



CITY OF BUELLTON

PLANNING COMMISSION AGENDA

Regular Meeting of October 1, 2015 – 6:00 p.m.
City Council Chambers
140 West Highway 246, Buellton, California

Materials related to an item on this agenda, as well as materials submitted to the Planning Commission after distribution of the agenda packet are available for public inspection in the office of the Planning Department located at 331 Park Street, during normal business hours.

CALL TO ORDER

Chair Foster Reif

PLEDGE OF ALLEGIANCE

Vice Chair Mercado

ROLL CALL

Commissioners Brian Dunstan, Joe Padilla, Vice Chair Art Mercado and Chair Foster Reif

REORDERING OF AGENDA

PRESENTATIONS

None

APPROVAL OF MINUTES

1. Minutes of the regular Planning Commission meeting of September 17, 2015

PUBLIC COMMENTS

Members of the audience wishing to address the Planning Commission on matters not on the agenda may do so at this time. No action will be taken on these items at this meeting. Please state your name and address for the record. Comments should normally be limited to three minutes.

CONSENT CALENDAR

None

CONTINUED PUBLIC HEARINGS

None

NEW PUBLIC HEARINGS

2. **Resolution No. 15-12 – “A Resolution of the Planning Commission of the City of Buellton, California, Recommending that the City Council Approve a General Plan Amendment (15-GPA-03) and Zoning Ordinance Amendment (15-ZOA-02) for the Vacant Property to the East of Industrial Way (APN 099-690-048)”**
❖ *(Staff Contact Andrea Olson, Assistant Planner)*

OTHER BUSINESS

WRITTEN COMMUNICATIONS

PLANNING COMMISSIONER COMMENTS

PLANNING DIRECTOR REPORT

ADJOURNMENT

To the next regularly scheduled Planning Commission meeting of Thursday, October 15, 2015 at 6:00 p.m. in the Council Chambers located at 140 West Highway 246.

Please note that the date of any Planning Commission decision starts an appeal period. During the appeal period either the applicant or any aggrieved party may appeal the application of a perceived onerous or unreasonable condition or the decision itself to the City Council as governed by the applicable section of the Buellton Municipal Code.

CITY OF BUELLTON

PLANNING COMMISSION MEETING MINUTES

**Regular Meeting of September 17, 2015 – 6:00 p.m.
City Council Chambers, 140 West Highway 246
Buellton, California**

CALL TO ORDER

Vice Chair Reif called the meeting to order at 6:03 p.m.

PLEDGE OF ALLEGIANCE

Commissioner Dunstan led the Pledge of Allegiance

ROLL CALL

Present: Commissioners Brian Dunstan, Art Mercado, Joe Padilla and Vice Chair Foster Reif

Staff: City Manager Marc Bierdzinski
Public Works Director Rose Hess
City Attorney Erika Vega via telecom
Contract Planner Irma Tucker
Assistant Planner Andrea Olson
Staff Assistant/Planning Technician Clare Barcelona

REORDERING OF AGENDA

The Agenda was reordered to allow the Planning Directors report after Presentations.

PRESENTATIONS

Vice Chair Reif presented a plaque to outgoing Commissioner Lisa Figueroa commemorating her three years of service on the Planning Commission.

PLANNING DIRECTOR REPORT

City Manager Marc Bierdzinski updated the Commission on recent City Council actions and upcoming projects including the upcoming Avenue of Flags Workshop to be held on October 21, 2015.

ELECTION OF OFFICERS

2. Election of Chair and Vice Chair

- Planning Commission Chairman

Motion by Commissioner Mercado, seconded by Commissioner Padilla to nominate Vice Chair Reif to serve as Planning Commission Chairman for calendar year 2015.

Motion passed with 4-0 voice vote.

- Planning Commission Vice Chair

Motion by Commissioner Padilla and seconded by Chair Reif to nominate Commissioner Mercado to serve as Planning Commission Vice Chair for calendar year 2015.

Motion passed with a 4-0 voice vote.

APPROVAL OF MINUTES

2. Minutes of the regular Planning Commission meeting of August 6, 2015

MOTION:

Chair Reif moved and Vice Chair Mercado seconded the motion to approve the Minutes of August 6, 2015.

VOTE:

Motion passed by a 3-0 voice vote with abstention by Commissioner Padilla due to his absence from the meeting.

