

AGENDA

CITY OF GUADALUPE PLANNING COMMISSION

Tuesday, April 21, 2009

Regular Meeting 6:00 p.m.

City Hall, Council Chambers
918 Obispo Street, Guadalupe, CA 93434

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in a City meeting or other services offered by this City, please contact the City Clerk's office, (805) 356-3891. Notification of at least 72 hours prior to the meeting or time when services are needed will assist the City staff in assuring that reasonable arrangements can be made to provide accessibility to the meeting or service.

*If you wish to speak concerning any item on the agenda, please complete the Request to Speak form that is provided at the rear of the Council Chambers prior to the completion of the staff report and hand the form to the City Clerk. **Note:** Staff Reports for this agenda, as well as any materials related to items on this agenda submitted after distribution of the agenda packet, are available for inspection at the office of the City Administrator, City Hall, 918 Obispo Street, Guadalupe, California during regular business hours, 8:00 a.m. to 12:00 pm. and 1:00 p.m. to 5:00 p.m., Monday through Friday; telephone (805) 356-3891.*

MEMBERS OF THE PLANNING COMMISSION: Commissioners Monika Huntley, Alejandro Ahumada, Jesse Ramirez, Vice-Chair Carl Kraemer.

1. **CALL TO ORDER.**
2. **PLEDGE OF ALLEGIANCE.**
3. **ROLL CALL.** Commissioners Monika Huntley, Alejandro Ahumada, Jesse Ramirez, Vice-Chair Carl Kraemer.
4. **CONSENT CALENDAR.** The following routine items are presented for Planning Commission approval without discussion as a single agenda item in order to expedite the meeting. Should a Commissioner wish to discuss or disapprove an item, it must be dropped from the blanket motion of approval and considered as a separate item.
 - a. Minutes of the Planning Commission meeting of March 17, 2009 to be ordered filed.

5. **COMMUNITY PARTICIPATION FORUM.**

Each person will be limited to a discussion of 3 minutes. Pursuant to provisions of the Brown Act, no action may be taken on these matters unless they are listed on the agenda, or unless certain emergency or special circumstances exist. The Planning Commission may direct Staff to investigate and/or schedule certain matters for consideration at a future Planning Commission meeting.

6. **APIO COOLING EXPANSION DESIGN REVIEW AND LOT LINE ADJUSTMENT.** That the Planning Commission receive a presentation from staff, conduct a Public Hearing on the requests, and consider the request for a Design Review Permit (Application #2008-002-DRP) and Resolution # PC 2009-01, recommending that the City Council approve a Resolution approving the Apio Lot Line Adjustment (Application #2008-002-LLA).

- a. Written Staff Report (Rob Mullane)
- b. Conduct Public Hearing;
- c. Public Comments.
- d. Planning Commission discussion and consideration.
- e. It is recommended that the Planning Commission take action on the request for a Design Review Permit and consider resolution # PC 2009-01, recommending that the City Council approve a Resolution approving the Apio Lot Line Adjustment (Application #2008-002-LLA).

7. **CONSIDERATION OF THE DRAFT TEXTUAL AMENDMENT OF THE REDEVELOPMENT PLAN OF THE GUADALUPE REDEVELOPMENT PROJECT AREA.** That the Planning Commission receive presentation from staff and approve Draft Textual Amendment to the Redevelopment Plan.

- a. Written Staff Report (Regan Candelario, Tierra West Advisors)
- b. Planning Commission discussion and consideration.
- c. It is recommended that the Planning Commission receive presentation from staff and approve Draft Textual Amendment to the Redevelopment Plan.

8. **WORKSHOP ON DRAFT MITIGATED NEGATIVE DECLARATION FOR CITY OF GUADALUPE REDEVELOPMENT PLAN AMENDMENT.**

- a. Written Staff Report (Rob Mullane)
- b. Planning Commission discussion.
- c. It is Recommended that the Planning Commission conduct an informational workshop on the environmental review of the Guadalupe Redevelopment Plan Amendment.

9. **PLANNING DIRECTORS REPORT.**

10. **FUTURE AGENDA ITEMS.**

11. ANNOUNCEMENTS.

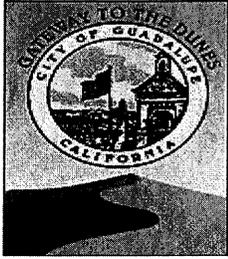
12. ADJOURNMENT.

I hereby certify under penalty of perjury under the laws of the State of California that the foregoing Agenda was posted at the City Hall display case, the Water Department, the City Clerk's office, and Rabobank not less than 72 hours prior to the meeting. Dated this 17th day of April 2009.

By:



Carolyn Galloway-Cooper, Deputy City Clerk



Draft MINUTES

CITY OF GUADALUPE PLANNING COMMISSION

Tuesday, March 17, 2009

Regular Meeting 6:00 p.m.

**City Hall, Council Chambers
918 Obispo Street, Guadalupe, CA 93434**

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MEMBERS OF THE PLANNING COMMISSION: Commissioners Monika Huntley, Alejandro Ahumada, Jesse Ramirez, Vice-Chair Carl Kraemer, and Chair Frances Romero.

Staff present: Rob Mullane, City Planner.

1. **CALL TO ORDER.** 6:05 by Vice-Chair Kraemer
2. **PLEDGE OF ALLEGIANCE.**
3. **ROLL CALL.** Commissioners Monika Huntley, Jesse Ramirez, and Vice-Chair Carl Kraemer present. Commissioner Alejandro Ahumada and Chair Frances Romero absent.
4. **CONSENT CALENDAR.** The following routine items are presented for Planning Commission approval without discussion as a single agenda item in order to expedite the meeting. Should a Commissioner wish to discuss or disapprove an item, it must be dropped from the blanket motion of approval and considered as a separate item.
 - a. **Minutes** of the Planning Commission meeting of January 20, 2009 to be ordered filed.

Motion: Huntley/Ramirez moved to approve the consent calendar.

VOTE: Ayes: 3
Noes: 0
Motion passed

5. COMMUNITY PARTICIPATION FORUM.

Each person will be limited to a discussion of 3 minutes. Pursuant to provisions of the Brown Act, no action may be taken on these matters unless they are listed on the agenda, or unless certain emergency or special circumstances exist. The Planning Commission may direct Staff to investigate and/or schedule certain matters for consideration at a future Planning Commission meeting.

No speakers.

6. DESIGN REVIEW OF PROPOSED VAPOR RECOVERY SYSTEM FOR YK MARKET GAS STATION, 752 GUADALUPE STREET (PLANNING APPLICATION #2008-008-DRP, - ZC). That the Planning Commission receive a presentation from staff and take action on the request for a Design Review Permit.

- a. Written Staff Report (Rob Mullane)
- b. Provide an opportunity for the applicants to present the proposed project.
- c. Public Comments.
- d. Planning Commission discussion and consideration.
- e. It is recommended that the Planning Commission take action on the request for a Design Review Permit.

Mr. Mullane gave a brief staff report including an overview of the proposal. Mr. Mullane noted that the application was substantially scaled back from its initial design as a result of new technology allowing a smaller vapor recovery system.

Speakers: none.

The Commission voiced no concerns with the proposal and its design and expressed appreciation that the project was able to be scaled back as this has substantially reduced potential visual impacts.

Motion: Huntley/Ramirez moved to approve the Design Review Permit #2008-008-DRP as submitted, noting that the requisite Zoning Code findings in Section 18.73.100 can be made.

VOTE: Ayes: 3
Noes: 0
Motion passed

7. **CAL POLY COMMUNITY PLANNING PROCESS FOR GUADALUPE 2030 PRESENTATION.** That the Planning Commission receive a presentation from Cal Poly staff on the Guadalupe Community Plan.

- a. Presentation from Cal Poly staff.
- b. Planning Commission discussion and consideration.
- c. It is recommended that the Planning Commission receive a presentation from Cal Poly staff on the Guadalupe Community Plan.

Mr. Mullane introduced the CalPoly presentation team led by Mr. James David. Mr. Mullane stated that while the project was not in response to a City-initiated comprehensive General Plan Amendment, there is a need to update the Housing Element at this time, and the project will be used to assist with the Housing Element update. The project also provides valuable information and data that could be used in a future General Plan update. Mr. Mullane noted that one of the course co-instructors, Mr. Jeff Hook was in the audience. (The other course co-instructor Dr. Cornelius Nuworsoo joined the meeting during the presentation.) Mr. James David, CalPoly student, proceeded with the presentation and introduced the other three members of the presentation team: Adriana Neal, Erik Simon, and Colin Clark, who all spoke in turn. The presentation provided an overview of the student project including the workshops that took place between November 2008 and March 2009, and the main conclusions and recommendations. A preferred land use scenario was also presented. Potential follow-up projects towards implementation of specific recommendations or programs were presented to the Commission for assistance with prioritizing these projects. The Commission expressed gratitude to the students and noted that the presentation was excellent and expressed support for a parking needs assessment and historical resources inventory.

Speakers: Mr. Jeff Hook, CalPoly project co-instructor, noting the success of the project and the motivation for the project.

No action other than receipt of the workshop was taken.

8. **PLANNING DEPARTMENT REPORT**

Mr. Mullane informed the Commission that the DJ Farms Specific Plan was undergoing some revisions, the extent of which would be evaluated to see if the item needed to be remanded back to the Commission. Mr. Mullane noted that the Planning Commission vacancies were being re-advertised and that Vice-Chair Kraemer had re-applied and had been re-appointed by the City Council. Mr. Mullane also noted that the applicant for the Minami Specific Plan and Annexation has new representatives involved, and that City staff recently met with these new representatives to discuss next steps towards resuming work on the application.

9. **FUTURE AGENDA ITEMS**

Vice-Chair Kraemer noted that the Housing Element update would be a future item.

10. ANNOUNCEMENTS.

Commissioner Huntley reminded the audience to please spay and neuter their pets.

11. ADJOURNMENT.

Meeting adjourned by motion (Ramirez/Huntley) and vote (3-0) at 7:40 pm.

Submitted by:

Affirmed by:

Robert A. Mullane, City Planner
Planning Commission Secretary

Frances Romero, Chair

REPORT TO THE PLANNING COMMISSION

April 21, 2009

151
Prepared By:
Rob Mullane, City Planner

CGM
Approved By:
Carolyn Galloway-Cooper

SUBJECT:

Apio Cooling Expansion Lot Line Adjustment and Design Review
4595 Main Street
APNs: 115-210-017, 115-210-022, 115-180-022, and 115-180-027
(Planning Application #2008-002-LLA, -DRP)

EXECUTIVE SUMMARY:

The City received an application for an expansion of the Apio Cooling Facilities. The Apio Expansion project involves a Lot Line Adjustment (LLA), Design Review Permit (DRP), and a Zoning Clearance. The LLA request is subject to Planning Commission advisory review and City Council approval. The DRP is subject to Planning Commission approval. The Zoning Clearance is a staff approval that would be granted once all prior to zoning clearance approvals are met.

The Apio Cooling Facilities are located at 4595 Main Street and the four parcels involved in this request cover 17.19 acres, extending up to Fourth Street and with portions along Obispo Street across from the Treasure Park Residential Subdivision. The expansion request is for two additions totaling 49,506 square feet (sf) to an existing 155,233-sf manufacturing facility to increase cold storage capacity area and consolidate operations on Apio property. A new below-grade loading dock ramp is also proposed to access the new covered receiving dock addition. The LLA is requested to ensure that property lines do not cross the main building. Additional parking and landscaping are also proposed, although the applicant is requesting Planning Commission approval of a reduction in the landscaping coverage requirements from 10% coverage to approximately 4% coverage. Conditions of approval have been drafted for Planning Commission consideration to address staff concerns and issues presented by this request.

RECOMMENDATION:

- 1) Receive a presentation from staff
- 2) Conduct the Public Hearing on the Request

- 3) Consider Resolution # PC 2009-002, recommending that the City Council approve a Resolution approving the Lot Line Adjustment
- 4) Consider the Design Review Permit and Reduced Landscaping Request

BACKGROUND:

The City first received a Zoning Clearance application for the proposed addition to the Apio Cooling Facilities on May 7, 2008. In July, because of the City's new Design Review Process, the request was augmented to include a Design Review Permit (DRP). In August, the applicant again augmented the request to include a Lot Line Adjustment (LLA) application. During the staff review of the requests, it was noted that the proposed landscaping did not meet the City's 10% coverage requirement, and this component of the request was referred to the Planning Commission for conceptual review at the Commission's October 21, 2008 meeting. After numerous rounds of review by City staff, the application package was deemed complete for processing on December 10, 2008.

The Planning Commission last heard this item on December 16, 2008, and at that time continued the item and directed staff to work with the applicant to address several requirements that had been deferred as conditions of approval and to conduct additional review of potential environmental impacts. Staff and the applicant have worked to address these issues and have made substantial progress, such that the application is ready for reconsideration by the Commission.

DISCUSSION:

The project proposes expand the Apio Cooling facilities to provide additional cold storage warehousing on-site. The stated project objectives are to replace inefficient infrastructure onsite and improve operations. The expansion would allow the cessation of leasing warehouse space at the Obispo Street Cooler facilities adjacent to the Apio Cooling site. The applicant has provided a narrative and project description, which provides additional information on the request. This narrative is included as Attachment 4 to this staff report.

The project includes a request to adjust lot lines on Apio properties and an expansion of its existing facilities, which total approximately 155,000 sf of development. The LLA includes: 1) a request to adjust the parcel line between Parcel 1 (APN 115-180-022) and Parcel 3 (APN 115-210-017), and 2) a request to merge two parcels (Parcel 3 and Parcel 4 (APN 115-210-022)). The proposed parcel merger is to address an existing situation where the main Apio building is situated across the intervening property line. The LLA also provides an opportunity for the City to ensure that proper access and utility line easements are shown and dedicated. The LLA exhibit is included as Attachment 5 to this staff report.

A DRP is required to allow Planning Commission consideration of the design of the proposed expansion, proposed new parking, fencing, landscaping, including the request to reduce landscaping coverage from the 10% coverage requirement to the applicant proposed 3.6% coverage. The proposed expansion is depicted on Sheet DR.A-2.0 in the Project Plan Set (Attachment 6 to this staff report). The expansion involves three additions: 1) a 39,100-sf addition (“Addition J&K”) for additional cold storage raw warehousing, 2) a 10,406 addition (“Addition H”) for a covered loading dock, and 3) a new 7,374-sf new below grade ramp to access the loading dock, which is immediately to the north. The above grade portion of the expansion would be metal-sided and in a color and style to match the existing warehouse. A site plan and building elevations are provided in Attachment 6, while site photos are provided in Attachment 7.

The existing parking of 296 parking spaces would be increased to 403 spaces to accommodate additional parking needs prompted by the expansion. This is consistent with the required parking of 403 spaces based on Zoning Code off-street parking requirements. Additional parking is provided by striping existing paved and unpaved (compacted base course) areas of the property. Statistics regarding existing and proposed parking spaces is included on Sheet DR.A-2.0. Nine disabled parking spaces are provided. A shared parking and access agreement that covers all three resultant parcels is provided as Attachment 8.

Additional landscaping is also proposed, in part to address comments by the Planning Commission in their conceptual review of the landscaping coverage request in October. The project proposes to augment the site’s 18,767-sf of landscaping by 4,988-sf of landscaping, for a total (existing + proposed) of 23,755-sf. The majority of the new landscaping would be installed along the project’s Obispo Street frontage, which is the most visible portion of the site for City residents and visitors. The existing landscaping does not meet coverage requirements in the Zoning Ordinance, and the proposed landscaping, while augmenting what is on site, would not bring coverage requirements up to the code-required 10%. Resultant landscaping coverage would provide approximately 3% coverage, and hence a request to deviate from the City’s landscaping coverage is requested. The off-site landscaping on the City RDA-owned lot to the northeast of the Apio property that was noted in the December 16, 2008 staff report is no longer proposed, as City staff had concerns regarding maintenance and location of landscaping over underground utilities.

Finally, the project also includes approximately 20,000-cy of grading for geotechnical preparation of the proposed additions. This grading was allowed by the City by issuance of a grading permit prior to action on the requested addition at the applicant’s risk. The applicant was interested in conducting this work prior to the commencement of the rainy season, and given the applicant’s acknowledgement that they were proceeding with this work at their own risk, the City accommodated this request. The grading involved excavation and recompaction; no import or export was required. Standard erosion control measures were required as a part of this grading work.

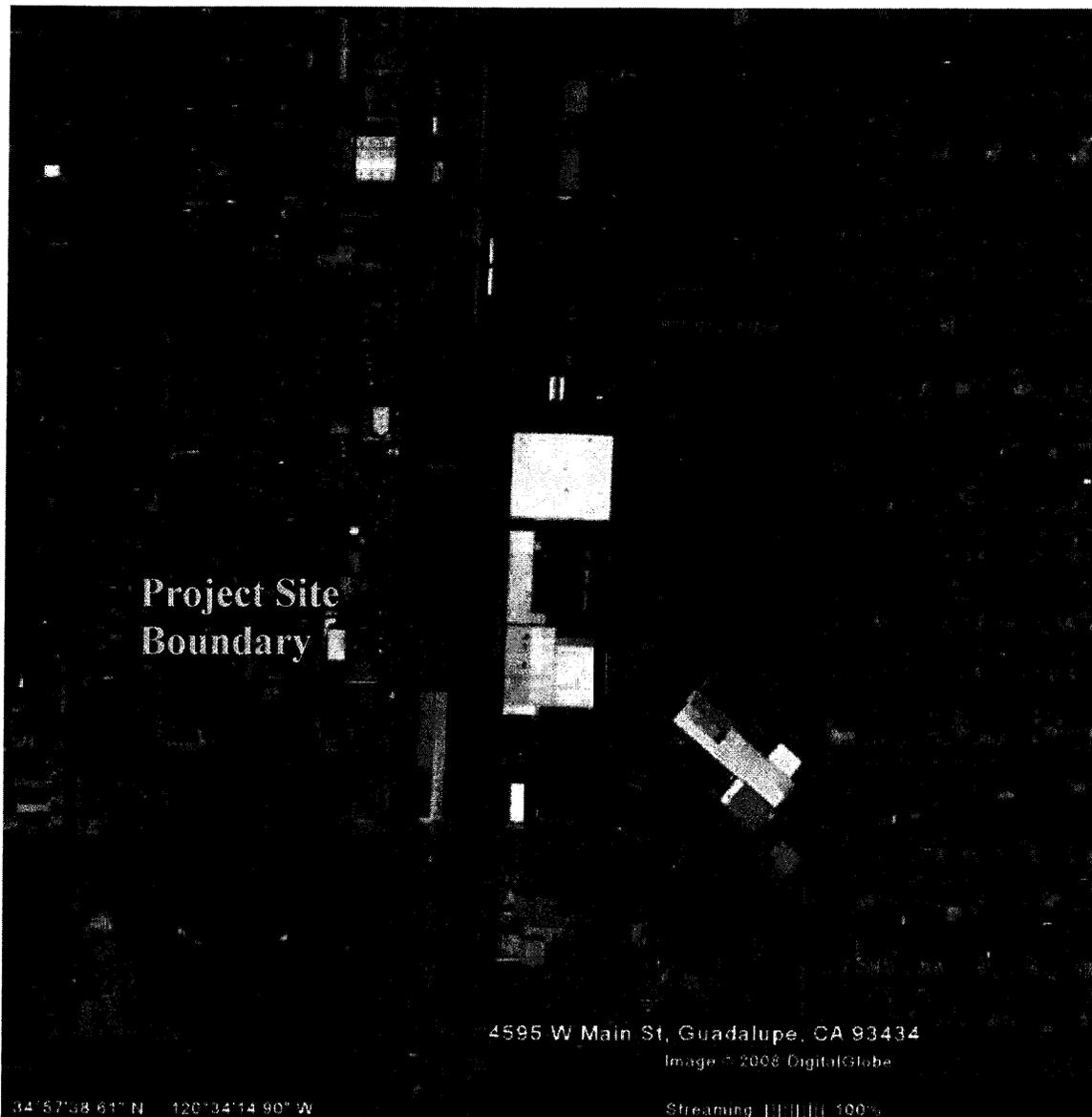
Site Information

LOCATION	4595 Main Street
APNs	115-180-022, 115-180-027, 115-210-017, 115-210-022
ZONING	G-I, General Industrial
SITE SIZE	17.19 Acres
PRESENT USE	Vegetable Packaging Facility
SURROUNDING USES AND ZONING	North: G-I (General Industrial) East: R-1 (Low Density Residential) South: C-S-SP (Commercial Service Specific Plan) West: UPRR, State Highway 1, G-C (General Commercial), M-C (Industrial Commercial), O (Open Space)

The surrounding uses are noted in the above table, and a vicinity map/aerial photo is included below.

Zoning Conformity

Staff has reviewed the request's conformity to zoning requirements and standards and notes no other inconsistencies except the proposed reduction in landscaping. As noted above a reduction in the required landscaping is within the purview of the Planning Commission. Other zoning code considerations will be part of the Planning Commission's review of the DRP, including proposed fencing and the surface of parking lots, drive aisles, and travel corridors. The proposed addition meets other zoning standards such as building setbacks and height limits.



Project Issues

As noted above, substantial progress to address staff and Commission concerns with the project has been made. Most of the issues with the application that were noted by staff in the December 16, 2008 staff report have been addressed by the applicant. Furthermore, the concerns of the Planning Commission with respect to a lack on information on the potential environmental impacts of the project have been addressed by the applicant, in many cases, by the submittal of additional information and reports. Remaining issues will be addressed through the application of conditions of approval.

A list of changes to the project and additional information provided to address staff, Commission, and public commenters include the following:

LLA Items

1. The proposed lot line between Parcels 1 and 3 has not been moved and continues to cut across a portion of the below grade loading dock approach. The applicant has augmented the Parking and Access agreement to provide for the right to access to this ramp. City staff including the City Attorney have reviewed the revised parking and access and find it acceptable to address this concern, with the inclusion of a condition of approval that would require removal of the locking ramp should the agreement be cancelled.
2. The LLA exhibit has been revised to show an easement for the City's water line, as well as the proposed relocated private easement for access and drainage.

DRP and Zoning Clearance Items

1. The review of the proposed landscaping should include consideration of the request to reduce landscaping coverage below the City's standard 10% coverage requirement.
2. As noted above, the applicant is no longer proposing offsite landscaping just north and outside of Parcel 2. This addresses staff concerns regarding conflicts with underground utilities. The applicant maintains that such landscaping cannot be located on the northern portion Parcel 2 because this would interfere with the provision of required parking.
3. City staff have stated a preference that all proposed parking and travel corridors be paved. The applicant's proposal is to keep some areas unpaved, including the 100-space parking area on Parcel 2. One concern of staff is that it will be difficult to show parking spaces as the unpainted lines fade, particularly in the rainy season. There may be other ways to show parking spaces in a more permanent fashion (for example with concrete bumpers), and this issue may benefit from Planning Commission discussion.
4. Parking lot access and circulation issues have been revised to provide improved circulation. Regarding driveway access, the applicant provided correspondence from Caltrans noting no concerns with the existing driveway access off of Main Street/Highway 166, and also provided and illustrated turn turning radii on project plans. The City Engineer has reviewed these materials, and as of the date of this staff report, has not noted any concerns.
5. An existing 40-ft wide Public Utilities Easement (PUE) and private access easement is affected by the proposed expansion. The applicant confirmed that no utility companies use the PUE, nor is it expected to be needed in the future. The City will process a quit claim of this PUE. The applicant has also successfully obtained the permission of the holder of this private to relocate this to the south, as shown on the site plans. The relocation of this future easement is mid-block between Third and Cedar Street and hence lines up with the rear yards of residences, which would reduce land use conflicts with the Treasure Park Subdivision to the east in comparison to the

existing easement's location. A condition of approval has been developed to specify that the Planning Commission would consider if a new curb cut onto Obispo Street is needed should there be a change in the facility's access off of Highway 166 in the future.

6. The number of disabled parking spaces has been increased from 7 to 9 spaces. The City Building Official reviewed the proposed disabled parking and concurs that it meets City requirements.
7. The portable machinery to the south of the main warehouse and proposed addition no longer encroaches into the indicated travel way. Refer to Sheet DR.A-2.1.
8. A drainage report and plan for the entirety of the site was provided in March 2009 and reviewed by staff. The report notes that drainage is to the northwest and is conveyed by an existing storm drain system to a municipal storm drain line that leaves the northwest corner of the site and ultimately outfalls into the surface drainage to the north and then to the Santa Maria River. The hydrology report notes no deficiencies with the current drainage system, and notes that the post project runoff will not substantially change from existing conditions. The area of the expansions is already paved, and new drainage inverts are shown on Sheet DR.P-1. Any specific drainage improvements that may be needed will be addressed at the engineering plan check stage.

CEQA Review

The project is exempt from CEQA pursuant to CEQA Guidelines Section 15305(a). This section notes as categorically exempt from CEQA:

"Minor lot line adjustments, side yard, and set back variances not resulting in the creation of any new parcel."

In addition to the proposed Lot Line Adjustment, the applicant has requested a Design Review Permit for the proposed expansion of the facility. That component of the project is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3), which states in part:

...CEQA applies only to projects which have the potential for causing a significant effect on the environment.

The request as conditioned is in conformity to zoning requirements, and the scope of the Planning Commission's review is focused on aesthetic considerations, with such review ensuring that significant aesthetic impacts do not result. Moreover, the applicant has clarified that truck trips associated with the Apio operations will not increase, as the use of the new expansion areas would be balanced by the cessation of use of a leased facility for the same purpose. Traffic and noise impacts relating to the Apio operations would not increase, and dust and land use compatibility issues are addressed through the

improvement of parking lots and travel ways and the relocation of the access easement and potential future driveway onto Obispo Street.

A review of the application's change to potential hazards from the use of ammonia refrigerants was prepared by Hawkins Engineering and submitted to the City on February 25, 2009 (Attachment 12). The February 2009 letter report provided additional details on Apio's cooling system, reviewed the system's safety features, and concluded that the addition would not present any significant new hazards. The applicant has noted that hazards related to use of ammonia refrigerant would decrease with the cessation of use of the leased facilities that are closer to residents of the Treasure Park subdivision and the consolidation of cooling needs in Apio's main facility to the west of the leased facility. Apio's facility has a more recent refrigeration system, which is considered state of the industry.

The removal of operations from the leased facility to the Apio facilities further to the west would also reduce operational noise, lighting intrusion, and dust generation impacts to the Treasure Park subdivision. A lighting plan is provided in the Site Plan set (Attachment 6), and proposed new lighting is to be directed downward and/or shielded to reduce lighting impacts.

Planning Commission Consideration

The Planning Commission has two separate actions to consider: the LLA and the DRP. The Commission's action on the LLA would be the consideration of a resolution recommending that the City Council approve the Lot Line Adjustment. A Resolution for the Planning Commission's consideration has been prepared for this. The City Council would be the final decision-maker for the Lot Line Adjustment.

