

MINUTES
OXNARD PLANNING COMMISSION
Thursday, July 21, 2022

A. ROLL CALL

1. At 6:00 p.m., the Oxnard Planning Commission convened in the Oxnard Chambers.
2. Chair Chavez, Vice Chair Arruejo, Commissioner, Meyer, Sanchez, Dr. Lopez and Nash were present. Absent: Commissioner Connelly
3. Staff members present were: Kathleen Mallory, Planning & Sustainability Manager; Ken Rozell, Chief Assistant City Attorney; Joe Pearson II, Interim Planning & Environmental Services Manager; Juan Carlos Torres, Assistant Planner; and Steve Ramirez, F.A.C.T. Compliance Officer Corporal.
4. Chair Chavez presided and called the meeting to order.

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

1. Commissioner Nash led the pledge of allegiance

C. PUBLIC COMMENTS - On Items Not On The Agenda

1. No public comments were received for items not on the agenda.

D. CONSENT AGENDA

E. EX PARTE DECLARATIONS FOR PUBLIC HEARING ITEMS

1. Chair Chaves referenced his conversation with councilman Mc Donald referencing item F1. Not persuaded to vote in any direction.

F. PUBLIC HEARING

1. **Project Name: Umesh Retail Pharmacy Special Use Permit- PLANNING AND ZONING PERMIT No. 22-520-01 (Special Use Permit - Minor);** Located at 1200 North Ventura Road, Unit G (APN: 200-00-480-085). A request to operate a community retail pharmacy within an approximately 1,281 square-foot vacant medical suite within the Commercial Office - Planned Development (CO-PD) zone. Proposed development includes minor interior tenant improvements: a front retail display area, reception counter area, and high density storage shelving for medicine. ~~The proposed pharmacy will operate daily between the hours of 9:00 AM to 6:00 PM.~~ The proposed project is exempt from environmental review, pursuant to Section 15301 (Existing Facilities) of the California Environmental Quality Act. Filed by Umesh Manglani, property owner and operator of the

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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.

proposed pharmacy.

City Staff: Juan Carlos Torres, Assistant Planner

Recommendation: That the Planning Commission:

- a. Finds the Project to be Categorically Exempt from environmental review pursuant to the California Environmental Quality Act (CEQA), pursuant to Section 15301 (Existing Facilities), and
- b. Approve Resolution 2022-30 approving Planning and Zoning Permit No. 22-520-01 (Special Use Permit), subject to certain findings and conditions.

Juan Carlos Torres provided the required Measure M pre-recorded presentation video outlining the request which was posted with the agenda: <https://youtu.be/ykPT0VWNSzw>

City Staff and Consultants Including: Joe Pearson II, Interim Planning & Environmental Services Manager; Juan Carlos Torres, Assistant Planner; and Steve Ramirez, F.A.C.T. Compliance Officer Corporal were available for questions, Applicant

Verbal questions were received from Commissioner Nash, Commissioner Meyer, Vice Chair Arruejo, Commissioner Sanchez, Chair Chavez, regarding the resolution, the location of the project, modifications, security and conditions 21, 28 and 30.

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

No verbal comment received by public speaker

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

Discussion ensued among the Commissioners, staff and applicant about several topics, including; the resolution, the location of the project, modifications, security and conditions 21, 28 and 30.

MOTION:

Commissioner Nash moved and Commissioner Meyer seconded the motion to Finds the Project to be Categorically Exempt from environmental review pursuant to the California Environmental Quality Act (CEQA), pursuant to Section 15301 (Existing Facilities), and Approve Resolution 2022-30 approving Planning and Zoning Permit No. 22-520-01 (Special Use Permit), subject to certain findings and conditions with the inclusion of the following edits:

Condition numbers 28 and 30 shall be edited as follows:

~~28. Permittee shall construct double-bin trash enclosures (one bin for recycle use) with a solid non-combustible roof (8-foot minimum clearance) that prevents stormwater from entering the refuse bins. Developer shall construct all other components of the trash enclosure in accordance with the approved City Standard Plan on file with the Development Services Division. Developer shall finish the trash enclosure to match the major design elements of the main structure subject to approval by the Planning Division. The location and configuration of the enclosure shall be approved by the Environmental Resources Division. All site refuse bins shall be stored in an approved enclosure. No objects other than refuse bins may be stored in the enclosure without the written permission of the Environmental Resources Division. (DS-79)~~

30. Pharmacy transaction area shall be secured utilizing the following features:

- a. ~~A plexiglass bullet-resistant glazing, wall and door barrier system that provides floor to ceiling protection. The barrier shall be built consistent with the standards established under UL 752 Level 3 and NFPA 730 Section E.3.4 for both glazing and wall construction.~~
- b. ~~The barrier shall be built consistent with the standards established under UL 752 Level 3 and NFPA 730 Section E.3.4 for both glazing and wall construction.~~
- c. The door shall be secured by key or access control mechanism or system.
- d. Building plan submittals shall identify the specific products to be used in the construction of the bullet-resistant barrier system.
- e. Determination as to whether the construction of the bullet-resistant enclosure meets or exceeds this condition shall be determined by the Chief of Police or his or her designee.

