOR A MONO-PALM TELECOMMUNICATION TOWER, 1414 NORTH BROADWAY, PD-2006-017, E-2005-070. Review of a Planned Development permit to allow the construction of a fifty-foot-tall (50') mono-palm telecommunication tower in a PD/C-2 (Planned Development/General Commercial) zoning district, Assessor's Parcel No. 121-011-003. The project qualifies for a Class 3 Categorical Exemption. No further environmental review is required. (Project Planner: Tina Frank)

ACTION: By motion, approve the project subject to the conditions outlined in the Preliminary Draft of the Planned Development Permit.

Ms. Tina Frank presented the staff report for Cingular Wireless, located at 1414 North Broadway, at the southeast corner of Broadway and Orchard Street, south of Central City Broiler and Rancho Bowl. The project site is a 4.66 acre parcel, currently occupied by Rancho Gardens, a senior housing complex that was previously a hotel. The property is zoned Planned Development/General Commercial. The project site is surrounded by commercial zoning and uses to the north and west, and by residential zoning and uses to the south and east. The applicant is requesting approval of a Planned Development Permit that would allow the construction of a 50-foot-tall mono-palm telecommunication tower with associated equipment buildings. A mono-palm is a cellular tower that is constructed to look like a palm tree. The facility is proposed to be located on the southern portion of the property. In addition, the applicant proposes to install a concrete walkway and pad for a concrete table with benches northeast of the mono-palm. The 450-square-foot lease area for nine outdoor equipment cabinets would be located southeast of the southernmost building, and would be screened by an existing fence along the southern property line. Three trees and shrubs would be relocated for the installation of the mono-palm and equipment cabinets. This project qualifies as a Class 3, categorical exemption, pursuant to the California Environmental Quality Act; therefore no further environmental review is required. Staff is recommending approval of the project in accordance with the draft Planned Development Permit and was available for any questions.

The applicant, Gordon Bell, Strategic Real Estate Services, 234 Reef Court, Santa Barbara, CA 93109, reiterated that this is a development of Cingular's wireless network within the Santa Maria Valley in order to fill existing coverage gaps in the system. Mr. Bell was then available for questions.

Peggy Woods responded to Commissioner Hunter's inquiry by stating that there was an existing mono-pine in the McCoy industrial area, but no mono-palms currently in Santa Maria.

Mr. Bell added that there were mono-palms in Santa Barbara County and that the only pictures he had available were computer simulated photos, not actual photographs.

In response to Commissioner Brown's question, Mr. Bell stated that the current network was designed to provide more capacity in the existing network. Originally, Cingular Wireless tried to cover larger area with fewer sites, but now with more users, the networks need to be adjusted to provide more capacity. The newer sites are designed to not be as tall and be located closer together. The range, or coverage area, is roughly 1 to 2 miles apart, depending on capacity and volume and the number of calls they are handling. In the rural areas the range covers approximately 5 miles, but in the urban areas the range is only 1 to 2 miles.

Chairman Everett asked about the life expectancy of a mono-palm.

Mr. Bell replied that there are some maintenance conditions written into the lease agreements with the property owners that require ongoing maintenance and replacement of existing branches or bark as they deteriorate. The mono-palms and mono-pines have only been around for about 10 years, so the actual life expectancy is unknown. They haven't actually had a complete failure yet. The only maintenance problem that they have had was near Ventura Fairgrounds. One mono-palm's fronds became white due to bird poop. They requested that the property owner replace the fronds in that instance. Maintenance is written into the lease agreements with the owners, not into a Planned Development Permit.

Ms. Frank stated that there is not a specific condition in the Planned Development Permit, but there are maintenance conditions which state that the structures must be maintained as planned.

In response to Commissioner Hunter's question, Mr. Bell stated that the fronds are made of a rubbery plastic material and that the transmitters are disguised in the palm fronds so that they better blend in. He also stated that Cingular Wireless did look for architectural features to use throughout the City first. Unfortunately, the buildings in Santa Maria are only one to two stories in height and the transmitters need to be 35 to 50 feet in height.

