

MINUTES
OXNARD PLANNING COMMISSION
REGULAR MEETING
May 20, 2021 Minutes

A. ROLL CALL

1. At 6:02 p.m., the regular meeting of the Oxnard Planning Commission convened in the Council Chambers. Chair Chavez announced pursuant to Governor Newsom's Executive Order N-29-20, members of the Planning Commission or staff may participate in meetings via teleconference.
2. Chair Chavez (via videoconference), Vice Chair Arruejo (via videoconference), Commissioners Connelly (via videoconference), Lopez (via videoconference), Meyer (via videoconference), Nash (via videoconference joined at 6:06 p.m.), and Sanchez (via videoconference) were present.
3. Staff members present were: Scott Kolwitz, Planning & Environmental Services Manager; Joe Pearson II, Senior Planner; Ken Rozell, Chief Assistant City Attorney; Elsa Brown, Affordable Housing Manager; and Dee Lai, Recording Secretary.
4. Chair Chavez presided and called the meeting to order.

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

1. Scott Kolwitz, Planning and Environmental Services Manager, led the pledge of allegiance.

C. PUBLIC COMMENTS - On Items Not On The Agenda

1. None.

D. CONSENT AGENDA

1. APPROVAL OF MINUTES - May 6, 2021

MOTION: Vice Chair Arruejo moved and Commissioner Connelly seconded a motion to approve the minutes of May 6, 2021 as submitted.

VOTE: Chair Chavez, Vice Chair Arruejo, Commissioners Connelly, Lopez, Meyer, and Sanchez voted in favor. Commissioner Nash was absent. The motion carried 6:0:1:0:0¹.

¹ In Favor: Against: Absent: Abstain: Recused

E. EX PARTE DECLARATIONS FOR PUBLIC HEARING ITEMS

1. Vice Chair Arruejo and Commissioner Connelly commented that they had ex parte communications for item F-1. They both visited the Central Terrace Apartments site.
2. None of the remaining Planning Commissioners had any ex parte communications to report for Items F-1 or G-1.

F. CONTINUED PUBLIC HEARING

1. **Project Name: Central Terrace Apartments** - Planning and Zoning Permit No. 20-535-01 (Density Bonus Permit), requesting the ministerial approval of a Density Bonus Permit (Density Bonus) to allow for three concessions pursuant to State Density Bonus Law and Oxnard City Code Section 16-410L, and subject to the approval of the Planning Commission. The three concessions as follows:
 - (1) Reduction of the rear ground floor setback from 5 feet to zero feet.
 - (2) Reduction of the rear upper story setback for residential buildings from ten feet to zero feet.
 - (3) Reduction of the required residential parking from 87 spaces to 29 residential spaces and reduction of the required commercial spaces from three (3) spaces to zero (0) spaces.

The Density Bonus is related to the proposed construction of a 73,534 square foot 5-story mixed-use apartment building with 87 residential units, 29 parking spaces, 2,375 square-feet of non-residential (i.e. commercial / office) space, and a 2,068 square-foot courtyard on a 0.42-acre project site. Proposed development includes commercial space, and parking for the residential and commercial on the ground level, with an additional 4 levels of residential units (for a 5 story building). The applicant is proposing a 100 percent affordable housing project with all units, except for the managers unit, affordable to at least persons and families at the very-low income level, exceeding the Density Bonus and inclusionary ordinance requirements. The project site is located at 217-235 East Sixth Street (APN: 201-0-213-110) within the Downtown land use designation and Downtown General (DT-G) zoning district. Filed by Luis Hernandez, of Many Mansions, the Applicant and Owner, 1259 E. Thousand Oaks Blvd., Thousand Oaks, CA 91362.

City Staff: Joe Pearson II, Senior Planner

Recommendation: That the Planning Commission

- a) Find the Project to be Categorically Exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15332 (In-Fill Development); and
- b) Adopt Resolution 2021-09 approving Planning and Zoning Permit No. 20-535-01 (Density Bonus), subject to certain findings and conditions.

Joe Pearson II, Senior Planner, provided the required Measure M pre-recorded presentation video outlining the request which was posted with the agenda: <https://youtu.be/jBOwZuWE12I>

The applicant team included Mark Di Cecco (Di Cecco Architecture, Project Architect); Luis Hernandez (Many Mansions, Project Manager); Doug Menges (Many Mansions, Vice President of Real Estate Development); Alexander Russell (Many Mansions, Executive Vice President); and Derrick Wada (Many Mansions, Associate Director of Real Estate Development), and they provided a powerpoint presentation outlining the request.

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

Public Verbal comments were received from:

1. Eric Christen, Director for Fair Employment and Construction, commented on the project and encouraged the Planning Commission and the public to visit the website www.phonyuniontreehuggers.com.
2. Chris Hernandez, Vice Chair Five Points Neighborhood Council, supported the project while skeptical of how parking will work, and he commented on local carpenters and trades, and transportation.
3. Armando Delgado, member of Southwest Carpenters Local 805, supported the project and commented on the benefits of hiring local labor and business.
4. Jackson Piper, member of Ventura County Yes In My Back Yard (YIMBY), supported the project and commented on the project location and its proximity to public transportation.
5. Reese Holland, supported the project and the three Density Bonus concessions.

