



Meeting Date: 10/23/07

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 *JM* Agenda Item No. L-1

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

DATE: October 10, 2007

TO: City Council

FROM: Susan L. Martin, AICP *SMartin*
Planning Manager

SUBJECT: Appeal of the Planning Commission's Decision of Planning and Zoning Permit No. 06-500-17 (Special Use Permit) to Develop a 7,218 Square Foot Commercial Building at 2330 Saviers Road. Filed by S & R Auto Service Center, Inc., 2330 Saviers Rd., Oxnard, CA 93033

RECOMMENDATION

That City Council adopt a resolution granting the applicant's appeal of the Planning Commission's decision and approving Planning and Zoning Permit No. 06-500-17 (Special Use Permit), subject to certain findings and conditions.

DISCUSSION

On September 6, 2007, the Planning Commission considered the entitlement referenced above to allow development of a new, single story, 7,218 square foot commercial building on a site zoned C2-PD (General Commercial-Planned Development) located at 2330 Saviers Road, within the Cal Gisler Neighborhood. The Planning Commission denied the application which is now before the City Council as an approval supported by staff.

While the Planning Commission had favorable comments relating to the site's layout, the deliberations focused on the project's architecture. The Planning Commission expressed concerns that the commercial development was on a prominent corner and that the proposed elevations did not adequately integrate with its location and surrounding commercial properties. The Planning Commission expressed that the project's architectural design lacked interest and contemporary appearance compared to similar developments they had recently approved, and voted to deny the project. Since that action, the applicant revised the elevations to incorporate enhanced features that improve the architectural appearance of the building. The building now incorporates a tower-like corner and end feature with an arched roof, larger cornices, and a decorative slump stone lower band at the base of the building. The fabric awnings were replaced by metal awnings over all storefront windows. Staff and a consulting architect have reviewed the revised elevations filed with the appeal and have found the changes to be responsive and an improvement to the elevations that were previously considered inadequate by the Planning Commission. Therefore, staff supports the

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revised project elevations and recommends that the City Council approve the development application as revised.

