

MINUTES
OXNARD PLANNING COMMISSION
REGULAR MEETING
February 18, 2021 Minutes

A. ROLL CALL

1. At 6:00 p.m., the regular meeting of the Oxnard Planning Commission convened in the Council Chambers. Vice Chair Sanchez announced pursuant to Governor Newsom's Executive Order N-29-20, members of the Planning Commission or staff may participate in meetings via teleconference.
2. Vice Chair Sanchez (via videoconference), Commissioners Chavez (via videoconference), Dozier (via videoconference), Fuhring (via videoconference) and Meyer (via videoconference) were present. Chair Frank was absent.
3. Staff members present were: Scott Kolwitz, Planning & Environmental Services Manager; Isidro Figueroa, Principal Planner; Joe Pearson, Senior Planner; Juan Martinez, Associate Planner; Ken Rozell, Chief Assistant City Attorney; Shiri Klima, Deputy City Manager (via videoconference); Tatiana Araout, City Engineer (via videoconference); Earnel Bihiis, Assistant Traffic Engineer (via videoconference); and Dee Lai, Recording Secretary.
4. Vice Chair Sanchez presided and called the meeting to order.

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

1. Commissioner Dozier led the pledge of allegiance.

C. PUBLIC COMMENTS - On Items Not On The Agenda

1. A public comment was received from Pat Brown (Oxnard) regarding flooding concerns Downtown.

D. CONSENT AGENDA

1. APPROVAL OF MINUTES - January 21, 2021

MOTION: Commissioner Chavez moved and Commissioner Meyer seconded a motion to approve the minutes of January 21, 2021, with the correction to update the Minutes date year from 2020 to 2021, as follows:

MINUTES
OXNARD PLANNING COMMISSION
REGULAR MEETING
January 21, 2020 2021 Minutes

VOTE: Vice Chair Sanchez, and Commissioners Chavez, Dozier, Fuhring and Meyer voted in favor. The motion carried 5:0:1:0:0¹. Chair Frank was absent.

E. EX PARTE DECLARATIONS FOR PUBLIC HEARING ITEMS

1. The Planning Commissioners did not have any ex parte communications to report for Items F-1, G-1, G-2, or G-3.

F. CONTINUED PUBLIC HEARING

1. **Project Name: BeachFront Residential Sub-Zone (R-BF) Datum Change - PLANNING AND ZONING PERMIT NO. 21-580-01 (Zone Text Amendment):** A request for a Coastal Zone Text Amendment (ZTA) to the Oxnard City Code (OCC) Chapter 17, Article II, Section 17.25(D)(1-3) to replace the National Geodetic Vertical Datum of 1929 (NGVD29) with the North American Vertical Datum of 1988 (NAVD88) as the base measurement point from which all elevations for height are determined in the R-BF sub-zone in order to be consistent with the updated Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) regulations. Filed by the City of Oxnard Community Development Department, 214 South 'C' Street, Oxnard, CA 93030.
Project Planner: Isidro Figueroa, Principal Planner

Recommendation:

That the Planning Commission find the Project is exempt from the California Environmental Quality Act pursuant to section 15601 (b)(3), and adopt Resolution 2021-02 recommending City Council approval of Planning and Zoning Permit No. 21-580-01 (Zone Text Amendment), as submitted, subject to certain findings.

Isidro Figueroa, Principal Planner, provided a presentation outlining the request which was posted with the agenda.

Vice Chair Sanchez opened the public comments portion of the public hearing.

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

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

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

Discussion ensued among the Commissioners and staff about several topics, including: elevation height change and difference between datum; and wave run-up calculations.

MOTION: Commissioner Chavez moved and Vice Chair Sanchez seconded a motion finding the Project is exempt from the California Environmental Quality Act pursuant to section 15601 (b)(3), and adopt Resolution 2021-02 recommending City Council approval of Planning and Zoning

¹ In Favor: Against: Absent: Abstain: Recused

Permit No. 21-580-01 (Zone Text Amendment), as submitted, subject to certain findings.

VOTE: Vice Chair Sanchez, Commissioners Chavez, Dozier, Fuhring and Meyer, voted in favor. The motion carried 5:0:1:0:0². Chair Frank absent.

