

CITY OF BUELLTON

PLANNING COMMISSION MEETING MINUTES

Regular Meeting of July 6, 2017 – 6:00 p.m.
City Council Chambers, 140 West Highway 246
Buellton, California

CALL TO ORDER

Chair Mercado called the meeting to order at 6:00 p.m.

PLEDGE OF ALLEGIANCE

Commissioner Heedy led the Pledge of Allegiance

ROLL CALL

Present: Commissioners Dan Heedy, Joe Padilla, Vice Chair Brian Dunstan
and Chair Art Mercado

Staff: City Manager Marc Bierdzinski
Assistant Planner Andrea Keefer
Contract City Planner Irma Tucker

REORDERING OF AGENDA

None

PRESENTATIONS

The Commission presented outgoing Chairman Art Mercado with an engraved mug commemorating his 9 years of service of the Planning Commission. Mr. Mercado leaves the Commission to fill a seat on the Buellton City Council.

APPROVAL OF MINUTES

1. Minutes of the regular Planning Commission meeting of June 15, 2017

MOTION:

Vice Chair Dunstan moved and Commissioner Heedy seconded the motion to approve the Minutes of June 15, 2017.

VOTE:

Motion passed with a 4-0 voice vote.

PUBLIC COMMENTS

None

CONSENT CALENDAR

None

CONTINUED PUBLIC HEARINGS

None

NEW PUBLIC HEARING

- 2. **Resolution No. 17-09 – “A Resolution of the Planning Commission of the City of Buellton, California, Approving a Lot Line Adjustment (17-LLA-02) to Remove An Existing Lot Line That Runs Through the Center of Assessor’s Parcel Number 099-262-009 in Order to Create One Legal Lot at 35 Zaca Street (Assessor’s Parcel Number 099-262-009), and Making Findings in Support Thereof”**

Commissioner Heedy recused himself from the Dais due to the proximity of his residence to the project.

STAFF REPORT:

Assistant Planner Andrea Keefer presented the staff report.

DOCUMENTS:

Staff report with attachments as listed in the staff report.

DISCUSSION/SPEAKERS:

There was no Commission discussion before opening the Public Hearing.

Chair Mercado opened the Public Hearing at 6:08 p.m.

No public testimony.

Chair Mercado closed the Public Hearing at 6:09 p.m.

MOTION:

Commissioner Padilla moved and Vice Chair Dunstan seconded the motion to adopt Resolution No. 17-09 – “A Resolution of the Planning Commission of the City of Buellton, California, Approving a Lot Line Adjustment (17-LLA-02) to Remove An Existing Lot Line That Runs Through the Center of Assessor’s Parcel Number 099-262-009 in Order to Create One Legal Lot at 35 Zaca Street (Assessor’s Parcel Number 099-262-009), and Making Findings in Support Thereof”

VOTE:

Motion passed with 3-0 roll call vote.

Commissioner Heedy returned to the Dais at 6:10 p.m.

3. **Resolution No. 17-10 – “A Resolution of the Planning Commission of the City of Buellton, California, Approving a Minor Use Permit (17-MUP-01) to Allow Outdoor Music on the Weekends at Figueroa Mountain Brewing Company Located at 45/73 Industrial Way (Assessor’s Parcel Numbers 099-690-037 and 099-820-001), and Making Findings in Support Thereof”**

Or

Resolution No. 17-10 - “A Resolution of the Planning Commission of the City of Buellton, California, Denying a Minor Use Permit (17-MUP-01) to Allow Outdoor Music on the Weekends at Figueroa Mountain Brewing Company Located at 45/73 Industrial Way (Assessor’s Parcel Numbers 099-690-037 and 099-820-001), and Making Findings in Support Thereof”

Commissioner Padilla recused himself from the Dais due to the proximity of his employment to the project.

STAFF REPORT:

Assistant Planner Andrea Keefer presented the staff report.

DOCUMENTS:

Staff report with attachments as listed in the staff report.

DISCUSSION/SPEAKERS:

Commissioner Heedy inquired about number of events held so far this year; none have been held in 2017.

Jaime Diethofer, Owner/Applicant, stated their intent to have a few small-scale regular music events per month in the outdoor beer garden and to hold two major events per year (Fig Mountain Brewing Company Anniversary and Figtober Fest). Stressed that the company: has hired a sound engineer to do noise testing; has invested in directional speakers and sound equipment to equalize sound profile and limit sound to the immediate industrial perimeter of the facility; will monitor/adjust sound levels in surrounding neighborhoods; and will communicate upcoming event schedule to residents.

