AMENDED AGENDA - TRANSMITTAL MEMO ADDED TO ITEM F-1

CITY OF OXNARD
PLANNING COMMISSION
AGENDA

REGULAR MEETING
Council Chambers, 305 West Third Street
Thursday, August 3, 2023, 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/WydJfmbNhQ1vmgLr5, emailing the Planning office at planning@oxnard.org, or calling (805) 385-7858.

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: 897 5174 5553
      3. Enter the meeting passcode: 907636
      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

1. APPROVAL OF MINUTES - April 6, 2023
2. APPROVAL OF MINUTES - July 6, 2023

E. EX PARTE DECLARATIONS FOR PUBLIC HEARING ITEMS

F. PUBLIC HEARING

1. **Project Name: Dunkin Donuts;** Planning and Zoning Permit No. 22-550-01 (Major Modification to Special Use Permit), Property Located at 2151 East Gonzales Road; APN: 213-0-090-015. The proposed project requests a Major Modification to Special Use Permit (SUP) No. 00-05-142 to allow for improvements to an existing 30,467 square-foot CBC Credit Union multi-tenant office building. The proposed project includes the construction and conversion of 1,419 square feet of existing ground floor tenant space into a donut/coffee shop (Dunkin Donuts) and the conversion of one existing drive-through lane. The project also includes one modification that is being requested to allow for a reduction of the number of on-site required parking spaces from 151 to 129. Filed by property owner, Daniel Bednar, Vice President of Development, of CBC Federal Credit Union.
   City Staff: Jay Dobrowalski, Planning Supervisor and Lisa Gordon, Senior Contract Planner

   Recommendation: That the Planning Commission:

   a. Find the Project to be Statutorily Exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15270 (Projects Which are Disapproved); and

   b. Adopt Resolution 2023-XX denying Planning and Zoning Permit No. 22-550-01 (Major Modification to Special Use Permit), subject the findings.

   Please click the following link to view the required Measure M pre-recorded presentation video: https://youtu.be/Y-Wm5qmF6Iw

2. **Project Name: Cannabis Zoning Text Amendments;** Planning and Zoning Permit No. 23-580-02 (Zone Text Amendment). A request to modify Oxnard City Code (OCC) Chapters 11 and 16 to address minor OCC changes determined necessary as a result of implementation of the City's existing commercial cannabis regulations pertaining to manufacturing, distribution, testing, and retail dispensaries. Chapters 11 and 16 of the OCC are proposed to be amended to create new regulations for commercial cannabis cultivation and to permit up to five (5) indoor commercial cannabis cultivators in six (6) areas of the City. The proposed project has been determined to be exempt from the California Environmental Quality Act (CEQA), based upon the general rule provision of Section 15061 (b)(3) of the CEQA Guidelines. Filed by City of Oxnard, Community Development Department, 214 S. C Street, Oxnard, CA 93030
City Staff: Mat Simpkins, Management Analyst

Recommendation: That the Planning Commission:

a. Open the public hearing and receive public testimony; and

b. Adopt Resolution 2023-XX recommending that the City Council approve amendments to the OCC pertaining to regulation of cannabis manufacturing, distribution, testing, and retail dispensaries; and an amendment to OCC Chapters 11 and 16 to allow up to five (5) indoor commercial cannabis cultivators in six (6) identified areas of the City.

Please click the following link to view the required Measure M pre-recorded presentation video: https://youtu.be/dij6OnwREIl

G. STUDY SESSION/REPORTS

H. PLANNING COMMISSION BUSINESS

I. COMMUNITY DEVELOPMENT STAFF UPDATES

J. ADJOURNMENT

FUTURE MEETINGS

Regular Meeting: Thursday, August 17, 2023, 6:00 p.m., Council Chambers

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.

