



Planning Division

**PLANNING COMMISSION
STAFF REPORT**

TO: Planning Commission
FROM: Juan Martinez, Associate Planner
DATE: March 5, 2009
SUBJECT: Planning and Zoning Permit No. 08-500-11 (Special Use Permit), Special Use Permit, Located at 2600 North Ventura Road, New Life Community Church.

- 1) **Recommendation:** That the Planning Commission approve Planning and Zoning Permit No. 08-500-11 for a special use permit, subject to certain findings and conditions.
- 2) **Project Description and Applicant:** A request to remodel and occupy for a church use 64,000 square feet of an existing 104,700 square foot building (previously Home Depot). The site and building is located on an 11.57-acre parcel located at 2600 North Vineyard Avenue. The proposal includes façade improvements, re-use of a fenced ‘garden center’ and landscape upgrades throughout the site. Filed by Chuck Swankosky with New Life Community Church, 1960 North C Street, Oxnard, CA 93036.
- 3) **Existing & Surrounding Land Uses:** The developed site is located at 2600 North Vineyard Avenue, within the El Rio Neighborhood. It is bounded by developed properties on all sides and it also abuts unincorporated properties to the north and east.

DIRECTION	ZONING	GENERAL PLAN	EXISTING LAND USE
PROJECT SITE	C2-PD	Commercial General	Vacant-Previously Home Depot
North	Unincorporated	School	School-El Rio School District
East	Unincorporated	Residential Rural Low	Unincorporated/Industrial
South	C2-PD/R2-PD	Commercial General	Commercial Warehousing/Residential
West	C2-PD	Commercial General	Commercial

- 4) **Background Information:** Since 2001, New Life Community Church has been leasing and operating their services within a 14,200 square foot tenant space at 1960 North C Street within the Carriage Square shopping center. New Life Community is in escrow to purchase the subject site, which has lied vacant since Home Depot relocated to the Esplanade retail center in 2002.

5) Environmental Determination:

In accordance with Section 15301 of the California Environmental Quality Act (CEQA) Guidelines, projects involving “existing facilities” may be found to be exempt from the requirements of CEQA. The project proposes to reuse a portion of the existing building and infrastructure to accommodate the proposed church use. No new construction is proposed as part of this request. Therefore, staff has determined that there is no substantial evidence that the project may have a significant effect on the environment and recommends that Planning Commission accept the Notice of Exemption (See Attachment C).

6) Analysis:

a) General Discussion: The church use will consist of a 1200-seat sanctuary, office uses and classrooms totaling approximately 10,000 square feet. An existing 4,358 square foot building having roll-up doors (previously used as a tire center) along the north property line will be utilized as a storage building. The classrooms and meeting rooms are limited to congregation members and Sunday school will be an ancillary use primarily used while church services are taking place. The project does not propose and was not analyzed to permit a day-to-day school or day care facility. An on-site bookstore and kitchen/dining area is available to serve its members on their day-to-day operations, but is not intended or permitted to operate as a general public premise. Administrative services are expected to take place from 8:30 to 5:30 pm Monday through Thursday, and from 8:30 am to noon on Fridays. Large assembly gatherings (and ancillary Sunday school and meeting room uses) are only expected to take place on Sunday mornings. Currently, the church is operating three Sunday morning services (8:15am, 9:45am, and 11:30am) and is expecting to reduce services to two Sunday morning services (9:45am and 11:30am) at the new location. A condition of approval is included to clarify the ancillary uses on site.

b) General Plan Consistency: The zoning land use designation of the subject site is General Commercial Planned Development (C2-PD) which is consistent with the underlying General Commercial land use designation. In the C2 zone, church uses may be permitted if the Planning Commission approves the location and site review plans as part of a special use permit (SUP). Therefore, with the approval of the requested SUP, the church use would conform to the City’s 2020 General Plan and the zoning designation for the project site.

c) Conformance with Zoning Development Standards: The following table, lists the applicable development standards for the project.

DEVELOPMENT STANDARD	REQUIREMENT	PROPOSED	COMPLIES ?
Max. building height 16-137	2 stories or 35 feet. Additional stories may be permitted as part of an SUP (16-530—16-553)	Existing: 32-feet. Main entry feature to 42-feet in height proposed	YES w/ Approval of SUP
Front yard setback* 16-139	10 feet from property line; 30 feet from designated thoroughfares (per GP).	Existing: 400 Feet Approximately from Vineyard Avenue. No change proposed.	YES
Side yard setback*	5 feet.	Existing: 60-feet approximately from	YES

DEVELOPMENT STANDARD	REQUIREMENT	PROPOSED	COMPLIES ?
16-140	Zero when abuts another C-2 zoned lot.	abutting residential development. No change proposed.	
Rear yard setback* 16-141	None if =<16 feet in height; 15 feet if >16 feet in height; 10 feet if abuts an alley.	Existing: 62-feet approximately. No change proposed.	YES
Floor Area Ratio	30% max. (per GP)	Bldg 1: 109,059 Bldg 2: $\frac{4,358}{113,417}$ sg (22.5%) existing.	YES
Offstreet parking: Handicapped Motorcycle (16-264) Bicycle (16-623 & 16-637) Loading (16-Carpool/Vanpool (16-633)	Adjust this according to use, per Parking Matrix, Section 16-622 See section 16-650 & 16-651 for decrease in parking standards.	See summary in section e) following.	YES
Parking space sizes & design: <ul style="list-style-type: none"> Standard (16-636 & 16-638) Loading (16-644) Carpool/Vanpool 	<ul style="list-style-type: none"> 9'W x 19'L 12'W x 40'L x 14'H ; alt size with PC or director approval 9'W x 19'L 	Proposal includes restriping of all parking areas to comply with City Code.	YES
Parking area Landscape Req. (16-641): <ul style="list-style-type: none"> Along streets/alleys Along interior PLs (for lots with 20 or more spaces) Parking/vehicle area (16-641) Landscape fingers (16-641) Trees (for lots with 20+) If located adjacent to residential see 16-641 (E) 	<ul style="list-style-type: none"> Min. 10' wide strip. Min. 5' wide perimeter in parking areas. Minimum 5% of area, exclusive of any other required landscaped area abutting a street or alley. 9'W x 20'L - every 10 spaces with 2 trees. Min. 40' O.C. 	58,229 Square Feet (11.55 Percent) Site is developed and all landscaped areas exist however, new landscape material will be installed in accordance to City standard.	YES
Trash enclosures & transformers	To be screened at installation.	An existing enclosure serving the site is located along a rear property line and a condition requires upgrades to bring to City current standards.	YES w/ Condition Compliance
Rooftop equipment	May not protrude above height of parapet.	Parapet condition provided for roof top screening	YES
Fence (16-310)	<ul style="list-style-type: none"> Cannot be located in the FY setback area No chain link in FY 8' max height 	6-foot high perimeter fencing exists. No new fences proposed. A Traffic condition will require an existing fence between the self-storage facility and subject property to be removed.	YES w/ Condition Compliance
Lighting 16-320	Comply with Section 16-320 of the City Code.	Existing lighting conditions will need to meet City Standards. Photometric plan required at plan check review.	YES

- d) Site Design:** The building and on-site improvements were initially designed to accommodate two 'large box' retail centers. In 1986, the site was originally developed to accommodate a Price Club retail center, which is now commonly known as Costco. The site development included the construction of a multi-bay tire service building to operate a tire center, which the church intends to use for storage. In 1989, Home Depot made site changes and added an outdoor garden center along the north side of the building to accommodate their retail needs. The site is an irregularly shaped lot with existing vehicular access onto Vineyard Avenue, Ventura Boulevard, and Financial Square. A narrow portion of the lot serving as a common drive with a three-story self storage facility extends onto Financial Square in between the self-storage facility and the residential condominium development.
- e) Circulation and Parking:** Ingress and egress into the site will be available from Vineyard Avenue, Ventura Boulevard, and Financial Square. The project proposes to refresh and reuse the existing parking lot in its current configuration by repairing, slurry sealing, and restriping all parking areas. Existing parking lot conditions provide for existing landscape finger planter containing mature trees; however, the trees were not well maintained and the landscaping was neglected due to the site's vacant condition. Restriping and landscaping upgrades are expected to give a 'like new' appearance. Parking lot improvements include the restriping of 15 existing compact parking stalls along the furthest north drive aisle. Attempts, to reconfigure this area would affect existing landscape planters having mature trees and adjacent drive aisle conditions.

The parking requirements for Sunday school were analyzed using the City's standard parking requirements for a day care and private elementary schools. The church currently has 1,200 registered congregante members. Approximately 300 children below the fifth grade age group are anticipated to attend church services with their families and participate in the Sunday school care and activity program. A designated loading zone is not required, since children will be arriving with their families rather than being dropped off as would typically occur during a day-to-day school.

