OXNARD PLANNING COMMISSION
Thursday, December 7, 2023

## A. ROLL CALL

1. At 6:00 pm the Oxnard Planning Commission convened in the Oxnard Chambers.
2. Chair Arruejo, Vice Chair Dr. Stewart Commissioners Nash and Zielsdorf were present. Commissioners Connelly and Dr. Lopez were absent.
3. Staff members present were: Joe Pearson II, Planning & Environmental Services Manager; Ken Rozell, Chief Assistant City Attorney; Christen Guzman, Administrative Services Technician, and Miriam Loera, Administration Services Specialist.
4. Chair Arruejo 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. Nicole Davis commented that the Planning Commission should wait until the 7th Commissioner has been seated before the election of the Chair and Vice Chair.

## D. CONSENT AGENDA

1. APPROVAL OF MINUTES - September 21, 2023
2. APPROVAL OF MINUTES - October 19, 2023
3. APPROVAL OF MINUTES - November 2, 2023
4. APPROVAL OF MINUTES - November 16, 2023
5. Adoption of the 2024 Planning Commission Meeting Calendar

Commissioner Nash moved and Vice Chair Dr. Stewart seconded to delay the election for chair and vice-chair until the Planning Commission consists of seven members.

Discussion ensued.

With no objection, the motion was laid on the table until the Planning Commission Business agenda section.

**MOTION:**

Vice Chair Stewart moved and Commissioner Nash seconded the motion of approval for the consent agenda item D.1 to D.5 with the following amendments:

<u>September 21, 2023 Motion for Item F.1 shall be revised as follows.</u>

**MOTION:**

~~Chair Arruejo moved and Vice Chair Dr. Stewart~~Commissioner Nash moved and Commissioner Dr. Lopez seconded the motion to adopt Resolution 2023-32 certifying Final Initial Study/Mitigated Negative Declaration (IS/MND) No. 23-01; and adopt Resolution 2023-31 approving Planning and Zoning Permit No. 22-500-01 (Special Use Permit) and 22-400-02 (Coastal Development Permit), subject to certain findings and conditions with the following amendments:

1. Add New Landscape Special Condition; "All plants shall be either native or drought tolerant. Trees shall not exceed the minimum number as required by the City."
2. Modify Condition 36 as follows: Project on-site lighting shall be of a type and in a location that does not constitute a hazard to vehicular traffic, either on private property or on adjoining streets. To prevent damage from vehicles, standards in parking areas shall be mounted on reinforced concrete pedestals or otherwise protected. Developer shall recess or conceal under-canopy lighting elements so as not to be directly visible from a public street. Developer shall submit a lighting plan showing standard heights and light materials for design review and approval of the Planning Division Manager. Light standards shall be modified so as to not allow perching by raptors or other predatory-type birds through use of bird-spikes or other bird-deterrent devices. (PL/B, PL-8)
3. ~~Modify Condition 56 as follows: Hours of Operation shall be between 67:00 AM and 6:00 PM Monday through Friday.~~

**AMENDMENT TO THE MOTION:**
Chair Arruejo moved and Vice Chair Dr. Stewart seconded to Modify Condition 56 as follows: Hours of Operation shall be between ~~6~~7:00 AM and 6:00 PM Monday through Friday.

**AMENDMENT TO THE MOTION VOTE:**
Chair Arruejo, Vice Chair Dr. Stewart, Commissioners Zielsdorf and Nash voted in favor. Dr. Lopez and Connelly voted against. Commissioner Chavez was absent. The motion carried 4:2:1:0:0.

**MOTION VOTE:**
Chair Arruejo, Vice Chair Dr. Stewart, Commissioners Zielsdorf, Dr. Lopez, Connelly, and Nash voted in favor. ~~Dr. Lopez and Connelly voted against.~~ Commissioner Chavez was absent. The motion carried ~~4:2:1:0:0~~ 6:0:1:0:0.

October 19, 2023 Planning Commission Business shall be revised as follows:

Vice Chair Dr. Stewart spoke about supporting the Brown Act but also being consistent with meeting processes and policies.

November 2, 2023 Motion Vote for Item F.2 shall be revised as follows:
**MOTION VOTE:**
Chair Arruejo, Commissioners Connelly, Dr. Lopez, Nash and Zielsdorf voted in favor. Vice Chair Dr. Stewart was absent. The motion carried ~~5:1:1:0:0~~[1] 5:0:1:0:0 .

November 2, 2023 Item F3 shall be revised as follows:
Chair Arruejo~~Vice Chair Stewart~~ opened the public comments portion of the public hearing.

