

ACTION MINUTES OF THE SANTA PAULA PLANNING COMMISSION

**Tuesday, May 26, 2009
6:30 P.M.**

CALL TO ORDER: Chairman Paul Skeels
PLEDGE OF ALLEGIANCE Commissioner Nasalroad
ROLL CALL:

Commissioners present: Steve Brown, Gary Nasalroad, and Chairman Paul Skeels
Commissioners Absent: Michael Sommer
Staff Present: City Attorney Karl Berger, Deputy Planning Director Stratis Perros, Contract Planner Melanie Traxler, and Secretary Audrey Ellington

FINAL AGENDA: No changes requested, therefore the Agenda was final as presented.

PUBLIC COMMENT: None at this time.

CONSENT CALENDAR:

A. Minutes of the Planning Commission Meeting on May 12, 2009

ACTION: Commissioner Nasalroad moved for approval the Minutes of May 12, 2009, as presented. Commissioner Brown seconded the motion that carried by a unanimous roll call vote.

CONTINUED PUBLIC HEARING:

- A. 2008-CUP-06:** A request for approval of a Conditional Use Permit to allow for operation of a large recycling collection facility, including provisions for outdoor storage, within an approximately 0.51 project area and operated from an existing 1,855 square foot building in the Commercial-General (C-G) zoning district. The General Plan designation is Commercial. Staff has determined the project to be Categorically Exempt from the California Environmental Quality Act (CEQA) Guidelines per §15301 (Class 1, Existing Facilities).
Location: 1250 E. Harvard Boulevard, APN 101-0-285-045, -055 and -065
Applicant: Guadalupe Guzman

Verification of posting Notice of Continued Public Hearing: Secretary Audrey Ellington confirmed the Continued hearing notice was properly posted.

Declaration of conflicts: None

Declaration of ex parte contacts: None

Open Public Hearing: Chairman Skeels opened the public hearing for the project as described above and called upon staff to present the staff report.

Staff presentation: Contract Planner Melanie Traxler reviewed the requested permits and provided a brief outline of the staff report dated May 26, 2009. Ms. Traxler provided the site plan and photographs of the project site and surrounding area in a PowerPoint presentation. She explained the proposed improvements including, landscaping, traffic circulation, drop-off location, fencing, screening and paint colors. Ms. Traxler pointed out that there is no major new construction proposed for the site, but improvements needed for the use. She then reviewed some requirements of the applicant that were listed in Conditions of Approval for the project. Ms. Traxler gave staff's recommendation to adopt Resolution No. 3643, approving the Conditional Use Permit, subject to the Conditions of Approval identified in the Resolution.

Commissioner Brown expressed concerns about ongoing maintenance of the property and Chairman Skeels questioned screening of the storage. Ms. Traxler reviewed the specific Conditions of Approval that addressed those issues.

Public Testimony: Applicant Guadalupe Guzman was present in the audience to answer any questions from the Commissioners, but did not wish to speak at this time.

Discussion: Commissioner Nasalroad questioned staff as to whether the recycling facility would affect the City's goals for mandated recycling.

City Attorney Karl Berger responded that he did not believe there was a Municipal Code requirement for the applicant to report to the City, and the City can't impose any special requirements on the applicant. However, Attorney Berger pointed out that the Public Works Director is diligently tracking recycling within the city to contribute to the City's mandated requirements.

In response to the Commissioners' concerns regarding time limits to complete the proposed improvements, Ms. Traxler reviewed the Compliance Schedule listed in the Conditions of Approval and agreed that an amount for a performance bond would need to be calculated and suggested that this could be completed during the 45 day time limit given for submittal of the plan to start the plancheck process.

Attorney Berger stated that a condition should be added to require that the calculation of the amount of a performance security bond be determined within the 45 days as required by Condition No. 71.

In response to Chairman Skeels, Ms. Traxler reported that no comments or inquiries had been received from the neighbors and that the applicant had spoken with the neighbors. Chairman Skeels confirmed with Secretary Audrey Ellington that the original public hearing had been properly noticed and mailed to the neighbors within 300 feet of the project.

In response to Commissioner Brown's inquiry regarding a "For Sale" sign on a portion of the subject property, Mr. Guzman commented that he had problems with a former tenant, but the property was no longer on the market. Mr. Guzman also commented that he would be glad to provide records to the City, to help the City's recycling goals.

Commissioner Nasalroad commented that he recalled three other applications on this property and that this is the best attempt to improve the site.

The Commissioners were in general agreement that the project was a good location and use of the property, would be an improvement to the area, has considered the neighbors, and their concerns were addressed by the Conditions of Approval.

Deputy Planning Director Stratis Perros commented that Attorney Berger had just provided him with some edits to the Conditions of Approval for clarification and asked if the Commissioners wished to review them at this time. Chairman Skeels responded that he would trust staff to make the proposed changes as recommended by the City Attorney.

ACTION: Commissioner Nasalroad moved to adopt Resolution No. 3643 approving the requested Conditional Use Permit, subject to the Conditions of Approval listed in the Resolution with language changes, and an added Condition of Approval to set a deadline for calculating a performance bond, as recommended by the City Attorney. Commissioner Brown seconded the motion that carried on a unanimous roll call vote.

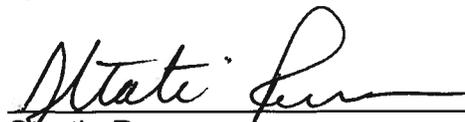
Hearing Closed

NEW BUSINESS: No new business was scheduled or discussed at this time.

CITY COMMUNICATIONS:

- A. Planning Department – Deputy Planning Director Stratis Perros, reported on the following:
1. Two items are scheduled for the June 9, 2009, Planning Commission meeting, and one item is scheduled for the June 23rd, Planning Commission meeting

ADJOURNMENT: The meeting was adjourned at approximately 7:10 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, June 5, 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.

These Minutes approved by the Planning Commission on **June 9, 2009**



Planning Secretary Audrey Ellington