



**CITY OF SANTA MARIA
PLANNING COMMISSION
MINUTES FOR REGULAR MEETING OF
NOVEMBER 7, 2007**



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

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

STAFF PRESENT: Planning Division Manager – Peggy Woods
Senior Deputy City Attorney – Wendy Stockton
Senior Civil Engineer – Rodger Olds
Special Districts Planning Tech – Patty Ellis
Recording Secretary – Kathleen Villegas
Planner III – Bill Scott
Planner II – Brian Halvorson
Planner I - Greg Stones

BY MOTION, APPROVED THE PLANNING COMMISSION MINUTES OF SEPTEMBER 19, 2007, AS WRITTEN. 4-0-1 (Brown Abstained/Absent); and

BY MOTION, APPROVED THE PLANNING COMMISSION MINUTES OF OCTOBER 3, 2007, AS WRITTEN. 3-0-2 (Brown and Waterfield Abstained/Absent).

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: 5-0: Ayes: Commissioners Andrade, Lopez, Moats, Brown, Waterfield; Noes: None; Abstained: None; Absent: None.

- a. **ONE YEAR EXTENSION OF TIME FOR DMS ELECTRIC, 2224 SOUTH WESTGATE ROAD, PD-96-17.** Review of a one year extension of time to begin the construction of Phase II of an electric contractor's facility (7,375 sq. ft.) in a PD/CM (Planned Development/Commercial Manufacturing) zoning district, Assessor's Parcel No. 111-400-050. This project was previously reviewed under PD-96-17 and qualified for a Class 32 Categorical Exemption. No further environmental review is required. (Project Planner: Brian Halvorson)

ACTION: By motion, granted a one-year extension of time in which to begin construction of Phase II of the above planned development permit.

PUBLIC HEARINGS:

ITEM 2 - CONDITIONAL USE PERMIT FOR CLEARWIRE U.S. LLC TO INSTALL A WIRELESS COMMUNICATION FACILITY ON AN EXISTING PG&E TRANSMISSION TOWER AT 775 WEST CYPRESS STREET, U-2007-039, E-2007-072.

Review of a Conditional Use Permit to allow the installation of a 12-foot extension on an existing 80.5 foot tall PG&E transmission tower, three panel antennas, four microwave dish antennas, an equipment cabinet and associated equipment, for the purposes of providing wireless internet access located in an OS (Open Space) zoning district at 775 West Cypress Street, Assessor's Parcel No.123-071-001. The project is a Class 1 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.

VOTE: 4-0-1 (Commissioner Lopez stepped down).

Commissioner Lopez stepped down due to the nearness of the project to property he owns.

Greg Stones presented the staff report, highlighting features of the project, including the nearby zoning and uses. Mr. Stones displayed elevations depicting what the proposed towers would look like, 92-1/2 feet total height, as well as of the equipment cabinet at ground level with solid wooden fence, and anti-climbing rails to discourage climbers. Mr. Stones also presented a letter from PG&E indicating that the twelve foot extension would be structurally safe with the existing tower. With that, Mr. Stones concluded his presentation, and added that the applicant was present to answer any questions.

Frances Romero, 221 Town Center West, #156, Santa Maria, addressed the Planning Commission, and answered the climbing concern by stating that PG&E had already installed the anti-climbing rails.

With no further comments or questions, Chair Waterfield closed the hearing and called for a motion. Commissioner Moats made the motion to approve the Conditional Use Permit for Clearwire U.S. LLC to install a wireless communication facility on an existing PG&E transmission tower at 775 West Cypress Street, U-2007-039, E-2007-072, subject to the conditions outlined in the Preliminary Draft of the Conditional Use Permit. Commissioner Brown seconded it, and it passed, 4-0-1.

ITEM 3 - AMENDMENT TO A PREVIOUSLY APPROVED PLANNED DEVELOPMENT PERMIT FOR THE HARVEST GLEN SINGLE FAMILY HOMES, LOCATED SOUTH OF SONYA LANE, EAST OF BLOSSER ROAD AND NORTH OF CARMEN LANE AND WEST OF THE SANTA MARIA VALLEY RAILROAD, PD-2005-027, E-2005-071.

