



CITY OF CAMARILLO
PLANNING COMMISSION MINUTES

Regular Meeting
Tuesday, October 1, 2013 – 7:30 p.m.
City Hall Council Chambers, 601 Carmen Drive

The meeting was called to order by Chairman Edsall at 7:30 p.m.

ROLL CALL

Present: Commissioners Boyce, Davis, Lusk, Vice-Chairman Hemmens, and Chairman Edsall

Absent: None

Staff Present: Dave Norman, Director
Don Davis, Assistant City Attorney
Tali Tucker, City Engineer
Steve Mitchell, Senior Planner
Scott Taylor, Code Compliance Manager
Jackie Lee, Associate City Planner
Carlos Torres, Planning Technician
Tim Moran, Student Assistant
Laura Fox, Recording Secretary

The Pledge of Allegiance was led by Commissioner Davis.

MINUTES – Meeting of September 17, 2013

There was a MOTION by Commissioner Boyce, a SECOND by Vice-Chairman Hemmens, to approve the minutes as submitted. The Motion carried with a vote of 5 – 0.

MINUTES – Special Meeting of September 25, 2013

There was a MOTION by Commissioner Davis, a SECOND by Commissioner Boyce to approve the minutes as submitted. The Motion carried with a vote of 4 – 0 – 1, with Commissioner Lusk abstaining.

PUBLIC COMMENT

There was no public comment.

PUBLIC HEARING

LD-527A, FF Realty

An application has been received from FF Realty, LLC, of San Diego, California, requesting approval of a land division of an approximately 27.56-acre parcel within the southerly and easterly portions of the former Imination site located at 350 South Lewis Road. The property has been recently re-zoned to RPD-30U (Residential Planned Development, 30 units per acre maximum). The subject request is to divide the 27.56-acre parcel into three lots, 1, 2, and 3 containing 15.8, 4.0 and 7.8 acres, respectively.

Senior Planner Steve Mitchell gave a PowerPoint presentation for the public hearing addressing the proposed land division.

Chairman Edsall then invited questions from the Commission.

Vice-Chairman Hemmens asked if staff knew what the different product types that will be built.

Mr. Mitchell responded that the applicant will be building apartments.

Vice-Chairman Hemmens asked which lot the affordable units will be on. Mr. Mitchell responded they will be on Parcel 2.

Commissioner Lusk asked if staff knew the types of toxic materials were in the soils. Mr. Mitchell responded that he did not know the types of materials, but they were addressed in the Mitigated Negative Declaration and have been remediated. Mr. Mitchell further explained that the pile of rocks remaining have some toxicity and will be ground down and used for roads and other areas away from people.

There were no further Commission comments.

Chairman Edsall OPENED the public hearing and invited the applicant to speak first.

PUBLIC HEARING OPENED

Ed McCoy, Representative, Fairfield Residential: Mr. McCoy thanked staff and made himself available for questions.

There were no further questions from the Commissioners.

There were no further public comment.

Chairman Edsall then CLOSED the public hearing.

PUBLIC HEARING CLOSED

Chairman Edsall called for discussion from the Commission.

Commissioner Davis commented that he finds the property lines to be logical and follow the general concept seen previously. Commissioner Davis also complimented staff on the thoroughness of the conditions and would recommend approval.

Commissioner Lusk stated that it was nice to see land being used within City limits rather than farm land.

In response to a call for a resolution by Chairman Edsall, Director Norman introduced Resolution No. PC 2013-24, approving a request by FF Realty, Incorporated, for approval of a land division to subdivide an approximately 27.56-acre parcel into three lots, further described and set forth as LD-527. It was MOVED by Commissioner Lusk, SECONDED by Vice-Chairman Hemmens, to waive further reading and adopt. With a vote of 5 - 0, the MOTION CARRIED.

PUBLIC HEARING

RPD-155M(3), Standard Pacific

An application has been received from Standard Pacific Homes, requesting approval of a modification to a portion of an approved single-family residential project (RPD-155). The development (Tract 5367) was approved on approximately 20 acres within the Village at the Park Specific Plan (Tract 5350), which is located on approximately 330 acres north of Pleasant Valley Road, south of the U.S. 101/Ventura Freeway, easterly of Lewis Road, and westerly of the Lamplighter Mobile Home Park. The subject modification request is for approximately 15.56 acres at the southeast portion of the site containing lots 195 through 271. The modification proposes changes to the floor plans and exterior elevations for 77 residential units within Tract 5367-4.

