



## AGENDA MINUTES

### SANTA MARIA CITY PLANNING COMMISSION REGULAR MEETING JANUARY 18, 2012 CITY COUNCIL CHAMBERS, 6:30 P.M.



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

**PRESENT:** Commissioners Tom S. Lopez, Michael W. Moats, Fred Quigley, Etta Waterfield, and Chairman Rodger Brown.

**STAFF PRESENT:** Community Development Director – Larry Appel  
Planning Division Manager – Peggy Woods  
Senior Assistant City Attorney/Utilities Counsel – Wendy Stockton  
Principal Civil Engineer – Shad Springer  
Recording Secretary – Kathleen Wilson  
Planner I – Neda Zayer  
Planner II – Frank Albro  
Planner III – Bill Scott  
Planner III – Bill Shipsey  
Planner – Greg Villegas

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: 2594

Next Two Regular Planning Commission Meetings: February 15, 2012\*, and March 7, 2012.

**CALL TO ORDER:** Chairman Rodger Brown

**PLEDGE OF ALLEGIANCE TO THE FLAG.**

**ROLL CALL:** Commissioners Tom S. Lopez, Michael W. Moats, Fred Quigley, Etta Waterfield and Chairman Rodger Brown

**APPROVED PLANNING COMMISSION MINUTES OF DECEMBER 7, 2011, AS WRITTEN.**

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

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**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 FOR A PLANNED DEVELOPMENT PERMIT FOR DMS ELECTRIC, 2224 SOUTH WESTGATE ROAD, PD-96-17.** Review of a request for an extension of time for a Planned Development Permit to allow construction of phase II of an electric contractor's facility (7,375 square feet) located in a PD/CM (Planned Development/Commercial Manufacturing) zoning district, Assessor's Parcel No. 111-400-050. (Project Planner: Brian Halvorson)

**ACTION:** By motion, approved the extension of time for one year to July 22, 2013.

- b. **EXTENSION OF TIME FOR A PLANNED DEVELOPMENT PERMIT FOR THE WESTGATE MARKETPLACE SHOPPING CENTER, NORTHWEST CORNER OF SOUTH BLOSSER ROAD AND WEST BATTLES ROAD, PD-2007-012.** Review of a request for an extension of time for a Planned Development Permit to allow the construction of a retail shopping center consisting of up to twelve commercial buildings, totaling 132,380 square feet, on a 13.1 acre site in a PD/CC (Planned Development/Convenience Center) zoning district, Assessor's Parcel Nos. 117-240-030, 117-240-031 and 117-240-032. (Project Planner: Bill Scott)

**ACTION:** By motion, approved the extension of time for one year to January 10, 2013.

- c. **EXTENSION OF TIME FOR A PLANNED DEVELOPMENT PERMIT FOR CENTENNIAL SQUARE, SOUTHWEST CORNER OF MILLER STREET AND PLAZA DRIVE, PD-2005-019.** Review of a request for an extension of time for a Planned Development Permit to allow the construction of 72 residential condominium units and a mixed use building containing 9,095 square feet of commercial office and seven residential apartment units in a PD/CPO (Planned Development/Commercial Professional Office) and a PD/R-3 (Planned Development/High Density Residential) zoning district, Assessor's Parcel No. 128-066-003. (Project Planner: Brian Halvorson)

**ACTION:** By motion, approved the extension of time for one year to December 7, 2012.

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

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**PUBLIC HEARINGS:**

**ITEM 2 - CONDITIONAL USE PERMIT FOR THE COACHMAN COCKTAIL LOUNGE FOR A NIGHTCLUB AT 221 NORTH BROADWAY, DSPDRCUP -2012-0001, (AKA) U-2011-038, E-2011-045.** Review of a Conditional Use Permit to allow the establishment of a nightclub with live music, a DJ, and dancing in an existing cocktail lounge located in the Downtown Specific Plan Gateway zoning district, Assessor's Parcel No. 119-275-006. This project qualifies for a Class 1 categorical exemption. No further environmental review is required. The environmental impacts of this project have been adequately addressed in a Final Environmental Impact Report (EIR), E-2004-001, (SCH#2007041105) for the City of Santa Maria Downtown Specific Plan certified on October 21, 2008. (Planner: Neda Zayer)

**ACTION:** By motion, approved subject to the conditions as outlined in the preliminary draft of the Downtown Specific Plan Development Review Conditional Use Permit.