PUBLIC COMMENTS

None

CONSENT CALENDAR

None

CONTINUED PUBLIC HEARINGS

None

NEW PUBLIC HEARINGS

- 3. Resolution No. 15-11– “A Resolution of the Planning Commission of the City of Buellton, California, making findings concerning the Quitclaim of certain portions of excess street right-of-way easement with respect to the consistency of the proposed quitclaim with the City of Buellton General Plan pursuant to the requirements of California Government Code Section 65402 for property located on Assessor’s Parcel Numbers APN 099-820-011, and 099-820-012 and making Findings in Support Thereof”**

Commissioner Padilla recused himself from the Dais for Items #3 and #4 due to the proximity of his employment and residence to the proposed projects.

RECOMMENDATION:

That the Planning Commission consider adoption of Resolution No. 15-11 – “A Resolution of the Planning Commission of the City of Buellton, California, making findings concerning the Quitclaim of certain portions of excess street right-of-way easement with respect to the consistency of the proposed quitclaim with the City of Buellton General Plan pursuant to the requirements of California Government Code Section 65402 for property located on Assessor’s Parcel Numbers APN 099-820-011, and 099-820-012”

DOCUMENTS:

Planning Department Staff Report with attachments (Proposed Grant of Easement)
Planning Commission Resolution No. 15-11

STAFF REPORT:

Public Works Director Hess presented the staff report.

SPEAKERS/DISCUSSION:

Ms. Hess stated that she has been working with adjacent property owners from Valley Mobile Park Investments (VMPI) ensuring future access to their parcel and entered an email referencing acceptable language for the resolution from VMPI into the record.

Chair Reif opened the Public Hearing at 6:16 p.m.

Trey Pinner, 1933 Cliff Drive, Santa Barbara, representing VMPI, thanked Ms. Hess for adding the requested language to the resolution.

Chair Reif closed the Public Hearing at 6:18 p.m.

MOTION:

Chair Reif moved and Commissioner Dunstan seconded the motion to adopt Resolution No. 15-11 and adding additional language regarding the road width.

VOTE:

Motion passed with a 3-0 roll call vote.

The Commission recessed for 5 minutes and resumed the meeting at 6:19 p.m.

4. **Resolution No. 15-08 – “A Resolution of the Planning Commission of the City of Buellton, California, approving the Mitigated Negative Declaration (15-MND-01) and Mitigation Monitoring and Reporting Program for the Live Oak Lanes Project which includes a Bowling Alley/Entertainment Center and Warehouse Facility on 5.08 acres located at 39 and 41 Industrial Way, Assessor’s Parcel Numbers 099-690-045 and 099-690-046, and Making Findings in Support Thereof”;**
and
Resolution No. 15-09 – “A Resolution of the Planning Commission of the City of Buellton, California, Approving a Final Development Plan (13-FDP-03), a Lot Line

Adjustment (13-LLA-02), and Conditional Use Permit (13-CUP-02), and for the same project at the same location, Assessor's Parcel Numbers 099-690-045 and 099-690-046, and Making Findings in Support Thereof"

RECOMMENDATION:

That the Planning Commission consider the adoption of Resolution No. 15-08 - "A Resolution of the Planning Commission of the City of Buellton, California, approving the Mitigated Negative Declaration (15-MND-01) and Mitigation Monitoring and Reporting Program for the Live Oak Lanes Project which includes a Bowling Alley/Entertainment Center and Warehouse Facility on 5.08 acres located at 39 and 41 Industrial Way, Assessor's Parcel Numbers 099-690-045 and 099-690-046";

and

Resolution No. 15-09 - "A Resolution of the Planning Commission of the City of Buellton, California, Approving a Final Development Plan (13-FDP-03), a Lot Line Adjustment (13-LLA-02), and Conditional Use Permit (13-CUP-02), for a 49,790 square foot Family Entertainment Center and 18,470 square foot Warehouse Facility Located at 39 and 41 Industrial Way, Assessor's Parcel Numbers 099-690-045 and 099-690-046"

DOCUMENTS:

Planning Department Staff Report with attachments (Vicinity Map, Project Plans, Initial Study/Mitigated Negative Declaration/comments and supplemental memos from staff received, CEQA Mitigation Monitoring and Reporting Program, Letter from Chamber of Commerce)

Planning Commission Resolution No. 15-08

Planning Commission Resolution No. 15-09

STAFF REPORT:

City Manager Bierdzinski presented the staff report and referenced additional conditions including adding wording in regards to indemnity, identifying additional uses allowed in the Open Space zone and a modification to condition #77 allowing the employees of the industrial building to have access to the key pad at the southern access point. Mr. Bierdzinski responded to various issues brought up by comment letters on the project and stated that conditions requested by the Federal Fish and Wildlife Service are recommended to be added to the conditions of approval. Supplemental memorandums of September 15, 2015, and September 16, 2015, were entered into the record.

