



Meeting Date: 9/16/2008

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 type="checkbox"/> Public Hearing
<input type="checkbox"/> Other _____	<input checked="" type="checkbox"/> Info/Consent Public Hearing

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

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

DATE: September 16, 2008

TO: City Council

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

SUBJECT: Planning and Zoning Permit No. 07-570-01 (Zone Change) for 5489, 5527, and 5557 Saviers Road. Filed by City of Oxnard, Development Services Department, 214 South C Street, Oxnard, CA 93030.

RECOMMENDATION

That City Council approve the first reading by title only and subsequent adoption of an ordinance changing the zoning designation for four parcels located at 5489, 5527, and 5557 Saviers Road (APN's 222-001-126, -127, -128, -129), from Residential Single Family (R-1) to General Commercial (C-2).

DISCUSSION

The zone change is requested for four parcels (APN's 222-001-126, -127, -128, -129) located at 5489, 5527, and 5557 Saviers Road. The 2020 General Plan land use designation for the site is Commercial General, but the current zoning is Residential Single Family (R-1) which is inconsistent with the 2020 General Plan. The proposed zone change to General Commercial (C-2) will create consistency between zoning and the 2020 General Plan.

The zone change was unanimously recommended for approval by the Planning Commission at its meeting of August 7, 2008.

In accordance with Section 15061 of the California Environmental Quality Act (CEQA) Guidelines, the propose zone change from R-1 to C-2 is exempt under the General Rule as there is no possibility that such zone change may have a significant effect on the environment. The zone change is necessary to bring zoning in conformance with the current 2020 General Plan which already allows the uses identified by the new zone designation. Therefore, staff has determined that there is no substantial evidence that the zone change may have any significant effect on the environment.

FINANCIAL IMPACT

There is no financial impact from the zone change.

Zone Change PZ 07-570-01

September 16, 2008

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- Attachment
- 1 - Draft Minutes. August 7, 2008
 - 2 - Planning Commission staff report
 - 3 - Zone Change Ordinance
 - 4 - Planning Commission power point presentation

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MINUTES

OXNARD PLANNING COMMISSION
REGULAR MEETING
AUGUST 7, 2008

A. ROLL CALL

At 7:02 p.m., the regular meeting of the Oxnard Planning Commission convened in the Council Chambers. Commissioners Sonny Okada, Irene Pinkard, Chairman Michael Sanchez, Randall Elliott, Saul Medina, and Deirdre Frank were present. Chair Sanchez presided and called the meeting to order. Staff members present were: Susan Martin, Planning Manager, Jason Samonte, Traffic Engineer; James Rupp, Assistant City Attorney; Chris Williamson, Senior Planner, Winston Wright, Associate Planner; and Lori Maxfield, Recording Secretary.

B. PUBLIC COMMENTS

Mr. Alan Sanders, Sierra Club, questioned staff's retention of documents he submitted with the 2007 Ormond Beach Specific Plan Draft Environmental Impact Report (DEIR).

Ms. Shirley Godwin suggested that Item D-2 be removed from the Consent agenda, and stated the Coastal Commission hearing for the Peaker plant had been continued to October.

Mr. Michael Stubblefield, Chair of the Los Padres Sierra Club, discussed staff's retention of Mr. Sanders previously submitted documents; and indicated that the El Rio MAC meeting would be held on August 21, 2008.

Planning Manager Martin explained that Mr. Sanders documents had been forwarded to the EIR consultant, and had not been misplaced.

C. READING OF AGENDA

Planning Manager Martin reviewed the agenda.

Commissioner Medina recommended that Item D-2 (PZ 08-570-01) be moved to New Public Hearings.

D. CONSENT AGENDA

1. APPROVAL OF MINUTES - July 17, 2008

MOTION Commissioner Medina moved and Commissioner Frank seconded a motion to approve the minutes of July 17, 2008 as presented. The question was called and the motion carried 4-0-1-2, Commissioners Elliott and Pinkard abstaining, and Commissioner Dean absent.

E. CONTINUED PUBLIC HEARINGS

F. NEW PUBLIC HEARINGS

1. PLANNING AND ZONING PERMIT NO. 08-570-01 (Zone Change) a request to change the zone designation of four parcels (APN 222001126, -127, -128, -129) located at 5489, 5527, and 5557 Saviers Road (the fourth parcel has no street address) from Residential Low (R-1) to General Commercial (C-2), which results in consistency with the current General Plan designation of General Commercial. The proposed project is exempt from environmental review under Section 15061 of the CEQA Guidelines. Filed by the City of Oxnard, Planning Division, 214 South C Street, Oxnard, CA.

PROJECT PLANNER: Chris Williamson

Senior Planner Williamson presented the staff report including the surrounding uses, the current property owners, and the reason the City was bringing the proposed zone change. He also displayed the location map and the conceptual plan for the area.

Chair Sanchez opened the public testimony.

Ms. Shirley Godwin spoke in opposition to the project due to the increased density, the wetlands of Ormond Beach across the street, and the approved veterinary hospital adjacent to the site.

Chair Sanchez closed the public testimony.

Assistant City Attorney Rupp explained that State law requires that zoning be brought into consistency with the General Plan in a reasonable amount of time.

- MOTION Commissioner Pinkard moved and Commissioner Okada seconded a motion to adopt a resolution recommending City Council approval of PZ 08-570-01, a Zone Change for 5489, 5527, and 5557 Saviers Road to Commercial General. The question was called and the motion carried 6-0-1, Commissioner Dean absent.