MINUTES
OXNARD PLANNING COMMISSION
Thursday, April 6, 2023

A. ROLL CALL

1. At 6:00 p.m.,the Oxnard Planning Commission convened in the Oxnard Chambers.
2. Chair Arruejo, Vice Chair Stewart, Commissioners Chavez, Nash, Zielsdorf and were present. Commissioners Connelly and Dr. Lopez were absent.
3. Staff members present were; Ken Rozell, Chief Assistant City Attorney; Joe Pearson II, Planning Environmental Services Manager; Juan Carlos Torres, Associate Planner; Kathleen Mallory, Planning and Sustainability Manager; Emilio Ramirez, Housing Director; Maureen Tamuri, Interim Community Development Department Director; and Miriam Loera, Administrative Services Specialist.
4. Chair Arruejo presided and called the meeting to order.

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

1. Commissioner Chavez led the pledge of allegiance

C. PUBLIC COMMENTS - On Items Not On The Agenda

1. NONE

D. CONSENT AGENDA

1. NONE

E. EX PARTE DECLARATIONS FOR PUBLIC HEARING ITEMS

1. NONE

F. PUBLIC HEARING

1. **Project Name: Vista Real Charter School**; Planning and Zoning Permit No. 22-520-02 (Special Use Permit); A request to allow operation of a charter school use (Vista Real Charter High School) within an existing two-story 16,425 square-foot building (Woolworth Building). The proposed School currently occupies approximately 12,800 square feet of the building and is located at 401 South A Street, Suites 1-3 & 8-10 (APN: 202-0-104-015) within the Downtown Core (DT-C) Zone. The proposed hours of operation for the proposed use will be Monday through Friday from 8am to 6pm. The project will have 20 employees and 65 students. Filed by Tracy Woods with Learn 4 Life, on behalf of Vista Real Oxnard, applicant, 177 Holston Drive, Lancaster, CA 93535.
   City Staff: Juan Carlos Torres, 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 2023-16 approving Planning and Zoning Permit No. 22-520-02 (Special Use Permit), subject to certain findings and conditions.

Juan Carlos Torres, Associate Planner, provided the required Measure M pre-recorded presentation video outlining the request which was posted with the agenda: https://youtu.be/yBR1NODDtr0

City Staff and Consultants Including: Joe Pearson II, Planning & Environmental Services Manager, Ken Rozell, Chief Assistant City Attorney; and Carlos Torres, Associate planner were available for questions.

Tracy Woods, the Applicant and her team were also present and available for questions.

Verbal comments and questions were received by Commissioners Chavez, Nash, Vice Chair Stewart, Chair Arruejo, regarding the location and its use as semi-public, security, application delay.

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

There were no public verbal comments received.

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

Discussion ensued among the Commissioners and staff about several topics, including: location, security, application delay.

MOTION:

Commissioner Nash moved and Vice Chair Stewart seconded the motion to Find the Project to be Categorically Exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15301 (Existing Facilities); and adopt Resolution 2023-16 approving Planning and Zoning Permit No. 22-520-02 (Special Use Permit), subject to certain findings and conditions including all the changes that were in the addendum.

VOTE:

Vice Chair Stewart, Commissioner Nash and Zielsdorf voted in favor. Chair Arruejo voted No. Commissioner Chavez abstained. Commissioners Connelly and Dr. Lopez were absent. The motion carried 3:1:2:1:0[1]

2. **Project Name: Carmax Expansion Project**; Planning and Zoning Permit No. 22-550-02 (Major Modification to PZ 10-500-11 (Special Use Permit)) and 22-310-05 (Lot Line

[1] In Favor: Against: Absent: Abstain: Recused

Adjustment (Merger)); The proposed project includes a development proposal to demolish an existing 38,854 square foot industrial building and related site improvements to allow for the construction of a vehicle storage yard to stage vehicles sold by the CarMax automotive dealership. The 4.27-acre site consists of three lots that will be merged into one lot. No new buildings are proposed. The Project site is located at 1975 Lockwood Street; APN(s): 213-0-011-245, -285, -310, -330, and -340 within the General Commercial Planned Development (C-2-PD) zone district and within the Commercial General land use designation. For purposes of this staff report, the foregoing Project Description shall be referred to as the "Project". Filed By Hollee King Winegar, Applicant, 7584 Eisenhower Street, Ventura, CA, 93003.
City Staff: Brenna Wengert, AICP, Contract Planner

Recommendation: That the Planning Commission:

a. Find the Projects to be Categorically Exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15332 (Infill Development); and

b. Adopt Resolution 2023-17 approving Planning and Zoning Permit No. 22-550-02 (Major Modification to PZ 10-500-11 (Special Use Permit)) and 22-310-05 (Lot Line Adjustment (Merger)), subject to certain findings and conditions.