City Attorney Vega elaborated on the drainage issue and the memorandum from the City Attorney included in the September 15, 2015, supplemental memo, and stated that the City has a drainage easement with the right to allow properties in this area to drain into the existing basin located to the south of Terravant.

Mr. Bierdzinski referenced a letter from Terravant that was received 30 minutes prior to the meeting requesting a continuance to resolve drainage and access issues.

City Attorney Vega stated that she has briefly reviewed the letter and that it does not contain any new information that has not been previously analyzed by staff and the City Attorney, Steve McEwen.

SPEAKERS/DISCUSSION:

Chair Reif opened the Public Hearing at 6:47 p.m.

The applicants, Carol Peterson, Kelly Leshar, the project architect, David Goldstien, and the project engineer and agent for the applicant, Sid Goldstien, spoke in support of the project and answered questions from the Commission.

Randy Pace, Terravant Wine Company, spoke in opposition to the project and requested a continuance.

The following individuals spoke in support of the Live Oak Lanes Bowling Alley project:

- Jim Diethofer, Owner, Figueroa Mountain Brewery
- Kady Fleckenstein, 259 Valley Dairy Road, Buellton
- Shelby Sim, Executive Director, Visit Santa Ynez Valley
- Tessi Martinez, Buellton Chamber of Commerce

Chair Reif closed the Public Hearing at 7:25 p.m.

MOTION:

Chair Reif moved and Vice Chair Mercado seconded the motion to adopt Resolution No. 15-08 incorporating all comment letters and the September 15th and September 16th, 2015 memos from staff into the record.

VOTE:

Motion passed with a 3-0 roll call vote.

MOTION:

Chair Reif moved and Vice Chair Mercado seconded the motion to adopt Resolution No. 15-09 with modifications to conditions 6, 39, 77, and 84 as discussed and correct the typo in condition 89.

VOTE:

Motion passed with a 3-0 roll call vote.

OTHER BUSINESS

None

WRITTEN COMMUNICATIONS

None

PLANNING COMMISSIONER COMMENTS

None

ADJOURNMENT

Chair Reif adjourned the meeting at 7:29 p.m. to the next regular scheduled meeting of the Planning Commission to be held October 1, 2015 at the City Council Chambers, 140 West Highway 246, Buellton.

Foster Reif, Planning Commission Chair

ATTEST:

Clare Barcelona, Planning Commission Secretary

An audio CD of this Planning Commission Meeting is available upon request.

CITY OF BUELLTON
Planning Commission Agenda Staff Report

Planning Director Review: MPB
Planning Commission Agenda Item No.: 2

To: The Honorable Chair and Commission Members

From: Andrea Olson, Assistant Planner

Date: October 1, 2015

Subject: Resolution No. 15-12 – “A Resolution of the Planning Commission of the City of Buellton, California, Recommending that the City Council Approve a General Plan Amendment (15-GPA-03) and Zoning Ordinance Amendment (15-ZOA-02) for the Vacant Property to the East of Industrial Way (APN 099-690-048)”

BACKGROUND

Peter Hauber (“Applicant”) has requested that the City initiate a General Plan Amendment/Zone Change for the property located east of Industrial Way and south of Rivergrove Mobile Home Park on Assessor’s Parcel Number 099-690-048 (Attachment 1, Vicinity Map). The north portion of the property is zoned CR (General Commercial), with a General Plan designation of General Commercial, and the south portion is zoned OS (Open Space), with a General Plan designation of Open Space. Staff has submitted the following applications for the above referenced property:

- **General Plan Amendment (15-GPA-03):** A change is proposed for the General Plan designation from General Commercial to Industrial. The property that is designated Open Space (OS) will remain as OS.
- **Zoning Ordinance Amendment (15-ZOA-02):** A change to the Zoning Designation for the CR (General Commercial) property to M (Industrial and Manufacturing). The property that is zoned OS (Open Space) will remain as OS.

The property located on Assessor’s Parcel Number 099-690-048 is the site of the previously-approved project for the Santa Ynez Valley Inn and Racquet Club. This project never moved forward. The project had a condition that if it did not move forward it would be changed back to industrial by the City. Therefore, staff is recommending that the property be returned to the Industrial and Manufacturing (M) General Plan and Zoning designations. Due to its limited vehicular access, the industrial designation is the most appropriate designation for the property and is what the property has been historically designated.

A General Plan Amendment (GPA) and Zoning Ordinance Amendment (ZOA) would change the General Plan designation to Industrial and the Zoning Designation to M (Industrial and Manufacturing). The change only applies to the land that is currently designated General Commercial and zoned CR. The land that is designated Open Space and zoned OS will remain with those General Plan and Zoning designations.

