

MINUTES OF THE CITY OF SANTA PAULA
PLANNING COMMISSION

Tuesday, May 26, 2015

6:30 P.M.

CALL TO ORDER: Chairman Gail "Ike" Ikerd – 6:31 P.M.

PLEDGE OF ALLEGIANCE: Chairman Gail "Ike" Ikerd

ROLL CALL:

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

Absent Commissioner John Wisda

Staff Present: Deputy Planning Director Stratis Perros, Assistant City Attorney Gregg Kettles, Planning Secretary Tom Tarantino

FINAL AGENDA: Agenda final as submitted

PUBLIC COMMENT:

Sheryl Hamlin, resident at 830 Teague Dr., commented on the difficulties she has encountered in trying to electronically contact members of the Planning Commission via the City website, email, etc. Ms. Hamlin stated the City needs to create a general email address – perhaps *planningcommission@spcity.org* – that could be made available for the public to use as a single contact point for all the Planning Commissioners. Ms. Hamlin also recommended the formation of a General Plan Steering Committee, also with a general email address, for communication with the public during the upcoming General Plan update process. Lastly, Ms. Hamlin recognized the additional demands on Planning Dept. staff time and resources these additions may cause, and the budgetary limits involved, but maintained the importance of improving communications.

CONSENT CALENDAR:

A. Minutes of the Planning Commission Meeting on April 28, 2015

ACTION: It was moved by Vice Chairman Robinson, seconded by Commissioner Sommer to approve the minutes as submitted. All were in favor and the motion carried.

PUBLIC HEARING:

Open public hearing: Chairman Ikerd opened the Public Hearing at 6:34 p.m. and called upon staff to present the item.

- A. Project No. 15-CDP-01:** A request for Conditional Use Permit and Planned Development Permit in order to construct a 66,400 sq. ft. single story industrial warehouse on an existing 3.5 acre vacant parcel.
- **Location:** 250 Dove Court (APN: 107-0-210-635)
 - **Applicant:** Bendpak, Inc. (James McKnight)
 - **General Plan Designation:** Industrial Park
 - **Zoning Designation:** Industrial/Industrial Park Overlay/Planned Development Overlay (I/IP/PD)
 - **Environmental:** Staff has determined the project to be Categorically Exempt from the California Environmental Quality Act (CEQA) Guidelines per §15332 (Class 32, Infill Development).

Staff Presentation – Report, Stratis Perros, Deputy Planning Director

Verification of posting notice: Chairman Ikerd 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

Recommended Action: Adopt Resolution No. 3734 recommending approval to the City Council for Project No. 2015-CDP-01 for a Conditional Use Permit and Planned Development Permit in order to construct a 66,400 sq. ft. single story industrial warehouse on an existing 3.5 acre vacant parcel subject to the Conditions of Approval.

Public Comment:

Vice Chairman Robinson questioned what the term “LOMR” refers to in the grading permit.

Deputy Director Perros explained that “LOMR” stands for “Letter of Map Revision” and clarified its meaning; that the building pad noted in the grading permit is indeed raised above the floodplain for that area.

Vice Chairman Robinson asked if a LOMR is common for developments close to the river.

Deputy Director Perros replied that a LOMR is common, even in developments not near the river, citing the recent Starbucks building pad, which needed to be raised six feet above the previous Pollo Bravo pad on the site, as an example.

Commissioner Demers asked for clarification on how the farmer's canal interfaces with the stormwater retention, as stated in the Staff Report.

Deputy Director Perros responded that an underground water canal bisects the City, running from west to east below many properties, from the early days of the City. Land over the canal cannot be built upon, so the canal itself effectively serves as an easement. The location of the canal was considered in placement this project's buildings.

Deputy Director Perros continued that, due to extensive conversations between Applicant and City engineers, this project, and its stormwater retention plan, should not affect either the City water line or farmer's irrigation canal.

Commissioner Demers stated his concern is that the farmer's irrigation line runs in between the buildings and filtration basin onsite, and that water might infiltrate, and thereby flood, the water lines.

Deputy Director Perros replied that infiltration, collapse, or undermining should not be a problem for any structures onsite, as this was a point of emphasis between Applicant and City engineers, and a suitable agreement was reached to make sure it was completely clear.

James McKnight, representative for Bendpak, stated that this project has been over a year in the making, and that Bendpak plans to use the structure as a warehouse, to improve efficiencies within the company. Overseas inventory staging and throughput should greatly improve due to the capabilities provided by the project. Mr. McKnight went on to say the company is happy to be growing, and to still be doing so within Santa Paula.

