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March 11, 2008

Number of pages including this page: 4

TO: The Planning Commission

FROM: Kathleen Mallory, AICP, Contract Planner *K. Mallory*

SUBJECT: Planning and Zoning Permit Nos. 07-600-06 (GPA), 07-570-04 (ZC), 07-300-13 (TPM), and 07-500-14 (SUP) – Southwest corner of Channel Islands Boulevard and Rose Avenue.

The Planning Department has received a late comment letter from the County of Ventura, Public Works Agency Transportation Department on the Tesco (Fresh and Easy) environmental document. The agency does not dispute the findings and conclusions contained in the environmental document but would like the inclusion of a cumulative traffic mitigation impact fee. Therefore, staff recommends the inclusion of the following additional condition of approval on the Special Use Permit (SUP):

Prior to issuance of a building permit, the applicant shall pay to the County of Ventura a traffic impact mitigation fee (TIMF) estimated to be \$27,540.28. This fee may be subject to adjustment at the time of deposit, due to provisions in the TIMF Ordinance allowing the fee to be adjusted for inflation based on the Engineering New Record construction cost index.

The final SUP resolution will be revised to include this additional condition of approval. A copy of the updated resolution will be presented to the Commission at their 20th meeting.

Attachment:

March 10, 2008 comment letter from County Transportation Department

RESOURCE MANAGEMENT AGENCY
county of ventura

Planning Division

Kim Rodriguez
Director

March 10, 2008

City of Oxnard
Planning Division
305 W. Third Street
Oxnard, CA 93030
Attn: Kathleen Mallory

FAX #: (805) 385-7417

Subject: Comments on NOI to adopt MND ~~Rose Ranch Shopping Center~~ *Project A*
sw corner of
Channel Islands/Rose

Recently our Planning Director, Kim Rodriguez, addressed a letter to your attention that included comments from Ventura County agencies in regard to the above project and environmental document. Please accept these late, additional agency comments. We apologize for any inconvenience.

As stated in our previous letter, your proposed responses to these comments should be sent directly to the commenter, with a copy to Kari Finley, Ventura County Planning Division, L#1740, 800 S. Victoria Avenue, Ventura, CA 93009.

If you have any questions regarding these late comments, please contact the appropriate commenter or myself at (805) 654-3327.

Sincerely,


Kari Finley, Senior Planner

G:\Planning Division\Outside Environmental Documents\Response Letters\06-024-01 Late Responses Letter

Attachment

County RMA Reference Number 08-007



**PUBLIC WORKS AGENCY
TRANSPORTATION DEPARTMENT
Traffic, Advance Planning & Permits Division
MEMORANDUM**

*Rec'd
3/10/08
Planning
Division*

DATE: March 7, 2008

TO: Resource Management Agency, Planning Division
Attention: Kari Finley

FROM: Nazir Lalani, Deputy Director

SUBJECT: Review of Document 08-007, Fresh and Easy Grocery/Retail/Church GPA and Zone Change

Notice of Intent to Adopt Mitigated Negative Declaration (MND) No. 07-11. The proposed project involves applications for the following: a General Plan Amendment, Zone Change, Tentative Parcel Map, and two Special Use Permits. GPA proposes to change the land use designation on the southwest corner of Channel Islands Boulevard and Rose Avenue from Residential Low Medium Density to General Commercial. Zone Change proposed to change the zoning from R-2-PD (Multiple Family) to C-2-PD (General Commercial). TPM is proposed to subdivide the project area resulting in three parcels. SUP No. 07-500-14 proposes for construction of a 13,929 SF fresh and easy grocery store (Tesco) with alcohol sales, and approximately 5,630 SF of additional retail building square footage. SUP No. 07-500-19 is for the construction of an approximately 6,000 SF church facility located on the northwest corner of Rose Avenue and Raiders Way (New Progressive Christian Missionary Baptist Church). The GPA, ZC, and TPM will facilitate development of the commercial and church projects. The project site is located on the southwest corner of the intersection of Channel Islands Boulevard and Rose Avenue in the City of Oxnard (city).
Project Applicant: Tom Davies, Churchyard Development, LLC
Lead Agency: **City of Oxnard**
APN 221-0-232-515

Pursuant to your request, the Public Works Agency -- Transportation Department has reviewed the Notice of Intent to Adopt an MND. The proposed project involves applications for the following: a General Plan Amendment, Zone Change, Tentative Parcel Map, and two Special Use Permits. GPA proposes to change the land use designation on the southwest corner of Channel Islands Boulevard and Rose Avenue from Residential Low Medium Density to General Commercial. Zone Change proposed to change the zoning from R-2-PD (Multiple Family) to C-2-PD (General Commercial). TPM is proposed to subdivide the project area resulting in three parcels. SUP No. 07-500-14 proposes for construction of a 13,929 SF fresh and easy grocery store (Tesco) with alcohol sales, and approximately 5,630 SF of additional retail building square footage. SUP No. 07-500-19 is for the construction of an approximately 6,000 SF church facility located on the northwest corner of Rose Avenue and Raiders Way (New Progressive Christian Missionary Baptist Church). The GPA, ZC, and TPM will facilitate development of the commercial and church projects. The project site is located on the southwest corner of the intersection of Channel Islands Boulevard and Rose Avenue in the City of Oxnard.

We offer the following comments:

1. We generally concur with the comments in the Initial Study (IS) and MND for those areas under the purview of the Transportation Department. As provided in the IS (page 39), the proposed project will generate 966 average daily trips (ADT), 27 AM PHT, and 87 PM PHT. The Traffic Study by Alliance JB dated November 7, 2007, Exhibit 3, provides that Tesco and shops generate 921 ADT, and the church generates 46 ADT, for a combined total of 966 ADT.
2. It should be noted that on pages 39 to 40 of the IS provide that Rice Avenue and Channel Islands Boulevard is one of the seven existing intersections selected for analysis. It states that all the analyzed intersections would operate at acceptable LOS (A-C) during the AM peak-hour under existing plus approved/pending development conditions. The Traffic Study further indicates that Rose Avenue/Channel Islands Boulevard intersection will operate at an unacceptable level of service (LOS) during the peak PM hour under the year 2030 conditions. However, the projects would not cause any year 2030 impacts (as identified by a change in the V/C ratio of 0.02 or more at LOS C, D, E, or F).
3. The MND should be revised to include the mitigation measure for the cumulative impact of traffic from this project on Ventura County Road Network. The cumulative impacts of the development of this project, when considered with the cumulative impact of all other approved (or anticipated) development projects in the County, will be potentially significant. To address the cumulative adverse impacts of traffic on the County Regional Road Network, the appropriate TIMF should be paid to the County when development occurs.

Based on the information provided in the IS and the reciprocal agreement between the City of Oxnard and the County of Ventura, **prior to issuance of a Building Permit**, the applicants will be required to pay a TIMF to the County of Ventura. The fee is estimated to be:

$$966\text{ADT} \times \$30.58/\text{ADT} = \$29,540.28$$

The above estimated fee may be subject to adjustment at the time of deposit, due to provisions in the TIMF Ordinance allowing the fee to be adjusted for inflation based on the Engineering News Record construction cost index. The above is an estimate only based on information provided in the IS and MND. If the project cumulative impacts are not mitigated by payment of a TIMF, current General Plan policy will require County opposition to this project.

Our review is limited to the impacts this project may have on the County's Regional Road Network.

Please call me at 654-2080 if you have questions.