MEMO

CITY OF OXNARD CALIFORNIA

DATE: June 9, 2022

TO: Planning Commission

FROM: Randy Baez, Associate Planner

SUBJECT: **Project Name: Villa Ristorante Alcohol Special Use Permit (SUP) -** PLANNING AND ZONING PERMIT No. 22-510-02. A request to sell beer, wine and distilled spirits (Type 47 ABC License) for on-site consumption at a proposed 3,423 square-foot restaurant (Villa Ristorante) with two outdoor patios measuring approximately 350 square-feet each on a 2.6-acre site located at 1601 South Victoria Avenue, Suite 160-B (APN: 188-0-272-205) within the Coastal Planned Unit Community (CPC) zone. The proposed hours of alcohol sales and consumption are from 7:00 AM to 1:00 AM. The project is exempt from environmental review pursuant to Section 15301 (Existing Facilities), Class 1 of CEQA Guidelines. Filed by Matthew Olufs, Designated Agent, on behalf of property owner Seabridge Partners, P.O. Box 15928, Beverly Hills, CA 90209.

Recommendation:

That the Planning Commission

a) Finds the Project to be Categorically Exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15301 (Existing Facilities), and
b) Adopt Resolution 2022-XX approving Planning and Zoning Permit No. 22-510-02 (Special Use Permit – Alcohol), subject to certain findings and conditions.

Background:

On June 2, 2022, the Planning Commission continued the Villa Ristorante Alcohol SUP project to a regularly scheduled meeting to be held on a date certain of June 16, 2022, starting at 6:00 PM.

The public hearing documents that were prepared for the Planning Commission's public hearing on June 2, 2022, have not changed for the meeting on June 16, 2022. For the convenience of the Planning Commission and interested parties, attached to this memo are the following documents originally prepared for the Planning Commission's public hearing on June 2, 2022:

1. Staff Report and associated attachments.

Additionally, the required Measure M pre-recorded presentation video has not been changed, and it can be viewed online at this address: https://youtu.be/DT9idSvfeDw

CITY OF OXNARD CALIFORNIA

PLANNING COMMISSION
STAFF REPORT

TO: Planning Commission

FROM: Randy Baez, Associate Planner

DATE: June 2, 2022

SUBJECT: **Project Name: Villa Ristorante Alcohol Special Use Permit;** Planning and Zoning Permit No. 22-510-02 (Special Use Permit - Alcohol): Located at 1601 South Victoria Avenue, Suite 160-B (APN: 188-0-272-205).

1) **Recommendation:** That the Planning Commission ("**Commission**"):
   - **a)** Find the Project to be Categorically Exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15301 (Existing Facilities); and
   - **b)** Adopt Resolution 2022-XX approving Planning and Zoning Permit No. 22-510-02 (Special Use Permit - Alcohol), subject to certain findings and conditions.

2) **Project Description and Applicant:** A request to sell beer, wine and distilled spirits (Type 47 ABC License[1]) for on-site consumption at a proposed 3,423 square-foot restaurant (Villa Ristorante) with two outdoor patios measuring approximately 350 square-feet each on a 2.6-acre site within the Coastal Planned Unit Community (CPC) zone. The applicant is requesting that alcohol sales and consumption be allowed from 7:00 AM to 1:00 AM. The project is exempt from environmental review pursuant to Section 15301 (Existing Facilities), Class 1 of the California Environmental Quality Act (CEQA) Guidelines. For purposes of this staff report, the foregoing project description shall be referred to as the "**Project**". Filed by Matthew Olufs, Designated Agent, on behalf of property owner Seabridge Partners, P.O. Box 15928, Beverly Hills, CA 90209.

   Please see the reduced Project plans (Attachment B) for more details.

3) **Existing & Surrounding Land Uses:** The 2.6-acre Project site is currently developed with an approximately 50,000 square-foot multi-tenant commercial building in an area known as Seabridge, located within the Coastal Planned Unit Community (CPC) zoning

[1] ABC License Type 47 - Eating Place (Restaurant) Authorizes the sale of beer, wine and distilled spirits for consumption on the licenses premises. Authorizes the sale of beer and wine for consumption off the licenses premises. Must operate and maintain the licensed premises as a bona fide eating place. Must maintain suitable kitchen facilities, and must make actual and substantial sales of meals for consumption on the premises. Minors are allowed on the premises.

districts. The Project site is surrounded by a mixture of commercial and residential. The following table summarizes the land uses and zoning designation of the Project site and adjacent properties, which are also illustrated below in Exhibit A.

LOCATION	GENERAL PLAN	ZONING	EXISTING LAND USE
Project Site	Planned Unit Development Residential (PUD)	Coastal Planned Unit Community (CPC)	Multi-Tenant Commercial
North	PUD	CPC	Multiple-Family Residential
South	PUD	CPC	Multi-Tenant Commercial
East	Residential Medium (RM)	Garden Apartment - Planned Development (R-3-PD)	Multiple-Family Residential
West	Easement (ESM)	CPC	Easement/Waterways

Exhibit A

4) **Background Information:** On December 5, 2002, the Planning Commission adopted Resolution Nos. 2002-107 and 2002-108, approving and recommending City Council approval of the Tentative Subdivision Map of Tract No. 5266 (PZ 00-5-85); and Development Agreement for Coastal Development Permit 01-500-93. Entitlement applications to subdivide and allow the Seabridge community development which is located on the west side of Victoria Avenue, between Wooley Road and Hemlock Street. The Seabridge development consists of 135-acres that include 32 acres of waterways and 16.5-acres for parks and recreational areas. On January 28, 2003, the City Council adopted Resolution 12,310, approving the Seabridge Tentative Subdivision Map for Tract No. 5266 (PZ 00-5-85) and took action on Ordinance No. 2621 (PZ 02-670-2), approving the Seabridge Development Agreement. The California Coastal Commission subsequently approved Coastal Permit No. A-4-OXN-03-014.

   On May 15, 2008, the Planning Commission approved Special Use Permit No. 07-510-13, which allowed for the sale of beer and wine on the subject property. The permit was granted to a pizza restaurant at the subject tenant space and most recently operated as PizzaMan Dan's. PizzaMan Dan's ceased operation in 2021.

5) **Environmental Determination:**
   In accordance with Section 15301, Class 1 (Existing Facilities) of the State California Environmental Quality Act (CEQA) Guidelines, projects involving "negligible or no expansion of use beyond that existing at the time of the lead agency's determination" may be found to be exempt from the requirements of CEQA. The Project involves a request to sell alcohol for on-site consumption within an existing multi-tenant commercial building and will not increase the square footage of the existing building. No Exceptions to the Exemptions (Section 15300.2) apply to defeat the Exemption. Therefore, Staff has determined that there is no substantial evidence that the Project will have a significant effect on the environment and recommends that the Planning Commission accept the Notice of Exemption (Attachment C).

6) **Analysis:**

   a) ***General Discussion:*** Villa Ristorante is a new locally-owned restaurant focusing on up-scale Italian cuisine. The business anticipates opening in the late summer of 2022. The Applicant is requesting the approval to allow the sale of beer, wine and distilled spirits for on-site consumption within the existing 3,423 square-foot restaurant. Two outdoor patios measuring approximately 350 square feet each are also proposed, and would allow for consumption of alcoholic beverages (ABC License Type 47). The restaurant will be staffed by 18 employees and will operate from 7:00 a.m. to 1:00 a.m. daily.

Exterior facade improvements are also proposed, and will be reviewed through Minor Modification Permit No. 22-140-09. The Minor Modification permit also includes the proposed two outdoor patios, one near the front entrance and the other at the rear of the tenant space. The front patio will feature a 384 square-foot seating area and will be located adjacent to the 144 square-foot customer waiting area. This will accommodate up to 24 customers, in addition to 2 accessible seating areas. The rear patio is located adjacent to a rear walkway and will accommodate up to 16 customers.

In accordance with the City Code, the ability to sell alcohol for on-site consumption is subject to approval of a SUP by the Planning Commission. The proposed sale of beer, wine and distilled spirits for on-site consumption is accessory to the primary use of the restaurant and conforms to the permitted uses of the CPC.

b) ***General Plan & Zoning Consistency:*** The 2030 General Plan designation for the site is Planned Unit Development Residential (PUD) zoning designation. The property is also located within the Mandalay Specific Plan. General Plan Policy ICS-19.2 encourages Police Department review of development projects. The Project was reviewed by the Police Department and their recommendations are incorporated into the conditions of approval. Therefore, this Project is consistent with Policy ICS-19.2.

The Project is proposed in the Coastal Planned Unit Community (CPC) zone district. In accordance with the Oxnard City Code (OCC) Section 16-136 (Related Uses), the sales of alcoholic beverages for on-site consumption are permitted through the approval of a Special Use Permit. Therefore, with approval of this permit, the proposed use is consistent with the zoning designation of the property.

c) ***Police Department Review:*** The Oxnard Police Department provided a comprehensive report and analysis of the proposed alcohol request (Attachment D) in accordance with City Council Resolution No. 11,896 (Attachment E). The report analyzes the number of establishments selling alcoholic beverages within 350 feet and 1,000 feet of the Project site to determine whether a presumption of undue concentration exists, and whether approval of the SUP is likely to significantly aggravate policing problems. The Police Department's Report is broken down into an analysis of the concentration of alcohol outlets, crime statistics, police and community input, and conclusion. The table below summarizes the findings of the Police Department's Report:

Location	Same type within 350 feet?	Same type within 1,000 feet?	Likely to Cause Police problem?	Undue concentration as defined in Resolution No. 11,896 or Business and Professions Code Section 23958.4?
Yolanda's	Yes	Yes (Type 47)	No, as conditioned	Yes (City and State)

1601 S. Victoria Ave. #190				
The Raven Tavern 1651 S. Victoria Ave. #100	Yes	Yes (Type 47)	No, as conditioned	Yes (City and State)
Kitanoya Ramen & Sushi 1651 S. Victoria Ave. #130	No	No (Type 41)	No, as conditioned	Yes (City and State)

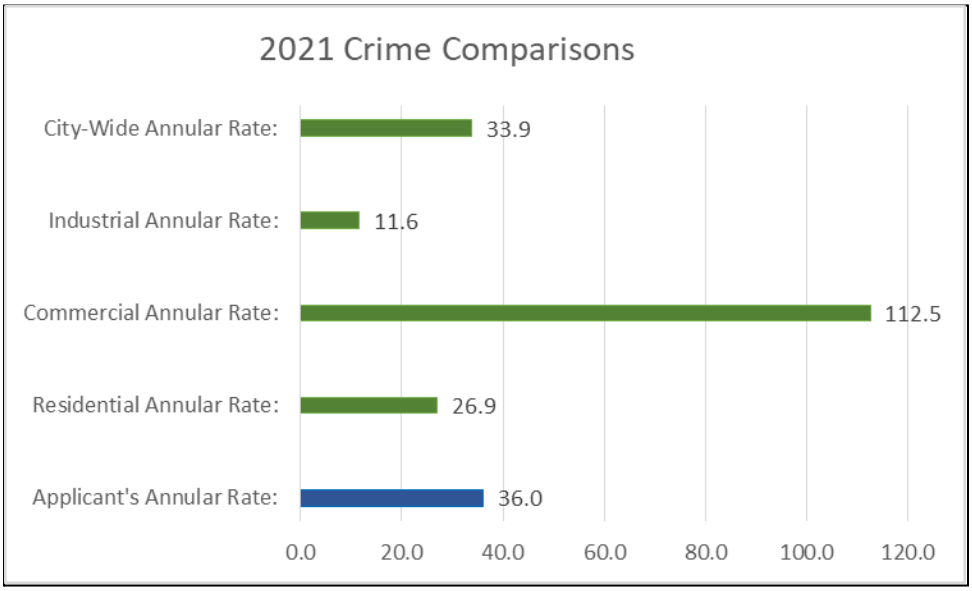
Concentration of Alcohol Outlets***:***
According to the Police report, there are two establishments of the same type located within 350 feet of the Project site. There is also one establishment of a similar ABC License Type 41 (On-Sale Beer & Wine[2]) within 350 feet of the subject property. The Police Department has determined that there is an undue concentration under City standards.

In the case of the applicant site, as seen in the next section, the annular crime rate is slightly above the average annular citywide rate but within the standard established in the California Business and Professions Code Section 23958.4(1). Currently there are seven on-sale licenses within the applicant's census tract. According to the ABC, four on-sale licenses are allowed within this census tract. Based on the above findings, there is an undue concentration under the provisions of California Business and Professions Code Section 23958.4. Approval of this Alcohol Special Use Permit will establish a finding that the City establishes that the business will serve a public convenience and necessity.

Crime Statistics:
For comparison purposes, the Police Report analyzes the average number of Part I[3] crimes and Part II[4] crimes that occur per reporting district (grid) during a selected twelve month period. In the case of this report, all calculations are based on statistics from 2021. The citywide annular average of Part 1 and Part II crimes per grid was 33.9. The average number of Part I and II crimes occurring within 1,000 feet annular area was 36 during the same twelve month time period. This is 6.2% of the citywide average for commercial

[2] ABC License Type 41 - Eating Place (Restaurant) Authorizes the sale of beer and wine for consumption on or off the premises where sold. Distilled spirits may not be on the premises (except brandy, rum, or liqueurs for use solely for cooking purposes). Must operate and maintain the licensed premises as a bona fide eating place. Must maintain suitable kitchen facilities, and must make actual and substantial sales of meals for consumption on the premises. Minors are allowed on the premises.
[3] Part I crimes include: murder, rape, robbery, theft, burglary, auto theft, assault, and arson.
[4] Part II crimes include: vandalism, weapons possession, sex offenses, drug abuse violations, driving under the influence, liquor laws, drunkenness, and disorderly conduct.

properties citywide and can best illustrated in the graph below:



Police Department Input:
The Beat Coordinator who is responsible for the day-to-day monitoring of activity and deployment of police resources for the surrounding area said that the location is not generally considered to be a policing problem and has not required any specific attention. However, the Beat Coordinator indicated that parking in the shopping center is an issue. The Beat Coordinator said oftentimes customers are forced to park in the residential neighborhood across Victoria Avenue. The Beat Coordinator believed that parking may be impacted by "live-a-boards" residing in boats moored in the harbor parking lot intended for retail customers.

Businesses:
Several nearby business operators were contacted and interviewed regarding this business' request to sell alcohol. Each person interviewed believed the new restaurant would be a good addition to the shopping center. However, each indicated that parking at the center was oftentimes limited. It was believed that the parking availability was tied to vehicles owned by "live-a-boards" who had boats docked in the harbor.

Area Residents:
City Staff contacted the Neighborhood Chairperson and briefed them about the proposed project. They stated that they believed that the restaurant would be a good addition to the shopping center and it would not have an adverse impact in the neighborhood.

Public Convenience or Necessity:
As previously discussed, the site of the proposed establishment is within an area of the City where there is an "undue concentration" of alcoholic beverage establishments within the meaning of section 23958.4(a)(1) of the Business and Professions Code, and as described in City Council Resolution 11,896. The crime rate established for the area around the business is not seen as a factor relating to the issuance of this permit.

However, the proposed establishment is located where there are three existing alcoholic beverage establishments. Each of these businesses are restaurants in a well-managed shopping center where crime and community safety is not a law enforcement concern. A finding of public convenience can be made for this proposal as the restaurants serve an alcoholic beverage which pairs well with the food they serve. Conversely, it would be inconvenient for a member of the public to patronize this restaurant and have to go elsewhere to obtain an alcoholic beverage that would pair well with their meal.

As previously noted, the crime rate is below the City-wide average. If there is a presumption of public convenience or necessity to approve this proposal, ABC can override the saturation guidelines and also approve the request. Providing restaurants the ability to serve alcoholic beverages under a strict set of operational conditions supports a fair market and would address any site-specific challenges. As this restaurant would serve employees from the community and nearby businesses, it is reasonable that a full set of services are provided for those who work in or visit the harbor area. For these reasons, approval of this proposed permit serves "Public Convenience or Necessity" for our community.

Conclusion:
If approved, the applicant's business will operate in a well-established multi-tenant commercial building. The business owner is opening Villa Ristorante as a new business. The same business owner also currently operates The Raven Tavern which is located about 200 feet south of this project site. The Raven Tavern has operated under an ABC Type 47 (beer, wine & distilled spirits) License since April 2020 without any adverse impact on the community, policing services or disciplinary actions by ABC.

During the development of this review, inquiries were made with the applicant concerning the intended business model for Villa Ristorante. During these discussions, the business owner indicated his intent was to operate an upscale Italian restaurant. The original application submittal showed that the planned hours of alcohol sales would be 7 A.M. to 1 A.M. The applicant revised the hours of the business' operation to 7 A.M. to 11 P.M. Should the applicant desire to operate as a restaurant serving meals and alcoholic beverages past 11 P.M. for a special event, there are provisions under "Special Police

Conditions" that will allow for special one-day extension of hours for special events/activities.

While conducting interviews with nearby business operators and the District Coordinator, it was evident that all had concerns about parking capacity at the center during peak hours. The business owner, who also owns the Raven Tavern at the shopping center has worked with Rod Gietzen, the owner/operator of Yolanda's Mexican Cafe and the property manager to address the parking issue. They were able to work out a plan where each of these businesses would have their employees parking in an underused parking lot in the next commercial center north of the shopping area known as Seabridge.

As mentioned previously, the site of the proposed establishment is within an area of the City where there is an "undue concentration" of alcoholic beverage establishments within the meaning of section 23958.4(a)(1) of the Business and Professions Code, and as described in City Council Resolution 11,896. However, the undue concentration can be rebutted through a finding of Public Convenience or Necessity.

A finding of public convenience can be made for this proposal as it is convenient for restaurants to serve an alcoholic beverage which pairs well with the food they serve. Providing restaurants the ability to serve alcoholic beverages under a strict set of operational conditions supports a fair market and would address any site-specific challenges. Conversely, it would be inconvenient for a member of the public to patronize this restaurant and have to go elsewhere to obtain an alcoholic beverage that would pair well with their meal. For these reasons, approval of this proposed permit serves "Public Convenience or Necessity" for our community.

Based on the crime statistics, the assessment from the Beat Coordinator, and the input from the community there is no significant reason to oppose this application. Under the recommended operating conditions, it is believed that the sales of alcohol for on-site consumption will have little, if any adverse impact on area crime or demand for policing services. Several conditions of approval have been incorporated into the draft Resolution of approval (Attachment F) in order to mitigate Police Department concerns in order to reduce the risk for potential policing problems in the future. The Applicant has accepted all proposed conditions of approval.

7) **Community Workshop and Public Input:** This Project is located within the Channel Islands Neighborhood. A Community Workshop was held on May 16, 2022. One member of the public was present at the Community Workshop, but no comments were provided. To date, Staff has not received any additional concerns or public comments regarding the proposed Project.

8) **Appeal Procedure:** In accordance with OCC Section 16-545 of the Oxnard City Code, the Planning Commission's action may be appealed to the City Council within 18 days after the decision date. Appeal forms may be obtained from the Planning Division's Office and must be submitted with the appropriate fees before the end of the appeal period. If an appeal to the City Council is not filed within 18 days of the Planning Commission's decision, the decision of the Planning Commission shall be considered final.

Attachments:

A. Maps (Vicinity, General Plan, Zoning, Aerial)
B. Reduced Project Plans
C. Notice of Exemption
D. Police Department Report
E. City Council Resolution No. 11,896
F. Draft Resolution of Approval PZ 22-510-02 (Special Use Permit - Alcohol)
G. Staff Presentation

Vicinity Map

CITY OF OXNARD CALIFORNIA

Oxnard Planning

January 4, 2022

PZ 22-510-02
Location: 1601 S Victoria Ave
APN: 188027220
Villa Ristorante

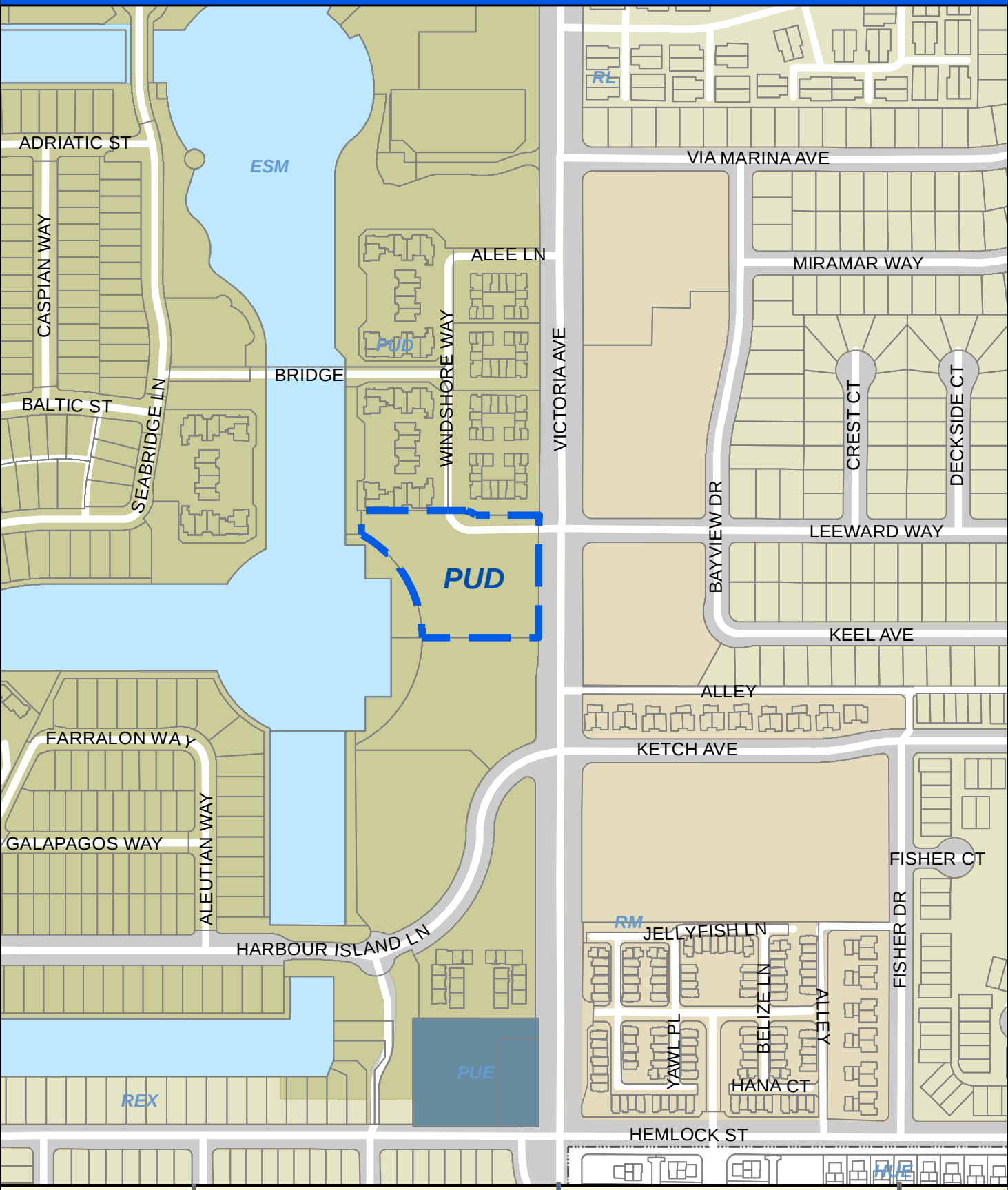
Vicinity Map

0 0.5 1 1.5 2 Miles

N

1:70,000

2030 General Plan Land Use Map



CITY OF OXNARD CALIFORNIA

Oxnard Planning

May 5, 2022

PZ 22-510-02
Location: 1601 S Victoria Ave
APN: 188027220
Villa Ristorante

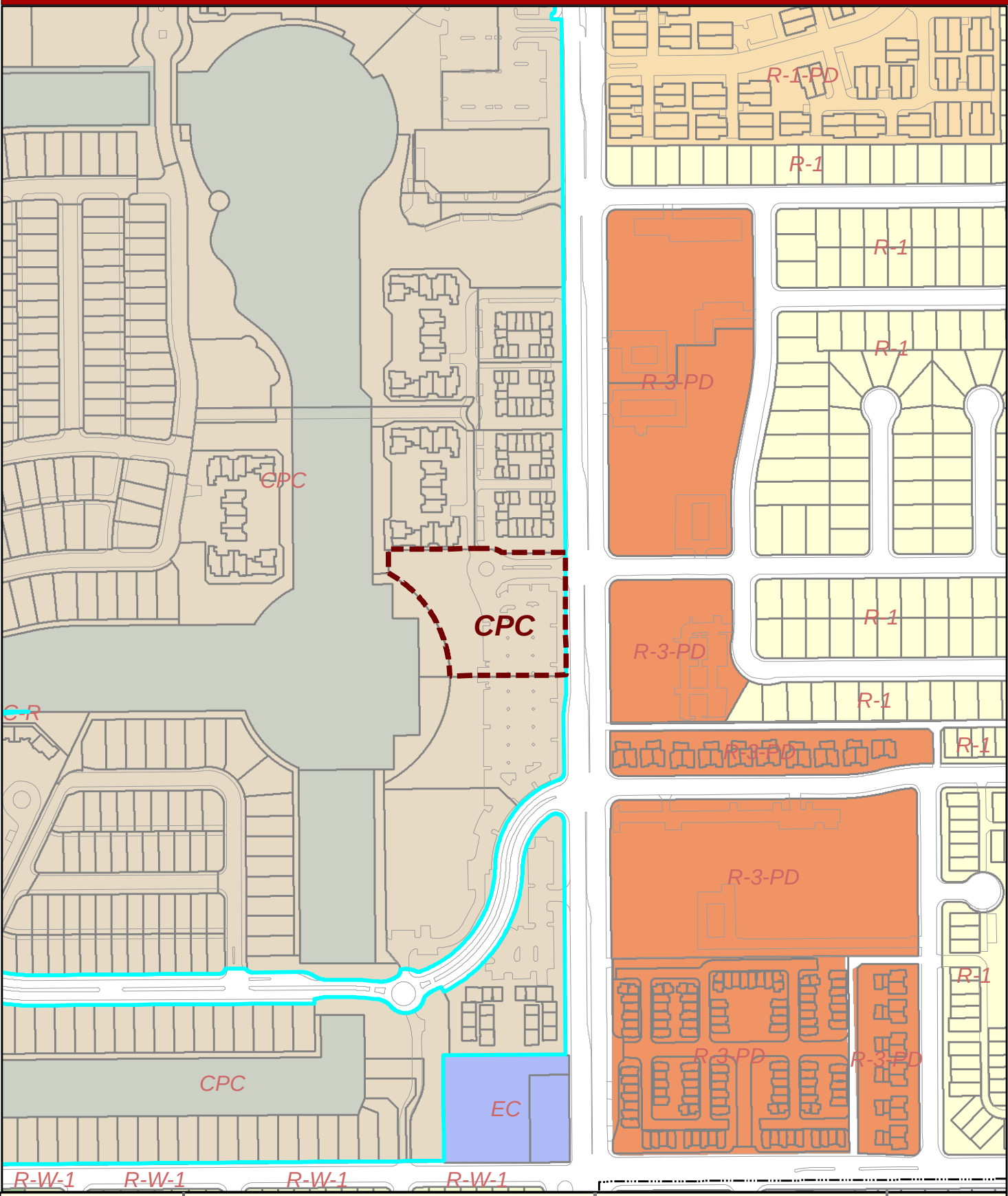
0 100 200 400 Feet

2030 General Plan Land Use Map

N W E S

1:4,000

Zoning/Specific Plan Map



CITY OF OXNARD CALIFORNIA

Oxnard Planning

May 5, 2022

PZ 22-510-02
Location: 1601 S Victoria Ave
APN: 188027220
Villa Ristorante

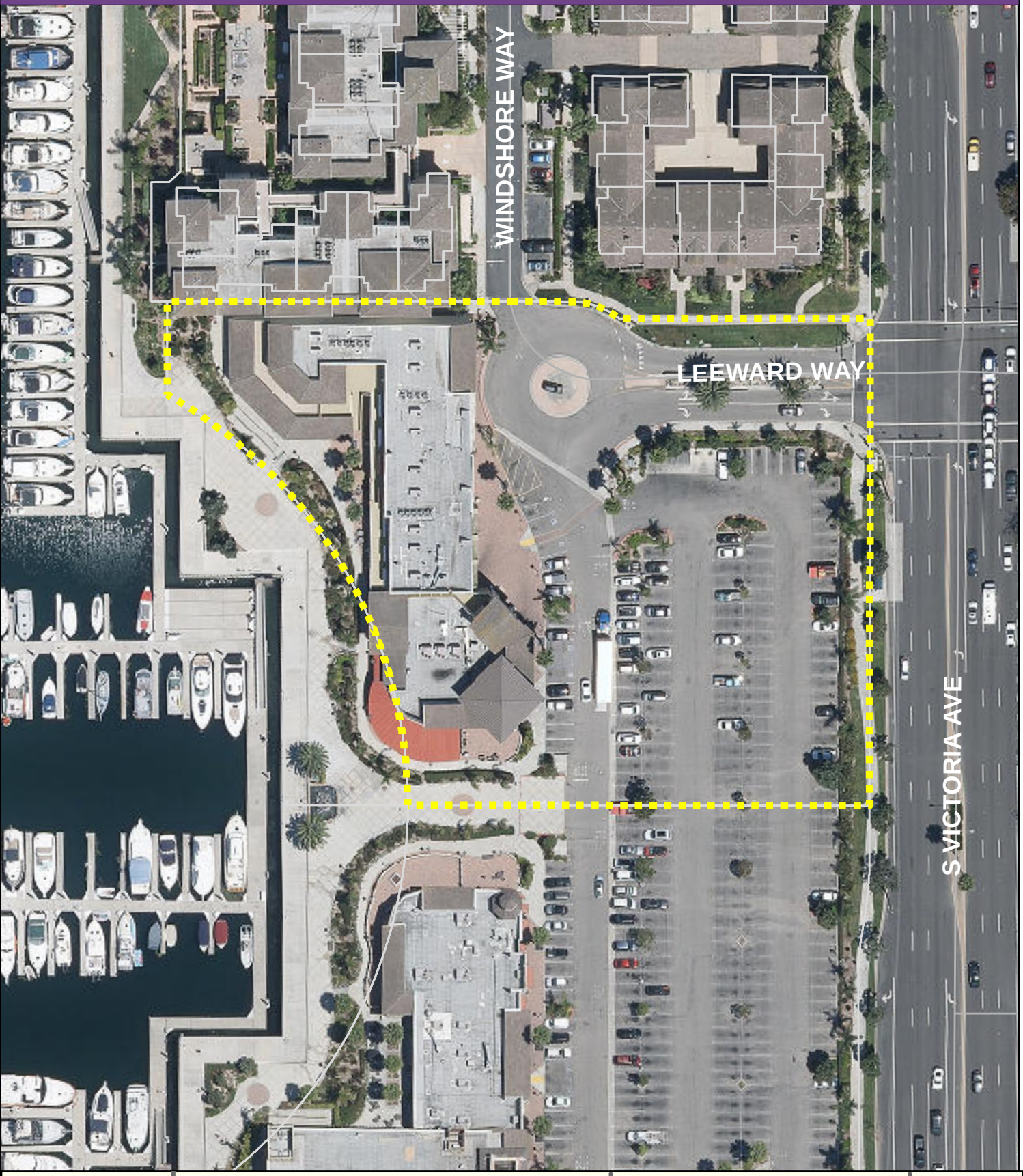
0 75 150 300 450 600 Feet

Zoning/Specific Plan Map

N W E S

1:4,000

Aerial Map



CITY OF OXNARD CALIFORNIA

Oxnard Planning

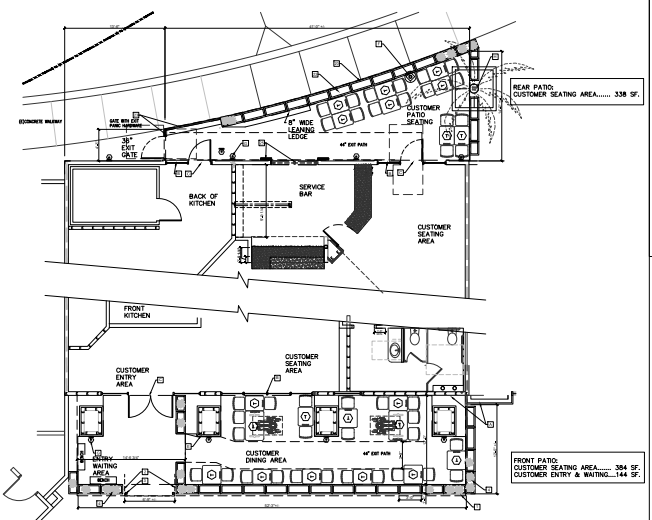
May 5, 2022

PZ 22-510-02
Location: 1601 S Victoria Ave
APN: 188027220
Villa Ristorante

0 25 50 100 150 200 Feet

Aerial Map

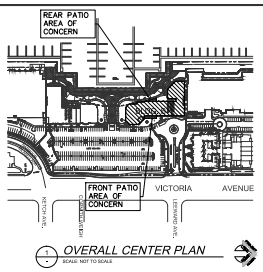
N W E S



1 FRONT & BACK PATIO PLANS
SCALE: 1/4"=1'-0"

FLOOR PLAN KEY NOTES

1. EXISTING EXTERIOR WALL: PLASTER
   A. (E) EXTERIOR MASONRY TO REMAIN
   C. (E) ALUM. STOREFRONT DOOR.
   D. (NOT USED THIS PLAN)
   E. (E) PLASTER & MASONRY PLANTERS TO REMAIN
   F. (E) WALL MOUNTED SITE LIGHT TO REMAIN
   G. (E) WALL MOUNTED LANTERN STYLE LIGHTING TO REMAIN
   H. (E) APPROX. 14" DIA. PALM TREE TWO LOCATION
2. PROPOSED CANTILEVERED FRONT FABRIC AWNING WITH PERIMETER FRONT EDGE SKIRT AND ENDS ON WELDED METAL FRAME.
3. MOVABLE AWNING SECTION FOR ENTRY ACCENT
   3. APPROX 3" DIA. METAL SUPPORT POST AT ENTRY ACCENT.
4. RAISED LOOK PLANTER BOXES ON RAISED BASE FOR PATIO SURFACE DRAINAGE
   PLANTER BOX EXCEPT BARBER TRIANGLE TO BOX FRONT
20. PROPOSED CANTILEVERED REAR FABRIC AWNING ON WELDED METAL FRAME WITH PERIMETER FRONT EDGE SKIRT AND ENDS ON WELDED METAL FRAME. ATTACH TO EXISTING BUILDING WITH FACE OF AWNING FOLLOWS PLANTER BOXES SET TO CURVE OF PUBLIC WALKWAY
21. (NOT USED THIS PLAN)
22. RAISED LOOK PLANTER BOXES ON RAISED BASE FOR PATIO SURFACE DRAINAGE
23. WROUGHT IRON PATIO RAILING AND GATE THIS SECTION, HT. MIN. HT. 36" ALONG WITH PLANTERS
24. ROLL DOWN CLEAR SINGLE-NO CURTAINS FOR INCLEMENT WEATHER WITH ANCHOR BAR AT BOTTOM FOR INSURANCE TO PLANTER BOX FRONT.
29. PROPOSED FOLD-OPEN SERVICE WINDOW INTEGRATED IN (E)ALUM. STOREFRONT WINDOW SYSTEM



1 OVERALL CENTER PLAN
SCALE: NOT TO SCALE

PROJECT:
FRONT & REAR COVERED PATIO INSTALLATION
VILLA RISTORANTE
1601 S. VICTORIA AVE, SUITE # 160-B
OXNARD, CA 93035

PROJECT DESCRIPTION:
INSTALLATION OF FRONT AND REAR PATIO FOR CUSTOMER DINING WITH ALCOHOL CONSUMPTION. PATIO TO HAVE FABRIC AWNING COVER AND RAILING FORMED OF FIXED LANDSCAPE PLANTERS AND LIMITED WROUGHT IRON.

PROPERTY OWNER/MANAGER:
SEABRIDGE PARTNERS, LLP
800 ALPINE ST.
BEVERLY HILL, CA

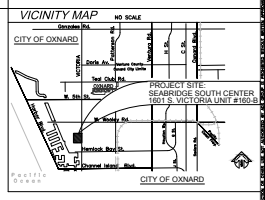
ARCHITECT: ADS GROUP
5700 RALSTON ST. SUITE 302
VENTURA, CA. 93003
ATTN: ALEX SEMCHENKO
PHONE: (805) 650-0064
FAX: (805) 650-6060
LICENSE # C31156

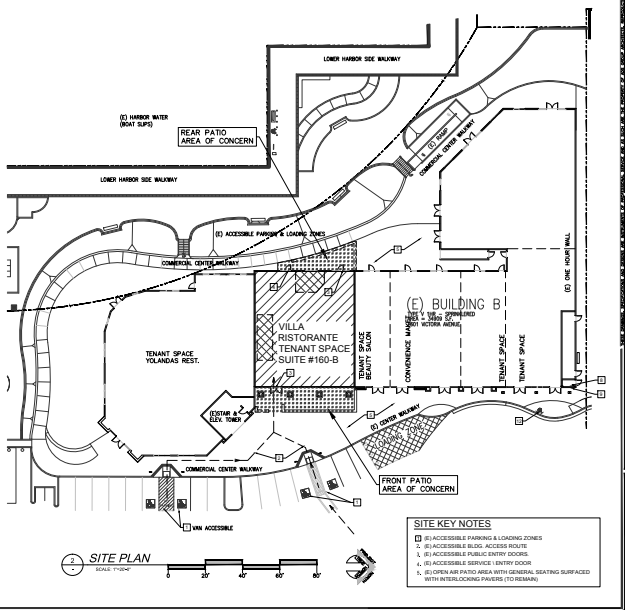
PROJECT TEAM
TENANT: VILLA RISTORANTI
5320 DERRY AVE.
SUITE M
AGOURA HILLS, CA 91301
ATTEN: MR. ANDY LONE
PHONE:818-287-0808

RESTAURANT DESIGN CONSULTANT:
JIM MUKEEWN INC.
5700 RALSTON ST. SUITE 302
VENTURA, CA 93003
ATTN: JIM MUKEEWN
PHONE: 805-650-3355

SHEET SCHEDULE
ARCHITECTURAL
PR-1 COVER, SITE, FRONT & REAR PATIO FLOOR PLANS
PR-2 PATIO EXTERIOR ELEVATIONS

VICINITY MAP
NO SCALE





2 SITE PLAN
SCALE: 1"=20'-0"

SITE KEY NOTES
1. (E) ACCESSIBLE PARKING & LOADING ZONES
2. (E) ACCESSIBLE BLDG. ACCESS ROUTE
3. (E) ACCESSIBLE PUBLIC ENTRY DOORS.
4. (E) ACCESSIBLE SERVICE \ ENTRY DOOR
5. (E) OPEN AIR PATIO AREA WITH GENERAL SEATING SURFACED WITH INTERLOCKING PAVERS (TO REMAIN)

REVISIONS	BY
REVIEW COPY 02-28-2022	

PROGRESS
DATE: 05-09-2022

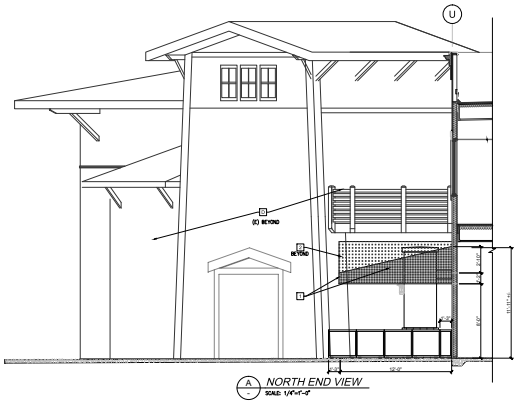
Jim McKeown Inc.
ARCHITECTURAL INTERIOR DESIGN
Environmental Graphics Design Plans Building Plans
Kitchen Equipment Specifications
JIMMCKEOWNINC@AOL.COM
Phone/Fax 805-650-3355 CA 805 277-3600

ALEXANDER D. SEMCHENKO
ARCHITECT
VENTURA PROFESSIONAL CENTER
5700 RALSTON STREET, SUITE 302
VENTURA, CA 93003
PHONE: (805) 650-0064
FAX: (805) 650-6060
ADSGROUP@YAHOO.COM
ADSGROUP@ADSGLOBAL.NET
ADSGROUP
PLANNING • ARCHITECTURE • DEVELOPMENT SERVICES

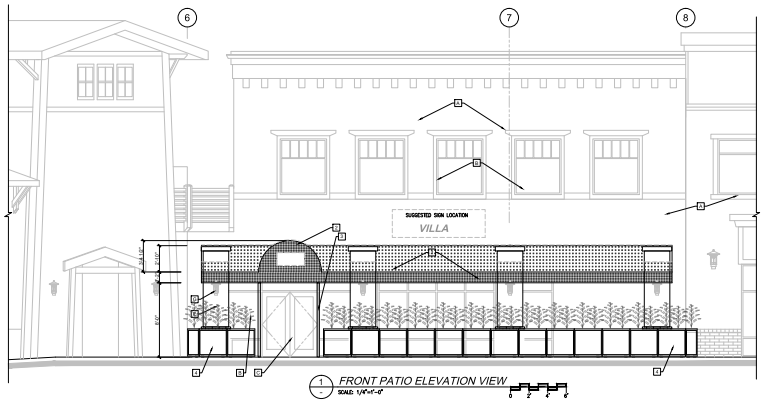
COVER SHEET SITE PLAN & NOTES
RESTAURANT REMODEL FOR BAR INSTALLATION AND KITCHEN EQUIPMENT MODIFICATIONS
VILLA RISTORANTE
1601 S. VICTORIA AVE, SUITE # 160-B
OXNARD, CA 93035

DRAWN	–
CHECKED	–
PLOT DATE	01-24-2022
SCALE	1"=20'-0"
JOB NO.	–
E-FILE	–

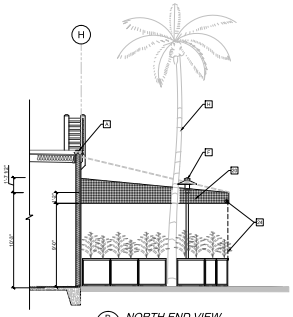
PR-1
SHEET



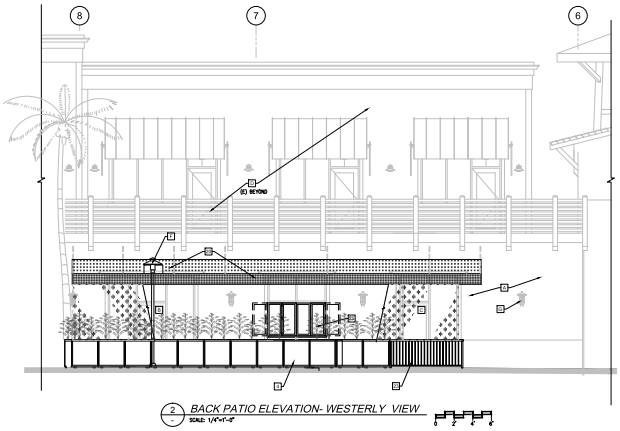
A NORTH END VIEW
SCALE: 1/4"=1'-0"



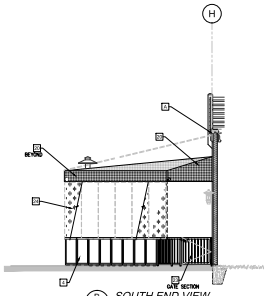
1 FRONT PATIO ELEVATION VIEW
SCALE: 1/4"=1'-0"



B NORTH END VIEW
SCALE: 1/8"=1'-0"



2 BACK PATIO ELEVATION- WESTERLY VIEW
SCALE: 1/4"=1'-0"



B SOUTH END VIEW
SCALE: 1/8"=1'-0"

FLOOR PLAN KEY NOTES

1 EXISTING EXTERIOR WALL: PLASTER
A. (E) EXTERIOR WINDOWS TO REMAIN
B. (E) ALUM. STOREFRONT DOOR.
C. (E) BLDG. FACADES BEYOND
D. (E) PLASTER & BRICK PILASTERS TO REMAIN
E. (E) POLE MOUNTED SITE LIGHT TO REMAIN
F. (E) WALL MOUNTED LANTERN STYLE LIGHTING TO REMAIN
G. (E) PROPOSED CANTILEVERED FRONT FABRIC AWNING WITH PERIMETER FRONT EDGE SKIRT AND ENDS ON WELDED METAL FRAME
H. (E) APPROX. 14" DIA. PALM TREE THIS LOCATION

1 PROPOSED CANTILEVERED FRONT FABRIC AWNING WITH PERIMETER FRONT EDGE SKIRT AND ENDS ON WELDED METAL FRAME.
NOTE: FACE OF AWNING FOLLOWS PLANTER BOXES SET TO CURVE OF PUBLIC WALKWAY
2. ARCHED AWNING SECTION FOR ENTRY ACCENT
3. APPROX 3" SQ. METAL SUPPORT POST AT ENTRY ACCENT.
4. WOOD LOOK PLANTER BOXES ON RAISED BASE FOR PATIO SURFACE DRAINAGE PLANTED WITH DWARF BAMBO TRIMMED TO BOX HEDGE

20. PROPOSED CANTILEVERED REAR FABRIC AWNING ON WELDED METAL FRAME WITH PERIMETER FRONT EDGE SKIRT AND ENDS ON WELDED METAL FRAME.
NOTE: FACE OF AWNING FOLLOWS PLANTER BOXES SET TO CURVE OF PUBLIC WALKWAY
21. PAINTED GALV. STEEL SUSPENSION BRACING FOR ADDED AWNING SUPPORT
22. WOOD LOOK PLANTER BOXES ON RAISED BASE FOR PATIO SURFACE DRAINAGE
23. WROUGHT IRON PATIO RAILING AND GATE THIS SECTION. HT. MIN. HT. 36" ALIGN WITH PLANTERS
24. ROLL DOWN CLEAR SINGLASS CURTAINS FOR INCLEMENT WEATHER WITH ANCHOR BAR AT BOTTOM FOR ANCHORAGE TO PLANTER BOX FRAME
25. PROPOSED FOLD-OPEN SERVICE WINDOW INTEGRATED IN (E)ALUM. STOREFRONT WINDOW SYSTEM

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JIMMCKEOWNSANDIEGO@GMAIL.NET
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PROGRESS
DATE: 12-29-2022

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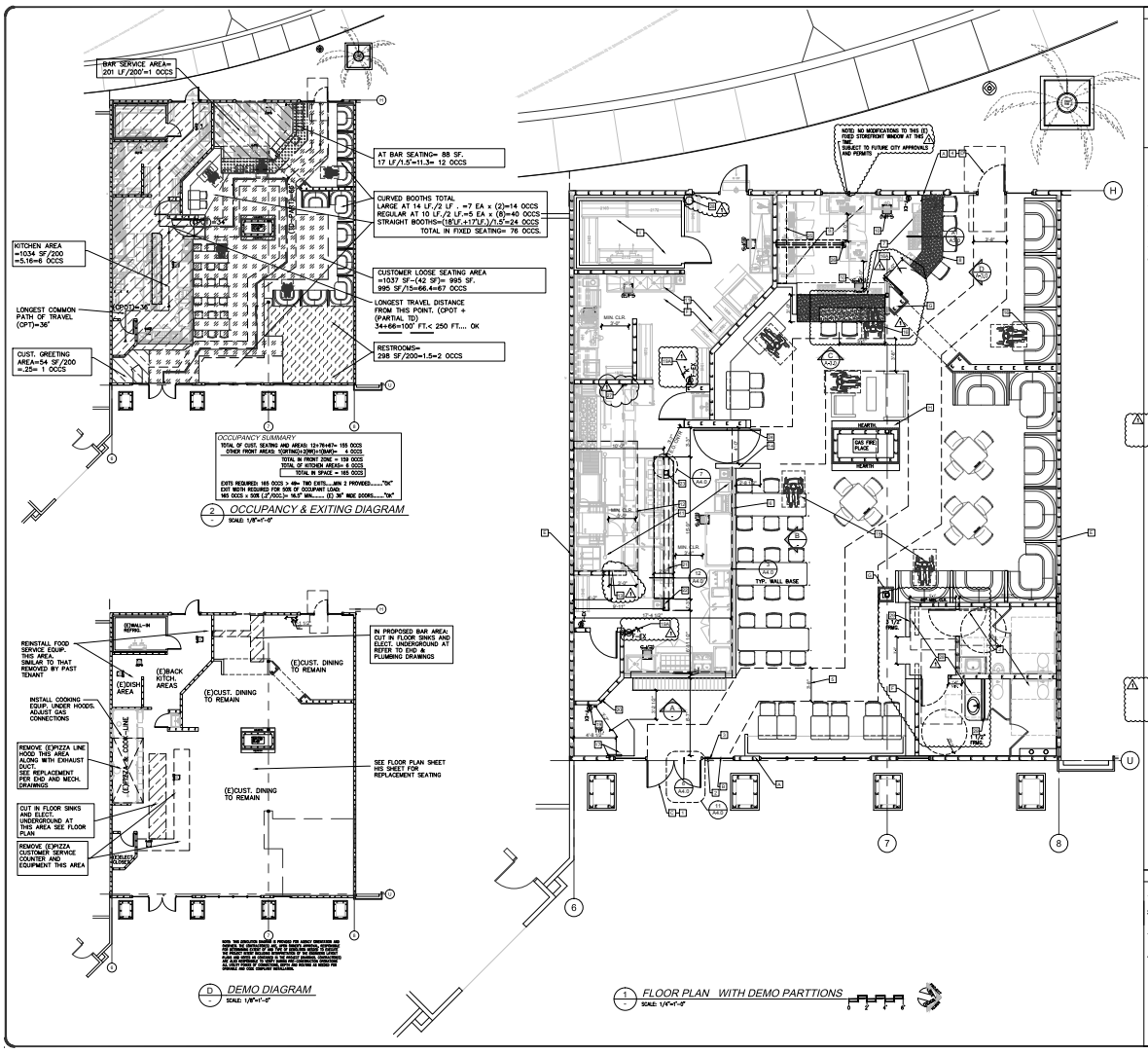
ADG GROUP
PLANNING ■ ARCHITECTURE ■ DEVELOPMENT SERVICES

EXTERIOR PATIO ELEVATIONS & SECTIONS
RESTAURANT REMODEL FOR BAR INSTALLATION AND KITCHEN EQUIPMENT MODIFICATIONS
VILLA RISTORANTE
1601 S. VICTORIA AVE. SUITE # 160-B
OXNARD, CA 93035

REVISIONS	BY
CLIENT INFO.-REVIEW 01-11-22	
REVIEW RELEASE 02-08-22	
1	

DRAWN | CHECKED
PLOT DATE 03-31-21
SCALE PER SCALE BAR
JOB NO. BASE PLAN_
C-FILE

PR-2
SHEET



FLOOR PLAN KEY NOTES

1. EXISTING EXTERIOR WALL: WALL DESCRIPTION & FINISH CALLED OUT ON WALL SCHEDULE.
   - B. (E) EXTERIOR WINDOWS TO REMAIN
   - C. (X) ALUM. STOREFRONT DOOR. PRIMARY ENTRY/EXIT
   - D. (X) ALUM. STOREFRONT DOOR. SECONDARY ENTRY
   - E. (X) FULL HT. TENANT DEMISING WALL
   - F. (X) INTERIOR PARTITION WALLS AND FINISHES TO REMAIN NO CHANGE UNLESS NOTED
   - G. (X) INTERIOR BOX WALL FRAMING WITH STONE FACING. FIELD VERIFY ANGLES AND ALIGNMENT FOR DECORATION OF BAR INSTALLATION
   - H. (E) FIRE PLACE WITH RAISED HEARTH ABOVE (E) CONC. FLOOR SURFACE. NO CHANGE INCLUDING EXISTING STONE VENEER TO REMAIN
   - I. (X) WLNK-IN COOLER TO REMAIN
   - J. EXISTING RESTROOMS SUBJECT TO MODIFICATION-SEE SHEET A-3.1

1. VERIFY OR INSTALL –A READILY VISIBLE DURABLE SIGN IS POSTED ON THE EGRESS SIDE ON OR ADJACENT TO THE DOOR STATING "THIS DOOR TO REMAIN UNLOCKED WHEN THE BUILDING IS OCCUPIED". THE SIGN SHALL BE IN LETTERS 1 INCH (25mm) HIGH ON A CONTRASTING BACKGROUND.
2. VERIFY OR INSTALL–UNIVERSAL SIGN OF ACCESSIBILITY THIS LOCATION
3. VERIFY OR INSTALL – TACTILE EXIT SIGNS REQUIRED AT THE FOLLOWING LOCATIONS: CBC SEC. 1013.4 & 11B-703.1 EACH GRADE LEVEL EXIT DOOR SHALL BE IDENTIFIED BY A TACTILE EXIT SIGN WITH THE WORD "EXIT".
4. SECONDARY ENTRY EXIT DOOR. VERIFY OR INSTALL ACCESSIBLE HARDWARE AND PANIC BAR EXIT HARDWARE
5. ACCESSIBLE PATH OF TRAVEL MIN. 3'-0" FROM ENTRY THROUGHOUT FACILITY AND TO ACCESSIBLE TABLE LOCATIONS
6. PARTIAL HT. PARTITION WITH GLASS PANEL AT TOP. REFER TO INTERIOR ELEVATIONS AND DETAIL NOTED AT PLAN LOCATION
7. ADDED BAR COUNTERS THESE AREAS. CONFIRM SEIMALL FINISHES AND ALIGNMENTS FOR COUNTER TOP JOIN TO EXISTING. REMOVE FINISH FACING AND TRIMS AS NEEDED FOR ANCHORAGE AND EHD SANITARY SEAMS, CORNERS, AND JOIN LINES.
8. LINE OF EHD REQUIRED SOFFIT ABOVE BAR AND BACK BAR WORK AREA
9. BAR EQUIPMENT SHOWN LIGHTER FOR SEPARATELY EHD APPROVED KITCHEN-FOOD SERVICE PLANS
10. TYP. CAST-IN FLOOR SINK. REFER TO APPROVED EHD DRAWING FOR POSITIONING REQUIREMENTS. COORDINATE EXACT POSITION WITH EQUIPMENT LOSS, BASES OR OTHER OBSTRUCTIONS. FOR SLAB REPLACEMENT REFER TO DET. # M/A-4.0
11. MODIFIED OR REPLACED FOOD SERVICE EQUIPMENT SHOWN LIGHTER FOR SEPARATELY EHD APPROVED KITCHEN-FOOD SERVICE PLANS
12. REPLACE THIS (E)HOOD SYSTEM SHOWN DASHED ABOVE MODIFIED COOK LINE EQUIPMENT REFER TO MECH. CEILING PLAN AND MECH. DRAWINGS
13. EXHO PORTION OF (E) WALL NON-BEARING WMU WALL AS NEEDED TO PROVIDE 36" CLEAR AISLE WAY TO FACE OF EQUIPMENT. REFINISH WITH TILE TO MATCH OR FULL WRAP WITH SS. CORNER GUARD
14. THIS WALL FULL HT. TO SOFFIT.
15. CUSTOMER TABLES & SEATING: NOTE 5% OF SEATING MUST BE ADA ACCESSIBLE AND LOCATED ON THE ACCESSIBLE PATH OF TRAVEL IN THE FACILITY. MAX. HT. OF TOP SHALL BE 34". SEE DETAIL FF/A-3.1
16. ACCESSIBLE BAR POSITION TO TOP AT MAX. 34" HT. x 60" WIDE AND WITH MIN. OF 19" DEEP KNEE SPACE
16A. BAR SWING GATE, NOMINAL 36" WIDE PROVIDING MIN 32" CLEAR WALK THROUGH SPACE WHEN FULLY OPEN
17. PROVIDE POWER & COIL JUNCTION BOX FOR TENANTS HOSTESS FURNITURE, NOT IF TRANSACTIONS ARE BEING EXECUTED HEAR PROVIDE ACCESIBLE HT. TOP AT 34" HT.
18. TYPICAL PLUMBING OF U.G. SLAB REPLACEMENT REQ'D TYP. THROUGHOUT WHERE OCCURS. REPAIR FLOOR SLAB CUT SURFACES FLUSH WITH EXISTING, NO CAPS OR UNDER SURFACES. PER E.H.D REQUIREMENTS FOR FINISHED CONC. FLOORS.
19. LOCATION OF SFM LISTED AND APPROVED FIRE EXTINGUISHER FOR GENERAL USE. FINAL NUMBER AND LOCATION SUBJECT TO FIRE INSPECTOR FIELD COORDINATION. REFER TO FIRE DEPARTMENT NOTES AT COVER SHEET FOR ADDITIONAL REQUIREMENTS.
19A. LOCATION OF KITCHEN RATED SFM LISTED AND APPROVED TYPE K FIRE EXTINGUISHER. FINAL NUMBER AND LOCATION SUBJECT TO FIRE INSPECTOR FIELD COORDINATION. REFER TO FIRE DEPARTMENT NOTES AT COVER SHEET FOR ADDITIONAL REQUIREMENTS.
20. OCCUPANCY POSTING FOR CUSTOMER AREAS "MAXIMUM OCCUPANTS SIGN PER CBC AND LOCAL FIRE AUTHORITY FOR THESE AREAS. VERIFY ACTUAL FINAL APPROVED OCCUPANCY COUNT, PHYSICAL SIGN REQUIREMENTS, AND POSTING LOCATION WITH FIELD INSPECTORS OF THE BUILDING AND FIRE DEPARTMENTS PRIOR TO FABRICATION AND MOUNTING. MAXIMUM OCCUPANCY LIMITS AS NOTED FOR EACH ROOM OF AREA ARE AS CALCULATED ON SHEET A-0.2
21. LOW WALL WITH PASS-OVER SHELF AND FOOD WARMER ABOVE . SEE EHD APPROVED "K" DRAWING
22. EXTEND THIS WALL END FULL HT. TO CEILING FOR PIPE & CONDUIT CHASE
23. LOW END WALL STL. SUPPORT BRACE
24. ELIASON (TWO DIRECTION) SELF CENTERING KITCHEN SWING DOOR W/VISION PANEL. NOTE: VISION PANEL TO BE 200 SQ. IN. MIN . SIZE DOOR AS NEEDED TO FIT OPENING
25. BACK-BAR WALL MOUNTED CABINETRY ABOVE SHOWN DASHED
26. SAW CUT AND PLACE UG. ELECT. AND COM. CONDUITS STUBBED FOR TENAT EQUIP. COORDINATED PEDESTAL BOX AS NEEDED DETAILED BY EQUIP. BASE AND POC. VERIFY AND COORDINATE WITH CLIENT PRIOR TO INSTALL. REPALCE SAWCUT SLAB PER DET M/A-4.0
27. LOCATION OF EXISTING KITCHEN HOODED ANSUL SYSTEM PULL STATION. CONNECT KITCHEN HOODED ANSUL SYSTEM TO FIRE ALARM PANEL.
28. REMODEL (E) RESTROOM FOR ACCESSIBLE DOOR CLEARANCES AND OTHER ADJUSTMENTS. REFER TO SHEET A-3.1 FOR DETAILED DRAWING
29. ADDED OR ADJUSTED METAL STUD FRAMED INTERIOR PARTITION

WALL TYPE LEGEND

DESCRIPTION	SYMBOL OF WALL
1. (E) EXTERIOR OR PERIMETER PARTITION WALLS TO REMAIN	
2. (E) INTERIOR DEMISING WALLS TO REMAIN (ASSUMED AS 1 HOUR RATED)	
3. (E) INTERIOR PARTITIONS, NON-BEARING, NON-RATED TO REMAIN (SHOWN WITH LIGHT LINES)	
4. INTERIOR PARTITION WALL: 2 X 4 AT 24" OC. WOOD STUD FRAMING. (NOTE: MAKE WALL 2 X 6 AT PLUMB WALL) 5/8" TYP. X GWB BOTH SIDES & R.13 SOUND/THERMAL INSUL.	

