

City of Santa Paula

Planning Commission Agenda

CHAIRMAN GAIL "IKE" IKERD
VICE CHAIRMAN FRED ROBINSON
COMMISSIONER JOHN DEMERS
COMMISSIONER MICHAEL SOMMER



Regular Meeting of the
SANTA PAULA PLANNING COMMISSION

August 23, 2016

6:30 PM – Regular Meeting

SANTA PAULA CITY HALL
970 VENTURA STREET
SANTA PAULA, CA 93060

Copies of staff reports or other written documentation relating to each item of business referred to on this agenda are on file in the Planning Department office and are available for public inspection. If you have any questions regarding any agenda item, contact the Planning Department at (805) 933-4214.

WELCOME TO THE CITY OF SANTA PAULA PLANNING COMMISSION MEETING

You are invited to attend all Planning Commission meetings. Agendas are posted in the front of City Hall in advance of the scheduled meetings. Information for meetings may be obtained by contacting the Planning Department Office. The Santa Paula Planning Commission's regular meetings start at 6:30 p.m. the fourth Tuesday of each month in the City Hall Council Chambers located at 970 Ventura Street in Santa Paula.

BRINGING ITEMS BEFORE THE PLANNING COMMISSION

If you wish to speak at a Planning Commission meeting, please fill out a yellow Public Comment Form noting your name and address and submit the form to the City Clerk. Include the Agenda Item number, when appropriate.

1. Items Not on the Agenda: If you wish to discuss an item which is not scheduled on the Agenda, you may address the Planning Commission during *Public Comment*. Please realize that due to the limitations placed on the Planning Commission by provisions of the *California Government Code*, the Planning Commission ordinarily cannot take action on any item that is not on the agenda. Because of these restrictions, expect that matters that you identify during public comment will be referred to staff or considered on a future agenda.

2. Agenda Items: Items being considered by the Planning Commission may appear on the Consent Calendar, as an Order of Business, or as a Public Hearing. Public comments on each type of item are handled differently, as explained below:

- a. For items appearing on the Consent Calendar, please submit a Public Comment Form before the Commission takes action on the Consent Calendar. Items that receive a Public Comment Form may be pulled from the Consent Calendar by the Chairperson and discussed separately by the Planning Commission.
- b. For items appearing as an Order of Business, the Chairperson will announce the Agenda Item and request the staff report; the staff member responsible will give a brief summary of the report; the Planning Commission will have an opportunity to ask questions of staff; members of the public will be given an opportunity to comment on the item and ask additional questions (all members of the public should speak directly into the microphone at the speaker's platform); and the Planning Commission will discuss the item and then take appropriate action.
- c. For items on which a Public Hearing is scheduled, the Chairperson will open the public hearing and receive the staff report; members of the public will be given an opportunity to comment on the item and ask additional questions (all members of the public should speak directly into the microphone at the speaker's platform); the Planning Commission will discuss the item; and the Chairperson will close the public hearing after Planning Commission action.

PLEASE NOTE: *Be advised that if you bring a legal challenge to an action, you may be limited to raising only those issues you or someone else raised at the meeting described in this Agenda, or in written correspondence delivered to the Planning Commission at or before the meeting. Any action is subject to the ninety-day time period set forth in Code of Civil Procedure § 1094.6.*

In compliance with the **Americans with Disabilities Act**, if you need special assistance to participate in this meeting, please contact the Planning Department at (805) 933-4214. Notification 48 hours before the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. (28 CFR 35, 102-35.104 ADA Title II.) Written materials distributed to the Planning Commission within 72 hours of the Planning Commission meeting are available for public inspection immediately upon distribution in the Planning Department's office.



CITY OF SANTA PAULA
PLANNING COMMISSION
MINUTES • AUGUST 23, 2016

Regular Meeting

Council Chambers

6:30 PM

All exhibits, petitions, photos, and other materials submitted to the Commission in conjunction with any item on this Agenda become a part of the City of Santa Paula's records and are not returnable.

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

Chairman Ikerd led the Pledge of Allegiance.