Review of an amendment to a previously approved Planned Development permit to modify setbacks for corner lots located in a PD/R-1 (Planned Development/Single Family Residential) zone, Assessor's Parcel No. 117-330-018. This project has been previously reviewed in an Addendum (E-2002-055) to the Final Environmental Impact Report for the Sphere of Influence/Annexation project (E-88-10). No further environmental review is required. (Project Planner: Brian Halvorson)

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

VOTE: 5-0.

Brian Halvorson presented the staff report, depicting the site location on the aerial photo. Mr. Halvorson explained that while the Planned Development Permit had been approved in February 2006, there were some lots that did not meet corner lot setbacks. This item would be an amendment to the corner lot setbacks to what was already approved. Mr. Halvorson read what the condition states: "On a corner lot, the setbacks shall be 19 feet from the side property line adjoining the street; the other side no less than 5 feet. Garages with access from the side street shall not be closer than 18 feet from the back of sidewalk."

Mr. Halvorson displayed a photo of a house showing a perimeter wall adjacent to the existing house. Mr. Halvorson explained that the property line is at the wall, not at the back of curb, and typically, the property line is at the back of the curb measured to the wall. Some of the lots were designed to have the property line at the face of the wall, which would be difficult to measure from the wall to the actual dwelling for the 19 foot setback. The applicant subsequently made a request for certain lots –12 corner lots in the subdivision. The proposed amendment would only apply to lots #4, 24, 25, 42, 65, 102, 103, 127, 128, 148, 149, and 169.

Mr. Halvorson showed Exhibit A depicting a corner lot that has a side entry garage. He explained that the applicant is asking for flexibility because these lots have no side entry garage, which is worth considering since there would be no driveway or garage, and only access from the front of the dwelling.

Mr. Halvorson also reviewed some clean-up items regarding the wording of conditions on page 8 of the green sheets, condition 4, which states that "garages with side entry may be set back not less than 24 feet from the front property line provided the lot width is 48 feet or greater to allow for adequate turning radius. All setbacks shall be measured from the property line." The addition would be: "The property line is measured from back of curb."

Mr. Halvorson also clarified two other conditions, omitting the sentence that reads: "Garages with access from the side street shall not be closer than 18 feet from the back of sidewalk. All setbacks shall be measured from the property line." That sentence staff would like to strike out, since the setback is actually 10 feet, not 18 feet. Also, in the same condition 2, insert "setback is measured from the back of curb."

Mr. Halvorson concluded by stating that the applicant did not propose any other amendments to the Planned Development Permit, and he was available to answer any questions.

In response to Commissioner Lopez, Mr. Halvorson explained that some of the masonry wall is eight feet in height for noise mitigation due to the nearness of the railroad tracks.

The applicant, Laurie Tamura, Urban Planning Concepts, 2624 Airpark Drive, Santa Maria, addressed the Commissioners, representing Capital Pacific Homes. Ms. Tamura commented on the discussion about how this project was approved, and how the conditions were written in the text of the conditions of approval. Ms. Tamura summarized that the exhibits were approved, but not the words, so she worked with staff to have this condition put in the text instead of only the photos.

With no further comments or questions, Chair Waterfield closed the public hearing and called for a motion, including the changes on page 8 of the green sheets, item 4, top of the page, where we add "Property line is measured from the back of curb," and strike the two sentences beginning with "garages" and ending with "property line" and add "Setback is measured from back of curb." as well.

Wendy Stockton clarified the revisions: on page 8, condition 4, as stated. Then in b-2, the language to be crossed out is in the exception; and the language to be added is just after the exception, deleting the second reference. The first reference is where it is adding "which is at the back of the curb."

Commissioner Brown made the motion to approve an amendment to a previously approved Planned Development Permit for the Harvest Glen Single Family Homes, located south of Sonya Lane, east of Blosser Road, north of Carmen Lane, and west of the Santa Maria Valley Railroad, PD-2005-027, E-2005-071, with the revisions to conditions 2 and 4 on page 8 of the green sheets as read into the record by Ms. Stockton, subject to the conditions as outlined in the Amended Preliminary Draft of the Planned Development Permit. Commissioner Andrade seconded it, and it passed, 5-0.

ITEM 4 - TENTATIVE TRACT MAP FOR EASTRIDGE ESTATES, LOCATED AT THE NORTHEAST CORNER OF EAST MAIN STREET AND PANTHER DRIVE, TRACT 5939, E-2007-038.