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OVERALL FLOOR PLAN
RESTAURANT REMODEL FOR BAR INSTALLATION AND KITCHEN EQUIPMENT MODIFICATIONS
VILLA RISTORANTE
1601 S. VICTORIA AVE. SUITE # 160-B
OXNARD, CA 93035

REVISIONS	BY
B & S RELEASE 01-26-2022	
1 BAR, PC-11 ISSUE 06-11-22	

DRAWN | CHECKED
PLOT DATE 01-24-2022
SCALE PER SCALE BAR
JOB NO. BASE PLAN_
C-FILE

A-2.0
SHEET

COMMUNITY DEVELOPMENT DEPARTMENT
OXNARD PLANNING DIVISION
214 SOUTH C STREET
OXNARD, CALIFORNIA 93030

CITY OF OXNARD CALIFORNIA

NOTICE OF EXEMPTION

Project Description: **Villa Ristorante Alcohol Special Use Permit;** Planning and Zoning Permit No. 22-510-02 (Special Use Permit - Alcohol): A request to sell beer, wine and distilled spirits (Type 47 ABC License) for on-site consumption at a proposed approximately 3,423 square-foot restaurant with two outdoor patios measuring approximately 350 square-feet each, on a 2.6-acre site located at 1601 South Victoria Avenue Suite 160-B (APN: 188-0-272-205) within the Coastal Planned Unit Community (C-P-C) zone. The applicant is requesting that alcohol sales and consumption be allowed from 7:00 AM to 1:00 AM daily, subject to the project conditions. Filed by Matthew Olufs, Designated Agent, on behalf of property owner Seabridge Partners, P.O. Box 15928, Beverly Hills, CA 90209.

Finding:
The Planning Commission of the City of Oxnard has reviewed the above proposed project and found it to be exempt from the provisions of the California Environmental Quality Act (CEQA).

☐ Ministerial Project
☒ Categorical Exemption
☐ Statutory Exemption
☐ Emergency Project
☐ Quick Disapproval [CEQA Guidelines, 14 Cal. Code of Regs. 15270]
☐ No Possibility of Significant Effect [CEQA Guidelines, 14 Cal. Code of Regs. 15061(b)(3)]

Supporting Reasons: In accordance with Section 15301, Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) Guidelines, projects involving "negligible or no expansion of use beyond that existing at the time of the lead agency's determination" may be found to be exempt from the requirements of CEQA. The Project involves a request to sell alcohol for on-site consumption within an existing multi-tenant commercial building and will not increase the square footage of the existing building. No Exceptions to the Exemptions (Section 15300.2) apply to defeat the Exemption. Therefore, the Planning Commission has determined that there is no substantial evidence that the project may have a significant effect on the environment, the project is categorically exempt from the provisions of CEQA, there is no requirement to prepare an environmental document, and they hereby authorize and direct the Planning and Environmental Services Manager to file a Notice of Exemption with the Ventura County Clerk.

_____ _____
(Date) Joe Pearson II, AICP
Interim Planning and Environmental Services Manager

CITY OF OXNARD CALIFORNIA

Police Department
Jason Benites, Chief of Police

May 10, 2022

To: Joe Pearson II, Interim Planning Division Manager
Randy Baez, Associate Planner

From: Marc Amon, Patrol Support Division Commander
Scott Swenson, Safer Neighborhoods and Alcohol Compliance Specialist

Subject: Villa Restaurant, 1601 S. Victoria Ave., Suite 160
PZ 22-510-02, Alcohol SUP Review (ABC Type 47)

Site Information:
The applicant is proposing an Italian themed restaurant within the Seabridge Shopping Center with outdoor patio dining on both the parking lot side and the marina side of the business. The applicant has already filed an application for an Alcohol Beverage Control (ABC) Type 47[1] License to sell beer, wine and spirits as a restaurant through the ABC lottery process. The application indicates hours of alcohol sales will be 7 A.M. to 1 A.M.

Within the Channel Islands Neighborhood. The area surrounding the shopping center includes the marina on the west side, multi-story residential units to the north, the Via Marina Neighborhood to the east, and additional multi-story housing to the south.

Concentration, Crime and Policing Services

Concentration of retail alcohol outlets and crime can have a significant impact on public safety and the delivery of police services. The State of California[2] and the City of Oxnard[3] have established standards to weigh concentration factors, and, when

[1] *Type 47 On Sale Beer, Wine and Spirits – Eating Place: (Restaurant) Authorizes the sale of beer, wine and spirits for consumption on or off the premises where sold. Must operate and maintain the licensed premises as a bona fide eating place. Must maintain suitable kitchen facilities and must make actual and substantial sales of meals for consumption on the premises. Minors are allowed on the premises.*

[2] *Concentration Standards for the State of California: §23958.4 Business and Professions Code*
[3] *Concentration Standards for the City of Oxnard: Council Resolution 11,896*

appropriate, mitigations to address those factors. The below charts identify nearby retail alcohol establishments.

Alcohol outlets located within 350 Feet

#	Business Name	Address	ABC Type	ASUP	On/Off-Sale	Premise	Alcohol	Alcohol Hours *
1	Yolandas	1601 S. Victoria Av. #190	47	Y	On	Restaurant	Beer Wine Spirits	7a-1a
2	The Raven Tavern	1651 S. Victoria Av. #100	47	Y	On	Restaurant	Beer Wine Spirits	7a-1a
3	Kitanoya Ramen & Sushi	1651 S Victoria Av. #130	41	Y	On	Restaurant	Beer & Wine	7a-1a

**Alcohol hours reflect period the business is permitted to serve alcohol under State law or by established City conditions.*

Alcohol outlets located between 350 Feet and 1000 Feet

None.

City Council Resolution 11, 896 establishes that there is undue concentration if there exists an alcohol establishment of a similar type within 350 feet of the applicant site. As noted on the chart above, there are three existing restaurants with alcohol licenses within 350 feet of the applicant site. This establishes that there is an undue concentration under City standards.

State standards for undue concentration are established under Business and Professions Code Section 23958.4.

(a) *For purposes of Section 23958, "undue concentration" means the case in which the applicant premises for an original or premises-to-premises transfer of any retail license are located in an area where any of the following conditions exist:*
   1) *The applicant premises are located in a crime reporting district[4] that has a 20 percent greater number of reported crimes, as defined in subdivision c, than the average number of reported crimes as determined from all crime reporting districts within the jurisdiction of the local law enforcement agency.*
   2) *As to on-sale retail license applications, the ratio of on-sale retail licenses to population in the census trat or census division in which the applicant premises are located exceeds the ratio of on-sale retail licenses to population in the county in which the applicant premises is located.*
   3) *As to off-sale retail license applications, the ratio of off-sale retail licenses to population in the census tract or census division in which the applicant premises are located exceeds the ratio of off-sale retail licenses to population in the county in which the applicant premises are located.*

In the case of the applicant site, the annular crime rate is slightly above the average annular citywide rate but within the standard established in 23958.4(1) B&P.

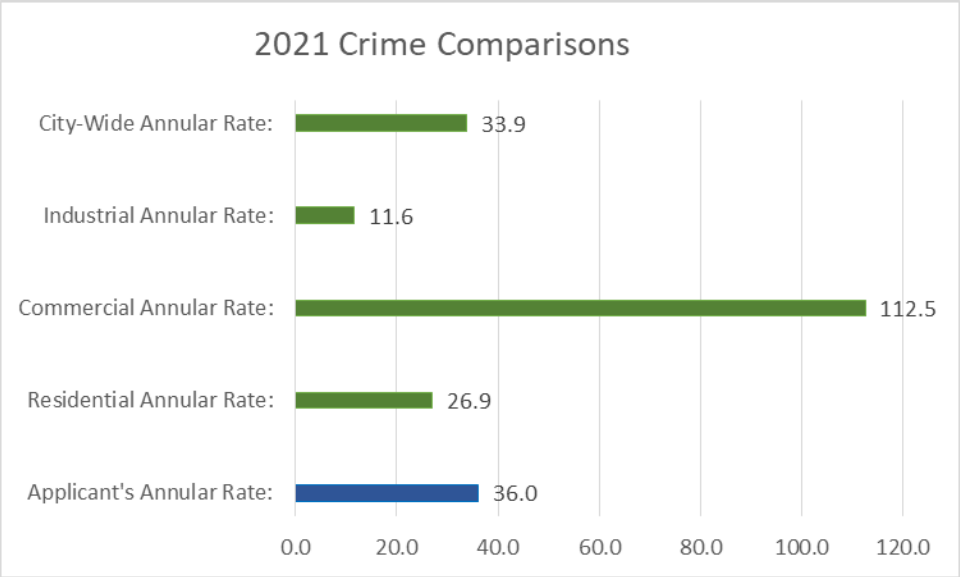
[4] *Oxnard P.D. does not collect crime data based on reporting districts. For the purposes of concentration of alcohol establishments, the crime stats are compared by 1000-foot annular areas.*

Currently there are seven on-sale licenses within the applicant's census tract. According to the ABC four on-sale licenses are authorized within this census tract. Therefore, there is an undue concentration under the provisions of California Business and Professions Code Section 23958.4. Approval of this Alcohol Special Use Permit by the Planning Commission or the City Council will establish a finding that City establishes that the business will serve a public convenience and necessity.

Crime Statistics Review:

For comparison purposes the Police Department calculates the average number of Part I[5] and II[6] crimes that occurred during a selected 12-month period. In the case of this report, all calculations are based on statistics from 2021. The average city-wide, annular average of Part I and II crimes is 33.9.

The average number of Part I and II crimes in the applicant's 1000 feet annular area is 36. This slightly higher than the citywide average and can be best illustrated in the graph below:



Police Department Input:

The Beat Coordinator who is responsible for the day-to-day monitoring of activity and deployment of police resources for the surrounding area said that the location is not generally considered to be a policing problem and has not required any specific attention. However, he indicated that parking in the shopping center is an issue. He said oftentimes customers are forced to park in the residential neighborhood across

[5] *Part I crimes include: murder, rape, robbery, theft, burglary, auto theft, assault, and arson.*
[6] *Part II crime include: other assaults, forgery & counterfeiting, fraud, embezzlement, stolen property, vandalism, weapons, prostitution & commercialized vice, sex offenses, drug abuse violations, gambling, offenses against family and children, driving under the influence, liquor laws, drunkenness, disorderly conduct, vagrancy, all other offenses not specifically identified as Part I or Part II, except traffic violations.*

Victoria Avenue. He believed that parking may be impacted by “live-a-boards” residing in boats moored in the harbor parking lot intended for retail customers.

Community Input

Businesses:
Several nearby business operators were contacted and interviewed regarding this business’ request to sell alcohol. Each person interviewed believed the new restaurant would be a good addition to the shopping center. However, each indicated that parking at the center was oftentimes limited. It was believed that the parking availability was tied to vehicles owned by “live-a-boards” who had boats docked in the harbor.

Area Residents:
I contacted the Neighborhood Chairperson and brief him about the proposed project. He stated that he believed that the restaurant would be a good addition to the shopping center and it would not have an adverse impact in the neighborhood.

Conclusion

The applicant is opening Villa Restaurante as a new business. He currently operates The Raven Tavern which is located about 200 feet south of this project site. The Raven Tavern has operated under an ABC Type 47 (beer, wine & spirits) License since April 2020 without any adverse impact on the community, policing services or disciplinary actions by ABC.

During the development of this review, inquiries were made with the applicant concerning the intended business model for Villa Restaurante. He stated that it would be a “white table cloth – upscale Italian restaurant”. The original application submission showed that the planned hours of alcohol sales would be 7 A.M. to 1 A.M. The applicant revised the hours of the business’ operation to 7 A.M. to 11 P.M. Should the applicant desire to operate as a restaurant serving meals and alcoholic beverages past 11 P.M., there are provisions under “Special Police Conditions” that will allow for special one-day extension of hours for special events/activities.

While conducting interviews with nearby business operators and the District Coordinator, it was evident that all had concerns about parking capacity at the center during peak hours. The applicant, who also owns the Raven Tavern, also at Seabridge, has worked with Rod Gietzen, the owner/operator of Yolanda’s Mexican Café and the property manager to address the parking issue. They were able to work out a plan where these restaurants would have their employees park in an underused parking lot in the next commercial center south of this section of the Seabridge Center. This has been done and it appears that it has improved the parking situation.

Concentration, Public Convenience and Necessity

As previously discussed, the site of the proposed establishment is within an area of the City where there is an "undue concentration" of alcoholic beverage establishments within the meaning of section 23958.4(a)(1) of the Business and Professions Code, and, as described in City Council Resolution 11,896. The crime rate established for the area around the business is not seen as a factor relating to the issuance of this permit.

However, the proposed establishment is located where there are three existing alcoholic beverage establishments. Each of these businesses are restaurants in a well-managed shopping center where crime and community safety is not a law enforcement concern. A finding of public convenience and necessity can be made for this applicant as the restaurant serves an alcoholic beverage which pairs well with the food they serve. Conversely, it would be inconvenient for a member of the public to patronize this restaurant and have to go elsewhere to obtain an alcoholic beverage that would pair with their meal.

Based on the crime statistics, the assessment from the Beat Coordinator, and the input from the community there is no significant reason to oppose this application. Under the recommended operating conditions, it is believed that the service of alcoholic beverages at this business will have little, if any adverse impact on the community or policing services.

Police Operating Conditions
On-Sale Restaurant

On-Sale Restaurant Standard Conditions

RBS Training

1. Permittee, managers and servers shall complete an approved course in Responsible Beverage Service (RBS) sponsored or approved by either the California Department of Alcohol Beverage Control or the Chief of the Oxnard Police Department within sixty (60) days of license granting and/or date of employment. The permittee is responsible for maintaining records showing servers have completed the required training and shall submit this documentation upon request by the Oxnard Police Department. The ABC website for their RBS training is Responsible Beverage Service (RBS) Training | Alcoholic Beverage Control (ca.gov). The RBS card shall be renewed every three years by taking an approved course otherwise, the card will be considered invalid. (PL/PD)

2. A copy of these conditions and a log of employees who have completed Responsible Beverage Service training must be maintained on the premises and

made available upon the demand of by any representative of the Oxnard Police Department.

Food & Beverage Service

3. Sales of alcohol may only occur between the hours of 7:00 A.M. and 11P.M. *(see provision for extension of service hours in "Special Conditions")* (PL/PD)

4. The quarterly gross sales of alcoholic beverages shall not exceed the gross sales of food during the same period. Permittee shall at all times maintain records which reflect separately the gross sales of food and the gross sales of alcoholic beverages of the licensed business. Said records shall be kept no less frequently than on a quarterly basis and shall be made available to the Police Department upon demand. (PL/PD)

5. The premises shall be equipped and maintained in good faith as a bona fide restaurant and shall possess, in operative condition, such conveniences for cooking and storage of foods such as stoves, ovens, broilers, refrigeration or other devices, as well as pots, pans or containers which can be used for cooking or heating foods on the type heating device employed. (PL/PD)

6. The business shall have a grease interceptor as required by the Wastewater Division.

7. Permittee shall have a Certified Food Handler on-duty at all times the restaurant is open to support the service of its menu. (PD)

8. Permittee shall maintain records in accordance with Health and Safety Code 113790 which requires any employee who handles food shall have a California Food Handler Card. (PD)

9. The premises shall be equipped and maintained in good faith as a bona fide eating establishment and shall possess, in operative condition, such conveniences for cooking and storage of foods such as stoves, ovens, broilers, refrigeration or other devices, as well as pots, pans or containers which can be used for cooking or heating foods on the type heating device employed. The dining area shall possess the necessary utensils, table service, and the condiment dispensers with which to serve meals to the public. (PL/PD)

10. Permittee shall offer an assortment of food items to customers at all times that alcohol is being served. A menu of food items, including appetizers, entrees and desserts, shall be available at all times that alcohol is available for sale, and employees will encourage guests to purchase and consume food items along with their alcoholic beverages, as part of its commitment to responsible beverage service. The menu shall not be reduced in number or substance at any time alcohol is being served other than for reasonable, unforeseen reasons (lack of product…). Any changes or replacements to the proposed product offering shall be of similar or greater quantity and any permanent reduction of menu items is prohibited. (PD)

11. Alcoholic beverages shall not be offered at significantly reduced prices (typically more than a 25% reduction from regular prices) that are meant to encourage greater consumption of alcohol such as during “happy hour” type promotions. Permittee shall not develop any other promotional activity that is designed to encourage excessive drinking of alcoholic beverages. Promoting a “happy hour” or other event that offers reduced prices on food or other items shall not be considered a violation of this condition and are actually encouraged. (PD)

12. Alcohol shall be served in containers that are distinct from the beverage cups or containers used for coffee or other non-alcoholic beverages shall be served in standard sizes that are consistent with the industry and shall not be served by the pitcher or similar high-capacity containers exceeding 25 oz. total. The sale or service of alcohol in their original container (bottle or can) is prohibited. The design of containers for the service of alcoholic beverages shall be approved by the Chief of Police or his designee. (PD)

13. The premises shall be equipped with an adequate number of seats to accommodate all customers. There shall be no service area that is designed or used as a standing area only or as a combined standing and seating area. (PD)

14. Employees involved in the sale or service of alcoholic beverages shall not be allowed to consume alcoholic beverages at any time during their shift. Employees shall not report to work with evidence of having consumed any intoxicants such as alcohol, illegal drugs or controlled substances. (PD)

15. Any graffiti painted or marked upon the premises or on any adjacent area under the control of the Permittee shall be removed or painted over within 24-hours of being applied. (PD/PL)

16. The property owner and the tenant shall be responsible for maintaining their areas of responsibility free of litter the area adjacent to the premises over which Permittee has reasonable control. (PD/PL)

17. The permittee shall establish responsible cash handling procedures to reduce the likelihood of robberies and thefts. (PD)

18. Permittee shall regularly police the area under Permittee's control and shall not permit the loitering of persons about the premises. (PL/PD)

19. The activity at the site and the use of any amplifying system or device shall not be disruptive to neighboring uses. (PD)

20. The Police Chief or designee may immediately suspend operation of the uses approved by this permit pending a hearing on the revocation of this permit conditions and/or a permit/license issued by the California Department of Alcoholic Beverage Control ("ABC"), or there is a single serious violent crime or single significant incident to which multiple police units or multiple police jurisdictions respond associated with the operations of this use, which the Chief determines is detrimental to the public safety or health. The Chief shall immediately inform the Planning and Environmental Services Manager of the suspension and the manager shall schedule a hearing on the revocation of the permit by the Community Development Director to be held no more than 30-days after the suspension begins. (PD)

Security Features

21. Prior to commencing the sale of alcohol permitted by this permit, permittee shall install and operate 24 hours a day a video surveillance system. The system shall be maintained at a reasonable industry standard to monitor, and, at a minimum monitor, the entrances and exits, and any centralized point of sale and areas immediately surrounding the exterior of the business. Any video system installed to meet the requirement of these conditions shall meet the below minimum standards:
    a. Cameras and supporting equipment shall supply digital color images under normal lighting conditions. Greyscale images are required for infra-red lighting.
    b. Cameras shall be made by a reputable manufacturer and maintained to current industry standards.
    c. Cameras shall have sufficient low light capture ability to clearly monitor persons conducting transactions.
    d. The video system shall utilize a Digital Video Recorder (DVR). VHS and other formats are prohibited.
    e. The video system shall allow recording, live viewing and playback of recorded video for a period of at least 30 days.
    f. Recorded images shall bear a date and time stamp that cannot be altered.
    g. At a minimum, one camera shall be dedicated to capturing head and upper body images of each person entering any door or entrance to the business. Cameras dedicated to this purpose shall be mounted at 7-feet above the floor.
    h. The camera system shall operate 24-hours a day, 7-days a week.
    i. At a minimum one camera shall be dedicated to capture activity in the kitchen.

j. Cameras shall be located inside as well as outside the premises to monitor general activity.

22. Failure to maintain the video surveillance system in good working order can be grounds for suspension of this permit. The permittee shall provide video records to the Chief of Police or his/her designee in a timely manner upon request.

23. Prior to the issuance of the Certificate of Occupancy, the permittee shall submit and have approved by the Chief of Police or his/her designee a Security Site Plan which shall include the below features.
24. The Security Site Plan shall illustrate the location of each camera installation as well as the location of the support equipment. The support equipment shall be located in a secure room with limited access to supervisorial employees and other employees who, by the nature of their responsibilities, have a need to access the equipment.
25. The Security Site Plan shall include a chart that identifies each camera by an alpha-numeric designation, the make and model of the instrument, the type of camera housing (dome, bullet, discrete), the camera's capture purpose (general area, choke point, point of sale, etc.) and it's mounting height above the floor/grade.
26. Identify the nature of all alarm systems including the make, model and type of sensors.

Operational Standards

27. All sales of alcohol must include a purchase of food.

28. All deliveries that include alcoholic beverages shall require the following:
    a. The person making the delivery shall be a minimum of 21-years of age and has completed an approved course in Responsible Beverage Sales and Service (RBSS) Training sponsored or approved by either the California Department of Alcohol Beverage Control or the Chief of the Oxnard Police Department. The RBSS card shall be renewed every three years by taking an approved course otherwise, the card will be considered invalid.
    b. Each driver making an alcoholic beverage delivery shall check the identification of the person taking possession of the alcoholic beverage and ensure that the person depicted on the identification is of age and is the person receiving the delivery. The driver shall photograph or scan the identification with an identification scanner to record and verify the age of the person taking receipt of the delivery.
    c. The permittee shall provide information on any website menu that clearly states that all deliveries that include alcoholic beverages will require the recipient of the alcoholic beverage(s) to present their government issued photo identification as proof of age. Recommended language for on-line menus: "The City of Oxnard requires that the delivery driver be shown a government

issued photo identification of the recipient of all deliveries that include alcoholic beverages."

d. The permittee shall require that staff members taking phone orders for delivery of alcoholic beverages shall advise customers of the requirements under subsection "(b)" of this condition.
e. On-line orders for delivery which include alcohol shall have a check box where the customer acknowledges that the recipient of the order must show a government issued photo identification at the time of delivery.
f. All deliveries including alcoholic beverages shall be made to a residence, apartment, or business. Deliveries that include alcoholic beverages shall not be made to parks, parking lots, motor vehicles or similar places open to the general public or in public view.

29. All alcoholic beverages "to go" or for delivery shall be well sealed consistent with industry standards.

30. During normal business hours, the licensee shall provide access to the digital recordings for any and all law enforcement purposes as determined by the City of Oxnard. (PD)

31. A copy of these conditions and a log of employees who have completed Responsible Beverage Service training must be maintained on the premises and made available upon the demand of by any representative of the Oxnard Police Department.

32. The permittee shall participate, when requested and reasonable, in programs and efforts by the Oxnard Police Department to inform and educate patrons on dangers of driving under the influence of alcohol or drugs. (PD)

33. The permittee's Internet presence shall be consistent with these conditions. Any site or Internet presence reasonably controlled by the permittee shall not advertise or illustrate circumstances or activities that run contrary to provisions set forth through their ABC license or this Special Use Permit. (PD)

34. Should a suspected crime occur where some part of the event happens within the business, the permittee or managing/supervising employee shall provide to the Oxnard Police Department, in a timely manner, any video recording documenting activity within and around this business relative to the event when in involves:

a. The service or sales of alcoholic beverages under the scope of this permit or ABC license.
b. Any crime of violence and there is an urgency to identify the suspect or true circumstances to protect the safety of an individual or the public at large.
c. Any theft occurring within the business.

35. Permittee shall install and maintain a dual technology electronic intrusion detection system capable of differentiating between human and non-human motion. (burglary alarm). (PD)

36. Permittee shall bolt down or otherwise secure all cash registers to service counters to prevent the entire device from being stolen during a burglary or robbery. (PD)

37. Permittee shall equip each point of sale with a silent robbery alarm that complies with Oxnard City Ordinance No. 2601 or develop and implement critical incident protocols that provide an efficient method for alerting police and others to a potential threat without unnecessarily putting the employees at risk. (PD)

38. Permittee shall have drop-safes installed or establish other responsible cash handling procedures to allow employees to deposit daily receipts throughout the day as the amounts exceed allowable levels in the register (typically $50-200). (PD)

39. Permittee shall establish responsible cash handling procedures to reduce the likelihood of robberies and theft. (PD)

40. The area surrounding premises under the reasonable control of the Permittee (including the rear of the business) shall be equipped with lighting of sufficient power to illuminate and make easily discernible the appearance and conduct of all persons in or about the area. (PD/PL)

Entertainment

41. Entertainment as defined by Oxnard City Ordinance 11-185 is prohibited except music which creates ambiance consistent with the normal operation of the business. Performers, televised events and other types of entertainment intended to attract customers to the business are prohibited. This provision may be waived under a “Special Event Letter” as outlined under Police Special Conditions.

Signage

42. There shall be no advertising of alcoholic beverages visible from the outside, including advertising directed to the exterior from within, promoting or indicating the availability of alcoholic beverages. (PL/PD)

43. There shall be no posters or signs on the windows other than those required by permit or statute or otherwise specifically approved by the Planning Division.

44. In the areas outside the business, not otherwise licensed by the Department of Alcoholic Beverage Control allowing the service of alcohol, Permittee shall post prominent, permanent signs indicating that loitering, open containers and the consumption of alcoholic beverage is prohibited. This includes the parking lot, walkways and other adjacent areas under Permittee's reasonable control. (PD)

45. Prominent signs shall be posted throughout the business, in effect, "No persons under 21 will be served alcoholic beverages" and "Valid ID is required to purchase or possess alcoholic beverages". (PD)

Site Design

46. There shall not be any outdoor or patio bar (portable or otherwise) where alcoholic beverages are stored or served. A bar service window within the building footprint is allowed as long as alcoholic beverages are stored out of reach of customers in the patio side of the window. (PD)

47. No pay phones on the exterior of the premises shall be allowed within 100-feet of the front or rear doors. Any pay phones installed inside shall be blocked from incoming calls. (PD/PL)

48. Any change in the floorplan as established at the time of the issuance of this permit that may intensify the use or service of alcohol shall require a minor modification permit. Such change would include, but not be limited to increasing the number of seats at a bar, expansion of hours beyond those established in this permit, or the creation of a bandstand or other area for the use of entertainment.

Permit Restrictions

49. The subject Alcoholic Beverage Control License shall not be exchanged for any other type of Alcoholic Beverage Control License without DDR review and approval by the Police Chief or designee and the Community Development Director. (PD)

50. Upon any individual transfer (person to person) of the subject Alcoholic Beverage Control License, or if the business is ever deemed a nuisance as defined in the Oxnard City Code, a review of the existing DDR shall be initiated, and conditions may be added or removed as appropriate to mitigate existing or potential problems. (PD)

51. Prior to the issuance of this permit, the permittee shall submit and have approved a security plan which identifies details the camera system, alarms, guard post orders and other security related matters and policies.

52. Credible evidence of any of the below issues shall be grounds to change the hours of alcohol sales under this permit or hours allowed for dancing under a Dance Permit. Such action would be taken using the hearing process as outlined in the Oxnard City Code.
    a. Evidence of over-service of alcohol to patrons. This may be established through the annual Place of Last Drink Report issued by the Ventura County Department of Behavioral Health, or, through arrests at or near the business for public intoxication or DUI where the arrestee was a patron of the business.
    b. Service of an alcoholic beverage to a minor.
    c. Evidence that the gross sales of alcohol exceeded the gross sales of food during a previous quarter.
    d. Failure to submit, when requested, quarterly fiscal documentation to the Police Department 45-days after the close of the quarter. Documentation shall include but not be limited to: profit and loss statements which specifically illustrated gross alcohol and gross food sales and filings to the Department of Tax and Fee Administration. Sales of merchandise and services shall not include either the calculation of gross alcohol or gross food sales.

53. Permittee shall provide the Police Department a point of contact for notifications and exchange of information. To update the Police Department on this designated point of contact an email shall be sent to: specialprojects@oxnardpd.org. The email shall include the name of the business, address, name of the primary contact person, their role with the business, their email address and a phone number.

Police Special Conditions

54. Entertainment as defined by Oxnard City Ordinance 11-185 is prohibited except under the provisions of a one-day Special Event Letter as listed below:

    a. The permittee may apply for a one-day Special Event Letter up to six times in a calendar year to accommodate special activities (ie: New Year's Eve, Mother's Day, or a private party event) to expand the hours of operation and alcohol service beyond the hours identified in the conditions of this permit and to allow for entertainment. The one-day Special Event Letter may be denied if there has been a documented violation of these conditions during the 12-month period prior to date of the planned one-day event or any other circumstance where it is believed that the event would disturb neighboring uses or require additional police resources to monitor the event.

b. The request for "Special Event Letter" shall be submitted at least 30-days prior to the event date as an email to specialprojects@oxnardpd.org. The Subject Line of the email shall have the name of the restaurant and the words "Request for a Special Event Letter per Alcohol SUP". In the body of email provide the date, hours and type of event and contact name and phone number for the business owner or manager.

c. Music or other amplified sound shall not be audible outside the business' licensed/permitted alcohol footprint.

d. When security personnel are present or required per Oxnard City Code, Permittee shall maintain accurate records of all security personnel on the premises at any given time and make those available to the police upon demand. These records shall, at a minimum, provide the name, date of birth, copies of security guard credentials or license and any other permits or certifications related to security work. This would include copies of permits for weapons or other tools the guard may be authorized to carry. Security personnel shall remain in compliance with updated training related to their work as set forth by any existing or future state and/or local regulations. (PD)

e. The Special Event Letter request will be reviewed by the designee of the Chief of Police. An approval or denial letter may take as long as 7-days to be returned by email to the business. The business shall have a paper copy of the approval letter at the business during the event and present it to any representative of the Oxnard Police Department upon request.

f. The Special Event Letter and its authorized activities may be suspended by any police field supervisor or at the direction of the Police Watch Commander for any reason.

55. Persons under the age of 21 shall be prohibited from sitting at the bar. A minimum of two "table signs" shall state: "No one under 21 years of age shall sit at the bar".

56. Entertainment shall not be permitted as described in City Ordinance 11-185 through 11-188 except by a one-day temporary use permit. Such permits will be limited to six days per calendar year. Said permits, if issued, may, at the discretion of the Oxnard Police Department, extend the hours of alcohol sales beyond the hours listed in this permit. The Oxnard Police Department reserves the right to decline a one-day temporary use permit for any reason.

57. This permit may be modified by submitting for a minor modification, paying appropriate fees, and receiving administrative approval from the Director of Development Services.

58. The patio shall be surrounded by a barrier which consists on of these design features:

    a. A 42-inch tall fence accompanied by a landscape feature which measures 18-inches deep as measured from the fence. This landscape feature shall have plantings that are between 12 and 42 inches in height. The landscape strip shall parallel 75% of the fence line not counting gates.
    b. A 60-inch tall fence where, at a minimum, the top 18-inches consists primarily of a clear glass, plexiglass, or other similar material. The clear panels shall meet or exceed industry safety standards for similar applications.
    c. Each patio gate shall have a sign on or near its exterior side stating: “Do Not Enter – Exit Only”.
    d. Each patio gate shall have a sign on or near its interior side stating: “No Alcoholic Beverages Beyond This Point”.

CITY COUNCIL OF THE CITY OF OXNARD

RESOLUTION NO. 11,896

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD ADOPTING STANDARDS FOR DETERMINING APPLICATIONS FOR SPECIAL USE PERMITS TO SELL ALCOHOLIC BEVERAGES

WHEREAS, any person wishing to sell alcoholic beverages in the State of California must obtain a license to do so from the Department of Alcoholic Beverage Control; and

WHEREAS, Business and Professions Code Section 23790 provides that the Department of Alcoholic Beverage Control shall not issue a retail license "for any premises which are located in any territory where the exercise of the rights and privileges conferred by the license is contrary to a valid zoning ordinance of any county or city"; and

WHEREAS, the City of Oxnard has enacted zoning ordinances restricting the sale of alcoholic beverages to certain zones and requiring that a person wishing to sell alcoholic beverages in such zones first obtain a special use permit; and

WHEREAS, section 34-147 of the Oxnard City Code provides in part:

"Before a special use permit may be granted, the applicant must show and the planning commission must find that the proposed use is in conformance with the general plan and other adopted standards and that the following conditions are met:

"(a) The nature, condition and development of adjacent uses, buildings and structures shall be considered, and no proposed special use permit shall be granted where the commission finds such use will adversely affect or be materially detrimental to such adjacent uses, buildings or structures or to the public health, safety or general welfare."

WHEREAS, based on the experience of the Police Department that there is a relationship between crime and the consumption of alcohol and that establishments selling alcohol are incompatible with certain adjacent uses, the City Council wishes to adopt standards for determining when granting applications for special use permits to sell alcoholic beverages would adversely affect or be materially detrimental to adjacent uses, buildings or structures or to the public health, safety and general welfare; and

WHEREAS, this resolution applies only to the determination required by subsection (a) of section 34-147 of the City Code, and does not dispense with the requirement that in order to grant a special use permit to sell alcoholic beverages the application must satisfy the remainder of section 34-147; and

WHEREAS, in accordance with the California Environmental Quality Act, the Planning and Environmental Services Manager provided public notice of the intent of the City to adopt a negative declaration for the adoption of this resolution ("the project"), and the City Council has considered the proposed negative declaration, together with any comments received during the public review process, finds on the basis of the initial study and any comments received that there is no substantial evidence that the project will have a significant effect on the environment, further finds that the mitigated negative declaration reflects the independent judgment of the City, and approves the negative declaration.

NOW, THEREFORE, the City Council of the City of Oxnard resolves:

1. City Council Resolution No. 8597 is repealed.

2. The Planning and Environmental Services Division of the Development Services Department shall refer to the Police Department applications for special use permits to sell alcoholic beverages at retail. The Police Department shall prepare and submit to the secretary of the Planning Commission, at least ten calendar days before the date set for hearing on the special use permit, a written report on the following matters:

(a) The name and address and a description of the type of all establishments selling alcoholic beverages within 1,000 feet of the location for which the special use permit is applied. As used in this resolution, "the type" refers to the nature of the business (e.g., grocery store, liquor store, bar or restaurant), not to the type of State Alcoholic Beverage Control license issued to or sought for the business.

(b) The annual number of incidents involving police responses within 1,000 feet of the location for which the special use permit is applied and how this number compares to the City average of police responses.

(c) The likelihood that granting the application will create or significantly aggravate police problems at or near the subject location.

(d) A list of conditions recommended for inclusion in the special use permit to minimize police problems if the application is granted. One such condition shall be that the applicant provide Responsible Beverage Sales and Service (RBSS) training to all operators and employees of the establishment within 30 days of their employment. The applicant may apply to the Police Department for a waiver of RBSS training for temporary or short-term employees.

3. The Planning Commission shall consider the report, as well as any other relevant evidence, in determining whether, under subsection (a) of section 34-147 of the City Code, granting an application for a special use permit to sell alcoholic beverages at retail would adversely affect or be materially detrimental to adjacent uses, buildings or structures or to the

public health, safety or general welfare. Before making such determination, the Planning Commission shall make the following findings, as well as any other relevant findings:

(a) The proposed use is not likely to create or significantly aggravate police problems within 1000 feet of the location for which the special use permit is applied; and

(b) The proposed use will not result in or add to an undue concentration of establishments selling alcoholic beverages at retail within 1000 feet of the location for which the special use permit is applied. For purposes of making this determination, there is a presumption that an undue concentration will result or be added to if the establishment for which the special use permit is applied will be located less than 350 feet from another establishment of the same type, and there is a presumption that an undue concentration will not result or be added to if the establishment for which the special use permit is applied will be located 350 feet or more from another establishment of the same type. However, either presumption may be rebutted by a preponderance of the evidence, based on the facts of the particular case.

4. All of the procedures and other matters contained in section 34-146 et seq. of the City Code apply to applications for special use permits to sell alcoholic beverages at retail.

PASSED AND ADOPTED this 6th day of February, 2001, by the following vote:

AYES: Councilmembers Maulhardt, Pinkard, Zaragoza, Holden and Lopez.

NOES: None.

ABSENT: None.

Dr. Manuel M. Lopez, Mayor

ATTEST:

Daniel Martinez, City Clerk

APPROVED AS TO FORM:

Gary L. Gillig, City Attorney

RESOLUTION NO. 2022 – XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD APPROVING PLANNING AND ZONING PERMIT NO. 22-510-02 (SPECIAL USE PERMIT - ALCOHOL), A REQUEST TO SELL BEER, WINE AND DISTILLED SPIRITS (TYPE 47 ABC LICENSE) FOR ON-SITE CONSUMPTION AT A PROPOSED APPROXIMATELY 3,423 SQUARE-FOOT RESTAURANT WITH TWO OUTDOOR PATIOS MEASURING APPROXIMATELY 350 SQUARE FEET EACH, ON A 2.6-ACRE SITE LOCATED AT 1601 SOUTH VICTORIA AVENUE SUITE 160-B (APN: 188-0-272-205) WITHIN THE COASTAL PLANNED UNIT COMMUNITY (C-P-C) ZONE, SUBJECT TO CERTAIN FINDINGS AND CONDITIONS. FILED BY MATTHEW OLUFS, DESIGNATED AGENT, ON BEHALF OF PROPERTY OWNER SEABRIDGE PARTNERS, P.O. BOX 15928, BEVERLY HILLS, CA 90209.

WHEREAS, on April 18, 2022, Matthew Olufs, (the "**Applicant**") on behalf of property owner Seabridge Partners, submitted a request to allow the sale of beer, wine and distilled spirits (Type 47 ABC License) for on-site consumption at a proposed 3,423 square-foot restaurant (Villa Ristorante) at 1601 South Victoria Avenue, Suite 160-B; and

WHEREAS, on June 2, 2022, the Planning Commission of the City of Oxnard ("**Planning Commission**") conducted a duly notice public hearing to consider an application for Planning and Zoning Permit No. 22-510-02 (Special Use Permit - Alcohol), filed by Matthew Olufs in accordance with Section 16-530 through 16-553 of the Oxnard City Code and City Council Resolution No. 11,896; and

WHEREAS, the Planning and Environmental Services Division has completed a preliminary environmental assessment of the Project in accordance with the California Environmental Quality Act (CEQA) and determined that the Project is subject to a Section 15301 (Existing Facilities) Categorical Exemption. Further, the project does not trigger any of the Exceptions to the Exemptions (Section 15300.2) to defeat the Exemption:

(a) Location. Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located -- a project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. Therefore, these classes are considered to apply to all instances, except where the project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.

The project site is located within the 2030 General Plan land use designation of Planned Unit Development (PUD) and the zoning designation is Coastal Planned Unit Community (CPC). The Project is surrounded by commercial and residential development. The project site and adjacent sites do not contain any

known environmental resource of hazardous or critical concern. Therefore, the project will have no impact on an environmental resource of hazardous or critical concern.

(b) Cumulative Impact. All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.

The proposed Special Use Permit request for alcohol is consistent with the 2030 General Plan and the Oxnard City Code and is compatible with the physical scale and character of other commercial development in the project area. Any projects requiring discretionary approval would be analyzed with the 2030 General Plan and the Municipal Code for consistency and CEQA for any potential impacts. Therefore the project will have no significant cumulative impact.

(c) Significant Effect. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.

The proposed Special Use Permit request to allow for the sale of alcohol will not result in an unusual circumstance that would cause the project to have a significant effect on the environment. The project will not alter the commercial character of the surrounding development and the property does not contain any unusual environmental characteristics as the property is surrounded on all sides by residential and commercial development. Therefore, the project will not have a significant effect on the environment due to unusual circumstances.

(d) Scenic Highways. A categorical exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway. This does not apply to improvements, which are required as mitigation by an adopted negative declaration or certified EIR.

The project is not located in or adjacent to a State designated scenic highway.

(e) Hazardous Waste Sites. A categorical exemption shall not be used for a project located on a site, which is included on any list compiled pursuant to Section 65962.5 of the Government Code.

The proposed project site is not included on any list compiled pursuant to Section 65962.5 of the Government Code.

(f) Historical Resources. A categorical exemption shall not be used for a project, which may cause a substantial adverse change in the significance of a historical resource.

The project site does not contain an existing or potential landmark, point of interest, or historic resource, and it is not located within an existing, proposed, or potential Historic District. The approximately 50,000 square-foot multi-tenant commercial building was originally constructed in the early 2000s. Furthermore, no physical improvements are proposed with this permit. Therefore, the proposed project will not cause a substantial adverse change in the significance of a historical resource.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF OXNARD:

SECTION 1. Based on the entire record before the Planning Commission and all written and oral evidence presented, including the Planning Commission Staff Report and all attachments thereto, the Planning Commission finds:

1) **The proposed use is in conformance with the City of Oxnard 2030 General Plan and the elements thereof and other adopted standards.**

As described in the Staff Report, the subject site is within the Coastal Planned Unit Community (CPC) zoning district, with 2030 General Plan designations of Planned Unit Development Residential (PUD). The proposed 3,423 square-foot restaurant and request to sell beer, wine and distilled spirits for on-site consumption (ABC License Type 47) is consistent with the General Plan and zoning designation. The ability to sell alcohol for a restaurant is subject to approval of Special Use Permits by the Planning Commission pursuant to Oxnard City Code (OCC). Therefore, the proposed sale of alcohol is in conformance with the 2030 General Plan and the elements thereof and other adopted standards. Therefore, this Project meets this finding.

2) **The proposed use will not adversely affect or be materially detrimental to the adjacent uses, buildings or structures or to the public health, safety or general welfare.**

As described in the Staff Report, the Project will allow the sale of beer, wine, and distilled spirits for on-site consumption for a proposed restaurant within an existing commercial building. According to the Police report, there are two establishments of the same type located within 350 feet of the Project site. There is also one establishment of a similar ABC License Type 41 within 350 feet of the subject property.

The Police Department has determined that based on the proximity of the businesses listed, there is not an undue concentration under the established City Standards.

In the case of the applicant site, as seen in Finding 7, the annular crime rate is below the average annular citywide rate, but above the standard established in the California Business and Professions Code Section 23958.4(1). Currently there are seven on-sale licenses within the applicant's census tract. According to the ABC, four on-sale licenses are allowed within this census tract. Based on the above findings, there is an undue concentration under the provisions of California Business and Professions Code Section 23958.4.

The Project will be subject to conditions of approval as recommended by the Oxnard Police Department Alcohol SUP Report to prevent aggravation of policing issues. Therefore, as conditioned, the proposed sale of alcohol will not adversely affect or be materially detrimental to the adjacent uses, buildings or structures or to the public health safety or general welfare. The Project will not aggravate policing issues when properly regulated through the imposition of and compliance with the conditions of approval. Based on these factors, this business, responsibly managed, would not have an adverse impact on area crime or demand for police services. As such, this Project meets this finding.

3) **The site for the proposed use is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and all items required by the conditions of approval.**

As described in the Staff Report, the proposed alcohol (beer, wine, and distilled spirits) sales will occur within an existing interior dining area that is adequate for the proposed sales. The proposed project also proposes to add two exterior, approximately 350 square-foot patios which will also allow for the consumption of alcoholic beverages. The recommended conditions of approval do not require changes to the site. Therefore, the site for the proposed alcohol sales is adequate in size and shape to accommodate all items required by the conditions of approval. As such, this Project meets this finding.

4) **The site for the proposed use will be served by highways adequate in width and improved as necessary to carry the kind and quantity of traffic such use will generate.**

The project site is currently served by existing infrastructure which includes Victoria Avenue, which connects to multiple arterial streets. The proposed sale of alcohol is not anticipated to generate significant traffic that would require improvements to infrastructure. Therefore, the site for the proposed alcohol sales will be served by

highways adequate in width and improved as necessary to carry project-generated traffic. As such, this Project meets this finding.

5) **The site for the proposed use will be provided with adequate sewerage, water, fire protection and storm drainage facilities.**

The project site is currently served by adequate sewerage, water, fire protection and storm drainage facilities. The proposed alcohol sales will not generate significant impacts that would require additional facilities. Therefore, the site for the proposed alcohol sales will be provided with adequate sewerage, water, fire protection, and storm drainage facilities. As such, this Project meets this finding.

6) **The proposed use is not likely to create or significantly aggravate police problems within 1,000 feet of the location for which the special use permit is applied.**

As described in the Staff Report, the project site has a slightly above-average crime rate when compared to other parts of the City. The Project will not create or significantly aggravate police problems within 1,000 feet of the location for which the Special Use Permit is requested, as discussed in the Staff Report and Oxnard Police Department Alcohol SUP Report. Based on the crime statistics, the input from the community and the Beat Coordinator, there is no reason to oppose this application. As such, this Project meets this finding.

7) **The proposed use will not result in or add to an undue concentration of establishments selling alcoholic beverages at retail within 1000 feet of the location for which the special use permit is applied. For purposes of making this determination, there is a presumption that an undue concentration will result or be added to if the establishment for which the special use permit is applied will be located less than 350 feet from another establishment of the same type, and there is a presumption that an undue concentration will not result or be added to if the establishment for which the special use permit is applied will be located 350 feet or more from another establishment of the same type. However, either presumption may be rebutted by a preponderance of the evidence, based on the facts of the particular case.**

As described in the Staff Report and Oxnard Police Department Alcohol SUP Report, there are two establishments of the same type located within 350 feet of the Project site. There is also one establishment of a similar ABC License Type 41 (On-Sale Beer & Wine) within 350 feet of the subject property. The Police Department has determined that there is an undue concentration by City standards.

The annular crime rate is slightly above the average annular citywide rate, but within the standard established in the California Business and Professions Code Section 23958.4(1).

Currently there are seven other on-sale licenses within the applicant's census tract. According to the ABC, four on-sale licenses are permitted within this census tract. Based on the above findings, there is an undue concentration under the provisions of California Business and Professions Code Section 23958.4. However, the undue concentration can be rebutted through a finding of Public Convenience or Necessity.

As previously noted, the crime rate is below the City-wide average. If there is a presumption of public convenience or necessity to approve this proposal, ABC can override the saturation guidelines and also approve the request. Providing restaurants the ability to serve alcoholic beverages under a strict set of operational conditions supports a fair market and would address any site-specific challenges. As this restaurant would serve employees from the community and nearby businesses, it is reasonable that a full set of services are provided for those who work in or visit the harbor area. Therefore, this Project meets this finding.

SECTION 2. The Planning Commission, in accordance with the California Environmental Quality Act (CEQA), determines that the Project will not have a significant impact on the environment and is categorically exempt from CEQA pursuant to Article 19, Section 15301 (Existing Facilities) of the State CEQA Guidelines pertaining to projects involving "negligible or no expansion of use beyond that existing at the time of the lead agency's determination" may be found to be exempt from the requirements of CEQA. The Project involves a request to sell alcohol for on-site consumption within an existing multi-tenant commercial building and will not increase the square footage of the existing building. No Exceptions to the Exemptions (Section 15300.2) apply to defeat the Exemption. Therefore, the Planning Commission has determined that there is no substantial evidence that the Project will have a significant effect on the environment. The Planning and Environmental Services Division is hereby authorized and directed to file a Notice of Exemption with the Ventura County Clerk pursuant to Section 15602 of the State CEQA Guidelines within five (5) working days of passage, approval and adoption of this Resolution.

SECTION 3. Based on the findings set forth herein, the Planning Commission hereby approves Planning and Zoning Permit 22-510-02 (Special Use Permit - Alcohol), subject to the attached conditions of approval.

SECTION 4. The decision of the Planning Commission shall be final unless an appeal of the action is filed in accordance with the provisions of Section 16-545 of the Oxnard City Code.

SECTION 5. The Secretary shall certify the adoption of this Resolution.

STANDARD CONDITIONS OF APPROVAL FOR LAND USE PERMITS

Note:

The abbreviations below identify the City department or division responsible for determining compliance with these standard conditions. The first department or division listed has responsibility for compliance at plan check, the second during inspection and the third at final inspection, prior to issuance of a certificate of occupancy, or at a later date, as specified in the condition. If more than one department or division is listed, the first will check the plans or inspect the project before the second confirms compliance with the condition. The italicized code at the end of each condition provides internal information on the source of each condition: Some are standard permit conditions (e.g. *G-1*) while some are taken from environmental documents (e.g. *MND-S2*).

DEPARTMENTS AND DIVISIONS			
CA	City Attorney	PL	Planning Division
DS	Dev Services/Eng Dev/Inspectors	TR	Traffic Division
PD	Police Department	B	Building Plan Checker
SC	Source Control	FD	Fire Department
PK	Landscape Design	CE	Code Compliance

GENERAL PROJECT CONDITIONS

1. This permit is granted for the property described in the application on file with the Planning Division, and may not be transferred from one property to another. (PL, *G-1*).

2. This permit is granted for the plans dated June 2, 2022, ("the plans") on file with the Planning Division. The Project shall conform to the plans, except as otherwise specified in these conditions, or unless a Minor Modification to the plans is approved by the Planning and Environmental Services Manager ("Planning Manager") or a Major Modification to the plans is approved by the Planning Commission. A Minor Modification may be granted for minimal changes or increases in the extent of use or size of structures or of the design, materials or colors of structures or masonry walls. A Major Modification shall be required for substantial changes or increases in such items (PL, *G-2*).

3. By commencing any activity related to the Project or using any structure authorized by this permit, Applicant accepts all of the conditions and obligations imposed by this permit and waives any challenge to the validity of the conditions and obligations stated therein (CA, *G-5*).

4. Applicant agrees, as a condition of adoption of this resolution, at Applicant's own expense, to indemnify, defend and hold harmless the City and its agents, officers and employees from and against any claim, action or proceeding to attack, review, set aside, void or annul the approval of the resolution or any condition attached thereto or any proceedings, acts or determinations taken, done or made prior to the approval of such resolution that were part of the approval process (CA, *G-6*).

5. Any covenants, conditions, and restrictions (CC&Rs) applicable to the Project property shall be consistent with the terms of this permit and the City Code. If there is a conflict between the CC&Rs and the City Code or this permit, the City Code or this permit shall prevail (CA, *G-7*).

6. Applicant shall complete the "Notice of Land Use Restrictions and Conditions" form, using the form provided by the City, for recording with the Ventura County Recorder. Before the City issues building permits, Applicant shall submit the original completed, signed and notarized document, together with the required fees to the Planning Manager (PL, *G-8*).

7. Before placing or constructing any signs on the Project property, Applicant shall obtain a sign permit from the City. Except as provided in the sign permit, Applicant may not change any signs on the Project property (PL/B, *G-10*).

8. Applicant shall not permit any combustible refuse or other flammable materials to be burned on the Project property (FD, *G-12*).

9. Applicant shall not permit any materials classified as flammable, combustible, radioactive, carcinogenic or otherwise potentially hazardous to human health to be handled, stored or used on the Project property, except as provided in a permit issued by the Fire Chief (FD, *G-13*).

10. If Applicant, owner or tenant fails to comply with any of the conditions of this permit, the Applicant, owner or tenant shall be subject to a civil fine pursuant to the Oxnard City Code (CA, *G-14*).

PLANNING DIVISION SPECIAL CONDITIONS

11. This permit shall automatically be void 12 months from the date of issuance, unless the Applicant has received a License Type 47 from the State Department of Alcoholic Beverage Control to sell alcoholic beverages on the Project property (PL).

