



MINUTES
SANTA MARIA CITY PLANNING COMMISSION
REGULAR MEETING OF
AUGUST 5, 2009



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

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

ABSENT: Commissioner Etta Waterfield

STAFF PRESENT: Planning Division Manager – Peggy Woods
 Senior Assistant City Attorney/Utilities Counsel – Wendy Stockton
 Principal Civil Engineer – Shad Springer
 Recording Secretary – Kathleen Wilson
 Planner II – Greg Stones
 Planner I – Neda Zayer

CONTINUED APPROVAL OF PLANNING COMMISSION MINUTES OF JULY 1, 2009, TO NEXT MEETING.

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.

- a. **ONE YEAR EXTENSION OF TIME FOR A PLANNED DEVELOPMENT PERMIT FOR TERRACES AT PACIFIC CREST, LOCATED AT THE SOUTHWEST INTERSECTION OF BATTLES ROAD AND SOUTH DEPOT STREET, PD-2006-003, E-2006-007.** Review of a one-year extension of time for a Planned Development Permit to allow the construction of 112 town homes ranging in size from 1,380 square feet to 1,660 square feet in a PD/R-3 (Planned Development/High Density Residential) zoning district, Assessor's Parcel No.118-010-058. (Planner: Neda Zayer)

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

VOTE: 4-0-1 AYES: Commissioners Andrade, Brown, Lopez, and Chairman Moats; NOES: None; ABSTAINED: None; ABSENT: Commissioner Waterfield.

PUBLIC HEARINGS:

ITEM 2 - PLANNED DEVELOPMENT PERMIT FOR TAKKEN BUILDING, 116 W. ENOS DRIVE, PD-2009-004, E-2009-020. Review of a Planned Development Permit to allow the construction of a new 4,028 square foot building, in a PD/C-1 (Planned Development/Central Business) zoning district, Assessor's Parcel No. 117-300-084. The project is a class 3

categorical exemption. No further environmental review is required. (Planner: Neda Zayer)

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

VOTE: 4-0-1 AYES: Commissioners Andrade, Brown, Lopez, and Chairman Moats; NOES: None; ABSTAINED: None; ABSENT: Commissioner Waterfield.

Ms. Neda Zayer gave the oral presentation, reviewing the project details as outlined in the written staff report. Ms. Zayer reviewed the parking and landscaping requirements, and the architectural details of the proposal. Ms. Zayer concluded by stating that staff recommends approval of the project, and was available to answer questions.

In response to Commissioner Andrade, Ms. Zayer explained that the landscaping being proposed is less than the requirement due to a pathway that will be between the project and the neighboring property to the east. The pathway cuts through the landscaping, but provides a better pedestrian connection to the adjoining site, so staff is recommending approval.

In response to Commissioner Andrade, Ms. Zayer confirmed that the applicant is in agreement with the conditions.

With no further comments or questions, and the applicant not present, Chairman Moats closed the public hearing and called for a motion.

In response to Commissioner Lopez, Mr. Springer confirmed that the trash enclosure shown on the site plan in the southwest corner will be solely for the new project.

Commissioner Brown made the motion to approve the project subject to the conditions as outlined in the preliminary draft of the Planned Development Permit. Commissioner Andrade seconded the motion, and it passed, 4-0-1.

ITEM 3 - PLANNED DEVELOPMENT PERMIT FOR PAUL AND KWAN CHEN FOR A COMMERCIAL CENTER, 1700 BLOCK NORTH BROADWAY, PD-2007-014, E-2007-044.

Review of a mitigated negative declaration of environmental impact and Planned Development Permit to allow the construction of a commercial center consisting of three buildings totaling 26,879 square feet, including a grocery store, retail building and fast food restaurant, and site improvements, in a PD/C-2 (Planned Development/General Commercial) zoning district, in the 1700 block of North Broadway, Assessor's Parcel Nos.117-040-028 and 117-040-029. (Planner: Greg Stones)

ACTION: By motion, authorized filing of a mitigated negative declaration and approved subject to the conditions as outlined in the preliminary draft of the Planned Development Permit, as amended.

VOTE: 4-0-1 AYES: Commissioners Andrade, Brown, Lopez, and Chairman Moats; NOES: None; ABSTAINED: None; ABSENT: Commissioner Waterfield.

