



**CITY OF SANTA MARIA
PLANNING COMMISSION
MINUTES FOR REGULAR MEETING OF
JULY 16, 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: Advance Planner – Brian R. Smith
Assistant City Attorney – Philip F. Sinco
Senior Civil Engineer – Rodger Olds
Recording Secretary – Kathleen Wilson
Planner III – Bill Scott
Planner III – Brian Halvorson
Planner I – Neda Zayer
Planner I – Michael Scarcelli

Commissioner Waterfield requested a moment of silence in honor of Joe Hagerman, who passed away today.

APPROVED PLANNING COMMISSION MINUTES OF JUNE 18, 2008, AS WRITTEN.

PUBLIC COMMENT PERIOD:

John Everett, 531 Daniel Drive, Santa Maria, addressed the Planning Commission. Mr. Everett suggested that staff provide flow charts to demonstrate the permitting process.

Floyd Downum, 1021 Tama Lane, Santa Maria, addressed the Planning Commission. Mr. Downum spoke about difficulties he has encountered with an illegal gate located at the rear of his property on Tama Lane.

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. **PLANNED DEVELOPMENT PERMIT FOR VILLA DEL SOL APARTMENTS, LOCATED AT THE SOUTHEAST CORNER OF OAKLEY COURT/SANTA MARIA VALLEY RAILROAD, PD-2008-005, E-2004-010.** Review of a Planned Development Permit to allow the construction of 36 affordable apartment units in six buildings with open space and a 2,100 square foot recreation/office building to be located in a proposed PD/R-3 (Planned Development/High Density Residential) zoning district, Assessor's Parcel No. 123-140-005. The environmental impacts of the project were analyzed in a mitigated negative declaration, E-2004-010, prepared for the General Plan Amendment and Zone Change for the Green Valley Enterprises project, GPZ-2004-001. (Project Planner: Brian Halvorson)

ACTION: By motion, removed the project from the agenda.

VOTE: 4-1 AYES: Commissioners Brown, Moats, Waterfield, and Chairman Lopez; NOES: Commissioner Andrade; ABSTAINED: None; ABSENT: None.

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PUBLIC HEARINGS:

Moved item 5 up, out of sequence.

ITEM 5 - PLANNED DEVELOPMENT PERMIT FOR A PRODUCE PROCESSING FACILITY FOR GOLD COAST PACKING, 1211 WEST CRAIG DRIVE, PD-2007-027, E-2007-086.

Review of a mitigated negative declaration and a Planned Development Permit to allow the two-phased construction of a 101,167 square foot produce processing facility in a PD/M-2 (Planned Development/Heavy Manufacturing) zoning district, Assessor's Parcel No. 117-630-017. (Project Planner: Bill Scott)

ACTION: By motion, continued to the regular Planning Commission meeting scheduled August 20, 2008.

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

ITEM 2 - ALLEN AIRSPACE CONDOMINIUM MAP, 1115 SOUTH BROADWAY, TRACT 5948, E-2008-014.

Review of a tentative parcel map that would create one (1) commercial and three (3) residential airspace condominiums on a PD/CPO/H (Planned Development/Commercial Professional Office/Historic Overlay) zoning district, located at 1115 South Broadway, Assessor's Parcel No. 123-241-009. This project is a Class 15 categorical exemption. No further environmental review is necessary. (Project Planner: Neda Zayer)

ACTION: Adopted **Resolution No. 2521**, approving the tentative map for Allen Airspace Condominium, Tract 5948, subject to the following:

- a. The design as shown on the Official Tentative Map.
- b. The conditions set forth in the April 29, 2008, Subdivision Committee Minutes, as amended per the memo of July 16, 2008.

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

Neda Zayer made the staff presentation, reviewing the details of the project as outlined in the written staff report. Ms. Zayer stated that staff recommends approval, with one minor administrative condition, as explained by Brian Halvorson.

Brian Halvorson distributed a memorandum outlining the clarification to the conditions of approval, which states that, if any conflict arises between the Mixed Use Ordinance or the Condominium Ordinance, the Mixed Use Ordinance would prevail.

In response to Commissioner Waterfield, Brian Halvorson spoke about the differences in requirements for apartments as opposed to condominiums.

In response to Commissioner Andrade, Brian Halvorson cited examples of differences between the two ordinances, such as the open space requirement, parking requirement, and energy efficiency requirements.

In response to Chairman Lopez, Brian Halvorson affirmed that a textual revision had been made to the Mixed Use Ordinance specifying that the base zoning of the property had to be at least 51% of the project. Mr. Halvorson added that this project was approved before that amendment was made to the ordinance, so it would not apply.

In response to Commissioner Moats, Neda Zayer clarified the parking requirements for the project.

Ken Fargen, Fargen Surveys, 2624 Airpark Drive, Santa Maria, addressed the Commission in behalf of the applicant. Mr. Fargen stated that the applicant understands what is necessary, and has no problem with the requirements.

In response to Chairman Lopez, Mr. Fargen affirmed that the maintenance of the landscaping and parking will be taken care of by an association.

Commissioner Andrade cautioned the applicant to be sure to understand the potential pitfalls of the Mixed Use Ordinance preempting the Condominium Ordinance.

