

**MINUTES OF THE SANTA PAULA
PLANNING COMMISSION
Tuesday, May 24, 2011
6:30 P.M.**

CALL TO ORDER: Chairman Michael E. Sommer
PLEDGE OF ALLEGIANCE: Chairman Rita Graham
ROLL CALL:

Commissioners present: L. Steven Brown, Rita Graham, Michael E. Sommer, and John D. Wisda

Commissioners absent: Marilyn F. Appleby

Staff Present: City Attorney John Cotti, Deputy Planning Director Stratis Perros, Deputy City Clerk Peggy Higgins

FINAL AGENDA: None

PUBLIC COMMENT: No public comment

CONSENT CALENDAR:

A. Minutes of the Planning Commission Meeting on March 22, 2011

ACTION: A motion was made by Commissioner Brown, seconded by Commissioner Wisda to approve the Minutes of March 22, 2011, as submitted. All were in favor and the motion carried.

PUBLIC HEARING:

- A. 2010-ZC-01:** A request for a Zone Change from Highway Commercial (C-H) zoning district to General Commercial (C-G) zoning district for an existing commercial shopping center. The existing Commercial-Light Industrial (C-LI) zoning designation on the rear half of the building would not be affected by this proposal. No new development is proposed as part of this request. The Planning Commission will also consider approval of a Negative Declaration pursuant to California Environmental Quality Act (CEQA) Guidelines.

Location: 957 Faulkner Road (APN: 098-0-020-375)

Applicant: Bender Realty Ltd.

General Plan: Commercial

Zoning: Highway-Commercial/Commercial-Light Industrial

Verification of posting notice: Chairman Sommer confirmed with Deputy City Clerk Higgins that the Notice of Public Hearing was properly advertised and posted.

Declaration of conflicts: None

Declaration of ex parte contacts: None.

Open public hearing: Chairperson Sommer opened Public Hearing at 6:35 p.m. and called upon staff to present the item.

- Staff presentation – Presentation by Deputy Planning Director Stratis Perros

Sandra Anguiano, 959 Faulkner Rd. representing applicant Ilan Bender, explained intent of Zone Change request and answered questions.

Close Public Hearing: Chairperson Sommer closed the Public Hearing at 6:45 p.m.

After discussion a motion was made.

ACTION: It was moved by Commissioner Graham, seconded by Commissioner Brown to adopt Resolution No. 3683 recommending approval of Project No. 2010-ZC-01 to allow a Zone Change from Highway Commercial (C-H) zoning district to General Commercial (C-G) zoning district for an existing commercial shopping center. Under roll call vote all were in favor and the motion carried.

- B. 2010-CUP-01:** A request for certification of a Final Environmental Impact Report and approval of Mitigation Monitoring and Reporting Program and a Conditional Use Permit to allow the stockpiling, crushing, recycling, sorting, processing and selling of rock, gravel, and sand and recyclable building materials, including masonry products, asphalt, and concrete.

Location: 1224 E. Santa Clara Street (APN: 104-0-220-035, -115, -125, -205, -225, -235, -245, -255, and -265)

Applicant: Santa Paula Rock, Gravel and Sand LLC

General Plan: Industrial

Zoning: Industrial/Airport Outer Safety Zone (I/KS-OS)

Verification of posting notice: Chairman Sommer confirmed with Deputy City Clerk Higgins that the Notice of Public Hearing was properly advertised and posted.

Declaration of conflicts: None

Declaration of ex parte contacts: None.

Open Public Hearing: Chairperson Sommer opened Public Hearing at 6:50 p.m. and called upon staff to present the item.

- Staff Presentation – Presentation, Deputy Planning Director Stratis Perros

Applicant and City representatives.

William Bruckner of Bruckner & Walker, representing Santa Paula Rock Gravel & Sand, LLC.

Al Bitetti Jr., 1224 Santa Clara St. representing Santa Paula Rock Gravel & Sand, LLC.

Joe Powers, 180 N. Ashwood Avenue, Ventura, representing Rincon Consultants, Inc.

