



Planning Division

PLANNING COMMISSION STAFF REPORT

TO: Planning Commission

FROM: Linda Windsor, Associate Planner

DATE: July 19, 2007

SUBJECT: Planning and Zoning Permit Nos. 06-500-11 (Special Use Permit), 06-590-8 (Zone Change), and 07-590-1 (Zone Variance) located at the southwest corner of Statham Boulevard and Oxnard Boulevard

1. **Recommendation:** That the Planning Commission adopt resolutions:
 - a) Approving a special use permit (PZ 05-500-11), for development of a speculative commercial building and three light industrial buildings, subject to certain findings and conditions;
 - b) Approving a zone variance (PZ 07-590-1) to allow a reduction in the front yard setback for a portion of one building, subject to certain findings and conditions; and
 - c) Recommending approval of a zone change (PZ 06-570-8), changing the property zoning designation from M-L (Limited Manufacturing) to BRP (Business & Research Park)

2. **Project Description and Applicant:** The applicant requests approval of a special use permit to develop a vacant 2.77-acre parcel with one retail/office building (4500 square feet of floor area) and three light industrial buildings (22,500 square feet of building area), located at the southwest corner of Statham Boulevard and State Highway 1, also known as Oxnard Boulevard, (APN 220-0-010-325).

The Zone Variance request would reduce the required setback along Oxnard Boulevard from 40 feet to 32 feet for one portion of one building.

The Zone Change application would change the property zoning from M-L (Limited Manufacturing) to BRP (Business & Research Park).

The project is not within a redevelopment area, neighborhood or specific plan area.

Filed by Statham Commercial Development, LLC, c/o Lanet-Shaw Architects, 11741 Pico Boulevard, Los Angeles, CA 90064.

3. **Existing Land Use:** Vacant, undeveloped property.
4. **General Plan Policies and Land Use Designation Conformance:** The land use map of the General Plan designates the subject parcel for *Business & Research Park* development. According to the general plan, Business & Research Park areas typically include fully conditioned buildings (that is, containing full interior improvements) devoted either exclusively or in part to office, and research and development uses. Retail and service facilities may also be established in freestanding buildings or as part of multi-use developments. Very high development standards (landscaping, architecture, etc.) apply to business and research park areas that are oriented towards major transportation features such as freeways and thoroughfares. All activity occurs within buildings. The underlying zoning designation is currently ML (Limited Manufacturing), and the applicant has requested a zoning change to BRP (Business & Research Park), which is consistent with the *Business & Research Park* General Plan Land Use designation. As proposed, the project conforms to both the General Plan and zoning for the property.
5. **Environmental Determination:** The proposed development is subject to review in accordance with the California Environmental Quality Act (CEQA). In accordance with Section 15332 of the CEQA Guidelines, projects involving “infill development in urban areas” may be found to be exempt from the requirements of CEQA. This exemption is limited to projects meeting the following criteria:
 - (a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.
 - (b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.
 - (c) The project site has no value as habitat for endangered, rare or threatened species.
 - (d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.
 - (e) The site can be adequately served by all required utilities and public services

This proposal meets the criteria above because it is consistent with the proposed BRP zoning designation and existing Business and Resource Park General Plan designation; is within the city limits on a 2.77-acre parcel; has no value as a habitat for endangered, rare or threatened species; would not result in any significant effects relating to traffic, noise, air quality or water quality; and all required utilities and public services are available to serve this site. Therefore, staff has determined that there is no substantial evidence that the project may have a significant effect on the environment, and a Notice of Exemption may be adopted (see Attachment C).

6. Surrounding Zoning and Land Uses:

LOCATION	ZONING	GENERAL PLAN	EXISTING LAND USE
Project Site	ML	Business & Research Park	Vacant
North	BRP	Limited Industrial	Retail, service uses
South	ML	Business & Research Park	Vehicle storage, offices, antique car museum
East	BRP	BRP	(beyond Oxnard Boulevard) Restaurant; limited industrial uses
West	ML	Limited Industrial	Various light industrial uses

7. Analysis:

- a) **General Discussion:** The subject property is one of the last remaining vacant parcels in the area known as the Statham Industrial Area, south and west of the Channel Islands Business Center. Two-thirds (3,000 square feet) of the building at the corner of Oxnard Boulevard and Statham Boulevard (Building 1) is proposed to be occupied by a restaurant with an office or retail use in the remaining 1,500 square feet. Each of the three other buildings (Buildings 2, 3 and 4) are proposed to be split into four tenant spaces, with a designated mix of office, manufacturing and warehouse space within each unit.
- b) **Relevant Project and Property History, Related Permits:** The Planning Commission adopted Resolution No. 6469 approving Special Use Permit No. 978 in 1982 to allow construction of a two-story office building, drive-through bank facility and a restaurant on this site. The City Council also approved changing the property's zoning designation from M-1 (Light Manufacturing) to ML (Limited Manufacturing) in 1982. The special use permit expired before the project was built.
- c) **Zoning Compliance:** Applicable development standards of the BRP zone district have been compared with the proposed project, as follows:

DEVELOPMENT STANDARD	REQUIRED	PROPOSED	COMPLIES
Min. lot area	20,000 sq ft (min)	120,660 sq ft (2.77 ac)	Yes
Min. lot width	150 ft.	380 ft.	Yes
Min. lot depth	150 ft. (corner lot)	250 ft. +	Yes
Max. Building height	35 ft. (more by SUP)	Bldg 1: 31 ft 9 in. Bldgs 2, 3 & 4: 26 feet	Yes
Front yard setback (street setbacks)	Along Oxnard Blvd: 40 ft Statham: 30 ft	Oxnard Blvd: 68 ft, except 32 ft., 11 in. and 30 feet at one area of Building 1. Statham: 30 feet	Yes, with approval of Zone Variance

DEVELOPMENT STANDARD	REQUIRED	PROPOSED	COMPLIES
Side yard setback (none; triangle shape)	NA	NA	NA
Rear yard setback (south property line)	20 feet	31 feet; except 20 feet at one corner of Building 3	YES
Lot coverage	40%	18.65%	YES
Architectural Design	Minimum 2 building textures or materials	Concrete & standing seam roof element	YES
Site Landscaping	Along street: min 30 feet landscape width; 40 feet along primary arterials (Oxnard BI)	Statham BI: 30 feet Oxnard BI: 40 feet (except at one corner of Building 1)	YES
	15% of lot to be landscaped (in addn to required parking lot landscaping)	31.99%	YES
	Screen parking from streets by 36" tall berm or wall/landscaping	Combination berm, landscaping and wall proposed	YES
Parking lot landscaping	Min 10 feet along street frontage	30 feet	YES
	9 X 19 ft finger planters @ 1/10 spaces	1/10 spaces most areas; some areas have more planters than required	YES
Parking lot design	40 foot driveway throat	40 feet	YES
Fences/Walls	Loading area screen walls	All screened except loading area within setback along PCH	YES, with condition
Utilities	Screen trash enclosures/back flow preventers	Trash enclosures shown with enclosures; condition for back-flow preventers	YES
Parking spaces	94	101	YES
Loading Areas	2	13	YES

The project complies with all applicable zoning regulations, with the exception of the front yard setback along Oxnard Boulevard at one area of Building 1. See Zone Variance discussion, on page 6.

- d) **Site Design Analysis:** The most unusual feature of this site is that it is a triangle shaped lot. Because of this unique shape, the front setbacks are measured from the extreme north corner of the site and along the two street frontages. The rear building setback is measured from the south property line and there are no side property lines or side setbacks.

The project layout uses the triangle shape to its advantage, with the small office/restaurant building (Building 1) located in the north corner of the site and the other buildings located further south along the two street frontages. Building 1 is made up of three modules in a staggered configuration along Oxnard Boulevard. The service areas for the industrial buildings are located in the interior of the lot, between and hidden from view by these buildings. Loading areas are screened by walls designed to match the buildings.

All of the buildings have outdoor seating areas; a dining area for both the office and restaurant portion of Building 1 and outdoor break areas for the other three buildings.

- e) **Circulation and Parking Analysis:** Vehicle access is provided via two driveways along Statham Boulevard. This location is preferable to locating driveways on Oxnard Boulevard, since Statham Boulevard is an industrial collector street, providing direct access to properties, while Oxnard Boulevard is a primary arterial, with higher speeds than a collector street. The primary driveway access is approximately 170 feet south of the intersection of Sunkist Circle and Statham Boulevard. The secondary driveway is located on the adjacent property, which is also owned by this applicant. Shared driveways of this type are common in other industrial areas, such as the Channel Islands Business Center, across Oxnard Boulevard from this site.

Conditions are included in the attached resolution requiring a lot line adjustment so that the property line aligns with the centerline of the driveway, requiring modification to the improvements on the adjacent property, and requiring a reciprocal access and maintenance agreement between the properties. Approval and recordation of the lot line adjustment, and the access and maintenance agreement are required prior to issuance of a building permit for the subject project. Approval of a Design Development Review permit and construction of site modifications to construct the secondary driveway and landscaping would be required prior to occupancy of the subject project.

As noted in the Zoning Compliance table on page 4, the project complies with the parking requirements for the proposed uses.

The project includes public sidewalks with landscaped parkways along both Oxnard Boulevard and Statham Boulevard, with walkways connecting the sidewalks to the buildings. The improvements also include removing the chain-link fence installed by the State Department of Transportation (CalTrans) along Oxnard Boulevard, since the City anticipates taking over Oxnard Boulevard from CalTrans by the time this project is built.

- f) **Building Design Analysis:** The buildings have a coordinated architectural theme consisting of painted concrete tilt-up walls with recessed storefronts, a pitched roof of standing seam metal, and a steel canopy supported by concrete columns at the building entries. Building 1 has variations in building height and plane, and architectural treatment on all sides of the building, acknowledging the importance of this building's location on an important corner near the entrance to the city and also as a consumer-oriented structure. The other buildings also have variation in wall planes, causing the portions of the buildings that project further forward to appear to have taller roof elements than the recessed portions of the buildings. The architectural treatment for these buildings is enhanced for the street-facing elevations, with secondary treatment on the side elevations.
- g) **Zone Change Request:** The applicant's request to change the zoning designation on the site would be consistent with the General Plan designation for this site and therefore staff recommends approval of this request. Final approval of the Zone Change application requires approval by the City Council.
- h) **Zone Variance Request:** One area of Building 1, including the attached building canopy, encroaches into the required 40 foot setback along Oxnard Boulevard by seven to ten feet. The applicant has submitted a zone variance application to allow a reduction of this setback requirement for this portion of the building. As required by Section 16-565 of the City Code, the Planning Commission must make the following findings in order to approve a variation from the City Code.
 - (1) Application of the zoning regulations would deprive property of the uses enjoyed by nearby, similarly zoned lands because of the shape, topography, location or surroundings;
 - (2) That granting the variance will not be detrimental to public interest, safety, health or welfare, and will not be injurious to property or improvements in the vicinity or in the same zone in which the property is located;
 - (3) Restrictions have been imposed to ensure that the variance will not be a grant of special privilege; and
 - (4) The variance approval will not be inconsistent with the General Plan.

