

MINUTES
OXNARD PLANNING COMMISSION
REGULAR MEETING
November 21, 2019

A. ROLL CALL

At 6:02 p.m., the regular meeting of the Oxnard Planning Commission convened in the Council Chambers. Chair Frank, Vice Chair Chua, Commissioners Chavez, Dozier, Fuhring (arrived at 6:05 p.m.), Meyer, and Sanchez were present. Staff members present were Scott Kolwitz, Planning & Environmental Services Manager; Kathleen Mallory, Planning & Sustainability Manager; Jay Dobrowalski, Senior Planner; Paul McClaren, Associate Planner; Chris Williamson, Contract Planner; Ken Rozell, Chief Assistant City Attorney; Thien Ng, Assistant Public Works Director; Ryan Kim, City Traffic Engineer; Michelle Travis and Dee Lai, Recording Secretaries. Chair Frank presided and called the meeting to order.

B. PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES

Commissioner Dozier led the pledge of allegiance.

C. PUBLIC COMMENTS - On Items Not On The Agenda

None

D. CONSENT AGENDA

1. APPROVAL OF MINUTES – October 3, 2019

MOTION: Vice Chair Chua moved and Commissioner Meyer seconded a motion to approve the minutes of October 3, 2019, with the following edit to remove the duplicate word “motion” from Item E-1, on page 3:

“**MOTION:** Commissioner Chavez moved and Commissioner Dozier seconded a motion ~~motion~~ to continue...”

VOTE: Chair Frank, Vice Chair Chua, Commissioners Chavez, Dozier, Meyer and Sanchez voted in favor. Commissioner Fuhring was recused from the vote as he was not present at the meeting of October 3, 2019. The motion carried 6:0:0:1¹.

2. APPROVAL OF MINUTES – October 17, 2019

MOTION: Commissioner Chavez moved and Chair Frank seconded a motion to approve the minutes of October 17, 2019 as submitted.

VOTE: Chair Frank, Vice Chair Chua, and Commissioners Chavez and Fuhring voted in favor. Commissioners Dozier, Meyer and Sanchez were recused from the

¹ In Favor: Against: Absent: Recused

vote as they were not present at the meeting of October 17, 2019. The motion carried: 4:0:0:3².

E. PUBLIC HEARING

- 1. Project Name: Romero Duplex – PLANNING AND ZONING PERMIT NO. 17-500-14** (Special Use Permit) request for denial to establish a Planned Residential Group (PRG) for the conversion of an existing two-story 3,244 square-foot medical commercial building to a residential duplex. The proposed duplex includes a 1,635 square-foot unit and a 1,202 square-foot unit with a detached three-car carport on a 4,110 square-foot parcel. Pursuant to Oxnard City Code (OCC) § 16-445, the project includes the following modifications to the development standards of the R-2 zoning district: 1) increase in density; 2) reduction of the required interior yard space; 3) reduction in front yard setback; 4) reduction in side yard setback; 5) relief from garage parking; 6) relief from off-street visitor parking; and 7) reduction in parking area landscaping. The project is located at 212 East First Street (APN 201-0-115-240) in the Multiple Family (R-2) zone. Filed by Jeff Valenzuela on behalf of property owner Juan Romero, 971 Gill Avenue, Port Hueneme, California 93041.

Project Planner: Jay Dobrowalski, Senior Planner

Recommendation:

Deny the Project, as submitted, finding the Project to be Statutorily Exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15270 (Projects Which are Disapproved), and Approve Resolution 2019-32 for Planning and Zoning Permit Number 17-500-14 (Special Use Permit, Planned Residential Group), denying the Project as the Planning Commission is unable to make all of the Findings required by Oxnard City Code Section 16-445 and Sections 16-530 through 16-553 of the Oxnard City Code in order to grant a Special Use Permit, Planned Residential Group.

The Planning Commissioners did not have any ex parte communications to report for Item E-1.

Senior Planner Jay Dobrowalski provided a PowerPoint presentation outlining the request.

The applicant attended the meeting; however, he did not provide a presentation.

Chair Frank opened the public comments portion of the public hearing.

No public verbal or written comments were received in favor of the project.

Public verbal comments were received from Pat Brown against the project / in favor of the denial.

No public written comments were received against the project.

² In Favor: Against: Absent: Recused

Chair Frank closed the public comments portion of the public hearing.

Discussion ensued among the Commissioners and staff.

MOTION: Commissioner Chavez moved and Commissioner Fuhling seconded a motion to deny the Project, as submitted, finding the Project to be Statutorily Exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15270 (Projects Which are Disapproved), and Approve Resolution 2019-32 for Planning and Zoning Permit Number 17-500-14 (Special Use Permit, Planned Residential Group), denying the Project as the Planning Commission is unable to make all of the Findings required by Oxnard City Code Section 16-445 and Sections 16-530 through 16-553 of the Oxnard City Code in order to grant a Special Use Permit, Planned Residential Group.