Brenna Wengert, AICP, Contract Planner, provided the required Measure M pre-recorded presentation video outlining the request which was posted with the agenda: https://youtu.be/Ru97B_6W2Rc

City Staff and Consultants Including: Joe Pearson II, Planning & Environmental Services Manager; Ken Rozell, Chief Assistant City Attorney; and Brenna Wengert, Contract Planner were available for questions.

Hollee King Winegar, the Applicant was present and available for questions.

Verbal comments and questions were received by Commissioner Nash and Chair Arruejo regarding location use, driveway location on lockwood, traffic,

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

No public verbal comments were received.

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

Discussion ensued among the Commissioners and staff about several topics, including: vehicles in the community.

MOTION:

Chair Arruejo moved and Commissioner Nash seconded the motion to Find the Projects to be Categorically Exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15332 (Infill Development); andAdopt Resolution 2023-17 approving Planning and Zoning Permit No. 22-550-02 (Major Modification to PZ 10-500-11 (Special Use Permit)) and 22-310-05 (Lot Line Adjustment (Merger)), subject to certain findings and conditions.

VOTE:

Chair Arruejo, Vice Chair Stewart, Commissioners Nash and Zielsdorf voted in favor. Commissioner Chavez voted no. Commissioners Connelly and Dr. Lopez were absent. The motion carried 4:1:2:0:0[2].

3. **Project Name: Update of the City's Inclusionary Housing Ordinance.** The project implements the City of Oxnard certified and Adopted Amended 2021-2029 Housing Element, Program 10 that calls for an update to and codification of the City's Inclusionary Housing Ordinance. Filed by the City of Oxnard Long Range Planning & Sustainability Division and the Housing Department - 214 South C Street, Oxnard, CA 93030
City Staff: Kathleen Mallory, Planning and Sustainability Manager

Recommendation: That the Planning Commission:

a. Open the public hearing and receive public testimony;

b. Review and provide comment on the proposed amendments to Chapter 16 of the Oxnard City Code (OCC) to codify the updated Inclusionary Housing Ordinance; and

c. Adopt Resolution 2023-18 recommending that the City Council repeal Ordinance Nos. 2506, 2545, 2615, 2688, 2721 and 2980 and approve zoning text amendments to Chapter 16 of the OCC to require affordable housing in future residential development applications of a specific size.

Kathleen Mallory, Planning and Sustainability Manager, provided the required Measure M pre-recorded presentation video outlining the request which was posted with the agenda:: https://youtu.be/WGgHcPueExE

City Staff and Consultants Including: Joe Pearson II, Planning & Environmental Services Manager; Ken Rozell, Chief Assistant City Attorney; Kathleen Mallory, Planning and Sustainability Manager; Heather Davis, Project Manager; Maureen Tamuri, Interim Community Development Department Director; and Emilio Ramirez, Housing Director were available for questions.

Verbal comments or questions were received by Commissioners regarding moderate housing, low cost housing, very low housing, how to build more units, conditions for developers, equity share agreement, affordable rental units, home ownership.

[2] In Favor: Against: Absent: Abstain: Recused

MOTION:

Chair Arruejo moved and Commissioner Nash seconded the motion to set aside the questioning of the staff and go directly to the public comment and to increase the speaking time from default of three minutes to five minutes.

VOTE:

Chair Arruejo, Vice Chair Stewart, Commissioners Chavez, Nash and Zielsdorf. Commissioners Connelly and Dr. Lopez were absent. The motion carried 5:0:2:0:0[3].

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

Public verbal comment received by: Jackson Piper, Mireya Navarro, Barbara Macri-Ortiz, and Paul Sheehan.