2. PLANNING AND ZONING PERMIT NO. 07-400-09 (Coastal Development Permit) and 07-300-23 (Tentative Tract Map for Tract No 5797) a request to develop seven residential condominiums on a 16,825 square foot property in the Coastal Garden Apartment (R3C) zone locate in the Oxnard Shores Neighborhood at 5103 and 5107 Wooley Road. The proposed project is exempt from environmental review under Section 15332 of the CEQA Guidelines. Filed by Candice Forehand of 2300 Knoll Drive, Suite A, Ventura, CA 93003, on the behalf of the owner Yolanda Morton.
PROJECT PLANNER: Winston Wright

Associate Planner Wright presented the staff report including the two separate lots; surrounding uses; development standards; east and west orientation; green building features; additional conditions. He also displayed an aerial photo; vicinity and zone map; site photos and site photos of adjacent uses; site plan; elevations; and floor plans.

Chair Sanchez opened the public testimony.

Mr. James Armstrong, architect for the project, gave a brief presentation.

Ms. Trisha Munro indicated there was not enough parking; solar panels should be included; and endangered species should be addressed at grading.

Chair Sanchez closed the public testimony.

RECESS Chair Sanchez called a recess at 8:15 p.m. The meeting reconvened at 8:25 p.m. with all Commissioners present, except Commissioner Dean.

MOTION Commissioner Frank moved and Commissioner Medina seconded a motion to adopt a resolution recommending City Council approval of PZ 07-300-23, a Tentative Tract Map of Tract No. 5797; and granting PZ 07-400-09, a Coastal Development Permit to allow the construction of seven residential condominiums, located at 5103 and 5107 Wooley Road, subject to certain findings and conditions. The question was called and the motion carried 6-0-1, Commissioner Dean absent.

2. DRAFT PROGRAM ENVIRONMENTAL IMPACT REPORT (PEIR) NO. 08-03, a scoping hearing to receive public comments on topics to be addressed in the Jones Ranch Draft PEIR, located at 4324 East Vincyrd Avenue.
PROJECT PLANNER: Chris Williamson

Chair Sanchez recused himself due to a conflict of interest.

Senior Planner Williamson presented the staff report including information on a second meeting to be held on the subject at the El Rio MAC meeting being held on August 21, 2008; indicated that the comment period would be extended to include comments made at the August 21st meeting; future meeting would focus on consideration of any changes and approval; and the project was a major part of the General Plan update.

Mr. John Franklin, Jones Ranch Development Team, discussed the location of the 165 acre project; mixed use development; transit oriented; 2500 homes including workforce housing; infrastructure to come first, with construction to begin in two to three years, and buildout anticipated to be 2019. He also displayed the conceptual elevations, and the proposed land use plan and summary.

Ms. Cynthia Wren, CEQA consultant, discussed the CEQA objects; program environmental impact report (PEIR) to be completed; difference between an EIR and a PEIR, and their purpose; key elements of the EIR and the process; environmental issues; and indicated that the project would be developed in tandem with the General Plan.

Chair Frank opened the public testimony.

Ms. Shirley Godwin discussed the lack of noticing; how the project would affect services, impact road repairs; crowded parks; infrastructure; growth inducing; loss of agricultural land. She also expressed her concern about transportation, with residents commuting further to work without services.

Mr. Larry Godwin expressed concern on water and sewer for the project, as there is a proposed prison hospital in the same area; the GREAT Program is short of money; western sewer trunk is at capacity; and suggested a chart indicating all major developments with how much water was available.

Mr. Michael Stubblefield, Chair Los Padres Sierra Club, spoke in opposition to the project due to excessive traffic; could bring up to 10,000 additional residents; Rio School District would become overcrowded; too dense; and potential for increased crime.

Ms. Julie Pena spoke in opposition to the project due to the density; should concentrate on existing issues in the City; and the project should be included in RiverPark.

Mr. Alan Sanders stated the 45 day comment period was not long enough; would have a substantial impact on SOAR; should be sent to the residents for input; and a map should be available showing all the annexations and how it relates to the General Plan.

Ms. Trisha Munro requested an alternative to more streets coming off of Vineyard Avenue; concerned about water in the area; what effect will the project have on SOAR; should have evaluation of farmland in Ventura County and how it relates to SOAR.

Ms. Pat Brown questioned the possibility of farmworker housing; no adequate bus system exists in the area; residents would be unable to walk to stores; not enough schools for additional students; public services would be costly for the City; and high rises would be out in the middle of nowhere.

Mr. Bert Perello discussed the intersections at Vineyard/Rose/101 Freeway, should also consider Los Angeles and Vineyard Avenues; Los Angeles and Rose Avenues, and Central and Santa Clara Avenues as they are currently overcrowded; workforce housing issue; project would be adjacent to United Water Conservation that is the current water recharge site for the City to replenish its drinking water; farmers outside the 300 foot radius should be notified of the proposed project as their agricultural land would be effected; and a priority of water hook-ups should be addressed.

Chair Frank closed the public testimony indicating the comment period would be extended to August 22, 2008 to include comments from the El Rio MAC meeting to be held on August 21, 2008.

Commissioner Medina stated his concerns regarding traffic; air quality; 165 acres of agricultural land would be lost; questioned the transit oriented design, subject to State funding; and the current bus route at Simon Way must be defined.

Commissioner Pinkard expressed her concerns on the impacts on schools; traffic; transit plan would only add to the problem; project would add to the problem of water and sewer; roads have not been improved; and requested more information on how the project would better serve the community by taking away from SOAR.