PUBLIC COMMENT:

Alex Gutierrez, 5450 Telegraph Rd., Ventura – Attorney for Tom Staben does not believe staff and Rincon Consultant's did adequate job on Final EIR and recommends rejection of project.

Lotar Ziesing, 18450 South Mountain Rd. spoke in opposition to the project and asked the Commissioners to either vote no on the project or delay the vote until they have further information.

Jennifer Dumas, 18450 South Mountain Rd. also spoke in opposition to the project and asked the Commissioners to deny the CUP, or at the very least delay the vote.

Peggy Richardson Masman, 17888 South Mountain Rd., expressed her concerns regarding the addition traffic, dust and noise that this project creates; asked if the applicant was meeting CalOSHA standards and asked Commissioners to think carefully about their decision to approve the CUP.

Martin Pettit, 17955 South Mountain Rd. expressed his concerns regarding the noise levels that the operation generated, the truck traffic issues and recommended that the Commissioners limit the hours of operation.

Rod Elliott, 1315 E. Main St., asked the Commissioners to exercise caution in dealing with the operator of the project.

Tom Roberts, owner of 315 S. 13th St., expressed concerns regarding the dust that the operation generates may create health problems for his residents.

Maritza Delgado, resident at 315 S. 13th St., lives across the street from the project and complained about the amount of dust and concerned about the health of her children when they play outside.

RECESS TO A BREAK: Chairperson Sommer recessed the Commission to a break at 8:20 p.m.

RECONVENE TO REGULAR SESSION: Chairperson Sommer reconvened the Commission at 8:25 p.m.

After further discussion a motion was made.

ACTION: It was moved by Commissioner Brown, seconded by Commissioner Graham to adopt Resolution No. 3684 to certify the Final environmental Impact Report and adopt Mitigation Monitoring and Reporting Program. The motion carried 3-1 under roll call vote with Commissioner Wisda voting no.

ACTION: It was moved by Commissioner Brown, seconded by Commissioner Wisda to deny Resolution No. 3685 approving Conditional Use Permit No. 2010-CUP-01 to allow the stockpiling, crushing, recycling, sorting, processing and selling of rock, gravel, and sand and recyclable building materials, including masonry products, asphalt, and concrete, subject to the conditions of approval. The motion failed under a 2-2 vote with Commissioner Brown and Wisda in favor and Chairperson Sommer and Commissioner Graham opposed.

After further discussion a motion was made.

ACTION: It was moved by Commissioner Graham, seconded by Commissioner Brown to continue the item to the Regular meeting of June 28, 2011. All were in favor and the motion carried.

Close Public Hearing: Chairperson Sommer closed the Public Hearing at 9:10 p.m.

ORDER OF BUSINESS: None.

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

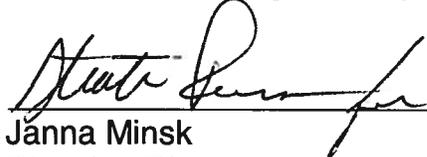
CITY COMMUNICATIONS:

Deputy Planning Director Perros indicated that the City offices would be closed on Friday, May 27, due to a designated furlough day recently enacted by the City Council. He also reported on his presentation made at the previous City Council meeting regarding a proposed General Plan Amendment, that item will presented to the Planning Commission at a later meeting.

REQUEST FOR FUTURE AGENDA ITEMS:

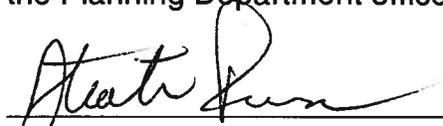
Commissioner Graham requested that staff report back at the next regular meeting regarding the landscape and signage requirements at 957 Faulkner Road.

ADJOURNMENT: Chairperson Sommer adjourned the meeting at 9:20 p.m.



Janna Minsk
Planning Director

NOTICE: Actions by the Planning Commission on the above items cannot be appealed to the City Council after 5:00 p.m. Friday, June 3, 2011. 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.



Stratis Perros
Deputy Planning Director