



**CITY OF SANTA MARIA  
PLANNING COMMISSION MINUTES  
FOR REGULAR MEETING OF  
MAY 7, 2008**



Chairman Lopez called the meeting to order at 6:30 p.m.

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

**STAFF PRESENT:** Planning Division Manager – Peggy Woods  
Senior Deputy City Attorney – Wendy Stockton  
Senior Civil Engineer – Rodger Olds  
Recording Secretary – Kathleen Wilson  
Planner I – Neda Zayer  
Planner I – Greg Stones  
Planner I – Jennifer Fleming  
Planner III – Bill Scott

**APPROVED PLANNING COMMISSION MINUTES OF FEBRUARY 20, MARCH 5 AND MARCH 19, 2008, AS WRITTEN.**

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**PUBLIC COMMENT PERIOD:** Mr. Ziener, 321 Inger, D-19, Santa Maria, addressed the Planning Commission, suggesting that the City place a full size authentic model of the ship the *Santa Maria* in the new downtown as a symbol to attract people to the area.

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**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.

- a. **ONE YEAR TIME EXTENSION FOR THE TENTATIVE MAP FOR ASUNCION, TRACT 5819, 400 BLOCK OF WEST STOWELL ROAD.** Review of a one year extension of time request in which to record a 9 lot residential subdivision, in an R-1 (Single Family Residential) zoning district, Assessor's Parcel No. 117-250-023. The project is a class 32 categorical exemption. No further environmental review is required. (Project Planner: Greg Stones)

**ACTION:** By motion, granted an extension of time for one year.

- b. **ONE YEAR TIME EXTENSION FOR ARMSTRONG APARTMENTS FOR THE CONSTRUCTION OF AN EIGHT-UNIT APARTMENT COMPLEX, 1400 NORTH BRADLEY ROAD, PD-2004-013, E-2004-006.** Review of a one year extension of time request in which to start construction of an eight-unit apartment complex located at 1400 North Bradley Road in a PD/R3 (Planned Development/High Density Residential) zoning district, Assessor's Parcel No. 121-380-063 (formerly 121-090-016). This project was previously approved under Mitigated Negative Declaration E-2004-006. No further environmental review is required. (Project Planner: Greg Stones)

**ACTION:** By motion, granted an extension of time for one year.

**VOTE: 4-0** AYES: Commissioners Andrade, Brown, Waterfield, Moats, and Chairman Lopez; NOES: None; ABSTAINED: Chairman Lopez; ABSENT: None.

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**PUBLIC HEARINGS:**

**ITEM 2 - PLANNED DEVELOPMENT PERMIT FOR A WIENERSCHNITZEL TASTEE-FREEZ RESTAURANT, 500 EAST MAIN STREET, PD-2008-003, E-2008-005.** Review of a Planned Development Permit to allow the construction of a 1,950 square foot restaurant, associated parking and landscaping located on a 0.34 acre site in a PD/C-2 (Planned Development/General Commercial) zoning district, 500 East Main Street, Assessor's Parcel No. 125-033-017. The project is a class 2 categorical exemption. No further environmental review is required. (Project Planner: Neda Zayer)

**ACTION:** By motion, approved subject to the conditions as outlined in the preliminary draft of the Planned Development Permit.

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

Neda Zayer presented the staff report, outlining the details of the project as presented in the written report, citing the location, access, and parking. As requested by the Planning Commission, the applicant eliminated two parking spaces and provided some outdoor seating, in the same location as the current outdoor seating area. However, the applicant is requesting to retain the original site plan without the outdoor seating, citing the trash generated as well as other issues that makes it less than desirable. Ms. Zayer also presented the project color boards and elevations, depicting that the colors have been modified in accordance with the Planning Commission direction, stating they meet the Entrada Specific Plan.