Review of a Tentative Tract Map to allow subdivision of two parcels into 122 lots, including: 120 lots, ranging in size from 6,000 square feet to 10,000 square feet for single-family detached residential purposes, and one 170,285 square foot lot for associated common area, including storm water detention facilities and landscaping, and one three acre remainder parcel for future commercial/residential mixed use development on 39.5 total acres in the R-1 (Single-Family Residential) zoning district, and review of the associated Eastridge Estates Design Guidelines on property located at the northeasterly corner of East Main Street and Panther Drive, Assessor's Parcel No. 128-052-042, and -043. The environmental review for this project was completed as part of the General Plan Amendment/Zone Change for the property, (GPZ-2005-003, E-2005-027, SCH #2005101112) (Project Planner: Bill Scott)

ACTION: Adopted Resolution No. 2484, approving the tentative map Tract 5939, for Eastridge Estates subject to the design as shown on the Official Tentative Map, the conditions set forth in the July 10, 2007, Subdivision Committee Minutes, as last revised on November 2, 2007, as amended, with incorporation of the Eastridge Design Guidelines dated October 18, 2007.

VOTE: 5-0: AYES: Commissioners Andrade, Lopez, Moats, Brown, Waterfield; NOES: None; ABSTAINED: None; ABSENT: None.

Bill Scott gave the staff report, including a description of project as well as a brief background. Mr. Scott noted that the project would subdivide two parcels of approximately 39 acres into 122 lots. Mr. Scott reviewed City Council action on the site, as well as prior Planning Commission direction. Mr. Scott stated that during the General Plan and Zone Change process, the Planning Commission gave direction that the subdivision should contain two specific components: a variety of larger lot sizes, with a lot mix containing a minimum of 20% of the lots being 6,000 to 8,000 square feet; a minimum of 40% of the lots ranging from between 8,000 to 10,000 square feet; and a minimum of 40% of the lots being more than 10,000 square feet in size. The second component would be that the site design should have curvier streets, and the three-acre commercial component should be generally connected to the subdivision.

Mr. Scott further reviewed the history of the project, including a general consensus of support with the current configuration of the site, the lot sizes and lot mix. Mr. Scott stated that staff did have some concern regarding the width to depth ratio of some of the lots, as well as concerns that there may be too much garage frontage and not enough of the living units exposed to the streets, and perhaps too much build-out on the lots with not enough yard. As requested by the

Planning Commission, staff conducted a rough survey of the Palm Court/Camino Colegio/Speed Street (Carriage District) area as well as Hancock Park. The average lot widths proposed at Eastridge are roughly 70 feet wide; in Hancock Park the lot widths are roughly 80 feet; and in the Carriage District they are roughly 60 feet wide. Mr. Scott also addressed the concern regarding the lot build-out, stating that the project would conform with the R-1 standards, so the build-out of the lots, consistent with the R-1 zone, should be acceptable in regard to lot coverage.

Mr. Scott added that since a Planned Development overlay had not been applied to this site, the Planning Commission had instead required a set of guidelines to be established. Mr. Scott stated that a set of guidelines had been submitted and were a part of the project packet, and they do address various issues including architecture, color, material, landscape standards, and setback proportions. The guidelines encourage homeowners to work with their architect to make their project meet or exceed the guidelines as set forth.

Mr. Scott continued by stating that the environmental impacts were analyzed, and the proposed land division is consistent with the project as evaluated in the Environmental Impact Report, and thus no further environmental review is required. The mitigation measures as contained in the environmental impact report and the addendum are included in the report. Mr. Scott concluded his staff report by stating that staff recommends approval of the project and was available to answer questions.

In response to Commissioner Brown, Bill Scott explained that a draft checklist would be given to future homebuyers along with the guidelines so that they could read them along with the check list and the CC&Rs, and work with their architect to make sure all the requirements are met. Staff will review through the building permit checklist as the guidelines and the checklist are the tools to ensure that the minimum of quality is met.

Rodger Olds responded to Commissioner Lopez by stating that he had met with Austin Odell of Engineering Division and Brian Schwartz of Urban Planning Concepts, and stated that the intent of the condition as written was to see in future development a shift in how transit is addressed. Some suggestions would include a multi-route stop so people could transfer to different busses, or perhaps better pedestrian access from the subdivisions out to where the busses are. Mr. Olds stated that Engineering would be willing to remove these conditions, but would like to see this type of planning in the early stages of future projects. Mr. Olds further stated that the purpose of the memo was written at the beginning of the project; however, while many of the issues were addressed, the pedestrian access was not.