OFF-STREET PARKING REQUIREMENTS

USE TYPE	SQUARE FOOTAGE PROPOSED	PARKING STANDARD	PARKING		COMPLIES ?
			PROVIDED	REQUIRED	
Sanctuary	1,200 seats	1 space per every 5 seats	240	240	YES
Office	11,359sf	1 space per 250sf	46	46	YES
Kitchen & Dining	4,202sf	1 space per 75sf	56	56	YES
Bookstore	1,162sf	1spce per 300sf	4	4	YES
Day-Care Pre-School Private Elementary & Junior High School	15,233 300 children, under the fifth grade level with approximately 50 supervising adults	1 per staff, plus one per 5 children or 1 per 10 children if loaded zone 1 per classroom, plus 1 for each fixed seats (auditorium)	87	80	YES
Retail Area-Future	37,400sf	1space per 300sf	125	125	YES
BUILDING NO. 2	4,358sf	1/1000sf for 1 st 20k	5	5	YES

OFF-STREET PARKING REQUIREMENTS

USE TYPE	SQUARE FOOTAGE PROPOSED	PARKING STANDARD	PARKING		COMPLIES ?
			PROVIDED	REQUIRED	
Warehousing		1/2000 for 2 nd 20k 1/4000 for excess 40k			
		Total:	563	556	

Regular Stalls: 527 Stalls
 Compact Stalls: 15 Stalls
 Motorcycle Stalls: 9 Stalls
HC (Van) Accessible: 12 Stalls
 Total Parking Stalls: 563 Stalls

However, some commercial businesses such as restaurants require a higher number of parking spaces. To avoid parking impacts, the Traffic Division has provided a project condition indicating that future commercial tenants may require the need for a shared parking analysis to evaluate and assess parking demand needs of any commercial business requiring more than four parking spaces per thousand.

In addition, the church is currently working with the City to establish a 'Park and Ride' commuter parking facility to serve the regional commuter bus service. The site is conveniently located near the 101 Freeway and may accommodate a needed commuter parking lot of approximately 50 parking stalls to serve the Ventura Intercity Service Transfer Authority (VISTA).

- f) **Building Design:** Proposed façade improvements will upgrade the primary elevation facing Vineyard Avenue and provides additional enhancements to the south and north elevations. The entry structure would be raised to 42-feet in height, and be designed with a pitched roof and trellis elements to enhance the pedestrian experience. A smaller tower will balance and add definition to the southwest corner of the building and the parapet system will visually connect the two towers with a new cornice and decorative accents complimented with wrought iron. These accents would carry onto the north and south elevations. The colonnade structure will be redesigned with a lowered roof pitch and the inclusion of mission-style roof tiles to match that on the new tower features. The colonnade is arched from column to column and this effect is continued architecturally to both towers by introducing decorative wall features placed between the colonnade structure and tower at the southwest corner. Finally, a fresh palate of complimenting paint colors will give the dilapidated building a fresh new appearance on all sides.
- g) **Signs:** The modified main entrance will accommodate a wall sign for the church and the commercial tenant space is provided with an opportunity for signage over its front entry. Signage for the property will be subject to the City Code standards. Signage will not be permitted on or over any roof element such as over the colonnade.
- h) **Landscaping and Open Space:** Perimeter landscape planters border all adjoining properties, however landscaping upgrades are proposed to recondition planting material with current low water use landscaping and new landscape material throughout. Most planter

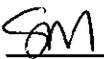
boxes throughout the site have mature trees; however, some trees are not in good health and will be replaced with new trees. In one or two instances, planter boxes will be filled in with concrete and proposed project conditions require planter boxes to be returned to City standards by reintroducing trees and necessary landscaping material with groundcover.

- 7) Development Advisory Committee:** The Development Advisory Committee (DAC) reviewed this project on December 10, 2008. Recommendations of the DAC are included in the attached resolution.
- 8) Community Workshop:** On January 14, 2009, the applicant mailed notices of the Community Workshop meeting to all property owners within the El Rio West and Vineyard Gardens Neighborhoods. The applicant also posted such notice on the project site with a brief description of the project and contact information. The Community Workshop was conducted on January 26, 2009. Approximately 55 persons attended the meeting, however most persons were there to participate in other project presentations and after the applicant presented the project nobody had any questions. Two persons did indicate they were glad to see the property redeveloped and used after seeing it vacant for such a long time.
- 9) Appeal Procedure:** In accordance with Section 16-545 of the City Code, the Planning Commission's action may be appealed to the City Council within 18 days after the decision date. Appeal forms may be obtained from the City Clerk and must be submitted with the appropriate fees before the end of the appeal period.

Attachments:

- A. Maps (Vicinity, General Plan, Zoning)
- B. Reduced Project Plans
- C. Notice of Exemption
- D. Resolution