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

Neda Zayer gave the staff presentation, outlining the proposed project as detailed in the written staff report.

The applicant was not present.

After a brief discussion, Chair Brown closed the public hearing and called for a motion. Commissioner Moats made a motion to approve the project. Commissioner Quigley seconded the motion, and it passed, 5-0.

**ITEM 3 - APPEAL OF A ZONING ADMINISTRATOR DETERMINATION THAT THE ESTABLISHMENT OF AN OFFICE USE FOR RAMCO ENTERPRISES IS A GENERAL OFFICE USE AND IS NOT A PERMITTED USE, 2318 SKYWAY DRIVE, SP-2011-034.** An appeal from Mr. Martin Orradre, representing Ramco Enterprises, of the Zoning Administrator's determination that an office use for Ramco Enterprises is a general office use and is not a permitted use in a PD/M-1 (Planned Development/Light Manufacturing) zoning district, Assessor's Parcel No. 111-440-017, pursuant to Municipal Code Sections 12-13.16 and 12.43. (Project Planner: Bill Scott)

**ACTION:** By **Resolution No. 2594**, upheld the appeal of the Community Development Director's determination, making findings that a human resources and labor contracting office use, as described in the letter from the applicant's attorney dated January 10, 2012, is a non-public-oriented use, and therefore, a permitted use in the M-1 zoning district.

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

Bill Scott gave the staff presentation, outlining the issues of the proposed project as detailed in the written staff report.

The Planning Commission and staff discussed the similarities and differences between previous uses on the site and the current proposal, the legality of businesses in general, and allowed uses in zoning districts.

Anthony Lombardo, attorney representing the applicant, Salinas, California, addressed the Planning Commission.

Marco Radri, Operations Manager for Ramco, addressed the Planning Commission, and distributed a packet describing Ramco's business operation.

Anthony Lombardo, attorney, addressed the Planning Commission, outlining why the applicant believed the building was ideal for their use, and clarifying the applicant's operation of business. Mr. Lombardo acknowledged that the initial submission was not clear, and the applicant would take responsibility for not being specific enough in their first application.

The Planning Commission and staff briefly discussed the process of review for prospective businesses.

Richard Quandt, President of the Growers Shippers Association, Santa Maria, addressed the Planning Commission in favor of the project, clarifying the way a farming company operates its business, and adding his belief that this office would basically be administrative for the farming.

John Erb, District Manager for Driscoll Strawberries, Santa Maria, a shipper for Ramco, spoke in favor of the project, referring to the applicant as a top grower with quality fruit, running an efficient operation.

James Rietkerk, Branch Manager for Ramco, Santa Maria, addressed the Planning Commission, describing the way Ramco conducts business to mitigate traffic around their office, with office personnel going to the fields daily for registration, paperwork and paychecks.

Jerry Schmidt, Pacifica Realty, Santa Maria, real estate broker for the applicant, addressed the Planning Commission in favor of the project, asking for ways to accommodate jobs.

Anthony Lombardo, attorney, addressed the Planning Commission, requesting that the Planning Commission approve the appeal.

The Planning Commission and staff briefly discussed permitted uses in the M-1 zoning district.

After discussion, Chair Brown closed the public hearing and called for a motion. Commissioner Moats made a motion to approve option 2, upholding the appeal of the Zoning Administrator's determination. Commissioner Quigley seconded the motion, and it passed, 5-0.

**ITEM 4 - CONDITIONAL USE PERMIT FOR SA RECYCLING, LLC FOR A RECYCLING FACILITY INCLUDING OUTDOOR STORAGE, 700 WEST FESLER STREET, U-2011-011, E-2011-009.**

Review of a Conditional Use Permit to establish a recycling facility including screened outdoor storage in a CM (Commercial Manufacturing) zoning district, Assessor's Parcel Nos. 119-221-002, -003, and -004. This project qualifies for a Class 1 and Class 2 categorical exemption. No further environmental review is required. (Project Planner: Frank Albro)

**ACTION:** By motion, continued to the Planning Commission meeting of February 15, 2012.

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

Frank Albro gave the staff presentation, outlining the proposed project as detailed in the written staff report. Mr. Albro noted that the applicant had agreed to remove the automobile crushing component; therefore, that aspect was not included in the noise analysis conducted for the site.