MOTION:

Commissioner Nash moved and Vice Chair Stewart seconded the motion to allow questions to those public commenters still present via zoom or in person.

VOTE:

Chair Arruejo, Vice Chair Stewart, Commissioners Chavez, Nash and Zielsdorf. Commissioners Connelly and Dr. Lopez were absent. The motion carried 5:0:2:0:0[4].

Verbal comments or questions were received from Commissioners regarding increase of affordability percentages of rental and for-sale units, HCD inclusionary policies, affordable housing requirements or conditions on re-sale of property, unit costs, affordable units applied to density units, and prohibitions.

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

Discussion ensued among the Commissioners and staff about several topics, including: supporting veterans with housing, equity shares, sales and equity restrictions, generational poverty and the housing of current residents.

Planning Commissioners went into the committee of the whole prior to delivering a motion to discuss the following topics: Rental and For-Sale Inclusionary percentages and breakdowns, Resale Restriction vs. Equity Share, For-Sale Unit Relocation Exceptions.

MAIN MOTION:

Commissioner Nash and Vice Chair Stewart seconded the motion to review and provide comment on the proposed amendments to Chapter 16 of the Oxnard City Code (OCC) to codify the updated Inclusionary Housing Ordinance; and Adopt Resolution 2023-18 recommending that the City Council repeal Ordinance Nos. 2506, 2545, 2615, 2688, 2721 and 2980 and

[3] In Favor: Against: Absent: Abstain: Recused

[4] In Favor: Against: Absent: Abstain: Recused

approve zoning text amendments to Chapter 16 of the OCC to require affordable housing in future residential development applications of a specific size, with the following amendments and recommendations:

- Increase for-sale inclusionary requirement from 10 Percent to 20 Percent (10% moderate and 10% lower income)
- Increase the rental inclusionary requirement from 10 Percent to 15 Percent (5% very low, 5% lower, and 5% moderate)
- To require a resale restriction for for-sale units instead of the equity share
- Recommend that City Council consider a military reassignment exemption for for-sale units.

AMENDMENT TO THE MAIN MOTION:

Chair Arruejo moved and Commissioner Nash seconded the motion to amend the motion to increase the rental inclusionary requirement from 15 Percent to 20 Percent (10% very low and 10% lower).

AMENDMENT TO THE MAIN MOTION VOTE:

Chair Arruejo, Commissioners Nash and Zielsdorf voted in favor. Vice Chair Stewart and Commissioner Chavez voted no. Commissioners Dr. Lopez and Connelly were absent. The motion carried 3:2:2:0:0[5].

MAIN MOTION VOTE:

Chair Arruejo, Vice Chair Stewart, Commissioners Chavez, Nash and Zielsdorf voted in favor. Commissioners Dr. Lopez and Connelly were absent. The motion carried 5:0:2:0:0[6].

G. STUDY SESSION/REPORTS

1. None

H. PLANNING COMMISSION BUSINESS

1. Commissioner Nash commented on being sworn in.
2. Commissioner Chavez commented on being sworn in.

I. COMMUNITY DEVELOPMENT STAFF UPDATES

1. Joe Pearson II addressed an Oxnard Beach Town Hall coming up on Monday April 24, 2023 from 6pm to 8 pm at the South Oxnard Center to discuss the Ormond beach restoration project. Update on U-haul project.

J. ADJOURNMENT

[5] In Favor: Against: Absent: Abstain: Recused
[6] In Favor: Against: Absent: Abstain: Recused

1. At 10:34 p.m., the Planning Commission concurred to adjourn.

<u>FUTURE MEETINGS</u>

Regular Meeting: Thursday, April 20, 2023, 6:00 p.m., Oxnard Chambers

______________________________	ATTEST ______________________________
Ronald Arruejo,	Joe Pearson II,
Chair	Planning & Environmental Services Manager

MINUTES
OXNARD PLANNING COMMISSION
Thursday, July 6, 2023

A. ROLL CALL

1. At 6:00pm, the Oxnard Planning Commission convened in the Oxnard Chambers.
2. Chair Arruejo, Vice Chair Stewart, Commissioners Connelly, Zealsdorf and Nash were present. Commissioners Chavez and Dr. Lopez were absent.
3. Staff members present were: Joe Pearson II, Planning & Environmental Services Manager; Ken Rozell, Chief Assistant City Attorney; Daniel Houck, Assistant Planner; Jay Dobrowalski, Planning Supervisor; Elsa Brown, Housing Manager; Emilio Ramirez, Housing Director and Miriam Loera, Administrative Services Specialist.
4. Chair Chavez presided and called the meeting to order.