The consideration of Design Review is under the Planning Commission's jurisdiction. Similar to other design review permit applications, the Commission's action would be by motion. Also similar to other DRP requests, the Commission may approve, conditionally approve, or continue the DRP.

Per the City's subdivision regulations (Title 17 of the City Municipal Code, included as Attachment 9), the process for considering a Lot Line Adjustment and/or lot merger is the same as the process for a parcel or tract map. A Lot Line Adjustment is also subject to the same approval criteria, which are set forth in Section 17.20.060 of the City's Subdivision Regulations. Other requirements for compliance with subdivision requirements are contained elsewhere in Title 17.

Public notice of the requested Lot Line Adjustment and Design Review Approval was published and mailed. In accordance with the Planning Commission's suggestion, the mailed notice was provided in both English and Spanish.

Staff has included draft conditions of approval for the Lot Line Adjustment, which are provided as Exhibit 1 to the draft City Council Resolution (Attachment 2 to this staff

report). Staff has separately included conditions of approval for the Design Review Permit. These are provided as Attachment 3. The Commission may wish to modify, delete, or add to one or more of these conditions of approval. These conditions of approval were identified to address standard requirements as well as the issues that were noted in review of the application as discussed above.

Alternatives to the Recommended Action

The Planning Commission may conclude that changes to the Lot Line Adjustment request or to the Design Review Permit request are required. Depending on the nature of these changes, they may be addressed as changed or additional conditions of approval, or they could be provided as direction to the applicant and a continuance of the item or a component of this item. In this alternative, the Commission should note the rationale for this conclusion, including any specific findings that cannot be made at this time.

The Planning Commission could also recommend denial of the Lot Line Adjustment request. In this event, the Commission should note any specific findings that cannot be made so that this can be conveyed to the City Council.

ATTACHMENTS:

1. Resolution PC 2009-002
2. Resolution CC 2009-___, including Exhibit 1: Conditions of Approval
3. Design Review Permit 2008-002-DRP Conditions of Approval
4. Applicant Narrative/Project Description
5. Lot Line Adjustment
6. Project Plan Set
7. Site Photos
8. Shared Parking and Access Agreement
9. Subdivision Regulations
10. 12/16/08 Staff Report
11. 12/16/08 Planning Commission Minutes
12. Letter Report from Hawkins Engineering Regarding Apio Ammonia System

AGENDA ITEM:

ATTACHMENT 1

Planning Commission Resolution

RESOLUTION PC. NO. 2009-002

A Resolution of the Planning Commission of the City of Guadalupe Recommending Approval of a Lot Line Adjustment for the Apio Expansion Project

WHEREAS, Apio Cooling Inc. (the "Applicant"), located at 4595 Main Street (Assessors Parcel Number 115-180-022, 115-180-027, 115-210-017, 115-210-022), has submitted a Lot Line Adjustment application (Planning Application 2008-002-LLA) to adjust existing property lines and utility easements; and,

WHEREAS, the Planning Commission held duly-noticed public hearings on December 16, 2008 and April 21, 2009, at which all interested persons were given the opportunity to be heard; and

WHEREAS, City staff have reviewed the tentative Lot Line Adjustment and note that it conforms as conditioned to the requirements of the City's Subdivision Regulations (Title 17 of the Guadalupe Municipal Code); and

WHEREAS, the Planning Commission has reviewed Planning Application 2008-002-LLA along with the approval criteria contained in Section 17.20.060 of the City's Subdivision Regulations; and

WHEREAS, the Planning Commission finds that the project is exempt from review of the California Environmental Quality Act pursuant to Section 15305(a) as a minor lot line adjustment;

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Guadalupe, California as follows:

The Planning Commission does hereby:

1. Recommend that the City Council conditionally approve the Lot Line Adjustment for Apio Cooling Expansion Project

UPON MOTION of Commissioner _____ seconded by Commissioner _____ the foregoing Resolution is hereby approved and adopted the 21st day of April 2009, by the following roll call vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

I, **Robert A. Mullane**, Planning Commission Secretary of the City of Guadalupe, **DO HEREBY CERTIFY** that the foregoing Resolution, being **P.C. Resolution No. 2009-002**, has been duly signed by the Planning Commission Vice Chair at a meeting of the Planning Commission, held April 21, 2009, and that same was approved and adopted.

ATTEST:

Robert A. Mullane, Planning
Commission Secretary

Carl Kraemer, Vice Chair

ATTACHMENT 2

**City Council Resolution and Exhibit 1 – Conditions of
Approval**

RESOLUTION CC. NO. 2009-__

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GUADALUPE
APPROVING A LOT LINE ADJUSTMENT FOR THE APIO COOLING FACILITIES
(PLANNING APPLICATION #2008-002-LLA)**

WHEREAS, Apio Cooling Inc. (the "Applicant") has submitted a Lot Line Adjustment application (Application #2008-002-LLA) to adjust existing property lines and utility easements, located at 4595 Main Street (Assessors Parcel Number 115-180-022, 115-180-027, 115-210-017, 115-210-022); and,

WHEREAS, the Planning Commission held duly-noticed public hearings on December 16, 2008, and April 21, 2009, at which all interested persons were given the opportunity to be heard; and

WHEREAS, the Planning Commission reviewed the request on December 16, 2008 and April 21, 2009, and recommended approval of Planning Application 2008-002-LLA as documented through the adoption of Resolution #PC 2009-002 passed on April 19, 2009; and

WHEREAS, the City Council held a duly-noticed public meeting on _____, 2009, at which all interested persons were given the opportunity to be heard; and

WHEREAS, City staff have reviewed the tentative Lot Line Adjustment and note that it conforms as conditioned to the requirements of the City's Subdivision Regulations (Title 17 of the Guadalupe Municipal Code); and

WHEREAS, the City Council has reviewed the project and staff's analysis that the project is exempt from review of the California Environmental Quality Act pursuant to Section 15305(a) as a minor lot line adjustment; and,

WHEREAS, the City Council has reviewed the project and finds that it is in conformance with the City's General Plan;

WHEREAS, the City Council has reviewed Application #2008-002-LLA along with the approval criteria contained in Section 17.20.060 of the City's Subdivision Regulations;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Guadalupe, California as follows:

The City Council does hereby:

1. Find that the project is exempt from review of the California Environmental Quality Act pursuant to Section 15305(a) as a minor lot line adjustment; and
2. Approves the tentative Lot Line Adjustment for Apio Cooling Expansion Project, subject to the conditions of approval, attached as Exhibit 1 to this Resolution.

UPON MOTION of Councilmember _____, seconded by Councilmember _____, and passed by the following vote:

AYES: _____
NOES: _____
ABSTAIN: _____
ABSENT: _____

I, **Carolyn Galloway-Cooper**, Deputy City Clerk of the City of Guadalupe, **DO HEREBY CERTIFY** that the foregoing Resolution, being **C.C. Resolution No. 2009-__**, has been duly signed by the Mayor and attested by the Deputy City Clerk, all at a meeting of the City Council, held _____ 2009, and that same was approved and adopted.

ATTEST:

C. Galloway-Cooper

Lupe Alvarez - Mayor

EXHIBIT 1 TO RESOLUTION #CC 2009-____
CONDITIONS OF APPROVAL (Application # 2008-002-LLA)

GENERAL CONDITIONS

1. The Project is approved in Exhibit A "Lot Line Adjustment Exhibit", prepared by Fargen Surveys Inc.; Santa Maria, California; dated April 8, 2009, as conditioned or modified below.
2. Approval of this Lot Line Adjustment is subject to the signed agreement of the property owner or authorized agent to the terms and Conditions of Approval.
3. Developer shall defend, indemnify and hold harmless the City or its agents, officers and employees from any claim, action or proceeding against the City or its agents, officers or employees, to attack, set aside, void, or annul, in whole or in part the City's approval of this Lot Line Adjustment. In the event that the City fails promptly to notify the applicant of any such claim, action or proceeding, or that the City fails to cooperate fully in the defense of said claim, this condition shall thereafter be of no further force or effect.
4. In the event that any condition imposing a fee, exaction, dedication or other mitigation measure is challenged by the project sponsors in an action filed in a court of law or threaten to be filed therein which action is brought within the time period provided for by law, this approval shall be suspended pending dismissal of such action, the expiration of the limitation period applicable to such action, or final resolution of such action. If any condition is invalidated by a court of law, the entire project shall be reviewed by the City and substitute conditions may be imposed.
5. Prior to filing a Record of Survey or other documents used to record the LLA, the applicant shall pay all applicable permit processing fees in full.
6. LLA # 2008-002-LLA shall expire 24 months after approval or conditional approval by the final decision-maker unless otherwise provided in the Subdivision Map Act, Government Code §66452.6.

CITY ENGINEER CONDITIONS

7. A notice of the LLA shall be recorded with the deed of each property to be adjusted. Said notice shall include the following:
 - Legal description for each adjusted parcel; and
 - Statement of the finding and conditions approving the LLA
8. The following language shall be included on the deeds arising from the LLA:
This deed arises from the LLA # 2008-002-LLA and defines a single parcel within the meaning of California Civil Code §1093. Any document used to record the LLA shall include a statement that the document arises from a LLA that is intended to identify two legal parcels.

9. A City "Water Line Easement" Deed for operation, repair and maintenance of existing and future water system improvements shall be prepared to encompass all original or proposed parcels and/or lots of the final lot line adjustment approved by the City Council. The Deed shall be an Irrevocable Offer of a Water Line Easement to the City of Guadalupe for acceptance by the City Council by resolution and said Easement Deed shall be recorded by the City Clerk in the County of Santa Barbara.
10. Two copies of the Record of Survey or other documents used to record the LLA and required review fees in effect at the time shall be submitted to the City Engineer's for compliance review of deeds and exhibits of each property to be adjusted for approval.
11. California title company shall prepare the deeds for recordation and property owner or agent shall provide the title company with a copy of approved statement of findings and conditions approving the LLA.
12. Trust deed modification or partial reconveyance is required to modifying any trust deeds applicable to all parcels of the approved LLA. Evidence of this modification must be submitted to the City Engineer prior to completion/recordation of the LLA.
13. Evidence of property tax payment for all parcels involved in the LLA to the Santa Barbara County Treasurer and Tax Collector must be submitted to the City Engineer prior to completion/recordation of the LLA.
14. Ingress and egress from Obispo Street to the proposed relocated 40 foot wide private access easement and P.U.E shall require approval from Planning Commission and an approved encroachment permit from the Public Works Department prior to commercial driveway construction.

BUILDING DEPARTMENT CONDITIONS

15. The proposed lot line between Parcels 1 and 3 places the loading dock and the below grade loading dock ramp and associated approach on separate parcels. This same proposed adjusted parcel line does not provide the required building setback from the 3,600-sf modular building as required in the Building Code. To address these concerns, a) reciprocal access shall be ensured by the recording of an access agreement ensuring access to and use of the loading bay ramp, and b) a no-build easement to provide the required building for the modular building shall be recorded. Both the agreement and the easement shall be reviewed and approved by the City Attorney and City Building Official prior to recordation, and the timing of this requirement is prior to final approval of the Lot Line Adjustment. In addition, should the access agreement be rescinded or canceled, within 30 days of the cancelation, the the applicant would have to produce a suitable replacement to be reviewed by the City Attorney, or the applicant shall remove/demolish the loading bay ramp.

PUBLIC WORKS DEPARTMENT CONDITIONS

16. The LLA exhibit shows an easement for the City's water line. An irrevocable offer to the City for this easement shall be submitted to the City for review and approval prior to final approval of the LLA.

Applicant's Consent to Abide by the above Conditions of Approval

Signature

Date

Printed Name, Title

ATTACHMENT 3

**Design Review Permit (Planning Application #2008-002-DRP)
Conditions of Approval**

ATTACHMENT 3

Design Review Permit (Planning Application #2008-002-DRP) Conditions of Approval

GENERAL CONDITIONS

1. The approved project is as shown in the Plan Set dated April 15, 2009, and involves three parcels: Parcel 1 (APN 115-180-022), Parcel 2 (APN 115-180-027) and Parcel 3 (APNs 115-210-017 and 115-210-022). The project involves the construction of three additions to Apio Cooling, Inc. facilities: a 39,100-sf expansion for cold storage warehousing, a 10,406-sf expansion for a covered loading dock, and an approximately 7,374-sf ramp approach to this loading dock. The project also involves approximately 20,000 cubic yards of grading for over-excavation and re-compaction of new building areas, other grading and drainage improvements, the construction and/or designation of additional parking spaces to provide a total of no less than 403 off-street spaces, and approximately 4,988 sf of additional landscaping. Approval of this Design Review Permit is not valid until the property owner or authorized agent signs this list of conditions agreeing to the terms and Conditions of Approval.
2. The Applicant agrees, as a condition of approval of this resolution, to indemnify, defend and hold harmless, at Applicant's expense, City and City's agents, officers, and employees from and against any claim, action or proceeding to attack, review, set aside, void or annul the approval of this permit or to determine the reasonableness, legality or validity of any condition attached hereto. City shall promptly notify Applicant of any such claim, action or proceeding to which City receives notice, and City will cooperate fully with Applicant in the defense thereof. Applicant shall reimburse the City for any court costs and attorney's fees that the City may be required to pay as a result of any such claim, action or proceeding. City may, in its sole discretion, participate in the defense of any such claim, action or proceeding, but such participation shall relieve Applicant of the obligation of this condition. Applicant's acceptance of this permit approval or commencement of construction or operations under the approval shall be deemed to be acceptance of all conditions of approval.
3. In the event that any condition imposing a fee, exaction, dedication or other mitigation measure is challenged by the project sponsors in an action filed in a court of law or threaten to be filed therein which action is brought within the time period provided for by law, this approval shall be suspended pending dismissal of such action, the expiration of the limitation period applicable to such action, or final resolution of such action. If any condition is invalidated by a court of law, the entire project shall be reviewed by the City and substitute conditions may be imposed.
4. In accordance with Section 18.73.120 of the City Municipal Code, this Design Review Permit approval shall expire two (2) years from the date of approval, unless a building permit for the proposed improvements has been obtained, or an extension has been granted as provided for in Section 18.73.120.

PLANNING DEPARTMENT CONDITIONS

5. All proposed parking shall be on paved, graveled, or otherwise suitable surface to maintain a dust-free and mud free surface. All striping for parking lots and travel ways shall be maintained to clearly demark such striping and travel ways.
6. An existing 40-foot wide private access easement and public utility easement on APN 115-210-022 is proposed to be relocated as shown on the site plans. The proposed relocation for this easement shall be offered by the applicant and accepted by the easement holder(s) prior to Zoning Clearance.
7. Should the Main Street/Highway 166 access to the Apio facilities be restricted or eliminated in the future, the City may require the applicant to provide an additional access to and egress from the property from Obispo Street. The determination on whether an additional access and egress point needs to be provided shall be made by the Planning Commission at a duly noticed public hearing. The location of this additional access shall coincide with the proposed relocated private access and drainage easement. The applicant shall obtain a City encroachment permit and construct the additional access/egress within 60 days of any restriction of the Highway 166 access. Any deviation from this requirement shall be subject to Planning Commission approval.
8. Final landscape plans shall be prepared by the applicant and submitted to the City Planning Department prior to Zoning Clearance. Final landscape plans shall include species, number, and size of all proposed plantings. Landscape plans shall also include specifications on proposed irrigation. Planning or Building Department staff shall review installation of proposed landscaping prior to certificate of occupancy.
9. All existing and proposed landscaping shall be maintained and kept in a neat appearance for the life of the project in accordance with Zoning Code requirements. Any deficiencies or maintenance issues noted by City staff shall be promptly addressed.

BUILDING DEPARTMENT CONDITIONS

10. The proposed lot line between Parcels 1 and 3 places the loading dock and the below grade loading dock ramp and associated approach on separate parcels. This same proposed adjusted parcel line does not provide the required building setback from the 3,600-sf modular building as required in the Building Code. To address these concerns, a) reciprocal access shall be ensured by the recording of an access agreement ensuring access to and use of the loading bay ramp, and b) a no-build easement to provide the required building for the modular building shall be recorded. Both the agreement and the easement shall be reviewed and approved by the City Attorney and City Building Official prior to recordation, and the timing of this requirement is prior to final approval of the Lot Line Adjustment. In addition, should the access agreement be rescinded or canceled, within 30 days of the cancelation, the the applicant would have to produce a suitable replacement to be reviewed by the City Attorney, or the applicant shall remove/demolish the loading bay ramp.

FIRE DEPARTMENT CONDITIONS

11. The location of all hydrants and size of water lines serving fire suppression facilities shall be reviewed and approved by the Fire Department prior to Building Permit issuance. All facilities as

- approved shall be shown on final construction plans and verified by Fire Department or Building Department staff.
12. The interior fencing running diagonally across portions of Parcel 1 (APN 115-180-022) shall be reviewed by the Fire Department and City Engineer and removed or reconfigured if deemed necessary by City staff. This condition shall be met prior to issuance of building permits.
 13. Prior to issuance of a building permit, the applicant shall propose measures to be implemented to enhance protection of fire hydrants to the satisfaction of the fire chief. Such measures may include either relocation of fire hydrants with a history of truck damage incidents, or sufficient other protection such as appropriately designed bollards. Such measures should be installed and reviewed by Fire Department staff prior to occupancy.
 14. Prior to issuance of a building permit, the following conditions shall be met by the applicant:
 - a. Apio shall provide, at no cost to the City, a minimum of two (2) hand-held ammonia gas detection monitors. The specific make and model of monitoring device will be determined through meetings with designated representatives of Apio and the Fire Department. Training in the use and maintenance of the monitors shall be included in the purchase cost.
 - b. Apio shall provide, at no cost to the City, calibration and/or certification of the hand-held monitoring devices in accordance with the device manufacturer's specifications for a period of five (5) years. The five-year period will commence upon receipt and acceptance of the monitors by the City.
 - c. Apio shall provide, at no cost to the City, training on the basic properties and safe handling of ammonia. The specific training provider and course content shall be determined through meetings with designated representatives of Apio and the Fire Department.
 - d. Apio shall provide funding to the City in an amount not to exceed one thousand dollars (\$1,000.00) to provide community education related to ammonia emergencies. The community education may be in the form of community workshops, mailers in utility bills, or other available means to ensure that the community members are made aware of the appropriate actions they need to take in the event of an ammonia release from the Apio facilities.

PUBLIC WORKS DEPARTMENT CONDITIONS

15. City staff shall review and approve Apio's offer to dedication an easement for the City water line and facilities prior to Zoning Clearance. This offer shall be recorded prior to or concurrent with the recordation of the final Lot Line Adjustment.
16. The unimproved roadway bordering the site along Fourth Street shall be paved and improved to reduce dust generation and mud tracking along Fourth Street prior to occupancy clearance. Specific improvements shall be reviewed and approved by Public Works and City Engineering staff.
17. Pallets and tote bins shall be removed from the proposed overflow parking lot on Parcel 2 (APN 115-180-027), and this area kept clear of such storage. Storage elsewhere on the site shall not result in security issues where persons can gain access over fences into otherwise secured areas.
18. Monterey Cypress shall not be used for proposed landscaping due to invasive rooting characteristics, and a suitable replacement shrub or tree shall be substituted for existing Monterey

Cypress trees. Glossy Abelia or Ceanothus would be suitable substitutes. This change shall be reflected on final landscape plans and reviewed by Public Works staff and Planning staff prior to Zoning Clearance.

19. Broken meter boxes shall be replaced by the applicant and maintained in good condition once replaced. This condition shall be met prior to occupancy clearance.

CITY ENGINEER CONDITIONS

20. Final drainage plans shall be prepared and submitted to the City permit technician by the applicant. The location and design of all drainage facilities including storm drain inlets, storm drainpipe, and catch basins shall be reviewed and approved by the City Engineer prior to Building Permit issuance. Specific requirements are noted in a December 8, 2008 memo from RM Associates.
21. Plans for the water system shall be prepared and submitted to the City permit technician by the applicant. The location and design of all water facilities including proposed water mains, water lines, fire hydrants, and gate valves shall be reviewed and approved by the City Engineer and Public Works staff prior to Building permit issuance. Specific requirements are noted in a December 8, 2008 memo from RM Associates.

Applicant's Consent to Abide by the above Conditions of Approval

Signature

Date

Printed Name, Title

ATTACHMENT 4

Applicant Narrative/Project Description

Revised 02/16/09

**APIO FACILITY ADDITION AND LOT LINE ADJUSTMENT
PROJECT DESCRIPTION**

Request: A request of Apio, Inc, for approval of a structural addition to its existing 155,233 sf manufacturing facility to increase cold storage capacity area. The increase in cold storage floor area would not result in an increase in production or use. The purpose of the addition is to move the existing storage operations which are contracted at the Obispo Street Cooler, to the Apio facility so that operations will be in one facility. The proposed project represents a 32% increase in total square footage of structural development located on the property and an increase of 6.3% of total building coverage on the property from 20% to 26.3%. The project is located on four parcels totaling 17.2 acres and zoned G-I, General Industrial.

Development Plan: The proposed addition will consist of a 39,100 sf metal framed structure with slab on grade floor connected to the existing warehouse structure. The addition will be utilized in two phases with the 1st phase totaling approximately 19,550 sf of floor area for operations. A temporary interior wall will be installed to seal off the outer 19,550 sf from operations. The 2nd phase will be added as needed and would consist of removing the temporary interior wall.

A 10,406 sf covered receiving dock is also proposed which would be constructed on the east side of the facility. The receiving dock will be used to replace a portable unit in order to internalize the unloading procedure. All cooling units and mechanical equipment would be located indoors to minimize impacts to surrounding neighborhoods.

Traffic: The proposed project would not result in an increase of vehicular traffic or circulation patterns.

Table 1 - Traffic Volumes – Shipping (Processed Vegetables)

	Inbound		Outbound		Total Avg. Trips/Day
	East	West	East	West	
Long Haulers (55 ft. trucks)	74	3	74	3	154

All shipping trucks enter and leave the facility via the existing driveway access on Highway 166. No changes to the circulation or numbers of shipping trucks are proposed with this project.

RECEIVED

FEB 25 2009

City of Guadalupe
Planning Dept.

Table 2 – Traffic Volumes – Receiving (Field Vegetables)

	Hwy 166 (Inbound)		Hwy 166 (Outbound)		Obispo St. South (Outbound)		Obispo St. North (Outbound)	Total Avg. Trips/Day
	East	West	East	West	East	West		
Field Trucks	34	14			26		22	96
Long Haul	6	25	3	2	24	2		62
Other	10	6	10	6				32
TOTAL	50	45	13	8	50	2	22	190

Total traffic volume existing onsite is approximately 344 ADTs spread over two shifts (12 hours). No increase in truck traffic is proposed as no increase in the intensity of use is anticipated. Obispo Street receives only outbound traffic.

Parking: The project proposes increasing the amount of parking on site from 296 existing spaces to 403 spaces, a 36% increase. The largest shift currently consists of 330 employees and the second shift 230 employees. Pursuant to §18.60.080 of the City Zoning Ordinance, the minimum number of spaces is determined by the number of employees of the most populated shift which would be 330. No increase in staffing is anticipated as a result of this proposed addition. The facility also provides for nine handicapped parking spaces IAW with state regulations.

Access: The project will take access from an existing 36 foot wide access drive off of Highway 166, an existing and improved State maintained road. Additional access is afforded from Fourth Street and onto Obispo Street from an existing 36 foot wide access drive. No changes are proposed in the circulation pattern. All shipping truck traffic will continue to utilize the access drive onto Highway 166. All receiving field truck traffic will continue to enter via the existing access drive on Highway 166 and leave the facility onto Obispo Street via Fourth Street.

Grading/Drainage: The site is an existing industrial facility. The project will generate approximately 20,000 cy of material balanced onsite to prepare the pad for the proposed addition. The site currently drains into the City's stormwater drainage system. No changes to the drainage patterns would result from the project. No increase in the amount of impermeable surfaces would result from this project so no new increase in the amount of storm water runoff is anticipated.

Landscaping: The site currently maintains a 9,246 sf landscaped buffer along Obispo Street. All existing landscaping is proposed to remain. An additional 4,988 sf of landscaping is proposed to enhance perimeter screening along Obispo Street providing at total of 14,234 sf of landscaping along the perimeter. Due to the industrial nature of the site the applicant requests a modification of the existing 10% landscaping cover requirement of the city down to 3.6%. In order to screen lighting, slats are proposed to be inserted into the existing perimeter chain link fencing along Obispo Street and the City owned property line to the south of the new water tank.

Lighting: The site currently maintains security lighting on the structures and 26 downward cast fixed light poles on the property (12 of which are in the parking areas). Lights in the parking area are proposed to be shielded to minimize spill over. The project proposes no changes in the number of existing lights or their lighting patterns and will not result in an increased ambient

lighting intensity. No new wall lighting is proposed with this project as the current lights will be removed during construction of the addition and reinstalled on the new exterior wall.

Temporary portable lighting is currently onsite in order to replace the temporary loss of parking lights as a result of permitted grading activities. These lights are necessary for safety to provide lighting for operations until 10:3000PM. The lights will be removed once the parking lights are reinstalled after construction activities cease.

Public Services: The proposed facility is currently supplied by City water. The facility currently utilizes approximately 155.7 AFY of water. No increase in water usage is anticipated with this project. Domestic and operational waste water will continue to be disposed of via the existing City sanitary sewer system.

Hazardous Materials/Risk of Upset: The existing facility utilizes a refrigeration system consisting of a centralized Refrigeration Machinery Room (RMR) utilizing anhydrous ammonia as the refrigerant. It was designed and constructed in 2006 as part of an expansion and major system upgrade that replaced an older Refrigeration Machinery Room. The new RMR houses all of the refrigeration compressors, the main liquid receiver, and 3 suction accumulators. Adjacent to it are the evaporative condensers. This central system is interconnected via a steel piping network to all of the cooling and freezing equipment (evaporators) including refrigerated building air cooling units, process water chillers, vacuum cooling units and icemakers.

The system was designed to accommodate the existing facility plus an additional 58,500 sf of refrigerated space. The design charge of the system is 4,800 gallons of ammonia. The existing facility's calculated charge is 4,280 gallons of ammonia. The proposed addition would require an additional 80 gallons bringing the total to 4,360 gallons. The design capacity can support the existing plus proposed project capacity. No additional piping or design changes are necessary in order to serve the proposed addition.

The system was designed and built according to State Code and submitted to and approved by the Santa Barbara County Fire Department. The system also includes a 30,000 gallon water filled diffusion tank connected to all of the automatic overpressure relief valves sufficient to diffuse and contain the entire 4,800 gallons charge of ammonia in the event of an overpressure accident.

The facilities currently being used maintains noise generating equipment approximately 150 feet from the residential neighborhoods to the east. The proposed addition would result in all refrigeration condensers and noise generation equipment necessary for the cooling operation to be installed internally into the structure. The structure would also result in relocating baseline noise emitters over 450 feet away from sensitive receptors to the east resulting in less than significant impacts.

Noise generation from trucks is not anticipated to increase as there will be no increase in the number of trucks visiting the site or their circulation patterns. Increased landscaping and slats installed in the existing fence will contribute to lessening existing ambient noise levels off the property.

