

MINUTES OF THE CITY OF SANTA PAULA
PLANNING COMMISSION

March 22, 2016

6:30 P.M.

CALL TO ORDER: Chairman Gail "Ike" Ikerd – 6:30 p.m.

PLEDGE OF ALLEGIANCE: Commissioner Michael Sommer

ROLL CALL: Planning Technician Tom Tarantino

Commissioners present: Chairman Gail "Ike" Ikerd, Vice Chairman Fred Robinson, Commissioners John Demers, Michael Sommer and Fred Wacker

Absent: None

Staff Present: Planning Director Janna Minsk, Assistant City Attorney Gregg Kettles, Associate Planner N.D. Doberneck, and Planning Technician Tom Tarantino

FINAL AGENDA: Agenda final as submitted

PUBLIC COMMENT:

Anita Pulido, resident of Santa Paula and local realtor, spoke about issues regarding the notification process for zoning changes within City limits. Ms. Pulido would like better communication about any rezoning that takes place, as she feels longtime homeowners in rezoned areas often are not aware of regulatory changes and have difficulty selling/financing their properties as a result. Additionally, Ms. Pulido would like existing affected properties to be grandfathered out of their new zoning, in order to ameliorate any negative impacts of these zoning changes. Ms. Pulido suggested sending a physical letter and/or including an insert in utility bills that might be easier for property owners to see or understand.

Though not required by Commission rules, Commissioner discussion ensued regarding current noticing practices by the Planning Department and whether these methods were sufficient in providing adequate notice to property owners possibly affected by zoning changes. Planning Director Janna Minsk gave a detailed explanation of the current legally-required noticing practices, including radius postcard mailing, onsite sign posting, and legal notice publishing in the Santa Paula Times. Director Minsk assured the Commissioners that all required noticing practices were being followed. The Commissioners agreed that the current noticing practices are sufficient, and that it is the responsibility of property owners to remain informed as to the zoning status of their land by paying close attention to these multiple notices.

CONSENT CALENDAR:

A. Minutes of the Planning Commission Meeting on February 23, 2016

ACTION: It was moved by Commissioner Sommer, seconded by Commissioner Robinson to approve the minutes as submitted. All were in favor and the motion carried.

PUBLIC HEARING:

Verification of Legal Notice Requirements for Public Hearing: Chairman Ikerd confirmed with the Secretary that the Notice(s) of Public Hearing were properly advertised and posted for all applicable agenda items to be heard at this meeting.

Declaration of Conflicts: None, for all applicable agenda items to be heard at this meeting.

Declaration of Ex Parte Contacts: None, for all applicable agenda items to be heard at this meeting.

Open Public Hearing: Chairman Ikerd opened Public Hearing at 6:46 p.m. and called upon Staff to present the item.

A. Project No. 2016-CUP-01:

- **Location:** 118 N. Mill Street (APN 103-0-112-355)
- **Applicant:** Sean Oliver, Thermo Air Spraybooth
- **Zoning:** General Commercial (C-G)
- **General Plan Designation:** Commercial
- **Environmental:** Staff has determined the project to be Categorical Exempt from the California Environmental Quality Act (CEQA) Guidelines per § 15301 (Class 1, Existing Facilities)
- **Staff Presentation:** N.D. Doberneck, Associate Planner

RECOMMENDED ACTION: Adopt Resolution No. 3746 approving a Conditional Use Permit (and Landscape Review) for a new auto body repair, paint shop, and used-auto sales business at an existing legal nonconforming vacant commercial storefront and parking lot, subject to the Conditions of Approval stated in the Resolution. The proposed business, Santa Paula Collision Center, would primarily provide auto body repairs and auto body painting. Also, the business would secondarily engage in limited auto sales of custom and other types of used vehicles as an accessory use.

Public Testimony:

Commissioner Robinson inquired about landscaping plans for the property.

Associate Planner Doberneck responded that the cost-benefit analysis by Staff regarding the landscape plan called for the majority of landscaping to be done to the front of the lot. The rear of the property can be left as-is, since it already has some vegetation. Meeting the required landscaping percentage for the lot is mathematically impossible, so the best compromise is to “front-load” the landscaping.

Commissioner Sommer asked about the noise generated by the 10-horsepower compressor, and how it would be mitigated or brought within acceptable range.

Associate Planner Doberneck responded that the noise level attenuates over distance, so the above-range dBA reading at the source falls within acceptable limits when measured at the property line. This is directly per existing Code.

Sheryl Hamlin, resident at 830 Teague Dr., stated she has serious concerns about the location of this business in relation to the historic downtown venues, particularly the Glen Tavern Inn. Ms. Hamlin feels that noise, fumes from painting and other automotive work, particulates, and especially damaged cars being delivered or parked in view of tourists or wedding events at the Glen Tavern Inn, would be very detrimental to the economic viability of the area.