Commissioner Elliott questioned how it would be transit oriented, and the voters had asked for a slow down on uncontrolled growth.

Commissioner Okada stated his concerns regarding density; should have more vertical mixed use; would not be a walkable community; and questioned whether there would be enough money to build new school to accommodate the increased students.

Commissioner Frank expressed her concerns regarding notice to the community, as an effort should be made to notify the adjacent property owners; should have more outreach for the circulation of the DEIR; farmworker housing was not addressed; anticipated demographics; legality of SOAR, as exemption does not include commercial; and questioned the project being transit oriented.

G. PLANNING COMMISSION BUSINESS

Commissioner Frank stated that at the August 21st meeting, the Ormond Beach and Rose Ranch DEIR's would be discussed.

Commissioner Medina stated that the City Clerk's office would be open on Friday, August 8, 2008 until 5:00 p.m.

H. PLANNING MANAGER COMMENTS

I. ADJOURNMENT

At 9:40 p.m., Commissioner Medina moved and Commissioner Okada seconded a motion to adjourn. The motion carried 6-0-1, Commissioner Dean absent.

Michael Sanchez, Chairman

ATTEST: _____
Susan L. Martin, Secretary



Planning Division

**PLANNING COMMISSION
STAFF REPORT**

TO: Planning Commission
FROM: Christopher Williamson, AICP, Senior Planner
DATE: August 7, 2008
SUBJECT: Planning and Zoning Permit No 08-570-01 (Zone Change), located at 5489, 5527, and 5557 Saviers Road

- 1) **Recommendation:** That the Planning Commission adopt a resolution recommending that the City Council approve Planning and Zoning Permit No. 08-570-01 (Zone Change).
- 2) **Project Description and Applicant:** A request to change the zone designations of four contiguous parcels (APN's 222-001-126, -127, -128, -129) from R-1 (Residential Low) to C-2 (General Commercial). The zone change is necessary for conformance with the 2020 General Plan land use designation of Commercial General. Filed by the City of Oxnard, Planning Division, 214 South C Street, Oxnard, CA 93030.
- 3) **Existing & Surrounding Land Use:** The parcels at 5489 and 5527 are developed; the southernmost two lots are undeveloped. To the north (Carlisle Court) are single-family homes, to the west (Courtland Street) are multifamily apartments, to the south (Hueneme Road) is a vacant lot and auto-repair business, and to the east (Saviers Road) are single-family homes.

LOCATION	ZONING	GENERAL PLAN	EXISTING LAND USE
Project Site	R-1	Commercial General	5489: single family home
			5527: single family home
			5557: undeveloped
			[no address]: undeveloped
North	R-1	Residential Low	Single-Family Homes
South	C2-PD	Commercial General	undeveloped
			Jim Sharp Auto Service
East	R-1	Residential Low	Single-Family Homes
West	R-4	Residential High	Multifamily residential

- 4) **Background Information:** The northernmost parcel (5489 Saviers Road) was the subject of an 11-lot subdivision proposal that filed for approval in 2004. The three other parcels have been the subject of several speculative development inquiries. The Planning Commission expressed its preference during the deliberations for the project at 5587 Saviers Road (Special Use Permit for animal hospital) that the entire northwest corner of Saviers Road and Hueneme Road, including the four subject parcels, be master planned rather than separately developed.

The entire corner is in the Southwinds Redevelopment Project Area. A zoning designation that is consistent with the 2020 General Plan land use designation is helpful and often required when seeking redevelopment funding.

