



CITY OF SANTA MARIA
PLANNING COMMISSION
MINUTES FOR REGULAR MEETING OF
SEPTEMBER 19, 2007



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

PRESENT: Commissioners Adrian Andrade, Tom S. Lopez, Michael W. Moats, and Chair Etta Waterfield.

ABSENT: Commissioner Rodger Brown

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 Scott
Planner II – Brian Halvorson
Planner I – Margaret Adams

PUBLIC COMMENT PERIOD: No one present wished to speak.

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: 4-0-1; Ayes--Commissioners Andrade, Lopez, Moats and Chair Waterfield; Noes--None; Absent—Commissioner Brown; Abstained--None.

- a. **GENERAL PLAN AMENDMENT/ZONE CHANGE/SPECIFIC PLAN ON 740 ACRES GENERALLY LOCATED AT THE SOUTHWEST CORNER OF SKYWAY DRIVE AND ORCUTT EXPRESSWAY (STATE HIGHWAY 135) FOR THE SANTA MARIA PUBLIC AIRPORT DISTRICT, GPZ-2005-007, SPZ-2007-001, E-2005-039.** A review of environmental impact, General Plan Amendment, zone change, and specific plan amendment for 740 acres of property located at the Santa Maria Public Airport. (Project Planners: Bill Scott/ Brian R. Smith)

ACTION: By motion, continued this item to the October 17, 2007, Planning Commission meeting.

- b. **REVIEW OF A ONE-YEAR EXTENSION OF TIME REGARDING A PLANNED DEVELOPMENT PERMIT FOR CENTENNIAL SQUARE, LOCATED AT THE SOUTHWEST CORNER OF MILLER STREET AND PLAZA DRIVE, PD-2005-019, E-2005-052.** Review of a one-year extension of time for a Planned Development permit to construct 72 residential condominium units, a mixed use building containing 9,095 square feet of commercial office and 7 residential apartment units in a PD/R-3 (Planned Development/High Density Residential) and PD/CPO (Planned Development/Commercial Professional Office) zoning district. Assessor's Parcel No. 128-066-033. This project has been reviewed in a

previously approved Mitigated Negative Declaration. No further environmental review is required.

ACTION: By motion, granted an extension of time for 1-year authorized by Planned Development Permit PD-2005-019.

Chairwoman Etta Waterfield placed items 1c and 1d at the end of the agenda. Items 1c and 1d will be the topics of a Special Planning Commission meeting on October 10, 2007.

PUBLIC HEARINGS:

ITEM 2 - REVIEW OF AN AIRSPACE CONDOMINIUM MAP FOR THE MONTIAVO CONDOMINIUM CONVERSION LOCATED AT 2460 SOUTH RUBEL WAY, TRACT 5914.

Review of a Condominium Airspace Parcel Map for the conversion of a previously approved and constructed apartment complex to condominiums. The proposed condominiums are located within the PD/R-2 (Planned Development/Medium Density Residential) zoning district. Assessor's Parcel No. 128-128-010. This project qualifies for a class 15 categorical exemption. No further environmental review is required (Project Planner: Brian Halvorson).

ACTION: Adopted Resolution No. 2478, approving the parcel map for the Montiavo Airspace Condominium Map, Tract 5914, subject to the following:

1. The design as shown on the Official Tentative Map.
2. The conditions set forth in the September 19, 2006, Subdivision Committee Minutes.

VOTE: 3-1-1: Ayes--Commissioners Andrade, Lopez, and Chair Waterfield; Noes—Commissioner Moats; Absent—Commissioner Brown; Abstained--None.

ITEMS 2 AND 3 WERE CONSIDERED CONCURRENTLY.

ITEM 3 - REVIEW OF A PLANNED DEVELOPMENT PERMIT FOR THE MONTIAVO CONDOMINIUM CONVERSION LOCATED AT 2460 SOUTH RUBEL WAY, PD-2006-014, E-2006-055.

Review of a Planned Development permit for the conversion of a previously approved and constructed apartment complex to condominiums. The proposed condominiums are located within the PD/R-2 (Planned Development/Medium Density Residential) zoning district. Assessor's Parcel No. 128-128-010. This project qualifies for a class 1 categorical exemption. No further environmental review is required (Project Planner: Brian Halvorson).