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

1. Chair Arruejo

C. PUBLIC COMMENTS - On Items Not On The Agenda

1. None

D. CONSENT AGENDA

1. APPROVAL OF MINUTES - March 2, 2023

MOTION:

Commissioner Nash moved and Vice Chair Stewart seconded the motion of approval of minutes for the March 2, 2023, Planning Commission meeting.

VOTE:

Chair Arruejo, Vice Chair Stewart, Commissioners Zealsdorf and Nash voted in favor. Commissioner Connelly abstained. Commissioners Chavez and Dr. Lopez were absent. The motion carried 4:0:2:1:0[1].

2. APPROVAL OF MINUTES - April 20, 2023

MOTION:

Commissioner Connelly moved and Commissioner Nash seconded the motion of approval of minutes for the April 20, 2023, Planning Commission meeting.

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[1] In Favor: Against: Absent: Abstain: Recused

VOTE:

Chair Arruejo, Vice Chair Stewart, Commissioners Connelly, Zealsdorf and Nash voted in favor. Commissioners Chavez and Dr. Lopez were absent. The motion carried 5:0:2:0:0[2].

3. APPROVAL OF MINUTES - May 4, 2023

MOTION:

Commissioner Connelly moved and Commissioner Zealsdorf seconded the motion of approval of minutes for the May 4, 2023, Planning Commission meeting.

VOTE:

Chair Arruejo, Vice Chair Stewart, Commissioners Connelly, Zealsdorf and Nash voted in favor. Commissioners Chavez and Dr. Lopez were absent. The motion carried 5:0:2:0:0[3].

E. EX PARTE DECLARATIONS FOR PUBLIC HEARING ITEMS

1. Connelly addressed being a member of the Bank Credit Union owner of the building pertaining to Item F.2.
2. Chair Arruejo will be recused from Item F.3 due to 18 U.S.C. Sections 203 and 205

F. PUBLIC HEARING

1. Project Name: 2nd & B Street Edison Utility Easement; Planning and Zoning Permit No. 23-625-03 (General Plan Conformity Determination) - 2030 General Plan Conformity Determination for Granting of Real Property Located at 251 South A Street (APNs: 202-0-091-390). A request for a general plan conformity determination for granting a new easement is to support the installation of pad mounted electrical equipment for Southern California Edison. Filed by Elsa Brown, Development Manager, on behalf of the City of Oxnard, 435 South D Street, Oxnard, CA 93030.
City Staff: Daniel Houck, Associate Planner

Recommendation: That the Planning Commission

[2] In Favor: Against: Absent: Abstain: Recused
[3] In Favor: Against: Absent: Abstain: Recused

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 2023-25 affirming that the City of Oxnard's disposition of real property located at 251 South A Street is in conformance with the City of Oxnard 2030 General Plan, and recommending that the City Council order the disposition.

Please click the following link to view the required Measure M pre-recorded presentation video: https://youtu.be/fL3YKuzDVwo

City Staff and Consultants Including: Elsa Brown, Development Manager; Emilio Ramirez, Housing Director; Joe Pearson II, Planning & Environmental Services Manager; Ken Rozell, Chief Assistant City Attorney; and Daniel Houck, Assistant Planner were available for questions.

Brittney Lawless, from the applicant team was also available for questions.

No verbal comments and questions were received.

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

No verbal comment received by public speakers

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

Discussion ensued among the Commissioners and staff about several topics, including: Tree replacement.

MOTION:

Commissioner Nash moved and Commissioner Connelly seconded the motion to 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 2023-25 affirming that the City of Oxnard's disposition of real property located at 251 South A Street is in conformance with the City of Oxnard 2030 General Plan, and recommending that the City Council order the disposition.

VOTE:

Chair Arruejo, Vice Chair Stewart, Commissioners Connelly, Zealsdorf and Nash voted in favor. Commissioners Chavez and Dr. Lopez were absent. The motion carried 5:0:2:0:0[4].

2. **Project Name: Dunkin Donuts;** Planning and Zoning Permit No. 22-550-01 (Major Modification to Special Use Permit), Property Located at 2151 East Gonzales Road; APN: 213-0-090-015. The proposed project requests a Major Modification to Special Use Permit (SUP) No. 00-05-142 to allow for improvements to an existing 30,467 square-foot CBC Credit Union multi-tenant office building. The proposed project includes the construction and conversion of 1,419 square feet of existing ground floor tenant space into a donut/coffee shop (Dunkin Donuts) and the conversion of one existing drive-through lane. The project also includes one modification that is being requested to allow for a reduction of the number of on-site required parking spaces from 151 to 129. Filed by property owner, Daniel Bednar, Vice President of Development, of CBC Federal Credit Union.
City Staff: Jay Dobrowalski, Planning Supervisor and Lisa Gordon, Senior Contract Planner

Recommendation: That the Planning Commission:

a. Adopt an Addendum to Mitigated Negative Declaration No. 01-09; and

b. Adopt Resolution 2023-XX approving Planning and Zoning Permit No. 22-550-01 (Major Modification to Special Use Permit), subject to certain findings and conditions.

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

City Staff and Consultants Including: Joe Pearson, Planning & Environmental Services Manager; Ken Rozell, Chief Assistant City Attorney; and Jay Dobrowalski, Planning Supervisor were available for questions.

Jesus Garcia, Chief Experience Officer at CBC Federal Credit Union, Dave Sobina, Project Architect and Jim Bargfrede, Project Manager, Stuart Nielson, Collin Winters, Design group and part of the applicant team were available for questions.

Verbal comments and questions were received by Commissioners regarding parking on site, parking agreement, drive-thru, items served.

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

Verbal comment received by public speakers: Sunday Bartlett and Stuart Nielson who commented against the project;

[4] In Favor: Against: Absent: Abstain: Recused

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

Discussion ensued among the Commissioners and staff about several topics, including: Queue management plan, drive-thru, parking and traffic study, traffic flow and menu of food served.

FIRST MOTION:

Chair Arruejo moved and Commissioner Zielsdorf seconded the motion to adopt an Addendum to Mitigated Negative Declaration No. 01-09; and adopt Resolution 2023-XX approving Planning and Zoning Permit No. 22-550-01 (Major Modification to Special Use Permit), subject to certain findings and conditions.

FIRST MOTION VOTE:

Chair Arruejo and Commissioner Connelly voted in favor. Vice Chair Stewart and Commissioners Zealsdorf and Nash voted against. Commissioners Chavez and Dr. Lopez were absent. The motion failed 2:3:2:0:0[5].

SECOND MOTION:

Commissioner Nash moved and Vice Chair Stewart seconded the motion to deny Mitigated Negative Declaration No. 01-09; and to deny Resolution 2023-XX approving Planning and Zoning Permit No. 22-550-01 (Major Modification to Special Use Permit), subject to certain findings and conditions. Due to the number of parking spaces, pedestrian and vehicle interaction and queue management plan and to return with resolution of denial on August 3, 2023.

SECOND MOTION VOTE:

Vice Chair Stewart, Commissioners Connelly, Zealsdorf and Nash voted in favor. Chair Arruejo voted against. Commissioners Chavez and Dr. Lopez were absent. The motion carried 4:1:2:0:0[6].

