Planning Division

PLANNING COMMISSION
STAFF REPORT

TO: Planning Commission

FROM: Linda Windsor, Associate Planner

DATE: March 19, 2009

SUBJECT: Planning and Zoning Permit No. 09-630-02, (Specific Plan Amendment to the RiverPark Specific Plan: freeway-oriented sign). Located on the north side of the 101 Freeway between RiverPark Boulevard and North Oxnard Boulevard.

1) **Recommendation:** That the Planning Commission adopt a resolution recommending that the City Council approve Planning and Zoning Permit No. 09-630-02, an amendment to the RiverPark Specific Plan, subject to certain findings and conditions.

2) **Project Description and Applicant:** Request to modify regulations within the RiverPark Specific Plan to allow one freeway oriented sign at The Collection Shopping Center. The sign would be a maximum height of 60 feet tall and situated on the southern edge of the shopping center, on the north side of the 101 Freeway, between North Oxnard Boulevard and RiverPark Boulevard. The site is within District D of the RiverPark Specific Plan Area and also within the Historic Revitalization and Enhancement of Oxnard (HERO) redevelopment area. Filed by RiverPark Collection LLC (Shea Properties LLC), 30699 Russell Ranch Road, Suite 290, Westlake Village, CA 91362.

3) **Existing & Surrounding Land Uses:** The subject site consists of the southerly portion of Planning District D of the *RiverPark Specific Plan* area (APN: 132-0-110-115, 132-0-110-125, 132-0-110-215, 132-0-110-225, 132-0-110-235), and is bounded by: the balance of District D to the north; the 101 freeway to the south; residential District F to the east; and commercial Districts C and A to the west. The regional commercial retail center known as "The Collection" is under construction on this site.

4) **General Plan Policies, Specific Plan and Land Use Designation Conformance:** The *2020 General Plan* land use map designates the subject project area for Commercial Regional and Open Space Park. The *RiverPark Specific Plan* Land Use Map (Exhibit 2B, attached) designates District D of the subject property for Commercial: Regional and Open Space: Park Space. In adopting the *RiverPark Specific Plan,* the Planning Commission and City Council determined that the Specific Plan is consistent with the *2020 General Plan.* In approving a Design Development Review permit for The Collection shopping center, the Development Services Director determined that the shopping center is in conformance with the policies, land use designations and development standards of the RiverPark Specific Plan.

5) Environmental Determination: In accordance with the California Environmental Quality Act (CEQA), an environmental impact report (EIR No. 00-03) was prepared to analyze potential environmental impacts associated with the approval and the implementation of the *RiverPark Specific Plan* and the anticipated build out of the 701-acre Specific Plan site. On July 16, 2002, the City Council adopted Resolution No. 12,209 upholding the Planning Commission's decision certifying the environmental impact report (State Clearinghouse No. 2000051046) and adopting findings of fact, statement of overriding considerations and mitigation monitoring and reporting program.

Planning staff has prepared an Addendum to the certified EIR to evaluate the environmental impacts of the proposed specific plan amendment (see Attachment C). This proposed specific plan amendment allowing a freeway oriented sign does not change the use or intensity of land uses on the site, since it is an accessory structure to the commercial uses in this area that were evaluated by the EIR. The inclusion of a freeway-oriented sign does not create any additional environmental impacts not previously analyzed in the EIR. Therefore, staff has determined that there is no substantial evidence that the specific plan amendment may have a significant effect on the environment. Accordingly, neither a supplement to the EIR nor a subsequent EIR is required. Pursuant to section 15164 of the CEQA Guidelines, the Commission shall consider the Addendum with the EIR prior to making a decision on the specific plan amendment.

6) Analysis:

a) *General Discussion:* Section 5.9.3.3 of the RiverPark Specific Plan "Freeway Oriented Pole Signs" states (in its entirety) that "Tall freeway-oriented pole signs are not permitted." The applicant has indicated that the regional retail center known as The Collection would benefit from the tenant attraction/retention and customer attraction that a freeway-oriented sign would provide. This amendment refers only to signs more than 6 feet tall, since monument signs 6 feet or shorter are allowed by the current specific plan sign regulations.

The amended text is as follows:

5.9.3.3 Freeway-Oriented Signs

- One (1) freeway-oriented sign shall be permitted in Planning District D. Such freeway-oriented sign shall be located in one of the areas depicted on Exhibit 5.HH, or in another location approved by the Development Services Director or designee ("Director"). Such freeway-oriented sign shall be limited to identifying the name of shopping center and major tenant(s) operating in the commercial areas of Planning Districts C or D. The freeway-oriented sign may be internally illuminated or otherwise illuminated as approved by the Director. The freeway-oriented sign shall not exceed sixty (60) feet in height. The size, sign area, design of and materials used for such freeway-oriented sign shall be complementary to the signage for regional commercial development in Planning District D, as approved by the Director.

- Approval of a Development Design Review Permit by the Director shall be required for the freeway-oriented sign.
- Except as provided in this Section, freeway-oriented signs taller than six feet are not permitted.

