



**CITY OF SANTA MARIA
PLANNING COMMISSION
MINUTES FOR REGULAR MEETING OF
OCTOBER 18, 2006**



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

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

STAFF PRESENT: Planning Division Manager – Peggy Woods
Deputy City Attorney – Wendy Stockton
Director of Public Works – David Whitehead
Park/Landscape Planning Tech – Patty Ellis
Recording Secretary – Kathleen Villegas
Planner III – Bill Shipsey
Planner II – Bill Scott

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

PUBLIC HEARINGS:

ITEM 1 - TENTATIVE TRACT MAP FOR REFUGIO TOWNHOMES LOCATED ON THE NORTHWEST CORNER OF WEST MCCOY LANE AND PROFESSIONAL PARKWAY TRACT 5905, E-2006-011. Review of a Mitigated Negative Declaration and a tentative tract map to allow subdivision of two parcels totaling 7.2 acres into 131 lots, for 130 townhome units, on individual lots ranging in size from 958 square feet to 1,718 square feet, and one 3.71 acre lot for associated common area facilities. The zoning on the site is PD/R-3 (Planned Development/High Density Residential) zoning district, Assessor's Parcel No. 111-06-015 and 018. (Project Planner: Bill Scott)

STAFF RECOMMENDATION: That the Planning Commission take the following two actions:

1. By resolution, recommend that the City Council file a mitigated negative declaration, E-2006-011 for the project (Attachment C).
2. By resolution, recommend that the City Council approve the tentative map, Tract 5905, for the Refugio Townhomes project, subject to the following:
 - a. The design as shown on the Official Tentative Map.
 - b. The conditions set forth in the September 26, 2006, Subdivision Committee Minutes.
 - c. The mitigation measures contained in Initial Study/Mitigated Negative Declaration E-2006-011.

ACTION: BY MOTION, CONTINUED THIS ITEM TO THE DECEMBER 6, 2006 PUBLIC HEARING AND THE STUDY SESSION OF NOVEMBER 16, 2006.

Items 1 and 2 were considered concurrently.

ITEM 2 - PLANNED DEVELOPMENT PERMIT FOR REFUGIO TOWNHOMES, LOCATED ON THE NORTHWEST CORNER OF WEST MCCOY LANE AND PROFESSIONAL PARKWAY, TRACT 5905, PD-2006-004, E-2006-011.

Review of a Mitigated Negative Declaration and Planned Development Permit to allow the construction of 130 attached townhomes, on individual lots ranging in size from 958 to 1,718 square feet, and one lot for associated common area facilities, in a PD/R-3 (Planned Development/High Density Residential) zoning district, Assessor's Parcel No.111-060-015 and 081.

STAFF RECOMMENDATION: That the Planning Commission open the public hearing and take public testimony on this item, and continue the item to the November 7, 2006, Planning Commission meeting to allow the City Council time to adopt the Mitigated Negative Declaration and to approve the tentative map.

ACTION: BY MOTION, CONTINUED THIS ITEM TO THE DECEMBER 6, 2006 PUBLIC HEARING AND THE STUDY SESSION OF NOVEMBER 16, 2006.

Bill Scott presented the staff report for Items 1 and 2 concurrently. He acknowledged communications that have been received by staff from area residents and homeowners concerning the project—letters, emails, handwritten letters, as well as calls and some who came into the office. Provided for the Commission's review and consideration were transmittals from Lisa Valdez, Randy Donner, Tom and Marcia Murray, Rebecca and Ken White, Deborah Butterfield, Cheryl Teixeira, Rod and Ann Fishburne, Tom Jackson, J.F. Henry, Carol Shinn, Susan E. Baudolik, James Murr, an email letter from Ken Michun, Jim Perry, president of the Somerset Gardens Homeowner's Association, Ruth and Bruce Carmitchel, a hand-signed petition letter from Aida A. and Nadine L. Zarini, J.H. Grimes, Jack and Meryl Stauffelizer, as well as several other calls. All correspondence will be forwarded if not already to the Planning Commission and City Council.

Mr. Scott next presented the background to the project, beginning in August 1986 when the City Council approved the General Plan Amendment and Zone Change on McCoy Lane, entitled McCoy Lane Development Project on 32 acres. He continued with the history in 2002, and what was proposed then.

Mr. Scott continued with the current plan for the site. He reviewed the details of the proposed project, including the location, number of units, lot sizes, amenities, setbacks, conceptual floor plans, architectural details, garbage container locations, access, internal street width, heights, and environmental impacts. He also stated that a traffic analysis was prepared, which the Engineering Division would address.

Mr. Scott noted that staff had received correspondence and inquiries concerning the proposed project. The primary and most common concerns included traffic concerns, noticing procedures, density, setbacks, privacy concerns in terms of the building height and balcony treatment, looks and architecture, and some internal design concerns as well.

