



APPROVED: October 14, 2019

MINUTES OF THE REGULAR MEETING OF THE SANTA FE SPRINGS PLANNING COMMISSION

August 12, 2019

1. **CALL TO ORDER**

Chairperson Ybarra called the meeting to order at 6:01 p.m.

2. **PLEDGE OF ALLEGIANCE**

Chairperson Ybarra called upon Commissioner Aranda to lead everyone in the Pledge of Allegiance.

3. **ROLL CALL**

Members present:

Chairperson Ybarra
Commissioner Aranda
Commissioner Arnold
Commissioner Carbajal
Commissioner Jimenez

Staff:

Richard L. Adams, II City Attorney
Wayne Morrell, Director of Planning
Laurel Reimer, Planning Consultant
Jimmy Wong, Planning Consultant
Vince Velasco, Planning Consultant
Teresa Cavallo, Planning Secretary
Claudia Jimenez, Planning Intern
Luis Collazo, Code Enforcement

Members absent:

None

4. **ORAL COMMUNICATIONS**

None

5. **MINUTES**

Approval of the minutes for the July 8, 2019 Planning Commission meeting

It was moved by Commissioner Aranda, seconded by Commissioner Carbajal to approve the minutes of July 8, 2019 as submitted, with the following vote:

Ayes: Arnold, Aranda, Carbajal, Jimenez, and Ybarra
Nayes: None
Absent: None

PUBLIC HEARING

6. PUBLIC HEARING

Categorically Exempt - CEQA Guidelines Section 15302, Class 2

Conditional Use Permit Case No. 712-1

Recommendation: That the Planning Commission:

- Open the Public Hearing and receive any comments from the public regarding Conditional Use Permit Case No. 712-1, and thereafter close the Public Hearing; and
- Find and determine that pursuant to Section 15302, Class 2 (Replacement or Reconstruction), of the California Environmental Quality Act (CEQA), this project is Categorically Exempt; and
- Find and determine that the proposed project will not be detrimental to persons or properties in the surrounding area or to the City in general, and will be in conformance with the overall purpose and objective of the Zoning Regulations and consistent with the goals, policies and programs of the City's General Plan; and
- Find that the applicant's CUP request meets the criteria set forth in §155.716 of the Zoning Regulations for the granting of a Conditional Use Permit; and
- Approve Conditional Use Permit Case No. 712-1, subject to the conditions of approval as contained with Resolution No. 130-2019; and
- Adopt Resolution No. 130-2019, which incorporates the Planning Commission's findings and actions regarding this matter.

Chair Ybarra called upon Planning Consultant Laurel Reimer to present Item No. 6 before the Planning Commission. The Applicant's Representatives were present in the audience.

Chair Ybarra called upon the Commissioners for questions and/or comments. The Commissioners did not have any questions and/or comments.

Chair Ybarra opened the Public Hearing at 6:14 p.m. and asked if the Applicant's Representatives would like to approach the podium to address the Planning Commission. The Applicant did not wish to address the Planning Commission and thus did not approach the podium.

There being no one wishing to speak and having no further questions, Chair Ybarra closed the Public Hearing at 6:15 p.m. and requested a motion and second for Item No. 6.

It was moved by Commissioner Arnold, seconded by Commissioner Jimenez to approve Conditional Use Permit Case No. 712-1, and the recommendations regarding this matter, which passed by the following roll call vote:

Ayes: Arnold, Aranda, Carbajal, Jimenez, and Ybarra

Nayes: None

Absent: None

7. PUBLIC HEARING

Entertainment Conditional Use Permit Case No. 16

Recommendation: That the Planning Commission:

- Open the Public Hearing and receive any comments from the public regarding Entertainment Conditional Use Permit Case No. 16, and thereafter close the Public Hearing; and
- Find and determine that the proposed project is a categorically-exempt project pursuant to Section 15301 (Class 1, Existing Facilities) of the California Environmental Quality Act (CEQA); consequently, no other environmental documents are required by law; and
- Pursuant to Section 155.716 of the City's Zoning Regulations, find and determine that the proposed project will not be detrimental to persons or properties in the surrounding area or to the City in general, and will be in conformance with the overall purpose and objective of the Zoning Regulations and consistent with the goals, policies and programs of the City's General Plan; and
- Recommend that the City Council review and approve Entertainment Conditional Use Permit Case No. 16 subject to the conditions of approval contained within this report and Adopt Resolution No. 133-2019, which incorporates the Planning Commission's findings and actions regarding this matter; and
- Recommend that the City Council review and approve Entertainment Conditional Use Permit Case No. 16 subject to the conditions of approval contained within this report.