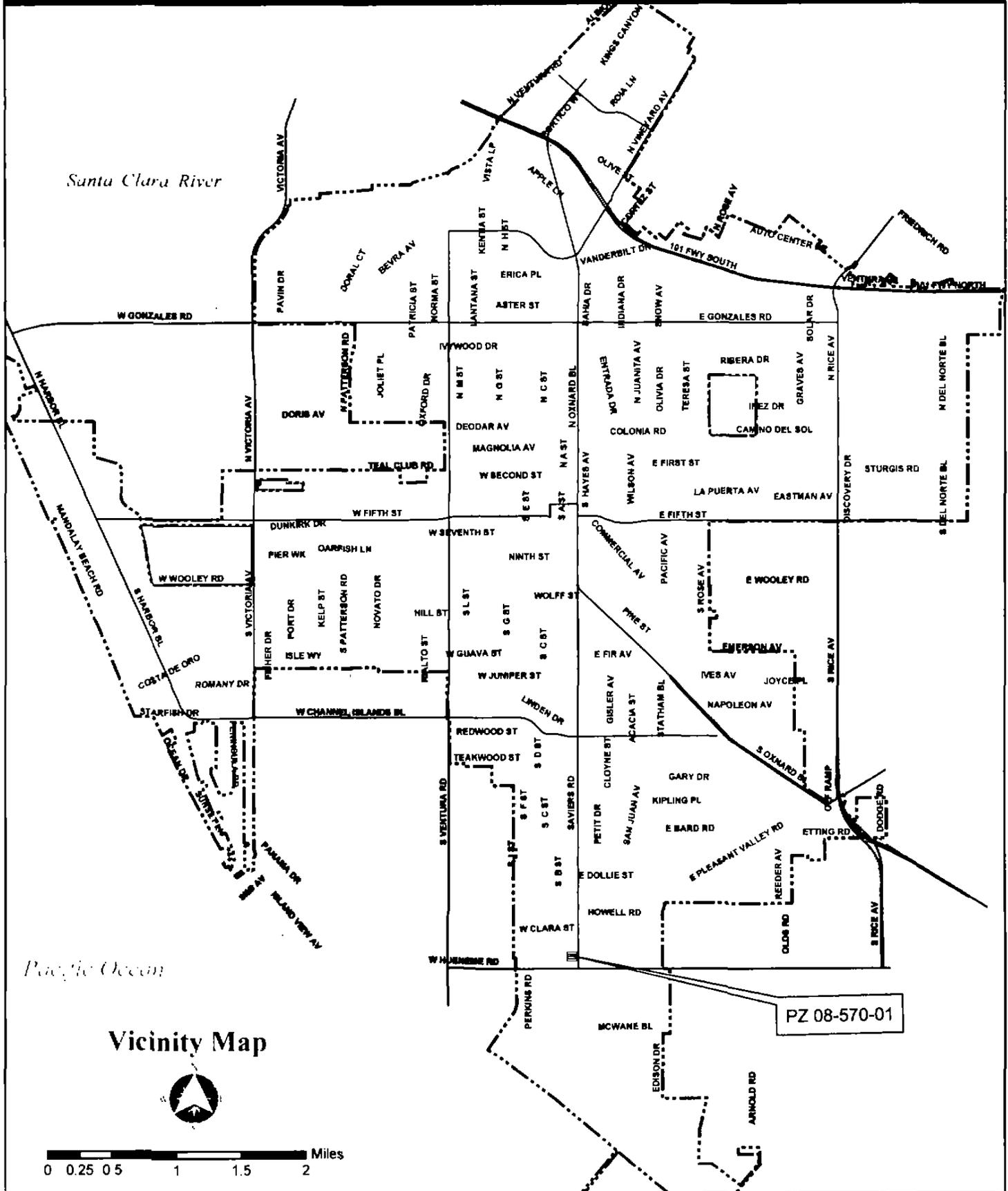
- 5) **Environmental Determination:** In accordance with Section 15061 of the California Environmental Quality Act (CEQA) Guidelines, the propose zone changes from R-1 to C-2 are exempt under the General Rule as there is no probability that the zone changes may have a significant effect on the environment. The zone changes are necessary to bring zoning in conformance with the current 2020 General Plan land use designation of Commercial Office which already governs the allowed uses development potential of the site. Therefore, staff has determined that there is no substantial evidence that the zone change may have any significant effect on the environment.

- 6) **General Plan Consistency:** The 2020 General Plan land use designation for the site is Commercial General. The proposed zone changes will create consistency between zoning and the General Plan.

- 7) **Attachments:**
A. Maps (Vicinity, General Plan, Zoning)
B. Zone Change Resolution

