

January 18, 2002

City of Oxnard
Planning Dept.
305 West 3rd Street
Oxnard, CA 93030

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**PLANNING DIVISION
CITY OF OXNARD**

Attn: Gary Sugano
Marilyn Miller
Matthew Winegar

Comments of EL RIO/DEL NORTE MUNICIPAL ADVISORY COUNCIL

In re: City of Oxnard Draft Environmental Impact Report
RiverPark Project: RiverPark, LLC

At the January 18, 2002 meeting of the El Rio/Del Norte Municipal Advisory Council (MAC), board members voiced the following comments and concerns:

They concur with the following comments made by the Oxnard City Planning Commission:

The fire station that will be built as a combined City/County station should be expanded to include the combined fire stations plus a substation for the CHP, Sheriff's station and Oxnard Police Department on a 5 acre site. This would allow the facility to be constantly manned to better serve the residents.

MAC-1

The needs of the El Rio residents must be met.

MAC-2

Traffic must be mitigated. It is requested that a Neighborhood Traffic Maintenance Program and the tools necessary to ensure a successful and efficient neighborhood traffic management program be implemented.

MAC-3

Oxnard Blvd. should be extended past RiverPark to end in a four way intersection with Central Avenue. This would mitigate some of the traffic problems caused by adding such a large development to the already existing neighborhoods.

MAC-4

They concur with the comments on the enclosed report entitled "Impacts & Concerns".

MAC-5

The need for additional schools and parks must be addressed.

MAC-6

Further mitigation is needed for both drainage issues and the sewer system.

MAC-7

Based on the attached comments the El Rio/Del Norte Municipal Advisory Council (MAC) on January 18, 2002 made the following motion:

The Final EIR for RiverPark should be submitted to the MAC before being submitted to the Ventura County Board of Supervisors, Oxnard City Council, Ventura County Planning Commission and the Oxnard Planning Commission.

MAC-8

As the area most impacted by this proposed development, we should have a strong voice in ensuring all possible mitigation measures are taken to minimize the negative effects that so many additional residents will have on traffic, schools, parks, drainage and the sewer system.

Sincerely,



FLORENCE YOUNG
Chairwoman, El Rio/Del Norte MAC

Cc: Oxnard City Council
Oxnard Planning Commission
Ventura County Board of Supervisors
Ventura County Planning Commission

El Rio/Del Norte Municipal Advisory Council
Riverpark Project Draft Environmental Impact Report
El Rio, Strictland & Nyeland Acres
January 18, 2002

IMPACTS AND CONCERNS:

- | | | |
|------|---|--------|
| I. | Drainage—Stroube Street, Cortez Street.
Will the project alleviate drainage problems existing on Cortez Street via the Stroube Street Drain? | MAC-9 |
| II. | Ballpark facility: There has been some concern in other areas in Ventura County regarding a proposal for a commercial ballpark. People were concerned that a commercial ballpark would either prohibit or overcharge for public use of a commercial ballpark. The proposal was evidently made by a corporation or commercial entity to build such a facility in South Oxnard near or in College Park, which is near Oxnard College. Another concern was that the commercial ballpark was to be constructed partially or completely with public funds—tax money. | MAC-10 |
| III. | El Rio Road access to Fwy 101 northbound at the Santa Clara River Bridge. At the present time El Rio Drive connects to an on-ramp to the Ventura Freeway of the river bridge. This makes it easy for residents of El Rio to enter the freeway northbound, especially when traffic on the freeway is severely congested. | MAC-11 |
| | UPDATE: pg. 2.0-15: The new Esplanade Plaza is mostly or completely finished at this time. | MAC-12 |
| IV. | Errata: Page 2.0-17 third complete paragraph seventh line “A majority of the El Rio community is presently using individual septic systems for the treatment of sewage, which has ALLEGEDLY resulted in high levels of nitrates in local groundwater.” The word “allegedly” was erroneously omitted from that sentence. | MAC-13 |
| V. | The SCAT bus which serves El Rio, route #15, does not connect with the Railroad Station, where other bus routes connect. Bus #15 goes from the Esplanade to St. Johns Hospital, and returns, and connects to #6 and #4 bus routes which go to the railroad station. #15 travels along Vineyard Avenue which is State Hwy 232. (page 4.2-3). Bus #15 does not run early enough in the morning to connect with Metrolink. This error is on pages 4.1-18; 4.1-36; and 4.7-16; 4.7-17. | MAC-14 |

Line 19—"the RiverPark...is located in an area that is served by a number of mass transit providers. What is that number?"