The amended section limits the following:

1. Only one freeway-oriented sign over six feet tall will be allowed.
2. The text on the sign may only be the name of the retail centers and major tenants in Districts C and D.
3. The location of the freeway-oriented sign may be at one of three possible locations, as indicated in Exhibit 5HH, which identifies the three possible locations.
4. The maximum height of the sign is restricted to 60 feet tall
5. The sign may be internally illuminated, or illuminated in some other manner (to allow for technological advances in sign lighting), as approved by the Development Services Director.
6. The design, size and materials must be complimentary to that of the retail center.

The final design, sign area, materials, type of illumination, and location of the sign, will be subject to a separate Design Development Review permit to be approved by the Development Services Director. The design elements, materials and the area of the sign will be addressed as part of the Development Design Review permit review process. For reference, a sign created from the standards within the amendment would be at least15 feet lower in height than the 75' tall freeway sign approved by the Planning Commission as part of the Esplanade Shopping Center project.

The applicant has provided an example sign design, and photo-simulations of the sign in each of the three locations (see Attachment D). The applicant is not requesting approval of this sign design as part of this specific plan amendment. As noted previously, approval of this sign design, materials and exact location would require approval of a Design Development Review permit.

No other changes to the RiverPark Specific Plan are proposed with this amendment. The regulations for the specific plan area's directional signs, entry monument signs, and on-building signs remain unchanged.

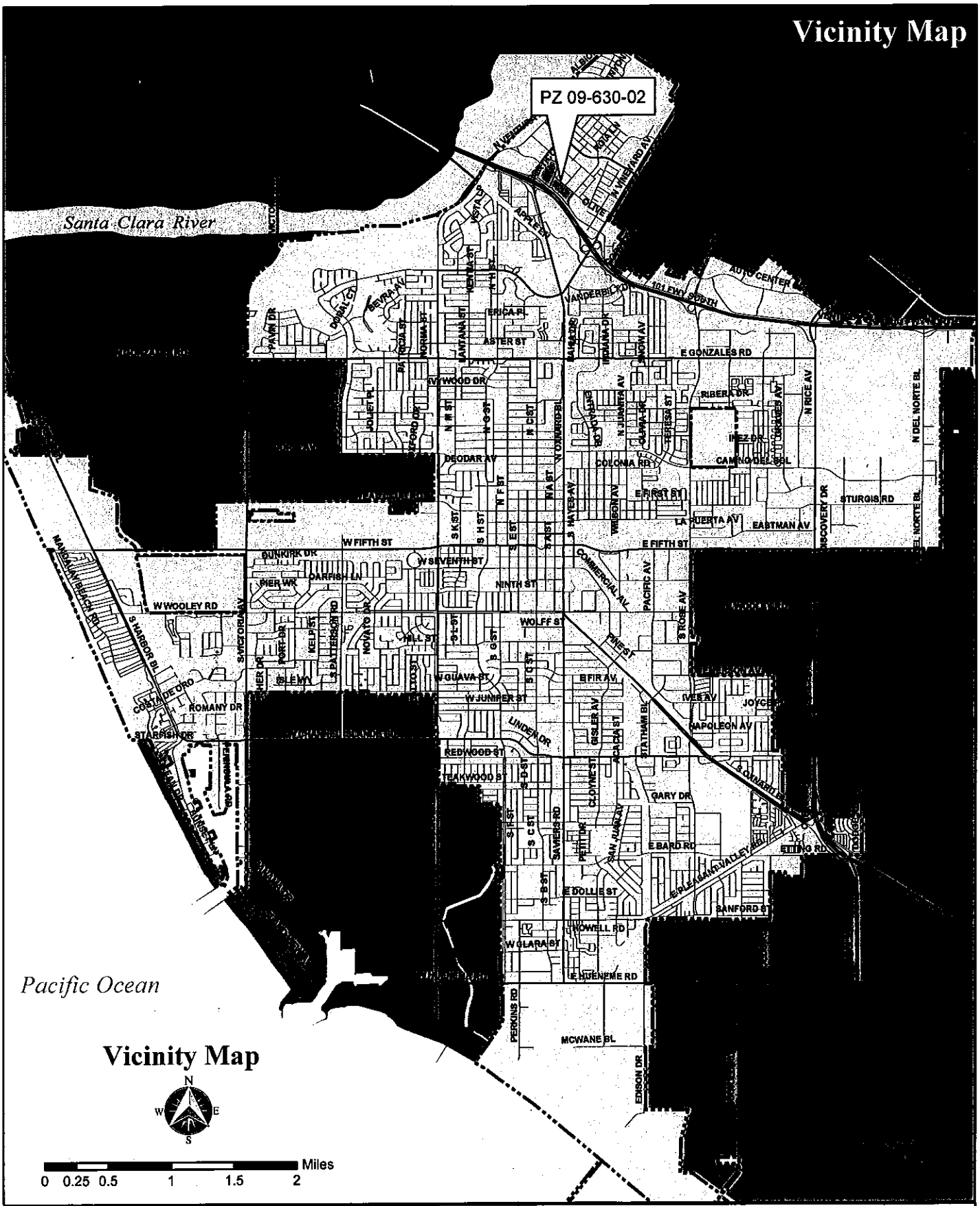
Prepared by: LJW
LJW

Approved by: SM
SM

Attachments:

A. Project Maps (vicinity, general plan, specific plan)
B. Exhibit 2B, RiverPark Land Use Designation Map
C. Addendum to EIR No. 00-03
D. Freeway-Oriented Sign Example (not an actual proposed sign)
E. Resolution (including Exhibit 5HH, Land Use Plan: Potential Sign Locations)

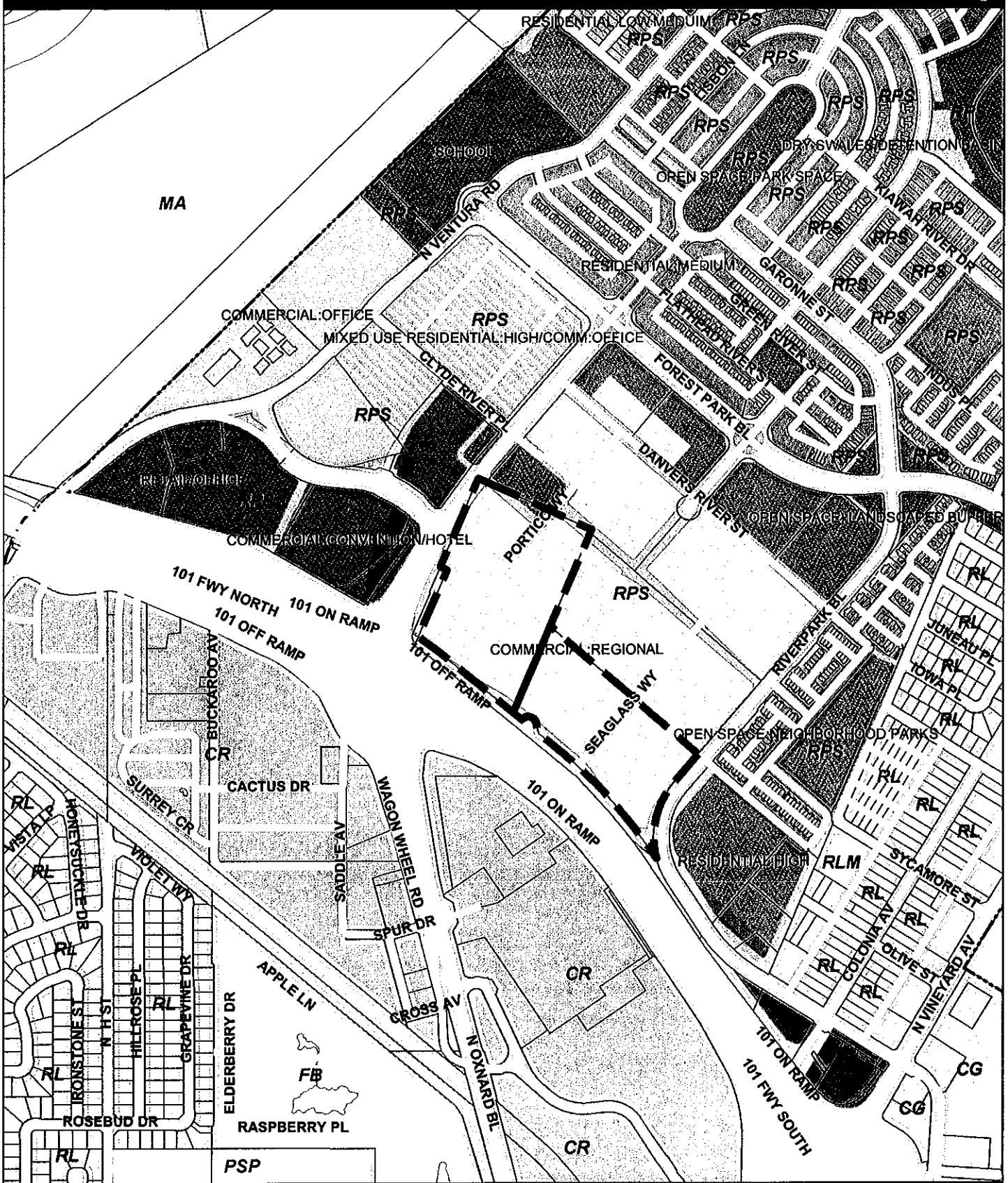
Vicinity Map



Oxnard Planning
March 2, 2009

PZ 09-630-02
Location: Riverpark - The Collections
APN: 132011021, 132011023
Riverpark Collections LLC

General Plan Map



Oxnard Planning
March 2, 2009

PZ 09-630-02
Location: Riverpark-The Collections
APN: 132011021, 132011023
Riverpark Collections LLC