Laurie Tamura, Urban Planning Concepts, representing the applicant, addressed the Planning Commission. Ms. Tamura introduced the project design team, including Marcus Lafont from LGA; Russ Garrison from Bethel & Associates; Brian Schwartz from Urban Planning Concepts; and Jim Lolouga from Templeton Santa Barbara. Ms. Tamura spoke about setbacks, and pointed out that this project incorporates a unique blend of some of the neotraditional concepts along with the R-1 setback standards.

Ms. Tamura addressed a few minor items in the conditions. The first concerned the letter from Engineering, dated June 21, 2007, which was presented at the first subdivision committee meeting. Ms. Tamura clarified that this project does have bus turnouts, as well as the amenities, including benches and trash receptacles, and a pedestrian walkway.

Ms. Tamura addressed other conditions, including one on the third page of the Public Works letter concerning the sewer study, and asked to delete item H in the Recreation & Parks conditions concerning monolithic sidewalk street design, because they don't have the same setbacks for planting trees.

Ms. Tamura also addressed the subdivision committee memo from Community Development Department, page 2, item 7, concerning tubular fencing vs. wrought iron. The condition specifies decorative wrought iron, and Ms. Tamura pointed out that the trend on recent projects has been tubular fencing covered with powder coated black. Ms. Tamura requested to revise the condition to whatever the Recreation & Parks Department would want, since they will be maintaining the fence.

Other conditions that Ms. Tamura touched on included one on page 3, #10, concerning sidewalks. Ms. Tamura stated that in neotraditional design, sidewalks are four feet, but since they are doing a standard subdivision, the sidewalks would be five feet. To make the condition consistent with the walkway from the residential component to the commercial component, it should read as a five foot sidewalk through the parkway. Also, on page 4 of the Community Development letter, dealing with the "buyer beware notice," Ms. Tamura stated that they would like to add the sentence "on notice until such time as the land converts to other uses." Ms. Tamura stated that ultimately most of those lands will be taken out of agriculture reserve and annexed to the City.

Ms. Tamura continued with another change on page 5, #22, concerning walls that serve as a multi-use purpose. As they were listing all the items that the City would maintain, that the side section would be added to the inventory. Ms. Tamura stated that they did not remove the walls from this lot because it includes a buffer for the agricultural lands along that side yard. Also, a carryover from the mitigation measures from the original EIR, on page 12 of 14, #17; refers to multi-family homes, which were originally a component of this project with townhomes. That townhome component has been removed. Ms. Tamura said that a Homeowner's Association would not be required in this project, so the last sentence of that condition should be deleted.

In response to Commissioner Brown, Laurie Tamura explained that the condition as worded under Item H should be deleted because it does not describe parkways. Condition K addresses parkways with trees, which condition should stay.

Rodger Olds of the Engineering Division spoke regarding the sewer study, and provided the Planning Commission with some background concerning La Ventana and the sewer issue. Mr. Olds commented that with more development happening, there will be the need to study the effect on sewer lines downstream from the new projects; hence, the sewer study request.

In response to Commissioner Andrade, Chair Waterfield reviewed the suggested revisions sequentially with staff, making sure that staff agreed with them.

In response to Commissioner Moats, Ms. Tamura commented that this project affords the opportunity for individual lot sales, developer housing, and some spec houses to set the stage. Ms. Tamura added that it has been a long time since a project like this has been in Santa Maria to allow for some custom housing.

Rodger Olds responded to Commissioner Lopez concerning traffic concerns with the development across the street from the high school. Mr. Olds stated that staff was working with the High School district to figure out how best to handle the traffic.

With no further comments, Chair Waterfield closed the hearing and called for a motion to include the conditions of modification as submitted by the applicant. Commissioner Andrade made the motion to approve Resolution 2484 to approve the tentative tract map for Eastridge Estates, located at the northeast corner of East Main Street and Panther Drive, Tract 5939, E-2007-038, subject to the design as shown on the Official Tentative Map, and the conditions set forth in the July 10, 2007, Subdivision Committee Minutes, as last revised on November 2, 2007, as amended, and incorporating the East Ridge Design Guidelines dated October 18, 2007, as well as the modifications of items as submitted, items 1, 4, 5, 6, 7 and 8, as part of the

modifications to the conditions; item 2 allowing sewer study to remain would be rejected, and the reference to street trees, condition H in Recreation & Parks Department memo, would be modified, and modify page 2 of 14, #7, would include tubular fencing with decorative masonry pilasters, and item 8, #17, delete the last sentence. Commissioner Moats seconded it, and it passed, 5-0.