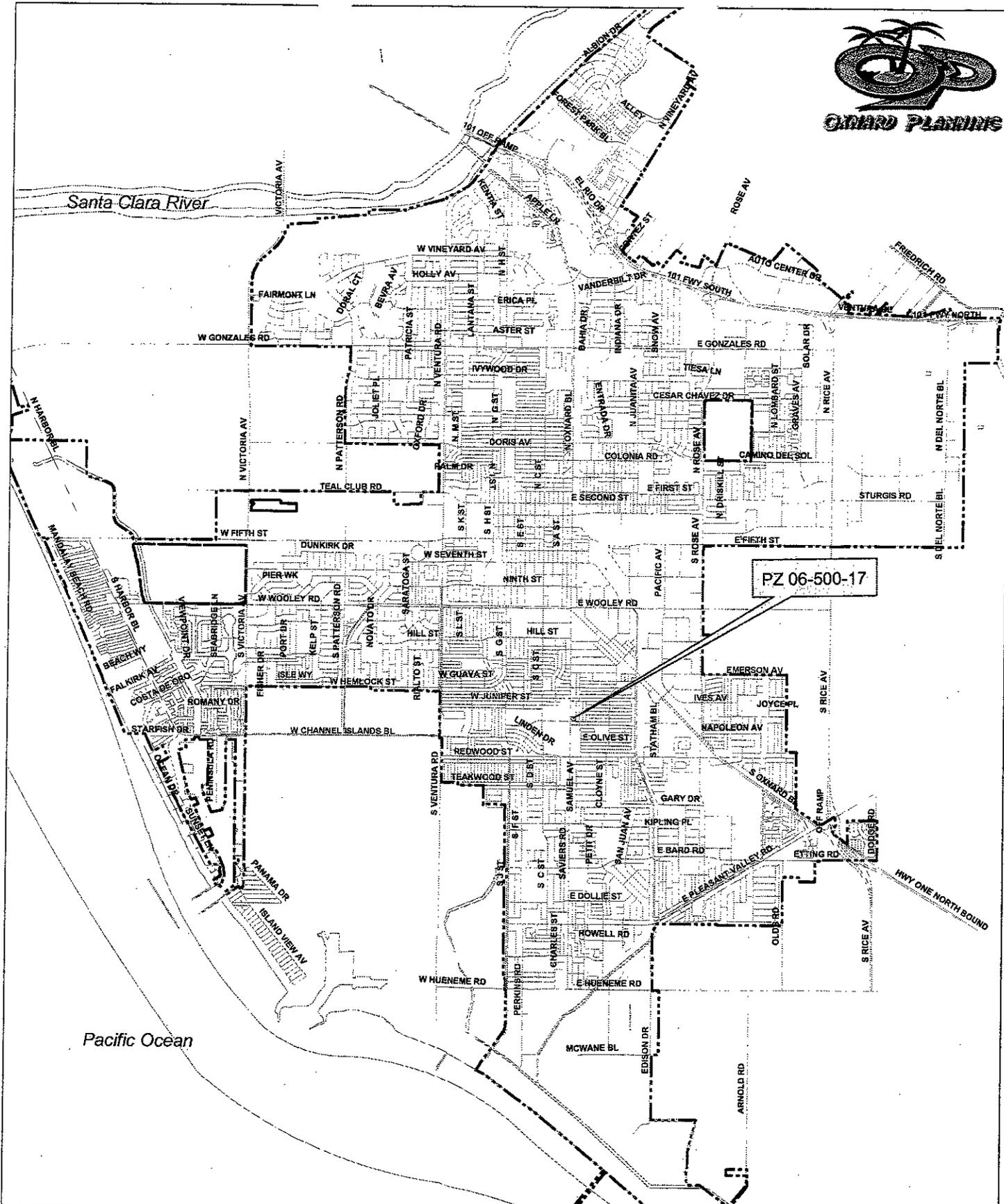
FINANCIAL IMPACT

None.

Attachment

1. Resolution Approving Special Use Permit No. 06-500-17
2. Vicinity Map
3. Planning Commission Denial Resolution No. 2007-35
4. Revised Elevations
5. Planning Commission Minutes of September 6, 2007
6. Planning Commission Staff Report w/ Attachments A & B
 - A. Maps (Vicinity, Zoning, General Plan)
 - B. Development Project Plans (Reduced)

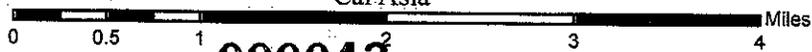
Note: Attachments 1 and 6 has been provided to the City Council under separate cover. Copies are available for review at the Circulation Desk in the Library after 6:00 p.m. on the Thursday prior to the Council meeting and at the City Clerk's Office after 8:00 a.m. on Monday, October 22, 2007.