3. ROLL CALL

Attendee Name	Title	Status	Arrived
Fred W. Robinson	Vice Chairman	Absent	
Michael Sommer	Commissioner	Present	6:30 PM
Gail Ikerd	Chairman	Present	6:30 PM
John Demers	Commissioner	Present	6:30 PM
Tom Tarantino	Planning Technician	Present	6:30 PM
N.D. Doberneck	Associate Planner	Present	6:30 PM
Gregg Kettles	Assistant City Attorney	Present	6:30 PM

Vice Chairman Robinson was unable to attend this meeting due to a schedule conflict.

4. FINAL AGENDA

Agenda final as submitted.

5. PUBLIC COMMENT

REMINDER: in order to minimize distractions during public meetings, all personal communication devices should be turned off or put in a non-audible mode.

At this time, members of the public may comment on any item not appearing on the agenda that is within the subject-matter jurisdiction of the Planning Commission. A Public Comment Form must be submitted to the Secretary before the beginning of the Public Comment period in order to be recognized to speak. Individuals submitting Public Comment Forms after the beginning of the Public Comment period will not be allowed to speak at this time, but may be recognized to speak by the Chair at the conclusion of the meeting. Individual Commissioners may briefly respond to Public Comments or ask questions for clarification. The Planning Commission may direct staff to report to the

Planning Commission on the item at a later meeting. For items appearing on the Agenda, the public will be invited to make comments at the time the item comes up for Planning Commission consideration. If a member of the public wishes to address a Consent Calendar item, please submit a Public Comment Form for that item. It may then be discussed separately by the Commission, and the public will be invited to make comments at that time. At all times, please use the microphone and write your name and address on the Public Comment Form provided.

No public comment.

6. CONSENT CALENDAR

Information has been provided to the Planning Commission on all matters listed under the Consent Calendar. These items are considered to be routine, and are normally approved by one motion. If discussion is requested by a Commissioner on any item, or a member of the public wishes to comment on an item, that item may be removed from the Consent Calendar for separate action.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Michael Sommer, Commissioner
SECONDER:	John Demers, Commissioner
AYES:	Sommer, Ikerd, Demers
ABSENT:	Robinson

A. Approval of Minutes for the June 28, 2016 Planning Commission Meeting

- **Staff Presentation:** Tom Tarantino, Planning Technician

RECOMMENDED ACTION:

Staff recommends a motion for approval of the Minutes of the June 28, 2016 Planning Commission Meeting.

Commissioner Sommer moved to approve the minutes of the June 28th, 2016 Planning Commission meeting as submitted. Commissioner Demers seconded the motion. All were in favor and the motion carried.

B. Santa Paula Unified School District Request for General Plan Consistency Finding - East Area 1

- **Location:** East Area 1 Specific Plan
- **Applicant:** Santa Paula Unified School District
- **Representative:** Donna Rose, Assistant Superintendent

- **Environmental:** Staff has determined the project to be exempt from the California Environmental Quality Act (CEQA) Guidelines per § 15262
- **Staff Presentation:** Gregg Kettles, Assistant City Attorney

A request for review and General Plan Consistency Finding to Public Resources Code Section 21151.2 for the Santa Paula Unified School District School Site within East Area 1.

RECOMMENDED ACTION:

Staff recommends that the Planning Commission direct the Planning Director to send a letter to the SPUSD stating the proposed school site acquisition for the elementary/K-8 school is appropriate and consistent with the community planning documents, including the Santa Paula General Plan and the East Area 1 Specific Plan.

Assistant City Attorney Kettles gave a brief explanation to the Commissioners regarding the Santa Paula Unified School District request for General Plan Consistency Finding and recommended approval.

Commissioner Demers inquired about the designation of a high school site.

Donna Rose, Assistant Superintendent of Santa Paula Unified School District, joined Assistant City Attorney Kettles at the podium and explained the high school plan.

Assistant City Attorney Kettles recommended an additional motion and vote on the Santa Paula Unified item. As such, Chairman Ikerd moved to approve the Santa Paula Unified item. Commissioner Sommer seconded the motion. All were in favor and the motion carried.