Commissioner Demers stated he shares concerns similar to those of Ms. Hamlin regarding compatibility with other businesses in the area, especially the “destination venues” and historic old town, and how well this fits into plans for the area as the City evolves.

Associate Planner Doberneck responded that this is a common issue with legal nonconforming uses in historic cores. He continued that the Conditions on the project require all operations to be performed indoors and that existing glare and noise mitigation and strict air quality standards be maintained. Additionally, the neighboring legal nonconforming business manufactures fuel cells and injection-molded plastics, so there is precedent for fair use.

Commissioner Wacker stated he also flagged compatibility as an issue when reading the report, and questioned who makes the final decision on compatibility issues in terms of continued nonconforming uses.

Vice Chairman Robinson said he remembers “exciting events when new cars came to town” in the 1950’s and 1960’s, saying that lot was once William L. Morris Chevrolet. He recalls an Oldsmobile dealership, Firestone Tires, and Western Auto Repair also being in that area. He continued that he would prefer such businesses to be away from the Glen Tavern Inn and moved to the outskirts of town, but the City has not developed the opportunities necessary for that to happen. Vice Chairman Robinson stated that the Applicant has complied with existing regulations and the Commissioners have a responsibility to support him.

Commissioner Sommer stated the “existing condition of the property is an eyesore” and commended the Applicant for taking on the challenge of placing their business at that location. He feels the location of the ADA bathroom is unacceptable in terms of insurance/legal issues.

Sean Oliver, Applicant and owner of Santa Paula Collision, responded that future plans for restrooms will address the bathroom location issue. The current plan for the ADA bathroom was to meet the requirement for the CUP.

Commissioner Sommer said he does not like the chain link fence in the plan, and hoped the plan could be “flipped” to better hide the fence.

Mr. Oliver responded that he was open to the idea of changing the plan for the fence, and that he has spoken to the owner of the Glen Tavern about the fence to make sure what is constructed flows well with both properties.

Commissioner Sommer asked about flatbed deliveries on Saturdays.

Mr. Oliver responded that in large part, deliveries would be Monday through Friday, and their insurance does not allow them to leave vehicles outside the building. When a delivery is expected, the business manager is called to open the doors and accept the damaged vehicle, so it is never left parked outside, for liability reasons.

Mr. Oliver also stated they plan to be open for car shows/cruise nights for additional parking, and possible pool tables, etc.

Commissioner Sommer asked about the plan for the required trees on the property.

Mr. Oliver responded that he and his business manager are looking to plant (8) fruit trees (or something similarly fragrant) to fulfill that Condition.

Chairman Ikerd inquired as to other locations owned by the Applicant.

Mr. Oliver replied that he has two other repair shops, one in Pasadena and one in North Hollywood.

Chairman Ikerd asked how many people he planned to employ at this location.

Mr. Oliver responded that he planned to employ up to (12) people.

Chairman Ikerd echoed he has some compatibility concerns, but feels this business will ultimately improve the existing street. He thinks it is good to have more business in Santa Paula, especially centered around autos, as there is a strong car culture in town, and residents currently have to drive to Ventura or Oxnard to have repair work done. Chairman Ikerd also commended the

Applicant on already obtaining their air quality license for their spray booth, something not easily obtained in the County.

Mr. Oliver responded that the spray booth application was aided by the water-based nature of the paint they use, which he said is largely ionized water that you could “almost drink.”

ACTION: Vice Chairman Robinson moved to adopt Resolution No. 3746 approving Conditional Use Permit 2016-CUP-01 (and Landscape Review) for a new auto body repair, paint shop, and used-auto sales business at an existing legal nonconforming vacant commercial storefront and parking lot, subject to the Conditions of Approval stated in the Resolution. Commissioner Sommer seconded the motion. All were in favor and the motion carried.

B. Project No. 2015-CUP-02:

- **Location:** 1450 E. Santa Paula Street (APN: 101-0-200-195)
- **Applicant:** Henry Alvis McNelly, Econo Storage
- **Representative:** Lauren Evans, Rasmussen & Associates
- **Zoning:** Commercial-Light Industrial (C-LI)
- **General Plan Designation:** Commercial-Light Industrial
- **Environmental:** Based upon review of the policies and objectives of the General Plan, the SPMC requirements, and other City policies, staff has determined that the proposed Project is Categorically Exempt from the requirements of CEQA, the Santa Paula Guidelines and CEQA Guidelines, §15301, (Class 1, Existing Facilities) since the Project consists of remodeling and minor site improvements to an existing site.
- **Staff Presentation:** N.D. Doberneck, Associate Planner

RECOMMENDED ACTION: Adopt Resolution No. 3744 approving a Conditional Use Permit to allow conversion of four storage units and a portion of an office area into a caretaker residence at an existing self-storage facility, Econo Storage, subject to the Conditions of Approval stated in the Resolution.