In response to Commissioner Hunter's question, Attorney Wendy Stockton responded that in Item number 3, it has a Special Planned Development Condition Number 1, on page 2, that requires that the project be developed "...in accordance with architectural elevations." She also stated that those architectural elevations, together with a colors and materials boards, could identify the Commissions expectations. In addition, item H, page 2, requires that "...all conditions be maintained in perpetuity."

Chairman Everett closed public comment, and called for a motion. Commissioner Brown made the motion to approve the Planned Development permit for Cingular Wireless for a mono-palm telecommunication tower, 1414 North Broadway, PD-2006-017, E-2005-070, subject to the conditions outlined in the preliminary draft of the Planned Development Permit. Commissioner Moats seconded the motion, and it passed, 5-0.

ITEM 4 – CONDITIONAL USE PERMIT FOR CINGULAR WIRELESS FOR A MONO-PALM TELECOMMUNICATION TOWER, 830 EAST CHAPEL STREET, U-2006-037, E-2006-002.

Review of a conditional use permit to allow the construction of a fifty-foot-tall (50') mono-palm telecommunication tower in a CPO (Commercial and Professional Office) zoning district, Assessor's Parcel Number 121-242-013. The project qualifies for a Class 3 categorical exemption. No further environmental review is required. (Project Planner: Tina Frank)

ACTION: By motion, approved subject to the conditions as outlined in the Preliminary Draft of the Conditional Use Permit. Vote: 5-0.

Ms. Tina Frank gave the staff report stating that the project is for Cingular Wireless, located at 830 East Chapel Street, on the corner of Chapel Street and Concepcion Avenue. The project site is approximately 35,000 square foot parcel currently occupied by Country Oaks Care Center. The property is zoned Commercial/Professional Office. The project site is surrounded by commercial zoning and uses to the south and east, and also residential zoning and uses to the north. The applicant is requesting approval of a Conditional Use Permit that would allow the construction of a 50-foot mono-palm telecommunication tower with associated equipment buildings. The facility is proposed to be located in the northwest corner of the property. The installation of the mono-palm would require removal of one parking stall, but due to existing sheds already there, it was not a viable parking stall anyway. The 608-square-foot lease area will include the mono-palm and an equipment shelter, which would be located between the mono-palm and the existing sheds. The equipment shelter would be surrounded by a chain link fence with slats. This project qualifies as Class 3, categorical exemption, pursuant to the California Environmental Quality Act; therefore, no further environmental review is required. Ms. Frank closed by stating that staff is recommending approval of the project in accordance with the draft Planned Development Permit and was available for any questions.

Commissioner Hunter questioned what recourse the City would have if the mono-palm was not satisfactorily maintained, and if it would be the responsibility of the property owner or the applicant.

Ms. Stockton responded that the City would have recourse against both, but the City would probably approach the applicant.

In response to Commissioner Hunter's question, Attorney Stockton replied that usually a Conditional Use Permit only has a time limit if the project is a new use within a specified zone. She gave the example of churches in an industrial zone. They might have a Conditional Use Permit with a five-year timeframe condition to see if the use seems like a good fit.

The applicant, Gordon Bell, representing Cingular Wireless, 234 Reef Court, Santa Barbara, CA 93109, had no comments to add to the staff report and was available to answer any questions.

Commission Everett opened the floor to any other public speakers in favor of or opposition to the project. No one came forward.

Chairman Everett closed the hearing and called for a motion. Commissioner Waterfield made a motion to approve the Conditional Use Permit for Cingular Wireless, for a mono-palm telecommunications tower at 830 East Chapel Street, U-2006-037, E-2006-002, subject to the conditions outlined in the preliminary draft of the Conditional Use Permit. Commissioner Hunter seconded the motion and it carried 5-0.