Lot Line Adjustment: A lot line adjustment to adjust the boundaries of APNs 115-180-022 (Parcel 1) and 115-210-017 (Parcel 3) is proposed to ensure no structures cross lot lines. APN 115-210-022 (Parcel 4) is proposed to be merged into Parcel 3. The lot line adjustment would result in a net area of approximately 42,282.5 sf being removed from Parcel 1.

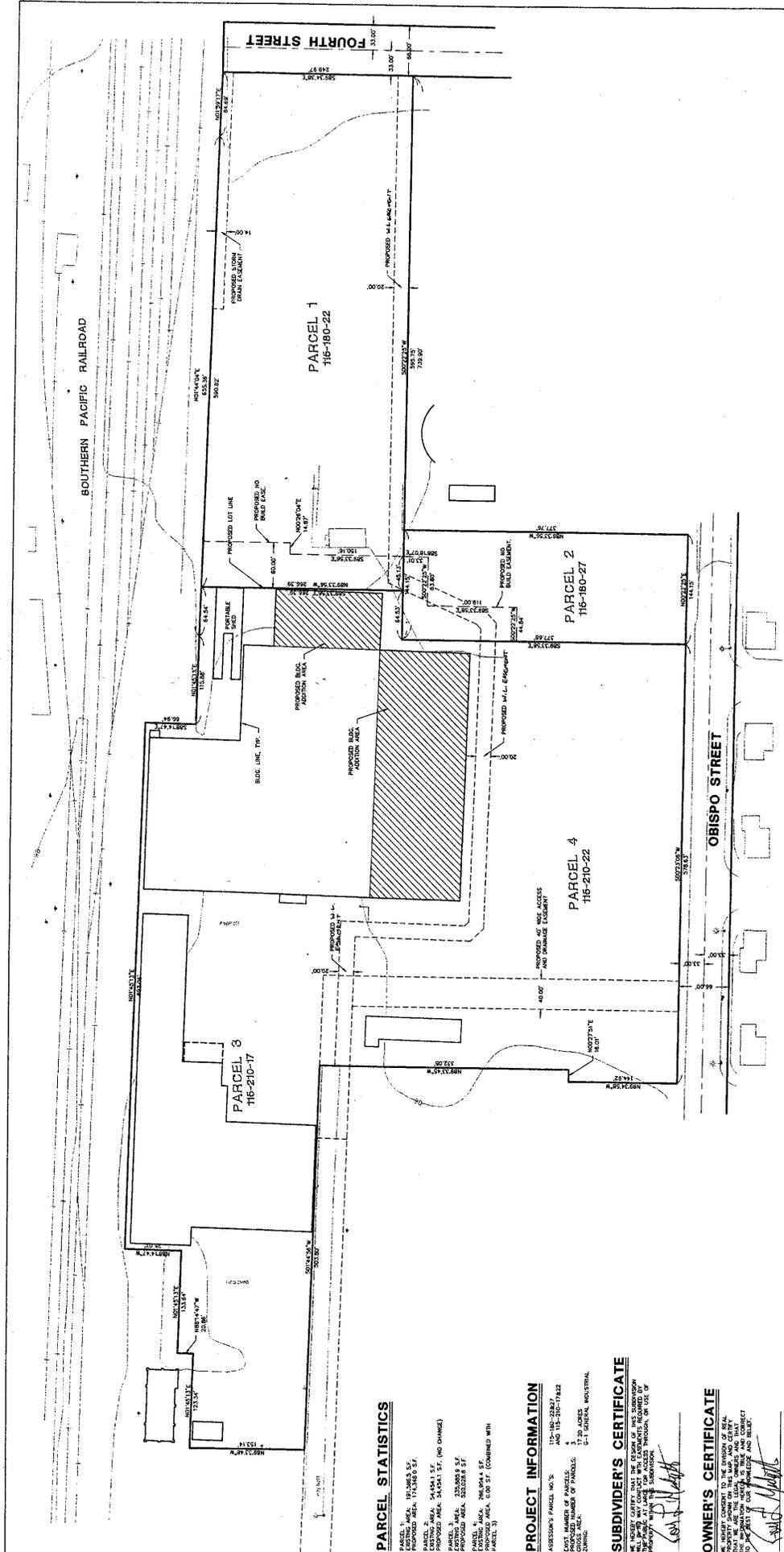
Table 1 – Lot Line Adjustment Statistics

Parcel	Existing Acreage (sf)	Proposed Acreage (sf)
Parcel 1 (115-180-022)	191,586.5	149,304.0
Parcel 2 (115-180-027)	54,454.1	54,454.1
Parcel 3 (115-210-017)	235,885.9	545,072.8
Parcel 4 (115-210-022)	266,904.4	0 (Merged into Parcel 3)

The proposed loading dock would result in approximately 50 linear feet of a retaining wall encroaching the adjusted boundary line. A reciprocal access easement will be required to accommodate the structure. Reciprocal parking and access easements will also be necessary to allow for vehicular circulation between the adjusted parcels.

ATTACHMENT 5

Lot Line Adjustment Exhibit



LOT LINE ADJUSTMENT EXHIBIT
 PROPOSED LOT LINE CORRECTION
FARGEN SURVEYS INC.
 2420 PROFESSIONAL PARKWAY, SUITE 210
 SANTA MARIA, CALIFORNIA 93455
 FAX: 805-934-3448
 DATE: APRIL 8, 2009

SURVEYORS STATEMENT
 I HEREBY STATE THAT THIS MAP CORRECTLY REPRESENTS A LOT LINE ADJUSTMENT UNDER THE PROVISIONS OF THE SURVEYORS ACT AND THAT SAID SURVEY CORRECTLY SHOWS THE PROPOSED LOT LINE CORRECTION. THE CONTOURS ARE COMPUTER GENERATED.
 KENNY L. FARGEN, LICENSE NO. 41809, DATE 9-30-09
 LICENSE EXPIRATION DATE 9-30-09



CITY ENGINEERS STATEMENT
 I HEREBY STATE THAT THIS MAP COMPLETES WITH SECTION 0705.3 OF THE SURVEYORS ACT AND THAT SAID SURVEY CORRECTLY SHOWS THE PROPOSED LOT LINE CORRECTION. THE CONTOURS ARE COMPUTER GENERATED.
 CITY ENGINEER: _____ DATE: _____
 REGISTRATION EXPIRATION DATE: _____



PARCEL STATISTICS
 PARCEL 1: 116-180-22
 EXISTING AREA: 191,265.5 SF
 PROPOSED AREA: 174,380 SF
 PARCEL 2: 116-180-27
 EXISTING AREA: 54,454.1 SF
 PROPOSED AREA: 54,454.1 SF (NO CHANGE)
 PARCEL 3: 116-210-17
 EXISTING AREA: 232,008.9 SF
 PROPOSED AREA: 232,008.9 SF
 PARCEL 4: 116-210-22
 EXISTING AREA: 286,044 SF
 PROPOSED AREA: 286,044 SF (CORRECTED WITH PARCEL 3)

PROJECT INFORMATION
 ASSESSOR'S PARCEL NO'S: 110-180-28427 AND 115-210-17822
 DISTRICT: 5
 ZONING: D-1 GENERAL INDUSTRIAL

SUBDIVIDER'S CERTIFICATE
 I, THE SUBDIVIDER, HEREBY CERTIFY THAT THE INFORMATION CONTAINED ON THIS MAP WAS OBTAINED FROM A REASONABLE SOURCE AND THAT THE INFORMATION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

OWNER'S CERTIFICATE
 I, THE OWNER, HEREBY CERTIFY THAT THE INFORMATION CONTAINED ON THIS MAP WAS OBTAINED FROM A REASONABLE SOURCE AND THAT THE INFORMATION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

OWNER
 ANDREW W. CALDWELL PARTNERSHIP
 2420 PROFESSIONAL PARKWAY, SUITE 210
 SANTA MARIA, CALIFORNIA 93455
 GALLUPPE, CA 94344

NOTE
 FOR MORE INFORMATION, PLEASE CONTACT THE SURVEYOR AT THE ADDRESS LISTED ABOVE. THIS MAP IS A PRELIMINARY MAP AND DOES NOT REPRESENT A FINAL SURVEY. THE INFORMATION IS FOR INFORMATIONAL PURPOSES ONLY AND SHOULD NOT BE USED FOR ANY OTHER PURPOSES WITHOUT THE WRITTEN CONSENT OF FARGEN SURVEYS INC.

ATTACHMENT 6

Project Plan Set



RA
RAVATI ABBEY III
AGRICULTURAL BUSINESS CENTER
SANTA ANA, CALIFORNIA

PROJECT
APPO Canning Expansion
4000 West Main Street
Camarillo, CA 93004

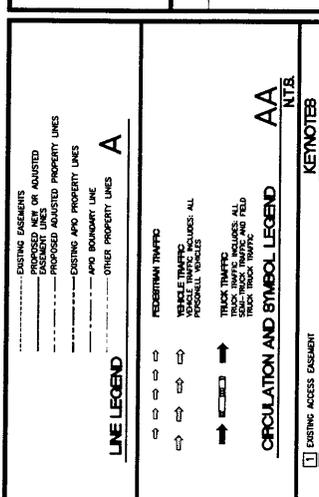
REVISIONS
28 JULY 2008 PLANNING RESUBMITTAL

SHEET TITLE
PROPOSED CIRCULATION PLAN
PLANNING RESUBMITTAL 6/19/2008
PLANNING RESUBMITTAL 12/09/2008
PLANNING RESUBMITTAL 02/25/2009
BUILDING RESUBMITTAL 3/12/2009
PLANNING RESUBMITTAL Memo#7 04/02/09

DATE: 05/26/2008
DESIGNED BY: [Name]
CHECKED BY: [Name]
DRAWN BY: [Name]

SCALE: 1"=60'
DESIGNED BY: [Name]
CHECKED BY: [Name]
DRAWN BY: [Name]

DATE: 04/13/2009
DESIGNED BY: [Name]
CHECKED BY: [Name]
DRAWN BY: [Name]



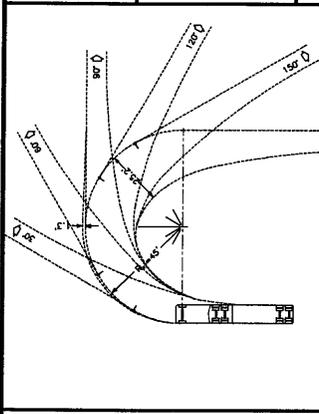
LINE LEGEND

- EXISTING EASEMENTS
- PROPOSED ADJUSTED PROPERTY LINES
- EXISTING APPO PROPERTY LINES
- APPO BOUNDARY LINE
- OTHER PROPERTY LINES

AA N.T.B.

KEYNOTES

- EXISTING ACCESS EASEMENT
- SEMI-TRUCK TURNING RADIUS SEE DETAIL "B" THIS SHEET
- PARKING SPACE LOT LAYOUT SEE DETAILS 24, 33, AND 34
- ACCESSIBLE PARKING LAYOUT SEE DETAIL 4/09A-3.3 (9 ACC SPACES TO BE PROVIDED)
- SEE HYDRAULIC TO BE LOCATED AS APPROVED BY CITY OF CAMARILLO PER CITY
- BOLLARDS TO BE PLACED PER CITY OF CAMARILLO STANDARDS
- ALL OF ALL THE HYDRAULIC(S) TO BE INSTALLED TO MEET CITY OF CAMARILLO'S FIRE CHIEF REQUIREMENTS



SEMI-TRUCK WITH TRAILER TURNING RADIUS
50'-0" Wheelbase N.T.B.

Table 1 - Traffic Volumes - Shipping (Processed Vegetables)

Direction	Hwy 166 (Inbound)		Obispo St. (Outbound)		Total Avg. Trips/Day
	East	West	East	West	
Long Hauls (95% Trucks)	74	3	74	3	154

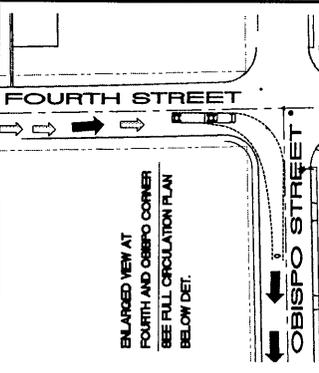
All shipping trucks enter and leave the facility via the existing driveway access on Highway 166. No changes to the circulation or numbers of shipping trucks are proposed with this project.

Table 2 - Traffic Volumes - Receiving (Field Vegetables)

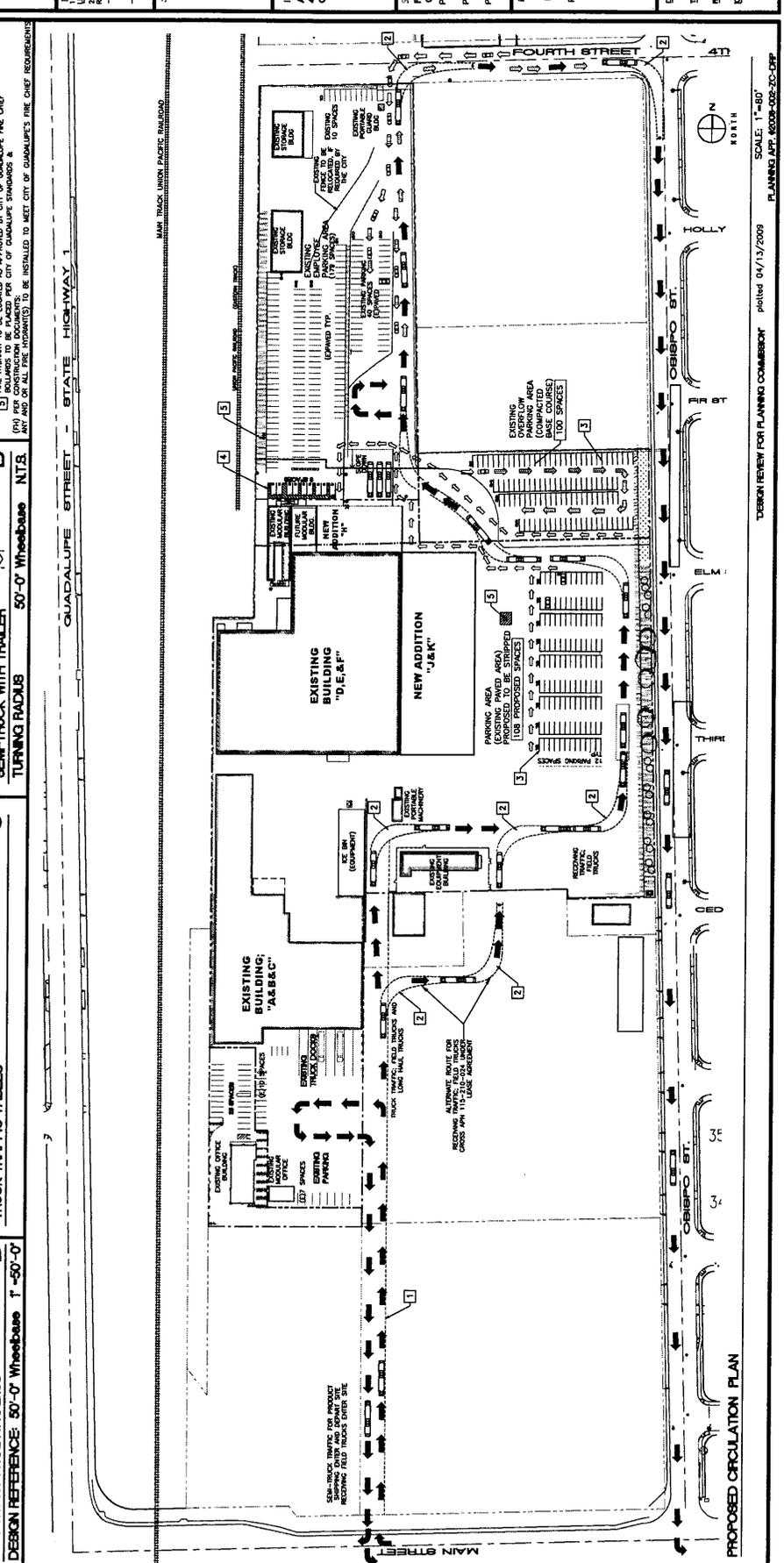
Field Trucks	Hwy 166 (Inbound)		Obispo St. (Outbound)		Total Avg. Trips/Day
	East	West	East	West	
Field Trucks	34	14	26	22	96
Long Haul	6	25	3	24	62
TOTAL	40	39	29	46	158

Total traffic volume existing onsite is approximately 344 ADTs spread over two shifts (12 hours). No increase in truck traffic is proposed as no increase in the intensity of use is proposed. Consideration of truck traffic is for inbound and outbound traffic.

TRUCK TRAFFIC TABLES



ENLARGED VIEW AT FOURTH AND OBISPO CORNER
SEE FULL CIRCULATION PLAN BELOW DET.



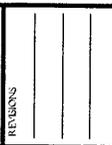
PROPOSED CIRCULATION PLAN

SCALE: 1"=60'
DESIGNED BY: [Name]
CHECKED BY: [Name]
DRAWN BY: [Name]



ARCHITECT/ENGINEER
 MICHAEL J. RICHARDS
 1500 CALIFORNIA STREET
 SUITE 100
 RIVERSIDE, CALIFORNIA 92507
 (951) 514-1100
 WWW.RA-ARCHITECTS.COM

REVISIONS



PROJECT
 Auto Cooling Expansion
 18600 OFF-STREET PARKING AND LOADING
 QUANTROPA, CA 92584

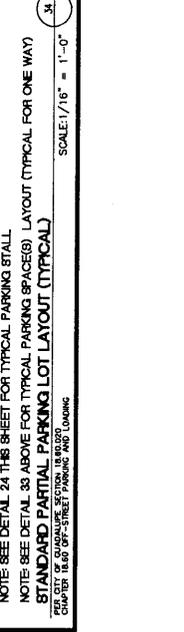
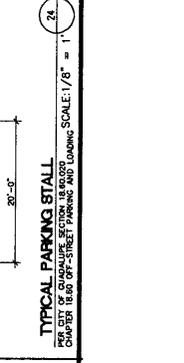
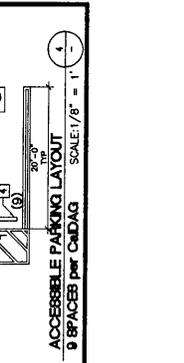
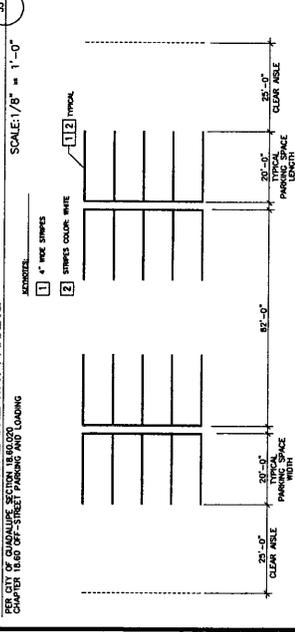
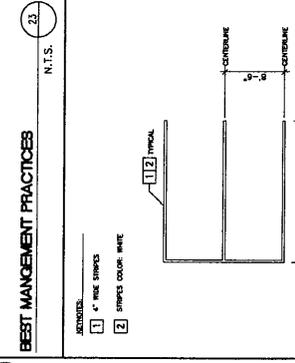
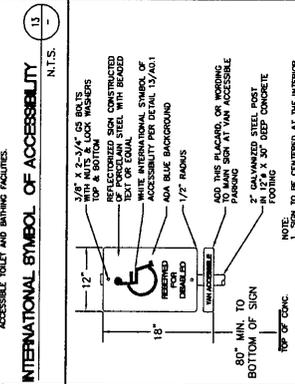
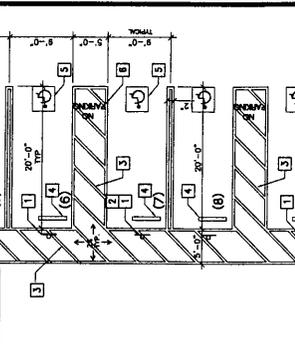
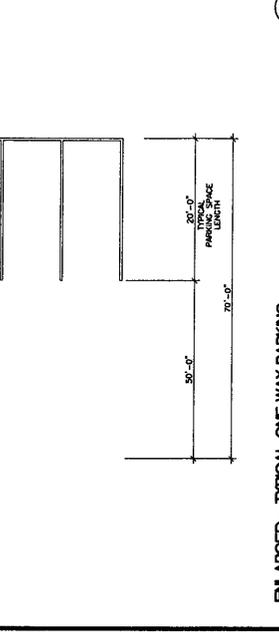
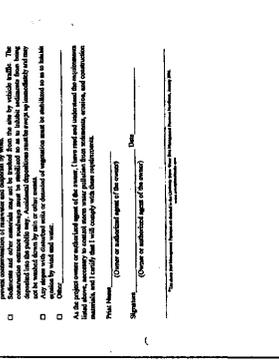
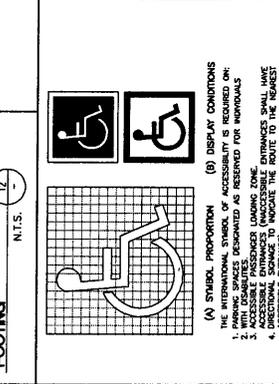
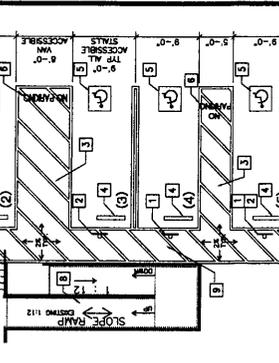
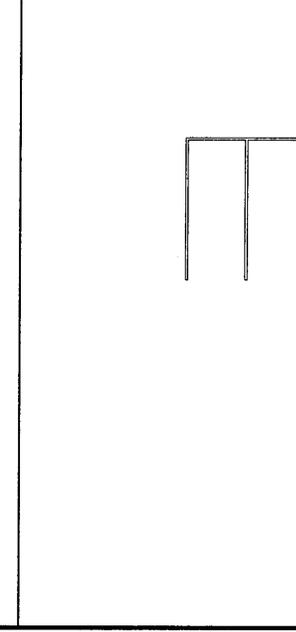
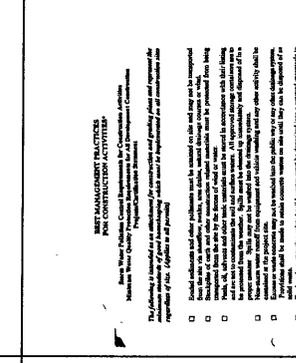
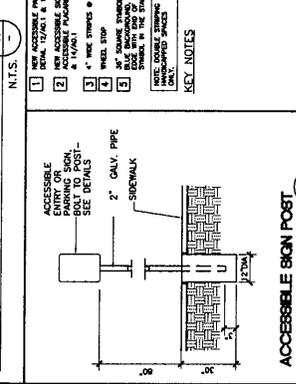
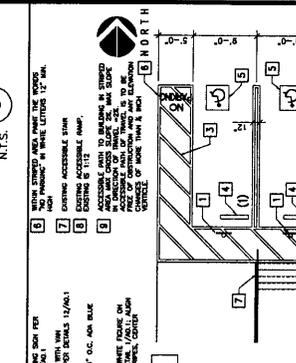
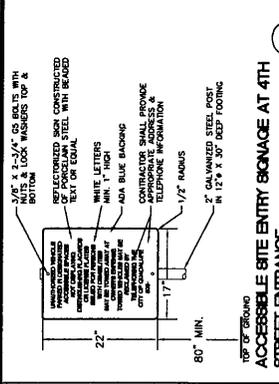
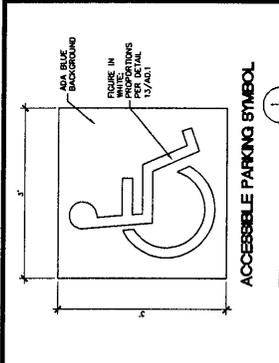
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 DESIGN SITE DETAILS
 PLANNING RESUBMITTAL
 7/16/2008
 PLANNING RESUBMITTAL
 12/03/2008
 PLANNING RESUBMITTAL
 12/06/2008
 PLANNING RESUBMITTAL
 02/05/2009
 PLANNING RESUBMITTAL
 Memo#7_04/02/09

DATE: 04/29/2008
 DESIGNER: J.W. JAC
 ENGINEER: JACOB
 PROJECT MANAGER: JACOB

DATE: 04/29/2008
 DESIGNER: J.W. JAC
 ENGINEER: JACOB
 PROJECT MANAGER: JACOB

DATE: 04/29/2008
 DESIGNER: J.W. JAC
 ENGINEER: JACOB
 PROJECT MANAGER: JACOB

DATE: 04/29/2008
 DESIGNER: J.W. JAC
 ENGINEER: JACOB
 PROJECT MANAGER: JACOB





RAAYAN ARCHITECTS & ASSOCIATES INC.
 1000 WEST 10TH AVENUE, SUITE 100
 DENVER, CO 80202
 TEL: 303.733.1111
 FAX: 303.733.1112
 WWW.RAAYANARCHITECTS.COM

OWNER: CHRYSLER FINANCIAL GROUP
 PROJECT: APPO Cooling Expansion
 4800 West Main Street
 Commerce, CA 90045



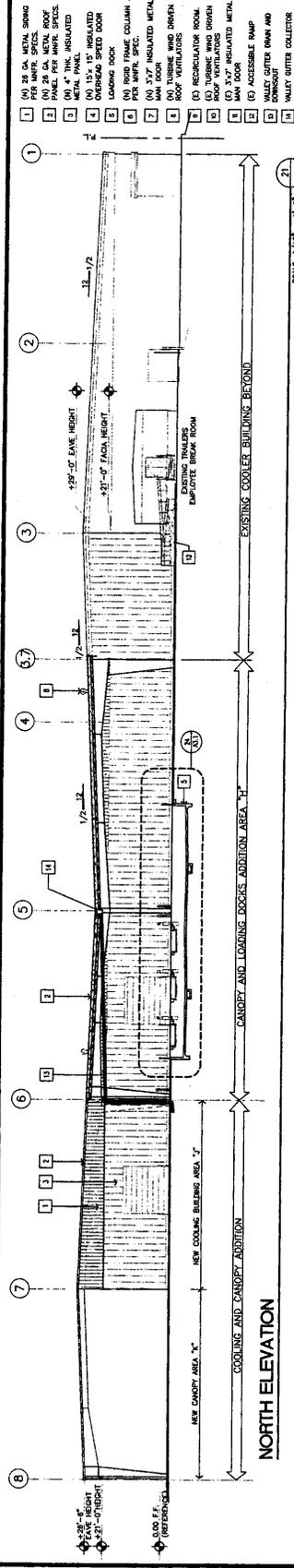
PROJECT: APPO Cooling Expansion
 4800 West Main Street
 Commerce, CA 90045