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

## E. EX PARTE DECLARATIONS FOR PUBLIC HEARING ITEMS

1. None

## F. PUBLIC HEARING

1. **Project Name: Project Name: Camino Del Sol Wireless Monopine;** Planning and Zoning Permit No. 23-530-01 (Special Use Permit - Wireless); Property located at 2473 Camino Del Sol (APN: 214-0-012-195). A request to construct a 60-foot tall wireless communication facility designed to resemble a pine tree with an associated ground equipment enclosure on a 2.41 acre lot in the M-1 zone. The request includes the allowance for an increase in height from 55 feet to 60 feet. The project is Categorically Exempt in accordance with Section 15303 pursuant to provisions of the California Environmental Quality Act (CEQA) Guidelines. Filed by designated agent Lynda McClung, Network Connex, 655 N. Central Ave. Suite 1520, Glendale, CA 95757 on behalf of Anthemnet and Verizon Wireless , on behalf of the property owner Beardsley & Son, Inc, 2473 Camino Del Sol, Oxnard, CA 93030.
**City Staff:Daniel Houck, Associate Planner**

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

**Recommendation:** That the Planning Commission:

a. Find the project Exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15303 Class 3 (New Construction); and

b. Adopt Resolution 2023-40 approving Planning and Zoning Permit No. 23-530-01 (Special Use Permit Wireless), subject to certain findings and conditions.

Daniel Houck, Associate Planner provided the required Measure M pre-recorded presentation video outlining the request which was posted with the agenda: https://youtu.be/lfkVTwdUMlk

City Staff including: Joe Pearson II, Planning & Environmental Services Manager; Ken Rozell, Chief Assistant City Attorney; and Daniel Houck, Associate Planner were available for questions.

The applicant team including Lynda McClung, Network Connex, Agent provided a presentation and were available for questions.

Verbal comments and questions were received from Commissioners Nash, Vice Chair Stewart, and Chair Arruejo regarding: setbacks, heights, and monopine design.

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

No verbal comments 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 the condition requirements, monopine design, and location.

**MOTION:**

Commissioner Nash moved and Vice Chair Dr. Stewart seconded the motion to find the project Exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15303 Class 3 (New Construction); and adopt Resolution 2023-40 approving Planning and Zoning Permit No. 23-530-01 (Special Use Permit Wireless), subject to certain findings and conditions with the inclusion of the following edits:

1. Planning Division Special Condition numbers 53 shall be edited as follows: The entire mono-pine, from ground up <u>to 5 feet above the lowest branches,</u> shall be covered with three dimensional faux pine tree bark cladding and painted an appropriate bark color to resemble

a live pine. The remainder of the mono-pine shall be painted an appropriate bark color to resemble a live pine. The bark and paint shall be maintained in good condition at all times.

**MOTION VOTE:**

Chair Arruejo, Vice Chair Dr. Stewart, Commissioners Nash and Zielsdorf voted in favor. Commissioners Connelly and Dr. Lopez were absent. The motion carried 4:0:2:0:0[3].

2. **Project Name: Beverage House Market**; Planning and Zoning Permit No. 23-510-02 (Special Use Permit-Alcohol); Property located at 1955 South Patterson Road; (APN 187-0-112-575). A request to allow for the change from a Alcohol Beverage Control (ABC) License Type 20 to a ABC License Type 21 - Off-Sale General to allow the sales of beer, wine, and distilled spirits for consumption off the premises. The facility proposes to operate Sunday through Thursday from 7:00 A.M. to 11:00 P.M. and 7:00 A.M. to 12:00 A.M. on Fridays & Saturdays. The project is exempt from environmental review pursuant to Section 15301 (Existing Facilities), Class 1 of the California Environmental Quality Act Guidelines. Filed by Steve Rawling on behalf of Beverage House Market, Business Owner, 26023 Jefferson Avenue, Suite D, Murrieta, CA 92562.
**City Staff: Alex Tellez, Assistant 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 2023-41 approving Planning and Zoning Permit No. 23-510-02 (Special Use Permit - Alcohol), subject to certain findings and conditions.

Alex Tellez, Assistant Planner provided the required Measure M pre-recorded presentation video outlining the request which was posted with the agenda: https://youtu.be/6_BdyJjs3aQ

City Staff including: Joe Pearson II, Planning & Environmental Services Manager; Ken Rozell, Chief Assistant City Attorney; and Alex Tellez, Assistant Planner were available for questions.

The applicant team including Steve Rawling on behalf of Beverage House Market, Business Owner provided a presentation and were available for questions.

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

Verbal comments and questions were received from Commissioners Nash and Zielsdorf, Vice Chair Stewart, and Chair Arruejo regarding: noise and odor nuisances, property improvements, limitations on alcohol sales areas, delivery hours, notification of neighborhoods, concentration of alcohol permits, location of other facilities. heights, and monopine design.