Chair Ybarra called upon Code Enforcement Officer Luis Collazo to present Item No. 7 before the Planning Commission. The applicant was present in the audience.

Chair Ybarra called upon the Commissioners for questions and/or comments.

Commissioner Arnold inquired about the parking lot lighting and if a photometric plan was submitted since he indicated that the parking lot lighting seemed dim for such a large parking lot. Code Enforcement Officer Luis Collazo replied that the Building Department should have an approved photometric plan on file but if the Planning Commission would like an updated photometric plan then he could add a condition to require one.

Commissioner Carbajal commented that the entire parking lot is well lit and is familiar with the area since she frequents the establishment on a regular basis.

A discussion ensued regarding the parking lot lighting.

Chair Ybarra opened the Public Hearing at 6:21 p.m. and asked if the applicant would like to approach the podium to address the Planning Commission. The Applicant did not wish to address the Planning Commission and thus did not approach the podium.

There being no one wishing to speak and having no further questions, Chair Ybarra closed the Public Hearing at 6:21 p.m. and requested a motion and second for Item No. 7.

It was moved by Commissioner Carbajal, seconded by Commissioner Aranda to approve Entertainment Conditional Use Permit Case No. 16, and the recommendations regarding

this matter, which passed by the following roll call vote:

Ayes: Arnold, Aranda, Carbajal, Jimenez, and Ybarra
Nays: None
Absent: None

8. PUBLIC HEARING

California Environmental Quality Act (CEQA) - Categorical Exemptions Section 15305 (a) Zone Variance Case No. 88

Recommendation: That the Planning Commission:

- Open the Public Hearing and receive any comments from the public regarding Zoning Variance Case No. 88 and thereafter close the Public Hearing; and
- Find and determine that the proposed project will not be detrimental to persons or properties in the surrounding area or the City in general, and will be in conformance with the overall purpose and objectives of the Zoning Regulation and consistent with the goals, policies, and programs of the City's General Plan; and
- Find and determine that the proposed Zone Variance request meets the criteria set forth in Section 155.675 of the City Zoning Regulation; and
- Find and determine that pursuant to Section 15305(a) of the California Environmental Quality Act (CEQA), this project is Categorically Exempt; and
- Approve Zone Variance Case No. 88 subject to the conditions of approval as contained within Resolution No. 131-2019; and
- Adopt Resolution No. 131-2019, which incorporates the Planning Commission's findings and actions regarding this matter.

Chair Ybarra called upon Planning Consultant Jimmy Wong to present Item No. 8 before the Planning Commission. The applicant Glen A. Wilson was present in the audience.

Chair Ybarra called upon the Commissioners for questions and/or comments.

Commissioner Aranda inquired about the front of the building and if the bridge was level with the building and if it would have pedestrian access. Planning Consultant Jimmy Wong replied that he was unaware of the bridge having pedestrian access but he confirmed that the bridge was level to the building.

Commissioner Aranda also inquired about the surrounding buildings being demolished. Planning Director Wayne Morrell confirmed that the surrounding buildings would be demolished for this project.

Chair Ybarra opened the Public Hearing at 6:29 p.m. and asked if the applicant would like to approach the podium to address the Planning Commission. The applicant Glen A. Wilson approached the podium and addressed the Planning Commission. He indicated that the setback was 4'-6" at the narrowest point of the property and thus the subject variance would be a very minimal change to what is currently seen on the property.

There being no one wishing to speak and having no further questions, Chair Ybarra closed the Public Hearing at 6:30 p.m. and requested a motion and second for Item No.