ENVIRONMENTAL REVIEW

No development activity is proposed with this application. Any future development on the site will be subject to full review under the California Environmental Quality Act. This project is therefore exempt from the California Environmental Quality Act because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

RECOMMENDATION

That the Planning Commission consider the adoption of Resolution No. 15-12, “A Resolution of the Planning Commission of the City of Buellton, California, Recommending that the City Council Approve a General Plan Amendment (15-GPA-03), and Zoning Ordinance Amendment (15-ZOA-02) for the Vacant Property located to the East of Industrial Way (APN 099-690-048)”.

ATTACHMENTS

Attachment No. 1 – Vicinity Map
Attachment No. 2 – General Land Use Map
Attachment No. 3 – Zoning Map
Resolution No. 15-12



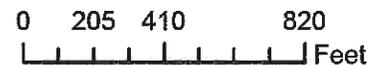
Attachment 1 - Vicinity Map



Legend

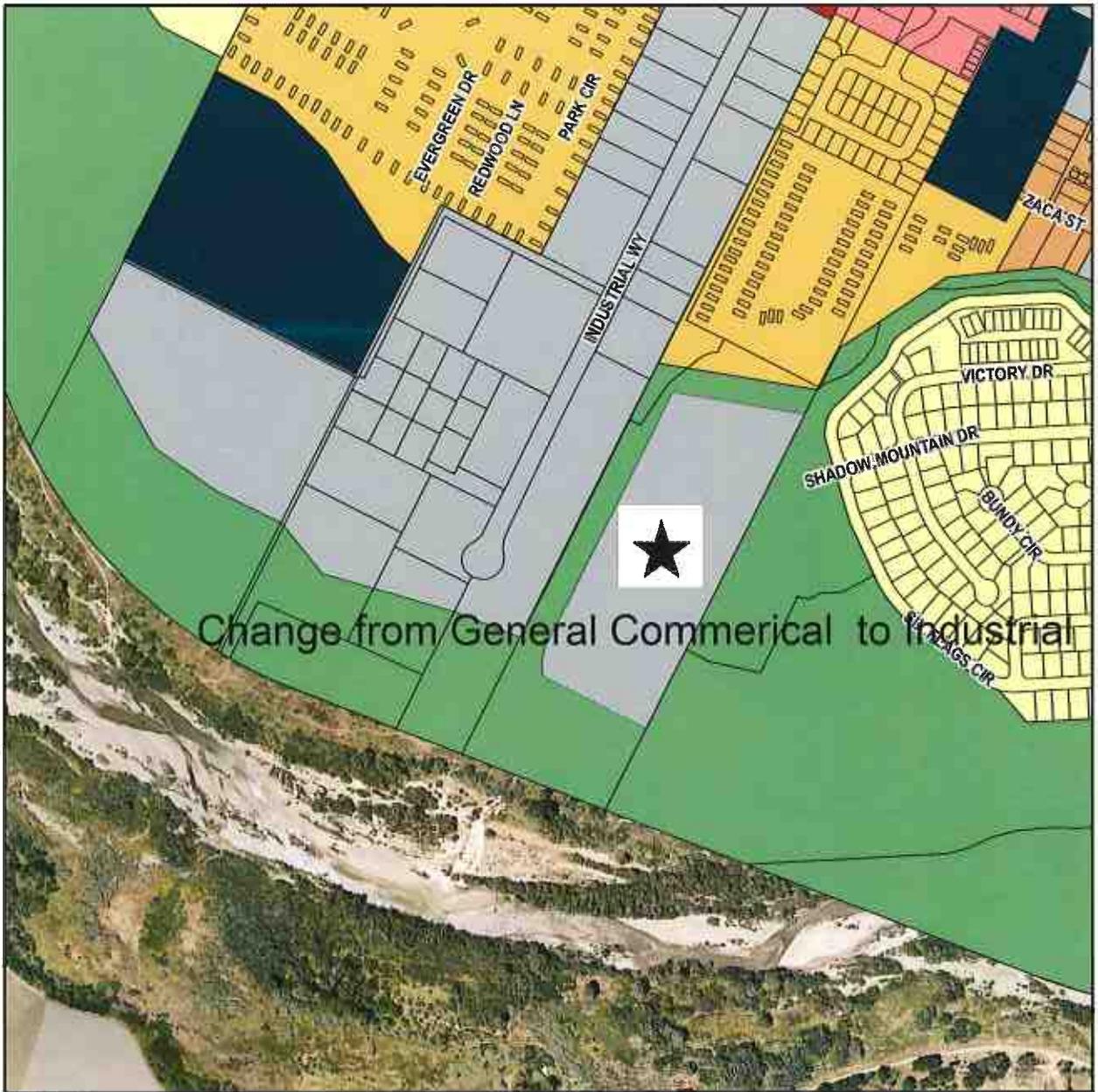
 City Parcels

 Project Location



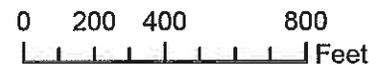


Attachment No. 2 - General Land Use Map



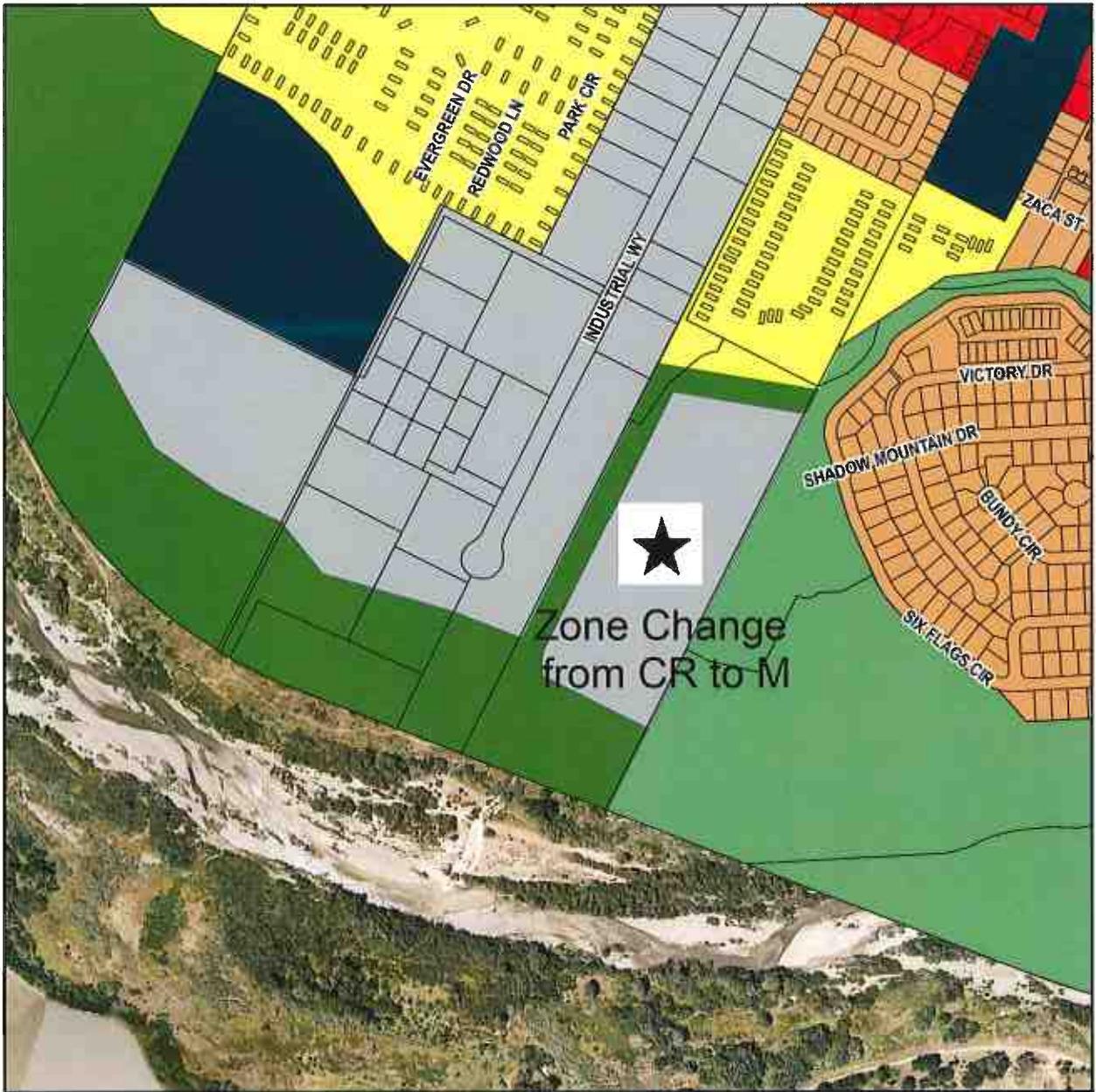
Legend

- City Parcels
- LOW DENSITY RESIDENTIAL
- MEDIUM DENSITY RESIDENTIAL
- MULTI_FAMILY RESIDENTIAL
- OPEN_SPACE_PARKS_RECREATION
- PUBLIC_QUASI_PUBLIC
- SERVICE COMMERCIAL
- INDUSTRIAL
- GENERAL COMMERCIAL
- Project Location



