

MINUTES OF THE CITY OF SANTA PAULA
PLANNING COMMISSION
Tuesday, April 28, 2015
6:30 P.M.

CALL TO ORDER: Chairman Gail "Ike" Ikerd – 6:32 p.m.

PLEDGE OF ALLEGIANCE: Vice Chairman Fred Robinson

ROLL CALL:

Commissioners present: Chairman Gail "Ike" Ikerd, Vice Chairman Fred Robinson, Commissioner John Demers, Commissioner Michael Sommer

Absent Commissioner John Wisda

Staff Present: Planning Director Janna Minsk, Deputy Planning Director Stratis Perros, Assistant City Attorney Greg Kettles, and Planning Secretary Tom Tarantino

FINAL AGENDA: Agenda final as submitted

PUBLIC COMMENT: No public comment

CONSENT CALENDAR:

A. Minutes of the Planning Commission Meeting on February 24, 2015

ACTION: It was moved by Vice Chairman Robinson, seconded by Commissioner Demers to approve the minutes as submitted. Commissioner Sommer abstained due to his absence from the February 24th meeting. All others were in favor and the motion carried.

ORDER OF BUSINESS:

A. Project No. 15-CI-04: 2015-16 Capital Improvement Plan in Conformity with the Santa Paula General Plan Pursuant to Government Code § 65401.

Location: Various locations Citywide

Applicant: City Initiated

Staff Presentation – Report, John Ilasin, City Capital Projects Engineer

Recommended Action: Adopt Resolution No. 3733 documenting conformance of FY 2015-16 Capital Improvement Program with the General Plan.

ACTION: Commissioner Demers moved to adopt Resolution No. 3733 approving Project No. 15-CI-04, seconded by Vice Chairman Robinson. All were in favor and the motion carried.

CONTINUED PUBLIC HEARING:

A. Project No. 05-CDP-04: A request for General Plan Amendment, Annexation, Zone Change, Specific Plan, Development Agreement, Tentative Tract Map, and Growth Management Allocations in order to allow a 79-lot single-family hillside residential subdivision on an existing vacant undeveloped 32.5 acre lot.

- **Location:** Approximately 32.5 acres located north of Foothill Road and west of Peck Road (APN Nos. 097-0-020-085 and 097-0-020-070)
- **Applicant:** Del Investment Fund No. 9, Ltd.
- **General Plan:** Adams Canyon Expansion Area
- **Zoning:** Agricultural Exclusive (AE-40) – Ventura County
- **Environmental:** Action is requested certifying a Final Environmental Impact Report and adoption of a Mitigation Monitoring Program pursuant to California Environmental Quality Act (CEQA) Guidelines per §15090.

- Staff Presentation – Report, Stratis Perros, Deputy Planning Director

Recommended Action: Adopt Resolution No. 3732 recommending approval to the City Council for Project No. 2005-CDP-04 for General Plan Amendment, Annexation, Zone Change, Specific Plan, Development Agreement, Tentative Tract Map, and Growth Management Allocations in order to allow a 79-lot single-family hillside residential subdivision on an existing vacant undeveloped 32.5 acre lot subject to the Conditions of Approval.

City/Applicant Comments:

Joe Power, City EIR Consultant, Rincon Consultants, reviewed the City's responses to the April 6, 2015 comment letter received from the County of Ventura. They are as follows: 1.) Procedurally, LAFCo will decide on whether 14 acres north of development site needs to be annexed into the City, and this decision will not impact the EIR. LAFCo has informally expressed that this area does need to be annexed. 2.) Upon closer examination, only two of the three canyon fill sites previously proposed in the EIR may be needed. Three sites were proposed only as the maximum needed, for CEQA purposes. 3.) A concern raised by the County over the Project was actually about one of the Project alternatives, rather than the Project itself. 4.) Water needs for the Project site will be addressed by a possible agreement with Farmers Mutual, or water will be trucked in, both with negligible environmental impacts. LAFCo does retain the right to require Applicant to do further analysis if unforeseen impacts arise. 5.) Perceived inconsistencies regarding impact on roads to be used by Project trucks were adequately

addressed by the EIR, though any unforeseen but necessary widening of dirt roads could be revisited under CEQA. 6.) and 7.) Both City and County will be responsible for monitoring portions of the proposed mitigation measures. 8.) Multiple geotechnical studies, including a peer review, have been done for the Project and are more than sufficient under CEQA. 9.) Multiple Special Status Animal and Plant Surveys have also been done for the Project. 10.) Water course issues, downstream impacts, and hydrology concerns of the Project have been extensively and adequately addressed by the best practices outlined in the EIR.

