

CITY OF OXNARD PLANNING COMMISSION AGENDA

REGULAR MEETING
Council Chambers, 305 West Third Street
Thursday, June 16, 2022, 6:00 p.m.

The public may view the meeting from home on the City's website at Oxnard.org/city-meetings, Spectrum Channel 10, Frontier Channel 35, or YouTube at Youtube.com/oxnardnews. Video recordings are typically available online following the meeting at the City's website at <http://www.oxnard.org/city-meetings>

YOU MAY PARTICIPATE IN THE MEETING IN THE FOLLOWING WAYS:

1. ATTEND THE MEETING AT THE LOCATION LISTED ABOVE: Submit a speaker card.
2. EMAILING COMMENTS OR REQUESTS TO SPEAK BEFORE THE MEETING
 - a. Submit an email to Planning@oxnard.org no later than 3:00 p.m. on the day of the meeting (Please indicate the agenda item number in the subject line). All email correspondence will be forwarded to the Planning Commission prior to the start of the meeting and made part of the legislative record.
 - b. Submit a request to speak by no later than 3pm on the day of the meeting by using the form <https://forms.gle/aVoJcZqzxvbXkYMP8>, emailing the Planning office at planning@oxnard.org, or calling (805) 385-7878.
3. PROVIDING PUBLIC COMMENTS DURING THE MEETING
 - a. Speakers shall have up to three minutes to speak.
 - b. If you wish to speak during public comments or a particular item on the agenda, please follow the below instructions:
 1. Dial phone number (888) 475-4499
 2. Enter the meeting ID: 823 5712 3006
 3. Enter the meeting passcode: 820523
 4. Wait in the Zoom waiting room. Once the Chair calls for public speakers, press *9 to raise your hand to inform the recording secretary you would like to speak..
 - c. Public comments on items not on the agenda shall be taken at the beginning of the meeting. If there are more speakers than can be accommodated during thirty minutes, additional speakers who will be given an opportunity to speak at the end of the meeting.
 - d. Public comments on items on the agenda shall be taken following the announcement of the item.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in a meeting, you should contact the office of the City Clerk at (805) 385-7803. Notification 72 hours prior to the meeting will enable the City to make reasonable arrangements to assure accessibility to the meeting.

Written materials relating to an item on this agenda that are distributed to the Planning Commission within 72 hours before the item is to be considered at its regularly scheduled meeting will be made available for public inspection at 214 South C Street, during customary business hours.

A. ROLL CALL**B. PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES****C. PUBLIC COMMENTS - On Items Not On The Agenda**

At this time, a person may address the Planning Commission on matters within the jurisdiction of the Planning Commission, including information/consent items and any item not appearing on the agenda. The Chair shall limit public comments to three (3) minutes. The Planning Commission cannot take action on any item presented during public comments that is not on the agenda and such item may only be referred to the Commission Secretary. Persons wishing to speak on public hearing items should do so at the time of the public hearing.

D. CONSENT AGENDA

None

E. EX PARTE DECLARATIONS FOR PUBLIC HEARING ITEMS**F. PUBLIC HEARING**

1. **Project Name: Villa Ristorante Alcohol Special Use Permit- PLANNING AND ZONING (PZ) PERMIT** No. 22-510-02 (Special Use Permit - Alcohol); located at 1601 South Victoria Avenue, Suite 160-B (APN: 188-0-272-205). 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 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. Filed by Matthew Olufs, Designated Agent, on behalf of property owner Seabridge Partners, P.O. Box 15928, Beverly Hills, CA 90209.

City Staff: Randy Baez, Associate Planner

Recommendation: That the Planning Commission:

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

Please click the following link to view the required Measure M pre-recorded presentation

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video: <https://youtu.be/DT9idSvfeDw>

2. **Project Name: El Rio Market Alcohol Special Use Permit-** PLANNING AND ZONING (PZ) PERMIT No. 21-510-03 (Special Use Permit - Alcohol); located at 2585 East Vineyard Avenue (APN: 132-0-043-190). 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) 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. 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, TR, 2318 Fox Hills Drive #202, Los Angeles, CA 90064.

City Staff: Randy Baez, Associate Planner

Recommendation: That the Planning Commission:

- a. Find the Project to be Categorically Exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 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.

Please click the following link to view the required Measure M pre-recorded presentation video: <https://youtu.be/38WHOD7AOG4>

3. **Project Name: Mountain Mike's Pizza Alcohol Special Use Permit-** PLANNING AND ZONING (PZ) PERMIT No. 22-510-01 (Special Use Permit - Alcohol); located at 1105 South Victoria Avenue (APN: 188-0-250-245). 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 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 (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. Filed by Bobby Singh, Designated Agent, on behalf of property owner ROIC California, LLC., 11250 El Camino Real, Ste. 200, San Diego, CA 92130.

City Staff: Randy Baez, Associate Planner

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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.

Please click the following link to view the required Measure M pre-recorded presentation video: <https://youtu.be/xfMekYpjkR0>

G. STUDY SESSION/REPORTS**H. PLANNING COMMISSION BUSINESS****I. COMMUNITY DEVELOPMENT STAFF UPDATES****J. ADJOURNMENT****FUTURE MEETINGS**

Regular Meeting: Thursday, July 7, 2022, 6:00 p.m., Council Chambers

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MEMORANDUM

Agenda Item No.: F.1

Date: June 16, 2022

To: Planning Commission

From: Randy Baez, Associate Planner
Joe Pearson II, Interim Planning & Environmental Services Manager

Subject: **Errata Memo No. 1 – 1601 S. Victoria Ave. Modifications** - 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. The Project includes modifications to the previously submitted Police Department Conditions of Approval. The modified conditions would remove redundancies. The Project site is located at 1601 S. Victoria Ave. (APN: 188-0-272-205) within the Planned Unit Development land use designation and the Coastal Planned Unit Community (C-P-C) zone district. Filed by Matthew Olufs, Designated Agent, on behalf of property owner Seabridge Partners, P.O. Box 15928, Beverly Hills, CA 90209.

Subsequent to the release of the staff report, the Applicant team requested modifications to select conditions of approval included within the draft Resolution. City Departments and Divisions reviewed the request have agreed to the modified conditions as specified below in the body of this memo.

Revised Resolution No. 2022-XX

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. 22-510-02 (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

Revised Conditions

Modify conditions 39, 53, 59, in the draft Resolution with the following following language:

39. ~~All sales of alcohol must include a purchase of food.~~ Sales of alcoholic beverages shall be incidental to the sale of food. Employees shall make a good faith effort to ensure that all customers are being served alcoholic beverages are also on the premises for the purpose of consuming food items. (PD)
53. ~~This provision may be waived under a "Special Event Letter" as outlined under Police Special Conditions.~~ 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.
59. ~~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.~~ There shall not be any outdoor or patio bar (portable or otherwise) where alcoholic beverages are stored or served. (PD)

Removed Conditions

Remove conditions 18, 21, and 43 in the draft Resolution:

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

New Conditions

Add a condition after Condition #53:

54. 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)