Tony Grimes, Sound Engineer for Owner/Applicant, explained the dynamics of sound and how annoying sounds can be filtered out and equalized through mixing equipment and directional speakers.

Chair Mercado opened the Public Hearing at 6:31 p.m.

Therese Kokorowski, Buellton, Rancho de Maria (RDM) resident, stated she was encouraged by sound engineer presentation that the annoying sounds (bass and drums) and noise levels could be filtered out through technology; supports a successful operation and music program at the facility; and stressed importance of sound monitoring in neighborhood and continued notification by the Owner of upcoming events.

Nick Angel, Buellton, RDM resident, objected to incremental increase in music in the area and dislike the emerging entertainment atmosphere of the industrial neighborhood.

Kit Nirenberg, Buellton, RDM resident, hears music every time it's played and recommends denying the permit request.

Jerry Long, Buellton, new resident in RDM, home faces Flying Flags; noise is too much, wants to limit loudness and frequency of music (3 times per week is too much).

Heather Federlein, Buellton, RDM resident, likes hearing outdoor music; sound coming from Flying Flags is not loud; encourages dialogue between RDM residents and Owner to work out details and minimize potential impacts of outdoor music from the facility.

Glen Gechtler, Buellton, RDM resident, some of the music can be heard inside their house; OK with infrequent events.

Michael Roberts, Buellton, stressed that is important to keep live music alive, to protect the rights of the many people that enjoy hearing outdoor, and to not give into one person complaining by shutting down music for all.

Larry Rankin, Buellton, appreciates the many fun activities provided to the community; stressed the importance of letting people enjoy the outdoor events, such as music, and not shutting down the activities because of one complaint.

Jaime Diethofer, Owner/Applicant, addressing public comments, stating their regular events will generally be on weekends, approximately 2 times per month; their desire to promote family-friendly environments, keep neighbors informed on event schedule, and intent to work with neighbors to monitor and adjust sound levels as necessary to minimize intrusion into the residential neighborhoods.

Chair Mercado closed the Public Hearing at 6:55 p.m.

The Commission discussed the following:

- adjusting allowable decibel levels;
- not imposing excessive restrictions while having limits to not disrupt residents;
- relying on existing Sound Ordinance and other local regulations to resolve issues;
- importance of allowing outdoor music to take place;
- limiting hours and frequency to two times per month;
- requiring sound monitoring and notifying residents of scheduled events; and
- revisiting the matter in one-year to review performance.

MOTION:

Commissioner Heedy moved and Vice Chair Dunstan seconded the motion to adopt Resolution No. 17-10 – “A Resolution of the Planning Commission of the City of Buellton, California, Approving a Minor Use Permit (17-MUP-01) to Allow Outdoor Music on the

Weekends at Figueroa Mountain Brewing Company Located at 45/73 Industrial Way (Assessor's Parcel Numbers 099-690-037 and 099-820-001), and Making Findings in Support Thereof", with the following conditions:

- limit frequency of events to two times per month and one per weekend
- Saturday and Sunday only, from 12 pm to 7pm
- Maximum of 65 dB at the property line
- On-site monitor required
- Notice to residents of Rancho de Maria at least one week prior
- Review after one year

VOTE:

Motion passed with a 3-0 roll call vote.

OTHER BUSINESS

None

WRITTEN COMMUNICATIONS

None

PLANNING COMMISSIONER COMMENTS

Outgoing Chair Mercado expressed his appreciation of the opportunity to serve on the Planning Commission for nine years, and thanked everyone (Commissioners and Staff) for their support.

PLANNING DIRECTOR REPORT

City Manager Marc Bierdzinski updated the Commission the status of various projects and mentioned several upcoming projects; mentioned the need to fill two vacant seats on the Planning Commission, with applications due July 15 and appointments tentatively scheduled for July 27 City Council meeting.

Commissioner Heedy inquired of the City's plans for the recently acquired parcel at Second Street and Central Avenue; City Manager Bierdzinski responded that a City Council workshop will be schedule to discuss options.

Commission Dunstan inquired about the status of the Avenue of Flags Specific Plan; Contract City Planner Irma Tucker reviewed timeline, with upcoming release mid-July of CEQA document for 30-day public review, Planning Commission public hearing scheduled for mid-August, and City Council public hearing scheduled for mid-September 2017.

ADJOURNMENT

Chair Mercado adjourned the meeting at 7:13 p.m. to the next regular scheduled meeting of the Planning Commission to be held July 20, 2017 at the City Council Chambers, 140 West Highway 246, Buellton.

Art Mercado, Planning Commission Chair

ATTEST:

Irma Tucker, Contract City Planner

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