Mr. Scott stated to summarize staff's position, the proposed project meets the density, height and setback and parking requirements as established by the Santa Maria Municipal Code, and staff finds that the project is imperfect but overall a good project, meeting the long-term Housing Element goal of providing a variety of housing types, sizes and densities for the City. Among the findings, the proposed use would have no adverse effects to the surroundings.

Staff believes that with modifications, perhaps to the balconies and setbacks, the project may be able to integrate compatibly with the surroundings.

Mr. Scott stated that it is staff's recommendation to open the public hearing and take public testimony of this item, and then continue the item to the November 7, 2006 Planning Commission meeting, allowing time for City Council to adopt a Mitigated Negative Declaration and consider the Tentative Tract Map. He concluded the staff report by stating that staff was available to answer questions.

In response to Commissioner Moats, Bill Scott responded that the proposed project setback does meet the municipal code requirements. The building height is two stories, and staff believes that is a good transition. The height proposed is the same height as Somerset Gardens, although the look is different. The setbacks meet the R-3 standard. The closeness and balcony location are debatable, and he would like to defer to the applicant on that point.

David Whitehead, of the Department of Public Works Engineering Division, stated that there was a traffic study prepared for this project. To summarize those results, there are 57 morning peak house trips generated by the project; 67 afternoon peak hour trips, and 762 average daily total trips generated by this project. This project will construct frontage improvements along Cooley Lane, Professional Parkway and West McCoy Lane, some significant public improvements that will prove valuable to the City of Santa Maria. The drainage improvements will clean up the nuisance water that is currently a problem on Cooley Lane. Mr. Whitehead concluded by stating that Public Works is happy with the conditions as agreed to by the developer.

The applicant, Damon Porter, of Weinstock Porter LLC, Santa Monica, addressed the Commission. He and his design team and partner Brad Weinstock were there to present their project, as well as Brian Schwartz of Urban Planning Concepts, Marcus Deplant from LDA, Steve Schievely from Bethel & Associates, and Derek Wrap, traffic consultant. He gave some background on himself and his partner, stating that they are second generation developers from California, developing since 1946. They believe that to succeed, one needs to produce a high quality project. They enjoy a high quality reputation as builders. They have owned property in Santa Maria for a long time. This project is called Refugio. Designed to meet and exceed all current zoning requirements. He stated that they are not asking for any variances or exceptions to any rules. They have worked closely with staff to make something that the City will be proud of. They wanted to design something compatible with the surrounding uses: industrial to the north, retail, medical and office to the east and south, and high density to the south and west. He reviewed the features of the proposed project, as well as the architectural treatment, elevations, community buildings and other amenities. He mentioned that they have incorporated guest parking throughout the project. The project meets or exceeds all zoning requirements and applicable City regulations. They are requesting that the Planning Commission approve the project in concept, and allow them bring it back to the next meeting for approval with all the plans being consistent with the revised site plan that they are presenting tonight.

In response to Commissioner Brown, Mr. Porter explained that they created more setback space by taking off three units and moving the entire building north away from the street. It didn't effect the landscaping.

Chair Everett invited anyone in the audience in favor to speak. No one wished to speak.

Chair Everett invited those in the audience in opposition to speak.

Jennifer Winner, 2322 Eastbury Way, Santa Maria, spoke against the project, expressing concerns about privacy.

Sandy Gaggero, 2321 Eastbury Way, Santa Maria, spoke in opposition to the project. She stated she has many concerns with the project, including traffic and density issues. She also requested notification of meetings on the project.

Roger Hubbard, 2337 Eastbury Way, Santa Maria, spoke against the project. He requested notice of any future meetings on this project. He stated that his biggest issue with the project is the density—18 units per acre is way too much. He also said that the project is aesthetically unappealing, resembling a prison or a fortress.

Alicia Hubbard, 2337 Eastbury Way, Santa Maria, spoke in opposition to the project, citing traffic concerns.

Dora Garcia, 2353 Timsbury Way, Santa Maria, spoke against the project, citing traffic and density issues.

Jim Perry, 2324 Timsbury Way, Santa Maria, president of the Somerset Gardens Owners Association, spoke in opposition to the project. He stated that he also would like to be notified of any future developments of this project. He said that he wanted to make it clear that the owners of Somerset are not opposed to development of the property, but they are opposed to the Refugio development as it is presently contemplated. Their concerns involve the high population density, 18 units per acre; traffic congestion; incompatibility with architecture; and loss of privacy.

Monica Hood, 335 Taunton Drive, Santa Maria, spoke against the project. She said that her townhouse is in the northeast corner of Somerset, so the proposed project would impact her a lot. She has a total of 10 windows—almost all along the back of her house. With such small setbacks and balconies, her house would become a fishbowl, and convert her private patio into an amphitheater. She is opposed to the project and would like it to be redesigned.

Nancy Neitzel, 2438 Country Club Drive, Santa Maria, spoke in opposition to the project, citing traffic concerns.