Student Assistant Tim Moran gave a PowerPoint presentation for the public hearing on the residential planned development and gave an overview of the project.

Chairman Edsall invited questions from the Commission.

Commissioner Boyce asked if there were any changes in the access roads, since it had been previously approved. Mr. Moran answered that staff is working with the applicant in finalizing the plot plans.

Vice-Chairman Hemmens asked for clarification on the lot line adjustments and whether one lot had more than enough setback requirements, so square footage was taken away from that lot and added to another lot, and if there were a number of adjustments or just a few. Mr. Moran answered that he believes it was four lots in total and the lot line adjustment straightened out the lines and the lots each have 20-foot setbacks.

Vice-Chairman Hemmens asked that since the homes are not all two story, if staff had a problem with the massing or all large homes, rather than the occasional one-story home. Mr. Moran answered that staff worked with the applicant with regard to the massing, and that due to the small number of units, staff does not necessarily see a problem with that in the greater Village at the Park plan.

Vice-Chairman Hemmens asked for clarification on the administrative approval if there was a change in the points given in the development allotment process. Mr. Moran said that the point assignments should not change but that it would be approved administratively.

Chairman Edsall asked if there were going to be more than three floor plans for the project. Mr. Moran replied that there will only be three floor plans. He clarified that the previous approval had three products with three floor plans each, and this has three floor plans with the 3x and 1x variations.

Chairman Edsall asked what would be the total number of units. Mr. Moran answered 77.

There were no further Commission comments.

Chairman Edsall OPENED the public hearing and invited the applicant to speak first.

PUBLIC HEARING OPENED

Jake Persons, Standard Pacific Homes: Mr. Persons came forward and stated that he and the architect were available for questions.

Vice-Chairman Hemmens asked what the applicant is seeing in the housing market with four-bedroom homes instead of three-bedroom homes, five-bedroom homes instead of four-bedroom homes. Mr. Persons replied that Camarillo is an affluent community, so it is not about the bedrooms. He said that their floor plans provide a lot of extra floor space for additional living space and not just bedrooms.

Commissioner Davis asked for clarification on removing the one-story option. Mr. Persons answered that the lot sizes are only 5,500 square feet, and that they are trying to design a product that will meet the market demands.

Commissioner Davis asked about the earlier phases if the lot width was the same size, but there was only a one-story option. Mr. Persons responded that the previous approvals were before his time, and he was not sure if the lots were 5,500 square feet. Mr. Moran said that he believes the previous phases were 65 feet in width and that these were 55+ feet in width.

There was no further public comment.

Chairman Edsall then CLOSED the public hearing.

PUBLIC HEARING CLOSED

Architectural Review Report

Commissioner Davis presented the Architectural Review Committee findings. Commissioner Davis reported that the Committee reviewed the architectural renderings and found them to be

consistent with the design, colors, and materials used in the earlier phases and compatible with the neighborhood and would recommend the modifications.

Chairman Edsall called for a discussion from the Commission.

Commissioner Boyce said that it looks like a well-thought-out modification and would recommend voting for it.

Commissioner Lusk stated that it is nice to have the infill projects within the City limits and not go outside.

Commissioner Davis commented that he has a concern with moving to larger and larger homes, which become more expensive homes, and the deletion of, or not having one-story units. Commissioner Davis said he knows there is a demand for one-story units for older people, as well as for families who cannot afford the larger units. He added that he would encourage future developments to have one-story units. Commissioner Davis said that in this case, with the lot widths not being able to accommodate the single-story units, he would not object to the approval.

In response to a call for a resolution by Chairman Edsall, Director Norman introduced Resolution No. PC 2013-25, approving a request by Standard Pacific homes for approval of a residential planned development permit modification to the floor plans and exterior elevations, further described and set forth as RPD-155M(3). It was MOVED by Commissioner Boyce, SECONDED by Commissioner Davis, to waive further reading and adopt. With a unanimous vote of 5 - 0, the MOTION CARRIED.

PUBLIC HEARING

CUP-355, Flying High Pet Resort

A conditional use permit application has been received from Dawn Lopez, owner of Flying High Pet Resort, Camarillo, California, requesting approval of a conditional use permit to operate a daycare and overnight boarding facility for dogs and cats. The use is proposed for an approximately 7,500-square-foot suite within an existing multi-tenant industrial building located at 2255 Pleasant Valley Road within the City's M-1 (Light Manufacturing) Zone.