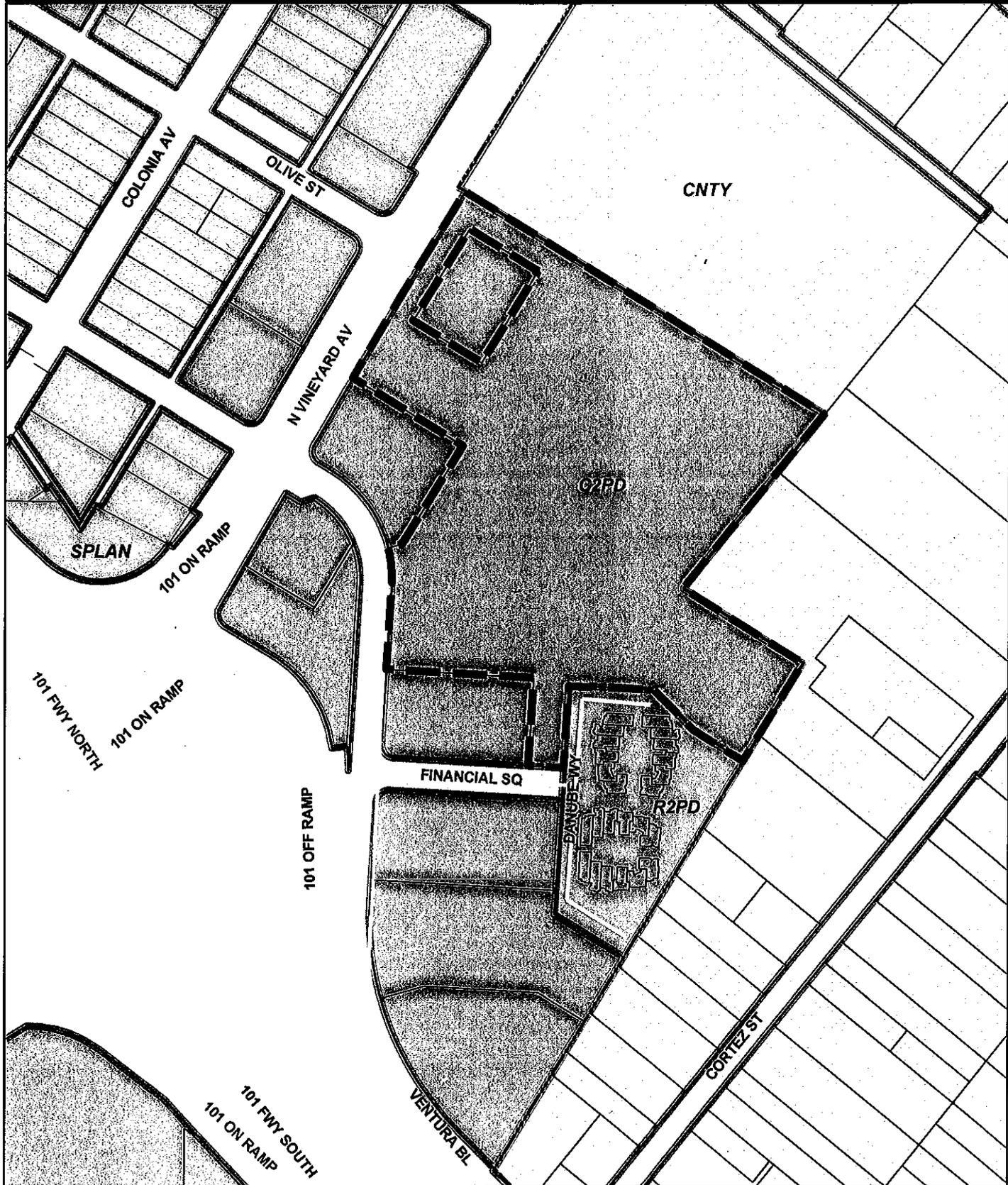
Prepared by: 
JM

Approved by: 
SM

**ATTACHMENT
A**

**MAPS
(VICINITY, ZONING, GENERAL PLAN MAP)**

Zone Map



PZ 08-500-11
Location: 2600 Vineyard Av
APN: 145023217
New Life Community Church

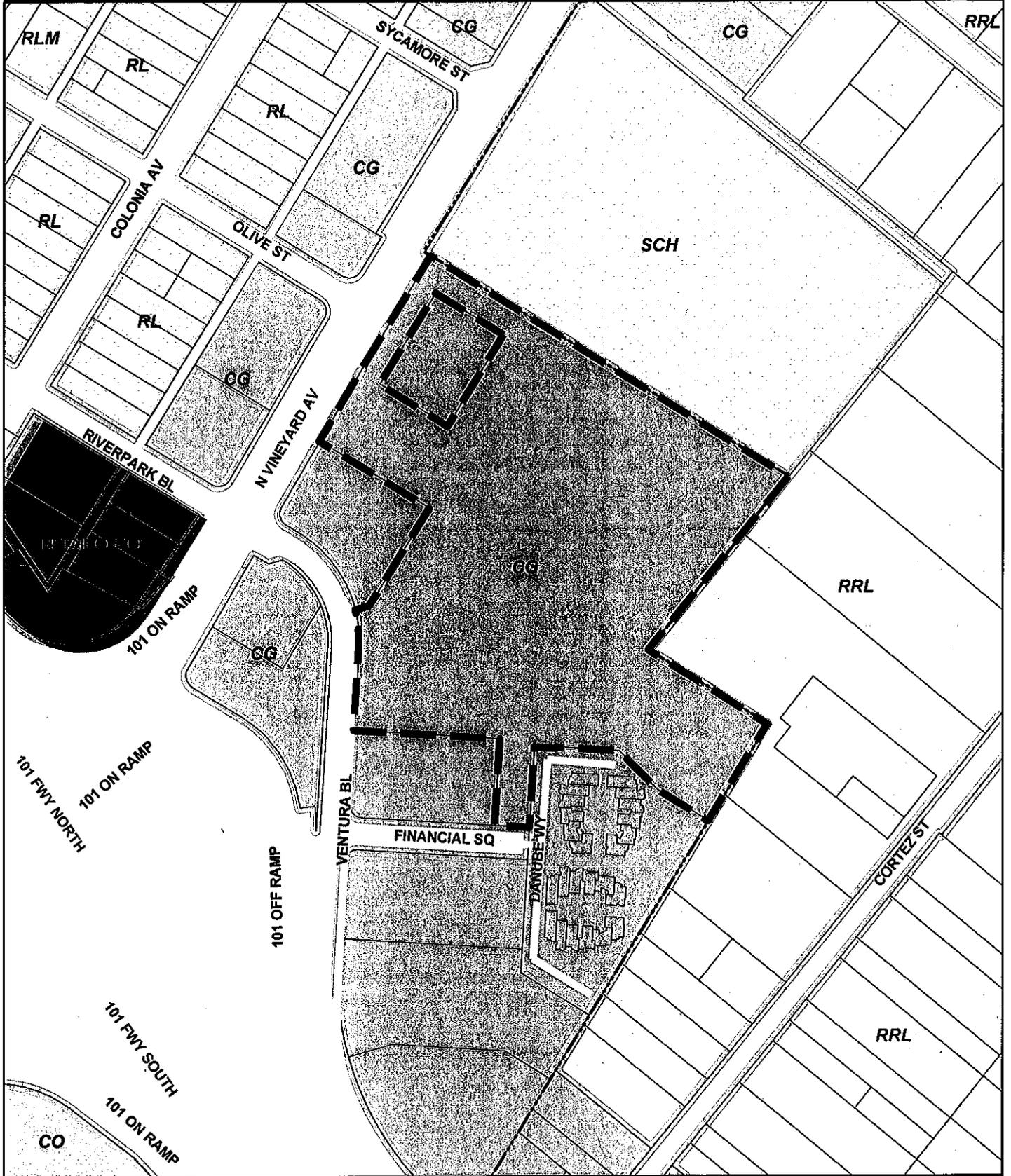
0 50 100 200 300 400 Feet

Zone Map



1:2,890

General Plan Map



Oxnard Planning
December 15, 2008

PZ 08-500-11
Location: 2600 Vineyard Av
APN: 145023217
New Life Community Church



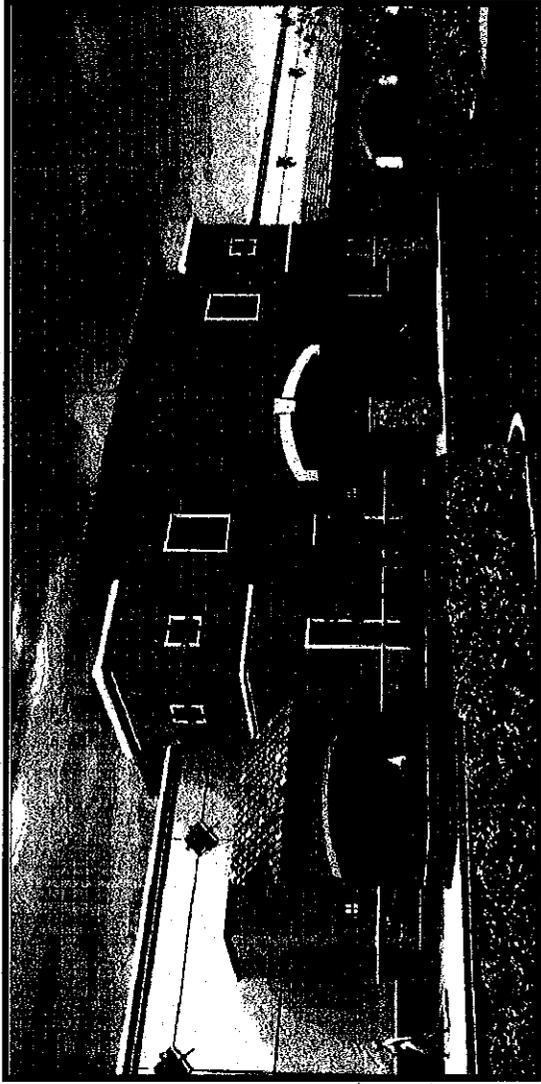
General Plan Map



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**ATTACHMENT
B**

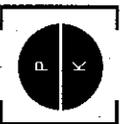
REDUCED PROJECT PLANS



NEW LIFE COMMUNITY CHURCH

EXTERIOR RENOVATION

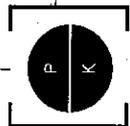
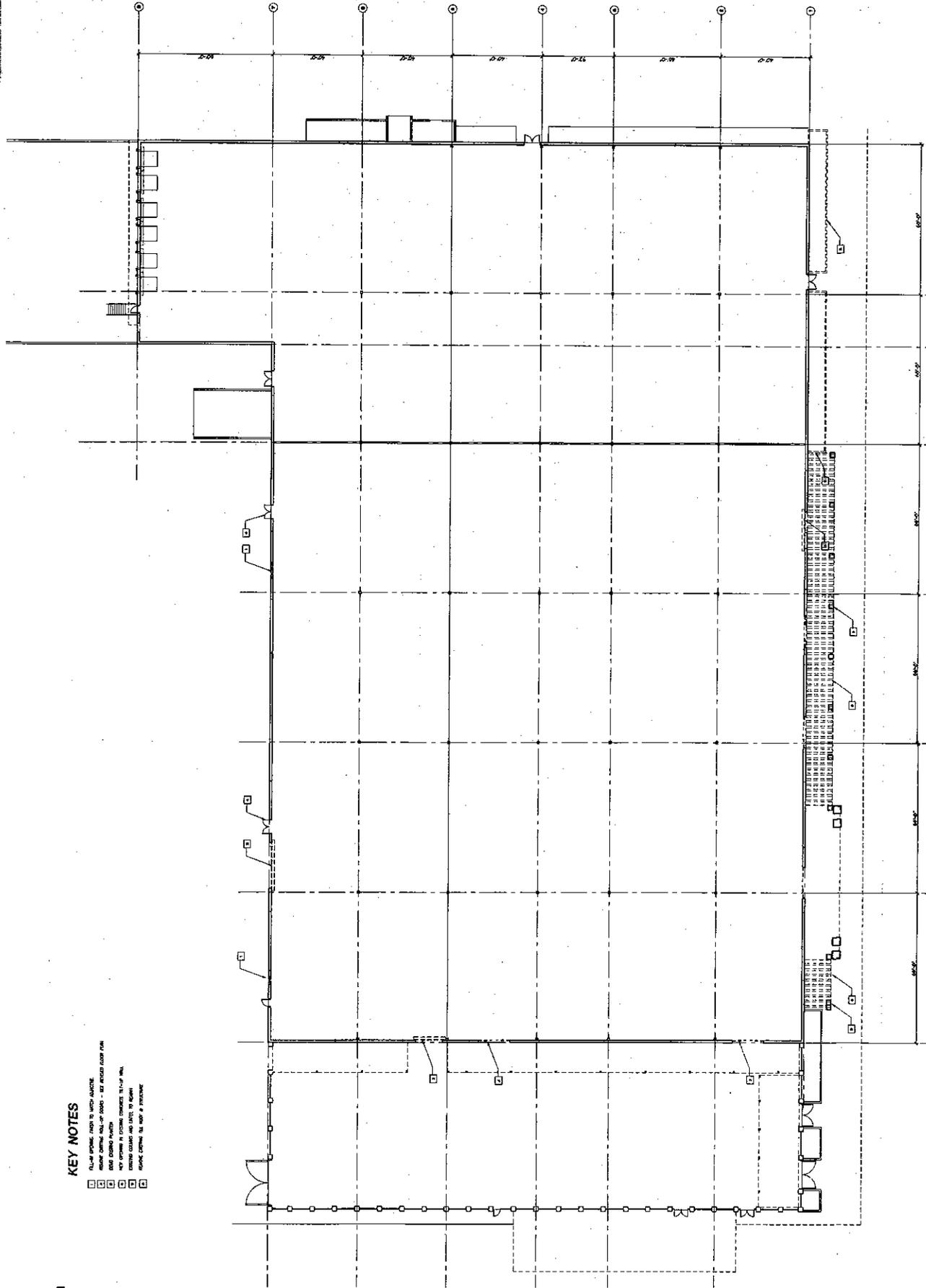
2600 E VINEYARD AVE. OXNARD, CALIFORNIA 93036



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Oxnard, California 93036
(805) 461-2100 | FAX 805 461-2107