12. Unless the use is inaugurated no later than 12 months after this approval is granted and is diligently pursued thereafter, this approval will expire pursuant to the Oxnard City Code Section 16-553.

POLICE DEPARTMENT STANDARD CONDITION

RBS Training

13. Permittee, managers and servers shall complete an approved course in Responsible Beverage Service (RBS) sponsored or approved by either the California Department of

Alcohol Beverage Control or the Chief of the Oxnard Police Department within sixty days of license granting and/or date of employment. The permittee is responsible for maintaining records showing servers have completed the required training and shall submit this documentation upon request by the Oxnard Police Department. The ABC website for their RBS training is https://www.abc.ca.gov/education/rbs/. The RBS card shall be renewed every three years by taking an approved course otherwise, the card will be considered invalid (PL/PD).

14. A copy of these conditions and a log of employees who have completed Responsible Beverage Service Training must be maintained on the premises and made available upon the demand of by any representative of the Oxnard Police Department (PL/PD).

Food & Beverage Service

15. Sales of alcohol may only occur between the hours of 7:00 A.M. and 11:00 P.M. (*see provision for extension of service hours in "Special Conditions", Condition #66*) (PL/PD)

16. The quarterly gross sales of alcoholic beverages shall not exceed the gross sales of food during the same period. Permittee shall at all times maintain records which reflect separately the gross sales of food and the gross sales of alcoholic beverages of the licensed business. Said records shall be kept no less frequently than on a quarterly basis and shall be made available to the Police Department upon demand. (PL/PD)

17. The premises shall be equipped and maintained in good faith as a bona fide restaurant and shall possess, in operative condition, such conveniences for cooking and storage of foods such as stoves, ovens, broilers, refrigeration or other devices, as well as pots, pans or containers which can be used for cooking or heating foods on the type heating device employed. (PL/PD)

18. The business shall have a grease interceptor as required by the Wastewater Division.

19. Permittee shall have a Certified Food Handler on-duty at all times the restaurant is open in order to support the service of its menu. (PD)

20. Permittee shall maintain records in accordance with Health and Safety Code 113790 which requires any employee who handles food shall have a California Food Handler Card. (PD)

21. The premises shall be equipped and maintained in good faith as a bona fide eating establishment and shall possess, in operative condition, such conveniences for cooking and storage of foods such as stoves, ovens, broilers, refrigeration or other devices, as well as pots, pans or containers which can be used for cooking or heating foods on the type of

heating device employed. The dining area shall possess the necessary utensils, table service, and the condiment dispensers with which to serve meals to the public. (PL/PD)

22. Permittee shall offer an assortment of food items to customers at all times that alcohol is being served. A menu of food items, including appetizers, entrees and desserts, shall be available at all times that alcohol is available for sale, and employees will encourage guests to purchase and consume food items along with their alcoholic beverages, as part of its commitment to responsible beverage service. The menu shall not be reduced in number or substance at any time alcohol is being served other than for reasonable, unforeseen reasons (lack of product…). Any changes or replacements to the proposed product offering shall be of a similar or greater quantity and any permanent reduction of menu items is prohibited. (PD)

23. Alcoholic beverages shall not be offered at significantly reduced prices (typically more than a 25% reduction from regular prices) that are meant to encourage greater consumption of alcohol such as during "happy hour" type promotions. Permittee shall not develop any other promotional activity that is designed to encourage excessive drinking of alcoholic beverages. Promoting a "happy hour" or other event that offers reduced prices on food or other items shall not be considered a violation of this condition and are actually encouraged. (PD)

24. Alcohol shall be served in containers that are distinct from the beverage cups or containers used for coffee or other non-alcoholic beverages shall be served in standard sizes that are consistent with the industry and shall not be served by the pitcher or similar high-capacity containers exceeding 25 oz. total. The sale or service of alcohol in their original container (bottle or can) is prohibited. The design of containers for the service of alcoholic beverages shall be approved by the Chief of Police or his designee.

25. The premises shall be equipped with an adequate number of seats to accommodate all customers. There shall be no service area that is designed or used as a standing area only or as a combined standing and seating area. (PD)

26. Employees involved in the sale or the service of alcoholic beverages shall not be allowed to consume alcoholic beverages at any time during their shift. Employees shall not report to work with evidence of having consumed any intoxicants such as alcohol, illegal drugs or controlled substances. (PD)

27. Any graffiti painted or marked upon the premises or on any adjacent area under the control of the Permittee shall be removed or painted over within 24-hours of being applied. (PD/PL)

28. The property owner and the tenant shall be responsible for maintaining their areas of responsibility free of litter in the area adjacent to the premises over which Permittee has reasonable control. (PD/PL)

29. The permittee shall establish responsible cash handling procedures to reduce the likelihood of robberies and thefts. (PD)

30. Permittee shall regularly police the area under Permittee's control and shall not permit the loitering of persons about the premises. (PL/PD)

31. The activity at the site and the use of any amplifying system or device shall not be disruptive to neighboring uses. (PD)

32. The Police Chief or designee may immediately suspend operation of the uses approved by this permit pending a hearing on the revocation of this permit conditions and/or a permit/license issued by the California Department of Alcoholic Beverage Control ("ABC"), or there is a single serious violent crime or single significant incident to which multiple police units or multiple police jurisdictions respond associated with the operations of this use, which the Chief determines is detrimental to the public safety or health. The Chief shall immediately inform the Planning and Environmental Services Manager of the suspension and the manager shall schedule a hearing or the revocation of the permit by the Community Development Director to be held no more than 30-days after the suspension begins. (PD)

Security Features

33. Prior to commencing the sale of alcohol permitted by this permit, permittee shall install and operate 24 hours a day a video surveillance system. The system shall be maintained at a reasonable industry standard to monitor, and, at a minimum, monitor the entrances and exits, any centralized point of sale and areas immediately surrounding the exterior of the business. Any video system installed to meet the requirement of these conditions shall meet the below minimum standards:

    a. Cameras and supporting equipment shall supply digital color images under normal lighting conditions. Grayscale images are required for infra-red lighting.
    b. Cameras shall be made by a reputable manufacturer and maintained to current industry standards.
    c. Cameras shall have sufficient low light capture ability to clearly monitor persons conducting transactions.
    d. The video system shall utilize a Digital Video Recorder (DVR). VHS and other formats are prohibited.
    e. The video system shall allow recording, live viewing and playback of recorded video for a period of at least 30 days.
    f. Recorded images shall bear a date and time stamp that cannot be altered.

g. At a minimum, one camera shall be dedicated to capturing head and upper body images of each person entering any door or entrance to the business. Cameras dedicated to this purpose shall be mounted at 7-feet above the floor.
h. The camera system shall operate 24-hours a day, 7-days a week.
i. At a minimum one camera shall be dedicated to capture activity in the kitchen.
j. Cameras shall be located inside as well as outside the premises to monitor general activity.

34. Failure to maintain the video surveillance system in good working order can be grounds for suspension of this permit. The permittee shall provide video records to the Chief of Police or his/her designee in a timely manner upon request.

35. Prior to the issuance of the Certificate of Occupancy, the permittee shall submit and have approved by the Chief of Police or his/her designee a Security Site Plan shall include the below features.

36. The Security Site Plan shall illustrate the location of each camera installation as well as the location of the support equipment. The support equipment shall be located in a secure room with limited access to supervisorial employees and other employees who, by the nature of their responsibilities, have a need to access the equipment.

37. The Security Site Plan shall include a chart that identifies each camera by an alpha-numeric designation, the make and model of the instrument, the type of camera housing (dome, bullet, discrete), the camera's capture purpose (general area, choke point, point of sale, etc.) and it's mounting height above the floor/grade.

38. Identify the nature of all alarm systems including the make, model and type of sensors.

Operational Standards

39. All sales of alcohol must include a purchase of food.

40. All deliveries that include alcoholic beverages shall require the following:
    a. The person making the delivery shall be a minimum of 21-years of age and has completed an approved course in Responsible Beverage Sales and Services (RBSS) Training sponsored or approved by either the California Department of Alcohol Beverage Control or the Chief of the Oxnard Police Department. The RBSS card shall be renewed every three years by taking an approved course otherwise, the card will be considered invalid.
    b. Each driver making an alcoholic beverage delivery shall check the identification of the person taking possession of the alcoholic beverage and ensure that the person depicted on the identification is of age and is the person receiving the delivery. The

driver shall photograph or scan the identification with an identification scanner to record and verify the age of the person taking receipt of the delivery.

c. The permittee shall provide information on any website menu that clearly states that all deliveries that include alcoholic beverages will require the recipient of the alcoholic beverage(s) to present their government issued photo identification as proof of age. Recommended language for on-line menus: "The City of Oxnard requires that the delivery driver be shown a government issued photo identification of the recipient of all deliveries that include alcoholic beverages."
d. The permittee shall require that staff members taking phone orders for delivery of alcoholic beverages shall advise customers of the requirements under subsection "(b)" of this condition.
e. On-line orders for delivery which include alcohol shall have a check box where the customer acknowledges that the recipient of the order must show a government issued photo identification at the time of delivery.
f. All deliveries including alcoholic beverages shall be made to a residence, apartment, or business. Deliveries that include alcoholic beverages shall not be made to parks, parking lots, motor vehicles or similar places open to the general public or in public view.

41. All alcoholic beverages "to go" or for delivery shall be well sealed consistent with industry standards.

42. During normal business hours, the licensee shall provide access to the digital recordings for any and all law enforcement purposes as determined by the City of Oxnard. (PD)

43. A copy of these conditions and a log of employees who have completed Responsible Beverage Service training must be maintained on the premises and made available upon the demand of by any representative of the Oxnard Police Department.

44. The permittee shall participate, when requested and reasonable, in programs and efforts by the Oxnard Police Department to inform and educate patrons on dangers of driving under the influence of alcohol or drugs. (PD)

45. The permittee's Internet presence shall be consistent with these conditions. Any site or Internet presence reasonably controlled by the permittee shall not advertise or illustrate circumstances or activities that run contrary to provisions set forth through their ABC license or this Special Use Permit. (PD)

46. Should a suspected crime occur where some part of the event happens within the business, the permittee or managing/supervising employee shall provide to the Oxnard Police Department, in a timely manner, any video recording documenting activity within and around this business relative to the event when it involves:

a. The service or sales of alcoholic beverages under the scope of this permit or ABC license.
b. Any crime of violence and there is an urgency to identify the suspect or true circumstances to protect the safety of an individual or the public at large.
c. Any theft occurring within the business.

47. Permittee shall install and maintain a dual technology electronic intrusion detection system capable of differentiating between human and non-huan motion. (burglary alarm) (PD)

48. Permittee shall bolt down or otherwise secure all cash registers to service counters to prevent the entire device from being stolen during a burglary or robbery. (PD)

49. Permittee shall equip each point of sale with a silent robbery alarm that complies with Oxnard City Ordinance No. 2601 or develop and implement critical incident protocols that provide an efficient method for alerting police and others to a potential threat without unnecessarily putting the employees at risk. (PD)

50. Permittee shall have drop-safes installed or establish other responsible cash handling procedures to allow employees to deposit daily receipts throughout the day as the amounts exceed allowable levels in the register (typically $50-200). (PD)

51. Permittee shall establish responsible cash handling procedures to reduce the likelihood of robberies and thefts. (PD)

52. The area surrounding premises under the reasonable control of the Permittee (including the rear of the business) shall be equipped with lighting of sufficient power to illuminate and make easily discernible the appearance and conduct of all persons in or about the area. (PD/PL)

Entertainment

53. Entertainment as defined by Oxnard City Ordinance 11-185 is prohibited except music which creates ambiance consistent with the normal operation of the business. Performers, televised events and other types of entertainment intended to attract customers to the business are prohibited. This provision may be waived under a "Special Event Letter" as outlined under Police Special Conditions.

Signage

54. There shall be no advertising of alcoholic beverages visible from the outside, including advertising directed to the exterior from within, promoting or indicating the availability of alcoholic beverages. (PL/PD)

55. There shall be no posters or signs on the windows other than those required by permit or statute or otherwise specifically approved by the Planning Division.

56. In the areas outside the business, not otherwise licensed by the Department of Alcoholic Beverage Control allowing the service of alcohol, Permittee shall post prominent, permanent signs indicating that loitering, open containers and the consumption of alcoholic beverages is prohibited. This includes the parking lot, walkways and other adjacent areas under Permittee's reasonable control. (PD)

57. Prominent signs shall be posted throughout the business stating, in effect, "No persons under 21 will be served alcoholic beverages" and "Valid ID is required to purchase or possess alcoholic beverages". (PD)

Site Design

58. There shall not be any outdoor or patio bar (portable or otherwise) where alcoholic beverages are stored or served. A bar service window within the building footprint is allowed as long as alcoholic beverages are stored out of reach of customers in the patio side of the window. (PD)

59. No pay phones on the exterior of the premises shall be allowed within 100 feet of the front or rear doors. Any pay phones installed inside shall be blocked from incoming calls. (PL/PD)

60. Any change in the floor plan as established at the time of the issuance of this permit that may intensify the use or service of alcohol shall require a minor modification permit. Such change would include, but not be limited to increasing the number of seats at a bar, expansion of hours beyond those established in this permit, or the creation of a bandstand or other area for the use of entertainment. (PD)

Permit Restrictions

61. The subject Alcoholic Beverage Control License shall not be exchanged for any other type of Alcoholic Beverage Control License without Planning Department review and approval by the Police Chief or designee and the Community Development Director. (PD)

62. Upon any individual transfer (person-to-person) of the subject Alcoholic Beverage Control License, or if the business is ever deemed a nuisance as defined in the Oxnard City Code, a review of the existing SUP shall be initiated and conditions may be added or removed as appropriate to mitigate existing or potential problems. (PD)

63. Prior to the issuance of this permit, the permittee shall submit and have approved a security plan which identifies and details the camera system, alarms, guard post orders and other security related matters and policies.

64. Credible evidence of any of the below issues shall be grounds to change the hours of alcohol sales under this permit or hours allowed for dancing under a Dance Permit. Such action would be taken using the hearing process as outlined in the Oxnard City Code.
    a. Evidence of over-service of alcohol to patrons. This may be established through data from the Place of Last Drink Report issued by the Ventura County Department of Behavioral Health, or, through arrests at or near the business for public intoxication or DUI where the arrestee was a patron of the business.
    b. Service of an alcoholic beverage to a minor.
    c. Evidence that the gross sales of alcohol exceeded the gross sales of food during a previous quarter.
    d. Failure to submit, when requested, quarterly fiscal documentation to the Police Department 45-days after the close of the quarter. Documentation shall include but not be limited to: profit and loss statements which specifically illustrated gross alcohol and gross food sales and filings to the Department of Tax and Fee Administration. Sales of merchandise and services shall not include either the calculation of gross alcohol or gross food sales.

65. Permittee shall provide the Police Department a point of contact for notifications and exchange of information. To update the Police Department on this designated point of contact an email shall be sent to: specialprojects@oxnardpd.org. The email shall include the name of the business, address, name of the primary contact person, their role with the business, their email address and a phone number.

POLICE SPECIAL CONDITIONS

66. Entertainment as defined by Oxnard City Ordinance 11-185 is prohibited except under the provisions of a one-day Special Event Letter as listed below:
    a. The permittee may apply for a one-day Special Event letter up to six times in a calendar year to accommodate special activities (ie: New Year's Eve, Mother's Day, or a private party event) to expand the hours of operation and alcohol service beyond the hours identified in the conditions of this permit and to allow for entertainment. The one-day Special Event Letter may be denied if there has been a documented violation of these conditions during the 12-month period prior to date of the planned one-day event or any other circumstance where it is believed that the event would disturb neighboring uses or require additional police resources to monitor the event.
    b. The request for "Special Event Letter" shall be submitted at least 30-days prior to the event date as an email to specialprojects@oxnardpd.org. The Subject Line of the email shall have the name of the restaurant and the words "Request for a

Special Event Letter per Alcohol SUP". In the body of email provide the date, hours and type of event and contact name and phone number for the business owner or manager.

c. Music or other amplified sound shall not be audible outside the business' licensed/permitted alcohol footprint.
d. When security personnel are present or required per Oxnard City Code, Permittee shall maintain accurate records of all security personnel on the premises at any given time and make those available to the police upon demand. These records shall, at a minimum, provide the name, date of birth, copies of security guard credentials or license and any other permits or certifications related to security work. This would include copies of permits for weapons or other tools the guard may be authorized to carry. Security personnel shall remain in compliance with updated training related to their work as set forth by any existing or future state and/or local regulations. (PD)
e. The Special Event Letter request will be reviewed by the designee of the Chief of Police. An approval or denial letter may take as long as 7-days to be returned by email to the business. The business shall have a paper copy of the approval letter at the business during the event and present it to any representative of the Oxnard Police Department upon request.
f. The Special Event Letter and its authorized activities may be suspended by any police field supervisor or at the direction of the Police Water Commander for any reason.

67. Persons under the age of 21 shall be prohibited from sitting at the bar. A minimum of two "table signs" shall state: "No one under 21 years of age shall sit at the bar."

68. Entertainment shall not be permitted as described in City Ordinance 11-185 through 11-188 except by a one-day temporary use permit. Such permits will be limited to six days per calendar year. Said permits, if issued, may, at the discretion of the Oxnard Police Department, extend the hours of alcohol sales beyond the hours listed in this permit. The Oxnard Police Department reserves the right to decline a one-day temporary use permit for any reason.

69. This permit may be modified by submitting for a minor modification, paying appropriate fees, and receiving administrative approval from the Director of Development Services.

70. The patio shall be surrounded by a barrier which consists on of these design features:
    a. A 42-inch tall fence accompanied by a landscape feature which measures 18-inches deep as measured from the fence. This landscape feature shall have plantings that are between 12 and 42 inches in height. The landscape strip shall parallel 75% of the fence line not counting gates.

b. A 60-inch tall fence where, at a minimum, the top 18-inches consists primarily of a clear glass, plexiglass, or other similar material. The clear panels shall meet or exceed industry safety standards for similar applications.
c. Each patio gate shall have a sign on or near its exterior side stating: "Do No Enter - Exit Only."
d. Each patio gate shall have a sign on or near its interior side stating: "No Alcoholic Beverages Beyond This Point."

PASSED AND ADOPTED by the Planning Commission of the City of Oxnard on this 2nd day of June 2022, by the following vote:

_____
Daniel Chavez Jr., Chair

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Planning Commission of the City of Oxnard at a meeting held on the 2nd day of June 2022, and carried by the following vote:

AYES: Commissioners:

NOES: Commissioners:

ABSENT: Commissioners:

ABSTAIN: Commissioners:

RECUSED: Commissioner(s):

_____
Joe Pearson II, Secretary

City of Oxnard Planning Commission
June 2, 2022

Villa Ristorante Alcohol Special Use Permit
1601 South Victoria Avenue 160-B
PZ 22-510-02
(Special Use Permit - Alcohol)

Applicant: Matthew Olufs

CITY OF OXNARD CALIFORNIA

Project Description

A request for approval of a Special Use Permit (SUP) to sell beer, wine, and distilled spirits for on-sale consumption (Alcohol Beverage Control (ABC) License Type 47) at an existing 3,423 square-foot commercial suite within a multi-tenant commercial building for a proposed restaurant.

Alcohol service would be limited to the hours of 7:00 a.m. to 11:00 p.m. daily, with the exception of special events approved by the Police Department.

Exterior modifications are also proposed, but will be reviewed through Minor Modification Permit No. 22-140-09, which include adding 2 new outdoor patios.

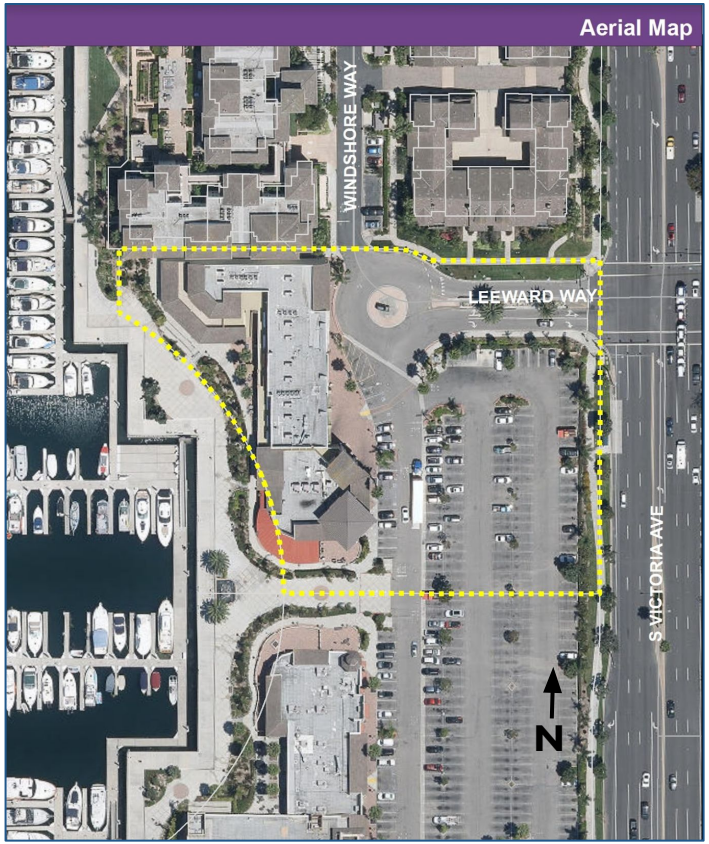
Background

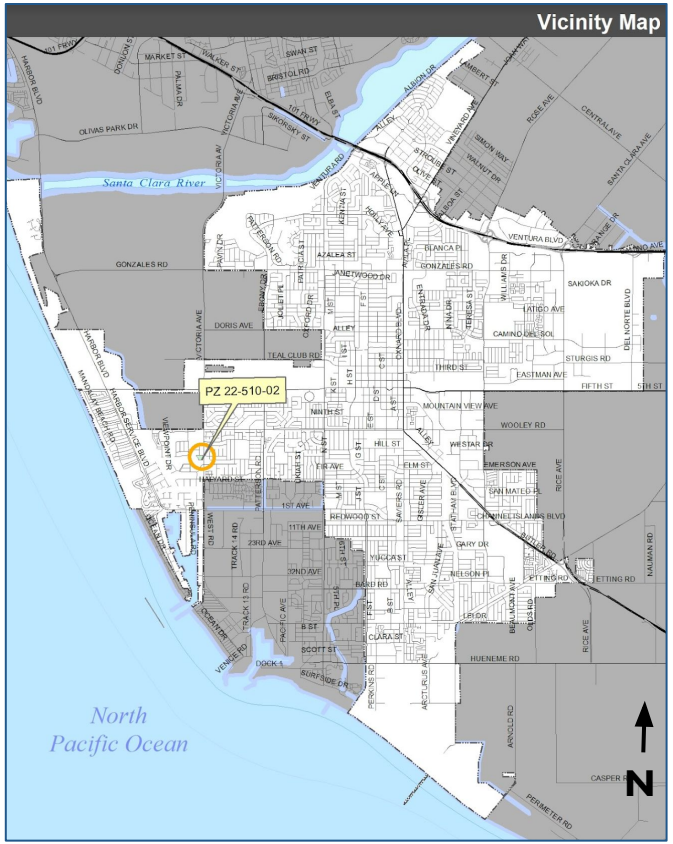
2002-03: The Planning Commission and City Council approved Tentative Map 5266 and Coastal Development Permit 01-500-93, for the construction of the Seabridge Marketplace.

2008: the Planning Commission approved Special Use Permit No. 07-510-13, which allowed for the sale of beer and wine on the subject property.

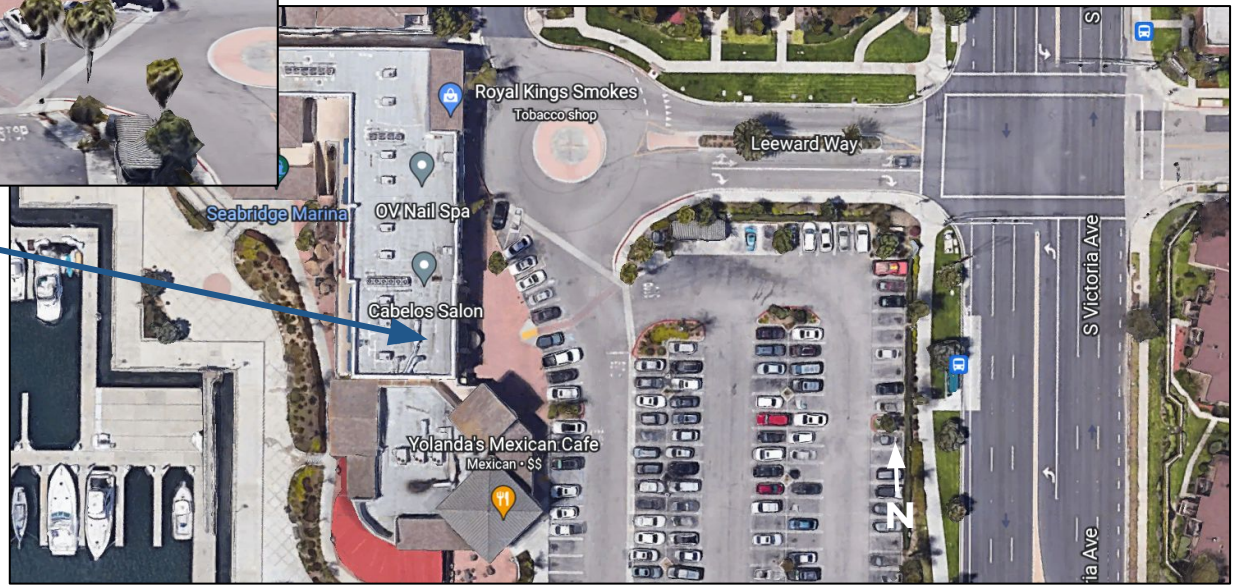
2021: PizzaMan Dan's ceased operation.

Project Location



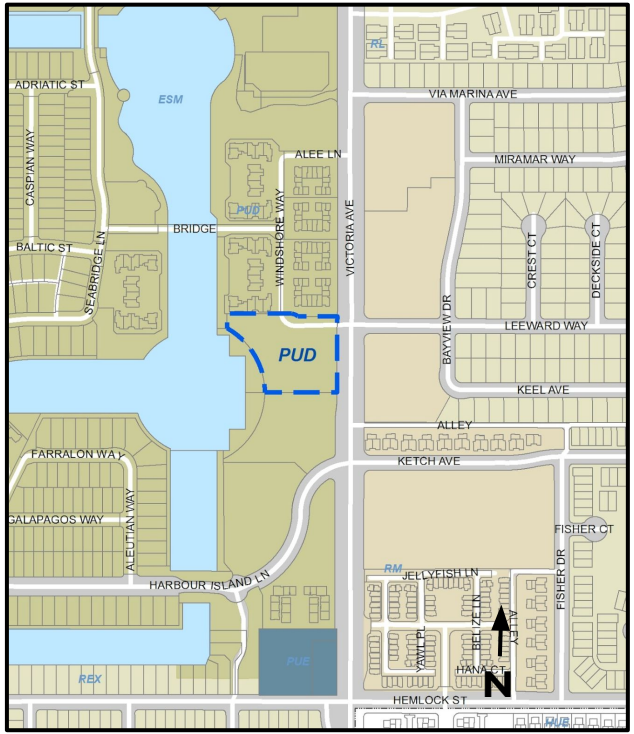


Project Site

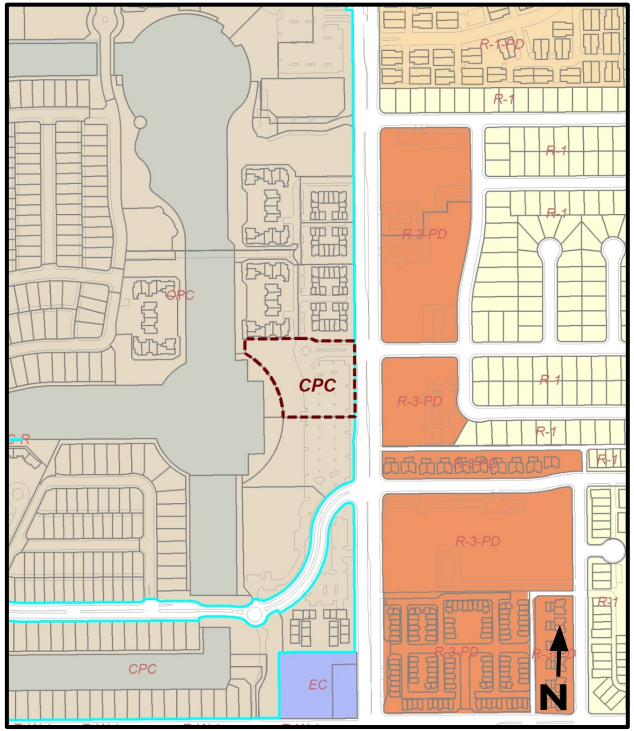


Land Use and Zoning

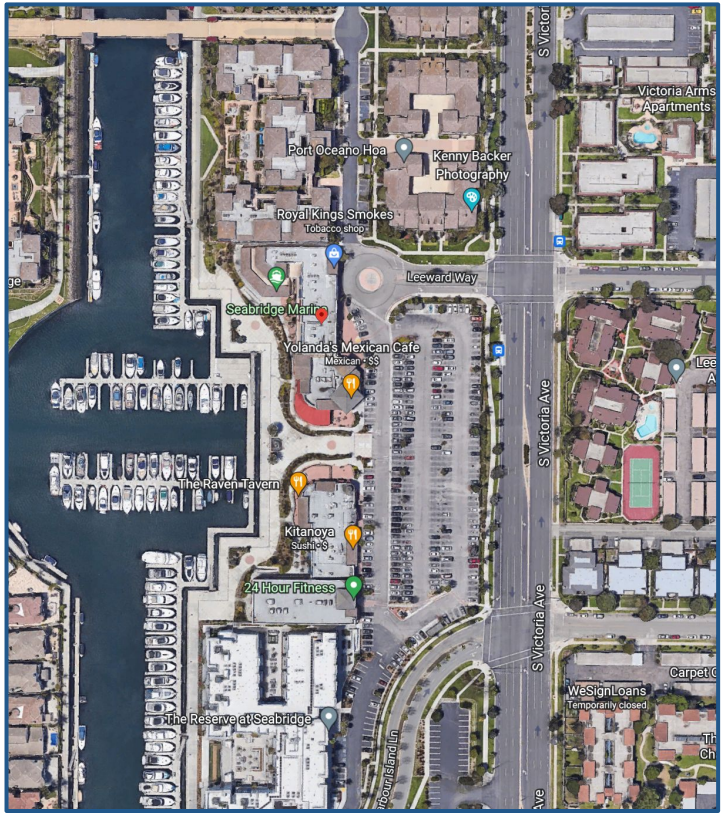
2030 General Plan:
Planned Unit Development (PUD)



Zoning Designation:
Coastal Planned Community (CPC)

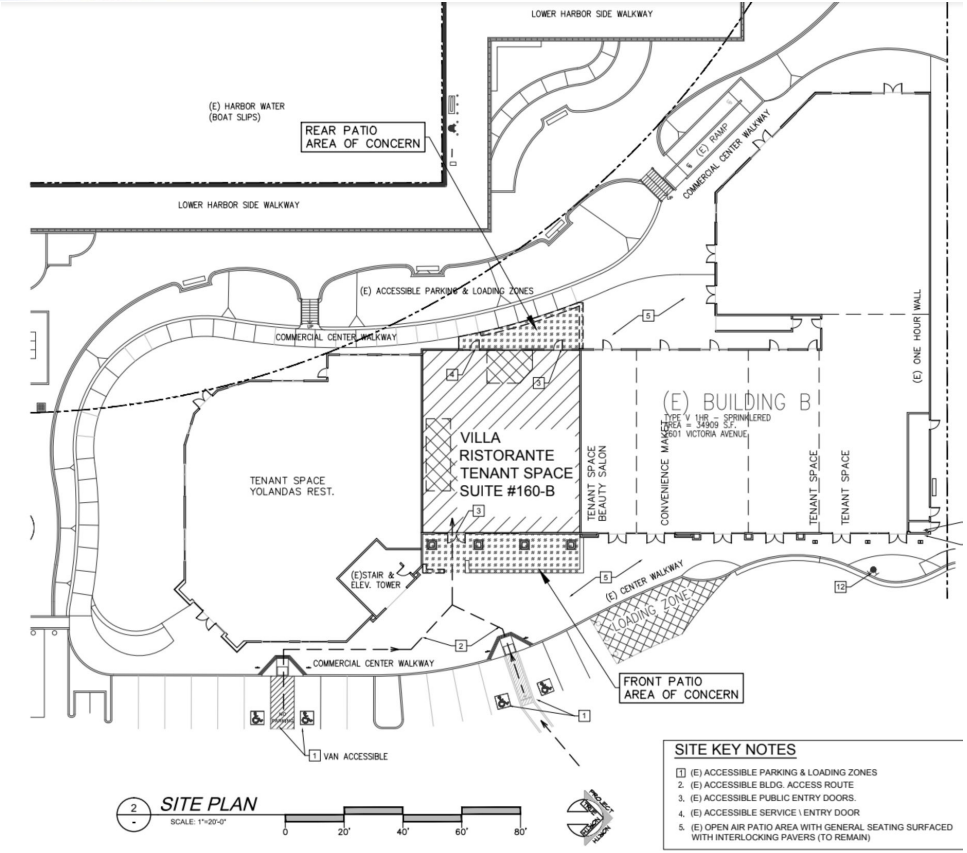


Surrounding Land Uses

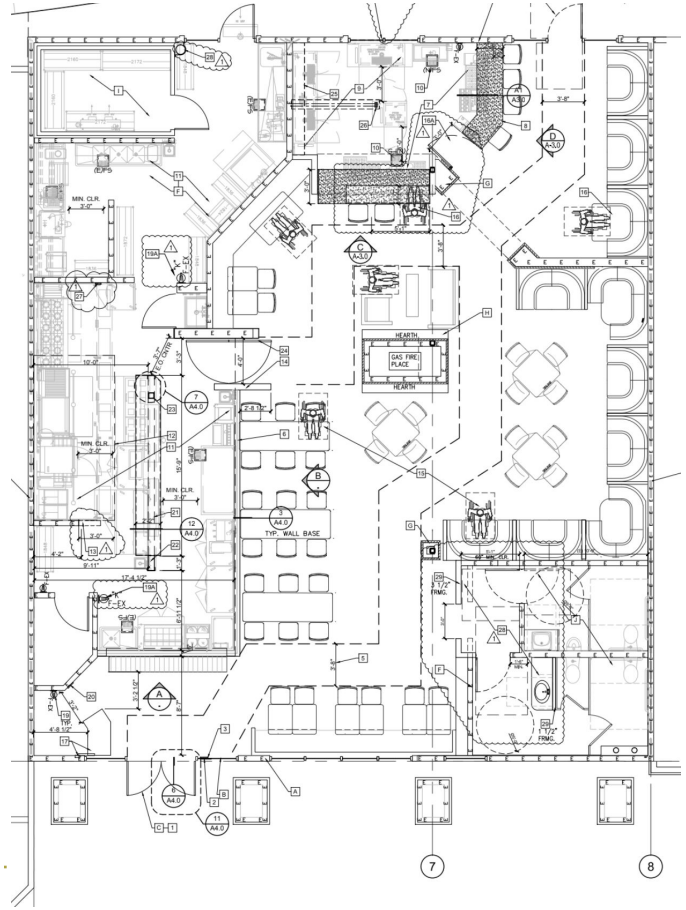


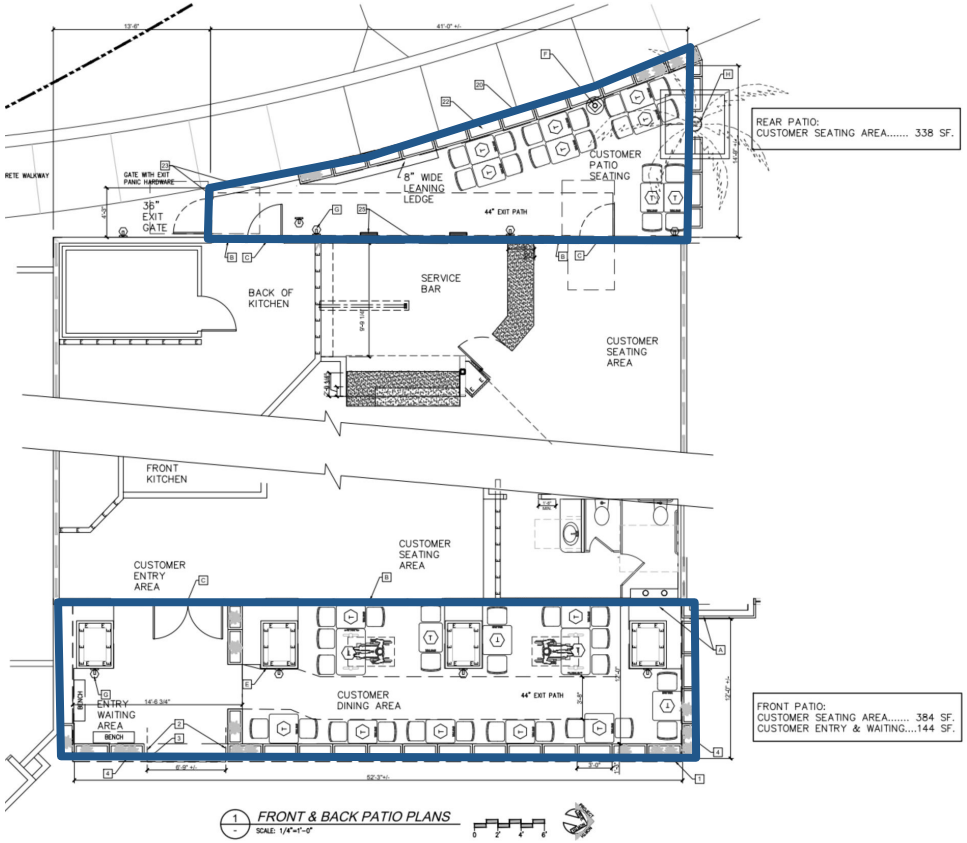
LOCATION	GENERAL PLAN	ZONING	EXISTING LAND USE
Project Site	Planned Unit Development Residential (PUD)	Coastal Planned Unit Community (CPC)	Multi-Tenant Commercial
North	PUD	CPC	Multiple-Family Residential
South	PUD	CPC	Multi-Tenant Commercial
East	Residential Medium (RM)	Garden Apartment - Planned Development (R-3-PD)	Multiple-Family Residential
West	Easement (ESM)	CPC	Easement/Waterways

Site Plan


LOWER HARBOR SIDE WALKWAY
(E) HARBOR WATER
(BOAT SLIPS)
REAR PATIO
AREA OF CONCERN
(E) RAMP
COMMERCIAL CENTER WALKWAY
LOWER HARBOR SIDE WALKWAY
(E) ACCESSIBLE PARKING & LOADING ZONES
COMMERCIAL CENTER WALKWAY
(E) ONE HOUR WALL
(E) BUILDING B
TYPE V 1HR. - SPRINKLERED
AREA = 34909 S.F.
2601 VICTORIA AVENUE
VILLA
RISTORANTE
TENANT SPACE
SUITE #160-B
TENANT SPACE
BEAUTY SALON
CONVENIENCE MARKET
TENANT SPACE
TENANT SPACE
TENANT SPACE
YOLANDAS REST.
(E)STAIR &
ELEV. TOWER
(E) CENTER WALKWAY
LOADING ZONE
COMMERCIAL CENTER WALKWAY
FRONT PATIO
AREA OF CONCERN
VAN ACCESSIBLE
SITE PLAN
SCALE: 1"=20'-0"
0
20'
40'
60'
80'
SITE KEY NOTES
1 (E) ACCESSIBLE PARKING & LOADING ZONES
2. (E) ACCESSIBLE BLDG. ACCESS ROUTE
3. (E) ACCESSIBLE PUBLIC ENTRY DOORS.
4. (E) ACCESSIBLE SERVICE \ ENTRY DOOR
5. (E) OPEN AIR PATIO AREA WITH GENERAL SEATING SURFACED WITH INTERLOCKING PAVERS (TO REMAIN)

Floor Plan


MIN. CLR.
HEARTH
GAS FIRE PLACE
TYP. WALL BASE
7
8

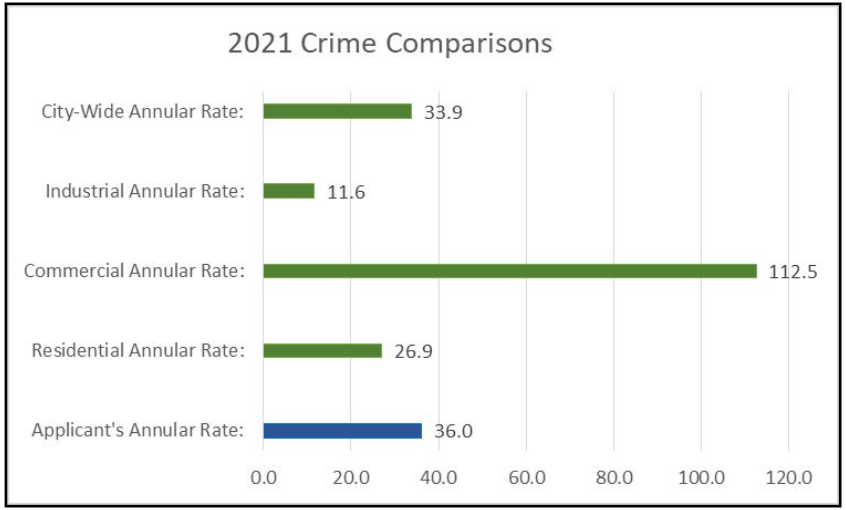

REAR PATIO:
CUSTOMER SEATING AREA..... 338 SF.
CUSTOMER PATIO SEATING
8" WIDE LEANING LEDGE
44" EXIT PATH
36" EXIT GATE
BACK OF KITCHEN
SERVICE BAR
CUSTOMER SEATING AREA
FRONT KITCHEN
CUSTOMER ENTRY AREA
CUSTOMER SEATING AREA
CUSTOMER DINING AREA
ENTRY WAITING AREA
BENCH
FRONT PATIO:
CUSTOMER SEATING AREA..... 384 SF.
CUSTOMER ENTRY & WAITING....144 SF.
FRONT & BACK PATIO PLANS
SCALE: 1/4"=1'-0"

Police Report Summary

Crime:

- The crime rate within 1,000 feet of the site is significantly lower than the average for commercial properties citywide.

- Site is not considered to be a policing problem. No safety concerns noted by Beat Coordinator or neighboring businesses.



Police Department Review

Reviewed application per CC Resolution No. 11,896

Concentration:

1. There are 3 establishments located within 350 feet of the Project site that sell alcoholic beverages.

Location	Same type within 350 feet?	Same type within 1,000 feet?	Likely to Cause Police problem?	Undue concentration as defined in Resolution No. 11,896 or Business and Professions Code Section 23958.4?
Yolanda's 1601 S. Victoria Ave. #190	Yes	Yes (Type 47)	No, as conditioned	Yes (City and State)
The Raven Tavern 1651 S. Victoria Ave. #100	Yes	Yes (Type 47)	No, as conditioned	Yes (City and State)
Kitanoya Ramen & Sushi 1651 S. Victoria Ave. #130	No	No (Type 41)	No, as conditioned	Yes (City and State)

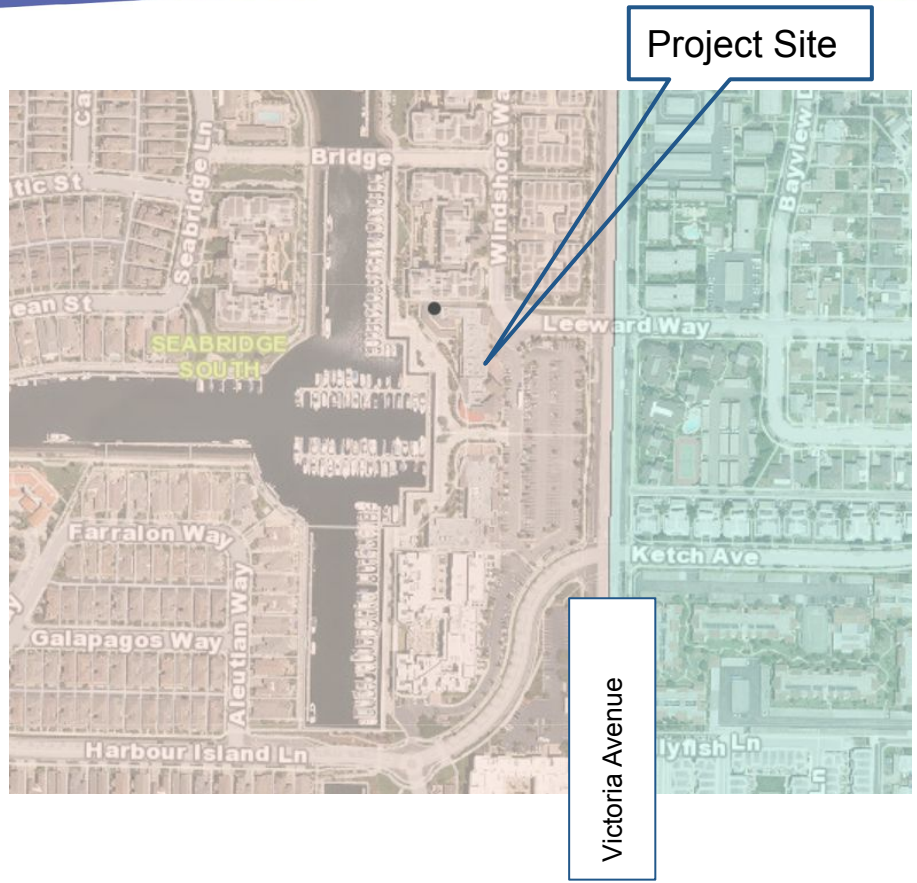
Findings:

- Crime rate around site is below commercial average.
- There is an undue concentration per City standards (350 and 1,000 feet).
- There is an undue concentration per State standards (census tract).
- A Finding of public convenience or necessity is required.

Community Input

Community Input:

- A virtual Community Workshop was conducted on May 16, 2022. Notices were provided to the Channel Islands Neighborhood. No speakers commented on the request.
- Nearby business operators and the Chairperson for the Channel Islands Neighborhood were contacted regarding this application and proposed operations.
- To date, staff has not received any concerns or public comments regarding the proposed project.



Select Recommended Conditions of Approval

- CofAs #13 and #14:

  Permittee and all sellers or servers and their immediate supervisors shall complete a course in Responsible Beverage Service (RBS) approved by the Chief of Police within sixty days of license granting and/or date of employment.

- CofA #15:

  Sales of alcohol may only occur between the hours of 7:00 A.M. and 11:00 P.M., with the exception of special events approved by the Police Department.

- CofA #21:

  The premises shall be equipped and maintained in good faith as a bona fide eating establishment.

Environmental Review

Exempt from California Environmental Quality Act (CEQA) (Section 15301 "Existing Facilities")

- Project does not require physical development.
- Does not trigger thresholds in City CEQA Guidelines or Exceptions to the Exemptions.
- A Notice of Exemption will be filed.

Public Comment

- Notice of PC hearing posted on-site
- Notice of PC hearing sent to surrounding property owners
- To date, no public comments regarding project for an additional alcohol outlet in the neighborhood

Staff 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 15301 (Existing Facilities); and

b) Adopt Resolution 2022-XX approving Planning and Zoning Permit No. 22-510-02 (Special Use Permit - Alcohol), subject to certain findings and conditions.

CITY OF OXNARD CALIFORNIA

PLANNING COMMISSION
STAFF REPORT

TO: Planning Commission

FROM: Randy Baez, Associate Planner

DATE: June 16, 2022

SUBJECT: **Project Name: El Rio Market Alcohol Special Use Permit;** Planning and Zoning Permit No. 21-510-03 (Special Use Permit - Alcohol): Located at 2585 East Vineyard Avenue (APN: 132-0-043-190).

1) **Recommendation:** That the Planning Commission ("**Commission**"):
   a) Find the Project to be Categorically Exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15301 (Existing Facilities); and
   b) Adopt Resolution 2022-XX approving Planning and Zoning Permit No. 21-510-03 (Special Use Permit - Alcohol), subject to certain findings and conditions.

2) **Project Description and Applicant:** A request for approval of a Special Use Permit (SUP) to sell beer, wine, and distilled spirits for off-sale consumption (Alcohol Beverage Control (ABC) License Type 21[1]) at an existing 2,115 square-foot commercial suite within a 13,247 square-foot building for an existing convenience store/market on a 0.84-acre site located at 2585 North Vineyard Avenue (APN: 132-0-043-190) within the General Commercial - Planned Development (C-2-PD) zone (Attachment A). Alcohol sales shall be limited to 7:00 a.m. to 12:00 a.m. daily. The project is exempt from environmental review pursuant to Section 15301 (Existing Facilities), Class 1 of the California Environmental Quality Act (CEQA) Guidelines. For purposes of this staff report, the foregoing project description shall be referred to as the "**Project**". Filed by Ted Barnes, Designated Agent, on behalf of property owner Anh Gurfield, TR, 2318 Fox Hills Drive #202, Los Angeles, CA 90064.

   Please see the reduced Project plans (Attachment B) for more details.

3) **Existing & Surrounding Land Uses:** The 0.84-acre Project site is currently developed with a 13,247 square-foot shopping center located within the General Commercial - Planned Development (C-2-PD) zoning district. The Project site is surrounded by a mixture of

[1] ABC License Type 21 (Off-Sale General) (Package Store) Authorizes the sale of beer, wine, and distilled spirits for consumption off the premises where sold. Minors are allowed on the premises.

commercial and residential uses. The following table summarizes the land uses and zoning designation of the Project site and adjacent properties, which are also illustrated below in Attachment A.

LOCATION	GENERAL PLAN	ZONING	EXISTING LAND USE
Project Site	Commercial General (CG)	General Commercial Planned Development (C-2-PD)	Shopping Center
North	Commercial General (CG)	General Commercial Planned Development (C-2-PD)	Residential
South	Commercial General (CG)	General Commercial Planned Development (C-2-PD)	Drive-through Restaurant
East	Commercial General (CG)	General Commercial Planned Development (C-2-PD)	Shopping Center
West	Residential Low (RL)	Single-Family Residential Planned Development (R-1-PD)	Residential

Exhibit A

4) **Background Information:** The project area is part of the Vineyard Center shopping center. On January 16, 1986, the Planning Commission conditionally approved Planned Development No. 418 through Resolution No. 6851. The 13,342 square-foot shopping center was then built in the late 1980s.

   The market has operated with an ABC Type 20 License for off-sale beer and wine since 1999 under several different licensees. The market has operated as El Rio Oxnard Market since 2010.

5) **Environmental Determination:**
   In accordance with Section 15301, Class 1 (Existing Facilities) of the State California Environmental Quality Act (CEQA) Guidelines, projects involving "negligible or no expansion of use beyond that existing at the time of the lead agency's determination" may be found to be exempt from the requirements of CEQA. The Project involves a request to sell alcohol for off-site consumption within an existing multi-tenant commercial building and will not increase the square footage of the existing building. No Exceptions to the Exemptions (Section 15300.2) apply to defeat the Exemption. Therefore, Staff has determined that there is no substantial evidence that the Project will have a significant effect on the environment and recommends that the Planning Commission accept the Notice of Exemption (Attachment C).

6) **Analysis:**

   a) ***General Discussion:*** The Applicant proposes to upgrade their existing Type 20 Alcohol and Beverage Control (ABC) License to a Type 21 to sell beer, wine, and distilled spirits. The alcoholic beverages will still be sold for off-site consumption. The Applicant currently occupies a 2,115 square-foot convenience store/market within an existing 13,247 square-foot multi-tenant commercial building with an associated parking lot and related site improvements. The Applicant proposes to sell beer, wine, and distilled spirits from 7:00 a.m. to 12:00 a.m. daily.

      There are no proposed tenant improvements at this time.

      In accordance with the C-2-PD zone, the ability to sell alcohol for off-site consumption is subject to approval of a SUP by the Planning Commission.

   b) ***General Plan & Zoning Consistency:*** The 2030 General Plan designation for the site is Commercial General (CG) and the zoning designation is for General Commercial - Planned Development (C-2-PD). General Plan Policy ICS-19.2 encourages Police Department review of development projects. The Project was reviewed by the Police

Department and their recommendations are incorporated into the conditions of approval. Therefore, this Project is consistent with Policy ICS-19.2.

The Project is proposed in the General Commercial - Planned Development (C-2-PD) zone district. In accordance with Oxnard City Code (OCC) Section 16-136 (Related Uses within the C-2 zone), the sales of alcoholic beverages for consumption off-site are permitted through the approval of a Special Use Permit. Therefore, with approval of this permit, the proposed use is consistent with the zoning designation of the property.

c) ***Police Department Review:*** The Oxnard Police Department provided a comprehensive report and analysis of the proposed alcohol request (Attachment D) in accordance with City Council Resolution No. 11,896 (Attachment E). The report analyzes the number of establishments selling alcoholic beverages within 350 feet and 1,000 feet of the Project site to determine whether a presumption of undue concentration exists, and whether approval of the SUP is likely to significantly aggravate policing problems. The Police Department's Report is broken down into an analysis of the concentration of alcohol outlets, crime statistics, police and community input, and conclusion. The table below summarizes the findings of the Police Department's Report:

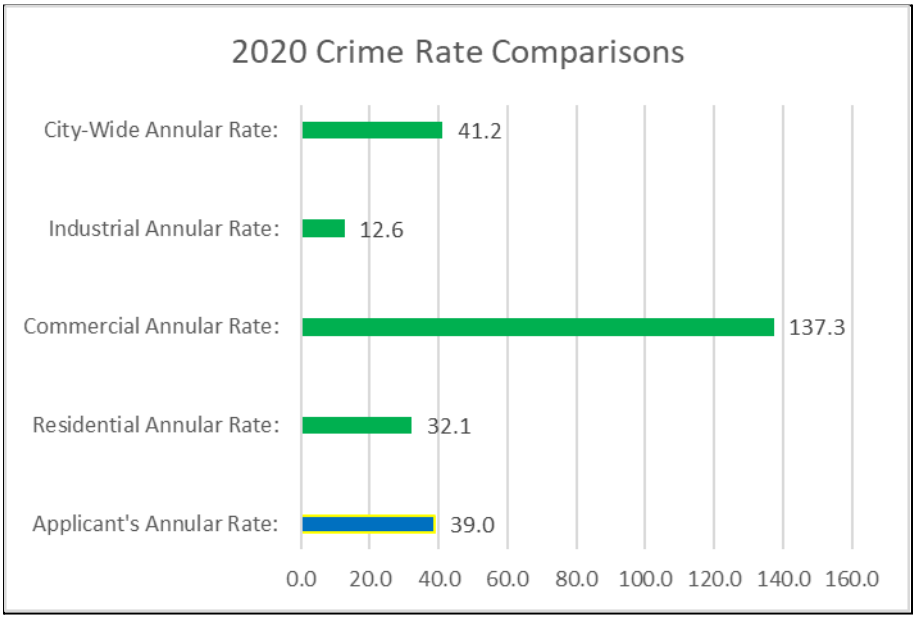
Location	Same type within 350 feet?	Same type within 1,000 feet?	Likely to Cause Police problem?	Undue concentration as defined in Resolution No. 11,896 or Business and Professions Code Section 23958.4?
Pizza Chief 2550 N. Vineyard Ave.	No	No (Type 41)	No, as conditioned	Yes (State)
Vallarta Supermarket 2690 N. Vineyard Ave.	No	Yes (Type 21)	No, as conditioned	Yes (State)
4 Way Meat Market 2746 N. Vineyard Ave.	No	No (Type 20)	No, as conditioned	Yes (State)
La Huerta Restaurant 2826 N. Vineyard Ave.	No	No (Type 41)	No, as conditioned	Yes (State)
El Rio Central Market 2765 N. Vineyard Ave.	No	Yes (Type 21)	No, as conditioned	Yes (State)

Concentration of Alcohol Outlets***:***
According to the Police report, there are no establishments of the same type located within 350 feet and only two establishments of the same ABC License Type 21 (Vallarta Supermarket and El Rio Central Market) within 350 and 1,000 feet of the subject property. There is another establishment located between 350 feet and 1000 feet of the subject property (4 Way Meat Market) that currently operates with a ABC License Type 20[2] (Off-Sale Beer and Wine[2]). The Police Department has determined that as there are no other similar alcohol establishments within 350 feet of the applicant's site, there is no undue concentration by City standards.

