

PLANNING COMMISSION MEETING

No New Business will be Considered by the Planning Commission after the Hour of 11:00 p.m. unless a Majority of the Planning Commission Determines to Continue beyond that Hour.

Memorandums: Memorandums relating to agenda items are on file in the Planning Department. If you have questions regarding the agenda, you may call the Planning Dept. (805) 524-1500 ext. 113 or visit the Planning Dept. in City Hall for information. Materials related to an item on this agenda submitted to the Planning Commission after distribution of the agenda packet are available for public inspection in the Planning Dept. in City Hall during normal business hours.

AGENDA

- | ITEM   | REFERENCE |
|--|-----------|
| 1. CALL TO ORDER   |           |
| 2. PLEDGE OF ALLEGIANCE  |           |
| 3. INTRODUCTION OF NEW CITY MANAGER  |           |
| 3a. Yvonne Quiring, City Manager will be introduced to the Planning Commission.  |           |
| 4. ORAL COMMUNICATIONS   |           |
| This is the opportunity for citizen presentations or comments not related to agenda items, but within responsibility of the Planning Commission (please do not exceed 5 minutes per topic).                    |           |
| 5. CONSENT CALENDAR  |           |
| 5a. Minutes of the August 19, 2009 Planning Commission Meeting.  | Copy      |
| 6. CLOSED SESSION  |           |
| 6a. <i>CONFERENCE WITH LEGAL COUNSEL – Existing Litigation (subdivision (a) of Section 54956.9): El Dorado Estates v. City of Fillmore; Ventura County Superior Court; Case No. 56-2009-00358555-CU-WM-VTA</i> |           |
| 7. PUBLIC HEARINGS   |           |
| 7a. <i>Development Permit 08-04 (DP 08-04), Request to Demolish an existing 1,631 sq.ft. fast-food restaurant and replace it with a 2,855 sq.ft. fast-food restaurant.</i>                                     | Memo      |
| Location: 800 Ventura St. Zoning: Commercial Highway (CH)  |           |
| Applicant: UP Real Estate Holding Corp., P.O. Box 4842, Thousand Oaks, CA 91359.   |           |

**Purpose:** Open the public hearing, review the project, and receive public testimony.

**Recommendation:** Adopt Planning Commission Resolution 09-840 approving Reso DP08-04 subject to Conditions of Approval.

- 7b. *Modification #1 to Development Permit 05-07, Tentative Tract Map 5591 (Mod #1 to DP 05-07, TTR 5591), Request to Modify Conditions of Approval to remove the requirement to underground utilities and allow payment of in-lieu fees (Condition S4).* Memo

**Location:** SE Corner of Mountain View and Main Sts.

**Zoning:** CBD, Railroad Property

**Applicant:** Cabrillo Economic Development Corp, 702 County Square Dr., Ventura, CA 93003

**Purpose:** Consider the Applicant's request and receive public testimony.

**Recommendation:** Adopt Planning Commission Resolution 09-843, Recommending the City Council modify Condition S4 to allow the Applicant to pay fees instead of undergrounding utilities. Reso

- 7c. *Conditional Use Permit 08-06, Development Permit 09-05 ( CUP 08-06, DP 09-05), Request to allow an existing office trailer to remain onsite for an additional eight years and to allow existing cargo containers to remain permanently on site.* Memo

**Location:** 1020 B Street. **Zoning:** North Fillmore Specific Plan

**Applicant:** Ameron International Corp., 245 S. Los Robles Ave., Pasadena, CA 91101-2820

**Purpose:** Consider the Applicant's request and receive public testimony.

**Recommendation:**

- Adopt Planning Commission Resolution 09-841, approving CUP 08-06 subject to Conditions of Approval
- Adopt Planning Commission Resolution 09-842, approving DP 09-05 subject to Conditions of Approval. Reso

## 8. BUSINESS ITEM

- 8a. *Revision to Santa Paula/Fillmore Greenbelt Agreement.* Memo

**Purpose:** Request to allow Santa Paula to encroach into the Greenbelt by 500 acres for the Limonera project in exchange for converting the Greenbelt into an ordinance and placing an additional 190 acres into the Greenbelt.

**Recommendation:** Adopt Planning Commission Resolution 09-844, recommending the City Council approve a Greenbelt Ordinance. Reso

- 8b. *Revised Draft Housing Element Document.* Memo

(A power point presentation will be made during the meeting).

**Location:** City wide **Applicant:** City of Fillmore

**Purpose:** Review the revised draft Housing Element document and the responses to comments.

**Recommendation:** Provide direction to staff to prepare an environmental document for the proposed Housing Element.

- 8c. Request to Appeal Incompleteness Letter for Proposed Condo Conversion.**      **Memo**  
**Application: Development Permit 09-02, Tentative Tract Map 5844**      **10/16/09**  
**(DP 09-02, TTR 5844).**  
**Location:** 250 E. Telegraph Rd. **Zoning:** Residential Medium  
**Applicant:** El Dorado Estates, A California Limited Partnership, C/O  
The Star Companies, 1400 East 4<sup>th</sup> Street, Santa Ana, CA 92701.  
**Purpose:** Consider the appeal and receive public testimony.  
**Recommendation:** Adopt Planning Commission Resolution 09-845, finding      **Reso**  
the application for a Condo Conversion to be incomplete.

**9. REPORTS and COMMUNICATIONS**

- 9a. Community Development Director
- 9b. Planning Commission

**10. ADJOURNMENT**

- 10a. The Planning Commission adjourns to the next regular Planning Commission meeting scheduled for November 18, 2009, 6:30 p.m., in the City Council Chambers, 250 Central Ave., Fillmore, CA 93015.

**Next Regular City Council Meeting**  
**October 27, 2009**

PLEASE NOTE: If you challenge the actions of the Planning Commission in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in the public notice, or in written correspondence delivered to the Planning Commission at, or prior to, the public hearing (Calif. Gov't Code § 65009).

Any legal action by an applicant seeking to obtain judicial review of the Planning Commission's decision on a hearing listed on this agenda may be subject to the 90-day filing period of, and governed by, Code of Civil Procedure Section 1094.6

**In compliance with Americans with Disabilities Act**, if you need special assistance to participate in this meeting, please contact the Planning Secretary at (805) 524-1500-113, 48 hours prior to the meeting in order for the City to make reasonable arrangements to ensure accessibility to this meeting. (28 CFR 35.102-35.104 ADA Title II)