MAC-15

El Rio Del Norte Municipal Advisory Council

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MAJOR CONCERN:

The majority of residents of El Rio, and presumably including Strictland and Nyeland Acres, are strongly opposed to being annexed by the City of Oxnard, which additionally has grown too large. For this reason, we should seriously consider opposing the annexation of RiverPark area B, since this is in proximity to El Rio and the other communities. Many concerns are raised over the protection of this area from annexation:

MAC-16

1. Oxnard sphere of influence
2. The sewer situation
3. Growth management element of the Oxnard general plan
4. Does LAFCO have any specifications to protect from annexation?
5. We need to know LAFCO section 56377
6. Guidelines for Orderly Development

Questions: How do these factors protect this area from annexation? Do they? If not, Why? And how can they be made to give us this protection?

El Rio/Del Norte Municipal Advisory Council (MAC)**MAC-1**

The City of Oxnard considered a joint police-fire facility during the planning of the project. As described in Section 4.10.3, Police Protection Services, of the Draft EIR, the Oxnard Police Department determined that the most appropriate facility for this new community would be a storefront police station of approximately 1,000 square feet. The Police Department is also recommending that this storefront station be located centrally within the Specific Plan Area in the proposed commercial area. The California Highway Patrol and Ventura County Sheriff already have existing facilities in the area that meet the needs of these agencies.

MAC-2

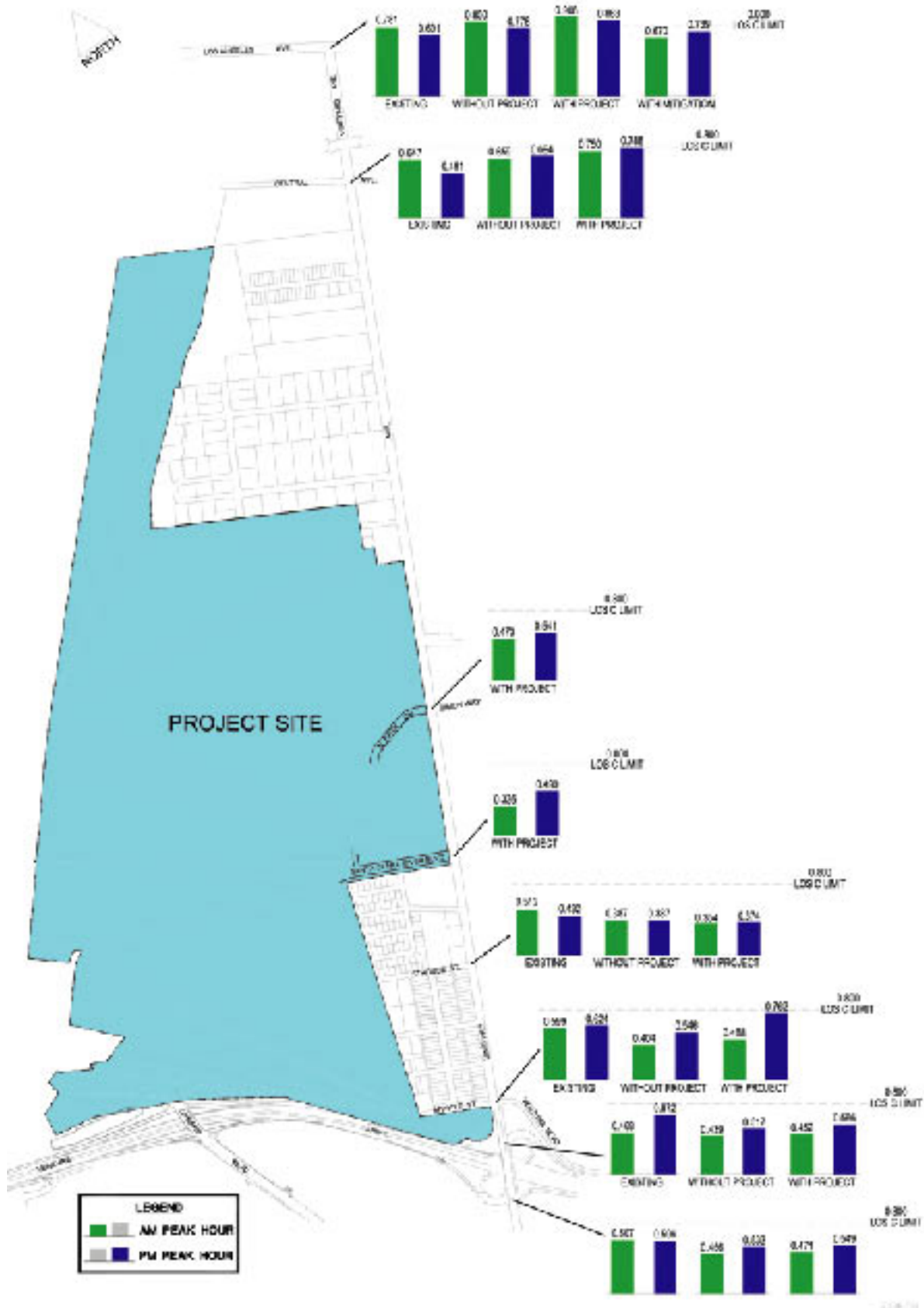
Please see the response to the other comments from the El Rio Mac on specific topics.