This is one of the few triangle-shaped lots in Oxnard. As such, two street frontages are designated for this site, requiring building setbacks of 30 feet and 40 feet from the respective streets. The variation is requested for the narrowest corner

of the subject site, as this is where the two street frontages intersect. The applicant has made efforts to comply with the setback requirements, but requests the reduction in setback for only a small portion of one building, the largest portion of which is a canopy area supported by columns that extends into the setback along the Oxnard Boulevard frontage. The variance allows for a more functional site plan, more amenities, and a consistent building design. Staff recommends approval of the requested variance, with the condition that approval of the zone variance request is contingent upon approval of the special use permit and zone change requests.

- i) **Signs:** The application includes a sign program showing individual letter signs to be located on the building. No monument or freestanding signs are proposed. A condition is included in the special use permit resolution requiring additional detail for the sign program, including maximum sign area allowed for each tenant, type of illumination and materials for all signs.
- j) **Landscaping Code Compliance:** As noted in the Zoning Compliance section above, the project complies with the applicable landscape requirements. The site has several existing trees which will be evaluated by the City's landscape architect upon receipt of an Arborist's report (to be prepared by the applicant). In addition to the landscaping along the street frontage, this project is required to install a planted median in Oxnard Boulevard adjacent to the property frontage. If the City has not received jurisdiction over Oxnard Boulevard by the time the project is built, the applicant will be required to bond for these improvements. The resolution includes conditions related to this requirement.

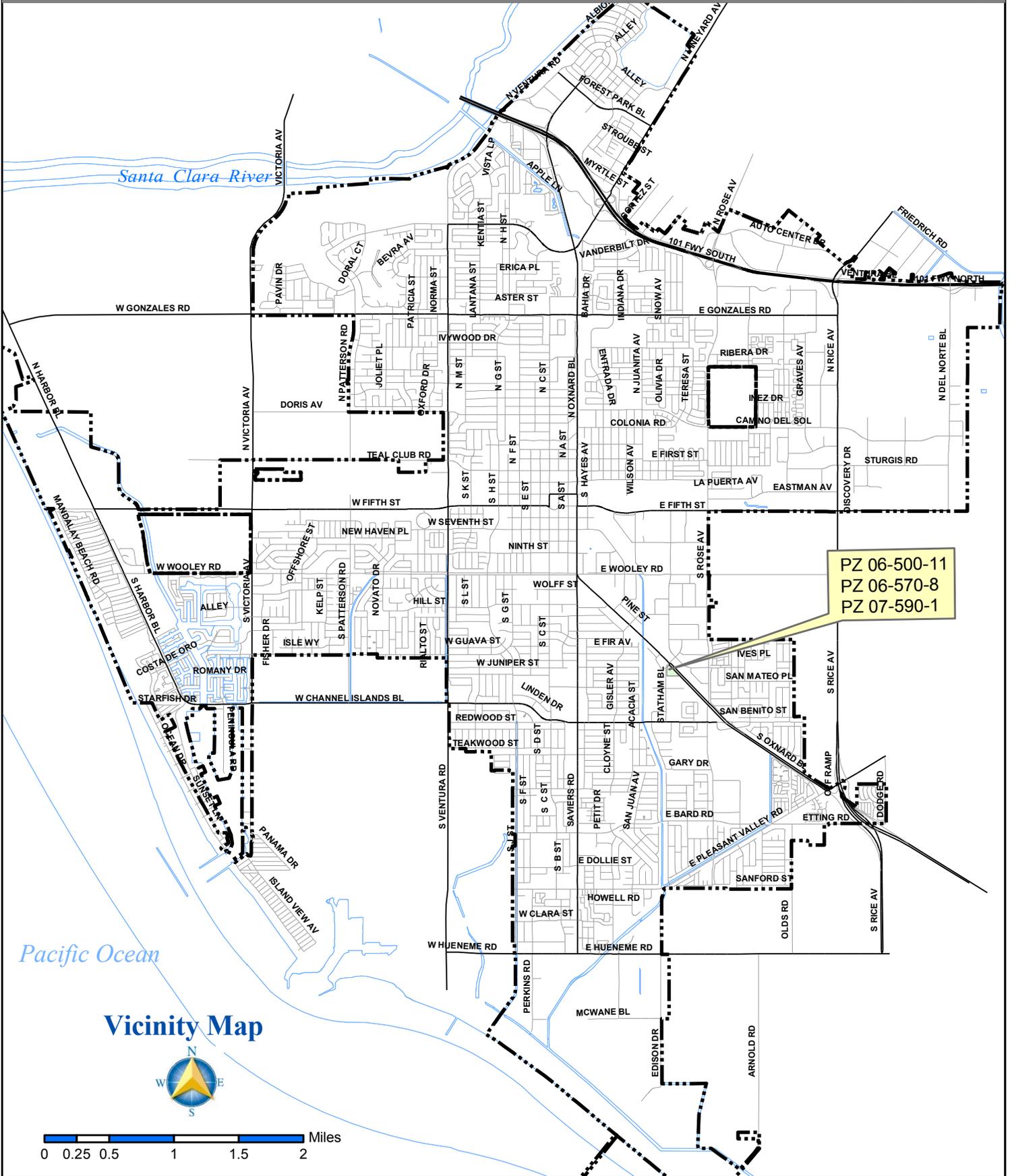
- 8. **Development Advisory Committee (DAC) Consideration:** The DAC reviewed this project on November 15, 2006 and provided recommendations to the applicant relative to the site plan layout and building design, landscaping, parking configuration, site drainage, and location of trash enclosures and other service areas. The applicant has revised the plans to comply with these recommendations.
- 9. **Community Input:** The project was reviewed at a Community Workshop on May 21, 2007. Three people spoke, primarily about traffic, the driveway locations, and availability of parking for the project's proposed uses. As noted in the Zoning Compliance section (Page 4), the project meets the City requirements for the types of uses proposed. The City Traffic Engineer has reviewed and recommended approval of the driveways locations during the DAC process. The standard condition requiring that any change in use be reviewed and approved by the Planning Manager is included in the special use permit resolution.

10. Attachments:

- A. Maps (Vicinity, General Plan, Zoning)
- B. Reduced Project Plans
- C. Notice of Exemption
- D. Resolutions;
 - a. Special Use Permit
 - b. Zone Change
 - c. Zone Variance