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

No verbal comments 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 the adequacy of conditions which regulate alcohol, security, lighting, delivery time, additional conditions on alcohol sales area, improved compatibility with the adjacent neighborhood, lower crime rate in this area.

**MOTION:**

Commissioner Nash moved and Commissioner Zielsdorf 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 2023-41 approving Planning and Zoning Permit No. 23-510-02 (Special Use Permit - Alcohol), subject to certain findings and conditions with the inclusion of the following edits:

Planning Division Special Condition shall be added as follows: <u>The alcohol display area shall be limited to no more than six (6) percent of the gross floor area of the tenant space (2,580 square feet).</u>

**MOTION VOTE:**

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

3. **Project Name: Starbucks at Lemon Grove Plaza;** Planning and Zoning Permit No. 21-500-09 (Special Use Permit), Property Located at 2001-2009 N. Oxnard Blvd (APNs: 139-0-070-860, -870, -810). A request to construct a 2,353 square-foot coffee cafe with drive through within an existing commercial shopping center parking lot. The proposed building would increase the total building square footage on the property from 99,903 to approximately 102,900 and would reduce the parking from 475 parking spaces to 462. The

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

project is exempt from environmental review pursuant to Sections 15303(c) (Class 3, New Construction Or Conversion Of Small Structures) and 15332 (Class 32, In-fill Development Projects). The project was filed by Scott Boydstun (Rasmussen & Associates) 21 South California Street, 4th floor, Ventura, CA 93001 on behalf of property owner James Aston (Lemon Grove Plaza, Inc) 1014 South Westlake Boulevard, Suite 14-245 Westlake Village, Ca 91361.
**City Staff: Joe Pearson II, Planning Manager and Susan Hernandez, Contract 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 Sections 15303(c) (Class 3, New Construction Or Conversion Of Small Structures) and 15332 (Class 32, In-fill Development Projects); and

b. Adopt Resolution 2023-42 approving Planning and Zoning Permit No. 21-500-09 (Special Use Permit), subject to certain findings and conditions.

Susan Hernandez, Contract Planner provided the required Measure M pre-recorded presentation video outlining the request which was posted with the agenda: https://youtu.be/HGwVhLlpcg4

City Staff including: Joe Pearson II, Planning & Environmental Services Manager; Ken Rozell, Chief Assistant City Attorney; and Susan Hernandez, Contract Planner were available for questions.

The applicant team including Scott Boydstun of Rasmussen & Associates provided a presentation and were available for questions.

Verbal comments and questions were received from Commissioner Nash and Vice Chair Stewart regarding: proximity to and compatibility with the other drive-through facilities in the center, concern with other Starbucks in the City, parking, Citrus Grove Intersection, desire for art glass mural similar to the one at the Ventura Road Starbucks.

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

verbal comments received by public speakers Karla Alejandra in opposition of the project, Elizabeth Valeria, project architect, for the project team, and Diana Velzy who raised concern regarding parking and traffic, but noted the improved design..

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

Darryl Nelson, Traffic Engineer with ATE, responded to concerns raised by members of the public. Discussion ensued among the Commissioners and staff about several topics, including: other Starbucks locations, adequacy of the queue length, improved Starbucks design.

**MOTION:**

Chair Arruejo moved and Commissioner Nash seconded the motion to Find the project to be Categorically Exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines Sections 15303(c) (Class 3, New Construction Or Conversion Of Small Structures) and 15332 (Class 32, In-fill Development Projects); and Adopt Resolution 2023-42 approving Planning and Zoning Permit No. 21-500-09 (Special Use Permit), subject to certain findings and conditions.

**MOTION VOTE:**

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

## F. STUDY SESSION/REPORTS

**1. None**

## G. PLANNING COMMISSION BUSINESS

1. The motion laid on the table during the consent agenda was taken from the table.

   Discussion ensued.

   With no objection, the motion was made into a general order to be taken up at the meeting that schedules the election of the chair and vice-chair.

2. Nash wished Bryan MacDonald a speedy recovery and Merry Christmas to all.

3. Arruejo thanked everyone and wished them Happy Holidays and brought cookies.

## H. COMMUNITY DEVELOPMENT STAFF UPDATES

1. Joe Pearson II commented that the upcoming meeting will be on January 4, 2024, Happy Holidays.

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

## I. ADJOURNMENT

1. At 7:51 pm., the Planning Commission concurred to adjourn.

### FUTURE MEETINGS

Regular Meeting: Thursday, January 4, 2024, 6:00 p.m, Oxnard Chambers

Ronald Arruejo,
Chair

ATTEST
Joe Pearson II,
Planning & Environmental Services Manager