

RESOLUTION NO. CC 2024-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CAMARILLO, APPROVING A REQUEST FROM HIJI INVESTMENT & TFR INVESTMENT COMPANIES FOR A COMMERCIAL PLANNED DEVELOPMENT PERMIT (CPD-255) FOR THE CONSTRUCTION OF A NEW 2,190-SQUARE-FOOT COFFEE SHOP WITH A DRIVE-THROUGH LANE ON PARCEL A OF LOT LINE ADJUSTMENT 563A AND GRADING OF LOTS 1 THROUGH 6 OF TRACT 5753 WITHIN THE VILLAGE AT THE PARK SPECIFIC PLAN AREA.

The City Council of the City of Camarillo resolves as follows:

SECTION 1: General Findings. The City Council finds as follows:

A. Hiji Investment and TFR Investment Companies submitted an application for a Commercial Planned Development Permit (CPD-255) to allow for the construction of a new 2,190-square-foot Starbucks coffee shop with a drive-through lane on Parcel A of Lot Line Adjustment 563A consisting of 0.94 acres, and grading of Lots 1 through 6 of Tract Map 5753, with the exception of the bike lane within Lot 1 and Lot 2, located east of the U.S. Highway 101 and Village at the Park Drive interchange (the Property);

B. The Property is approximately six acres and is located within the Commercial Mixed-Use (CMU) Zone with a General Plan Designation of General Commercial. The project involves a Change of Zone for Parcel A of Lot Line Adjustment 563A, consisting of 0.94 acres from CMU to Commercial Planned Development (CPD) under CZ-336 and Amendment to the Village at the Park Specific Plan from Mixed Use to Commercial which is being processed concurrently with CPD-255;

C. The City reviewed the project's environmental impacts under the California Environmental Quality Act (Public Resources Code §§ 21000, et seq., "CEQA"), the regulations promulgated thereunder (14 Cal. Code of Regulations §§15000, et seq., the "CEQA Guidelines"), and the City's Environmental Guidelines ("Camarillo Guidelines"; CEQA, CEQA Guidelines and Camarillo Guidelines collectively referred to as "CEQA Regulations");

D. The Planning Commission considered CPD-255 at their special meeting of October 15, 2024, where the Planning Commission voted 5-0 to recommend approval to the City Council.

E. On November 13, 2024, the City Council opened the public meeting to receive public testimony and other evidence regarding the applications, including without limitation, information provided to the City Council by the Applicant, and;

F. The City Council considered the information provided by City staff, public testimony, and the Applicant. This Resolution, and its findings, are made based upon the evidence presented to the City Council at its November 13, 2024 meeting including, without limitation, the staff report submitted by the Director of Community Development.

SECTION 2: Environmental Review. CPD-255 has been reviewed for compliance with the California Environmental Quality Act (CEQA) and have been found that there are no environmental impacts that cannot be adequately mitigated, and that an Addendum to Final Mitigated Negative Declaration 2009-6 has been prepared and approved for the project.

SECTION 3: Commercial Planned Development Findings (CPD-255). Pursuant to CMC § 19.26.220 (Planned development permit – Consideration of proposal), the City Council, after reviewing the application and receiving evidence and testimony at a public meeting on this CPD permit, finds that the request may be approved based on the following findings:

A. That the degree of compatibility of property uses for which this chapter is intended to promote and preserve shall be maintained with respect to the particular use on the particular site and consideration of existing and potential uses of property within the zone and the general area in which use is proposed to be located.

The proposed use is a use permitted pending approval of the amendment to the Village at the Park Specific Plan and zone change as it will be permitted with a planned development permit under CMC section 19.26.030 (58). The project site was previously subdivided under Tract 5753, which anticipated a mix of commercial and residential uses, including future food uses.

B. That performance standards and conditions shall be imposed upon uses which without such condition might become obnoxious, dangerous, offensive or injurious to the public health, safety, or welfare or a portion thereof by reason of the emission of noise, smoke, dust, fumes, vibration, odor or other harmful or annoying substances.