Mr. Greg Stones presented the staff report, outlining the details of the proposed project as written in the staff report. Mr. Stones stated that due to the single family residences that back up to the subject site, the project has been conditioned to have a six foot tall wall along the western property line. Mr. Stones noted the mitigation measures indicated in the noise study, including a twelve foot tall noise barrier wall to screen the truck terminal, and prohibiting truck deliveries between the hours of 10:00 p.m. and 7:00 a.m.

Mr. Stones referred to a letter received from Caltrans concerning the project, which resulted in four additional conditions being placed on the project to address those concerns. The

additional conditions were presented in a memo distributed to the Planning Commission.

In response to Chairman Moats, Mr. Stones confirmed that the applicant is aware of the additional conditions.

In response to Chairman Moats, Mr. Stones stated that the code requirement for the wall between the project and the residential tract to the west is six feet tall.

In response to Chairman Moats, Ms. Woods clarified that the Planning Commission is being asked to take action on a Mitigated Negative Declaration, which does include the fast food pad. The Planning Commission is also being asked to take action on the Planned Development Permit. Ms. Woods added that the site plan was reviewed with the fast food restaurant pad. The only item that staff was uncomfortable with were the architectural elevations of the fast food restaurant. Ms. Woods noted that staff is willing to work with the applicant on those architectural elevations. On page 6 of the green sheets, item 8, is a condition that allows the Zoning Administrator to review the elevations and approve them. However, if the Zoning Administrator believes that additional architectural features should be incorporated into the building, the elevations could be brought before the Planning Commission.

In response to Chairman Moats, Ms. Woods confirmed that if the Zoning Administrator reviews the elevations and finds them acceptable, they can be approved; but if they are not acceptable to the Zoning Administrator, the elevations can be brought to the Planning Commission.

Commissioner Andrade added that the elevations would need to be found architecturally consistent with the elevations of the Planned Development Permit.

Mr. Mike Maglinte, architect with Martinez and Associates, 2624 Airpark Drive, representing the applicant and Fresh & Easy, addressed the Planning Commission. Mr. Maglinte stated that he would work with the fast food restaurant to ensure that the elevations are in line with the architecture of the other buildings. Mr. Maglinte added that there has been interest from several national chains in this site, but because the fast food pad is not located on a corner, it has been difficult to fill.

Mr. Maglinte also spoke about the proposed block wall on the western property line, stating that the applicant does not want to disturb the existing fences there, but proposes to build a new six foot tall block wall along the western property line, consistent with the sound study.

Mr. Maglinte spoke about the fast food pad, noting that one of the original conditions of approval was to screen the drive-through. Mr. Maglinte stated that the applicant is proposing a screen along the northern portion of the property along the drive-thru path, and also berms and landscaping to screen the drive aisle from Broadway.

In response to Commissioner Brown, Mr. Maglinte stated there will be approximately six inches between the existing fences and the new block wall on the western property line. Mr. Maglinte added that the applicant will use natural slump stone, and if required, will finish the wall on the commercial side and down the other side two courses, bringing the finish down to the level of the existing walls on the residential side.

In response to Commissioner Brown, Mr. Maglinte spoke about concerns of Caltrans. Mr. Maglinte stated he disagreed with the comment that there are too many drive approaches to the site. Caltrans would prefer to have only one to the site. Mr. Maglinte added that there needs to be a bus turnout on the site, which reduces the space available for driveways. Mr. Maglinte noted that the site needs two driveways, one for truck traffic and the other for vehicle traffic. Mr. Maglinte also spoke about the safety measures and a median in Broadway, as well as proposing to Caltrans a deceleration lane on Broadway.

Commissioner Brown stated for the record that he would be in favor of having median fencing to discourage pedestrians from crossing Broadway mid-block.

In response to Commissioner Brown, Ms. Woods pointed out supplemental condition #1. Staff proposes to delete references to mid-block pedestrian crossing and replace with the wording "raised curb median with a fence."

Mr. Shad Springer clarified that the desire is to eliminate the potential pedestrian crossing. The way the condition currently reads, if a pedestrian crossing is needed, it will be installed, but actually, if the need is there, a raised curb and fence can be installed to prohibit pedestrian crossing.

In response to Commissioner Brown, Mr. Springer explained that staff was reworking the wording to make it clear.