MAC-3

The traffic impacts of the project are discussed in section 4.7 of the Draft EIR including a discussion of Neighborhood Traffic Impacts on page 4.7-31. As concluded in that section, the project will not significantly impact local neighborhood streets. The project applicant has, however, voluntarily offered to establish a fund for installation of neighborhood traffic control measures. This fund will contain \$150,000 available for a 5-year period to implement measures jointly agreed upon by the El Rio Community, the County Public Works Agency Transportation Department, and the District 5 Supervisor's office. Measures to be funded and built may include speed humps, added STOP signs, changes to signal timing or phasing, turn restrictions (e.g., peak hour or right-turn-on-red restrictions), chokers, traffic circles, islands or diverters. The specific measures chosen, and their location, will be agreed upon by area residents and the County. It should be noted that the RiverPark Specific Plan will have limited access routes to El Rio. Therefore, no neighborhood traffic intrusion is anticipated from the project with or without this program. However, this neighborhood traffic control program will further assure that significant neighborhood traffic intrusion impacts do not occur.

MAC-4

The extension of Oxnard Boulevard to Central Avenue is not required to maintain an acceptable level of service on Vineyard Avenue or any other streets in the area. **Figure 2-24** (following this page) shows



SOURCE: Crain & Associates.

FIGURE 2-24

Future Traffic Conditions on Vineyard Avenue

the projected traffic conditions with traffic from the project in the year 2020 for the eight signalized intersections along Vineyard Avenue between the Ventura Freeway and Los Angeles Avenue. As shown, all of these intersections will operate at Level of Service C or better.

Improvements are also planned to Vineyard Avenue to improve traffic flow and safety. Presently there is no barrier between off-street parking and on-street traffic at all locations along Vineyard Avenue. In order to minimize the potential for conflicts from drivers failing to yield the right-of-way to oncoming traffic when entering or exiting parking spaces and areas, the existing Vineyard Avenue median island will be extended further to the north as part of the project. This median would be extended to the northerly project roadway opposite Simon Way for aesthetic as well as safety reasons. The location of this proposed extension of existing median island is shown in **Figure 2-25** following this page.