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

Vicinity Map



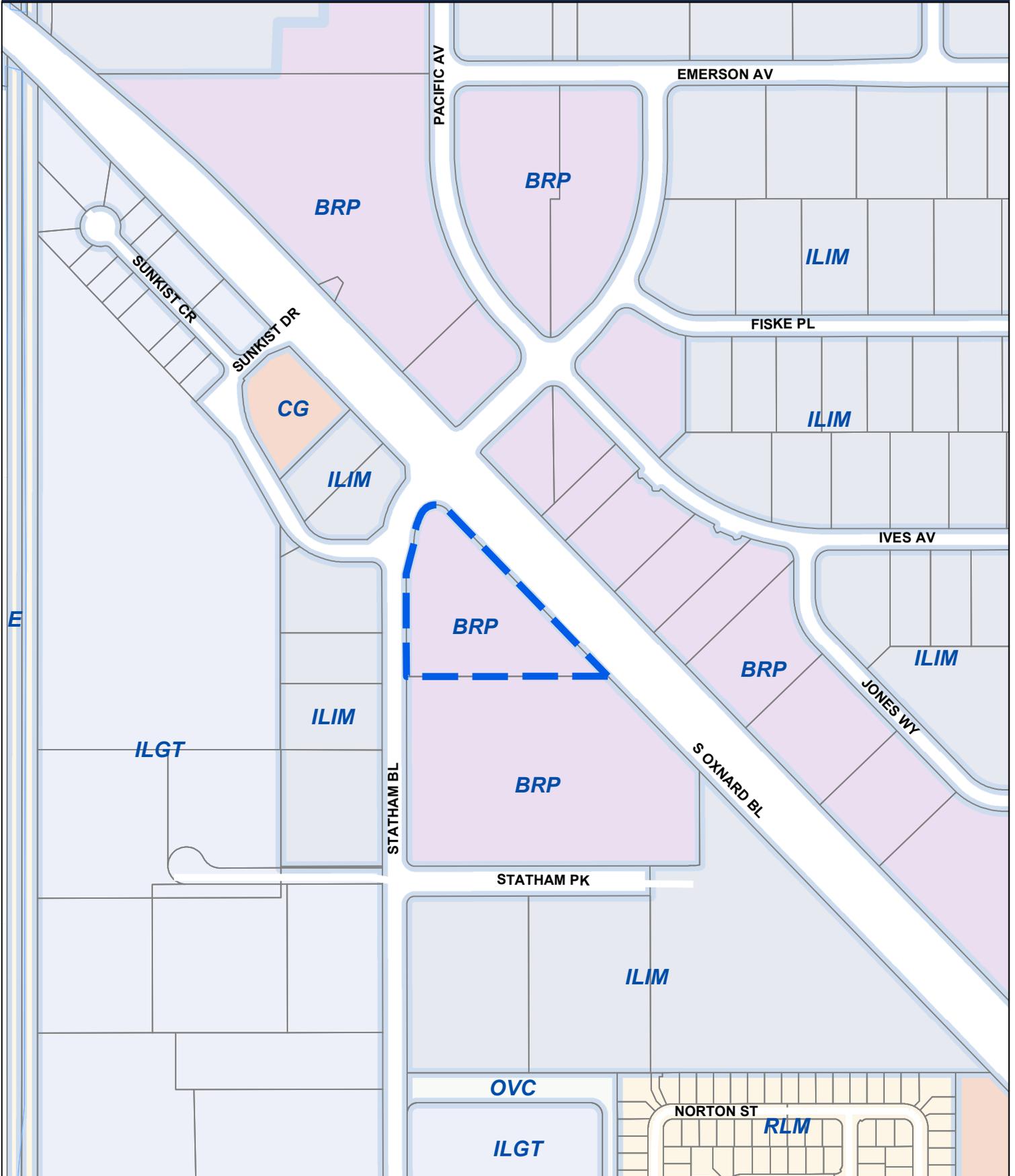
Vicinity Map



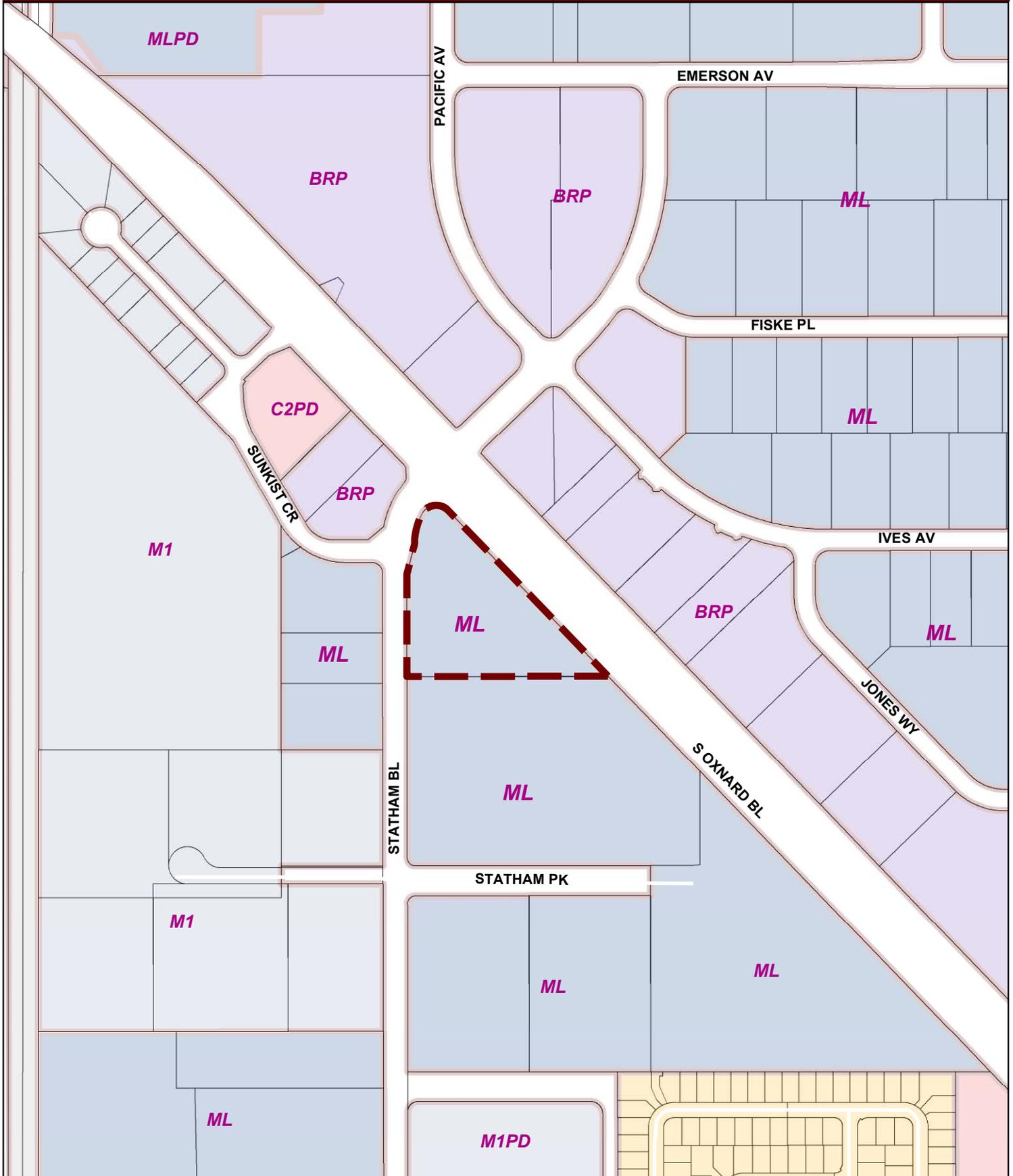
0 0.25 0.5 1 1.5 2 Miles



PZ 06-500-11, PZ 06-570-8, PZ 07-590-1
Location: 2200 Statham Bl
APN: 220001032
Statham Commercial Development



Zone Map

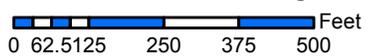


PZ 06-500-11, PZ 06-570-8, PZ 07-590-1

Location: 2200 Statham Bl

APN: 220001032

Statham Commercial Development



Zone Map



Exterior Material Key List

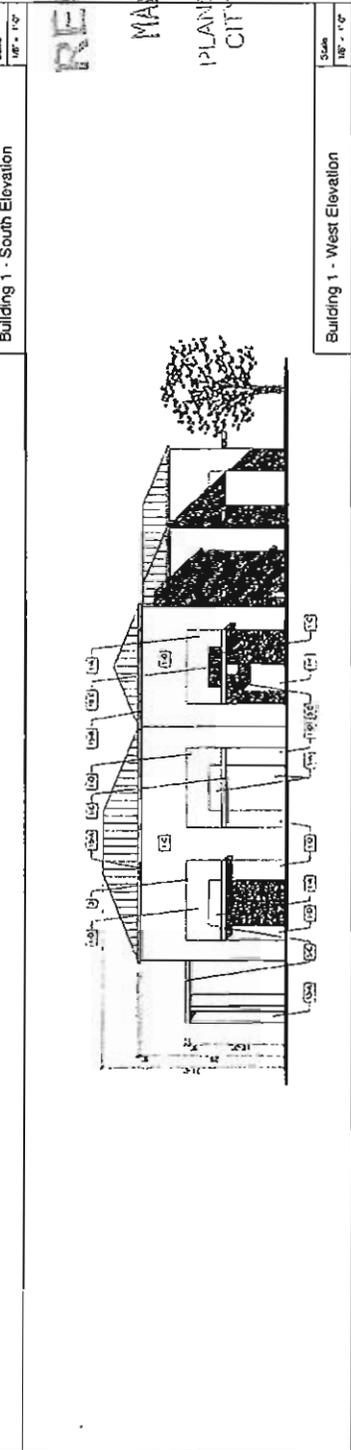
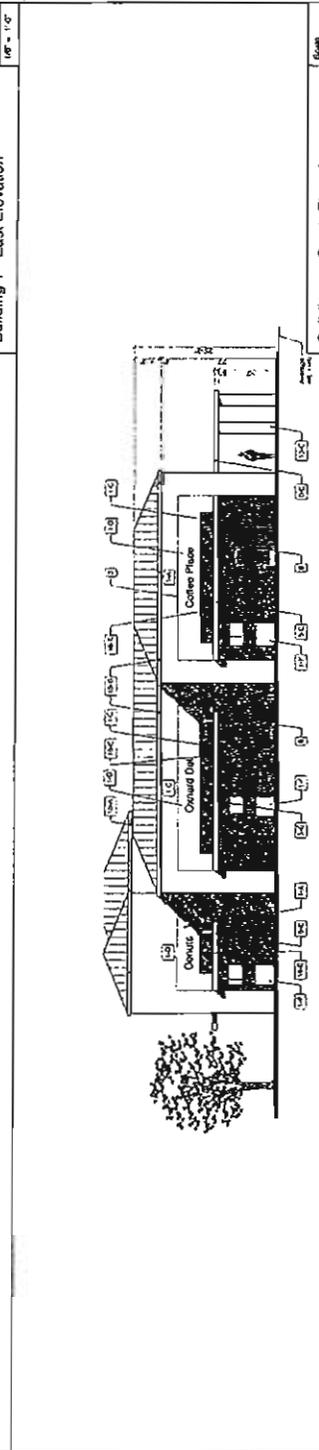
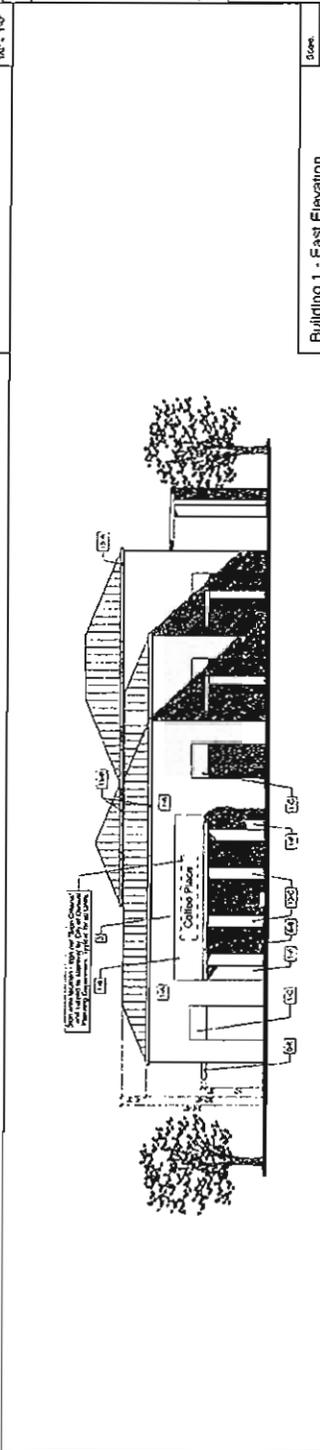
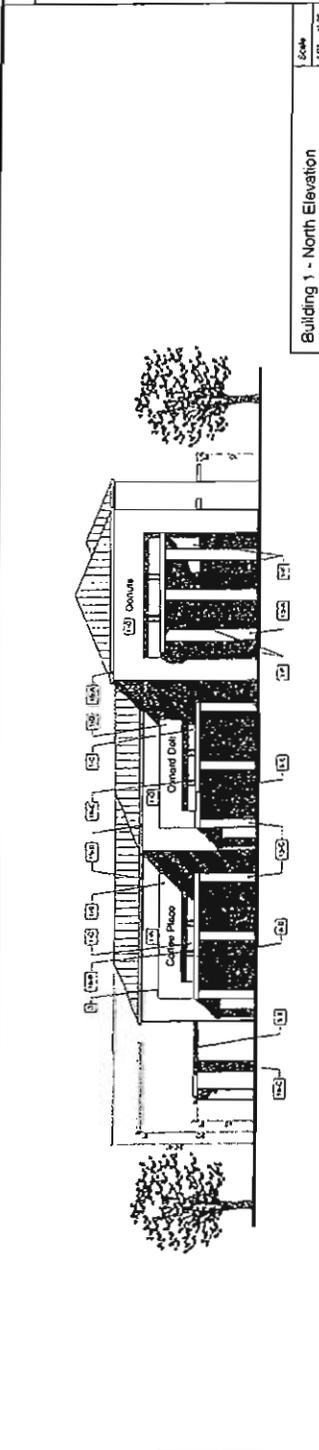
1. Perimeter concrete foundation
2. Typical ground level
3. Asphalt concrete
4. Concrete masonry
5. Concrete block
6. Concrete paver
7. Concrete curb
8. Concrete sidewalk
9. Concrete curb and gutter
10. Concrete curb and gutter with drainage
11. Concrete curb and gutter with drainage and curb
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Material Legend