Frank Albro stated that staff recommended continuance of the project to the Planning Commission meeting of February 15, 2012, to allow the applicant time to secure proof of ownership of all property within the proposed project boundaries.

Frank Albro reviewed some conditions to which the applicant had requested revisions:

- Condition # 5: Materials Processing Prohibited.
- Condition # 8: New Equipment.
- Condition #22: Parking Within the Building.
- Condition #23: Condition can be removed.
- Condition #32: Fencing and Gates--modified to include gates
- Condition #35: Gates can be deleted.
- Condition #34: Fence Setback, and
- Condition #37: Exterior Materials and Colors.

The applicant distributed a copy of the proposed revisions to the Planning Commission.

The Planning Commission and staff briefly discussed the parcels involved in the proposed application, and the proposed wall for the site.

Brian Schwartz, Urban Planning Concepts, introduced the applicant, Jeff Farano with SA Recycling; Rudy with Rudy's Auto Dismantling; Mike McKibben; Laurie Tamura and David Swank with Urban Planning Concepts; and Russ Garrison, project engineer.

Jeff Farano, Special Projects Director, SA Recycling, LLC, Orange, CA, gave a PowerPoint presentation on SA Recycling. Mr. Farano spoke about the parcels in question; and the triangular piece of property to which there is no title deed.

The Planning Commission and staff discussed adverse possession, the height of the proposed fence, and potential fencing materials.

Brian Schwartz, Urban Planning Concepts, addressed the Planning Commission concerning the proposed walls, and a miscommunication between what is a parcel line and the project boundary. Mr. Schwartz commented on the project description, regarding intake of end-of-life vehicles; Conditions #5 and #12; Condition #6, and requested to have Condition #8: New Equipment, removed in its entirety.

The Planning Commission and staff discussed CUP requirements, permitted and unpermitted uses in zoning districts, and the noise study.

Brian Schwartz concluded his comments to the Planning Commission, commenting on Condition #15 regarding tires, and the condition requiring a closure plan.

Chairman Brown invited members of the audience to speak.

Rudy Hernandez, owner of Rudy's Auto Dismantling, Santa Maria, spoke in favor of the project, and commented on the triangular piece of property in question.

Jerry Schmidt, Pacifica Commercial Realty, Santa Maria, spoke in favor of the project, stating that SA Recycling is clean and professional, and will be a great asset to the City.

Estela Antonio, 332 North Benwiley, Santa Maria, spoke in opposition to the project, citing traffic concerns and the danger for children crossing Fesler Street to attend school.

Gary Silva, 4207 Plumeria Court, Santa Maria, spoke in opposition to the project. Mr. Silva submitted photographs of existing scrap yards, presented a signed petition from 44 local neighborhood residents opposing the recycling facility, and spoke of the potential impacts to the neighborhood.

William Survey, attorney, 2255 S. Broadway, Santa Maria, representing Timoteo Hernandez, owner of three residences on North Benwiley and West Fesler Streets, spoke in opposition to the project, echoing the previously stated concerns with traffic and noise, and citing the incompatibility of the use surrounded by residential uses.

Gloria Zarate, 332 North Benwiley (from recording)/519 North Mary (from speaker slip), Santa Maria, spoke in opposition to the project, expressing concern with the potential for increased theft due to high metal prices in an already low-income, high-crime area.

Hugh Bedford, Bedford Enterprises, Inc., 5621 Menensha Lane, Santa Maria, spoke in opposition to the project, citing traffic and location concerns. Mr. Bedford also described recycling facility operations.

Rene Iler, 323 North Pine, property owner of 314 North Benwiley, Santa Maria, spoke in opposition to the project, speaking of traffic concerns, the intersection, and the impact this project could have on surrounding property values.

Jeff Farano, Special Projects Director, responded to some of the aforementioned concerns, including traffic and noise impacts.

The Planning Commission and applicant briefly discussed other yards surrounded by residential uses, and the potential for increased pilfering of neighborhood garbage cans.

Brian Schwartz, Urban Planning Concepts, requested that the Planning Commission grant approval to move the project forward.