8.

It was moved by Commissioner Jimenez, seconded by Commissioner Arnold to approve Zone Variance Case No. 88, and the recommendations regarding this matter, which passed by the following roll call vote:

Ayes: Arnold, Aranda, Carbajal, Jimenez, and Ybarra
Nays: None
Absent: None

9. PUBLIC HEARING

Categorically Exempt – CEQA Guideline Section 15061(b)(3)
Resolution No. 132-2019

Recommendation: That the Planning Commission:

- Open the Public Hearing and receive any comments from the public regarding Resolution No. 132-2019, and after receiving all public comments, continue this matter to the Planning Commission meeting of September 9, 2019.

Chair Ybarra called upon Planning Consultant Laurel Reimer who provided a brief presentation regarding the reason for the continuance of Item No. 9 before the Planning Commission.

Chair Ybarra opened the Public Hearing at 6:31 p.m. and asked for a motion to Continue Item No. 9.

It was moved by Commissioner Arnold, seconded by Commissioner Aranda to continue Resolution No. 132-2019 to the next regularly scheduled Planning Commission currently set for September 9, 2019, and the recommendations regarding this matter, which passed by the following roll call vote:

Ayes: Arnold, Aranda, Carbajal, Jimenez, and Ybarra
Nays: None
Absent: None

10. PUBLIC HEARING

Categorical Exempt – CEQA Guidelines Section 15321, Class 21
Revocation of Conditional Use Permit Case No. 724

Recommendation: That the Planning Commission:

- Open the Public Hearing and receive any comments from the public regarding the Revocation of Conditional Use Permit Case No. 724 and, thereafter, close the Public Hearing; and
- Find that pursuant to Section 15321, Class 21, of the California Environmental Quality Act (CEQA), this project is Categorical Exempt; and
- Adopt Resolution No. 134-2019, which incorporates the Commission's findings and actions regarding this matter; and
- Find that the subject aluminum foundry facility, for which Conditional Use Permit Case No. 724 was granted, has been exercised contrary to the conditions of approval.

Consequently, the action to revoke and nullify Conditional Use Permit Case No. 724 complies with the requirements and provisions under section 155.811(B).

- Revoke and nullify Conditional Use Permit Case No. 724.

Chair Ybarra called upon Planning Consultant Vince Velasco to present Item No. 10 before the Planning Commission. The applicant, Peter Lake was present in the audience.

Commissioner Carbajal inquired about the violations and if the applicant was aware that he was required to submit a sign agreement for the consolidation of the two existing lots and if he was aware that his proposal did not meet the city's design standards. Planning Consultant Vince Velasco clarified that the applicant needed to submit an actual proposal so that the City felt confident that the applicant, in good faith, was moving forward. Mr. Velasco informed the Commissioners that the applicant submitted his proposal on the 90th day thus feedback was not provided ahead of time.

Commissioner Arnold inquired about the elevations of the building and asked if the applicant was required to re-clad the entire building or just the front façade. Mr. Velasco replied that per the Code, Staff could accept either approach. Mr. Velasco further stated that Staff explained to Mr. Lake that we would feel comfortable with re-cladding of just the elevations that are visible, which would be all the walls except the rear wall.

Director of Planning Wayne Morrell clarified the intent of the City's code related to the recladding of metal buildings and specifically the requirement to re-clad all sides.

A discussion ensued regarding the City's code and the requirements that Mr. Lake need to meet.

Chair Ybarra opened the Public Hearing at 6:50 p.m. and asked if the applicant would like to approach the podium to address the Planning Commission. The applicant Peter Lake addressed the Planning Commission and explained that the delays for his project has been related to cost. Mr. Lake wanted to have the façade of his building completely done by a professional architect and engineer but because he had purchased the property at a discounted value, offers that he has received has only been for the land value. The buildings do not suit anyone else's needs but his own use. Unfortunately, it is Mr. Lake's opinion that any money spent to meet the City's requirements will not result in any added value to the property. Mr. Lake further discussed re-cladding bids that he has received and the cost of the bids being greater than what he had anticipated. Mr. Lake further commented on various other business projects within the City that went through re-cladding but Mr. Lake expressed that he would just like to "pretty up" the building at a reasonable cost.