- 1. Concrete
- 2. Asphalt
- 3. Concrete masonry
- 4. Concrete block
- 5. Concrete paver
- 6. Concrete curb
- 7. Concrete sidewalk
- 8. Concrete curb and gutter
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Color Key List

A. Gray	1000
B. White	1001
C. Black	1002
D. Red	1003
E. Blue	1004
F. Green	1005
G. Yellow	1006
H. Purple	1007
I. Brown	1008
J. Orange	1009
K. Pink	1010
L. Silver	1011
M. Gold	1012
N. Copper	1013
O. Bronze	1014
P. Steel	1015
Q. Glass	1016



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Oxnard Commercial Development
 255 S. Harbor Blvd.
 Oxnard, CA 93044-1325
 Phone: 805-320-0132



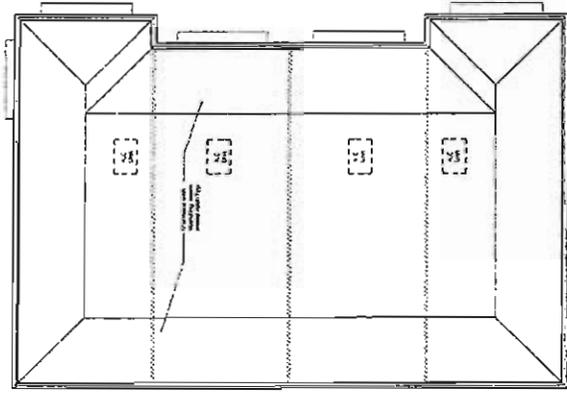
Oxnard Commercial Development, LLC
 220 S. Harbor Blvd.
 Oxnard, CA 93044
 Lance A. Smigel
 Commercial Engineer

LANE / SHAW ARCHITECTS INC.
 11721 W. PICC BLVD.
 LOS ANGELES, CA 90064
 PHONE: 310-425-4775

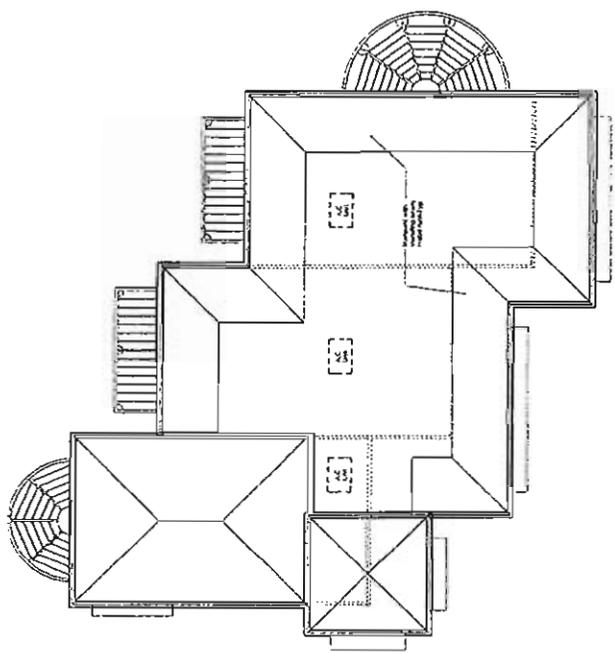
Project No.	11-001
Project Name	Oxnard Commercial Development
Client	Oxnard Commercial Development, LLC
Architect	Lane / Shaw Architects Inc.
Engineer	Lance A. Smigel
Date	11-11-07
Scale	AS NOTED
Sheet No.	0006

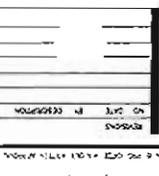
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Bldg. 2, 3 & 4 Roof Plan (Typical) Scale: 1/8" = 1'-0"



Bldg 1 Roof Plan Scale: 1/8" = 1'-0"





PLANT LEGEND

SYMBOL	PLANT NAME	NOTES
(Circle with vertical lines)	COASTAL REDWOOD	12" DB, 10' H
(Circle with horizontal lines)	COASTAL REDWOOD	12" DB, 10' H
(Circle with diagonal lines)	COASTAL REDWOOD	12" DB, 10' H
(Circle with dots)	COASTAL REDWOOD	12" DB, 10' H
(Circle with cross-hatch)	COASTAL REDWOOD	12" DB, 10' H
(Circle with wavy lines)	COASTAL REDWOOD	12" DB, 10' H
(Circle with solid fill)	COASTAL REDWOOD	12" DB, 10' H
(Circle with concentric circles)	COASTAL REDWOOD	12" DB, 10' H
(Circle with vertical lines)	COASTAL REDWOOD	12" DB, 10' H
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SPERMATOPHYTES

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ANGIOSPERMS

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GRASSLAND COVERED

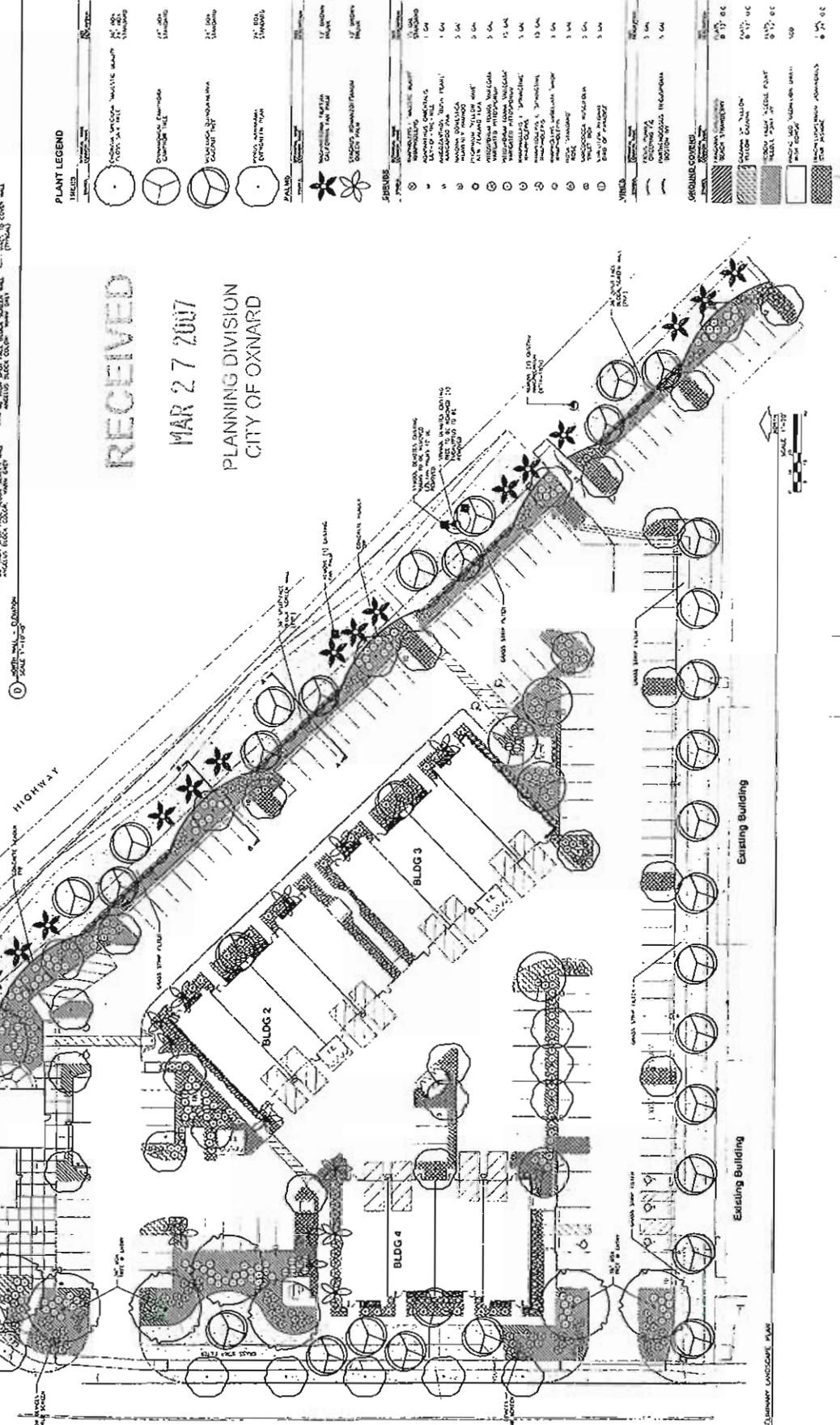
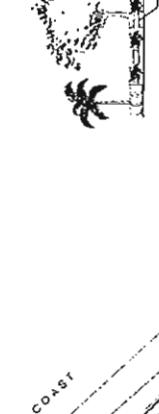
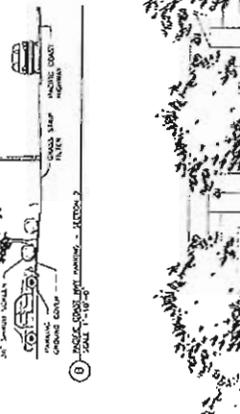
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(Circle with concentric circles)	COASTAL REDWOOD	12" DB, 10' H

WATER COVERED

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WATER COVERED

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NOTICE OF EXEMPTION

Project Description:

PLANNING & ZONING PERMIT NOS. 06-500-11 (Special Use Permit), 06-590-8 (Zone Change), and 07-590-1 (Zone Variance), a request to develop a vacant 2.77 acre site with a one retail/office building (4500 square feet of floor area) and three light industrial buildings (22,500 square feet of building area), located at the southwest corner of Statham Boulevard and Oxnard Boulevard (APN 220-0-110-325), within the Limited Manufacturing (ML) zone. The Zone Change application would change the property zoning from M-L (Limited Manufacturing) to BRP (Business & Research Park). The Zone Variance request would reduce the required setback along Oxnard Boulevard from 40 feet to 32 feet for one portion of one building. The proposed project is exempt from environmental review under Section 15332 of the CEQA Guidelines. Filed by Statham Commercial Development, LLC, c/o Lanet-Shaw Architects, 11741 Pico Boulevard, Los Angeles, CA 90064.