3. **Project Name: Cannabis Zoning Text Amendments;** Planning and Zoning Permit No. 23-580-02 (Zone Text Amendment). A request to modify Oxnard City Code (OCC) Chapters 11 and 16 to address minor OCC changes determined necessary as a result of implementation of the City's existing commercial cannabis regulations pertaining to manufacturing, distribution, testing, and retail dispensaries. Chapters 11 and 16 of the OCC are proposed to be amended to create new regulations for commercial cannabis cultivation and to permit up to five (5) indoor commercial cannabis cultivators in six (6) areas of the

[5] In Favor: Against: Absent: Abstain: Recused
[6] In Favor: Against: Absent: Abstain: Recused

City. The proposed project has been determined to be exempt from the California Environmental Quality Act (CEQA), based upon the general rule provision of Section 15061 (b)(3) of the CEQA Guidelines. Filed by City of Oxnard, Community Development Department, 214 S. C Street, Oxnard, CA 93030
City Staff: Mat Simpkins, Management Analyst

Recommendation: That the Planning Commission:

a. Open the public hearing and receive public testimony; and

b. Adopt Resolution 2023-XX recommending that the City Council approve amendments to the OCC pertaining to regulation of cannabis manufacturing, distribution, testing, and retail dispensaries; and an amendment to OCC Chapters 11 and 16 to allow up to five (5) indoor commercial cannabis cultivators in six (6) identified areas of the City.

Please click the following link to view the required Measure M pre-recorded presentation video: https://youtu.be/8qBNKI37RAQ

City Staff Including: Joe Pearson II, Planning & Environmental Services Manager and Ken Rozell, Chief Assistant City Attorney were available for questions.

Chair Arruejo recused himself.

Verbal comment received by public speakers: Pat Brown spoke against the project.

Vice Chair Stewart closed the public comments portion of the public hearing.

MOTION:

Commissioner Nash moved and Commissioner Connelly seconded the motion to postpone the item to be continued on August 3, 2023 to allow city staff to make minor modifications to staff report and ordinance to reflect additional language reflected in the ordinance.

SECOND MOTION VOTE:

Vice Chair Stewart, Commissioners Connelly, Zealsdorf and Nash voted in favor. Commissioners Chavez and Dr. Lopez were absent. Chair Arruejo was recused. The motion carried 4:0:2:0:1[7].

[7] In Favor: Against: Absent: Abstain: Recused

F. STUDY SESSION/REPORTS

1. None

G. PLANNING COMMISSION BUSINESS

1. Commissioner Connelly addressed special guests.
2. Commissioner Nash commented on climate change and global warming.

H. COMMUNITY DEVELOPMENT STAFF UPDATES

1. Joe Pearson II addressed the upcoming meeting on July 20, 2023.

I. ADJOURNMENT

1. At 7:10pm., the Planning Commission concurred to adjourn.

FUTURE MEETINGS

Regular Meeting: Thursday, July 20, 2023, 6:00 p.m., Oxnard Chambers

______________________________	ATTEST ______________________________
Daniel Chavez Jr.,	Joe Pearson II,
Chair	Interim Planning & Environmental Services Manager

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

MEMORANDUM

Agenda Item No.: F.1

Date: August 2, 2023

TO: Planning Commission

FROM: Jay Dobrowalski, Planning Supervisor
Joe Pearson II, Planning & Environmental Services Manager

DATE: August 2, 2023

SUBJECT: **Transmittal Memo No. 1 – Dunkin Donuts**; Planning and Zoning Permit No. 22-550-01 (Major Modification to Special Use Permit), Property Located at 2151 East Gonzales Road; APN: 213-0-090-015. The proposed project requests a Major Modification to Special Use Permit (SUP) No. 00-05-142 to allow for improvements to an existing 30,467 square-foot CBC Credit Union multi-tenant office building. The proposed project includes the construction and conversion of 1,419 square feet of existing ground floor tenant space into a donut/coffee shop (Dunkin Donuts) and the conversion of one existing drive-through lane. The project also includes one modification that is being requested to allow for a reduction of the number of on-site required parking spaces from 151 to 129. Filed by property owner, Daniel Bednar, Vice President of Development, of CBC Federal Credit Union.

Summary

Subsequent to the release of the Staff Report, staff has received a comment letter from the Project Applicant to address the concerns raised by the Planning Commission (attached).