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

VOTE: 3-1-1: Ayes--Commissioners Andrade, Lopez, and Chair Waterfield; Noes—Commissioner Moats; Absent—Commissioner Brown; Abstained--None.

Brian Halvorson presented the staff report, combining Items 2 and 3. Mr. Halvorson reviewed the particulars of the project for a conversion of an existing apartment complex into air space condominiums, and summarized the history of the project and the requirements, which have been met by the applicant. Mr. Halvorson also reviewed the site layout, floor plans, and amenities of the site. He concluded his report by stating that staff recommends approval of the map and Planned Development Permit, and was available to answer questions.

In response to Commissioner Moats, Brian Halvorson affirmed that it had always been the intent of the applicant to convert the project to condominiums. Mr. Halvorson stated that apparently the applicant did not believe that the market was ready for condos when it was built.

In response to Commissioner Moats, Rodger Olds clarified that the condition referring to fire hydrants was just a standard condition that was left in the report.

Brian Halvorson responded to Commissioner Moats that the private space per unit is a standard condition of any project that proposes to convert to condominiums. Mr. Halvorson stated that the project has been analyzed, and all the balconies, patio areas, and open spaces were used to count towards the 200 square foot private space requirement.

In response to Commissioner Lopez, Brian Halvorson explained that some of the garages would be used to meet the storage requirement by subdividing some of the garages into smaller storage spaces, using a chain link fence to divide the spaces. Mr. Halvorson added that each residential unit would still have its own two car garage, and the conversion of garages into storage spaces would result in a net loss of eleven garages, still meeting the parking requirement. The garages that would be converted are extra garages that were available to the tenants.

Brian Halvorson clarified for Chair Waterfield that the underlying property owner owns the garages, which is why they have the ability to rent or lease the extra garages that aren't required parking. The other garages would be the property of the condominium owners.

In response to Commissioner Lopez, Brian Halvorson affirmed that the Building Division had looked at the proposed storage areas, and found them to be acceptable.

Brian Halvorson agreed with Chair Waterfield about a potential privacy issue with using chain link fencing as the dividers in the storage areas. Mr. Halvorson added that the fences could be conditioned to have slatting material.

In response to Commissioner Moats, Brian Halvorson explained that the noise from U.S. Highway 101 was analyzed in the original Planned Development Permit application, and at that time the project was conditioned such that the block wall on the east side of the property next to the highway should be eight feet tall.

Rodger Olds clarified for Chair Waterfield that the water retention basin just west of College Drive is a large regional basin for the area. Mr. Olds stated that he would find out who is responsible for its maintenance.

David Nix, Newport Capital Advisors, 1400 Quail Street, Suite 280, Newport Beach, CA 92660, consultant for the applicant, addressed the Planning Commission.

In response to Commissioner Andrade, Mr. Nix stated that there are 208 apartment units, two-story townhouse units with attached two-car garages, as well as the bank of extra garages along the U.S. Highway 101 boundary. The applicant has completed the schematics, and determined that eleven of the 42 garages could be subdivided into 208 300-cubic-foot storage units. Eleven of the garage units would be used for storage, and the remaining 31 would remain available for lease as garages.

Mr. Nix clarified for Commissioner Lopez that these garage units would be available for lease to the condominium owners, and not to the general public.

Staff and the Commissioners further discussed various aspects of the project, including the storage units, condominium project requirements, and the private space.

The applicant, Aaron Lambert, 1225 Dexter Avenue North, Seattle, WA 98109, addressed the Commission. Mr. Lambert spoke about the storage units, and stated that from a management point of view, it is easier to monitor what is in the storage space when it is visible. Mr. Lambert also showed on the site plan which garages were proposed to be converted into storage units, adding that they would not be changed in their outward appearance.

After more discussion about the storage units, David Nix stated that a professional management firm would be handling the project, and would incorporate into the CC&Rs how the storage and garage spaces would get used. Mr. Nix added that the Homeowner's Association (HOA) would take care of the physical property.

Brian Jacobs, 1003-A (did not say what street), Santa Maria, spoke in opposition to the project. Mr. Jacobs stated that the wall along the U.S. Highway 101 boundary should be higher, because it doesn't help mitigate the noise for people on the second floor. Mr. Jacobs also spoke about the landscaping and adequate sound insulation.

Wendy Stockton responded to Chair Waterfield that it would be ideal for buyers to know what is theirs and what is part of an easement.

