



CITY OF CAMARILLO PLANNING COMMISSION MINUTES

Regular Meeting
Tuesday, July 1, 2014 – 7:30 p.m.
City Hall Council Chambers, 601 Carmen Drive

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

ROLL CALL

Present: Commissioner Boyce, Vice-Chairman Davis, and Chairman Hemmens
Absent: Commissioners Edsall and Lusk
Staff Present: Dave Norman, Director
Don Davis, Assistant City Attorney
Jackie Lee, Associate Planner
Laura Fox, Recording Secretary

The Pledge of Allegiance was led by Vice Chairman Davis.

MINUTES - Regular meeting of June 17, 2014

There was a MOTION by Vice-Chairman Davis, a SECOND by Commissioner Boyce, to approve the minutes with a comma added after Edsall in the Roll Call section. The Motion carried with a vote of 2 – 0 – 2 – 1, with Commissioners Edsall and Lusk absent and Chairman Hemmens abstaining.

PUBLIC COMMENTS

There were no comments from the public.

PUBLIC HEARING

CUP-309, Fresh & Easy – Review

On June 16, 2009, the Camarillo Planning Commission approved requests from Fresh and Easy Neighborhood Market (“Fresh & Easy”) for a Commercial Planned Development (CPD-238) for the development of a 13,977-square-foot grocery store, a Conditional Use Permit (CUP-309) to allow the sale of alcoholic beverages for consumption off-site, and a Variance (V-122) for a reduction in the minimum landscaping along the westerly property line. The subject site is located at 2249 Las Posas Road at the northerly terminus of Arneill Road in the CPD (Commercial Planned Development) Zone.

CUP-309 includes condition of approval no. 106 which requires a review of the CUP by the Planning Commission twelve (12) months from the issuance of a final on the building permit to verify that the project is operating in accordance with the approved conditions.

Associate Planner Lee gave an overview of the project utilizing a PowerPoint presentation. Chairman Hemmens invited questions from the Commission.

Commissioner Boyce asked if the deferral of the 12-month review was due to there not being any police calls and uncertainty of the plans of the Fresh & Easy Corporation. Ms. Lee responded that it is a little bit of both. She explained that there were no issues brought to staff’s attention and that the applicant was present and could speak of the company’s long-range plans.

Chairman Hemmens asked if there had been any traffic accidents or issues. Ms. Lee answered that she has spoken with the City Traffic Engineer who said there have not been any issues in that vicinity. She explained that the traffic circulation has actually been improved.

Commissioner Boyce could not recall why the variance was asked for. Ms. Lee said the site is very tight so the westerly landscaping had to be reduced.

There were no further Commission comments.

Chairman Hemmens OPENED the public hearing and invited the applicant to speak.

PUBLIC HEARING OPENED

Ms. Robin Howard, representing the applicant: Ms. Howard asked the Commission to reconsider the restriction on single-can sales of beer. She explained the landscape has changed in the beer market significantly and that there are some craft beers that are of great quality and in a higher price point that they would like to carry to be consistent with other stores.

Chairman Hemmens asked if that would represent a needed change in the ABC (Alcohol Beverage Control) license. Ms. Howard answered that the restriction on the CUP was lifted and put on the ABC license, so if the CUP restriction was amended, then ABC will consider lifting it, as well.

Chairman Hemmens asked what the size of the containers would be. Ms. Howard explained that the craft beers normally come in 22-ounce, sometimes in 750 ml. She said that she could come back with specific sizes.

Chairman Hemmens then asked if this would be something that would need another public hearing, as there was a request to change the CUP, and this was for the review of the CUP. Assistant City Attorney Davis explained that, technically, since this was advertised as a public hearing, it is within the Commission's purview to make amendments. He said that typically we ask the applicants to bring things forward because we don't have that modification request, but it is something that could potentially be considered. Staff would probably bring back the actual wording for approval at another meeting, but the Commission can act on it now, because of the way it was set up.