VOTE: Chair Frank, Vice Chair Chua, and Commissioners Chavez and Fuhling voted in favor. Commissioners Dozier, Meyer, and Sanchez abstained. The motion carried 4:0:0:3³.

- 2. Project Name: Public Works Integrated Master Plan Project Programmatic Environmental Impact Report No. 2019-01** – Pursuant to the California Environmental Quality Act (CEQA), the City of Oxnard (City) has prepared a Programmatic Environmental Impact Report (PEIR) on its Public Works Integrated Master Plan (PWIMP) Project. The City is the lead agency under CEQA. The purpose of the PWIMP is to provide a central planning document to guide improvements to the City's water infrastructure through the planning horizon. Specifically, the PWIMP addresses future planning needs including infrastructure additions and upgrades for City's water, wastewater, recycled water, and stormwater utilities. The PWIMP builds upon previous planning efforts using a coordinated methodology, which will allow the City to take full advantage of potential linkages and synergies between the four water utility systems. In addition, the PWIMP is also coordinated with a street improvement plan in an attempt to allow timing of future street upgrades to be tied together with infrastructure upgrades. The PWIMP provides a phased program over the next 15-20 years for constructing improvements to the City's infrastructure facilities that will accommodate planned growth while maintaining treatment reliability, meeting future regulatory requirements, and optimizing costs through the City's 2030 planning horizon. Specifically, the PWIMP addresses future planning needs including infrastructure additions and upgrades for City's water, wastewater, recycled water, and storm water utilities.

The Final PEIR is comprised of the Draft PEIR, response to comments and Draft PEIR comments letters, and the Mitigation Monitoring and Reporting Program. Filed by Thien Ng, Assistant Public Works Director.

Project Planner: Kathleen Mallory, Planning & Sustainability Manager

³ In Favor: Against: Absent: Recused

Recommendation:

Adopt a resolution recommending City Council approval of the Final Programmatic Environmental Impact Report (Final PEIR - No. 2019-01) for the City of Oxnard's (City) Proposed Public Works Integrated Master Plan (PWIMP).

The Planning Commissioners did not have any ex parte communications to report for Item E-2.

The applicant team (Steve Brown, SMB Environmental Consulting; Thien Ng, City of Oxnard Assistant Public Works Director; Tracy Warriner, Carollo Consultants) provided a PowerPoint presentation outlining the request.

Chair Frank opened the public comments portion of the public hearing, but no members of the public provided verbal or written comments. Chair Frank closed the public comments portion of the public hearing.

Discussion ensued among the Commissioners and staff.

MOTION: Commissioner Chavez moved and Commissioner Fuhring seconded a motion to adopt a resolution recommending City Council approval of the Final Programmatic Environmental Impact Report (Final PEIR - No. 2019-01) for the City of Oxnard's (City) Proposed Public Works Integrated Master Plan (PWIMP).

VOTE: Chair Frank, Vice Chair Chua and Commissioners Chavez, Dozier, Fuhring, Meyer, and Sanchez voted in favor. The motion carried 7:0:0:0⁴.

- 3. Project Name: Roussey Tentative Parcel Map – PLANNING AND ZONING PERMIT NO. 17-300-09, Tentative Parcel Map for a Parcel Map Waiver:** A request to subdivide a 4.19-acre site located at 3501 South Saviers Road, and commonly known as the Swap Meet, into two parcels. Parcel A would be a 3.14-acre lot and Parcel B would be a 1.05-acre lot. No development is proposed at this time. The proposed project is exempt from environmental review pursuant to Section 15315, Minor Land Divisions, Class 15 of the CEQA Guidelines. Filed by David Kesterson of Lauterbach & Associates, 300 Montgomery Avenue, Oxnard, CA 93036.

Project Planner: Paul McClaren, Associate Planner

Recommendation:

Approve the Project, as submitted, finding the Project to be Categorically Exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15315 (Minor Land Divisions), and Approve Resolution 2019-XX for Planning and Zoning Permit Number 17-300-09 (Tentative Parcel Map for a Parcel Map Waiver), subject to certain findings and conditions.

Chair Frank announced she had ex parte communications with Shirley Godwin for Item E.3.

⁴ In Favor: Against: Absent: Recused

Associate Planner Paul McClaren provided a PowerPoint presentation outlining the request.

The applicant attended the meeting; however, he did not have a presentation but he responded to questions.

Chair Frank opened the public comments portion of the public hearing.