Commissioner Aranda tried to establish a timeline of ownership and the City's code. Mr. Morrell, Director of Planning explained the history of the City's Code and how it applied to Mr. Lake's property.

A discussion ensued between the Planning Commission and the City Attorney Richard L. Adams, II regarding the Conditions of Approval imposed upon Mr. Lake's property and specifically the requirement to re-clad the existing metal buildings. City Attorney Richard

L. Adams, II informed the Planning Commission that Mr. Lake has had all the benefits of the Condition Use Permit but has not complied with the Conditions of Approval. Mr. Lake confirmed that he was aware of the Conditions but did not realize the cost of re-cladding the building since he didn't fully understand what was actually involved.

Suggestions and options were provided to Mr. Lake from both staff and the Planning Commissioners on how to move forward and hopefully avoid a revocation Mr. Lake's Conditional Use Permit.

Chair Ybarra requested a motion to continue Item No. 10 to the next regularly scheduled Planning Commission currently set for September 9, 2019.

It was moved by Commissioner Aranda, seconded by Commissioner Arnold to continue Item No. 10 to the next regularly scheduled Planning Commission currently set for September 9, 2019 with the recommendations that Mr. Lake meet with staff and devise a plan to fully satisfy the Conditions of Approval for CUP 724, and the recommendations regarding this matter, which passed by the following roll call vote:

Ayes: Arnold, Aranda, Carbajal, Jimenez, and Ybarra
Nayes: None
Absent: None

CONSENT ITEMS

11. CONSENT ITEMS

Consent Agenda items are considered routine matters which may be enacted by one motion and roll call vote. Any item may be removed from the Consent Agenda and considered separately by the Planning Commission.

A. CONSENT ITEM

Alcohol Sales Conditional Use Permit Case No. 27

Recommendation: That the Planning Commission:

That the Planning Commission, based on the attached compliance review report, find that the subject use is in compliance with all of the conditions of approval set forth in the initial approval of Alcohol Sales Conditional Use Permit Case No. 27, and request that this matter be brought back in five-years, before August 12, 2024, for another compliance review report.

B. CONSENT AGENDA

Conditional Use Permit Case No. 505-6

Recommendation: That the Planning Commission:

- Find that the continued operation and maintenance of a day care and training facility for disabled adults, if conducted in strict compliance with the conditions of approval, will be harmonious with adjoining properties and surrounding uses in the area and will be in conformance with the overall purposes and objectives of the Zoning Regulations and consistent with the goals, policies, and programs of the City's General Plan.
- Require that Conditional Use Permit Case No. 505-6 be subject to a compliance

review in ten (10) years, on or before August 12, 2029, to ensure the use is still operating in strict compliance with the conditions of approval as contained within this staff report.

C. CONSENT AGENDA

Conditional Use Permit Case No. 775-2

Recommendation: That the Planning Commission:

- Find that the continued operation and maintenance of a direct rubbish hauling transfer facility, if conducted in strict compliance with the conditions of approval, will be harmonious with adjoining properties and surrounding uses in the area and will be in conformance with the overall purposes and objectives of the Zoning Regulations and consistent with the goals, policies, and programs of the City's General Plan.
- Require that Conditional Use Permit Case No. 775-2 be subject to a compliance review in three (3) years, on or before August 12, 2022, to ensure the use is still operating in strict compliance with the conditions of approval as contained within this staff report.

D. CONSENT AGENDA

Conditional Use Permit Case No. 776-2

Recommendation: That the Planning Commission:

- Find the request to allow the continuation of storage lubricants in excess of 100,000-gallons or more and up to 162,000-gallons, if conducted in strict compliance with the conditions of approval, will be harmonious with adjoining properties and surrounding uses in the area and will be in conformance with the overall purposes and objectives of the Zoning Regulations and consistent with the goals, policies, and programs of the City's General Plan.
- Require that Conditional Use Permit Case No. 776-2 be subject to a compliance review in three (3) years, on or before August 12, 2020, to ensure the use is still operating in strict compliance with the conditions of approval as contained within this staff report.