Planning Technician Carlos Torres gave a PowerPoint presentation on the proposed facility.

Chairman Edsall invited questions from the Commission.

Commissioner Boyce asked if this operation is moving from another location. Mr. Torres replied that the facility was previously on Dawson Drive and is now relocating to the new facility.

Vice-Chairman Hemmens asked if the previous facility had an outside play area for the animals. Mr. Torres replied that there was not.

There were no further Commission comments.

Chairman Edsall OPENED the public hearing and invited the applicant to speak first.

PUBLIC HEARING OPENED

Dawn Lopez, Owner, Flying High Pet Resort: Ms. Lopez stated that they are moving due to the landlord needing the building back. She said that it is not really a desired move, but will suit their needs just as well as the previous location. Ms. Lopez stated she was available for any questions.

Commissioner Boyce asked about the report which stated there will not be any outdoor space except for one animal at a time. Ms. Lopez replied that they do take the animals for walks, which is an add-on service, and can be a break to relieve themselves or even a 30-minute walk. She said that the previous conditional use permit was one dog at a time.

Commissioner Boyce asked if she saw an advantage to having an outdoor fenced area. Ms. Lopez replied that eventually they would like that, but in Camarillo, it is difficult to overcome all the obstacles. Ms. Lopez continued that they have done really well with having an indoor facility and never had any problems. She also added that some of the customers love it, as their dogs stay cleaner.

Commissioner Hemmens asked if they had experience walking cats. Ms. Lopez said that they will not be walking cats.

Julie Laird, Customer of Flying High Pet Resort: Ms. Laird said that she has a two-year-old Yorkie Maltese that has been going to Flying High for one year. Ms. Laird stated that Flying High has changed their lives for the better. She also stated that when she learned Flying High had to move, she set up a Facebook page which helped raise over \$12,000.

There was no further public comment.

Chairman Edsall then CLOSED the public hearing.

PUBLIC HEARING CLOSED

Chairman Edsall called for discussion from the Commission.

Commissioner Davis said that it appears the conditions ensure compatibility with adjoining uses, and that they have a history in the community without complaints and it appears to be a benefit to Camarillo and would recommend approval.

Commissioner Lusk asked how the applicant got the name Flying High. Ms. Lopez answered that they initially were going to be located at the airport, but it was not financially feasible; however, they kept the name.

In response to a call for a resolution by Chairman Edsall, Director Norman introduced Resolution No. PC 2013-26, approving a request by Dawn Lopez, Flying High Pet Resort, for approval of a conditional use permit for the operation of a daycare and overnight boarding facility for dogs and cats, further described and set forth as CUP-355. It was MOVED by Commissioner Lusk; SECONDED by Commissioner Boyce, to waive further reading and adopt. With a vote of 5 - 0, the MOTION CARRIED.

PUBLIC HEARING

CUP-353, WalMart Stores, Incorporated

Walmart Stores, Incorporated, has applied for a Type 21 ABC (Alcoholic Beverage Control) license to sell beer, wine, and distilled spirits. Staff recommends approval, as the approval will create a convenience for the citizen shopper.

Code Compliance Manager Scott Taylor gave a PowerPoint presentation on the public hearing with an overview of the application.

Chairman Edsall invited questions from the Commission.

Commissioner Lusk asked for clarification on whether there would be a net increase if there was a little more alcohol being sold there. Mr. Taylor answered that there would be an increase in the net number of licenses within that census tract.

Commissioner Boyce complimented Mr. Taylor on his staff report with regard to the explanation of the type of liquor license. Commissioner Boyce asked if there were any other grocery stores in town that do not have an ABC license. Mr. Taylor answered that he does not think so.

Commissioner Hemmens asked if this was a new product type for Walmart. Mr. Taylor said it was his understanding that it is a newer product type, as there are some in other areas of the country.

He stated that there is one in Oxnard, which he visited, and it is essentially a grocery store. Mr. Taylor said that the applicant will be able to speak to it in more detail.

Commissioner Hemmens asked about the census tract that runs north of the freeway and if we exceed the limit of ABC licenses that are recommended by ABC guidelines. Mr. Taylor answered that he believes we do. He also said that the numbers are kind of small and that 13 licenses, which include restaurants, liquor stores, and grocery stores from Camarillo Springs to Central Avenue do not seem like very many.

Commissioner Hemmens asked when was the last time ABC thought about updating their recommended number of ABC licenses. Mr. Taylor responded that he did not know.