SHEET TITLE: EXTERIOR ELEVATIONS
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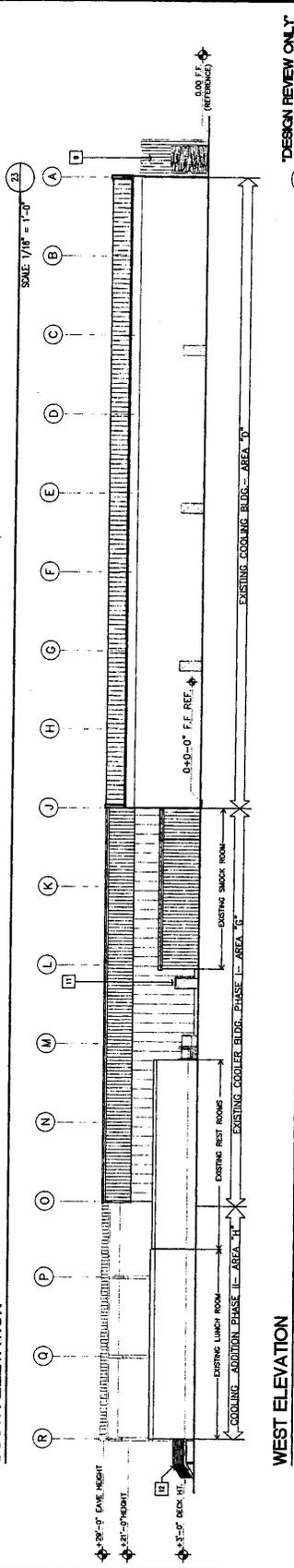
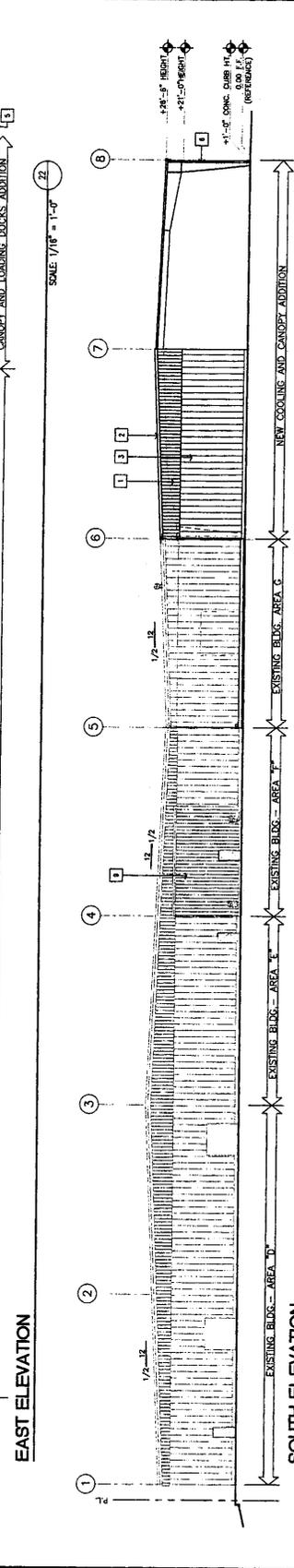
DATE: 02/24/2009
 DRAWN BY: HUNSMAN, J.C.
 CHECKED BY: [Blank]
 PROJECT NO.: [Blank]

DESIGN REVIEW ONLY
 DRAWING NO.: DRA-4
 PROJECT NO.: 02008-002-20-00P



NOTES

- 1 (1) 1/2" DIA. METAL SHINGLES PER WIRE SPEC.
- 2 (2) 24 GA. METAL ROOF PANEL PER WIRE SPEC.
- 3 (3) 1/2" DIA. METAL SHINGLES PER WIRE SPEC.
- 4 (4) 15" x 15" INSULATED OVERHEAD SPEED DOOR
- 5 (5) LOADING DOCK
- 6 (6) 3" x 3" INSULATED METAL MAN DOOR
- 7 (7) 3" x 3" INSULATED METAL ROOF VENTILATORS
- 8 (8) RECIRCULATION ROOM
- 9 (9) TURBINE WIND DRIVEN ROOF VENTILATORS
- 10 (10) 1/2" DIA. METAL MAN DOOR
- 11 (11) ACCESSIBLE RAMP
- 12 (12) VALET GATEWAY RAMP AND CONDUIT
- 13 (13) VALET GATEWAY COLLECTOR



DESIGN REVIEW ONLY

SCALE: 1/8" = 1'-0"

PLANNING APP. 02008-002-20-00P

General Notes

APJO - LIGHTING LAYOUT
(EXISTING LIGHTING SITE PLAN)
DESIGN REVIEW FOR PLANNING APPROVAL

Planning Review	Date
Revised/Issue	02.25.09

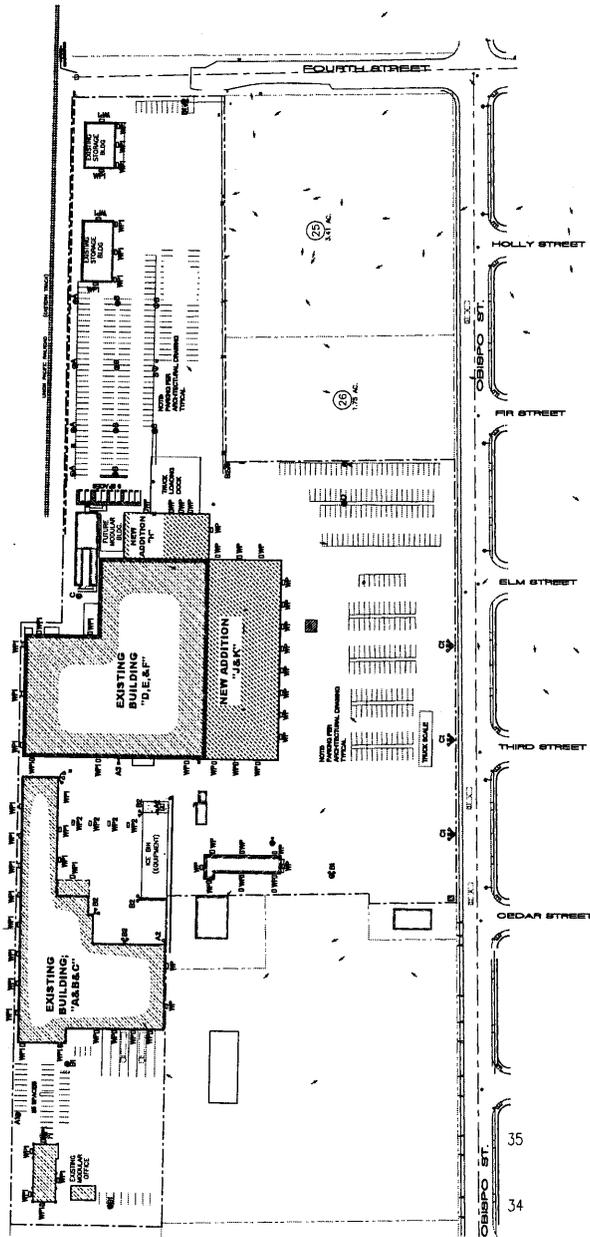
Prepared by: C.M. ELECTRON, INC.
J.C. #51942
MARK PEREIRA

APJO COOLING
4985 WEST MAIN ST
GARDENHUE CA

Sheet	DR.E-1
Job No. 000-03-000	Design
1-21-09	Review
Plot Size 022509	

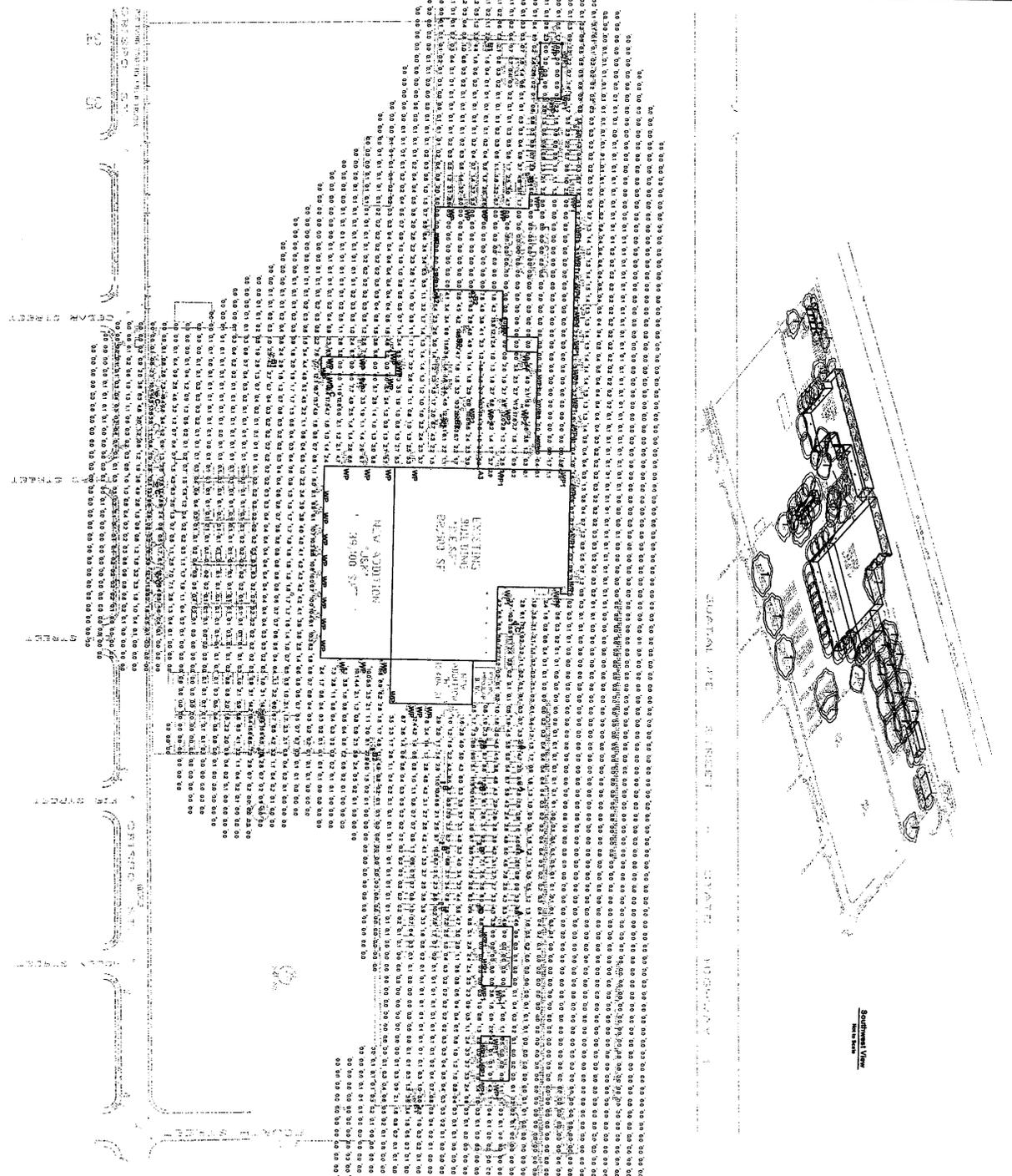
LIGHTING LAYOUT

- A. 400 WATT MH SHOE BOX 25'
- A1. 175 WATT MH SHOE BOX 25'
- A2. 400 WATT MH SHOE BOX 25'
- A3. 1000 WATT MH FLOOD 30'
- B. 2-400 WATT MH SHOE BOX 25'
- B1. 400 WATT MH SHOE BOX 25'
- B2. 2-400 WATT MH FLOOD 30'
- C. 3-400 WATT MH SHOE BOX 25'
- D. 4-400 WATT MH SHOE BOX 25'
- WP. 400 WATT MH WALL PACK 20'
- WPL. 175 WATT MH WALL PACK 15'



LUMINAIRE SCHEDULE

Symbol	Label	Qty	Category	Manufacturer	Model	File	Lumens	LT	Watts
□	A	5	600	600	RETRACTOR	RETRACTOR	5000	0.75	462
□	A1	1	600	600	RETRACTOR	RETRACTOR	5000	0.75	213
□	A2	2	700	700	RETRACTOR	RETRACTOR	9700	0.75	462
□	A3	1	700	700	RETRACTOR	RETRACTOR	9700	0.75	1000
□	B	8	600	600	RETRACTOR	RETRACTOR	5000	0.75	504
□	B1	4	600	600	RETRACTOR	RETRACTOR	5000	0.75	462
□	B2	5	700	700	RETRACTOR	RETRACTOR	9700	0.75	604
□	C	2	600	600	RETRACTOR	RETRACTOR	5000	0.75	1000
□	C1	3	600	600	RETRACTOR	RETRACTOR	5000	0.75	1000
□	C2	3	600	600	RETRACTOR	RETRACTOR	5000	0.75	1000
□	D	1	600	600	RETRACTOR	RETRACTOR	5000	0.75	1000
□	WP	33	700	700	RETRACTOR	RETRACTOR	9700	0.75	462
□	WP1	33	700	700	RETRACTOR	RETRACTOR	9700	0.75	213
□	WP2	4	700	700	RETRACTOR	RETRACTOR	9700	0.75	462



North Arrow

Scale: 1/8" = 1'-0"



THE ARCHITECTURAL, ENGINEERING, PLANNING AND LANDSCAPE DESIGN SERVICES PROVIDED BY PLEINAIRE DESIGN GROUP, INC. ARE NOT TO BE USED FOR ANY OTHER PROJECT WITHOUT THE EXPRESS WRITTEN CONSENT OF PLEINAIRE DESIGN GROUP, INC. • 2009 YEAR 2 SEAL • SANTA MARIA, CALIF.

APIO COOLING EXPANSION

4895 WEST MAIN STREET
GUADALUPE, CA 93434

Owner:
APIO, INC. INCORPORATED
P.O. BOX 727
GUADALUPE, CA 93434
805.343.2859

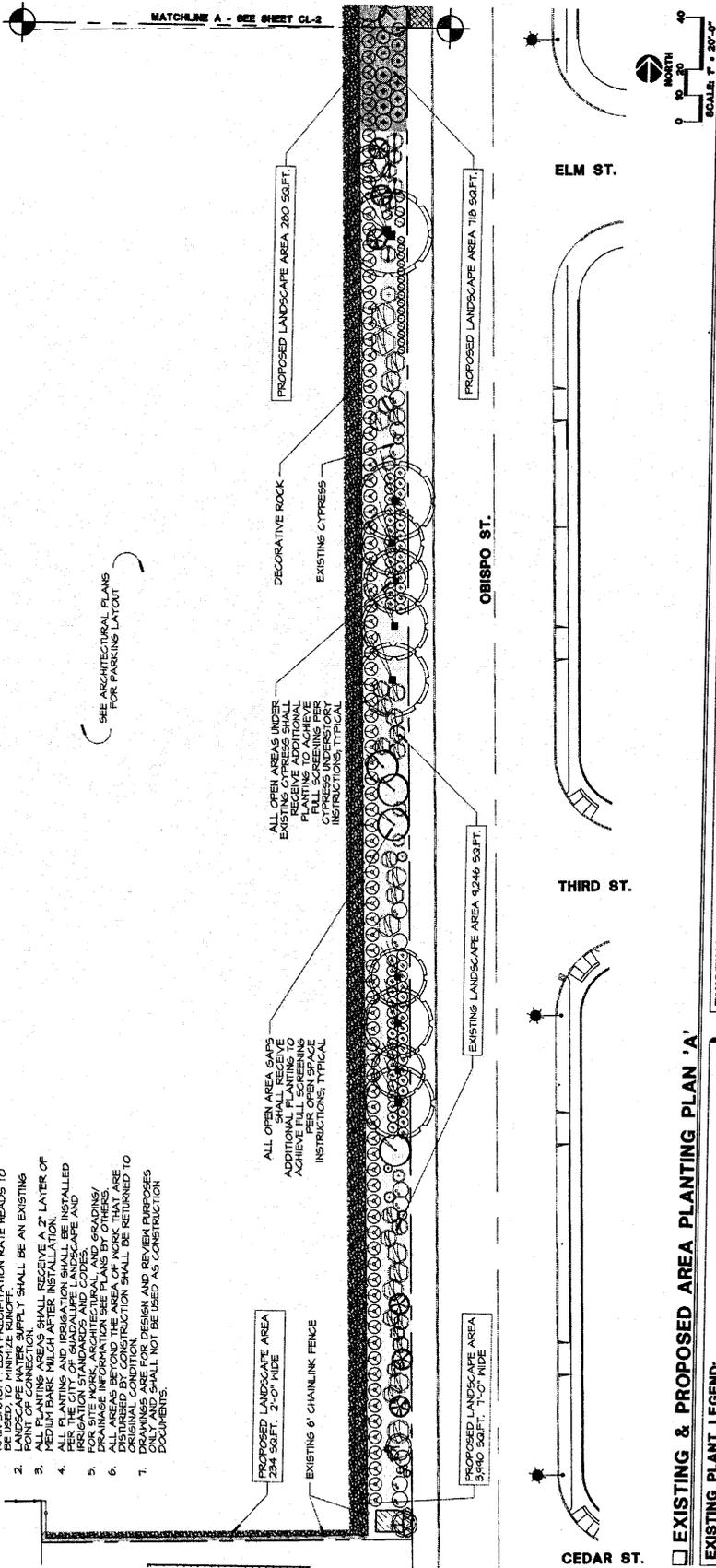
Project No. 28041
Date 10.20.08
Scale 1/8" = 1'-0"

EXISTING & PROPOSED AREA PLANTING PLAN 'A'

CL-1

- GENERAL NOTES:**
- EXISTING IRRIGATION SYSTEM TO REMAIN IN PLACE. PROPOSED PLANTER AREAS SHALL RECEIVE NEW IRRIGATION SYSTEM INSTALLED AS PART OF THE CONSTRUCTION SYSTEM. SHALL BE UNDERGROUND. RAIN SHUTOFF FOR PRECIPITATION RATE HEADS TO BE USED TO MINIMIZE RUNOFF.
 - ALL PLANTING AREAS SHALL BE AN EXISTING POINT OF CONNECTION.
 - ALL PLANTING AREAS SHALL RECEIVE A 2" LAYER OF MEDIUM BARK MULCH AFTER INSTALLATION.
 - PER THE CITY OF GUADALUPE LANDSCAPE AND IRRIGATION STANDARDS AND CODES.
 - DRAINAGE INFORMATION SEE PLANS FOR GRADING/ DRAINAGE INFORMATION.
 - ALL AREAS BEYOND THE AREA OF WORK THAT ARE ORIGINAL CONDITION SHALL BE RETURNED TO ORIGINAL CONDITION. DRAWINGS ARE FOR DESIGN AND REVIEW PURPOSES ONLY AND SHALL NOT BE USED AS CONSTRUCTION DOCUMENTS.

SEE ARCHITECTURAL PLANS FOR PARKING LAYOUT



EXISTING PLANT LEGEND:

- TREES**
 - CUPRESSUS MACROCARPA
 - MONTEREY CYPRESS
 - CUPRESSUS MACROCARPA
 - MONTEREY CYPRESS (MULTI-TRUNK)
 - JANIFERUS SPECIES
 - JANIFER
- SHRUBS**
 - ABELIA X GRANDIFLORA
 - GLOSSY ABELIA
 - COTONEASTER SPECIES
 - COTONEASTER
 - DIETES IRIDIODES
 - FORKNIGHT LILY
 - PITIOSPORUM TOBIIRA
 - PITIOSPORUM
- OPEN SPACE**
 - SALIX SPECIES
 - MILLOW
 - WASHINGTON ROBERTIA
 - MEXICAN FAN PALM
- CYPRESS UNDERSTORY**
 - RHUS INTEGRIFOLIA
 - LEMONADE BERRY
 - CARISSA MACROCARPA PROSTRATA
 - NATAL PLUM
 - MINIMUM SIZE: 5 GAL. • 6'-0" O.C.
- FENCE LINE**
 - RHUS INTEGRIFOLIA
 - LEMONADE BERRY
 - MINIMUM SIZE: 5 GAL. • 4'-0" O.C.
- NOTE:**
 - OPEN SPACE AND CYPRESS UNDERSTORY PLANTS IN THIS LEGEND ARE TO BE PLACED IN THE AREA THAT LACKS CONSISTENT COVERAGE. PLANTS ARE TO BE PLACED IN THE AREAS NOTED. FINAL PLANT QUANTITIES ARE TO BE DETERMINED AT TIME OF INSTALLATION.

EXISTING AREA FILL-IN PLANT LEGEND:

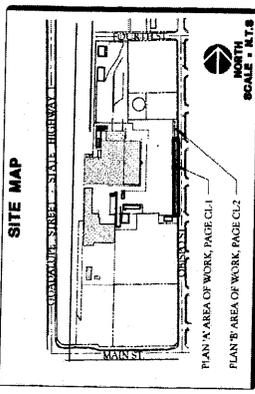
- OPEN SPACE**
 - CALISTEMON VIMINALIS
 - MINIMUM SIZE: 15 GAL. • 10'-0" O.C.
 - PITIOSPORUM GRASSIFOLIUM
 - KARO PITIOSPORUM
 - MINIMUM SIZE: 5 GAL. • 6'-0" O.C.
- CYPRESS UNDERSTORY**
 - RHUS INTEGRIFOLIA
 - LEMONADE BERRY
 - MINIMUM SIZE: 5 GAL. • 4'-0" O.C.
- FENCE LINE**
 - RHUS INTEGRIFOLIA
 - LEMONADE BERRY
 - MINIMUM SIZE: 5 GAL. • 6'-0" O.C.
- NOTE:**
 - OPEN SPACE AND CYPRESS UNDERSTORY PLANTS IN THIS LEGEND ARE TO BE PLACED IN THE AREA THAT LACKS CONSISTENT COVERAGE. PLANTS ARE TO BE PLACED IN THE AREAS NOTED. FINAL PLANT QUANTITIES ARE TO BE DETERMINED AT TIME OF INSTALLATION.

LANDSCAPE AREA LEGEND:

- EXISTING LANDSCAPE
- PROPOSED LANDSCAPE

UNDERGROUND SERVICE ALERT

CALL 811
OR
1-800-422-4133
48 HOURS BEFORE YOU DIG



NORTH
SCALE: 1" = 80'



THE DRAWING, DESIGN, DATA AND FEATURES OF THIS PROJECT ARE THE PROPERTY OF PLEINAIRE DESIGN GROUP. NO PART OF THIS DRAWING OR DESIGN SHALL BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF PLEINAIRE DESIGN GROUP.

APIO COOLING EXPANSION

4585 WEST MAIN STREET
GUADALUPE, CA 93434

Client: **APIO, INC. INCORPORATED**
P.O. BOX 100
GUADALUPE, CA 93434
805-343-2838

DESIGN REVIEW SUBMITTAL	02.23.09
DESIGN REVIEW WITH P.C. COMMENTS	12.11.08
DATE	10.28.08
PROJECT NUMBER	280041

EXISTING & PROPOSED AREA PLANTING PLAN 'B'

CL-2

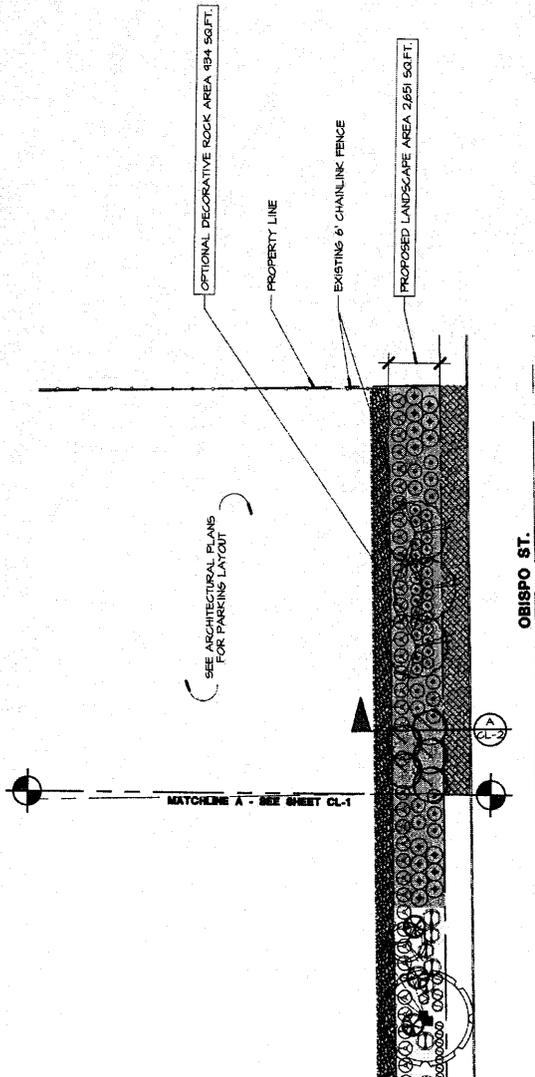
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PROPOSED LANDSCAPE AREA PLANT LEGEND:

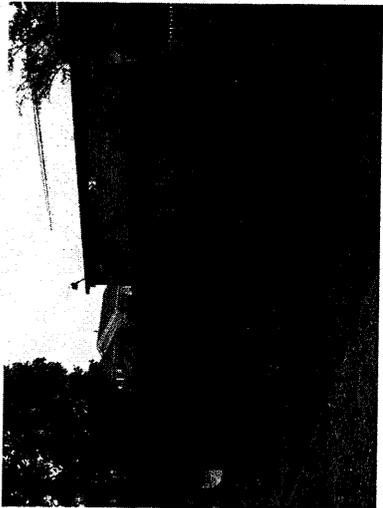
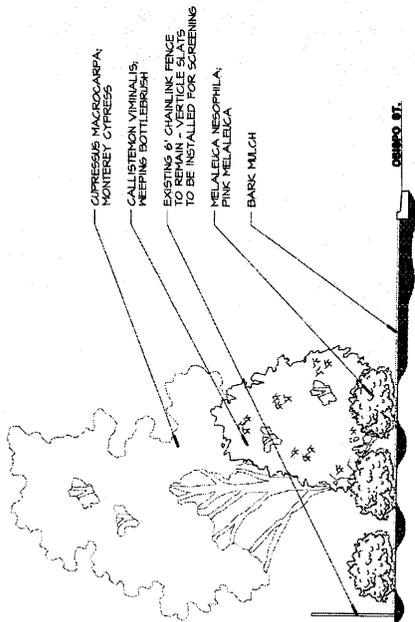
	TREES
	CALLISTEMON VIMINALIS KEEPING BOTTLEBRUSH MINIMUM SIZE: 15 GAL.
	CUPRESSUS MACROCARPA MONTEREY CYPRESS MINIMUM SIZE: 15 GAL.
	SHRUBS
	CARISSA MACROCARPA PROSTRATA NATAL PLUM MINIMUM SIZE: 5 GAL.
	CISTUS X SKANBERGII ROCKROSE MINIMUM SIZE: 5 GAL.
	MELALEUCA NESOPHILA PINK MELALEUCA MINIMUM SIZE: 5 GAL.
	RHUS INTEGRIFOLIA LEMONADE BERRY MINIMUM SIZE: 5 GAL.
	GROUNDCOVER
	BARK MULCH