Neda Zayer also reviewed the proposed site landscaping, stating that a lawn area was also added to the project site in accordance with the Commission's request. However, the landscape architect would like to retain the original landscape plan with shrubbery only, since grass is high maintenance, requiring much more watering than shrubs and ground cover.

With that, Ms. Zayer concluded her staff presentation.

In response to Commissioner Brown, Ms. Zayer stated that the applicant would prefer to retain the original site and landscape plans and not have the outdoor seating and lawn.

The applicant, William Lindner, 5 Silver Saddle Lane, Rolling Hills Estates, California, addressed the Commission. Mr. Lindner stated that he has been the franchise owner for this store for 25 years, and has owned the property for the past ten years. Mr. Lindner added that in response to the parent company's request, he decided to build a brand new building, and offered to answer any questions.

In response to Commissioner Moats, Mr. Lindner clarified that the entire parking lot will be redone.

In response to Commissioner Brown, Rodger Olds stated that he spoke with Caltrans, and they indicated that they would not support an at-grade driveway at this location.

Mr. Lindner explained for Commissioner Waterfield his reasons for not wanting outdoor dining, citing the wind and blowing trash. Mr. Lindner also commented on the landscape request for flowering shrubs instead of lawn, and clarified that the site does have a gardener.

With no further comments, Chairman Lopez closed the public hearing and called for comments or a motion.

The Commissioners agreed that they would be in agreement with dropping the request for the outdoor seating area, and the lawn area, which was a special condition on page 3 of the green sheets.

Commissioner Waterfield made the motion to approve the Planned Development Permit for Wienerschnitzel Tastee-Freez Restaurant, 500 East Main Street, PD-2008-003, E-2008-005, subject to the conditions as outlined in the preliminary draft of the Planned Development Permit, and omitting the language in special condition 2, site landscape, "with lawn areas on site." Commissioner Moats seconded it, and it passed, 5-0.

Commissioner Waterfield suggested to the applicant that a picture be taken of the old building and hung in the new building.

**ITEM 3 - GENERAL PLAN CONSISTENCY DETERMINATION FOR THE SANTA BARBARA COUNTY BENEFITS SERVICE CALL CENTER, LOCATED AT 1318 SOUTH BROADWAY, SP-2008-007.** Review of a general plan consistency determination for the leasing of a 30,000 square foot building located at 1318 South Broadway, in the PD/C-1 (Planned Development/Central Business District) zoning district, Assessor's Parcel No. 128-066-004. The California Environmental Quality Act does not apply to general plan consistency determinations. No environmental review is required. (Project Planner: Neda Zayer)

**ACTION:** By Resolution No. 2509, found that the County of Santa Barbara Department of Social Services lease agreement and use of 1318 South Broadway for a North County Benefits Services Call Center, APN 128-066-004, is consistent with the City of Santa Maria's General Plan.

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

Neda Zayer presented the staff report, outlining the request to establish a benefits call center at 1318 South Broadway. Ms. Zayer summarized the request, and stated that staff recommends approval, finding that this project is in conformance with the General Plan.

Ron Carlentina, 1105 Santa Barbara Street, Santa Barbara, representing the applicant, Santa Barbara County, addressed the Commission. Mr. Carlentina stated that the County would be renting just a portion of the building, which is 30,000 square feet, and located next to their Work Resource Center, which will remain in its present location. Mr. Carlentina stated that the site works well for them, and added that about 100 staff members from the Department of Social Services will relocate here, which will help to defuse some space concerns that they currently have at the Betteravia Government Center. This office will take care of the Medical and Food Stamp programs.

Commissioner Waterfield expressed her concern for increased traffic in the area caused by this project.

Wendy Stockton reminded the Commissioners that this request is a General Plan consistency finding, not a request for a permit. Ms. Stockton stated that the County is not subject to the requirements of the City because of intergovernmental immunity. This type of project is brought to the Planning Commission as a courtesy.

With no further questions, Chairman Lopez closed the public hearing and invited discussion or a motion for a resolution.