PZ 06-500-17



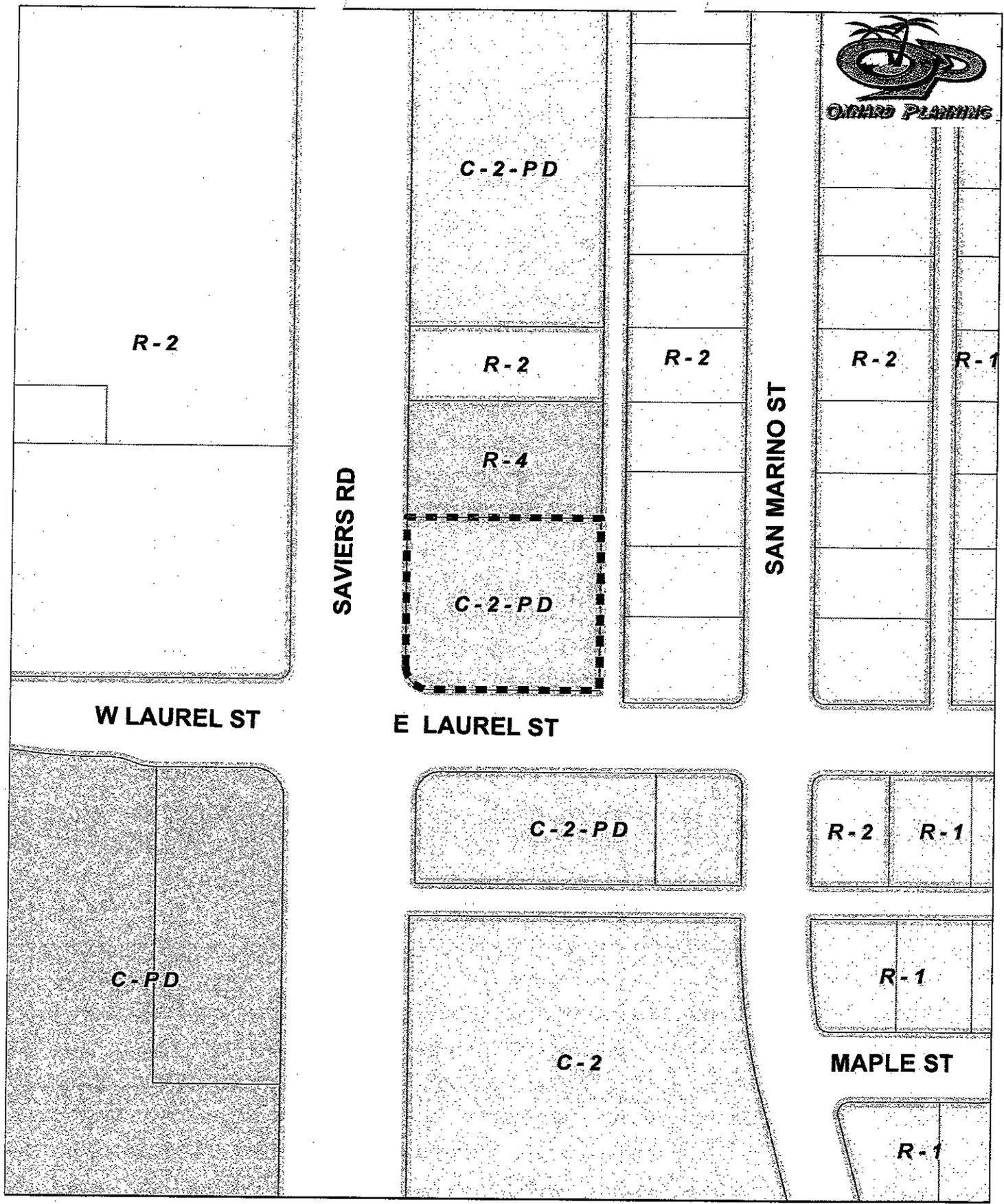
PZ 06-500-17
 Location: 2330 Saviers Rd ATTACHMENT 2 Vicinity Map
 APN: 2040134240 PAGE 1 OF 2
 Cal Asia



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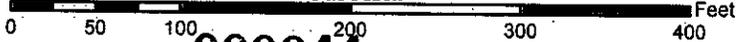


October 3, 2006

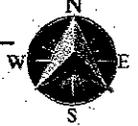


PZ 06-500-17
 Location: 2330 Saviers Rd
 APN: 2040134240
 Cal Asia

ATTACHMENT 2 Zone Map
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October 3, 2006

RESOLUTION NO. 2007-35

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD DENYING PLANNING AND ZONING PERMIT NO. PZ 06-500-17 (SPECIAL USE PERMIT), TO ALLOW CONSTRUCTION OF A 7,218 SQUARE FOOT RETAIL/COMMERCIAL BUILDING ON A 23,933 SQUARE FOOT (0.55 ACRE) DEVELOPED SITE LOCATED AT 2330 SAVIES ROAD WITHIN THE CAL-GISLER NEIGHBORHOOD. FILED BY S & R AUTO SERVICE CENTER, INC., 2330 SAVIERS ROAD, OXNARD, CA 93033.