KEY NOTES

- FLOOR FINISH - REFER TO ARCHITECTURE
- CEILING FINISH - REFER TO ARCHITECTURE
- WALL FINISH - REFER TO ARCHITECTURE
- DOOR FINISH - REFER TO ARCHITECTURE
- WINDOW FINISH - REFER TO ARCHITECTURE
- FINISH - REFER TO ARCHITECTURE



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 Westminster, CA 92683
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d e m o p l a n

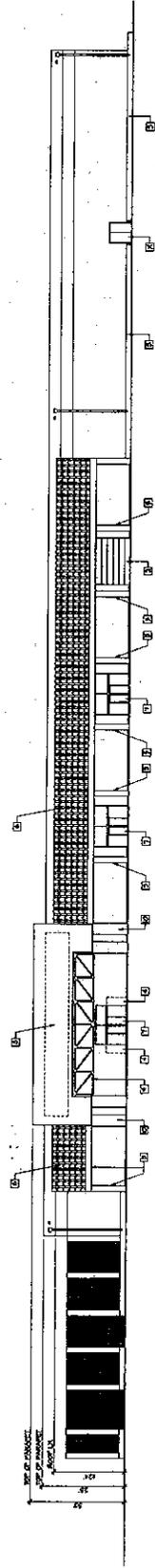
SCALE: 1/16" = 1'-0"

NEW LIFE COMMUNITY CHURCH
 2800 E. VINEYARD AVENUE
 OXNARD, CA 93038

02-02-00 PD-2

KEY NOTES

- 1 CONCRETE SILL, SUPPORTS A OPERATOR TO FINISH
- 2 INSULATED CONCRETE FULL-UP DOORS - SEE FINISH DOOR PLAN
- 3 CONCRETE FINISH
- 4 FINISH FLOOR OF EXISTING GARAGE IN EXISTING CONCRETE
- 5 CONCRETE CURBING AND UTILITY TO EXIST
- 6 EXISTING CONCRETE TIE-BACK TO STRUCTURE
- 7 EXISTING CONCRETE STRUCTURE TO BE REINFORCED WITH NEW STRUCTURE SEE FINISH PLAN
- 8 FINISH EXISTING "TONGUE AND GROOVE" FINISH
- 9 FINISH EXISTING WOOD FLOOR AT MAIN ENTRANCE
- 10 FINISH EXISTING WOOD FLOOR AT COLUMN TO ALONG WITH MAIN FLOOR (SEE FINISH PLAN)

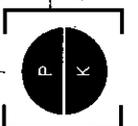


WEST DEMO ELEVATION
SCALE: 1/8"=1'-0"

NEW LIFE COMMUNITY CHURCH
2800 E. VINEYARD AVENUE OXNARD, CA 93038

02-02-08 PD-2.1

POLLOUM KELLOGG DESIGN GROUP
ARCHITECTURAL PLANNING / INTERIOR DESIGN
6400 Canyon Avenue, Suite 210
P.O. Box 315 93038-0315 OXNARD, CA

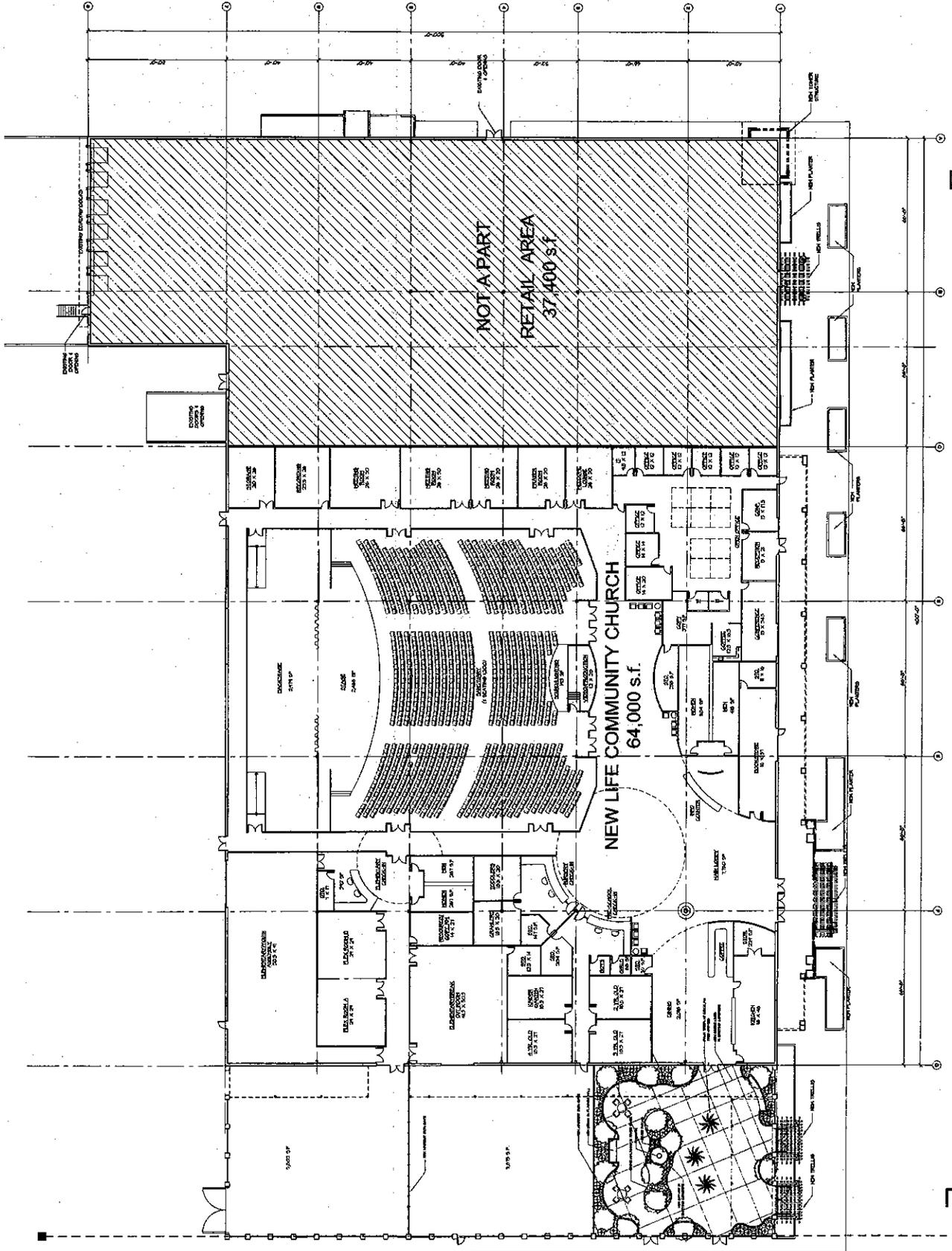


MEASUREMENTS - EXISTING IMPROVEMENTS

DESCRIPTION	AREA	COMMENTS
EXISTING CHURCH	64,000	EXISTING CHURCH
EXISTING RETAIL AREA	37,400	EXISTING RETAIL AREA
EXISTING OFFICE	1,000	EXISTING OFFICE
EXISTING STORAGE	1,000	EXISTING STORAGE
EXISTING MECHANICAL	1,000	EXISTING MECHANICAL
EXISTING ELECTRICAL	1,000	EXISTING ELECTRICAL
EXISTING PLUMBING	1,000	EXISTING PLUMBING
EXISTING HVAC	1,000	EXISTING HVAC
EXISTING ROOFING	1,000	EXISTING ROOFING
EXISTING PAINTING	1,000	EXISTING PAINTING
EXISTING LANDSCAPING	1,000	EXISTING LANDSCAPING
EXISTING TOTAL	100,000	EXISTING TOTAL

MEASUREMENTS - PROPOSED IMPROVEMENTS

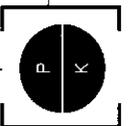
DESCRIPTION	AREA	COMMENTS
PROPOSED CHURCH	64,000	PROPOSED CHURCH
PROPOSED RETAIL AREA	37,400	PROPOSED RETAIL AREA
PROPOSED OFFICE	1,000	PROPOSED OFFICE
PROPOSED STORAGE	1,000	PROPOSED STORAGE
PROPOSED MECHANICAL	1,000	PROPOSED MECHANICAL
PROPOSED ELECTRICAL	1,000	PROPOSED ELECTRICAL
PROPOSED PLUMBING	1,000	PROPOSED PLUMBING
PROPOSED HVAC	1,000	PROPOSED HVAC
PROPOSED ROOFING	1,000	PROPOSED ROOFING
PROPOSED PAINTING	1,000	PROPOSED PAINTING
PROPOSED LANDSCAPING	1,000	PROPOSED LANDSCAPING
PROPOSED TOTAL	100,000	PROPOSED TOTAL