Commissioner Andrade moved that the Planning Commission adopt Resolution No. 2509 to make a finding that the County of Santa Barbara Department of Social Services lease agreement and use of 1318 South Broadway for a North County Benefits Services Call Center, APN 128-066-004, SP-2008-007, is consistent with the City of Santa Maria's General Plan. Commissioner Moats seconded it, and it passed, 5-0.

**ITEM 4 - PLANNED DEVELOPMENT PERMIT FOR LEGACY HOSPITALITY, LLC FOR A 102 ROOM LIMITED SERVICE FOUR-STORY HOTEL LOCATED ON SHEPARD DRIVE AT HANCOCK AVENUE, PD-2008-002, E-2008-002.**

Review of a Planned Development Permit to allow the construction of a 60,281 square foot 102 room hotel, and 1,964 square feet for canopy, exterior storage, and trash enclosure in a PD/C-2 (Planned Development/ General Commercial) zoning district, Assessor's Parcel No. 128-174-004. The environmental review for this site was covered under Mitigated Negative Declaration, E-2007-039, for the General Plan amendment and zone change. No further environmental review is required. (Project Planner: Jennifer Fleming)

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

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

Jennifer Fleming presented the staff report, reviewing the details of the project, including the landscaping, height requirements, floor plans, elevations and materials proposed. Ms. Fleming also noted slightly different wording for the "hazards and hazardous materials" condition. Ms. Fleming concluded, stating that staff recommends approval, and was available to answer questions.

The applicant, Morgan Burkett, President and Managing Member, 2463 Cranesbill Place, Avila Beach, addressed the Commission. Mr. Burkett complimented staff, saying that this has been one of the most professionally smooth processes they have been through. Mr. Burkett also complimented the Planning Commission, praising the study session process as a good way to work through issues and have dialogue on upcoming projects.

In response to Commissioner Andrade, Dan Blough commented on the environmental site assessment issue. Mr. Blough thanked Wendy Stockton for making the changes in the wording of the condition relating to hazards, and commented that he has recommended to other developers to submit a Phase I Environmental Site Assessment early in the process to allow staff time to review it.

Mr. Blough also corrected Mr. Renfrow's name in the staff report as being Eloy, not Elroy.

In response to Commissioner Andrade, Mr. Burkett discussed when they might be able to break ground, stating that they hope to open the hotel by May of next year.

Chairman Lopez brought up the subject of a fence on the west side of the project, and inquired how the other Commissioners felt about that.

Commissioner Andrade stated that he didn't think it was an issue.

Mr. Burkett commented that the applicant didn't consider a Christian high school much of a security risk, and believed that a fence on one side of the property might look aesthetically odd.

With no further comments from the Commissioners, Chairman Lopez invited the public to speak.

Susan Pruet, 815 Millstone Avenue, administrator of the Crossroads Christian Junior High School, addressed the Commission. Ms. Pruet stated that the school is a closed campus, and currently has 67 students, 7<sup>th</sup> and 8<sup>th</sup> grades, with a capacity of 100 students. Ms. Pruet cited her concerns about the potential for people to come over from the hotel to the school site, and asked how the hotel would be monitored. Ms. Pruet also stated that she would be in favor of a fence along the whole property, an eight foot slumpstone wall, to keep people from coming on to the campus, and suggested that mature trees be planted.

Art Hardy, 901 Cossa Court, Santa Maria, of the Crossroads Christian Junior High School, addressed the Commission. Mr. Hardy stated that neither the church nor the school were contacted regarding this project, and he questioned putting in a residence in a non-residence oriented area. Mr. Hardy suggested perhaps a short delay in the project to allow the church time to look at a draft of the Planned Development Permit and review the project.

Chairman Lopez responded to Mr. Hardy that there has been advertising to change the zoning, and the project has been in the pipeline for quite a bit, with the appropriate notifications. Chairman Lopez acknowledged that this project was in the last stages of development.