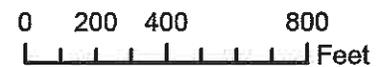


Attachment 3 - Zoning Map



Legend

-  City Parcels
-  ZONE_CR
-  ZONE_CR-SP
-  ZONE_CS
-  ZONE_M
-  ZONE_MHP
-  ZONE_OS
-  ZONE_PQP
-  ZONE_PRD
-  ZONE_PRD-OS
-  ZONE_REC
-  ZONE_RM-8
-  ZONE_RS-10
-  Project Location



Planning Commission Resolution No. 15-12

A Resolution of the Planning Commission of the City of Buellton, California, Recommending that the City Council Approve a General Plan Amendment (15-GPA-03), and Zoning Ordinance Amendment (15-ZOA-02) for the Vacant Property to the East of Industrial Way (APN 099-690-048)

BE IT RESOLVED by the Planning Commission of the City of Buellton as follows:

SECTION 1: Pursuant to the Zoning Ordinance of the City of Buellton, an application has been filed by Peter Hauber, property owner, and Thomas Hauber, agent, hereinafter referred to as “Applicant”, requesting a General Plan Amendment/Zoning Map Amendment for the property located east of Industrial Way (APN 099-690-048). The subject property is currently zoned CR and OS (Open Space), with General Plan designations of General Commercial and Open Space.

SECTION 2: The proposed Project consists of two land use applications:

- A. General Plan Amendment (15-GPA-03):** A change to the General Plan Designation for the General Commercial designated property to Industrial.
- B. Zoning Ordinance Map Amendment (15-ZOA-02):** A change to the Zoning Designation for the CR property to M.

SECTION 3: All proceedings having been duly taken as required by law, and upon review of the information provided in the staff report, consideration of the testimony given at the public hearing, as well as other pertinent information, the Planning Commission finds the following:

- A. Record.** Prior to rendering a decision on the Project, the Planning Commission considered the following:
 - 1. All public testimony, both written and oral, received in conjunction with that certain public hearing conducted by the Planning Commission on October 1, 2015 (“Public Hearing”).
 - 2. All oral, written and visual materials presented by City staff in conjunction with that certain Public Hearing.
 - 3. The following informational documents, which by reference, are incorporated herein:
 - a. That certain written report submitted by the Planning Department dated October 1, 2015 (the “Staff Report”).

B. Public Review. On the basis of evidence hereinafter listed, all administrative procedures and public participation requirements prescribed in the Buellton Zoning Ordinance have been lawfully satisfied:

1. A notice of Public Hearing was published in a newspaper of general circulation on September 17, 2015 (the "Public Notice"), a minimum of 10 days in advance of the Public Hearing conducted on October 1, 2015.
2. The Public Notice was mailed to the Applicant, affected public agencies, persons owning property within 300 feet of the Project site and others known to be interested in the matter on September 17, 2015, a minimum of 10 days in advance of the Public Hearing.
3. The Public Notice was posted in three public locations on September 17, 2015, a minimum of 10 days in advance of the Public Hearing.

C. Environmental Review. No development activity is proposed with this application. Any future development on the site will be subject to full review under the California Environmental Quality Act. This project is therefore exempt from the California Environmental Quality Act because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

D. Consistency Declarations. Based on (i) the evidence presented in the Staff Report (incorporated herein by reference), and (ii) testimony and comments received in connection with the Public Hearing, the Planning Commission does hereby declare as follows:

1. General Plan Amendment/Zoning Ordinance Map Amendment.

a. Findings:

- i. The request is consistent with the general plan, the requirements of state planning and zoning laws, and this title.
- ii. The request is consistent with good zoning and planning practices because a higher intensity use is not appropriate for this site due to circulation and access issues.

SECTION 4: Based on the findings set forth in Sections 2 and 3, the Planning Commission hereby recommends that the City Council approve a General Plan Amendment (15-GPA-03), and Zoning Ordinance Map Amendment (15-ZOA-02) for the project as shown on Exhibit A (General Plan Amendment) and Exhibit B (Zoning Ordinance Map Amendment).

PASSED AND ADOPTED this 1st day of October 2015

Foster Reif, Planning Commission Chair

Clare Barcelona, Planning Commission Secretary

Exhibits

Exhibit A – General Plan Amendment Map

Exhibit B – Zoning Ordinance Map Amendment

STATE OF CALIFORNIA)
COUNTY OF SANTA BARBARA) **SS**
CITY OF BUELLTON)

I, Clare Barcelona, Planning Commission Secretary of the City of Buellton, do hereby certify that the above and foregoing Resolution No. 15-12 was duly passed and adopted by the Planning Commission of said City at a regular meeting thereof, held on the 1st day of October 2015, by the following vote, to wit.

