



Meeting Date: 6/12/2007

ACTION	TYPE OF ITEM
<input type="checkbox"/> Approved Recommendation	<input type="checkbox"/> Info/Consent
<input type="checkbox"/> Ord. No(s). _____	<input type="checkbox"/> Report
<input type="checkbox"/> Res. No(s). _____	<input checked="" type="checkbox"/> Public Hearing (Info/consent)
<input type="checkbox"/> Other _____	<input type="checkbox"/> Other _____

Prepared By: Justin Beranich, Junior Planner

Agenda Item No. **K-2**

Reviewed By: City Manager *MMH*

City Attorney *[Signature]*

Finance *SW*

Other (Specify)

**DATE:** May 31, 2007

**TO:** City Council

**FROM:** Susan L. Martin, AICP *SMartin*  
Planning and Environmental Services Manager

**SUBJECT:** Planning and Zoning Nos. 06-500-21 (Special Use Permit) and 06-300-22 (Tentative Subdivision Map for Tract 5717 for condominium purposes) at 2041 Cabot Place. Filed by Calbar Oxnard Partners, 12267 San Vicente Blvd. Los Angeles, California 90049.

**RECOMMENDATION**

That City Council:

1. Adopt a resolution upholding the Planning Commission's approval of Planning and Zoning Permit No. 06-500-21 (Special Use Permit), subject to the conditions set forth in Planning Commission Resolution No. 2007-5, and
2. Adopt a resolution approving Planning and Zoning Permit No. 06-300-22 (Tentative Subdivision Map), subject to the conditions set forth in Planning Commission Resolution No. 2007-6.

**DISCUSSION**

On April 19, 2007, the Planning Commission approved a special use permit (SUP) to allow the construction of two concrete tilt-up industrial buildings totaling 34,570 square feet. As part of the SUP, the Commission approved a reduced loading zone, zero side-yard setback on one side, and an outdoor staging area. The Planning Commission recommended City Council approval of a tentative subdivision map to allow individual ownership (condominiums) of the ten industrial workspaces proposed within the new development. The subject property is located at 2041 Cabot Place (APN 216-0-191-135).

The proposed project is exempt from environmental review under Section 15332 (Class 32) of the California Environmental Quality Act (CEQA). The City's 2020 General Plan designates the subject site for Industrial Limited land uses and the zoning is ML (Limited Manufacturing). Therefore, the project is consistent with the 2020 General Plan policies and conforms to its land use designation. The proposed community ownership of the site will not affect the future industrial uses on the subject property.

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PZ 06-500-21 (SUP) & PZ 06-300-22 (TSM)

June 12

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## **FINANCIAL IMPACT**

The sale of the individual industrial condominiums will result in a negligible increase in property tax revenue.

SM:JB

- Attachment #1 - Resolution (Special Use Permit)  
#2 - Resolution (Tentative Subdivision Map)  
#3 - Vicinity Map  
#4 - General Plan Map  
#5 - Zoning Map  
#6 - PC Resolution No. 2007-5 approving PZ 06-500-21  
#7 - PC Resolution No. 2007-6 approving PZ 06-300-22  
#8 - PC Staff Report

Note: Attachment #6 and #8 have been provided to the City Council. Copies are available for review at the Circulation Desk in the Library after 6:00 p.m. on the Thursday prior to the Council meeting and at the City Clerk's Office after 8:00 a.m. on Friday.

**000059**

CITY COUNCIL OF THE CITY OF OXNARD

RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD APPROVING PERMIT NO. 06-500-21 (SPECIAL USE PERMIT) FOR PROPERTY LOCATED 2041 CABOT PLACE (APN 216-0-191-135), SUBJECT TO CERTAIN CONDITIONS. FILED BY CALBAR OXNARD PARTNERS, 12267 SAN VICENTE BLVD., LOS ANGELES, CA 90049.