Commissioner Boyce asked that with new areas being built, such as Springville and restaurants at the Promenade, if staff sees a point in which the City would say we have too many. Mr. Taylor said that restaurants whose liquor sales are less than 51 percent of their gross receipts are not required to obtain a conditional use permit. He further explained that they just have to get their ABC license; however, he does not know their criteria for approving the license.

Director Norman explained that in his experience in several communities in California, that this only becomes an issue when there are concerns about public safety. He said that Camarillo has not had those concerns here at this time, but that does not mean it will not. Director Norman said that until an issue occurs, staff will probably continue to recommend that businesses that wish to serve alcohol, especially restaurants, would continue to do so.

There were no further Commission comments.

Chairman Edsall OPENED the public hearing and invited the applicant to speak first.

PUBLIC HEARING OPENED

Brent McManigal, Representative, Walmart: Mr. McManigal thanked staff for their work. He reported that the store is under construction at this time and is scheduled to open in January 2014. Mr. McManigal said that Walmart does train all of its employees in the safe sale of alcohol. He explained that the Walmart Neighborhood Market is a newer-style market and has been in California about the last year-and-a-half. Mr. McManigal said he was available for questions.

Commissioner Boyce asked if there were any Walmart stores in California, or in the country, that do not have an ABC license. Mr. McManigal said that he could not address any out-of-state stores, but he is working with the California stores to add the different product flexibility to their market, including the sale of alcohol. Mr. McManigal said that he coordinates all the ABC licensing throughout California and is continually adding or upgrading the stores to the Type 21 license, as that is what the customers want.

Chairman Edsall asked if the traditional Walmart stores sell alcohol. Mr. McManigal said when they first started, they did not; however, about 15 years ago, they started answering the demand of the customers and providing that service.

Commissioner Boyce asked if there are any prohibited times or days that alcohol cannot be sold in California. Mr. McManigal answered that the State of California prohibits the sale of alcohol from 2 a.m. to 6 a.m. He also said that the cash registers are programmed from the home office to not allow for the selling of alcohol during prohibited times.

Commissioner Boyce asked if the applicant feels there is a need to have an ABC license in order to turn a profit. Mr. McManigal answered that he cannot address the profitability, as he is not privy to that information, but it is in the business model of all grocery stores to be able to provide alcohol sales to the customers as part of their shopping experience.

David Pintard, Representative, Investec Real Estate: Mr. Pintard said Investec is the landlord for the property, and that they are thrilled to have this use in the shopping center. Mr. Pintard also

said that they are excited to have Walmart as they are their landlords in another location, and that they run a very tight ship, an efficient store and have well-trained employees. He said that the alcohol is an incidental item and is less than 1 percent of the floor space.

There was no further public comment.

Chairman Edsall then CLOSED the public hearing.

PUBLIC HEARING CLOSED

Chairman Edsall called for discussion from the Commission.

Commissioner Lusk said that Walmart has an excellent reputation and is well-run and does not see it as a problem.

Commissioner Davis said that for the public convenience and incidental shopping when looking for groceries, it is fine.

Commissioner Boyce stated that not everyone is a fan of Walmart, and that he has nothing against Walmart and would expect to patronize the store when it opens. He said that he is not a consumer of alcohol and would think others would appreciate the old format of Walmart which did not sell alcohol. Commissioner Boyce said that he did not intend to oppose this, as it is not close to a school or some other use.

Director Norman explained that a new resolution was distributed to the Commissioners, as there was a clerical error on the one previously distributed in the packet. He explained that Finding #6 was left blank and that none of the findings have been changed, just renumbered.

In response to a call for a resolution by Chairman Edsall, Director Norman introduced Resolution No. PC 2013-27, approving a request by Walmart Stores, Incorporated, dba Walmart Neighborhood Markets, for approval of a conditional use permit for the offsite sale of beer, wine, and distilled spirits, Type 21 ABC License, further described and set forth as CUP-353. It was MOVED by Vice-Chairman Hemmens, SECONDED by Commissioner Lusk, to waive further reading and adopt. With a vote of 5 - 0, the MOTION CARRIED.

PUBLIC HEARING

CUP-351, AT&T Wireless (Eukon Group)

An application has been received from AT&T Wireless requesting approval of a conditional use permit (CUP-351), for the construction of a wireless telecommunications facility located on the St. John's Seminary property at 5012 Seminary Road. The project proposes to construct a 53-foot high freestanding faux bell tower with twelve (12) wireless antennas concealed within the tower. The project also includes the construction of an 800-square-foot ground level ancillary equipment enclosure. The project site is located in the City's RE-5 Acre (Rural Exclusive, 5 Acre minimum lot size) Zone.