Susan Perry, 2324 Timsbury Way, Santa Maria, spoke against the project. She questioned the sense of community in this project. She also stated that she was shocked that no notice was given for any study sessions. She thinks it looks to be about profit at the expense of the surrounding neighborhoods.

Carole Shinn, 2329 Timsbury Way, Santa Maria, spoke against the project. She requested to be added to the list for future communications on the project. She also cited traffic issues.

Marilyn Henry, 2333 Eastbury Way, Santa Maria, spoke in opposition. She stated she is concerned about the interior of this development, and that the proposed density is overwhelming.

Jim Henry, 2333 Eastbury Way, Santa Maria, spoke in opposition to the project. He stated his principle concern was safety. He also stated he wanted to be notified of future meetings.

Tom Jackson, 2334 Eastbury Way, Santa Maria, spoke against the project. His townhouse is directly against the wall to this development. He stated his concerns over loss of privacy. He said he appreciates the Planning Commission listening to their concerns, and asked them to please reconsider approving this.

Kimberly Michaud, 2314 Eastbury Way, Santa Maria, spoke against the project, echoing the concerns about density, traffic and architecture, and privacy issues.

Jill Luna, with Prudential CA Realty, 204 E. Enos Drive, Santa Maria, spoke against the project. She stated she is opposed to the project mainly because Santa Maria has a market flooded with homes that aren't selling, so she questioned why add more homes that won't sell.

Verna Madison, 2335 Westbury Way, Santa Maria, spoke against the project, agreeing with everything that has been stated so far. She also requested to be notified of future meetings.

Roland Madison, 2335 Westbury Way, Santa Maria, spoke in opposition, and requested to be notified of any further meetings.

Steve Perez, 2318 Westbury Way, Santa Maria, stated he is opposed to the project primarily because of privacy issues.

Mary Ann Perez, 2318 Westbury Way, Santa Maria, spoke against the project, citing privacy issues.

Bob Bisho, 2311 Timsbury, Santa Maria, spoke in opposition to the project, stating that he agrees with everything that's been said so far.

Jim Burubeltz, 611 Taunton, Santa Maria, spoke in opposition to the project, citing parking, density, and safety concerns. He also requested to be notified of future meetings.

Marilyn Burubeltz, 611 Taunton, Santa Maria, spoke against the project. She stated that this proposed project will conflict with Somerset Gardens; it has the appearance of an apartment complex instead of a beautiful townhome. She also stated that she wants the City Council to update the General Plan.

Duane Davis, 2337 Timsbury Way, Santa Maria, spoke in opposition to the project. He cited traffic and noise concerns. He stated that they would like a project there, but one that goes with the whole neighborhood and not stick out like an eyesore.

Bianca Bernal, 2338 Eastbury Way, Santa Maria, spoke against the project. She stated that she is against the balconies, and came in support of Somerset Gardens.

Shirley Cobb, 2442 La Costa Drive, Santa Maria, spoke in opposition to the project. She suggested perhaps putting the balconies to face the other way, and requested to be notified of any future developments in the project.

Lillian McKay, 2439 La Costa Drive, Santa Maria, spoke against the project, citing traffic and density concerns. She also requested notification of future meetings.

Frank Cobb, 2442 La Costa Drive, Santa Maria, spoke in opposition. He stated that all his issues have been discussed by other speakers, and he requested to be notified of future meetings. He mentioned that he didn't see any police reports for this project. He stated that high density could bring problems to the area.

Rosemary Espinosa, 2315 Westbury, Santa Maria, addressed the Commission. She stated she was neutral to the project. She stated she was excited to see what was going to be built and that there would be sidewalks so they can walk. She looked at the plans, and thinks that the buildings are attractive, not ugly. She commented on exits to McCoy, and liked the suggestion to move the balconies.

Damon Porter, applicant, spoke in rebuttal. He stated his appreciation for all the questions and concerns. He introduced their traffic consultant and architect. Mr. Porter addressed the traffic concerns, discussing the traffic study and how it was developed. He also commented on the exits to the site, and the balcony dispute. He stated they would be happy to eliminate the balconies on the west side and then do something else there. He also spoke about the landscape architecture.

Mr. Porter spoke in general as to the reason that this project exists: they are striving to create something nice. It may not be like Somerset—it is a different community and a different demographic. The units are smaller, the lot sizes are smaller, but that is also making it affordable to people that cannot afford Somerset. He stated that there is an entire generation of people living in Santa Maria that cannot afford to buy houses. He stated that this project works as a transition between the commercial and the residential. It's an infill project.

Bill Shipsey addressed the Commission, and gave background as to why City Council changed the zoning on this piece of property from Industrial to R-3.

Commissioner Hunter asked staff how this project compared with other Planned Development projects concerning lot sizes. She stated that she didn't recall any other project in the last four years having lots this small. She asked staff how much latitude the Planning Commission would have with lot sizes.