Chairman Hemmens recalled a change in the ABC license for the market at Village at the Park, as the owner saw a demand for the craft beers in the large bottle. He asked if that was part of his CUP and ABC license. Director Norman replied that he did not know, but that he has toured the market, and it does have a significant inventory of the craft beers. He also added that the Fresh & Easy applicant is correct in that it is the trend in the market.

Mike Joup, 331 Calle Converse: Mr. Joup said that he owns the property next to Fresh & Easy, and that he operates the liquor store next door. Mr. Joup said that he "is okay" with the review, as long as there is no major change to the CUP and that it stays beer and wine.

Vice-Chairman Davis asked Mr. Joup to clarify that he does not have any objection to single-serving sales. Mr. Joup said that he does not think it will generate any business.

Tim Wolfe, 2357-A Pickwick Drive, representative of the property manager: Mr. Wolfe said that they agree with all of the findings and mentioned that they have spoken with the vendor regarding the power washing, and that they are clear on the times for the power washing. He said that they are very pleased with the project.

Director Norman asked if Mr. Wolfe had any objections to the sale of the single-can sales of craft beers; Mr. Wolfe replied that he did not.

There was no further public comment.

Chairman Hemmens then CLOSED the public hearing.

PUBLIC HEARING CLOSED

Chairman Hemmens called for discussion from the Commission.

Commissioner Boyce said that he would not be prepared to support the change to the CUP and is not inclined to agree there is good in having easier access to single units of beverages.

Vice-Chairman Davis stated that he has no problem finding the applicant is in compliance with the CUP. He said that in view of the fact that there is a liquor store next door that sells single items, he could concur with modifying the conditions to allow for single sales of craft beers.

Chairman Hemmens agreed with Vice-Chairman Davis. He said that the craft beers only come in the large bottles, and that they are specialty beers, so he feels people drink it for the taste of the beer, not to drink three or four.

Chairman Hemmens asked how to take action on the item.

Assistant City Attorney Davis suggested that the Commission direct staff to prepare an amendment to the CUP and bring the item back to another meeting to allow time to investigate and for it to be reviewed in context.

Vice-Chairman Davis said that this would also allow the other Commissioners to review the item.

The Commission directed staff to prepare the amendment.

There were no further Commission comments.

Via a **Minute Action** vote of 3 – 0 – 2, with Commissioners Edsall and Lusk absent, the Commission found that Fresh & Easy is operating in accordance with CUP-309 and the conditions of approval.

DIRECTOR'S REPORT

Director Norman reported the following:

1. Staff met with approximately six prospective developers interested in submitting a proposal for the development of the Cedar Oak mixed-use site in Old Town. Proposals are due by August 1st.
2. Staff met last week with the Ordinance Committee (comprised of Commissioner Boyce and Vice Chair Davis substituting for Commissioner Lusk) to review text changes to the Special Events Ordinance and a related minor change to the Sign Code. The Ordinance Committee recommends the Planning Commission recommend to the City Council changes to the Special Event Ordinance that would allow for the issuance of special event permits in some zones that were previously excluded from the Ordinance.
3. At its last meeting, the City Council approved the Planning Commission's recommended changes to the regulations pertaining to window signage. The regulations will go into effect in approximately 45 days.
4. At its last meeting, the City Council extended the moratorium prohibiting the establishment of new e-cigarette smoking lounges. The moratorium will extend a maximum of ten-and-a-half months from June 28, 2014. However, if a new ordinance is adopted before that time, then the moratorium can be lifted.

PUBLIC COMMENTS

There was no public comment.

COMMISSION COMMENTS

Vice-Chairmen Davis asked about the schedule of the Conejo Creek project. Mr. Norman replied that the revised portion of the EIR is anticipated to be released on or about July 15. He said they

believe it to be a 45-day review period, which will put the Planning Commission on track to review the item at their second meeting in October.

Commissioner Boyce asked if sign twirlers were allowed. Director Norman responded that they are not permitted.

There was no further Commission comment.

ADJOURNMENT

There being no further business to come before the Commission, Vice-Chairman Davis adjourned the meeting at 7:59 p.m.

Respectfully submitted,



Secretary of the Commission

If (FA PLANNING COMMISSION MEETINGS SCHEDULE) 2014 07-01 pc minutes)