Public written comments in support of the project were received from Cassandra Douglas, Max Ghenis, Phil Loos, Edna Sepulevad on behalf of Hector Mejia, and Edna Suplevda on behalf of Omar Vieyra Saldana. All public written comments were provided to the Planning Commissioners.

No other public verbal or written comments were received in support of or against Item F-1.

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

Discussion ensued among the Commissioners and staff about several topics, including: determining parking space reduction; how assigned parking will be managed; identify location of Density Bonus concessions on the plans; project proximity to public transportation; the number of one bedroom versus 2 bedrooms; building architecture consistent with the Downtown Code; bilingual training manuals; providing high speed internet and electric vehicle spaces to residents; challenges of labor groups are vast and beyond the Planning Commission's scope; and support of the mixed-use building.

MOTION: Commissioner Nash moved and Vice Chair Arruejo seconded a motion to approve the Central Terrace Apartments as submitted, finding the Project to be Categorically Exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15332 (In-Fill Development); and adopt Resolution 2021-09 approving Planning and Zoning Permit No. 20-535-01 (Density Bonus), subject to certain findings and conditions.

VOTE: Chair Chavez, Vice Chair Arruejo, and Commissioners Connelly, Lopez Meyer, Nash and Sanchez voted in favor. The motion carried 7:0:0:0²

G. PUBLIC HEARING

1. **Project Name: Althea Court Apartments Density Bonus - Planning and Zoning Permit No. 21-535-03 (Density Bonus)**, requesting the ministerial approval of a Density Bonus Permit (Density Bonus) to allow for one concession pursuant to State Density Bonus Law and OCC Section 16-410L, and subject to the approval of the Planning Commission. The request concession is as follows:

1. Reduction of the required residential parking from 62 spaces to 33 residential spaces.

The proposed Density Bonus is related to a ministerial request for modifications to the existing Althea Apartments development. The existing development currently contains a 24,848 square foot apartment complex with 20 residential townhome units, 34 parking spaces, and 14,368 square-feet of open space on a 1.08-acre project site. The site is currently legal non-conforming with regard to the required parking for the site, which in its current configuration requires 60 parking spaces pursuant to the OCC. The applicant is proposing to split an existing five bedroom unit into two units, a one bedroom unit and a two bedroom unit. This change necessitates related site upgrades, including a small 125 square foot addition and the provision of a ADA accessible parking space. The resulting development will be a 24,973 townhome project, containing 21 residential townhome units, 33 parking spaces, and 14,243 square-feet of open space. The Project is located at 1357 Althea Court (APN: 139-0-080-335) in the High Rise Residential Zone (R-4-PD) zone. Filed by Ilona Scott, of Lauterbach & Associates, on behalf of the Oxnard Housing Authority ("Applicant" and "Owner"), 435 South D Street, Oxnard, CA 93030.

City Staff: Joe Pearson II, Senior Planner

Recommendation: That the Planning Commission

- a) Find the project Categorically Exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15301 (Existing Facilities); and
- b) Adopt Resolution 2021-10 approving Planning and Zoning Permit No. 21-535-03 (Density Bonus), subject to certain findings and conditions.

Joe Pearson II, Senior Planner, provided the required Measure M pre-recorded presentation video outlining the request which was posted with the agenda: <https://youtu.be/Nzlb-RnUsCw>

The Applicant team Anne Randall (Lauterbach & Associates Architects, Project Architect) did not provide a presentation but was available for questions.

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

² In Favor: Against: Absent: Abstain: Recused

Public Verbal comments were received from:

1. Jackson Piper, member of Ventura County Yes In My Back Yard (YIMBY) organization, supported the project and commented on parking.
2. Max Ghenis, member of Ventura County Yes In My Back Yard (YIMBY) organization, supported the project and commented on parking.
3. Reese Holland, supported the project and commented on parking.

Public written comments in support of the project were received from Cassandra Douglas, Max Ghenis, and Phil Loos. All public written comments were provided to the Planning Commissioners.

No other public verbal or written comments were received in support of or against Item G-1.

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

Discussion ensued among the Commissioners and staff about several topics, including: American with Disability Act (ADA) parking space requirements; support of condition of approval number 6 regarding 55year Affordable Housing Agreement; and 4 public transit lines with 20-45 minute headways in this area allows support of the parking reductions.

MOTION: Vice Chair Arruejo moved and Commissioner Meyer seconded a motion to approve the Althea Court Apartments Density Bonus as submitted, finding the project Categorically Exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15301 (Existing Facilities); and adopt Resolution 2021-10 approving Planning and Zoning Permit No. 21-535-03 (Density Bonus), subject to certain findings and conditions.