7. PUBLIC HEARING

- Verification of Legal Notice Requirements for Public Hearing
- Declaration of Conflicts
- Declaration of Ex Parte Contacts
- Open Public Hearing

Chairman Ikerd opened the Public Hearing at 6:36 PM.

A. 16-CUP-04 AEG Cars (New Vehicle Brokerage & Sales)

- **Location:** 108 Calavo St. #F (Calavo Street Industrial Business Center)
- **APN:** 097-0-040-185

- **Applicant:** Alfredo Garcia, AEG Cars
- **Representative:** Matthew Perrett, Calavo Street Properties
- **Zoning:** Commercial/Light Industrial (C/LI)
- **General Plan Designation:** Commercial/Light Industrial
- **Environmental:** Staff has determined the project to be Categorically Exempt from the California Environmental Quality Act (CEQA) Guidelines per §15301 (Class 1, Existing Facilities)
- **Staff Presentation:** N.D. Doberneck, Associate Planner

A request for a Conditional Use Permit to authorize a new business engaged in auto sales. The proposed new business would engage in four types of interrelated business activities: 1) Automobile brokerage; 2) Automobile sales; 3) Short-Term automobile storage; and 4) Automobile delivery and transport.

RECOMMENDED ACTION

Staff recommends that the Planning Commission select Alternative No. 1 and approve Conditional Use Permit 2016-CUP-04 subject to the Conditions of Approval listed in Resolution No. 3749.

Associate Planner Doberneck presented the item and concluded by expounding on the issue raised in a public comment letter of potential traffic problems on Telegraph Rd. caused by trucks delivering vehicles to AEG. This will be mitigated by limiting deliveries (likely once per month) and using common sense in terms of delivery times.

Chairman Ikerd stated he is pleased something will finally be done with the industrial park, but shares the traffic/delivery concerns raised in the comment letter. He also asked if there was any way deliveries could take place within the complex or nearby, but off Telegraph Rd.

Associate Planner Doberneck responded that the plan as proposed in the staff report was produced in cooperation with the Public Works Dept., and was likely the best option.

Commissioner Sommer pointed out the minor error in the staff report stating there are two-roll up doors in the unit, when there is in fact just one roll-up door. He also expressed some concern related to the traffic issues raised in the comment letter, but does not see a major issue with the vehicle deliveries on Telegraph Rd.

Commissioner Demers agreed with the other Commissioners that one delivery per month, scheduled for non-peak hours, should be fine.

Commissioner Sommer asked for confirmation that all vehicles would be stored inside the unit.

Associate Planner Doberneck confirmed that all vehicles for sale would be stored inside the unit, and that the applicant had been advised to park employee vehicles in the rear yard of the unit.

Commissioner Sommer moved to approve project 2016-CUP-04 as submitted, subject to the conditions stated in Resolution No. 3749. Commissioner Demers seconded the motion. All were in favor and the motion carried.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Michael Sommer, Commissioner
SECONDER:	John Demers, Commissioner
AYES:	Sommer, Ikerd, Demers
ABSENT:	Robinson

B. 16-CUP-02 Thomas 99¢ Plus Store (New Grocery Store; No Alcohol)

- **Location:** 233 W. Harvard Blvd. (APN: 102-0-142-515)
- **Applicant:** Georges Touma, Thomas 99¢ Plus Store
- **Representative:** Duke Puga, Duke James Construction Company
- **Zoning:** General Commercial (C-G)
- **General Plan Designation:** Commercial
- **Environmental:** Staff has determined the project to be Categorically Exempt from the California Environmental Quality Act (CEQA) Guidelines per § 15301 (Class 1, Existing Facilities)
- **Staff Presentation:** N.D. Doberneck, Associate Planner

A request for a Conditional Use Permit to allow for the addition of grocery products (food and beverages, no alcohol) to an existing discount retail store, the Thomas 99¢ Plus Store. Grocery stores in General Commercial zoning districts require a CUP. The existing store would continue to sell discount-priced sundries.

RECOMMENDED ACTION:

Staff recommends that the Planning Commission select Alternative No. 1 and approve Conditional Use Permit 2016-CUP-02 subject to the Conditions of Approval listed in Resolution No. 3751.