Public Testimony:

Vice Chairman Robinson inquired whether the approval would legalize a structure that has already been built.

Director Minsk replied yes, it would legalize an existing structure.

Vice Chairman Robinson stated he remembers this property was an old bracero camp, and that he went by recently and found the area looks awful, especially due to the heavy use of concertina wire.

Henry Alvis McNelly, Applicant, responded that the wire was necessary to deter homeless people from coming onto the property.

Commissioner Sommer stated the staff report mentions replacing the front fence with wrought iron, which should significantly improve the appearance, though the sides and back of the property will remain unsightly.

Associate Planner Doberneck concurred that the wire is definitely necessary to protect the expensive recreational vehicles, etc. stored on the property.

Vice Chairman Robinson reiterated he felt the concertina wire was “ugly” and made him “sick to his stomach” about the message it sends regarding Santa Paula.

Associate Planner Doberneck recognized the speaker in the audience who asked for a Spanish translator in order to make his comments. Ms. Pulido, still in attendance, offered to translate his statements.

Via Ms. Pulido, Mr. Angel Escobedo, resident at 308 N. Guiberson St., and of Santa Paula for 48 years, stated he resides near the area of this project, and over 50% of those nearby do not speak Spanish. Mr. Escobedo would like any information, announcements, or reports on the project to be issued in Spanish, as he and other residents of the area do not understand what is going on.

Associate Planner Doberneck confirmed that this CUP was basically authorizing work that had already been done, that the property had been inspected, and that the Building & Safety Dept. had closed their Code case since the Applicant chose to pursue a CUP.

Commissioner Demers asked to confirm the zoning of Mr. Escobedo’s residence.

Associate Planner confirmed the area is full of small residential lots, dating back to the days of Sunkist housing.

Ms. Pulido stated Mr. Escobedo, along with the other Spanish-speaking residents of the area, are under the impression that this project will be an elder care facility, due to the term “caretaker” in the noticing.

Chairman Ikerd and Director Minsk requested Ms. Pulido clarify for Mr. Escobedo that the “caretaker” is for the storage property, and no part of this project involves a care facility for the elderly.

Ms. Pulido stated this misunderstanding is reflective of the need for better noticing.

Planning Technician Tom Tarantino stated that all current notice postcards and site signage feature a sentence in Spanish that provides a number for Spanish speakers to call for translated project information.

ACTION: Commissioner Sommer moved to adopt Resolution No. 3744 approving Conditional Use Permit 2015-CUP-02 to allow conversion of four storage units and a portion of an office area into a caretaker residence at an existing self-storage facility, Econo Storage, subject to the Conditions of Approval stated in the Resolution. Commissioner Demers seconded the motion. All were in favor and the motion carried.

Close Public Hearing: Chairman Ikerd closed Public Hearing at 7:35 p.m.

CONTINUED BUSINESS: None

NEW BUSINESS: None

CITY COMMUNICATIONS:

A. Planning Department

- Director Minsk provided a short update on the MND for the River Rock / Williams Homes project. The public comment period closed March 8th, and City staff and consultants are currently reviewing and responding to comments received. The project will appear before Planning Commission and City Council in the near future, though no firm dates have been set.
- Director Minsk also provided a short update on the status of the General Plan Update. City staff and consultants are reviewing and collating the huge volume of responses received following the survey and public workshop held in November. Another General Plan workshop will hopefully take place this spring.
- Director Minsk stated the County of Ventura is also embarking on an update to their General Plan, and are asking for close participation from cities as part of this process.
- Director Minsk stated that an update is tentatively scheduled for the April 4th City Council meeting from Limoneira Lewis Community Builders on the progress of the East Area 1 project.

B. Planning Commission

REQUEST FOR FUTURE AGENDA ITEMS: None

ADJOURNMENT: Chairman Ikerd adjourned the meeting at 7:38 p.m.

NOTICE: Actions by the Planning Commission on the above items cannot be appealed to the City Council after 4:30 p.m. Friday, April 1, 2016. Be advised that if you bring a legal challenge to a Planning Commission decision, you may be limited to raising only those issues you or someone else raised at the meeting or in written correspondence delivered to the Planning Commission at or before the meeting.

A handwritten signature in black ink, appearing to read 'Tom', written in a cursive style.

Tom Tarantino, Planning Technician