

ACTION MINUTES OF THE SANTA PAULA PLANNING COMMISSION

**Tuesday, March 10, 2009
6:30 P.M.**

CALL TO ORDER: Chairman Paul Skeels
PLEDGE OF ALLEGIANCE: Vice Chairman Brown
ROLL CALL:

Commissioners present: Steve Brown, Gary Nasalroad, Michael Sommer and
Chairman Paul Skeels

Commissioners Absent: None

Staff Present: Assistant City Attorney John Cotti, Planning Director
Janna Minsk, Deputy Planning Director Stratis Perros,
and Secretary Audrey Ellington

Chairman Skeels asked the group to observe a moment of silence in remembrance of a former Mayor and City Councilmember Eleanor Crouch.

FINAL AGENDA:

Chairman Skeels asked that Item 9, City Communications, be moved to before the Public Hearing. There were no objections and the Agenda was then final as amended.

CITY COMMUNICATIONS

City Manager Wally Bobkiewicz addressed the Planning Commission and indicated that he was directed by the City Council to read the City Council letter, dated February 19, 2009, and reiterate Council's direction that no actions be taken by the Planning Commission until a new Planning Commissioner is appointed in April.

- A.** Planning Department – None at this time.
- B.** Planning Commission – None at this time.

PUBLIC COMMENT: None at this time.

CONSENT CALENDAR:

- A. Minutes of the Planning Commission Meeting on February 24, 2009**

ACTION: Commissioner Nasalroad moved for approval the Minutes of February 24, 2009, as presented. Commissioner Sommer seconded the motion that carried by a unanimous roll call vote.

CONTINUED PUBLIC HEARING:

Verification of posting notice by Secretary

Chairman Skeels confirmed with Secretary Audrey Ellington, that the Notice of Continued Public Hearing was posted as required.

Declaration of conflicts - None

Declaration of ex parte contacts

Commissioner Nasalroad reported a brief telephone call to the applicant for a question he had on the project.

Open Continued Public Hearing

- A. **2008-CDP-03:** A request for Addendum to previously certified Mitigated Negative Declaration (MND), Design Review, 147 Growth Management Allocations, and Lot Line Adjustment, in order to construct a new 150 unit multi-family residential development on an existing 6.48-acre vacant undeveloped lot. This 100% affordable housing proposal includes request for concessions and development standard reductions under the provisions of the State Density Bonus Law and Santa Paula Municipal Code. The Property is located in the R-4 High Density Residential Zone and has a General Plan Land Use Designation of High Density Residential.

Location: 210 W. Santa Barbara Street

Applicant: Cabrillo Economic Development Corp.

Staff presentation – Deputy Planning Director Stratis Perros

Planning Director Janna Minsk called upon the Deputy Planning Director Stratis Perros, to provide the staff report.

Deputy Director Perros gave a brief outline of the project status and changes to the proposed Resolution for the project. He explained that there were two options of the Resolution for Planning Commission's consideration, with modified Findings and Conditions. Deputy Director Perros noted that a letter from the applicant, indicating that the concessions being requested are necessary for the project to be developed, would be passed out for the Planning Commission's review.

In response to Chairman Skeels, Deputy Director Perros explained the two Resolution Options as follows: Option 1 allows three concessions and two development standards waived under the State Density Bonus Law, and Option 2 allows three concessions, requires a Minor Modification for one item and a redesign of the parking space layout in the garage.

Motion

Commissioner Steve Brown made a motion to follow Council's direction to continue all actions until April 14, 2009. The motion failed for lack of a second.

Public testimony

Mr. Detlev Peikert, of Peikert Group Architects, 10 E. Figueroa Street, Santa Barbara, provided a Power Point presentation outlining key sections of the State Density Bonus Law and Santa Paula Municipal Code Density Bonus Ordinance pertaining to the proposed project. Mr. Peikert spoke on the benefits of the project and asked for the Planning Commission's support in approval of Staff's recommended Option 1. He then responded to questions from the Planning Commissioners regarding the parking garage and the extension ladders to be provided for Fire Department emergency access.

Ms. Barbara Macri-Ortiz, Attorney, P.O. Box 6432, Oxnard, representing CEDC, stated that she was present to answer questions and wished to speak later in the meeting for rebuttal. Ms. Macri-Ortiz commented for clarification to Option 2 of Staff's Recommendation, that the applicant has not applied for a Minor Modification and has declined to do so because it is not necessary under the State Density Bonus Law.

Bernardo Perez, 702 County Square Drive, Ventura, representing CEDC. Addressed the Planning Commission in support of the project and indicated he was available for any questions they may have.