In response to Chair Waterfield, David Nix explained that information is regulated by the Department of Real Estate, and the documents, HOA governance documents, and the CC&R's are all reviewed and approved by the Department of Real Estate pursuant to the State Subdivision Map Act. Mr. Nix stated that the purpose of that is to protect the purchaser. Mr. Nix added that very detailed HOA operating budgets and reserve budgets are approved as well, and imposed upon the HOA.

Commissioner Andrade commented that it was the sense of this Planning Commission that when a project is approved, buyers be fully advised of all the potential pitfalls, problems and ownership issues, such as easements, airspace condominiums, and entitlements associated with this sort of project. Commissioner Andrade stressed that it was important to avoid projects that are not good with the citizenry.

Johnny Magana, 841 (did not say street name), Santa Maria spoke against the project. Mr. Magana stated that because U.S. Highway 101 is being widened, and condos will house families, the long-term effects of smog and noise should be considered.

With no further comments, Chair Waterfield closed the public hearing.

Commissioner Moats mused that while there are a lot of condominium projects in Santa Maria, there are not many nice apartments. He commented that this project would take 208 nice apartments out of Santa Maria's stock of apartments.

Commissioner Lopez agreed with Commissioner Moats that while it was a beautiful apartment complex, he believed that it was always the intent of the applicant for these to one day be condominiums. Commissioner Lopez stated that although he was not too happy about the storage situation with chain link fences, he thought he could support the project.

Commissioner Andrade concurred with Commissioner Moats' sense of the project. Commissioner Andrade stated that he was on the Commission in 2002 when this project was considered, and he remembered the discussion of it someday becoming condos. He agreed that it was sad that 208 apartments would be off the market, but the applicant followed all the steps to arrive at this point, so he would reluctantly support it.

Chair Waterfield stated she too understood Commissioner Moats' concern, and agreed with Commissioner Lopez regarding the chain link fence storage areas. Chair Waterfield commented that while it was a shame that these apartments would come off the market, she would also reluctantly agree to approve this project as condominiums.

With no further discussion, Chair Waterfield called for a motion. Commissioner Andrade made a motion to adopt Resolution No. 2478, approving the parcel map for the Montivo Airspace Condominium Map, Tract 5914, subject to the design as shown on the Official Tentative Map,

and the conditions set forth in the September 19, 2006, Subdivision Committee Minutes. Commissioner Lopez seconded it, and it passed, 3-1-1.

Commissioner Andrade made a motion to approve the project subject to the conditions outlined in the Preliminary Draft of the Planned Development Permit. Commissioner Lopez seconded it, and it passed, 3-1-1.

ITEM 4 - CONDITIONAL USE PERMIT FOR NADER GHIAM TO CONSTRUCT A NEW CARWASH AND TO CONVERT AN EXISTING BAY FOR A FOOD MART AT AN EXISTING SERVICE STATION, FOR CIRCLE K, 739 EAST DONOVAN ROAD, U-2007-004, E-2007-005.

Review of a Conditional Use Permit to allow the construction of a new 18'x42' carwash and to convert an existing bay to a food mart at an existing service station, for Circle K, in the FS (Freeway Service) zoning district, Assessor's Parcel No. 128-018-074. This project qualifies for a Class 1 and Class 3 Categorical Exemption. No further environmental review is required. (Project Planner: Margaret Adams)

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

VOTE: 4-0-1: Ayes--Commissioners Andrade, Lopez, Moats and Chair Waterfield; Noes--None; Absent--Commissioner Brown; Abstained--None.

Margaret Adams summarized the written staff report, outlining the proposal and details of the project, and concluded by volunteering to answer any questions.

In response to Commissioner Lopez, Peggy Woods stated that there was currently a condition that the outdoor lights be directed downward and shielded, and that the lights were proposed to be 14 feet tall. If the Planning Commission desired that the lights be lower, then the condition could be reworked.

In response to Commissioner Andrade, Rodger Olds commented on the driveway approaches to the site, and stated that the entrance was reversed to the south side with the exit closer to Donovan Road.

Peggy Woods clarified for Commissioner Lopez that a noise study was not required for this project, given that the entrance to the car wash is over 50 feet from the adjacent multi-family residential buildings, and the project will have an eight-foot wall to the north and west of the project site along the property lines, as well as a limitation on the car wash hours from 7:00 a.m. to 7:00 p.m.