VOTE: 5-0: AYES: Commissioners Andrade, Lopez, Moats, Brown, Waterfield; NOES: None; ABSTAINED: None; ABSENT: None.

ITEM 5 - 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 tentative tract map that would create 125 lots ranging in size from 958 to 1,957 square feet and one lot 3.64 acre 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. (Project Planner: Bill Scott)

ACTION: Adopted Resolution No. 2485, recommending that the City Council file a mitigated negative declaration, E-2006-011 for the project (Attached to resolution).

VOTE: 5-0: AYES: Commissioners Andrade, Lopez, Moats, Brown, Waterfield; NOES: None; ABSTAINED: None; ABSENT: None.

ACTION: Adopted Resolution No. 2486, recommending that the City Council approve the tentative map, Tract 5905, for the Refugio Townhomes project, subject to the design as shown on the Official Tentative Map, the conditions set forth in the September 11, 2007, Subdivision Committee Minutes, as last revised on November 2, 2007, as amended, and the mitigation measures contained in Initial Study/Mitigated Negative Declaration E-2006-011.

VOTE: 5-0: AYES: Commissioners Andrade, Lopez, Moats, Brown, Waterfield; NOES: None; ABSTAINED: None; ABSENT: None.

Items 5 and 6 were considered together.

ITEM 6 - PLANNED DEVELOPMENT PERMIT FOR REFUGIO TOWNHOMES, LOCATED ON THE NORTHWEST CORNER OF WEST MCCOY LANE AND PROFESSIONAL PARKWAY, PD-2006-004, E-2006-011. Review of a Mitigated Negative Declaration and Planned Development Permit to allow the construction of 125 attached townhomes, on individual lots ranging in size from 958 to 1,957 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. (Project Planner: Bill Scott)

ACTION: By motion, continued this item to the regular hearing of December 5, 2007, pending the City Council approval of Tract 5905, as amended.

Bill Scott presented the staff report, reviewing the pertinent details and issues to the project as outlined in the written staff report, including the location, main components, potential environmental impacts, onsite inspections, mitigation measures, air quality and soils reports and the proposed floor plans. Mr. Scott concluded the staff presentation by stating that staff recommends approval, and was available to answer questions.

In response to Commissioner Moats, Bill Scott stated that the front setbacks are a good transition from the ones in front of Somerset Gardens on McCoy Lane. The buildings are not as far back as the buildings in Somerset Gardens, but they simulate the setback and form a good transition.

Bill Scott clarified for Commissioner Moats that on McCoy Lane and Cooley Lane, no parking will be allowed. There will be a designated bike lane, and once the bike lane is in place, there will be no parking.

Rodger Olds of Engineering added that Cooley Lane is currently posted as no parking for certain hours to prohibit large trucks from parking overnight.

Laurie Tamura, Urban Planning Concepts, addressed the Planning Commission representing the applicant, and introduced the project team: Brad Weinstock and Damon Porter, the owners; Marcus Lapont from LGA; Russ Garrison, Bethel Engineering; and Brian Schwartz, Urban Planning Concepts. Ms. Tamura reviewed the features of the project, and addressed some of the concerns, including the number of units, setbacks, product variation, increased separation from Somerset Gardens, and architectural details. Ms. Tamura also addressed the parking issue, and reiterated that each unit will have a two car garage.

Ms. Tamura reviewed a few minor revisions to the conditions, and presented those requests in a written memo to the Planning Commissioners and staff. In the Subdivision Committee memo from the Community Development Department dated September 11, 2007, revised November 2, 2007, page 2 of 7, #10, the applicant would like to add "as shown on the site plan" to the end of the condition.

Ms. Tamura continued with items 2 and 3 on their memo, regarding how oil cleanup is done on the site. In condition 13, the applicant has already submitted some Phase 1 clean up work already, and clean-ups on the well sites on the property have been completed. The wording in Condition 14 specifies having a licensed professional engineer present, and it is very costly to have someone on the site watching the work being done. It is an added cost, and the applicant requests that the City recognize that they have already done a lot of work on the site. Ms. Tamura stated that their preference would be to delete condition 13, edit condition 14, and leave 15 through 17 as they are.