In the case of the applicant site, as seen in the next section, the annular crime rate is below the average annular citywide rate and below the standard established in the California Business and Professions Code Section 23958.4(1). Currently there are five off-sale licenses within the applicant's census tract. According to the ABC, three off-sale licenses are allowed within this census tract. Based on the above findings, there is an undue concentration under the provisions of California Business and Professions Code Section 23958.4.

Crime Statistics:
For comparison purposes, the Police Report analyzes the average number of Part I[3] crimes and Part II[4] crimes that occur per reporting district (grid) during a selected twelve month period. In the case of this report, all calculations are based on statistics from 2020. The citywide annular average of Part 1 and Part II crimes per grid was 41.2. The average number of Part I and II crimes occurring within 1,000 feet annular area of this proposed convenience store/market was 39 during the same twelve month time period. This is significantly less than the average for commercial properties citywide; therefore, the local crime rate is very low compared to other parts of the City. This is best illustrated in the graph below:

[2] ABC License Type 20 (Off-Sale Beer & Wine) (Package Store) Authorizes the sale of beer and wine for consumption off the premises where sold. Minors are allowed on the premises.
[3] Part I crimes include: murder, rape, robbery, theft, burglary, auto theft, assault, and arson.
[4] Part II crimes include: vandalism, weapons possession, sex offenses, drug abuse violations, driving under the influence, liquor laws, drunkenness, and disorderly conduct.



Police Department Input:
The Beat Coordinator who is responsible for the day-to-day monitoring of activity and deployment of police resources for the surrounding area said that the location is not generally considered to be a policing problem and has not required any specific attention.

Community Input:
Several nearby business operators were contacted and interviewed regarding this business' request to sell spirits in addition to their current beer and wine license. The results from the business operators were mixed. Some of those interviewed had concerns that selling spirits would further contribute to homeless activity in the area. However, there were some who did not believe that the additional sale of spirits at these locations would not have an adverse impact on the area.

The Neighborhood Chairperson was contacted and briefed concerning the application and the conditions related to the permit. He was supportive of the proposed permit and had no objection to the business selling spirits in addition to its current ABC License for sales of beer and wine.

Conclusion:
If approved, the applicant's business will operate in a well-established neighborhood commercial center in an area with a low crime rate. As previously discussed, this business' location is not posing an undue concentration under the City standard. Under the State standard there is an "undue concentration" of alcoholic beverage establishments within the meaning of section 23958.4(a)(1) of the Business and Professions Code which

establishes the State standard. However, since this business is currently operating as an off-sale site within the census tract, its change from a Type 20 to a Type 21 ABC License will not add to the existing undue concentration. The crime rate established for the area around the business is not seen as a factor relating to the issuance of this permit.

Based on the crime statistics, the assessment from the Beat Coordinator, and the input from the community there is no significant reason to oppose this application. Under the recommended operating conditions, it is believed that the addition of spirits to the sales of beer and wine at this business will have little, if any adverse impact on the community or policing services. Several conditions of approval have been incorporated into the draft Resolution of approval (Attachment F) in order to mitigate Police Department concerns in order to reduce the risk for potential policing problems in the future. The Applicant has accepted all proposed conditions of approval.

7) **Community Workshop and Public Input:** This Project is located within the El Rio West Neighborhood. On April 15, 2022, the Applicant mailed notices of the Community Workshop meeting to all property owners within the El Rio West Neighborhood. The Applicant also provided notice on the Project site with a brief description of the project and contact information. The Community Workshop was held on May 16, 2022. No members of the community were present at the Community Workshop for this item.

   Consistent with public noticing requirements, the Planning Commission hearing was advertised in the newspaper, with an on-going site posting, and by mail to property owners within 300 feet of the subject property. To date, Staff has not received any additional concerns or public comments regarding the proposed Project.

8) **Appeal Procedure:** In accordance with OCC Section 16-545 of the Oxnard City Code, the Planning Commission's action may be appealed to the City Council within 18 days after the decision date. Appeal forms may be obtained from the Planning Division's Office and must be submitted with the appropriate fees before the end of the appeal period. If an appeal to the City Council is not filed within 18 days of the Planning Commission's decision, the decision of the Planning Commission shall be considered final.

Attachments:

A. Maps (Vicinity, General Plan, Zoning, Aerial)
B. Reduced Project Plans
C. Notice of Exemption
D. Police Department Report
E. City Council Resolution No. 11,896
F. Draft Resolution of Approval PZ 21-510-03 (Special Use Permit - Alcohol)
G. Staff Presentation

Vicinity Map

CITY OF OXNARD CALIFORNIA

Oxnard Planning

March 3, 2022

PZ 21-510-03
Location: 2585 N Vineyard Ave
APN: 132004319
El Rio Market

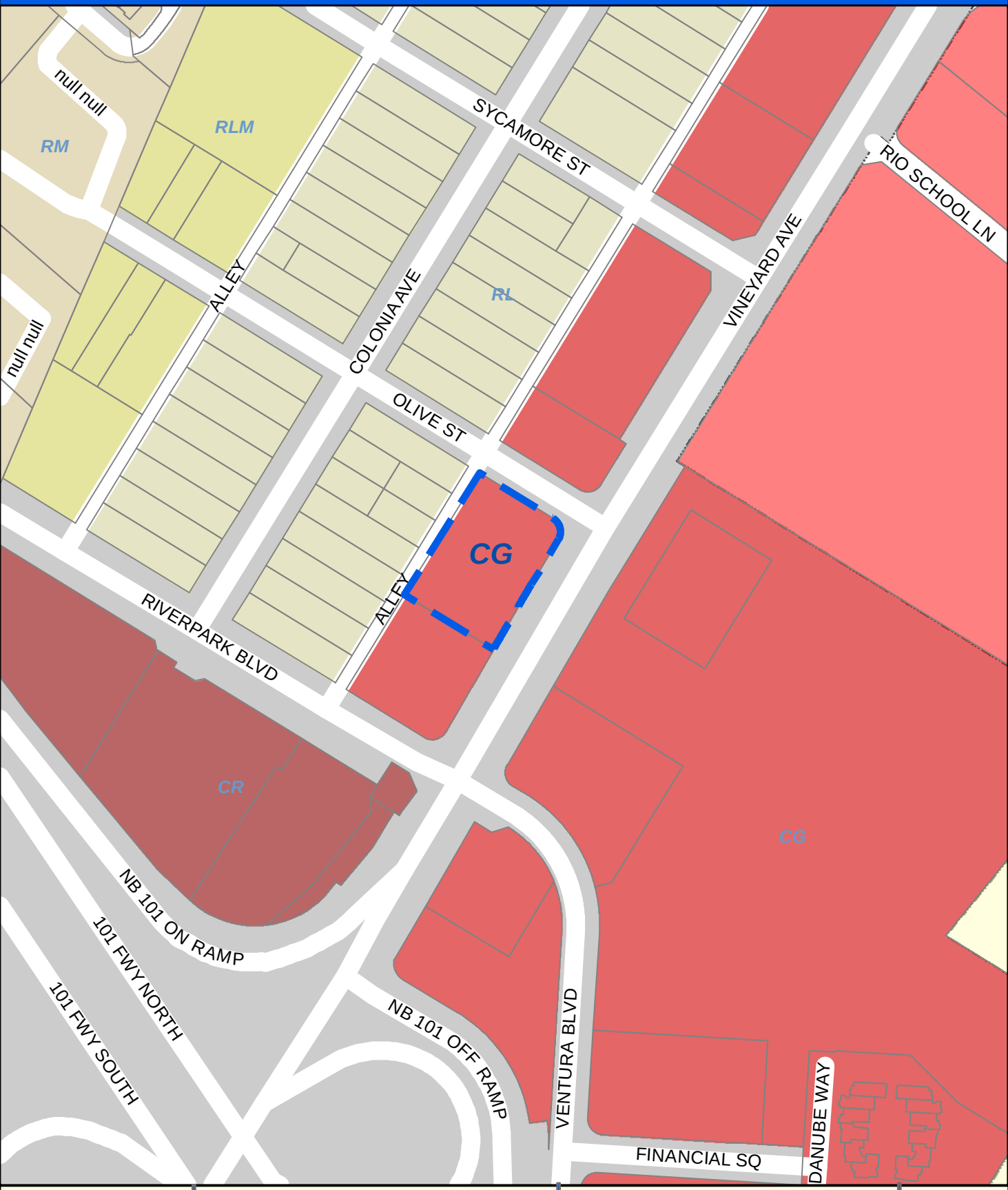
Vicinity Map

0 0.5 1 1.5 2 Miles

N

1:70,000

2030 General Plan Land Use Map



CITY OF OXNARD CALIFORNIA

Oxnard Planning

March 4, 2022

PZ 21-510-03
Location: 2585 N Vineyard Ave
APN: 132004319
El Rio Market

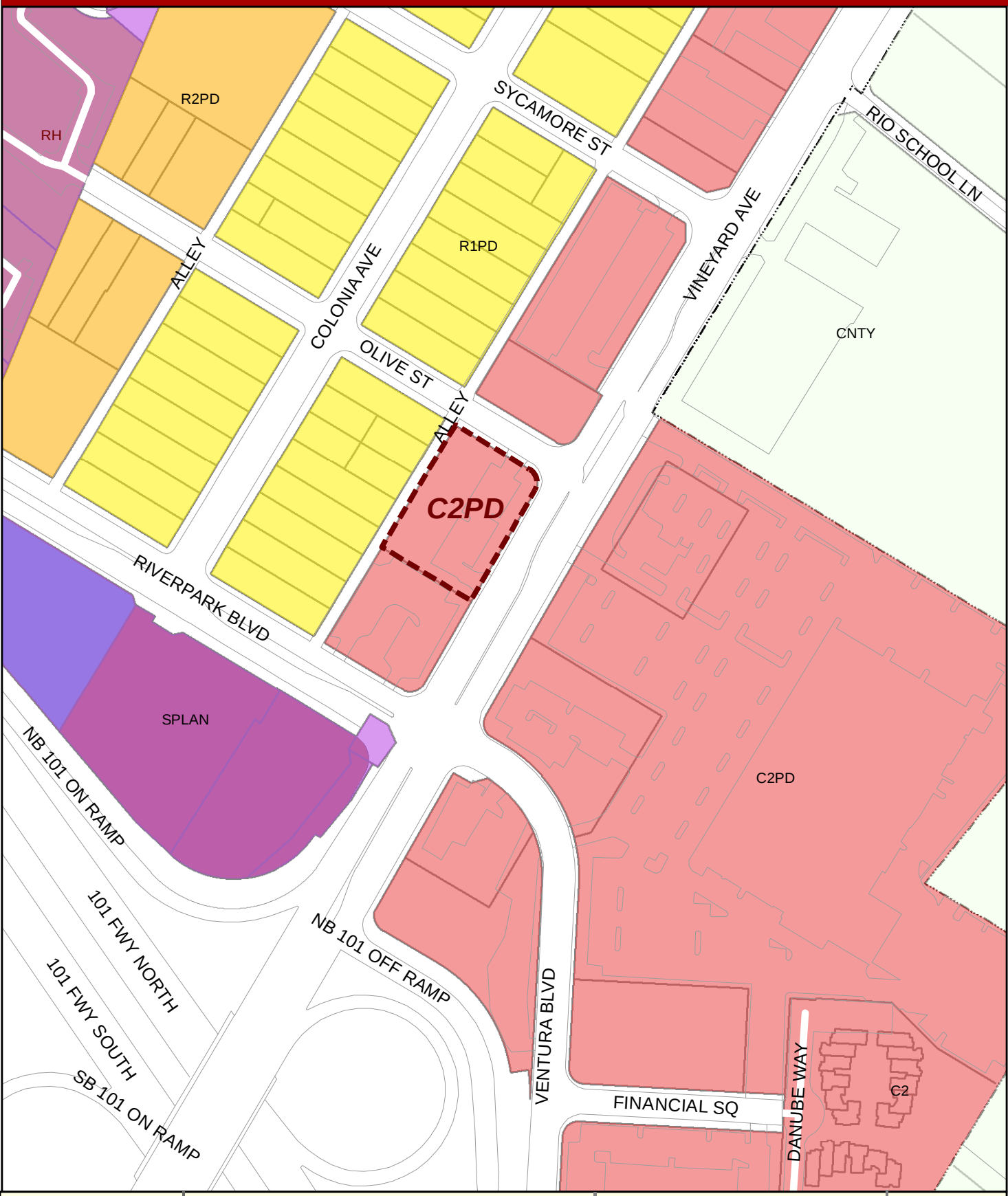
0 75 150 300 Feet

2030 General Plan Land Use Map

N W E S

1:2,500

Zoning/Specific Plan Map



CITY OF OXNARD CALIFORNIA

Oxnard Planning

March 4, 2022

PZ 21-510-03
Location: 2585 N Vineyard Ave
APN: 132004319
El Rio Market

0 37.5 75 150 225 300 Feet

Zoning/Specific Plan Map

N W E S

1:2,500

Aerial Map

CITY OF OXNARD CALIFORNIA

Oxnard Planning

March 4, 2022

PZ 21-510-03
Location: 2585 N Vineyard Ave
APN: 132004319
El Rio Market

0 15 30 60 90 120 Feet

Aerial Map

N W E S

Department of Alcoholic Beverage Control

State of California

LICENSED PREMISES DIAGRAM (RETAIL)

1. APPLICANT NAME (Last, first, middle): Kaur, Satinderpal

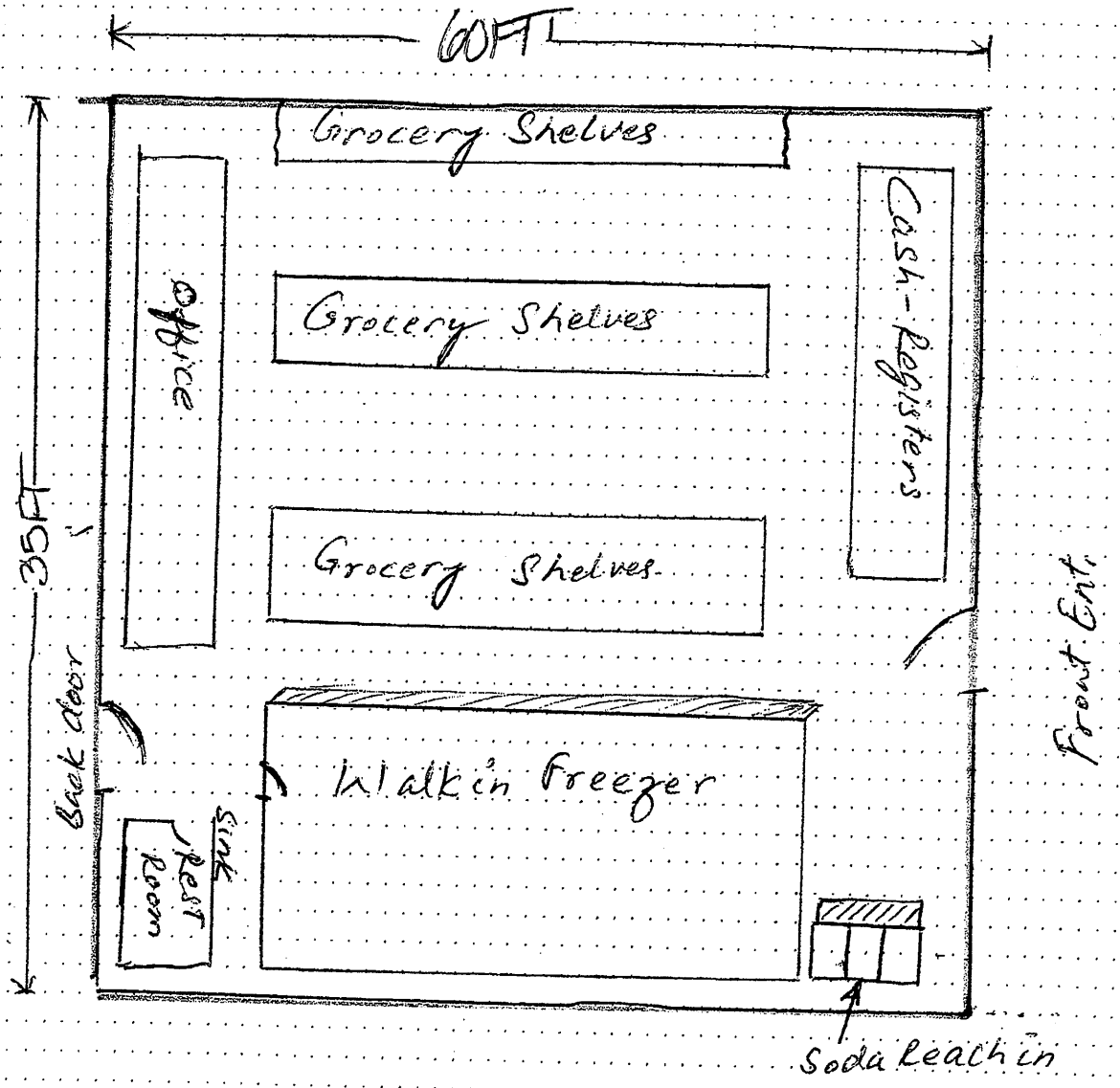
2. LICENSE TYPE: 20

3. PREMISES ADDRESS (Street number and name, city, zip code): 2585 E Vineyard Ave Oxnard CA 93036

4. NEAREST CROSS STREET: Colonia

The diagram below is a true and correct description of the entrances, exits, interior walls and exterior boundaries of the premises to be licensed, *including dimensions and identification of each room (i.e., "storeroom", "office", etc.).*

DIAGRAM



COMMUNITY DEVELOPMENT DEPARTMENT
OXNARD PLANNING DIVISION
214 SOUTH C STREET
OXNARD, CALIFORNIA 93030

CITY OF OXNARD CALIFORNIA

NOTICE OF EXEMPTION

Project Description: **El Rio Market Alcohol Special Use Permit;** Planning and Zoning Permit No. 21-510-03 (Special Use Permit - Alcohol): A request to sell beer, wine, and distilled spirits for off-site consumption (Alcohol Beverage Control (ABC) License Type 21) at an existing 2,115 square-foot commercial suite within a 13,247 square-foot building for a proposed convenience store/market on a 0.84-acre site located at 2585 East Vineyard Avenue, (APN: 132-0-043-190) within the General Commercial - Planned Development (C-2-PD) zone. Alcohol sales shall be limited to 7:00 a.m. to 12:00 a.m. daily. The project is exempt from environmental review pursuant to Section 15301 (Existing Facilities), Class 1 of the California Environmental Quality Act (CEQA) Guidelines. Filed by Ted Barnes, Designated Agent, on behalf of property owner Anh Gurfield, 2318 Fox Hills Dr. #202, Los Angeles, CA 90064.

Finding:
The Planning Commission of the City of Oxnard has reviewed the above proposed project and found it to be exempt from the provisions of the California Environmental Quality Act (CEQA).

☐ Ministerial Project
☒ Categorical Exemption
☐ Statutory Exemption
☐ Emergency Project
☐ Quick Disapproval [CEQA Guidelines, 14 Cal. Code of Regs. 15270]
☐ No Possibility of Significant Effect [CEQA Guidelines, 14 Cal. Code of Regs. 15061(b)(3)]

Supporting Reasons: In accordance with Section 15301, Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) Guidelines, projects involving "negligible or no expansion of use beyond that existing at the time of the lead agency's determination" may be found to be exempt from the requirements of CEQA. The Project involves a request to sell alcohol for off-site consumption within an existing multi-tenant commercial building and will not increase the square footage of the existing building. No Exceptions to the Exemptions (Section 15300.2) apply to defeat the Exemption. Therefore, the Planning Commission has determined that there is no substantial evidence that the project may have a significant effect on the environment, the project is categorically exempt from the provisions of CEQA, there is no requirement to prepare an environmental document, and they hereby authorize and direct the Planning and Environmental Services Manager to file a Notice of Exemption with the Ventura County Clerk.

_____ _____
(Date) Joe Pearson II, AICP
Interim Planning and Environmental Services Manager

CITY OF OXNARD CALIFORNIA

Police Department
Jason Benites, Chief of Police

December 15, 2021

To: Scott Kolwitz, Planning Division Manager
Randy Baez, Associate Planner

From: Alex Arnett, Patrol Support Division Commander
Scott Swenson, Safer Neighborhoods and Alcohol Compliance Specialist

Subject: El Rio Oxnard Market, 2585 E. Vineyard Avenue
PZ 21-510-03, Alcohol SUP Review (ABC Type 21)

Site Information:
El Rio Oxnard Market is a convenience store located in a retail complex on the corner of Vineyard Avenue and Olive Street in the El Rio West Neighborhood. West of the retail complex across an alley is a residential area, southward there is a fast-food restaurant, east, across Vineyard Avenue is another retail complex, and north of the site across Olive Street is a residence.

The market has operated with an ABC Type 20 beer and wine off-sale license since 1999 under several different licensees. The current licensee has no record of disciplinary actions by ABC.

The applicant is pursuing an Alcohol Beverage Control (ABC) Type 21[1] License to sell beer, wine and spirits from 7 A.M. to 12 Midnight.

Concentration, Crime and Policing Services

[1] *Type 21 Off Sale Beer, Wine and Spirits – Authorizes the sale of beer, wine and spirits for consumption off the premises where sold. Minors are allowed on the premises.*

Concentration of retail alcohol outlets and crime can have a significant impact on public safety and the delivery of police services. The State of California[2] and the City of Oxnard[3] have established standards to weigh concentration factors, and, when appropriate, mitigations to address those factors. The below charts identify nearby retail alcohol establishments.

Alcohol outlets located within 350 Feet

**Alcohol hours reflect period the business is permitted to serve alcohol under State law or by established City conditions.*

None

Alcohol outlets located between 350 Feet and 1000 Feet

#	Business Name	Address	ABC Type	ASUP	On/Off-Sale	Premise	Alcohol	Alcohol Hours *
1	Pizza Chief	2550 N. Vineyard Ave.	41	Y	On	Restaurant	Beer Wine Spirits	7a-1a
2	Vallarta Supermarket	2690 N. Vineyard Ave.	21	Y	Off	Market	Beer Wine Spirits	7a-1a
3	4 Way Meat Market	2746 N. Vineyard Ave.	20	N	Off	Market	Beer Wine	6a-2a
4	La Huerta Restaurant	2826 N. Vineyard Ave.	41	N	On	Restaurant	Beer Wine	6a-2a
5	El Rio Central Market	2765 N, Vineyard Ave.	21	N	Off	Market	Beer Wine Spirits	6a-2a

*Alcohol Hours – Hours listed are when alcoholic beverages legally may be sold pursuant to City or State restrictions.

City Council Resolution 11,896 establishes that there is undue concentration if there exists an alcohol establishment of a similar type within 350 feet of the applicant site. As noted on the chart above, there are no existing alcohol licenses within 350 feet of the applicant site. This establishes that there is not an undue concentration under City standards.

State standards for undue concentration are established under Business and Professions Code Section 23958.4.

(a) *For purposes of Section 23958, "undue concentration" means the case in which the applicant premises for an original or premises-to-premises transfer of any retail license are located in an area where any of the following conditions exist:*

1) *The applicant premises are located in a crime reporting district[4] that has a 20 percent greater number of reported crimes, as defined in subdivision c, than the average number of reported*

[2] *Concentration Standards for the State of California: §23958.4 Business and Professions Code*
[3] *Concentration Standards for the City of Oxnard: Council Resolution 11,896*
[4] *Oxnard P.D. does not collect crime data based on reporting districts. For the purposes of concentration of alcohol establishments, the crime stats are compared by 1000-foot annular areas.*

crimes as determined from all crime reporting districts within the jurisdiction of the local law enforcement agency.

2) *As to on-sale retail license applications, the ratio of on-sale retail licenses to population in the census trat or census division in which the applicant premises are located exceeds the ratio of on-sale retail licenses to population in the county in which the applicant premises is located.*
3) *As to off-sale retail license applications, the ratio of off-sale retail licenses to population in the census tract or census division in which the applicant premises are located exceeds the ratio of off-sale retail licenses to population in the county in which the applicant premises are located.*

In the case of the applicant site, the annular crime rate is below the average annular citywide rate. This shows the site as having a crime rate below the standard established in 23958.4(1) B&P.

Currently there are five off-sale licenses within the applicant's census tract. According to the ABC, three off-sale licenses are permitted within this census tract. Based on the above findings, there is an undue concentration under the provisions of California Business and Professions Code Section 23958.4

Crime Statistics Review:

For comparison purposes the Police Department calculates the average number of Part I[5] and II[6] crimes that occurred during a selected 12-month period. In the case of this report, all calculations are based on statistics from 2020. The average city-wide, annular average of Part I and II crimes is 41.2.

The average number of Part I and II crimes in the applicant's 1000 feet annular area is 39. This is significantly less than the average for commercial properties citywide and can be best illustrated in the graph below:

[5] *Part I crimes include: murder, rape, robbery, theft, burglary, auto theft, assault, and arson.*

[6] *Part II crime include: other assaults, forgery & counterfeiting, fraud, embezzlement, stolen property, vandalism, weapons, prostitution & commercialized vice, sex offenses, drug abuse violations, gambling, offenses against family and children, driving under the influence, liquor laws, drunkenness, disorderly conduct, vagrancy, all other offenses not specifically identified as Part I or Part II, except traffic violations.*

Police Department Input:
The Beat Coordinator who is responsible for the day-to-day monitoring of activity and deployment of police resources for the surrounding area said that the location is not generally considered to be a policing problem and has not required any specific attention.

Community Input

Businesses:
Several nearby business operators were contacted and interviewed regarding this business' request to sell spirits in addition to their current beer and wine license. The results were mixed. Some of those interviewed had concerns that selling spirits would further contribute to homeless activity in the area. However, there were some who did not believe that the additional sale of spirits at this location would not have an adverse impact on the area.

Area Residents:
The Neighborhood Chairperson was contacted and briefed concerning the application and the conditions related to the permit. He was supportive of the proposed permit and had no objections to the business spirits in addition to its current ABC License for sales of beer and wine.

Conclusion

El Rio Oxnard Market has operated since 1999 with an ABC Type 20 License. The current owner of the License has operated the business since 2015 with little if any adverse impact on the community.

Concentration, Public Convenience and Necessity

As previously discussed, this business' location is not posing an undue concentration under the City standard. Under the State standard there is an "undue concentration" of alcoholic beverage establishments within the meaning of section 23958.4(a)(1) of the Business and Professions Code which establishes the State standard. However, since this business is currently operating as an off-sale site within the census tract, its change from a Type 20 to a Type 21 ABC License will not add to the existing undue concentration. The crime rate established for the area around the business is not seen as factor relating the issuance of this permit.

Based on the crime statistics, the assessment from the Beat Coordinator, and the input from the community there is no significant reason to oppose this application. Under the recommended operating conditions, it is believed that the addition of spirits to the sales of beer and wine at this business will have little, if any adverse impact on the community or policing services.

Police Operating Conditions

Training

1) Permittee and all sellers or servers shall complete an approved course in Responsible Beverage Sales and Service (RBSS) (available through the ABC website for the LEAD Program at www.abc.ca.gov/education/lead-training) within sixty (60) days of license granting and/or date of employment. The permittee is responsible for maintaining records showing servers have completed the required training and shall submit this documentation upon request by the Oxnard Police Department.

2) Each permittee shall maintain a record of their employees who have successfully completed the required Responsible Beverage Service Training and make that record available to any representative of the Oxnard Police Department upon demand.

Operations

3) The Police Chief or designee may immediately suspend operation of the use(s) approved by this permit pending a hearing on the suspension or revocation of this permit if the Chief determines that there have been significant violations of the conditions associated with the use(s) and/or Alcoholic Beverage Control (ABC) license and/or there is a single serious violent crime or single significant incident to which multiple police units or multiple police jurisdictions responded to that is associated with the operation of this use for which the Chief determines is detrimental to the public safety or health. The Chief shall immediately inform the Planning and Environmental Services Manager of the suspension and the manager shall schedule a hearing regarding the revocation of the permit by the Community Development Director to be held no more than 30 days after the suspension begins.

   Additionally, violations of this permit which can lead to permit suspension can include, but not limited to:
   a) Failure to provide required operational documentation within 30-days when requested by mail or email. This would include, but not limited to quarterly food/alcohol sales, copies of security guard credentials, and proof of server's completion of RBS Training.
   b) Repeated violations of a specific condition within this document or successor documents or permits.
   c) Evidence of service of alcoholic beverages to minors.
   d) Repeated failure to maintain a staff of servers trained in approved Responsible Beverage Service. (PD)
   e) Sales to habitual drunkards per section 25602(a) Business and Professions Code.
4) Permittee shall provide the Oxnard Police Department an email address for a responsible party for the business. This may be the owner, manager or other party who can respond to inquiries for the business. Permittee shall submit an email address to: specialprojects@oxnardpd.org . In the submission, identify the business name, the contact person's name and their role in the business.

Security

5) A Security Plan shall be submitted and approved prior to the issuance of building permits. The plan shall include:
   a. The Security Plan Sheet that identifies the location of each security camera, camera recording and support equipment.
   b. The Security Plan shall include a chart shall identifying each camera by an alpha-numeric, the scope of their capture area, placement of the camera above the floor/ground, make and model of the instrument, type of camera (dome, PTZ, etc.).

6) Prior to commencing the sale of alcohol permitted by this permit, permittee shall install a video surveillance system that shall be maintained at a reasonable industry standard and shall be operated 24-hours a day to monitor, at a minimum, the entrances and exits, any centralized point of sale and areas immediately surrounding the exterior of the business. Any video system installed to meet the requirement of these conditions shall meet the below minimum standards:
    a. Cameras and supporting equipment shall supply digital color images under normal lighting conditions. Greyscale images are required for infra-red lighting.
    b. Cameras shall be made by a reputable manufacturer and maintained to current industry standards.
    c. Cameras shall have sufficient low light capture ability to clearly monitor persons conducting transactions.
    d. The video system shall utilize a Digital Video Recorder (DVR). VHS and other formats are prohibited.
    e. The video system shall allow recording, live viewing and playback of recorded video for a period of at least 30 days.
    f. Recorded images shall bear a date and time stamp that cannot be altered.
    g. At a minimum, one camera shall be dedicated to capturing head and upper body images of each person entering any door to the business. Cameras dedicated to this purpose shall be mounted at 7-feet above the floor.
    h. All vehicular entrances to the parking facilities shall be monitored by a camera or cameras that are placed to capture images of sufficient quality where the vehicle's license plate, make, model and color can be easily identified.
    i. A monitor near the customer entrance shall be mounted from the ceiling. The bottom edge of the monitor shall be 7-feet above the floor. Its placement shall provide customer's images upon entry into the business.
    j. A monitor shall be placed at the cashier's station to allow staff to passively monitor activity at the site via the camera system.
    k. During normal business hours, the licensee shall provide access to the digital recordings for any and all law enforcement purposes as determined by the City of Oxnard. (PD)

7) Failure to maintain the video surveillance system in good working order can be grounds for suspension of this permit. The permittee shall provide video records to the Chief of Police or his/her designee in a timely manner upon request.

8) Other than for emergency purposes, there shall be only one means of customer ingress and egress. (PD)

9) Permittee shall establish responsible cash handling procedures to reduce the likelihood of robberies and theft. (PD)

10) Permittee shall bolt down or otherwise secure all cash registers to service counters in order to prevent the entire device from being stolen during a burglary or robbery. (PD)

11) Sales displays shall be no taller than 48-inches except those displays around the interior perimeter of the store. Displays, banners, signs and other materials shall not interfere with clear sightlines in and out of windows or obscure the view of the sales area from the cashier's station.

12) Any rear door of the premises shall be equipped on the inside with an automatic locking device, shall be closed at all times, and shall not be used as a means of access by patrons to and from the licensed premises. Temporary use of these doors for delivery of supplies does not constitute a violation. (PD)

13) Permittee shall establish and maintain a cash handling system that reduces the likelihood of robberies and theft. The system shall include the following components and practices:
a) A drop safe having a programmable access control system. The access control system shall have the capability to restrict access times and record the individual passcode used at each opening of the safe.
b) Established cash drawer maximums requiring staff to transfer larger bills into the drop safe.
c) Cash drawer preparation and end-of-shift counts shall occur in a secure room away from customer access or view.

14) Permittee shall install height gauges at all exit doors. (PD)

15) Permittee shall equip each point of sale with a silent robbery alarm that complies with Oxnard City Ordinance No. 2601 or develop and implement critical incident protocols that provide an efficient method for alerting police and others to a potential threat without unnecessarily putting the employees at risk. (PD)

<u>License/Permit</u>

16) The subject Alcoholic Beverage Control License shall not be exchanged for any other type of Alcoholic Beverage Control License without Planning Department review and approval by the Police Chief or designee. (PD)

17) Upon any individual transfer (person-to-person) of the subject Alcoholic Beverage Control License, or if the business is ever deemed a nuisance as

defined in the Oxnard City Code, a review of the existing SUP shall be initiated and conditions may be added or removed as appropriate to mitigate existing or potential problems. (PD)

18) The permittee shall participate, when requested and reasonable, in programs and efforts of the Oxnard Police Department to inform and educate the patrons of alcohol establishments on the dangers of driving under the influence of alcohol or drugs. (PD)

19) A copy of these conditions must be maintained on the premises and made available upon the demand of any representative of the Oxnard Police Department at all times. (PL/PD)

Site Management

20) Any graffiti painted or marked upon the premises or on any adjacent area under the control of Permittee shall be removed or painted over within twenty-four (24) hours of being applied. (PL/PD)

21) The permittee shall maintain areas for which the business has reasonable control around the premises free of litter and graffiti.

22) The area surrounding premises under the reasonable control of Permittee (including the rear of the business) shall be equipped with lighting of sufficient power to illuminate and make easily discernible the appearance and conduct of all persons in or about the area. (PL/PD)

23) No pay phone on the exterior of the premises shall be allowed within 100 feet of the front or rear doors and any pay phones installed inside shall be blocked from incoming calls. (PL/PD)

24) Permittee shall regularly police the area under Permittee's control and shall not permit the loitering of persons about the premises. (PL/PD)

25) There shall be no advertising of alcoholic beverages visible from the outside of the establishment, including advertising directed to the exterior from within, promoting or indicating the availability of alcoholic beverages. (PL/PD)

26) Windows shall remain clear of signage, posters, advertisements, or any other item that interferes with clear sightlines into the business. No display or other object near, on or adjacent to the windows shall appear in the area between 48 and 78-inches above the floor.

27) The permittee shall post prominent, permanent signs indicating that loitering, open containers, and/or the consumption of alcoholic beverages is prohibited.

These signs shall be posted in the parking lot and other adjacent areas under Permittee's reasonable control, including exterior common walkways and corridors. (PD)

28) There shall be no amusement machines or video devices maintained on the premises at any time. (PD)

29) Prominent signs shall be posted throughout the business, in effect, "No persons under 21 will be sold alcoholic beverages" and "Valid ID is required to purchase or possess alcoholic beverages". (PD)

30) There shall be so self-service displays of any type of tobacco or vaping product including, but not limited to cigarettes, cigars and smokeless tobacco. (PD)

31) The permittee's internet presence shall be consistent with these conditions. Any site or internet presence reasonably controlled by the permittee shall not advertise or illustrate circumstances or activities that conflict with the provisions set forth in this permit and/or the ABC license. (PD)

Alcohol Control

32) Alcohol sales shall be limited to 7 a.m. to 12 a.m. (midnight). If the business operates during hours beyond 7 a.m. to 12 a.m. (midnight) all displays and refrigerators containing alcoholic beverages shall be secured with an approved locking system during the hours when alcohol sales is prohibited so as to prevent customer access to these products.

33) All distilled spirits, not including cocktails and pre-mixed coolers, shall be displayed behind the cashier's counter and shall not be accessible by customers.

34) Single sales of alcoholic beverages shall be restricted as listed below:
    a) Other than specialty beers and micro-brews, beer, malt beverages and wine coolers in containers of 64oz in volume or less cannot be sold by single containers but must be sold in manufacturer pre-packaged multi-unit quantities. The sale of mass-produced, low priced beer or malt liquor in single servings is prohibited (PD)

    b) No wine shall be sold with an alcoholic content of greater than 15% by volume except for "Dinner Wines" which have been aged two years or more and maintained in corked bottles (Port, Sherry, Saki, Marsala, Madiera, Muscat and Vermouth are permitted). (PD)

35) No temporary or permanent open displays of alcoholic beverages are permitted near customer entry/exit points. This includes stacked boxes, beer can “mountains” or cases containing alcohol beverages, portable coolers, promotional displays or any other alcohol displays where there is a clear, easy or unobstructed path to any entry or exit.

36) Employees involved in the sale of alcoholic beverages shall not be allowed to consume alcoholic beverages at any time during their shift. Employees shall not report for work with evidence of having consumed any intoxicants such as alcohol, illegal drugs or controlled substances.

SPECIAL POLICE CONDITIONS

None.

CITY COUNCIL OF THE CITY OF OXNARD

RESOLUTION NO. 11,896

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD ADOPTING STANDARDS FOR DETERMINING APPLICATIONS FOR SPECIAL USE PERMITS TO SELL ALCOHOLIC BEVERAGES

WHEREAS, any person wishing to sell alcoholic beverages in the State of California must obtain a license to do so from the Department of Alcoholic Beverage Control; and

WHEREAS, Business and Professions Code Section 23790 provides that the Department of Alcoholic Beverage Control shall not issue a retail license "for any premises which are located in any territory where the exercise of the rights and privileges conferred by the license is contrary to a valid zoning ordinance of any county or city"; and

WHEREAS, the City of Oxnard has enacted zoning ordinances restricting the sale of alcoholic beverages to certain zones and requiring that a person wishing to sell alcoholic beverages in such zones first obtain a special use permit; and

WHEREAS, section 34-147 of the Oxnard City Code provides in part:

"Before a special use permit may be granted, the applicant must show and the planning commission must find that the proposed use is in conformance with the general plan and other adopted standards and that the following conditions are met:

"(a) The nature, condition and development of adjacent uses, buildings and structures shall be considered, and no proposed special use permit shall be granted where the commission finds such use will adversely affect or be materially detrimental to such adjacent uses, buildings or structures or to the public health, safety or general welfare."

WHEREAS, based on the experience of the Police Department that there is a relationship between crime and the consumption of alcohol and that establishments selling alcohol are incompatible with certain adjacent uses, the City Council wishes to adopt standards for determining when granting applications for special use permits to sell alcoholic beverages would adversely affect or be materially detrimental to adjacent uses, buildings or structures or to the public health, safety and general welfare; and

WHEREAS, this resolution applies only to the determination required by subsection (a) of section 34-147 of the City Code, and does not dispense with the requirement that in order to grant a special use permit to sell alcoholic beverages the application must satisfy the remainder of section 34-147; and

WHEREAS, in accordance with the California Environmental Quality Act, the Planning and Environmental Services Manager provided public notice of the intent of the City to adopt a negative declaration for the adoption of this resolution ("the project"), and the City Council has considered the proposed negative declaration, together with any comments received during the public review process, finds on the basis of the initial study and any comments received that there is no substantial evidence that the project will have a significant effect on the environment, further finds that the mitigated negative declaration reflects the independent judgment of the City, and approves the negative declaration.

NOW, THEREFORE, the City Council of the City of Oxnard resolves:

1. City Council Resolution No. 8597 is repealed.

2. The Planning and Environmental Services Division of the Development Services Department shall refer to the Police Department applications for special use permits to sell alcoholic beverages at retail. The Police Department shall prepare and submit to the secretary of the Planning Commission, at least ten calendar days before the date set for hearing on the special use permit, a written report on the following matters:

(a) The name and address and a description of the type of all establishments selling alcoholic beverages within 1,000 feet of the location for which the special use permit is applied. As used in this resolution, "the type" refers to the nature of the business (e.g., grocery store, liquor store, bar or restaurant), not to the type of State Alcoholic Beverage Control license issued to or sought for the business.

(b) The annual number of incidents involving police responses within 1,000 feet of the location for which the special use permit is applied and how this number compares to the City average of police responses.

(c) The likelihood that granting the application will create or significantly aggravate police problems at or near the subject location.

(d) A list of conditions recommended for inclusion in the special use permit to minimize police problems if the application is granted. One such condition shall be that the applicant provide Responsible Beverage Sales and Service (RBSS) training to all operators and employees of the establishment within 30 days of their employment. The applicant may apply to the Police Department for a waiver of RBSS training for temporary or short-term employees.

3. The Planning Commission shall consider the report, as well as any other relevant evidence, in determining whether, under subsection (a) of section 34-147 of the City Code, granting an application for a special use permit to sell alcoholic beverages at retail would adversely affect or be materially detrimental to adjacent uses, buildings or structures or to the

public health, safety or general welfare. Before making such determination, the Planning Commission shall make the following findings, as well as any other relevant findings:

(a) The proposed use is not likely to create or significantly aggravate police problems within 1000 feet of the location for which the special use permit is applied; and

(b) The proposed use will not result in or add to an undue concentration of establishments selling alcoholic beverages at retail within 1000 feet of the location for which the special use permit is applied. For purposes of making this determination, there is a presumption that an undue concentration will result or be added to if the establishment for which the special use permit is applied will be located less than 350 feet from another establishment of the same type, and there is a presumption that an undue concentration will not result or be added to if the establishment for which the special use permit is applied will be located 350 feet or more from another establishment of the same type. However, either presumption may be rebutted by a preponderance of the evidence, based on the facts of the particular case.

4. All of the procedures and other matters contained in section 34-146 et seq. of the City Code apply to applications for special use permits to sell alcoholic beverages at retail.

PASSED AND ADOPTED this 6th day of February, 2001, by the following vote:

AYES: Councilmembers Maulhardt, Pinkard, Zaragoza, Holden and Lopez.

NOES: None.

ABSENT: None.

Dr. Manuel M. Lopez, Mayor

ATTEST:

Daniel Martinez, City Clerk

APPROVED AS TO FORM:

Gary L. Gillig, City Attorney

RESOLUTION NO. 2022 – XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD APPROVING PLANNING AND ZONING PERMIT NO. 21-510-03 (SPECIAL USE PERMIT - ALCOHOL), TO ALLOW A PROPOSED CONVENIENCE STORE (EL RIO MARKET) TO SELL BEER, WINE, AND DISTILLED SPIRITS FOR OFF-SITE CONSUMPTION (ALCOHOL AND BEVERAGE CONTROL LICENSE TYPE 21) WITHIN AN EXISTING 2,115 SQUARE-FOOT TENANT SPACE WITHIN A LARGER 13,247 SQUARE-FOOT, MULTI-TENANT BUILDING ON A 0.84-ACRE PROPERTY, LOCATED AT 2585 EAST VINEYARD AVENUE (APN: 132-0-043-190) WITHIN THE GENERAL COMMERCIAL - PLANNED DEVELOPMENT (C-2-PD) ZONE, SUBJECT TO CERTAIN FINDINGS AND CONDITIONS. FILED BY TED BARNES ON BEHALF OF PROPERTY OWNER ANH GURFIELD, TR, 2318 FOX HILLS DRIVE #202, LOS ANGELES, CALIFORNIA 90064.

WHEREAS, on December 9, 2021, Ted Barnes, (the **"Applicant"**) on behalf of property owner Anh Gurfield, TR, submitted a request to sell beer, wine, and distilled spirits for off-site consumption (Alcohol Beverage Control (ABC) License Type 21[1]) 7:00 a.m. to 12:00 a.m. (midnight) daily from an existing 2,115 square-foot convenience store building within a 13,247 square-foot multi-tenant commercial building on a 0.84-acre developed shopping center located at 2561-2595 East Vineyard Avenue (the **"Project"**); and

WHEREAS, on June 16, 2022, the Planning Commission of the City of Oxnard ("**Planning Commission**") conducted a duly noticed public hearing to consider the Applicant's request to approve Planning and Zoning Permit No. 21-510-03 (Special Use Permit - Alcohol), filed by Ted Barnes in accordance with Section 16-530 through 16-553 of the Oxnard City Code and City Council Resolution No. 11,896; and

WHEREAS, the Planning and Environmental Services Division has completed a preliminary environmental assessment of the Project in accordance with the California Environmental Quality Act (CEQA) and determined that the Project is subject to a Class 1 Categorical Exemption (Section 15301). Further, the project does not trigger any of the Exceptions to the Exemptions (Section 15300.2) to defeat the Exemption:

(a) Location. Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located. A project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. Therefore, these classes are considered to apply to all instances, except where the project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.

[1] ABC License Type 21 (Package Store) Authorizes the sale of beer, wine, and distilled spirits for consumption off the premises where sold. Minors are allowed on the premises.

The project site is located within the 2030 General Plan land use designation of Commercial General (CG) and within the General Commercial - Planned Development (C-2-PD). The Project is surrounded by commercial, residential and agricultural development. The project site and adjacent sites do not contain any known environmental resource of hazardous or critical concern. Therefore, the project will have no impact on an environmental resource of hazardous or critical concern.

(b) Cumulative Impact. All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.

The proposed Special Use Permit request for alcohol is consistent with the 2030 General Plan and the Oxnard City Code and is compatible with the physical scale and character of other commercial development in the project area. Any projects requiring discretionary approval would be analyzed with the 2030 General Plan and the Oxnard City Code for consistency and CEQA for any potential impacts. Therefore the project will have no significant cumulative impact.

(c) Significant Effect. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.

The proposed Special Use Permit request for alcohol will not result in an unusual circumstance that would cause the project to have a significant effect on the environment. The project will not alter the commercial, residential and agricultural character of the surrounding development and the property does not contain any unusual environmental characteristics as the property is surrounded on all sides by commercial and residential development. Therefore, the project will not have a significant effect on the environment due to unusual circumstances.

(d) Scenic Highways. A categorical exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway. This does not apply to improvements, which are required as mitigation by an adopted negative declaration or certified EIR.

The project is not located in or adjacent to a State designated scenic highway.

(e) Hazardous Waste Sites. A categorical exemption shall not be used for a project located on a site, which is included on any list compiled pursuant to Section 65962.5 of the Government Code.

The proposed project site is not included on any list compiled pursuant to Section 65962.5 of the Government Code.

(f) Historical Resources. A categorical exemption shall not be used for a project, which may cause a substantial adverse change in the significance of a historical resource.

The project site does not contain an existing or potential landmark, point of interest, or historic resource, and it is not located within an existing, proposed, or potential Historic District. Therefore, the proposed project will not cause a substantial adverse change in the significance of a historical resource.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF OXNARD:

SECTION 1. Based on the entire record before the Planning Commission and all written and oral evidence presented, including the Planning Commission Staff Report and all attachments thereto, the Planning Commission finds:

1) **The proposed use is in conformance with the City of Oxnard 2030 General Plan and the elements thereof and other adopted standards.**

As described in the Staff Report, the subject site is within the General Commercial Planned Development (C-2-PD) zoning district, with a 2030 General Plan designation of Commercial General (CG). The proposed 2,115 square-foot convenience store and request to sell beer, wine, and distilled spirits for off-site consumption (ABC License Type 21) 7:00 a.m. to 12:00 a.m. daily is consistent with the General Plan and zoning designation. The ability to sell alcohol for a convenience retail store/market is subject to approval of Special Use Permits by the Planning Commission pursuant to Oxnard City Code (OCC) Section 16-136. Therefore, the proposed sale of alcohol is in conformance with the 2030 General Plan and the elements thereof and other adopted standards. Therefore, this Project meets this finding.

2) **The proposed use will not adversely affect or be materially detrimental to the adjacent uses, buildings or structures or to the public health, safety or general welfare.**

As described in the Staff Report, the Project will allow the sale of beer, wine, and distilled spirits for off-site consumption from an existing convenience store. According to the Police report, there are no establishments of the same type located within 350 feet of

the subject property. There are two establishments located between 350 feet and 1,000 feet of the subject property (Vallarta Supermarket and El Rio Central Market) that currently operate with a ABC License Type 21 (Off-Sale General), and there is one establishment located between 350 feet and 1,000 feet of the subject property (4 Way Meat Market) that currently operates with ABC License Type 20 (Off-Sale Beer and Wine).

The Police Department has determined that based on the proximity of the businesses listed, there is not an undue concentration under the established City Standards.

In the case of the applicant site, as seen in the next section, the annular crime rate is far below the average annular citywide rate and below the standard established in the California Business and Professions Code Section 23958.4(1). Currently there are five off-sale licenses within the applicant's census tract. According to the ABC, three off-sale licenses are allowed within this census tract. Based on the above findings, there is not an undue concentration under the provisions of California Business and Professions Code Section 23958.4.

The Project will be subject to conditions of approval as recommended by the Oxnard Police Department Alcohol SUP Report to prevent aggravation of policing issues. Therefore, as conditioned, the proposed sale of alcohol will not adversely affect or be materially detrimental to the adjacent uses, buildings or structures or to the public health safety or general welfare. The Project will not aggravate policing issues when properly regulated through the imposition of and compliance with the conditions of approval. Based on these factors, this business, responsibly managed, would not have an adverse impact on area crime or demand for police services. As such, this Project meets this finding.

3) **The site for the proposed use is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and all items required by the conditions of approval.**

As described in the Staff Report, the proposed alcohol (beer, wine and distilled spirits) sales will occur entirely within an existing building that is adequate for the proposed sales. The proposed project does not require exterior changes to the site. The recommended conditions of approval do not require changes to the site. Therefore, the site for the proposed alcohol sales is adequate in size and shape to accommodate all items required by the conditions of approval. As such, this Project meets this finding.

4) **The site for the proposed use will be served by highways adequate in width and improved as necessary to carry the kind and quantity of traffic such use will generate.**

The project site is currently served by existing infrastructure which includes Olive Street and East Vineyard Avenue, which connects to Highway 101. The proposed sale of alcohol is not anticipated to generate significant traffic that would require improvements to infrastructure. Therefore, the site for the proposed alcohol sales will be served by highways adequate in width and improved as necessary to carry project-generated traffic. As such, this Project meets this finding.

5) **The site for the proposed use will be provided with adequate sewerage, water, fire protection and storm drainage facilities.**

The project site is currently served by adequate sewerage, water, fire protection and storm drainage facilities. The proposed alcohol sales will not generate significant impacts that would require additional facilities. Therefore, the site for the proposed alcohol sales will be provided with adequate sewerage, water, fire protection, and storm drainage facilities. As such, this Project meets this finding.

6) **The proposed use is not likely to create or significantly aggravate police problems within 1,000 feet of the location for which the special use permit is applied.**

As described in the Staff Report, the commercial building has a below-average crime rate when compared to other parts of the City. The Project will not create, or significantly aggravate police problems within 1,000 feet of the location for which the Special Use Permit is requested, as discussed in the Staff Report and Oxnard Police Department Alcohol SUP Report. Based on the crime statistics, the input from the community and the Beat Coordinator, there is no reason to oppose this application. As such, this Project meets this finding.

7) **The proposed use will not result in or add to an undue concentration of establishments selling alcoholic beverages at retail within 1000 feet of the location for which the special use permit is applied. For purposes of making this determination, thero is a presumption that an undue concentration will result or be added to if the establishment for which the special use permit is applied will be located less than 350 feet from another establishment of the same type, and there is a presumption that an undue concentration will not result or be added to if the establishment for which the special use permit is applied will be located 350 feet or more from another establishment of the same type. However, either presumption may be rebutted by a preponderance of the evidence, based on the facts of the particular case.**

As described in the Staff Report, the Project will allow the sale of beer, wine, and distilled spirits for off-site consumption from an existing convenience store. According to the Police report, there are no establishments of the same type located within 350 feet of the subject property. There are two establishments located between 350 feet and 1,000 feet of the subject property (Vallarta Supermarket and El Rio Central Market) that

currently operate with a ABC License Type 21 (Off-Sale General), and there is one establishment located between 350 feet and 1,000 feet of the subject property (4 Way Meat Market) that currently operates with ABC License Type 20 (Off-Sale Beer and Wine).

The Police Department has determined that based on the proximity of the businesses listed, there is not an undue concentration under the established City Standards.

In the case of the applicant site, as seen in the next section, the annular crime rate is far below the average annular citywide rate and below the standard established in the California Business and Professions Code Section 23958.4(1). Currently there are five off-sale licenses within the applicant's census tract. According to the ABC, three off-sale licenses are allowed within this census tract. Based on the above findings, there is not an undue concentration under the provisions of California Business and Professions Code Section 23958.4.

This Finding is further supported by the fact that the project will be in a well-established, well-maintained commercial center where the crime rate is below the average for other parts of the City. Therefore, this Project meets this finding.

SECTION 2. The Planning Commission, in accordance with the California Environmental Quality Act (CEQA), determines that the Project (allowing the sales of alcohol) will not have a significant impact on the environment and is categorically exempt from CEQA pursuant to CEQA Guidelines §15301 (Class 1) of the State CEQA Guidelines pertaining to projects involving "negligible or no expansion of use beyond that existing at the time of the lead agency's determination" may be found to be exempt from the requirements of CEQA. The Project involves a request to sell alcohol for off-site consumption within an existing multi-tenant commercial building and will not increase the square footage of the existing building. No Exceptions to the Exemptions (Section 15300.2) apply to defeat the Exemption. Therefore, the Planning Commission has determined that there is no substantial evidence that the project will have a significant effect on the environment. The Planning and Environmental Services Manager is hereby authorized and directed to file a Notice of Exemption with the Ventura County Clerk pursuant to Section 15602 of the State CEQA Guidelines within five (5) working days of passage, approval and adoption of this Resolution.

SECTION 3. Based on the findings set forth herein, the Planning Commission hereby approves Planning and Zoning Permit 21-510-03 (Special Use Permit - Alcohol), subject to the attached conditions of approval.

SECTION 4. The decision of the Planning Commission shall be final unless an appeal of the action is filed in accordance with the provisions of Section 16-545 of the Oxnard City Code.

SECTION 5. The Secretary shall certify the adoption of this Resolution.

CONDITIONS OF APPROVAL FOR LAND USE PERMITS

Note:
The abbreviations below identify the City department or division responsible for determining compliance with these standard conditions. The first department or division listed has responsibility for compliance at plan check, the second during inspection and the third at final inspection, prior to issuance of a certificate of occupancy, or at a later date, as specified in the condition. If more than one department or division is listed, the first will check the plans or inspect the project before the second confirms compliance with the condition. The italicized code at the end of each condition provides internal information on the source of each condition: Some are standard permit conditions (e.g. *G-1*) while some are taken from environmental documents (e.g. *MND-S2*).