The extension of Oxnard Boulevard north to Central Avenue is also not considered feasible. Any extension of this road to the north would need to travel through the existing Large Woolsey mine pit, which occupies all the area between the Santa Clara River Levee and the existing Beedy Street and Montgomery/Lambert Street industrial areas. This existing mine pit would need to be completely filled to accommodate this road. Sufficient fill material is also not available to fill this entire pit. A water quality treatment basin is planned at the southern end of the Large Woolsey Mine Pit. This basin would accept and clean runoff from the Beedy Street and Montgomery/Lambert industrial areas and the northern portion of the RiverPark residential area. This basin would be impacted by a road extension. In addition, UWCD is planning to use the Large Woolsey Mine Pit for the storage and recharge of water diverted from the Santa Clara River at the Freeman Diversion Structure. Filling this mine pit to accommodate an extension of Oxnard Boulevard further north would eliminate this use. Groundwater quality and quantity impacts would result, therefore, from the filling of the pit to facilitate this road extension.

MAC-5

Please see the responses to the comments in the "Impacts & Concerns" attachments to this letter.

MAC-6

The Draft EIR includes analysis of the need for both schools and parks. The RiverPark Specific Plan includes sites for two new elementary schools and one new middle school for the Rio Elementary School District. These school sites were selected and planned based on extensive consultation with the Rio School District. The Rio School District and the developer of the RiverPark Project intend to provide



SOURCE: Crain & Associates.

FIGURE 2-25

Vineyard Avenue Proposed Widening and Median Islands

two elementary schools and one junior high school within the RiverPark Specific Plan Area with capacity to serve 100% of students generated from RiverPark. Furthermore, current plans are to provide school capacity before occupancy of residential units, to avoid the need to house RiverPark students at existing district schools or temporary portable schools. The initial development benchmarks identified for construction are as follows:

1. Open Elementary School No. 1 simultaneously with occupancy of the first dwelling unit
2. Open Junior High School simultaneously with occupancy of the 1,000th dwelling unit
3. Open Elementary School No. 2 simultaneously with occupancy of the 1,600th dwelling unit.

The impact of the project on K-8 schools is summarized in **Table 16** below. As shown, RiverPark's impact on elementary school facilities is fully mitigated.

Table 16
Project Impact on K-8 Schools

	RiverPark School Capacity	Cumulative RiverPark Students	Available Capacity
Status Quo	0	0	0
Open Elementary School No. 1	530	0	530
Occupancy of up to 1,000 units	530	590	-60
Open Junior High School	1,130	590	540
Occupancy of up to 1,600 units	1,130	944	186
Open Elementary School No. 2	1,660	944	716
Occupancy of up to 2,805 units	1,660	1,654	6

High schools (grades 9-12) are under the jurisdiction of the Oxnard Union High School District. Residential development in RiverPark falls within the existing attendance boundaries of Rio Mesa High School, which means that RiverPark high school students would normally attend Rio Mesa High School. Application of OUHSD's student generation rates estimate that 337 high school students³ will be generated at build-out if all 2,805 dwelling units allowed by the proposed RiverPark Specific Plan are built (1,328 multi-family, 1,014 single family attached, and 463 single family detached). OUHSD recently opened a new high school in the City of Oxnard (Pacific High School) and is considering the potential

