



**CITY OF SANTA MARIA  
PLANNING COMMISSION  
MINUTES FOR REGULAR MEETING OF  
SEPTEMBER 6, 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  
Park/Landscape Planning Tech, Patty Ellis  
Planner III, Ben Kimball  
Planner II, Brian Halvorson  
Planner II, Bill Scott

**BY MOTION, APPROVED THE PLANNING COMMISSION MINUTES OF JUNE 7, 2006, AS WRITTEN.**

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

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

Commissioner Hunter made a motion to remove item C from the consent calendar to be discussed separately.

**ITEM A - TIME EXTENSION FOR THE PLANNED DEVELOPMENT PERMIT FOR CALVARY CHAPEL OF SANTA MARIA FOR A YOUTH BUILDING AT 2620 SANTA MARIA WAY, PD-2003-021, E-2002-005.** Review of a request for a one-year time extension for the Planned Development Permit, to allow the construction of a 14,215 square foot youth building and child day care center in a PD/C-2 (General Commercial) zoning district, Assessor's Parcel No. 128-090-008. Environmental review for this project has already been conducted. No further environmental review is needed. (Project Planner: Benjamin Kimball)

**ACTION:** By motion, granted a one year extension for PD-2003-021.

**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)

**ACTION:** By motion, continued this item to the September 20, 2006, public hearing.

Commissioner Brown made a motion to approve the consent calendar Items A and B. Commission Moats seconded the motion.

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

**NOES: None.**

**ABSENT: None.**

**ABSTAIN: None.**

**ITEM 1C - 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: Peggy Woods)

**ACTION:** By motion, removed this item from the Planning Commission agenda.

Chairman Everett opened discussion of item C on the consent calendar.

Benjamin Kimball stated that this item was discussed by the City Council at their September 5, 2006, meeting. City Council believed that there were still outstanding issues concerning property lines, among other things. City Council chose to table the item indefinitely until the issues are resolved. Staff recommended that the Planning Commission also remove this item from their agenda until the issues are resolved. When the issue comes before the Planning Commission, it will need to be "re-noticed" with all of the appropriate mailings and posting.

Bill Orndorff stated that a meeting was scheduled for September 7, 2006, with City Council and he hoped to resolve some of these issues at that time. He agreed to the withdrawal from the Agenda until it was appropriate to move forward.

Commissioner Hunter made a motion to remove the item from the Planning Commission agenda. Commissioner Waterfield seconded the motion and it passed; 5-0.

## **PUBLIC HEARINGS:**

**ITEM 2 – ROEMER COURT PARCEL MAP, LOCATED EAST OF NORTH BROADWAY, NORTH OF ROEMER WAY AND WEST OF ROEMER COURT, TRACT 5912.** Review of a parcel map that would create two commercial lots and two light industrial lots on a 5.05 acre lot. The zoning of the site is PD/C-2 (Planned Development/General Commercial) and PD/CM (Planned Development/Commercial Manufacturing). Assessor's Parcel No. 128-003-038. This project qualifies for a class 15 categorical exemption. No further environmental review is required. (Project Planner: Brian Halvorson)

**ACTION:** By motion, adopted Resolution No. 2433, approving the design as shown on the Official Tentative Map and conditions set forth in the May 30, 2006 (Revised), Subdivision Committee Minutes.

Brian Halvorson presented the staff report. The project is an application for a parcel map located north of Roemer Way and east of Broadway. The application is to subdivide the land into four parcels, which would range in size from 0.9 acres to 1.4 acres. The zoning of the site is split into two types, PD/C-2 (Planned Development/General Commercial) and PD/CM (Planned Development/Commercial Manufacturing). Storm drainage for this area will be provided by the Bradley Channel, which is directly north of the site. Access to the site will be off Roemer Court.

Mr. Halvorson stated that this site would eventually be reviewed by the Planning Commission for two proposed hotels. Staff had recommended to review the Planned Development Permit and the parcel map concurrently; unfortunately, the applicant wants to move forward with the map first due to interest from a buyer for one of the parcels. The Planned Development Permit is under review by staff, but not yet ready for Planning commission. Therefore, the issue before the Commission now is just to subdivide the land into these four parcels. Mr. Halvorson concluded the staff report and was available to answer any questions.

Bill Orndorff, 925 South McClelland, spoke representing the applicant. He reiterated that the action before the Commission was just to reestablish lot lines creating the four lots that were originally there. For some reason, the previous property owner removed those lot lines and now the current property owner wants them back.

Commissioner Moats asked staff if the two-lane street leading into the cul-de-sac would be sufficient to handle the traffic generated by two hotels and two other business sites.

Rodger Olds of the Engineering Division responded by stating that a traffic study had been performed for this proposed project. The findings were that Roemer Way/Broadway intersection works well as it is. There is no need to signalize the intersection, nor any mitigation measures required beyond striping in accordance with the Traffic Mitigation Program.

Mr. Orndorff clarified that the roadway is 44 feet wide, which should be more than enough to meet the demands of the hotels.