DEPARTMENTS AND DIVISIONS			
CA	City Attorney	PL	Planning Division
DS	Dev Services/Eng Dev/Inspectors	TR	Traffic Division
PD	Police Department	B	Building Plan Checker
SC	Source Control	FD	Fire Department
PK	Landscape Design	CE	Code Compliance

GENERAL PROJECT CONDITIONS

1. This permit is granted for the property described in the application on file with the Planning Division, and may not be transferred from one property to another. (PL, *G-1*).

2. This permit is granted for the plans dated June 16, 2022, ("the plans") on file with the Planning Division. The Project shall conform to the plans, except as otherwise specified in these conditions, or unless a Minor Modification to the plans is approved by the Planning and Environmental Services Manager ("Planning Manager") or a Major Modification to the plans is approved by the Planning Commission. A Minor Modification may be granted for minimal changes or increases in the extent of use or size of structures or of the design, materials or colors of structures or masonry walls. A Major Modification shall be required for substantial changes or increases in such items (PL, *G-2*).

3. By commencing any activity related to the Project or using any structure authorized by this permit, Applicant accepts all of the conditions and obligations imposed by this permit and waives any challenge to the validity of the conditions and obligations stated therein (CA, *G-5*).

4. Applicant agrees, as a condition of adoption of this resolution, at Applicant's own expense, to indemnify, defend and hold harmless the City and its agents, officers and employees from and against any claim, action or proceeding to attack, review, set aside,

void or annul the approval of the resolution or any condition attached thereto or any proceedings, acts or determinations taken, done or made prior to the approval of such resolution that were part of the approval process (CA, *G-6*).

5. Any covenants, conditions, and restrictions (CC&Rs) applicable to the Project property shall be consistent with the terms of this permit and the City Code. If there is a conflict between the CC&Rs and the City Code or this permit, the City Code or this permit shall prevail (CA, *G-7*).

6. Applicant shall complete the "Notice of Land Use Restrictions and Conditions" form, using the form provided by the City, for recording with the Ventura County Recorder. Before the City issues building permits, Applicant shall submit the original completed, signed and notarized document, together with the required fees to the Planning Manager (PL, *G-8*).

7. Before placing or constructing any signs on the Project property, Applicant shall obtain a sign permit from the City. Except as provided in the sign permit, Applicant may not change any signs on the Project property (PL/B, *G-10*).

8. Applicant shall not permit any combustible refuse or other flammable materials to be burned on the Project property (FD, *G-12*).

9. Applicant shall not permit any materials classified as flammable, combustible, radioactive, carcinogenic or otherwise potentially hazardous to human health to be handled, stored or used on the Project property, except as provided in a permit issued by the Fire Chief (FD, *G-13*).

10. If Applicant, owner or tenant fails to comply with any of the conditions of this permit, the Applicant, owner or tenant shall be subject to a civil fine pursuant to the Oxnard City Code (CA, *G-14*).

PLANNING DIVISION SPECIAL CONDITIONS

11. This permit shall automatically be void 12 months from the date of issuance of the Certificate of Occupancy of the proposed building, unless the Applicant has received a License Type 21 from the State Department of Alcoholic Beverage Control to sell alcoholic beverages on the Project property (PL).

12. Unless the use is inaugurated no later than 12 months from the date of issuance of the Certificate of Occupancy of the proposed building and is diligently pursued thereafter, this approval will expire pursuant to the Oxnard City Code Section 16-553.

POLICE DEPARTMENT CONDITIONS - TRAINING

13. Permittee and all servers or servers shall complete an approved course in Responsible Beverage Sales and Service (RBSS) (available through the ABC website for the LEAD Program at www.abc.ca.gov/education/lead-training) within sixty (60) days of license granting and/or date of employment. The permittee is responsible for maintaining records showing servers have completed the required training and shall submit this documentation upon request by the Oxnard Police Department. (PL/PD).

14. Each permittee shall maintain a record of their employees who have successfully completed the required Responsible Beverage Service Training and make that record available to any representative of the Oxnard Police Department upon demand.

POLICE DEPARTMENT CONDITIONS - OPERATIONS

15. The Police Chief or designee may immediately suspend operation of the use(s) approved by this permit pending a hearing on the suspension or revocation of this permit if the Chief determines that there have been significant violations of the conditions associated with the use(s) and/or Alcoholic Beverage Control (ABC) license and/or there is a single serious violent crime or single significant incident to which multiple police units or multiple police jurisdictions responded to that is associated with the operation of this use for which the Chief determines is detrimental to the public safety or health. The Chief shall immediately inform the Planning and Environmental Services Manager of the suspension and the manager shall schedule a hearing regarding the revocation of the permit by the Community Development Director to be held no more than 30 days after the suspension begins.

    Additionally, violations of this permit which can lead to permit suspension can include, but not limited to:
    a. Failure to provide required operational documentation within 30-days when requested by mail or email. This would include, but not limited to quarterly food/alcohol sales, copies of security guard credentials, and proof of server's completion of RBS Training.
    b. Repeated violations of a specific condition within this document or successor or permits.
    c. Evidence of service of alcoholic beverages to minors.
    d. Repeated failure to maintain a staff of servers trained in approved Responsible Beverage Service. (PD)
    e. Sales to habitual drunkards per section 25602(a) Business and Professions Code.

16. Permittee shall provide the Oxnard Police Department an email address for a responsible party for the business. This may be the owner, manager or other party who can respond to inquiries for the business. Permittee shall submit an email address to

specialprojects@oxnardpd.org. In the submission, identify the business name, the contact person's name and their role in the business. (PL/PD)

POLICE DEPARTMENT CONDITIONS - SECURITY

17. A Security Plan shall be submitted and approved prior to the issuance of building permits. The plan shall include:
    a. The Security Plan Sheet that identifies the location of each security camera, camera recording and support equipment.
    b. The Security Plan shall include a chart identifying each camera by an alpha-numeric, the scope of their capture area, placement of the camera above the floor/ground, make and model of the instrument, type of camera (dome, PTZ, etc.).

18. Prior to commencing the sale of alcohol permitted by this permit, permittee shall install a video surveillance system that shall be maintained at a reasonable industry standard and shall be operated 24-hours a day to monitor, at a minimum, the entrances and exits, any centralized point of sale and areas immediately surrounding the exterior of the business. Any video system installed to meet the requirement of these conditions shall meet the below minimum standards:
    a. Cameras and supporting equipment shall supply digital color images under normal lighting conditions. Greyscale images are required for infra-red lighting.
    b. Cameras shall be made by a reputable manufacturer and maintained to current industry standards.
    c. Cameras shall have sufficient low light capture ability to clearly monitor persons conducting transactions.
    d. The video system shall utilize a Digital Video Recorder (DVR). VHS and other formats are prohibited.
    e. The video system shall allow recording, live viewing and playback of recorded video for a period of at least 30 days.
    f. Recorded images shall bear a date and time stamp that cannot be altered.
    g. At a minimum, one camera shall be dedicated to capturing head and upper body images of each person entering any door to the business. Cameras dedicated to this purpose shall be mounted at 7-feet above the floor.
    h. All vehicular entrances to the parking facilities shall be monitored by a camera or cameras that are placed to capture images of sufficient quality where the vehicle's license plate, make, model and color can be easily identified.
    i. A monitor near the customer entrance shall be mounted from the ceiling. The bottom edge of the monitor shall be 7-feet above the floor. Its placement shall provide customer's images upon entry into the business.
    j. A monitor shall be placed at the cashier's station to allow staff to passively monitor activity at the site via the camera system.

k. During normal business hours, the licensee shall provide access to the digital recordings for any and all law enforcement purposes as determined by the City of Oxnard. (PD)

19. Failure to maintain the video surveillance system in good working order can be grounds for suspension of this permit. The permittee shall provide video records to the Chief of Police or his/her designee in a timely manner upon request.

20. Other than for emergency purposes, there shall be only one means of customer ingress and egress. (PD)

21. Permittee shall establish responsible cash handling procedures to reduce the likelihood of robberies and theft. (PD)

22. Permittee shall bolt down or otherwise secure all cash registers to service counters in order to prevent the entire device from being stolen during a burglary or robbery. (PD)

23. Sales displays shall be no taller than 48-inches except those displays around the interior perimeter of the store. Displays, banners, signs and other materials shall not interfere with clear sightlines in and out of windows or obscure the view of the sales area from the cashier's station.

24. Any rear door of the premises shall be equipped on the inside with an automatic locking device, shall be closed at all times, and shall not be used as a means of access by patrons to and from the licensed premises. Temporary use of these doors for delivery of supplies does not constitute a violation. (PD)

25. Permittee shall establish and maintain a cash handling system that reduces the likelihood of robberies and theft. The system shall include the following components and practices:
    a. A drop safe having a programmable access control system. The access control system shall have the capability to restrict access times and record the individual passcode used at each opening of the safe.
    b. Established cash drawer maximums requiring staff to transfer larger bills into the drop safe.
    c. Cash drawer preparation and end-of-shift counts shall occur in a secure room away from customer access or view.

26. Permittee shall install height gauges at all exit doors. (PD)

27. Permittee shall equip each point of sale with a silent robbery alarm that complies with Oxnard City Ordinance No. 2601 or develop and implement critical incident protocols that provide an efficient method for alerting police and others to a potential threat without unnecessarily putting the employees at risk. (PD)

POLICE DEPARTMENT CONDITIONS - LICENSE/PERMIT

28. The subject Alcoholic Beverage Control License shall not be exchanged for any other type of Alcoholic Beverage Control License without Planning Department review and approval by the Police Chief or designee. (PD)

29. Upon any individual transfer (person-to-person) of the subject Alcoholic Beverage Control License, or if the business is ever deemed a nuisance as defined in the Oxnard City Code, a review of the existing SUP shall be initiated and conditions may be added or removed as appropriate to mitigate existing or potential problems. (PD)

30. The permittee shall participate, when requested and reasonable, in programs and efforts of the Oxnard Police Department to inform and educate the patrons of alcohol establishments on the dangers of driving under the influence of alcohol or drugs. (PD)

31. A copy of these conditions must be maintained on the premises and made available upon the demand of any representative of the Oxnard Police Department at all times. (PL/PD)

POLICE DEPARTMENT CONDITIONS - SITE MANAGEMENT

32. Any graffiti painted or marked upon the premises or on any adjacent area under the control of Permittee shall be removed or painted over within twenty-four (24) hours of being applied. (PL/PD)

33. The permittee shall maintain areas for which the business has reasonable control around the premises free of litter and graffiti.

34. The area surrounding premises under the reasonable control of Permittee (including the rear of the business) shall be equipped with lighting of sufficient power to illuminate and make easily discernible the appearance and conduct of all persons in or about the area. (PL/PD)

35. No pay phone on the exterior of the premises shall be allowed within 100 feet of the front or rear doors and any pay phones installed inside shall be blocked from incoming calls. (PL/PD)

36. Permittee shall regularly police the area under Permittee's control and shall not permit the loitering of persons about the premises. (PL/PD)

37. There shall be no advertising of alcoholic beverages visible from the outside of the establishment, including advertising directed to the exterior from within, promoting or indicating the availability of alcoholic beverages. (PL/PD)

38. Windows shall remain clear of signage, posters, advertisements, or any other item that interferes with clear sightlines into the business. No display or other object near, on or adjacent to the windows shall appear in the area between 48 and 78-inches above the floor.

39. The permittee shall post prominent, permanent signs indicating that loitering, open containers, and/or the consumption of alcoholic beverages is prohibited. These signs shall be posted in the parking lot and other adjacent areas under Permittee's reasonable control, including exterior common walkways and corridors. (PD)

40. There shall be no amusement machines or video devices maintained on the premises at any time. (PD)

41. Prominent signs shall be posted throughout the business, in effect, "No persons under 21 will be sold alcoholic beverages" and "Valid ID is required to purchase or possess alcoholic beverages". (PD)

42. There shall be no self-service displays of any type of tobacco or vaping product including, but not limited to cigarettes, cigars and smokeless tobacco. (PD)

43. The permittee's internet presence shall be consistent with these conditions. Any site or internet presence reasonably controlled by the permittee shall not advertise or illustrate circumstances or activities that conflict with the provisions set forth in this permit and/or the ABC license. (PD)

POLICE DEPARTMENT CONDITIONS - ALCOHOL CONTROL

44. Alcohol sales shall be limited to 7 a.m. to 12 a.m. (midnight). If the business operates during hours beyond 7 a.m. to 12 a.m. (midnight) all displays and refrigerators containing alcoholic beverages shall be secured with an approved locking system during the hours when alcohol sales is prohibited so as to prevent customer access to these products.

45. All distilled spirits, not including cocktails and pre-mixed coolers, shall be displayed behind the cashier's counter and shall not accessible by customers.

46. Single sales of alcoholic beverages shall be restricted as listed below:
    a. Other than specialty beers and micro-brews, beer, malt beverages and wine coolers in containers of 64oz. in volume or less cannot be sold by single containers but must be sold in manufacturer pre-packaged multi-unit quantities. The sale of mass-produced, low priced beer or malt liquor in single servings is prohibited. (PD)
    b. No wine shall be sold with an alcohol content of greater than 15% by volume except for "Dinner Wines" which have been aged two years or more and

maintained in corked bottles (Port, Sherry, Saki, Marsala, Madeira, Muscat and Vermouth are permitted). (PD)

47. No temporary or permanent open displays of alcoholic beverages are permitted near customer entry/exit points. This includes stacked boxes, beer can "mountains" or cases containing alcohol beverages, portable coolers, promotional displays or any other alcohol displays where there is a clear, easy or unobstructed path to any entry or exit.

48. Employees involved in the sale of alcoholic beverages shall not be allowed to consume alcoholic beverages at any time during their shift. Employees shall not report for work with evidence of having consumed any intoxicants such as alcohol, illegal drugs or controlled substances.

PASSED AND ADOPTED by the Planning Commission of the City of Oxnard on this 16th day of June, 2022, by the following vote:

_____
Daniel Chavez Jr., Chair

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Planning Commission of the City of Oxnard at a meeting held on the 16th day of June, 2022, and carried by the following vote:

AYES: Commissioners:

NOES: Commissioners:

ABSENT: Commissioners:

ABSTAIN: Commissioners:

RECUSED: Commissioner(s):

_____
Joe Pearson II, Secretary

City of Oxnard Planning Commission
June 16, 2022

El Rio Market Alcohol Special Use Permit
2585 North Vineyard Ave.
PZ 21-510-03
(Special Use Permit - Alcohol)

Applicant: Ted Barnes, Gold Coast Property Management

CITY OF OXNARD CALIFORNIA

Project Description

A request for approval of a Special Use Permit (SUP) to sell beer, wine, and distilled spirits for off-site consumption (Alcohol Beverage Control (ABC) License Type 21) at an exiting 2,115 square-foot convenience store/market within a 13,247 square-foot building for an existing convenience store/market.

Alcohol sales are requested between 7:00am and 12:00am daily.

Background

1986: The Vineyard Center retail center was approved, with a total of 13,342 square-feet of retail space.

1999: The subject tenant space begins operated with an ABC Type 20 License (Beer and Wine).

2010: The market begins to operate as El Rio Oxnard Market.

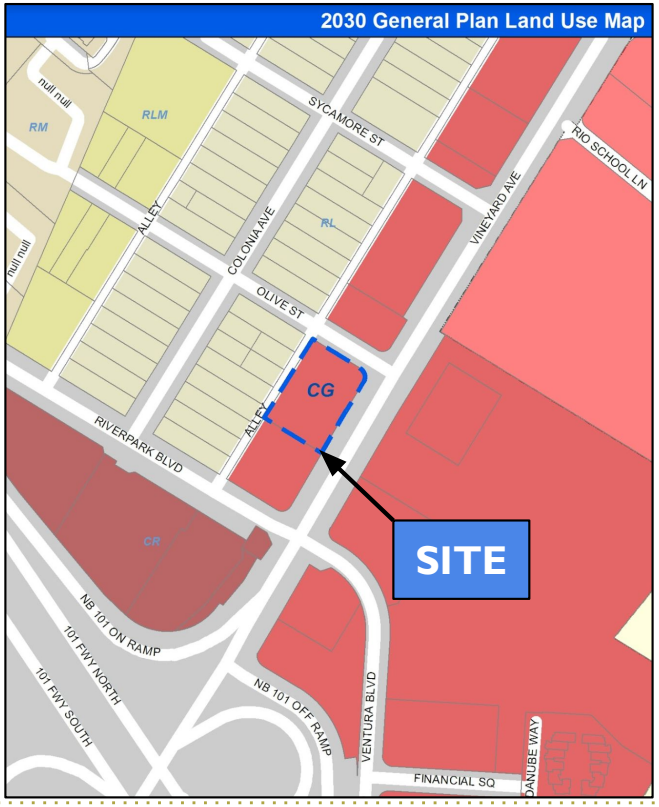
Project Location

N

Project Site

Land Use and Zoning

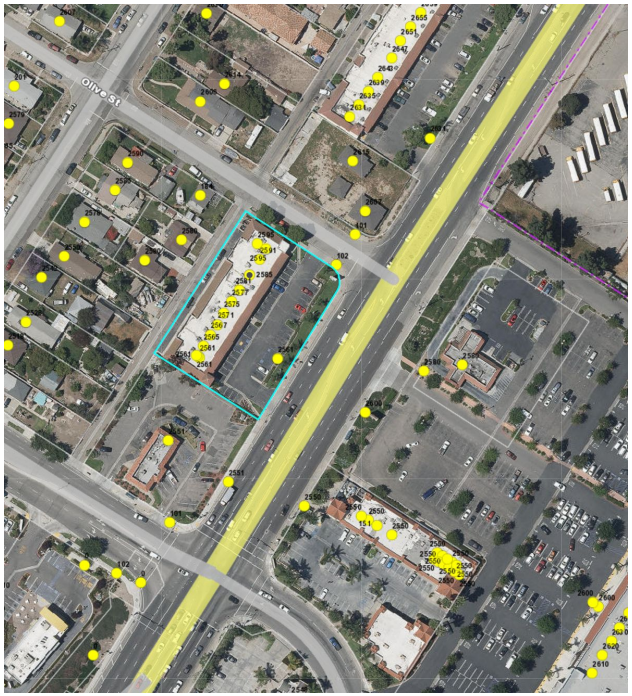
2030 General Plan:
Commercial General (CG)



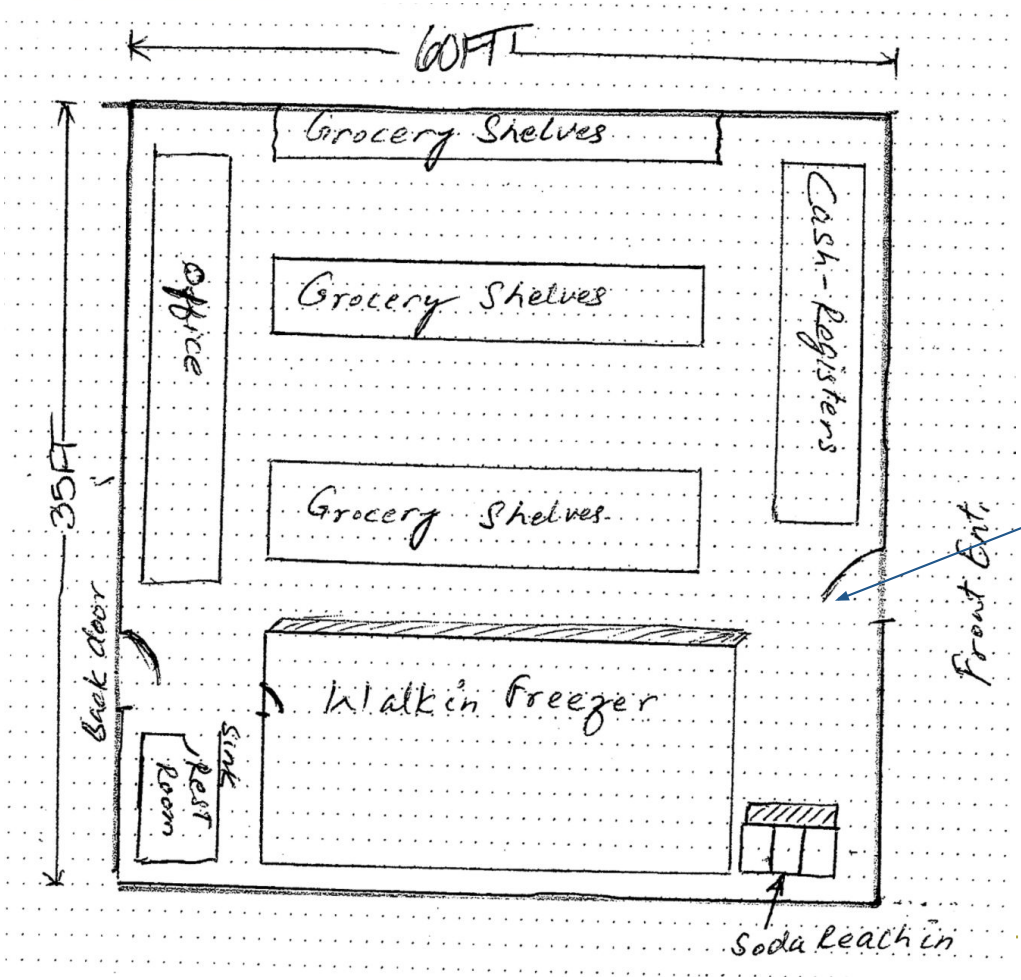
Zoning Designation:
General Commercial - Planned Development (C2-PD)

Surrounding Land Uses

LOCATION	GENERAL PLAN	ZONING	EXISTING LAND USE
Project Site	Commercial General (CG)	General Commercial Planned Development (C-2-PD)	Shopping Center
North	Commercial General (CG)	General Commercial Planned Development (C-2-PD)	Residential
South	Commercial General (CG)	General Commercial Planned Development (C-2-PD)	Drive-through Restaurant
East	Commercial General (CG)	General Commercial Planned Development (C-2-PD)	Shopping Center
West	Residential Low (RL)	Single-Family Residential Planned Development (R-1-PD)	Residential



Floor Plan



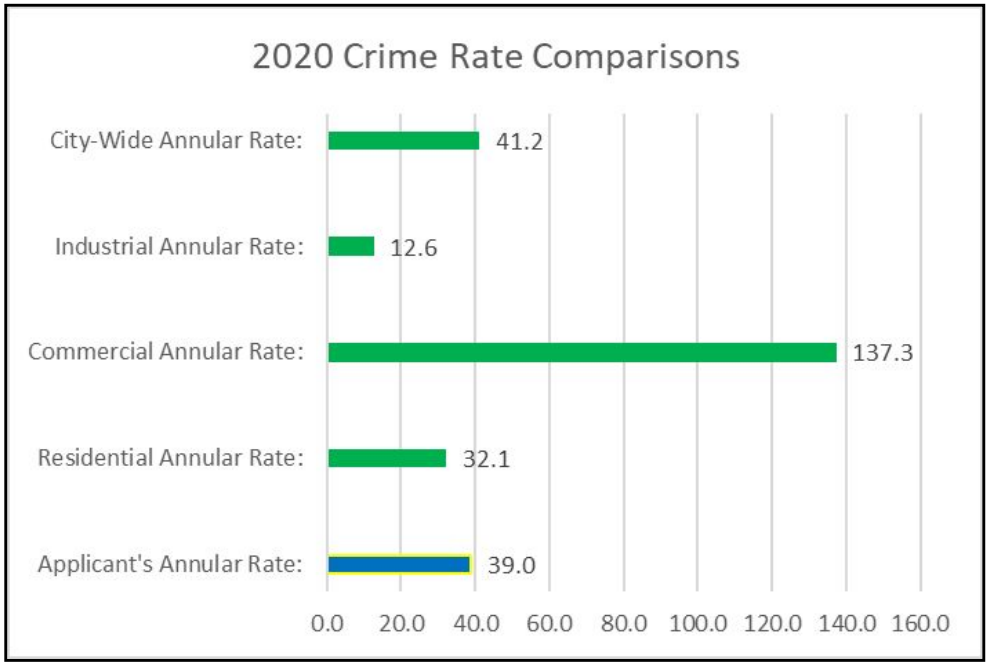
Front Entrance (facing Vineyard Ave.)

Police Report Summary

Crime:

- The crime rate within 1,000 feet of the site is 28% of the average for commercial properties citywide.

- Site is not considered to be a policing problem. No safety concerns noted by Beat Coordinator or neighboring businesses.



Police Department Review

Reviewed application per CC Resolution No. 11,896

Concentration:

1. There are 2 establishments located within 1,000 feet of the Project site that sell beer, wine, and distilled spirits for off-site consumption.
   - Vallarta Supermarket
   - El Rio Central Market

Findings:

- Crime rate around site is below commercial average.
- Not an undue concentration per City standards (1,000 feet).
- There is an undue concentration per State standards (census tract).
- A Finding of public convenience or necessity will be required.

Community Input

Community Input:

- A Community Workshop was conducted on May 16, 2022. Notices were provided to the El Rio West Neighborhood.
- Nearby business operators and the Chairperson for the El Rio West Neighborhood were contacted regarding this application and proposed operations.
  - Some concerns regarding homeless activity in the area.
  - Most were in support of the proposed permit.

Select Recommended Conditions of Approval

- CofAs #13 and #14:

  Permittee and all sellers or servers and their immediate supervisors shall complete a course in Responsible Beverage Service (RBS) approved by the Chief of Police within sixty days of license granting and/or date of employment…

- CofA #18:

  Video surveillance system required

- CofA #44:

  Alcohol sales shall be limited to 7:00 a.m. to 12:00 a.m.

Environmental Review

Exempt from California Environmental Quality Act (CEQA) (Section 15301 "Existing Facilities")

- Project does not require physical development.
- Does not trigger thresholds in City CEQA Guidelines or Exceptions to the Exemptions.
- A Notice of Exemption will be filed.

Public Comment

- Notice of PC hearing posted on-site
- Notice of PC hearing sent to surrounding property owners
- To date, no public comments have been received regarding proposed project in the neighborhood

Staff 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 15301 (Existing Facilities); and

b) Adopt Resolution 2022-XX approving Planning and Zoning Permit No. 21-510-03 (Special Use Permit - Alcohol), subject to certain findings and conditions.

CITY OF OXNARD CALIFORNIA

PLANNING COMMISSION
STAFF REPORT

TO: Planning Commission

FROM: Randy Baez, Associate Planner

DATE: June 16, 2022

SUBJECT: **Project Name: Mountain Mike's Pizza Alcohol Special Use Permit;** Planning and Zoning Permit No. 22-510-01 (Special Use Permit - Alcohol): Located at 1105 South Victoria Avenue (APN: 188-0-250-245).

1) **Recommendation:** That the Planning Commission ("**Commission**"):
   - **a)** Find the Project to be Categorically Exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15301 (Existing Facilities); and
   - **b)** Adopt Resolution 2022-XX approving Planning and Zoning Permit No. 22-510-01 (Special Use Permit - Alcohol), subject to certain findings and conditions.

2) **Project Description and Applicant:** A request to sell beer and wine (Type 41 ABC License) for on-site consumption at a proposed 2,420 square-foot restaurant (Mountain Mike's Pizza) with an outdoor patio measuring approximately 400 square-feet on a 2.92-acre site located at 1105 South Victoria Avenue (APN: 188-0-250-245) within the Coastal Planned Unit Community (CPC) zone. The proposed standard hours of alcohol sales and consumption are from 11:00 AM to 11:00 PM. The project is exempt from environmental review pursuant to Section 15301 (Existing Facilities), Class 1 of CEQA Guidelines. For purposes of this staff report, the foregoing project description shall be referred to as the "**Project**". Filed by Bobby Singh, Designated Agent, on behalf of property owner ROIC California, LLC., 11250 El Camino Real, Ste. 200, San Diego, CA 92130.

   Please see the reduced Project plans (Attachment B) for more details.

3) **Existing & Surrounding Land Uses:** The 2.92-acre Project site is currently developed with an approximately 5,000 square-foot multi-tenant commercial building in an area known as Seabridge, located within the Coastal Planned Unit Community (CPC) zoning districts. The Project site is surrounded by a mixture of commercial and residential. The following table summarizes the land uses and zoning designation of the Project site and adjacent properties, which are also illustrated below in Exhibit A.

LOCATION	GENERAL PLAN	ZONING	EXISTING LAND USE
Project Site	Planned Unit Development Residential (PUD)	Coastal Planned Unit Community (CPC)	Shopping Center
North	Ventura County	Ventura County	Agriculture/ Undeveloped
South	PUD	CPC	Shopping Center
East	Residential Low (RL)	Single-Family Residential - Planned Development (R-1-PD)	Residential
West	PUD	CPC	Shopping Center

Exhibit A

4) **Background Information:** On January 28, 2003, the City Council approved Coastal Development Permit (CDP) No. 01-500-93 and Tentative Subdivision Map No. 00-500-85 for a planned unit development on 135 acres within the Mandalay Bay Specific Plan area, known as the Seabridge project. Seabridge is a water-oriented, mixed-use development, which included the subject shopping center, the Seabridge Marketplace. The approval of the City Council was appealed to the California Coastal Commission (CCC). On January 14, 2004, the CCC upheld the approval of the project following a De Novo Hearing Coastal

Permit A-4-OXN-03-014, which allowed development of Seabridge to proceed. Construction of the Seabridge Marketplace was completed in 2006. An agreement between the CCC and City of Oxnard allows the City to approve a series of modifications to Tract Map No. 5266 in order to implement the Seabridge development, rather than processing amendments to the CCC Permit.

On March 14, 2017, the CCC approved an amendment to CDP A-4-OXN-03-014 to allow development of the subject 5,000 square-foot commercial pad building with associated site improvements. This development required approval by the CCC, pursuant to California Code of Regulations 14 CCR Section 13166 because it was not part of the original entitlement approval. The building was completed in approximately 2017 and is currently being occupied by Chipotle Mexican Grill, addressed at 1101 South Victoria Avenue.

On September 6th, 2018, the Planning Commission approved Special Use Permit No. 18-510-03 to allow the sales of beer, wine, and distilled spirits for on-site consumption for Chipotle Mexican Grill. The subject tenant space addressed at 1105 S. Victoria Avenue has been vacant since its construction in 2017.

On May 4, 2022, the Interim Planning Manager approved Minor Modification Permit No. 21-140-26 to allow a 400 square-foot outdoor dining patio area, a new trash enclosure, and re-alignment of the existing loading area.

5) Environmental Determination:

In accordance with Section 15301, Class 1 (Existing Facilities) of the State California Environmental Quality Act (CEQA) Guidelines, projects involving "negligible or no expansion of use beyond that existing at the time of the lead agency's determination" may be found to be exempt from the requirements of CEQA. The Project involves a request to sell alcohol for on-site consumption within an existing multi-tenant commercial building and will not increase the square footage of the existing building. No Exceptions to the Exemptions (Section 15300.2) apply to defeat the Exemption. Therefore, staff has determined that there is no substantial evidence that the Project will have a significant effect on the environment and recommends that the Planning Commission accept the Notice of Exemption (Attachment C).

6) Analysis:

a) ***General Discussion:*** Mountain Mike's Pizza is part of a regional chain of restaurants focusing on family-friendly food. This location will be a franchise that will be operated by the Applicant. The business anticipates opening in the summer of 2022. The Applicant is requesting the approval to allow the sale of beer and wine for on-site consumption within the existing 2,420 tenant space and proposed new restaurant. An

outdoor patio measuring approximately 400 square feet was recently approved, and would also allow for consumption of alcoholic beverages (ABC License Type 41). The restaurant will be staffed by 25 employees and will operate from 11:00 a.m. to 10:00 p.m. Sunday through Thursday and 11:00 a.m. to 11:00 p.m. on Fridays and Saturdays. For simplicity and to allow for future operational changes, this request to allow the sale of beer and wine for on-site consumption would be from 7:00 a.m. to 11:00 p.m. daily, subject to special police department conditions for the expanded morning hours.

Exterior improvements are also proposed for the new 400 square-foot outdoor patio, which was recently approved through Minor Modification Permit No. 21-140-26. The patio will accommodate up to 18 customers, in addition to 1 accessible seating area.

In accordance with the City Code, the ability to sell alcohol for on-site consumption is subject to approval of a SUP by the Planning Commission. The proposed sale of beer and wine for on-site consumption is accessory to the primary use of the restaurant and conforms to the permitted uses of the CPC.

b) ***General Plan & Zoning Consistency:*** The 2030 General Plan designation for the site is Planned Unit Development Residential (PUD) zoning designation. The property is also located within the Mandalay Specific Plan. General Plan Policy ICS-19.2 encourages Police Department review of development projects. The Project was reviewed by the Police Department and their recommendations are incorporated into the conditions of approval. Therefore, this Project is consistent with Policy ICS-19.2.

The Project is proposed in the Coastal Planned Unit Community (CPC) zone district. In accordance with the Oxnard City Code (OCC) Section 16-136 (Related Uses), the sales of alcoholic beverages for on-site consumption are permitted through the approval of a Special Use Permit. Therefore, with approval of this permit, the proposed use is consistent with the zoning designation of the property.

c) ***Police Department Review:*** The Oxnard Police Department provided a comprehensive report and analysis of the proposed alcohol request (Attachment D) in accordance with City Council Resolution No. 11,896 (Attachment E). The report analyzes the number of establishments selling alcoholic beverages within 350 feet and 1,000 feet of the Project site to determine whether a presumption of undue concentration exists, and whether approval of the SUP is likely to significantly aggravate policing problems. The Police Department's Report is broken down into an analysis of the concentration of alcohol outlets, crime statistics, police and community input, and conclusion. The table below summarizes the findings of the Police Department's Report:

Location	Same type	Same type	Likely to Cause	Undue concentration as

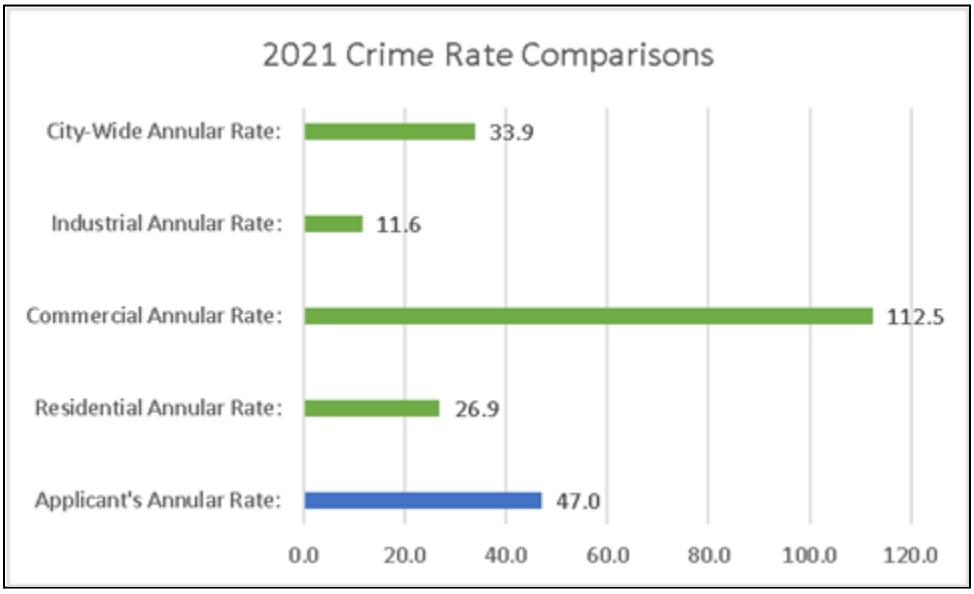
	within 350 feet?	**within 1,000 feet?**	**Police problem?**	**defined in Resolution No. 11,896 or Business and Professions Code Section 23958.4?**
Chipotle 1101 S. Victoria Ave.	Yes	Yes (Type 41)	No, as conditioned	Yes (State)
Sura USA 1213 S. Victoria Ave.	Yes	Yes (Type 41)	No, as conditioned	Yes (State)
Vons 1291 S. Victoria Ave.	No	No (Type 21)	No, as conditioned	Yes (State)
Fisherman's Catch 1185 S. Victoria Ave.	No	Yes (Type 41)	No, as conditioned	Yes (State)
Anaba Sushi 1171 S. Victoria Ave.	No	Yes (Type 41)	No, as conditioned	Yes (State)

Concentration of Alcohol Outlets***:***
According to the Police report, there are two establishments of the same type located within 350 feet of the Project site. As noted on the chart above, there are two existing restaurants with ABC License Type 41 (On-Sale Beer & Wine[1]) licenses within 350 feet of the subject property. The Police Department has determined that there is no undue concentration under City standards since the restaurants serve different types of cuisine.

In the case of the applicant site, as seen in the next section, the annular crime rate is slightly above the average annular citywide rate but within the standard established in the California Business and Professions Code Section 23958.4(1) and well below the average commercial rate. Currently there are eight on-sale licenses within the applicant's census tract. According to the ABC, four on-sale licenses are allowed within this census tract. Based on the above findings, there is an undue concentration under the provisions of California Business and Professions Code Section 23958.4. Approval of this Alcohol Special Use Permit will establish a finding that the City establishes that the business will serve a public convenience and necessity.

[1] ABC License Type 41 - Eating Place (Restaurant) Authorizes the sale of beer and wine for consumption on or off the premises where sold. Distilled spirits may not be on the premises (except brandy, rum, or liqueurs for use solely for cooking purposes). Must operate and maintain the licensed premises as a bona fide eating place. Must maintain suitable kitchen facilities, and must make actual and substantial sales of meals for consumption on the premises. Minors are allowed on the premises.

Crime Statistics:
For comparison purposes, the Police Report analyzes the average number of Part I[2] crimes and Part II[3] crimes that occur per reporting district (grid) during a selected twelve month period. In the case of this report, all calculations are based on statistics from 2021. The citywide annular average of Part 1 and Part II crimes per grid was 33.9. The average number of Part I and II crimes occurring within 1,000 feet annular area was 47.0 during the same twelve month time period. This is 41.8% of the citywide average for commercial properties citywide and can best illustrated in the graph below:



Police Department Input:
The Beat Coordinator who is responsible for the day-to-day monitoring of activity and deployment of police resources for the surrounding area said that the location is not generally considered to be a policing problem and has not required any specific attention.

Businesses:
Several nearby business operators were contacted and interviewed regarding this business' request to sell alcohol. Each person interviewed believed the new restaurant would be a good addition to the shopping center.

Area Residents:

[2] Part I crimes include: murder, rape, robbery, theft, burglary, auto theft, assault, and arson.
[3] Part II crimes include: vandalism, weapons possession, sex offenses, drug abuse violations, driving under the influence, liquor laws, drunkenness, and disorderly conduct.

The neighborhood chairperson was briefed concerning this project and he had no concerns about this business selling beer and wine as a pizzeria.

Public Convenience or Necessity:
As previously discussed, the site of the proposed establishment is within an area of the City where there is an "undue concentration" of alcoholic beverage establishments within the meaning of section 23958.4(a)(1) of the Business and Professions Code. The crime rate established for the area around the business is not seen as a factor relating to the issuance of this permit.

However, the proposed establishment is located where there are two existing alcoholic beverage establishments. Each of these businesses are restaurants in a well-managed shopping center where crime and community safety is not a law enforcement concern. A finding of public convenience can be made for this proposal as the restaurants serve an alcoholic beverage which pairs well with the food they serve. Conversely, it would be inconvenient for a member of the public to patronize this restaurant and have to go elsewhere to obtain an alcoholic beverage that would pair well with their meal.

As previously noted, the crime rate is below the City-wide commercial average. If there is a presumption of public convenience or necessity to approve this proposal, ABC can override the saturation guidelines and also approve the request. Providing restaurants the ability to serve alcoholic beverages under a strict set of operational conditions supports a fair market and would address any site-specific challenges. As this restaurant would serve employees from the community and nearby businesses, it is reasonable that a full set of services are provided for those who work or visit the restaurant. For these reasons, approval of this proposed permit serves "Public Convenience or Necessity" for our community.

Conclusion:
If approved, the applicant's business will operate in a well-established multi-tenant commercial building. Mountain Mike's Pizza is a restaurant corporation established in 1978 with over 240 locations within the country. The nearest outlet is located in Santa Maria.

As mentioned previously, the site of the proposed establishment is within an area of the City where there is an "undue concentration" of alcoholic beverage establishments within the meaning of section 23958.4(a)(1) of the Business and Professions Code, and as described in City Council Resolution 11,896. However, the undue concentration can be rebutted through a finding of Public Convenience or Necessity.

A finding of public convenience can be made for this proposal as it is convenient for restaurants to serve an alcoholic beverage which pairs well with the food they serve. Conversely, it would be inconvenient for a member of the public to patronize this restaurant and have to go elsewhere to obtain an alcoholic beverage that would pair well with their meal.

Based on the crime statistics, the assessment from the Beat Coordinator, and the input from the community there is no significant reason to oppose this application. Under the recommended operating conditions, it is believed that the sales of alcohol for on-site consumption will have little, if any adverse impact on area crime or demand for policing services. Several conditions of approval have been incorporated into the draft Resolution of approval (Attachment F) in order to mitigate Police Department concerns in order to reduce the risk for potential policing problems in the future. The Applicant has accepted all proposed conditions of approval.

7) **Community Workshop and Public Input:** This Project is located within the Channel Islands Neighborhood. A Community Workshop was held on May 16, 2022. To date, Staff has not received any additional concerns or public comments regarding the proposed Project.

8) **Appeal Procedure:** In accordance with OCC Section 16-545 of the Oxnard City Code, the Planning Commission's action may be appealed to the City Council within 18 days after the decision date. Appeal forms may be obtained from the Planning Division's Office and must be submitted with the appropriate fees before the end of the appeal period. If an appeal to the City Council is not filed within 18 days of the Planning Commission's decision, the decision of the Planning Commission shall be considered final.

Attachments:

A. Maps (Vicinity, General Plan, Zoning, Aerial)
B. Reduced Project Plans
C. Notice of Exemption
D. Police Department Report
E. City Council Resolution No. 11,896
F. Draft Resolution of Approval PZ 22-510-01 (Special Use Permit - Alcohol)
G. Staff Presentation

Vicinity Map

CITY OF OXNARD CALIFORNIA

Oxnard Planning

May 9, 2022

PZ 22-510-01
Location: 1101 S Victoria
APN: 188025024
Mountain Mike Pizza

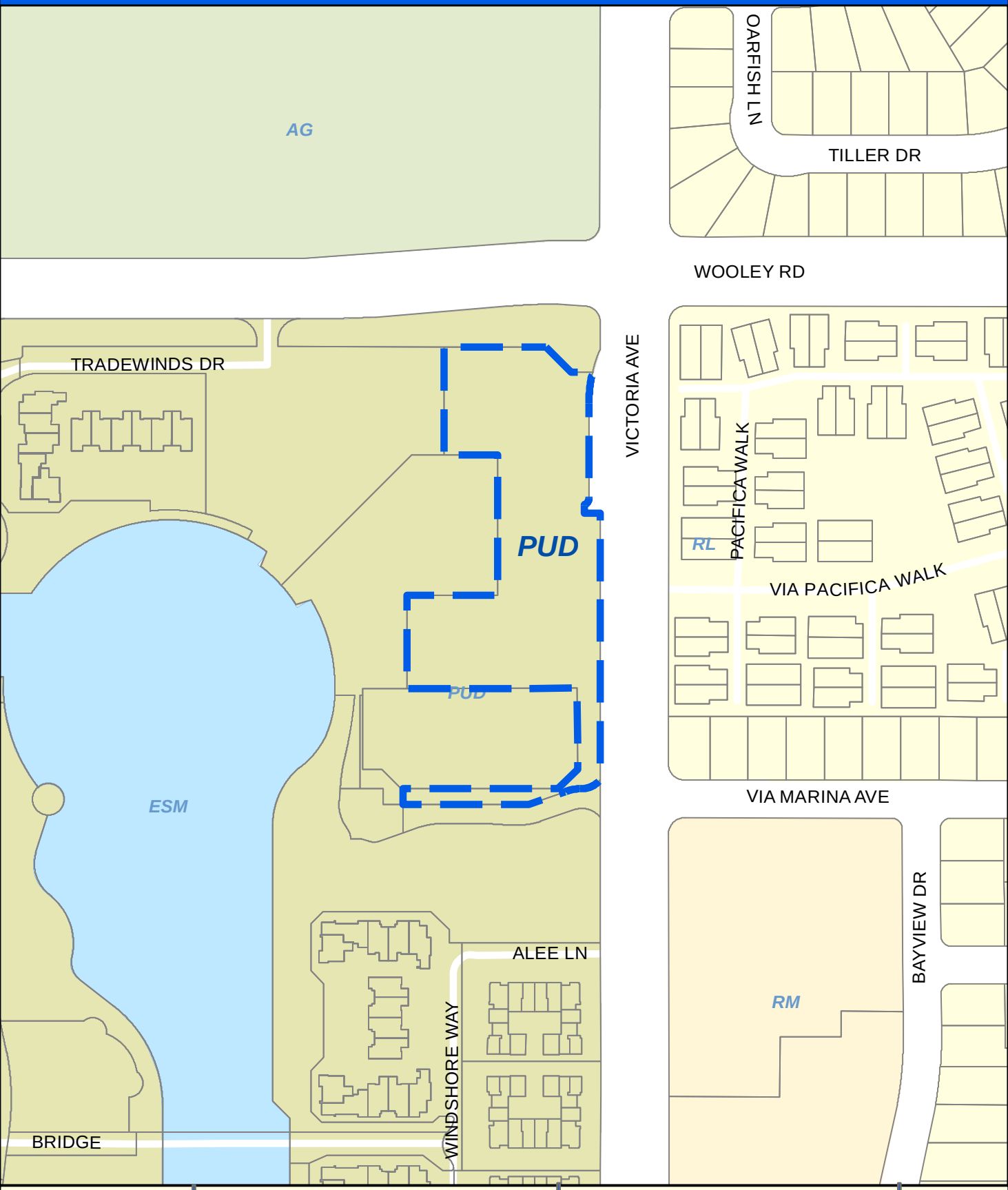
Vicinity Map

0 0.5 1 1.5 2 Miles

N

1:69,966

2030 General Plan Land Use Map



CITY OF OXNARD CALIFORNIA

Oxnard Planning

May 10, 2022

PZ 22-510-01
Location: 1101 S Victoria
APN: 188025024
Mountain Mike Pizza

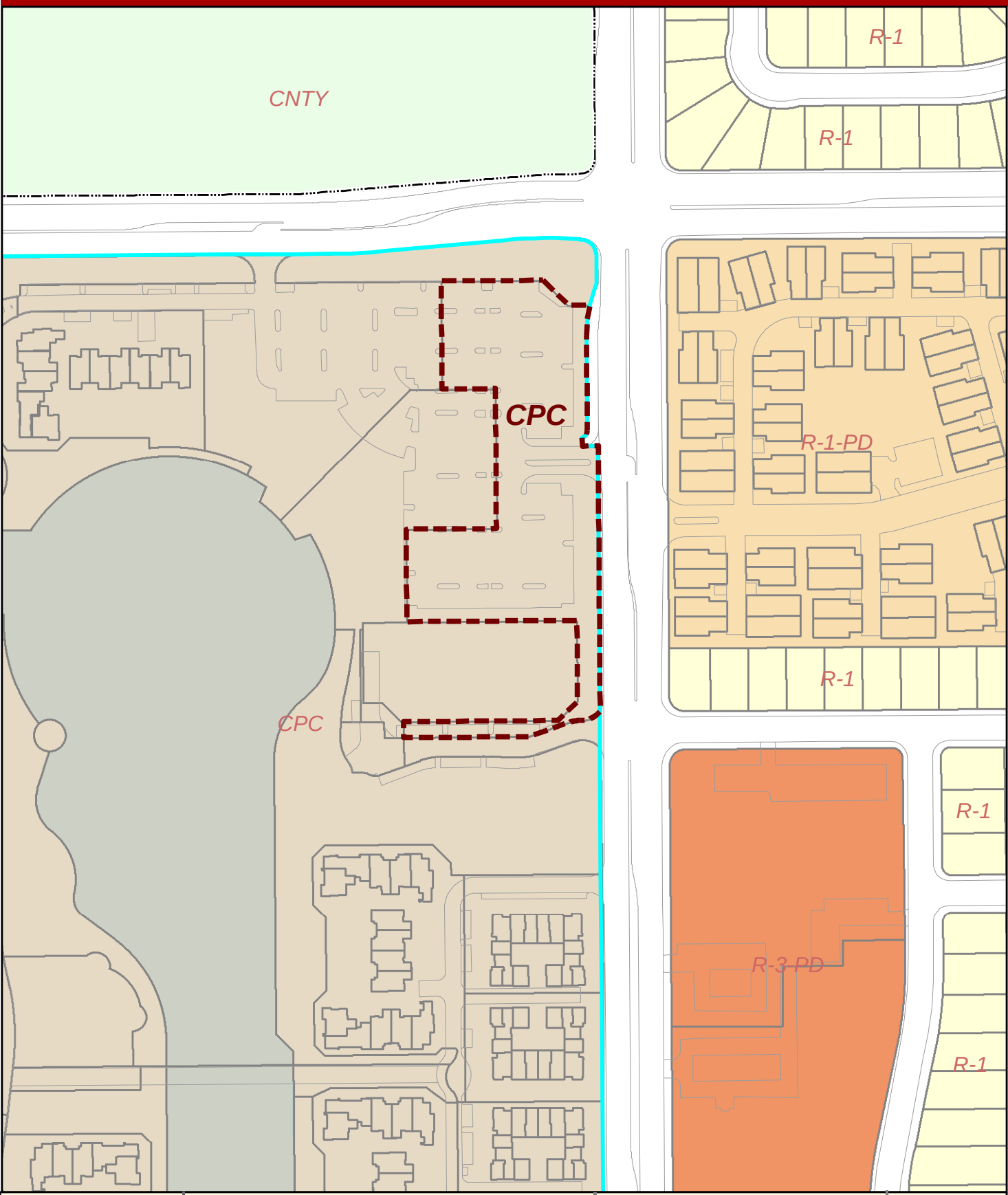
0 75 150 300 Feet

2030 General Plan Land Use Map

N W E S

1:2,500

Zoning/Specific Plan Map



CITY OF OXNARD CALIFORNIA

Oxnard Planning

May 10, 2022

PZ 22-510-01
Location: 1101 S Victoria
APN: 188025024
Mountain Mike Pizza

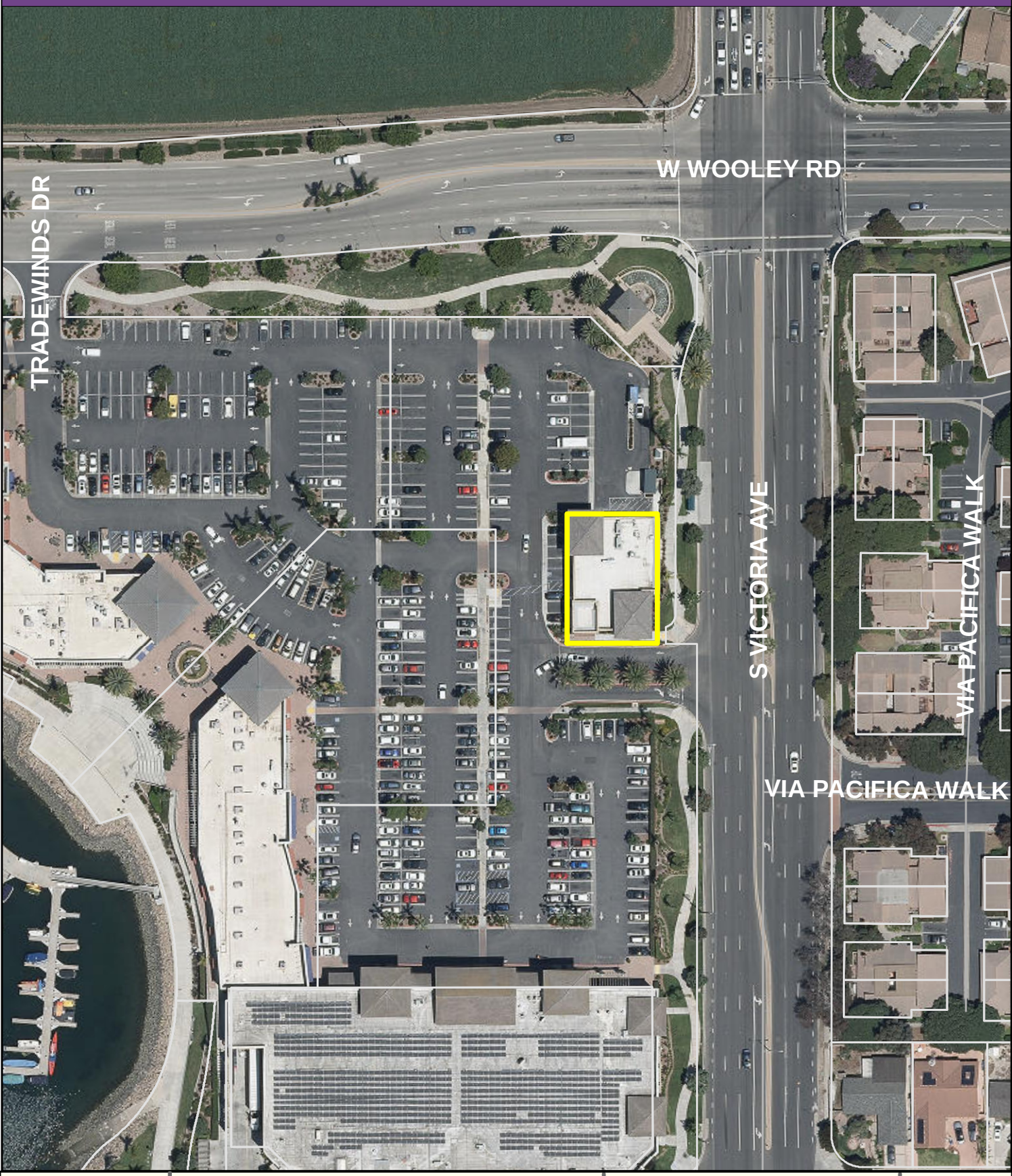
Feet
0 37.5 75 150 225 300

Zoning/Specific Plan Map

N W E S

1:2,500

Aerial Map



CITY OF OXNARD CALIFORNIA

Oxnard Planning

May 11, 2022

PZ 22-510-01
Location: 1101 S Victoria
APN: 188025024
Mountain Mike Pizza

0 25 50 100 150 200 Feet

Aerial Map

N W E S

MOUNTAIN MIKE'S PIZZA

1105 S. VICTORIA AVE., OXNARD, CA 93003

GENERAL NOTES

1. ALL WORK, INCLUDING MATERIALS AND WORKMANSHIP, SHALL CONFORM TO THE REQUIREMENTS OF LOCAL CODES, LAWS, AND ORDINANCES AND AS SPECIFIED BY ALL GOVERNING AUTHORITIES WHERE APPLICABLE. REFERENCE IS TO THE LATEST ACCEPTED EDITION OR REVISION. IN THE EVENT OF CONFLICT WITH CODE REQUIREMENTS, THAT CODE REQUIREMENT OR NOTE WHICH ESTABLISHES THE HIGHER STANDARD SHALL TAKE PRECEDENCE.

2. THE INTENTION OF THE CONTRACT DOCUMENTS IS TO INCLUDE ALL LABOR AND MATERIALS, EQUIPMENT, AND TRANSPORTATION NECESSARY FOR THE COMPLETE AND PROPER EXECUTION OF THE WORK.