Commissioner Demers asked how one of the main concerns previously raised, that of slope stability and the necessity for grading to carry over onto parcels adjacent to the Project site, has been addressed.

Mr. Power responded that the Applicant could better answer why that grading may be needed and exactly what the plan is, though his understanding is that an agreement exists between Applicant and the owner of that property.

Mike Piszker, Project Consultant for Anderson-Hagaman, urged the Planning Commission to approve the Project as proposed and offered to answer any outstanding questions. Mr. Piszker stated the Project has been in the works for a very long time, and they feel they have left no stone unturned.

Mr. Piszker continued, the grading and water issues of the Project will actually benefit the City, as the grading will stabilize the hillside and the drainage will resolve the flooding issues on lower Peck Rd.

Regarding Commissioner Demers' grading question, Mr. Piszker stated that the Applicant and the Mitchell family, owners of the parcel in question, have long had an easement for grading that allows for uniformity in grading across property lines.

Public Comment:

- Commissioner Sommer moved to reopen Public Comment for this item, limited to 3-5 minutes each due to the large number of speakers. Commissioner Demers seconded the motion. All were in favor, and Chairman Ikerd reopened Public Comment at 6:55 p.m.

Verification of Posting Notice: Not required for Continued Item, previously Noticed.

Declaration of Conflicts: None

Declaration of Ex Parte Contacts:

- Vice Chairman Robinson mentioned the same ex parte contact as he previously declared at the February 24, 2015 Planning Commission Meeting: two prior informational meetings with the Applicant over a six-year period, one as a Santa Paula City Councilmember and one as a Santa Paula Planning Commissioner.

- Commissioner Demers also mentioned the same ex parte contact as he previously declared at the February 24, 2015 Planning Commission Meeting: one prior informational meeting with the Applicant and tour of the proposed 05-CDP-04 project site.

Bill Ramirez, resident at 543 San Juan St., yielded his speaking time to Richard Main, resident at 15888 Foothill Rd., also in attendance.

Robin Boscarelli, resident at 533 Peck Rd., also yielded her speaking time to Mr. Main.

Michael Dalo, resident at 15635 Foothill Rd., opposes the Project based on several factors, not the least of which is the 18 months of injurious noise, pollution and rodent displacement it will cause. Mr. Dalo stated he feels the Project is incompatible with the agricultural/rural areas to the north, south, and west of the site. Mr. Dalo continued that he has walked these 32.5 acres purchased by Del Investments, and they are simply a terrible place to build, especially considering the ancient landslide area on the property; variances should not be allowed to cover for bad investment decisions.

Patti Fulbright, resident at 419 Trent Lane and Principal at Blanchard Elementary School, stated her alarm at the prospect of 50 dirt-carrying trucks per hour coming down Peck Rd. and passing directly in front of Blanchard School, five days a week, for six months, as proposed. Ms. Fulbright stated the emissions, noise, and traffic safety issues the trucks would cause may lead to tragic results, especially with no crosswalk or crossing guard in front of the school. Ms. Fulbright stated she does not necessarily oppose the entire Project, just this portion of it, and hopes an alternative, such as a cease-and-desist order on trucking for one hour in the morning and afternoon, can be found.

Jeanne Wade, resident at 798 Foothill Rd., spoke on the dangers of the Foothill/Peck intersection just outside her home. Ms. Wade stated she is concerned that increased traffic brought by the project will worsen the problem intersection, and that the red curb and bump strips recently added by the City have been largely ineffective. Ms. Wade stated she is also concerned about the noise and pollution that will be caused by the dirt trucks, and the possible flooding issues caused by the grading.

Richard Main, resident at 15888 Foothill Rd., commented that he has spoken with several architects, engineers, etc. regarding the proposed grading and retaining walls, and they all share his concerns about the advisability of disturbing that earth, especially if it rains. Mr. Main noted the emissions and gasses caused by the Project will far exceed acceptable levels, and questioned why these homes are even needed, with the 1,500 homes of the East Area 1 development on the horizon. Mr. Main also questioned where the water needed during construction would come from, with City residents already being asked to reduce their usage. Mr. Main stated he feels that the entire Project is being treated as an exception to the stipulations of the General Plan, and questions the transferability of any granted permit to another party that may purchase the land from Del Investments.