In response to Ms. Tamura, Wendy Stockton stated that staff has been working on oil remediation conditions and the relative wording of those, but for now, staff would prefer for that condition to stay. In regard to condition 14, Ms. Stockton stated that staff's goal is to integrate a watchdog function to work that occurs on the site, but not to incur extra cost to the developer. It has been identified that a soils professional is on site, and it may not need to be an engineer, but some other sort of environmental professional, under the direction of a geologist who would be responsible for what work happens on the site.

Laurie Tamura reiterated that the applicant would prefer to delete the first sentence of the condition. Their concern was with the wording "at all times."

The last item that Ms. Tamura addressed on the Tract Map was on page 6 of 7, #2, in the Subdivision Committee Meeting memo dated September 11, 2007, revised November 2, 2007. The applicant requested that the wall heights for courtyards be six feet, not seven feet. Staff agreed with that proposal.

Ms. Tamura commented on a couple of conditions for the Planned Development Permit, on page 5 of the staff report concerning fencing, and also clarified on the private lighting within the project, stating “decorative lighting internal to the project,” not the City’s standard decorative lighting.

Peggy Woods clarified that the intent of Condition No. 8 was to install decorative lighting inside the project. Ms. Woods clarified with Ms. Tamura to keep the first sentence, strike out the second sentence, and keep the third, fourth and fifth sentences as written in Condition No.8.

Rodger Olds commented that as long as the applicant went on record as saying that this lighting would be privately maintained and the electricity privately paid for, the Public Works Department would agree that the condition could be removed; however, if the lights are later included into the landscape maintenance district, then the condition would apply. Mr. Olds added that he would be satisfied with a written statement from the applicant to that effect.

In response to Commissioner Brown, Laurie Tamura explained that after receiving the staff report on Monday, the applicant had just a few clarifications they wanted to make for the record.

Bill Scott added that some of these conditions were new conditions, and staff is trying to get away from the cookie cutter approach and take all the projects up a notch, adding conditions to make things better and avoid problems.

Wendy Stockton commented on the wording for attachment G, 3 of 7, condition 14. The preamble language would change: the first sentence would be deleted; the second sentence would read: “The applicant as part of conducting proper soils removal and compaction under the direction of a soils engineer or other licensed environmental professional, shall report under penalty of perjury to the City, either that:” and then A and B would remain the same, except that for (b) “applicable” requirements instead of “regulatory” requirements.

With no further questions or comments from the Commissioners, Chair Waterfield invited the public to speak on the project.

Tom Jackson, 2324 Eastbury Way in Somerset Gardens, Santa Maria, spoke against the project, citing concerns about lot size, and no driveways causing parking problems. Mr. Jackson stated that it is a safety issue.

Erv Madden, 2990 Wild Haven Circle, representing Santa Maria Enterprises, spoke against the project. Mr. Madden stated that his company owns property west of Somerset Gardens and borders on Depot Street. Mr. Madden stated that if this project is approved as it is, it will create a real problem because their property will be flooded out, and as for the basin there is not a retention basin proposed for this project. Mr. Madden added that the City does not have an easement to conduct water across his property to the basin, and no one has contacted them about retaining water. Mr. Madden stated that this issue needs to be addressed before this project goes much further.

Duane Davis, 2337 Timsbury Way in Somerset Gardens, Santa Maria, spoke against the project. Mr. Davis stated that the developers have done a good job; but if anyone has driven through the area now, it is already congested. Mr. Davis stated his concern about the traffic, and parking cars. He stated that while the project looks nice, it needs to cut down the density.

Maryann Perez, 2318 Eastbury Way in Somerset Gardens, Santa Maria, spoke against the project. Ms. Perez stated that her unit backs up to the project. Ms. Perez stated that the traffic in the area is horrific.

Sandra Coyle, 2321 Eastbury Way in Somerset Gardens, Santa Maria, spoke against the project, citing her concerns with the heavy footprint on the lot, and the traffic impact.

Jim Perry, 2324 Timsbury Way in Somerset Gardens, Santa Maria, addressed the Planning Commission, stating that he has had many concerns about this project since the very beginning, and many have been addressed. Mr. Perry reiterated his remaining concerns dealing with parking and traffic.

With no further commenters, Chair Waterfield invited staff to address the issues that the speakers had brought up.

