

# **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 Leshner, 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 Dieterhofer, 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 15<sup>th</sup> and September 16<sup>th</sup>, 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.

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Foster Reif, Planning Commission Chair

ATTEST:

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Clare Barcelona, Planning Commission Secretary

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