3. THE CONTRACTOR SHALL VISIT THE JOB SITE PRIOR TO BIDDING ANY PORTION OF THE WORK. THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND CONDITIONS PRIOR TO BEGINNING WORK. SHOULD ANY CONDITION ARISE WHERE THE INTENT OF THE DRAWINGS IS IN DOUBT OR WHERE THERE IS A DISCREPANCY BETWEEN THE CONTRACT DOCUMENTS AND THE FIELD CONDITIONS, OR WITHIN THE CONTRACT DOCUMENTS, THE CONTRACTOR SHALL NOTIFY THE ARCHITECT IN WRITING IMMEDIATELY FOR CLARIFICATION.

4. DIMENSIONS ARE FROM FACE OF WALL OR TO CENTER OF WALL AS INDICATED ON DRAWINGS, UNLESS NOTED OTHERWISE.

5. WRITTEN DIMENSIONS TAKE PRECEDENCE. DO NOT SCALE DRAWINGS. WALLS NOT DIMENSIONED ARE TO ALIGN WITH EXISTING WALLS OR BE ABUTTED OR APPLIED TO EXISTING WALLS PER DRAWINGS. DOORS NOT DIMENSIONED AND SHOWN JAMB TIGHT SHALL BE SET 3" FROM PERPENDICULAR WALL TO OUTER EDGE OF DOOR JAMB.

6. REFERENCE TO ANY DETAIL OR DRAWING IS FOR CONVENIENCE ONLY AND DOES NOT LIMIT THE APPLICATION OF SUCH DETAILS OR DRAWINGS.

7. THE DESIGN, ADEQUACY AND SAFETY OF ERECTION BRACING, SHORING, TEMPORARY SUPPORTS, ETC., IS THE SOLE RESPONSIBILITY OF THE CONTRACTOR. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE STABILITY OF THE STRUCTURE AND PROVIDE NECESSARY BRACING PRIOR TO THE APPLICATION OF ALL SHEAR WALLS, ROOF AND FLOOR DIAPHRAGMS, AND FINISH MATERIALS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR INITIATING, MAINTAINING, AND SUPERVISING ALL SAFETY PRECAUTIONS AND PROGRAMS IN CONNECTION WITH THE WORK.

8. THE STRUCTURAL, MECHANICAL, PLUMBING, AND ELECTRICAL DRAWINGS, AS WELL AS THE DRAWINGS OF OTHER CONSULTANTS, ARE SUPPLEMENTARY TO THE ARCHITECTURAL DRAWINGS. IT SHALL BE THE RESPONSIBILITY OF THE GENERAL CONTRACTOR TO CHECK WITH THE ARCHITECTURAL DRAWINGS BEFORE THE INSTALLATION OF WORK SHOWN ON THE DRAWINGS OF CONSULTANTS. THE CONTRACTOR SHALL BRING ANY DISCREPANCY BETWEEN THE ARCHITECTURAL DRAWINGS AND THE DRAWINGS OF THE CONSULTING ENGINEERS TO THE ATTENTION OF THE ARCHITECT IN WRITING FOR CLARIFICATION. ANY WORK INSTALLED IN CONFLICT WITH THE ARCHITECTURAL DRAWINGS AND NOT BROUGHT TO THE ARCHITECT'S ATTENTION SHALL BE CORRECTED BY THE CONTRACTOR AT THE CONTRACTOR'S EXPENSE AND AT NO EXPENSE TO THE OWNER OF ARCHITECT.

9. PRIOR TO PERFORMANCE OF WORK, THE CONTRACTOR SHALL REQUIRE EACH SUBCONTRACTOR TO NOTIFY THE CONTRACTOR OF ANY WORK CALLED OUT IN THE DRAWINGS FOR HIS TRADE THAT CANNOT BE FULLY GUARANTEED.

10. CONTRACTOR SHALL VERIFY THE LOCATION AND SIZE OF ALL OPENINGS WITH ALL DRAWINGS AND MANUFACTURED ITEMS WHERE APPLICABLE.

11. THE ARCHITECT SHALL NOT HAVE CONTROL OVER OR CHARGE OF AND SHALL NOT BE RESPONSIBLE FOR CONSTRUCTION MEANS, METHODS, TECHNIQUES, SEQUENCES OR PROCEDURES, OR FOR SAFETY PRECAUTIONS AND PROGRAMS IN CONNECTION WITH THE WORK, SINCE THESE ARE SOLELY THE CONTRACTOR'S RESPONSIBILITY UNDER THE CONTRACT FOR CONSTRUCTION. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR THE CONTRACTOR'S SCHEDULES OR FAILURE TO CARRY OUT THE WORK IN ACCORDANCE WITH THE CONTRACT DOCUMENTS. THE ARCHITECT SHALL NOT HAVE CONTROL OVER OR CHARGE OF ACTS OR OMISSION OF THE CONTRACTOR, SUBCONTRACTORS, OR THEIR AGENTS OR EMPLOYEES, OR OF ANY OTHER PERSONS PERFORMING PORTIONS OF THE WORK.

12. THE CONTRACTOR HEREIN AGREES TO REPAIR OR REPLACE ANY OR ALL WORK, TOGETHER WITH ANY OTHER ADJACENT WORK WHICH MAY BE DISPLACED IN CONNECTION WITH SUCH REPLACEMENT, THAT MAY PROVE TO BE DEFECTIVE IN WORKMANSHIP OR MATERIALS WITHIN A PERIOD OF ONE YEAR FROM THE DATE OF ACCEPTANCE, ORDINARY WEAR AND UNUSUAL ABUSE OR NEGLECT EXCEPTED.

13. CONTRACTOR SHALL PROTECT ALL EXISTING STRUCTURES, LANDSCAPING, MATERIALS, ETC., DURING CONSTRUCTION. CONTRACTOR SHALL PATCH AND REPAIR ALL SURFACES DISRUPTED OR DAMAGED DURING CONSTRUCTION TO MATCH EXISTING ADJACENT SURFACES.

14. THE CONTRACTOR SHALL ON A DAILY BASIS KEEP THE PREMISES FREE FROM ALL ACCUMULATIONS OF WASTE MATERIAL OR RUBBISH CAUSED BY HIS EMPLOYEES, SUBCONTRACTORS, OR WORK, AND AT THE COMPLETION OF THE WORK SHALL REMOVE ALL RUBBISH, DEBRIS, EQUIPMENT, AND SURPLUS MATERIALS FROM IN AND ABOUT THE BUILDING AND LEAVE THE PREMISES "BROOM CLEAN".

15. ANY DEVIATION FROM THE CONSTRUCTION DOCUMENTS OR SPECIFICATIONS BY THE CONTRACTOR OR OWNER WITHOUT THE ARCHITECT'S APPROVAL IN WRITING RELEASES THE ARCHITECT OF RESPONSIBILITY AND LIABILITY IN CONNECTION WITH ALL WORK SO INVOLVED.

16. CLARIFICATIONS ON AND/OR INCONSISTENCIES WITH THE DRAWINGS AND SPECIFICATIONS SHALL BE BROUGHT TO THE ATTENTION OF THE ARCHITECT BY THE CONTRACTOR PRIOR TO COMMENCEMENT OF WORK. ADDITIONAL CHARGES WILL NOT BE GRANTED BASED ON CLAIMS OF INCOMPLETE, INACCURATE, OR INCONSISTENT DRAWINGS AND SPECIFICATIONS.

17. THE ARCHITECT SHALL REVIEW OR TAKE OTHER APPROPRIATE ACTION UPON CONTRACTOR'S SUBMITTALS SUCH AS SHOP DRAWINGS, PRODUCT DATA AND SAMPLES, BUT SHALL DO SO ONLY FOR THE LIMITED PURPOSE OF CHECKING FOR CONFORMANCE WITH INFORMATION GIVEN AND THE DESIGN CONCEPT EXPRESSED IN THE CONTRACT DOCUMENTS. REVIEW OF SUCH SUBMITTALS IS NOT CONDUCTED FOR THE PURPOSE OF DETERMINING THE ACCURACY AND COMPLETENESS OF OTHER DETAILS SUCH AS DIMENSIONS AND QUANTITIES OR FOR SUBSTANTIATING INSTRUCTIONS FOR INSTALLATION OR PERFORMANCE OF EQUIPMENT OF SYSTEMS, ALL OF WHICH REMAIN THE RESPONSIBILITY OF THE CONTRACTOR. THE ARCHITECT'S REVIEW SHALL NOT CONSTITUTE ACCEPTANCE OF SAFETY PRECAUTIONS OR, UNLESS OTHERWISE SPECIFICALLY STATED BY THE ARCHITECT, OF ANY CONSTRUCTION MEANS, METHODS, TECHNIQUES, SEQUENCES OR PROCEDURES.

SYMBOLS

Symbol labels	Symbol	Symbol labels	Symbol
DETAIL NUMBER 2 / A-4 SHEET NUMBER	SECTION	ROOM NAME +0'-0" A.F.F.	DATUM ELEVATION
DETAIL NUMBER 2 / A-4 SHEET NUMBER	DETAIL	W1 / W6	WALL TAG
A, B, DETAIL NUMBER 2 / A-4 SHEET NUMBER, ELEVATION NUMBER	INTERIOR ELEVATION	D3	DOOR NUMBER
1	REVISION CLOUD & DELTA	103 ROOM NAME	ROOM NUMBER & NAME
N	NORTH ARROW	0	KEYNOTE
		0	EQUIPMENT NUMBER
		TB-2	FINISH TAG

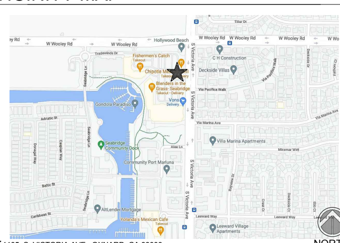
FIRE DEFERRED SUBMITTAL NOTES

1. ALTERATIONS TO THE SPRINKLER SYSTEM REQUIRED, UNDER A SEPARATE SUBMITTAL AND PERMIT.
2. ALTERATION TO THE FIRE ALARM SYSTEM IS REQUIRED, UNDER A SEPARATE SUBMITTAL AND PERMIT.
3. KITCHENS WITH GREASE PRODUCING EQUIPMENT REQUIRE A UL 300 KITCHEN HOOD AND FIRE EXTINGUISHING SUPPRESSION SYSTEM, UNDER A SEPARATE SUBMITTAL AND PERMIT.

FIRE DEPARTMENT NOTES

1. A FIRE LIFE SAFETY INSPECTION IS REQUIRED PRIOR TO CONSTRUCTION FINAL. REQUEST INSPECTION 48-HOURS IN ADVANCE AT OXNARD.ORG/FIRE-PREVENTION.
2. PROVIDE AN APPROVED EXTERIOR STROBE FOR BUILDING, VISIBLE FROM THE STREET OR APPROACH ROADWAY.
3. SPRINKLER BACKFLOW DEVICES SHALL BE PAINTED "MACHINE GREEN" AND WHEN A FIRE DEPARTMENT CONNECTION IS ATTACHED IT SHALL BE PAINTED RED
4. 3200 SERIES KNOX BOX KEY VAULT IS REQUIRED FOR THE BUILDING TO BE LOCATED BY OXNARD FIRE DEPARTMENT.
5. PROVIDE A 2A-10BC FIRE EXTINGUISHER AT OR NEAR EACH EXIT AND WITHIN 75-FOOT MAXIMUM TRAVEL DISTANCE.
6. A FIVE-YEAR CERTIFICATION INSPECTION REPORT OF THE FIRE SPRINKLER SYSTEM, BY A LICENSED C16 FIRE PROTECTION CONTRACTOR, MUST BE PROVIDED TO THE FIRE DEPARTMENT VIA WWW.THECOMPLIANCEENGINE.COM PRIOR TO FINAL INSPECTION.
7. SPRINKLER PROTECTION IS REQUIRED UNDER EXTERIOR ROOFS, CANOPIES, AND OVERHANGS OVER FOUR-FEET IN WIDTH. ADDITIONAL SPRINKLER HEADS MAY BE REQUIRED BASED ON FIELD CONDITIONS AS DEEMED NECESSARY BY THE FIRE INSPECTOR.
8. AUTOMATIC SPRINKLERS SHALL BE INSTALLED IN OR UNDER COVERED KIOSKS, DISPLAYS, BOOTHS, CONCESSION STAND OR EQUIPMENT THAT EXCEED 4-FEET IN WIDTH (CFC 903.3.3)
9. PROVIDE A TYPE K FIRE EXTINGUISHER WITHIN 30-FEET OF COOKING.
10. CONNECT KITCHEN HOOD ANSUL SYSTEM TO FIRE ALARM PANEL.
11. LEAK DETECTION PANEL SHALL BE CONNECTED TO FIRE ALARM CONTROL PANEL TO PROVIDE NOTIFICATION.

VICINITY MAP



★ 1105 S. VICTORIA AVE., OXNARD, CA 93003

SHEET INDEX

Sheet	Title	Sheet	Title
T-1.0	COVER SHEET	E-1	GENERAL NOTES
T-1.1	GENERAL NOTES	E-2	LIGHTING PLAN
T-1.2	GENERAL NOTES	E-3	POWER PLAN
T-1.3	ACCESSIBILITY NOTES	E-4	INDOOR T-24
T-1.4	ACCESSIBILITY NOTES	M-1.0	MECHANICAL NOTES
T-1.5	ACCESSIBILITY DETAILS	M-1.1	MECHANICAL SCHEDULES, SYMBOLS & ABBREVIATIONS
A-1.0	FLOOR PLAN, FINISH WALL AND DOOR SCHEDULES & NOTES	M-2.0	MECHANICAL FLOOR PLAN
A-1.0A	DIMENSIONED FLOOR PLAN	M-2.1	MECHANICAL ROOF PLAN
A-1.1	REFLECTED CEILING PLAN	M-3.0	MECHANICAL DETAILS
A-1.2	FLOOR FINISH PLAN	M-3.1	MECHANICAL DETAILS
A-1.3	LINE OF SIGHT CROSS SECTION	M-4.0	CAPTIVEAIRE DRAWINGS
A-2.0	INTERIOR ELEVATIONS	M-4.1	CAPTIVEAIRE DRAWINGS
A-2.1	INTERIOR ELEVATIONS	M-4.2	CAPTIVEAIRE DRAWINGS
A-2.2	INTERIOR ELEVATIONS	M-4.3	CAPTIVEAIRE DRAWINGS
A-2.3	INTERIOR ELEVATIONS	M-4.4	CAPTIVEAIRE DRAWINGS
A-2.4	INTERIOR ELEVATIONS	M-4.5	CAPTIVEAIRE DRAWINGS
A-2.5	ENLARGED RESTROOM PLAN & ELEVATIONS	M-4.6	CAPTIVEAIRE DRAWINGS
A-3.0	DETAILS	M-4.7	CAPTIVEAIRE DRAWINGS
A-3.1	DETAILS	M-4.8	CAPTIVEAIRE DRAWINGS
A-3.2	DETAILS	M-5.0	MECHANICAL T24
A-3.3	ENLARGED SERVICE COUNTER PLAN & ELEVATION	M-5.1	MECHANICAL T24
A-3.4	COUNTER ELEVATIONS	P-1.0	GENERAL NOTES, LEGEND & SCHEDULES
A-3.5	WALK-IN COOLER/FREEZER SPECS	P-2.0	WATER & GAS PLAN
K-1.0	EQUIPMENT PLAN	P-3.0	WASTE & VENT PLAN
K-1.1	EQUIPMENT SCHEDULE	P-4.0	PLUMBING ROOF PLAN
CO-1	CO2 EQUIPMENT PLAN	P-5.0	PLUMBING DETAILS
CO-2	CO2 EQUIPMENT SPECS		
CO-3	CO2 EQUIPMENT SPECS		
CO-4	CO2 EQUIPMENT SPECS		

BUILDING NOTES

1. ADDRESSES SHALL BE PLAINLY VISIBLE AND LEGIBLE FROM THE STREET OR ROAD FRONTING THE PROPERTY. ADDRESS NUMBERS SHALL BE 4 INCHES IN HEIGHT WITH A MINIMUM STROKE WIDTH OF 0.5 INCH AND OF A CONTRASTING COLOR TO THEIR BACKGROUND. WHERE ADDRESS CANNOT BE VIEWED FROM PUBLIC WAY, A MONUMENT POLE SHALL BE USED. (502.1 CBC, 505.1 CFC)
2. SITE ACCESSIBILITY COMPLIANCE AND IMPROVEMENTS SHALL COMPLY WITH THE APPLICABLE ACCESSIBILITY PROVISION OF THE CBC. EXISTING SITE CONDITIONS TO REMAIN.

PLANNING NOTES

1. AN SUP IS REQUIRED FOR THE SALES/CONSUMPTION OF ALCOHOL. SUP TO BE SUBMITTED CONCURRENT WITH THE TI SUBMITTAL.
2. ARCADE AREA TO BE LIMITED TO (4) GAMES. IF (5) OR MORE DEVICES, APPLICANT MUST COMPLY WITH ARTICLE III OF THE MUNICIPAL CODE.

KITCHEN HOOD NOTES

1. PROVIDE A FIRE EXTINGUISHING SYSTEM AT THE NEW TYPE I KITCHEN HOOD. A PERMIT APPLICATION FOR THE SYSTEM IS REQUIRED. TO BE SUBMITTED UNDER A DEFERRED SUBMITTAL.
2. DETAILS OF ALL CONTROLS AND INTERLOCKS THAT ACTIVATE FUEL SHUTOFF UPON ACTIVATION OF THE FIRE-EXTINGUISHING SYSTEM AND APPROPRIATE INTERLOCK BETWEEN EXHAUST AND MAKEUP AIR ARE REQUIRED. TO BE SUBMITTED UNDER A DEFERRED SUBMITTAL.

ABBREVIATIONS

Abbr.	Meaning	Abbr.	Meaning
A.C.	ASPHALTIC CONCRETE	MAX.	MAXIMUM
A.F.F.	ABOVE FINISHED FLOOR	MIN.	MINIMUM
AC.T.	ACOUSTICAL TILE	M.B.	MARKER BOARD
ADMIN.	ADMINISTRATION	MET.	METAL
BLD'G	BUILDING	(N)	NEW
B.N.	BULL NOSE	N.I.C.	NOT IN CONTRACT
B.L.	BUILDING LINE	NO.	NUMBER
C.B.	CHALK BOARD	O.C.	ON CENTER
CEM.	CEMENT	O.D.	OUTSIDE DIAMETER
CEM. PLAS.	CEMENT PLASTER	OPEN'G	OPENING
C.F.	CUBIC FEET	OPP.	OPPOSITE
CL'G	CEILING	PL.	PLATE
CLSR'M	CLASSROOM	PLYW'D	PLYWOOD
CLR	CLEAR	PR.	PAIR
CMU	CONCRETE MASONRY UNIT	REQ.	REQUIRED
CONC.	CONCRETE	S.F.	SQUARE FEET
C.T.	CERAMIC TILE	SHT	SHEET
DET.	DETAIL	SIM.	SIMILAR
DETS	DETAILS	S.S., ST.S.	STAINLESS STEEL
DIA	DIAMETER	S.	STANDARD
(E)	EXISTING	STRUC.	STRUCTURAL
EXIST'G	EXISTING	T.O.	TOP OF
EL.	ELEVATION	T.A.	TOP OF ASPHALT PAVING
ELEV.	ELEVATION, ELEVATOR	T.B.	TACK BOARD
E.P.	ELECTRICAL PANEL	T.C.	TOP OF CONC., T.O. CURB
EQ.	EQUAL	T.W.	TOP OF WALL
F.G.	FINISH GRADE	TYP.	TYPICAL
F.H.C.	FIRE HOSE CABINET	U.N.O.	UNLESS NOTED OTHERWISE
FIN.	FINISH, FINISHED	V.C.T.	VINYL COMBINATION TILE
FLR	FLOOR	VERT.	VERTICAL
FTG	FOOTING	VEST.	VESTIBULE
GA.	GAUGE	W/	WITH
GALV	GALVANIZED	W/O	WITHOUT
GYP. BD.	GYPSUM BOARD	W.I.	WROUGHT IRON
HORIZ.	HORIZONTAL		
I.C.	INTERCOM		
I.D.	INSIDE DIAMETER		
INFO.	INFORMATION		

PROJECT SUMMARY

PROJECT ADDRESS:
1105 S. VICTORIA AVE.,
OXNARD, CA 93003

PROJECT DESCRIPTION:
INTERIOR TENANT IMPROVEMENT OF AN EXISTING VANILLA SHELL FOR A NEW "MOUNTAIN MIKE'S PIZZA" RESTAURANT.

SCOPE OF WORK:
WORK TO INCLUDE CONSTRUCTION OF NEW INTERIOR WALLS FOR CONFIGURATION OF KITCHEN AND DINING AREAS, NEW RESTAURANT KITCHEN EQUIPMENT, HOOD SYSTEM, INTERIOR FINISHES, CEILING SOFFIT. EXISTING HVAC AND RESTROOM TO REMAIN. NO MECHANICAL WORK PROPOSED.

CODE ANALYSIS:
2019 CALIFORNIA BUILDING CODE
2019 CALIFORNIA GREEN BUILDING STANDARDS CODE
2019 CALIFORNIA ENERGY CODE
2019 CALIFORNIA PLUMBING CODE
2019 CALIFORNIA MECHANICAL CODE
2019 CALIFORNIA ELECTRICAL CODE
2019 CALIFORNIA FIRE CODE
2019 ENERGY STANDARDS

CONSTRUCTION TYPE:	V-B/SPRINKLERED
OCCUPANCY GROUP:	A-2
BUILDING USE:	RESTAURANT
NUMBER OF STORIES:	1
GROSS FLOOR AREA:	2,525 SQ. FT.
TOTAL AREA: (INTERIOR USABLE SPACE)	2,420 SQ. FT.
APN:	188-025-024

DEFERRED SUBMITTALS:
- EXTERIOR SIGNAGE, HOOD FIRE SUPPRESSION SYSTEM
- FIRE EXTINGUISHING SYSTEM AT THE NEW TYPE I HOOD
- PERMANENTLY ANCHORED CO2 TANKS STORED WITHIN AN ENCLOSED SPACE WILL REQUIRE A LEAK DETECTION SYSTEM
- UNDER SEPARATE PERMIT BY THE G.C.

SEPARATE SUBMITTALS:
- FIRE SPRINKLER SYSTEM MODIFICATION IF NEEDED UNDER SEPARATE PERMIT BY THE G.C.; THE PERMIT FOR THE FIRE SPRINKLER SYSTEM MODIFICATION SHALL BE ISSUED CONCURRENT WITH THE BUILDING PERMIT FOR THE RENOVATION PROJECT.

ARCHITECT / MEP:
GWA ARCHITECTURE, INC.
1000 CORPORATE CENTER DR., SUITE 550
MONTEREY PARK, CA 91754
PH: (626) 288-6898
FAX: (626) 768-7101

TENANT :
MOUNTAIN MIKE'S PIZZA
ATTN: GURMUKH 'BOBBY' SINGH
141 OLYMPIC DR.,
VALLEJO, CA 94589
PH: (707) 815-9916
EMAIL: boby283@yahoo.com

LANDLORD :
ROIC CALIFORNIA, LLC
8905 TOWNE CENTER DR.,
SAN DIEGO, CA 92122
PH: (858) 677-0900

NUMBER OF INDOOR SEATS: 62 (INCL. 3 ACCESSIBLE)
NUMBER OF OUTDOOR SEATS: 20 (INCL. 1 ACCESSIBLE)

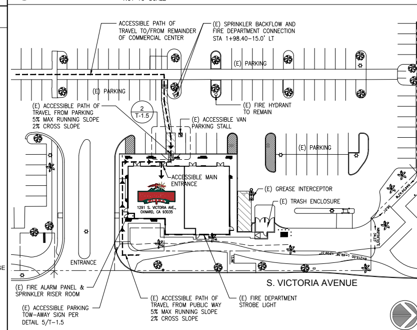
OCCUPANT LOAD (INTERIOR):

			OCC. LOAD
ASSEMBLY AREA	925 SQ.FT. / 15	=	62
SERVICE AREA	198 SQ.FT. / 100	=	2
KITCHEN/PREP AREA	587 SQ.FT. / 200	=	3
STORAGE AREA	295 SQ.FT. / 300	=	1
OFFICE AREA	40 SQ.FT. / 100	=	1
TOTAL OCCUPANT LOAD:			69
NO. OF EXITS REQUIRED (1-500 OCC.):			2
NO. OF EXITS PROVIDED:			3

OCCUPANT LOAD (PATIO DINING):

			OCC. LOAD
OUTDOOR DINING AREA	300 SQ.FT. / 15	=	20
TOTAL OCCUPANT LOAD:			20
NO. OF EXITS REQUIRED (1-500 OCC.):			1
NO. OF EXITS PROVIDED:			1

SITE PLAN NOT TO SCALE



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ARCHITECT

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Member of The American Institute of Architects

STAMP

LICENSED ARCHITECT · GARY H. WANG · No. C-32569 · REN. 04-30-23 · STATE OF CALIFORNIA

PROJECT NAME/ADDRESS:

MOUNTAIN MIKE'S PIZZA
@Seabridge Marketplace, Oxnard, CA
1105 S. VICTORIA AVE.,
OXNARD, CA 93003

REVISIONS:		
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2	PLANNING CORRECTIONS	02.14.22
3	FIRE CORRECTIONS	02.14.22
4	WASTEWATER CORRECTIONS	02.14.22
5	HEALTH CORRECTIONS	02.14.22
6	–	

ISSUE DATE:	
1ST	–
2ND	–
3RD	–
4TH	–
5TH	
6TH	

JOB NUMBER
ARCH PROJECT #: 21-___

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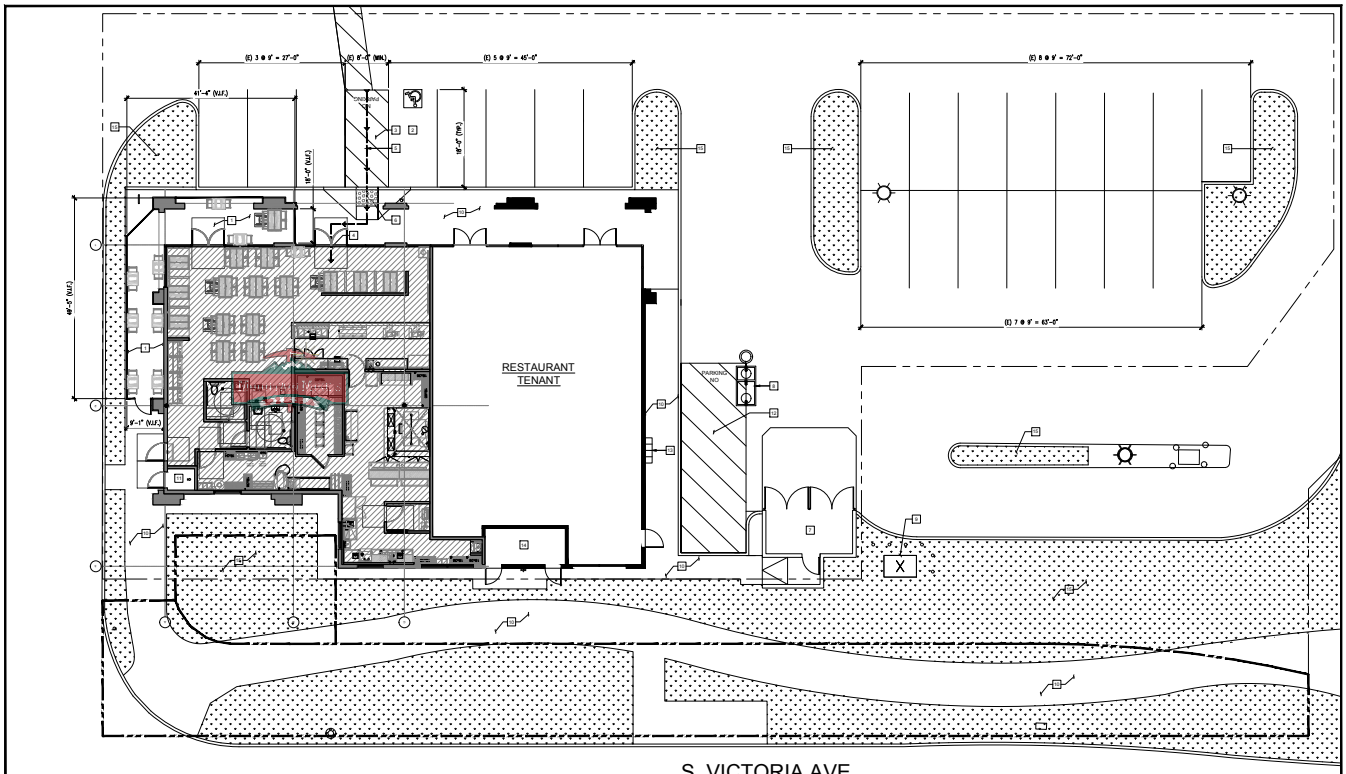
SHEET CONTENT
INDEX NOTES, PROJECT INFO, VICINITY MAP, BLDG. DEPT NOTES

SHEET NO
T-1.0



ENLARGED SITE PLAN
SCALE: 1/8"=1'-0"

SITE PLAN KEYNOTES

1. EXISTING OUTDOOR PATIO
2. EXISTING VAN ACCESSIBLE PARKING STALL
3. EXISTING VAN ACCESSIBLE LOADING (8'-0" MIN)
4. MAIN ENTRANCE; REFER TO INTERIOR FLOOR PLAN
5. ACCESSIBLE PATH OF TRAVEL FROM ACCESSIBLE PARKING. MAX SLOPE 5%, CROSS SLOPE 2%.
6. EXISTING CURB RAMP WITH DETECTABLE WARNINGS
7. EXISTING TRASH ENCLOSURE
8. EXISTING GREASE INTERCEPTOR
9. EXISTING TRANSFORMER TO REMAIN
10. EXISTING SIDEWALK AND CURB TO REMAIN; PROTECT IN PLACE
11. EXISTING FIRE ALARM PANEL AND SPRINKLER RISER ROOM TO REMAIN; NOT A PART
12. EXISTING LOADING CLEAR FLOOR SPACE TO REMAIN
13. EXISTING GAS METERS TO REMAIN
14. EXISTING ELECTRICAL DISCONNECT AND ROOF ACCESS LADDER TO REMAIN; NOT A PART
15. EXISTING LANDSCAPING TO REMAIN; NOT A PART

MOUNTAIN MIKE'S PIZZA

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REGISTERED ARCHITECT
No. C-32589
EXP. 04-30-23
STATE OF CALIFORNIA

PROJECT NAME/ADDRESS:

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SHEET CONTENT

ENLARGED SITE PLAN

SHEET NO

T-1.0A

ROOM FINISH SCHEDULE

ALL FINISHES SPECIFIED ARE FOR PERFORMANCE. EQUAL MANUFACTURERS MAY BE PROVIDED W/ APPROVAL FROM ARCHITECT

ROOM NUMBER	ROOM NAME	FLOOR: SEALED CONCRETE	FLOOR: EPOXY FLOOR FINISH (GREY)	FLOOR: GALVANIZED METAL FLOOR	FLOOR	BASE: RUBBER WALL BASE	BASE: 6" CERAMIC SLIMFOOT TILE	BASE: (E) 6" CONTINUOUS EPOXY BASE W/ 3/8"R COVE	BASE: STAINLESS STEEL FINISH W/ 3/8"R COVE	WALLS MATERIAL: 5/8" DRYWALL TYPE 'X'	WALLS MATERIAL: CERAMIC WALL TILE	WALLS MATERIAL: SMOOTH GALVANIZED METAL	WALLS FINISH: (4) PAINT FINISH AS SCHEDULED	WALLS FINISH: FRP	WALLS FINISH: S/S WALL FLASHING	WALLS FINISH: CERAMIC TILE	WALLS FINISH: WOOD PLANKS	WALLS FINISH: GALV. METAL W/ ALUMINUM COATING	WALLS COLOR: SEE PAINT SCHEDULE	WALLS COLOR: SMOOTH SURFACE, NON-ABSORBENT, EASILY CLEANABLE	CEILING HT.: SEE CEILING PLAN ON SHEET A-1.1	CEILING MATERIAL: 5/8" DRYWALL TYPE 'X'	CEILING MATERIAL: (2) (E) 5/8" DRYWALL, SMOOTH & WASHABLE (PATCH & REPAIR WH. NECESSARY)	CEILING MATERIAL: SMOOTH GALVANIZED METAL	CEILING MATERIAL: OPEN CEILING	CEILING FINISH: FACTORY FINISH	CEILING FINISH: SMOOTH, WASHABLE, SEMI-GLOSS	CEILING FINISH: (4) PAINT FINISH (SEE PAINT SCHEDULE)	CEILING COLOR: LIGHT COLOR, SMOOTH NON-ABSORBENT, EASILY CLEANABLE	CEILING COLOR
100	DINING AREA	●				●				●			●				●		●						●			●		
101	BEVERAGE STATION	●					●			●	●		●			●				●		●					●	●	●	
102	ARCADE AREA	●				●				●									●						●			●		
103	SERVICE AREA		●					●			●					●				●		●					●	●	●	
104	PIZZA PREP AREA		●					●		●				●	●					●			●				●		●	
105	DOUGH PREP AREA		●					●		●				●						●			●				●		●	
106	WAREWASHING AREA		●					●		●				●						●			●				●		●	
107	OFFICE		●					●		●				●						●			●				●		●	
108	WALK-IN COOLER		●					●				●						●						●		●				
109	WALK-IN FREEZER			●					●			●						●						●		●				
110	ALL-GENDER RESTROOM	●					●			●	●		●			●				●	↓		●				●	●	●	
111	ALL-GENDER RESTROOM	●					●			●	●		●			●				●		●					●	●	●	

(1) QUARRY TILE BASE SHALL BE 6" W/ 3/8" COVE RADIUS BY DAL-TILE. (2) CLASS "A" FIRE-RATED CEILING PANEL. (3) CERAMIC TILE BASE SHALL BE 6" W/ 3/8" COVE. (4) PAINT FINISH AT RESTROOM, KITCHEN AND DRY FOOD STORAGE WILL BE SEMI-GLOSS PAINT FINISH.

DOOR SCHEDULE

NO.	DESCRIPTION	MFG	SIZE	FRAME	FACE/EDGE	THK	CORE	LITE	HARDWARE	REMARKS
D1	(E) STOREFRONT DOOR	EXISTING	3'-0" X 7'-0" (PAIR)	ALUMINUM	–	–	–	TEMP. GLASS	PROVIDE PANIC HARDWARE	SELF-CLOSING, MIN. 10" KICK PLATE
D2	(E) STOREFRONT DOOR	EXISTING	3'-0" X 7'-0" (PAIR)	ALUMINUM	–	–	–	TEMP. GLASS	PUSH/PULL TYPE	SELF-CLOSING, MIN. 10" KICK PLATE
D3	(E) REAR DOOR	EXISTING	3'-4" X 7'-0"	H. METAL	–	1 3/4"	–	–	PROVIDE PANIC HARDWARE	SELF-CLOSING, MIN. 10" KICK PLATE
D4	RESTROOM DOOR	–	3'-0" X 6'-8"	SOLID CORE	WOOD	1 3/4"	SOLID	–	PRIVACY LATCH	SELF-CLOSING, 10" KICK PLATE; G.C. TO APPLY MOUNTAIN DECAL
D5	KITCHEN DOOR	ELIASON	3'-0" X 6'-8"	H. METAL	PER MFG.	PER MFG.	PER MFG.	–	DOUBLE ACTION	SELF-CLOSING, 10" KICK PLATE
D6	SERVICE DOOR	–	3'-0" X 6'-8"	H. METAL (RED)	PAINT	1 3/4"	H. METAL	–	LEVER/CLOSER	SELF-CLOSING, 10" KICK PLATE
D7	OFFICE DOOR	–	3'-0" X 6'-8"	H. METAL	PAINT	1 3/4"	H. METAL	–	LOCKSET	–

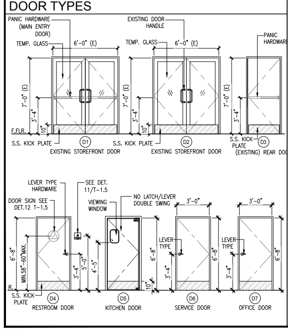
WALL SCHEDULE

NO.	DESCRIPTION
W1	EXISTING WALL TO REMAIN.
W2	EXISTING STOREFRONT SYSTEM TO REMAIN. ALL WINDOWS ARE FIXED W/ TEMPERED GLASS & NON-OPENABLE
W3	3 5/8" X 20 GA. MTL. STUD WALL W/ 5/8" TYPE "X" GYP. BD. BOTH SIDES. (WATER RESISTANT ON RESTROOM SIDE) (SEE DETAIL 1/2 ON SHEET A-3.0)
W4	3 5/8" X 20 GA. MTL. STUD FULL-HT WALL W/ 5/8" TYPE "X" GYP. BD. BOTH SIDES. (SEE DETAIL 6 ON SHEET A-3.1) (WATER RESISTANT ON RESTROOM SIDE)
W5	6" X 20 GA. MTL. STUD WALL W/ 5/8" TYPE "X" GYP. BD. BOTH SIDES. (SEE DETAIL 1/2 ON SHEET A-3.0)
W6	6" X 20 GA. MTL. STUD FULL-HT WALL W/ 5/8" TYPE "X" GYP. BD. BOTH SIDES. (SEE DETAIL 6 ON SHEET A-3.1)
W7	3 5/8" X 20 GA. MTL. STUD FURR-OUT WALL W/ 5/8" TYPE "X" GYP. BD. EXPOSED SIDE.
W8	3 5/8" X 20 GA. MTL. STUD LOW WALL W 5/8" TYPE "X" GYP. BD. BOTH SIDES.

WALL LEGEND

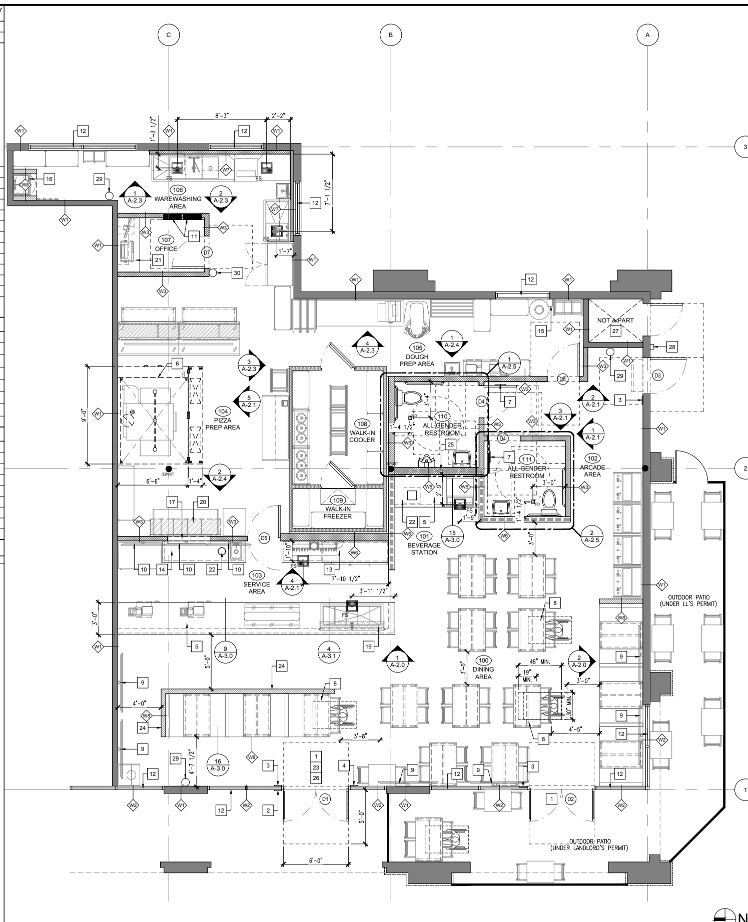
- EXISTING WALL TO REMAIN
- NEW NON-BEARING WALL
- NEW LOW WALL
- NEW FULL-HEIGHT WALL
- WALK-IN BOX PANEL

DOOR TYPES



KEY NOTES

NO.	DESCRIPTION
1	PROVIDE SIGN "THIS DOOR TO REMAIN UNLOCKED WHILE THE BUILDING IS OCCUPIED".
2	PROVIDE SIGN OF INTERNATIONAL SYMBOL ACCESSIBILITY (CBC SEC. 11B-703.7.2.1) SEE DETAIL 7/T-1.5.
3	TACTILE EXIT SIGN (CBC SEC. 1011.4, 11B-703.3, 11B-703.4 AND SEC. 11B-703.4.2) SEE DETAIL 10/T-1.5.
4	CAPACITY SIGN PER CBC 1004.3 & 1004.9 CBC
5	COUNTER MILLWORK AT 34" HIGH A.F.F.
6	TYPE-I EXHAUST HOOD ABOVE (SEE MECHANICAL PLANS)
7	ACCESSIBLE RESTROOM DOOR SIGNAGE, SEE DETAIL 12/T-1.5.
8	ACCESSIBLE SEATING @ 34" MAX. HEIGHT A.F.F. SEE DETAIL 8/T-1.5.
9	NEW DIGITAL TV TO BE WALL MOUNTED OR MOUNTED ON TELESCOPING MOUNTS AT FRONT WINDOWS.
10	DIGITAL MENU BOARD – G.C. TO ATTACH TO THE WALLS WITH BRACKETS AND (1) WITH CEILING MOUNT
11	ELECTRICAL PANEL (RELOCATE PER PLAN).
12	EXISTING STOREFRONT GLAZING (FIXED & NON-OPENABLE) W/ TEMPERED GLASS.
13	BACK BAR COUNTER MILLWORK @ 37" HIGH A.F.F.
14	BACK SERVICE COUNTER MILLWORK @ 36" HIGH A.F.F.
15	NUCO CO2 CONTROL PANEL – COORDINATE W/ CO2 VENDOR
16	MOP SINK W/ VACCUM BREAKER/BACK FLOW PREVENTER W/ CHEMICAL SHELF AND BROOM RACK.
17	NEW PASS-THROUGH WINDOW; REFER TO INTERIOR ELEVATIONS.
18	NOT USED.
19	SNEEZE GUARD – CUSTOM MADE BY G.C. REFER TO 4/A-3.1
20	PIZZA BOX CABINET. SEE DETAIL ON SHEET A-3.2/1.
21	OFFICE DESK.
22	TRASH GROMMET; 10"X10" OPENING (SQUARE), 8" DIA. (CIRCLE).
23	G.C. TO ADD PANIC BAR/HARDWARE ON THIS DOOR
24	PARTIAL HEIGHT PONY WALL
25	SYRUP LINE CONDUIT (4"-6" DIAMETER)
26	EXISTING ACCESSIBLE PRIMARY ENTRANCE DOOR SHALL COMPLY WITH ACCESSIBILITY REQUIREMENTS OF 36-INCH MIN DOOR WIDTH (72-INCH PROVIDED), LEVER-TYPE LATCH, LANDING DIMENSIONS, 1/2-INCH MAXIMUM THRESHOLD HEIGHT (REFER TO DETAIL 2/A-1.2), 24-INCH STRIKE EDGE CLEARANCE AND 10-INCH SMOOTH SURFACE AT BOTTOM OF DOOR. THE DOOR MUST HAVE A LEVEL LANDING ON EACH SIDE OF THE DOOR (2 PERCENT MAX SLOPE AT EXTERIOR) THAT PROVIDES A 60" CLEAR AREA IN THE DIRECTION OF DOOR SWING. REFER TO DOOR SCHEDULE AND DOOR TYPES.
27	EXISTING FIRE ALARM PANEL & SPRINKLER RISER ROOM – NOT A PART
28	EXISTING 3200 SERIES KNOX BOX KEY VAULT TO REMAIN
29	FIRE EXTINGUISHER '2A10BC' TYPE MOUNT @ 48" A.F.F.
30	FIRE EXTINGUISHER 'K' TYPE MOUNT @ 48" A.F.F.



NOTES

REFER TO SHEET A-1.1 FOR DIMENSIONED FLOOR PLAN AND NOTES.

FLOOR PLAN (1)
SCALE: 1/4"=1'-0"

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SHEET CONTENT
FLOOR PLAN AND ROOM FINISH SCHEDULE

SHEET NO
A-1.0

GENERAL NOTES

1. CONSIDERATION WILL NOT BE GRANTED FOR ANY ALLEGED MISUNDERSTANDINGS OF THE AMOUNT OF WORK TO BE PERFORMED. TENDER OF PROPOSAL SHALL CONVEY FULL AGREEMENT TO THE ITEMS AND CONDITIONS INDICATED ON THE DRAWINGS. SHOULD THE CONTRACTOR FIND DISCREPANCIES OR OMISSIONS IN THE CONTRACT DOCUMENTS OR BE IN DOUBT AS TO THE INTENT THEREOF, THE CONTRACTOR SHALL OBTAIN CLARIFICATION FROM THE ARCHITECT AND/OR THE OWNER'S REPRESENTATIVE PRIOR TO SUBMITTING HIS PROPOSAL FOR WORK.
2. THE G. C. SHALL FIELD VERIFY THE EXACT EXISTING SPACE CONDITIONS, DIMENSIONS AND COLUMN SPACING PRIOR TO CONSTRUCTION AND INFORM ARCHITECT IMMEDIATELY IF ANY DISCREPANCIES ARE FOUND BETWEEN DRAWINGS AND SITE CONDITIONS. ANY CHANGES OR REWORK DUE TO UNREPORTED DIFFERENCES SHALL BE AT T. O. C.'S EXPENSE.
3. ALL COLUMNS IN THE LEASE SPACE TO HAVE AT LEAST 1-HOUR FIRE SURROUND OR FIRE RATING AS REQUIRED BY LOCAL CODE (5/8" TYPE 'X' GYP. BD. ON METAL STUD FRAMING FROM FLOOR TO DECK AND SEALED TIGHT.

FIRE NOTES

1. PROVIDE FIRE EXTINGUISHER AS REQUIRED BY FIRE DEPT. FIELD INSPECTOR.
2. EVERY EXIT DOOR SHALL BE OPERABLE FROM THE INSIDE WITHOUT THE USE OF A KEY OR ANY SPECIAL KNOWLEDGE OR EFFORT.
3. EXIT LIGHTING AND SIGNS: MINIMUM 6" X 3/4" LETTERS ON CONTRASTING BACKGROUND.
4. ANY DECORATION USED SHALL BE NON-COMBUSTIBLE OR FLAMEPROOFED IN AN APPROVED MANNER.
5. THE INSTALLATION OR OPERATION OF SPECIAL FIRE EXTINGUISHER SYSTEM MUST BE CHECKED AND APPROVED BY THE FIRE DEPT. PRIOR TO INSTALLATION.
6. PROVIDE OUTSIDE GAS SHUT-OFF VALVE CONSPICUOUSLY MARKED.
7. SEPARATE PLANS FOR ALL FIXED AND MOBILE FIRE PROTECTION EQUIPMENT, AND ALL FIRE ALARM SYSTEMS SHALL BE SUBMITTED TO THE FIRE MARSHALL FOR APPROVAL PRIOR TO INSTALLATION.
8. BUILDING OCCUPANT SHALL SECURE PERMITS REQUIRED BY THE FIRE DEPARTMENT FROM THE FIRE PREVENTION BUREAU PRIOR TO OCCUPYING THIS BUILDING.
9. PLANS FOR THE FOLLOWING FIRE SPRINKLER ALTERATIONS SHALL BE SUBMITTED TO FIRE PREVENTION BUREAU FOR FIRE DEPARTMENT APPROVAL PRIOR TO INSTALLATION
10. ALL FIRE DEPARTMENT REQUIRED SUBMITTALS. A) FIRE SPRINKLER, B) HOOD SUPPRESSION, C) FIRE ALARM, D) REFRESHMENT CENTER CO2 SYSTEM (MAY REQUIRED ANNUAL FIRE PERMIT). 105.4.4, E) AS-BUILTS AT FIRE FINAL-3 HARD COPIES OF EACH PLAN PLUS AN ELECTRONIC PDF VERSION ON A THUMB DRIVE. (UNDER SEPARATE PERMIT BY THE GENERAL CONTRACTOR.)

HEALTH NOTES

1. ALL EQUIPMENT SHALL MEET NATIONAL SANITATION FOUNDATION DESIGN AND INSTALLATION REQUIREMENTS OR IT'S EQUIVALENT.
2. LIGHT FIXTURES IN FOOD PREPARATION, OPEN FOOD STORAGE AND UTENSIL WASHING AREAS ARE TO BE PROTECTED AGAINST BREAKAGE THROUGH THE USE OF PLASTIC SHIELDS, PLASTIC SLEEVES, SHATTER PROOF BULBS AND/OR OTHER APPROVED DEVICES.
3. EXTERIOR DOORS SHALL BE SELF-CLOSING AND FIT TO A MAXIMUM 1/4" AT THE BASE AND SIDES.
4. PROVIDE PERMANENTLY MOUNTED SINGLE SERVICE SOAP AND TOWEL DISPENSERS AT ALL HAND WASH BASINS.
5. SEAL ALL CRACKS AND CREVICES IN COUNTERS, CABINETS, AROUND METAL FLASHING, SINK BACKSPLASHES AND AROUND PIPES AND CONDUITS WITH A NON-HARDENING SILICONE SEALANT.
6. QUARRY TILE TO BE "DAL TILE".
7. ALL WALL & DRYWALL CEILING ARE TO BE PAINTED W/ SAME PAINT AS INDICATED ON THE FINISH SCHEDULE.
8. ALL EXPOSED PIPES AND CONDUITS SHALL BE SPACED AT LEAST 1/2" FROM THE WALL.
9. ALL CABINETS SHALL BE LAMINATED INSIDE AND OUT.

G.C. NOTES

1. G.C. TO FIELD VERIFY EXISTING SITE CONDITION PRIOR TO BIDDING THE PROJECT.
2. G.C. TO PATCH, REPAIR & REFURBISH THE EXISTING WALL, FLOOR & CEILING FINISH AT THE KITCHEN, WASHING & STORAGE AREA AS NEEDED OR OWNER'S INSTRUCTION.
3. G.C. TO FIELD VERIFY EXISTING SITE CONDITION PRIOR TO BIDDING THE PROJECT.
4. G.C. TO PATCH, REPAIR & REFURBISH THE EXISTING WALL, FLOOR & CEILING FINISH AT THE KITCHEN, WASHING & STORAGE AREA AS NEEDED OR OWNER'S INSTRUCTION.
5. G.C. TO PROVIDE AND INSTALL CUSTOM STAINLESS STEEL WALL CAPS & CORNER GUARDS.

18 GA. STAINLESS STEEL WALL CAP

18 GA. STAINLESS STEEL CORNER GUARD

PLUMBING FIXTURE CALCULATION

TABLE A OCCUPANT LOAD FACTOR (CPC 2016)

OCCUPANT LOAD:		OCC. LOAD
ASSEMBLY AREA (INTERIOR)	925 SQ.FT. / 30 =	31
ASSEMBLY AREA (EXTERIOR)	300 SQ.FT. / 30 =	10
SERVICE AREA	198 SQ.FT. / 100 =	2
KITCHEN/PREP AREA	587 SQ.FT. / 200 =	3
STORAGE AREA	295 SQ.FT. / 300 =	1
OFFICE	40 SQ.FT. / 100 =	1
		48
TOTAL OCCUPANT LOAD:		48

NOTES:
1. THE TOTAL NUMBER OF WATER CLOSETS FOR FEMALES SHALL NOT BE LESS THAN THE TOTAL NUMBER OF OF REQUIRED WATER CLOSETS AND URINALS FOR MALES. THIS REQUIREMENT SHALL NOT APPLY WHEN SINGLE OCCUPANCY TOILET FACILITIES ARE PROVIDED FOR EACH SEX IN AN A OR E OCCUPANCY WITH AN OCCUPANT LOAD OF LESS THAN 50, EITHER

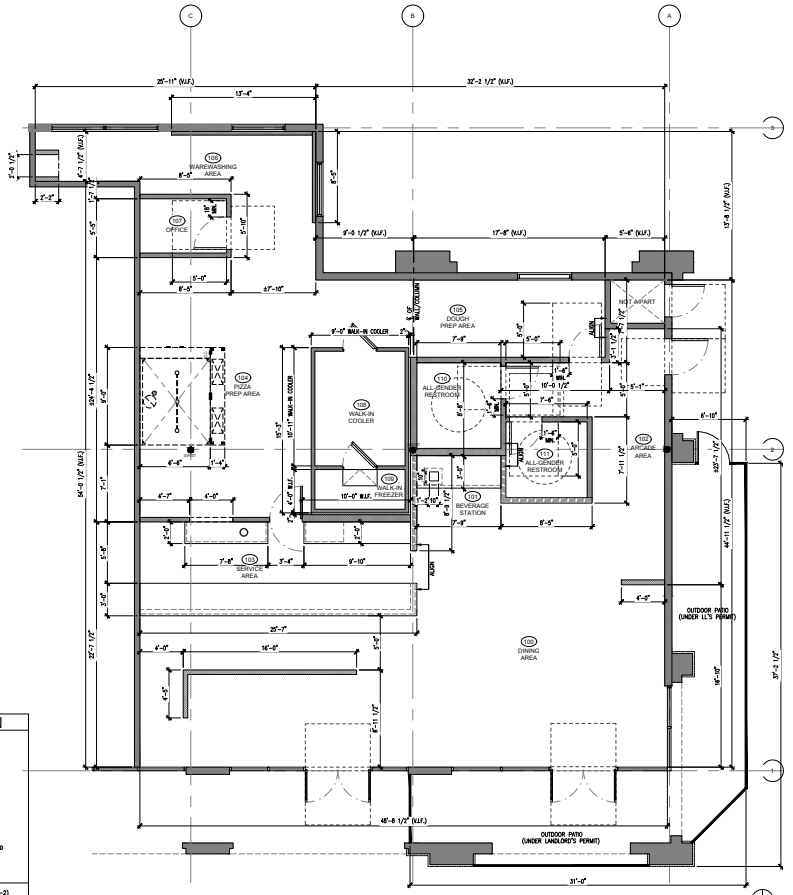
A. THE REQUIRED URINAL SHALL BE PERMITTED TO BE OMITTED.
B. IF INSTALLED, THE URINAL SHALL NOT REQUIRE A SECOND WATER CLOSET TO BE PROVIDED FOR THE FEMALE.

TABLE 422.1 TYPE OF OCC.: RESTAURANT (A-2)

WATER CLOSET (FIXTURES PER PERSON)		URINAL (FIXTURES PER PERSON)	LAVATORIES (FIXTURES PER PERSON)		
MALE	FEMALE	MALE	FEMALE	MALE	FEMALE
24	24	1: 1–50	1: 1–25	1: 1–200	1: 1–150	1: 1–150
PROVIDED		1	1	1	1	1	1

NOTE

REFER TO SHEET A-1.0 FOR FLOOR PLAN NOTES, ROOM FINISH, WALL AND DOOR SCHEDULES.



