



**CITY OF SANTA MARIA  
PLANNING COMMISSION  
MINUTES FOR REGULAR MEETING OF  
JUNE 20, 2007**



**SANTA MARIA PLANNING  
COMMISSION OFFICIAL COPY  
DATED: JULY 5, 2007**

Vice-Chair Moats called the meeting to order at 6:30 p.m.

- PRESENT:** Commissioners Rodger Brown, Tom S. Lopez, Vice-Chair Michael W. Moats.
- ABSENT:** Chair Etta Waterfield, Commissioner Adrian Andrade
- STAFF PRESENT:** Planning Division Manager – Peggy Woods  
Senior Deputy City Attorney – Wendy Stockton  
Senior Civil Engineer – Rodger Olds  
Recording Secretary – Kathleen Villegas  
Planner III – Benjamin Kimball  
Planner I – Greg Stones

**PUBLIC COMMENT PERIOD:** Jesus Estrada addressed the Commission, with a translator, representing Mixteco Group. He commented on new development in Santa Maria, and the effect that it will have on agriculture.

**ITEM 1 - CONSENT CALENDAR:** The consent calendar is approved with one motion. These items are read only on request of Commission members. Should anyone, including members of the public, wish to discuss or disapprove any item, it must be dropped from the blanket motion and considered as a separate item.

**VOTE: 3-0-2:** AYES: Commissioners Lopez, Brown, Moats; NOES: None; ABSTAINED: None; ABSENT: Andrade and Waterfield.

a. **PLANNED DEVELOPMENT PERMIT FOR RITE AID TO BE LOCATED AT THE NORTHEAST CORNER OF NORTH BROADWAY AND ALVIN AVENUE, PD-2006-026, E-2006-097.** Review of a Mitigated Negative Declaration of Environmental Impact and a Planned Development Permit to allow the construction of a 17,272 square foot retail building with a drive-thru pharmacy in a PD/C-2 (Planned Development/General Commercial) zoning district, Assessor’s Parcel No’s: 121-071-011 and 121-071-015. (Project Planner: Brian Halvorson)

**ACTION:** By motion continued this item to the July 5, 2007, Planning Commission “*Study Session Only*” meeting.

b. **AMENDMENT TO THE DEVELOPERS AGREEMENT BETWEEN THE CITY AND INLAND PACIFIC BUILDERS IN ORDER TO REIMBURSE THE DEVELOPER FOR THE REMAINDER OF THE MAIN STREET WIDENING PROJECT NOT PREVIOUSLY COVERED UNDER THE ORIGINAL LA VENTANA DEVELOPMENT AGREEMENT, SP-2006-017.** Review of Staff recommendation to adopt a resolution recommending City Council approval to amend the Development Agreement for the La Ventana I project. The amendment is to increase the reimbursement amount to include the remainder of the Main Street widening work previously not covered by the original Development Agreement. This project qualifies for a Categorical Exemption pursuant to Section 15061

(b) (3) of the Guidelines of the California Environmental Quality Act. Therefore, no further environmental review is required. (Project Engineer: Rodger Olds)

**ACTION:** By motion continued this item to the July 5, 2007 public hearing.

- c. **DEVELOPMENT AGREEMENT BETWEEN THE CITY AND INLAND PACIFIC BUILDERS IN ORDER TO REIMBURSE THE DEVELOPER FOR THE CONSTRUCTION OF THE BATTLES ROAD RAILROAD CROSSING AND RELATED SIGNAL WORK AT BATTLES ROAD AND DEPOT STREET, SP-2007-013.** Review of Staff recommendation to adopt a resolution recommending City Council approval the Development Agreement for the Battles Road, Railroad Crossing project. The Development Agreement will allow the City to reimburse the Developer, Inland Pacific Builders, for the construction of the Battles Road Railroad Crossing and related signal work at Battles Road and Depot Street. This project qualifies for a Categorical Exemption pursuant to Section 15061 (b) (3) of the Guidelines of the California Environmental Quality Act. Therefore, no further environmental review is required. (Project Engineer: Rodger Olds)