LANDSCAPE AREA LEGEND:

	EXISTING LANDSCAPE
	PROPOSED LANDSCAPE

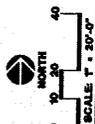
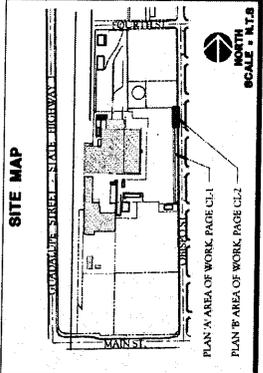


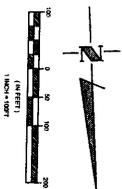
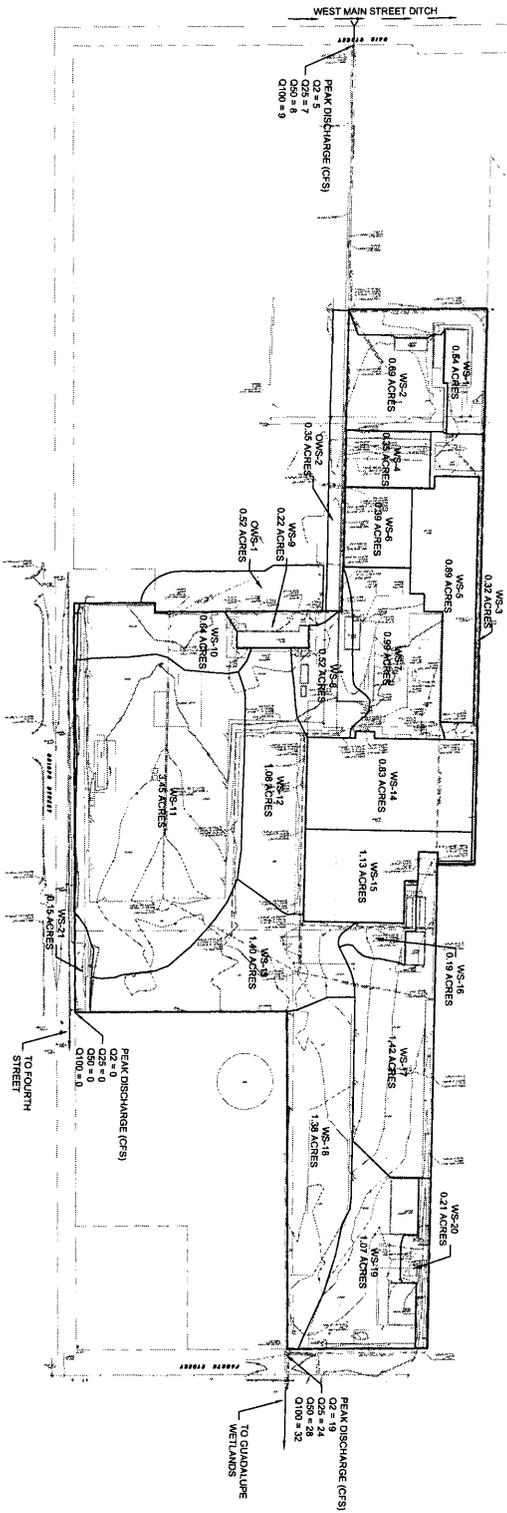
EXISTING & PROPOSED AREA PLANTING PLAN 'B'



SAMPLE FENCING STYLE W/ SLATS FOR SCREENING

UNDERGROUND SERVICE ALERT
CALL: 811 OR 1-800-422-4133
48 HOURS BEFORE YOU DIG





R. W. WATKINS & COMPANY, INC.
 1000 WEST 10TH AVENUE
 DENVER, COLORADO 80202
 PHONE: 303.733.1111
 FAX: 303.733.1112
 WWW.RWWATKINS.COM

DATE: 02/19/2011
 DRAWN BY: J. WATKINS
 CHECKED BY: J. WATKINS
 PROJECT: WATKINS BARN IMPROVEMENT

PROJECT: WATKINS BARN IMPROVEMENT
 4800 West 10th Avenue
 Denver, CO 80202

CONTRACT NO. 11-001
 SHEET NO. H-1

DATE: 02/19/2011
 DRAWN BY: J. WATKINS
 CHECKED BY: J. WATKINS

CONTRACT NO. 11-001
 SHEET NO. H-1

H-1

ATTACHMENT 7

Site Photos



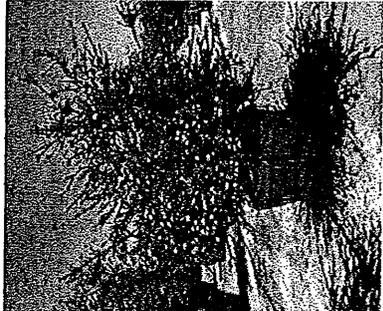
10000 WILSON AVENUE
SUITE 100
DUBLIN, CA 94568
TEL: (925) 835-1100
WWW.JRALANDSCAPE.COM

PROJECT
APPROVED ALTERNATE LANDSCAPE SPECIES - ARRO COOLING INC.
CITY OF GUADALUPE

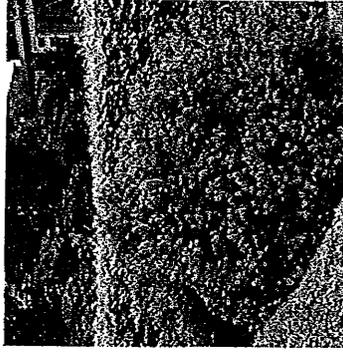
DATE: 01/25/2023
DESIGNER: JRA
DRAWN BY: JRA



Calliemon viminalis - Weeping Bottlebrush



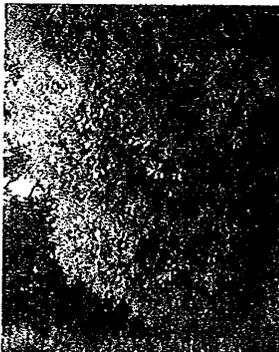
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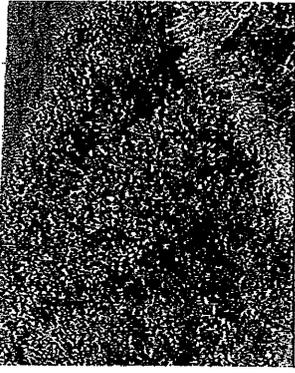
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Citrus x akabergii - Hybrid Rockrose



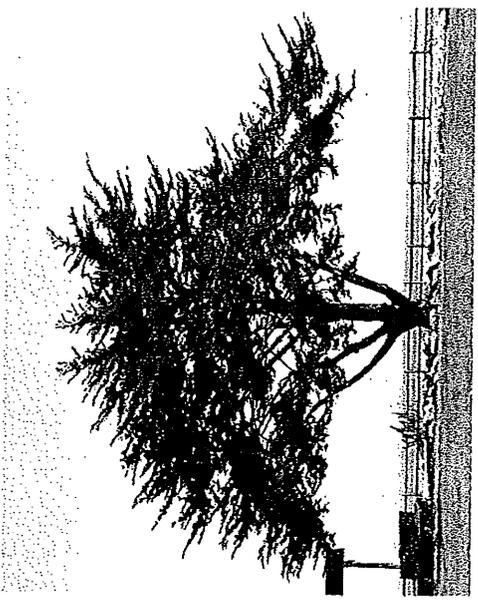
Pittosporum crassifolium - Karo



Rhus integrifolia - Lemonade Berry



Rhus integrifolia - Lemonade Berry (close-up)



Cupressus microcarpa - Monterey Cypress

CITY OF GUADALUPE APPROVED ALTERNATE LANDSCAPE SPECIES - ARRO COOLING INC.



RAYMOND ASSOCIATES & ASSOCIATES INC.
 ARCHITECTS AND PLANNERS
 10000 WILSON AVENUE
 SUITE 100
 CHULA VISTA, CA 92011
 TEL: 619-591-1000
 FAX: 619-591-1001
 WWW.RA-CA.COM

ADVISORS



PROJECT
 APFO Cooling Stations
 4500 West Main Street
 Chula Vista, CA 92011

DATE PREPARED
 12/05/2008

DATE PLOTTED
 12/05/2008

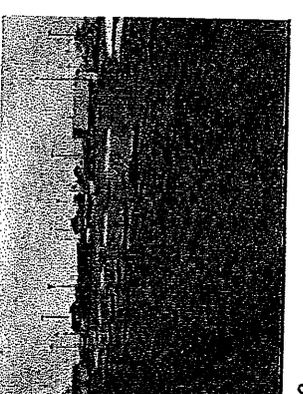
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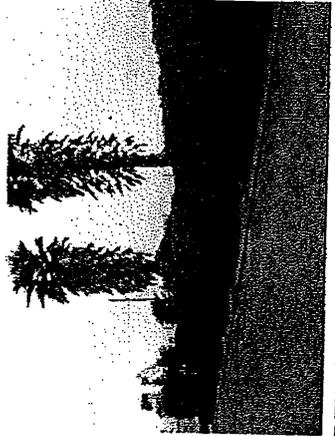
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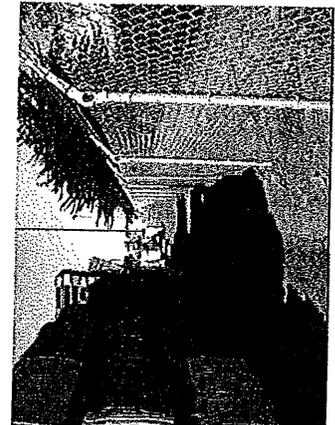
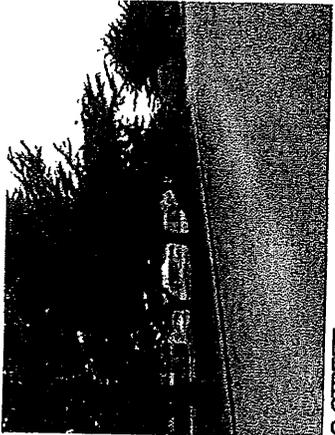
10 -



11 -



TYPICAL - EXISTING LANDSCAPE SCREENING AT OBSFO STREET



TYPICAL - EXISTING 7'-0" WIDE PROPOSED LANDSCAPE AREA

EXISTING SITE PHOTOGRAPHS - APFO COOLING INC.

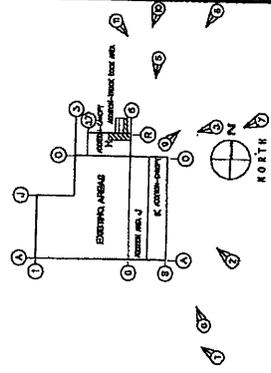


PHOTO KEY PLAN

3.000 INCH

ATTACHMENT 8

Shared Parking and Access Agreement

PARKING AND RECIPROCAL ACCESS AGREEMENT

This Parking and Reciprocal Access Agreement (this "Agreement") is entered into as of this 7 day of APRIL, 2009, by and between Apio, Inc., a Delaware corporation, with its principal office at _____, Guadalupe, CA ("Tract 1 Owner") and Apio Cooling, a California limited partnership, with its principal office at 4595 West Main Street, Guadalupe, CA ("Tract 2 Owner").

WHEREAS, Tract 1 Owner is the owner of two certain parcels of land located in Guadalupe, County of Santa Barbara, California known as Parcels 115-180-022 and 115-180-027 that are more particularly described in Exhibit A attached hereto ("Tract 1"). Tract 1 is currently improved with a parking lot and commercial buildings.

WHEREAS, Tract 2 Owner is the owner of two certain parcels of land located in Guadalupe, County of Santa Barbara, California, known as Parcels 115-210-017 and 115-210-022 that are more particularly described in Exhibit B attached hereto ("Tract 2"). Tract 2 is currently improved with commercial buildings and parking for such buildings;

WHEREAS, the parties intend to construct a sunken loading dock (the "Loading Dock") and a commercial building to be used for receiving of merchandise (the "Receiving Dock Building") on Tract 1 and Tract 2. The parties may mutually agree, after construction of the Loading Dock and the Receiving Dock Building, to cause a plan in recordable form, to be recorded in the public records showing the location of the improvements and the access areas described below;

WHEREAS, it will benefit both Tract 1 Owner and Tract 2 Owner to jointly use the Loading Dock and the Receiving Dock Building;

WHEREAS, Tract 1 Owner has agreed to allow Tract 2 Owner to use Tract 1 Owner's property for parking for Tract 2 and Tract 1 Owner and Tract 2 Owner wish to allow each other access and use rights across and through their properties for purposes of utilizing the Loading Dock and Receiving Dock Building, on the terms and conditions set forth herein;

NOW, THEREFORE, in consideration of \$1.00 and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Tract 1 Owner and Tract 2 Owner agree as follows:

1. Description of Parking Area. As used herein, the term "Parking Area" shall mean that portion of Tract 1 designated by Tract 1 Owner for use by Tract 2 Owner, from time to time, which shall contain a minimum of 271 parking spaces.
2. Grant of Parking Rights. Subject to the terms and conditions of this Agreement, Tract 1 Owner grants to Tract 2 Owner a non-exclusive right on, over and across Tract 1 for the purpose of ingress and egress to the Parking Area and in the Parking Area to park

automobiles and other light vehicles, for pedestrian passage to and from said vehicles and for other purposes reasonably ancillary or incidental thereto (the "Parking Rights").

3. Description of Access Areas. As used herein, the term "Access Areas" shall mean those portions of Tract 1 designated by Tract 1 Owner and those portions of Tract 2 designated by Tract 2 Owner, each for use by the other party, from time to time, so that both may use the Loading Dock and the Receiving Dock Building;
4. Grant of Access Rights. Subject to the terms and conditions of this Agreement, Tract 1 Owner grants to Tract 2 Owner a non-exclusive right on, over and across Tract 1 and Tract 2 Owner grants to Tract 1 Owner a non-exclusive right on, over and across Tract 2, both grants to be for the purpose of allowing ingress and egress of trucks and other vehicles and pedestrians to the Loading Dock and the Receiving Dock Building and to the Access Areas for purposes of loading and unloading trucks and other vehicles, for pedestrian passage to and from said vehicles and for other purposes reasonably ancillary or incidental thereto (the "Access Rights"). It is the intention of the parties that both may use the Loading Dock and the Receiving Dock Building.
5. Maintenance.
 - a. Tract 1 Owner shall maintain and repair the Parking Area, from time to time, as necessary to keep it in good condition and in compliance with all applicable laws. Tract 2 Owner shall keep the Parking Area clean and free from refuse and rubbish. In the event Tract 1 Owner fails to make necessary repairs after written request by Tract 2 Owner, Tract 2 Owner may, upon a 10 day prior notice to Tract 1 Owner, undertake such repairs or replacements. The cost of all repairs and maintenance shall be reasonably allocated between the parties based on use.
 - b. Tract 1 Owner and Tract 2 Owner shall each maintain and repair the Access Areas on its tract, from time to time, as necessary to keep them in good condition and in compliance with all applicable laws. Each party shall keep the Access Areas to which it has rights clean and free from refuse and rubbish. In the event either party fails to make necessary repairs after written request by the other, the requesting party may, upon a 10 day prior notice to the other party, undertake such repairs or replacements and the other party will reimburse the requesting party for the cost thereof in a timely manner.
 - c. Tract 2 Owner may make reasonable alterations to the Parking Area, subject to Tract 1 Owner's consent, which will not be unreasonably withheld. Either party may make alterations to the Access Areas on its tract, subject to the consent of the other party, which will not be unreasonably withheld.

6. Reservation of Rights by Tract 1 Owner and Tract 2 Owner.

Tract 1 Owner reserves, for the benefit of Tract 1, the right to use, and to grant to others the right to use, the Parking Area and the Access Areas on Tract 1 for all purposes not inconsistent with the rights of Tract 2 Owner under this Agreement. Tract 2 Owner reserves, for the benefit of Tract 2, the right to use, and to grant to others the right to use, the Access Areas on Tract 2 for all purposes not inconsistent with the rights of Tract 1 Owner under this Agreement.

7. General Provisions Regarding Construction and Maintenance Activities.

All construction or maintenance activities performed by either Tract 1 Owner or Tract 2 Owner within the Parking Area or the Access Areas:

- i. shall be performed in a good and workmanlike manner and in compliance with applicable law;
- ii. shall be diligently prosecuted to completion and shall be conducted in the most expeditious manner reasonably possible, so as to minimize interference with the use of, and damage to, the Parking Area and the Access Areas and the improvements located therein or thereon; and,
- iii. shall not cause the other party to be in violation of applicable law.

8. Liability Insurance. Tract 2 Owner shall at all times maintain commercial general liability insurance insuring against claims for loss of life, bodily injury or property damage that may arise from, or be occasioned by, the condition, use or occupancy of the Parking Area or the Access Areas on Tract 1, by Tract 2 Owner and its tenants, agents, contractors, employees, licensees and invitees.

Tract 1 Owner shall at all times maintain commercial general liability insurance insuring against claims for loss of life, bodily injury or property damage that may arise from, or be occasioned by, the condition, use or occupancy of the Access Areas on Tract 2, by Tract 1 Owner and its tenants, agents, contractors, employees, licensees and invitees.

Such insurance shall name Tract 1 Owner or Tract 2 Owner, as appropriate, and its mortgagee (if any) as additional insureds thereunder, as their respective interests may appear. The amount of such insurance shall be subject to the reasonable approval of the other party.

9. Indemnity. Tract 2 Owner shall defend, indemnify and hold Tract 1 Owner harmless from and against any and all liability, cost or expense (including, without limitation, reasonable attorneys' fees) arising from any injury to, or death of, persons, or loss of, or damage to, property, occurring on or about the Parking Area or the Access Areas, if caused by any act or omission of the Tract 2 Owner. Tract 1 Owner shall defend, indemnify and hold harmless Tract 2 Owner from and against any and all liability, cost or expense (including, without limitation, reasonable attorneys' fees) arising from any injury

to, or death of, persons, or loss of, or damage to, property, occurring on or about the Parking Area or the Access Areas, if caused by any act or omission of Tract 1 Owner.

10. Term of Agreement. This Agreement and the easements, rights, obligations and liabilities created hereby shall remain in effect for a period of thirty (30) years from the date of this Agreement. However, this Agreement may be terminated by mutual agreement of the parties and a statement that each party relinquishes all right, title and interest in and to the Parking Rights or the Access Rights or both, as the case may be.
11. Bind and Inure. The rights, liabilities, covenants and agreements of each of Tract 1 Owner and Tract 2 Owner hereunder shall inure to the benefit of, and shall be binding upon, Tract 1 Owner and Tract 2 Owner and their permitted successors and assigns, but only during their respective ownership of the fee interest in the land benefited or burdened by this Agreement, as the case may be.
12. Miscellaneous. The interpretation and enforcement of this Agreement shall be governed by, and construed in accordance with, the laws of the State of California. The descriptive headings of this Agreement are for convenience only and shall not control or affect the meaning or construction of any provision of this Agreement. This Agreement may be modified from time to time by an instrument in writing duly executed and delivered by Tract 1 Owner and Tract 2 Owner. If any term or provision of this Agreement or the application thereof to any person or circumstance shall, to any extent, be declared to be invalid or unenforceable, then the remainder of this Agreement or the application of such term or provision to other persons or circumstances, other than those as to which it would become invalid or unenforceable, shall not be affected thereby, and each term and provision of this Agreement shall be valid and enforceable to the fullest extent permitted by law.

[Signatures on following page]

Executed as an instrument under seal as of the date first appearing above.

TRACT 1 OWNER: Apio, Inc., a Delaware corporation

By: 
Name: KATHLEEN K. MORGAN
Title: CFO

TRACT 2 OWNER: Apio Cooling, a California limited partnership

By: Apio, Inc., Its General Partner

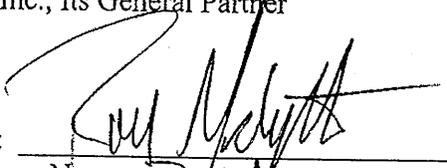
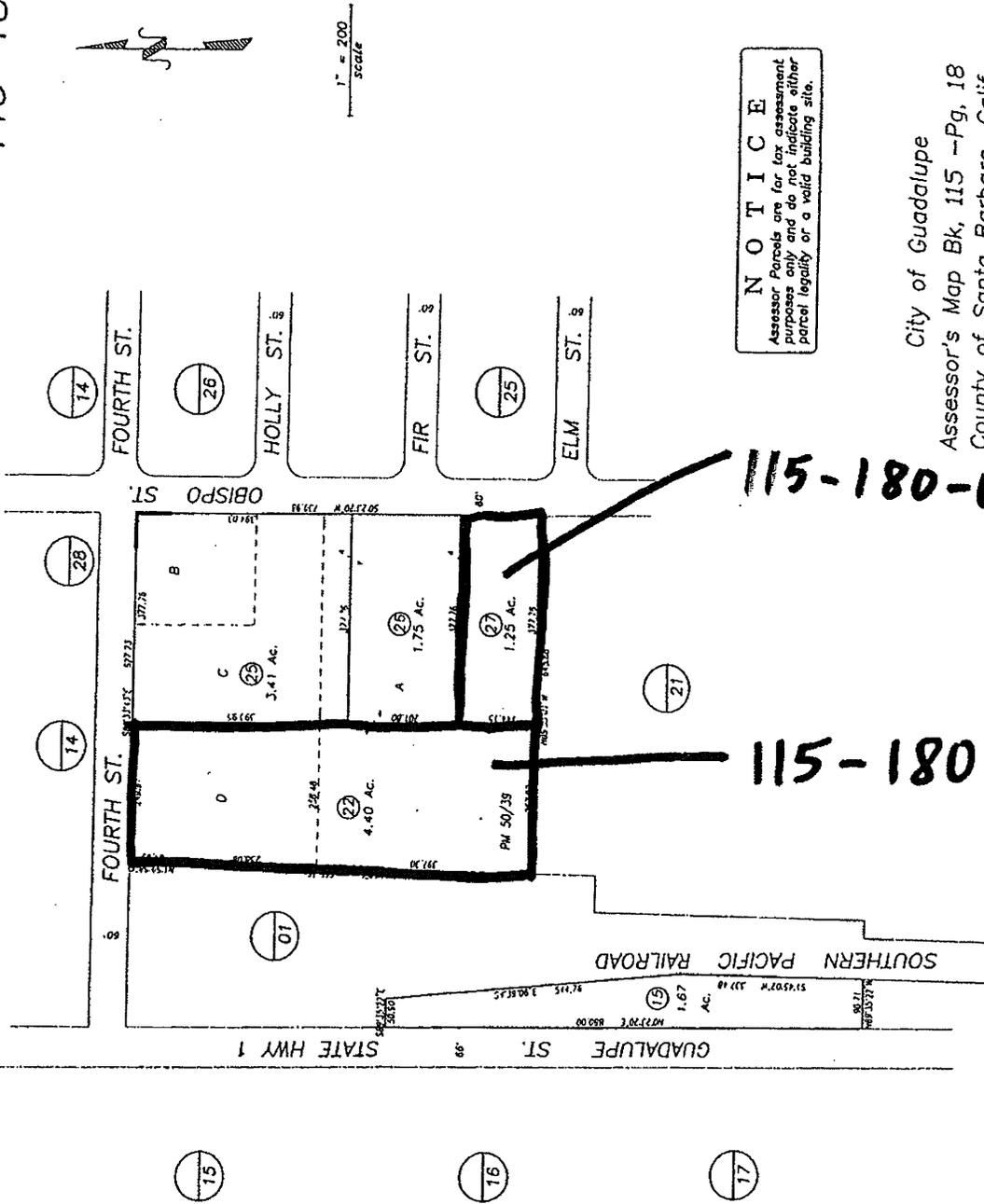
By: 
Name: RON MIDYETT
Title: CEO, GENERAL PARTNER

Exhibit A

115-18

POR. RANCHO GUADALUPE



NOTICE
 Assessor's Parcels are for tax assessment purposes only and do not indicate either parcel legality or a valid building site.

City of Guadalupe
 Assessor's Map Bk, 115 -Pg, 18
 County of Santa Barbara, Calif.

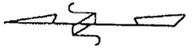
21 into 23 & 24;
 22 into 16 & 23 into 25;
 08/96
 24 into 26 & 27

115-180-027

115-181-022

Exhibit B

115-21



1" = 200'
SCALE

NOTICE
Assessor's Parcels are for tax assessment purposes only and do not indicate either parcel legality or a valid building site.

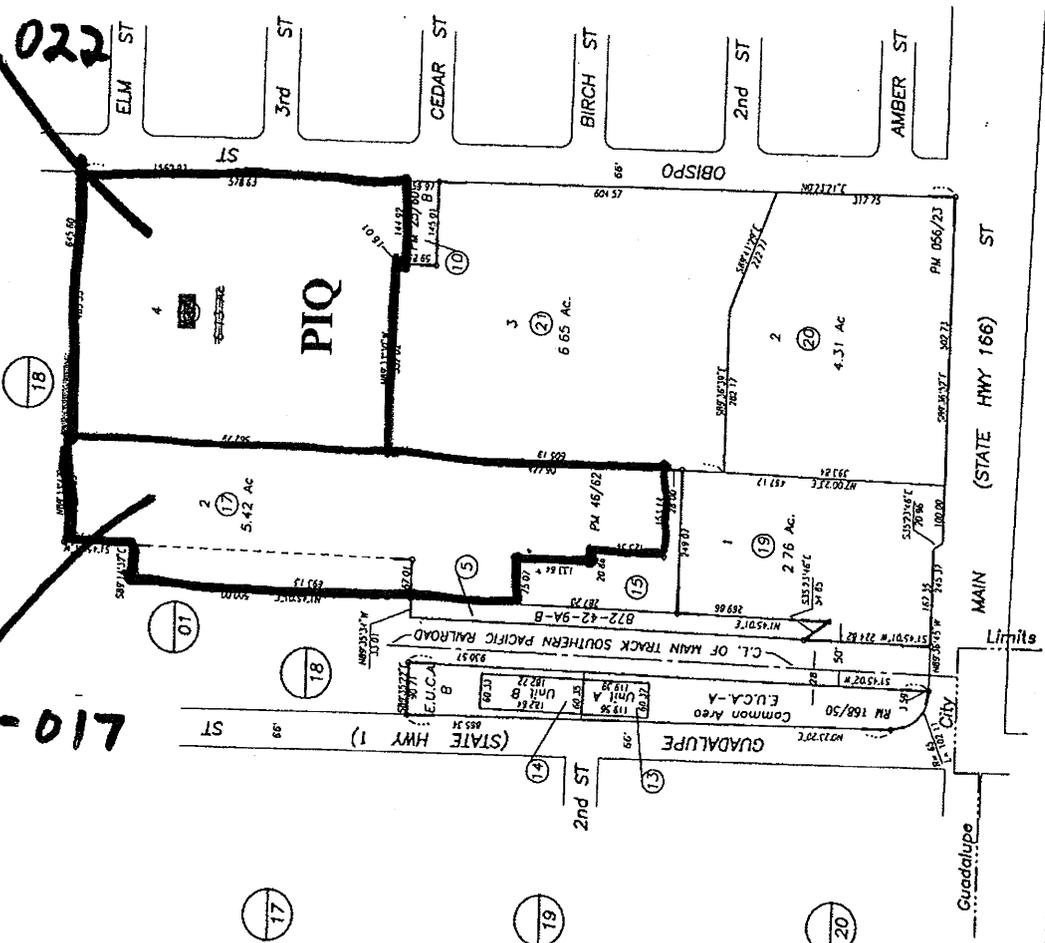
City of Guadalupe
Assessor's Map Bk, 115 -Pg, 21
County of Santa Barbara, Calif.