With no further comments, Chairman Everett closed the hearing and called for a resolution. Commissioner Waterfield made the motion to Adopt Resolution No. 2433, approval of the parcel map, Tract 5912, for the Roemer Court Parcel Map, subject to the following:

- a. The design as shown on the Official Tentative Map;
- b. The conditions set forth in the May 30, 2006, (Revised), Subdivision Committee minutes.

Commissioner Brown seconded the Resolution and it carried; 5-0.

**ITEM 3 – 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 S. 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 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 Conditional Use Permit. Vote: 5-0.

Bill Scott presented the staff report. He stated that this item was a Conditional Use Permit to allow special events at the McKeon-Phillips Winery. This item had been before the Planning Commission on August 16, 2006, and was continued to provide the applicant time to prepare an implementation strategy.

Mr. Scott stated that Special Condition number 7 required that the property owner execute a reciprocal parking and easement agreement among the tenants. Based upon previous results received from a tenant survey, the Planning Commission had determined that the applicant would not be able to execute the agreement, since some of the tenants had expressed opposition to the special events. Therefore, as directed by the Planning Commission at the August 16, 2006, meeting, the property owner and the applicant gathered written consent agreements from each of the five dissenting tenants. Those five tenants were now indicating support for the special events at the winery. Based on this, the staff believed that Special Condition number 7, requiring the reciprocal parking agreement, could now be implemented. He stated that the City Attorney was currently reviewing a reciprocal parking agreement.

Mr. Scott continued by saying that since the August 16, 2006, Planning Commission meeting, City staff had met with staff members from the Santa Barbara County Department of Public Health. The Health Department staff indicated that there were several violations to the California Health and Safety Code associated with the food preparation and service component of the special events at the winery. During subsequent meetings with the Santa Barbara County Department of Public Health staff, City staff members and the applicant, it was determined that food service, as proposed, could be possible for all or some of the special events, if certain Santa Barbara County Department of Public Health criteria were met. Examples of the criteria are as follows:

- a. If the events are "members only" events, they would be exempt from the Santa Barbara County Department of Public Health approval; or
- b. Food service is allowed providing temporary event criteria are met, as defined by the Santa Barbara County Department of Public Health;
- c. There is also a Cravens provision that allows limited food service as defined by the Santa Barbara County Department of Public Health.

Mr. Scott continued with the staff report by stating that the Conditional Use Permit had therefore been modified to better envelope and contain the requirements from Santa Barbara County Department of Public Health, as well as those by the State ABC. He said that this Conditional Use Permit had been conditioned so that, prior to holding any special events, the applicant must obtain the requisite permits, clearances and licenses required by the Santa Barbara County Department of Public Health and State ABC. Any violation of the Santa Barbara County Department of Public Health or the State ABC would result in a violation of

this Conditional Use Permit, specifically conditions 16 and 17, which require conformance to the Santa Barbara County Department of Public Health and State ABC, and those conditions had now been reinforced by Special Condition number 11, which now stated that evidence of a violation of the Santa Barbara County Department of Public Health and State ABC requirements could possibly be grounds for revocation of this permit.

Mr. Scott stated that staff believed that these described refinements to this Conditional Use Permit would allow the applicant to pursue special events at the winery in a manner that would be safe and compatible with the surroundings. He concluded the staff report by stating that he was available to answer any questions.

In response to Commissioner Moats' question, Mr. Scott explained that the Santa Barbara County Department of Public Health was concerned with how the food was prepared and served. The State regulates preparation and serving of food, and the County enforces its regulations.

The applicant, Ardison Phillips, 1760 Laguna Drive, Oceano, CA 93445, stated that as reported, he was working the Santa Barbara County Department of Public Health. He also reiterated that the parking issue had been resolved, and was available for questions.

In reply to Chairman Everett's inquiry, Mr. Phillips replied that they had hired a guard to make sure that no one parked in Mr. Rodriguez's parking spaces and that provision had made Mr. Rodriguez happy.

Jennifer Bernstein, Santa Barbara County Department of Public Health, 2898 Buckboard in Santa Ynez, addressed the Commissioners. Ms. Bernstein is the Environmental Health Supervisor for the North County area. She stated that they have had a good meeting with the Community Development Planning staff and Mr. Phillips and his staff, and that they were resolving the issues of the handling of food at the public events. She said that it was helpful to work with City Planning staff to come to a consensus on how food would be handled. She was confident that they could work out a satisfactory decision working under the "temporary event" classification.

Commissioner Brown asked if Ms. Bernstein saw any problem with this application. She assured him that the County was satisfied with how the document looked, so she didn't think this would be an issue of the City approving something that the County couldn't sanction. She saw no reason why this application couldn't be passed.

Chairman Everett noted that the documents stated "...must limit the number of food events...". He wanted to know exactly what that limit was. Ms. Bernstein stated that it would be the same as the barbecue ordinance: 25 days in 90.

