



MINUTES
CITY OF SANTA MARIA PLANNING COMMISSION
REGULAR MEETING OF
MAY 20, 2009



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

- PRESENT:** Commissioners Adrian Andrade, Rodger Brown, and Chairman Michael W. Moats.
- ABSENT:** Commissioners Tom S. Lopez, and Etta Waterfield
- STAFF PRESENT:** Acting Director – Peggy Woods
Senior Assistant City Attorney/Utilities Counsel – Wendy Stockton
Principal Civil Engineer – Shad Springer
Recording Secretary – Kathleen Wilson
Planner III – Brian Halvorson
Planner III – Bill Scott

APPROVED PLANNING COMMISSION MINUTES OF MARCH 18, AND APRIL 1, AS WRITTEN.

PUBLIC COMMENT PERIOD: Nobody 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.

- a. **EXTENSION OF TIME OF A PLANNED DEVELOPMENT PERMIT FOR SKYWAY BUSINESS PARK, 3070 AND 3130 SKYWAY DRIVE, PD-2007-016.** Review of a one year extension of time for an existing multi-tenant industrial complex that proposes to subdivide two lots into ten lots under Tract 5931; some of the lots would be smaller than the 15,000 square foot minimum allowed by the current PD/M-1 (Planned Development/Light Manufacturing) zoning district, Assessor's Parcel Nos. 111-292-001 and -022. (Project Planner: Bill Scott)

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

- b. **EXTENSION OF TIME OF A PLANNED DEVELOPMENT PERMIT FOR THE REFUGIO TOWNHOME DEVELOPMENT, NORTHWEST CORNER OF WEST MC COY LANE AND PROFESSIONAL PARKWAY, PD-2006-004.** Review of a one year extension of time to allow the construction of 125 attached townhome units on individual lots and one lot for associated common area facilities, in a PD/R-3 (Planned Development/High Density Residential) zoning district, located at the northwest corner of West McCoy Lane and Professional Parkway Assessor's Parcel Nos. 111-060-015 and -081. (Project Planner: Bill Scott)

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

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

PUBLIC HEARINGS:

ITEM 2 - PLANNED DEVELOPMENT PERMIT FOR AMERICA'S TIRE STORE, 1226 SOUTH BROADWAY, PD-2009-001, E-2009-003. Review of a Planned Development Permit to allow the construction of a 1,348 square foot addition to an existing retail tire store in a PD/C-2 (Planned Development/General Commercial) zoning district, Assessor's Parcel No. 125-251-38. The project is a class 32 categorical exemption. No further environmental review is required. (Planner: Bill Scott)

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

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

Bill Scott presented the staff report, outlining the details of the proposed project as written in the staff report. Bill reviewed the challenges facing the project, and presented how they are proposed to be met, including treatment of the windows in the tower element to create more shadow contrast, and using a stone veneer instead of a painted dark tan color on the lower portion of the building. Bill circulated the color and materials board to the Commission.

Bill Scott stated that the applicant is requesting that two of the bays remain closed to vehicle service, but still be used for unloading when tire deliveries are made to the site, which would result in no interference to the working bays. Bill suggested that a slight amendment be made to condition 6 on page 3, adding "with the exception of regular tire and equipment delivery" to the condition that the two service bays are to remain closed at all times.

Bill Scott continued with the presentation, reviewing the landscaping requirements, and pointed out that the dumpster will be enclosed with a decorative enclosure on the northeastern portion of the site.

Bill Scott concluded the presentation by stating that staff recommends approval in accordance with the conditions as outlined in the preliminary draft of the Planned Development Permit, including the two modifications: the amendment to condition 6 on page 3, adding "with the exception of regular tire and equipment delivery", and the option for staff to review the stone material to be used at the base of the building, as noted in special condition 3, which allows some latitude to the materials.

Noel Anasco, The Bergman Companies, architect for America's Tire, addressed the Planning Commission, and offered to answer questions.