12/02 7 & 9 and 19-22

115-210-022

115-210-017

POR. RANCHO GUADALUPE



This map is being furnished as a convenience to locate the herein described land in relation to adjoining streets and other lots. The Company does not guarantee dimensions, bearings, or acreage stated thereon, nor is it intended to illustrate, or serve as a substitute for, any County ordinances, laws, zoning and building codes. No Official information concerning the use of any parcel should be obtained from local government agencies.

05/04/1993 R.M. Bk. 168, Pg. 49-50 Tract Condominium Plan for Lot 1 of Tract 29,033

113.08

ATTACHMENT 9

Subdivision Regulations

Title 17

SUBDIVISIONS

Chapters:

- 17.04 General Provisions
- 17.08 Definitions
- 17.12 Administration and Enforcement
- 17.16 Preliminary Maps
- 17.20 Tentative Maps
- 17.24 Vesting Tentative Maps
- 17.28 Final Maps
- 17.32 Design and Improvement Standards
- 17.36 Condominiums
- 17.40 Variances

Chapter 17.04

GENERAL PROVISIONS

Sections:

- 17.04.010 Adoption of regulations.
- 17.04.020 Statutory authority and purpose.
- 17.04.030 Applicability of provisions.

17.04.010 Adoption of regulations. A substantially revised ordinance establishing regulations for the division of land, and entitled "Subdivision Ordinance," is adopted by the city council of the city of Guadalupe, state of California, in conformity with regulations now embodied in the Government Code of the state. (Ord. 142 Art. 1 §1, 1974)

17.04.020 Statutory authority and purpose. The ordinance codified in this title is for the purpose of regulating the division of land in the city, under the authority of the Subdivision Map Act of the state. In their interpretation and application, the provisions of this title shall be considered as minimum requirements adopted for the protection of the public peace, health, safety and general welfare. (Ord. 142 Art. 1 §2, 1974)

17.04.030 Applicability of provisions. This title shall

apply to any division of land, or separation of land into two or more parts or parcels, or any modification of lot lines, where the land was under common ownership shown as a unit or contiguous units on the latest available assessment rolls of Santa Barbara County. This title shall not apply to the sale of whole lots as they are shown on a recorded subdivision map or parcel map. (Ord. 142 Art. 1 §3, 1974)

Chapter 17.08

DEFINITIONS

Sections:

- 17.08.010 Definitions generally.
- 17.08.020 City.
- 17.08.030 City Council.
- 17.08.040 Condominium.
- 17.08.050 Original parcel.
- 17.08.060 Person or subdivider.

17.08.010 Definitions generally. Generally, all words and terms used in this title shall have the same meaning as defined and used in the Subdivision Map Act of the state, except as provided in this chapter. (Ord. 142 Art. 2 §1 (apart), 1974)

17.08.020 City. "City" means the city of Guadalupe. (Ord. 142 Art. 2 §1 (A), 1974)

17.08.030 City council. "City council" means the city council of the city of Guadalupe. (Ord. 142 Art. 2 §1 (B), 1974)

17.08.040 Condominium. "Condominium" means a system of individual ownership of units in a multifamily structure, combined with joint ownership of common areas of the structure and the land. (Ord. 142 Art. 2 §1 (C), 1974)

17.08.050 Original parcel. "Original Parcel" means an area of land, lot or parcel, under common ownership, shown as a unit or contiguous units on the latest available assessment rolls of the county not established as separate lots in a recorded subdivision or parcel map. (Ord. 142 Art. 2 §1 (D), 1974)

17.08.060 Person or subdivider. "Person" or "subdivider"

means any individual, firm, association, syndicate, copartnership, corporation, trust or any legal entity commencing proceedings under this chapter to effect a division or subdivision of land for himself or for another. (Ord. 142 Art. 2 §1 (D), 1974)

Chapter 17.12

ADMINISTRATION AND ENFORCEMENT

Sections:

- 17.12.010 Building and zoning permit requirements.
- 17.12.020 Compliance with provisions prerequisite to sale or lease or parcel.
- 17.12.030 Reversion to acreage, and actions relating to property lines.
- 17.12.040 Voidability of conveyances.
- 17.12.050 Unlawful acts designated--Penalty.

17.12.010 Building and zoning permit requirements. A. Compliance with this title is a condition precedent to the issuance of a building permit or zoning permit by any person authorized to issue such permit in the city.

B. Building permits and zoning permits issued without prior compliance with this chapter are void. Upon the discovery of the issuance of such permits without compliance herewith, it shall be the duty of the building inspector to notify the person to whom such permit was issued of the requirements of this title, and to demand all building and construction work to cease immediately until this title has been complied with. (Ord. 142 Art. 6 §1, 1974)

17.12.020 Compliance with provisions prerequisite to sale or lease or parcel. No owner, subdivider or agent shall offer to sell or lease, to contact to sell or lease, or to sell or lease any division of an original parcel, or any subdivision or part thereof, until a final parcel map or subdivision map thereof in full compliance with the provisions of this title has been duly recorded in the office of the recorder of the county. (Ord. 142 Art. 1 §4, 1974)

17.12.030 Reversion to acreage, and actions relating to property lines. If a person wishes to revert an existing subdivision to acreage, eliminate one or more property lines, or relocate one or more property lines, the procedures shall be the same as required for a parcel map or subdivision map, whichever may apply to the particular case. This section shall not apply to the recordation of a record of survey map or survey of previously existing property lines. (Ord. 142 Art. 1 §5, 1974)

17.12.040 Voidability of conveyances. Any conveyance or contract to convey made contrary to the provisions of this title is voidable to the extent and in the same manner provided in Section 11540 of the Business and Professions Code of the state. (Ord. 142 Art. 6 §2, 1974)

17.12.050 Unlawful acts designate--Penalty. A. Any division or attempted division of land for any purpose, including gift, without prior compliance with the requirements of this title shall be unlawful.

B. Any offer to sell, contract to sell, sale or deed of conveyance made contrary to the provisions of this title shall be unlawful.

C. Any person guilty of violating any of the provisions of this title, or performing any act declared by this title to be unlawful, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine and/or imprisonment in accordance with the general penalty provision then in effect on the city, pursuant to Chapter 1.08 of this code, as amended. (Ord. 86-271 §23, 1986: Ord. 142 Art. 6 §3, 1974)

Chapter 17.16

PRELIMINARY MAPS

Sections:

- 17.16.010 Submittal procedure generally--Design conference date setting.
- 17.16.020 Contents of preliminary map.
- 17.16.030 Design conference--Attendance by interested persons--List maintained.
- 17.16.040 Design conference--Submittal of information--Report to subdivider.

17.16.010 Submittal procedure generally--Design conference date setting.

A. Prior to the filing of a tentative map, a subdivider may submit to the planning commission a preliminary map for review and recommendations from the planning commission and other interested parties or agencies at a design conference.

B. If submitted, the subdivider shall provide the city clerk with a sufficient number of maps that may be necessary to provide one copy of the map to all public and private agencies who, in the opinion of the city clerk, will be affected by the proposed subdivision, or who have requested to be notified of design conference meetings. No more than fifteen prints and one reproducible shall be required.

C. The city clerk shall set a date for a design conference and transmit one copy of the map and notice of the design conference to the affected public and private agencies. (Ord. 142 Art. 4 §1, 1974)

17.16.020 Contents of preliminary map. The preliminary map shall be clearly and legibly drawn at a scale and on a sheet size that will be appropriate to allow proper review. The preliminary map shall contain the following information:

- A. The location of the proposed subdivision, with a description sufficient to identify the property on a city map, including an assessor's parcel number or legal description;
- B. Names and addresses of record owner, subdivider and person who prepared the map;
- C. Date of preparation, North point, and scale;
- D. Boundaries of the proposed subdivision, and boundaries of any proposed units of development;
- E. Location of streets, alleys and easements within the proposed subdivision, and adjacent to the proposed subdivision;
- F. Lot lines, with approximate dimensions and approximate areas;
- G. The specific use intended for each lot in the subdivision;
- H. Location of permanent physical features which may affect the design of the proposed subdivision, i.e., contours. (Ord. 142 Art. 4 §2, 1974)

17.16.030 Design conference--Attendance by interested person--Lists maintained. All persons or agencies who wish to attend design conferences shall notify the city clerk in writing. The city clerk shall maintain a list of these interested persons or agencies. (Ord. 142 Art. 4 §3, 1974)

17.16.040 Design conference--Submittal of information--Report to subdivider. A. Each person or agency wishing to make definite recommendations to the subdivider as a result of the design conference shall provide such recommendations to the city clerk within ten days. The city clerk shall provide a copy of these recommendations to the subdivider, and make a copy available to any interested party upon request.

B. The design conference is an informational meeting only, for the purpose of assisting the subdivider to obtain information, and no final action or binding obligations shall result from this meeting. (Ord. 142 Art. 4 §4, 1974)

Chapter 17.20

TENTATIVE MAP

Sections:

- 17.20.010 Filing procedures, fee and examination--Environmental impact report.
- 17.20.020 Form and contents.
- 17.20.030 Review procedures.
- 17.20.040 Planning commission investigations and recommendations.

- 17.20.050 Requests for continuation.
17.20.060 Approval criteria--City council authority.

17.20.010 Filing procedures, fee and examination--Environmental impact report. A. The subdivider shall file with the city clerk twelve prints of the tentative map, along with any documents or statements required to be furnished therewith.

B. At the time of filing a tentative parcel map or tentative subdivision map, a fee of twenty-five dollars plus three dollars for each lot or parcel proposed to be created, shall be paid to the city clerk.

C. The city clerk shall examine the tentative map upon its presentation, and shall not accept the map unless it is in full compliance with the provisions of this title as to form, and the information required to be furnished therewith. The city clerk shall not accept the tentative map filing until a environmental impact report has been approved, or a negative declaration has been filed.

D. The time that the city clerk accepts the tentative map and accompanying material shall be deemed the time of filing the tentative map. The city clerk shall mark each tentative map with a tract number and the date of filing. (Ord. 142 Art. 3 §1, 1974)

17.20.020 Form and contents. A. The tentative map shall be clear and legible. The size of the sheet shall be appropriate to allow proper review. The scale of the map shall be one inch equals one hundred feet or one inch equals fifty feet.

B. The tentative map shall contain the following information:

1. Name and address of the record owner of the property to be subdivided, name and address of the subdivider if the owner is not the subdivider, and name and address of the engineer or surveyor;
2. North point;
3. Date of preparation;
4. Scale.
5. Boundary lines;
6. Locations and widths of all street, alleys, bicycle paths or pedestrian ways within the proposed subdivision and adjacent to the proposed subdivision;
7. Approximate radii of street curves;
8. Lot lines and approximate dimensions;
9. Lots, numbered consecutively;
10. Widths and locations of all existing or proposed public and private easements;
11. Locations of all surface and subsurface structures and improvements; show distance from proposed lot line to any structures which will remain in the subdivision;
12. Contours or elevations sufficient to indicate any proposed grading and drainage;
13. Arrows indicating the flow of drainage from each proposed lot and each street, and any provision for drainage or storm water control;
14. Legal description sufficient to define the boundaries of the

property.

C. Information to Accompany the Tentative Map. The tentative map shall show thereon or be accompanied by the following information:

1. A preliminary title report, describing all rights-of-way and easements pertaining to the property to be subdivided, and containing a legal description of the property to be subdivided;
2. Types of street improvements and utilities proposed to be installed. (Ord. 142 Art. 3 §2, 1974)

17.20.030 Review procedures A. Within five working after the filling of the tentative map, the city clerk shall set a date for review of the tentative map at a regular meeting of the planning commission, and transmit one copy of the tentative map, along with a notice of the date of review, to each of the following:

1. City engineer;
2. Fire chief;
3. Water department;
4. Sanitation department;
5. Lighting district;
6. Telephone company;
7. Gas company;
8. Electric power company;
9. Such other agencies that may be affected by the proposed design of the subdivision.

B. The date of review shall not be less than ten working days and not more than forty-five days after the filing date of the tentative map. (Ord. 142 art. 3 §3, 1974)

17.20.040 Planning commission investigation and recommendations. A. The city planning commission shall be the advisory agency referred to in the Subdivision Map Act, and shall make such investigations, reports and recommendations as are necessary to accomplish the intent and purpose of this title.

B. Within fifty days after the tentative map filing date, the planning commission shall recommend in writing to the city council that the tentative map be approved subject to certain conditions, or disapproved.

C. The planning commission shall submit in writing to the subdivider one copy of its recommendations to the city council. (Ord. 142 Art. 3 §4, 1974)

17.20.050 Requests for continuation. At any time, a subdivider or his authorized representative may request in writing that action upon a tentative map be postponed to a specified date, and the planning commission or city council may reschedule review and action on the tentative map if such a request is made. (Ord. 142 Art. 3 §5, 1974)

17.20.060 Approval criteria--City council authority. A. The city council shall approve, conditionally approve or disapprove the tentative map at its next regular meeting after receiving the report from the planning commission,

unless a request for continuation has been filed.

B. The city council shall deny approval of a tentative map if it makes any of the following findings (required by State Subdivision Map Act):

1. That the proposed map is not consistent with applicable general and specific plans;
2. That the design or improvement of the proposed subdivision is not consistent with applicable general and specific plans;
3. That the site is not physically suitable for the type of development;
4. That the site is not suitable for the proposed density of development;
5. That the design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat;
6. That the design of the subdivision or the type of improvements are likely to cause serious public health problems;
7. That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision;
8. That the design of the subdivision or the proposed improvements do not meet minimum standards established by the city council. (Ord. 142 Art. 3 §6, 1974)

Chapter 17.24

VESTING TENTATIVE MAPS

Sections:

- | | |
|-----------|---|
| 17.24.010 | Title for citation--Statutory authority. |
| 17.24.020 | Purpose of provisions. |
| 17.24.030 | Definitions. |
| 17.24.040 | Consistency with other plans and regulations. |
| 17.24.050 | Applicability--Residential developments only. |
| 17.24.060 | Filing and processing procedures. |
| 17.24.070 | Fee. |
| 17.24.080 | Expiration of approval. |
| 17.24.090 | Rights conferred upon approval--Conditions. |
| 17.24.100 | Developments inconsistent with zoning provisions--Conditional approval. |
| 17.24.110 | Applications inconsistent with other current policies. |

17.24.010 Title for citation--Statutory authority. The ordinance codified in this chapter is enacted pursuant to the authority granted by Chapter 4.5 (commencing with section 66498.1) of Division 2 of Title 7 of the Government Code of the state (hereinafter in this chapter referred to as the "Vesting Tentative Map Statute"), and may be cited as the "Vesting Tentative Map Ordinance." (Ord. 85-260 §1-1, 1985)

17.24.020 Purpose of provision. A. It is the purpose of this chapter to establish procedures necessary for the implementation of the Vesting Tentative Map Statute, and to supplement the provisions of the Subdivision Map Act, and the subdivision Ordinance codified in the Title 17 of this code shall apply to the vesting Tentative Map Ordinance.

B. To accomplish this purpose, the regulations outlined in this chapter are determined to be necessary for the preservation of the public health, safety and general welfare, and for the promotion of orderly growth and development. (Ord. 85-260 §1-2, 1985)

17.24.030 Definitions. As used in this chapter: A. "Vesting tentative map" means a "tentative map" for a residential subdivision, as defined in the city Subdivision Ordinance, that shall have printed conspicuously on its face the words "Vesting Tentative Map" at the time it is filed in accordance with Section 17.24.060, and is thereafter processed in accordance with the provisions of this chapter.

B. All other definitions set forth in Title 17 of this code are applicable. (Ord. 85-260 §1-4, 1985)

17.24.040 Consistency with other plans and regulations. No land shall be subdivided and developed pursuant to a vesting tentative map for any purpose which is inconsistent with the General Plan and any specific plan, or not permitted by the Zoning Ordinance or other applicable provisions of this code. (Ord. 85-260 §1-3, 1985)

17.24.050 Applicability--Residential developments only. A. This chapter shall apply only to residential developments. Whenever a provision of the Subdivision Map Act, as implemented and supplement by the city Subdivision Ordinance, requires the filing of a tentative map, a vesting tentative map instead be filed, in accordance with the provision of this chapter.

B. If a subdivider does not seek the rights conferred by the Vesting Tentative Map Statute, the filing of a vesting tentative map shall not be a prerequisite to any approval for any proposed subdivision, permit for construction, or work preparatory to construction. (Ord. 85-260 §1-5, 1985)

17.24.060 Filing and processing procedures. A vesting tentative map shall be filed in the same form and have the same contents, accompanying data and reports, and shall be processed in the same manner as set forth in the city Subdivision Ordinance for a tentative map, except as provided in this section:

A. At the time a vesting tentative map is filed, it shall have printed conspicuously on its face the words "Vesting Tentative Map";

B. At the time a vesting tentative map is filed, a subdivider shall also supply the following information: The same information as is now required for preliminary and tentative tract maps, as per Chapter 17.20 of this title. (Ord. 85-260 §2-1, 1985)

17.24.070 Fee. Upon filing a vesting tentative map, the subdivider shall pay the fees required by ordinance or resolution for the filing and processing

of a tentative map. (Ord. 85-260 §2-2, 1985)

17.24.080 Expiration of approval. The approval or conditional approval of a vesting tentative map shall expire at the end of the same time period, and shall be subject to the same extensions established by the Subdivision Ordinance for the expiration of the approval or conditional approval of a tentative map. (Ord. 85-260 §2-3, 1985)

17.24.090 Rights conferred upon approval--Conditions.

A. 1. The approval or conditional approval of a vesting tentative map shall confer a vesting right to proceed with development in substantial compliance with the ordinances, policies and standards described in Government Code Section 66474.2.

2. However, if Section 66474.2 of the Government Code is repealed, the approval or conditional approval of a vesting tentative map shall confer a vesting right to proceed with development in substantial compliance with the ordinances, policies and standards in effect at the time the vesting tentative map is approved or conditionally approved.

B. Notwithstanding subsection A of this section, a permit approval, extension or entitlement may be made conditional or denied if any of the following are determined:

1. A failure to do so would place the residents of the subdivision or the immediate community, or both, in a condition dangerous to their health or safety, or both;

2. The condition or denial is required, in order to comply with state or federal law.

C. The rights referred to herein shall expire if a final map is not approved prior to the expiration of the vesting tentative map, as provided in Section 17.24.080 of this chapter. If the final map is approved, these rights shall last for the following periods of time:

1. An initial time period of eighteen months. (Note: This must be not less than twelve months nor more than twenty-four months beyond the recording of the final map.) Where various final maps are recorded on various phases of a project covered by a single vesting tentative map, this initial time period shall begin for each phase when the final map for that phase is recorded.

2. The initial time period set forth in subsection C1 of this section shall be automatically extended by any time used for processing a complete application for a grading permit, or for design or architectural review, if such processing exceeds thirty days from the date a complete application is filed.

3. A subdivider may apply for a one-year extension at any time before the initial time period set forth in subsection C1 of this section expires. If the extension is denied, the subdivider may appeal that denial to the legislative body within fifteen days.

4. If the subdivider submits a complete application for a building permit during the periods of time specified in subsections C1 through C3 of this section, the rights referred to herein shall continue until the expiration of that permit, or any extension of that permit. (Ord. 85-260 §3-1, 1985)

17.24.100 Developments inconsistent with zoning provisions--Conditional approval. A. Whenever a subdivider files a vesting tentative map for a subdivision whose intended development is inconsistent with the zoning ordinance in existence at that time, that inconsistency shall be noted on the map. The city may deny such a vesting tentative map, or approve it conditioned on the subdivider, or his or her designee, obtaining the necessary change in the zoning ordinance to eliminate the inconsistency. If the change in the zoning ordinance is obtained, the approved, or conditionally approved vesting tentative map shall, notwithstanding subsection A of Section 17.24.090, confer the vesting right to proceed with the development in substantial compliance with the change in the zoning ordinance and the map, as approved.

B. The rights conferred by this section shall be for the time periods set forth in subsection C of Section 17.24.090.
(Ord, 85-260 §3-2, 1985)

17.24.110 Applications inconsistent with other current policies. Notwithstanding any provision of this chapter, a property owner or his or her designee may seek approvals or permits for development which depart from the ordinances, policies and standards described in subsection A of Section 17.24.090, and local agencies may grant these approvals or issue these permits to the extent that the departures are authorized under applicable law. (Ord. 85-260 §3-3, 1985)

Chapter 17.28

FINAL MAPS

Sections:

- 17.28.010 Preparation and recordation.
- 17.28.020 Checking and recording fees.
- 17.28.030 Parcel map--Final preparation and recordation procedures.
- 17.28.040 Subdivision map--Final preparation and recordation procedures.

17.28.010 Preparation and recordation. A. A final parcel map or final subdivision map shall be recorded within a period of eighteen months after the approval of the tentative map by the city council.

B. A final map shall be:

1. Prepared as a parcel map if the division of property is not a "Subdivision," as defined in the Subdivision Map Act of the Business and Professions Code of the state; or
2. Prepared as a subdivision map if the division of property is a "Subdivision," as defined in the Subdivision Map Act. (Ord. 142 Art. 4 §1, 1974)

17.28.020 Checking and recording fees. At the time of submittal of prints of a final map for checking, the city engineer shall estimate all costs of

checking the map, calculations and improvement plans, the cost of any field inspection, and the cost of recording the map. This estimate shall be deemed the final fee for these services, and shall be paid to the city clerk. In the event that the subdivider does not agree to the amount of the fees, the fee shall be determined by the city council at its next regular meeting. (Ord. 142 Art. 4 §2, 1974)

17.28.030 Parcel map--Final preparation and recordation procedures.

A. To record a parcel map, a registered engineer or licensed surveyor shall submit to the city engineer two prints of the proposed parcel map, and pay to the city clerk the checking and recording fee.

B. The parcel map shall be prepared in conformance with Sections 11575 through 11580, inclusive, of the State Business and Professions Code; and, in the case of a parcel map showing a division of land into five or more parcels, as authorized under Section 11535 © (1), © (2) and © (3) of the Business and Professions Code, the parcel map shall be based upon a survey which has been monumented in the same manner as required for a final subdivision map. All parcel maps shall show the area of all parcels to the nearest square foot for parcels less than one acre, or to the nearest hundredth acre for all parcels one acre or larger in size.

C. When the city engineer is satisfied that the map is technically correct, conforms to the approved tentative map or any proposed alterations thereof, complies with all applicable laws and regulations, that all conditions of approval have been satisfied, and that any bonds or cash deposits have been received by the city clerk, the city engineer shall notify in writing the engineer or surveyor who prepared the map and request delivery of the original tracings of the parcel map. The city engineer shall execute his certification on the original tracings of the parcel map, as provided in Section 11575 of the Business and Professions Code, and shall transmit the same to the county recorder. (Ord. 142 Art. §3; 1974)

17.28.040 Subdivision map--Final preparation and recordation procedures.

A. To record a final subdivision map, a registered engineer or licensed surveyor shall submit to the city engineer two prints of the proposed final map, together with a fee for checking, inspection and recording, and traverse sheets giving latitudes and departures, showing the mathematical closure within allowable limits of error of the exterior boundaries of the tract, blocks to the center of adjoining streets, and all lots whose closure is not ascertainable from the map without trigonometric calculations.

B. The city engineer shall examine the map as to its technical accuracy, conformity with the approved tentative map, and compliance with all applicable laws and regulations. In the event the city engineer determines that there is a noncompliance, the subdivider shall cause the map to conform, and shall comply with the regulations.

C. The city engineer shall determine that all conditions of approval have been satisfied, and that all required bonds or cash deposits have been received.

D. When the city engineer is satisfied that the map is technically correct, conforms to the approved tentative map and any conditions of approval,

and complies with all applicable laws and regulations, the city engineer will notify in writing the registered engineer or licensed surveyor who prepared the map and request delivery of the original tracings of the final map. Upon receipt of the final map, the city engineer shall execute his certificate on the original tracing of the final map, as provided in Section 11593 of the Business and Professions Code, and will transmit the same to the city clerk. The city council shall approve the map at its next regular meeting, if it conforms with all the requirements of applicable laws and regulations made thereunder.

E. The city council shall, at that time, also accept or reject any or all offers of dedication and shall, as a condition precedent to the acceptance of any streets or easements or other dedications for public improvements proposed, require the subdivider to make or agree to make such improvements as are required by law and regulations adopted pursuant thereto.

F. When the final map and all cash deposits and bonds, and all conditions have been approved, the city clerk shall execute his certificate on the final map as provided in Section 11591 of the Business and Professions Code, and shall transmit such final map to the county recorder of Santa Barbara County for recording, as provided in Sections 11625 to 11628, inclusive, of the Business and Professions Code. (Ord. 142 Art. §4, 1974)

Chapter 17.32

DESIGN AND IMPROVEMENT STANDARDS

Sections:

- 17.32.010 Applicability of chapter provisions.
- 17.32.020 Block lengths.
- 17.32.030 Lot area, depth and access to street.
- 17.32.040 Streets and alleys.
- 17.32.050 Public utilities and drainage structures.
- 17.32.060 Parks, schools and other public uses.
- 17.32.070 Trees.

17.32.010 Applicability of chapter provisions. The following regulations set out in this chapter shall apply to all divisions of land or subdivisions, regardless of the number of lots or parcels being created. (Ord. 142 Art. 3 §1, 1974.)

17.32.020 Block lengths. Blocks shall not be longer than one thousand feet between intersecting streets, except where unusual design conditions require longer blocks. (Ord. 142 Art. 3 §2, 1974)

17.32.030 Lot area, depth and access to street. A. The minimum area of lots shall be six thousand square feet, with a minimum width of sixty feet, except in cases of R-1-M and planned unit developments.

B. Lots having an average depth of more than three times the average width shall not be approved.

C. All lots shall have vehicular access to a street. (Ord. 86-264, 1986; Ord. 142 Art. 3 §3, 1974)

17.32.040 Streets and alleys. A. The street arrangement shall conform with the General Plan in respect to the alignment and type of streets.

B. The alignment of streets shall provide for the direct continuation of centerline of the existing streets in adjoining subdivided areas.