Prepared by:	<u>CW</u> CW
Approved by:	<u>SM</u> SM

Vicinity Map



Vicinity Map



0 0.25 0.5 1 1.5 2 Miles

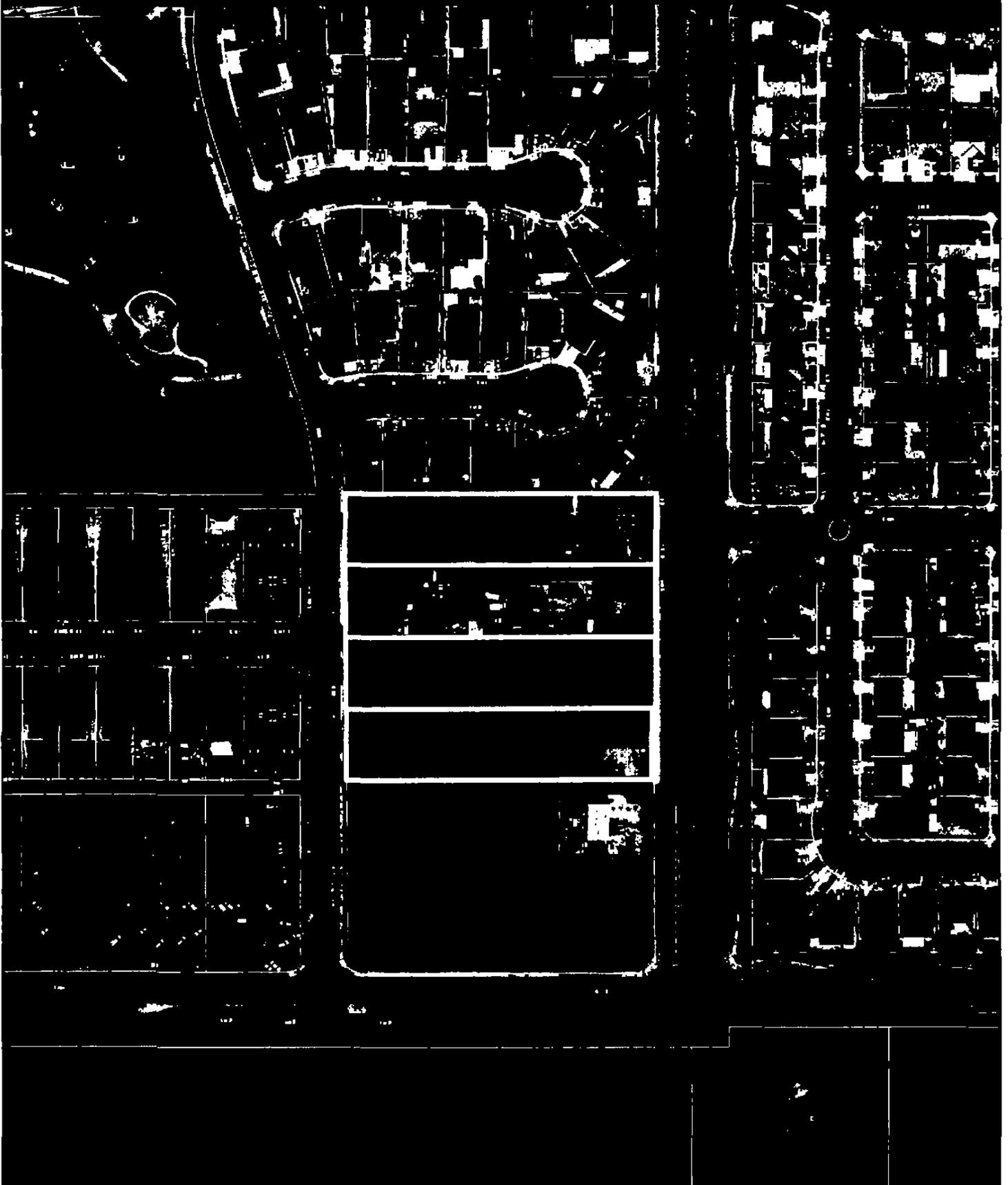
PZ 08-570-01



PZ 08-570-01
 Location: 5489-5557 Saviers Rd
 APN: 2220001126, 22200127,
 222001128, 222001129
 City of Oxnard

ATTACHMENT 2
 PAGE 3 OF 10

Aerial Map



General Plan Map



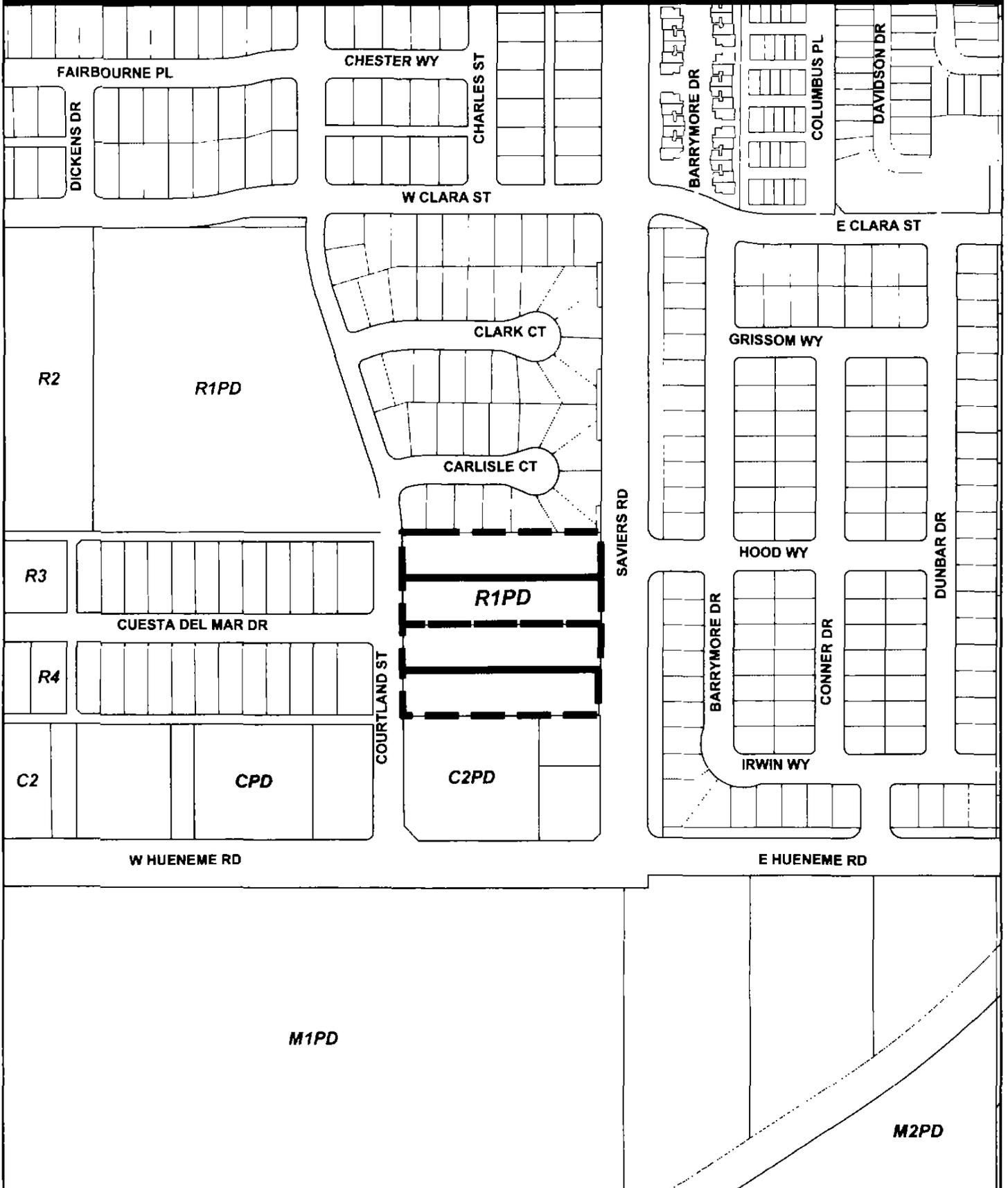
PZ 08-570-01
 Location: 5489-5557 Saviers Rd
 APN: 222001126, 22200127,
 222001128, 222001129
 City of Oxnard
 0 50 100 200 300 400 Feet