G. PUBLIC HEARING

- 1. Project Name: 2030 General Plan and Local Coastal Plan Conformity Determination for an Amendment of the City of Oxnard Capital Improvement Program (CIP) Fiscal Years (FY) 2020-2025.**: The Planning Commission will review three new projects that are being added to the CIP projects previously identified for FY 2020-2025, and to confirm they are in conformance with the City of Oxnard 2030 General Plan and relevant Coastal Land Use Plan policies pursuant to Section 65401 of the Government Code. The CIP includes a range of roadway improvements, maintenance of public facilities, stormwater drainage improvements and other miscellaneous projects. The three projects being added to the 2020-2025 CIP are: 1) Perkins Road Parking Lot Improvement, 2) Ormond Industrial Area Fiber Expansion, and 3) Perkins Road Fiber Expansion. Filed by Rosemarie Gaglione, Public Works Director, City of Oxnard.

City Staff: Rosemarie Gaglione, Public Works Director; Tatiana Arnaout, City Engineer; and Scott Kolwitz, Planning and Environmental Services Manager

Recommendation:

That the Planning Commission find that the proposed Amendment of the Capital Improvement Program (CIP) projects for FY 2020-2025 is not a “project” under CEQA, and adopt Resolution 2021-03 is in conformance with the City of Oxnard 2030 General Plan and relevant Coastal Land Use Plan policies pursuant to Section 65401 of the Government Code. The three new projects are located on Perkins Road and in the Ormond industrial area, but the whole of the CIP projects are located throughout the City of Oxnard and vary in scope and funding.

Tatiana Arnaout, City Engineer, provided a presentation outlining the request which was posted with the agenda.

Vice Chair Sanchez opened the public comments portion of the public hearing.

No public verbal comments were received in support of Item G-1. A public verbal comment was received from Pat Brown (Oxnard) regarding flooding on Perkins Road when it rains.

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

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

² In Favor: Against: Absent: Abstain: Recused

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

1. Perkins Road Parking Lot Improvement: vehicle electric charging station location strategy; and parking lot as part of the Ormond Beach Restoration Public Access Plan (OBRAP).
2. Ormond Industrial Area Fiber Expansion and Perkins Road Fiber Expansion: support of fiber expansion as a utility; Fiber Master Plan prioritizing and phasing process; fiber optic wire length and installation time frame; and funding availability and usage considerations.

MOTION: Commissioner Dozier moved and Vice Chair Sanchez seconded a motion finding that the proposed Amendment of the Capital Improvement Program (CIP) projects for FY 2020-2025 is not a “project” under CEQA, and adopt Resolution 2021-03 is in conformance with the City of Oxnard 2030 General Plan and relevant Coastal Land Use Plan policies pursuant to Section 65401 of the Government Code. The three new projects are located on Perkins Road and in the Ormond industrial area, but the whole of the CIP projects are located throughout the City of Oxnard and vary in scope and funding.

VOTE: Vice Chair Sanchez, Commissioners Chavez, Dozier, Fuhring and Meyer, voted in favor. The motion carried 5:0:1:0:0³. Chair Frank was absent.

2. **Project Name: Cypress Place at Garden City - PLANNING AND ZONING PERMIT NO. 20-535-02 (Density Bonus Permit):** A request for the ministerial approval of a Density Bonus (DB) permit to allow for a 20 percent DB to increase the allowed number of units from 125 to 150 units for an All-Affordable Housing Opportunity Program (“AAHOP”) project on two parcels. The ministerial DB includes one concession that would provide relief from Oxnard City Code Section 16-362F to eliminate requirements for private balconies, and, pursuant to Government Code Section 65915(p), determine that a total of 212 parking spaces are required while 252 are provided. The project site is located at 5536 & 5482 Cypress Road (APN 223-0-041-020/APN 223-0-090-015) within the Residential Low Medium land use designation and Multiple-Family Affordable Housing (R-2-AH) zoning district. Filed by Lauren Nichols, Peoples’ Self Help, 56 East Main Street, Suite 200, Ventura, California 93001.

Project Planner: Juan Martinez, Associate Planner

Recommendation:

That the Planning Commission find the Project to be exempt from the California Environmental Quality Act (CEQA), pursuant to Senate Bill 35 and Government Code Section 65913.4, and adopt Resolution 2021-04 approving Planning and Zoning Permit No. 20-535-02 (Density Bonus Permit), subject to certain findings and conditions.