The Planning Commission and staff discussed traffic concerns, potential traffic mitigation improvements for the intersection, and permitted uses within the zoning district.

Commissioner Moats suggested that the applicant have a community meeting with the surrounding neighborhood to help allay the neighbors' fears.

After discussing procedure, the history of this application, the proposed changes to the conditions, and the outstanding item on the ownership of the triangular parcel, Chairman Brown called for a motion. Commissioner Quigley made a motion to continue this item to the February 15th Planning Commission meeting. Commissioner Lopez seconded it, and it passed, 4-1 (Waterfield opposed).

**ITEM 5 - AMENDMENTS TO TITLE 9 AND TITLE 12 TO THE SANTA MARIA MUNICIPAL CODE, RELATING TO EFFICIENCY DWELLING UNITS WITHIN THE C-1 AND C-2 ZONING DISTRICTS, Z-2011-002, E-2011-028, (CITYWIDE).**

Review of recommendations to City Council regarding a draft negative declaration, E-2011-028; an amendment, as allowed by Health and Safety Code Section 17958.1, to Title 9 of the City's Municipal Code; amendments to Chapters 12-2, 12-12, and 12-13 of Title 12 of the Santa Maria Municipal Code; and establishing Chapter 12-52, Efficiency Unit Projects, in the Santa Maria Municipal Code. (Project Planner: Bill Shipsey)

**ACTION:** By **Resolution No. 2595**, recommended that the City Council authorize the filing of a Negative Declaration, E-2011-028, for the Efficiency Unit Ordinance Project, Z-2011-002.

**VOTE: 3-1** AYES: Commissioners Moats, Quigley, and Chairman Brown; NOES: Commissioner Waterfield; ABSTAINED: Commissioner Lopez; ABSENT: None.

**ACTION:** By **Resolution No. 2596**, recommended that the City Council adopt the Efficiency Unit Ordinance.

**VOTE: 3-1** AYES: Commissioners Moats, Quigley, and Chairman Brown; NOES: Commissioner Waterfield; ABSTAINED: Commissioner Lopez; ABSENT: None.

Bill Shipsey gave the staff presentation, outlining the proposed recommendations as detailed in the written staff report.

The Planning Commission and staff discussed the need for this code amendment to benefit the population that already lives in motels, and how the ordinance would work.

Staff stated that the ordinance would give Code Compliance a means to ensure safer housing for residents.

Staff added that this ordinance is a part of the City's Housing Element implementation.

After a discussion, Chair Brown closed the public hearing and called for a motion. Commissioner Quigley made a motion to adopt **Resolution No. 2595**, recommending that the City Council authorize the filing of a Negative Declaration, E-2011-028, for the Efficiency Unit Ordinance Project. Commissioner Moats seconded the motion, and it passed, 3-1 (Waterfield against).

Commissioner Moats made a motion to adopt **Resolution No. 2596**, recommending that the City Council adopt the Efficiency Unit Ordinance. Commissioner Quigley seconded the motion, and it passed, 3-1 (Waterfield against).

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**OTHER BUSINESS:**

**ITEM 5 - ELECTION OF OFFICERS: CHAIR, VICE CHAIR, SUBDIVISION COMMITTEE MEMBER, ALTERNATE SUBDIVISION COMMITTEE MEMBER, SECRETARY AND ASSISTANT SECRETARY.**

Brown	CHAIR
Moats	VICE-CHAIR
Quigley	SUBDIVISION COMMITTEE MEMBER
Lopez	ALT SUBDIVISION COMMITTEE MEMBER
Appel	SECRETARY
Woods	ASSISTANT SECRETARY

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**ADJOURNMENT:** The meeting was adjourned at **10:56 p.m.** to a Study Session on **February 2, 2012\***, at 10:00 a.m. in the Community Development Department Conference Room, 110 S. Pine Street, Santa Maria.

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Next regular Public Hearing: February 15, 2012\*

*\*THE JANUARY 19, 2012, STUDY SESSION AND THE FEBRUARY 1, 2012, PLANNING COMMISSION HEARING HAVE BEEN CANCELLED DUE TO LACK OF AGENDIZED ITEMS.*

Respectfully submitted,

*/s/ Peggy Woods*

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PEGGY WOODS, ASSISTANT SECRETARY  
CITY PLANNING COMMISSION