**ACTION:** By motion continued this item to the July 5, 2007 public hearing.

---

## **PUBLIC HEARINGS:**

**ITEM 2 - CONDITIONAL USE PERMIT FOR CLEARWIRE U.S. LLC, FOR A 63'-1" HIGH FLAGPOLE, AND EQUIPMENT CABINET, LOCATED AT 1100 NORTH PALISADE DRIVE (TUNNELL PARK), U-2007-013, E-2007-020.** Review of a Conditional Use Permit to allow the construction of a 63'-1" high flagpole and equipment cabinet to provide wireless internet access, located in an OS (Open Space) zoning district, Assessor's Parcel No. 128-033-002. The project is a class 3 categorical exemption. No further environmental review is required. (Project Planner: Greg Stones)

**ACTION:** By motion, approved the project subject to the conditions outlined in the Preliminary Draft of the Conditional Use Permit, as amended.

**VOTE: 3-0-2:** AYES: Commissioners Lopez, Brown, Moats; NOES: None; ABSTAINED: None; ABSENT: Andrade and Waterfield.

Greg Stones made the staff presentation, citing the location, zoning, and surrounding uses of the proposed project. Mr. Stones explained that the proposed pole would replace an existing flagpole which is 20 feet in height. The equipment cabinet will be next to the existing concession stand. The colors and materials will match the existing concession stand, as shown in the color renderings. The Recreation & Parks Department had two additional special conditions of approval, to read as follows:

No. 3. Final Approval of Wireless Facility. The applicant shall obtain final approval of the proposed installation of the flagpole and appearance of the equipment cabinet from the Community Development Department and the Recreation and Parks Department prior to issuance of the building permit. The wireless facility shall be installed in substantial compliance with the approved plan. Prior to making any modification to the flagpole and equipment cabinet, plans showing the proposed modifications shall be submitted to the Community Development Department and Recreation and Parks Department for approval, and any modifications shall comply with the approved plans.

No. 4. Use Agreement. The applicant shall enter into a use agreement with the City of Santa Maria's Recreation and Parks Department. Said use agreement shall be of a form acceptable to the City

Attorney's Office and shall be reviewed and approved by the Recreation and Parks Department and the City Attorney's Office prior to issuance of a building permit.

With that, Mr. Stones concluded the staff report, and was available to answer questions.

In response to Commissioner Brown, Mr. Stones clarified that those two extra conditions were to be added on to the project.

In response to Commissioner Lopez, Mr. Stones stated that removal of graffiti was addressed in the Community Development Department standard conditions, page 3 of 5, condition 6.

Commissioner Lopez commented that with the setback, the 18" diameter flagpole could easily be tagged. Commissioner Lopez suggested having the applicant put some landscaping to thwart taggers, and asked if the applicant would consider a landscape buffer.

Frances Romero, 221 Town Center West, #156, Santa Maria, agent for the applicant, responded to Commissioner Lopez concerning the graffiti concern. Ms. Romero stated that the flagpole will be installed on concrete which is part of the walkway; however, if landscape was installed full circle, it might impede pedestrian traffic, as well as the raising and lowering of the flag.

In response to Chair Moats, Ms. Romero stated that Clearwire was just entering the market on the Central Coast, so they so far have nothing built. She commented that Hertz Rental Car on Skyway Drive have a comparable flag pole there. Ms. Romero stated she understood the condition to indicate that if the pole was tagged, the applicant would need to take care of that.

Commissioner Brown suggested that perhaps the Recreation & Parks Department should decide if landscaping around the pole would be a good idea or not.

Peggy Woods commented that if the Planning Commission desired that the Recreation & Parks Department work with the applicant to discuss anti-graffiti measures, then that would need to be drafted into a special condition. Then, during the plan check process, Recreation & Parks would take a look at that.

Chair Moats invited anyone in favor to speak.

Jesus Estrado addressed the Planning Commission in favor of the project, stating that he believes it would be good for people using computers and internet service.

Peggy Woods read into the record an addition to Special Condition No. 2:

Site Landscaping. Existing landscaping shall be maintained in accordance with the standard conditions for landscape maintenance. If approved by the Recreation and Parks Department, as consistent with the use of the pole to display flags, the applicant shall install and maintain landscaping around the flag pole to discourage graffiti.

In response to Commissioner Brown, Wendy Stockton clarified that the condition provides that landscaping is to be maintained in accordance with the standard condition for landscape maintenance. The standard condition for landscape maintenance addresses what needs to be done to keep landscaping looking good, and is included with the proposed conditions of approval, item 8 of page 3 of the goldenrod sheets.