C. Street names shall be subject to the approval of the city council.

D. A corner radius of twenty feet or more shall be provided at intersecting street right-of-way lines.

E. Where necessary to provide for the orderly subdivision of adjoining land, dead-end stub streets shall be provided. Where four or more lots front upon a dead-end street, a temporary cul-de-sac turnaround shall be provided.

F. Narrow reserve strips of land controlling access to streets from adjoining property may be provided; however, ownership and control of the use of the strips shall be placed under the jurisdiction of the city council.

G. An alley shall provided in the rear of all lots zoned or intended to be used for industrial or commercial uses, and may be required by the city council in other areas.

H. All streets and alleys, including curbs, gutters, sidewalks, driveway entrances and signs, shall be designed and constructed to standards adopted by resolution of the city council. (Ord. 142 Art. 3 §4, 1974)

17.32.050 Public utilities and drainage structures. Public utilities, including but not limited to sewer lines, manholes, pumping stations, storm drains, water lines, valves, fire hydrants, storm drains, electrical facilities, telephone lines, gas lines and cable TV, shall be provided as required by the city council. Electrical distribution telephone and cable TV lines shall be placed underground. Public utilities and drainage structures shall be designed and constructed to standards adopted by resolution of the city council. (Ord. 142 Art. 3 §7, 1974)

17.32.060 Parks, schools and other public uses. The city council may require the provision of land for parks, schools or other public uses as a condition of approval of a tentative subdivision or parcel map. (Ord. 142 Art. 3 §5, 1974)

17.32.070 Trees. The city council may require, as a condition of approval, the planting of trees on lots or within street rights-of-way at the time of approval of a tentative subdivision or parcel map. (Ord. 142 Art. 3 §6, 1974)

Chapter 17.36

CONDOMINIUMS

Sections:

17.36.010 Map processing requirements.

17.36.010 Map processing requirements. The procedure and requirements for processing a tentative and final map of a condominium shall be the same as set forth in this chapter for a parcel map or subdivision, whichever may apply to the particular case. (Ord. 142 Art. 1 §5, 1974)

Chapter 17.40

VARIANCES

Sections:

17.40.010 Authorized when-- City council authority.

17.40.020 Temporary variances.

17.40.010 Authorized when-- City council authority. A. The city council may authorize a conditional variance from the regulations set out in this title when, in its opinion, undue hardship may result from strict compliance. In granting any variance, the council shall prescribe only conditions that it deems necessary to or desirable for the public interest, and which have a direct relation to the granting of the variance. In making its findings, as required herein below, the city council shall take into account the nature of the proposed use of land and the existing use of land in the vicinity, the number of persons to reside or work in the proposed subdivision, and the probable effect of the proposed subdivision upon traffic conditions in the vicinity.

B. No variance shall be granted unless the city council finds:

1. That there are special and unique circumstances or conditions affecting the property such that the strict application of the provisions of this title would deprive the applicant of the reasonable use of his land. Special circumstances may include, but shall not be limited to, unusual shape or limited size of original parcel, extreme topography, unusual drainage problems, or design difficulties created by the pattern of existing recorded subdivisions of contiguous properties;

2. That the variance is necessary for the preservation and enjoyment of a substantial property right of the petitioner;

3. That the granting of the variance will not be detrimental to the public welfare, or injurious to other property in the territory in which the

property is situated, and will not alter the essential character of the neighborhood. (Ord. 142 Art. 5 §1, 1974)

17.40.020 Temporary variances. The city council may authorize temporary variances from the requirements of this title, subject to conditions which shall assure, as a matter of law, full compliance with the requirements of this title within a reasonable period of time. Such conditions may include, but shall not be limited to:

- A. Irrevocable offers of dedication of road rights-of-way;
- B. The posting of bonds to assure compliance with any provision of this title; and
- C. The condition that the applicant and his successors in title shall limit or abstain from requesting certain further actions of the city that he might otherwise be entitled to with respect to the property. (Ord. 142 Art. 5 §2, 1974)

ATTACHMENT 10

12/16/08 Staff Report

REPORT TO THE PLANNING COMMISSION
December 16, 2008

Prepared By:
Rob Mullane, City Planner

Approved By:
Carolyn Galloway-Cooper

SUBJECT:

Apio Cooling Expansion Lot Line Adjustment and Design
Review
4595 Main Street
APNs: 115-210-017, 115-210-022, 115-180-022, and 115-
180-027
(Planning Application #2008-002-LLA, -DRP)

EXECUTIVE SUMMARY:

The City received an application for an expansion of the Apio Cooling Facilities. The Apio Expansion project involves a Lot Line Adjustment (LLA), Design Review Permit (DRP), and a Zoning Clearance. The LLA request is subject to Planning Commission advisory review and City Council approval. The DRP is subject to Planning Commission approval. The Zoning Clearance is a staff approval that would be granted once all prior to zoning clearance approvals are met. The Apio Cooling Facilities are located at 4595 Main Street and the four parcels involved in this request cover 17.19 acres, extending up to Fourth Street and with portions along Obispo Street across from the Treasure Park Residential Subdivision. The expansion request is for three additions totaling 56,880 square feet (sf) to an existing 98,455-sf building. The LLA is requested to ensure that property lines do not cross structures. Additional parking and landscaping are also proposed, although the applicant is requesting Planning Commission approval of a reduction in the landscaping coverage requirements from 10% coverage to approximately 4% coverage. Conditions of approval have been drafted for Planning Commission consideration to address staff concerns and issues presented by this request.

RECOMMENDATION:

- 1) Receive a presentation from staff
- 2) Conduct the Public Hearing on the Request
- 3) Consider Resolution # PC 2008-____, recommending that the City Council approve a Resolution approving the Lot Line Adjustment
- 4) Consider the Design Review Permit and Reduced Landscaping Request

BACKGROUND:

The City first received a Zoning Clearance application for the proposed addition to the Apio Cooling Facilities on May 7, 2008. In July, because of the City's new Design Review Process, the request was augmented to include a Design Review Permit (DRP). In August, the applicant again augmented the request to include a Lot Line Adjustment (LLA) application. During the staff review of the requests, it was noted that the proposed landscaping did not meet the City's 10% coverage requirement, and this component of the request was referred to the Planning Commission for conceptual review at the Commission's October 21, 2008 meeting. After numerous rounds of review by City staff, the application package was deemed complete for processing on December 10, 2008.

DISCUSSION:

The project proposes expand the Apio Cooling facilities to provide additional cold storage warehousing on-site. The stated project objectives are to replace inefficient infrastructure onsite and improve operations. The expansion would allow the cessation of leasing warehouse space at the Obispo Street Cooler facilities adjacent to the Apio Cooling site. The applicant has provided a narrative and project description, which provides additional information on the request. This narrative is included as Attachment 4 to this staff report.

The project includes a request to adjust lot lines on Apio properties and an expansion of its existing facilities, which total approximately 164,000 sf of development. The LLA includes: 1) a request to adjust the parcel line between Parcel 1 (APN 115-180-022) and Parcel 3 (APN 115-210-017), and 2) a request to merge two parcels (Parcel 3 and Parcel 4 (APN 115-210-022)). The proposed parcel merger is to address an existing situation where the main Apio building is situated across the intervening property line. The LLA also provides an opportunity for the City to ensure that proper access and utility line easements are shown and dedicated. The LLA exhibit is included as Attachment 5 to this staff report.

A DRP is required to allow Planning Commission consideration of the design of the proposed expansion, proposed new parking, fencing, landscaping, including the request to reduce landscaping coverage from the 10% coverage requirement to the applicant proposed 3.6% coverage. The proposed expansion is depicted on Sheet A-0 in the Project Plan Set (Attachment 6 to this staff report). The expansion involves three additions: 1) a 39,100-sf addition ("Addition J&K") for additional cold storage raw warehousing, 2) a 10,406 addition ("Addition H") for a covered loading dock, and 3) a new 7,374-sf new below grade ramp to access the loading dock, which is immediately to the north. The above grade portion of the expansion would be metal-sided and in a color and style to match the existing warehouse. A site plan and building elevations are provided in Attachment 6, while site photos are provided in Attachment 7.

The existing parking of 303 parking spaces would be increased to 410 spaces to accommodate additional parking needs prompted by the expansion. This slightly exceeds the required parking of 403 spaces based on Zoning Code off-street parking requirements. Additional parking is provided by striping existing paved and unpaved (compacted base course) areas of the property. A table of existing and proposed parking spaces is included on Sheet A-0. A draft shared parking and access agreement that covers all three resultant parcels is provided as Attachment 8.

Additional landscaping is also proposed, in part to address comments by the Planning Commission in their conceptual review of the landscaping coverage request in October. The project proposes to augment the site's 18,767-sf of landscaping by 7,873-sf of landscaping, for a total (existing + proposed) of 26,640-sf. This would provide for landscaping coverage of between 3% and 4.8% on each of the three resultant lots, and an overall site landscaping coverage of 3.6%. A table of existing and proposed landscaping is included on Sheet A-0. It should be noted that some of this proposed new landscaping is identified as non-plant ground cover such as mulch and decorative rock. Additionally, the applicant is offering to provide additional offsite landscaping on the City RDA-owned lot adjacent to the north of Parcel 2 (APN 115-180-027). The City owned lot is one with the new on-grade water tank and water well across from the Fir Street intersection with Obispo Street (APN 115-180-026).

Finally, the project also includes 20,000-cy of grading for geotechnical preparation of the proposed additions. This grading has already occurred. The grading involved excavation and recompaction; no import or export was required.

Site Information

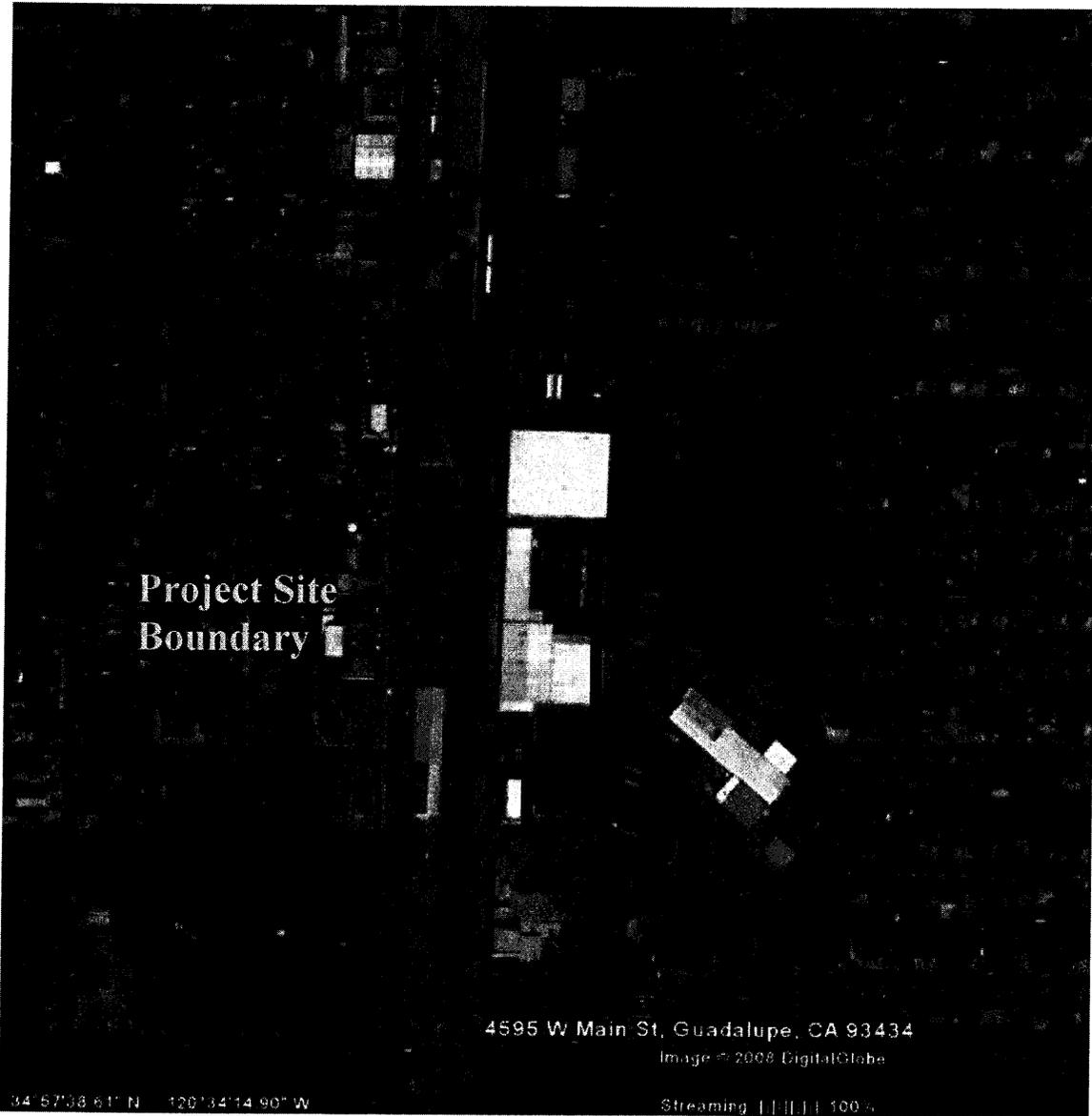
LOCATION	4595 Main Street
APNs	115-180-022, 115-180-027, 115-210-017, 115-210-022
ZONING	G-I, General Industrial
SITE SIZE	17.19 Acres
PRESENT USE	Vegetable Packaging Facility
SURROUNDING USES AND ZONING	North: G-I (General Industrial) East: R-1 (Low Density Residential) South: C-S-SP (Commercial Service Specific Plan) West: UPRR, State Highway 1, G-C (General Commercial), M-C (Industrial Commercial), O (Open Space)

The surrounding uses are noted in the above table, and a vicinity map/aerial photo is included below.

Zoning Conformity

Staff has reviewed the request's conformity to zoning requirements and standards and notes no other inconsistencies except the proposed reduction in landscaping. As noted

above a reduction in the required landscaping is within the purview of the Planning Commission. Other zoning code considerations will be part of the Planning Commission's review of the DRP, including proposed fencing and the surface of parking lots, drive aisles, and travel corridors. The proposed addition meets other zoning standards such as building setbacks and height limits.



Project Issues

There a few issues presented by the request that arose during staff review of the applications. Some of these may be addressed by the applicant in advance of the item or during the item's consideration. Others will need to be addressed through the application of conditions of approval that ensure that City concerns are satisfied prior to construction or occupancy, as appropriate.

LLA Items

1. The proposed lot line between Parcels 1 and 3 cuts across a portion of the below grade loading dock approach. City staff reviewed this component at the December 10, 2008 Development Review Committee and stated a preference that this lot line be adjusted to the north to avoid cutting across the loading dock ramp. While the square footage of this approach is indicated as 7,374 sf on the site plan and is included in the calculations of the proposed new structural development, the applicant has clarified that this will not involve any structures or covers and would be limited to a ramp. The applicant is considering a revision to the Lot Line Adjustment exhibit to address this concern.
2. The LLA exhibit does not show an easement for the City's water line. An offer to the City for such an easement and showing this easement on the LLA Exhibit would be a condition of approval prior to final approval of the LLA.

DRP and Zoning Clearance Items

1. The review of the proposed landscaping should include consideration of the request to reduce landscaping coverage below the City's standard 10% coverage requirement.
2. The applicant's proposed offsite landscaping just north and outside of Parcel 2 would produce conflicts with underground utilities, according to City Public Works staff. City staff would prefer to provide a landscaped buffer (similar to what is proposed for the offsite planting) on the north side of Parcel 2.
3. City staff have stated a preference that all proposed parking and travel corridors be paved. The applicant's proposal is to keep some areas unpaved, including the 100-space parking area on Parcel 2.
4. There are parking lot access and circulation issues that will need to be addressed prior to Zoning Clearance. Notably, some parking areas do not provide flow through access, which results in dead ends with inadequate turn-around space. In addition, certain interior fencing results in inadequate access and circulation, including that for emergency vehicles. These issues would be addressed as a condition of approval.
5. An existing 40-ft wide Public Utilities Easement and private access easement is affected by the proposed expansion. In addition, its current location presents land use conflicts with the Treasure Park Subdivision to the east. A suitable replacement easement is necessary. The proposed location of this easement has been indicated by the applicant. Planning Commission review of this proposed relocation is requested. The dedication and acceptance of this replacement easement is would be a condition of approval.
6. The City has an interest in providing for an alternate vehicular access from the site to Obispo Street in the event that access to the site off of Main Street/Highway 166 is

restricted or eliminated. City staff recommend that this access be provided in the location of the proposed private access easement (which would enter onto Obispo Street mid-block between Third and Cedar Streets). As a condition of approval, a new curb cut would be required in the event that site access from Highway 166 be constrained.

7. A total of 7 disabled parking spaces is provided. The number of required disabled parking spaces as well as adequate pathways will be determined as part of the Building Plan check process, and additional spaces may be required.
8. The portable machinery to the south of the main warehouse and proposed addition encroaches slightly into the indicated travel way. Moving this equipment out of the travel way would be a condition of approval.
9. A grading and drainage plan for the entirety of the site was not provided. This will be conditioned so that City staff can review and approve drainage improvements.

CEQA Review

The project is exempt from CEQA pursuant to CEQA Guidelines Section 15305(a). This section notes as categorically exempt from CEQA:

“Minor lot line adjustments, side yard, and set back variances not resulting in the creation of any new parcel.”

In addition to the proposed Lot Line Adjustment, the applicant has requested a Design Review Permit for the proposed expansion of the facility. That component of the project is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3), which states in part:

...CEQA applies only to projects which have the potential for causing a significant effect on the environment.

The request as conditioned is in conformity to zoning requirements, and the scope of the Planning Commission’s review is focused on aesthetic considerations, with such review ensuring that significant aesthetic impacts do not result. Moreover, the applicant has clarified that truck trips associated with the Apio operations will not increase, as the use of the new expansion areas would be balanced by the cessation of use of a leased facility for the same purpose. Traffic and noise impacts relating to the Apio operations would not increase, and dust and land use compatibility issues are addressed through the improvement of parking lots and travel ways and the relocation of the access easement and potential future driveway onto Obispo Street.

Planning Commission Consideration

The Planning Commission has two separate actions to consider: the LLA and the DRP. The Commission's action on the LLA would be the consideration of a resolution recommending that the City Council approve the Lot Line Adjustment. A Resolution for the Planning Commission's consideration has been prepared for this. The City Council would be the final decision-maker for the Lot Line Adjustment.

The consideration of Design Review is under the Planning Commission's jurisdiction. Similar to other design review permit applications, the Commission's action would be by motion. Also similar to other DRP requests, the Commission may approve, conditionally approve, or continue the DRP.

Per the City's subdivision regulations (Title 17 of the City Municipal Code, included as Attachment 9), the process for considering a Lot Line Adjustment and/or lot merger is the same as the process for a parcel or tract map. A Lot Line Adjustment is also subject to the same approval criteria, which are set forth in Section 17.20.060 of the City's Subdivision Regulations. Other requirements for compliance with subdivision requirements are contained elsewhere in Title 17.

Public notice of the requested Lot Line Adjustment and Design Review Approval was published and mailed.

Staff has included draft conditions of approval for the Lot Line Adjustment, which are provided as Exhibit 1 to the draft City Council Resolution (Attachment 2 to this staff report). Staff has separately included conditions of approval for the Design Review Permit. These are provided as Attachment 3. The Commission may wish to modify, delete, or add to one or more of these conditions of approval. These conditions of approval were identified to address standard requirements as well as the issues that were noted in review of the application as discussed above.

Alternatives to the Recommended Action

The Planning Commission may conclude that changes to the Lot Line Adjustment request or to the Design Review Permit request are required. Depending on the nature of these changes, they may be addressed as changed or additional conditions of approval, or they could be provided as direction to the applicant and a continuance of the item or a component of this item. In this alternative, the Commission should note the rationale for this conclusion, including any specific findings that cannot be made at this time.

The Planning Commission could also recommend denial of the Lot Line Adjustment request. In this event, the Commission should note any specific findings that cannot be made so that this can be conveyed to the City Council.

ATTACHMENTS:

1. Resolution PC 2008-____
2. Resolution CC 2008-____, including Exhibit 1: Conditions of Approval
3. Design Review Permit 2008-002-DRP Conditions of Approval
4. Applicant Narrative/Project Description
5. Lot Line Adjustment
6. Project Plan Set
7. Site Photos
8. Shared Parking and Access Agreement
9. Subdivision Regulations

AGENDA ITEM:

ATTACHMENT 11

12/16/08 Planning Commission Minutes



MINUTES

CITY OF GUADALUPE PLANNING COMMISSION

Tuesday, December 16, 2008

Regular Meeting 6:00 p.m.

City Hall, Council Chambers
918 Obispo Street, Guadalupe, CA 93434

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in a City meeting or other services offered by this City, please contact the City Clerk's office, (805) 356-3891. Notification of at least 72 hours prior to the meeting or time when services are needed will assist the City staff in assuring that reasonable arrangements can be made to provide accessibility to the meeting or service.

*If you wish to speak concerning any item on the agenda, please complete the Request to Speak form that is provided at the rear of the Council Chambers prior to the completion of the staff report and hand the form to the City Clerk. **Note:** Staff Reports for this agenda, as well as any materials related to items on this agenda submitted after distribution of the agenda packet, are available for inspection at the office of the City Administrator, City Hall, 918 Obispo Street, Guadalupe, California during regular business hours, 8:00 a.m. to 12:00 pm. and 1:00 p.m. to 5:00 p.m., Monday through Friday; telephone (805) 356-3891.*

MEMBERS OF THE PLANNING COMMISSION: Commissioners Monika Huntley, Alejandro Ahumada, Jesse Ramirez, Vice-Chair Carl Kraemer, and Chair Frances Romero.

Staff present: Rob Fitzroy, John Rickenbach, and Rob Mullane.

1. **CALL TO ORDER.** 6:00 by Chair Romero
2. **PLEDGE OF ALLEGIANCE.**
3. **ROLL CALL.** Commissioners Monika Huntley, Alejandro Ahumada, Jesse Ramirez, Vice-Chair Carl Kraemer and Chair Frances Romero.
All Present
4. **CONSENT CALENDAR.** The following routine items are presented for Planning Commission approval without discussion as a single agenda item in order to expedite the meeting. Should a Commissioner wish to discuss or disapprove an item, it must be dropped from the blanket motion of approval and considered as a separate item.

No Items.

5. COMMUNITY PARTICIPATION FORUM.

Each person will be limited to a discussion of 3 minutes. Pursuant to provisions of the Brown Act, no action may be taken on these matters unless they are listed on the agenda, or unless certain emergency or special circumstances exist. The Planning Commission may direct Staff to investigate and/or schedule certain matters for consideration at a future Planning Commission meeting.

Speaker #1, George Alvarez: Noted that a new P.A. system is needed or that the existing system needs to be repaired in order to effectively inform the public.

6. APIO COOLING EXPANSION LOT LINE AND DESIGN REVIEW. That the Planning Commission conduct a Public Hearing and adopt PC Resolution No. 2008-05 recommending approval of a lot line adjustment for the Apio Expansion Project.

- a. Written Staff Report (Rob Mullane)
- b. Written Communications.
- c. Public Hearing.
 1. Those in favor to be heard.
 2. Those in opposition to be heard.
 3. Rebuttals to be heard.
 4. After all persons have been heard and all communications filed, the hearing will be ordered closed.
- d. Planning Commission discussion and consideration.
- e. It is recommended that the Planning Commission conduct a Public Hearing and adopt PC Resolution No. 2008-05 recommending approval of a lot line adjustment for the Apio Expansion Project.

At 6:09p.m., Mr. Rickenbach gave the staff presentation, which introduced the request and noted a number of issues that City staff had noted. These issues were items that could be addressed later in the process as conditions of approval. Staff's review of the project under CEQA noted exemptions that could apply to the project.

Mr. Mullane added to the staff presentation, noting that a few hours before the meeting started, he received a request relayed from the City Administrator's office to have this item tabled. Mr. Mullane noted that the applicant was not present and recommended that the item be conducted as a workshop, rather than as a decision item, and that the Planning Commission should continue the item after conducting the workshop.

Chair Romero noted that the request should be for a continuance, not a tabling of the item. Given that the item was noticed for a public hearing and that there were people in attendance wishing to speak on this item, the Commission decided to hold the public hearing and provide input for staff on the request and some of staff's conclusions.

MINUTES – CITY OF GUADALUPE PLANNING COMMISSION

Regular Meeting – December 16, 2008

Page 3

Chair Romero opened the public hearing at 6:40 pm.

No speakers in support of the request.

Speakers opposed to the request:

Speaker #1: George Alvarez, noting that the public hearing is needed as well as a PowerPoint presentation by staff, a traffic study should have been prepared, and expressing concerns that grading took place without a permit and that permit fees were not collected for this grading.

(Note: subsequent to the meeting, City staff did locate a grading permit that was issued by the City for 26,000-cu yd of grading on September 26, 2008, and indicates that a fee of \$3,539.00 was collected by the City.)

Speaker #2: Hermando Narez, who lives in the Treasure Park subdivision near the Apio project. Mr. Narez noted that existing operations result in off-site dust impacts, and that noise of fork lifts and lighting impact the adjacent residential property owners.

Rebuttal speakers (public hearing briefly reopened to hear rebuttals):

Speaker #3: George Alvarez, noting disagreement with the CEQA exemption conclusions, questioning past notification for ammonia releases, noting the possible need for a siren and/or autodial system in the event of an ammonia release.

The public hearing was then closed.

The Commission then noted their own concerns with the project as well as the staff report.

A general comment was that the Commission felt that they did not have enough information about the project and its potential environmental impacts to be able to take action on the requests. The Commission also noted their disagreement with the use of a CEQA exemption for this project and asked if an Initial Study was prepared. Staff replied that it was not, but that given the concerns that came out of the public hearing and Planning Commission comments an initial study would be conducted.

Other specific concerns of the Commission included the following:

- Lighting is not downward directed.
- Was any lighting plan submitted by the applicant? One is needed.
- Noise impacts need to be analyzed.
- Need more information on the truck trips and the potential for a net increase in truck trips should the space now leased by Apio be leased by a new tenant. Additional information is needed on the size of the leased space currently leased by Apio and what plans the owner has for this space once Apio is no longer the tenant.
- A traffic study is needed and the information on leasing should be included in this study.