ITEM 5 – CONDITIONAL USE PERMIT FOR ARDISON PHILLIPS, MCKEON-PHILLIPS

WINERY, FOR SPECIAL GROUP EVENTS IN AN EXISTING WINERY LOCATED WITHIN AN EXISTING MULTI-TENANT BUILDING, 2115 SOUTH BLOSSER ROAD, U-2006-032, E-2006-060. Review of a Conditional Use Permit to allow special group events in the existing McKeon-Phillips Winery located within an existing multi-tenant building in a PD/CM (Planned Development/Commercial Manufacturing) zoning district, Assessor's Parcel No. 117-770-19. The project is a class 3 categorical exemption. No further environmental review is required. (Project Planner: Bill Scott)

ACTION: By motion, continued this item to the September 6, 2006, public hearing.

Bill Scott presented the staff report for the Conditional Use Permit application to allow the special group activities at an existing winery. The subject site is located in an existing multi-tenant industrial building on the west side of South Blosser Road, approximately 200 feet north of Betteravia Road. The existing building has 26 units or suites. The subject site is located in a Planned Development/Commercial Manufacturing zoning district. The site has a General Plan designation of HCM (Heavy Commercial Manufacturing). Access to the site is provided by a driveway off of Blosser Road. There will be no changes to the site or building, as a part of this proposal. There are 74 existing parking spaces provided. The project would allow a maximum of 68 charitable and educational events at the winery.

Mr. Scott stated that the primary issues for consideration are conformance to the CM (Commercial/Manufacturing) zoning district and compatibility with surrounding uses. Staff believes that the proposed special conditions included in the project address those issues.

As suggested by the Planning Commission at the August 3, 2006, meeting, staff performed a tenant survey. They began the survey with door to door interviews on August 3, 2006. On August 4, 2006, staff followed up with a letter and an event schedule further explaining the proposal and requesting input from tenants. Since then, staff has been provided with correspondence from three additional tenants. All three of these tenants indicated support for the proposed project. The first correspondence is an e-mail, dated August 14, 2006, from Peter Brushner, of Brushner Wine Company. He occupies Suites 106 and 118. The second is an e-mail, dated August 15, 2006, from Michael MacIntosh, president of the Blue Moon Cellars, who occupies Suites 104 and 117. The third correspondence is a fax sent by Alex Valdez, representing Express for Less, in Suite 109.

As a result, the tenant survey (page 11 of the staff report) would change from five (5) opposed, three (3) no objection, three (3) no response; to a final total of five (5) opposed, six (6) who are in favor or have no response, and one (1) vacant. It should be noted that several tenants occupy more than one suite, but each tenant was only given one vote. The applicant was not included in the survey. It should also be noted that the building owner has indicated support for the proposal. Staff presented the survey in raw form, without leading or suggesting any possible mitigation which could address potential problems.

With regard to conformance with the City's policies and regulations, the CM (Commercial/Manufacturing) zoning district specifies, "...that certain similar uses are permissible in the CM (Commercial/Manufacturing) district, if conditions are in place to mitigate potential impacts on adjacent uses." The project has incorporated a list of 17 special conditions to mitigate any potential impacts to adjacent uses. A few of the special conditions are as follows:

- a. The maximum number of events would be capped at 68 events per year;
- b. The vast majority of the events would occur when the other businesses are closed;
- c. Except for the outdoor cooking, special group activities would be contained inside the building;

- d. Drive aisles would have to remain clear at all times;
- e. Maximum attendance occupancy load have been specified in the appendix;
- f. A reciprocal parking access easement is required. This easement would be between the building owner and the tenants to the satisfaction of the City attorney. The parking easement would ensure that adequate parking would be provided and arranged for in advance of each event;
- g. No outdoor entertainment would be allowed;
- h. All outdoor equipment associated with the cooking must be taken down within two hours of the end of events;
- i. Events with attendance over 50 people would require attendants to direct traffic arriving at, and leaving from, events; and
- j. The project has been limited to a term of five years, after which the permit would expire, unless there is an extension approved by the Planning Commission, and a one year review to evaluate how functions are operating in that first year.

The project is a Class 3 categorical exemption under the provisions of CEQA. Staff is recommending approval of this permit in accordance with the preliminary draft of the Conditional Use Permit. Mr. Scott stated that staff believes that the implementation of these special conditions, as well as the standard conditions, will ensure that the project functions compatibly with the surrounding uses and could potentially be an asset to the City. He then concluded the staff report by stating that staff was available to answer any questions.