Chairman Ikerd asked if the neighbors around the project site were okay with a warehouse being built within their vicinity.

Mr. McKnight responded yes, the neighbors were fine with the warehouse.

Close public hearing: Chairman Ikerd closed the Public Hearing at 6:45 p.m.

ACTION: Commissioner Sommer moved to adopt Resolution No. 3734 approving Project No. 15-CDP-01, seconded by Commissioner Demers. All were in favor and the motion carried.

NEW BUSINESS:

Declaration of Conflicts: Chairman Ikerd declared a personal conflict with the Project to be discussed for Concept Review, and recused himself from this portion of the meeting. Vice Chairman Robinson assumed Chair duties.

A. Project No. 15-CR-01: Concept Review of proposed single family residential hillside home on a 2.42 acre vacant parcel.

- **Location:** 516 Montclair Place (APN: 100-0-300-045)
- **Applicant:** Robert and Connie Herschbach
- **General Plan Designation:** Hillside Residential
- **Zoning Designation:** Hillside Residential 2-PD (HR2-PD)
- **Environmental:** Not Applicable for Concept Review

Staff Presentation – Report, Stratis Perros, Deputy Planning Director

Recommended Action: Receive presentation and provide applicant direction on proposed development.

Informal Comments:

Deputy Director Perros stated this Concept Review is somewhat different than a regular item appearing before the Planning Commission, in that no formal action would be taken this evening. Rather, this Concept Review focuses on providing preliminary feedback to the Applicant regarding the proposal's quality of design, sensitivity to the site, and preservation of the natural ridgeline, prior to incurring additional costs related to the development process.

Deputy Director Perros stated that this proposal involves a new Single Family Residence on Lot #6 in the Hillsboro subdivision originally approved by the City Council in 1995, and that the new home will be subject to a Planned Development permit which eventually will need to come before the Planning Commission.

Deputy Director Perros stated that this Concept Review centers on a Tract Condition (not an ordinance or requirement) for this lot regarding preserving the viewshed.

Deputy Director Perros stated that Tract Condition #19 is a notice of land use restriction advising the buyer that any proposal to build a house projecting above the ridgeline of this lot would not be permitted.

Deputy Director Perros stated Tract Condition #19, as currently stated, would likely make it difficult to gain formal Planning Commission approval for the proposed two-story/one-story configuration of the residence, which partially protrudes above the natural ridgeline. Possible options could be:

1. Amending the Tract Condition.
2. Building a house that completely complies with the Tract Condition, possibly by grading down the pad and getting below the ridgeline.

Commissioner Sommer asked who has the authority to modify a Tract Condition.

Deputy Director Perros responded that a recommendation by the Planning Commission, and ultimately approval by the City Council, would be required to modify a Tract Condition.

Commissioner Sommer asked if the homeowners' association (HOA) in the area would have any authority regarding the Tract Condition.

Deputy Director Perros responded that another development in the area (the Araiza residence) was structured so that, if the HOA gave their consent that the project met the overall intent of the Tract Condition, that would suffice. Deputy Director Perros then stated that the City Attorney would need to confirm that a similar arrangement would be adequate in this situation.

Assistant City Attorney Kettles stated his interpretation is that, even with majority support of the HOA, a vote of the City Council would still be required to amend the Tract Condition.

Commissioner Demers stated he likes the concession in the proposal about reconfiguring the water tanks on the property, as they are an eyesore, but questions who would be responsible for reconstruction of the tanks.

Deputy Director Perros stated that reconfiguring the tanks is something the Applicant has offered to do, but Public Works has not yet had a chance to review the proposal, so he does not yet know about responsibilities.

Commissioner Demers stated he favors preservation of the natural ridgeline in matters of hillside development. Commissioner Demers then stated other possible options, including: relocating the pad to the east, where the ridge is higher; digging the pad lower, to get under the ridgeline; or coming up with a landscaping plan to plant trees behind the house to effectively raise the natural ridgeline and accommodate the design.

David Waterland, architect for the proposal, stated the pad was finished in 1999, and all the utilities are on the lot, about halfway up the drive where the pad widens. This is one of the main reasons why the Applicants would like to avoid regrading the pad.

Mr. Waterland continued that one of the requirements for design of the home was a minimum of 3,000 square feet. A single-story home on the existing pad would only provide approximately 2,400 square feet, so a partial second story was needed. The two-story portion would be "tucked behind the ridge" but about halfway out on the pad, the single-story portion "daylights." Colors for the home were selected to blend with the hillside as much as possible.