VOTE:

Chair Chavez, Vice Chair Arruejo, Commissioner, Meyer, Sanchez, Dr. Lopez and Nash were present. Absent: Commissioner Connelly. The motion carried 6:0:1:0:0¹.

2. **Project Name: 538 Meta Street Property Disposition General Plan Conformity-**
~~PLANNING AND ZONING PERMIT No. 22-625-03~~ (General Plan Conformity Determination); located at 538 Meta Street (APN: 201-0-213-100). A request that the Planning Commission adopt a resolution affirming that the City of Oxnard's disposition of real property located at 538 Meta Street is in conformance with the City of Oxnard 2030

¹ In Favor: Against: Absent: Abstain: Recused

General Plan and recommending that the City Council order the disposition. The site is located within the 2030 General Plan land use designation of Downtown (DT) and is zoned Downtown General (DT-G) in the City of Oxnard. The Planning Commission's determination of whether the proposed disposition of the City's subject property is consistent with the Oxnard 2030 General Plan is not a "project" for purposes of the California Environmental Quality Act (CEQA) and State CEQA Guidelines (CEQA Guidelines Section 15061(b)(3) and Section 15378. Requested by Emilio Ramirez, Housing Director, on behalf of the City of Oxnard, 435 South D Street, Oxnard, CA 93030, on behalf of the property owner which is the City of Oxnard.

City Staff: Joe Pearson II, Interim Planning and Environmental Services Manager

Recommendation: That the Planning Commission:

- a. Find the project Exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15061(b)(3) and Section 15378(b)(5); and
- b. Adopt Resolution 2022-XX affirming that the City of Oxnard's disposition of real property located at 538 Meta Street is in conformance with the City of Oxnard 2030 General Plan, and recommending that the City Council order the disposition.

Joe Pearson II provided the required Measure M pre-recorded presentation video outlining the request which was posted with the agenda: <https://youtu.be/C0970aBSzRQ>

City Staff and Consultants Including: Joe Pearson II, Interim Planning and Environmental Service Manager.

Verbal comments and questions were received from Commissioner Nash regarding the exemptions and CEQA

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

Verbal comment received by public speaker Ms. Pat Brown

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

~~Comments by Vice Chair Arruejo and Commissioner Meyer including, affordable housing were received.~~

MOTION:

Vice Chair Arruejo moved and Commissioner Dr. Lopez seconded the motion for Find the project Exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15061(b)(3) and Section 15378(b)(5); and Adopt Resolution 2022-XX affirming that the City of Oxnard's disposition of real property located at 538 Meta Street is in conformance with the City of Oxnard 2030 General Plan, and recommending that the City Council order the disposition.

VOTE:

Chair Chavez, Vice Chair Arruejo, Commissioner, Meyer, Sanchez, Dr. Lopez and Nash were present. Absent: Commissioner Connelly. The motion carried 6:0:1:0:0².

3. **Project Name: Fore Apartments at Riverpark- PLANNING AND ZONING PERMIT** No. 19-200-16 (Development Design Review Permit); located at 2700/2750 North Ventura Road (APNs: 132-0-100-095, 132-0-100-085). Appeal of the Community Development Director's Approval of a DDRP for the construction of a 409,257 square foot 5-story apartment building with 333 residential units and a 6-story 171,066 square foot centrally located parking structure with 510 residential parking spaces, rooftop deck on a 4.23-acre project site. The 333 residential units encompass 44 studio apartments, 166 one-bedroom units, 116 two-bedroom units, and 9 three-bedroom units. The Project is located at 2700/2750 North Ventura Road within the Commercial General land use designation and RiverPark Specific Plan (RPSP) zone. The proposed project has been found to be consistent with the RPSP and FEIR No. 00-03 and is therefore exempt from further environmental review pursuant to Section 15162 of the CEQA Guidelines. The project application was filed by Jonathan K. Cornelius of Fore Property, 1004 Santa Barbara Street, Santa Barbara, CA 93101. The appeal was filed by Richard Drury of Lozeau Drury, LLP, 1939 Harrison Street Suite 150, Oakland, CA 94612.

