



MINUTES

SANTA MARIA CITY PLANNING COMMISSION REGULAR MEETING DECEMBER 2, 2009 CITY COUNCIL CHAMBERS, 6:30 P.M.



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

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

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

This agenda is prepared and posted pursuant to the requirements of Government Code Section 54954.2. By listing a topic on this agenda, the Planning Commission has expressed its intent to discuss and act on each item. In addition to any action identified in the brief general description of each item, the action that may be taken shall include: a referral to staff with specific requests for information; continuance; specific direction to staff concerning the policy or mission of the item; discontinuance of consideration; adoption, approval or disapproval or recommendation thereof.

Participation includes assistance under the Americans with Disabilities Act to provide an equally effective opportunity for individuals with a disability to participate in and benefit from City activities. For the hearing impaired, the City has assisted listening equipment available. For TDD (Telecommunications Devices for the Deaf) service, please call 800-735-2929. In order for the City to make reasonable accommodation arrangements for the use of this assisted listening equipment, notification is required by at least 4:00 p.m. the Friday before the meeting by calling 925-0951, extension 307. This equipment can also be used for translation by Spanish-only speaking persons. To allow the City to coordinate and request a Spanish translator from the volunteer corps, call 925-0951, extension 307 by 1:00 p.m. on Tuesday before the meeting. Para permitir a la Ciudad el poder coordinar y solicitar a un traductor para español del cuerpo de voluntarios, llame al 925-0951, extensión 307 a la 1:00 de la tarde el martes antes de la junta.

Copies of the staff reports or other documentation relating to each item of business referred to on the agenda are on file in the Community Development Department, available for public inspection during City business hours. Any writing or documents provided to a majority of the Planning Commission after distribution of the agenda will also be available for public inspection in the Community Development Department during normal business hours. The Community Development Department ([805] 925-0951, ext. 244) will answer any questions regarding the agenda.

NOTICE: IN ACCORDANCE WITH SEC. 12-35.211 OF THE MUNICIPAL CODE, PLANNING COMMISSION DECISIONS MAY BE APPEALED TO THE CITY COUNCIL.

Next Resolution No: 2558

Next Two Regular Planning Commission Meetings: December 16, 2009 and January 6, 2010.

CALL TO ORDER: Chairman Michael W. Moats

PLEDGE OF ALLEGIANCE TO THE FLAG.

ROLL CALL: Commissioners Adrian Andrade, Tom S. Lopez, Richard Quandt, Vice-Chair Rodger Brown and Chairman Michael W. Moats

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 MATTEI'S LANDING, LOCATED AT THE NORTHWEST CORNER OF SOUTH BLOSSER ROAD AND BATTLES ROAD, PD-2005-017, E-2005-050.** Review of a one year extension of time for a Planned Development Permit to allow 375 modular home units located in a PD/RMH (Planned Development/Residential Mobile Home) zoning district, Assessor's Parcel No. 117-240-006. This project was previously reviewed in a Supplemental Environmental Impact Report (E-2003-022). No further environmental review is required. (Planner: Brian Halvorson)

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

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

PUBLIC HEARINGS:

ITEM 2 - GENERAL PLAN CONSISTENCY DETERMINATION FOR THE SANTA BARBARA COUNTY PROBATION REPORT AND RESOURCE CENTER, 509 WEST MORRISON AVENUE, SP-2009-030. Review of a general plan consistency determination for the leasing of a 1,529 square foot building located at 509 West Morrison Avenue, in the PD/CPO (Planned Development/Commercial and Professional Office) zoning district, Assessor's Parcel No. 123-172-007. The California Environmental Quality Act does not apply to general plan consistency determinations. No environmental review is required. (Planner: Neda Zayer)

ACTION: By **Resolution No. 2885**, recommended that the County of Santa Barbara Department of General Services lease agreement and use of 509 West Morrison Avenue, Suite B, for a Probation Report and Resource Center, APN 123-172-007, is consistent with the City of Santa Maria's General Plan.

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

Neda Zayer presented the staff report, and recommended approval of the project.

Ronn Carlentine, Santa Barbara County, General Services Department, addressed the Planning Commission, and introduced Heather Bennett from the Department.

Heather Bennett, Santa Barbara County, addressed the Planning Commission, and explained that the goal of this project is to divert people from jail and to learn life skills. Ms. Bennett added that the referral process and assessment tools to be used have not yet been finalized.

With no further comments or questions, Chairman Moats closed the public hearing and called for a motion. Commissioner Brown made the motion to approve Resolution No. 2558. Commissioner Andrade seconded the motion, and it passed, 5-0.