AYES: ()

NOES: ()

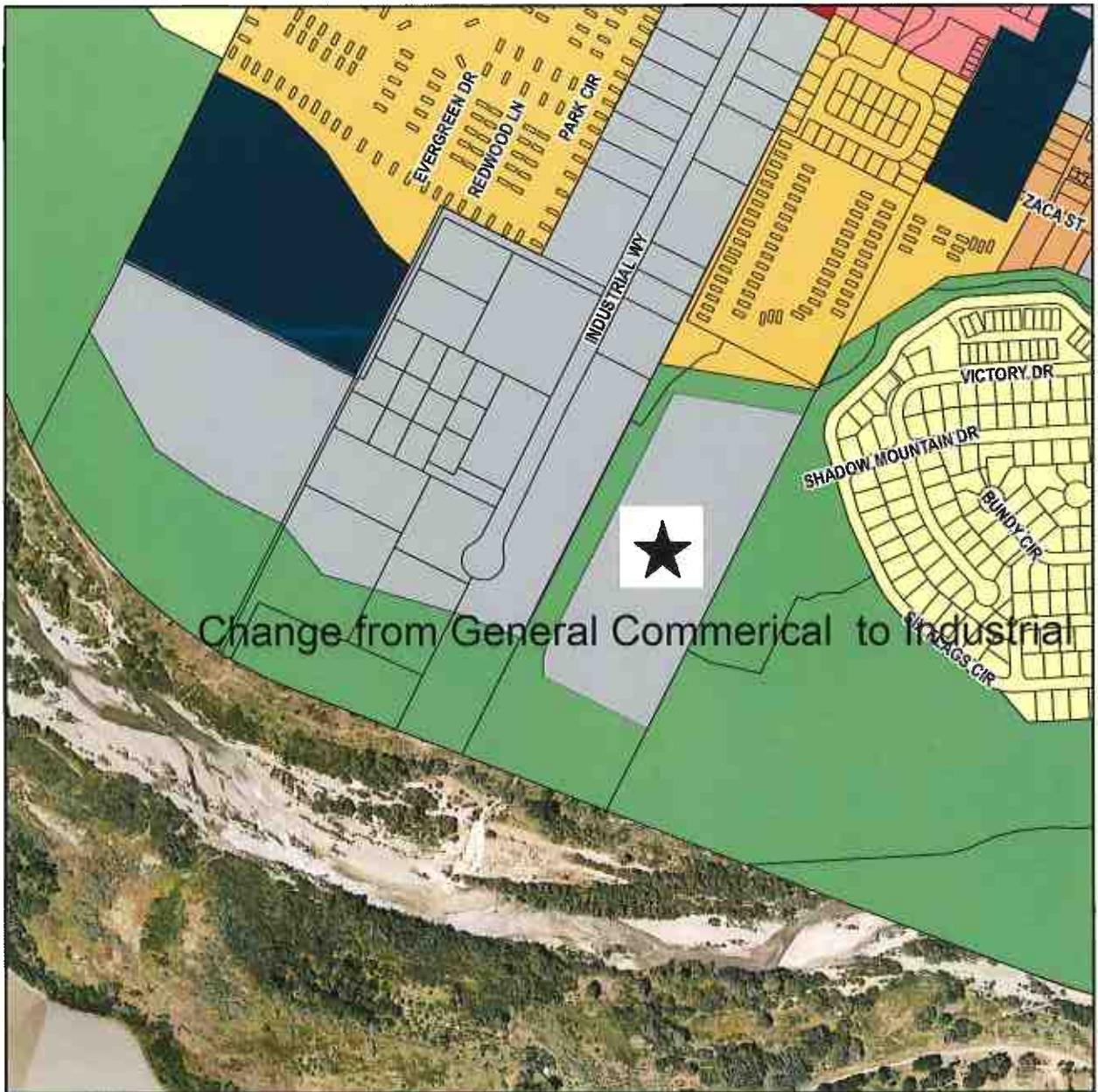
ABSENT: ()

IN WITNESS WHEREOF, I have hereunto set my hand this 1st day of October 2015.