General Plan Map
 PAGE 5 OF 10

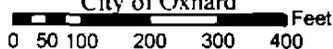


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Zone Map



PZ 08-570-01
 Location: 5489-5557 Saviers Rd
 APN: 2220001126, 22200127,
 222001128, 222001129
 City of Oxnard



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Zone Map

ATTACHMENT 2
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RESOLUTION NO. 2008 [PZ 08-570-01]

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD RECOMMENDING TO THE CITY COUNCIL ADOPTION OF A ZONE CHANGE (NO. PZ 08-570-01) FOR 5489, 5527, AND 5557 SAVIERS ROAD AND ASSESSOR PARCEL NUMBER 222-001-129 TO COMMERCIAL GENERAL. FILED BY THE CITY OF OXNARD PLANNING DIVISION, 214 SOUTH C STREET, OXNARD, CA, 93030.

WHEREAS, the Planning Commission of the City of Oxnard has considered an application for Planning and Zoning Permit No. 08-570-01, filed by the City of Oxnard Planning Division to amend the zoning of the above-described property to Commercial General; and

WHEREAS, the Planning Commission has held public hearings and received and reviewed written and oral comments related to proposed Planning and Zoning Permit No. 08-570-01; and

WHEREAS, the Planning Commission finds after due study and deliberation that the public interest and general welfare require adoption of Planning and Zoning Permit No. 08-570-01; and

WHEREAS, Section 15061 of Title 14 of the California Code of Regulations exempts the project from the requirement for the preparation of environmental documents imposed by the California Environmental Quality Act; and

WHEREAS, the zone change is consistent with the 2020 General Plan.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Oxnard hereby recommends to the City Council adoption of Planning and Zoning Permit No. 08-570-01, amending the City's official Zoning Map to change the zoning designation of the property as shown in Exhibit 'A', attached hereto and incorporated herein by reference.

PASSED AND ADOPTED by the Planning Commission of the City of Oxnard on this 7th of August, 2008, by the following vote:

AYES:

NOES:

ABSENT:

Michael Sanchez, Chairman

ATTEST: _____
Susan L. Martin, Secretary

ATTACHMENT 2
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EXHIBIT A

CITY COUNCIL OF THE CITY OF OXNARD

ORDINANCE NO. ___

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OXNARD APPROVING ZONE CHANGE (NO. PZ 08-570-01) FOR 5489, 5527, AND 5557 SAVIERS ROAD AND ASSESSOR PARCEL NUMBER 222-001-129 TO COMMERCIAL GENERAL. FILED BY THE CITY OF OXNARD PLANNING DIVISION, 214 SOUTH C STREET, OXNARD, CA, 93030.

WHEREAS, on August 7, 2008, the Planning Commission approved Resolution No. 2008-XX recommending that the City Council adopt a resolution approving Planning and Zoning Permit No. 08-570-01 (Zone Change) filed by the City of Oxnard Planning Division; and

WHEREAS, Section 15061 of Title 14 of the California Code of Regulations exempts the project from the requirement for the preparation of environmental documents imposed by the California Environmental Quality Act; and

WHEREAS, the City Council held a public hearing and received and reviewed written and oral comments related to proposed Zone Change No. 08-570-01; and

WHEREAS, the City Council finds after due study and deliberation that the public interest and general welfare require the adoption of Zone Change No. 08-570-01; and

WHEREAS, the documents and other material that constitute the record of proceedings are located in the Planning Division, and the custodian of the record is the Planning Manager; and

WHEREAS, the applicant agrees, as a condition of adoption of this resolution, at applicant's own expense, to indemnify, defend, and hold harmless City and its agents, officers, and employees from and against any claim, action or proceeding to attack, review, set aside, void, or annul the approval of this resolution or any proceedings, acts, or determination taken, done, or made prior thereto that were part of the approval process.

WHEREAS, the zone change is consistent with the 2020 General Plan.

ATTACHMENT 2
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NOW, THEREFORE, the City Council of the City of Oxnard does ordain as follows:

Part 1. The zoning governing 5489, 5527, and 5557 Saviers Road and APN No. 222-001-129, as shown on the map attached hereto as Exhibit A, incorporated herein by reference and on file with the City Clerk, is changed to Commercial General (C2).

Part 2. Within 15 days after passage, the City Clerk shall cause this ordinance to be published one time in a newspaper of general circulation published and circulated in the City. Ordinance No. _____ was first read on ____, 2008, and finally adopted on _____, to become effective thirty (30) days thereafter.

PASSED AND ADOPTED this XX day of September, 2008, by the following vote

AYES:

NOES:

ABSENT:

Dr. Thomas E. Holden, Mayor

ATTEST:

APPROVED AS TO FORM:

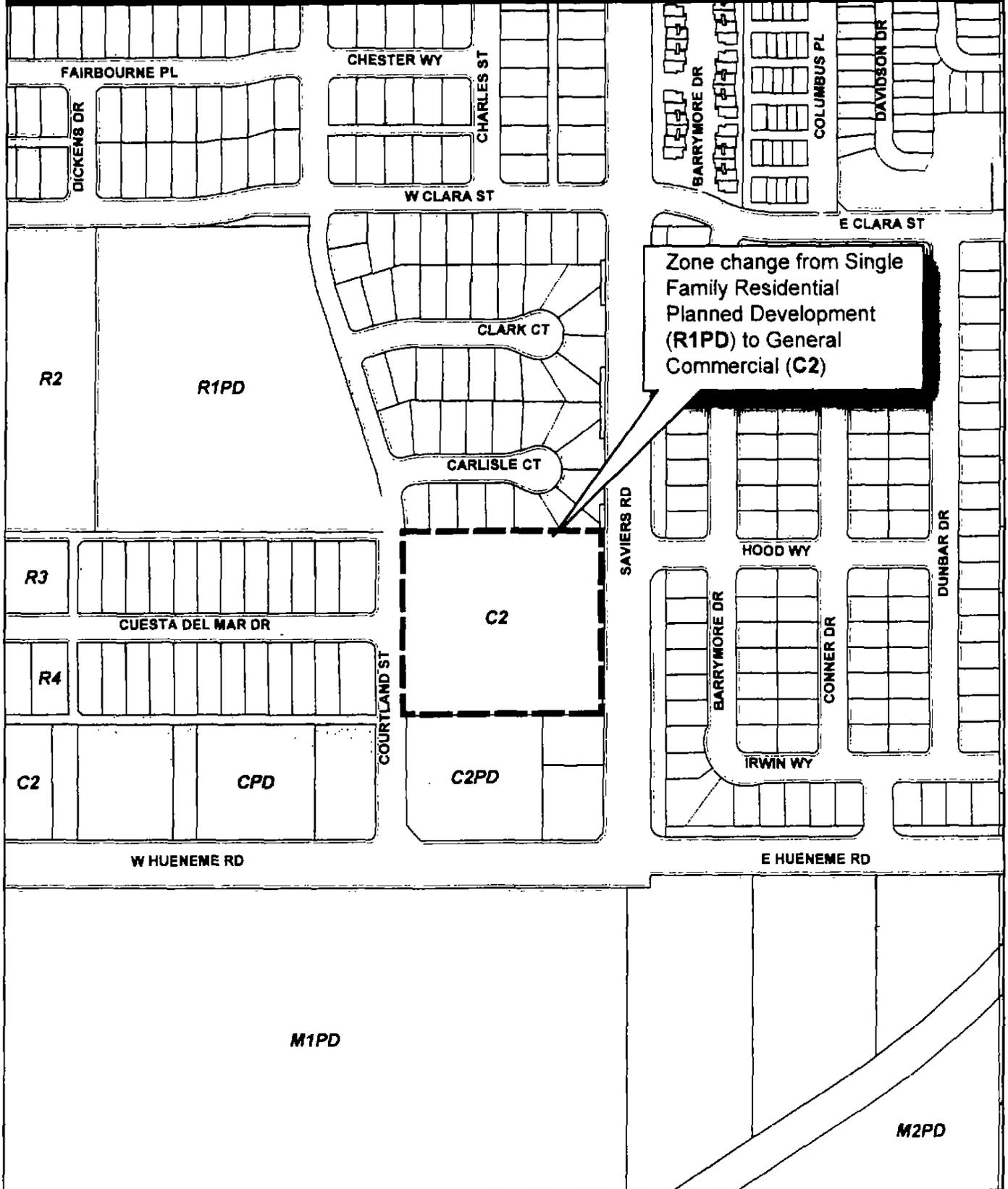
Daniel Martinez, City Clerk

Gary L. Gillig, City Attorney

ATTACHMENT 2
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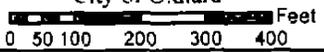
Zone Change



Zone change from Single Family Residential Planned Development (R1PD) to General Commercial (C2)



PZ 08-570-01
 Location: 5489-5557 Saviers Rd
 APN: 2220001126, 22200127,
 222001128, 222001129
 City of Oxnard



Zone Change

Exhibit A

ATTACHMENT 2

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CITY COUNCIL OF THE CITY OF OXNARD

ORDINANCE NO. __

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OXNARD APPROVING A ZONE CHANGE (PZ 08-570-01) FOR 5489, 5527, AND 5557 SAVIERS ROAD TO COMMERCIAL GENERAL. FILED BY THE CITY OF OXNARD PLANNING DIVISION, 214 SOUTH C STREET, OXNARD, CA, 93030.

WHEREAS, on August 7, 2008, the Planning Commission approved Resolution No. 2008-45 recommending that the City Council adopt a resolution approving Planning and Zoning Permit No. 08-570-01 (Zone Change) filed by the City of Oxnard Planning Division; and

WHEREAS, Section 15061 of Title 14 of the California Code of Regulations exempts the project from the requirement for the preparation of environmental documents imposed by the California Environmental Quality Act; and

WHEREAS, the City Council held a public hearing and received and reviewed written and oral comments related to proposed Zone Change No. 08-570-01; and

WHEREAS, the City Council finds after due study and deliberation that the public interest and general welfare require the adoption of Zone Change No. 08-570-01; and

WHEREAS, Section 15061 of Title 14 of the California Code of Regulations exempts the project from the requirement for the preparation of environmental documents imposed by the California Environmental Quality Act; and

WHEREAS, the documents and other material that constitute the record of proceedings are located in the Planning Division, and the custodian of the record is the Planning Manager; and

WHEREAS, the applicant agrees, as a condition of adoption of this resolution, at applicant's own expense, to indemnify, defend, and hold harmless City and its agents, officers, and employees from and against any claim, action or proceeding to attack, review, set aside, void, or annul the approval of this resolution or any proceedings, acts, or determination taken, done, or made prior thereto that were part of the approval process.

WHEREAS, the zone change is consistent with the 2020 General Plan.