Attorney Stockton proposed that in special condition #11, on page 4, the addition of the words: "In the event of evidence of violation of one or more conditions, the ..."

Chairman Everett opened the floor for the Commissioners to ask staff questions.

In response to Commissioner Moats' inquiry, Mr. Scott stated that the question of port-a-potties or restrooms had not been addressed specifically. Attorney Stockton informed the Commission that the Health Department would not allow port-a-potties, and Special Condition No.16 requires that the operation be in conformance with the requirements of the Health Department.

The applicant, Mr. Ardison Phillips, 1716 Laguna, Oceano, CA 93455, thanked the Planning Commission and the staff for all of their hard work on this project. In response to Commissioner Moat's question, he informed the Commission that his leased space has four bathrooms available, and another in Peter Bushner's place, so there would be five bathrooms total available for use during the events. He also clarified that, with regard to the tenant survey, the five people opposed to the project occupy seven units, and the six in favor occupy a total of 19 units. He was then available for questions.

Commissioner Brown asked Mr. Phillips if he had been able to meet with Al Rodriguez to try to work out their differences.

Mr. Phillips responded that he was unable to work things out; however, he hired a security guard to make sure that parking would not occur in Mr. Rodriguez's parking spots. Mr. Phillips also put signs into those parking spots and hired attendants to direct people from parking in those spots during his events. Mr. Phillips produced a letter from Quintron, which stated that the applicant could use their parking lot for overflow.

Commissioner Brown asked Attorney Stockton if the Conditional Use Permit would be back before the Planning Commission for review in five years. She responded affirmatively. Commissioner Brown also asked if it would be possible to review the CUP after one year

instead of waiting five. Ms. Stockton stated that, in accordance with special condition #11, a report would be received after one year, and if the conditions were not being complied with, a revocation or modification hearing could be scheduled. She further pointed out that all of the tenants had to sign the reciprocal access and parking agreement before it would be acceptable.

The Commissioners continued to debate the parking issue extensively with the applicant, the property owner, and staff. The Planning Commission finally stated that in order for the existing Conditional Use Permit to be approved, all the other tenants would need to be in agreement with and sign the reciprocal access and parking agreement. Mr. Phillips stated that he does not believe that Mr. Rodriguez would be willing to sign the agreement at this time. Commissioner Brown suggested continuing this matter to a later hearing, so that Mr. Phillips would have a chance to try to persuade the opposed tenants to sign the agreement.

Chairman Everett confirmed with Mr. Phillips that he would be able to comply with the special condition which would require that the BBQ be stored away within two hours of the end of an event.

Chairman Everett then opened the floor to any comments, for or against, this project.

Father Vonn, St. John Neumann Church, Orchard Street, spoke in favor of the project. He stated that he has been to many events at this location. He said that every time he had been to the location, it was very quiet out there with lots of empty parking spaces. The events themselves are usually small, about 35 people in the evenings or weekends, and are very subdued. He has never noticed anyone getting drunk or littering. He has also attended some daytime events, and there has always been abundant parking available. Father Vonn commented that these functions are charitable events and his parish has received monies for youths to go to retreats and summer camps.

Wayne Lewis, 6410 Harbor Lights, Grover Beach, CA 93424, spoke in favor of the project. He stated that he is on the board of American Cancer Society. He said that the American Cancer Society has received both in-kind and monetary donations from these events.

Christopher Schumee, 2258 Clover Court, Arroyo Grande, CA 93420 spoke in favor of the project. He said that he has been working at McKeon Phillips for approximately three years. His boss, Mr. Phillips, supports cultural, art, wine, love and passion. He spoke passionately about how this business is providing a source of education and economy in this area. He was very upset that these events were in jeopardy because of one man.

Commissioner Brown stated that with the conditions as proposed, the Commission had no choice but to continue the hearing. If the motion was passed as written, then Mr. Phillips would be held hostage by the few tenants that object to the parking.

Commissioner Hunter compared the current parking issue to a similar one with the King Dance Studio. She didn't recall the Commission making their special event parking as big of an issue. She felt strongly that the Commission should support these types of projects and try to make it easier for them. Commissioner Moats expressed his agreement with Commissioner Hunter.

Commissioner Waterfield stated that they were helping by continuing the motion so that a solution could be found.

Commissioner Brown asked Ms. Stockton if there was something that could be done now to allow this to go forward. He inquired if the Planning Commission could vary the rules for parking somehow.

Ms. Stockton replied the Planning Commission could do a lot of things, but questioned if the Commission wanted to assume the responsibility of assigning and enforcing parking on these projects. She stated that the best solution would be for the people involved to have meetings and decide how it could be worked out. She further stated that the property owner should be working with the tenants and taking care of the parking allocations if needed.

The owner, Bill LaVoy, 420 Annita Day, Redondo Beach, stated that each lease was allotted a certain number of parking spaces, but none were actually assigned. He has explained to all of his tenants that parking is on a courtesy basis. He spoke with Mr. Rodriguez and believes that they have agreed on a solution. Mr. Rodriguez will be assigned the four spaces that are in front of his unit, and Mr. Phillips will hire attendants for the special events to keep his customers from parking in those spaces. Mr. LaVoy said that he currently has allotted each tenant with four parking spaces per unit. Upon review, however, he sees that he should only have allotted them three per unit. He will correct this situation when the leases come due. He is willing to continue working with all of his tenants and the Planning Commission to arrive at a settlement that will work for everyone.

Commissioner Hunter suggested that in future leases Mr. LaVoy may wish to include special language regarding parking and special events.

The Commissioners informed Mr. LaVoy and Mr. Phillips that these decisions are not easy, but they must work within the current rules and laws. They admonished the property owner and applicant to continue working with all of the tenants, not just Mr. Rodriguez, to resolve these issues.

Chairman Everett called for a motion for a continuance. Commissioner Brown made the motion to continue this Conditional Use Permit for Ardison Phillips, McKeon-Phillips Winery, for special group events in an existing winery, located within an existing multi-tenant building, at 2115 South Blosser Road, U-2006-032, E-2006-060, to the Planning Commission meeting on September 6, 2006. Commissioner Hunter seconded the motion and it passed, 5-0.

Ms. Peggy Woods informed the Commission that there will be an event at the site on August 19, 2006, which would be covered under the existing rules laid down in 2001.

ITEMS 6 AND 7 – GENERAL PLAN AMENDMENT, PREZONING, SPHERE OF INFLUENCE BOUNDARY AMENDMENT, AND ANNEXATION FOR THE 2006 SANTA MARIA WASTEWATER TREATMENT EXPANSION PROJECT, LOCATED NORTH AND SOUTH OF STOWELL ROAD AND EAST OF BLACK ROAD, GPZ-2005-001, E-2005-025, ANNEXATION #106 (250 ACRES), AND 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 the certification of the Final Environmental Impact Report (FEIR), E-2005-025, an amendment to the General Plan (Land Use) to 240.68 acres of CF (Community Facilities), and prezoning to 7.00 acres of PD/M-2 (Planned Development/ General Manufacturing), 2.13 acres of PD/CM/AG (Planned Development/Commercial Manufacturing/Agricultural Overlay), and 240.68 acres PF (Public Facilities). 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 Nos.117-191-010, -013, 117-820-001, -002, -003, -024, and -025. (Project Planner: Bill Shipsey), **AND** 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)

ACTION:

1). Adopted Resolution No. 2429, recommending City Council authorize the filing of a Notice of Exemption, E-2006-061, for the Diani Homestead Project, GPZ-2006-004; and

VOTE 5 – 0: AYES: **Commissioners Hunter, Waterfield, Moats, Brown, and Chairman Everett.**
NOES: **None.**
ABSENT: **None.**
ABSTAINED: **None.**

2). Adopted Resolution No. 2430, recommending that the City Council certify Final EIR, E-2005-012, make CEQA Findings, and adopt a statement of overriding considerations for the 2006 Wastewater Treatment Plant Expansion Project, GPZ-2005-001; and