The project is adequately conditioned to prevent the use and development from becoming obnoxious, dangerous, offensive, or injurious. Furthermore, the project complies with the development standards in CMC Chapter 19.26 and must comply with the commercial performance standards as described in CMC Chapter 19.54.

C. That the project will maintain the integrity and character of the neighborhood in which the use will be located and the utility and value of property in the neighborhood and in the adjacent zones.

The project incorporates the use of appropriate colors, textures, materials, height, and massing. The project is consistent with the Camarillo Community Design Element Commercial Design Guidelines, Village at the Park Specific Plan design criteria, and is compatible with the surrounding use types, both in terms of design and use.

D. That the use is compatible with public interest, health, safety, convenience, and general welfare.

The project meets the requirements of the CMC pending the Change of Zone, which were implemented to protect public health, safety, convenience, and general welfare. The project will expand food and beverage options for locals and visitors to the community, and the

project has been conditioned to ensure continued compatibility with public interest, health, safety, convenience, and general welfare.

SECTION 4. Approval of CPD-255. Based on the above findings, the City Council approves CPD-255 to the City Council, which includes approval of the plans labeled Exhibit A, subject to the conditions labeled, Exhibit B, which are attached and incorporated by reference, as well as all applicable general Municipal Code requirements and development standards.

SECTION 5. Construction. This Resolution must be broadly construed in order to achieve the purposes stated in this Resolution. It is the City Council's intent that the provisions of this Resolution be interpreted or implemented by the City and others in a manner that facilitates the purposes set forth in this Resolution.

SECTION 6. Reliance On Record. Each and every one of the determinations in this Resolution are based on the competent and substantial evidence, both oral and written, contained in the entire record relating to the matter. The determinations constitute the independent findings and determinations of the City Council in all respects and are fully and completely supported by substantial evidence in the record as a whole.

SECTION 7. Limitations. The City Council's analysis and evaluation of this matter is based on the best information currently available. It is inevitable that in evaluating the matter that absolute and perfect knowledge of all possible aspects of the matter will not exist. One of the major limitations on analysis of the matter is the City Council's lack of knowledge of future events. In all instances, best efforts have been made to form accurate assumptions. Somewhat related to this are the limitations on the City's ability to solve what are in effect regional, state, and national problems and issues. The City must work within the political framework within which it exists and with the limitations inherent in that framework.

SECTION 8. Preservation. This Resolution does not affect any penalty, forfeiture, or liability incurred before, or preclude prosecution and imposition of penalties for any violation occurring before this Resolution's effective date. Any such amended part will remain in full force and effect for sustaining action or prosecuting violations occurring before the effective date of this Resolution.

SECTION 9. Severability. If any part of this Resolution or its application is deemed invalid by a court of competent jurisdiction, the City Council intends that such invalidity will not affect the effectiveness of the remaining provisions or applications and, to this end, the provisions of this Resolution are severable.

SECTION 10. Electronic Signatures. This Resolution may be executed with electronic signatures in accordance with Government Code §16.5. Such electronic signatures will be treated in all respects as having the same effect as an original signature.

SECTION 11. Office of Record. The record of proceedings upon which this decision is based is located in the Department of Community Development, which is the office of record for the matter.

SECTION 12. Effective Date. This Resolution is effective upon adoption.

SECTION 13. Execution. The Mayor, or presiding officer, is hereby authorized to affix their signature to this Resolution signifying its adoption by the City Council of the City of Camarillo, and the City Clerk, or duly appointed deputy, is directed to attest thereto.

APPROVED AND ADOPTED on November 13, 2024.

Mayor

Attested to on: _____

City Clerk

I, Kristy Buxkemper, City Clerk of the City of Camarillo, certify Resolution No. _____ was adopted by the City Council of the City of Camarillo at a regular meeting held November 13, 2024, by the following vote:

AYES: Councilmembers:

NOES: Councilmembers:

ABSENT: Councilmembers:

City Clerk