

CITY OF SOLVANG
PLANNING COMMISSION

APPROVED
MEETING MINUTES

Monday, March 4, 2019 6:00 P.M.
Regular Hearing of the Planning Commission
Council Chambers – Solvang Municipal Center – 1644 Oak Street

Commissioners Present: David Brents, Ryan Cuff, Aaron Petersen, Justin Rodriguez, Jack Williams

Staff Present: Holly Owen, Planning & Economic Development Director
Roy Hanley, Assistant City Attorney
Brynda Messer, Assistant Planner

CALL TO ORDER: Assistant City Attorney, Roy Hanley, asked Commissioner Petersen to call the meeting to order.

PLEDGE TO THE FLAG

1. PRELIMINARY MATTERS:

A. Swearing in of new Planning Commissioners by City Clerk.

City Clerk, Lisa Martin, swore in three new commissioners: David Brents, Ryan Cuff, and Justin Rodriguez.

B. Selection of Planning Commission Chair and Vice-Chair

Commissioner Petersen nominated Commissioner Williams as Chair, then suggested one of the new members be Vice-Chair and nominated Commissioner Rodriguez as Vice-Chair.

Motion made by Commissioner Petersen to select Commissioner Williams as Planning Commission Chair and Commissioner Rodriguez as Vice-Chair and seconded by Commissioner Williams. Vote is 5-0.

C. Public Comment: Request from the public to speak to the Commission on matters not on the agenda

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None

D. Requests for Continuance, Withdrawals, or Addition of Ex-Agenda items

None.

E. Conflicts and/or Ex-Parte Communications

Commissioner Petersen stated that he did have a conversation with Bent Pedersen, owner of Item 2B, and suggested he speak with the Planning Department about his project.

F. Approval of Minutes from the February 4, 2019 minutes

Motion made by Commissioner Petersen to approve the minutes as presented and seconded by Commissioner Williams. Vote is 5-0.

G. Brown Act Training – Planning Commissioners and Board of Architectural Review Members

Assistant City Attorney, Roy Hanley, presented training on the Brown Act.

Commissioner Williams stated the rule of thumb when receiving emails from staff to speak directly with staff, do not “reply all.” He asked Mr. Hanley when the appropriate time is to identify if there is a potential conflict. Mr. Hanley stated it is appropriate after the item is called.

2. PUBLIC HEARING ON NEW DEVELOPMENT AND CITY PROJECTS

A. Hearing on the request of Cyndee Stapp, lessee and business owner of A Piece of the Past, to consider the approval of a Minor Conditional Use Permit [application filed September 26, 2018], to allow for display of outdoor merchandise per Zoning Ordinance Section 11-7A-3.B.3, at Assessor’s Parcel Number 137-590-011 known 1430 Mission Drive, in the TRC zone district; and to accept the Categorical Exemption pursuant to CEQA Section 15061(b.3).

Brynda Messer, Assistant Planner, presented staff report.

Commissioner Rodriguez excused himself from participating on hearing this item, due to a possible conflict of interest.

After Ms. Messer presented the staff report, the applicant, Cyndee Stapp spoke to the

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Commission on her project.

Chair Williams opened public comment at 7:07 P.M.

Don Macthadian: Is a current dealer in the store. Agrees with the PC resolution to allow the outdoor display and sale of merchandise and hopes to move on to approval. Public Comment closed.

Commissioner Petersen explained there are two types of Conditional Use Permits (minor and major). He stated he has no issue with the CUP for Piece of the Past, as Valley Hardware had been given allowances to display their outdoor items and one had been allowed for Picket Fences.

Commissioner Cuff inquired to who filed the complaint against the property, and Ms. Messer stated she could not state who filed the complaint, but the complaint was in regard to outdoor display of merchandise.

Ms. Stapp followed up stating that all of her merchandise is on private property and does not encroach into any parking areas or vehicular path.

Commissioner Brents asked staff if there was a time limit on this CUP, and Holly Owen, Planning Director answered no, the CUP goes with the land. Mr. Hanley stated that other jurisdictions put time limits, but they are discouraged. Commissioner Petersen followed stating that there a condition that City staff shall perform a quarterly inspection of the site to check for compliance with the conditions in regard to the outdoor merchandise. Chair Williams stated he has no issue with the merchandise, since it is not visible from the street.

Motion made by Commissioner Petersen to adopt Planning Commission Resolution 19-02, accept the Conditions of Approval, and accept the Categorical Exemption and seconded by Commissioner Brents. Vote is 4-0-1, with Commissioner Rodriguez abstaining from voting due to a possible conflict of interest.

B. Hearing on the request of Bent Pedersen, owner, to consider the approval of a Development Plan with requested Modifications to the Zoning Ordinance to construct a new two-story Duplex at Assessor Parcel Number 139-141-007 known as 1628 Elm Avenue, in the DR-20 zone district, and to accept the Categorical Exemption pursuant to CEQA Section 15303.

Holly Owen, Planning Director, presented the staff report. She stated the property in question was one of the smallest lots in Solvang, and that a duplex was a permitted use in that zone. She briefly discussed the Housing Element and providing a variety of housing within Solvang.

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David Goldstein, Architect for the project, presented his report. He stated he and the owner have been working on the project for some time with different variations of how to proceed. He said they took advantage of modification requests, to provide a livable project. He stated that Condition B1 and B2 had already been satisfied with BAR. He asked for rewording of Conditions C3 and C4, stating an engineer shall provide water and sewer calculations at a construction submittal to state what the sizing shall be.

Discussion followed regarding the requirement for fire sprinklers and check valves.

Chair Williams confirmed with Planning staff that final BAR had been approved, which staff confirmed.

Mr. Hanley stated that he is hesitant to strike conditions completely, but suggested rewording them.

Commissioner Petersen stated it is a pretty building and has no issues with the project.

Discussion followed regarding allowed uses in that zone, including an Accessory Dwelling Unit (ADU).

Commissioner Williams thinks it is a good project and the modifications are minor, and Commissioner Cuff agreed, followed by Commissioner Brents.

Motion made by Commissioner Petersen to adopt PC Resolution 19-03, approve the Conditions of Approval, grant the requested modifications, and accept the Categorical Exemption and seconded by Commissioner Cuff. Vote is 5-0.

1. DISCUSSION ITEMS

2. PLANNING COMMISSIONER'S COMMENTS

Commissioners Cuff and Rodriguez will attend Planning Commissioners Academy.

3. PLANNING/COMMUNITY DEVELOPMENT DIRECTOR'S COMMENTS

None

Chair Williams adjourned the meeting at 7:48 P.M.