In response to Commissioner Moats, Peggy Woods stated that if the hotel at some time sought to be converted to a different use, that use change would require a Conditional Use Permit. If the City received an application to change the use, the proposal would be reviewed by the Planning Commission at a public hearing which would require noticing, so the neighbors would be made aware of it.

Commissioner Moats suggested that objections to the project would be better brought to the study session to allow time for adjustments. Commissioner Moats also suggested going overboard to be sure the immediate neighbors were notified of the study session.

In rebuttal to the comments made, Mr. Burkett addressed the Planning Commission. Mr. Burkett stated that they want to be good neighbors, and were sympathetic to the feelings of the church board, adding that they would be happy to sit with the church board and work through their issues and objections, and reach a compromise that they all agreed with. Mr. Burkett stated that there is no evidence that a hotel becomes less successful over time, citing the example of the former Hilton Hotel, now the Radisson Hotel, successful 20 years later. Mr. Burkett added that he does have roots in this particular church, because he attended the church as a child.

In response to Commissioner Moats, Mr. Burkett spoke about the suggestion of having a wall on the western side of the property as opposed to the idea of having a visual barrier with fast growing trees. Mr. Burkett stated that he likes the open feeling of the site with the extensive landscaping as proposed. Mr. Burkett brought up a concern he had about having a wall around the site, which would be perception the hotel guests would have about security if they saw a wall surrounding the property.

Commissioner Brown encouraged the hotel and church representatives to work out this issue, stating that while they both have valid concerns, you cannot control who comes into the parking lot and uses it as access to the school site. Commissioner Brown also commented on the importance of noticing projects.

Commissioner Waterfield commented on the inadequacy of a wall, stating that people could still go around it and gain access to either site.

In response to Commissioner Moats, Mr. Burkett affirmed that instead of a fence, they were suggesting to plant dense foliage to create a visual barrier that might be more effective than a wall.

Peggy Woods clarified where the proposed hotel would be located relative to the school once the property lines were adjusted.

Commissioner Andrade suggested that the church and hotel representatives meet together to work out the issues, and added that it looks like the hotel doesn't line up with the church once the property lines are adjusted.

In response to Commissioner Moats, Dan Blough affirmed that the project property backs up to the retardation basin to the north, and added that when the lower properties are developed, the applicant would offer putting the fence between the commercial properties and the school property.

Chairman Lopez closed the public hearing and invited discussion.

Commissioner Moats agreed with Mr. Blough's comment that if a wall is built all the way from the school to Battles Road, then it should continue up to the end of their property to the north.

Commissioner Andrade added that maybe by then, the trees will be big enough to provide screening.

After more discussion about whether or not to require a wall, Chairman Lopez called for a motion. Commissioner Andrade made the motion to approve the Planned Development Permit for Legacy Hospitality, LLC for a 102 room limited service four-story hotel located on Shepard Drive at Hancock Avenue, PD-2008-002, E-2008-002, with the amendment of new language to the hazards condition, page 5 of the green sheets, and amending Mr. Renfrow's name from Elroy to Eloy. Commissioner Waterfield seconded it, and it passed, 5-0.

Wendy Stockton explained the appeal process for projects that are approved by the City of Santa Maria in case those in the audience cared to file an appeal.

**ITEM 5 - CONDITIONAL USE PERMIT FOR OUTDOOR STORAGE FOR BERRY PACK, 2905 INDUSTRIAL PARKWAY, U-2006-040, E-2006-071.** Review of a Conditional Use Permit to allow the establishment of a 9,800 square foot outdoor storage area behind an existing building and fence in a PD/M-1 (Planned Development/Light Manufacturing) zoning district, Assessor's Parcel No. 111-292-018. This project is a Class 1 categorical exemption. No further environmental review is required. (Project Planner: Greg Stones)

**STAFF RECOMMENDATION:** By motion, approve subject to the conditions as outlined in the preliminary draft of the Conditional Use Permit.