Ali Fox, resident at 552 Munger Dr., stated she and her family oppose the Project based on potential traffic issues and air quality concerns.

Alex Marinos, resident at 351 S. Steckel Dr., spoke on behalf of himself and his mother-in-law, Sandra Phillips, resident at 710 W. Harvard Blvd. Mr. Marinos is a parent of a kindergartener at Blanchard School, and shares the concerns regarding truck traffic and pollution, though he stated he is neither for nor against the Project as a whole.

Donna Rose, resident at 201 S. Steckel Dr. and Assistant Superintendent for Santa Paula Unified School District, referenced concerns in the letter sent by Superintendent Gamino and reiterated that the District itself takes no position on the development, only the traffic and student safety issues involving truck trips past Blanchard School. Ms. Rose noted the District recognizes the truck trips down Peck Rd. are only a proposed alternative, rather than the main plan, but even having them as a possibility is cause for concern. Ms. Rose stated the District hopes that, should such an alternative be considered, the developer would work with the District on mitigating any dangers.

Erich Fleming, resident at 514 Munger Dr., echoed previously stated concerns regarding air pollution, noise, congestion and traffic caused by construction and development.

Steve Van, resident at 117 N. Peck Rd., stated he recalls a long-ago cleaning of Adams Canyon, and the associated rumbling of trucks down Peck Rd. vibrating his home. Mr. Van stated he is also seriously concerned about the added traffic on Peck Rd. that will come with nearly 80 new homes and associated vehicles. Mr. Van stated he feels if a developer is to be allowed to build in Adams Canyon, they can pay to widen Peck Rd., or enlarge Beckwith Rd. or Briggs Rd. as an alternative route.

Graciela Soltero, resident at 350 Towns Ct., stated she opposes the Project based on the noise and pollution caused by construction and truck trips.

Anthony and Anne-Marie Grumbine, residents at 793 Foothill Rd., stated they have seven children with health issues, asthma and allergies that will be aggravated by the dust and pollutants caused by construction. Mr. and Mrs. Grumbine stated they are also very concerned about the existing, severely dangerous traffic issues in the Foothill/Peck intersection area being worsened by the Project. Mr. and Mrs. Grumbine also feel that such a large development is out of character with the more singular developments that have traditionally gone in the surrounding neighborhoods.

Close Public Hearing: Chairman Ikerd closed Public Hearing at 7:35 p.m.

Commissioner Questions/Comments:

Commissioner Sommer requested Staff to show where the proposed fill sites/canyons were located in relation to the Project site. Upon seeing the fill sites were located north of the site, Commissioner Sommer questioned why any trucks could need to come down Peck Rd.

Deputy Director Perros responded that trucks would not be coming down Peck Rd. as part of the main proposal. Rather, the main proposal calls for all haul trucks to take roads north from the site and avoid Peck Rd. altogether.

Vice Chairman Robinson asked if "Option 6" – the alternative proposal to bring haul trucks down Peck Rd. – was something new.

Deputy Director Perros responded that Option 6 was always included in the plan, but the Applicant's intention was to haul the dirt according to the main proposal, avoiding any roads south of the site. Deputy Director Perros also noted that the County has indicated their preference for Option 6, relocating dirt to other receiver sites.

Vice Chairman Robinson strongly stated his understanding is that the Applicant was in no way proposing truck trips in front of Blanchard School as part of their proposal this evening; Deputy Director Perros confirmed this as correct.

Commissioner Demers asked who owns the 14 acre parcel immediately to the north of the Project site.

Deputy Director Perros responded that 14 acres is part of a larger 130 acre site currently owned by RE Futures, though ownership is in limbo due to bankruptcy issues.

Commissioner Demers asked if ownership status would interfere with the ability to get the necessary approvals to use that land.

Deputy Director Perros responded that there is a grading easement for the 14 acres and a grading easement to allow the transport of dirt from the project site across that property that would carry over, regardless of ownership.

Commissioner Demers asked if there is a plan for revegetation of the fill sites and road areas affected by the Project.

Deputy Director Perros responded that revegetation would be required, along with repairs to any existing roads damaged by the Project.