WHEREAS, the City Council has reviewed Planning and Zoning Permit No. 06-500-21 for the property located at 2041 Cabot Place, filed by Calbar Oxnard Partners; and

WHEREAS, the City Council has carefully reviewed the Planning Commission action recommending approval thereof, subject to certain conditions, the staff report, and minutes of testimony at the public hearing; and

WHEREAS, Section 15332 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, the City Council of the City of Oxnard resolves:

1. The proposed use is in conformance with the *2020 General Plan* and other adopted standards 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.
6. The proposed development is in conformance with adopted goals, policies and standards of the Northfield Seagate Business Park Specific Plan.

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PASSED AND ADOPTED this 12th day of June, 2007, by the following vote:

AYES:

NOES:

ABSENT:

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Dr. Thomas E. Holden, Mayor

ATTEST:

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Daniel Martinez, City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Gary L. Gillig, City Attorney

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ATTACHMENT \_\_\_\_\_  
PAGE 2 OF 2

CITY COUNCIL OF THE CITY OF OXNARD

RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD APPROVING TENTATIVE SUBDIVISION MAP NO. 5717 FOR PROPERTY LOCATED 2041 CABOT PLACE (APN 216-0-191-135), SUBJECT TO CERTAIN CONDITIONS. FILED BY CALBAR OXNARD PARTNERS, 12267 SAN VICENTE BLVD., LOS ANGELES, CA 90049.

WHEREAS, City Council has carefully reviewed Planning Commission Resolution No. 2007-6 recommending approval of Tentative Subdivision Map No. 5717 (Tentative Subdivision Map), for property located 2041 Cabot Place, filed by Calbar Oxnard Partners; and

WHEREAS, the City Council finds that the Tentative Map complies with all requirements of the Subdivision Map Act and the Oxnard City Code; and

WHEREAS, the City Council finds that the Tentative Map, the proposed site, and the design and improvement of the development requested are consistent with the General Plan and any applicable Specific Plan ; and

WHEREAS, the City Council finds that the proposed site is suitable for the type and density of development requested and is not likely to cause substantial environmental damage, serious public health problems or conflict with any publicly acquired easements or access; and

WHEREAS, Section 15332 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, THE CITY COUNCIL OF THE CITY OF OXNARD DOES HEREBY RESOLVE AS FOLLOWS:

Tentative Subdivision Map for Tract No. 5717 is hereby approved, subject to the conditions set forth in Planning Commission Resolution No. 2007-6.

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PAGE 1 OF 2

PASSED AND ADOPTED this 12th day of June, 2007, by the following vote:

AYES:

NOES:

ABSENT:

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Dr. Thomas E. Holden, Mayor

ATTEST:

---

Daniel Martinez, City Clerk

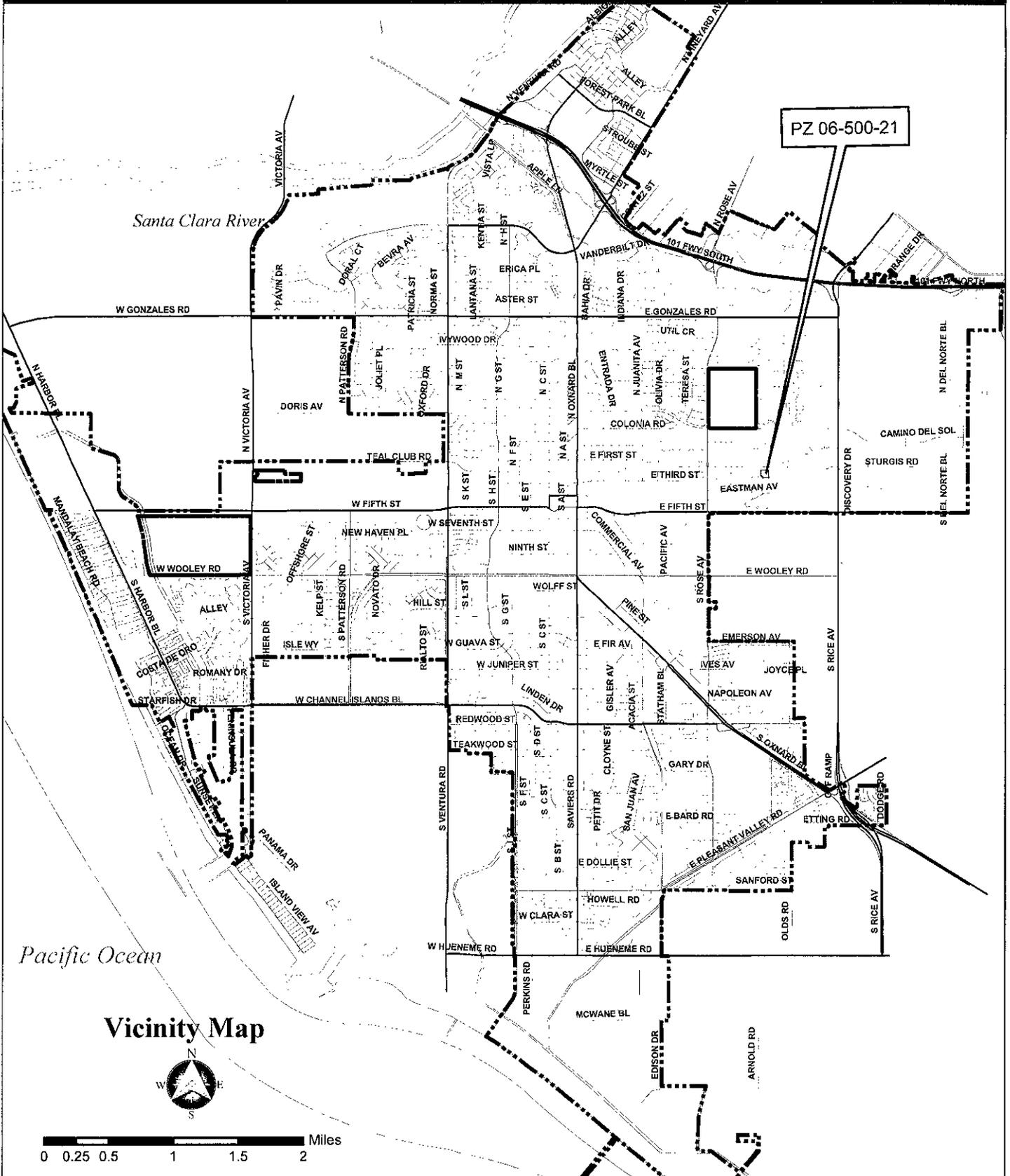
APPROVED AS TO FORM:

  
\_\_\_\_\_  
Gary L. Gillig, City Attorney

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# Vicinity Map



## Vicinity Map



0 0.25 0.5 1 1.5 2 Miles



Oxnard Planning  
April 3, 2007

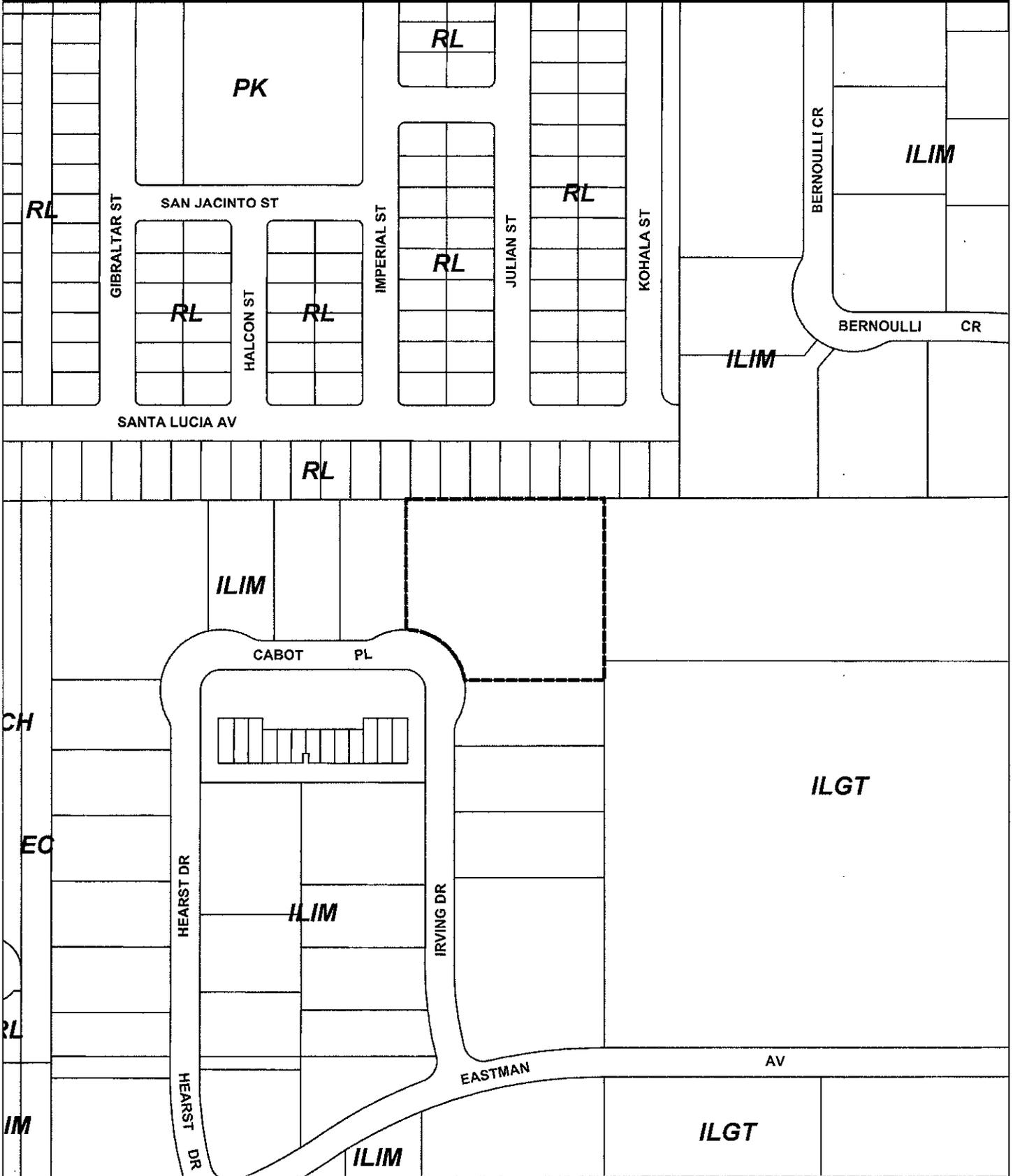
PZ 06-500-21  
Location: 2041 Cabot Pl  
APN: 216019113