NEW LIFE COMMUNITY CHURCH
 2800 E. VINEYARD AVENUE
 OXNARD, CA 93038

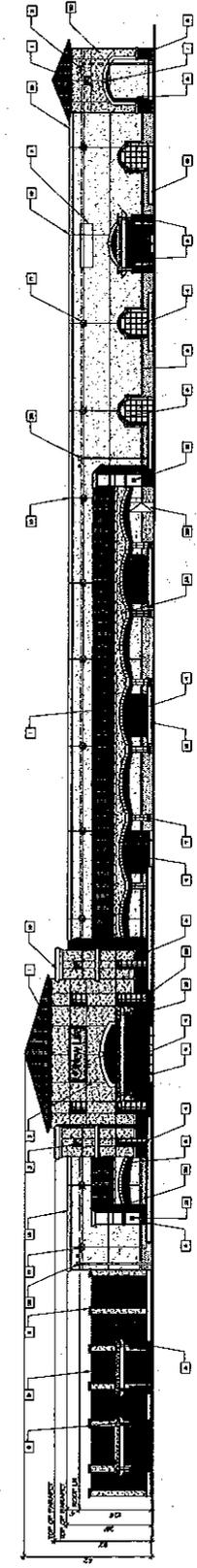
PROPOSED floorplan - bldg. 1
 SCALE: 1/8" = 1'-0"

POLYBUN KELLOOG DESIGN GROUP
 Architectural Planning / Interior Design
 2800 E. Vineyard Avenue, Suite 210
 PO Box 313 Oxnard, CA 93038

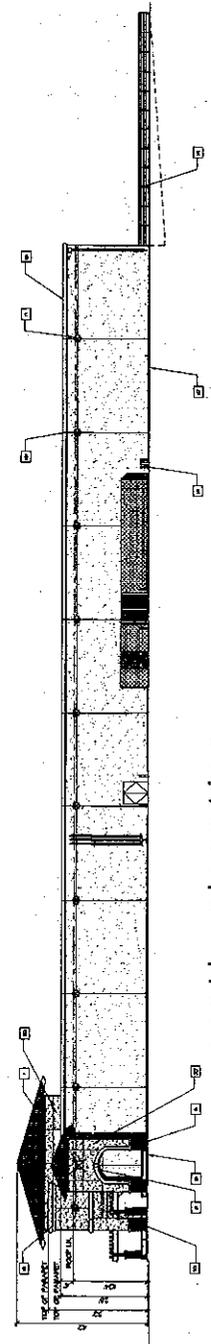


KEY NOTES

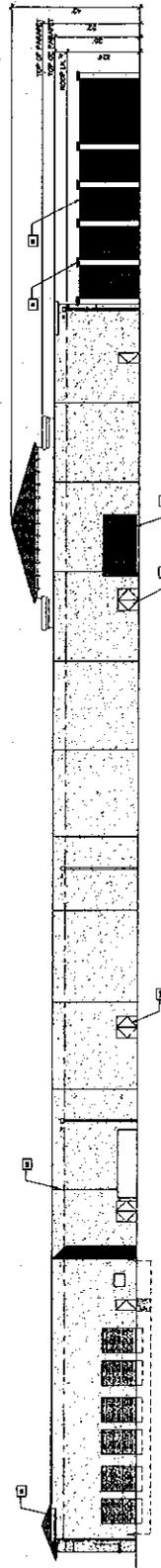
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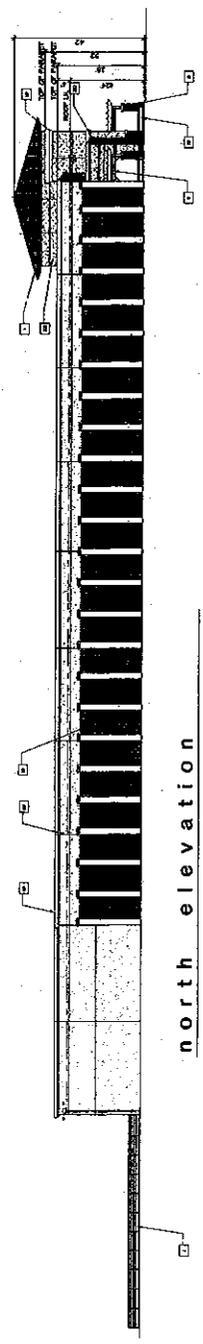
west elevation
SCALE: 1/16"=1'-0"



south elevation
SCALE: 1/16"=1'-0"



east elevation
SCALE: 1/16"=1'-0"

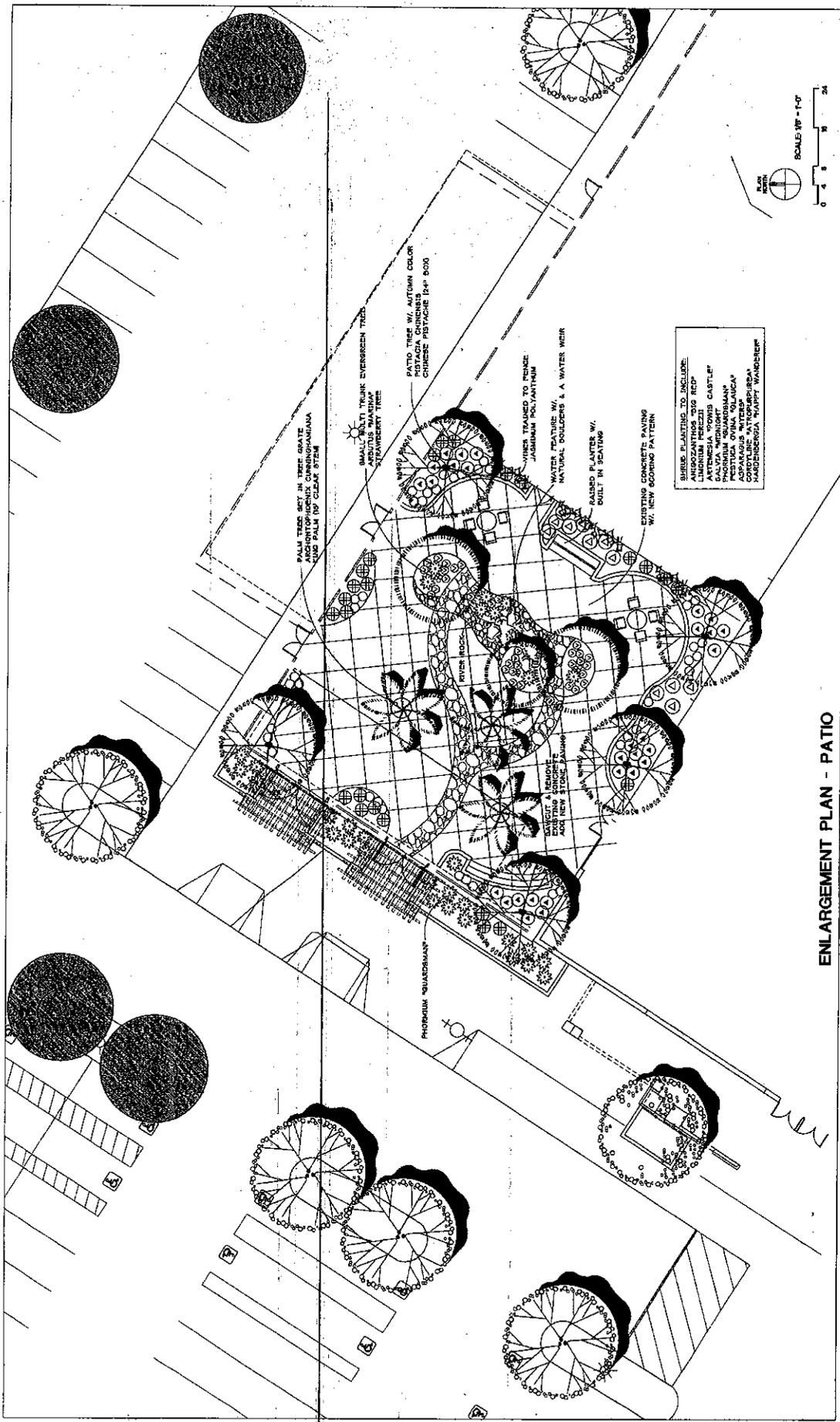


north elevation
SCALE: 1/16"=1'-0"



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NEW LIFE COMMUNITY CHURCH
2800 E. VINEYARD AVENUE
OXNARD, CA 93036
02-02-00 PD-4



ENLARGEMENT PLAN - PATIO

Wynn Landscape Architects, Inc.

Professional Seal
 License No. 1000000000
 State of California



POLIBUIN KELLOGG DESIGN GROUP
 ARCHITECTURE PLANNING INTERIOR DESIGN
 4440 Orange Avenue, Suite 375
 Westminster, CA 92683
 (916) 835-5815 (F) (916) 315-6877

NEW LIFE COMMUNITY CHURCH
 2800 E VINEYARD AVE
 OXNARD, CA 93038
 PRELIMINARY LANDSCAPE PLAN 1-22-99 PL-3



**ATTACHMENT
C**

NOTICE OF EXEMPTION



NOTICE OF EXEMPTION

Project Description:

PLANNING AND ZONING PERMIT NO. 08-500-11 (Special Use Permit), a request to remodel and occupy for a church use 64,000 square feet of an existing 104,700 square foot building (previously Home Depot). The building is on an 11.57-acre parcel located at 2600 North Vineyard Avenue. The proposal includes facade improvements, re-use of a fenced 'Garden Center' and landscape upgrades throughout the site. The proposed project is exempt from environmental review under Section 15301 of the CEQA Guidelines for Existing Facilities. Filed by Chuck Swankosky, New Life Community Church, 1960 North C Street, Oxnard, CA 93036.

Finding:

The Planning Division of the Development Services Department of the City of Oxnard has reviewed the above proposed project and found it to be exempt from the provisions of the California Environmental Quality Act (CEQA).