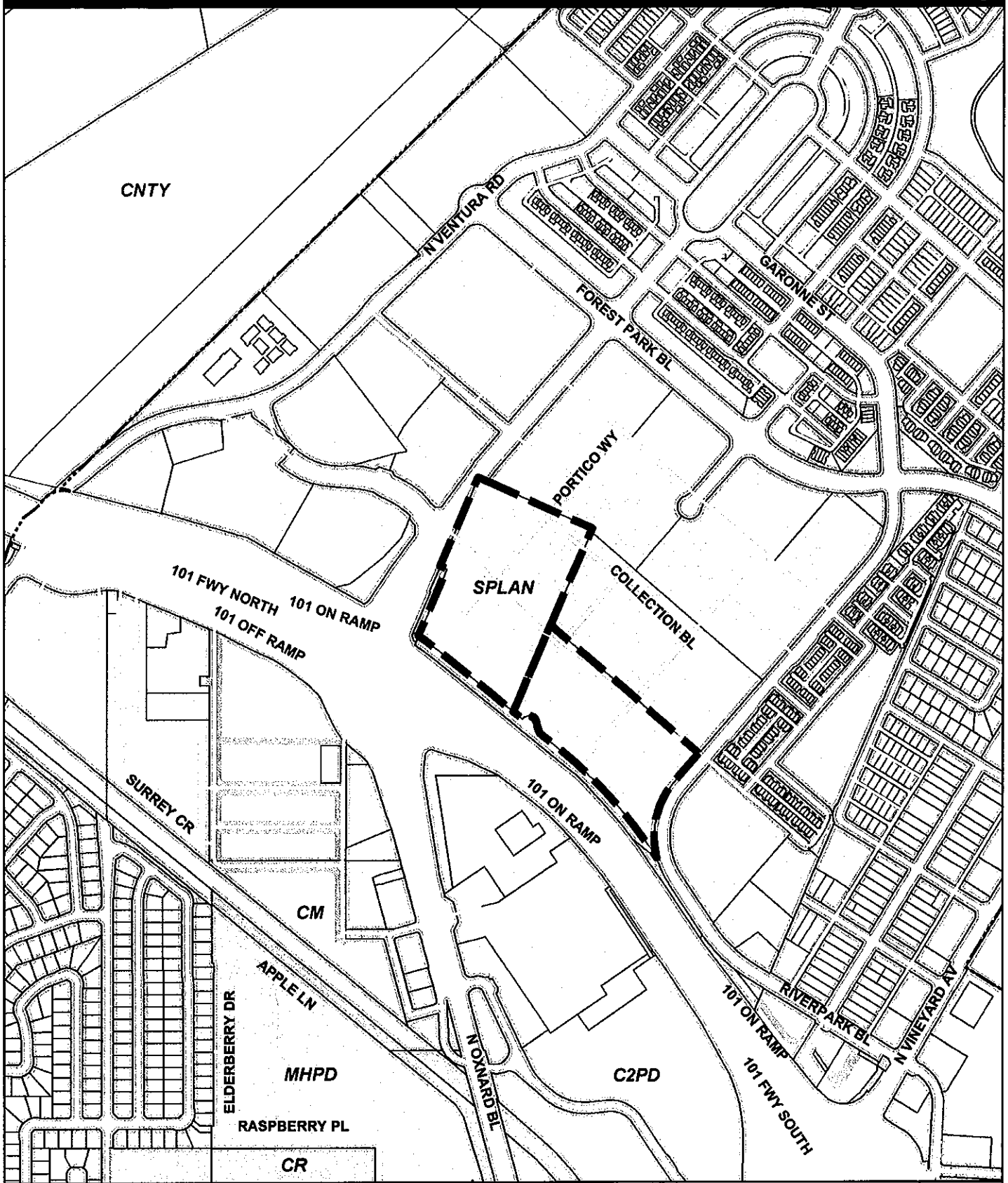
0 150300 600 900 1,200 Feet

General Plan Map

N W E S

1:8,252

Zone Map



Oxnard Planning
March 2, 2009

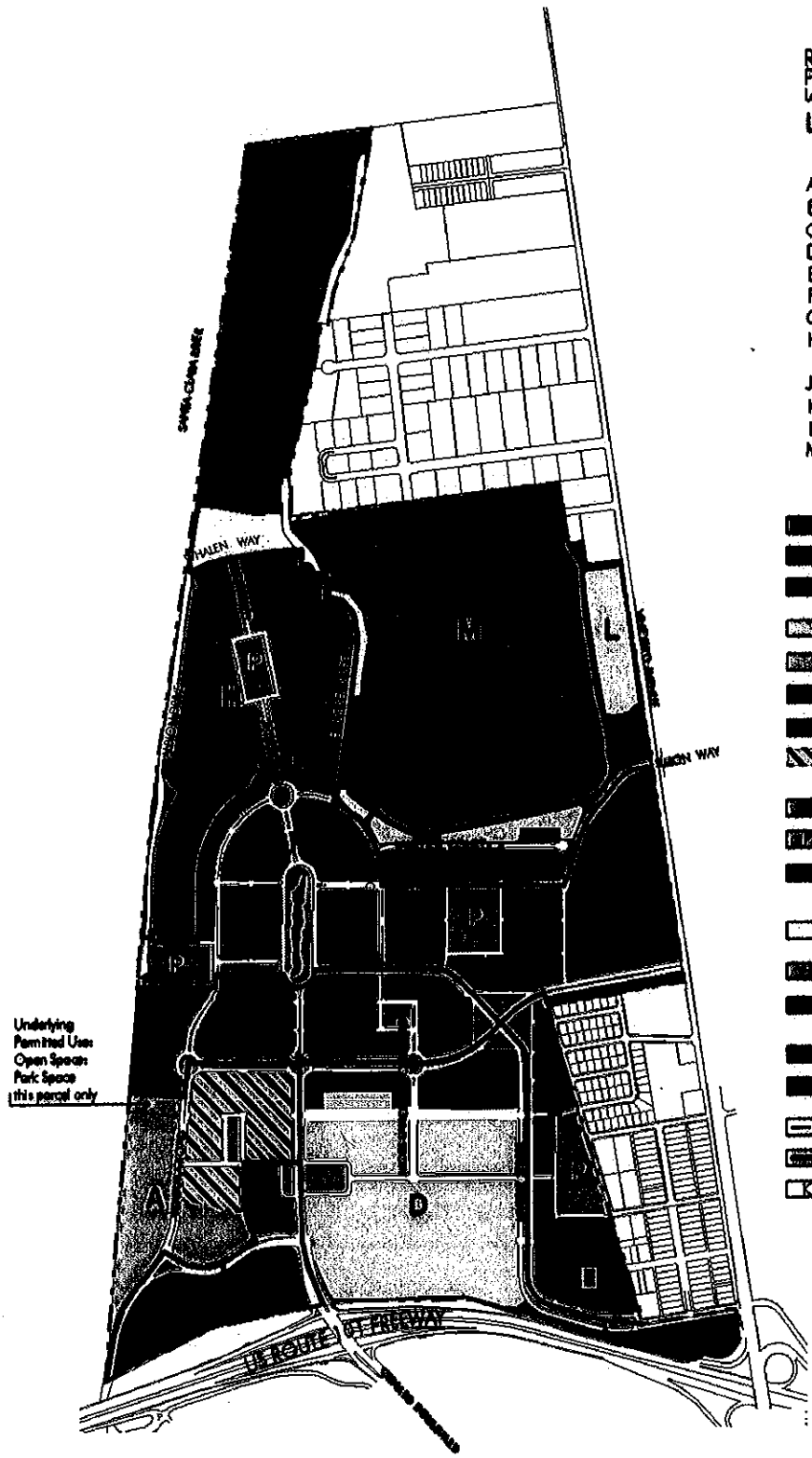
PZ 09-630-02
Location: Riverpark-The Collections
APN: 132011021, 132011023
Riverpark Collections LLC

Feet
0 150 300 600 900 1,200

Zone Map

N
W E
S

1:8,305



RIVERPARK LAND USE PLAN: PERMITTED USES

Land Use Plan Date: February 14, 2002

Legend

Planning Districts

- A Mixed Use/Office District
- B West Peripheral Commercial District
- C Convention/ Hotel District
- D Town Square Commercial District
- E East Peripheral Commercial District
- F Vineyards Neighborhood District
- G Village Square Neighborhood District
- H RiverPark Crescent Neighborhood District
- I RiverPark Loop Neighborhood District
- J RiverPark Mews Neighborhood District
- K Lakeside Neighborhood District
- L Public Facility District
- M Water Storage/Recharge Basins & Storm Water Control District

Land Use

- Residential: Low Medium (8-12 DU/gross acre)
- Residential: Medium (12-18 DU/gross acre)
- Residential: High (18-30 DU/gross acre)
- Commercial: Regional
- Commercial: Office
- Commercial: Convention/ Hotel
- Commercial: Retail/ Office
- Mixed Use: Residential: High/ Commercial: Office
- Open Space: Park Space
- Open Space: Neighborhood Parks
- Open Space: Landscaped Buffer