Attachments

A – Letter from Scott A. Schell to Jim Bargfrede dated July 26, 2023

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July 26, 2023 20087L01.WP

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PARKING STUDY FOR THE CBC FEDERAL CREDIT UNION OFFICE BUILDING - CITY OF OXNARD, CALIFORNIA

Associated Transportation Engineers (ATE) has prepared the following responses to the City of Oxnard Planning Commission comments on the parking study for the CBC Federal Credit Union Office Building located at 2151 East Gonzales Road in the City of Oxnard.

Parking Lot Safety

Neighborhood property owners/tenants voiced concerns about:

- Parking on the east side of the drive aisle and people crossing traffic.
- ADA van drop-off on the curb and increased traffic being a problem.

The majority of the parking allocated for the Palms Medical Plaza and CBC Office Building would not require pedestrians to cross traffic entering the drive-through lane. The 10 shared parking spaces along Outlet Center Drive are the only parking spaces that would require a pedestrian walking to the Palms Medical Plaza to cross traffic entering the drive through lane. This is a condition that has existed for many years and no evidence has been provided to show that there is a history of pedestrian/vehicular collisions related to pedestrians crossing the drive aisle. The entry locations located on the East, West and North side of the Palms Medical Plaza are ADA accessible. The ADA van should pick-up and drop-off patients at those locations. Each of the Palms Medical Plaza entry locations are to the right of the Outlet Center driveway and they do not create a conflict between traffic entering the drive through lane and ADA van patients being dropped-off or picked-up. It's been observed that the ADA van drops patients off in the drive aisle left of the Palms Medical Plaza main entry when the ADA accessible entry and parking are located to the right. The ADA van creates conflict between patients and traffic by not picking-up and dropping-off patients in the designated areas.

Parking Space Availability

The commission noted that the neighbor stated that their clients/patients often had to circle their building multiple times to find parking.

As directed by City staff, the parking study for the CBC Office Building is not a shared parking study that includes the Palms Medical Plaza. The parking study only accounts for the parking allocated for the CBC Office Building and its tenants' parking demands. It should be noted that many of the Dunkin Donut customers will come from employees and patrons of the existing tenants in both the CBC Office Building and the Palms Medical Plaza. These Dunkin Donut customers would not create additional parking demands because they are parked on-site because the primary reason is employment or a visit to the offices of one of the other existing tenants.

Queue Management

The commission noted that regardless of our queueing plan, they believed it would not be sufficient.

- For reference they used their recent experience with McDonalds and Starbucks rather that relying on the Dunking queueing study included in our submittal documents

As illustrated on the Project site plan the drive-through lane for the Dunkin Donuts provides storage for 8 vehicles. Per the City of Oxnard Municipal Code, "A stacking credit in the drive through lane may count toward the required parking at a basis of one vehicle per each 23 linear feet of striped stacking not to exceed 30% of the total requirement or no more than 20 spaces."

In order to determine the sufficiency of the proposed drive through storge ATE evaluated drive through queue data for similar facilities. McDonalds', Chick-fil-A and In-N-Out are not similar facilities. Queue studies conducted by Linscott, Law, and Greenspan (LLG) at three other Dunkin Donuts locations in Downey, CA, Laguna Hills, CA and Whittier, CA determined that the maximum queues ranged from 5 to 7 vehicles which occurred in the weekday morning hours. Based on the LLG queue studies, the maximum queue would be 7 vehicles or less during most time periods and the 8-vehicle stacking area proposed at the Project would accommodate the queues.

The operator of the proposed Dunkin Donuts has prepared a "Drive Thru-Queue Management Plan". The "Drive Thru-Queue Management Plan" will provide passive and active strategies to address drive through vehicle queues that affect on-site circulation if they occur. Passive strategies include signing and striping. Active strategies include the use of handheld mobile devices by Dunkin Donuts staff to take customer orders and the implementation of mobile ordering by Dunkin Donuts customers. Dunkin Donuts management will also study trends and staffing to effectively manage the drive-through vehicle queues.

Associated Transportation Engineers

By: Scott A. Schell
Vice President

SAS/DFN