Juan Martinez, Associate Planner, provided a presentation outlining the request which was posted with the agenda.

³ In Favor: Against: Absent: Abstain: Recused

The applicant team, including Morgen Benevedo (People's Self-Help Housing, Executive Vice President) and Mark DiCecco (DiCecco Architecture Incorporated, Architect) did not have a presentation but were available for questions.

Vice Chair Sanchez opened the public comments portion of the public hearing.

A public verbal comment was received from Pat Brown (Oxnard) regarding insufficient parking spaces for the project.

A public verbal comment was received from Elizabeth White, Cypress Neighborhood Chair (Oxnard) who commented on several topics, including: there are three AAHOP sites and two mobile home parks on Cypress Road; architecture is not of a high enough quality; height of the structures is a concern; and balconies and elevators should be provided.

A public verbal comment was received from Jackson Piper (Newbury Park; Ventura County YIMBY) in support of Item G-2.

A public written comment was received from Elizabeth White, Cypress Neighborhood Chair (Oxnard) that was consistent with her verbal comment.

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

Discussion ensued among the Commissioners and staff about several topics, including: the Density Bonus program and the Planning Commission's role / decision making limitations; whether utility upgrades will be made as part of the project; is fiber optics infrastructure being provided; and if the plans that are being reviewed show the project's final form.

MOTION: Commissioner Chavez moved and Vice Chair Sanchez seconded a motion finding the Project to be exempt from the California Environmental Quality Act (CEQA), pursuant to Senate Bill 35 and Government Code Section 65913.4, and adopt Resolution 2021-04 approving Planning and Zoning Permit No. 20-535-02 (Density Bonus Permit), subject to certain findings and conditions.

VOTE: Vice Chair Sanchez, Commissioners Chavez, Dozier, Fuhring and Meyer, voted in favor. The motion carried 5:0:1:0:0⁴. Chair Frank was absent.

3. **Project Name: Tru Hilton Special Use Permit - PLANNING AND ZONING PERMIT NO. 19-500-03 (Special Use Permit):** A request for a Special Use Permit (SUP) for the construction of a new hotel on an existing 9,120 square-foot pad in the Food 4 Less shopping center. The proposed hotel would be 41,422 square feet with 88 hotel rooms. The hotel building would be five stories with a maximum height of 70 feet. The Project would also include 2,267 square feet of landscaped area and the required 88 parking spaces (i.e., one parking space per hotel room), which are included in a shared parking agreement for the shopping center that has a combined 632 parking stalls. Two modifications are being requested with the approval of the SUP: 1) allow for a building exceeding two stories or 35

⁴ In Favor: Against: Absent: Abstain: Recused

feet, and 2) grant administrative parking relief to allow for a decrease in the number required parking spaces for the overall shopping center. The approximately 1-acre Project site is located at 180 West Esplanade Drive (APN: 142-0-310-045) within the 14.5-acre Food 4 Less shopping center site within the 2030 General Plan land use designation of Commercial General and is zoned General Commercial-Planned Development (C-2-PD) in the City of Oxnard. Filed by Marcus Frisco, Developer, 11913 Tarron Avenue, Hawthorne, CA 90205 on behalf of Ralphs Grocery Co., Property Owner, 1100 W Artesia Boulevard, Compton, CA 90220.

Project Planner: Joe Pearson II, Senior Planner

Recommendation:

That the Planning Commission approve an Addendum No. 1 to Final Mitigated Negative Declaration No. 12-01, and adopt Resolution 2021-05 approving Planning and Zoning Permit No. 19-500-03 (Special Use Permit), subject to certain findings and conditions.

Joe Pearson, Senior Planner, provided a presentation outlining the request which was posted with the agenda.

The applicant team, including Marcus Frisco (Matticus Hospitality Group, CEO / Owner) Sake Reindersma (Stewart + Reindersma Architecture, Architect), and Jacob Glaze (Kimley-Horn, Civil Engineer), provided a presentation outlining the request and responded to questions.

Vice Chair Sanchez opened the public comments portion of the public hearing.

A public verbal comment was received from Pat Brown (Oxnard) who commented on parking spaces.