- Open Space: Miscellaneous: Dry Swales/ Detention Basins
- Open Space: Miscellaneous: Water Storage/ Recharge Basins
- Open Space: Miscellaneous: Water Feature
- Schools/ Community Park
- Public Facilities
- Specific Plan Area
- Planning District Boundary
- Planning District Designation

0 200' 400' 800' 1,600 Feet

RIVERPARK

exhibit

LAND USE PLAN: PERMITTED USES

B

August 27, 2002

prepared for RiverPark Development, LLC by **AC Martin Partners** *with*

RTKL / EDSA / CRAIN AND ASSOCIATES / WILLIAM HEZMALHALCH ARCHITECTS / HUITT-ZOLLARS

RiverPark Project Specific Plan

Addendum to
Final Environmental Impact Report No. 00-03
(SCH 2000051046)

Specific Plan Amendment for Freeway-Oriented Sign

prepared by:

City of Oxnard
Planning Division
214 South C Street
Oxnard, California 93030

SUMMARY

This document is an addendum to the RiverPark Specific Plan Final EIR. The addendum concludes that there are no additional possible environmental effects associated with the addition of a single freeway-oriented sign in District D of the RiverPark Specific Plan area. Shea Properties (dba RiverPark Collection, LLC) has requested a specific plan amendment to allow construction of a freeway-oriented sign within The Collection shopping center. Section 5.9.3.3 of the RiverPark Specific Plan prohibits "tall freeway-oriented pole signs" within the RiverPark Specific Plan area.