Commissioner Brown commented that it was nice to help the applicant with the project, and the changes will make the building look better, resulting in a win-win proposition.

Commissioner Andrade commented that he preferred the "Coronado Eastern Mountain Ledge" stone veneer, adding that he found it more attractive than the other options.

In response to Commissioner Andrade, Noel Anasco agreed that the applicant would use the "Coronado Eastern Mountain Ledge" stone veneer.

In response to Commissioner Brown, Bill Scott stated that the correct name of the material is "Coronado Eastern Mountain Ledge," and the example shown is located at College Square.

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

In response to Commissioner Andrade, Peggy Woods suggested adding language to special condition 3 on page 3, so that it would read: "The project shall be developed in accordance with the architectural elevations dated May 15, 2009, on file in the Community Development Department and incorporated by reference; and as shown on Planning Commission Exhibit D, Exterior Elevations, attached hereto and incorporated, *except that the stone veneer shall be Coronado Eastern Mountain Ledge.*"

Commissioner Andrade made the motion to approve the Planned Development Permit for America's Tire Store, 1226 South Broadway, PD-2009-001, E-2009-003, subject to the conditions as outlined in the preliminary draft of the Planned Development Permit, with the modifications requiring the Coronado Eastern Mountain Ledge stone in condition 3 of the green sheets, and modify paragraph 6 to include "with the exception of regular tire and equipment delivery." Commissioner Brown seconded the motion, and it passed, 3-0-2.

ITEM 3 - ZONE CHANGE FOR NEWLOVE VILLAS, 202-222 EAST NEWLOVE DRIVE, GPZ-2007-003, E-2007-070. Review of a recommendation to City Council regarding a negative declaration of environmental impact and zone change of a 0.66 acre site from R-2 (Medium Density Residential) to PD/R-2 (Planned Development/Medium Density Residential). The zone change would accommodate the construction of eight single family residences on small lots, Assessor's Parcel No. 128-075-007. (Planner: Brian Halvorson)

ACTION: That the Planning Commission take the following two actions:

1. By **Resolution No. 2543**, recommended that the City Council file a Negative Declaration of Environmental Impact, E-2007-070, for GPZ-2007-003, Tract 5941 and PD 2007-017.

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

and

2. By **Resolution No. 2544**, recommended that the City Council adopt an ordinance re-zoning the 0.66 acre site from R-2 (Medium Density Residential) to PD/R-2 (Planned Development/Medium Density Residential) as shown on Exhibit A to the Planning Commission resolution.

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

Brian Halvorson made the oral presentation, outlining the specifics of the project as detailed in the written staff report. Brian reviewed the requests of the applicant. First, the applicant proposes a zone change from R-2 to PD/R-2 which will add a Planned Development overlay to the existing zoning. Brian added that the General Plan designation will remain the same. The second request is to subdivide the property to create eight small lots for single-family dwellings, with a ninth lot to be used for the common driveway and the basin located in the front of the lot. Due to the proposed small lot size, this tentative map would need to be approved by City Council. The third request is approval to construct the two-story single family detached

residences with attached garages with modified setbacks. Brian noted that typically in the R-2 zone, setbacks are 20 feet in the front yard; side yard setbacks are required to be five and ten feet; and, rear yard setbacks are required to be ten feet. The applicant is requesting modified setbacks through the Planned Development Permit, so that the modifications would be to the front and side yard setbacks, making the front yard setback ten and a half feet instead of twenty feet, and the side yard setback would be five feet and five feet instead of ten feet and five feet, respectively, to allow for a larger house.

Brian reviewed further details of the proposed Planned Development Permit, and concluded by stating that staff recommends continuance of Tract 5941 to the July 15, 2009 Planning Commission meeting to allow the applicant time to make some recommended changes to the map, and continuance of the Planned Development Permit to the August 19, 2009 Planning Commission meeting to allow time for the City Council to take action on the zone change and the map.