DIMENSIONED FLOOR PLAN (1)

SCALE: 1/4"=1'-0"

THESE DRAWINGS AND SPECIFICATIONS AND SUCH DESIGNS AND INFORMATION CONTAINED THEREIN ARE AND SHALL REMAIN THE PROPERTY OF GWA ARCHITECTURE AND THE SAME MAY NOT BE COPIED, DUPLICATED OR TRANSFERRED TO ANY OTHER OR CONNECTION WITH ANY WORK OR PROJECT OTHER THAN THE SPECIFIC PROJECT FOR WHICH THEY HAVE BEEN PREPARED AND DELIVERED WITHOUT THE WRITTEN CONSENT OF GWA ARCHITECTURE. NOR, CONSTRUCTION WITH THESE DRAWINGS AND SPECIFICATIONS SHALL CONSTITUTE CONCLUSIVE EVIDENCE OF THESE RESTRICTIONS. ALL DIMENSIONS ON THE PLANS, DRAWINGS, AND SPECIFICATIONS PREVAIL AND SUPERSEDE ANY SCALE. CONTRACTORS SHALL VERIFY AND BE RESPONSIBLE FOR ALL DIMENSIONS AND CONDITIONS ON THE JOB, AND THIS OFFICE MUST BE NOTIFIED OF ANY VARIATION FROM THE DIMENSIONS AND CONDITIONS SHOWN ON THESE DRAWINGS. ALL WORK MUST BE ACCURATE TO FIELD CONDITIONS AND SHALL BE REVIEWED AND APPROVED BY THE ARCHITECT PRIOR TO THE WORK BEING PERFORMED WITH THE FABRICATION.

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EXN. 04-30-23
STATE OF CALIFORNIA

PROJECT NAME/ADDRESS:

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OXNARD, CA 93003

REVISIONS:

1	BUILDING CORRECTIONS	02.14.22
2	PLANNING CORRECTIONS	02.14.22
3	FIRE CORRECTIONS	02.14.22
4	WASTEWATER CORRECTIONS	02.14.22
5	HEALTH CORRECTIONS	02.14.22
6	–	

ISSUE DATE:

1ST	–
2ND	–
3RD	–
4TH	–
5TH	
6TH	

JOB NUMBER

ARCH PROJECT # 21-___

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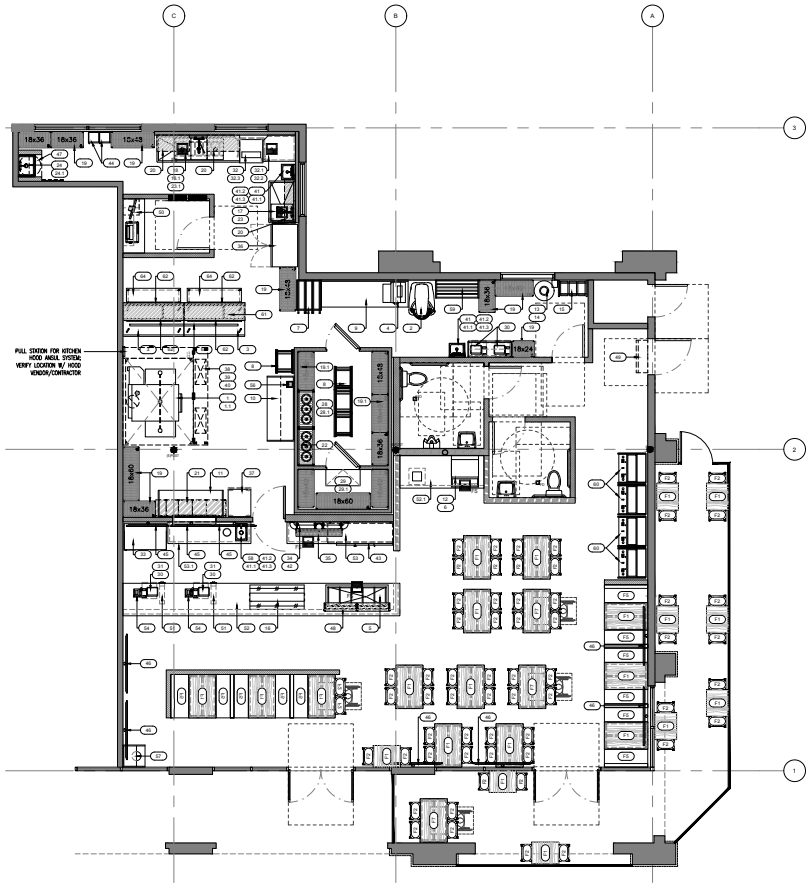
SHEET CONTENT

DIMENSIONED FLOOR PLAN

SHEET NO

A-1.0A



NOTE:
SEE EQUIPMENT SCHEDULE ON SHEET K-1.1.

N

EQUIPMENT PLAN

SCALE: 1/4"=1'-0"

THESE DRAWINGS AND SPECIFICATIONS AND SIGNAL DESIGNS AND REPRESENTATIONS THEREIN ARE AND SHALL REMAIN THE PROPERTY OF THE ARCHITECT AND ARE TO BE RETURNED UPON REQUEST. THEY SHALL NOT BE COPIED, DISCLOSED TO OTHERS, OR USED IN CONNECTION WITH ANY WORK OR PROJECT OTHER THAN THE SPECIFIC PROJECT FOR WHICH THEY HAVE BEEN PREPARED AND DEVELOPED WITHOUT THE WRITTEN CONSENT OF THE ARCHITECT. ACCORDING, YOUR CONTRACT WITH THESE DRAWINGS AND SPECIFICATIONS SHALL CONSTITUTE CONCLUSIVE EVIDENCE OF THESE RESTRICTIONS. VERIFY ALL DIMENSIONS ON THE PLAN BEFORE CONSTRUCTION. DO NOT SCALE DRAWINGS. ALL DIMENSIONS TO BE FIELD CONSTRUCTION SHALL VERIFY, AND BE RESPONSIBLE FOR THE ACCURACY AND CONDITIONS OF THE JOB, AND THE OFFICE MUST BE NOTIFIED OF ANY VARIATION FROM THE DIMENSIONS SHOWN ON THESE DRAWINGS. ANY DISCREPANCIES FOUND SHALL BE ADDRESSED TO THE OFFICE FOR REVIEW BEFORE PROCEEDING WITH THE FABRICATION.

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JOB NUMBER

ARCH PROJECT # 21-___

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EM	ADR

SHEET CONTENT

EQUIPMENT PLAN

SHEET NO

K-1.0

ITEM	REMARK	PLUMBING: GAS SIZE	GAS R.I.H.	GAS MBTU	WASTE TYPE	WASTE SIZE	HOT WATER R.I.H.	HOT WATER SIZE	COLD WATER R.I.H.	COLD WATER SIZE	ELECTRICAL: CONNECTION R.I.H.	CONNECTION TYPE	LOAD AMPS	LOAD WATTS	LOAD H.P.	PHASE	VOLTS	EQUIPMENT: INST.	PURCH.	MODEL NUMBER	MANUFACTURER	QTY	DESCRIPTION	ITEM
56																	115	G.C.	O	PER OWNER	PER OWNER	1	ORDER PRINTER	56
57																		G.C.	O	PER OWNER	PER OWNER	1	TRASH BIN	57
58	W/6" SPLASHGUARDS				D	2"												G.C.	G.C.	PB-DISINK101405-SS	JOHN BOOS	1	HAND SINK, DROP-IN	58
59																		G.C.	O	ALSQ-4-1220	WINHOLT	1	DUNNAGE RACK	59
60																	120	G.C.	O	–	–	V	ARCADE GAME	60
61																		G.C.	G.C.	CUSTOM	ALLSTRONG OR EQUAL	1	CUSTOM SHELF (OVERHEAD)	61
62																		G.C.	O	CUSTOM	ALLSTRONG OR EQUAL	4	TICKET RAIL	62
63	SUSPENDED FROM CEILING																	G.C.	G.C.	CUSTOM	ALLSTRONG OR EQUAL	1	MAKE CHART	63
64	ON CASTERS																	G.C.	G.C.	CUSTOM	ALLSTRONG OR EQUAL	2	OPTIONAL 60"x18" WORK TABLE	64

FURNITURE

ITEM	REMARKS	MATERIAL	FINISH	COLOR	INST.	PURCH.	MODEL NUMBER	MANUFACTURER	QTY	DESCRIPTION	ITEM
F1					G.C.	O	DT-19	BEST IMAGE FURNISHING	V	TABLES	F1
F2					G.C.	O	CH235-BLK-WS	BEST IMAGE FURNISHING	V	CHAIRS	F2
F3					G.C.	O	BS237-BLK	BEST IMAGE FURNISHING	V	BAR STOOL W/ BACK SUPPORT	F3
F4					G.C.	O	BS236-BLK-WS	BEST IMAGE FURNISHING	V	BAR STOOL W/O BACK SUPPORT	F4
F5					G.C.	O	BS915	BEST IMAGE FURNISHING	V	BOOTH SEATING	F5
F6					G.C.	O	CUSTOM	BEST IMAGE FURNISHING	V	BANQUET SEATING	F6
F7					G.C.	O	DT-19	BEST IMAGE FURNISHING	V	ACCESSIBLE TABLE	F7
F8	HI-TOP, W/ BARSTOOL "F3"				G.C.	O	TT-11-SW	BEST IMAGE FURNISHING	1	HI-TOP COMMUNAL TABLE	F8
F9	34" HIGH				G.C.	O	TT-11-SW	BEST IMAGE FURNISHING	1	ACCESSIBLE COMMUNAL TABLE	F9
F10	FURNITURE IS FIXED AND ACCESSIBLE				G.C.	O			1	MANAGERS/IT STATION/CPU	F10

HEALTH DEPARTMENT NOTES:

1. ALL EQUIPMENT, INCLUDING SHELVING MUST BE SUPPORTED BY SIX (6) INCH HIGH EASILY CLEANABLE LEGS, COMMERCIAL CASTERS, OR COMPLETELY SEALED IN POSITION ON A FOUR (4) INCH HIGH CONTINUOUSLY, COVED BASE OR CONCRETE CURB.
2. ALL FLOOR SINKS MUST BE AT LEAST HALF-EXPOSED UNDER THE CURB MOUNTED EQUIPMENT, OR BE IN LINE WITH THE FRONT FACE OF ELEVATED FREESTANDING EQUIPMENT, AND LOCATED WITHIN 15 FEET OF THE CONDENSATE PRODUCING EQUIPMENT.
3. A PROPERTY COVED PROTECTIVE ENCLOSURE WILL BE REQUIRED AROUND THE BACKSIDE OF HALF-EXPOSED FLOOR SINK WHERE THE FLOOR SINK IS INSTALLED UNDER CURB OR BASED MOUNTED EQUIPMENT, E,G.,STORAGE CABINET, DISPLAY REFRIGERATORS, ETC.
4. ALL CUSTOM EQUIPMENT SHALL BE APPROVED BY NSF AND MEET LOCAL GOVERNMENT CODE.
5. ALL EQUIPMENT SHALL BE APPROVED BY A.G.A., UL, AND NSF IF APPLIED.
6. ALL DISASSEMBLE PARTS OF THE FLOOR MIXER MUST FIT IN THE 3 COMPARTMENT SINK.

LEGEND:

- G.C. – GENERAL CONTRACTOR
- O – OWNER
- S.C. – SODA COMPANY
- PFC – PIZZA PRESS FRANCHISE CORP.
- V – VARIES
- SC – SELF-CONTAINED
- FS – FLOOR SINK

ITEM	REMARK	PLUMBING: GAS SIZE	GAS R.I.H.	GAS MBTU	WASTE TYPE	WASTE SIZE	HOT WATER R.I.H.	HOT WATER SIZE	COLD WATER R.I.H.	COLD WATER SIZE	ELECTRICAL: CONNECTION R.I.H.	CONNECTION TYPE	LOAD AMPS	LOAD WATTS	LOAD H.P.	PHASE	VOLTS	EQUIPMENT: INST.	PURCH.	MODEL NUMBER	MANUFACTURER	QTY	DESCRIPTION	ITEM
1	115,000 BTU/HR, DOUBLE DECK OVENS W/STAND/NEMA 5-15	3/4"															120	G.C.	G.C.	3240-2N	LINCOLN	1	PIZZA OVEN	1
1.1																		G.C.	O	M7560K	KROWNE	1	GAS CONNECTOR KIT	1.1
2													18.0		2.7	1	200/240	G.C.	O	HL600	HOBART	1	60 QT. MIXER	2
3					SC							5-15P	3.9	234	1/4	1	115	G.C.	G.C.	TPP-AT-67-HC	TRUE MFG.	2	REFRIGERATED PIZZA PREP TABLE	3
4															3/4	1	220	G.C.	O	CDR-2000	SOMERSET	1	DOUGH SHEETER	4
5	REFER TO PLBG SHEETS				FS							5-15P	3.1		2/7	1	115	G.C.	G.C.	N8169BP	DELFIELD	1	SALAD COLD PAN	5
6	ON TOP OF SODA DISPENSER – NO BIN				FS	3/4"				3/8"		D	13.2			1	115	G.C.	O	ID-0452A	MANITOWOC	1	ICE MAKER	6
7																		G.C.	G.C.	CR-162M	WINHOLT	1	CAN RACK	7
8	ON CASTERS																	G.C.	O	SS-1820B	WINHOLT	4	PAN RACK	8
9																		G.C	G.C.	ST6R5-3084SSK	JOHN BOOS	1	DOUGH TABLE	9
10	W/OPTIONAL OVERHEAD SHELF																	G.C.	G.C.	DSB08	JOHN BOOS	1	WORK TABLE W/ OVERSHELVES	10
11																		G.C.	G.C.	DSB08	JOHN BOOS	1	PIZZA CUTTING WORK TABLE	11
12	PROVIDED BY VENDOR EQUIPMENT #6				FS								5.2			1	115	S.C.	O	IDC255	CORNELIUS	1	SODA DISPENSER	12
13																		S.C.	O	–	PER SODA COMPANY	1	CARBONATORS	13
14	REFER TO SHEETS C01-4																	S.C.	O	CARBO MIZER 450	CHART OR EQUAL	1	NUCO CO2 TANK	14
15																		S.C.	O	–	PER SODA COMPANY	1	BAG-IN-BOX	15
16												L14-20P	11.7	2600		1	120/208	G.C.	G.C.	GRBW-60	HATCO	1	PIZZA BUFFET WARMERS	16
17					FS	2"												G.C.	O	1B18244-1D24L	JOHN BOOS	1	S/S PREP SINK	17
18	FOR POTS, PANS & UTENSILS ONLY. DRAIN INDIRECTLY TO FS				FS															DT3B18244-2D18L	JOHN BOOS	1	3 COMPARTMENT SINK	18
18.1					FS	1 1/2"												G.C.	O	22-204	KROWNE	1	WASTE DRAIN	18.1
19																		G.C.	O	J18XXC	OLYMPIC	LOT	DRY STORAGE WIRE SHELVING	19
19.1																		G.C.	O	J18XXK	OLYMPIC	LOT	WET STORAGE WIRE SHELVING	19.1
20	2-TIERS, NSF APPROVED																	G.C.	G.C.	CUSTOM	ALLSTRONG OR EQUAL	LOT	CUSTOM WALL SHELVING	20
21	NSF APPROVED																	G.C.	G.C.	CUSTOM	ALLSTRONG OR EQUAL	1	CUSTOM PIZZA BOX SHELVING	21
22																		G.C.	O	31842TT7	NEW AGE INDUSTRIAL	2	BEER KEGS SHELVING	22
23								1/2"		1/2"								G.C.	O	B-0231	T&S BRASS	1	S/S PREP SINK FAUCET	23
23.1								1/2"		1/2"								G.C.	O	B-0133-ADF14-B	T&S BRASS	1	PRE-RINSE SPRAY W/ FAUCET	23.1
24	W/ VACUUM BREAKER/BACKFLOW PREVENTER WITH CHEMICAL SHELF & BROOM RACK				D	2"												G.C.	G.C.	PBMS2016-12-X	JOHN BOOS	1	MOP SINK	24
24.1								1/2"		1/2"								G.C.	G.C.	PBF-SS-6	JOHN BOOS	1	SERVICE FAUCET	24.1
25																							NOT USED	25
26																							NOT USED	26
27																							NOT USED	27
28	CONDENSER, COMPRESSOR & EVAPORATOR LOCATED ABOVE EQUIPMENT				FS													G.C.	G.C.	CUSTOM	KOLPAK OR EQUAL	1	WALK-IN COOLER	28
28.1																	120	G.C.	G.C.	CUSTOM	KOLPAK OR EQUAL	1	REMOTE REFRIGERATION FOR WALK-IN COOLER	28.1
29	CONDENSER, COMPRESSOR & EVAPORATOR LOCATED ABOVE EQUIPMENT				FS													G.C.	G.C.	CUSTOM	KOLPAK OR EQUAL	1	WALK-IN FREEZER	29
29.1																	120	G.C.	G.C.	CUSTOM	KOLPAK OR EQUAL	1	REMOTE REFRIGERATION FOR WALK-IN FREEZER	29.1
30	W/PRINTERS																	PFC	O	YUNO	AURES	4	POS CASH REGISTER	30
31																		G.C.	O	1408	AVAYA	4	PHONE/AUDIO SYSTEM	31
32	REFER TO PLBG SHEETS				FS	2"		3/4"					16.0		1		115	G.C.	O	AH	CMA DISHMACHINES	1	DISH WASHER MACHINE	32
32.1																		G.C.	O	CR-26	CMA DISHMACHINES	1	DISH TABLE	32.1
32.2	W/ DISH TABLE																	G.C.	O	10598701S	VICTORY	1	LOW PROFILE EQUIPMENT CASTERS	32.2
33					SC								3.3		1/4	1	115	G.C.	O	CD4160 PEPSI	QBD	1	REACH-IN MECHANDISER	33
34																		G.C.	O	CUSTOM	MICRO MATIC	1	12-HEAD BEER DISPENSING SYSTEM	34
35					FS	1/2												G.C.	O	CUSTOM	MICRO MATIC	1	DRIP PAN	35
36					SC							5-15P	9.6		1	1	115	G.C.	G.C.	T-43F-HC	TRUE MFG.	1	2-DOOR REACH IN FREEZER	36
37												5-20P	16.7	2000		1	120	G.C.	O	C519-CFC-U	METRO	1	HEATED PIZZA HOLDING CABINET	37
38	SEE MECH DRAWINGS																	G.C.	G.C	CAPTIVE AIRE	CAPTIVE AIRE	1	TYPE-I EXHAUST HOOD SYSTEM	38
39																		G.C.	G.C	CAPTIVE AIRE	CAPTIVE AIRE	1	MAKE UP W/ FRONT SUPPLY AIR PLENUMS	39
40																		G.C.	G.C.	CUSTOM	ALLSTRONG OR EQUAL	1	S/S CLOSURE PNLS HANGING ROD	40
41	W/6" SPLASHGUARDS				D	2"												G.C.	G.C.	PBHS-W-1410-SSLR-X	JOHN BOOS	2	HAND SINK-WALL MOUNTED	41
41.1								1/2"		1/2"								G.C.	O	PBF-4-S-LF	JOHN BOOS	2	FAUCET	41.1
41.2																		G.C.	O	PER OWNER	PER OWNER	3	PAPER TOWEL DISPENSER	41.2
41.3																		G.C.	O	PER OWNER	PER OWNER	3	SOAP DISPENSER	41.3
42													15.0				110	G.C.	O	BEERBLAST	SOUTH-TEK SYSTEMS	1	MIXED GAS DISPENSE SYSTEM	42
43					SC							5-15P	7.5	860	1/3	1	115	G.C.	O	TBB-24CAL-72G-S-HC-LD	TRUE MFG.	1	UNDERBAR REFRIGERATOR	43
44																		G.C.	O	ELS-6DR	GSW	2	LOCKERS	44
45																		G.C.	O	UN55TU7000	SAMSUNG	3	WALL MOUNTED TV MENU	45
46	CEILING & WALL MOUNT																	G.C.	G.C.	UN75TU7000	SAMSUNG	V	WALL MOUNTED TV MONITOR	46
47	SEE PLBG. DWGS.																	G.C.	G.C.	BTX-100	AO SMITH	1	GAS WATER HEATER	47
48																		G.C.	G.C.	ES31	ADM	V	SNEEZE GUARD W/ GLASS PANELS	48
49													2.4		1/6	1	115	G.C.	G.C.	LPN236	MARS AIR	1	AIR CURTAIN	49
50	ON 4" CURB																	G.C.	O	BWB2020FL	AMERICAN SECURITY PRODUCTS	1	SAFE	50
51																		G.C.	G.C.	DACS-35	ANTUNES	2	CUP DISPENSER	51
52																		G.C.	G.C.	CUSTOM	MILLWORK	1	COUNTER-SERVICE/BUFFET STATION	52
52.1																		G.C.	G.C.	CUSTOM	MILLWORK	1	COUNTER- BEVERAGE STATION	52.1
53																		G.C.	G.C.	CUSTOM	MILLWORK	1	BEER COUNTER	53
53.1																		G.C.	G.C.	CUSTOM	MILLWORK	1	BACK SERVICE COUNTER	53.1
54																		G.C.	O	PER OWNER	PER OWNER	V	PHONE SYSTEM	54
55																							NOT USED	55

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ARCH PROJECT #: 21-___

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SHEET CONTENT

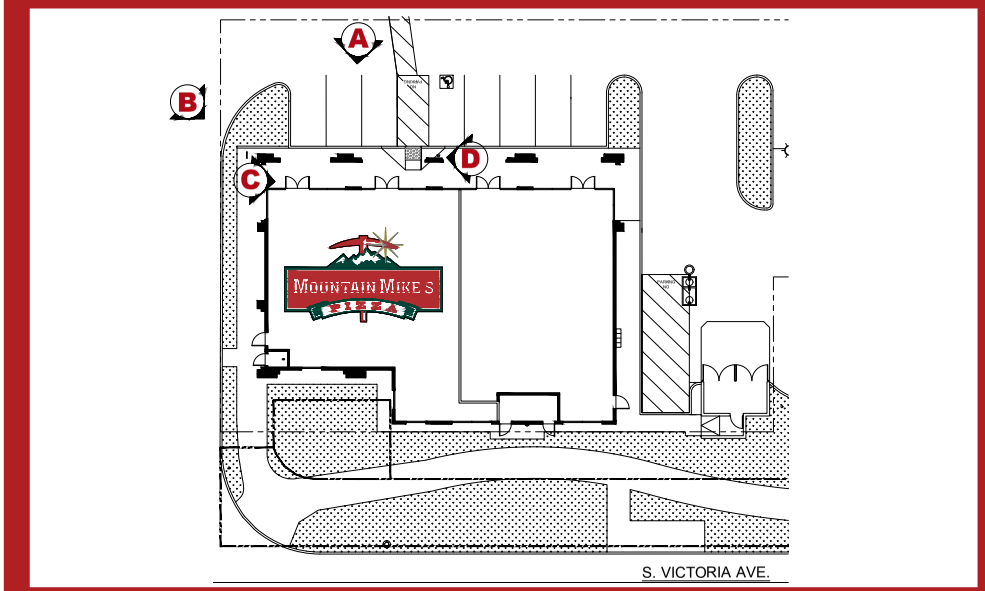
EQUIPMENT SCHEDULE

SHEET NO

K-1.1

VIEW A

VIEW B

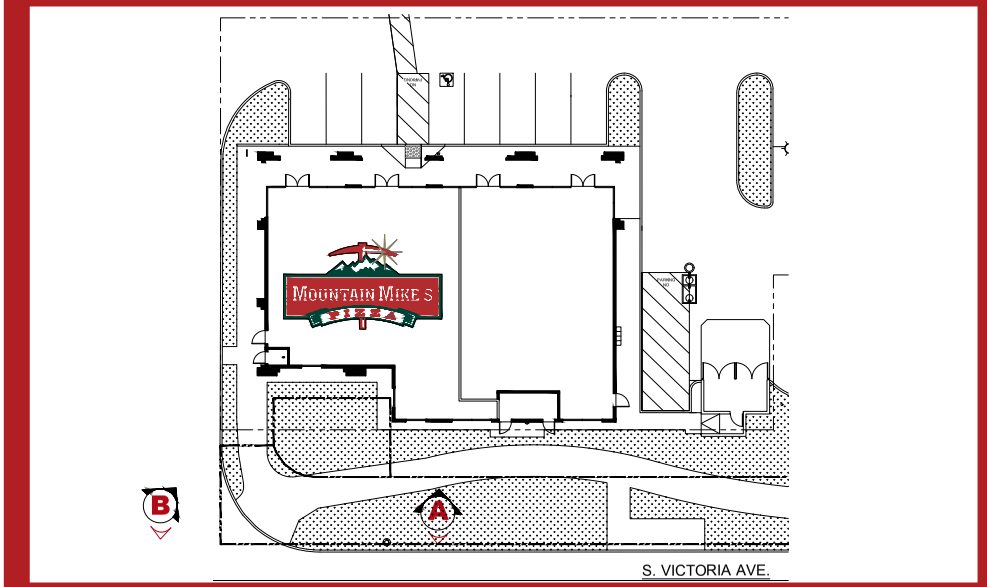


VIEW C

VIEW D

MOUNTAIN MIKE'S PIZZA
1105 S. VICTORIA AVE., OXNARD, CA 93003

VIEW A



VIEW B

MOUNTAIN MIKE'S PIZZA
1105 S. VICTORIA AVE., OXNARD, CA 93003

COMMUNITY DEVELOPMENT DEPARTMENT
OXNARD PLANNING DIVISION
214 SOUTH C STREET
OXNARD, CALIFORNIA 93030

CITY OF OXNARD CALIFORNIA

NOTICE OF EXEMPTION

Project Description: **Mountain Mike's Pizza Alcohol Special Use Permit;** Planning and Zoning Permit No. 22-510-01 (Special Use Permit - Alcohol): A request to sell beer and wine (Type 41 ABC License) for on-site consumption at a proposed approximately 2,420 square-foot restaurant with an outdoor patio measuring approximately 300 square-feet, on a 2.92-acre site located at 1105 South Victoria Avenue (APN: 188-0-250-245) within the Coastal Planned Unit Community (C-P-C) zone. The proposed hours of alcohol sales are from 11:00 AM to 11:00 PM daily. Filed by Bobby Singh, Designated Agent, on behalf of property owner ROIC California, LLC., 11250 El Camino Real, Ste. 200, San Diego, CA 92130.

Finding:
The Planning Commission of the City of Oxnard has reviewed the above proposed project and found it to be exempt from the provisions of the California Environmental Quality Act (CEQA).

☐ Ministerial Project
☒ Categorical Exemption
☐ Statutory Exemption
☐ Emergency Project
☐ Quick Disapproval [CEQA Guidelines, 14 Cal. Code of Regs. 15270]
☐ No Possibility of Significant Effect [CEQA Guidelines, 14 Cal. Code of Regs. 15061(b)(3)]

Supporting Reasons: In accordance with Section 15301, Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) Guidelines, projects involving "negligible or no expansion of use beyond that existing at the time of the lead agency's determination" may be found to be exempt from the requirements of CEQA. The Project involves a request to sell alcohol for on-site consumption within an existing multi-tenant commercial building and will not increase the square footage of the existing building. No Exceptions to the Exemptions (Section 15300.2) apply to defeat the Exemption. Therefore, the Planning Commission has determined that there is no substantial evidence that the project may have a significant effect on the environment, the project is categorically exempt from the provisions of CEQA, there is no requirement to prepare an environmental document, and they hereby authorize and direct the Planning and Environmental Services Manager to file a Notice of Exemption with the Ventura County Clerk.

_____ _____
(Date) Joe Pearson II, AICP
Interim Planning and Environmental Services Manager

CITY OF OXNARD CALIFORNIA

Police Department
Jason Benites, Chief of Police

June 8, 2022

To: Joe Pearson II, Interim Planning Division Manager
Randy Baez, Associate Planner

From: Marc Amon, Patrol Support Division Commander
Scott Swenson, Safer Neighborhoods and Alcohol Compliance Specialist

Subject: Mountain Mike's Pizza, 1105 So. Victoria Avenue
PZ 22-510-01, Alcohol SUP Review (ABC Type 41)

Site Information:
The applicant is seeking to establish a Type-41 ABC License (Beer and Wine Restaurant) at a retail building located on the east side of the Seabridge Shopping Center on the southwest corner of Victoria Avenue and Wooley Road. The front of the business faces westward toward the shopping center parking lot. The nearest residences are about one-hundred feet east across Victoria Avenue to the rear of the business. The shopping center is in the Channel Islands Neighborhood.

The Seabridge Shopping Center is located on the southwest corner of Wooley Road and Victoria Avenue. To the west and south of the center is the Seabridge community and marina. East of the center is the Via Marina Neighborhood. North of the center is agricultural land.

The applicant is pursuing an Alcohol Beverage Control (ABC) Type 41[1] License to sell beer and wine as a restaurant from 11:00 A.M. to 11:00 P.M.

Concentration, Crime and Policing Services

[1] *Type 41 On Sale Beer and Wine – Eating Place: (Restaurant) Authorizes the sale of beer and wine for consumption on or off the premises where sold. Distilled spirits may not be on the premises (except brandy, rum, or liqueurs for use solely for cooking purposes). Must operate and maintain the licensed premises as a bona fide eating place. Must maintain suitable kitchen facilities and must make actual and substantial sales of meals for consumption on the premises. Minors are allowed on the premises.*

Concentration of retail alcohol outlets and crime can have a significant impact on public safety and the delivery of police services. The State of California[2] and the City of Oxnard[3] have established standards to weigh concentration factors, and, when appropriate, mitigations to address those factors. The below charts identify nearby retail alcohol establishments.

Alcohol outlets located within 350 Feet

#	Business Name	Address	ABC Type	ASUP	On/Off-Sale	Premise	Alcohol	Alcohol Hours *
1	Chipotle	1101 S. Victoria Ave.	41	Y	On	Restaurant	Beer & Wine	9a-11p
2	Sura USA	1213 S. Victoria Ave.	41	Y	On	Restaurant	Beer & Wine	7a-11p
3	Vons #2825	1291 S. Victoria Ave.	21	Y	Off	Market	Beer Wine Spirits	6a-Mid.

**Alcohol hours reflect period the business is permitted to serve alcohol under State law or by established City conditions.*

Alcohol outlets located between 350 Feet and 1000 Feet

#	Business Name	Address	ABC Type	ASUP	On/Off-Sale	Premise	Alcohol	Alcohol Hours *
1	Fisherman's Catch	1185 S. Victoria Ave.	41	Y	On	Restaurant	Beer & Wine	7a-11p
2	Anaba Sushi	1171 S. Victoria Ave.	41	Y	On	Restaurant	Beer & Wine	7a-1p

City Council Resolution 11,896 establishes that there is undue concentration if there exists an alcohol establishment of a similar type within 350 feet of the applicant site. As noted on the chart above, there are two existing restaurants with alcohol licenses within 350 feet of the applicant site. One restaurant, Chipotle, serves Mexican fast food. The second restaurant, Sura USA serves Korean cuisine. Since these restaurants and the applicant's restaurant serves different cuisine, there is no undue concentration under City standards.

State standards for undue concentration are established under Business and Professions Code Section 23958.4.

[2] *Concentration Standards for the State of California: §23958.4 Business and Professions Code*
[3] *Concentration Standards for the City of Oxnard: Council Resolution 11,896*

(a) *For purposes of Section 23958, "undue concentration" means the case in which the applicant premises for an original or premises-to-premises transfer of any retail license are located in an area where any of the following conditions exist:*
   1) *The applicant premises are located in a crime reporting district[4] that has a 20 percent greater number of reported crimes, as defined in subdivision c, than the average number of reported crimes as determined from all crime reporting districts within the jurisdiction of the local law enforcement agency.*
   2) *As to on-sale retail license applications, the ratio of on-sale retail licenses to population in the census trat or census division in which the applicant premises are located exceeds the ratio of on-sale retail licenses to population in the county in which the applicant premises is located.*
   3) *As to off-sale retail license applications, the ratio of off-sale retail licenses to population in the census tract or census division in which the applicant premises are located exceeds the ratio of off-sale retail licenses to population in the county in which the applicant premises are located.*

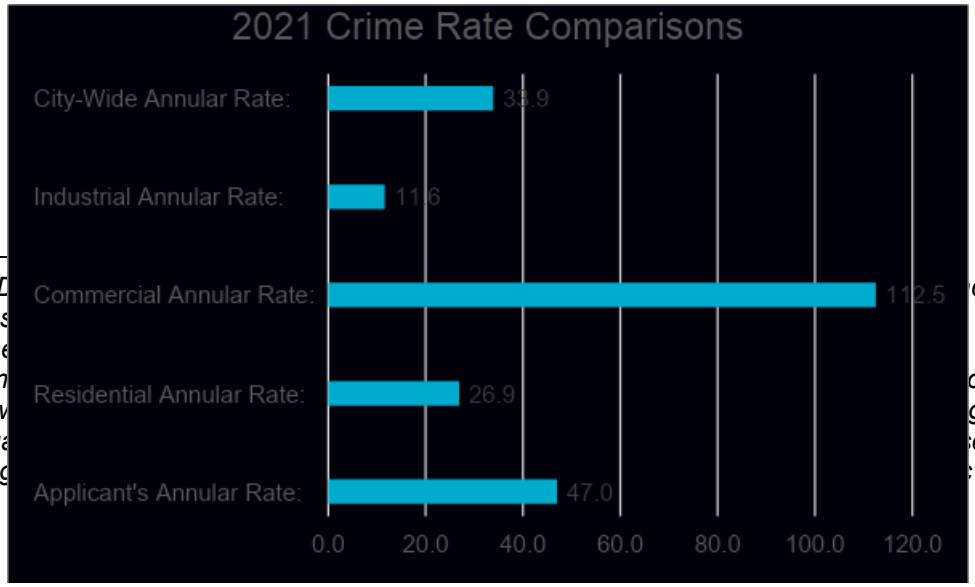
In the case of the applicant site, the annular crime rate is above the average annular citywide rate. This shows the site as having a crime rate above the standard established in 23958.4(1) B&P.

Currently there are 8 on-sale licenses within the applicant's census tract. According to the ABC, 4 on-sale licenses are permitted within this census tract.

Based on the above findings, there is an undue concentration under the provisions of California Business and Professions Code Section 23958.4

<u>Crime Statistics Review:</u>
For comparison purposes the Police Department calculates the average number of Part I[5] and II[6] crimes that occurred during a selected 12-month period. In the case of this report, all calculations are based on statistics from 2021. The average city-wide, annular average of Part I and II crimes is 33.9.

The average number of Part I and II crimes in the applicant's 1000 feet annular area is 47. This is 41.8 % of the average for commercial properties citywide and can be best illustrated in the graph below:



[4] *Oxnard P.D* ... *centration of alcohol es*
[5] *Part I crime*
[6] *Part II crim* ... *operty, vandalism, v* ... *gambling, offenses aga* ... *orderly conduct, vag* ... *violations.*

Police Department Input:
The Beat Coordinator who is responsible for the day-to-day monitoring of activity and deployment of police resources for the surrounding area said that the location is not generally considered to be a policing problem and has not required any specific attention.

Community Input

Businesses:
Several nearby business operators were contacted and interviewed regarding this business' request to sell alcohol. The responses of these business operators were supportive and there were no objections to approval of this permit.

Area Residents:
The neighborhood chairperson was briefed concerning this project and he had no concerns about this business selling beer and wine as a pizzeria.

Conclusion

Mountain Mike's Pizza is a restaurant corporation established in 1978 with over 200 stores operating in California. The nearest outlets are located in Santa Maria. During an interview with the President of Mountain Mike's he indicated that sales of alcoholic beverages at their outlets account for only 2 to 4 percent of gross sales.

Concentration, Public Convenience and Necessity
As previously discussed, the site of the proposed establishment is within an area of the City where there is an "undue concentration" of on-sale alcoholic beverage establishments within the meaning of section 23958.4(a)(1) of the Business and Professions Code, and, as described in City Council Resolution 11,896. The crime rate established for the area around the business is not seen as significant factor relating the issuance of this permit.

A finding of public Convenience can be made for this proposal as it is convenient for restaurants to serve an alcoholic beverage which pairs well with the food they serve. Conversely, it would be inconvenient for a member of the public to patronize this

restaurant and have to go elsewhere to obtain an alcoholic beverage that would pair well with their meal.

The neighborhood chair, representing his community, indicated that he had no concerns with this business receiving approval to sell beer and wine at their restaurant.

Based on the crime statistics, the assessment from the Beat Coordinator, and the input from the community there is no significant reason to oppose this application. Under the recommended operating conditions, it is believed that the service of alcoholic beverages at this business will have little, if any adverse impact on the community or policing services.

Police Operating Conditions
On-Sale Restaurant

On-Sale Restaurant Standard Conditions

RBS Training

1. Permittee, managers and servers shall complete an approved course in Responsible Beverage Service (RBS) sponsored or approved by either the California Department of Alcohol Beverage Control or the Chief of the Oxnard Police Department within sixty (60) days of license granting and/or date of employment. The permittee is responsible for maintaining records showing servers have completed the required training and shall submit this documentation upon request by the Oxnard Police Department. The ABC website for their RBS training is Responsible Beverage Service (RBS) Training | Alcoholic Beverage Control (ca.gov). The RBS card shall be renewed every three years by taking an approved course otherwise, the card will be considered invalid. (PL/PD)

2. A copy of these conditions and a log of employees who have completed Responsible Beverage Service training must be maintained on the premises and made available upon the demand of by any representative of the Oxnard Police Department.

Food & Beverage Service

3. Sales of alcohol may only occur between the hours of 7:00 A.M. and 11 P.M. *(see provision for extension of service hours in "Special Conditions")* (PL/PD)

4. The quarterly gross sales of alcoholic beverages shall not exceed the gross sales of food during the same period. Permittee shall at all times maintain records which reflect separately the gross sales of food and the gross sales of alcoholic beverages of the licensed business. Said records shall be kept no less frequently

than on a quarterly basis and shall be made available to the Police Department upon demand. (PL/PD)

5. The premises shall be equipped and maintained in good faith as a bona fide restaurant and shall possess, in operative condition, such conveniences for cooking and storage of foods such as stoves, ovens, broilers, refrigeration or other devices, as well as pots, pans or containers which can be used for cooking or heating foods on the type heating device employed. (PL/PD)

6. The business shall have a grease interceptor as required by the Wasterwater Division.

7. Permittee shall have a Certified Food Handler on-duty at all times the restaurant is open to support the service of its menu. (PD)

8. Permittee shall maintain records in accordance with Health and Safety Code 113790 which requires any employee who handles food shall have a California Food Handler Card. (PD)

9. Permittee shall offer an assortment of food items to customers at all times that alcohol is being served. A menu of food items, including appetizers, entrees and desserts, shall be available at all times that alcohol is available for sale, and employees will encourage guests to purchase and consume food items along with their alcoholic beverages, as part of its commitment to responsible beverage service. The menu shall not be reduced in number or substance at any time alcohol is being served other than for reasonable, unforeseen reasons (lack of product…). Any changes or replacements to the proposed product offering shall be of similar or greater quantity and any permanent reduction of menu items is prohibited. (PD)

10. Alcoholic beverages shall not be offered at significantly reduced prices (typically more than a 25% reduction from regular prices) that are meant to encourage greater consumption of alcohol such as during "happy hour" type promotions. Permittee shall not develop any other promotional activity that is designed to encourage excessive drinking of alcoholic beverages. Promoting a "happy hour" or other event that offers reduced prices on food or other items shall not be considered a violation of this condition and are actually encouraged. (PD)

11. Alcohol shall be served in containers that are distinct from the beverage cups or containers used for coffee or other non-alcoholic beverages shall be served in standard sizes that are consistent with the industry and shall not be served by the pitcher or similar high-capacity containers exceeding 25 oz. total. The sale or service of alcohol in their original container (bottle or can) is prohibited. The design of containers for the service of alcoholic beverages shall be approved by the Chief of Police or his designee. (PD)

12. The premises shall be equipped with an adequate number of seats to accommodate all customers. There shall be no service area that is designed or used as a standing area only or as a combined standing and seating area. (PD)

13. Employees involved in the sale or service of alcoholic beverages shall not be allowed to consume alcoholic beverages at any time during their shift. Employees shall not report to work with evidence of having consumed any intoxicants such as alcohol, illegal drugs or controlled substances. (PD)

14. Any graffiti painted or marked upon the premises or on any adjacent area under the control of the Permittee shall be removed or painted over within 24-hours of being applied. (PD/PL)

15. The property owner and the tenant shall be responsible for maintaining their areas of responsibility free of litter the area adjacent to the premises over which Permittee has reasonable control. (PD/PL)

16. The permittee shall establish responsible cash handling procedures to reduce the likelihood of robberies and thefts. (PD)

17. Permittee shall regularly police the area under Permittee's control and shall not permit the loitering of persons about the premises. (PL/PD)

18. The activity at the site and the use of any amplifying system or device shall not be disruptive to neighboring uses. (PD)

19. The Police Chief or designee may immediately suspend operation of the uses approved by this permit pending a hearing on the revocation of this permit conditions and/or a permit/license issued by the California Department of Alcoholic Beverage Control ("ABC"), or there is a single serious violent crime or single significant incident to which multiple police units or multiple police jurisdictions respond associated with the operations of this use, which the Chief determines is detrimental to the public safety or health. The Chief shall immediately inform the Planning and Environmental Services Manager of the suspension and the manager shall schedule a hearing o the revocation of the permit by the Community Development Director to be held no more than 30-days after the suspension begins. (PD)

Security Features

20. Prior to commencing the sale of alcohol permitted by this permit, permittee shall install and operate 24 hours a day a video surveillance system. The system shall be maintained at a reasonable industry standard to monitor, and, at a minimum monitor, the entrances and exits, and any centralized point of sale and areas immediately surrounding the exterior of the business. Any video system installed

to meet the requirement of these conditions shall meet the below minimum standards:

a. Cameras and supporting equipment shall supply digital color images under normal lighting conditions. Greyscale images are required for infra-red lighting.
b. Cameras shall be made by a reputable manufacturer and maintained to current industry standards.
c. Cameras shall have sufficient low light capture ability to clearly monitor persons conducting transactions.
d. The video system shall utilize a Digital Video Recorder (DVR). VHS and other formats are prohibited.
e. The video system shall allow recording, live viewing and playback of recorded video for a period of at least 30 days.
f. Recorded images shall bear a date and time stamp that cannot be altered.
g. At a minimum, one camera shall be dedicated to capturing head and upper body images of each person entering any door or entrance to the business. Cameras dedicated to this purpose shall be mounted at 7-feet above the floor.
h. The camera system shall operate 24-hours a day, 7-days a week.
i. At a minimum one camera shall be dedicated to capture activity in the kitchen.
j. Cameras shall be located inside as well as outside the premises to monitor general activity.

21. Failure to maintain the video surveillance system in good working order can be grounds for suspension of this permit. The permittee shall provide video records to the Chief of Police or his/her designee in a timely manner upon request.

22. Prior to the issuance of the Certificate of Occupancy, the permittee shall submit and have approved by the Chief of Police or his/her designee a Security Site Plan which shall include the below features.
23. The Security Site Plan shall illustrate the location of each camera installation as well as the location of the support equipment. The support equipment shall be located in a secure room with limited access to supervisorial employees and other employees who, by the nature of their responsibilities, have a need to access to the equipment.
24. The Security Site Plan shall include a chart that identifies each camera by an alpha-numeric designation, the make and model of the instrument, the type of camera housing (dome, bullet, discrete), the camera's capture purpose (general area, choke point, point of sale, etc.) and it's mounting height above the floor/grade.
25. Identify the nature of all alarm systems including the make, model and type of sensors.

Operational Standards

26. All sales of alcohol must include a purchase of food.

27. Deliveries of alcoholic beverages are prohibited as a function of this alcohol Special Use Permit.

28. During normal business hours, the licensee shall provide access to the digital recordings for any and all law enforcement purposes as determined by the City of Oxnard. (PD)

29. The permittee shall participate, when requested and reasonable, in programs and efforts by the Oxnard Police Department to inform and educate patrons on dangers of driving under the influence of alcohol or drugs. (PD)

30. The permittee's Internet presence shall be consistent with these conditions. Any site or Internet presence reasonably controlled by the permittee shall not advertise or illustrate circumstances or activities that run contrary to provisions set forth through their ABC license or this Special Use Permit. (PD)

31. Should a suspected crime occur where some part of the event happens within the business, the permittee or managing/supervising employee shall provide to the Oxnard Police Department, in a timely manner, any video recording documenting activity within and around this business relative to the event when in involves:

    a. The service or sales of alcoholic beverages under the scope of this permit or ABC license.
    b. Any crime of violence and there is an urgency to identify the suspect or true circumstances to protect the safety of an individual or the public at large.
    c. Any theft occurring within the business.

32. Permittee shall install and maintain a dual technology electronic intrusion detection system capable of differentiating between human and non-human motion. (burglary alarm). (PD)

33. Permittee shall bolt down or otherwise secure all cash registers to service counters to prevent the entire device from being stolen during a burglary or robbery. (PD)

34. Permittee shall equip each point of sale with a silent robbery alarm that complies with Oxnard City Ordinance No. 2601 or develop and implement critical incident protocols that provide an efficient method for alerting police and others to a potential threat without unnecessarily putting the employees at risk. (PD)

35. Permittee shall have drop-safes installed or establish other responsible cash handling procedures to allow employees to deposit daily receipts throughout the

day as the amounts exceed allowable levels in the register (typically $50-200). (PD)

36. Permittee shall establish responsible cash handling procedures to reduce the likelihood of robberies and theft. (PD)

37. The area surrounding premises under the reasonable control of the Permittee (including the rear of the business) shall be equipped with lighting of sufficient power to illuminate and make easily discernable the appearance and conduct of all persons in or about the area. (PD/PL)

Entertainment

38. Entertainment as defined by Oxnard City Ordinance 11-185 is prohibited except music which creates ambiance consistent with the normal operation of the business. Performers, televised events and other types of entertainment intended to attract customers to the business are prohibited.

39. When security personnel are present or required per Oxnard City Code, Permittee shall maintain accurate records of all security personnel on the premise at any given time and make those available to the police upon demand. These records shall, at a minimum, provide the name, date of birth, copies of security guard credentials or license and any other permits or certifications related to security work. This would include copies of permits for weapons or other tools the guard may be authorized to carry. Security personnel shall remain in compliance with updated training related to their work as set forth by any existing or future state and/or local regulations. (PD)

Signage

40. There shall be no advertising of alcoholic beverages visible from the outside, including advertising directed to the exterior from within, promoting or indicating the availability of alcoholic beverages. (PL/PD)

41. There shall be no posters or signs on the windows other than those require by permit or statute or otherwise specifically approved by the Planning Division.

42. In the areas outside the business, not otherwise licensed by the Department of Alcoholic Beverage Control allowing the service of alcohol, Permittee shall post prominent, permanent signs indicating that loitering, open containers and the consumption of alcoholic beverage is prohibited. This includes the parking lot, walkways and other adjacent areas under Permittee's reasonable control. (PD)

43. Prominent signs shall be posted throughout the business, in effect, "No persons under 21 will be served alcoholic beverages" and "Valid ID is required to purchase or possess alcoholic beverages". (PD)

Site Design

44. There shall not be any outdoor or patio bar (portable or otherwise) where alcoholic beverages are stored or served. (PD)

45. No pay phones on the exterior of the premises shall be allowed within 100-feet of the front or rear doors. Any pay phones installed inside shall be blocked from incoming calls. (PD/PL)

46. Any rear door of the premises shall be equipped on the inside with an automatic locking device, shall be closed at all times, and shall not be used as a means of access by patrons to and from the licensed premises. Temporary use of these doors for delivery of supplies does not constitute a violation. (PD)

47. Any change in the floorplan as established at the time of the issuance of this permit that may intensify the use or service of alcohol shall require a minor modification permit. Such change would include, but not be limited to increasing the number of seats at a bar, expansion of hours beyond those established in this permit, or the creation of a bandstand or other area for the use of entertainment.

Permit Restrictions

48. The subject Alcoholic Beverage Control License shall not be exchanged for any other type of Alcoholic Beverage Control License without DDR review and approval by the Police Chief or designee and the Community Development Director. (PD)

49. Upon any individual transfer (person to person) of the subject Alcoholic Beverage Control License, or if the business is ever deemed a nuisance as defined in the Oxnard City Code, a review of the existing DDR shall be initiated, and conditions may be added or removed as appropriate to mitigate existing or potential problems. (PD)

50. Prior to the issuance of this permit, the permittee shall submit and have approved a security plan which identifies details the camera system, alarms, guard post orders and other security related matters and policies.

51. "Dine in" customers ordering alcohol beverages shall not take the beverage(s) away from the premises. Menus shall have language that advises customers that alcoholic beverages are served for on-site consumption.

52. Credible evidence of any of the below issues shall be grounds to change the

hours of alcohol sales under this permit or hours allowed for dancing under a Dance Permit. Such action would be taken using the hearing process as outlined in the Oxnard City Code.

a. Evidence of over-service of alcohol to patrons. This may be established through the annual Place of Last Drink Report issued by the Ventura County Department of Behavioral Health, or, through arrests at or near the business for public intoxication or DUI where the arrestee was a patron of the business.
b. Service of an alcoholic beverage to a minor.
c. Evidence that the gross sales of alcohol exceeded the gross sales of food during a previous quarter.
d. Failure to submit, when requested, quarterly fiscal documentation to the Police Department 45-days after the close of the quarter. Documentation shall include but not be limited to: profit and lost statements which specifically illustrated gross alcohol and gross food sales and filings to the Department of Tax and Fee Administration. Sales of merchandise and services shall not be included either the calculation of gross alcohol or gross food sales.

53. Permittee shall provide the Police Department a point of contact for notifications and exchange of information. To update the Police Department on this designated point of contact an email shall be sent to: specialprojects@oxnardpd.org. The email shall include the name of the business, address, name of the primary contact person, their role with the business, their email address and a phone number.

54. Any change in the customer seating that would create a bar or other alcohol centric customer area will prompt the need for a new Alcohol Special Use Permit and Review.

Special Police Conditions

55. The patio shall be surrounded by a barrier which consists of one of these design features:

a) A 42-inch tall fence accompanied by a landscape feature which measures 18-inches deep as measured from the fence. This landscape feature shall have plantings that are between 12 and 42 inches in height. The landscape strip shall parallel 75% of the fence line not counting gates.

b) A 60-inch tall fence where, at a minimum, the top 18-inches consists primarily of a clear glass, plexiglass, or other similar material. The clear panels shall meet or exceed industry safety standards for similar applications.

CITY COUNCIL OF THE CITY OF OXNARD

RESOLUTION NO. 11,896

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD ADOPTING STANDARDS FOR DETERMINING APPLICATIONS FOR SPECIAL USE PERMITS TO SELL ALCOHOLIC BEVERAGES

WHEREAS, any person wishing to sell alcoholic beverages in the State of California must obtain a license to do so from the Department of Alcoholic Beverage Control; and

WHEREAS, Business and Professions Code Section 23790 provides that the Department of Alcoholic Beverage Control shall not issue a retail license "for any premises which are located in any territory where the exercise of the rights and privileges conferred by the license is contrary to a valid zoning ordinance of any county or city"; and

WHEREAS, the City of Oxnard has enacted zoning ordinances restricting the sale of alcoholic beverages to certain zones and requiring that a person wishing to sell alcoholic beverages in such zones first obtain a special use permit; and

WHEREAS, section 34-147 of the Oxnard City Code provides in part:

"Before a special use permit may be granted, the applicant must show and the planning commission must find that the proposed use is in conformance with the general plan and other adopted standards and that the following conditions are met:

"(a) The nature, condition and development of adjacent uses, buildings and structures shall be considered, and no proposed special use permit shall be granted where the commission finds such use will adversely affect or be materially detrimental to such adjacent uses, buildings or structures or to the public health, safety or general welfare."

WHEREAS, based on the experience of the Police Department that there is a relationship between crime and the consumption of alcohol and that establishments selling alcohol are incompatible with certain adjacent uses, the City Council wishes to adopt standards for determining when granting applications for special use permits to sell alcoholic beverages would adversely affect or be materially detrimental to adjacent uses, buildings or structures or to the public health, safety and general welfare; and

WHEREAS, this resolution applies only to the determination required by subsection (a) of section 34-147 of the City Code, and does not dispense with the requirement that in order to grant a special use permit to sell alcoholic beverages the application must satisfy the remainder of section 34-147; and

WHEREAS, in accordance with the California Environmental Quality Act, the Planning and Environmental Services Manager provided public notice of the intent of the City to adopt a negative declaration for the adoption of this resolution ("the project"), and the City Council has considered the proposed negative declaration, together with any comments received during the public review process, finds on the basis of the initial study and any comments received that there is no substantial evidence that the project will have a significant effect on the environment, further finds that the mitigated negative declaration reflects the independent judgment of the City, and approves the negative declaration.

NOW, THEREFORE, the City Council of the City of Oxnard resolves:

1. City Council Resolution No. 8597 is repealed.

2. The Planning and Environmental Services Division of the Development Services Department shall refer to the Police Department applications for special use permits to sell alcoholic beverages at retail. The Police Department shall prepare and submit to the secretary of the Planning Commission, at least ten calendar days before the date set for hearing on the special use permit, a written report on the following matters:

(a) The name and address and a description of the type of all establishments selling alcoholic beverages within 1,000 feet of the location for which the special use permit is applied. As used in this resolution, "the type" refers to the nature of the business (e.g., grocery store, liquor store, bar or restaurant), not to the type of State Alcoholic Beverage Control license issued to or sought for the business.

(b) The annual number of incidents involving police responses within 1,000 feet of the location for which the special use permit is applied and how this number compares to the City average of police responses.

(c) The likelihood that granting the application will create or significantly aggravate police problems at or near the subject location.

(d) A list of conditions recommended for inclusion in the special use permit to minimize police problems if the application is granted. One such condition shall be that the applicant provide Responsible Beverage Sales and Service (RBSS) training to all operators and employees of the establishment within 30 days of their employment. The applicant may apply to the Police Department for a waiver of RBSS training for temporary or short-term employees.

3. The Planning Commission shall consider the report, as well as any other relevant evidence, in determining whether, under subsection (a) of section 34-147 of the City Code, granting an application for a special use permit to sell alcoholic beverages at retail would adversely affect or be materially detrimental to adjacent uses, buildings or structures or to the

public health, safety or general welfare. Before making such determination, the Planning Commission shall make the following findings, as well as any other relevant findings:

(a) The proposed use is not likely to create or significantly aggravate police problems within 1000 feet of the location for which the special use permit is applied; and

(b) The proposed use will not result in or add to an undue concentration of establishments selling alcoholic beverages at retail within 1000 feet of the location for which the special use permit is applied. For purposes of making this determination, there is a presumption that an undue concentration will result or be added to if the establishment for which the special use permit is applied will be located less than 350 feet from another establishment of the same type, and there is a presumption that an undue concentration will not result or be added to if the establishment for which the special use permit is applied will be located 350 feet or more from another establishment of the same type. However, either presumption may be rebutted by a preponderance of the evidence, based on the facts of the particular case.

4. All of the procedures and other matters contained in section 34-146 et seq. of the City Code apply to applications for special use permits to sell alcoholic beverages at retail.

PASSED AND ADOPTED this 6th day of February, 2001, by the following vote:

AYES: Councilmembers Maulhardt, Pinkard, Zaragoza, Holden and Lopez.

NOES: None.

ABSENT: None.

Dr. Manuel M. Lopez, Mayor

ATTEST:

Daniel Martinez, City Clerk

APPROVED AS TO FORM:

Gary L. Gillig, City Attorney

RESOLUTION NO. 2022 – XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD APPROVING PLANNING AND ZONING PERMIT NO. 22-510-01 (SPECIAL USE PERMIT - ALCOHOL), A REQUEST TO SELL BEER AND WINE (TYPE 41 ABC LICENSE) FOR ON-SITE CONSUMPTION AT A PROPOSED 2,420 SQUARE-FOOT RESTAURANT WITH AN OUTDOOR PATIO MEASURING APPROXIMATELY 400 SQUARE FEET, ON A 2.92-ACRE SITE LOCATED AT 1105 SOUTH VICTORIA AVENUE (APN: 188-0-250-245) WITHIN THE COASTAL PLANNED UNIT COMMUNITY (C-P-C) ZONE. THE PROPOSED HOURS OF ALCOHOL SALES ARE FROM 11:00 AM TO 11:00 PM DAILY, SUBJECT TO CERTAIN FINDINGS AND CONDITIONS. FILED BY BOBBY SINGH, DESIGNATED AGENT, ON BEHALF OF PROPERTY OWNER ROIC CALIFORNIA, LLC., 11250 EL CAMINO REAL, STE. 200, SAN DIEGO, CA 92130.