WHEREAS, on September 6, 2007, the Planning Commission of the City of Oxnard considered an application for Planning and Zoning Permit No. 06-500-17, filed by S and R Auto Center, Inc. in accordance with Section 16-530 through 16-553 of the Oxnard City Code; and

WHEREAS, the project is a 7,218 square foot commercial building in a C2-PD General Commercial Planned Development zone requiring a special use permit; and

WHEREAS, section 15270(a) of the State Guidelines to the California Environmental Quality Act (CEQA) provides that CEQA does not apply to projects that are disapproved.

NOW, THEREFORE, the Planning Commission of the City of Oxnard finds that the architectural design of the proposed building is not compatible with the surrounding community.

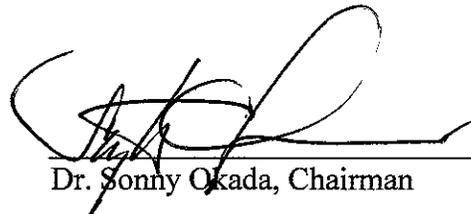
NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Oxnard hereby denies the application for Planning and Zoning Permit No. 06-500-17 (Special Use Permit), for the reason stated above.

PASSED AND ADOPTED by the Planning Commission of the City of Oxnard on this 20th day of September 2007, by the following vote:

AYES: Commissioners: Sanchez, Medina, Dean, Pinkard, Okada, Elliott

NOES: Commissioners: None

ABSENT: Commissioners: Frank



Dr. Sonny Okada, Chairman

ATTEST: 
Susan L. Martin, Secretary

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ATTACHMENT 3
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MINUTES

OXNARD PLANNING COMMISSION
REGULAR MEETING
SEPTEMBER 6, 2007

A. ROLL CALL

At 7.08 p.m., the regular meeting of the Oxnard Planning Commission convened in the Council Chambers. Commissioners Michael Sanchez, Irene Pinkard, Chairman Sonny Okada, Randall Elliott, Dale Dean, and Saul Medina, were present. Chair Okada presided and called the meeting to order. Staff members present were: Susan Martin, Planning and Environmental Services Manager, Paul Wendt, Senior Civil Engineer; Jason Samonte, Traffic Engineer; James Rupp, Assistant City Attorney; Juan Martinez Associate Planner, and Lori Maxfield, Recording Secretary.

B. PUBLIC COMMENTS

Mr. Larry Godwin discussed the Coastal Commission meeting regarding Southern California Edison peaker plant.

Ms. Shirley Godwin spoke on the widening of Saviers Road related to setbacks and the property owner being responsible for maintaining the site during construction.

Chair Okada directed staff to return within the month with a discussion on the widening of Saviers Road, and require the property owners to maintain their property during the construction.

Planning Manager Martin indicated that the City Code required that the property owner maintain their property.

C. READING OF AGENDA

Planning Manager Martin reviewed the agenda.

D. CONSENT AGENDA

1. APPROVAL OF MINUTES – August 16, 2007

MOTION Commissioner Medina moved and Commissioner Elliott seconded a motion to approve the minutes of August 16, 2007 as presented. The question was called and the motion carried unanimously, Commissioner Frank absent.

E. CONTINUED PUBLIC HEARINGS

1. PLANNING AND ZONING PERMIT NO. 06-500-23 (Special Use Permit); 06-300-17

(Tentative Subdivision Map for Tract No. 5760); and 06-570-03 (Zone Change) to redevelop an existing 12.64 acre industrial site by demolishing portions of the existing industrial building and constructing six speculative buildings totaling 60,497 square feet. The subdivision map proposes to subdivide the 12.64 acre site to accommodate separate tenant/owner suites for condominium purposes. The site is currently zoned Limited Manufacturing/Planned Development (MLPD) and the zone change would re-designate the subject site to Business & Research Park (BRP) to be consistent with the City's adopted 2020 Land Use Map and the surrounding zoning. The project is located at 1950 Williams Drive. Filed by Rexford Industrial, 11601 Wilshire Blvd., Suite 650, Los Angeles, CA 90025.
PROJECT PLANNER: Juan Martinez

Associate Planner Martinez presented the staff report including the proposed uses of the nine buildings; parking; setbacks; loading docks; and roll up doors for buildings with manufacturing uses. He referred to two additional special conditions stating that the final map be processed concurrently with the site improvement plans; and prior to recordation of the final map, the developer shall cause the assessment district engineer to reapportion the existing assessments in accordance with the proposed resubdivision. He also displayed the zone map, photo of the existing site condition, aerial photo depicting the building footprint, site plan; site photos, and elevations.