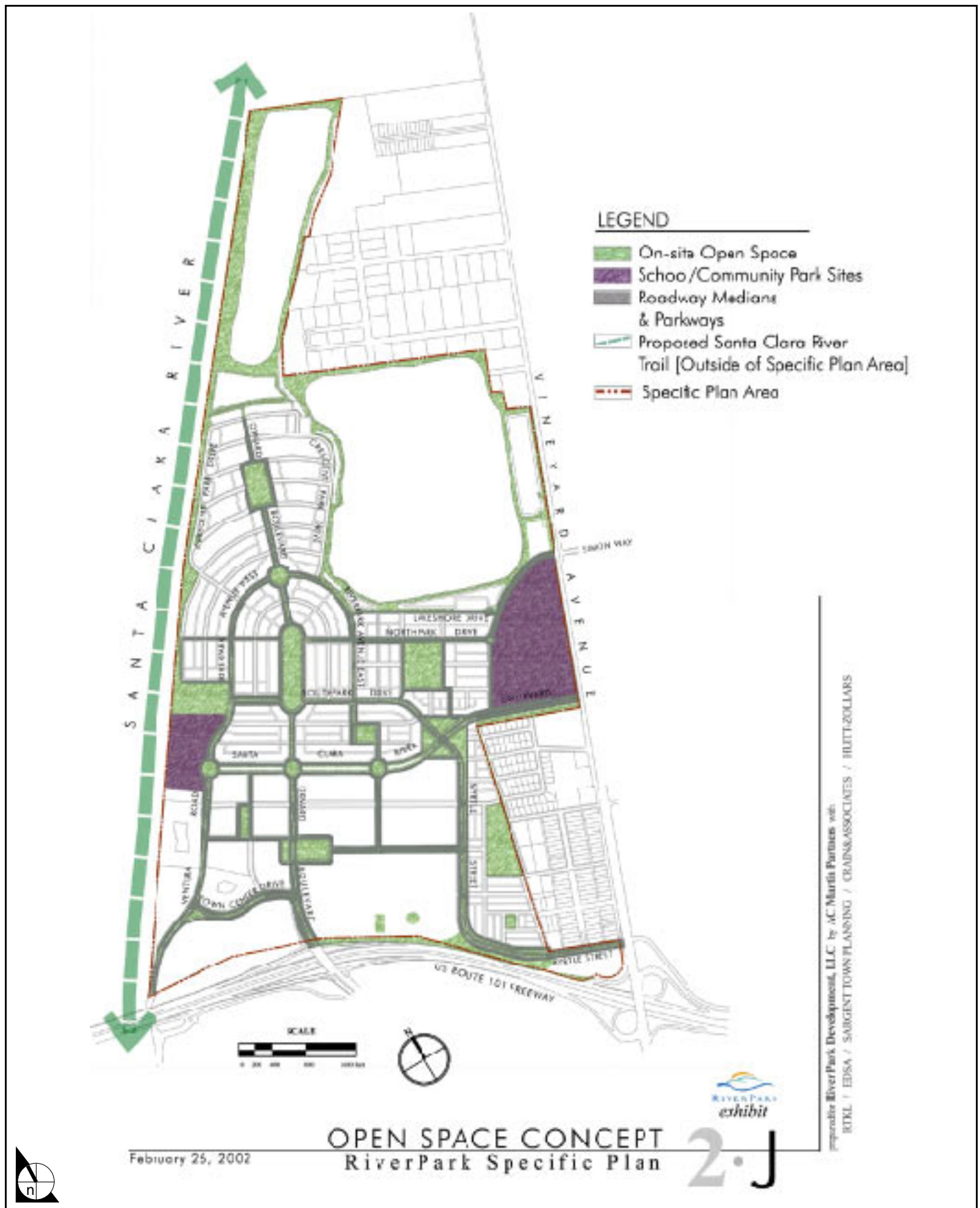
³ Eric Ortega, Assistant Superintendent-Business Services, Oxnard Union High School District and Louis Cunningham, Director of Facilities, Oxnard Union High School District. Communication with NewSchools on February 12, 2002.

need to open additional new high schools if student enrollment grows significantly. Specifically, the District is considering opening new schools in two areas: (i) Ormond Beach in Oxnard, primarily to service the City of Oxnard, including relief of overcrowding and accommodating growth, and (ii) Camarillo High School No. 2, to relieve overcrowding at the existing Camarillo High School and accommodate growth. Cumulative impacts from enrollment growth in the Rio Mesa/Camarillo areas will most likely be accommodated as follows:

- If cumulative growth in enrollment merits the need for an additional high school, Camarillo High School No. 2 will be constructed. Camarillo High School No. 2 would house (i) enrollment growth of 600-800 students, (ii) roughly 700 City of Camarillo students from areas currently within Rio Mesa High School attendance area, and (iii) roughly 500-700 students from areas currently within the existing Camarillo High School attendance area. This would relieve overcrowding at the existing Camarillo High School, provide space for growing enrollments in the Camarillo area, and “free up” space for 700 students at Rio Mesa High School.
- If cumulative growth in enrollment does not merit the need for an additional high school, OUHSD will add capacity to Rio Mesa High School on a long-term basis to serve RiverPark and adjacent areas.
- In both cases, OUHSD will utilize portable facilities to house students at Rio Mesa High School until the decision to construct a new high school is made and construction is completed. OUHSD indicates it has sufficient space to add portable facilities at Rio Mesa High School until a permanent solution is implemented.