WHEREAS, on March 25, 2022, Bobby Singh, (the "**Applicant**") on behalf of property owner ROIC California, LLC, submitted a request to allow the sale of beer and wine for on-site consumption within an existing 2,420 square-foot tenant space at 1105 South Victoria Avenue; and

WHEREAS, on June 16, 2022, the Planning Commission of the City of Oxnard ("**Planning Commission**") conducted a duly notice public hearing to consider an application for Planning and Zoning Permit No. 22-510-01 (Special Use Permit - Alcohol), filed by Bobby Singh in accordance with Section 16-530 through 16-553 of the Oxnard City Code and City Council Resolution No. 11,896; and

WHEREAS, the Planning and Environmental Services Division has completed a preliminary environmental assessment of the Project in accordance with the California Environmental Quality Act (CEQA) and determined that the Project is subject to a Section 15301 (Existing Facilities) Categorical Exemption. Further, the project does not trigger any of the Exceptions to the Exemptions (Section 15300.2) to defeat the Exemption:

(a) Location. Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located -- a project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. Therefore, these classes are considered to apply to all instances, except where the project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.

The project site is located within the 2030 General Plan land use designation of Planned Unit Development (PUD) and the zoning designation is Coastal Planned Unit Community (CPC). The Project is surrounded by commercial and residential development. The project site and adjacent sites do not contain any

known environmental resource of hazardous or critical concern. Therefore, the project will have no impact on an environmental resource of hazardous or critical concern.

(b) Cumulative Impact. All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.

The proposed Special Use Permit request for alcohol is consistent with the 2030 General Plan and the Oxnard City Code and is compatible with the physical scale and character of other commercial development in the project area. Any projects requiring discretionary approval would be analyzed with the 2030 General Plan and the Municipal Code for consistency and CEQA for any potential impacts. Therefore the project will have no significant cumulative impact.

(c) Significant Effect. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.

The proposed Special Use Permit request for alcohol will not result in an unusual circumstance that would cause the project to have a significant effect on the environment. The project will not alter the commercial character of the surrounding development and the property does not contain any unusual environmental characteristics as the property is surrounded on all sides by residential and commercial development. Therefore, the project will not have a significant effect on the environment due to unusual circumstances.

(d) Scenic Highways. A categorical exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway. This does not apply to improvements, which are required as mitigation by an adopted negative declaration or certified EIR.

The project is not located in or adjacent to a State designated scenic highway.

(e) Hazardous Waste Sites. A categorical exemption shall not be used for a project located on a site, which is included on any list compiled pursuant to Section 65962.5 of the Government Code.

The proposed project site is not included on any list compiled pursuant to Section 65962.5 of the Government Code.

(f) Historical Resources. A categorical exemption shall not be used for a project, which may cause a substantial adverse change in the significance of a historical resource.

The project site does not contain an existing or potential landmark, point of interest, or historic resource, and it is not located within an existing, proposed, or potential Historic District. The approximately 5,000 square-foot multi-tenant commercial building was originally constructed in 2017. Therefore, the proposed project will not cause a substantial adverse change in the significance of a historical resource.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF OXNARD:

SECTION 1. Based on the entire record before the Planning Commission and all written and oral evidence presented, including the Planning Commission Staff Report and all attachments thereto, the Planning Commission finds:

1) **The proposed use is in conformance with the City of Oxnard 2030 General Plan and the elements thereof and other adopted standards.**

As described in the Staff Report, the subject site is within the Coastal Planned Unit Community (CPC) zoning district, with 2030 General Plan designations of Planned Unit Development Residential (PUD). The proposed 2,420 square-foot restaurant and request to sell beer and wine for on-site consumption (ABC License Type 41) from 11:00 a.m. to 11:00 p.m. daily is consistent with the General Plan and zoning designation. The ability to sell alcohol for a restaurant is subject to approval of Special Use Permits by the Planning Commission pursuant to Oxnard City Code (OCC). Therefore, the proposed sale of alcohol is in conformance with the 2030 General Plan and the elements thereof and other adopted standards. Therefore, this Project meets this finding.

2) **The proposed use will not adversely affect or be materially detrimental to the adjacent uses, buildings or structures or to the public health, safety or general welfare.**

As described in the Staff Report, the Project will allow the sale of beer and wine for on-site consumption for a proposed restaurant within an existing commercial building. According to the Police report, there are two establishments of the same type located within 350 feet of the Project site. There is also one off-sale establishment with an ABC License (Type 21) within 350 feet of the subject property.

The Police Department has determined that based on the difference of establishments, there is not an undue concentration under the established City Standards.

In the case of the applicant site, as seen in Finding 7, the annular crime rate is above the average annular citywide rate, but within the standard established in the California Business and Professions Code Section 23958.4(1). Currently there are eight on-sale licenses within the applicant's census tract. According to the ABC, four on-sale licenses are allowed within this census tract. Based on the above findings, there is an undue concentration under the provisions of California Business and Professions Code Section 23958.4.

The Project will be subject to conditions of approval as recommended by the Oxnard Police Department Alcohol SUP Report to prevent aggravation of policing issues. Therefore, as conditioned, the proposed sale of alcohol will not adversely affect or be materially detrimental to the adjacent uses, buildings or structures or to the public health safety or general welfare. The Project will not aggravate policing issues when properly regulated through the imposition of and compliance with the conditions of approval. Based on these factors, this business, responsibly managed, would not have an adverse impact on area crime or demand for police services.

Furthermore, a finding of public convenience can be made for this proposal as it is convenient for restaurants to serve an alcoholic beverage which pairs well with the food they serve. Conversely, it would be inconvenient for a member of the public to patronize this restaurant and have to go elsewhere to obtain an alcoholic beverage that would pair well with their meal. As such, this Project meets this finding.

3) **The site for the proposed use is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and all items required by the conditions of approval.**

As described in the Staff Report, the proposed alcohol (beer and wine) sales will occur within an existing interior dining area that is adequate for the proposed sales. The proposed project also proposes to add an exterior, approximately 400 square-foot patio which will also allow for the consumption of alcoholic beverages. The recommended conditions of approval do not require changes to the site. Therefore, the site for the proposed alcohol sales is adequate in size and shape to accommodate all items required by the conditions of approval. As such, this Project meets this finding.

4) **The site for the proposed use will be served by highways adequate in width and improved as necessary to carry the kind and quantity of traffic such use will generate.**

The project site is currently served by existing infrastructure which includes Victoria Avenue, which connects to multiple arterial streets. The proposed sale of alcohol is not anticipated to generate significant traffic that would require improvements to

infrastructure. Therefore, the site for the proposed alcohol sales will be served by highways adequate in width and improved as necessary to carry project-generated traffic. As such, this Project meets this finding.

5) **The site for the proposed use will be provided with adequate sewerage, water, fire protection and storm drainage facilities.**

The project site is currently served by adequate sewerage, water, fire protection and storm drainage facilities. The proposed alcohol sales will not generate significant impacts that would require additional facilities. Therefore, the site for the proposed alcohol sales will be provided with adequate sewerage, water, fire protection, and storm drainage facilities. As such, this Project meets this finding.

6) **The proposed use is not likely to create or significantly aggravate police problems within 1,000 feet of the location for which the special use permit is applied.**

As described in the Staff Report, the project site has a slightly above-average crime rate when compared to other parts of the City. The Project will not create or significantly aggravate police problems within 1,000 feet of the location for which the Special Use Permit is requested, as discussed in the Staff Report and Oxnard Police Department Alcohol SUP Report. Based on the crime statistics, the input from the community and the Beat Coordinator, there is no reason to oppose this application. As such, this Project meets this finding.

7) **The proposed use will not result in or add to an undue concentration of establishments selling alcoholic beverages at retail within 1000 feet of the location for which the special use permit is applied. For purposes of making this determination, there is a presumption that an undue concentration will result or be added to if the establishment for which the special use permit is applied will be located less than 350 feet from another establishment of the same type, and there is a presumption that an undue concentration will not result or be added to if the establishment for which the special use permit is applied will be located 350 feet or more from another establishment of the same type. However, either presumption may be rebutted by a preponderance of the evidence, based on the facts of the particular case.**

As described in the Staff Report and Oxnard Police Department Alcohol SUP Report, there are two establishments of the same type located within 350 feet of the Project site. There is also one establishment of a similar ABC License Type 21 (Off-Sale Beer, Wine and Spirits) within 350 feet of the subject property. The Police Department has determined that there is no undue concentration by City standards since these restaurants serve different types of cuisine.

The annular crime rate is slightly above the average annular citywide rate, but within the standard established in the California Business and Professions Code Section 23958.4(1). Currently there are eight other on-sale licenses within the applicant's census tract. According to the ABC, four on-sale licenses are permitted within this census tract. Based on the above findings, there is an undue concentration under the provisions of California Business and Professions Code Section 23958.4. However, the undue concentration can be rebutted through a finding of Public Convenience or Necessity.

A finding of public convenience can be made for this proposal as it is convenient for restaurants to serve an alcoholic beverage which pairs well with the food they serve. Conversely, it would be inconvenient for a member of the public to patronize this restaurant and have to go elsewhere to obtain an alcoholic beverage that would pair well with their meal. Therefore, this Project meets this finding.

SECTION 2. The Planning Commission, in accordance with the California Environmental Quality Act (CEQA), determines that the Project will not have a significant impact on the environment and is categorically exempt from CEQA pursuant to Article 19, Section 15301 (Existing Facilities) of the State CEQA Guidelines pertaining to projects involving "negligible or no expansion of use beyond that existing at the time of the lead agency's determination" may be found to be exempt from the requirements of CEQA. The Project involves a request to sell alcohol for on-site consumption within an existing multi-tenant commercial building and will not increase the square footage of the existing building. No Exceptions to the Exemptions (Section 15300.2) apply to defeat the Exemption. Therefore, the Planning Commission has determined that there is no substantial evidence that the Project will have a significant effect on the environment. The Planning and Environmental Services Division is hereby authorized and directed to file a Notice of Exemption with the Ventura County Clerk pursuant to Section 15602 of the State CEQA Guidelines within five (5) working days of passage, approval and adoption of this Resolution.

SECTION 3. Based on the findings set forth herein, the Planning Commission hereby approves Planning and Zoning Permit 22-510-01 (Special Use Permit - Alcohol), subject to the attached conditions of approval.

SECTION 4. The decision of the Planning Commission shall be final unless an appeal of the action is filed in accordance with the provisions of Section 16-545 of the Oxnard City Code.

SECTION 5. The Secretary shall certify the adoption of this Resolution.

STANDARD CONDITIONS OF APPROVAL FOR LAND USE PERMITS

Note:
The abbreviations below identify the City department or division responsible for determining compliance with these standard conditions. The first department or division listed has responsibility for compliance at plan check, the second during inspection and the third at final inspection, prior to issuance of a certificate of occupancy, or at a later date, as specified in the condition. If more than one department or division is listed, the first will check the plans or inspect the project before the second confirms compliance with the condition. The italicized code at the end of each condition provides internal information on the source of each condition: Some are standard permit conditions (e.g. *G-1*) while some are taken from environmental documents (e.g. *MND-S2*).

DEPARTMENTS AND DIVISIONS			
CA	City Attorney	PL	Planning Division
DS	Dev Services/Eng Dev/Inspectors	TR	Traffic Division
PD	Police Department	B	Building Plan Checker
SC	Source Control	FD	Fire Department
PK	Landscape Design	CE	Code Compliance

GENERAL PROJECT CONDITIONS

1. This permit is granted for the property described in the application on file with the Planning Division, and may not be transferred from one property to another. (PL, *G-1*).

2. This permit is granted for the plans dated June 2, 2022, ("the plans") on file with the Planning Division. The Project shall conform to the plans, except as otherwise specified in these conditions, or unless a Minor Modification to the plans is approved by the Planning and Environmental Services Manager ("Planning Manager") or a Major Modification to the plans is approved by the Planning Commission. A Minor Modification may be granted for minimal changes or increases in the extent of use or size of structures or of the design, materials or colors of structures or masonry walls. A Major Modification shall be required for substantial changes or increases in such items (PL, *G-2*).

3. By commencing any activity related to the Project or using any structure authorized by this permit, Applicant accepts all of the conditions and obligations imposed by this permit and waives any challenge to the validity of the conditions and obligations stated therein (CA, *G-5*).

4. Applicant agrees, as a condition of adoption of this resolution, at Applicant's own expense, to indemnify, defend and hold harmless the City and its agents, officers and employees from and against any claim, action or proceeding to attack, review, set aside, void or annul the approval of the resolution or any condition attached thereto or any

proceedings, acts or determinations taken, done or made prior to the approval of such resolution that were part of the approval process (CA, *G-6*).

5. Any covenants, conditions, and restrictions (CC&Rs) applicable to the Project property shall be consistent with the terms of this permit and the City Code. If there is a conflict between the CC&Rs and the City Code or this permit, the City Code or this permit shall prevail (CA, *G-7*).

6. Applicant shall complete the "Notice of Land Use Restrictions and Conditions" form, using the form provided by the City, for recording with the Ventura County Recorder. Before the City issues building permits, Applicant shall submit the original completed, signed and notarized document, together with the required fees to the Planning Manager (PL, *G-8*).

7. Before placing or constructing any signs on the Project property, Applicant shall obtain a sign permit from the City. Except as provided in the sign permit, Applicant may not change any signs on the Project property (PL/B, *G-10*).

8. Applicant shall not permit any combustible refuse or other flammable materials to be burned on the Project property (FD, *G-12*).

9. Applicant shall not permit any materials classified as flammable, combustible, radioactive, carcinogenic or otherwise potentially hazardous to human health to be handled, stored or used on the Project property, except as provided in a permit issued by the Fire Chief (FD, *G-13*).

10. If Applicant, owner or tenant fails to comply with any of the conditions of this permit, the Applicant, owner or tenant shall be subject to a civil fine pursuant to the Oxnard City Code (CA, *G-14*).

PLANNING DIVISION SPECIAL CONDITIONS

11. This permit shall automatically be void 12 months from the date of issuance, unless the Applicant has received a License Type 41 from the State Department of Alcoholic Beverage Control to sell alcoholic beverages on the Project property (PL).

12. Unless the use is inaugurated no later than 12 months after this approval is granted and is diligently pursued thereafter, this approval will expire pursuant to the Oxnard City Code Section 16-553.

POLICE DEPARTMENT STANDARD CONDITION

RBS Training

13. Permittee, managers and servers shall complete an approved course in Responsible Beverage Service (RBS) sponsored or approved by either the California Department of Alcohol Beverage Control or the Chief of the Oxnard Police Department within sixty days of license granting and/or date of employment. The permittee is responsible for maintaining records showing servers have completed the required training and shall submit this documentation upon request by the Oxnard Police Department. The ABC website for their RBS training is https://www.abc.ca.gov/education/rbs/. The RBS card shall be renewed every three years by taking an approved course otherwise, the card will be considered invalid (PL/PD).

14. A copy of these conditions and a log of employees who have completed Responsible Beverage Service Training must be maintained on the premises and made available upon the demand of by any representative of the Oxnard Police Department (PL/PD).

Food & Beverage Service

15. Sales of alcohol may only occur between the hours of 7:00 A.M. and 11:00 P.M. (*see provision for extension of service hours in "Special Conditions"*) (PL/PD)

16. The quarterly gross sales of alcoholic beverages shall not exceed the gross sales of food during the same period. Permittee shall at all times maintain records which reflect separately the gross sales of food and the gross sales of alcoholic beverages of the licensed business. Said records shall be kept no less frequently than on a quarterly basis and shall be made available to the Police Department upon demand. (PL/PD)

17. The premises shall be equipped and maintained in good faith as a bona fide restaurant and shall possess, in operative condition, such conveniences for cooking and storage of foods such as stoves, ovens, broilers, refrigeration or other devices, as well as pots, pans or containers which can be used for cooking or heating foods on the type heating device employed. (PL/PD)

18. The business shall have a grease interceptor as required by the Wastewater Division.

19. Permittee shall have a Certified Food Handler on-duty at all times the restaurant is open in order to support the service of its menu. (PD)

20. Permittee shall maintain records in accordance with Health and Safety Code 113790 which requires any employee who handles food shall have a California Food Handler Card. (PD)

21. Permittee shall offer an assortment of food items to customers at all times that alcohol is being served. A menu of food items, including appetizers, entrees and desserts, shall be

available at all times that alcohol is available for sale, and employees will encourage guests to purchase and consume food items along with their alcoholic beverages, as part of its commitment to responsible beverage service. The menu shall not be reduced in number or substance at any time alcohol is being served other than for reasonable, unforeseen reasons (lack of product…). Any changes or replacements to the proposed product offering shall be of a similar or greater quantity and any permanent reduction of menu items is prohibited. (PD)

22. Alcoholic beverages shall not be offered at significantly reduced prices (typically more than a 25% reduction from regular prices) that are meant to encourage greater consumption of alcohol such as during "happy hour" type promotions. Permittee shall not develop any other promotional activity that is designed to encourage excessive drinking of alcoholic beverages. Promoting a "happy hour" or other event that offers reduced prices on food or other items shall not be considered a violation of this condition and are actually encouraged. (PD)

23. Alcohol shall be served in containers that are distinct from the beverage cups or containers used for coffee or other non-alcoholic beverages shall be served in standard sizes that are consistent with the industry and shall not be served by the pitcher or similar high-capacity containers exceeding 25 oz. total. The sale or service of alcohol in their original container (bottle or can) is prohibited. The design of containers for the service of alcoholic beverages shall be approved by the Chief of Police or his designee.

24. The premises shall be equipped with an adequate number of seats to accommodate all customers. There shall be no service area that is designed or used as a standing area only or as a combined standing and seating area. (PD)

25. Employees involved in the sale or the service of alcoholic beverages shall not be allowed to consume alcoholic beverages at any time during their shift. Employees shall not report to work with evidence of having consumed any intoxicants such as alcohol, illegal drugs or controlled substances. (PD)

26. Any graffiti painted or marked upon the premises or on any adjacent area under the control of the Permittee shall be removed or painted over within 24-hours of being applied. (PD/PL)

27. The property owner and the tenant shall be responsible for maintaining their areas of responsibility free of litter in the area adjacent to the premises over which Permittee has reasonable control. (PD/PL)

28. The permittee shall establish responsible cash handling procedures to reduce the likelihood of robberies and thefts. (PD)

29. Permittee shall regularly police the area under Permittee's control and shall not permit the loitering of persons about the premises. (PL/PD)

30. The activity at the site and the use of any amplifying system or device shall not be disruptive to neighboring uses. (PD)

31. The Police Chief or designee may immediately suspend operation of the uses approved by this permit pending a hearing on the revocation of this permit conditions and/or a permit/license issued by the California Department of Alcoholic Beverage Control ("ABC"), or there is a single serious violent crime or single significant incident to which multiple police units or multiple police jurisdictions respond associated with the operations of this use, which the Chief determines is detrimental to the public safety or health. The Chief shall immediately inform the Planning and Environmental Services Manager of the suspension and the manager shall schedule a hearing or the revocation of the permit by the Community Development Director to be held no more than 30-days after the suspension begins. (PD)

Security Features

32. Prior to commencing the sale of alcohol permitted by this permit, permittee shall install and operate 24 hours a day a video surveillance system. The system shall be maintained at a reasonable industry standard to monitor, and, at a minimum, monitor the entrances and exits, any centralized point of sale and areas immediately surrounding the exterior of the business. Any video system installed to meet the requirement of these conditions shall meet the below minimum standards:

    a. Cameras and supporting equipment shall supply digital color images under normal lighting conditions. Grayscale images are required for infra-red lighting.
    b. Cameras shall be made by a reputable manufacturer and maintained to current industry standards.
    c. Cameras shall have sufficient low light capture ability to clearly monitor persons conducting transactions.
    d. The video system shall utilize a Digital Video Recorder (DVR). VHS and other formats are prohibited.
    e. The video system shall allow recording, live viewing and playback of recorded video for a period of at least 30 days.
    f. Recorded images shall bear a date and time stamp that cannot be altered.
    g. At a minimum, one camera shall be dedicated to capturing head and upper body images of each person entering any door or entrance to the business. Cameras dedicated to this purpose shall be mounted at 7-feet above the floor.
    h. The camera system shall operate 24-hours a day, 7-days a week.
    i. At a minimum one camera shall be dedicated to capture activity in the kitchen.
    j. Cameras shall be located inside as well as outside the premises to monitor general activity.

33. Failure to maintain the video surveillance system in good working order can be grounds for suspension of this permit. The permittee shall provide video records to the Chief of Police or his/her designee in a timely manner upon request.

34. Prior to the issuance of the Certificate of Occupancy, the permittee shall submit and have approved by the Chief of Police or his/her designee a Security Site Plan shall include the below features.

35. The Security Site Plan shall illustrate the location of each camera installation as well as the location of the support equipment. The support equipment shall be located in a secure room with limited access to supervisorial employees and other employees who, by the nature of their responsibilities, have a need to access the equipment.

36. The Security Site Plan shall include a chart that identifies each camera by an alpha-numeric designation, the make and model of the instrument, the type of camera housing (dome, bullet, discrete), the camera's capture purpose (general area, choke point, point of sale, etc.) and it's mounting height above the floor/grade.

37. Identify the nature of all alarm systems including the make, model and type of sensors.

Operational Standards

38. All sales of alcohol must include a purchase of food.

39. Deliveries of alcoholic beverages are prohibited as a function of this alcohol Special Use Permit.

40. During normal business hours, the licensee shall provide access to the digital recordings for any and all law enforcement purposes as determined by the City of Oxnard. (PD)

41. The permittee shall participate, when requested and reasonable, in programs and efforts by the Oxnard Police Department to inform and educate patrons on dangers of driving under the influence of alcohol or drugs. (PD)

42. The permittee's Internet presence shall be consistent with these conditions. Any site or Internet presence reasonably controlled by the permittee shall not advertise or illustrate circumstances or activities that run contrary to provisions set forth through their ABC license or this Special Use Permit. (PD)

43. Should a suspected crime occur where some part of the event happens within the business, the permittee or managing/supervising employee shall provide to the Oxnard

Police Department, in a timely manner, any video recording documenting activity within and around this business relative to the event when it involves:

a. The service or sales of alcoholic beverages under the scope of this permit or ABC license.
b. Any crime of violence and there is an urgency to identify the suspect or true circumstances to protect the safety of an individual or the public at large.
c. Any theft occurring within the business.

44. Permittee shall install and maintain a dual technology electronic intrusion detection system capable of differentiating between human and non-huan motion. (burglary alarm) (PD)

45. Permittee shall bolt down or otherwise secure all cash registers to service counters to prevent the entire device from being stolen during a burglary or robbery. (PD)

46. Permittee shall equip each point of sale with a silent robbery alarm that complies with Oxnard City Ordinance No. 2601 or develop and implement critical incident protocols that provide an efficient method for alerting police and others to a potential threat without unnecessarily putting the employees at risk. (PD)

47. Permittee shall have drop-safes installed or establish other responsible cash handling procedures to allow employees to deposit daily receipts throughout the day as the amounts exceed allowable levels in the register (typically $50-200). (PD)

48. Permittee shall establish responsible cash handling procedures to reduce the likelihood of robberies and thefts. (PD)

49. The area surrounding premises under the reasonable control of the Permittee (including the rear of the business) shall be equipped with lighting of sufficient power to illuminate and make easily discernible the appearance and conduct of all persons in or about the area. (PD/PL)

Entertainment

50. Entertainment as defined by Oxnard City Ordinance 11-185 is prohibited except music which creates ambiance consistent with the normal operation of the business. Performers, televised events and other types of entertainment intended to attract customers to the business are prohibited.

51. When security personnel are present or required per Oxnard City Code, Permittee shall maintain accurate records of all security personnel on the premise at any given time and make those available to the police upon demand. These records shall, at a minimum, provide the name, date of birth, copies of security guard credentials or license and any

other permits or certifications related to security work. This would include copies of permits for weapons or other tools the guard may be authorized to carry. Security personnel shall remain in compliance with updated training related to their work as set forth by any existing or future state and/or local regulations. (PD)

Signage

52. There shall be no advertising of alcoholic beverages visible from the outside, including advertising directed to the exterior from within, promoting or indicating the availability of alcoholic beverages. (PL/PD)

53. There shall be no posters or signs on the windows other than those required by permit or statute or otherwise specifically approved by the Planning Division.

54. In the areas outside the business, not otherwise licensed by the Department of Alcoholic Beverage Control allowing the service of alcohol, Permittee shall post prominent, permanent signs indicating that loitering, open containers and the consumption of alcoholic beverages is prohibited. This includes the parking lot, walkways and other adjacent areas under Permittee's reasonable control. (PD)

55. Prominent signs shall be posted throughout the business stating, in effect, "No persons under 21 will be served alcoholic beverages" and "Valid ID is required to purchase or possess alcoholic beverages". (PD)

Site Design

56. There shall not be any outdoor or patio bar (portable or otherwise) where alcoholic beverages are stored or served. (PD)

57. No pay phones on the exterior of the premises shall be allowed within 100 feet of the front or rear doors. Any pay phones installed inside shall be blocked from incoming calls. (PL/PD)

58. Any rear door of the premises shall be equipped on the inside with an automatic locking device, shall be closed at all times, and shall not be used as a means of access by patrons to and from the licensed premises. Temporary use of these doors for delivery of supplies does not constitute a violation. (PD)

59. Any change in the floor plan as established at the time of the issuance of this permit that may intensify the use or service of alcohol shall require a minor modification permit. Such change would include, but not be limited to increasing the number of seats at a bar, expansion of hours beyond those established in this permit, or the creation of a bandstand or other area for the use of entertainment. (PD)

Permit Restrictions

60. The subject Alcoholic Beverage Control License shall not be exchanged for any other type of Alcoholic Beverage Control License without Planning Department review and approval by the Police Chief or designee and the Community Development Director. (PD)

61. Upon any individual transfer (person-to-person) of the subject Alcoholic Beverage Control License, or if the business is ever deemed a nuisance as defined in the Oxnard City Code, a review of the existing SUP shall be initiated and conditions may be added or removed as appropriate to mitigate existing or potential problems. (PD)

62. Prior to the issuance of this permit, the permittee shall submit and have approved a security plan which identifies and details the camera system, alarms, guard post orders and other security related matters and policies.

63. "Dine in" customers ordering alcohol beverages shall not take the beverages(s) away from the premises. Menus shall have language that advises customers that alcoholic beverages are served for on-site consumption.

64. Credible evidence of any of the below issues shall be grounds to change the hours of alcohol sales under this permit or hours allowed for dancing under a Dance Permit. Such action would be taken using the hearing process as outlined in the Oxnard City Code.
    a. Evidence of over-service of alcohol to patrons. This may be established through data from the Place of Last Drink Report issued by the Ventura County Department of Behavioral Health, or, through arrests at or near the business for public intoxication or DUI where the arrestee was a patron of the business.
    b. Service of an alcoholic beverage to a minor.
    c. Evidence that the gross sales of alcohol exceeded the gross sales of food during a previous quarter.
    d. Failure to submit, when requested, quarterly fiscal documentation to the Police Department 45-days after the close of the quarter. Documentation shall include but not be limited to: profit and loss statements which specifically illustrated gross alcohol and gross food sales and filings to the Department of Tax and Fee Administration. Sales of merchandise and services shall not include either the calculation of gross alcohol or gross food sales.

65. Permittee shall provide the Police Department a point of contact for notifications and exchange of information. To update the Police Department on this designated point of contact an email shall be sent to: specialprojects@oxnardpd.org. The email shall include the name of the business, address, name of the primary contact person, their role with the business, their email address and a phone number.

66. Any change in the customer seating that would create a bar or other alcohol centric customer area will prompt the need for a new Alcohol Special Use Permit and Review.

POLICE SPECIAL CONDITIONS

67. The patio shall be surrounded by a barrier which consists of one of these design features:
    a. A 42-inch tall fence accompanied by a landscape feature which measures 18-inches deep as measured from the fence. This landscape feature shall have plantings that are between 12 and 42 inches in height. The landscape strip shall parallel 75% of the fence line not counting gates.
    b. A 60-inch tall fence where, at a minimum, the top 18-inches consists primarily of a clear glass, plexiglass, or other similar material. The clear panels shall meet or exceed industry safety standards for similar applications.

PASSED AND ADOPTED by the Planning Commission of the City of Oxnard on this 16th day of June 2022, by the following vote:

_____
Daniel Chavez Jr., Chair

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Planning Commission of the City of Oxnard at a meeting held on the 16th day of June 2022, and carried by the following vote:

AYES: Commissioners:

NOES: Commissioners:

ABSENT: Commissioners:

ABSTAIN: Commissioners:

RECUSED: Commissioner(s):

_____
Joe Pearson II, Secretary

City of Oxnard Planning Commission
June 16, 2022

Mountain Mike's Pizza Alcohol Special Use Permit
1105 South Victoria Avenue
PZ 22-510-01
(Special Use Permit - Alcohol)

Applicant: Bobby Singh

CITY OF OXNARD CALIFORNIA

Project Description

A request for approval of a Special Use Permit (SUP) to sell beer and wine for on-sale consumption (Alcohol Beverage Control (ABC) License Type 41) at an existing 2,420 square-foot commercial suite within a multi-tenant commercial building for a proposed restaurant.

Alcohol service would be limited to the hours of 11:00 a.m. to 11:00 p.m. daily.

Exterior modifications are also proposed, but have been reviewed through Minor Modification Permit No. 21-140-26, which includes adding a new outdoor patio.

Background

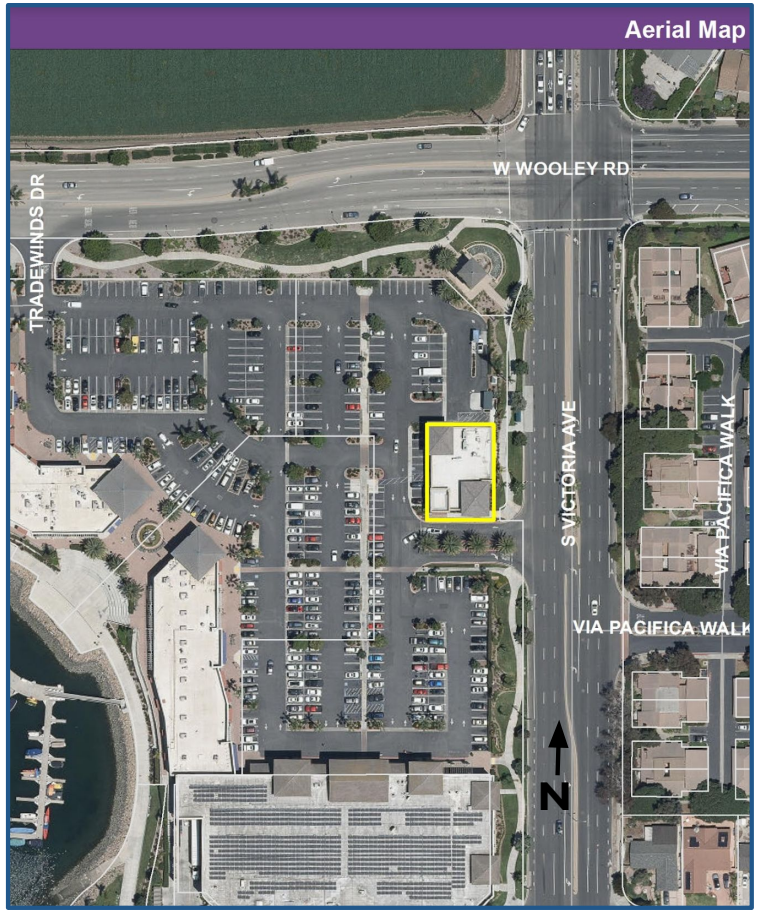
2002-03: The Planning Commission and City Council approved Tentative Map 5266 and Coastal Development Permit 01-500-93, for the construction of the Seabridge Marketplace.

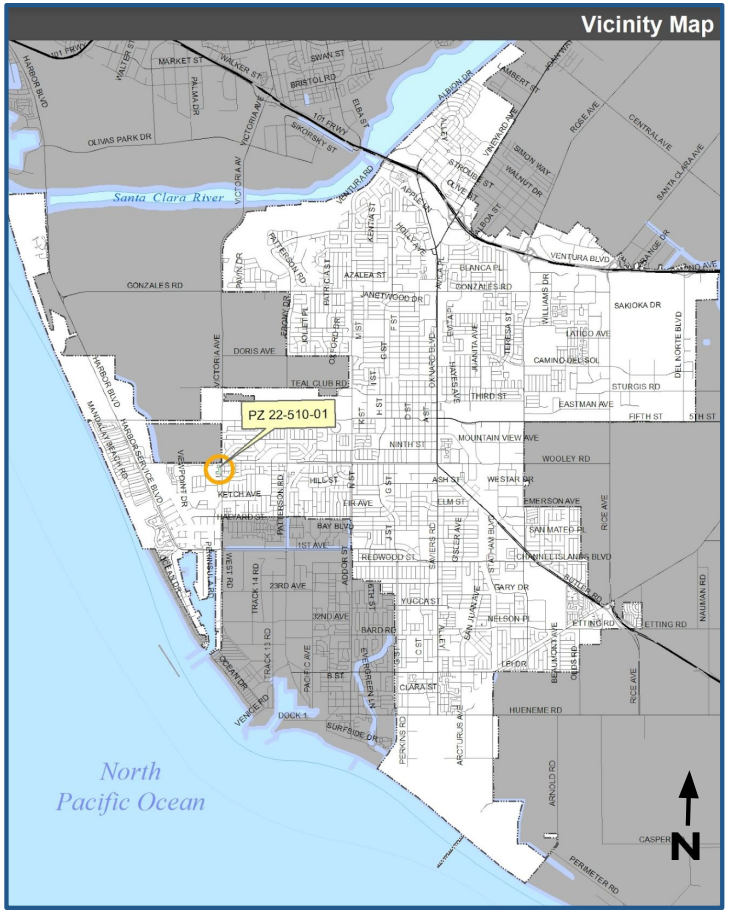
2017: City Council approved the development of the subject 5,000 square-foot commercial pad building. Chipotle Mexican Grill began operating in half of the building. The subject tenant space has been vacant since.

2018: The Planning Commission approved PZ No. 18-510-03 to allow the sales of beer, wine, and distilled spirits for Chipotle Mexican Grill.

2022: the Interim Planning Manager approved Minor Modification Permit No. 21-140-26 to allow a 400 square-foot outdoor dining patio area

Project Location



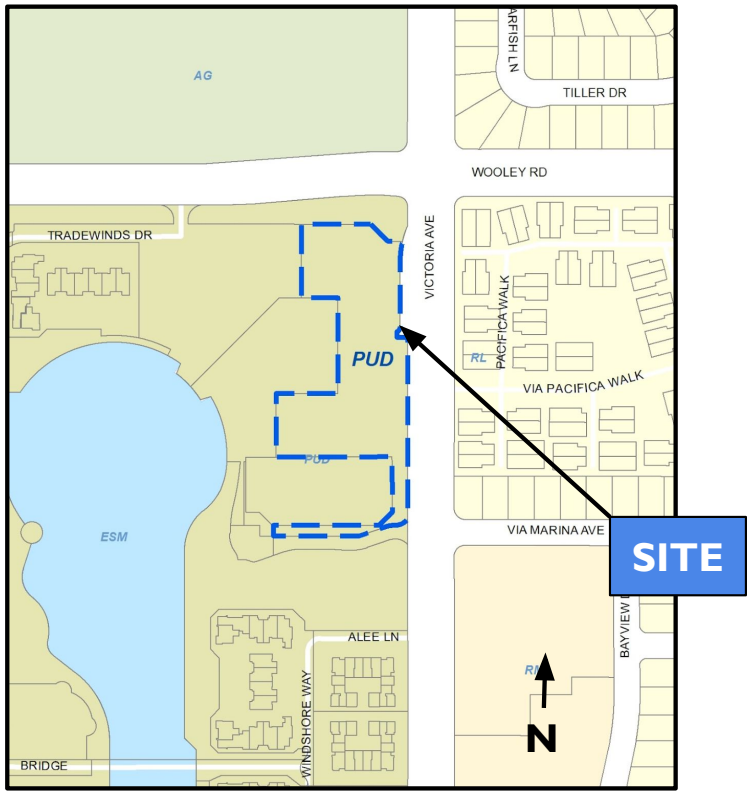


Project Site

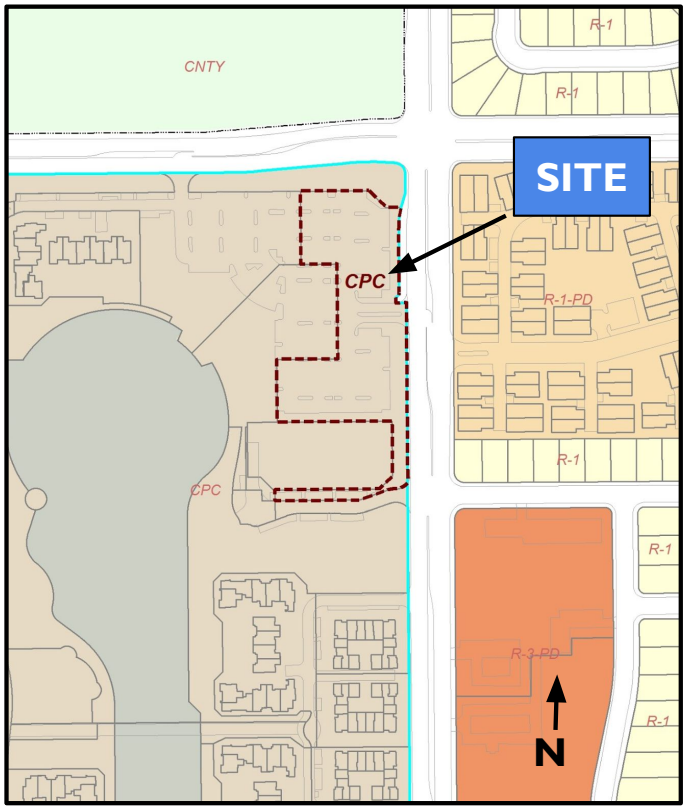
View looking east at the project site.

Land Use and Zoning

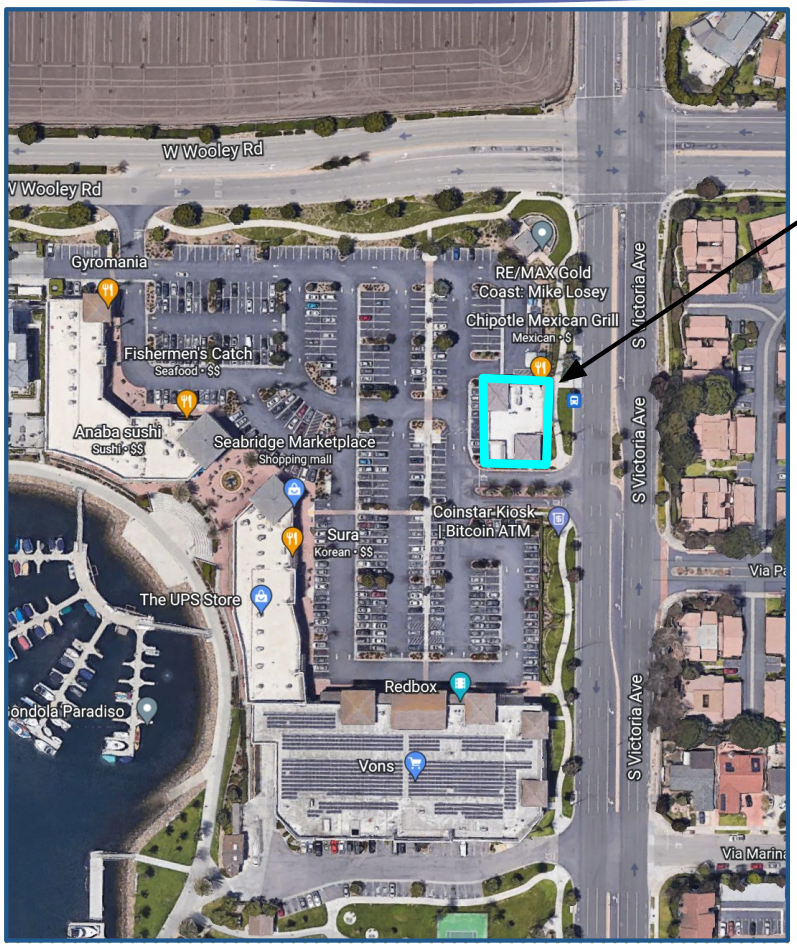
2030 General Plan:
Planned Unit Development (PUD)



Zoning Designation:
Coastal Planned Community (CPC)

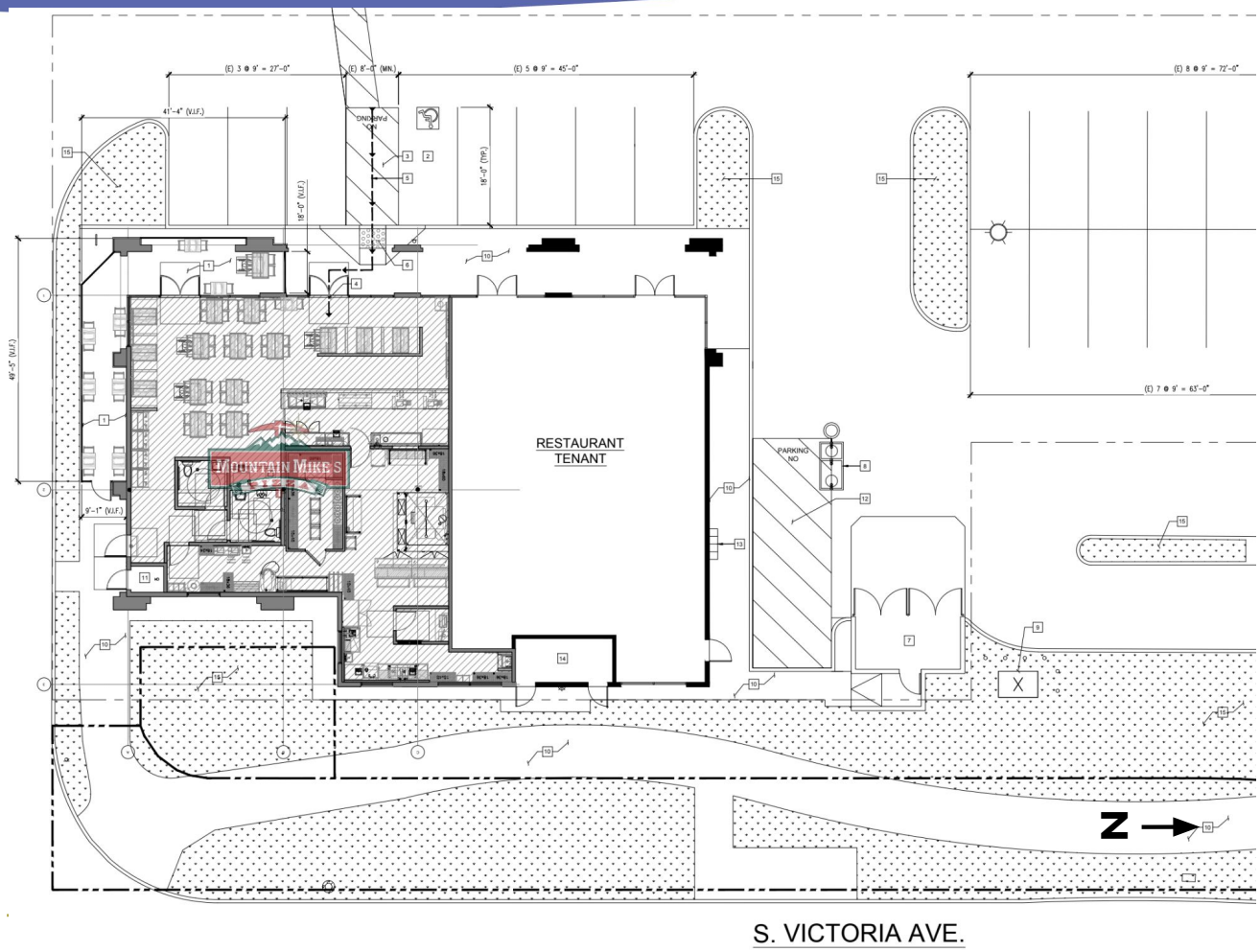


Surrounding Land Uses

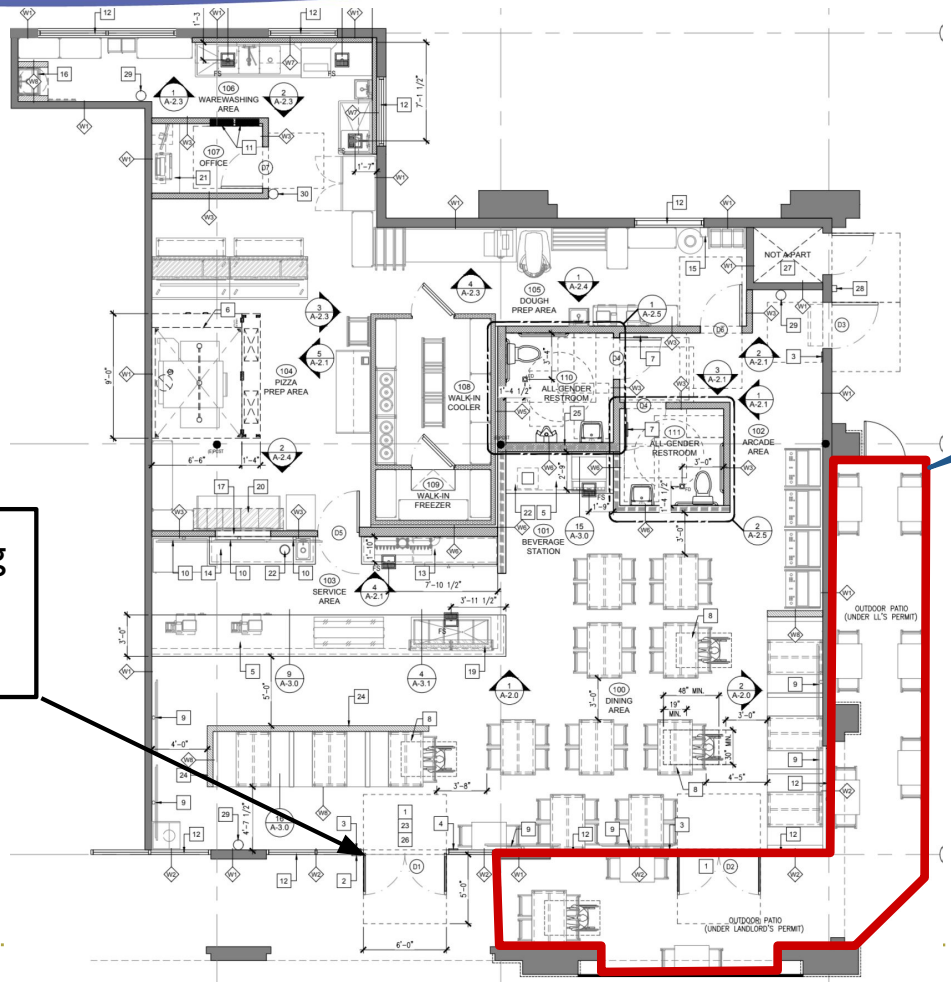


LOCATION	GENERAL PLAN	ZONING	EXISTING LAND USE
Project Site	Planned Unit Development Residential (PUD)	Coastal Planned Unit Community (CPC)	Shopping Center
North	Ventura County	Ventura County	Agriculture/ Undeveloped
South	PUD	CPC	Shopping Center
East	Residential Low (RL)	Single-Family Residential - Planned Development (R-1-PD)	Residential
West	PUD	CPC	Shopping Center

Site Plan


RESTAURANT
TENANT
MOUNTAIN MIKE'S
PARKING
NO
X
N
S. VICTORIA AVE.

Floor Plan



Recently approved outdoor patio.

Front Entrance (facing shopping center parking lot)

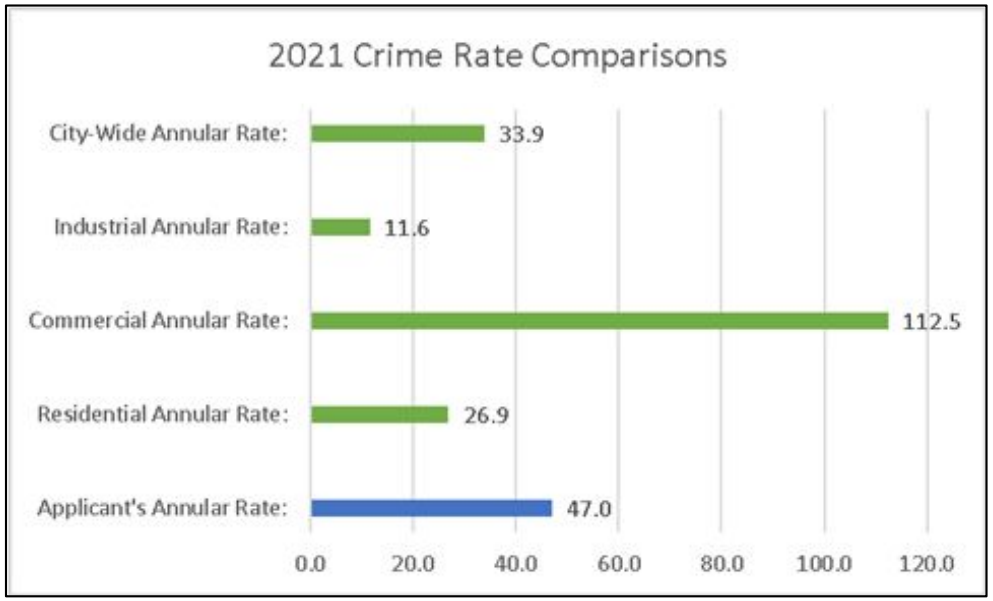
← N

Police Report Summary

Crime:

- The crime rate within 1,000 feet of the site is significantly lower than the average for commercial properties citywide.

- Site is not considered to be a policing problem. No safety concerns noted by Beat Coordinator or neighboring businesses.



Police Department Review

Reviewed application per CC Resolution No. 11,896

Concentration:

1. There are 3 establishments located within 350 feet of the Project site that sell alcoholic beverages.

Location	Same type within 350 feet?	Same type within 1,000 feet?	Likely to Cause Police problem?	Undue concentration as defined in Resolution No. 11,896 or Business and Professions Code Section 23958.4?
Chipotle 1101 S. Victoria Ave.	Yes	Yes (Type 41)	No, as conditioned	Yes (State)
Sura 1213 S. Victoria Ave.	Yes	Yes (Type 41)	No, as conditioned	Yes (State)
Vons 1291 S. Victoria Ave.	No	No (Type 21)	No, as conditioned	Yes (State)

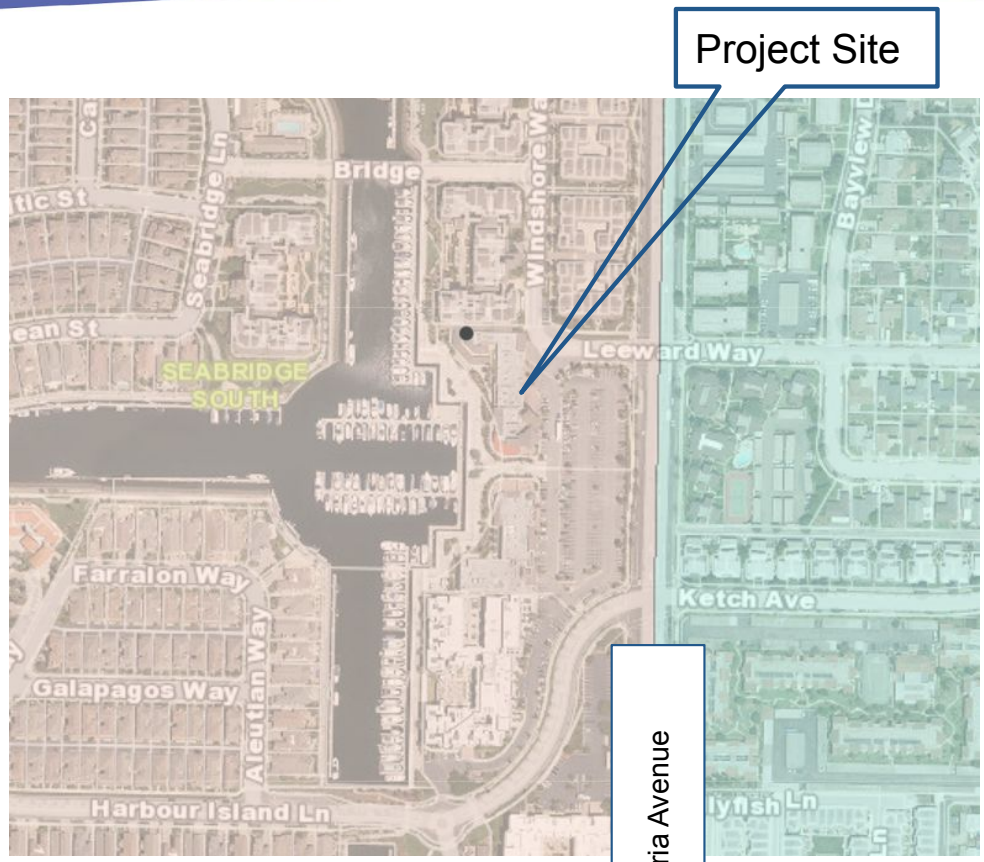
Findings:

- Crime rate around site is below commercial average.
- There is no undue concentration per City standards (350 and 1,000 feet).
- There is an undue concentration per State standards (census tract).
- A Finding of public convenience or necessity is required.

Community Input

Community Input:

- A virtual Community Workshop was conducted on May 16, 2022. Notices were provided to the Channel Islands Neighborhood. No speakers commented on the request.
- Nearby business operators and the Chairperson for the Channel Islands Neighborhood were contacted regarding this application and proposed operations.
- To date, staff has not received any concerns or public comments regarding the proposed project.



Select Recommended Conditions of Approval

- CofAs #13 and #14:

  Permittee and all sellers or servers and their immediate supervisors shall complete a course in Responsible Beverage Service (RBS) approved by the Chief of Police within sixty days of license granting and/or date of employment.

- CofA #15:

  Sales of alcohol may only occur between the hours of 7:00 A.M. and 11:00 P.M.

- CofA #21:

  The premises shall be equipped and maintained in good faith as a bona fide eating establishment.

Environmental Review

Exempt from California Environmental Quality Act (CEQA) (Section 15301 "Existing Facilities")

- Project does not require physical development.
- Does not trigger thresholds in City CEQA Guidelines or Exceptions to the Exemptions.
- A Notice of Exemption will be filed.

Public Comment

- Notice of PC hearing posted on-site
- Notice of PC hearing sent to surrounding property owners
- To date, no public comments regarding project for an additional alcohol outlet in the neighborhood

Staff 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 15301 (Existing Facilities); and

b) Adopt Resolution 2022-XX approving Planning and Zoning Permit No. 22-510-01 (Special Use Permit - Alcohol), subject to certain findings and conditions.