



## AGENDA MINUTES

### SANTA MARIA CITY PLANNING COMMISSION REGULAR MEETING JANUARY 20, 2010 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:** Community Development Director – Larry Appel  
City Attorney – Gil Trujillo  
Senior Assistant City Attorney/Utilities Counsel – Wendy Stockton  
Principal Civil Engineer – Shad Springer  
Recording Secretary – Kathleen Wilson  
Planner III – Brian Halvorson

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.

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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: 2562

Next Two Regular Planning Commission Meetings: February 3, 2010 and February 17, 2010.

**CALL TO ORDER:** Chairman Michael W. Moats

#### **PLEDGE OF ALLEGIANCE TO THE FLAG.**

**PRESENT:** Commissioners Adrian Andrade, Tom S. Lopez, Vice-Chair Rodger Brown, Chairman Michael W. Moats, and Richard Quandt (*arrived at 6:49 p.m.*)

**PUBLIC COMMENT PERIOD:** No one present wished to speak.

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**PUBLIC HEARINGS:**

**ITEM 1 - CONDITIONAL USE PERMIT FOR NEWLOVE MINISTRIES, 215 WEST NEWLOVE DRIVE, U-2009-022, E-2009-030.** Review of a Conditional Use Permit to allow the expansion of an existing church from 1,100 square feet to 1,690 square feet at 215 West Newlove Drive, in an R-3 (High Density Residential) zoning district, APN-117-462-018. This project is a Class 1 (Existing Facilities) 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 Conditional Use Permit.

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

Larry Appel made the staff presentation, reviewing the details of the project as outlined in the written staff report. Mr. Appel concluded by recommending approval.

David Jimenez, Newlove Ministries, project director and pastor addressed the Planning Commission.

The Planning Commission and staff briefly discussed parking, the ability to convert the building back to a fourplex, and the entrance points to the building.

With no further comments or questions, Chairman Moats closed the public hearing and called for a motion. Commissioner Andrade made the motion to approve the project. Commissioner Brown seconded the motion, and it passed, 4-0-1 (Quandt absent).

*Items 2 and 3 were considered together.*

*Commissioner Quandt joined the Commission, 6:49 p.m.*

**ITEM 2 - GENERAL PLAN AMENDMENT AND ZONE CHANGE FOR SANTA MARIA FREEWAY CENTER, 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 an addendum to a Mitigated Negative Declaration, E-2002-041. No further environmental review is required. (Planner: Brian Halvorson)

**ACTION:**

1. By **Resolution No. 2562**, recommended that the City Council approve the Addendum to the adopted Mitigated Negative Declaration, E-2002-041, and adopt the mitigation monitoring program for the Santa Maria Freeway Center project, GPZ-2009-002 and PD-2009-007.

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

2. By **Resolution No. 2563**, recommended that the City Council:
  - a) Adopt a resolution amending the General Plan (Land Use) for a 4.68 acre site **FROM** FS (Freeway Service) **TO** CC (Community Commercial), as shown on Exhibit A to the Planning Commission Resolution, incorporated herein by reference; and
  - b) Rezone a 4.68 acre site **FROM** PD/FS (Planned Development/Freeway Service) **TO** PD/C-2 (Planned Development/General Commercial) as shown on Exhibit A to the Planning Commission Resolution, incorporated herein by reference.

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

**ITEM 3 - PLANNED DEVELOPMENT PERMIT FOR 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 42,824 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 an addendum to a Mitigated Negative Declaration, E-2002-041. No further environmental review is required. (Planner: Brian Halvorson)

**ACTION:** By motion, continued the Planned Development Permit to the March 3, 2010, Planning Commission public hearing to allow the City Council to act on the pending General Plan amendment and zone change application (GPZ-2009-002).

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

Brian Halvorson made the staff presentation, reviewing the details of the project as outlined in the written staff report. Mr. Halvorson summarized that the primary reason for the zone change request was to open up the uses available to the site.

Brian Halvorson noted the correct total square footage for the project, which was incorrectly printed in the staff report, and passed out a colors and materials board for the Commission's review.

Brian Halvorson concluded the presentation, recommending approval.

The Planning Commission and staff discussed the circulation between the project site and the shopping center to the south, and the long-term circulation plan for the project area.

Gordon Gill, Gordon Gill Associates, addressed the Planning Commission, representing the General Development Company. Mr. Gill gave a history of the lease on the subject property and of the development of the surrounding area. Mr. Gill noted that the zone change is being requested so that the property can be developed, which will benefit Santa Maria with jobs. Mr. Gill stated that the applicant is proposing a quality development at a major intersection in the City, and without the rezoning, the property would most likely stay vacant.

Lynda Hartman addressed the Planning Commission in favor of the project. Ms. Hartman spoke of the family involvement in this property for over 40 years, and reviewed the history of the family's developments. Ms. Hartman concluded by stating that the General Development Company has the experience and resources to complete this project, which will be a distinctive entry point to the City.

Jim Lichacz, general manager of General Development Company, spoke in favor of the project. Mr. Lichacz spoke about the lease strategy designed to benefit Santa Maria, and attract new

upscale retailers. Mr. Lichacz also spoke about the proposed architecture, stating that the applicant sought to make the buildings grand and distinguished to provide a great welcome to the City of Santa Maria.