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 5332 of the California Code of Regulations, projects involving infill development in urban areas may be found to be exempt from the requirements of CEQA. The proposed project is consistent with the proposed BRP zoning designation and existing Business and Resource Park General Plan designation; is within the city limits on a 2.77-acre parcel; has no value as a habitat for endangered, rare or threatened species; would not result in any significant effects relating to traffic, noise, air quality or water quality; and all required utilities and public services are available to serve this site. 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

RESOLUTION NO. 2007 – 06-500-11

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD APPROVING PLANNING AND ZONING PERMIT NO. 06-500-11 (SPECIAL USE PERMIT), TO ALLOW DEVELOPMENT OF A VACANT 2.77-ACRE PARCEL WITH FOUR BUILDINGS: ONE 4500-SQUARE FOOT RETAIL/OFFICE/RESTAURANT BUILDING, AND THREE 6000-SQUARE FOOT LIMITED INDUSTRIAL BUILDINGS, LOCATED AT THE SOUTHWEST CORNER OF STATHAM BOULEVARD AND OXNARD BOULEVARD, ALSO KNOWN AS 2200 STATHAM BOULEVARD (APN 220-0-010-325), SUBJECT TO CERTAIN FINDINGS AND CONDITIONS. FILED BY STATHAM COMMERCIAL DEVELOPMENT, LLC, C/O LANET-SHAW ARCHITECTS, 11741 PICO BOULEVARD, LOS ANGELES, CA 90064.

WHEREAS, the Planning Commission of the City of Oxnard has considered an application for Planning and Zoning Permit No. 06-500-11 filed by Statham Commercial Development, LLC, in accordance with Sections 16-530 through 16-553 of the Oxnard City Code; and

WHEREAS, Section 15332 of Title 14 of the California Code of Regulations exempts the project from the requirement for the preparation of environmental documents imposed by the California Environmental Quality Act; and

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

1. The proposed use is in conformance with the General Plan and other adopted policies of the City of Oxnard.
2. 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. The site for the proposed use 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. 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. 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.

**STANDARD CONDITIONS OF APPROVAL
FOR LAND USE PERMITS**

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 and Environmental Services Division (“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 21, 2007 (“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 record with the Ventura County Recorder a "Notice of Land Use Restrictions and Conditions" in a form acceptable to the City Attorney. Before the City issues building permits or allows Developer to occupy the project, Developer shall submit a copy of the recorded document to the Planning Division 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. Any changes in proposed signs shall conform to the master sign program approved with this permit. (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*)
22. Developer shall submit four sets of median and parkway landscape and irrigation plans with the first submittal of public improvement plans. The City shall approve median and parkway landscape and irrigation plans when the City approves public improvement plans. Before the City issues a building permit, the irrigation plans must be approved for proper meter size, backflow prevention device, and cross connection control by the Water Production Supervisor or designee. (DS/ PK, *PK-14*)

23. Before the City accepts medians and parkways from Developer, the landscaping thereon must complete a plant establishment period of 90 days or such other time as specified in this permit. (PK/DS, *PK-15*)
24. After Developer installs irrigation and landscape improvements on the project property or on CalTrans freeway right-of-way, but before the City's final acceptance thereof, Developer shall provide the Parks and Facilities Superintendent with one set of mylar (minimum 3 mil) original drawings, which shall accurately reflect all "as-built" conditions. (PK, *PK-16*)
25. Developer agrees that the project has aesthetic impacts arising from conversion of undeveloped land to developed land, which the landscaping improvements for the project are intended to mitigate. Developer further agrees that the landscaping improvements must be maintained in order to continue to mitigate such impacts. In order to provide for such maintenance, Developer has agreed to enter into an agreement with the City to cast a ballot in favor of formation of an assessment district to fund such maintenance and in favor of assessments on the project property. In the event that such an assessment district is not formed, Developer agrees to establish a homeowners' association for the project as directed by the City, to fund such maintenance. Before or during escrow for the sale of property within the project, Developer shall provide each buyer with a document disclosing, in large type, that the project property is subject to annual assessments for landscape maintenance, and stating the probable range of dollar amounts of such assessments for the next fiscal year. To confirm that the buyer has read the document, Developer shall require the buyer to sign the document. Developer shall retain all such documents for at least three years and shall allow the City to inspect and copy all such documents upon reasonable request. (PK, *PK-18*)
26. Developer shall provide to the Parks and Facilities Superintendent ("Superintendent") a landscape maintenance district master plan drawn at an approved scale, clearly designating areas of maintenance responsibility assumed by: (a) a landscape maintenance district; (b) a homeowners association; and/or (c) the City. After Superintendent approves such plan, Developer shall provide to Superintendent a mylar (minimum 3 mil) original drawing of the maintenance district master plan. (PK, *PK-19*)
27. Developer shall provide to the Parks and Facilities Superintendent a copy of the document entitled "Agreement" containing Developer's agreement to vote in favor of a landscape maintenance assessment district for the project, bearing the Ventura County Recorder's stamp, confirming that the document has been recorded in the Ventura County Recorder's Office. (PK, *PK-21*)
28. Developer shall install an irrigation system that includes a water sensor shut off device as a water conservation measure. (PK, *PK-22*)

LANDSCAPE SPECIAL CONDITIONS

29. An arborist's tree report is required for the health and economic appraisal value of any existing trees to be removed or displaced from the site due to construction. City staff will have final review approval on selection of arborist. The arborist's report shall be prepared by a certified arborist and shall follow the format as outlined in *A Guide to the Methods and Procedures for Appraising Amenity Plants*, latest edition as published by the International Society of Arboriculture. The report shall include both text and a site plan that clearly labels all trees to be saved, removed or transplanted. The methodology for the tree appraisal value shall be based on the "Trunk Formula" method. The economic appraisal value shall be put back into new tree sizes for the project and shall be in addition to meeting the City's minimum tree size of 24" box.
30. A tree tabulation chart shall be provided on the landscape plans. The chart shall clearly show the approved arborist appraisal value of the existing trees removed and this same value subsequently placed back into new trees sizes for the project.
31. Developer shall change the following plants on the landscape plan: *Washingtonia filifera* to *Washingtonia robusta*, or *Syagrus romanzoffianum*, or *Phoenix canariensis*.
32. Street tree designations for Statham Blvd. to be designated at time of plan check submittal.
33. Median on Pacific Coast Highway fronting the project shall be improved to City landscape standards. Coordination with CalTrans is required. Developer to bond for median improvements until such time that the median improvements can be installed.
34. Medians on PCH fronting project shall be in a Landscape Maintenance Assessment District. Applicant to complete and return to the City form labeled "AGREEMENT" which states that the developer will not object to the formation of the Landscape Assessment District for the landscape maintenance of the median.
35. Provide 10' wide parkway then a straight sidewalk along Pacific Coast Highway. Parkway to contain street trees on 40'O.C. spacing and secondary street trees to be placed behind the sidewalk. Designation of street trees for this area to occur at time of plan check submittal.
36. Developer shall provide landscape and irrigation improvements within CalTrans freeway right of way and shall maintain such improvements permanently or until such time as CalTrans assumes full maintenance responsibilities or the improvements are accepted by the city in a Landscape Assessment District. The design of the landscape improvements shall be approved by both CalTrans and the Parks and Facilities Superintendent.
37. Prior to median improvements being constructed Developer shall provide the Parks and Facilities Superintendent with a complete, detailed landscape maintenance district master plan for all phases of the project and shall deposit \$13,700 to pay for staff time, attorney time and the engineer's report necessary to prepare all documents and hold hearings to form

an assessment district and impose an assessment formula and assessments on property within the project to pay the costs of maintaining the landscaping in the district.

FIRE DEPARTMENT STANDARD CONDITIONS

38. Developer shall construct all vehicle access driveways on the project property to be at least 25 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*)
39. 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*)
40. 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*)
41. At Developer's expense, Developer shall obtain two certified fire flow tests for the project property. The first test shall be completed before City approval of building plans and the second shall be completed after construction and prior to the issuance of a certificate of occupancy. A mechanical, civil, or fire protection engineer must certify the tests. Developer shall obtain permits for the tests from the Engineering Division. Developer shall send the results of the tests to the Fire Chief and the City Engineer. (FD/DS, *F-4*)
42. 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*)
43. The project shall meet the minimum requirements of the "Fire Protection Planning Guide" published by the Fire Department. (FD, *F-6*)
44. 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*)
45. Developer shall identify all hydrants, standpipes and other fire protection equipment on the project property as required by the Fire Chief. (FD, *F-8*)
46. Developer shall provide central station monitoring of the fire sprinkler system and all control valves. (FD, *F-10*)
47. 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*)

48. 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*)
49. 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*)
50. Developer shall install in each structure in the project where automatic fire sprinklers are installed a system that automatically opens the skylights in areas affected by fire before the fire sprinklers are activated. (FD, *F-14*)

FIRE DEPARTMENT SPECIAL CONDITIONS

51. Fire sprinkler coverage is required for:
 - a. Patios, overhangs or any other projections that are 48" or more from the structure.
 - b. Open areas beneath stairs that serve a habitable space or when that area is accessible for storage or has mechanical equipment.
 - c. The protection of the forced air unit when located in the attic or other areas that are normally inaccessible.
52. Developer shall install a Knox Box key vault on each building, at a location to be determined by the Fire Department.