 Clare Barcelona
 Planning Commission Secretary



Exhibit A - General Land Use Map



Legend

- City Parcels
- LOW DENSITY RESIDENTIAL
- MEDIUM DENSITY RESIDENTIAL
- MULTI_FAMILY RESIDENTIAL
- OPEN_SPACE_PARKS_RECREATION
- PUBLIC_QUASI_PUBLIC
- SERVICE COMMERCIAL
- INDUSTRIAL
- GENERAL COMMERCIAL

Project Location

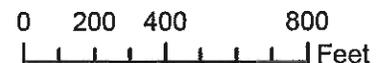
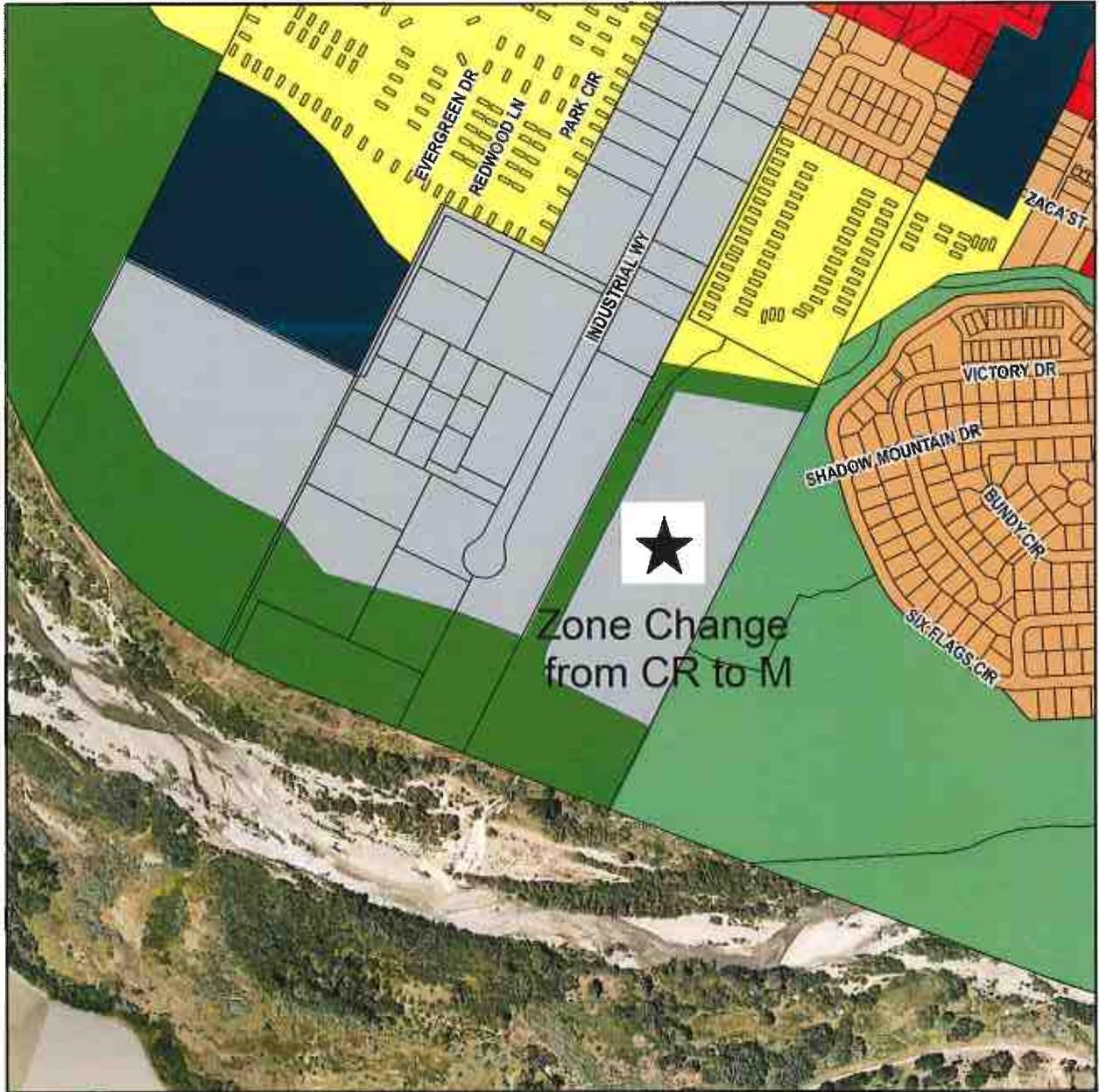




Exhibit B - Zoning Map



Legend

- City Parcels
- ZONE_CR
- ZONE_CR-SP
- ZONE_CS
- ZONE_M
- ZONE_MHP
- ZONE_OS
- ZONE_PQP
- ZONE_PRD
- ZONE_PRD-OS
- ZONE_REC
- ZONE_RM-8
- ZONE_RS-10

Project Location