In response to Ms. Romero's inquiry as to how the landscaping would be installed and maintained, after some discussion, Peggy Woods suggested prefacing the additional language with the statement "if determined appropriate or applicable, and if approved by the Recreation & Parks Department."

The Commissioners agreed with Ms. Woods' suggestion.

Ms. Romero also agreed with that suggestion, and stated that the applicant wants the project to look nice, and will be painting the concession stand to match the enclosure.

Viviana Saldroval, 427 East Orange Street, addressed the Commission. She commented that she thinks the base of the flagpole as shown in the exhibit might be a tripping hazard, and would like to see some landscaping there so people won't trip.

Commissioner Lopez clarified that the exhibit being shown was the flagpole currently on the site, not the one being proposed.

In response to Chair Moats, Ms. Romero explained that the installation of the flagpole would be a post hole type of installation with a flush mount, so there would not be a tripping hazard.

With no further comments, Chair Moats closed the hearing and called for a motion. Commissioner Lopez made the motion to approve the Conditional Use Permit for Clearwire U.S. LLC, for a 63'-1" High Flagpole and Equipment Cabinet, located at 1100 North Palisade Drive (Tunnell Park), U-2007-013, E-2007-020, subject to the conditions outlined in the Preliminary Draft of the Conditional Use Permit, with Special Conditions No. 3 and No. 4 added, and Special Condition No. 2 as amended. Commissioner Brown seconded the motion, and it passed, 3-0-2.

**ITEM 3 - PLANNED DEVELOPMENT PERMIT FOR NEWLOVE GARDENS FOR 11 SINGLE FAMILY RESIDENCES, 580 EAST NEWLOVE DRIVE, PD-2005-026, E-2005-068.** Review of a Planned Development Permit to allow the construction of 11 single family residences. The zoning of the site is proposed to be changed from R-2 (Medium Density Residential) to PD/R-2 (Planned Development/Medium Density Residential), Assessor's Parcel No. 128-076-028. The environmental impacts of the project were analyzed in the Initial Study/Mitigated Negative Declaration, E-2005-068, prepared for the zone change. Mitigation measures have been incorporated into the proposed conditions of approval. No further environmental review is required. (Project Planner: Benjamin A. Kimball)

**ACTION:** By motion, approved the project subject to the conditions outlined in the Preliminary Draft of the Planned Development Permit, as amended.

**VOTE: 3-0-2:** AYES: Commissioners Lopez, Brown, Moats; NOES: None; ABSTAINED: None; ABSENT: Andrade and Waterfield.

Benjamin Kimball presented the staff report, citing the history and location of the project. Mr. Kimball noted that the zoning had just been officially changed to PD/R-2, which allowed the Planning Commission to consider a Planned Development permit for the site. He also noted that the City Council acted on and approved the subdivision map for this project. The Planned Development Permit sets out design guidelines and improvements needed for the site, and it also allows flexibility on a couple of things if needed. In this project, the applicant is looking for flexibility for the sideyard setbacks so the houses can be built according to a zero lot line development. This request is due to the physical nature of the site. Being a long narrow lot, it would be difficult to build it out under normal development standards. Mr. Kimball also stated that it is the desire of the applicant to have single family detached houses rather than attached apartments because it will add value to the neighborhood.

Mr. Kimball gave a brief recap of the zero lot line subdivision concept. He also displayed the proposed site plan, showing the layout, floor plans, common open space, and driveway.

Mr. Kimball pointed out one change in the staff report, on page 4 of 27 of the green sheets, Community Development Department Conditions: Special Condition 6, decorative street paving. It currently reads, "Decorative paving shall be provided at the entries to the project site and throughout the development...". Staff proposes to remove the wording "and throughout the development" because that was not staff's intent. It was staff's intent to have decorative paving at the entryways of the driveway, not throughout the development. With that, Mr. Kimball concluded his presentation, and offered to answer any questions.

Bill Orndorff, 925 S. McClelland, Santa Maria, agent for the applicant, responded to Commissioner Lopez by stating that the fence on the west property line is owned by the Simas Family. Mr. Orndorff stated that if there is damage on that fence, his client would fix that fence at the completion of his construction. Right now, people knock down portions of it to use as a short cut.