Associate Planner Jackie Lee gave a PowerPoint presentation of the public hearing for the wireless telecommunication facility.

Chairman Edsall invited questions from the Commission.

Vice-Chairman Hemmens asked if the generator in the auxiliary building was just for emergency use only. Ms. Lee concurred that it would be for emergency uses only.

Vice-Chairman Hemmens asked if there would be a fuel tank. Ms. Lee replied that she would refer that to the applicant.

Chairman Edsall asked if the maintenance of the facility would be the responsibility of AT&T or the seminary. Ms. Lee replied that there is a condition of approval that requires AT&T to maintain it on a long-term basis and to continually upkeep the appearance.

Chairman Edsall asked if there is a good understanding of what it will look like – if it would look like a fake tower. Ms. Lee answered that it is an actual tower structure, and that the painted-on designs on the top, using the artistic methods the applicant has indicated, it will give the appearance of a real bell tower. She further explained that because of its height and distance from any road, it would be hard to discern those details.

Director Norman said that in the photo simulation, it appears that there are windows on all four sides; however, he stated seeing windows being shown on only two sides in the plans and asked for clarification. Ms. Lee stated that there is a condition of approval that the windows will be on all four sides.

Chairman Edsall OPENED the public hearing and invited the applicant to speak first.

PUBLIC HEARING OPENED

Kathy O'Connor-Phelps, Eukon Group representing AT&T Wireless: Ms. O'Connor-Phelps thanked Ms. Lee and said that the Monsignor of the seminary was very involved in the design. She said the fuel tank is for emergency purposes only and is not kept full.

Commissioner Boyce asked if the large size is for future needs and to damper the sound.

Ms. O'Connor-Phelps replied that the equipment needs clearances, such as for the air conditioning units that keep it cool.

There was no further public comment.

Chairman Edsall then CLOSED the public hearing.

PUBLIC HEARING CLOSED

Architectural Review Committee

Commissioner Davis reported that the Committee reviewed the plans and found them to be acceptable and compatible with the area, and consistent with the seminary bell tower. Commissioner Davis complimented AT&T for the effort in the architectural rendering and the effort they did to make it compatible.

Chairman Edsall called for discussion from the Commission.

Vice-Chairman Hemmens also complimented staff, the applicant, and the seminary for coming up with a unique way of constructing a cell tower.

Chairman Edsall said that he thought it was attractive also.

Director Norman thanked Ms. O'Connor-Phelps for her work and for going the extra mile in working with staff and putting in the details. He said that staff is quite happy with it and that it could possibly be an award winner.

In response to a call for a resolution by Chairman Edsall, Director Norman introduced Resolution No. PC 2013-28, approving a request by AT&T Wireless, for approval of a conditional use permit for a telecommunication facility, further described and set forth as CUP-351. It was MOVED by Commissioner Lusk, SECONDED by Commissioner Boyce, to waive further reading and adopt. With a unanimous vote of 5 - 0, the MOTION CARRIED.

DIRECTOR'S REPORT

- a. **Joint Study Session** – Director Norman reported that there will be a joint study session on October 23 to review the Circulation Element with the City Council.

- b. **AMLI Apartments** – Director Norman said that AMLI will be paving the site in October, which will help cut down on the dust, and will be the precursor to vertical construction.
- c. **Burger King** – Director Norman reported that a major modification will be filed soon and should come before the Planning Commission in six to eight weeks.

PUBLIC COMMENT

There was no public comment.

COMMISSION COMMENT

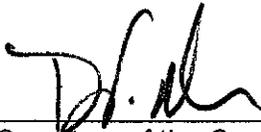
Commissioner Davis said that he was privileged to attend the League of California Cities meeting and found it very informative and thanked the City.

Vice-Chairman Hemmens added that there were not a lot of other cities' Commissioners there, and other council members he spoke to were surprised that Camarillo's Commissioners were invited, but thought it was a good idea for their cities. He thanked the City Attorneys and Charles Abbott and Associates for the great meal they had Thursday night.

ADJOURNMENT

Chairman Edsall adjourned the meeting at 9:10 p.m.

Respectfully submitted,



Secretary of the Commission

ff (F:\PLANNING COMMISSION\MINUTES\2013\2013 09-03 pc minutes.docx) Last printed 11/6/2013 9:37:00 AM