Planning Manager Martin read into the record an e-mail received from Commissioner Frank. It stated as follows:

"As you know, I will not be able to attend the 9/6 meeting due to a conflict I have with my attendance at the trail lawyers convention. I did not say I would not be at the 9/5 meeting so expected that to go forward."

"I was a bit late for the noon meeting today and learned it was cancelled. I wanted to bring up that I would like the Alcohol Study issue to be continued to a future date when I can be in attendance. The Williams Ave project is a large project. I think it is time we insist that there be a solar component especially when the buildings have such a large flat roof surface. My thinking is that it comes off the table, we agendaize, at our NEXT meeting, a proposal to council to enact an ordinance requiring this and then bring it back. I know the argument will be that they were entitled to proceed with the lack of ordinance in place. Maybe so. But, I think we need to move to get this ordinance considered before council before these huge projects continue to come to the planning staff without any regard for alternative energy and without any tools for planning staff to use to require alternative energy sources."

"I would like someone to make a motion to continue the alcohol Study session."

"I request that this entire comment read into the record please."

"Thank you. Deirdre Frank"

Chair Okada opened the public testimony.

The applicant displayed a video depicting an overview of the proposed project.

Mr. Brian Poliquen, applicant, agreed to all proposed conditions, and gave a brief presentation including the use of energy efficient mechanical equipment; reuse of all site materials; architecture; pedestrian walkway throughout the project; and he distributed renderings of the project to the Commissioners.

Ms. Pat Brown discussed building layout; shortage of parking; and access from Williams Drive.

Chair Okada closed the public testimony.

Discussion ensued regarding energy issues; reuse of old building materials; future potential use of solar power; architecture; building ownership; walkability of the site; opportunity for employment; reclaimed water.

MOTION Commissioner Sanchez moved and Commissioner Medina seconded a motion to adopt a resolution granting PZ 06-500-23, a Special Use Permit to redevelop an existing industrial site by demolishing portions of the existing industrial building and constructing six new office building; recommending City Council approval of PZ 06-300-17, a Tentative Subdivision Map for Tract No. 5760 to subdivide a 12.64 acres site for condominium purposes; recommending City Council approval of PZ 06-570-03, a Zone Change affecting a developed site by redesignating from Limited Manufacturing Planned Development to Business and Research Park for property located at the northeast corner of Gonzales Road and Williams Drive, with conditions as recommended by staff. The question was called and the motion carried unanimously. Commissioner Frank absent.

MOTION Commissioner Pinkard moved and Commissioner Sanchez seconded a motion to continue Item G (Study Session on Alcohol Sales) off calendar. The question was called and the motion carried 5-1-1, Chair Okada voting no Commissioner Frank absent.

2. PLANNING AND ZONING PERMIT NO. 07-550-02 (Major Modification to Special Use Permit PZ 04-500-13), to allow an 18,800 square foot church facility to be developed in two phases, including minor changes to the approved building elevations. The 2.5 acre site is located at 450 North Rose Avenue (APN 216-0-061-07), within the Rose Park Neighborhood. In accordance with Section No. 15332 of the CEQA Guidelines, the proposed project is exempt from environmental review. Filed by Trinity Missionary Baptist Church, 315 Anita St., Oxnard, CA 93030.

PROJECT PLANNER: Juan Martinez

Associate Planner Martinez presented the staff report including minor changes to the approved elevations; surrounding uses; phasing of the site; only one access to the site; original approval in 2004 with a one year administrative time extension to expire this year. He also displayed the site plan; site photos; floor plans; perspective of the completed building; elevations.