Commissioner Brown asked for clarification on what was decided between having fire hydrants and/or fire sprinklers in the units.

Mr. Orndorff responded to Commissioner Brown that there will be a six-inch waterline from Newlove Drive to the south end of the property, and at that point there will be a water blow off valve. There is currently no intention to have a fire hydrant on site because the fire battalion chief indicated that there was no need for a hydrant on site. Mr. Orndorff added that there is a condition for the units to be sprinklered, in lieu of the hydrant

Peggy Woods directed attention to the Fire Department code requirements on the goldenrod sheets, page 20, item 40, which states that an onsite hydrant is required, and then highlighted that on page 47, it states that in lieu of hydrant, the Fire Department would accept fire sprinklers. Ms. Woods commented that the Fire Department was giving the applicant the option.

In response to Chair Moats, Mr. Orndorff clarified that the site plan shows that each unit will have a two car garage with an approach, as well as two concrete strips in the side yard area for additional parking in nine of the 11 units. The concrete strips are proposed to be stained a color coated tan concrete to match the walkways.

In response to Commissioner Brown, Mr. Orndorff clarified that there will be a Homeowner's Association. They would keep an eye on the parking as well as make sure that garages are not converted into living quarters.

Bill Orndorff commented on the condition found on page 15, under Solid Waste, Condition B on the yellow sheets, which reads "Bin service cannot be provided in the configuration shown on the plan," and "The City trash trucks must be able to enter and exit the site to gain access to the trash bin enclosure without backing." Mr. Orndorff noted that off of Newlove Drive, trash trucks pull in, dump the containers, back up and then pull out. Mr. Orndorff stated that the condition is inconsistent with the reality, and he wanted that reflected in the minutes.

In response to Mr. Orndorff, Rodger Olds stated that the condition could be addressed at the building permit stage, if that was acceptable to the applicant.

Bill Orndorff concurred, as long as that was reflected in the minutes, so the condition could be addressed in the future. Mr. Orndorff also commented on Condition 49 in the goldenrod sheets, concerning AB1600 park mitigation fees. He requested that the Recreation & Parks Director review past practice, look at City ordinances, and determine if there would be a credit for the two existing units on the site, which could be a savings of \$18,000 for the applicant. Mr. Orndorff stated that they would like to see reflected in the minutes that "in reference to the growth mitigation fees, credit shall be given for the existing two dwelling units in accordance with adopted City policy and applicable City and State regulations."

Wendy Stockton concurred that she did speak with Bill Orndorff concerning this issue before the meeting. She stated that she was aware of past traffic mitigation fees with credit given; did not know about Recreation & Park fees; and didn't know what current ordinances provide for. Ms. Stockton stated that she would need to have research done about the current requirement.

Bill Orndorff reiterated that the goal of his applicant was to have the Planning Commission approve the Planned Development Permit, and research could be done that would determine if the Recreation & Parks Department would credit those fees toward the two existing dwelling units.

Wendy Stockton added that staff would endeavor to do that research during the appeal time frame, so that if there was a disagreement, the applicant could appeal it to the City Council and have the item heard over again.

Rodger Olds of the Engineering Division cited a minor modification in Condition 20-B on page 15 of the goldenrod sheets, Solid Waste, as requested by the applicant, reflected in the conditions.

With no further comments, Chair Moats closed the hearing and called for a motion. Commissioner Brown made the motion to approve the Planned Development Permit for Newlove Gardens for 11 Single Family Residences, 580 East Newlove Drive, PD-2005-026, E-2005-068, subject to the conditions as outlined in the preliminary draft of the Planned Development permit, and with the revisions as discussed at the meeting, including "Special Condition No. 6 of the green sheets, and Condition No. 20 on the goldenrod sheets on page 15." Commissioner Lopez seconded the motion, and it passed, 3-0-2.