MINUTES – CITY OF GUADALUPE PLANNING COMMISSION

Regular Meeting – December 16, 2008

Page 4

- The proposed plant container sizes seem inadequate. 24-in box trees recommended for the Weeping Bottlebrush trees, and 5-gallon plants should be replaced with 15-gallon containers to provide for better screening upon installation.
- Pedestrian safety across Obispo Street should be considered (in the traffic study) and crosswalks provided, as this street is a safe-route for school children.
- Proposed landscaping is deficient. More was discussed at conceptual review, and more is expected. Landscape plan needs to be comprehensive. Emphasized increase in landscaping mass, not just overall percentage.
- Emphasis on landscaping from conceptual review was to consider landscaping and other screening that would provide a equivalent performance as 10% coverage. Chain link fencing needs slats that provide a high-level of screening.
- Disabled parking appears to be insufficient. 16 spaces, rather than 7, should be provided, based on a 1:25 ratio.
- Concern with any increases in use of hazardous chemicals such as the ammonia refrigerant. Expansion includes new refrigerated areas closer to residences to east. A hazard study and evacuation plan should have been included with the application.
- Applicant should address if the project poses any changes in emergency response needs.
- Better control of off-site lighting impacts should be provided.
- Agreement with dust impacts noted by speaker. Application will increase dust, noise, and lighting. A solid wall between the Apio facilities and the Treasure Park subdivision would reduce these land use conflicts.
- A drainage plan is needed.
- Dissatisfaction with deferring review of parking plans, circulation, and full grading and drainage plans to post Commission review. Need these items addressed now, not as conditions of approval.
- Need to address the easement issues noted by staff at this time, rather than deferring this.
- Expectation that more effective off-site landscaping be provided, including along Highway 166.
- More information on the grading that took place including what geotechnical testing was conducted, and what measures were used to control dust.
- When the item is re-noticed, that bi-lingual English/Spanish notices be mailed, and that the item be noticed on the cable access TV station if possible.

In summary, the Planning Commission recommended that:

1. These concerns be addressed by staff working with the applicant prior to bringing this item back for Commission consideration.
2. An initial study be conducted to determine the appropriate CEQA document.

Staff agreed to relate these concerns to the applicant, to seek changes to the project plans that reduce the reliance on deferral of items as conditions of approval, to obtain the necessary technical studies (traffic, noise, hazards, and lighting) from the applicant and then prepare the necessary CEQA compliance documentation, and to return to the Commission when ready. Staff also noted that a PowerPoint presentation would be beneficial and will include that in the subsequent meeting.

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Regular Meeting – December 16, 2008
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The Planning Commission took no action on the item, other than to hear the speakers and provide comments on the request.

7. PLANNING DIRECTORS REPORT.

Mr. Mullane noted that Joe and Margie Talaugon were honored at the Santa Barbara County Board of Supervisors meeting this morning. They received an award from the Santa Barbara County Arts Commission's Leadership in the Arts Award for 2008 for their efforts in this field. The award was presented by Supervisor Gray and received by Joe and Margie's daughter Karen Evangelista, as the Talaugons were traveling.

Mr. Rickenbach gave a brief update on the status of the D.J.Farms revised Specific Plan.

8. FUTURE AGENDA ITEMS.

- a. Cellular Facilities on New Water Tank at Central Park: Conceptual Review.

Mr. Mullane noted that the four existing cellular companies that have facilities on the earthquake damaged water tank would like to relocate their facilities onto the new City water tank. To allow for an efficient consideration of these requests, City staff recommended and the carriers agreed to a Planning Commission conceptual review of the proposed relocated facilities. Time is of the essence as the City's contract with the firm that is removing the old tank is expiring soon. Mr. Mullane asked if the Commission would be able to hold a special meeting on Tuesday, January 6th for this item. Commissioners confirmed their availability.

9. ANNOUNCEMENTS.

Commissioner Huntley reminded the audience to please spay and neuter their pets.

Chair Romero indicated that the City is moving ahead with revisions to our Municipal Code to allow for more effective code enforcement.

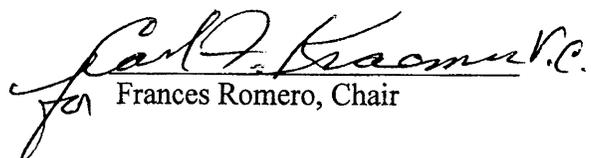
10. ADJOURNMENT.

Meeting adjourned by motion (Ahumada/Huntley) and vote (5-0) at 7:45 pm.

Submitted by:

Affirmed by:


Robert A. Mullane, City Planner
Planning Commission Secretary


Frances Romero, Chair

ATTACHMENT 12

Letter Report from Hawkins Engineering Regarding Apio
Ammonia System

HAWKINS ENGINEERING

1813 Springfield Rd., Moss Landing, CA 95039
(831) 761-7400 Fax (831) 761-7401
Email: scott@hawkinsengineering.net

February 11, 2009

David Swenk, Senior Planner
Urban Planning Concepts
2624 Airpark Drive
Santa Maria, CA 93455

Re: Apio Ammonia System Description

Dear Mr. Swenk,

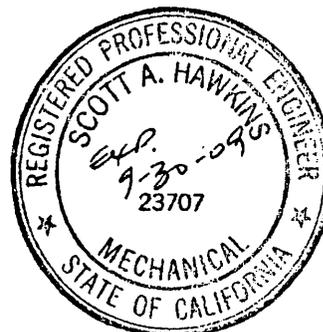
The current system includes a centralized Refrigeration Machinery Room (aka Engine Room) installed in 2006 and designed to accommodate all existing site refrigeration loads plus anticipated future additions which include the currently planned 19,500 s.f. refrigerated space addition plus an additional future 39,000 s.f. The design charge of the system including the future build-out as described is 4800 gallons of anhydrous ammonia (R717) and as currently built is 4280 gallons. The new Engine Room was designed and built according to the 2001 California codes and includes a 30,000 gallon water filled diffusion tank. All of the automatic overpressure relief valves in the Engine Room are piped to this tank which is of sufficient size to diffuse and contain the entire 4800 gallon charge of ammonia in the event of a severe overpressure accident. In addition, many other safety systems are in place including ammonia sensors and alarms, overpressure and over-temperature warnings and automatic shut-down switches and automatically closing (fail-safe mode) liquid and vapor flow valves. All of these automatic systems and devices result in an extremely low likelihood of an accidental release of ammonia to the atmosphere.

The proposed addition includes 7 new room cooling units which together require a total of 80 gallons of ammonia to operate. This is a comparatively insignificant amount and based on observed receiver levels, the current charge is sufficient to handle it and therefore no addition of ammonia will be required.

Best regards,



Scott A. Hawkins, P.E.



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FEB 25 2009

City of Guadalupe
Planning Dept.

REPORT TO THE PLANNING COMMISSION
April 21, 2009

151
Prepared by:
Tierra West Advisors, Inc.

OC
Approved by:
Carolyn Galloway-Cooper

SUBJECT: Consideration of the Draft Textual Amendment to the Redevelopment Plan of the Guadalupe Redevelopment Project Area

RECOMMENDATION:

- 1) Receive a presentation from Staff
- 2) Make a motion and vote to approve the Draft Textual Amendment to the Redevelopment Plan

BACKGROUND/ DISCUSSION:

The City Council of the City of Guadalupe (“City Council”) initiated the redevelopment study process by instructing staff to consider a redevelopment plan amendment (“Amendment”) to increase the annual tax increment limit for the Guadalupe Redevelopment Project Area (“Project Area”) and other time and (“Agency”) financial limits. Currently, the Redevelopment Plan limits the annual property tax revenue the Guadalupe Community Redevelopment Agency can collect to \$1 million. This limit has been reached and prevents the Agency from receiving a share of the property tax revenue generated above the \$1 million limit. The Agency is also considering re-instating eminent domain on non-residential properties in the Project Area for twelve years.

Pursuant to Section 33346 of the California Community Redevelopment Law, Health and Safety Code Section 33000 et seq. (“Law”), the Agency is required to submit the proposed Plan Amendment to the Planning Commission. Prior to approval by City Council and the Agency, the Planning Commission shall make a report and recommendation concerning the proposed Plan Amendment and its conformity to the General Plan of the City of Guadalupe (“General Plan”).

The Agency is charged with the responsibility for promoting the continued revitalization of the Project Area. Since the inception of the Project Area, the Agency has implemented redevelopment activities to encourage reinvestment within the Project Area; however, despite its best efforts, some blighting conditions remain. The Agency has undertaken proceedings for amending the Redevelopment Plan for the Project Area to increase the tax increment revenue and continue implementing revitalization activities.

The Redevelopment Plan is essentially a legal document (rather than a “plan”) that sets forth the Agency’s goals, powers, duties, and obligations to implement a redevelopment program, which is focused on eliminating blight from the Project Area. The

Redevelopment Plan is not a General or Specific Plan. The Redevelopment Plan describes rights of owners and tenants, outlines the guidelines for the Agency to follow for acquisition, and authorizes the use of property tax revenue generated within the Project Area to finance projects that will allow the Agency to:

- Construct public facility and infrastructure improvements;
- Fund public improvements and other Agency activities;
- Fund property rehabilitation programs and new development programs;
- Provide for affordable housing opportunities in conjunction with the City's Housing Element; and
- Issue bonds to fund, in whole or in part, public improvements, rehabilitation programs, and other Agency activities.

The Redevelopment Plan must be in conformance with the General Plan and the Agency is not proposing any changes to the land uses or future development that would not be in conformance with the General Plan. The Plan Amendment proposes to modify the Redevelopment Plan as follows:

- Re-instate eminent domain authority for twelve years on non-residential properties, and
- Increase the annual tax increment limit from \$1 million to \$5 million to continue funding redevelopment activities.

These are the only changes to the Redevelopment Plan proposed in this Plan Amendment. All other aspects of the Redevelopment Plan as previously adopted will remain unchanged.

The Plan Amendment is based on the Preliminary Plan, which was previously approved by the Planning Commission on September 2, 2008, and the Agency on September 9, 2008. The Plan Amendment does not propose development or uses that are not already anticipated in the General Plan.

CONCLUSION:

The Planning Commission is requested to adopt the resolution finding the Plan Amendment to the Redevelopment Plan for the Guadalupe Redevelopment Project is in conformance with the City of Guadalupe's General Plan.

Staff is recommending approval of this Draft Textual Amendment to the Redevelopment Plan.

Recommendations:

- 1) Receive a presentation from Staff

- 2) Motion and vote to approve Resolution No. PC 2009-01 recommending approval of the Draft Textual Amendment to the Redevelopment Plan for the Guadalupe Redevelopment Project Area.

Attachment:

1. Draft Textual Amendment to the Redevelopment Plan to the Guadalupe Redevelopment Project Area

ATTACHMENT 1

Planning Commission Resolution No. 2009-001

RESOLUTION NO. PC 2009-01

**A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF GUADALUPE FINDING THAT THE DRAFT TEXTUAL AMENDMENT
TO THE GUADALUPE REDEVELOPMENT AREA CONFORMS TO THE
GENERAL PLAN OF THE CITY OF GUADALUPE**

WHEREAS, the City Council of the City of Guadalupe (“City Council”) and Community Redevelopment Agency of the City of Guadalupe (“Agency”) have undertaken proceedings to adopt the Amendment to the Redevelopment Plan (“Plan Amendment”) for the Guadalupe Redevelopment Project Area (“Project Area”); and

WHEREAS, pursuant to Section 33346 of the California Community Redevelopment Law, Health and Safety Code Section 33000, *et seq.* (“Law”), the Agency has submitted the Plan Amendment to the Planning Commission for its report and recommendation to the Agency and the City Council regarding the proposed Plan Amendment and its conformity to the City of Guadalupe General Plan; and

WHEREAS, by previous resolution, the Planning Commission of the City of Guadalupe approved a Preliminary Plan for the Plan Amendment for the Project Area (“Preliminary Plan”) on September 2, 2008. The Preliminary Plan has been transmitted to the Agency and is on file in the office of the Agency’s Secretary; and

WHEREAS, pursuant to the Law, the City Council proposes to adopt the Plan Amendment for the Project Area to re-instate eminent domain for twelve years on non-residential properties and to amend the tax increment that can be received annually from \$1 million to \$5 million in order to alleviate blighting conditions; and

WHEREAS, the proposed Plan Amendment for the Project Area will allow the Agency to address blighting conditions that remain in the Project Area; and

WHEREAS, the proposed Plan Amendment does not propose development or uses that are not included in the General Plan.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Guadalupe does hereby:

Section 1. The Planning Commission has reviewed the proposed Plan Amendment and hereby finds and determines that it is in conformance with the General Plan of the City of Guadalupe.

Section 2. The Planning Commission hereby finds and determines that this resolution shall constitute the report and recommendation of the Planning Commission to the Agency and the City Council concerning the proposed Plan Amendment and its conformity to the General Plan pursuant to Health and Safety Code Section 33346.

Section 3. The Planning Commission hereby authorizes and directs the Secretary of the Planning Commission to transmit a copy of this resolution to the Agency and the City Council.

PASSED, APPROVED and ADOPTED at a regular meeting of the Planning Commission of the City of Guadalupe held this 21st day of April, 2009.

Carl Kraemer, Vice Chair

ATTEST:

I, **Robert A. Mullane**, Planning Commission Secretary of the City of Guadalupe, **DO HEREBY CERTIFY** that the foregoing **Resolution No. PC 2009-01** has been duly signed by the Planning Commission Chair and attested by the Planning Commission Secretary, all at a meeting of the Planning Commission, held on **April 21, 2009**, and the same was approved and adopted.

Motion:

AYES:

NOES:

ABSTAIN:

ABSENT:

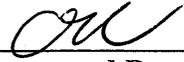
Rob Mullane
Planning Commission Secretary

Ba.

REPORT TO THE PLANNING COMMISSION
April 21, 2009



Prepared By:
Rob Mullane, City Planner



Approved By:
Carolyn Galloway-Cooper

SUBJECT:

Informational Workshop on draft Mitigated Negative Declaration for City of Guadalupe Redevelopment Agency Plan Amendment

SUMMARY:

The City has proposed an amendment to Redevelopment Agency Plan to increase the annual tax increment limit to \$5,000,000 and reinstate eminent domain authority for twelve years on non-residential properties within the Project Area. The proposed amendment includes the continuance of programs to eliminate economic and physical blight, establish fair market home values, decrease building vacancy, improve human health and safety, fund infrastructure improvements, and provide economic incentives that will stimulate economic revitalization of the project area. A draft Mitigated Negative Declaration (MND) was prepared for this project. The draft MND identified significant but mitigable impacts related to biological resources, cultural resources, hydrology and water quality and public services. The draft MND was released for a 30-day public comment period on March 18, 2009, with the comment period ending on April 17, 2009. This is an informational workshop to inform the Commission of the status of the environmental review of the RDA Amendment. No action is required by the Commission. The adoption of the draft MND will be considered by the Redevelopment Agency (the Agency) on May 12, 2009.

INTRODUCTION:

The draft MND prepared for the proposed project evaluated environmental impacts on a programmatic level, as an amendment to the Redevelopment Plan would not cause direct physical changes to the environment. The MND evaluated the potential impacts that would result from policies to increase in the annual tax increment limit to \$5,000,000 and reinstate eminent domain authority for twelve years on non-residential properties within the Project Area. Future development projects under the amended Redevelopment Plan would be subject to project specific environmental review under the California Environmental Quality Act (CEQA).

This amendment is subject to the approval of the Guadalupe Redevelopment Agency. This staff report is an informational item for the Planning Commission; no action of the Planning Commission is necessary at this time. The Planning Commission was given

notice of availability of the draft MND earlier this month, and to date, staff has not received any comments on the draft MND from members of the Planning Commission.

BACKGROUND:

The Guadalupe Redevelopment Agency was established in 1985 to provide a tool to eliminate blighting conditions within the City. The current Redevelopment Plan tax increment limit is set at \$1,000,000¹, an annual dollar amount cap that was established in 1985. The Redevelopment Agency is seeking to increase the tax increment limit to make available additional funds such that the goals of the agency can be better achieved. The primary goals of the Redevelopment Agency are:

- 1) to help revitalize the central commercial district along Guadalupe Street (State Highway 1) by providing needed parking, renovating existing buildings and improving the visual and functional character of the downtown;
- 2) to remove barriers for commercial and industrial development by incentivizing the purchases of small and multiple owner parcels;
- 3) to increase the supply of affordable housing through renovation and new development; and,
- 4) to create incentives for developers to produce market rate housing.

PROJECT DESCRIPTION

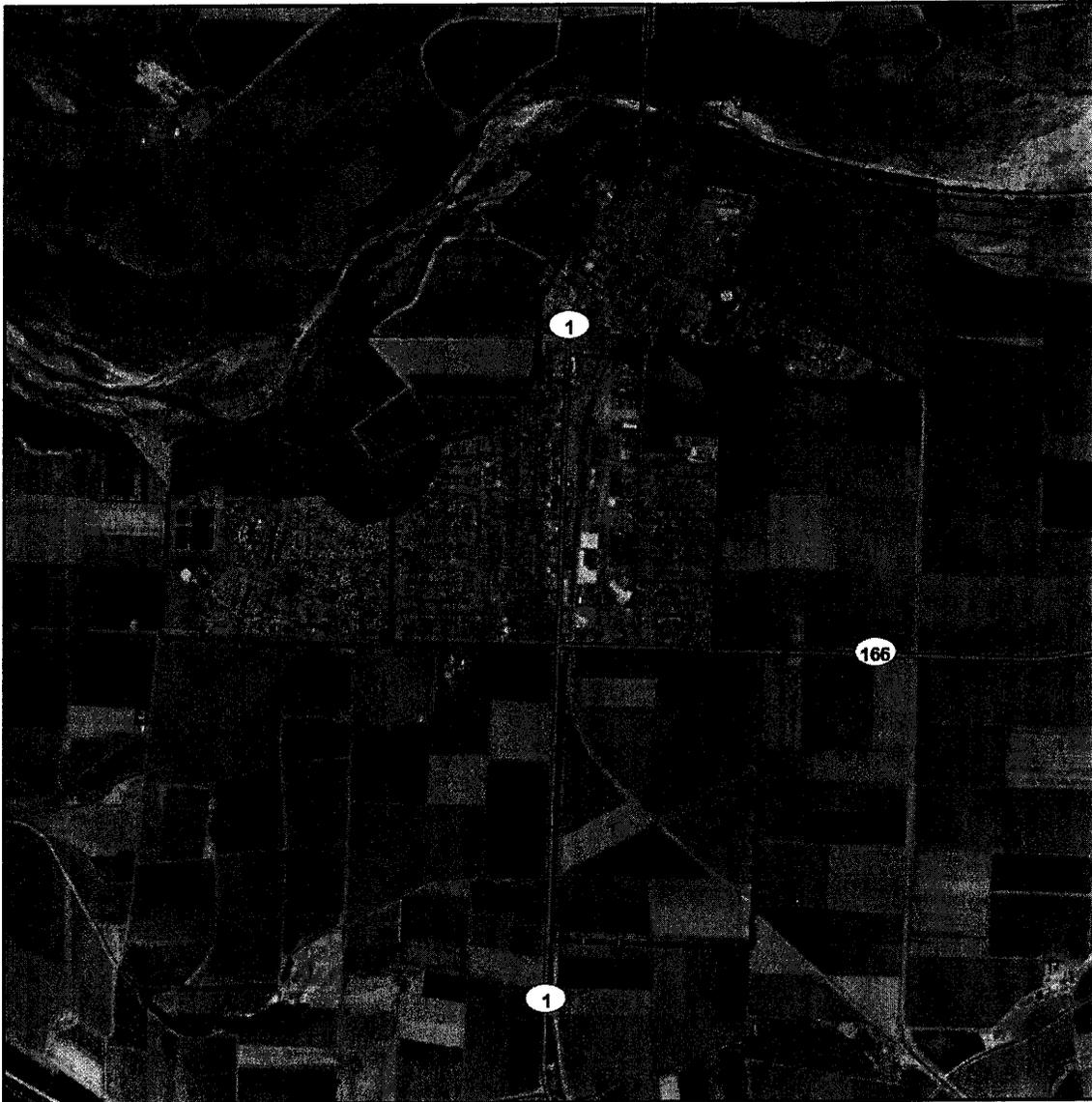
The project is proposed by the City of Guadalupe Community Redevelopment Agency and primarily involves an increase in the annual tax increment limit to \$5,000,000 and the reinstatement of eminent domain authority for twelve years on non-residential properties within the Project Area. The 581-acre Redevelopment Plan area (the project area) encompasses approximately 72% of the City; refer to the project site map below.

The proposed amendment continues the creation of programs to eliminate economic and physical blight, establish fair market home values, decrease building vacancy, improve human health and safety, fund infrastructure improvements, and provide economic incentives that will stimulate economic revitalization of the project area. In addition, revenue from the tax increment limit increase would be used to service existing debt incurred by the Redevelopment Agency.

The revision in the tax increment limit by the Agency would not change the existing physical environment beyond what is anticipated as growth and redevelopment in the General Plan. It would provide additional funds in the future to implement the policies and activities in the existing Redevelopment Plan Area, as well as provide funds for programs and projects included in the proposed amendment. The proposed amendment includes several projects and programs, which are listed below:

- First Time Homebuyer Financing Programs
- Above Moderate Residential Development for Volunteer Fire Fighters

¹ Tax increment is the difference between the base year of the assessed property value at the date of formation of the Redevelopment Agency and the increase in property values in the current year. The Redevelopment Agency receives a portion of this increment for redevelopment projects within its boundaries.

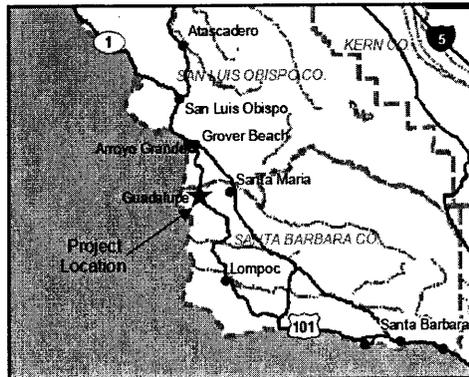


Base map source: U.S. Bureau of the Census TIGER 2000 data;
 Map images copyright © 2008 ESRI and its licensors.
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Legend

-  City Boundary
-  Redevelopment Agency Area Boundary
-  Unincorporated Areas Within Redevelopment Agency Boundary

0 0.25 0.5 Mile



- Downtown (Central Business District) Revitalization Strategy Development, Visitor Center, Open Air Market, and Tourism Development
- Public Improvements to increase the aesthetics of the community
- Gateway public improvement projects for the north and south end of town
- Hotel Development
- R.V. Park development
- Industrial/Commercial Business Development (Attraction Efforts and Incentives)
- Provision of additional downtown parking and other parking programs
- Water Systems Improvements
- Wastewater Treatment Plant Facilities Improvements
- Storm Drain Development and Improvements
- Royal Performing Arts Center Development
- Wetlands Parkway and Trails
- Utilities upgrades and underground relocation of Utilities where feasible
- Curb and Gutter improvements, replacements and development

ENVIRONMENTAL REVIEW

In accordance with the CEQA, an Initial Study was prepared to assess potential environmental impacts from the proposed amendment. The public comment period began on March 18, 2009 and ended on April 17, 2009. As of the date of the preparation of this staff report, the only comment received on the draft MND was from Chris Schaeffer at Caltrans with a minor clarification pertaining the roadway setting.

No significant and unavoidable impacts were identified in the IS/MND. However, the project was determined to have significant but mitigable impacts in four environmental issue areas, which include biological resources, cultural resources, hydrology and water quality and public services. These impacts and their mitigation measures are discussed briefly below.

Biological Resources

The majority of projects and programs under the amended Redevelopment Plan would constitute the redevelopment of existing structures or new development within residentially, industrially and commercially designated areas. However, if development or redevelopment under the Plan were to occur on lots with sensitive plant species, trees of substantial size or other important biological resources, which may be outside of state or federal jurisdiction, impacts could result. Although the biological resources that could be impacted may not be state or federally listed, they may have local and/or regional biological importance.

Mitigation measures for this impact include performing biological surveys and tree replacement and protection measures, which would be timed to occur prior to project approval. Implementation of these measures would reduce potential impacts to a less than significant level.

Cultural Resources

The proposed amendment to the Redevelopment Plan to increase the tax increment cap would not directly impact known cultural resources. However, as development or redevelopment occurs, potentially historic buildings could be damaged or demolished by future projects under the amended Redevelopment Plan. In addition, the construction activities of future projects that would require grading or substantial excavation could unearth previously unknown and unidentified human remains or archeological artifacts.

Mitigation Measures for this impact include artifact stop work orders and human remains stop work orders. Such requirements would be printed on all building and grading plans. Implementation of these measures would reduce potential impacts to a less than significant level.

Hydrology and Water Quality

Although the amendment would not accommodate additional development beyond that which is already anticipated in the General Plan and discussed in the Redevelopment Plan EIR, water supplies available to the City may be inadequate to meet future projected population increases. When the City's population reaches 8,100 (expected to occur in the year 2016 according to the 2007 Regional Growth Forecast), the demand for water may exceed available supply, unless water supply is augmented. The General Plan identifies several strategies to increase future water supply, and the implementation of the DJ Farms Specific Plan or Revised Specific Plan would include the development of supplemental water sources, which would decrease demands on the Santa Maria Groundwater Basin. Given the uncertainty in the timing and outcome of development under the proposed Revised DJ Farms Specific Plan, potential impacts to water supply in future buildout conditions remain.

Mitigation measures for this impact require that future projects demonstrate water availability and implement water conservation measures prior to project approval. Implementation of these measures would reduce potential impacts to a less than significant level.

The proposed amendment to the Redevelopment Plan to increase the tax increment cap would not directly impact water quality or alter drainage patterns. In addition, short-term impacts on water quality resulting from construction activities as surfaces are exposed through grading, excavating, stockpiles or other activities would be reduced through adherence to NPDES requirements and adherence to SWPPPs for projects exceeding one acre. However, projects that would occur under the amended plan would further increase the amount of impervious surfaces throughout the City. An increase in impervious surfaces would result in increased stormwater peak flows and could increase stormwater runoff contamination. An increase in stormwater runoff has the potential to degrade water quality of groundwater, and local watersheds and rivers.

Mitigation measures for this impact require that future projects avoid water degradation through the use of Low Impact Development design technologies prior to building permit

issuance. Implementation of these measures would reduce potential impacts to a less than significant level.

Public Services

The proposed amendment would not directly impact solid waste facilities currently served by the City. Projects that would occur under the amended Redevelopment Plan would not increase solid waste generation beyond that already estimated in the Redevelopment Plan EIR and expected under the General Plan. However, the California Integrated Waste Management Board has recently noted that the City has a declining recycling rate. Future construction activities and development projects could contribute to this declining recycling rate unless additional provisions for recycling are required.

Mitigation Measures for this impact include the provision of designated recycling pickup areas, source reduction and conservation efforts and construction site recycling prior to project approval. Implementation of these measures would reduce potential impacts to a less than significant level.

CONCLUSION:

The proposed amendment to the Redevelopment Plan would be expected to facilitate achievement of the goals and objectives of the Redevelopment Plan. New redevelopment projects would be carried out under the amended Redevelopment Plan and would be subject to project-specific environmental review. On a programmatic level, the proposed amendment does not create significant environmental impacts, as mitigation measures were identified to reduce the level of identified programmatic impacts. The draft MND review period recently closed with no substantial controversy or extensive comment letters. While the official review period has closed, any comments or questions of the Commission can be conveyed by staff to the Redevelopment Agency for the Agency's consideration of the amendment and associated MND at the May 12, 2009 RDA meeting.

INFORMATIONAL ITEM: