



ACTION	TYPE OF ITEM
<input type="checkbox"/> Approved Recommendation	<input type="checkbox"/> Info/Consent
<input type="checkbox"/> Ord. No(s) _____	<input type="checkbox"/> Report
<input type="checkbox"/> Res. No(s) _____	<input checked="" type="checkbox"/> Public Hearing
<input type="checkbox"/> Other _____	<input type="checkbox"/> Other _____

Prepared By: Juan Martinez, Associate Planner Agenda Item No. K-1

Reviewed By: City Manager [Signature] City Attorney [Signature] Finance [Signature] Other (Specify) _____

DATE: April 5, 2006

TO: City Council

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

SUBJECT: **Planning & Zoning Permit Nos. 04-500-29 (Special Use Permit), 06-535-01 (Density Bonus Permit), and 04-300-20 (Tentative Subdivision Map No. 5581). Filed by Mark Pettit, Lauterbach and Associates Architects, 300 Montgomery Avenue, Oxnard, CA 93036.**

RECOMMENDATION

That City Council:

1. Adopt a resolution upholding the Planning Commission's approval of Planning and Zoning Permit No. 04-500-29 (Special Use Permit) for property located on the southwest corner of Pleasant Valley Road and Saviers Road, subject to the conditions set forth in Planning Commission Resolution No. 2006-18.
2. Adopt a resolution approving Planning and Zoning Permit No. 06-535-01 (Density Bonus Permit), subject to the conditions set forth in Planning Commission Resolution No. 2006-19.
3. Adopt a resolution approving Planning and Zoning Permit No. 04-300-20 (Tentative Subdivision Map No. 5581), subject to the conditions set forth in Planning Commission Resolution No. 2006-20.

DISCUSSION

On March 16, 2006, the Planning Commission considered and approved a special use permit and adopted resolutions recommending City Council approval of a density bonus permit and tentative subdivision map for a 0.79-acre site located on the southwest corner of Pleasant Valley Road and Saviers Road. The entitlements will allow the construction of a mixed-use development consisting of 16 attached condominium residential dwelling units (two and three bedrooms) ranging from approximately 1,360 to 1,950 square feet in area. In a two building configuration, eight units are designed with direct single car garage access fronting onto Charles Street and the remaining eight units fronting Pleasant Valley Road will be in a ground level common parking

area (21 parking stalls) beneath the eight dwelling units. Site and infrastructure improvements consist of utility facilities, vehicular access, parking, pedestrian sidewalks and paths, lighting, a small tot lot area at the rear of the two intersecting buildings, and necessary off-site improvements for the widening of Pleasant Valley Road such as curbs, gutters, parkways, and public sidewalks.

The Planning Commission's consideration of the project included two planned development code deviation: (1) A reduction in building separation from 34 feet to 27 feet; and (2) A reduction for balcony widths from 10 feet to 7'-6".

The Planning Commission's recommendation to City Council includes a density bonus permit for a thirty five percent (35%) increase in allowable density and concessions for affordable housing units under the city's density bonus ordinance. The concessions would include: (1) A reduced front yard setback from Pleasant Valley Road from 20 feet to 15 inches and from Pleasant Valley Road from 10 feet to 21 inches for single story commercial; (2) A reduction in interior yard space from 30 percent to 14.9 percent; (3) A reduction in size/area from 35 feet to 25 feet for a required minimum 2,500 square foot area having a 35 foot by 35 foot dimensional area.

FINANCIAL IMPACT

None.

- Attachment 1 - Resolution (Special Use Permit)
- 2 - Resolution (Density Bonus Permit)
 - 3 - Resolution (Tentative Subdivision Map)
 - 4 - Vicinity Map
 - 5 - Planning Commission Staff Report (March 16, 2006) w/ Attachments
 - A. Maps (Vicinity, Zoning, General Plan Map)
 - B. Development Project Plans
 - C. Tentative Parcel Map Plan
 - D. Noise Analysis (*June 21, 2005*)
 - E. Resolution No. 2006-18 (SUP)
 - F. Resolution No. 2006-19 (DB)
 - G. Resolution No. 2006-20 (TSM-T5581)
 - 6 - Planning Commission Meeting Minutes (March 16, 2006)

Note: Attachment 5 has been provided to the City Council under separate cover. 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 Friday, April 14, 2006.

CITY COUNCIL OF THE CITY OF OXNARD

RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD UPHOLDING PLANNING COMMISSION APPROVAL OF PLANNING AND ZONING PERMIT NO. 04-500-29 (SPECIAL USE PERMIT) TO CONSTRUCT A MIXED USE DEVELOPMENT CONSISTING OF 16 ATTACHED CONDOMINIUM RESIDENTIAL DWELLING UNITS AND A 1,044 SQUARE FOOT COMMERCIAL TENANT SPACE ON THREE ASSESSOR'S PARCELS (APN: 222-0-102-01, 20, 22), LOCATED AT THE SOUTHWEST CORNER OF SAVIERS ROAD AND PLEASANT VALLEY ROAD WITHIN THE SOUTHWINDS NEIGHBORHOOD. FILED BY MARK PETTIT, LAUTERBACH AND ASSOCIATES ARCHITECTS, 300 MONTGOMERY AVENUE, OXNARD, CA 93036.

WHEREAS, on March 16, 2006, the Planning Commission adopted Resolution No. 2006-18, approving Planning and Zoning Permit No. PZ 04-500-29, a Special Use Permit to construct a mixed-used development consisting of 16 attached condominium residential dwelling units and a 1,044 square foot commercial tenant space; and

WHEREAS, the City Council has considered the appeal of the Planning Commission's decision filed by the Planning and Environmental Services Division, and carefully reviewed the decision of the Planning Commission; and

WHEREAS, the City Council has conducted a hearing and received evidence in favor of and opposed to the application for a Planning and Zoning Permit No. PZ 04-500-29 (Special Use Permit); and

WHEREAS, in accordance with the Environmental Quality Act, the Planning and Environmental Services Division has determined that the proposed project is exempt from environmental review. Section 15332 (Class 32) of the California Environmental Quality Act (CEQA) Guidelines, categorically exempts "in-fill development projects where the project is consistent with the applicable general plan designation policies as well as with applicable zoning designation and regulations; and the proposed development occurs within city limits on a project site of no more than 5 acres substantially surrounded by urban areas; and the project site has no value, as habitat for endangered, rare or threatened species; and approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality; and the site can be adequately served by all required utilities and public services." Based on the above exemption and in accordance with CEQA, the Planning and Environmental Services Manager has determined that there is no substantial evidence that the proposed project may have a significant effect on the environment and that a notice of exemption may be filed.

00045

Resolution No.
PZ 04-500-29 (SUP)
April 18, 2006
Page 2

NOW, THEREFORE, the City Council of the City of Oxnard resolves that the Planning Commission's approval of Planning and Zoning Permit No. PZ 04-500-29 (Special Use Permit) is upheld, subject to the conditions set forth in Planning Commission Resolution No. 2006-18.

PASSED AND ADOPTED this 18th of April 2006, by the following vote:

AYES:

NOES:

ABSENT:

Dr. Thomas E. Holden, Mayor

ATTEST:

Daniel Martinez, City Clerk

APPROVED AS TO FORM:

Gary L. Gillig, City Attorney

00048

ATTACHMENT 1
PAGE 2 OF 2

CITY COUNCIL OF THE CITY OF OXNARD

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD GRANTING PLANNING AND ZONING PERMIT NO. 06-535-01 (DENSITY BONUS PERMIT) FOR A THIRTY FIVE PERCENT (35%) INCREASE IN ALLOWABLE DENSITY AND CONCESSIONS FOR AFFORDABLE HOUSING UNITS UNDER THE CITY'S DENSITY BONUS ORDINANCE FOR PROPERTY LOCATED AT A CORNER THROUGH SITE ADDRESSED AS 130 WEST PLEASANT VALLEY ROAD. FILED BY MARK PETTIT, LAUTERBACH AND ASSOCIATES ARCHITECTS, 300 MONTGOMERY AVENUE, OXNARD, CA 93036.

WHEREAS, on March 16, 2006, the Planning Commission considered and adopted Resolution No. 2006-19, recommending City Council approval of Planning and Zoning Permit No. PZ 06-535-01, a Density Bonus Permit for a 35 percent increase in allowable density and concessions for affordable housing, filed by Mark Pettit, Lauterbach and Associates Architects; and

WHEREAS, the City Council has carefully reviewed Planning Commission Resolution No. 2006-19, recommending approval of the Density Bonus Permit, subject to certain conditions; and

WHEREAS, the City Council has conducted a hearing and received evidence in favor of and opposed to the application for a Planning and Zoning Permit No. PZ 06-535-01 (Density Bonus Permit); and

WHEREAS, in accordance with the Environmental Quality Act, the Planning and Environmental Services Division has determined that the proposed project is exempt from environmental review. Section 15332 (Class 32) of the California Environmental Quality Act (CEQA) Guidelines, categorically exempts "in-fill development projects where the project is consistent with the applicable general plan designation policies as well as with applicable zoning designation and regulations; and the proposed development occurs within city limits on a project site of no more than 5 acres substantially surrounded by urban areas; and the project site has no value, as habitat for endangered, rare or threatened species; and approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality; and the site can be adequately served by all required utilities and public services." Based on the above exemption and in accordance with CEQA, the Planning and Environmental Services Manager has determined that there is no substantial evidence that the proposed project may have a significant effect on the environment and that a notice of exemption may be filed; and

WHEREAS, the City Council finds that the application for the Density Bonus Permit complies with all requirements of the Oxnard City Code; and

WHEREAS, the City Council finds, after due study, deliberation and public hearing, that the following circumstances exist:

00047

Resolution No
PZ 06-535-01 (Density Bonus Permit)
April 18, 2006

1. That the proposed use is in conformance with the General Plan and other adopted policies of the City of Oxnard, if certain affordable housing incentives are granted.
2. That the project meets the criteria set out in subsection (b) of Government Code section 65915. Specifically, the project provides over five percent of the total units for very low-income households as defined in Section 50105 of the Health and Safety Code.
3. The concessions or incentives granted herein will not adversely affect or be materially detrimental to uses or property adjacent to the subject property or to the public health, safety or welfare.
4. The subject property is adequate in size and shape and served by adequate infrastructure to accommodate the concessions or incentives granted herein.
5. The concessions or incentives granted herein include the waiver or modification of development or zoning standards, and such waivers or modifications are necessary to make the affordable units economically feasible.
6. The applicant has proposed a satisfactory method to guarantee that the sales prices will be established as stated in the application.
7. The applicant has agreed to execute the agreement referred to in Condition No. 92 of the resolution approving a special use permit for the project, which agreement is a satisfactory substitute for the agreement referred to in Section 16-419 of the City Code.
8. In accordance with Developer's proposal, Developer shall provide three affordable condominium dwelling units on site for very low-income persons. In providing such units, Developer shall comply with the policies and standards for affordable units set out in Ordinance No. 2615 and CDC Resolution No. 85.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Oxnard hereby grants Planning and Zoning Permit No. 06-535-01 (Density Bonus Permit), subject to the conditions set forth in Planning Commission Resolution No. 2006-19, and grants the following concessions or incentives, in accordance with Sections 16-410 through 16-436 of the City Code, and subsection (d)(2)(A) and subsection (p) of Government Code section 65915:

1. A reduced front yard setback from Pleasant Valley Road from 20 feet to 15 inches and from Pleasant Valley Road from 10 feet to 21 inches for single story commercial (City Code Section 16-60).
2. A reduction in interior yard space from 30 percent to 14.9 percent (City Code Section 16-63).

00048

Resolution No
PZ 06-535-01 (Density Bonus Permit)
April 18, 2006

3. A reduction in size/area from 35 feet to 25 feet for a required minimum 2,500 square foot area having a 35 foot by 35 foot dimensional area (City Code Section 16-362D).

PASSED AND ADOPTED this 18th day of April 2006, by the following vote:

AYES:

NOES:

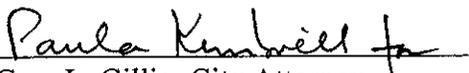
ABSENT:

Dr. Thomas E. Holden, Mayor

ATTEST:

Daniel Martinez, City Clerk

APPROVED AS TO FORM:



Gary L. Gillig, City Attorney

00049

ATTACHMENT 2
PAGE 3 OF 3

CITY COUNCIL OF THE CITY OF OXNARD

RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD APPROVING A PLANNING AND ZONING PERMIT NO. PZ 04-300-20 (TENTATIVE SUBDIVISION MAP TRACT NO. 5581), TO SUBDIVIDE FOR CONDOMINIUM PURPOSES AN APPROXIMATELY 0.69 ACRE SITE TO CONSTRUCT 16 ATTACHED CONDOMINIUM DWELLING UNITS AND A 1044 SQUARE FOOT COMMERCIAL TENANT SPACE. THE SITE IS A CORNER THROUGH SITE ADDRESSED AS 130 WEST PLEASANT VALLEY ROAD THAT IS COMPRISED OF (APN: 222-0-102-01, 20, AND 22) AND LOCATED WITHIN THE SOUTHWINDS NEIGHBORHOOD WHICH IS IN THE SOUTHWIND REDEVELOPMENT PROJECT AREA. FILED BY MARK PETTIT, LAUTERBACH AND ASSOCIATES

WHEREAS, the Planning Commission of the City of Oxnard has considered an application for Planning and Zoning Permit No. PZ 04-500-29, a Special Use Permit to allow the construction of a 16 residential dwelling unit condominium complex, filed by Mark Pettit, Lauterbach and Associates Architects; and

WHEREAS, the City Council has reviewed an application for Planning & Zoning Permit No. 04-300-20 (Tentative Subdivision Map) to subdivide parcels for condominium map purposes, filed by Mark Pettit, Lauterbach and Associates Architects, in accordance with Chapter 15 of the Oxnard City Code and the State Subdivision Map Act; and

WHEREAS, the City Council has carefully reviewed Planning Commission Resolution No. 2006-20, recommending approval of the Tentative Subdivision Map, subject to certain conditions; and

WHEREAS, the City Council finds that the Tentative Subdivision Map complies with all requirements of the Subdivision Map Act and the Oxnard City Code; and

WHEREAS, the City Council finds that the Tentative Subdivision Map and the design and improvement of the proposed development are consistent with the General Plan; and

WHEREAS, the City Council finds that the proposed site is suitable for the type and density of development requested and the development will not cause substantial environmental damage, serious public health problems or conflict with any public utility or service easements; and

00050

Resolution No.
PZ 04-300-20 (TSM)
April 18, 2006

WHEREAS, in accordance with the Environmental Quality Act, the Planning and Environmental Services Division has determined that the proposed project is exempt from environmental review. Section 15332 (Class 32) of the California Environmental Quality Act (CEQA) Guidelines, categorically exempts "in-fill development projects where the project is consistent with the applicable general plan designation policies as well as with applicable zoning designation and regulations; and the proposed development occurs within city limits on a project site of no more than 5 acres substantially surrounded by urban areas; and the project site has no value, as habitat for endangered, rare or threatened species; and approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality; and the site can be adequately served by all required utilities and public services." Based on the above exemption and in accordance with CEQA, the Planning and Environmental Services Manager has determined that there is no substantial evidence that the proposed project may have a significant effect on the environment and that a notice of exemption may be filed; and

NOW, THEREFORE, the City Council of the City of Oxnard does hereby resolve to approve Planning & Zoning Permit No. 04-300-20 (Tentative Subdivision Map No. 5581) subject to the conditions set forth in Planning Commission Resolution No. 2006-20, on file in the Planning and Environmental Services Division, and incorporated herein by reference.

PASSED AND ADOPTED this 18th day of April 2006, by the following vote:

AYES:

NOES:

ABSENT:

Dr. Thomas E. Holden, Mayor

ATTEST:

Daniel Martinez, City Clerk

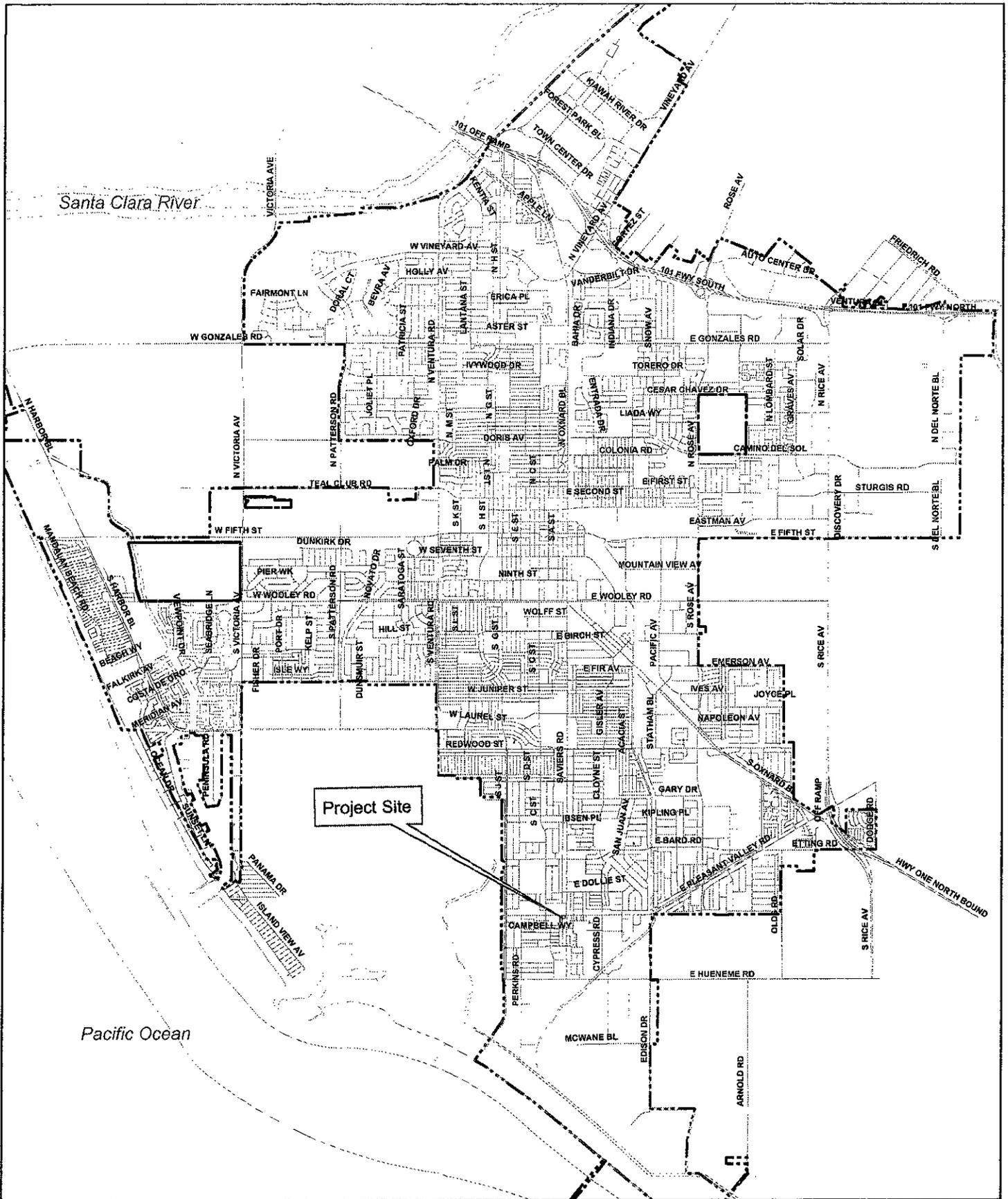
APPROVED AS TO FORM:

Paula Kimball for

Gary L. Gillig, City Attorney

00051

ATTACHMENT 3
PAGE 2 OF 2



Project Site

PZ 04-500-29 04-300-20

Location: 130 W. Pleasant Valley Rd.
 APN: 222010201, 222010220, 222010222
 Lauterbach & Associates

Vicinity Map

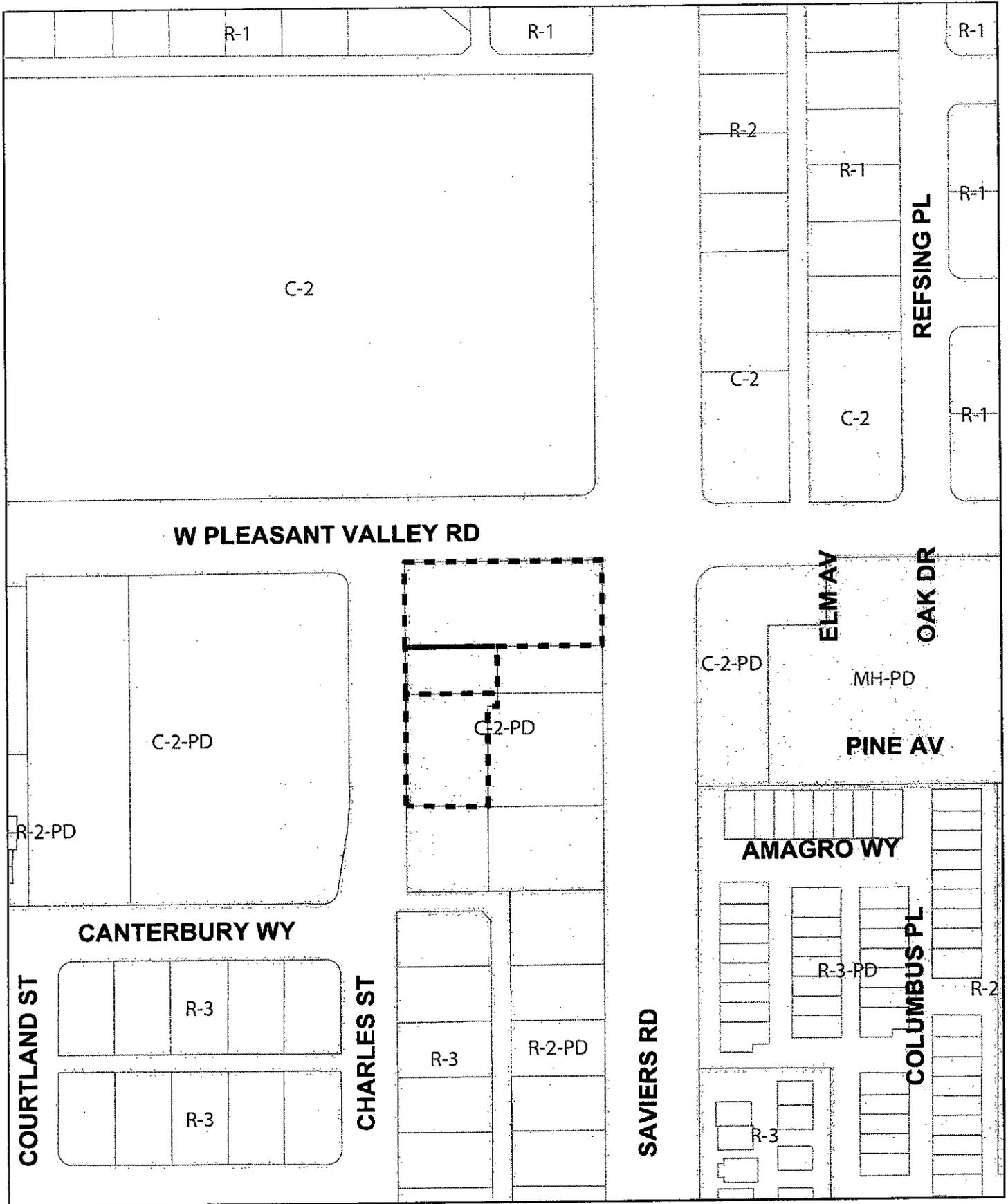
00052



Planning & Environmental Services



February 15, 2006



PZ 04-500-29 04-300-20

Location: 130 W. Pleasant Valley Rd.
 APN: 222010201, 222010220, 222010222

Lauterbach & Associates

Zone Map



00053

Planning & Environmental Services



ATTACHMENT 4

PAGE 2 OF 2



February 19, 2006

MINUTES

OXNARD PLANNING COMMISSION
REGULAR MEETING
MARCH 16, 2006

A. ROLL CALL

At 7:05 p.m., the regular meeting of the Oxnard Planning Commission convened in the Council Chambers. Commissioners Michael Sanchez, Irene Pinkard, Sonny Okada, Chairman Ronald Fischer, Ricardo Lopez, Dale Dean, Saul Medina were present. Chair Fischer presided and called the meeting to order. Staff members present were: Susan Martin, Planning and Environmental Services Manager, James Rupp, Assistant City Attorney; Chris Williamson, Senior Planner, Juan Martinez, Associate Planner; Winston Wright, Assistant Planner, Jared Rosengren, Contract Planner, and Lori Maxfield, Recording Secretary.

B. PUBLIC COMMENTS

C. READING OF AGENDA

Planning and Environmental Services Manager Martin reviewed the agenda.

MOTION Commissioner Sanchez moved and Commissioner Pinkard seconded a motion to reorder the agenda to move Item D-4 (PZ 06-550-03) to Item F-1; and move Item E-2 (PZ 04-300-20 & PZ 04-500-29) to Item F-5. The question was called and the motion carried unanimously.

MOTION Commissioner Dean moved and Commissioner Pinkard seconded a motion to continue Item E-1 (PZ 04-550-12) off calendar, as requested by the applicant. The question was called and the motion carried unanimously.

D. CONSENT AGENDA

1. APPROVAL OF MINUTES – February 16, 2006

2. PLANNING AND ZONING PERMIT NO. 05-500-21 (Special Use Permit) and 05-590-1 (Zone Variance), adoption of resolutions denying a Special Use Permit, and recommending City Council denial of the request to construct a 1,549 square foot, single-story, single-family residence on a vacant lot located at 109 North Hayes Avenue in the General Commercial (C2) zoning district. A variance is required for a 50% reduction in the required ten foot street side yard setback. This project is exempt from environmental review under section 15303 (A) of Title 14 of the California Environmental Quality Act. Filed by Jesus Alvarez, 460 South G Street, Oxnard, CA 93030.
PROJECT PLANNER: Nathan Gapper

3. PLANNING AND ZONING PERMIT NO. 05-500-13 (Special Use Permit) to allow for the construction of a 9,360 square foot, single-story industrial building on a vacant lot located at 1610 Fiske Place in the Limited Manufacturing Planned Development (ML-PD) zoning district. This project is exempt from environmental review under section 15332 of Title 14 of the California Environmental Quality Act. Filed by Thomas Kestly, 98 Leta Yancy Road, Moorpark, CA 93021.

PROJECT PLANNER: Jared Rosengren

4. PLANNING AND ZONING PERMIT NO. 06-550-03 (Major Modification to Special Use Permit No. 02-500-25).

ITEM D-4 (PZ 06-550-03) WAS REORDERED TO F-1 BELOW.

5. A request for an amendment to the Coastal Zoning Ordinance to incorporate minor text changes and reorganization of City Code (formerly Chapter 37 of the City Code). The reformatted Coastal Zoning Ordinance (now Chapter 17) includes renumbering all sections and subsections and changes to section numbers that reference other revised sections of the City Code. Changes include adding HCI (Harbor, Channel Islands) and R-BF (Beachfront Residential) zone districts to the list of Coastal Subzones, correcting policy number references, and removing the prohibition against metal roofs in the design standards for single-family dwellings. Filed by City of Oxnard, Planning and Environmental Services Division, 305 West Third Street, Oxnard, CA 93030. This case is appealable to the State Coastal Commission as established in Sections 37-5.4.7 and 37-5.4.8 of the City Code.

PROJECT PLANNER: Stephanie Diaz

MOTION Commissioner Dean moved and Commissioner Pinkard seconded a motion to adopt the Consent Agenda as presented. The question was called and the motion carried unanimously.

E. CONTINUED PUBLIC HEARINGS

1. PLANNING AND ZONING PERMIT NO. 04-550-12 (Major Modification to Special Use Permit 1252) for the development of a 65,680 square foot, three-story, multi-tenant medical office building at 1700 N. Rose Avenue with associated parking lot expansion and circulation improvements to the St. John's Medical Center campus. The proposed building was included in EIR 87-2 that approved the original medical campus and an EIR Addendum was prepared. Filed by Brad Schockley, The Rendina Companies, 875 Prospect Street, Suite 300, La Jolla, CA 92037.

PROJECT PLANNER: Chris Williamson

ITEM E-1 (PZ 04-550-12) WAS CONTINUED OFF CALENDAR ABOVE.

2. PLANNING AND ZONING PERMIT NO. 04-300-20 (Tentative Parcel Map No. 5581) & 04-500-29 (Special Use Permit)

ITEM E-2 (PZ 04-300-20) WAS REORDERED TO ITEM F-5 BELOW.

F. NEW PUBLIC HEARINGS

1. PLANNING AND ZONING PERMIT NO. 06-550-03 (Major Modification to Special Use Permit No. 02-500-25), an application seeking a 24 month time extension of an approved development permit which expires on April 3, 2006. The use permit allowed the development improvements on two vacant one-acre parcels, and the construction of a 23,182 square foot industrial tilt-up building on each of the two parcels. The project site consists of lot 6 and 7 of Tract 4373 and has the assigned addresses of 710 and 720 Graves Avenue, within an area known as the *Maulhardt Industrial Center*. In accordance with the California Environmental Quality Act (CEQA), an initial study report (MND No. 03-6) was prepared to analyze potential impacts associated with the project. There is no substantial evidence that the proposed project may have a significant effect on the environment, and a mitigated negative declaration was adopted. Filed by James R. Searl, 289 Avocado Place, Camarillo, CA 93010.
PROJECT PLANNER: Juan Martinez

Associate Planner Martinez presented the staff report including that the applicant had been working with the Building Department, but, due to financial difficulties, he was requesting an extension to prevent the approved Special Use Permit from expiring prior to beginning of construction on the first building.

Discussion ensued regarding redesigning the project, and the length of time the applicant had already been given.

Chair Fischer opened the public hearing.

Mr. Dick Searl, applicant gave a brief presentation stating that he had started the project at the beginning of the recession. Due to increased construction costs, lease rates were down, and he had not been able to secure financing. He stated that he hoped the economy will improve within the next two years, or he would be forced to sell his portion of the project.

Chair Fischer closed the public hearing.

MOTION Commissioner Okada moved and Commissioner Medina seconded a motion to adopt a resolution granting PZ 06-550-03, a two year time extension to Major Modification PZ 05-500-25 concerning two parcels located at 710 and 720 Graves Avenue. The question was called and the motion carried 6-1-0, Commissioner Sanchez voting no..

2. PLANNING AND ZONING PERMIT NO. 06-625-01 (General Plan Consistency), for the proposed development of the 75-acre College Park Master Plan park with 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 Ave. Filed by City of Oxnard, Parks and Facilities Division, 1060 Pacific Avenue, Building 3, Oxnard, CA 93030.
PROJECT PLANNER: Chris Williamson

Senior Planner Williamson explained the purpose of the request was for the Planning Commission to determine whether the Master Plan for the proposed College Park was consistent with the 2020 General Plan. He indicated that the Planning Commission's finding would allow the City Council to take discretionary action in the future. At that time, a notice of determination would be filed with the County that would allow a 30 day period for anyone to challenge the adequacy of the EIR. He also referenced letter received by William Terry, which was distributed to Planning Commission.

Assistant City Attorney Rupp advised that although it was not necessary to hold a public hearing, staff did advertise it as such.

Chair Fischer opened public hearing.

Mr. Ed Ellis, 515 De Anza Way, stated that the agenda was deceptive, as it did not reference the 22 acres being run by Big League Dreams and the sports bar.

Mr. Dennis Ralph, 2000 East Sierra Place, stated that throughout the Master Plan it referenced a public park and public use, but nowhere does it mention Big League Dreams. It would not be public, but privately run, and only partially a public park. He referenced an article from the Redding newspaper that recently opened a Big League Dreams, where the majority of teams in the tournaments were not from the area. So, if Big League Dreams comes in, it would not be public.

Ms. Shirley Godwin, 3830 San Simeon Avenue, indicated that the item was deceptive on the agenda. It was really about Big League Dreams and the sports bar restaurant. The original master plan had park uses that were in conformance with the General Plan. When the Big League Dreams and sports bar were added, it put it out of compliance with the General Plan. The City will be paying all the development costs for Big League Dreams. The City should be encouraging private developers to create recreational facilities for the community. She suggested a private recreational area at the old Skyview.

Mr. Larry Godwin, 3830 San Simeon Avenue, indicated that the Planning Commission should determine if both the maintenance and operations agreement with Big League Dreams, and the Master Plan really were consistent with 2020 General Plan. The Parks needs assessment was looking at a community park. When College Park was deeded over to the City, it was to be used as a regional park. It's no longer serving the residents of Oxnard, which is not consistent with the General Plan.

Ms. Rebecca Ralph, 2000 East Sierra Place, stated that there was a lot of misinformation with respect to the College Park; the General Plan indicated the park was to be for the residents of the City with City tax dollars used to pay for it; Long Beach did not want Big League Dreams; and she resented Big League Dreams being pushed through.

Ms. Nancy Pederson, 514 East Kamala Street, stated the staff report did not mention the bar at College Park. Other City parks have signs posted that indicate no drinking was allowed at any park, but there will be a bar at College Park where it would be legal. She suggested using the old Skyview for a bowling alley or other additional recreational area that would be paid for and run by private

people. Big League Dreams at College Park would be using public funds for a private entity, which would not be an appropriate use of our park land, and don't believe the General Plan would uphold it.

Ms. Pat Brown, Royal Palms Mobile Home Park, stated she was concerned about the terms of restaurant use in a public park, where the City was paying for the equipment, and alcohol was being sold. Normally, snacks bars in parks are used to raise funds for expenses of the kids playing there. Consider the interpretation of the ordinance and laws. This would be different from a coastal use with restaurants. Bars are not usually found in parks.

Chair Fischer explained that the Planning Commission's job was only to determine consistency with the General Plan, not the project.

Chair Fischer closed the public hearing.

Commissioner Medina stated he was not present at the December 15, 2005 meeting, but did see a portion of the debate, and said that this issue was difficult because of the different dynamics and the fact that we have 75 acres that may be added for green space for the City that was currently underutilized, and the consistency that the wetlands would be protected, and that other amenities would be there. We must look at whether it was consistent with the plan that has been developed.

Discussion ensued on whether the Master Plan was consistent with the General Plan and that the City needed to move forward on developing the park.

MOTION Commissioner Pinkard moved and Commissioner Medina seconded a motion to adopt a resolution finding that the College Park Master Plan located at 3250 South Rose Avenue was in conformity with the 2020 General Plan. The question was called and the motion carried unanimously.

3. **PLANNING AND ZONING PERMIT NO. 05-500-26** (Special Use Permit), required to allow the tenant improvement of 43,152 square feet for a church and related uses within an existing 78,522 square foot industrial/warehouse building located at 1401 Maulhardt Avenue (APN 214-0-031-035); and 06-580-1 (Zone Text Amendment) to remove the current requirement that churches shall be located in freestanding structures in the Limited Manufacturing zone. Both the proposed project and the zone text amendment are exempt from CEQA under Section 15301 as they involve only minor alterations of existing structures. Filed by CT Properties, 20151 S.W. Birch, Suite 200, Newport Beach, CA 92660.
PROJECT PLANNER: Chris Williamson

Senior Planner Williamson presented the staff report including that the proposed use was consistent with the zoning designation except that it currently only allowed churches in freestanding, single-use structures. He explained the Zone Text Amendment, and that it would be brought back to the Planning Commission at the next meeting. He discussed the parking analysis and stated the applicant had arranged for parking relief through an off site parking and shared parking agreement, along with on street parking and, alternatively, a shuttle bus. He also displayed the General Plan and

zoning maps; aerial photo; floor plans; elevations; and site photos. He indicated the Zone Text Amendment was not before the Planning Commission this evening as it had not been drafted by the City Attorney, and must be advertised in order to consider it.

Traffic Engineer Samonte stated it was not necessary to stripe the street, as the City only wanted to permit parking on Sunday.

Chair Fischer opened the public hearing.

Mr. Mark Palameany, representing the applicant, discussed that the church was looking to expand to almost double their current size; due to increased construction costs, the applicant wanted to utilize an existing building; they had extensive discussions with the Fire Department and incorporated their comments into the plan including changes to the exiting and parking area, as well as circulation; current lighting approved by the Police Department; and parking.

Chair Fischer closed the public hearing.

MOTION Commissioner Medina moved and Commissioner Pinkard seconded a motion to adopt a resolution granting PZ 06-500-26, a Special Use Permit and administrative relief consisting of reduced parking and shared parking to allow the development of a 43,152 square foot church with accessory uses located at 1401 Maulhardt Avenue. The question was called and the motion carried unanimously.

RECESS Chair Fischer called a recess at 8:45 p.m. The meeting reconvened at 9:00 p.m. with all Commissioners present.

4. **PLANNING AND ZONING PERMIT NO. 05-510-13 (Special Use Permit)**, a request to add onsite general alcohol consumption to an existing restaurant, located on the west side of South C Street between West Third Street and West Second Street at 345 South C Street (APN 202-0-083-06). The proposed project is exempt from environmental review under Section 15301 of the CEQA Guidelines. Filed by Carlos Navarro, 345 South C Street, Oxnard, CA 93030.
PROJECT PLANNER: Winston Wright

Assistant Planner Wright presented the staff report including the problem of monitoring due to lack of windows and safety concerns; internal site design; the kitchen would need to be redone; and the proposed wrought iron fence would have to encompass the entire seating area. He also displayed the vicinity, General Plan, and zoning maps; site photos; site plan with proposed outdoor dining layout; and a photo simulation with fencing.

Chair Fischer opened public hearing.

Mr. Carlos Navarro Morales, applicant, explained that the request for the alcohol license was to increase his business; he explained how and where deliveries were made; and his intention to make improvements, including possibly adding another restroom.

Ms. Pat Brown, Royal Palms Mobile Home Park, recommended that the proposal be denied due to the need for additional windows; it was in a bad location; and the layout was not suitable for alcohol.

Chair Fischer closed public hearing.

Discussion ensued regarding the need for more security and windows; importance of restroom access; concern about outdoor seating and layout; and access to customer and delivery truck parking.

Commissioner Medina stated that he liked to go out to all the sites. He indicated he visited the restaurant on Tuesday night, including the restroom, by going through the kitchen, which was not suitable for a full scale restaurant. It was not handicap accessible; nor did it have hot water. He expected it to be more suitable. The layout was questionable, and there was no commitment to improve the area.

MOTION Commissioner Sanchez moved and Commissioner Pinkard seconded a motion to adopt a resolution denying PZ 05-510-13, a Special Use Permit to allow the on-site general sale of alcohol for consumption at a restaurant located at 345 South C Street. The question was called and the motion carried unanimously.