Commissioner Demers asked if improvements to the Foothill/Peck intersection could be added as a reasonable Condition of Approval to the Project.

Deputy Director Perros responded that it could be added as a Condition, however jurisdictional issues surrounding the roads remain, and the current County traffic study does not warrant signalization of that intersection, so the City is limited in what it can do.

Commissioner Demers asked if there were any alternatives to reduce the proposed density, thereby increasing the lot size, included in the Proposal, and if such a consideration would affect the financial viability of the Project.

Deputy Director Perros responded that Santa Paula voters approved Measure A in 2003, a portion of which modified the City CURB line and specifically allowed develop-

ment of this 32.5 acre parcel with approximately 80 homes. The General Plan calls for residential use in the Project area, and this is a residential project within the allowed density of HR-2 zoning. The EIR does contain less-dense and reduced-grading alternatives; however the Project, as proposed, is consistent with existing requirements.

Vice Chairman Robinson stated he likes the water retention and street-flooding mitigation plans included in the Project, but questioned where the water needed during construction and grading would come from, and how much would be required.

Deputy Director Perros responded that water would be needed to abate dust, and the Project plans prohibit grading work on windy days as another abatement measure. Most needed water would come from City supplies, via metered hydrant filling; some could come from agreements with farmers near the site.

Vice Chairman Robinson asked if large retaining walls would be visible as part of the Project site.

Deputy Director Perros answered that there would be some terracing and grading walls on the hill, but not to the extent of other areas in town, and some walls would be hidden by landscaping.

Vice Chairman Robinson stated that the County and City need to step up and fix the Foothill/Peck intersection, and asked if this Project included Beckwith Rd. as an alternative.

Deputy Director Perros responded that there are proposed projects in the pipeline that could involve the widening and/or extension of Beckwith and surrounding roads, but the majority of that land is protected SOAR property, so building roads through it is not that simple.

Vice Chairman Robinson asked if an approval this evening would solve the issues between the City and County expressed in the letters exchanged regarding the Project.

Deputy Director Perros replied that the issues would remain, regardless of approval, as the Planning Commission was only the first of many steps still required, including approval from the City Council, LAFCo, a discretionary grading permit from the County, etc.

Chairman Ikerd stated he is opposed to any truck traffic going down Peck Rd., regardless of approval this evening. He is also appreciative of the Applicant's hard work in getting the Project this far, and of the public's continued interest and involvement.

Deputy Director Perros suggested to Chairman Ikerd that perhaps the Commissioners could add the prohibition of truck traffic on Peck Rd. as a Condition of Approval.

RECESS: Chairman Ikerd recessed the Planning Commission Meeting at 8:02 p.m. in order to allow Applicant, Staff and Counsel to review and discuss proposed additions to Conditions of Approval (as stated in Action below).

RECONVENE: Chairman Ikerd reconvened the Planning Commission Meeting at 8:35 p.m.

ACTION: Commissioner Demers moved to adopt Resolution No. 3732 recommending approval to the City Council for Project No. 2005-CDP-04, subject to the existing Conditions of Approval with the following points of emphasis:

1. Recommend 14 acres north of the Project site used for slope stabilization be included with annexation request.
2. No haul truck traffic routes on Peck Road during grading of Project.
3. Developer will work with County to include traffic controls (i.e. stop signs) at the intersection of Peck and Foothill Roads, and traffic calming of eastbound vehicles on Foothill Rd.
4. Revegetation of canyons and haul roads north of Project will meet the highest tier of County standards.

Chairman Ikerd seconded the motion. All were in favor under roll call vote, and the motion carried.

ORDER OF BUSINESS: None

CONTINUED BUSINESS: None

NEW BUSINESS: None

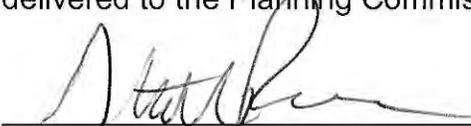
CITY COMMUNICATIONS:

- **June 2015 expiration of Planning Commission terms for Chairman Ikerd and Commissioner Wisda.** Chairman Ikerd reminded those interested in applying or reapplying for Planning Commissioner that they must contact the City Clerk for an application, and submit by the 4:00pm deadline on May 7, 2015.

REQUEST FOR FUTURE AGENDA ITEMS: None

ADJOURNMENT: Chairman Ikerd adjourned the meeting at 8:44 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, May 8, 2015**. 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