- Ministerial Project
- Categorical Exemption
- Statutory Exemption
- Emergency Project
- Quick Disapproval [CEQA Guidelines, 14 Cal. Code of Regs. 15270]
- No Possibility of Significant Effect [CEQA Guidelines, 14 Cal. Code of Regs. 15061(b)(3)]

Supporting Reasons: In accordance with the California Environmental Quality Act Guidelines and Section No. 15301 of the California Code of Regulations, projects involving existing buildings may be found to be exempt from the requirements of CEQA. The proposed project proposes to remodel and reused an existing building that has lied vacant since 2002. Therefore, staff has determined that there is no substantial evidence that the project may have a significant effect on the environment.

(Date)

Susan L. Martin, AICP
Planning Division Manager

**ATTACHMENT
D**

RESOLUTION

RESOLUTION NO. 2009 – _____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD APPROVING PLANNING AND ZONING PERMIT NO. 08-500-11 (SPECIAL USE PERMIT), TO ALLOW A CHURCH TO OCCUPY AND OPERATE WITHIN A 64,000 SQUARE FOOT OF AN EXISTING 104,700 SQUARE FOOT BUILDING (PREVIOUSLY HOME DEPOT. FILED BY CHUCK SWANKOSKY WITH NEW LIFE COMMUNITY CHURCH, 1960 NORTH C STREET, OXNARD, CA 93036.

WHEREAS, the Planning Commission of the City of Oxnard has considered an application for Planning and Zoning Permit No. 08-500-11, filed by Chuck Swankosky with New Life Community Church in accordance with Section 16-530 through 16-553 of the Oxnard City Code; and

WHEREAS, Section 15301 of Title 14 of the California Code of Regulations exempts the project from the requirements for the preparation of documents imposed by the California Environmental Quality Act; and

WHEREAS, the Planning Commission finds, after due study, deliberation and public hearing, that the following circumstances exist:

1. That the proposed use is in conformance with the General Plan and other adopted policies of the City of Oxnard.
2. That the proposed use will not adversely affect or be materially detrimental to the adjacent uses, buildings or structures or to the public health, safety or general welfare.
3. That the site for the proposed project is adequate in size and shape to accommodate the setbacks, parking, landscaping, and other City standards except as may be specifically excepted by the special findings and conditions of this resolution.
4. That the site for the proposed use will be served by streets and highways adequate in width and structure to carry the kind and quantity of traffic such use will generate.
5. That the site for the proposed use will be provided with adequate sewerage, water, fire protection and storm drainage facilities.

WHEREAS, the Planning Commission finds that the applicant agrees with the necessity of and accepts all elements, requirements, and conditions of this resolution as being a reasonable manner of preserving, protecting, providing for, and fostering the health, safety, and welfare of the citizenry in general and the persons who work, visit or live in this development in particular.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Oxnard hereby approves this permit subject to the following conditions. The decision of the Planning Commission is final unless appealed in accordance with the provisions of Section 16-545 of the Oxnard City Code.

Note:

The abbreviations below identify the City department or division responsible for determining compliance with these standard conditions. The first department or division listed has responsibility for compliance at plan check, the second during inspection and the third at final inspection, prior to issuance of a certificate of occupancy, or at a later date, as specified in the condition. If more than one department or division is listed, the first will check the plans or inspect the project before the second confirms compliance with the condition. The italicized code at the end of each condition provides internal information on the source of each condition: Some are standard permit conditions (e.g. *G-1*) while some are taken from environmental documents (e.g. *MND-S2*).

DEPARTMENTS AND DIVISIONS			
CA	City Attorney	PL	Planning Division
DS	Dev Services/Eng Dev/Inspectors	TR	Traffic Division
PD	Police Department	B	Building Plan Checker
SC	Source Control	FD	Fire Department
PK	Public Works, Landscape Design	CE	Code Compliance

GENERAL PROJECT CONDITIONS

1. This permit is granted for the property described in the application on file with the Planning Division, and may not be transferred from one property to another. (PL, *G-1*).
2. This permit is granted for the plans dated March 5, 2009, (“the plans”) on file with the Planning Division. The project shall conform to the plans, except as otherwise specified in these conditions, or unless a minor modification to the plans is approved by the Planning and Environmental Services Manager (“Planning Manager”) or a major modification to the plans is approved by the Planning Commission. A minor modification may be granted for minimal changes or increases in the extent of use or size of structures or of the design, materials or colors of structures or masonry walls. A major modification shall be required for substantial changes or increases in such items. (PL, *G-2*)
3. This permit shall automatically become null and void 24 months from the date of its issuance, unless Developer has diligently developed the proposed project, as shown by the issuance of a grading, foundation, or building permit and the construction of substantial improvements, or the beginning of the proposed use. (PL, *G-3*)
4. All required off-site and on-site improvements for the project, including structures, paving, and landscaping, shall be completed prior to occupancy unless the Development Services Manager allows Developer to provide security or an executed agreement approved by the City Attorney to ensure completion of such improvements. (DS, *G-4*)
5. By commencing any activity related to the project or using any structure authorized by this permit, Developer accepts all of the conditions and obligations imposed by this permit and waives any challenge to the validity of the conditions and obligations stated therein. (CA, *G-5*)
6. Developer agrees, as a condition of adoption of this resolution, at Developer’s own expense, to indemnify, defend and hold harmless the 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 the resolution or any condition attached thereto or any proceedings, acts or determinations taken, done or

made prior to the approval of such resolution that were part of the approval process. Developer's commencement of construction or operations pursuant to the resolution shall be deemed to be an acceptance of all conditions thereof. (CA, G-6)

7. Any covenants, conditions, and restrictions (CC&Rs) applicable to the project property shall be consistent with the terms of this permit and the City Code. If there is a conflict between the CC&Rs and the City Code or this permit, the City Code or this permit shall prevail. (CA, G-7)
8. Developer shall complete the "Notice of Land Use Restrictions and Conditions" form, using the form provided by the City, for recording with the Ventura County Recorder. Before the City issues building permits, Developer shall submit the original completed, signed and notarized document, together with the required fees to the Planning Manager. (PL, G-8)
9. Developer shall provide off-street parking for the project, including the number of spaces, stall size, paving, striping, location, and access, as required by the City Code. (PL/B, G-9)
10. Before placing or constructing any signs on the project property, Developer shall obtain a sign permit from the City. Except as provided in the sign permit, Developer may not change any signs on the project property. (PL/B, G-10)
11. Developer shall obtain a building permit for any new construction or modifications to structures, including interior modifications, authorized by this permit. (B, G-11)
12. Developer shall not permit any combustible refuse or other flammable materials to be burned on the project property. (FD, G-12)
13. Developer shall not permit any materials classified as flammable, combustible, radioactive, carcinogenic or otherwise potentially hazardous to human health to be handled, stored or used on the project property, except as provided in a permit issued by the Fire Chief. (FD, G-13)
14. If Developer, owner or tenant fails to comply with any of the conditions of this permit, the Developer, owner or tenant shall be subject to a civil fine pursuant to the City Code. (CA, G-14)
15. Prior to issuance of building permits, Developer shall correct all violations of the City Code existing on the project property. (PL, G-15).

LANDSCAPE STANDARD CONDITIONS

16. Before submitting landscape and irrigation plans, Developer shall obtain approval of the Parks and Facilities Superintendent or designee ("Superintendent") of a plan showing on the project property all existing trees and identifying the trees to be saved, transplanted or removed. (PK, PK-1)
17. Before the City issues building permits or the proposed use is initiated, Developer shall submit two copies of landscape and irrigation plans, along with the appropriate permit application and fees, to the Development Services Division and obtain approval of such plans. (PK/DS, PK-2)

18. Before the City issues a certificate of occupancy, Developer shall install landscape and automatic irrigation systems that have been approved by Parks and Facilities Superintendent. (PK, PK-3)
19. Developer shall maintain landscape planting and all irrigation systems as required by the City Code and as specified by this permit. Failure of Developer to do so will result in the revocation of this permit and initiation of legal proceedings against Developer. (PK, PK-4)
20. Before the City issues a certificate of occupancy, Developer shall provide a watering schedule to the building owner or manager and to the Parks and Facilities Superintendent. The irrigation system shall include automatic rain shut-off devices, or instructions on how to override the irrigation system during rainy periods. (PK, PK-5)
21. All trees planted or placed on the project property by Developer shall be at least 24-inch-box size. All shrubs and vines shall be at least five-gallon size, except as otherwise specified by this permit. (PK, PK-6)

LANDSCAPE SPECIAL CONDITIONS

22. Developer's Landscape Architect or Architect shall provide the City with written confirmation that they have reviewed the civil engineering construction drawings and that the NPDES requirements are not in conflict with meeting the City's landscape requirements. (PK)
23. The 36" box size street trees designated along Vineyard Ave shall be planted behind the sidewalk in the landscape area and not in sidewalk cutouts. (PK)
24. Missing perimeter trees (24" box size at 40' on center spacing) need to be provided along the perimeter property line planters, primarily near the rear of the project. (PK)
25. The lawn proposed along portions of Vineyard Ave shall not exceed 40% of the available landscape frontage. (PK)
26. Developer shall remove the existing concrete from within a parking lot landscape finger planter. (Finger planter is located on the drive aisle and near the front of the main building). Concrete shall be replaced by tree, shrubs and ground covers. (PK)
27. At time of plan check review, Developer shall provide a cross-section drawing, on the landscape plans, through the Vineyard Ave landscape frontage. The cross-section shall clearly show the relationship of the sidewalk to the proposed trees, 36" high shrub screen, groundcovers and bioswale (if one is provided). (PK)