In response to Chair Waterfield, Rodger Olds explained that since this project site is an existing gas station, with a conversion of the mechanic's bay to a convenience store, a traffic study was not required. Since the traffic is not significantly increasing due to this project, a traffic study was not performed.

Mr. Olds further explained that with an existing site, there are set guidelines to determine if a traffic study would be required or not. If a project does not significantly increase traffic, then a traffic study is generally not required. Mr. Olds stated that he would take Chair Waterfield's concern back to the Traffic Committee to see what could be done.

In response to Mr. Olds inquiry, Chair Waterfield stated her main concern was the stacking of cars turning right onto Donovan Road out of the gas station, and the left turn off of Donovan Road onto College Drive.

Mr. Olds stated that he would take a look at the situation.

In response to Commissioner Moats, Rodger Olds explained that a car wash is considered more of an amenity to the gas station with the main attractor being the gas, and is not a major trip generator. The convenience store is not considered as much of an impact as if it were a stand-alone convenience store. The convenience store is there for people already pumping gas and, the car wash is also an amenity to the gas station itself, and not a major draw in and of itself.

In response to Commissioner Lopez, Peggy Woods verified that the Fire Department looked at the propane tank placement and made some conditions based on that.

The applicant and architect for the project, Ahmad Ghaderi, A&S Engineering, 207 W. Alameda, Suite 203, Burbank, CA, addressed the Planning Commission. Mr. Ghaderi gave a brief explanation of the project, highlighting what they want to do and how they want to improve the site. Mr. Ghaderi stated he would be happy to answer any other questions.

After some additional discussion concerning the turning radius, lighting and height of the wall, Chair Waterfield invited those in the audience to speak.

Sandra MacIntyre, 1632 Point Lobos, Santa Maria, addressed the Commission. Ms. MacIntyre stated her major concern about the project was the traffic, which she described as a nightmare. Ms. MacIntyre also stated that 7:00 a.m. was too early to start the car wash on weekends because of noise concerns. Ms. MacIntyre also expressed concern about potential water damage from the car wash leaking over to the neighboring development.

With no further comments, Chair Waterfield closed the public hearing and called for a motion. Commissioner Moats made the motion to approve the Conditional Use Permit for Nader Ghiam to construct a new carwash and to convert an existing bay for a food mart at an existing service station for Circle K, 739 East Donovan Road, U-2007-004, E-2007-005, subject to the conditions outlined in the Preliminary Draft of the Conditional Use Permit, as amended with the extra conditions to the lighting, not to exceed 8 feet instead of 14 feet and to be shielded, and the drive aisle for the turning radius. Commissioner Andrade seconded the motion, and it passed, 4-0-1.

ITEM 5 - REVIEW OF AN AMENDMENT TO A PLANNED DEVELOPMENT PERMIT FOR GATEWAY PLAZA TO ALLOW OUTDOOR DISPLAY OF MERCHANDISE FOR CENTRAL COAST YAMAHA, THORSEN'S MOTOR SPORTS, HARLEY DAVIDSON OF SANTA MARIA, ET, AL, ON PROPERTY LOCATED AT 2004, 2010 AND 2022 NORTH PREISKER LANE, Z-91-24 (PD), E-2007-046.

Review of an amendment to a Planned Development permit for Gateway Plaza to allow outdoor display for motor vehicles and boats, on a 2.44 acre site located at 2004, 2010, and 2022 North Preisker Lane, in a PD/CM (Planned Development/Commercial Manufacturing) zoning district, Assessor's Parcel No. 128-003-043 and -044. This project qualifies for a Class 1 Categorical Exemption. No further environmental review is required. (Project Planner: Bill Scott)

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

VOTE: 4-0-1: Ayes--Commissioners Andrade, Lopez, Moats and Chair Waterfield; Noes—None; Absent—Commissioner Brown; Abstained--None.

Bill Scott summarized the written staff report, outlining the proposal for outdoor display of merchandise and details of the project, and concluded by stating that staff recommends approval of the project, and volunteered to answer any questions.

Mr. Scott responded to the Commissioners' questions regarding parking and the sidewalk display request. Mr. Scott also stated that the original permit in 1991 allowed limited outdoor display, and reviewed the history of the site.