5. PLANNING AND ZONING PERMIT NO. 04-300-20 (Tentative Parcel Map No. 5581) & 04-500-29 (Special Use Permit) to subdivide for condominium purposes an approximate 0.79-acre site and construct a mixed use development consisting of 16 attached condominium residential dwelling units and a 1,044 square foot commercial tenant space. The site is comprised of three parcels (APN: 222-0-102-01, 20, 22), located at the southwest corner of Saviers Road and Pleasant Valley Road within the Southwinds Neighborhood. Filed by Mark Pettit, Lauterbach and Associates Architects, 300 Montgomery Avenue, Oxnard, CA 93036.
PROJECT PLANNER: Juan Martinez

Commissioner Sanchez recused himself due to a conflict (employed by Lauterbach and Associates Architects within the last year); and Commissioner Pinkard recused herself due to a conflict (owns property on Charles Street). Both commissioners left the dais.

Associate Planner Martinez presented the staff report including surrounding land uses; the affordable units requirement; density bonus; reduction in common area (min. distance provided) building separation; balcony sizes; comments from the community workshop; improvement to existing congestion; development size; density factor; and on-street parking. He also displayed site photos; elevations; floor plans; and cross section.

Traffic Engineer Samonte explained that although Pleasant Valley Road was listed as a primary arterial in the 2020 General Plan with three lanes in each direction at buildout, the City was unable to accommodate a third receiving lane on the east leg of Pleasant Valley, so it would be right turn lane only. He also discussed the elevation on Charles Street, between the two car garage doors that would accommodate another vehicle, without interfering with the driveway.

Chair Fischer opened the public hearing.

Mr. Mark Pettit, Lauterbach & Associates, applicant, presented the project explaining that the property had been vacant for long time, problems of access; the building. on Saviers and Pleasant Valley Roads would be single story commercial to allow view corridor to Uncle Herb's; the front corner was set back twenty feet to allow for clear vision of vehicles; Pleasant Valley Road and Charles Street were setback 20 feet and added landscaping with a bulb, location of tot lot and barbeque area; security door and secured access from parking structure; changed design of roof area with third story loft on south property line; discussed gates; three very low affordable units for sale, parking and traffic improvements on Charles Street; ten foot ground area on Pleasant Valley and Saviers Roads, with patios on other units; trash enclosure locations; discussed various setbacks; and landscaping.

Ms. Nancy Pederson, 514 E. Kamala, discussed problems with parking and tandem versus street parking, project too dense; it needs more effort put into it; it should fit in the neighborhood.

Mr. Larry Godwin, 3830 San Simeon Avenue, explained the problems with parking, both residential and commercial; trash pick up to go under overhang with zero visibility; site is over designed and should be entirely commercial.

Ms. Avie Guerra, 1151 West Fir Avenue, stated that when Victory Outreach has services, or when Uncle Herb's is open, there would be no place to park; the project is too dense; and it needs more parking.

Ms. Pat Brown, Royal Palms Mobile Home Park, stated that tandem parking was not good; questioned whether the garages would accommodate a sport utility vehicle; location of trash dumpsters; and stated the project was too dense.

Mr. Ed Ellis, 515 De Anza Way, spoke in opposition to the project indicating the problems with traffic; parking shortfall and exits; attractive units, but does not fit the area.

Ms. Shirley Godwin, 3830 San Simeon Avenue, stated that she had met with the architect and developer, the South Oxnard. Design Team believed the project overwhelmed the site; and the reason the developer included the affordable units was to be granted the density bonus.

Mr. Mark Pettit, applicant, stated there was plenty of room for trash trucks; commercial and visitor spaces were provided; garage doors would be a minimum of seven feet; noise—double pane windows would be installed to reduce noise; no windows would face the trash receptacles; air conditioning would be included; handicap parking with more space provided to allow for structural column.

Chair Fischer closed public hearing.

Discussion ensued regarding current and potential future traffic and parking problems; property had been vacant for a long time; maximizing allowable space; and changing the proposed driveway apron.

Commissioner Medina stated that he had gone to look at the site; the noise from the trash cans was irrelevant; several businesses within walking distance; proposed project was a viable use with what it would bring to the community; density was an issue, but he considered it a good project; with the value that would be added.

Assistant City Attorney Rupp recommended modifying Condition No. 63 of PZ 04-500-29 (Special Use Permit) related to proposed drive widths to require Planning Manager approval.

MOTION Commissioner Medina moved and Commissioner Okada seconded a motion to adopt a resolution granting PZ 04-500-29, a Special Use Permit; recommending City Council approval of PZ 06-535-01, a Density Bonus Permit for a thirty-five percent increase in allowable density and concessions for affordable housing units under the City's density bonus ordinance; and recommending City Council approval of PZ 04-300-20, a Tentative Subdivision Map to Tract No. 5581, to subdivide for condominium purposes an approximately 0.69 acre site to construct a mixed use development consisting of 16 attached condominium residential dwelling units and a 1,044 square foot commercial tenant space located at the southwest corner of Saviers and Pleasant Valley Roads. The question was called and the motion carried unanimously, Commissioners Pinkard and Sanchez absent.

G. PLANNING COMMISSION BUSINESS

Chair Fischer announced that this was Commissioner's Lopez last meeting and thanked him for his hard work with the Planning Commission. He also read a letter of accommodation from Mayor Holden.

H. PLANNING MANAGER COMMENTS

I. ADJOURNMENT

At 10:54 p.m., Commissioner Medina moved and Commissioner Okada seconded a motion to adjourn. The motion carried unanimously.

Ronald R. Fischer, Chairman

ATTEST: _____


Susan L. Martin, Secretary