Mr. Waterland stated he had informal conversations with Raul in Public Works regarding reconfiguring the water storage tanks on the site, and that Raul was likewise informally in favor of the proposed reconfiguration.

Mr. Waterland stated he feels lowering the water tanks would benefit the whole city, and would be a valuable trade for a ridgeline exemption. Mr. Waterland also stated he feels the Herschbachs would not mind adding trees behind the house to raise the ridgeline.

Mr. Waterland stated that regrading the lot would be a huge cost, and does not know why it was developed, graded, and sold to begin with if buyers could not build on it.

Commissioner Demers asked if the Herschbachs currently own the property.

Mr. Waterland replied the Herschbachs do not currently own the property.

Vice Chairman Robinson asked Deputy Director Perros if the water tanks on the property were scheduled for any kind of renovation, demolition, etc. by Public Works.

Deputy Director Perros replied he is not aware of the status of the tanks at this time, but that question would be answered as part of a future formal application.

Vice Chairman Robinson stated it would be critical to know the City's long-term plans for the water tanks as part of a formal application.

Vice Chairman Robinson stated he noticed the Applicant proposed fee waivers in exchange for donating a portion of the property near the water tanks, and asked if the City Council would need to approve such waivers, or if it could occur at Staff level.

Deputy Director Perros replied that Public Works would confirm with City Council regarding any question of such fee waivers.

Commissioner Sommer stated his understanding is that the Planning Commission actually has no jurisdiction regarding any of those items, including the water tanks and ridgeline; rather, these would be City Council items.

Deputy Director Perros responded that the Planning Commission would have authority regarding the design of the house and Planned Development permit, but modifying the Tract Condition or map modifications would likely end up before the City Council.

Jeff Steiger, current owner of the lot in question, stated that City allowed development of these lots presumably with the idea of building homes on them, especially with utilities pulled up to the curb. Mr. Steiger continued, it begs the question why the City would now turn around and prohibit construction on these same lots if it impinges the viewshed, as the viewshed designations themselves seem somewhat arbitrary.

Commissioner Sommer asked, of the nine lots, how many are not yet built upon.

Mr. Steiger replied that four of the nine lots have been built upon.

Vice Chairman Robinson stated, as a citizen of the City, he would like to see homes built on those lots, especially if it hides the water tanks. However, Vice Chairman Robinson also stated that preservation of the ridgeline is a hot button issue for Santa

Paula residents, and warned of potentially emotional responses if the ridgeline was disturbed.

All Commissioners reiterated their enthusiasm regarding reconfiguration of the water tanks and potential donation of land surrounding them to the City.

INFORMAL ACTION: Commissioners informally voiced opinions and suggestions for the Project's design; stressing the importance of adhering to the General Plan guidelines regarding structures remaining at or below the ridgeline of the Project site, and supporting the proposed dedication of land near the two existing large water towers on the site's east end. Commissioners also clarified for Applicant the role of the Planning Commission, and the extent of its jurisdiction on particular aspects of the Project, referencing where Public Works and/or City Council approval(s) would also be required.

Chairman Ikerd resumed Chair duties at 7:15 p.m. following close of Concept Review.

ORDER OF BUSINESS: None

CONTINUED BUSINESS: None

CITY COMMUNICATIONS:

Deputy Director Perros stated interviews for the vacant Planning Commissioner seat are scheduled for June 1.

Deputy Director Perros stated a second Request for Proposals is currently out for the City's General Plan Update, with funding increased from \$250,000 to \$350,000 for the project. Applicant interviews should begin in the coming weeks.

Vice Chairman Robinson commended Deputy Director Perros on his comments during the recent City budget meetings, agreeing that Planning is an important and integral part of a well-functioning City.

Deputy Director Perros replied that Santa Paula sales tax revenue is one of the lowest in Ventura County, and projects in the pipeline do not propose much change to that fact, though the General Plan Update will hopefully focus on attracting more sales tax-generating retail businesses.

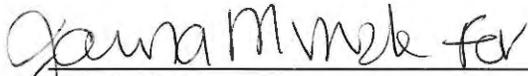
Chairman Ikerd asked if there would be some way for Staff to update the Planning Commission on approved projects, as many still do not proceed to construction, and the Commissioners never know what happened to them.

Deputy Director Perros replied that financing or related economic problems often derail approved projects, but he will be happy to provide updates during this segment of future Planning Commission Meetings, whenever possible.

REQUEST FOR FUTURE AGENDA ITEMS: None

ADJOURNMENT: Chairman Ikerd adjourned the meeting at 7:22 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, June 5, 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