PLANNING DIVISION STANDARD CONDITIONS

53. 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*)
54. 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*)
55. 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*)
56. 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*)

57. 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*)
58. 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*)
59. 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*)
60. 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. Developer shall submit a photometric plan to demonstrate that the proposed on-site lighting meets City Code requirements. (PL, *PL-9*)
61. During construction, Developer shall water the area to be graded or excavated prior to commencement of grading or excavation operations. Such application of water shall penetrate sufficiently to minimize fugitive dust during grading activities. (B/DS, *PL-11*)
62. During construction, Developer shall control dust by the following activities:
 - a. All trucks hauling graded or excavated material offsite shall be required to cover their loads as required by California Vehicle Code section 23114, with special attention to sub sections 23114(b)(2)(F), (e)(2) and (e)(4) as amended, regarding the prevention of such material spilling onto public streets and roads.
 - b. All graded and excavated material, exposed soils areas, and active portions of the construction site, including unpaved onsite roadways, shall be treated to prevent fugitive dust. Treatment shall include, but not necessarily be limited to, periodic watering, application of environmentally-safe soil stabilization materials, and/or roll-compaction as appropriate. Watering shall be done as often as necessary and reclaimed water shall be used whenever possible. (B/DS, *PL-12*)
63. Developer shall provide for dust control at all times during project property preparation and construction activities. (B/DS, *PL-13*)
64. 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*)

65. 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*)
66. 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*).
67. Before the City issues building permits, Developer shall provide to the Planning Division Manager a disk in DWG format of a 100-foot scale site plan of the project as approved. (PL, *PL-50*)
68. 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*)
69. 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*)
70. For any exterior utility meter panels and utility room doors, 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*)
71. 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*)
72. 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*)
73. Before the City issues building permits, Developer shall submit and obtain approval from the Planning Manager of a revised master sign program for the project. The sign program shall be an 8 ½ x 11 inch size document, and include the method for calculating sign

allowance for each tenant based upon the total allowable sign area, as well as the types of sign materials, lighting and construction allowed, types of signs prohibited, method of sign attachment, and procedure for obtaining sign approval from the applicant and the City of Oxnard. On the building elevations, the sign program shall show the dimensions of the signs, sign location, sign materials, type of illumination and color of all proposed building signs. The square footage of all signs for the project shall not exceed 570 square feet, calculated in accordance with the City Code. (PL/ B, *PL-46*)

74. Prior to issuance of a certificate of occupancy, Developer shall remove all construction materials and vehicles from the subject property. (PL/B, *PL-47*)

75. 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

76. 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)

77. 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)

78. This permit is granted subject to the approval of Planning & Zoning Permit Nos. 06-570-8 (Zone Change) and 07-590-1 (Zone Variance) for the project property. (PL)

79. Developer shall participate in the City's Art in Public Places Program by paying the Public Art fee prior to issuance of a building permit, in accordance with City Council Resolution No. 13,103.

80. Developer shall contract with a Native American monitor to be present during all subsurface grading, trenching or construction activities on the project site. A copy of the contract for these services shall be submitted to the Planning Division Manager for review and approval prior to issuance of any grading permits. The monitor shall provide a weekly report to the Planning Division summarizing the activities during the reporting period. The final monitoring report(s) shall be provided to the Planning Division prior to approval of final building permit signature.

81. Developer shall submit a revised set of plans for a lot line adjustment of the south property line, as shown on Exhibit A, for approval by the Development Services Director. Such Lot Line Adjustment shall be approved and evidence of recordation of the Certificate of Approval provided to the Planning Division prior to issuance of a building permit.

82. Prior to issuance of a building permit, Developer shall submit, for approval by the Planning Manager, a Development Design Review permit application package for modification of the parking area, curb cut, and driveway for 2230 Statham Boulevard, to allow for the shared driveway as shown on Exhibit A. Developer shall complete construction of the modified parking and landscape area and driveway/curb cut prior to final inspection of the subject project by the Planning Manager.

POLICE DEPARTMENT CONDITIONS

83. Outdoor Lighting Code & Guideline
 - (a) Outdoor lighting shall comply with Title 24, Part 6, of the California Code of Regulations: California's Energy Efficiency Standards for Residential and Nonresidential Buildings.
 - (b) Unless approved as a specific exception to this guideline, all outdoor lighting shall be flat lens, full cut-off fixtures with the light source fully shielded with the following exceptions:
84. Luminaires with a maximum output of 260 lumens per fixture, regardless of number of bulbs (equal to one 20-watt incandescent light), may be left unshielded provided the fixture has an opaque top to keep light from shining directly up.
85. Luminaires that have a maximum output of 1,000 lumens per fixture, regardless of number of bulbs (equal to one 60-watt incandescent light) may be partially shielded provided the bulb is not visible, and the fixture has an opaque top to keep light from shining directly up.

Oxnard City Code 16-320: Lighting within physical limits of the area required to be lighted shall not exceed seven foot-candles, nor be less than one foot-candle at any point. A light source shall not shine upon, or illuminate directly any surface other than the area required to be lighted. No lighting shall be of a type or in a location that constitutes a hazard to vehicular traffic, either on private property or on abutting streets. The height of light standards shall not exceed 26 feet. To prevent damage from automobiles, standards shall be mounted on reinforced concrete pedestals or otherwise protected.
86. Developer shall submit and the Police Chief or designee shall approve a lighting plan prior to the issuance of a building permit. The lighting plan shall include a photometric study that integrates the site's approved landscaping plan (if any). The integrated photometric/landscaping plan shall indicate the specific location and canopy size of fully mature trees thereby highlighting potential landscape/lighting conflicts in the future.
87. Any electronic security system must comply with Oxnard City Ordinance No. 2601 (available online at <http://oxnardpd.org/documents/alarm-ordinance-2002.pdf>) and must be properly permitted by the City of Oxnard (available online at <http://oxnardpd.org/documents/alarm-permit.pdf>).

88. Developer is encouraged to apply graffiti/etching-resistant film application on accessible window panes in public areas.
89. In order to tow away vehicles from private roadways, the property owner or "tenant association," as defined in §1351(a) Civil Code, of a common interest development, as defined in §1351(c) Civil Code, may cause the removal of a vehicle parked on that property to the nearest public garage if all of the requirements of §22658.2 Vehicle Code are satisfied.
90. Developer shall implement Graffiti Suppression by Design to the maximum extent possible, avoiding walls that lack natural surveillance. Areas that do not have over-viewing windows shall have landscape and/or lighting features that will suppress the likelihood of vandalism, including, but not limited to, planting of solid hedges parallel and in close proximity to any wall without natural surveillance.
91. Any video surveillance system installed at this property, shall comply with the "Oxnard Police Department Proposed Standards, Guidelines & Recommendations Closed-Circuit Television (CCTV) Surveillance Systems."
92. Landscaping along northeast parking strip shall be solid and unbroken to dissuade jaywalking across Oxnard Blvd.
93. Tree canopies shall be maintained so that they do not interfere with outdoor lighting instruments.
94. Landscaping features shall be maintained to provide clear views throughout the property. Hedges shrubs and similar landscaping features screening parking areas shall be maintained between 36 and 42 inches above parking lot surface.

ENVIRONMENTAL RESOURCES DIVISION

95. To ensure that solid waste generated by the project is diverted from the landfill and reduced, reused or recycled, Developer shall submit a "Solid Waste Management & Recycling Plan" to the City for review and approval. The plan shall provide for at least 50% of the waste generated on the project be diverted from the landfill. Plans shall include the entire project area, even if tenants are pursuing or will pursue independent programs. The plan shall be submitted to Planning Division and Environmental Resources Division 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 Solid Waste Management and Recycling Plan form.
96. Developer shall follow the 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 the Solid Waste Management &

Recycling 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 Solid Waste Management and Recycling C&D Report form prior to issuance of a certificate of occupancy.

97. Developer shall arrange for materials collection during construction, demolition, and occupancy with either the City Solid Waste Reduction & Disposal Division or other City permitted hauling companies, or Developer shall arrange for self-hauling to an authorized facility.
98. If the project will generate waste on an ongoing basis during occupancy, Developer shall make provisions to divert at least 50% of the material through source reduction, recycling, reuse, and/or green waste programs. Developer shall submit an Occupancy Recycling Plan which shall include the following information: estimated quantities and materials to be generated, management method to be used to reduce landfill disposal; quantity, size and location of recycling and trash bins, destination of material including the names of haulers and facility locations. Developer shall use the attached Occupancy Recycling Plan form or a similar format. The Occupancy Plan form must be submitted and approved prior to issuance of a certificate of occupancy.

In addition, Developer shall submit an Occupancy Recycling Report annually to the Environmental Resources Division on the anniversary date of the certificate of occupancy. The Report shall include the following information: material type recycled, reused, salvaged or disposed; quantities, management method, destination of material including hauler names and facility locations. Documentation must be included such as weight tickets or receipts regarding the above.