E. CONSENT AGENDA

Conditional Use Permit Case No. 777-1

Recommendation: That the Planning Commission:

- Find that a time extension to allow for the establishment, operation, and maintenance of a convenience store, if conducted in strict compliance with the conditions of approval, will be harmonious with adjoining properties and surrounding uses in the area and will be in conformance with the overall purposes and objectives of the Zoning Regulations and consistent with the goals, policies and programs of the City's General Plan
- Require that Conditional Use Permit Case No. 777-1 be subject to a compliance review in one (1) year, on or before, August 12, 2020, to ensure that the use is still operating in strict compliance with the conditions of approval as contained within this staff report.

Consent Agenda Item No. 11D was pulled for further discussion per Chairperson Arnold's request. Chair Arnold indicated that he had comments and concerns regarding Consent Agenda Item No. 11D.

Chair Ybarra requested a motion and second for Consent Items Nos. 11A, 11B, 11C, and 11E.

It was moved by Commissioner Carbajal, seconded by Commissioner Jimenez to approve Consent Item Nos 11A, 11B, 11C, and 11E and the recommendations regarding this item, which passed by the following vote:

Ayes: Arnold, Aranda, Carbajal, Jimenez, and Ybarra
Nayes: None
Absent: None

Commissioner Arnold questioned the Conditions of Approval, particularly the conditions imposed by the Public Works Department. Staff informed the Planning Commission that Public Works was notified that Item No. 11D was being brought before the Planning Commission but staff did not receive any comments nor a reply. Planning Director Wayne Morrell requested that Item No. 11D be brought for the Commission's consideration once the Public Works department has provided staff with an update on their Conditions.

That being said Chair Ybarra asked for a motion to continue Item No. 11D to the next regularly scheduled Planning Commission currently set for September 9, 2019. The motion was moved by Commissioner Arnold, seconded by Commissioner Aranda to continue Consent Agenda Item No. 11D to the September 9, 2019 Planning Commission meeting, and the recommendations regarding this item, which passed by the following roll call vote:

Ayes: Arnold, Aranda, Carbajal, Jimenez, and Ybarra
Nayes: None
Absent: None

12. ELECTION OF VICE CHAIR FOR 2019-2020

The bylaws require the election of Commission Officers.

Director of Planning Wayne Morrell declared the office of Vice Chairperson vacant and called for nominations. Chair Ybarra nominated Commissioner Arnold, Commissioner Arnold accepted the nomination. Nominations for Vice Chairperson were closed. Having no further nominations, Commissioner Arnold was nominated the new Planning Commission Vice Chairperson with the following roll vote:

Ayes: Arnold, Aranda, Carbajal, Jimenez, and Ybarra
Nayes: None
Absent: None

13. ANNOUNCEMENTS

Commissioners:

Commissioner Jimenez announced that his 14U traveling baseball team won their first

championship. His team was ranked Number 3 going into the championship and ended up winning 5-0.

Vice Chair Arnold apologized for not being in attendance for the last two meetings. Mr. Arnold also indicated that he was at the City of San Juan Capistrano Planning Department and ran into former Planning Consultant Paul Garcia who sent greetings to the entire Planning Staff.

Staff:

Planning Consultant Laurel Reimer thanked Vice Chair Arnold and Commissioner Carbajal for attending the Public Transportation Public Outreach. Ms. Reimer also indicated that she will keep everyone informed of upcoming meetings.

Planning Secretary Teresa Cavallo announced that the Planning Commissioners will be receiving tablets which will enable the Planning Commission Agendas to be provided to the Commissioners electronically instead of the current paper format.

14. ADJOURNMENT

Chairperson Aranda adjourned the meeting at 7:33 p.m. to the next Planning Commission meeting scheduled for September 9, 2019 at 6:00 p.m.


Frank Ybarra
Chairperson

ATTEST:


Teresa Cavallo
Planning Secretary


Date