NOW, THEREFORE, the City Council of the City of Oxnard does ordain as follows:

Part 1. The zoning governing 5489, 5527, and 5557 Saviers Road, as shown on the map attached hereto as Exhibit A, incorporated herein by reference and on file with the City Clerk, is changed to Commercial General (C-2).

Part 2. Within 15 days after passage, the City Clerk shall cause this ordinance to be published one time in a newspaper of general circulation published and circulated in the City. Ordinance No. _____ was first read on ____, 2008, and finally adopted on _____, to become effective thirty (30) days thereafter.

PASSED AND ADOPTED this 16th day of September, 2008, by the following vote

AYES:

NOES:

ABSENT:

Dr. Thomas E. Holden, Mayor

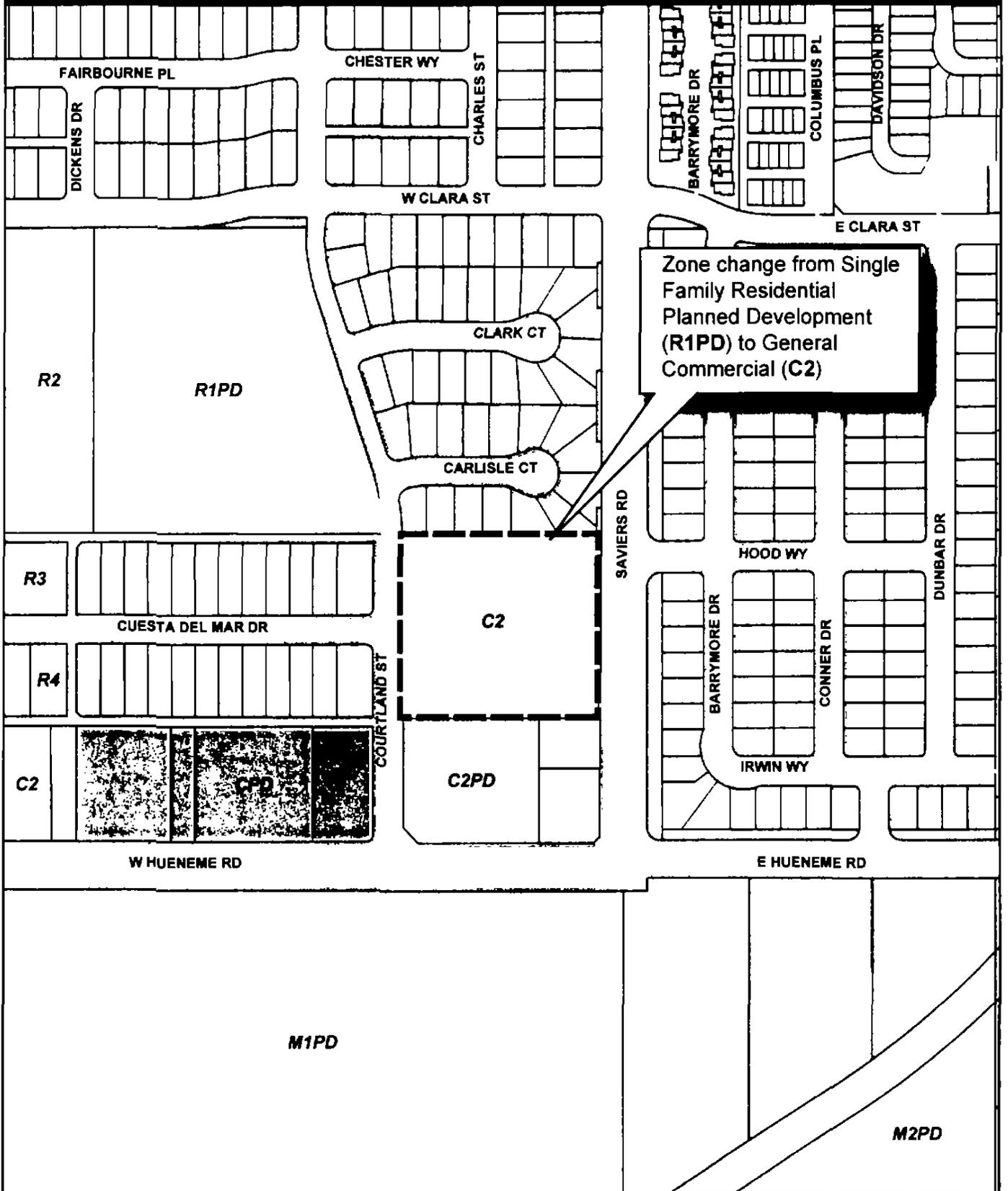
ATTEST:

APPROVED AS TO FORM:

Daniel Martinez, City Clerk


Alan Holmberg, Acting City Attorney

Zone Change



PZ 08-570-01
 Location: 5489-5557 Saviers Rd
 APN: 2220001126, 22200127,
 222001128, 222001129
 City of Oxnard

0 50 100 200 300 400 Feet

Zone Change

Exhibit A

ATTACHMENT 3

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PZ 08-570-01

Saviors Rd. Four-Lot Rezoning

Planning Commission, August 7, 2008



- Rezoning of four lots from R-1 to C-2
5489, 5527, and 5557 Saviers Rd.
- General Plan is *Commercial General*
- C-2 is the corresponding zone
- Consistency needed to attract quality
investor interest for entire northwest
corner of Saviers and Hueneme Rds.
- In Southwinds Redevelopment area

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Location:



000119

ATTACHMENT 4
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Example retail concept