The following list of people spoke in support of the proposed project generally indicating that they believe the project will: help provide low-income housing, relieve overcrowding, provide jobs, contribute to taxes and school funds, and benefit the City:

Carolyn Price, 640 E. Main Street, representing the Santa Paula Ministerial Association
Mina Remensquyst, 145 N. 4th Street, Unit 229, Santa Paula
JoAnn Guilin, 803 Ojai Road, Santa Paula
Jess Victoria, 134 Moultrie Place, Santa Paula
LuzMaria Espinosa, 244 N. 10th Street, Santa Paula
Dan Long, Ventura Planning Commissioner, P.O. Box 24315, Ventura, CA 93002
Jesse Luna, 337 Lucada Street, Santa Paula
Doug Jackson, 14877 Foothill Road, Santa Paula/Ventura Co.
Belen Rodriguez, 337 Lucada Street, Santa Paula
Laura Espinosa, 233 Corte Linda, Santa Paula
Gil Guevara, Oxnard, League of United Latin American Citizens

Chairman Skeels read excerpts from a letter of support, submitted by a member of the audience on behalf of Albino Pineda, 239 Laurie Lane, who was not present.

John Proctor, 1226 Ojai Road, Santa Paula, spoke regarding the Planning Commission's courage in processing the Cabrillo application, and thanked the Commissioners for the time and effort taken in their review.

Ray Jasso, President of the Board of CEDC, Los Angeles, spoke in support of the project and apologized for the “political fireworks”. He then read a description of the project and outlined benefits to the City in the way of permit fees, and to provide low-income families with hope for a secure and better future.

The following people spoke in opposition to the project with concerns for the high density, access and parking issues, security issues, the loss of property taxes to the City, and the increased cost to the City for Police and Fire Services:

Roger Bowers, 1007 East Virginia Terrace, Santa Paula

John Wisda, 580 Monte Vista, Santa Paula (Also felt a 5th Commissioner was needed to make a decision on the project.) Submitted a Ventura Police Incident Report on CEDC’s Cabrillo Village project for a 3-month period.

Steve Smead, 513 Howie Court, Santa Paula (Also Felt an “In-lieu” donation should be made to the City.)

Chairman Skeels called a health and safety break at 8:05 p.m. The meeting was reconvened at 8:17 p.m.

Barbara Macri-Ortiz, responded to comments regarding the Ventura Police Incident Report indicating that CEDC has not managed the Cabrillo Village project since 1981. In response to Commissioner Sommer, Ms. Macri-Ortiz defended fee calculations reported by Mr. Jasso, by stating that the calculations were from two years ago and were probably higher now. She also commented regarding the no “in-lieu” fee issue stating that CEDC has no choice because they could jeopardize their tax exemption status, and it was a “trade-off” to keep rents down.

Chairman Skeels closed the Public Testimony portion of the hearing.

Discussion

Planning Commissioners Nasalroad, Sommer, and Chairman Skeels were in general agreement that the project was well designed, concerns of Fire access were addressed, and that low-income housing is needed. They also each expressed concern about the fact that fees would not be paid to the City to support the increase in Fire and Police services, and that tax payers would be subsidizing the project in these hard economic times.

Commissioner Brown commented that in a letter to the City from Rodney Fernandez of CEDC, he indicated that they (CEDC) would work with the City economically to develop the project, and they have not done that. Commissioner Brown questioned if the Planning Commission could ask for a reduction in the density of the project.

Assistant City Attorney John Cotti and Planning Director Janna Minsk responded to Commissioner Brown and explained that to request a reduction in density would require General Plan and Development Code Amendments. Director Minsk explained that a Zone Change would need to include a PD Overlay in order to reduce the density.

ACTION:

Commissioner Nasalroad moved to approve the project according to Staff's Alternative No. 1 in the Staff Report. Commissioner Sommer asked Commissioner Nasalroad to Consider two changes to the motion: 1) a change in the Conditions on page 23, to indicate two ladders, and 2) that the applicant strongly consider donations to the City in way of an "in-lieu fee" or "Pilot Program", and that without that proposal, the recommendation to City Council would be for denial of the project. Chairman Nasalroad agreed with the addition to the motion. Commissioner Sommer then seconded the changed motion. The motion carried on a three to one vote as follows:

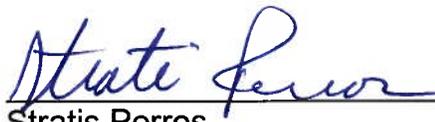
AYES: Commissioners Nasalroad, Sommer and Chairman Skeels

NOES: Commissioner Brown

Commissioner Brown commented that when the project was unanimously approved by Planning Commission, it was his first meeting, and had the vote been taken two weeks later, it would not have been unanimous.

ADJOURNMENT:

The meeting was adjourned at approximately 9:10 p.m.



Stratis Perros
Deputy Planning Director

NOTICE: Actions by the Planning Commission on the above items cannot be appealed to the City Council after **5:00 p.m. on Friday, March 20, 2009**. 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.

For further details of the discussions held in this meeting, a taped recording is available in the Planning Department office, for a period of approximately one year.

Minutes Approved by Planning Commission April 14, 2009

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