Bill Orndorff, Orndorff Planning Services, 925 S. McClelland, Santa Maria, representing the owners of Thorsen Motor Sports, addressed the Commission. Mr. Orndorff stated that his clients were also concerned with the parking, and commented on the parking at the site, stating that the whole site has plenty of parking. Mr. Orndorff added that usually not more than 30% of the parking spaces are used, while 90% of the floor space is leased. Mr. Orndorff added that the Harley Davidson dealership recently indicated that they would also like to have sidewalk display, using the three recesses in the front of their building.

Chair Waterfield expressed her concern about the clutter surrounding Building B on the site, as well as the landscaping not being maintained.

Bill Orndorff commented that to address the clutter and landscape issues would involve speaking with the property owner/management company.

The applicant, Chris Thorsen, 2004 Preisker Lane, Thorsen Water Sports, addressed the Commission. Mr. Thorsen assured the Commissioners that even at their busiest times, they still have plenty of parking at the building.

Melissa Thorsen, 2004 Preisker Lane, Santa Maria, addressed the Commission. In response to the Commission's concerns about the clutter on the site, Ms. Thorsen stated that she has called RPL Management about the area, and has asked them to clean it up. Ms. Thorsen stated that when she spoke with RPL Management about the landscaping, she was told it was not in their budget. Ms. Thorsen stated that she and Chris Thorsen were the original tenants, and they want to make the site look lively and presentable.

Bill Orndorff stated that the existing conditions, and the proposed conditions, would allow the Community Development Department to refer this project to Code Compliance, who could write the owner and property management company a letter stating that the landscaping is not being maintained, the building is not painted, and the parking lot lights are not working. Mr. Orndorff stated that such a letter, stating the Planning Commission's concerns, would have a lot of weight to get the property management company to work on the maintenance.

The applicant and Commissioners further discussed the site management, maintenance, display requests, and wording for the display condition.

In response to Commissioner Lopez, Bill Scott explained that the Planned Development Permit amendment was the appropriate way to modify or adjust the conditions to current business needs. Mr. Scott further stated that this project site currently has an approved Planned Development Permit with a list of specific uses approved under it. Within the parameters of the specific list of uses for the Gateway Plaza site, staff was seeking to expand the list of permitted uses for this site, not a City-wide amendment. Mr. Scott reminded the Commissioners that each zoning district has its own particular permitted uses.

Bill Orndorff summarized the concerns by stating that required parking cannot be used for other purposes. The parking spaces being requested to use for outdoor display at the Gateway Plaza site are extra parking spaces, not required parking spaces.

Bill Scott clarified for Commissioner Andrade that Condition 5 would be amended by striking out the middle sentence. The condition concerning parking lot display previously read that the location of the parking spaces used for display would be flexible, but now the condition would lock in the location of the 30 spaces for display, and those are reflected in Exhibits B and C.

In response to the Commissioners' concerns, Peggy Woods commented that language could be used in the condition to bring this project back to the Planning Commission at a study session as a report, and then if there are a history of complaints logged, bring it back to a public hearing. Ms. Woods summarized that the wording would be such that if complaints are received, then it would come back to a public hearing.

Chair Waterfield closed the hearing and called for a motion. Commissioner Andrade made the motion to adopt an amendment to a Planned Development Permit for Gateway Plaza to allow outdoor display of merchandise for Central Coast Yamaha, Thorsen's Motor Sports, Harley Davidson of Santa Maria, et al, on property located at 2004, 2010 and 2022 North Preisker Lane, Z-81-24 (PD), E-2007-046, subject to the conditions as outlined in the preliminary draft of the amended Planned Development Permit, with the modifications including the language as provided by Bill Scott in the September 14, 2007 memo, striking the second sentence from number 5; also adopt a modification of paragraph 4 in the green sheets, amending the second line to include "Buildings A and B"; strike paragraph 8 limiting the permit to five years, and replace that paragraph with language that says staff will report to the Planning Commission within one year regarding the status of the outdoor display conditions, and reference Exhibit C-1 provided and reference exhibit B and C as indicative of where the display locations should be, and that it be fixed for purposes of enforcement. Commissioner Moats seconded it, and it passed, 4-0-1.

At this point, the Planning Commission adjourned items 1c and 1d to a Special Planning Commission meeting to be held on October 10, 2007, at 6:30 p.m. in the City Council Chambers, due to the announced conflict of interest of two Planning Commissioners which would not result in a quorum.

ADJOURNMENT: The meeting was adjourned at 9:34 p.m. to a Study Session on September 20, 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