Todd Hartman, General Development Company, spoke in favor of the project. Mr. Hartman spoke of the occupancy rates of hotels in the area, as well as restaurants and service stations. Mr. Hartman spoke of the benefits to the City of Santa Maria by rezoning the property to allow a greater range of businesses. Mr. Harman also stated that Santa Maria residents would like to see a nice looking entrance to their city, which this project could provide.

The Planning Commission, staff and the applicant discussed accessibility to the site, and traffic circulation.

Jay Hartman, General Development Company, addressed the Planning Commission in favor of the project. Mr. Hartman spoke about the current access points to the project site, and stated that he would be agreeable to additional access between this property and the one to the south. Mr. Hartman summarized some of the details of the project, including the history, allowed uses with the current zoning, and the surrounding uses. Mr. Hartman also spoke about the financing, and proposed architecture.

Peter Koetting, Westar Associates, spoke against the project, citing concerns with property rights and what really is in the best interest of Santa Maria. Mr. Koetting stated that the best use for this property would be to keep it at its current zoning.

Gil Trujillo, City Attorney, addressed the Planning Commission concerning the property rights issue. Mr. Trujillo added that a critical factor in the decision made by the City Attorney was whether or not the applicant has a legally enforceable right to use the land.

David Grant, attorney, spoke against the project. Mr. Grant spoke about the current zoning of the parcel which complements the Crossroads Center. Mr. Grant spoke about low rent and competition, property rights, and the length of the existing lease. Mr. Grant also commented on aspects of the local codes, and property rights concepts.

Harrell Fletcher, Fletcher Cross and Associates, spoke against the project. Mr. Fletcher commented that where there is a code violation that a tenant does not take care of, the property owner is then required to take care of the violation. Mr. Fletcher questioned who would be responsible if there was a violation on this property. Mr. Fletcher noted that College Square and The Crossroads Shopping Center had track records of beautiful work, assets to the community, and added that he would like to see a great entry to Santa Maria at this location.

Dave Cross, Fletcher Cross and Associates, spoke against the project, stating that the current zoning benefits Santa Maria the best. Mr. Cross recommended that the Planning Commission deny the request for the zone change.

*There was a 5 minute break.*

Chairman Moats invited rebuttals by the applicant.

Gordon Gill responded to the Planning Commission concerning the circulation issues that had been brought up. Mr. Gill stated that the applicant has a great site plan and architecture to provide a good entrance to the City, and they hope for a recommendation for approval.

The Planning Commission and the applicant discussed potential uses for the site.

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

Commissioner Brown declared his respect for both sides of this issue, and reminded the audience that the final decision will be up to the City Council, with the Planning Commission making a recommendation.

Commissioner Quandt stated that his analysis for this project focused on the zone change.

Commissioner Quandt noted that he observed the City Council favoring the C-2 zoning over some of the other districts, because it allows for more potential uses. Commissioner Quandt pointed out that the subject site is surrounded by C-2 zoning, and to deny that same opportunity to this small 5 acre parcel bothered him. Commissioner Quandt also noted the problematic access to the site.

Commissioner Quandt stated that in fairness to the development in that area, he was also persuaded to hold this applicant to a very high standard in the Planned Development Permit stage.

Commissioner Andrade stated that upon review of all the documents, he also would vote to rezone the site consistent with the surrounding area, and hold the Planned Development to a high standard. Commissioner Andrade stated his concern with what the gateway to the City would look like.

Chairman Moats concurred with Commissioner Quandt, agreeing that the property is completely surrounded by C-2 zoning, and to rezone it would increase the value.

Chairman Moats called for a motion.

Commissioner Andrade made the motion to adopt **Resolution No. 2562**. Commissioner Quandt seconded the motion, and it passed, 5-0.

Commissioner Andrade made the motion to adopt **Resolution No. 2563**. Commissioner Quandt seconded the motion, and it passed, 5-0.

Commissioner Andrade made the motion to continue the Planned Development Permit to the March 3, 2010 Planning Commission public hearing. Commissioner Quandt seconded the motion, and it passed, 5-0.

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**OTHER BUSINESS:**

**ITEM 4 - ELECTION OF OFFICERS: CHAIR, VICE CHAIR, SUBDIVISION COMMITTEE MEMBER, ALTERNATE SUBDIVISION COMMITTEE MEMBER, SECRETARY AND ASSISTANT SECRETARY.**

CHAIR BROWN (Andrade, Quandt)

VICE-CHAIR ANDRADE (Lopez, Quandt)

SUBDIVISION COMMITTEE MEMBER BROWN (Andrade, Quandt)

ALT SUBDIVISION COMMITTEE MEMBER LOPEZ (Brown, Andrade)

SECRETARY APPEL (Andrade, Lopez)

ASSISTANT SECRETARY WOODS (Andrade, Quandt)

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**ADJOURNMENT:** The meeting was adjourned at **9:28 p.m.** to a Study Session on January 20, 2010, at 10:00 a.m. in the Community Development Department Conference Room, 110 S. Pine Street, Santa Maria.

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Next study session: January 21, 2010; Next regular Public Hearing: February 3, 2010

Respectfully submitted,

/s/ Peggy Woods

PEGGY WOODS, ASSISTANT SECRETARY  
CITY PLANNING COMMISSION

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