DEVELOPMENT SERVICES DIVISION STANDARD CONDITIONS

99. 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)
100. Developer's Engineer shall design parking lot structural sections based on an analysis of the soils R-value and a traffic index (T.I.) approved by the City Engineer. The minimum structural section for parking lots is two inches of asphalt on four inches of base material. Developer shall show the proposed structural section on the site improvement plans. (DS-2)
101. 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)

102. Developer shall submit improvement plans and drainage calculations that demonstrate that storm drainage from the project property and all upstream areas will be safely conveyed to an approved drainage facility. The design and conveyance route shall be compatible with the City's Master Plan of Drainage and shall be approved by the City Engineer prior to approval of improvement plans. (DS-4)
103. Developer shall protect building pads from inundation during a 100-year storm. (DS-5)
104. Developer shall remove and replace all improvements that are damaged during construction. (DS-6)
105. Before connecting the project to existing sewer and water service laterals, Developer shall arrange for City staff to inspect such facilities. Developer shall make such repairs to such facilities as City staff determines to be necessary. Developer shall bring all existing water services into compliance with City standards. (DS-7)
106. Each structure shall be served by separate sewer and water services. There shall be no interconnections between structures. (DS-8)
107. Curb cut widths and design shall conform to City ordinances, standards, and policies in effect at the time City issues an encroachment permit. (DS-9)
108. If the existing sewer lateral is larger than four inches in diameter, Developer's site improvement plans shall include an on-site sewer plan. (DS-10)
109. Where a separate loop or terminal line is required for water mains, fire hydrants or fire sprinkler systems, Developer's site improvement plans shall include an on-site water plan. (DS-11)
110. Developer shall enter into an agreement, approved as to form by the City Attorney, to install and construct all public improvements required by this permit and by the City Code and shall post security satisfactory to the Finance Director, guaranteeing the installation and construction of all required improvements within the time period specified in the agreement or any approved time extension. (DS-14)
111. A civil engineer licensed in the State of California shall prepare the public improvement plans and documents for this project in accordance with City standards and shall submit all such plans to the City Engineer. Such plans and documents shall include, but not be limited to, grading, street, drainage, sewer, water and other appurtenant improvement plans; a master utility plan showing the layout and location of all on-site and off-site utility improvements that serve the project; construction cost estimates, soils reports, and all pertinent engineering design calculations. City will not accept an application for the final map or parcel map for the project or issue a grading, site improvement or building permit until the City Engineer has approved all improvement plans. (DS-15)

112. Developer shall process permanent master planned improvements that are eligible for reimbursement in accordance with City policies, resolutions, and ordinances in effect at the time of recordation of the final map or parcel map or if there is no such map, then at the time of public improvement plan approval. (DS-17)
113. Developer shall provide all necessary easements for streets, highways, alleys, sidewalks, breezeways, parkways, landscaping, utilities, drainage facilities, and other improvements as required by City. If such easements cannot be obtained from the property owner by negotiation, City may acquire them at the expense of Developer by exercise of the power of eminent domain. Developer shall bear all costs of eminent domain proceedings, including appraisal, acquisition, attorney's fees, and court costs. Before City issues a site improvement permit, Developer shall dedicate all required easements to City. (DS-19)
114. 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)
115. 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)
116. Developer shall pay the cost of all inspections of on-site and off-site improvements. (DS-22)
117. Developer shall be responsible for all project-related actions of Developer's employees, contractors, subcontractors, and agents until City accepts the improvements. (DS-23)
118. 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)
119. "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)

120. Developer shall retain a Civil Engineer licensed in the State of California to ensure that the construction work conforms to the approved improvement plans and specifications and to provide certified "as-built" plans after project completion. Developer's submittal of the certified "as-built" plans is a condition of City's final acceptance of the project. (DS-29)
121. All grading shall conform to City's grading ordinance and any recommendations of Developer's soils engineer that have been approved by the City Engineer. Developer shall conform to all applicable notes specified on the site improvement/grading plan cover sheet and grading permit. (DS-30)
122. In order to mitigate any potential flooding or erosion affecting adjacent properties and public rights-of-way, Developer shall construct required drainage facilities concurrently with the rough grading operations, or with prior approval of the City Engineer, provide interim drainage improvements on a temporary basis. (DS-31)
123. Storm drain, sewer and water facilities shall conform to applicable City Master Plans. Developer shall prepare plans for these facilities in accordance with City's engineering design criteria in effect at the time of improvement plan submittal. Developer shall submit plans with pertinent engineering analyses and design calculations for review and approval by the City Engineer prior to issuance of a site improvement permit. (DS-34)
124. Prior to issuance of a site improvement permit, Developer shall provide to the City Engineer easements or written consents from all affected landowners for any diversion of historical flows or change in drainage conditions caused by the project, as evidence that such landowners accept any additional water flowing over their property. (DS-36)
125. 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. (DS-38)
126. Developer shall install water mains, fire hydrants and water services in conformance with City Standard Plans and specifications as directed by the City Engineer. (DS-41)
127. Developer shall install adequately sized water services and meters to each lot or unit in accordance with City standards in effect at the time City issues building permits. There shall be no interconnections between structures. (DS-42)
128. Prior to issuance of building permits, Developer shall present to the City Engineer a "Proof of Payment - Authorization for Building Permits" form issued by the Calleguas Municipal Water District. (DS-44)
129. Developer shall install City approved backflow prevention devices for water connections if so ordered by the City Engineer. (DS-45)

130. Prior to designing the water system for the project, Developer shall have a certified fire flow test performed to determine existing water pressure and flow characteristics. The water system shall be designed to allow for a 10 psi drop in the static water pressure measured during the fire flow test. After construction and before City issues a certificate of occupancy, the City Engineer may require a second test. Before performing the tests, Developer shall obtain permits from the City Engineer. Developer shall have all tests certified by a mechanical, civil, or fire protection engineer and provide written results of all tests to the City Engineer. (DS-47)
131. Developer shall dedicate and improve to City standards all sidewalks, parkways, streets, alleys, and street appurtenances. City will name all streets in accordance with adopted City guidelines. (DS-49)
132. Street and road improvements shall conform to City standards and policies. Improvements shall include upgrading of existing pavement along the project frontage to City standards by removing and replacing or overlaying, as directed by the City Engineer. (DS-51)
133. Developer shall improve all streets, alleys, sidewalks, curbs, and gutters adjacent to the project in accordance with City standards, as necessary to provide safe vertical and horizontal transitions. (DS-52)
134. Developer shall provide soils reports, "R" value tests, and compaction tests for all streets. Determination of the actual structural sections shall be based on City's design procedure, applying the appropriate traffic index specified in City standards. (DS-53)
135. Developer shall install all water, gas, sewer, storm drain, electrical, cable television, and telephone lines before any paving is placed. (DS-54)
136. 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)
137. Developer shall be responsible for and bear the cost of replacement of all existing survey monumentation (e.g., property corners) disturbed or destroyed during construction, and shall file appropriate records with the Ventura County Surveyor's Office. (DS-64)
138. Developer shall provide adequate vehicle sight distance as specified by CalTrans specifications at all driveways and intersections. (TR-71)
139. Developer shall install bike racks in accordance with City standards at locations approved by City Traffic Engineer. (TR-73)
140. Prior to issuance of a building permit, all traffic signal, pavement marking and sign plans shall be prepared by a registered California traffic engineer and approved by the City Engineer prior to issuance of a grading, site improvement or a building permit. (TR-74)

141. Prior to issuance of an encroachment permit, Developer's shall obtain City's approval of a contractor qualified to install traffic signals, pavement markings and signs. (TR-76)

STORMWATER QUALITY CONDITIONS

142. 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)
143. 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 Solid Waste Collection 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 Solid Waste Collection Division. (DS-79)
144. Developer shall design parking lot and other drive areas to minimize degradation of stormwater quality. Using Best Management Practices (BMPs), such as oil and water separators, sand filters, landscaped areas for infiltration, basins or approved equals, Developer shall intercept and effectively prevent pollutants from discharging to the storm drain system. The stormwater quality system design shall be approved by the City Engineer prior to the issuance of a site improvement permit. (DS-81)
145. Using forms provided by the Development Services Division, Developer shall submit a stormwater quality control measures maintenance program ("the Program") for this project. If the BMPs implemented with this project include proprietary products that require regular replacement and/or cleaning, Developer shall provide proof of a contract with an entity qualified to provide such periodic maintenance. The property owner is responsible for the long-term maintenance and operation of all BMPs included in the project design. Upon request by City, property owner shall provide written proof of ongoing BMP maintenance operations. No grading or building permit shall be issued until the Development Services Manager approves the Program and Developer provides an executed copy for recordation. (DS-82)
146. Developer shall clean on-site storm drains at least twice a year; once immediately before the first of October (the beginning of the rainy season) and once in January. The City Engineer may require additional cleaning. (DS-83)

147. 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)
148. 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)
149. Prior to issuance of a grading permit or commencement of any clearing, grading or excavation, Developer shall provide the City Engineer with a copy of a letter from the California State Water Resources Control Board, Storm Water Permit Unit assigning a permit identification number to the Notice of Intent (NOI) submitted by Developer in accordance with the NPDES Construction General Permit. Developer shall comply with all additional requirements of the General Permit, including preparation of a Stormwater Pollution Prevention Plan (SWPPP). The SWPPP shall identify potential pollutant sources that may affect the quality of discharges to stormwater and shall include the design and placement of recommended Best Management Practices (BMPs) to effectively prohibit pollutants from the construction site entering the storm drain system. Developer shall keep the SWPPP updated to reflect current site conditions at all times and shall keep a copy of the SWPPP and the NOI on the site and make them available for City or designated representative to review upon request. (DS-86)

DEVELOPMENT SERVICES DIVISION SPECIAL CONDITIONS

150. 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 lot line adjustment, 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-101)
151. 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)
152. Developer shall design the grass swale filter in accordance with the Technical Guidance Manual for Stormwater Quality Control Measures ("Technical Manual") except as specifically altered by these conditions of approval. Design calculations shall be included in the project drainage report. (DS)
153. Developer's engineer shall provide City with written confirmation that they have reviewed the landscape construction drawings within the NPDES grass swale filter areas and that the proposed landscaping conforms to SQUIMP standards for grass swale filters. (DS)

154. Developer shall provide a 6-inch minimum vertical drop between the flow line of the parking lot concrete gutter and the flow line of the filter swale at each location where stormwater enters the filter swale. The transition between gutter flow line and filter swale flow line shall be constructed similar to a concrete ribbon gutter. (DS)
155. Developer shall install a minimum 4" diameter perforated pipe underdrain bedded in 12" of coarse aggregate (similar to page 5-15 of the Technical Manual) for all filter-swale slopes less than 1%. (DS)
156. Developer shall provide proof of recordation of a document that holds southerly property owners responsible for implementation and perpetual maintenance of all proposed long-term post-construction BMPs within the southerly lot including those BMPs that primarily serve the northerly lot. (DS)
157. Developer shall construct proposed 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)
158. Developer shall provide two pedestrian connections between the public sidewalk and the private walk west of Building 4. One connection shall be provided at each end (north and south ends) of the private walk. (DS)
159. Prior to issuance of a site improvement permit, Developer shall dedicate a sidewalk easement to City that encompasses all portions of the proposed sidewalk not within an existing City easement. (DS)
160. Developer shall provide onsite fire hydrants such that all points of all structures are within one hundred fifty (150) feet of a fire hydrant, or as otherwise approved by the Fire Department. Fire hydrant line improvements shall be designed in accordance with City standards and shown on the civil engineer's improvement plans prior to issuance of a site improvement/grading permit. Developer shall provide the City with an easement over the waterline using standard City format. (DS)
161. Developer shall redesign the proposed onsite water distribution system to eliminate the water line between Buildings 2 and 3. Developer shall locate water mains in asphalt areas of the site unless an alternative location is specifically approved by the Development Services Manager. (DS)
162. Developer shall construct a concrete apron along the length of all trash enclosure openings that extends a minimum of 15 feet from the face of the enclosure. (DS)
163. Prior to issuance of a site improvement permit, Developer shall provide proof of recordation of a reciprocal access, maintenance, and drainage agreement between the two lots affected by this permit. (DS)
164. Developer shall construct trash enclosures that serve food preparation tenants with a traffic rated drain (or other approved drain) in the center of the enclosure to catch all wash water from

the trash enclosure. This drain shall connect to the sanitary sewer system via a grease interceptor. 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 and Environmental Services Division. The location and configuration of trash enclosures shall be reviewed and approved by the Solid Waste Collection 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 Solid Waste Collection Division. (DS)