City Staff: Joe Pearson II, Interim Planning and Environmental Services Manager

Recommendation: That the Planning Commission:

- a. Find the Project to be consistent with Final Environmental Impact Report (FEIR No. 00-03) and subsequent addendums prepared for the RiverPark Specific Plan and therefore exempt from further environmental review pursuant to Sections 15162 through 15164 and 15183 of the CEQA Guidelines; and
- ~~b. Adopt a Resolution denying the Appeal and upholding the Community Development Director's Approval of Planning and Zoning Permit No. 19-200-16 (Development Design Review Permit), subject to certain findings and conditions, because the record shows that there is evidence necessary to make all of the Findings required by Oxnard~~

² In Favor: Against: Absent: Abstain: Recused

City Code.

Joe Pearson II provided the required Measure M pre-recorded presentation video outlining the request which was posted with the agenda: <https://youtu.be/OCbF9IW28xM>

City Staff and Consultants Including: Joe Pearson II, Interim Planning & Environmental Services Manager were available for questions

Verbal comment received by Appellant Rebeca Davids, representing appellant quarters alliance for environmental responsibility opposing the project speaking on CEQA and air quality impacts.

Verbal comments received by Applicant Andrew Fog, land use attorney at Cox, Castle and Nicholson LLC. and Tony Locaciato, Consultant at Meridian Consultants commented on the project addressing EIR and CEQA.

Verbal comments were received by Commissioner Meyer, Nash, Joe PearsonII, Vice Chair Arruejo and Chair Chavez on air quality, toxic impacts, CEQA guidelines and payment for TDM.

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

Verbal comment made by Marcos Alboran on traffic and sidewalks.

Discussion ensued among the Commissioners, staff and applicant about several topics, including; the appeal and comments received.

MOTION:

Vice Chair Arruejo moved and Commissioner Meyer seconded the motion for the Project to be consistent with Final Environmental Impact Report (FEIR No. 00-03) and subsequent addendums prepared for the RiverPark Specific Plan and therefore exempt from further environmental review pursuant to Sections 15162 through 15164 and 15183 of the CEQA Guidelines; and Adopt a Resolution denying the Appeal and upholding the Community Development Director's Approval of Planning and Zoning Permit No. 19-200-16 (Development Design Review Permit), subject to certain findings and conditions, because the record shows that there is evidence necessary to make all of the Findings required by Oxnard City Code with the inclusion of the following edits:

1. Condition number 126 shall be edited as follows:
126. Signs displaying the APCD Complaint Line Telephone number for public complaints shall be posted in a prominent location visible to the

public off the site: ~~(805) 645-1400 during business hours and (805) 654-2797 after hours~~ (805) 303-3708 during business hours and (805) 303-3700 after hours.

VOTE:

Chair Chavez, Vice Chair Arruejo, Commissioner, Meyer, Sanchez, Dr. Lopez and Nash were present. Absent: Commissioner Connelly. The motion carried 6:0:1:0:0³.

G. STUDY SESSION/REPORTS

1. None

H. PLANNING COMMISSION BUSINESS

1. Vice Chair Arruejo sharing to have been elected as treasurer for the California State Association of Parliamentarians
2. Chair Chavez for those in districts one, two and five nominations period is open for City Council nominations.

I. COMMUNITY DEVELOPMENT STAFF UPDATES

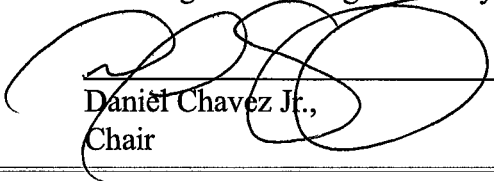
1. Joe Pearson II announced the August 4, 2022 being canceled due to construction and a workshop for the Aquatic center will be on August 1, 2022.

J. ADJOURNMENT

1. At 8:25 p.m., the Planning Commission concurred to adjourn.

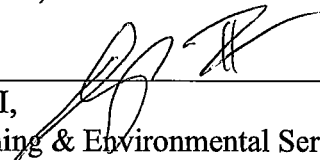
FUTURE MEETINGS

Regular Meeting: Thursday, August 4, 2022, 6:00 p.m., Council Chambers



Daniel Chavez Jr.,
Chair

ATTEST



Joe Pearson II,
Interim Planning & Environmental Services Manager

³ In Favor: Against: Absent: Abstain: Recused