FIRE DEPARTMENT STANDARD CONDITIONS

28. Developer shall construct all vehicle access driveways on the project property to be at least 26 feet wide. Developer shall mark curbs adjacent to designated fire lanes in parking lots to prohibit

stopping and parking in the fire lanes. Developer shall mark all designated fire lanes in accordance with the California Vehicle Code. (FD/B, *F-1*)

29. All roof covering materials on the project property shall be of non-combustible or fire retardant materials approved by the Fire Chief and in compliance with the City Code. (FD, *F-2*)
30. Before the City issues building permits, Developer shall obtain the Fire Chief's approval of a plan to ensure fire equipment access and the availability of water for fire combat operations to all areas of the project property. The Fire Chief shall determine whether or not the plan provides adequate fire protection. (FD/DS, *F-3*)
31. All structures on the project property shall conform to the minimum standards prescribed in Title 19 of the California Code of Regulations. (FD, *F-5*)
32. The project shall meet the minimum requirements of the "Fire Protection Planning Guide" published by the Fire Department. (FD, *F-6*)
33. At all times during construction, developer shall maintain paved surfaces capable of handling loads of 46,000 pounds which will provide access for fire fighting apparatus to all parts of the project property. (FD/DS, *F-7*)
34. Developer shall identify all hydrants, standpipes and other fire protection equipment on the project property as required by the Fire Chief. (FD, *F-8*)
35. Developer shall install security devices and measures, including walkway and vehicle control gates, entrance telephones, intercoms and similar features, subject to approval of the Police Chief and the Fire Chief. Vehicle control gates shall be operable by City approved radio equipment. (FD/DP, *F-9*)
36. Developer shall provide central station monitoring of the fire sprinkler system and all control valves. (FD, *F-10*)
37. The turning radius of all project property driveways and turnaround areas used for emergency access shall be a minimum of 48 feet outside diameter for a semi-trailer. (FD, *F-11*)
38. Developer shall provide automatic fire sprinklers as required by the City Code and shall contact the Fire Chief to ascertain the location of all connections. (FD, *F-12*)
39. Developer shall install in each structure in the project a detection/alarm system with a central station monitor that will automatically notify the Fire Department in the event of a fire in the structure. The alarm system shall include a UL or State Fire Marshal approved device, which shall not exceed design specifications, that reports the location of the fire and allows the central station monitor to inform the Fire Department of the point of entry into the structure that is nearest the fire. (FD, *F-13*)
40. Developer shall comply with Certified Unified Program Agency (CUPA) requirements regarding the storage, handling and generation of hazardous materials or waste. Prior to the issuance of building

permits, Developer shall contact the CUPA division of the Fire Department to ensure that such requirements are followed. (FD, *F-16*)

FIRE DEPARTMENT SPECIAL CONDITIONS

41. Developer shall follow all applicable building codes in the interior renovation of the building, especially those dealing with life safety. Contact the Fire Department if any questions arise before, during, or after the planning process.

PLANNING DIVISION STANDARD CONDITIONS

42. The final building plans submitted by Developer with the building permit application shall depict on the building elevation sheets all building materials and colors to be used in construction. (PL/B, *PL-1*)
43. Any application for a minor modification to the project shall be accompanied by four copies of plans reflecting the requested modification, together with applicable processing fees. (PL, *PL-2*)
44. Before the City issues building permits, Developer shall include a reproduction of all conditions of this permit as adopted by resolution of the Planning Commission and/or the City Council in all sets of construction documents and specifications for the project. (PL, *PL-3*)
45. Before the City issues building permits, Developer shall provide to the Planning Division Manager color photographic reductions (8 1/2" by 11") of full-size colored elevations and any other colored exhibit approved by the Planning Commission. Developer may retain the full-size colored elevations after the reductions are so provided. (PL, *PL-4*)
46. Developer acknowledges that because of population limitations placed on the City by the Air Quality Management Program, approval of this permit does not guarantee that the City will issue building permits. The City's issuance of building permits may be delayed as a result of implementation of an air quality plan. (PL, *PL-5*)
47. Developer may not modify any use approved by this permit unless the Planning Division Manager determines that Developer has provided the parking required by the City Code for the modified use. (PL, *PL-7*)
48. During the plan check review process, the Developer shall provide a lighting plan that provides design details (light standards, bollards, wall mounted packs, etc.) and illumination site information within alleyways, pathways, streetscapes, and open spaces proposed throughout the development. An electrical engineer shall prepare the site lighting plan demonstrating that adequate lighting ranges will be provided throughout the development without creating light spillover, light pollution, or conflicts with surrounding factors such as tree locations, off-site or adjacent lighting. (PL)

49. Prior to issuance of building permits, Developer shall demonstrate that light standards illustrated on conceptual lighting plan do not conflict with tree locations. Developer shall submit a plan showing both the lighting and landscape on the same sheet.
50. Project on-site lighting shall be of a type and in a location that does not constitute a hazard to vehicular traffic, either on private property or on adjoining streets. To prevent damage from vehicles, standards in parking areas shall be mounted on reinforced concrete pedestals or otherwise protected. Developer shall recess or conceal under-canopy lighting elements so as not to be directly visible from a public street. Developer shall submit a lighting plan showing standard heights and light materials for design review and approval of the Planning Division Manager. (PL/B, PL-8)
51. In order to minimize light and glare on the project property, all parking lot and exterior structure light fixtures shall be high cut-off type that divert lighting downward onto the property and shall not cast light on any adjacent property or roadway. (PL, PL-9)
52. Developer agrees to participate in a water conservation program that includes refitting water fixtures existing on the project property with water conserving devices within residences or businesses in the City's water service area, if such a program is in effect when building permits are issued for this project. Among the requirements of such a program might be refitting existing toilets, faucets, shower heads, landscaping irrigation or other fixtures and items that consume water within the structure. (PL, PL-14)
53. Because of water limitations placed upon the City by its water providers, approval of this permit does not guarantee that the City will issue building permits. Issuance of building permits may be delayed as a result of implementation of a water conservation or allocation plan. (PL, PL-15)
54. Prior to issuance of building permits, Developer shall pay a document imaging fee for the planning files in an amount calculated by planning staff at the time of building permit review based on fees then in effect. (PL/B, PL-16).
55. Developer shall recess or screen roof heating and cooling systems and other exterior mechanical equipment from adjoining property and public streets, as required by this permit. Plumbing vents, ducts and other appurtenances protruding from the roof of structures shall be placed so that they will not be visible from the front of the property or other major public vantage points. Developer shall include a note on the construction plumbing drawings of exterior elevations to indicate to contractors that roof features shall be grouped and located in the described manner. Roof vents shall be shown on construction drawings and painted to match roof material color. (PL/B, PL-41)
56. Developer shall install all roof and building drainpipes and downspouts inside building elements. These items shall not be visible on any exterior building elevations. (PL, PL-42)
57. For any exterior utility meter panels, Developer shall paint such panels to match the structure upon which it is located. Such panels shall be located to take advantage of screening (e.g. landscaping or other building elements) from public right-of-ways, to the maximum extent feasible. (PL, PL-43)

58. Developer shall install toilets that have automatic flush sensors in all public restrooms. Such toilets shall be included on the plans submitted for a building permit and shall be maintained and in working order at all times. (PL, *PL-44*)
59. Developer shall install individual mirrors above each sink in a public restroom to the satisfaction of the Planning Division Manager. The details of such mirrors shall be approved prior to issuance of a building permit. Developer shall remove graffiti from the mirrors or replace the mirrors within 24 hours of graffiti appearance. (PL, *PL-45*)
60. Prior to issuance of a certificate of occupancy, Developer shall remove all construction materials and vehicles from the subject property. (PL/B, *PL-47*)
61. Developer shall stripe loading zones placed partly or wholly within a structure for loading and unloading activities only and post to prohibit storage or other non-loading activity within the loading zone. (PL/B, *PL-49*)

PLANNING DIVISION SPECIAL CONDITIONS

62. Developer should continue to work with City staff to establish a "Park and Ride" commuter parking lot with approximately 50 parking stalls. Agreed site improvements (i.e restriping, shelter, refuse receptacle, etc.) shall include the review of the Traffic and Planning Divisions to ensure consideration of adequate and safety requirements. (PL, TR)
63. Sunday school and all other activity rooms associated with the church use shall be limited to ancillary uses directly related to the "primary" church use. Modifications or a request to operate a full-time school or day care shall require a modification to this permit to evaluate the extent of use and any potential impacts. (PL)
64. Developer shall remove any and all graffiti from the project premises, including but not limited to graffiti within the building, such as in restrooms or fitting rooms, within 24 hours of its appearance. The surface of such affected areas shall be matched to blend in with the underlying colors and/or design, and shall not look like a paint patch. (PL)
65. Before the City issues building permits, Developer shall provide a Graffiti Deterrent Plan, subject to the approval the Planning Division Manager. Such plan shall include such elements as clear film on windows and/or mirrors, as well as washable paint and sealers on the building and perimeter walls. (PL)

ENVIRONMENTAL RESOURCES DIVISION

66. To ensure that solid waste generated by the project is diverted from the landfill and reduced, reused or recycled, Developer shall complete and submit a "City of Oxnard C&D Environmental Resources Management & Recycling Plan" ("Plan") to the City for review and approval. The Plan shall provide that at least 50% of the waste generated on the project be diverted from the landfill. The Plan shall

include the entire project area, even if tenants are pursuing or will pursue independent programs. The Plan shall be submitted to and approved by the Environmental Resources Division prior to issuance of a building permit. The Plan shall include the following information: material type to be recycled, reused, salvaged or disposed; estimated quantities to be processed; management method used; destination of material including the hauler name and facility location. Developer shall use the Plan form.