Commissioner Brown stated that he did not agree with the proposed setbacks, adding that there needed to be some way to allow more space for children to play. Commissioner Brown referred to the Crabtree project further down on Newlove Drive, which used zero setbacks with easements, and asked Peggy Woods to elaborate on that idea.

Peggy Woods explained that in that project the houses were located toward the southerly property line so that the area in between the houses was increased. There is an easement to the north of each house that belongs to the house toward the south, but utilized by the house toward the north as part of their yard. This in effect creates a zero lot line home development, and allows for more usable yard space.

In response to Commissioner Brown, Peggy Woods explained that typically, on walls located on the zero lot line side, windows are required to be located higher up, using obscure glass, so that the privacy of the adjacent yard area is maintained.

In response to Commissioner Brown, Brian Halvorson agreed to talk with the applicant about the zero lot line idea.

In response to Chairman Moats, Brian Halvorson clarified that the Planning Commission was being asked to act only on the zone change.

Commissioner Andrade stated his opinion that this project is squeezing a large footprint into a very small area. Commissioner Andrade added his concern about the proposed shortened driveways which would result in cars overhanging into the common driveway, allowing for creation of a safety issue. Commissioner Andrade suggested that perhaps the project could use one lot to reconfigure the site.

In response to Commissioner Andrade, Brian Halvorson explained that concern was documented in an incomplete letter almost two years ago, and the applicant did not want to comply with the recommendation.

Commissioner Andrade expressed concern for the proposal, commenting that it may be too much of a project on too small of a site. Commissioner Andrade added that he tended to agree with Commissioner Brown, stating that he was not sure that this is the right project for this area.

In response to Commissioner Andrade, Brian Halvorson stated that he would do his best to work with the applicant before the next study session, and hopefully staff would be able to present a modified design, something better, at that time.

In response to Chairman Moats, Brian Halvorson spoke about the general density currently existing on West Newlove, and displayed some aerial photos of the neighborhood that showed

similar developments. Brian added that applicants want to build detached residences versus townhomes or condos, but staff recommends clustering units in narrow high density lots to allow for more usable open space.

Commissioner Brown questioned the proximity of playgrounds for kids that may live in this project, and commented on the importance for having some space where the kids could play. Commissioner Brown recalled the requirements for the Crabtree project down the street, using a zero lot line concept to give the units more usable space, and suggested that perhaps that could work for this project.

In response to Commissioner Brown, Brian Halvorson reported that the Minami Community Center and Adam Park are 0.44 miles from this development to the west, and to the east, Battles School is 0.2 miles away. Brian confirmed that to walk to either park, pedestrians would need to cross a major arterial road.

In response to Chairman Moats, Brian Halvorson stated that the applicant had been notified of the public hearing, so Brian did not know why they were not present.

Chairman Moats commented that if there was no reason for the applicant to be absent, it showed disrespect for the Commission.

Commissioner Andrade agreed with Chairman Moats, adding that if the applicant wanted to make modifications to what was proposed, but not show up to give his reasoning, that would incline this Commissioner to continue this item until the applicant could show up.

In response to Chairman Moats, Wendy Stockton stated that the City could not condition a project that is not being acted on, but the site could be referred to Code Compliance. The property nuisance ordinance dictates how a property needs to be taken care of when not occupied, and Code Compliance could look into it. Wendy added that any requirements for cleanup of the project site would be a part of the project approval at the Planned Development Permit stage.

In response to Wendy Stockton, Brian Halvorson stated that the ideas discussed to improve the project, including the zero lot line concept, would all require a Planned Development overlay, explaining that reduced setbacks cannot be approved without a Planned Development Permit. Brian added that the applicant did not want to rezone the property, but since they want reduced setbacks, this is the way to modify them.

The Commissioners mused about the potential benefits of a zero lot line development.