Chair Everett reiterated the question to staff whether or not the Planning Commission has the authority to approve or disapprove a project based on the size of the lot.

Wendy Stockton responded to Commissioner Hunter and Chair Everett by stating that according to State law, the Planning Commission does not have the authority to disallow a project unless there is very strong evidence.

Peggy Woods added that because the lot sizes proposed are less than the standard in the R-3 zone, the map must be finally decided by the City Council. Once the City Council takes action on the lot sizes, then the project would come back to the Planning Commission for action on the Planned Development Permit. She also clarified that the 1986 ordinance restricted the number of units to 18 dwelling units per acre, not 22.

Bill Scott added that lot sizes are only relevant to an extent, because apartments or airspace condos could be accomplished in the same size of building. They would be different items, but have the same density.

In response to Commissioner Moats, Wendy Stockton responded that the City Council is subject to the same laws as the Planning Commission.

In response to Commissioner Brown's concern, Peggy Woods stated that notices were sent out. On September 13, 2006, a notice was in the newspaper for the environmental check list/initial study/mitigated negative declaration, and that was a 30-day public review period. On October 6, 2006, the property was posted, and on October 5, 2006, notices were sent out to property owners within 300' of the project, as well as the Somerset Gardens Homeowner's Association. She stated that there is an affidavit in the file to that effect.

Commissioner Brown summarized that density, privacy, balconies, traffic seem to be the four main issues. He commented on those issues, and stated that he was concerned about the traffic issues.

Commissioner Moats commented on the elimination of the balconies and that might affect privacy for the adjacent homeowners. He also asked if there was going to be a requirement to have parking in the garages.

Mr. Damon responded that it would be a requirement in the CC&R's to park the cars in the garages.

Commissioner Hunter had a variety of comments and questions. She spoke about the parking issue, the need to have parking in driveways, and her concern about the 25-foot wide streets. She also stated that she would like to see more open space, perhaps pocket parks, that don't take up too much land. She also thinks that the long line of garages would look better with varying setbacks. Ms. Hunter commented that good planning dictates that this project be denser than Somerset Gardens as it joins to commercial. The reality is that it is very difficult to get this type of density into a project and still make it a nice project. She would like to see the developer reduce the density somewhat. She is not opposed to the three stories if there is more relief in the architecture. It should be more compatible to Somerset Gardens. She agreed that the City does need to create affordable housing, and there are some nice amenities, nice entries, and entrances at the ground level, but this project would still have to have another redesign before she would consider it a good project. She stated that these buildings will be around for a long time and good decisions need to be made. She concluded by stating that this project has the makings of a good project.

Commissioner Waterfield asked the applicant to consider reducing the number of units per acre. She stated that she is not opposed to this project; she just wants a nice project. She also commented that she didn't like what the balconies would do to the Somerset Garden area, so if they could get moved, that would be great.

Commissioner Moats remarked that he believes the Planning Commission needs to be responsive to the community. He stated that he would be in favor of something with lower density. He also suggested putting windows up high on the west wall so that they let in light but would not be intrusive to the view shed.

Mr. Porter responded that they would address these concerns and continue to do so to make this project work.

Peggy Woods commented that if the applicant could give staff an idea of when revisions might be ready, then staff would take a good look at the revisions to see if they are substantially different than what is being proposed this evening.

Commissioner Hunter added that the project should come back to a study session.

Mr. Porter asked the Planning Commission what they thought the appropriate density was, and if they need to put a driveway in front of each unit. He asked for the consensus of the Commission.

Chair Everett stated to the applicant that he had seven people call him, and they're concerned about how this project will impact their property.

Commissioner Hunter voiced her opinion that she really doesn't believe that there would be any significant negative impacts on Somerset Gardens if this was a well-designed project. If the design is pleasing from the streets and from the Somerset Gardens units, she stated that it's better to have the project site built rather than having the uncertainty. She thinks Somerset Gardens is really safe, and having this built-out next door will be positive.

Commissioner Hunter suggested to the applicant that they meet with the neighbors. She commented that there were many reasonable people present at the meeting, not against a development, but who just have concerns. She stated that the way the project is currently designed, she thinks the unit count needs to be reduced to get a better project.

Commissioner Waterfield agreed with Commissioner Hunter that having a neighborhood meeting would be a great idea. Developers of large developments in Santa Maria meet with the neighbors and ask for their input and it helps to come up with a nice project.

In response to Chair Everett, Peggy Woods responded that on the November 2nd agenda, the Marian Medical Center expansion and the Inger/McClelland mixed use projects were already scheduled for presentation.