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

Greg Stones presented the staff report, outlining the details of the project as well as the list of unique circumstances that apply to this project to allow the storage of the cardboard boxes at a height greater than the height of the fence. Mr. Stones concluded his report, and offered to answer questions.

In response to Commissioner Andrade, Greg Stones restated the unique circumstances as listed in the staff report:

- The project site is completely surrounded by PD/M-1 (Planned Development/Light Manufacturing) zoning.
- The site is not adjacent to residential uses or commercial uses open to the general public.
- The proposed storage is located in the rear of property which is situated adjacent to open land belonging to the Okonite Company.
- The immediate property to the south of the subject site is vacant.
- The majority of the proposed storage which is located in the rear of the property is screened and not visible from Industrial Parkway because it is situated behind the existing building.
- The proposed outside storage is approximately 75 feet to the closest building on property located to the north.
- The outside storage is not visible from another public street since the site is approximately 1,300 feet from Skyway Drive. Trees and shrubs help screen the proposed storage from Skyway Drive.

In response to Commissioner Andrade, Greg Stones clarified that these unique circumstances apply to the Conditional Use Permit, and hence run with the land for this particular applicant.

Greg Stones added that if the open space to the west or south is developed, then the applicant of this project would have to comply with Conditions 3 and 4 of the Conditional Use Permit.

In response to Chairman Lopez, Greg Stones stated that the request was only for cardboard boxes, so that is how the project was analyzed.

The applicant, Ruben Trevino, facility manager, 2905 Industrial Parkway, Santa Maria, addressed the Commission, and stated that he just wanted to stack cardboard boxes in the back and provide service for growers.

With no further comments or questions, Chairman Lopez closed the hearing and called for a motion. Commissioner Waterfield made the motion to approve the Conditional Use Permit for outdoor storage for Berry Pack, 2905 Industrial Parkway, U-2006-040, E-2006-071, subject to the conditions as outlined in the preliminary draft of the Conditional Use Permit. Commissioner Brown seconded it, and it passed, 5-0.

**ITEM 6 - CONDITIONAL USE PERMIT FOR HARLEY DAVIDSON/THORSEN MOTORSPORTS FOR MONTHLY OUTDOOR SPECIAL EVENTS AT AN EXISTING MULTI-TENANT BUILDING, 2004 AND 2022 NORTH PREISKER LANE, U-2008-024, E-2008-18.** Review of a Conditional Use Permit to allow special outdoor events in association with Santa Maria Harley Davidson, Thorsen Motorsports and Moto Java Coffee Shop located at an existing multi-tenant building at 2004 and 2022 North Preisker Lane in a PD/CM (Planned Development/ Commercial Manufacturing) zoning district, Assessor's Parcel No. 128-003-043, 044. The project is a class 32 categorical exemption. No further environmental review is required. (Project Planner: Bill Scott)

**STAFF RECOMMENDATION:** By motion, approve subject to the conditions as outlined in the preliminary draft of the Conditional Use Permit.

**VOTE: 4-0** AYES: Commissioners Brown, Waterfield, Moats, and Chairman Lopez; NOES: None; ABSTAINED: None; ABSENT: Andrade.

*Commissioner Andrade recused himself due to a conflict of interest.*

Bill Scott presented the staff report, outlining the history and details of the project, as well as the primary issues associated with the project.

In response to Chairman Lopez, Bill Scott stated that staff believes the proposed uses can be compatible with the other uses on the site.

In response to Commissioner Moats, Bill Scott addressed the issue of people sneaking alcohol in to these events, adding that the possibility highlights the importance of the Police Department's recommendation to have security officers present.

