Meeting Date: February 7, 2006

ACTION	TYPE OF ITEM
☐ Approved Recommendation	☐ Info/Consent
☐ Res. No(s).	☐ Report
☐ Ord. No(s).	■ Public Hearing
☐ Other	☐ Other_____

Prepared By: Christopher Williamson, AICP Senior Planner CW Agenda Item No. K-1

Reviewed By: City Manager City Attorney Rupp Finance N/A Other *(Specify)* *N/A*

DATE: January 30, 2006

TO: City Council

FROM: Susan L. Martin, AICP
Planning and Environmental Services Manager

SUBJECT: **Appeal of Certification of the Final Environmental Impact Report (EIR 05-1) for the College Park Master Plan. Filed by Dennis Ralph et al, 2000 East Sierra Place, Oxnard, CA.**

RECOMMENDATION

That City Council adopt a resolution upholding the Planning Commission's certification of Final Environmental Impact Report (EIR 05-1) for the College Park Master Plan.

DISCUSSION

On December 15, 2005, 2005, the Planning Commission certified the Final Environmental Impact Report (EIR 05-1) for the College Park Master Plan. The College Park conceptual site plan (Master Plan) identifies probable locations for future buildings, picnic areas, soccer fields, softball/baseball fields, children's play areas, basketball courts, wetland area, and other related facilities. The project site is located at 3250 South Rose Avenue and the applicant is the City of Oxnard Parks and Facilities Division.

The Final EIR included responses to 14 comment letters and public hearing comments. A series of comments led to changes in discussion sections and/or mitigation measures dealing with Traffic Demand Mitigation fees (Mitigation No. AQ-2-e), Monarch butterfly observation (Section 4.3), Monarch butterfly mitigations (Mitigations Nos. BR-1-a/b/c/d), Traffic impact discussion (Section 4.10), Traffic mitigations (Mitigation Nos. T-4-a/b), and Lighting mitigation (Mitigation Nos. AES 3-a/b). Several comments focused on the Big League Dreams (BLD) contract not being included in the Notice of Preparation, but included in the EIR. Several comments focused on there not being an analysis of weekend traffic when the Oxnard College swap meet is operating. The Planning Commission considered the responses to these comments and certified the Final EIR by a vote of 6 to 1.

On January 2, 2006, Mr. Dennis Ralph and 11 other signers appealed the Planning Commission certification. The appellants stated that the comments contained in their four letters (Final EIR Section 8 letters 8, 9, 10, and 11) were not adequately addressed in the Final EIR. They raised three additional issues: 1) that the program format of the College Park EIR was not appropriate, 2) the Land and Water Conservation Fund (LWCF) grant restrictions must be resolved prior to certification, and 3) the proposed BLD is not consistent with LWCF earmark for public park and outdoor use.

City staff and the EIR consultants reaffirm that the appellants' comments in their four comment letters were adequately addressed (Letters 8, 9, 10, and 11 with responses are pages 8-23 to 8-79 of the Final EIR). In response to the three additional comments in the appeal: 1) the program EIR format is appropriate as the College Park Master Plan is not fully funded nor planned to be developed at one time; 2) the LWCF restriction does not need to be resolved prior to certification, according to the Office of Grants and Local Services of the California Department of Parks and Recreation; and 3) the LWCF grant boundary restrictions are to be addressed subsequently to the EIR certification, according to the Office of Grants and Local Services of the California Department of Parks and Recreation.

FINANCIAL IMPACT

There is no significant financial impact due to the certification of the environmental impact report.

Attachment 1 - Planning Commission Minutes of December 15, 2005
2 – Appeal
3 - City Council Draft Resolution
4 – Final EIR for the College Park Master Plan

Note: Attachments 1 to 4 have been provided to the City Council. Copies are available for review at the Circulation Desk in the Library after 6:00 p.m. on the Thursday prior to the Council meeting and at the City Clerk's Office after 8:00 a.m. on Monday, February 6, 2006.