David Whitehead stated that the applicant needed direction about the traffic study information and traffic signal. He said that it requires time to do that sort of study so that the applicant is prepared for the next study session. The time required depends on how much more study the Planning Commission wants of the applicant. He reminded the Commission that the services of the traffic consultant are costly. The conclusion of the traffic study already conducted was that a signal was not required. He stated that that is a high hurdle to clear if the Planning Commission is going to condition this development with a traffic signal.

After lengthy discussion by staff and the Planning Commission concerning traffic issues and the pros and cons of an additional traffic study, as well as comments from the applicant's traffic expert, it was concluded that a traffic study had already been conducted, and the area in question is still under quite a bit of flux. Commissioner Brown suggested taking another look at the intersection of McCoy and Broadway after the construction is completed, perhaps in six months or so, to see how it is working, and the Commissioners agreed.

Chair Everett called for a motion to continue the item to the November 16, 2006 study session, and the December 6, 2006, public hearing. Commissioner Hunter made the motion to continue this item to the November 16, 2006 study session and the December 6, 2006, Planning Commission public hearing. Commissioner Brown seconded it, and it passed, 5-0.

ITEM 3 - GENERAL PLAN AMENDMENT/ZONE CHANGE FOR THE LA VENTANA II PROJECT 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 a General Plan (Land Use Map) amendment **from** AOS-1 (Primary Agricultural Open Space) **to** LWDR-4 (Lower Density Residential, 4 units/acre), MDR-12 (Medium Density Residential, 12 units/acre), and (CC) Community Commercial; and a zone change **from** OS (Open Space) **to** PD/R-1, PD/R-2 and PD/C-2; and an Environmental Impact Report. The proposed General Plan amendment and zone change would allow for the development of residential and commercial uses on the property. (Project Planner: Bill Shipsey)

STAFF RECOMMENDATION: That the Planning Commission take the following two actions:

1. By resolution, recommend that the City Council approve the Final EIR, E-2005-027, make CEQA findings, adopting a statement of overriding considerations, and adopt the Mitigation Monitoring Program for the project GPZ-2005-003; and
2. By resolution, recommend that the City Council:

- a) Adopt a resolution amending the General Plan (Land Use) **FROM** Secondary Agricultural Open Space (AOS-II) **TO** 3.27 acres of Community Commercial (CC) and 35.0 acres of Low Density Residential (LDR-5), as shown on Exhibit A attached to the Community Development Department memorandum dated October 13, 2006; and
- b) Adopt an ordinance rezoning the 38.27-acre site **FROM** OS (Open Space) **TO** 3.27 acres PD/C-2 (Planned Development/General Commercial) and 35.5 acres R-1 (Single Family Residential), as shown on Exhibit A.

ACTION: BY MOTION, ADOPTED RESOLUTION NO. 2438, RECOMMENDING THAT CITY COUNCIL APPROVE THE FINAL EIR, E-2005-027; AND ADOPTED RESOLUTION NO. 2439, RECOMMENDING THAT CITY COUNCIL AMEND THE GENERAL PLAN AND ADOPT AN ORDINANCE OF REZONING.

VOTE: AYES: COMMISSIONER HUNTER, WATERFIELD, MOATS, BROWN AND EVERETT; NOES: NONE; ABSTAINED: NONE; ABSENT: NONE.

NOTE: Tentatively scheduled for City Council of November 21, 2006.

Bill Shipsey presented the staff report, reviewing the location and details of the proposed project. The Environmental Impact Report (EIR) before the Planning Commission was prepared to address the impacts associated with the General Plan Amendment and Zone Change from the primary agricultural open space to General Commercial, and to allow single family residential uses. Based on input from the Planning Commission, the applicant revised the project after the EIR was prepared, so an addendum to the EIR was prepared and is included in the staff report. Mr. Shipsey explained what the EIR covered, and what the project impacts were. He concluded his report by stating that staff recommends amending the General Plan, and there are several conditions listed in the staff report, and he was available to answer any questions.

In response to Commissioner Hunter, Mr. Shipsey responded by stating that the planned development/general commercial could be retail or office. It would be a PD/C-2 designation.

In response to Chair Everett, Mr. Shipsey explained how the Planned Development would still apply to the commercial component, not to the single family, and the Planning Commission would still review the tract and the Planned Development for the commercial component. The Planned Development overlay would allow the Planning Commission to modify setbacks, landscaping and parking.

The applicant, Randy Alonzo, 381 Rio Road, from Inland Pacific Builders, addressed the Commission. He thanked Bill Shipsey for putting together the staff report. He stated that on the original application, they had five units to the acre on 30 acres, and five acres at 12 units per acre, and then the five acres commercial. At the study session, it was decided that there was too much commercial and too much density, and the question was brought up if there should even be the multi-family component. They went through several iterations of the site layout, and finally ended up on the alternative layout #3. He showed a preliminary layout to the Commissioners, although it is not engineered yet. The site is 37 acres by 4 acres; with a breakdown of lots of 40% over 10,000 square feet; 40% over 8,000 square feet, and 20% between 6,000 and 8,000 square feet. Mr. Alonzo also commented on the proposed elevations. He commented on one of the conditions of approval—the 35' height limit. He

stated he may ask for a slight variation in the case that there may be tower elements that may be higher. Mr. Alonzo showed some conceptual photographs that show how the towers may be higher than 35'.