Traffic Engineer Samonte stated that a driveway on Camino Del Sol was strongly suggested for Phase I, with emergency access only.

Chair Okada opened the public testimony.

Mr. Steve Geoffrion, architect for the applicant, gave a brief presentation.

Ms. Nancy Pedersen stated her concerns regarding only one entrance to the site due to safety issues.

Ms. Pat Brown stated that the alleyway should only be a secondary access as it would add to noise on the south and east; and applicant should plan for more parking.

Mr. Steve Geoffrion discussed improving the alleyway and the applicant agreed to an additional curb cut.

Chair Okada closed the public testimony.

Planning Manager Martin suggested the following wording for a new condition related to an additional curb cut: Developer shall include as part of the Phase I site improvements, a vehicular drive apron off Camino Del Sol. The placement and design of such apron shall be to the satisfaction of the Planning Manager and the Traffic Engineer.

MOTION Commissioner Pinkard moved and Commissioner Medina seconded a motion to adopt a resolution granting PZ 07-550-02 (Major Modification to PZ 04-500-13), a Special Use Permit to allow an 18,800 square foot church facility to be developed in two phases, including minor changes to the approved building elevations, with conditions as recommended by staff, including a new condition related to an additional curb cut off Camino Del Sol. The question was called and the motion carried unanimously, Commissioner Frank absent.

F. NEW PUBLIC HEARINGS

1. PLANNING AND ZONING PERMIT NO. 06-500-17 (Special Use Permit) to demolish an existing fuel service station and related infrastructure and construct a new single story 7,218 square foot commercial building with related necessary improvements. The site is zoned C2-PD and is located at 2330 Saviers Road, within the Cal Gisler Neighborhood. In accordance with Section 15303 of the CEQA Guidelines, the proposed project is exempt from environmental. Filed by S & R Auto Service Center, Inc., 2330 Saviers Rd., Oxnard, CA 93033.

PROJECT PLANNER: Juan Martinez

Associate Planner Martinez presented the staff report including surrounding uses; four curb cuts; substandard in landscaping; parking; loading zone; and condition Nos. 49 and 99 to be removed. He also displayed the site plan; site photos; and elevations.

Traffic Engineer Samonte stated that the Saviers Road improvements would be paid by traffic impact fees.

Chair Okada opened the public testimony.

Mr. Tim Saivar, architect for the applicant, gave a brief presentation including circulation; landscaping; architecture; screening, and did not foresee a parking problem.

Ms. Nancy Pedersen discussed Saviers Road widening and access into the site; surrounding uses; potential parking problems; and increased traffic.

Ms. Pat Brown suggested reducing the northern section of the building; add driveway on Saviers; and should have more upscale business that relates to the school.

Mr. Tim Saivar discussed driveway choices, and stated that he had been working with Traffic Division staff for the past 18 months.

Chair Okada closed the public testimony.

Discussion ensued regarding architecture of the proposed building.

MOTION Commissioner Sanchez moved and Commissioner Medina seconded a motion to adopt a resolution denying PZ 06-500-17, a Special Use Permit to construct a 7,218 square foot retail/commercial building located at 2330 Saviers Road. The question was called and the motion carried unanimously, Commissioner Frank absent.

G. STUDY SESSION ON ALCOHOL SALES

Highlights successful implementation of prevention strategies to help reduce the problems that are often associated with the sale and availability of alcohol.

ITEM G CONTINUED ABOVE.

H. PLANNING COMMISSION BUSINESS

Commissioner Medina discussed the upcoming Caltrans public hearing on the U.S. 101/Del Norte Boulevard Interchange Improvement to be held on October 4, 2007, and urged the public to get involved in the process. He also indicated that the 2020 General Plan update would divert traffic on Rose Avenue.

Commissioner Elliott discussed his recent visit to British Colombia where he noticed many multi-story buildings with no infrastructure to support them; there are few buses; and they should have mitigation measures in place.