Bill Scott responded to the density concerns by stating that the project does meet the planned density for the site. The site is currently zoned high density residential, 18 units to the acre, and the project proposed density is less than that. Mr. Scott also reiterated that the proposed project meets all the required municipal code components for open space and parking, and exceeds the minimum parking standard by approximately 10 spaces. Mr. Scott also suggested that perhaps a towing program could be incorporated in the CC&R's to provide additional assurances regarding the parking.

Rodger Olds responded to the Planning Commission concerning the drainage issue brought up by Mr. Madden. Mr. Olds stated that Public Works had been contacted this afternoon at 4:00 p.m., so he had not had time to research that complaint. Mr. Olds stated that the intent of Public Works in conditioning the project as they have was to try to get rid of water in the street year round. Rather than install a retardation basin, the condition is to install conveyance through their site and put the water through to Mr. Madden's property. It is staff's understanding that route is the historic water flow. Mr. Olds reiterated that the conveyance issue would be discussed and researched further.

Mr. Olds also addressed the issue raised concerning a traffic light. Mr. Olds reiterated the clear concerns that the Planning Commission had a year ago, including traffic counts being taken before Kohl's was completed, and staff at that time was asked to look at the intersection of Broadway and McCoy, particularly the eastbound left turn. Mr. Olds stated that the applicant paid for a new study, and traffic counts were acquired in April 2007. Based on that study, the Traffic Committee recommended and installed some traffic calming measures, including some delineators and a "Keep Clear" zone on McCoy Lane in front of the parking lot driveway. Mr. Olds stated that whether or not the Refugio Project affects that study could be debated. During the peak hour, in the afternoon, 4:30-5:30, for residential, generally people are coming home. Most trips generated are incoming trips, coming westbound on McCoy Lane. The primary concern was about vehicles leaving the site and turning left on McCoy Lane, and the traffic study came up with nine trips added to this intersection, which is about one trip every six or seven minutes.

Mr. Olds continued, stating that a signal warrant was also performed by the traffic consultant. The volume and capacity of the intersection were tested, and the results showed that the intersection doesn't meet any of the requirements for justifying a traffic signal. The accident warrants have not been met, either; only one accident was recorded from 2006 to 2007. At this point, another traffic signal at the site is not warranted. Signals that are not warranted are a liability to the City. They can create more accidents, rear end accidents, and more severe accidents. What the City will do, knowing that the neighbors are concerned, is to require future developments that may increase traffic on McCoy Lane to do a traffic signal warrant study as well. When any of these warrants are closer to being met, then the signal will be put on the capital improvement program list, and the signals are ultimately put in.

Mr. Olds responded to Chair Waterfield that the capital improvement list is reviewed every two years.

In response to Commissioner Brown, Wendy Stockton stated that the Planning Commission has the authority to address impacts, and do what is necessary to provide for public health, welfare and safety. The Planning Commission needs to have evidence in the record to justify their decision to require an applicant to do something.

Rodger Olds added that the Traffic Committee is watching the area at McCoy Lane/Kohl's/Walgreens, and will be taking a hard look at it after the holidays. Mr. Olds stated that the Police Department feels that it is working well, and added that the Traffic Committee will review the situation, and if it is not working, then they will recommend doing something different.

The Planning Commissioners and staff further discussed the traffic situation at McCoy and Broadway, as well as the traffic report. Commissioner Andrade summarized that perhaps the sense of the Planning Commission was that the City Council should fast-track a traffic signal at that intersection.

Wendy Stockton stated that from a legal standpoint, the Planning Commission does not have the wherewithal to require this applicant to put in a traffic signal. Ms. Stockton stated that the Planning Commission could make a direction to staff to prepare a report to City Council—either soon or with the Capital Improvement Program—that makes it clear that the Planning Commission requests that City Council consider this for inclusion in the Capital Improvement Program or sooner.

Commissioner Brown clarified that he is concerned with trying to fix a problem that already exists at the site; not one that will come on with this project.

Rodger Olds stated that he would be happy to report to the Planning Commission at a future study session any action of the Traffic Committee.

Commissioner Moats commented on the apparent disconnect between the observed traffic overloads and the traffic study, and stated that he thinks they should match.

After more discussion concerning the traffic and water drainage concerns, Chair Waterfield closed the hearing and called for a resolution. Commissioner Andrade made a motion to adopt Resolution No. 2485 to recommend that the City Council file a mitigated negative declaration, E-2006-011 for Refugio Townhomes, located on the northwest corner of West McCoy Lane and Professional Parkway, Tract 5905, E-2006-011. Commissioner Brown seconded it, and it passed, 5-0.