Section 15164 of the State California Environmental Quality Act (CEQA) Guidelines states that an addendum to a previously adopted EIR is the appropriate environmental document in instances when no conditions exist that would trigger a subsequent EIR. Three tests determine if a subsequent EIR is required (Section 15162(a)). They are:

1. Substantial changes to the project lead to a substantial increase in the severity of previously identified environmental effects;
2. Substantial changes have occurred with respect to the circumstances under which the project is undertaken;
3. New information of substantial importance that was not known or could not have been known at the time of the MND adoption shows any of the following:
    a. The project will have effects not previously discussed,
    b. Significant effects previously examined will be substantially more severe than previously estimated,
    c. Mitigation measures previously found infeasible would now be feasible and would substantially reduce effects of the project, and/or
    d. Different mitigation measures from those included in the MND would substantially reduce effects.

1. In the first test, the sign is an accessory structure to a commercial area which was examined by the EIR as part of the project description. The sign does not change the land use type or intensity on this site from the uses and intensity described in the specific plan and therefore will not result in effects not previously discussed. (see Attachment A).

The only potential environmental effect related to this project would be aesthetics. The Aesthetics section in the RiverPark Specific Plan EIR determined that no unavoidable significant impacts to the visual character would result from the RiverPark project, since the development of RiverPark would not obstruct long range views of the mountains and hills in the Los Padres National Forest to the north from the Ventura Freeway and Vineyard Avenue. In addition, the height and character of the commercial development was determined to be consistent with existing development in the area. The proposed sign does not represent a change or increase in land use type or intensity. In addition, the proposed sign would also not block long range views identified above. The proposed sign is shorter than other signs along the freeway corridor in this area. Therefore, the proposed amendment would not create additional environmental impacts.

2. In the second test, staff determined that circumstances surrounding the project have not substantially changed with regard to issues, facts, and mitigations included in the RiverPark Specific Plan FEIR. The project buildout has not changed from that evaluated by the EIR, nor have the environs adjacent to the project site. The commercial area is currently under construction as foreseen in the specific plan, and the proposed sign does not change the intensity or land use of the shopping center.

3. In the third test, staff determined that no new information of substantial importance that was not known or could not have been known at the time of the RiverPark Specific Plan EIR certification shows that the project will have effects not previously discussed, that significant effects previously examined will be substantially more severe than previously estimated, that

mitigation measures previously found infeasible would now be feasible and would substantially reduce effects of the project, and/or that different mitigation measures would substantially reduce effects.

The proposed specific plan amendment includes language allowing for the freeway-oriented sign up to a maximum height of 60 feet, in one of three designated locations in District D of the Specific Plan area. The three possible locations are shown on an exhibit that will be incorporated into the specific plan. The proposed sign would be visible from the US 101 Freeway and RiverPark Boulevard, as well as from the parking area south of the buildings.

All mitigation measures included in the EIR would continue to apply and design of the structure would be subject to review by the RiverPark Town Planner/Architect and the City of Oxnard, as part of a Development Design Review permit. Current applicable development and environmental standards such as landscaping and lighting control would be applied to the project.

The revised specific plan text is shown as Attachment A, and the new exhibit showing the three potential sign locations is shown as Attachment B.

The Environmental Impact Report with comments and responses and record of project approval may be examined at the City of Oxnard, Planning Division, 214 South C Street, Oxnard, California 93030. Please call (805) 385-7858 to arrange a file review time.

Susan L. Martin, AICP
Planning Division Manager

3/11/09
Date

ATTACHMENT A

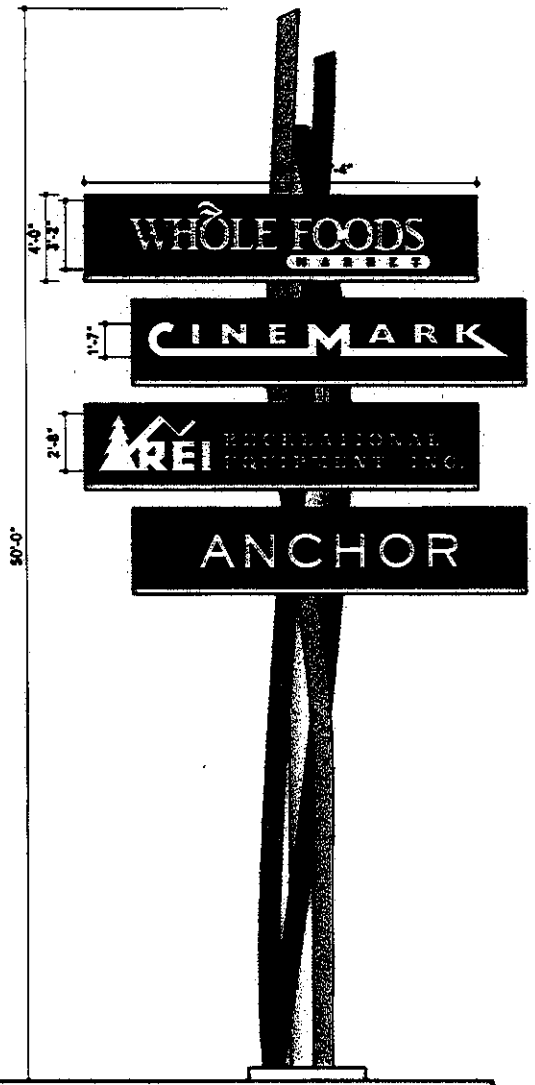
This amendment to the RiverPark Specific Plan consists of a change in the text of the specific plan and the addition of a new exhibit.