In response to Mr. Maglinte, Mr. Springer stated that it had not yet been decided who would conduct the safety study, but it would be up to Caltrans to decide.

In response to Mr. Maglinte, Mr. Springer stated that generally speaking, transportation agencies do not like to install facilities that are not warranted. If Caltrans determines something is not required, then it will not be installed.

In response to Commissioner Andrade, Ms. Stockton stated that the median is in Caltrans' right-of-way, and so it would require Caltrans' permission for an encroachment, such as a fence, to be installed. Ms. Stockton added that the condition states "shall be installed in accordance with Caltrans specifications if warranted."

In response to Commissioner Andrade, Commissioner Brown stated he was not requiring the fence, but was recommending that it be installed, and asked the other Commissioners for their input.

In response to Commissioner Brown, Commissioner Andrade stated he was unsure if a fence was needed now, but perhaps would be needed in the future, and added his willingness to allow Caltrans to make that determination.

Commissioner Lopez stated his agreement with installing a fence, as did Chairman Moats.

Mr. Maglinte spoke about the requirement to eliminate the pedestrian midblock crossing on the southern edge of the project site. At one time, a pedestrian easement was located on the southern edge of the property next to the high density project to the southwest, which was later abandoned. The developer is proposing to close off that easement with the wall, leaving only Grant Street and Broadway as pedestrian access points. Mr. Maglinte stated that he would like to see a left-turn lane into the development for northbound traffic.

In response to Mr. Maglinte, Mr. Springer stated that a left-turn lane would fall into the Caltrans right-of-way, and suggested that the applicant meet with the City concerning the deceleration lane and bus turnout first, because those have very specific requirements.

In response to Commissioner Andrade, Mr. Springer spoke about the traffic study and the raised median, stating that if that was installed, it would limit the access to the development, and leave those access issues to be addressed in the future.

Commissioner Andrade voiced his concern about creating a median for safety purposes that could possibly result in choking the site economically due to limited access.

Commissioner Moats agreed with Commissioner Andrade, adding that if northbound traffic couldn't access the project, they may just go someplace else.

In response to Commissioner Brown, Commissioner Andrade confirmed that there is a raised

median from McCoy Lane north on Broadway, noting that there are also left turn lanes mid-block to accommodate traffic.

Mr. Springer added that there are access points on Broadway, but the concern is that the Caltrans letter specifically states "raised median with a fence," which is different than a raised median to reduce access. Mr. Springer noted that if there is a raised median with a left turn pocket, the pedestrians can cross there as easily as cars can. Putting the fence to stop pedestrians would also cause an access issue for vehicles.

In response to Chairman Moats, Mr. Maglinte stated that they would massage the site and move the parking around to maintain the required percentages of parking and landscaping in order to accommodate the deceleration lane.

In response to Chairman Moats, Mr. Maglinte commented that the 10,000 square foot building is currently a retail shell, and negotiations are going on between the Chen family and Fresh & Easy.

In response to Commissioner Andrade, Mr. Stones confirmed that notices were sent out to residents within 300 feet of the project, as well as postings on the property, and no responses were received by staff.

In response to Commissioner Lopez, Mr. Stones stated that there is a condition regarding a reciprocal parking agreement on page 14, condition 23.

In response to Commissioner Lopez, Ms. Woods commented that the width of the sidewalk on the south side of the store will meet ADA requirements, and will be checked during the plan check in the Building Division.

With no further comments or questions, Chairman Moats closed the public hearing and called for a motion. Commissioner Lopez made the motion to authorize filing of a mitigated negative declaration and approve the project subject to the conditions as outlined in the preliminary draft of the Planned Development Permit, as amended. Commissioner Andrade reiterated the amendments, replacing "mid-block pedestrian crossing" with "raised curb median with a fence," and seconded the motion, and it passed, 4-0-1.

ADJOURNMENT: The meeting was adjourned at **7:29 p.m.** to a Study Session on August 6, 2009, at 10:00 a.m. in the Community Development Department Conference Room, 110 S. Pine Street, Santa Maria.

Next regular Public Hearing: August 19, 2009

Respectfully submitted,

/s/ Peggy Woods

PEGGY WOODS, ASSISTANT SECRETARY
CITY PLANNING COMMISSION

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