A public verbal comment was received from Glenn Sherman (Freeman, Freeman & Smiley, LLP, Partner), counsel for Gold's Gym, who commented on several topics, including: Gold's Gym's CC&R's; the hotel's height; and parking concerns.

A public verbal comment was received from Willy Bonnet (Oxnard Gold's Gym, Vice President and Chief Operating Officer) who commented on several topics, including: concerns about the parking study; the hotel's height; and the hotel's fit in the shopping center.

No public verbal comments were received in support of Item G-3.

A public written comment was received from Glenn Sherman (Freeman, Freeman & Smiley, LLP, Partner) regarding Gold's Gym's CC&Rs.

No public written comments were received in support of Item G-3.

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

Discussion ensued among the Commissioners and staff about several topics, including: access to shopping during construction; parking space allocation; whether the City enforces

CC&Rs; security in the pool area; security measures for the rooftop amenities; electric vehicle spaces; employment of Oxnard residents; intended demographic / market of the hotel; key access or open access for amenities; replacement of the planned office use with a hotel use; hotel amenities for guests with pets; the project likely providing customers to Gold's Gym; hotel architecture and design is not an eyesore; Planning Commission supports the use; the Planning Commission supported the modifications with the approval of the SUP: 1) allow for a building exceeding two stories or 35 feet, and 2) grant administrative parking relief to allow for a decrease in the number required parking spaces for the overall shopping center.

MOTION: Commissioner Meyer moved and Vice Chair Sanchez seconded a motion approving Addendum No. 1 to Final Mitigated Negative Declaration No. 12-01, and Resolution 2021-05 approving Planning and Zoning Permit No. 19-500-03 (Special Use Permit), subject to certain findings and conditions.

VOTE: Vice Chair Sanchez, Commissioners Chavez, Dozier, Fuhring and Meyer, voted in favor. The motion carried 5:0:1:0:0⁵. Chair Frank was absent.

H. STUDY SESSION/REPORTS

1. None

I. PLANNING COMMISSION BUSINESS

1. Vice Chair Sanchez and Commissioner Meyer shared they are attending the eight-week APA Planning Academy. Topics discussed so far include: An overview of Planning, Accessory Dwelling Units, and Traffic Engineering.
2. Commissioner Dozier commented about the status of the new Planning Commission members and asked when they'll be coming on board.
3. Commissioner Chavez commented that he's a member of the Ventura County Transportation Commission (VCTC). He mentioned that the VCTC team works to move vehicles off the road on freeway 101 and 118. He mentioned that he is a member of the MetroLink Board, and that this week is Rider's Appreciation Week. Commissioner Chavez also commented that although we have the COVID vaccine, we should not let our guards down.

J. COMMUNITY DEVELOPMENT STAFF UPDATES

1. Scott Kolwitz, Planning & Environmental Services Manager announced:
 - i. The City Council is actively looking for Citizen Advisory Groups and appointments anticipated to be in March.
 - ii. On March 11, 2021, the City anticipates hosting a virtual Housing Element Community Workshop and scoping meeting for the CEQA document associated with the Housing Element.

⁵ In Favor: Against: Absent: Abstain: Recused

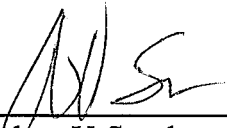
- iii. On March 18, 2021, City staff anticipates presenting the Draft Housing Element and the 2030 General Plan and Local Coastal Plan Conformity Determination for the City of Oxnard Capital Improvement Program Fiscal Years 2021-2026 to the Planning Commission.
- iv. The Planning Commission meeting on March 4, 2021 is cancelled.
- v. The next Planning Commission meeting is scheduled for March 18, 2021 at 6:00 p.m

K. ADJOURNMENT

- 1. At 8:56 p.m., the Planning Commission concurred to adjourn.

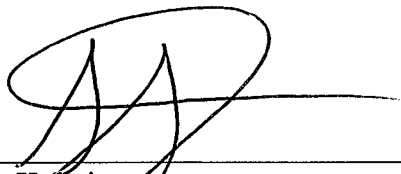
FUTURE MEETINGS

Thursday, March 18, 2021, 6:00 p.m., City Council Chambers



Robert V. Sanchez,
Vice Chair

ATTEST



Scott Kolwitz,
Planning & Environmental Services Manager