The text change consists of the following:

5.9.3.3 Freeway-Oriented Pole Signs
~~Tall freeway oriented pole signs are not permitted.~~

- One (1) freeway-oriented sign shall be permitted in Planning District D. Such freeway-oriented sign shall be located in one of the areas depicted on Exhibit 5.HH, or in another location approved by the Development Services Director or designee ("Director"). Such freeway-oriented sign shall be limited to identifying the name of shopping center and major tenant(s) operating in the commercial areas of Planning Districts C or D. The freeway-oriented sign may be internally illuminated or otherwise illuminated as approved by the Director. The freeway-oriented sign shall not exceed sixty (60) feet in height. The size, sign area, design of and materials used for such freeway-oriented sign shall be complementary to the signage for regional commercial development in Planning District D, as approved by the Director.
- Approval of a Development Design Review Permit by the Director shall be required for the freeway-oriented sign.
- Except as provided in this Section, freeway-oriented signs taller than six feet are not permitted

Exhibit 5HH (attached) would be added to the RiverPark Specific Plan. The exhibit shows three possible locations for the freeway-oriented sign.

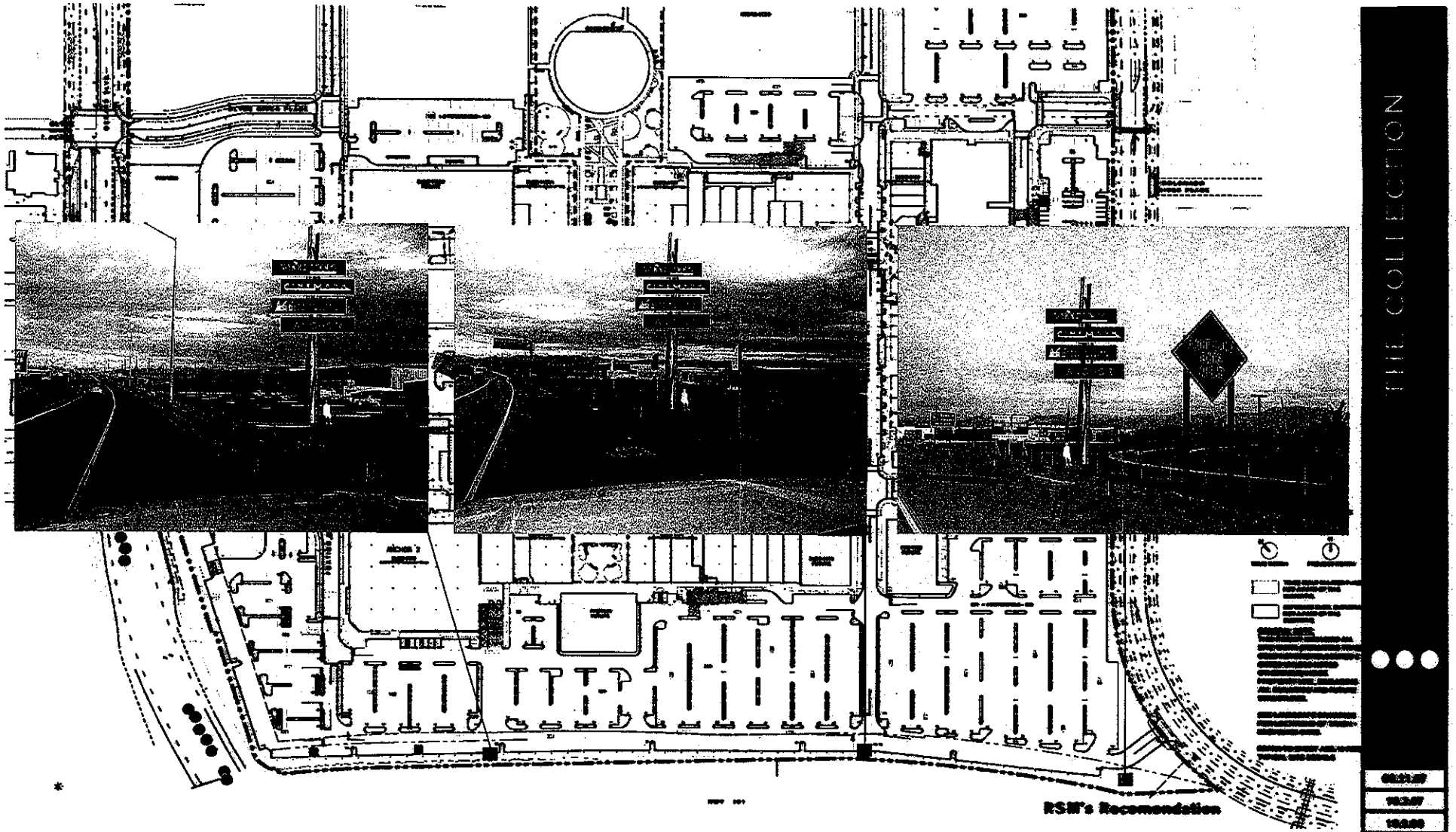


1 Front Elevation
Scale 3/16" = 1'

2 Top Elevation
Scale 3/16" = 1'

Freeway Pylon Identity

THE COLLECTION



Freeway Pylon Identity - Locations

RESOLUTION NO. [09-630-02]

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD RECOMMENDING THAT CITY COUNCIL ADOPT AN ORDINANCE APPROVING PLANNING AND ZONING PERMIT NO. 09-630-02 (SPECIFIC PLAN AMENDMENT) REVISING THE TEXT TO ALLOW A FREEWAY-ORIENTED SIGN, AND ADDING EXHIBIT 5HH TO SECTION NO. 5 (LANDSCAPE MASTER PLAN), SHOWING POSSIBLE LOCATIONS OF SUCH SIGN, OF THE RIVERPARK SPECIFIC PLAN, WITHIN SPECIFIC PLAN DISTRICT D, LOCATED NORTH OF THE 101 FREEWAY, EAST OF OXNARD BOULEVARD, WEST OF VINEYARD AVENUE AND GENERALLY SOUTH OF THE DISTRICT D RESIDENTIAL NEIGHBORHOODS. FILED BY SHEA PROPERTIES, LLC, DBA RIVERPARK COLLECTION LLC, 30699 RUSSELL RANCH ROAD, SUITE 290, WESTLAKE VILLAGE, CA 91361.

WHEREAS, the Planning Commission of the City of Oxnard has considered the proposed amendment to Section 5 of the RiverPark Specific Plan relating to development standards for signs in the specific plan area; and