ITEM 3 - CONDITIONAL USE PERMIT FOR JOEY'S CUSTOM WHEEL AND TIRE, 807 WEST MAIN STREET, U-2009-028, E-2009-048. Review of a Conditional Use Permit to establish a retail tire store and tire installation shop, in a PD/C-2 (Planned Development/General Commercial) zoning district, Assessor's Parcel No. 119-253-013. This project is a class 1 categorical exemption. No further environmental review is required. (Planner: Greg Stones)

ACTION: The Planning Commission approved the preliminary draft of the Conditional Use Permit.

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

Commissioner Lopez recused himself due to a conflict of interest.

Greg Stones presented the staff report, reviewing the details of the proposed project as outlined in the written staff report.

The Planning Commission and staff reviewed the landscaping requirement to the project.

Wendy Stockton commented on the lack of any exception in the Municipal Code for a Conditional Use Permit to be approved when the landscaping is not consistent with the Code. Ms. Stockton stated that the landscaping needed to be calculated to be 15% in order to approve the Conditional Use Permit.

Greg Stones explained how staff calculated the landscaping requirement.

The Planning Commission and staff discussed the landscaping allocation to the site, and the parking.

Shad Springer suggested allocating 15% of the existing landscaping to this project, and allowing a reserve of landscaping for the next tenant.

The applicant and owner, Patrick Duncan, addressed the Planning Commission.

With no further comments or questions, Chairman Moats closed the public hearing and called for a motion. Commissioner Quandt made the motion to approve the Conditional Use Permit, assigning 15% of the site landscaping to this project. Commissioner Andrade seconded the motion, and it passed, 4-0-1.

Commissioner Lopez returned to the dais.

Items 4 and 5 were considered together.

ITEM 4 - SANTA MARIA FREEWAY CENTER GENERAL PLAN AMENDMENT AND ZONE CHANGE, 1000 EAST BETTERAVIA ROAD, GPZ-2009-002, E-2009-029. Review of a recommendation to City Council regarding an amendment to the General Plan (Land Use) and a zone change for property located at 1000 East Betteravia Road. The amendment to the General Plan (Land Use) would change the land use designation **from** 4.68 acres of FS (Freeway Service) **to** 4.68 acres of CC (Community Commercial). The zone change would change the zoning **from** 4.68 acres of PD/FS (Planned Development/Freeway Service) **to** 4.68 acres of PD/C-2 (Planned Development/General Commercial); Assessor's Parcel Nos. 128-136-008 and 128-136-009. The environmental impacts of this project have been analyzed in the addendum to E-2002-041 for GPZ-2009-002. (Planner: Brian Halvorson)

ACTION: The Planning Commission opened public testimony, and continued the General Plan Amendment and zone change to the January 6, 2010 Planning Commission hearing.

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

ITEM 5 - PLANNED DEVELOPMENT PERMIT APPLICATION FOR THE SANTA MARIA FREEWAY CENTER, 1000 EAST BETTERAVIA ROAD, PD-2009-007 E-2009-007.

Review of a Planned Development Permit to allow the construction of a 40,009 square foot commercial center with gas station (and car wash), drive-thru restaurant and three retail buildings in a proposed PD/C-2 (Planned Development/General Commercial) zoning district, Assessor's Parcel Nos. 128-136-008 and 128-136-009. The environmental impacts of this project have been analyzed in the addendum to E-2002-041 for GPZ-2009-002. (Planner: Brian Halvorson)

ACTION: The Planning Commission opened public testimony, and continued the Planned Development Permit to the January 6, 2010 Planning Commission hearing.

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

Brian Halvorson gave the staff presentation, reviewing the project as presented in the written staff report. Mr. Halvorson noted for the record that a fax in opposition to the project was received from Westar Associates.

Wendy Stockton noted that the City Attorney made a determination that a long-term lessee can process an application, and that opinion was included with the staff report.

The Planning Commission and staff discussed long-term leases, rezoning requests and the land uses surrounding the project site.

Peggy Woods outlined the options available to the Planning Commission: to deny the applicant's request for a continuance and act on the project; open the public hearing, take testimony, leave the hearing open, and grant the continuance; or take testimony on the topic of the continuance, and either open the public hearing and proceed or not.

Brian Halvorson stated that the applicant submitted the request for a continuance two days prior to the hearing.

Dave Cross, Fletcher Cross & Associates, spoke against the project, encouraging the Planning Commission to support property owners' rights.

Chairman Moats left the public hearing open, and called for a motion. Commissioner Andrade made the motion to continue items 4 and 5 to the January 6, 2010 public hearing, including the letter from the attorney be filed as part of the record. Commissioner Brown seconded the motion, and it passed, 5-0.

ADJOURNMENT: The meeting was adjourned at **7:27 p.m.** to a Study Session on December 3, 2009, at 10:00 a.m. in the Community Development Department Conference Room, 110 S. Pine Street, Santa Maria.

Next regular Public Hearing: December 16, 2009

Respectfully submitted,

/s/ Peggy Woods

PEGGY WOODS, ASSISTANT SECRETARY
CITY PLANNING COMMISSION