VOTE: 5-0: AYES: Commissioners Andrade, Lopez, Moats, Brown, Waterfield; NOES: None; ABSTAINED: None; ABSENT: None.

Commissioner Andrade made a motion to adopt Resolution No. 2486, recommending that the City Council approve the tentative map, Tract 5905, for the Refugio Townhomes project, subject to the design as shown on the Official Tentative Map, the conditions set forth in the September 11, 2007, Subdivision Committee Minutes, as last revised on November 2, 2007, as amended, and the mitigation measures contained in Initial Study/Mitigated Negative Declaration E-2006-011, along with the modifications in items 1 and 4, 3 as modified with language provided by the City Attorney relative to paragraph 14 on page 3, replacing the first sentence, and item 2 be rejected, so that paragraph 13 remains, also deleting condition 9 of Attachment A. Item 14 language would read: "The applicant as part of conducting proper soils removal and compaction

under the direction of the soils engineer or other licensed environmental professional shall report under penalty of perjury to the City” and the word “regulatory” would be “applicable” instead. Commissioner Brown seconded it, and it passed, 5-0.

VOTE: 5-0: AYES: Commissioners Andrade, Lopez, Moats, Brown, Waterfield; NOES: None; ABSTAINED: None; ABSENT: None.

Commissioner Andrade made the motion to continue the Planned Development Permit for Refugio Townhomes, PD-2006-004, E-2006-011, to the December 5, 2007 Planning Commission public hearing pending City Council approval. Commissioner Lopez seconded, and it passed, 5-0.

ITEM 7 - ZONING TEXT AMENDMENT TO ADD CHAPTER 51 OF TITLE 12 OF THE MUNICIPAL CODE, Z-2007-006, E-2007-075. Review of recommendations to the City Council regarding a negative declaration and an ordinance adding Chapter 51 of Title 12 of the Municipal Code (Single Room Occupancy (SRO)) to establish regulations to facilitate the construction and conversion of structures to single-room occupancies in the City, subject to a planned development permit. (Project Planner: Wendy Stockton)

ACTION: Adopted Resolution No. 2487, recommending that the City Council adopt a negative declaration of environmental impact for E-2007-075, the Single-Room Occupancy Ordinance.

VOTE: 5-0: AYES: Commissioners Andrade, Lopez, Moats, Brown, Waterfield; NOES: None; ABSTAINED: None; ABSENT: None.

ACTION: Adopted Resolution No. 2488, recommending that the City Council adopt an ordinance (Exhibit “A”) adding Chapter 51 to Title 12 of the Santa Maria Municipal Code (Z-2007-006), pertaining to single-room occupancies.

VOTE: 5-0: AYES: Commissioners Andrade, Lopez, Moats, Brown, Waterfield; NOES: None; ABSTAINED: None; ABSENT: None.

Wendy Stockton presented the staff report, summarizing the details of the proposed zoning text amendment. Ms. Stockton stated that the staff’s recommendation is that the Planning Commission recommend by resolution a negative declaration of environmental impact with respect to this ordinance which would create definitions, standards, and the ability to have single room occupancies in the original four square mile area of the City.

With no discussion, Chair Waterfield closed the hearing and called for a motion. Commissioner Brown made the motion to adopt Resolution No. 2487 recommending that the City Council adopt a negative declaration of environmental impact for E-2007-075, the Single-Room Occupancy Ordinance. Commissioner Andrade seconded it, and it passed, 5-0.

VOTE: 5-0: AYES: Commissioners Andrade, Lopez, Moats, Brown, Waterfield; NOES: None; ABSTAINED: None; ABSENT: None.

Commissioner Brown made a motion to adopt Resolution No. 2488, recommending that the City Council adopt an ordinance (Exhibit “A”) adding Chapter 51 to Title 12 of the Santa Maria Municipal Code (Z-2007-006), pertaining to single-room occupancies. Commissioner Moats seconded it, and it passed, 5-0.

VOTE: 5-0: AYES: Commissioners Andrade, Lopez, Moats, Brown, Waterfield; NOES: None; ABSTAINED: None; ABSENT: None.

ADJOURNMENT: The meeting was adjourned at 10:15 p.m. to a Study Session on November 8, 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