With no further comments, Chair Everett closed the public hearing and called for a motion. Commissioner Hunter made a motion to approve the Conditional Use Permit for Ardison Phillips, McKeon-Phillips Winery, for special group events in an existing winery, located within a multi-tenant building, at 2115 South Blosser, U-2006-032, E-2006-060, subject to conditions outlined in the preliminary draft of the Conditional Use Permit. Commissioner Moats seconded; motion carried, 5-0.

**ITEM 4 – GENERAL PLAN AMENDMENT/ZONE CHANGE FOR THE LA VENTANA II PROJECT LOCATED ON 40 ACRES AT THE NORTHEAST CORNER OF EAST MAIN AND PANTHER DRIVE (FORMERLY FREMONT STREET) FOR INLAND PACIFIC BUILDERS, GPZ-2005-003, E-2005-027.** Review of recommendations to City Council regarding the certification of the Final Environmental Impact Report (FEIR), E-2005-027, an amendment to the General Plan (Land Use Map) for 40 acres **from** AOS-1 (Primary Agricultural Open Space) **to** 29.2 acres of LWDR-4 (Lower Density Residential, 4 units/acre), 5.6 acres of MDR-12 (Medium Density Residential, 12 units/acre), and 5.2 acres of CC (Community Commercial); and a zone change for 40 acres **from** OS (Open Space) **to** 29.2 acres of PD/R-1-6,000 (Planned Development/ Single Family Residential-minimum 6,000 square foot lots), 5.6 acres of PD/R-2 (Planned Development/Medium Density Residential), and 5.2 acres of PD/C-2 (Planned Development/General Commercial). The proposed General Plan amendment and zone change would allow for the development of up to 100 single-family residences, 60 condominiums and a 70,000 square foot commercial center. (Project Planner: Bill Shipsey)

**ACTION:** By motion, removed the item from the agenda and directed staff to properly notice the item so that it may be heard at the October 4, 2006, public hearing. Vote: 5-0.

Benjamin Kimball requested that, at the request of staff and approval of the applicant, this item be continued to the October 4, 2006, public hearing for further consideration.

Commissioner Hunter stated that she would be absent for the October 4, 2006, public hearing. She stated her interest in the outcome of this project and would appreciate it if the project would be continued to the October 18, 2006, hearing.

Laurie Tamura of Urban Planning Concepts, the representative of the applicant, stated that she understood the scheduling issues that were being discussed. She said she would discuss the October 18, 2006, date with the applicant, Inland Pacific Builders, and see if the applicant was willing to wait that long. She stated that the reason for the request to continue was due to the fact that the project discussion was not properly 'noticed' for this meeting. She stated that she would let staff know if the applicant approved the October 18, 2006, date at the study session on September 7, 2006.

Attorney Stockton stated that the correct process would be for the Planning Commission to direct staff to remove the item, notice it correctly, and then at that time, it could be continued.

Commissioner Waterfield made the motion to remove the General Plan Amendment for La Ventana II project located on 40 acres at the northeast corner of East Main Street and Panther Drive, formerly Fremont Street, for Inland Pacific Buildings, GPZ-2005-003, E-2005-027. Commissioner Brown seconded, and the motion passed; 5-0. Chairman Everett directed staff to carry out the proper noticing for the October 4, 2006, public hearing.

**ITEM 5 – 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)

**ACTION:** By motion, adopted Resolution No. 2434, recommending to City Council approval of the Development Agreement for La Ventana I.

Rodger Olds presented the staff report requesting that the Planning Commission recommend to the City Council approval of a development agreement between Inland Pacific Builders and the City, which would allow the reimbursement for improvements needed by the City. The developer would be paying for the improvements along their frontage and the La Ventana II site. This reimbursement would allow for other improvements, such as along Main Street at Suey Road. The approval of the resolution would state that the Planning Commission met the following findings:

- a. That the proposed project is consistent with the General Plan;
- b. That it provides for financing and construction improvements, infrastructure and urban services mandated by the General Plan;
- c. That the development agreement implements the requirement of the Circulation Element of the General Plan by providing for construction improvements mandated by this plan, namely East Main Street and Panther Drive.

Mr. Olds concluded the presentation by stating that staff was available to answer any questions, and that Inland Pacific Builder's project manager was also present to answer questions as well.

With no further comments, Chairman Everett closed the hearing and called for a motion. Commissioner Brown made a motion to adopt Resolution No. 2434 recommending to City Council approval of the development agreement for La Ventana I. This development agreement does not change or modify development of the site, as was addressed in these previously mentioned documents; therefore, no further environmental review is required for La Ventana I development agreement, SP-2006-017. Commissioner Waterfield seconded, and the resolution was passed; 5-0.

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**ADJOURNMENT:** The meeting was adjourned at 7:08 p.m. to a Study Session on September 7, 2006, at 10:00 a.m. in the Community Development Department Conference Room, 110 S. Pine Street, Santa Maria.

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Respectfully submitted,

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PEGGY WOODS, ASSISTANT SECRETARY  
CITY PLANNING COMMISSION