OUHSD collects developer impact fees which must be paid by homebuilders in RiverPark. With the collection of impact fees and implementation of the facilities strategy summarized above, the impact of RiverPark on high school facilities is fully mitigated.

The RiverPark Specific Plan includes a variety of park facilities including three neighborhood parks and smaller open spaces adjacent to the planned residential neighborhoods to meet neighborhood park needs, as shown on **Figure 2-26** following this page. The City’s park planning standard, as defined in the General Plan Parks and Recreation Element and discussed in Section 4.10.4, Parks and Recreation, of the Draft EIR, is 1.5 acres of neighborhood park space and 1.5 acres of community park land for each 1,000 residents. Based on this standard, approximately 11 acres of neighborhood park land and 11 acres of community park land is required to meet the needs of the residents of RiverPark. As originally proposed and assessed in the Draft EIR, the RiverPark Specific Plan included 13 acres of neighborhood



SOURCE: Riverpark Specific Plan, February 2002.

FIGURE 2-26

Community Open Space Concept

park land in three neighborhood parks located in the southern, central and northern portions of the Specific Plan Area in residential neighborhoods. These neighborhood parks were distributed throughout the community to ensure that neighborhood park space is within easy walking distance of all residential areas. Access to these parks will be enhanced by the pedestrian and bicycle network planned throughout the community.

Based on review of the Draft Specific Plan by the staff of the Oxnard Parks and Recreation Department, the size of these three neighborhood parks has been increased. The park in Planning District F, located next to the existing El Rio West Neighborhood, has been increased in size to 7.4 acres, the park in Planning District J has been increased in size to 6.1 acres, and the park in Planning District has been increased in size to 6.4 acres. The amount of neighborhood parkland in these three neighborhood parks is 19.9 acres. When the 3.3-acre neighborhood park in Planning District H is added, the total amount of neighborhood park space in these four parks is 23.3 acres. This amount of neighborhood park space is over twice the 11 acres required under the City's park planning standards for the 7,220 residents projected for the project.

With regard to community park land, the Specific Plan also provides community playfields in conjunction with the two school sites that will be available for public use outside of school hours. A minimum of 12 acres of community playfields will be provided on these two school sites, an amount that exceeds the 11 acres required under the City's park planning standards. In addition to these community playfields, the RiverPark Specific Plan provides other park and spaces that do not meet the definition of neighborhood or community park space in the Oxnard 2020 *General Plan* Parks and Recreation Element. These facilities, including a network of trails around the community, will help meet the parks and recreation needs of residents of the area.

MAC-7

The Draft EIR includes extensive analysis of both drainage and sewage conditions and facilities. The Draft EIR includes a complete evaluation of existing and proposed drainage conditions in Section 4.11.1, Stormwater Drainage, of the Draft EIR. The RiverPark Specific Plan includes a storm drain master plan that will provide adequate drainage within the Specific Plan Area and capacity to accept runoff from El Rio. In addition, the project applicant has voluntarily agreed to fund storm drain improvements within El Rio to correct existing drainage problems in this area.

The analysis of sewer service in Section 4.11.3 of the Draft EIR was based on information in the recently updated City of Oxnard Wastewater Collection System Master Plan. As discussed on page 4.11.3-7 of the

Draft EIR, the Wastewater Collection System Master Plan considers flows from El Rio and provides capacity for the El Rio Community to hook up to the City's sewer system. No adverse impacts to sewer facilities will result from the RiverPark Project.

MAC-8

A copy of the Final EIR will be sent to the El Rio MAC.