VOTE 5 – 0: AYES: **Commissioners Hunter, Waterfield, Moats, Brown, and Chairman Everett.**
NOES: **None.**
ABSENT: **None.**
ABSTAINED: **None.**

3). Adopted Resolution No. 2431, recommending that the City Council

- .a Amend the General Plan (Land Use) on 10.45 acres **TO** LWDR-4 (Lower Density Residential, minimum 5 acres per dwelling) and on 240.68 acres **TO** CF (Community Facilities) as shown on Attachment A; and
- .b Prezone 10.45 acres **TO** RA-5 (Residential Agriculture-minimum 5 acres per dwelling unit), as shown on Attachment A; and
- .c Prezone 7.00 acres **TO** PD/M-2 (Planned Development/General Manufacturing), as shown on Attachment A; and
- .d Prezone 2.13 acres **TO** PD/CM/AG (Planned Development/Commercial Manufacturing/Agricultural Overlay), as shown on Attachment A; and
Prezone 240.68 acres **TO** PF (Public Facilities), as shown on Attachment A; and

VOTE 5 – 0: AYES: **Commissioners Hunter, Waterfield, Moats, Brown, and Chairman Everett.**
NOES: **None.**
ABSENT: **None.**
ABSTAINED: **None.**

The Diani home site property is located on the eastern edge of north Stowell Road. The proposal is to include the site into the Sphere of Influence, annex it, apply a lower density residential land use of five acres per unit land use designation, and pre-zone it to Residential Agriculture. By applying the five acres per unit to the property, it would allow for two residences on the property. Since there already are two residences on the property, it would be considered "built out", and therefore be consistent with the "no new development" issue.

Mr. Shipsey continued stating that there are now eight parcels being proposed for annexation. There were four that were added to the Sphere of Influence, plus the Foote property, the two Black Road investment properties and the Leo Tognazzini Trust property.

Mr. Shipsey outlined the four resolutions before the Planning Commission and concluded the staff report by stating that he was available to answer any questions.

Commissioner Moats asked when the new wastewater treatment plant would be built and how long would it take to release the land from the Williamson Act. Mr. Shipsey responded stating that the current treatment plant is at 85% capacity, so they would probably start the planning stage of the project immediately. As far as the Williamson Act is concerned, since the City is a government agency, it has the ability to cancel the contract upon annexation.

There was nobody in the audience to talk in favor of or opposition of the project.

Chairman Everett closed the hearing and called for a motion.

Commissioner Brown made a motion to adopt Resolution No. 2429, to recommend to the City Council to authorize the filing of a notice of exemption, E-2006-061, for the Diani Homestead Project, GPZ-2006-004. Commissioner Waterfield seconded the resolution and it passed; 5-0.

Commissioner Brown made a motion to adopt Resolution No. 2430, to recommend that the City Council certify the final EIR, E-2005-012, make CEQA findings, and adopt statement of overriding consideration for the 2006 Wastewater Treatment Plant expansion project, GPZ-2005-001. Commissioner Waterfield seconded the resolution and it passed, 5-0.

Commissioner Brown made a motion to adopt Resolution No. 2431, to recommend that the City Council adopt Items 3 A-E, with the corrections that "Exhibit A, B and C" should be labeled "Attachments A, B and C", and that Item E, the pre-zoning recommendation should read "240.68 acres" instead of "248 acres." Commissioner Waterfield seconded the resolution and it passed; 5-0.

Commissioner Brown made a motion to adopt Resolution 2432, to recommend that the City Council:

- a. Initiate the amendment of the City's Sphere of Influence boundaries to include the 251.13 acres as shown on Exhibit B; and
- b. Initiate the annexation of the eight parcels of property concurrently with the initiation of the amendment of the City's Sphere of Influence boundaries, as shown on Attachment B.

Commissioner Waterfield seconded the resolution, and it passed, 5-0.

ADJOURNMENT: The meeting was adjourned at 8:24 p.m. to a Study Session on August 24, 2006, at 10:00 a.m. in the Community Development Department Conference Room, 110 S. Pine Street, Santa Maria.

Respectfully submitted,

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