No public verbal or written comments were received in favor of the project.

No public verbal or written comments were received against the project.

Public verbal comments were received from Pat Brown who was neither in favor of nor against the project.

Chair Frank closed the public comments portion of the public hearing.

Discussion ensued among the Commissioners and staff.

MOTION: Chair Frank moved and Vice Chair Chua seconded a motion to continue the item to a date certain Planning Commission meeting on January 16, 2020, with the item to be presented at a Community Workshop meeting on December 16, 2019.

VOTE: Chair Frank, Vice Chair Chua, and Commissioners Chavez, Dozier, Fuhring, Meyer, and Sanchez voted in favor. The motion carried 7:0:0⁵.

- 4. Project Name: Rio Urbana Development – PLANNING AND ZONING PERMIT** PZ NO. NOS. 17-610-01 (Annexation); 17-620-01 (General Plan Amendment), 17-560-01 (Pre-Zoning), 17-300-03 (Tentative Subdivision Map for Tract No. 5998), 17-500-05 (Special Use Permit – Office), 17-500-13 (Special Use Permit - Residential), and 17-535-02 (Density Bonus): requests to annex a 10.5 acre parcel located at 2714 East Vineyard Avenue (APN 145-0-232-010) to the City of Oxnard, amend the General Plan land use designation to General Commercial; pre-zone to General Commercial-Planned Development (C-2-PD); subdivide and develop a 1.12 acre “Parcel 1” with a two-story, 15,000 gsf office building with 61 standard parking spaces; and a 9.1 acre “Parcel 2” with 167 one- to three-bedroom attached apartment condominiums in eight three-story structures (36 feet in height) that includes a fitness center, 17 low income deed-restricted units (10% of all units), 1,068 gsf recreation pavilion, four refuse structures, 169 resident garages, 163 surface parking spaces, 99 guest parking spaces, stormwater retention and treatment facilities, on-site utilities and off-site connections, landscaping, seven play areas and a tot lot, small dog run; relocate four Southern California Edison (SCE) 66kV power poles; and widen and improve Vineyard Avenue by 23 feet along the property frontage (48,999 sf dedication). The project will maintain parking and access to abutting properties along Rio School Lane

⁵ In Favor: Against: Absent: Recused

which will become a drive aisle. A Density Bonus of two percent (2%) allows for three additional residential units and reduction of the interior yard space development standard from 30% to 24% of the parcel area. The Tentative Subdivision Map (TSM) for Tract No. 5998 creates Parcels 1 and 2 and 167 condominium parcels and a common area parcel on Parcel 2. Filed by Rio School District, 2500 E. Vineyard Ave., Oxnard, CA and The Pacific Companies, 430 E. State Street #100, Eagle, Idaho.

Project Planner: Chris Williamson, Consulting Planner

Recommendation:

- a) Adopt a resolution recommending that the City Council adopt Mitigated Negative Declaration (MND) 2017-04 and approve Planning and Zoning Permit No. 17-610-01 (Annexation) to add the project area to Oxnard municipal boundaries within City Council District No. 2; and Planning and Zoning Permit No. 17-620-01 (General Plan Amendment) to change the land use designation from School to Commercial General, and
- b) Adopt a resolution recommending that the City Council approve Planning and Zoning Permit No. 17-560-01 (Pre-Zoning) to General Commercial Planned Development (C2-PD), and
- c) Adopt a resolution recommending that the City Council approve Planning and Zoning Permit Nos. 17-300-03 (Tentative Subdivision Map for Tract No. 5998), and 17-535-02 (Density Bonus), subject to certain findings and conditions, and
- d) Adopt a resolution Approving Planning and Zoning Permit No. 17-500-05 (Special Use Permit - Office), subject to certain findings and conditions, and
- e) Adopt a resolution Approving Planning and Zoning Permit No. 17-500-13 (Special Use Permit – Residential), subject to certain findings and conditions.

The Planning Commissioners did not have any ex parte communications to report for Item E-4.

Chris Williamson provided a PowerPoint presentation outlining the request.

The applicant team (Tony Talamante, P.E., Talamante Project Delivery, Inc; Joel Kirschenstein, RSD Consultant; Lori Summers, Project Architect Design Director KTGy; Darryl Anderson, Associated Traffic Engineers) spoke at the meeting. Tony Talamante provided a PowerPoint presentation.

Chair Frank opened the public comments portion of the public hearing.

Public verbal comments were received from Pat Brown and Armando Delgado in favor of the project.

No public written comments were received in favor of the project.

No public verbal comments were received against the project.

No public written comments were received against the project.

Chair Frank closed the public comments portion of the public hearing.