Associate Planner Doberneck presented the item and advised the Commissioners that the applicant, Georges Touma, was in attendance and available for further explanation if needed.

Commissioner Sommer asked if the item was appearing before the Planning Commission as a result of a code enforcement issue.

Associate Planner Doberneck replied that the project was not related to a code issue, and the applicant was simply seeking to expand his business.

Elias Touma, brother of the Applicant, spoke to the Commissioners regarding his history as an immigrant and his appreciation of this country's and City's support of his business.

Commissioner Sommer stated his reason for asking about the code enforcement issue was because, during his due diligence visit, he found this business already selling and advertising the items being proposed herein.

Associate Planner Doberneck said he could not speak to that particular issue, but that the applicant is in the permitting process with the County of Ventura.

Commissioner Sommer also stated it seems like "the cart is before the horse" in this case, as there are already refrigerator units installed onsite, but as long as the City is fine with it, he is as well. He also stated the landscape plan and sign ordinances noted in the staff report need to be adhered to, as he noted during his aforementioned visit that the landscaping is largely dirt/weeds, and a non-compliant beverage sign is displayed. Commissioner Sommer reiterated he is fine with moving forward, but these issues should be addressed as part of that process.

Commissioner Demers stated he had no comment.

Chairman Ikerd stated he echoes Commissioner Sommer's statements, but otherwise has no problem with the project.

Commissioner Sommer moved to approve project 2016-CUP-02 as submitted, subject to the conditions stated in Resolution No. 3751, with an emphasis on compliance with the City's landscaping and signage ordinances. Commissioner Demers seconded the motion. All were in favor and the motion carried.

Chairman Ikerd closed the Public Hearing at 6:59 PM.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Michael Sommer, Commissioner
SECONDER:	Gail Ikerd, Chairman
AYES:	Sommer, Ikerd, Demers
ABSENT:	Robinson

- Close Public Hearing

8. NEW BUSINESS

No New Business.

9. CITY COMMUNICATIONS

A. Planning Department

Planning Technician Tarantino stated that Project No. 14-CDP-02, the River Rock/Hardison House development at 1226 Ojai Rd. that was previously approved by the Planning Commission, appeared before the City Council and a sizable contingent of interested citizens at their August 15th meeting. After hearing presentations by both the Applicant and Planning Dept. staff, and testimony from numerous public speakers, the Council voted 4-0 (Councilmember Procter recused) to continue the project to its meeting on Sept. 19th, to provide the Applicant time to make the requested changes, including reducing the project to 40 new homes, making all four of the development's streets public, installing a gate on the proposed road linking to an existing neighboring subdivision, and installing a state-of-the-art security system to protect against vandalism at the historic house and barn.

B. Planning Commission

Planning Technician Tarantino stated the City Clerk is working on the process of selecting and confirming a new Planning Commissioner, which has been slowed by seasonal schedules, but advertisement for the vacant seat should go out to the public soon.

10. REQUEST FOR FUTURE AGENDA ITEMS

Any Planning Commissioner may make a motion only to place an item on a future Agenda. Members may discuss whether or not the item should be placed on the agenda and the description of the item. The motion is non-debatable. Placement of an item on a future Agenda requires a majority vote. The Planning Director has discretion as to when the item will be placed on the Agenda, unless otherwise directed by the Planning Commission.

Planning Technician Tarantino stated the Design Assistance Committee (DAC) will resume meeting in the near future. Per §17.55.040 of City Council Ord. No. 816, the DAC is a five-member panel which acts as an advisory body to the Historic Preservation Commission, and requires one member of the Planning Commission to serve on the

panel. The DAC meets in the Community Development Building on an as-needed basis, to review and make recommendations regarding historically significant structures, landmark status and historic district designation, etc. As there are only three Planning Commissioners in attendance at this meeting, nomination and selection will take place at the next regularly scheduled Planning Commission Meeting on September 27, 2016.

11. ADJOURNMENT

NOTICE: Actions by the Planning Commission on the above items cannot be appealed to the City Council after 4:30 p.m. on **September 2, 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.

Chairman Ikerd adjourned the meeting at 7:01 PM.



Tom Tarantino, Planning Technician