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ATTACHMENT 3

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# General Plan Map



PZ 06-500-21  
Location: 2041 Cabot Pl  
APN: 216019113

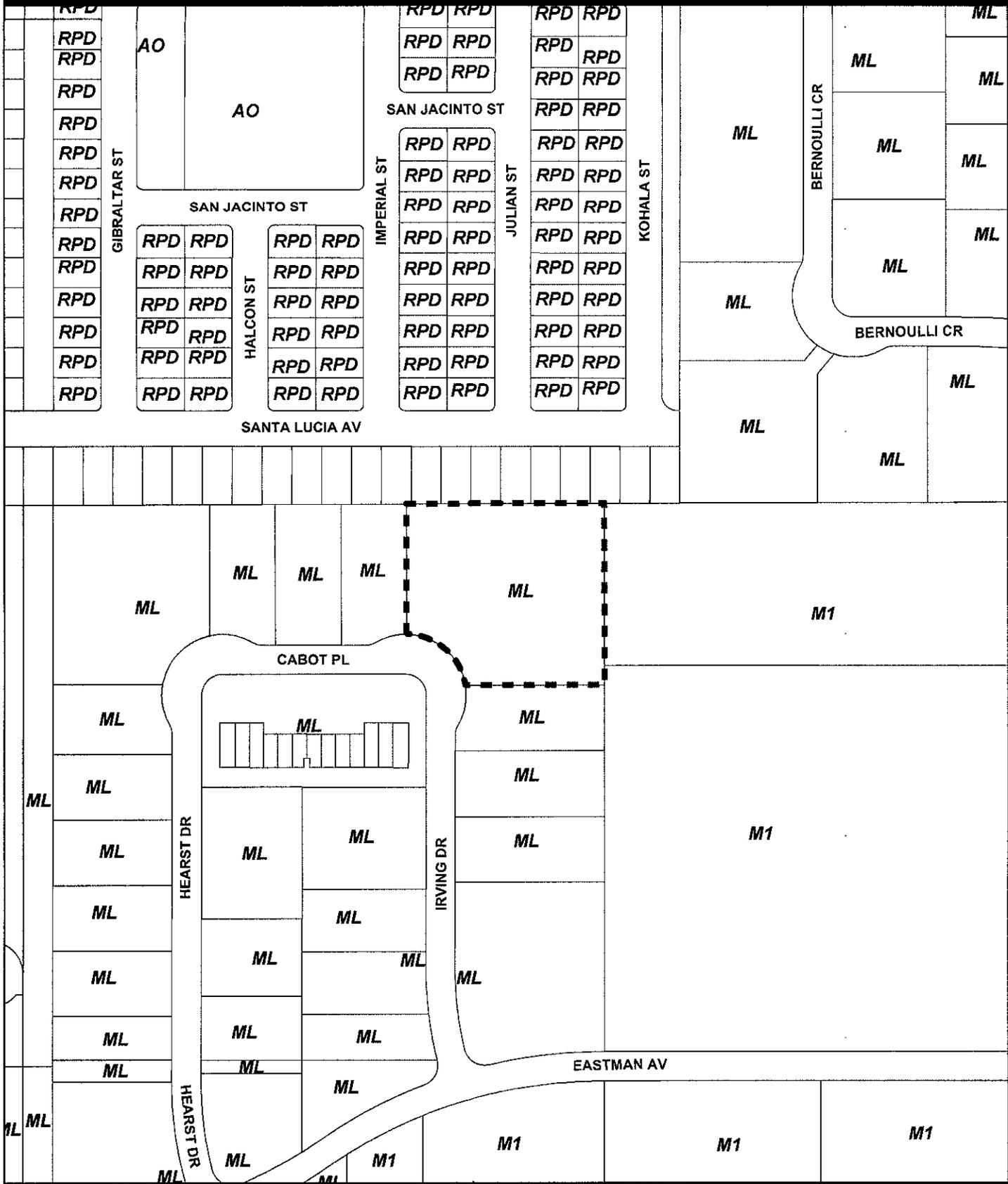
0 50 100 200 300 400 Feet

General Plan Map  
ATTACHMENT 4  
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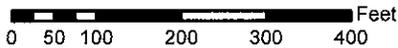


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# Zone Map



PZ 06-500-21  
Location: 2041 Cabot Pl  
APN: 216019113



Zone Map  
000066 ATTACHMENT 5  
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RESOLUTION NO. 2007 – 6

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD RECOMMENDING APPROVAL OF A TENTATIVE PARCEL MAP OF TRACT NO. 5717 (PLANNING AND ZONING PERMIT NO. 06-300-22) FOR CONDOMINIUM PURPOSES, WITHIN THE NORTHFIELD SEAGATE BUSINESS PARK SPECIFIC PLAN FOR PROPERTY LOCATED AT 2041 CABOT PLACE (APN 216-0-191-135). FILED BY CALBAR OXNARD PARTNERS, 12267 SAN VICENTE BLVD., LOS ANGELES, CA 90049.