67. Developer shall follow the approved "City of Oxnard C&D Environmental Resources Management & Recycling Plan" and provide for the collection, recycling, and/or reuse of materials (i.e., concrete, wood, metal, cardboard, green waste, etc.) and document results during construction and/or demolition of the proposed project. After completion of demolition and/or construction, Developer shall complete and submit the "City of Oxnard C&D Environmental Resources Management & Recycling Report For Work Completed" ("Work Completed Report") and provide legible copies of weight tickets, receipts, or invoices for materials sent to disposal or reuse/recycling facilities. For other discarded or salvaged materials, Developer shall provide documentation, on the disposal facility's letterhead, identifying where the materials were taken, type of materials, and tons or cubic yards disposed, recycled or reused, and the project generating the discarded materials. Developer shall submit and obtain approval of the Work Completed Report prior to issuance of a certificate of occupancy.
68. Developer shall arrange for materials collection during construction, demolition, and occupancy with the City's Environmental Resources Division or Developer shall arrange for self-hauling to an authorized facility.
69. Developer shall make provisions to divert at least 50% of the waste material generated during occupancy through source reduction, recycling, reuse, and green waste programs. Developer shall complete and submit a "City of Oxnard C&D Environmental Resources Management & Recycling Occupancy Plan" ("Occupancy Plan") to the City's Environmental Resources Division. An Occupancy Plan must be submitted and approved prior to issuance of a certificate of occupancy. A "City of Oxnard C&D Environmental Resources Management & Recycling Occupancy Report" shall be submitted to the Environmental Resources Division annually on the anniversary date of the certificate of occupancy for approval.
70. Developer shall dispose of sewage and solid waste from the project by City's wastewater and solid waste systems in a manner approved by the City Engineer.

DEVELOPMENT SERVICES DIVISION STANDARD CONDITIONS

71. Developer shall pay plan check and processing fees in effect at the time of construction plan submittal and shall pay development fees, encroachment permit fees, and other applicable fees in effect at the time the City issues building permits. (DS-1)
72. Developer shall have the site improvement plans prepared on standard Development Services Division mylars by a civil engineer licensed in the State of California. The plans shall incorporate recommendations from soil engineering and geology reports. Prior to issuance of a grading permit,

improvement plans must be approved by the City Engineer and the original ink-on-mylar plans filed with the Development Services Division. (DS-3)

73. Prior to issuance of a site improvement permit, Developer shall provide to the Development Services Division a compact Disc (CD) containing digital copies of the final subdivision map, address map, and civil improvements drawings in DWG format. Prior to improvement bond release, Developer shall provide an updated CD containing all changes that occur during construction. (DS-16)
74. Developer shall remove graffiti from the project, including graffiti on offsite public infrastructure under construction by Developer, within 24 hours of its appearance. If Developer fails to remove graffiti in accordance with this condition, the City may at the discretion of the Development Services Manager issue a stop work order until such time as the graffiti is removed. (DS-20)
75. The conditions of this resolution shall prevail over all omissions, conflicting notations, specifications, dimensions, typical sections, and the like, that may or may not be shown on the improvement plans. (DS-21)
76. Developer shall pay the cost of all inspections of on-site and off-site improvements. (DS-22)
77. Developer shall be responsible for all project-related actions of Developer's employees, contractors, subcontractors, and agents until City accepts the improvements. (DS-23)
78. Prior to beginning construction, Developer shall designate in writing an authorized agent who shall have complete authority to represent and to act for Developer. The authorized agent shall be present at the work site whenever work is in progress. Developer or the authorized agent shall make arrangements acceptable to City for any emergency work. When City gives orders to the authorized agent to do work required for the convenience and safety of the general public because of inclement weather or any other cause, and the orders are not immediately acted upon by the authorized agent, City may do or have such work done by others at Developer's expense. (DS-24)
79. "Standard Specifications for Public Works Construction," latest edition, and any modifications thereto by City, and City of Oxnard Standard Land Development Specifications and all applicable City Standard Plans, shall be the project specifications, except as noted otherwise on the approved improvement plans. City reserves the right to upgrade, add to, or revise these specifications and plans and all other City ordinances, policies, and standards. If the improvements required of this project are not completed within 12 months from the date of City's approval of the improvement plans, Developer shall comply with and conform to any and all upgraded, additional or revised specifications, plans, ordinances, policies and standards. (DS-27)
80. Developer shall install City approved backflow prevention devices for water connections if so ordered by the City Engineer. (DS-45)
81. Developer shall submit a landscape irrigation plan prepared by a licensed professional, showing proper water meter size, backflow prevention devices, and cross-connection control. (DS-59)

82. Developer shall provide adequate vehicle sight distance as specified by CalTrans specifications at all driveways and intersections. (TR-71)
83. Developer shall install bike racks in accordance with City standards at locations approved by City Traffic Engineer. (TR-73)

STORMWATER QUALITY CONDITIONS

84. Developer shall comply with all National Pollutant Discharge Elimination System (NPDES) permit Best Management Practice (BMP) requirements in effect at the time of grading or building permit issuance. Requirements shall include, but not be limited to, compliance with the Ventura Countywide Stormwater Quality Urban Impact Mitigation Plan (SQUIMP). (DS-78)
85. Developer shall construct double-bin trash enclosures (one bin for recycle use) with a solid non-combustible roof (8-foot minimum clearance) that prevents stormwater from entering the refuse bins. Developer shall construct all other components of the trash enclosure in accordance with the approved City Standard Plan on file with the Development Services Division. Developer shall finish the trash enclosure to match the major design elements of the main structure. The finish and roof appearance shall be indicated on the building plans and are subject to approval by the Planning Division. The location and configuration of trash enclosures shall be reviewed and approved by the Environmental Resources Division. All refuse bins on the site shall be stored in an approved trash enclosure. No objects other than refuse bins may be stored in the trash enclosure without the written permission of the Environmental Resources Division. (DS-79)
86. Developer shall maintain parking lots free of litter and debris. Developer shall sweep sidewalks, drive aisles, and parking lots regularly to prevent the accumulation of litter and debris. When swept or cleaned, debris must be trapped and collected to prevent entry into the storm drain system. Developer may not discharge any cleaning agent into the storm drain system. (DS-84)
87. Prior to issuance of a certificate of occupancy, on-site storm drain inlets shall be labeled "Don't Dump - Drains to Ocean" in accordance with City standards. Before City issues a site improvement permit, the requirement to label storm drain inlets shall be shown on the civil engineering plans. (DS-85)

DEVELOPMENT SERVICES DIVISION SPECIAL CONDITIONS

88. Developer shall pay to the County of Ventura a road mitigation fee in accordance with the agreement between the City and the County of Ventura. Proof of payment shall be provided to the Development Services Division prior to issuance of a building permit. (DS-105)
89. Developer shall locate disabled parking spaces and associated path of travel in accordance with requirements of California Building Code ("CBC"). (DS)
90. Developer shall upgrade existing site access to comply with the disabled access requirements of the CBC including, but not limited to; 1) providing a disabled compliant pedestrian path (5 foot

minimum width) connecting the building entrances and the public sidewalk; 2) provision of truncated domes at locations where vehicular ways are level with and adjoin pedestrian paths and; 3) reconstructing project driveway entries to provide a disabled compliant pedestrian path along the public sidewalk. (DS)

91. Developer shall construct all new walkways that cross vehicular drive aisles of colored enhanced concrete. The concrete color shall contrast with the parking lot asphalt to clearly identify pedestrian areas. (DS)
92. Developer shall upgrade onsite refuse enclosures to meet current standards including, but not limited to, provision of storage for the required number of refuse bins, adequate access (elimination of tandem storage), and provision of a solid roof to eliminate introduction of pollutants in stormwater runoff. (DS)
93. Developer shall provide a separate water meter for food preparation areas as required by City Code. Final determination shall be made by the Development Services Manager based on proposed construction and anticipated uses. (DS)

TRAFFIC CONDITIONS

94. Developer shall remove the existing chain link fence and provide full vehicular access at the Financial Square driveway prior to issuance of a certificate of occupancy. Unobstructed access via this driveway to be provided by the property owner at all times that the buildings are open for use. (TR)
95. Due to the parking demand needs of the proposed church use, the future commercial use may trigger a shared parking analysis to evaluate and access its parking demand needs. Developer will be required to submit a shared parking analysis to the City's Traffic Engineer for approval, prior to filing for tenant improvement permits or change in occupancy for the commercial use. (TR)

PASSED AND ADOPTED by the Planning Commission of the City of Oxnard on this 5th day of March, 2009, by the following vote:

AYES: Commissioners

NOES: Commissioners

ABSENT: Commissioners

Deirdre Frank, Chair

ATTEST: _____
Susan L. Martin, Secretary