WHEREAS, the Planning Commission has considered the certified environmental impact report for the RiverPark Specific Plan Project (EIR No. 00-03) and an Addendum to EIR No. 00-03 for the proposed RiverPark Specific Plan amendment, and has determined that there is no substantial evidence that the specific plan amendment may have a significant effect on the environment because, the proposed project is consistent with the EIR, does not change the use or intensity of land uses on the site since proposed sign is an accessory structure to the commercial land uses in this area that were evaluated by the EIR and no additional environmental impacts will be caused by the proposed specific plan amendment and its implementation; and

WHEREAS, the Planning Commission finds, after due study, deliberation and public hearing, that the project is a logical refinement of the RiverPark Specific Plan; that the proposed specific plan amendment conforms with adopted City standards and constitutes good City planning; and that the project will not adversely affect or be materially detrimental to adjacent land uses, buildings or structures or to the public health, safety or general welfare.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Oxnard recommends to the City Council the approval of Planning and Zoning Permit No. 09-630-02 (Specific Plan Amendment), to amend the RiverPark Specific Plan by changing the following sections, to read:

Part 1: Section 5.9.3.3. "Freeway-Oriented Pole Signs" shall be deleted in its entirety and replaced as follows:

5.9.3.3 Freeway-Oriented Signs

- *One (1) freeway-oriented sign shall be permitted in Planning District D. Such freeway-oriented sign shall be located in one of the areas depicted on Exhibit 5.HH,*

or in another location approved by the Development Services Director or designee ("Director"). Such freeway-oriented sign shall be limited to identifying the name of shopping center and major tenant(s) operating in the commercial areas of Planning Districts C or D. The freeway-oriented sign may be internally illuminated or otherwise illuminated, as approved by the Director. The freeway-oriented sign shall not exceed sixty (60) feet in height. The size, sign area, design of and materials used for such freeway-oriented sign shall be complementary to the signage for regional commercial development in Planning District D, as approved by the Director.

- *Approval of a Development Design Review Permit by the Director shall be required for the freeway-oriented sign.*
- *Except as provided in this Section, freeway-oriented signs taller than six feet are not permitted.*

Part 2: Exhibit 5HH (Exhibit "A" of this resolution) shall be incorporated into the Specific Plan to show the potential locations of the freeway-oriented sign described in Part 1 of this resolution.

PASSED and ADOPTED by the Planning Commission of the City of Oxnard on this 19th day of March, 2009, by the following vote:

AYES: Commissioners:

NOES: Commissioners:

ABSENT: Commissioners:

_____
Deirdre Frank, Chair

ATTEST: _____
Susan L. Martin, Secretary