After some discussion about the ratio of people to security officers, and from where to acquire security officers, the applicant, Chris Thorsen, Thorsen Motor Sports, addressed the Commission. Mr. Thorsen spoke about the requirement to have security, and stated that he agreed that hired security forces are not as effective. Mr. Thorsen stated that he did not believe they needed a police presence because they are a pretty responsible group. Mr. Thorsen suggested that a volunteer security force called Black Sheep would be more effective in this arena than a hired security guard.

Commissioner Waterfield stated that she would take Police Officer Lopez' recommendation to have hired security.

Chairman Lopez stated that he attended the Bike Nite event on May 1<sup>st</sup>, and stated his concern about keeping the aisle ways clear. Chairman Lopez added that it seemed like a fairly tame event, and any sound generated was drowned out by the highway noise.

Chris Thorsen brought up the issue of the hours of operation. At the study session, it was suggested that the hours be from 5:30 to 8:30 p.m. Mr. Thorsen argued that starting at 5:30 p.m. would be encroaching into existing hours of operation of the other businesses on the site, which is why they had asked for the hours of 6:00 to 9:00 p.m.

Commissioner Waterfield stated her desire to stand by what was discussed during the study session concerning the hours of operation.

Chairman Lopez stated his observation that as he was driving up to the event, some motorcycles were leaving the site and roared around the corner pretty loudly, which may have been one of the issues that the nearby motel had with noise.

In response to Chairman Lopez, Bill Scott stated that the way the condition was structured, a change in occupancy would require a new Conditional Use Permit. The intent of the permit is that if someone moves out and someone else moves in, they would not be a party to this permit. Mr. Scott also stated his concern with the uses on the site not being in line with the intent and purpose of the zoning, which is a CM (Commercial Manufacturing) zone.

In response to Chris Thorsen, Bill Scott clarified that the way the permit is written, only the hosts can use the permit.

Peggy Woods added that Condition 2A does acknowledge vendor display, so vendor display would be permitted. Ms. Woods added that staff was attempting to place some control on the activities on this site; otherwise, there will be more situations with applicants asking, "They can do it, so why can't we?" Ms. Woods commented that staff will have to review applications on a case by case basis.

Bill Orndorff, Orndorff Planning Services, addressed the Commission, and clarified a few points from the applicant's point of view. Mr. Orndorff commented on the requested hours of operation,

stating that the 6:00 to 9:00 p.m. time frame was intended to allow the other businesses to clear out of the site and then allow time for the applicants' set up for the activities. Mr. Orndorff agreed that the central driveway should be posted to be kept clear. Mr. Orndorff also asked about the barbecue permit requirement, stating that they would prefer to get a yearly permit as opposed to monthly. Mr. Orndorff also spoke about the on-site security requirement, as well as the expiration of the permit in five years as stated in Condition #11 on page 5.

Commissioner Brown corrected Mr. Orndorff, stating that the condition reads "unless an extension of time is approved by the Planning Commission."

Peggy Woods agreed with Commissioner Brown, stating that an extension of time could be requested in a letter to the Planning Commission, which costs approximately \$90. The condition as written does not require a new Conditional Use Permit.

With no further questions or comments, Chairman Lopez closed the public hearing and called for a motion.

After some discussion, Commissioner Brown made the motion to approve the Conditional Use Permit for Harley Davidson/Thorsen Motorsports for monthly outdoor special events at an existing multi-tenant building, 2004 and 2022 North Preisker Lane, U-2008-024, E-2008-18, subject to the conditions as outlined in the preliminary draft of the Conditional Use Permit. Commissioner Moats seconded it, and it passed, 4-0 (Commissioner Andrade abstained).

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**ADJOURNMENT:** The meeting was adjourned at 9:19 p.m. to a Study Session on May 8, 2008, at 10:00 a.m. in the Community Development Department Conference Room, 110 S. Pine Street, Santa Maria.

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Next regular Public Hearing: May 21, 2008

Respectfully submitted,

/s/ Peggy Woods

PEGGY WOODS, ASSISTANT SECRETARY  
CITY PLANNING COMMISSION