MINUTES OF THE SANTA PAULA PLANNING COMMISSION

Tuesday September 24, 2013
6:30 P.M.

CALL TO ORDER: Chairman Michael Sommer
PLEDGE OF ALLEGIANCE: Vice Chairman Marilyn Appleby
ROLL CALL:

Commissioners present: Chairman Michael Sommer, Vice Chairman Marilyn Appleby, and Commissioner Gail "Ike" Ikerd

Absent Commissioners John Wisda and Fred Robinson

Staff Present: Deputy Planning Director Stratis Perros and Planning Secretary Jean Winbush

FINAL AGENDA: Agenda final as submitted

PUBLIC COMMENT: No public comment

CONSENT CALENDAR:

A. Minutes of the Planning Commission Meeting on June 25, 2013

ACTION: It was moved by Chairman Sommer to continue the minutes until the next Planning Commission meeting on October 22, 2013 because a quorum of Commissioners present at the last meeting were not in attendance.

PUBLIC HEARING:

A. Project No. 13-CDP-05: A request for Conditional Use Permit and Design Review in order to construct a new 44,000 square foot industrial building to accommodate a large scale manufacturing use. The property is located in the Industrial (I) zone and has a General Plan land use designation of Industrial. A Mitigated Negative Declaration (MND) was certified by the City Council on November 7, 2011 in accordance with the California Environmental Quality Act (CEQA) for the project. The MND found that the proposed development would not have a significant effect on the environment. In accordance with CEQA Guidelines § 15164, the Planning Commission will also consider an Addendum to the certified MND prepared for the project.

Location: The subject parcel is located at the northeast corner of Calpipe Road and Todd Lane (APN: 099-0-030-645)
Applicant: Bender Realty Ltd.

Verification of posting notice: Chairman Sommer confirmed with the Planning Secretary that the Notice of Public Hearing was properly advertised and posted.

Declaration of conflicts: None

Declaration of ex parte contacts: None

Open public hearing: Chairman Michael Sommer opened the Public Hearing at 6:40 p.m. Letter from Bender Realty Ltd to continue the item 13-CDP-05 to the next regularly scheduled meeting on October 22, 2013 in order for the applicant to address conditions of approval with the Public Works Department.

Public Comment: Deputy Planning Director Stratis Perros provided a summary pertaining to the continuance request and was available to answer questions.

Woody Maxwell representing the Malzacher family located at 15325 Todd Lane spoke in opposition to the project. Mr. Maxwell stated the Malzachers front yard used to face orchards and mountains, but now it faces the Water Recycling Facility. On the Santa Paula city website the 2008 Zoning Map shows the area is A-1 Agricultural and Institutional/Civic; therefore, he believes the proposed industrial use is not appropriate. He stated damage is being done to the ground water and he added that neighbors have never been asked if they wanted more buildings to be put there. Mr. Maxwell concluded that they were not fairly compensated for placement of a sewage plant next to their home and that flooding is a major problem in this area.

Katherine Malzacher-Maxwell, daughter to Fred and Elaine Malzacher at 15325 Todd Lane, spoke in opposition to the project. She brought in pictures for commissioners to look at taken from outside her parent's front window showing the visual impact of the WRF. Previous city manager promised that they would keep at least three rows of trees around the plant, but they have not kept up the trees at all and there are weeds all over.

Deputy Planning Director Stratis Perros offered to provide a copy of the Planning Commission staff report and environmental assessment to the speakers. He informed them that the project site for Calpipe Two was rezoned to Industrial in 2011. He added that the proposed development is not related to the Water Recycling Facility.

ACTION: It was moved by Vice Chairman Appleby and seconded by Commissioner Ikerd to continue the item to the next regularly scheduled meeting of October 22, 2013. All were in favor and the motion carried.

ORDER OF BUSINESS: None

NEW BUSINESS : None

CITY COMMUNICATIONS:

Deputy Planning Director Stratis Perros advised that Vice Chairman Appleby's term is ending and that the City Council has done some interviews and should know by October 7, 2013 who will fill the vacancy on the Planning Commission.

REQUEST FOR FUTURE AGENDA ITEMS:

ADJOURNMENT: Chairman Sommer adjourned the meeting at 6:55 p.m.

NOTICE: Actions by the Planning Commission on the above items cannot be appealed to the City Council after **4:30 p.m. Friday October 4, 2013**. 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.

Stratis Perros
Deputy Planning Director