With no further comments or questions, Chairman Lopez closed the public hearing and called for discussion or a resolution. Commissioner Waterfield made motion to adopt Resolution No. 2521 approving the tentative map for Allen Airspace Condominium, Tract 5948, subject to the design as shown on the Official Tentative Map, and the conditions as set forth in the April 29, 2008, Subdivision Committee Minutes, as amended per the memo of July 16, 2008. Commissioner Andrade seconded it, and it passed, 5-0.

ITEM 3 - CONDITIONAL USE PERMIT FOR 3RD COAST CAFÉ FOR LIVE ENTERTAINMENT IN CONJUNCTION WITH AN EXISTING RESTAURANT, 323 TOWN CENTER WEST, SUITES A AND C, U-2008-028, E-2008-028. Review of a Conditional Use Permit to allow the establishment of live entertainment in conjunction with an existing restaurant serving alcohol, located at 323 Town Center West, Suites A and C, in a PD/C-1 (Planned Development/Central Business) zoning district, Assessor's Parcel No. 123-280-019. The project is a Class 1 categorical exemption. No further environmental review is required. (Project Planner: Michael Scarcelli)

ACTION: By motion, approved the project subject to the conditions as outlined in the preliminary draft of the Conditional Use Permit.

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

Bill Scott introduced Michael Scarcelli, who presented the details regarding the Conditional Use Permit for 3rd Coast Café for a live entertainment as outlined in the written staff report. Mr. Scarcelli concluded the presentation by stating that staff recommends approval.

In response to Chairman Lopez, Michael Scarcelli stated that since the study session, staff spoke with a representative from Town Center West, who indicated that they provide private security, but that security only drives by the location with no set schedule. Staff changed the preliminary draft conditions to not specify the numbers, but to allow each tenant to provide private security, and that any general staff could provide the security.

Phil Sinco addressed the Planning Commission, stating that he had worked with staff on this condition. The City does allow employees of the requesting venue to serve as security. Mr. Sinco added that sometimes a specific number is imposed, and sometimes not. The Planning Commission can impose a specific number in the condition if they saw fit.

In response to Commissioner Brown, Phil Sinco clarified that the Planning Commission was being asked to approve or deny this project. The conditions as written include the requirement to get an entertainment license from the City Council, which is renewed on an annual basis, and contains conditions that need to be met by the applicant. The entertainment license can be revoked if the conditions are violated.

The applicant, Bill Aguilar, 2990 Country Club Lane, owner of the Third Coast Café. Mr. Aguilar agreed that there is a need for security at the site, and they have provided for it in the past, and will continue to do so.

In response to Commissioner Moats, Phil Sinco stated that the number of patrons is a Fire Code requirement, found under maximum occupant load, #16 on the green sheets, page 4, specifying that the maximum load of people is in conformance with Fire Code.

With no further comments or questions, Chairman Lopez closed the public hearing and called for a motion. Commissioner Moats made the motion to approve the Conditional Use Permit for 3rd Coast Café for live entertainment in conjunction with an existing restaurant, 323 Town Center West, Suites A and C, U-2008-028, E-2008-028, 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 4 - CONDITIONAL USE PERMIT FOR GARIBALDI'S RESTAURANT FOR LIVE ENTERTAINMENT IN CONJUNCTION WITH AN EXISTING RESTAURANT, 229 TOWN CENTER WEST, SUITE A-17, U-2008-029, E-2008-029.

Review of a Conditional Use Permit to allow the establishment of live entertainment in conjunction with an existing restaurant serving alcohol, located at 229 Town Center West, Suite A-17, in a PD/C-1 (Planned Development/Central Business) zoning district, Assessor's Parcel No. 123-280-013. The project is a Class 1 categorical exemption. No further environmental review is required. (Project Planner: Michael Scarcelli)

ACTION: By motion, approved the project subject to the conditions as outlined in the preliminary draft of the Conditional Use Permit.

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

Michael Scarcelli presented the details of the project as outlined in the written staff report, and concluded by stating that staff recommends approval.

The applicant, Maria Chavez, 5138 Sand Piper Lane, Guadalupe, was present, and available to answer questions.

With no comments or questions, Chairman Lopez closed the public hearing and called for a motion. Commissioner Moats made a motion to approve the Conditional Use Permit for Garibaldi's Restaurant for live entertainment in conjunction with an existing restaurant, 229 Town Center West, Suite A-17, U-2008-029, E-2008-029, subject to the conditions as outlined in the preliminary draft of the Conditional Use Permit. Commissioner Waterfield seconded it, and it passed, 5-0.

ADJOURNMENT: The meeting was adjourned at 7:46 p.m. to a Study Session on **August 7, 2008**, at 10:00 a.m. in the Community Development Department Conference Room, 110 S. Pine Street, Santa Maria. The July 24 study session and the August 6 public hearing were cancelled due to lack of agenda items.

Next Study Session: August 7, 2008

Next Regular Public Hearing: August 20, 2008

Respectfully submitted,

/s/ Kirk E. Lindsey

KIRK E. LINDSEY, SECRETARY
CITY PLANNING COMMISSION