

MINUTES OF THE SANTA PAULA  
PLANNING COMMISSION

October 18, 2011  
6:30 P.M.

**CALL TO ORDER:**  
**PLEDGE OF ALLEGIANCE:**  
**ROLL CALL:**

**Commissioners present:** Rita Graham, John Wisda, Marilyn Appleby  
**Commissioners absent:** Michael Sommer

**Staff Present:** City Attorney Karl Berger, Deputy Planning Director Stratis Perros, Assistant Planners Anna Arroyo and Caesar Hernandez, and Sr. Administrative Assistant Lucy Blanco

**FINAL AGENDA:** Agenda final as submitted

**PUBLIC COMMENT:** No public comment

**CONSENT CALENDAR:**

**A. Minutes of the Planning Commission Meeting on August 23, 2011**

**ACTION:** A motion was made by Commissioner Graham, seconded by Commissioner Wisda to approve the Minutes of August 23, 2011, as submitted. All were in favor and the motion carried.

**PUBLIC HEARING:**

- A. 11-CUP-03:** A request for a Conditional Use Permit and Design Review to convert portion of an existing 4,950 square-foot commercial building to a proposed 1,950 square-foot fast-food restaurant within an existing shopping center. The property is located in the General Commercial (C-G) zone and has a General Plan land use designation of Commercial.
- Location:** 545 W. Harvard Blvd., (APN: 102-0-160-055)  
**Applicant:** Panda Express  
**General Plan:** Commercial  
**Zoning:** General-Commercial (C-G)  
**Environmental:** Categorically Exempt from the provisions of the California Environmental Quality Act (CEQA) based upon a Class 1 (Section 15301) exemption

**Verification of posting notice:** Confirmed with that the Notice of Public Hearing was properly advertised and posted.

**Declaration of conflicts:** None

**Declaration of ex parte contacts:** None

**Open public hearing:** Vice Chairman Appleby opened the Public Hearing at 6:35 p.m. and called upon staff to present the item.

- **Staff Presentation** – Assistant Planner Caesar Hernandez
- **Applicant**– Mandy Ma, Applicant for Panda Express

**Public Comment:**

After further discussion a motion was made.

**ACTION:** It was moved by Commissioner Graham, seconded by Vice Chairman Appleby to adopt Resolution No. 3688 approving Conditional Use Permit No. 2011-CUP-03 subject to the Conditions of Approval identified in the Resolution and the following additions: 1) Provide proper railing to separate outdoor dining area and onsite walkway (as noted in the photographs submitted by the applicant), 2) Change hinge on south elevation door in order for door to swing in opposite direction, 3) Relocate doorway to center in adjoining tenant space, and 4) Provide flower pots within railing in outdoor dining area for proper screening and privacy. Under roll call vote all were in favor and the motion carried.

- B. 11-GPA-01:** A request for: 1) General Plan Amendment to the Land Use Element changing the land use designation of four parcels from existing Agriculture and Institutional/Civic to proposed Industrial; 2) Zone Change for four parcels from existing Agriculture (A-1) and Institutional/Civic (IN) to proposed Industrial (I); and 3) Design Review for site plan, elevations, and landscape plan in order to construct a new 13,000 square foot industrial building.

**Location:** The four subject parcels are generally located south of State Route (SR) 126 and west of Peck Road, (APN: 099-0-030-645, 099-0-030-345, 099-0-030-635, and 099-0-040-625)

**Applicant:** Bender Realty Ltd.

**General Plan:** Agriculture and Institutional/Civic

**Zoning:** Agricultural (A-1) and Institutional/Civic (IN)

**Environmental:** An Initial Study was prepared in accordance with the City's guidelines implementing the California Environ-

mental Quality Act (CEQA). On the basis of the Initial Study, staff has concluded that the project will not have a significant impact on the environment and, therefore, has prepared a Mitigated Negative Declaration.

**Verification of posting notice:** Vice Chairman Appleby confirmed with that the Notice of Public Hearing was properly advertised and posted.

**Declaration of conflicts:** None

**Declaration of ex parte contacts:** None

- **Staff Presentation:** Report, Deputy Planning Director Stratis Perros
- **Applicant:** Ilan Bender, Bender Realty Ltd.

**Public Comment:**

After further discussion a motion was made.

**ACTION:** It was moved by Commissioner Graham, seconded by Vice Chairman Appleby to adopt Resolution No. 3689 approving General Plan Amendment No. 2011-GPA-01 subject to the Conditions of Approval identified in the Resolution. Under roll call vote all were in favor and the motion carried.

### **ORDER OF BUSINESS:**

**A. 2011-CDP-01:** A **Concept Review** for a proposed three-story, six (6) unit apartment complex and lot merger to an existing mixed-use residential/commercial development consisting of 28 residential units and 4,064 square feet of retail/office space. The applicant is also requesting to convert 6 of the 10 existing commercial units into live/work units.

- **Applicant:** Mark Pettit, Architect

**ACTION:** Comments were provided by the Commission. No formal action was taken.

**ADJOURNMENT:** 9:00 p.m.

**NOTICE:** Actions by the Planning Commission on the above items cannot be appealed to the City Council after 5:00 p.m. Friday, October 28, 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.

A handwritten signature in cursive script, appearing to read "Stratis Perros", is written over a solid horizontal line.

Stratis Perros  
Deputy Planning Director