Commissioner Brown reiterated his concern with the project, stating that he is against the way it is laid out, and wants the applicant to understand the Commission's concerns with the project.

Commissioner Andrade agreed with Commissioner Brown, adding that he is not convinced this is the right project as proposed for the site.

Wendy Stockton clarified that for a general plan amendment, three votes in favor are required in order to send a recommendation to City Council. For a rezoning, it does not need to be three votes in favor. Wendy added that if the Planning Commission was interested in the redesign, the recommendation to the City Council in a favorable way would move the project along.

Brian Halvorson stated his appreciation for all the input from the Commission, adding that it will help to make a better project.

In response to Chairman Moats, Peggy Woods clarified that the first action is to change the zoning from R-2 to PD/R-2 with the Planned Development overlay.

With no further discussion or questions, Chairman Moats called for a motion.

Commissioner Andrade made the motion that the Planning Commission by **Resolution No. 2543**, recommend that the City Council file a Negative Declaration of Environmental Impact, E-2007-070, for GPZ-2007-003, Tract 5941 and PD 2007-017. Commissioner Brown seconded the motion, and it passed, 3-0-2.

Commissioner Andrade made the motion that the Planning Commission by **Resolution No. 2544**, recommend that the City Council adopt an ordinance re-zoning the 0.66 acre site from R-2 (Medium Density Residential) to PD/R-2 (Planned Development/Medium Density Residential as shown on Exhibit A to the Planning Commission resolution. Commissioner Brown seconded the motion, and it passed, 3-0-2.

ITEM 4 - TENTATIVE TRACT MAP FOR NEWLOVE VILLAS, TRACT 5941, E-2007-058.

Review of a recommendation to City Council regarding a tentative tract map that would create eight single family residential lots that would be 2,722 square feet in size and one 7,079 square foot common lot, Assessor's Parcel No. 128-075-007. The environmental impacts of the project were analyzed in Initial Study/Negative Declaration, E-2007-070, prepared for the proposed zone change, GPZ-2007-003. No further environmental review is required. (Planner: Brian Halvorson)

ACTION: Received input on the tentative map and continued the tentative map to the July 15, 2009 Planning Commission meeting for Tract 5941 for the Newlove Villas, subject to the following:

1. The design as shown on the Official Tentative Map.
2. The conditions set forth in the October 16, 2007, Subdivision Committee Minutes.

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

Commissioner Andrade made the motion that this item be continued to the July 15, 2009 Planning Commission public hearing. Commissioner Brown seconded the motion, and it passed, 3-0-2.

ITEM 5 - PLANNED DEVELOPMENT PERMIT FOR NEWLOVE VILLAS, 202-222 EAST NEWLOVE DRIVE, PD-2007-020, E-2007-059.

Review of a Planned Development Permit to allow the construction of eight single family residences. The zoning of the site is proposed to be changed from R-2 (Medium Density Residential) to PD/R-2 (Planned Development/Medium Density Residential), Assessor's Parcel No. 128-075-007. The environmental impacts of the project were analyzed in Initial Study/Negative Declaration, E-2007-070, prepared for the proposed zone change, GPZ-2007-003. No further environmental review is required. (Project Planner: Brian Halvorson)

ACTION: The Planning Commission continue the item to the August 19, 2009, Planning Commission hearing after City Council action on the associated zone change (GPZ-2007-003) and tentative map (Tract 5941).

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

Commissioner Andrade made the motion to continue this item to the August 19, 2009 Planning Commission public hearing. Commissioner Brown seconded the motion, and it passed, 3-0-2.

ADJOURNMENT: The meeting was adjourned at **7:34 p.m.** to a Study Session on May 21, 2009, at 10:00 a.m. in the Community Development Department Conference Room, 110 S. Pine Street, Santa Maria.

Next regular Public Hearing: June 3, 2009

Respectfully submitted,

/s/ Peggy Woods

PEGGY WOODS, ACTING SECRETARY
CITY PLANNING COMMISSION