In response to Commissioner Waterfield, Mr. Alonzo stated that at another development of theirs, the 6,000 square foot minimum lots ended up being 7,200 square feet. He thinks that these would probably be the same.

Commissioner Waterfield expressed her satisfaction over this project. Commissioner Hunter concurred, stating that it will be a nice asset for the City, and thanked the applicant for working so well with the Planning Commission. Commissioner Brown thanked Mr. Alonzo as well.

With no further comments, Chair Everett closed the hearing and called for a motion. Commissioner Brown made the motion to approve Resolution No. 2438, recommending that the City Council approve the Final EIR, E-2005-027, make CEQA findings, adopting a statement of overriding considerations, and adopt the Mitigation Monitoring Program for the project GPZ-2005-003; and Commissioner Hunter seconded it, and it passed, 5-0.

Commissioner Brown made the motion to approve Resolution No. 2439, recommending that the City Council adopt a resolution amending the General Plan (Land Use) **FROM** Secondary Agricultural Open Space (AOS-II) **TO** 3.27 acres of Community Commercial (CC) and 35.0 acres of Low Density Residential (LDR-5), as shown on Exhibit A attached to the Community Development Department memorandum dated October 13, 2006; and adopt an ordinance rezoning the 38.27-acre site **FROM** OS (Open Space) **TO** 3.27 acres PD/C-2 (Planned Development/General Commercial) and 35.5 acres R-1 (Single Family Residential), as shown on Exhibit A. Commissioner Hunter seconded it, and it passed, 5-0.

ITEM 4 - GENERAL PLAN AMENDMENT, PREZONING, AND ANNEXATION FOR THE QUAIL RUN PROJECT, LOCATED ON THE WEST SIDE OF SOUTH COLLEGE DRIVE AND EAST SIDE OF SANTA MARIA WAY TO U.S. 101, GPZ-2005-011, E-2005-077, ANNEXATION #105 (60 ACRES). Review of recommendation to City Council regarding an amendment to the General Plan (Land Use) **from** 20.70 acres of FS (Freeway Service), 9.72 acres of LWDR-4 (Lower Density Residential, maximum 4 units per acre) **to** 20.7 acres of CC (Community Commercial) and 9.7 acres of MDR-12 (Medium Density Residential, maximum 12 units per acre), prezoning **to** 4.9 acres of PD/R-1 (Planned Development/Single Family Residential), 20.0 acres of PD/RMH, 9.7 acres of PD/R-2 (Planned Development/Medium Density Residential), 1.4 acres of FS (Freeway Service), and 20.7 acres PD/C-2 (Planned Development/General Commercial), and annexation of approximately 60 acres. The proposed annexation includes County Assessor's Parcel Nos. 109-200-028, -032, -033, 109-210-001 through -063, 109-220-001 through -056, 109-260-001 through -048, 109-270-001 through -048, 107-070-009, and 107-070-046. Environmental review has been addressed through Santa Barbara County FEIR, and Class 1 and 32 categorical exemptions; the annexation applies a Class 19 categorical exemption and Addendum E-2005-077. (Project Planner: Bill Shipsey)

STAFF RECOMMENDATION: That the Planning Commission take the following actions:

- 1) By resolution, recommend that the City Council:
 - a) Certify that the Final Environmental Impact Report prepared for the Orcutt

Community Plan Update and the Supplemental EIR prepared for Orcutt Plaza, were prepared in compliance with the California Environmental Quality Act (CEQA) and the City's Environmental Procedures;

- b) Adopt CEQA Findings and Statement of Overriding Considerations for the project; and
 - c) Adopt a Mitigation Monitoring Program;
- 2) By resolution, recommend that the City Council:
- a) Amend the General Plan (Land Use Map) **FROM** LWDR-4 (Lower Density Residential, 4 units/acre) on 37.8 acres and FS (Freeway Service) on 22.2 acres **TO** CC (Community Commercial) on 22.2 acres, LMDR-4 (Low Medium Density Residential, 4 units/acre) on 26.8 acres, MDR-12 (Medium Density Residential, 12 units/acre) on 5.7 acres, FS (Freeway Service) on 1.4 acres, and COS (Conservation Open Space) on 3.9 acres; and
 - b) Introduce an ordinance, rezoning 60 acres LWDR-4 (Lower Density Residential, 4 units/acre) on 37.8 acres and FS (Freeway Service) on 22.2 acres **TO** PD/C-1 (Planned Development/Community Commercial) on 22.2 acres, R-1 (Single Family Residential) on 26.8 acres, R-2 (Medium Density Residential) on 5.7 acres, FS (Freeway Service) on 1.4 acres and OS (Open Space) on 3.9 acres.
- 3) By resolution, recommend that the City Council:
- a) Adopt a Resolution of Annexation. Initiate the annexation of 60 acres to the City of Santa Maria as shown in Attachment 1.