**ITEM 4 - GENERAL PLAN CONSISTENCY DETERMINATION FOR THE SANTA MARIA AGRICULTURAL COMMISSIONER'S OFFICE ADDITION AND RESTROOM REMODEL, SP-2007-010.** Review of a General Plan consistency determination for constructing an office addition of 1,300 square feet to the existing facility located on property within the City Limits, owned by the County of Santa Barbara, in a PF (Public Facilities) zoning district, Assessor's Parcel Number 111-231-004. The California Environmental Quality Act does not apply to general plan consistency determination; No environmental review is required. (Project Planner: Rebecca Washburn)

**ACTION:** Adopted Resolution No. 2470, finding that the Santa Maria Agricultural Commissioner's office addition and restroom remodel is consistent with the City of Santa Maria General Plan.

**VOTE: 3-0-2:** AYES: Commissioners Lopez, Brown, Moats; NOES: None; ABSTAINED: None; ABSENT: Andrade and Waterfield.

Peggy Woods presented the staff report, stating that this item is a request from the Santa Barbara County for a General Plan Consistency Determination for the property located at 624 West Foster Road in Santa Maria. Ms. Woods cited the land use designation, zoning, and project description. Staff recommends that the Planning Commission find that the project is in compliance with the City General Plan, based upon the use of the site which is a government facility, and government facilities are allowed in the Public Facilities zoning district; the project is consistent with all other applicable elements of the General Plan; and parking for the development is provided on site. Ms. Woods concluded her presentation by stating that staff was available to answer any questions.

Peggy Woods clarified for Chair Moats that the proposed architecture is compatible with the existing architecture.

Peggy Woods further explained for Commissioner Lopez that this project would not be processed by the City Building Division because it is a County project, and the County will go through their own system and process their own building permits. Ms. Woods stated that this was essentially a formality.

With no further comments or questions, Chair Moats closed the hearing and called for a motion for a resolution. Commissioner Brown made the motion to adopt Resolution No. 2470 to find that the Santa Maria Agricultural Commissioner's Office Addition and Restroom Remodel, SP-2007-010, is consistent with the Santa Maria General Plan. Commissioner Lopez seconded the motion, and it passed, 3-0-2.

**ITEM 5 - GENERAL PLAN CONSISTENCY DETERMINATION FOR THE FLOOD CONTROL DISTRICT'S OWNERSHIP OF TWO PARCELS, APN'S 117-030-098 AND 118-004-067, SP-2007-012.**

Review of a General Plan consistency determination for the Flood Control District's acceptance of ownership of two parcels located on property within the City Limits, owned by North Preisker Ranch, in OS (Open Space) and PD/RSL-1 (Planned Development/Small Lot Single Family Residential) zoning districts, Assessor's Parcel Numbers 117-030-098 and 118-004-067. The California Environmental Quality Act does not apply to general plan consistency determinations; no environmental review is required. (Project Planner: Rebecca Washburn)

**ACTION:** Adopted Resolution No. 2471, finding that the County of Santa Barbara Flood Control District's ownership and use for flood control access of two properties, APN's 117-030-098 and 118-004-067 is consistent with the City of Santa Maria's General Plan.

**VOTE: 3-0-2:** AYES: Commissioners Lopez, Brown, Moats; NOES: None; ABSTAINED: None; ABSENT: Andrade and Waterfield.

Peggy Woods presented the staff report, stating that this project involves two properties located in the North Preisker Ranch area on Canal Street and Blosser Road. Ms. Woods cited the size and zoning designations of the parcels. Ms. Woods stated that the Santa Barbara County Flood Control District proposes to buy the parcels for access to the Blosser Flood Control channel and basin for maintenance. Staff recommends that the Planning Commission find the project in conformance with the City's General Plan based upon the following: the proposed fee ownership and use of the 0.94 acre parcel is a permitted use within the open space zoning district; and the other parcel is irregular in shape and would not accommodate any other development. Both parcels are currently being used by the Santa Barbara County Flood Control District as part of their access routes to inspect and maintain the Blosser Flood Control facilities. Ms. Woods concluded her presentation by stating that staff was available to answer any questions.

With no questions forthcoming, Chair Moats closed the hearing and called for a motion. Commissioner Lopez made the motion to adopt Resolution No. 2471, finding that the County of Santa Barbara Flood Control District's ownership and use for flood control access of two properties, APN's 117-030-098 and 118-004-067, is consistent with the City of Santa Maria's General Plan. Commissioner Brown seconded the motion, and it passed, 3-0-2.

---

**ADJOURNMENT:** The meeting was adjourned at 7:43 p.m. to a Study Session on June 21, 2007 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