Discussion ensued among the Commissioners and staff.

- MOTION:** Vice Chair Chua moved and Commissioner Sanchez seconded a motion to:
- a) Universally edit all documents to clarify 20 total affordable units (17 low-income and 3 moderate-income) are to be provided by the project;
 - b) Adopt a resolution recommending that the City Council adopt Mitigated Negative Declaration (MND) 2017-04 and approve Planning and Zoning Permit No. 17-610-01 (Annexation) to add the project area to Oxnard municipal boundaries within City Council District No. 2; and Planning and Zoning Permit No. 17-620-01 (General Plan Amendment) to change the land use designation from School to Commercial General, and
 - c) Adopt a resolution recommending that the City Council approve Planning and Zoning Permit No. 17-560-01 (Pre-Zoning) to General Commercial Planned Development (C2-PD), and
 - d) Adopt a resolution recommending that the City Council approve Planning and Zoning Permit Nos. 17-300-03 (Tentative Subdivision Map for Tract No. 5998), and 17-535-02 (Density Bonus), subject to certain findings and conditions, with the following new condition to be added:
“Prior to recordation of the Final Map, the Developer shall prepare a Property Access Agreement for pedestrian access to the property to the south to the satisfaction of the City Attorney, and the document will be recorded and executed prior to Building Permit issuance.”
and
 - e) Adopt a resolution Approving Planning and Zoning Permit No. 17-500-05 (Special Use Permit - Office), subject to certain findings and conditions, and
 - f) Adopt a resolution Approving Planning and Zoning Permit No. 17-500-13 (Special Use Permit – Residential), subject to certain findings and conditions, with the following new condition to be added:
“Prior to recordation of the Final Map, the Developer shall prepare a Property Access Agreement for pedestrian access to the property to the south to the satisfaction of the City Attorney, and the document will be recorded and executed prior to Building Permit issuance.”

VOTE: Chair Frank, Vice Chair Chua, Commissioners Chavez, Dozier, Fuhring, Meyer, and Sanchez voted in favor. The motion carried 7:0:0⁶.

H. STUDY SESSION/REPORTS

None

⁶ In Favor: Against: Absent: Recused

I. PLANNING COMMISSION BUSINESS

Commissioner Chavez commented:

1. That the “Disruption of Autonomous Cars, Traffic, and Parking: Discussing public policy choices in the new era of mobility” presentation hosted by the City of Oxnard on November 13 was great.
2. Asked if the Sunshine Ordinance applies to the Planning Commission? City staff responded that the Sunshine Ordinance (Section 2-224) specifies items presented to the City Council are to be provided 12 days before the meeting, and items presented to all other policy bodies are to be provided 7 days before the meeting.

J. PLANNING MANAGER COMMENTS

Scott Kolwitz, Planning & Environmental Services Manager, announced:

1. On November 29, 2019, the City Council received a presentation regarding the new housing law and the Regional Housing Needs Assessment (RHNA) status. Planning staff intends to present that to the Planning Commission on a future agenda.
2. On November 5, 2019, the City Council held a hearing on Short Term Rental and adopted all the recommendations that the previous Planning Commission had requested. The Council will have their adoption on Short Term Rental (STR) on December 3, 2019 and timeshares will be included on that discussion. The changes to the ordinance are available on the website for the public to view.
3. On November 7, 2019, the City Council held a Special Meeting on the Fisherman’s Wharf project. The Council denied the Local Coastal Program Amendment.
4. On November 19, 2019, the City Council met and they approve to move forward with the Saviers Emergency Shelter. This project will come before the Planning Commission in a future meeting.
5. On December 3, 2019, in addition to the Short Term Rental Ordinance, the 7-Eleven project, that was appealed by the applicant, will appear on the City Council’s agenda; however, the applicant has requested for the project to be continued to February 4, 2020.
6. On December 17, 2019, the City Council will be hearing the Clinicas project that was appealed by the applicant. Clinicas is proposing to make the building smaller to be consistent with the City’s parking regulations.
7. December 5, 2019 is the next Planning Commission. There will be three items on the agenda, including: the November 21 Minutes adoption, the 2020 Planning Commission calendar adoption; and a wireless project on 161 Ventura Boulevard.
8. There are two Training opportunities in 2020, including: the League of California Planning Academy held from March 4, 2020 through March 6, 2020 in Sacramento; and the APA conference held from September 12, 2020 through September 15, 2020 in Riverside.

ADJOURNMENT

At 9:39 p.m., the Planning Commission concurred to adjourn.



Deirdre Frank, Chair

ATTEST

A handwritten signature in dark ink, appearing to be 'SK', written over a horizontal line.

Scott Kolwitz, Planning & Environmental Services Manager