ACTION: BY MOTION ADOPTED RESOLUTION NO. 2440, RECOMMENDING THAT CITY COUNCIL CERTIFY THE FINAL ENVIRONMENTAL IMPACT REPORT; ADOPTED RESOLUTION NO. 2441, THAT CITY COUNCIL AMEND THE GENERAL PLAN AND INTRODUCE AN ORDINANCE; AND ADOPTED NO. 2442, RECOMMEND THAT THE CITY COUNCIL ADOPT A RESOLUTION OF ANNEXATION.

VOTE: AYES: COMMISSIONER HUNTER, WATERFIELD, MOATS, BROWN AND EVERETT; NOES: NONE; ABSTAINED: NONE; ABSENT: NONE.

NOTE: TENTATIVELY SCHEDULED FOR CITY COUNCIL HEARING OF NOVEMBER 21, 2006.

Bill Shipsey presented the staff report, stating that the project before the Commission was a General Plan Amendment and Rezoning Request which will facilitate an annexation of approximately 60 acres located south of the Sunrise Hills subdivision in the City of Santa Maria limits, west of College Drive, down to Santa Maria Way and extending south on Santa Maria Way to U.S. 101. The rezoning would apply to all the property sites, and also include two General Plan amendment areas. The first would be Area 2, the Quail Meadows condominiums. There are presently 96 condominium units on 5.9 acres, developed to 16.3 units per acre, so it corresponds to a rezoning of PD/R-3. The second site is Area 4, and it is 22.2 acres with a current designation of Freeway Service, and the proposal is to change that to Community Commercial for the General Plan Land Use, and rezoning to PD/C-2. Once the property is rezoned, it results in an annexation to the City limits which protrudes down to Santa Maria Way. Mr. Shipsey stated that the purpose of the General Plan amendment and rezoning is to allow for the annexation of the property. The annexation of the Orcutt Plaza

development which was approved in Santa Barbara County through an EIR which basically approved a 225,000 square foot shopping center with various pads, grocery store and department store. The Planning Commission is being asked to make a recommendation to the City Council on the rezoning, and asked to make a recommendation on the initiation of the annexation, and prior to those actions, being asked to recertify the responsibility agency portion of the County's EIR stating that the City will implement the mitigation measures contained in that EIR. Mr. Shipsey concluded his presentation by stating that staff was available to answer any questions.

In response to Commissioner Moats, Mr. Shipsey explained that California Government Code specifically identifies that the property would be an inhabited annexation, and "inhabited" means that there are more than 12 registered voters on the site. The local agency formation commission, if they were to approve the project as it is proposed, would act as the conducting authority for receiving protests from the public. If they received protests from less than 25% of the registered voters and less than 25% of the property owners owning less than 25% of the assessed value of the land, then LAFCO can order the annexation. If they have 50% or more of either registered voters protesting, or property owners with property value exceeding 50% of the annexation area, then LAFCO terminates the proceedings. Anything in between, more than 25% but less than 50%, then there is a formal election held, which is scheduled at the next available time period, and LAFCO has 135 days to set the date of the election. All registered voters in the annexation area can participate in that election through the County and decide if the annexation is approved or not approved by a majority vote.

Wendy Stockton clarified that the votes were be counted on the number of voters, and not property ownership.

The applicant, Dave Cross, of Fletcher & Cross, Santa Maria, representing the Adam family, addressed the Commission. He introduced Harrell Fletcher, Kari Adam, Dick Adam, and Jack Adam. He covered three items: the importance of annexing this area and the benefits; the alternatives; and the positive benefits to the people who live in the affected area. Mr. Cross concluding by stating that any way this is looked at, it is a beneficial move: good for the City, the residents, the community and the neighborhoods. He asked the Planning Commission to approve it so that it can move forward.

In response to Commissioner Waterfield, Mr. Cross confirmed that the speed limit in the City is lower than in the County, so it could be reduced along College Drive.

In response to Commissioner Brown, Mr. Cross commented that they did not at this time have any specific businesses in mind for the commercial portion of the site. He also stated that any businesses located there would draw from the region.

In response to Commissioner Moats, Mr. Cross responded that what could be located on the site would be conjecture. He stated that the best type of project for the site would be a commercial center. That is what has been planned for that location for over a decade.

In response to Commissioner Moats, Dave Whitehead clarified that regarding the water service, the City Utilities Department would not change the water service in any way. Only the billing would be different.