VOTE: Chair Chavez, Vice Chair Arruejo, and Commissioners Connelly, Lopez Meyer, Nash and Sanchez voted in favor. The motion carried 7:0:0:0:³

H. STUDY SESSION/REPORTS

1. **Project Name: Rules and Procedures (Bylaws) Discussion**
City Staff: Scott Kolwitz, Planning and Environmental Services Manager
Ken Rozell, Chief Assistant City Attorney

Recommendation: That the Planning Commission receive this report and consider creating a subcommittee pursuant to the provisions of the Bylaws

Ken Rozell, Chief Assistant City Attorney and Scott Kolwitz, Planning and Environmental Services Manager, provided a memo outlining Rules and Procedures (Bylaws) for discussion.

No public verbal or written comments were received in support of or against Item H-1.

³ In Favor: Against: Absent: Abstain: Recused

Discussion ensued among the Commissioners and staff about several topics, including: Measure M's impact on the current Bylaws; good practice to review the Bylaws periodically; Is there an effort to standardized Bylaws for Citizen Advisory Groups (CAG); Planning Commission meeting end time; format of meeting relative to Measure M; speaker times; meeting conduct; subcommittee meeting will be 6:00 p.m. after the regular Planning Commission meeting; and subcommittee members will be Chair Chavez, Vice Chair Arruejo, and Commissioner Connelly.

MAIN MOTION:

Vice Chair Arruejo moved and Commissioner Connelly seconded a motion that the Chair appoint up to three members either at this meeting or to report out at the next regularly scheduled meeting to create a subcommittee charged with reviewing and suggesting revisions to the Rules and Procedures of the Planning Commission and to report its findings and recommendations to the Planning Commission by a date to be determined.

AMENDMENT TO THE MOTION:

Vice Chair Arruejo moved and Commissioner Meyer seconded an amendment to the motion to specify the subcommittee report its findings and recommendations to the Planning Commission by August 5, 2021, which is also to be an end date of the Subcommittee.

AMENDMENT TO THE MOTION VOTE:

Chair Chavez, Vice Chair Arruejo, and Commissioners Connelly, Lopez Meyer, Nash and Sanchez voted in favor. The motion carried 7:0:0:0:⁴

AMENDED MAIN MOTION VOTE:

Chair Chavez, Vice Chair Arruejo, and Commissioners Connelly, Lopez Meyer, Nash and Sanchez voted in favor. The motion carried 7:0:0:0:⁵

Chair Chavez appointed Vice Chair Arruejo, Commissioner Connelly and himself to the subcommittee. The subcommittee announced they will meet immediately following the close of the Planning Commission meetings starting May 20, 2021, through July 15, 2021.

I. PLANNING COMMISSION BUSINESS

1. Commissioner Nash urged the Planning Commissioners and the public to take the City of Oxnard Climate Action and Adaptation Plan survey that is available on the City's website: <https://www.oxnard.org/climate-action-plan/>
2. Commissioner Sanchez stated that he will not be attending the next Planning Commission meeting on June 3, 2021.

⁴ In Favor: Against: Absent: Abstain: Recused

⁵ In Favor: Against: Absent: Abstain: Recused

3. Chair Chavez announced that Metrolink will be offering Saturday service after Labor Day and that kids ride free on the weekends. He also stated that the Gold Coast Transit district had started a late night service that runs between 8 p.m. to 11 p.m. and the cost is \$2.00.

J. COMMUNITY DEVELOPMENT STAFF UPDATES

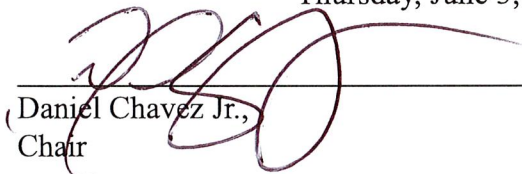
1. Scott Kolwitz, Planning & Environmental Services Manager announced:
 - i. On May 18, 2021, the City Council and the Board of Supervisors approved a Tax Sharing Agreement which allows the Rio Urbana Annexation application to be submitted to Ventura Local Agency Formation Commission (LAFCo), and staff will update the Planning Commission of the action taken by LAFCo.
 - ii. The Climate Action Adaptation Plan includes two virtual workshops. One workshop occurred on May 17, 2021 from 7:00-9:00 p.m. The second workshop is scheduled for May 22, 2021, from 10:00 a.m. to 12:00 p.m. (noon).
 - iii. The next planning Commission meeting is scheduled for June 3, 2021 at 6:00 p.m.

K. ADJOURNMENT

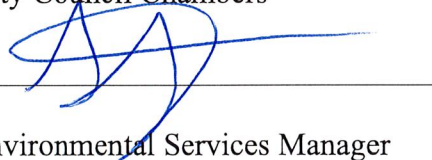
1. At 8:16 p.m., the Planning Commission concurred to adjourn.

FUTURE MEETINGS

Thursday, June 3, 2021, 6:00 p.m., City Council Chambers



Daniel Chavez Jr.,
Chair

ATTEST 

Scott Kolwitz,
Planning & Environmental Services Manager