PASSED AND ADOPTED by the Planning Commission of the City of Oxnard on this 17th day of July, 2007, by the following vote:

AYES: Commissioners

NOES: Commissioners

ABSENT: Commissioners

Dr. Sonny Okada, Chairman

ATTEST: _____
Susan L. Martin, Secretary

RESOLUTION NO. 2007-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD RECOMMENDING TO THE CITY COUNCIL ADOPTION OF A ZONE CHANGE (PZ 06-570-08), TO CHANGE THE ZONE DISTRICT FOR PROPERTY LOCATED AT 2200 STATHAM BOULEVARD (APN 220-0-010-325), FROM LIMITED MANUFACTURING (M-L) TO BUSINESS & RESEARCH PARK (BRP). FILED BY STATHAM COMMERCIAL DEVELOPMENT, LLC, C/O LANET-SHAW ARCHITECTS, 11741 PICO BOULEVARD, LOS ANGELES, CA 90064.

WHEREAS, the Planning Commission of the City of Oxnard has considered an application for Planning and Zoning Permit No. 06-570-08, filed by Statham Commercial Development, LLC to amend the zoning of the above-described property located at 2200 Statham Boulevard from ML to BRP; and

WHEREAS, the Planning Commission has held public hearings and received and reviewed written and oral comments related to proposed Planning and Zoning Permit No. 06-570-08; and

WHEREAS, the Planning Commission finds after due study and deliberation that the public interest and general welfare require the adoption of Planning and Zoning Permit No. 06-570-08; and

WHEREAS, Section 15332 of Title 14 of the California Code of Regulations exempts the project from the requirement for the preparation of environmental documents imposed by the California Environmental Quality Act; and

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Oxnard hereby recommends to the City Council adoption of Planning and Zoning Permit No. 06-570-08, amending the City's official Zoning Map to change the zoning designation of one parcel as shown in Exhibit "A", attached hereto and incorporated herein by reference.

PASSED AND ADOPTED by the Planning Commission of the City of Oxnard on this 19th day of July 2007, by the following vote:

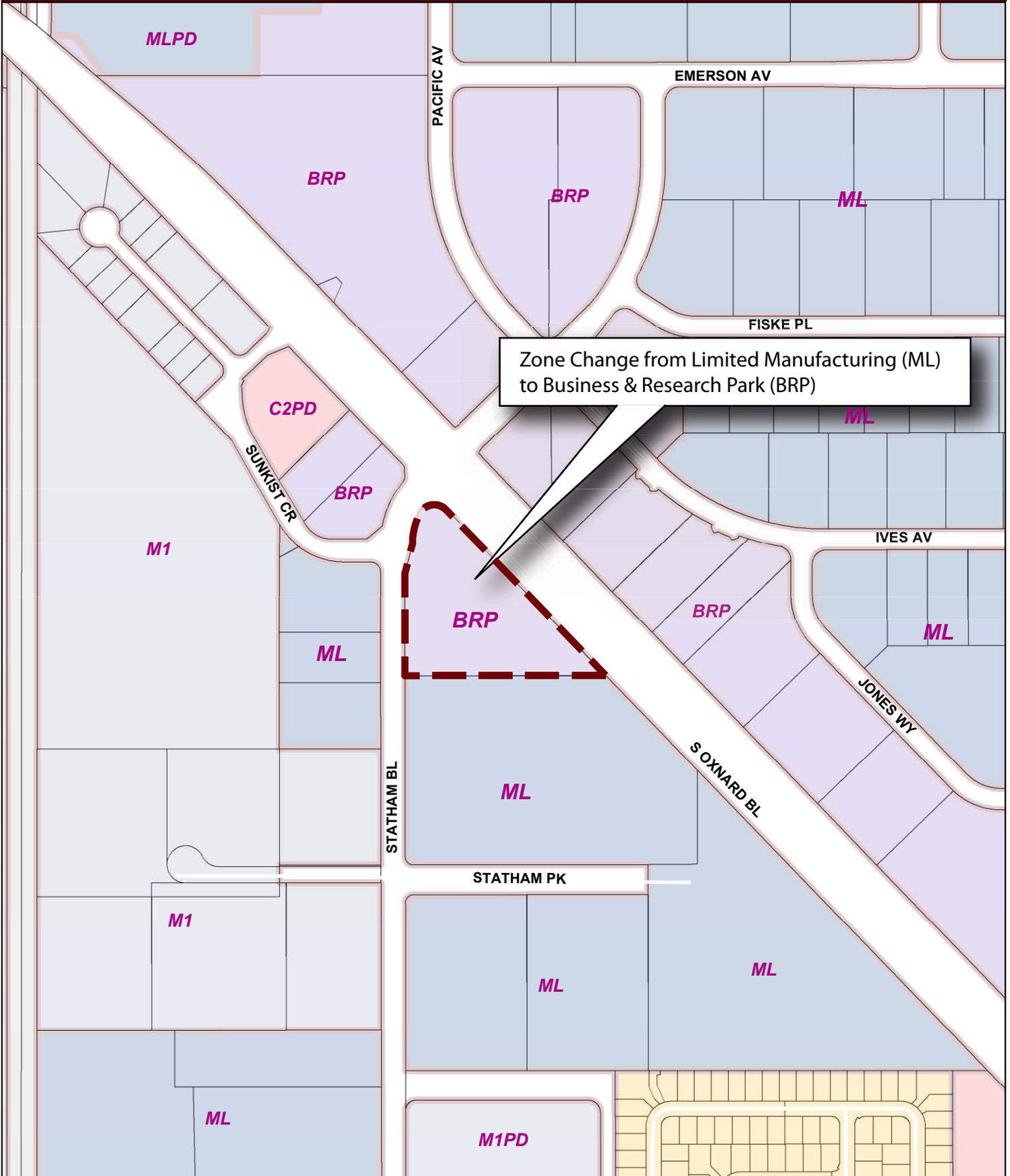
AYES: Commissioners:

NOES: Commissioners:

ABSENT: Commissioners:

Dr. Sonny Okada, Chairman

ATTEST: _____
Susan L. Martin, Secretary



RESOLUTION NO. 2007 – 07-590-01

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD APPROVING PLANNING AND ZONING PERMIT NO. 07-590-01 (ZONE VARIANCE), TO ALLOW A REDUCTION IN THE BUILDING SETBACK FROM 40 FEET TO 30 FEET AND 33 FEET FOR A 4500 SQUARE FOOT COMMERCIAL BUILDING AT TWO POINTS ALONG OXNARD BOULEVARD AS PART OF A FOUR BUILDING DEVELOPMENT, LOCATED AT STATHAM BOULEVARD AND OXNARD (APN 220-0-010-325), SUBJECT TO CERTAIN FINDINGS AND CONDITIONS. FILED BY STATHAM COMMERCIAL DEVELOPMENT, LLC, C/O LANET-SHAW ARCHITECTS, 11741 PICO BOULEVARD, LOS ANGELES, CA 90064.

WHEREAS, the Planning Commission of the City of Oxnard has considered an application for Planning and Zoning Permit No. 07-590-01 (Zone Variance), filed by Statham Commercial Development, LLC, in accordance with Sections 16-565 through 16-569 of the Oxnard City Code; and

WHEREAS, Section 15332 of Title 14 of the California Code of Regulations exempts the project from the requirement for the preparation of environmental documents imposed by the California Environmental Quality Act; and

WHEREAS, the triangle shape lot configuration and the requirements for a 40 foot landscape setback along Oxnard Boulevard makes the subject parcel eligible for a variance to the front yard setback standard along Oxnard Boulevard; and

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

1. That the variance granted is subject to such conditions as will assure that the adjustment thereby authorized shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which the subject property is situated; and
2. That because of special circumstance applicable to subject property, including size, shape, topography, location or surroundings, the strict application of the zoning regulations is found to deprive subject property of privileges enjoyed by other properties in the vicinity and under identical zone classification; and
3. That granting the variance will not be detrimental to the public interest, safety, health or welfare and will not be detrimental or injurious to property or improvements at the same vicinity and zone in which the property is located; and
4. That granting of such a variance will not be contrary to the general plan.

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 form, 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 16-544 and 16-545 of the Oxnard City Code.

**STANDARD CONDITIONS OF APPROVAL
FOR LAND USE PERMITS**

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
DS	Dev Services/Eng Dev/Inspectors	TR	Traffic
PD	Police	B	Building Plan Checker
SC	Source Control	FD	Fire
PK	Parks	CE	Code Enforcement

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 21, 2007, (“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 Special Use Permit (PZ 06-500-11) is approved by the Planning and Environmental Services Manager or a major modification to the plans is approved by the Planning Commission. (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. 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)
5. 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)
6. Developer shall record with the Ventura County Recorder a "Notice of Land Use Restrictions and Conditions" in a form acceptable to the City Attorney. Before the City issues building permits or allows Developer to occupy the project. Developer shall submit a copy of the recorded document to the Planning and Environmental Services Manager. (PL, G-8)
7. 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)
8. Prior to issuance of building permits, Developer shall correct all violations of the City Code existing on the project property. (PL, G-15).

PLANNING SPECIAL CONDITIONS

9. This permit is granted subject to the approval of PZ No. 06-500-11 (Special Use Permit) and PZ 06-570-8 (Zone Change) for the project property.

PASSED AND ADOPTED by the Planning Commission of the City of Oxnard on this 17th day of July, 2007, by the following vote:

AYES: Commissioners:

NOES: Commissioners:

ABSENT: Commissioners:

Dr. Sonny Okada, Chairperson

ATTEST: _____
Susan L. Martin, Secretary