WHEREAS, the Planning Commission of the City of Oxnard has considered the tentative parcel subdivision map of Tract No. 5717 (Planning and Zoning Permit No. 06-300-22) for condominium purposes, filed by Calbar Oxnard Partners in accordance with Chapter 15 of the Oxnard City Code; and

WHEREAS, said tentative parcel map was referred to various public utility companies, City departments and the Development Advisory Committee for recommendations; and

WHEREAS, the Planning Commission finds the tentative map conforms to the City's General Plan and elements thereof; 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 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 subdivision in particular.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Oxnard hereby recommends to the City Council the approval of the tentative parcel map, subject to the following conditions:

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

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ATTACHMENT

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DEPARTMENTS AND DIVISIONS			
PK	Public Works, Landscape Design	CE	Code Compliance

**GENERAL PROJECT CONDITIONS**

1. 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)
2. Developer shall obtain a building permit for any new construction or modifications to structures, including interior modifications, authorized by this permit. (B, G-11)
3. 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)

**LANDSCAPE STANDARD CONDITIONS**

4. 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)
5. 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)
6. 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)
7. 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)
8. 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)

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9. 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)
10. Developer shall install an irrigation system that includes a water sensor shut off device as a water conservation measure. (PK, PK-22)

#### **PLANNING DIVISION SPECIAL CONDITIONS**

11. An approved tentative map shall expire thirty-six (36) months after its approval, unless an extension is applied for and approved by the City Council pursuant to Section 15-46 of the City Code. (PL)

#### **DEVELOPMENT SERVICES DIVISION STANDARD CONDITIONS**

12. Developer agrees, as a condition of approval of this resolution, to indemnify, defend and hold harmless, at Developer's expense, City and its agents, officers and employees from and against any claim, action or proceeding commenced within the time period provided for in Government Code Section 66499.37, to attack, review, set aside, void or annul the approval of this resolution or to determine the reasonableness, legality or validity of any condition attached thereto. City shall promptly notify Developer of any such claim, action or proceeding of which City receives notice, and City will cooperate fully with Developer in the defense thereof. Developer shall reimburse City for any court costs and attorney's fees that City may be required to pay as a result of any such claim, action or proceeding. City may, in its sole discretion, participate in the defense of any such claim, action or proceeding, but such participation shall not relieve Developer of the obligations of this condition. Developer's acceptance of this resolution or commencement of construction or operations under this resolution shall be deemed to be acceptance of all conditions thereof. (DS-18)
13. Prior to approval of the final map or parcel map, Developer shall provide the City Engineer with written evidence from the Ventura County Clerk's Office that Developer has executed and filed with the Clerk all certificates, statements and securities required by Government Code Sections 66492 and 66493. (DS-26)
14. By title sheet dedication at the time of filing the subdivision map, Developer shall dedicate all water rights for the project property to City. (DS-39)
15. Prior to release of the final map or parcel map for recordation, Developer shall provide the City Engineer with a 100-scale base map for addressing purposes. The map shall be drawn on 18-inch by 24-inch mylar and shall show the standard address map title block, north arrow, street names, tract number, phase boundary and lot numbers. The City will assign all addresses. (DS-56)

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16. Prior to release of the final map or parcel map for recordation, Developer shall post a bond or other security satisfactory to the City Attorney, guaranteeing that all monuments will be set as required by the Government Code and the City Code. (DS-57)

**DEVELOPMENT SERVICES DIVISION SPECIAL CONDITIONS**

17. Developer shall process final map concurrently with site improvement plans for PZ06-500-21. (DS)

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

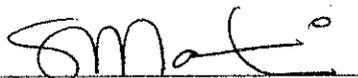
AYES: Commissioners: Dean, Sanchez, Pinkard, Medina, Elliot, Frank, Okada

NOES: Commissioners: None

ABSENT: Commissioners: None

  
\_\_\_\_\_  
Dr. Sonny Okada, Chairman

ATTEST:

  
\_\_\_\_\_  
Susan L. Martin, Secretary

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ATTACHMENT 7  
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