MAC-9

Please see the response to Comment MAC-7 above. The proposed RiverPark Specific Plan includes a storm drain system that matches the City and County storm drain master plans for the area. In addition, the project applicant has voluntarily agreed to fund storm drain improvements within El Rio to correct existing drainage problems in this area. The Stroube Street drain will be extended and the drainage conditions at Cortez Street will be improved.

MAC-10

The Draft Specific Plan has been revised and a ballpark is no longer proposed as a conditionally allowed use.

MAC-11

Traffic conditions on the U.S. 101 Freeway will be improved as a result of the construction of a new wider bridge across the Santa Clara River and a new interchange with Oxnard Boulevard. Congestion will be reduced as a result of these improvements and the El Rio neighborhood will be connected to the northbound U.S. 101 Freeway through a new interchange at Oxnard Boulevard. The elimination of El Rio Road, therefore, will not result in any decrease in convenience or accessibility to the freeway for residents of El Rio.

MAC-12

Comment noted. The referenced text on page 3.0- 15 is revised to read as follows:

Existing commercial areas are located south of the freeway in the Wagon Wheel, Esplanade, and Financial Plaza Areas. Redevelopment of the 44-acre Esplanade Shopping Center site, located between Oxnard

Boulevard and Vineyard Avenue, was approved by the City of Oxnard in November 2000. ~~Construction is presently underway on a~~ A new 506,000 square foot shopping center was recently built on this site, which was formerly developed with the Esplanade Mall, an enclosed regional shopping center. The new Esplanade Plaza ~~will~~ includes a variety of retail commercial stores, including a home improvement warehouse store and a variety of other retail stores.

MAC-13

The information presented on page 2.0-17 is based on studies conducted by the Los Angeles Regional Water Quality Control Board on water quality in the forebay of the Oxnard Aquifer System. These studies indicate that the existing septic systems are impacting groundwater quality.

MAC-14

The SCAT routes were altered last summer as noted by this comment. The project will provide new facilities for the use of transit vehicles to facilitate additional service in the area by SCAT.

MAC-15

The text referenced in this comment was not found in Section 4.7 Transportation and Circulation of the Draft EIR. Existing public transportation services in Oxnard are described on pages 4.7-16 and 4.7-17 in the Draft EIR. As discussed on these pages public transportation services in Oxnard include the SCAT bus system, Metrolink commuter train service and Amtrak train service.

MAC-16

California State laws govern annexations to the City of Oxnard. El Rio and other communities are in no greater likelihood of being annexed to the City following the annexation of RiverPark Area B than they are at present.

The Cortese-Knox-Hertzberg Act, which governs boundary changes in California, specifies that an “inhabited annexation,” meaning an area with 12 or more registered voters, can be annexed to a city only with the consent of those voters, as provided for in Government Code Section 57075.

Protection of the El Rio community from annexation to the City of Oxnard is found within the State laws governing annexations. No change in statutes or policies is required to provide this procedural safeguard since it exists in State law.

City of Oxnard Sphere of Influence

The City of Oxnard Sphere of Influence as determined by the Local Agency Formation Commission has included El Rio, Nyeland Acres, the Strickland Tract and RiverPark Area 'B' for many years. Annexation of RiverPark Area 'B' will not affect the sphere of influence.

Sewer Service

It is acknowledged that the on-site disposal systems prevalent in the unincorporated El Rio area must be replaced with connections to a sanitary sewer system by 2008 as directed by the State Regional Water Quality Control Board. How this occurs and whether the services will be provided by the City or by other means is unrelated to the RiverPark Project and annexation.

Government Code Section 56377

Government Code Section 56377, directs a LAFCO to consider the policies and priorities of guiding development away from existing prime agricultural lands towards non-prime agricultural lands and developing vacant or non-prime agricultural lands within a city's sphere of influence before allowing proposals to convert such lands outside of the sphere of influence. Since the proposed RiverPark Project is contained entirely within the City's sphere of influence it is consistent with Section 56377.

Guidelines for Orderly Development

The Guidelines for Orderly Development are Ventura County policies that state urban uses should to be located in cities whenever and wherever practical. RiverPark is consistent with the Guidelines for Orderly Development, which has been adopted by the County, LAFCO and all city councils.