John Shoals, Planning Consultant with the Community Development Department, addressed the Commissioners about three concerns. He stated that one of the land uses proposed for this property is Community Commercial, and in the General Plan, it says that the purpose is to include the majority of retail uses outside of the central core, particularly along the linear

development. That would address the issue of competing against downtown. He stated that it is also important to remember if this property is annexed and moves forward, there is a Planned Development overlay and the Planning Commission would be involved with the design and uses and such. So far, we are just identifying what could possibly go there. He commented that this site is primarily an infill area, 60 acres, and it does not generate any greater density or number of units or greater square footage of commercial, so the old environmental documents could be used. He reaffirmed what Mr. Cross said concerning the services provided by the City versus those provided by the County for this property, and that they would be much improved, such as police, fire, and water.

Chair Everett invited those in favor of the project to come forward.

Bob Halliburton, 805 Whipperwill Drive, Santa Maria, spoke in favor of the project. He stated that he has always been in favor of Key Site 25, and thinks it is a good project. The nexus in the whole thing is that the 115 homeowners in Quail Meadows are the key to getting water to the Key Site 25 area. He asked for clarification as to what the categorical exemptions referred to on the mailer are, and commented on traffic concerns.

Bill Shipsey responded by explaining that the Class 19 Categorical Exemption applies to the annexation of existing facilities; the Class 32 Categorical Exemption is a minor project which is five acres or less that is available with existing infrastructure; and a Class 1 Categorical Exemption is a minor structure. He also stated that the addendum would make the City of Santa Maria the responsible agency.

John Shoals clarified how LAFCO works with right of ways.

Ruth Carmitchel, husband Bruce, 3266 Greenacre Drive, Santa Maria, addressed the Commission. She stated she is neutral on this project. She stated that if we are to change, we must change for the betterment of all. She said that they would like to keep their quality of life, and had a few suggestions for the Commission: an amount of money set aside to be used for the maintenance of our streets; two new gates to be used at the entrances; and a controlled access to a crosswalk installed across the main entrance to Quail Meadows West.

Dave Whitehead responded to Commissioner Waterfield's query by stating that Quail Meadows West is a private development with private streets, and that would remain in place. The Homeowners Association would continue to maintain the streets. If annexed into the City limits, then the City would maintain College Drive.

John Shoals cautioned to not lose sight that only the GPZ is under consideration. Site specific issues will come back later to be reviewed.

Norman Enoch, 3462 Turtle Creek Drive, Santa Maria, spoke in opposition to the project. He stated he is very unhappy with the idea of new development bringing more traffic and congestion to the area. He also asked what school district kids would go to.

Bill Shipsey responded to Mr. Enoch by stating that the school district boundaries do not change. Sunrise Hills is also in the Orcutt School District. Taxes do not change. One of the prerequisites in a reorganization like this is that the property tax bill does not change; it would just get swapped between the County and the City.

Staff, Mr. Enoch and Mr. Halliburton also discussed emergency response times between the City and County Fire Departments.

Chair Everett closed the public hearing, and called for a motion.

Commissioner Waterfield made a motion by Resolution No. 2440 to recommend that the City Council certify that the Final Environmental Impact Report prepared for the Orcutt Community Plan Update and the Supplemental EIR prepared for Orcutt Plaza, were prepared in compliance with the California Environmental Quality Act (CEQA) and the City's Environmental Procedures; adopt CEQA Findings and Statement of Overriding Considerations for the project; and adopt a Mitigation Monitoring Program. Commissioner Moats seconded it, and it passed, 5-0.

Commissioner Waterfield made a motion by Resolution No. 2441 to recommend that the City Council amend the General Plan (Land Use Map) **FROM** LWDR-4 (Lower Density Residential, 4 units/acre) on 37.8 acres and FS (Freeway Service) on 22.2 acres **TO** CC (Community Commercial) on 22.2 acres, LMDR-4 (Low Medium Density Residential, 4 units/acre) on 26.8 acres, MDR-12 (Medium Density Residential, 12 units/acre) on 5.7 acres, FS (Freeway Service) on 1.4 acres, and COS (Conservation Open Space) on 3.9 acres; and introduce an ordinance, rezoning 60 acres LWDR-4 (Lower Density Residential, 4 units/acre) on 37.8 acres and FS (Freeway Service) on 22.2 acres **TO** PD/C-1 (Planned Development/Community Commercial) on 22.2 acres, R-1 (Single Family Residential) on 26.8 acres, R-2 (Medium Density Residential) on 5.7 acres, FS (Freeway Service) on 1.4 acres and OS (Open Space) on 3.9 acres. Commissioner Moats seconded it, and it passed, 5-0.

Commissioner Waterfield made a motion by Resolution No. 2442 to recommend that the City Council adopt a Resolution of Annexation. Initiate the annexation of 60 acres to the City of Santa Maria as shown in Attachment 1. Commissioner Moats seconded it, and it passed, 5-0.

ADJOURNMENT: The meeting was adjourned at 10:50 p.m. to a Study Session on October 19, 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