



Meeting Date: 11/27/07

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: Kathleen Mallory, AICP, Contract Planner \_\_\_\_\_ Agenda Item No. **K-2**

Reviewed By: City Manager *[Signature]* City Attorney *[Signature]* Finance *SW* Other (Specify) \_\_\_\_\_

**DATE:** November 27, 2007

**TO:** City Council

**FROM:** Susan L. Martin, AICP, Planning Manager *[Signature]*

**SUBJECT:** PZ 06-570-06 (Zone Change); PZ 05-300-30 (Tentative Parcel Map); and PZ 05-500-27 (Special Use Permit) for the Teal Club Commercial and Industrial Project, Located on the Southeast Corner of Victoria Avenue and Teal Club Road. Filed by Teal Club Investors, L.P., 5023 N. Parkway Calabasas, Suite 200, Calabasas, CA 91302.

**RECOMMENDATION**

That City Council takes the following actions:

1. Adopt a resolution upholding the Planning Commission's approval of Mitigated Negative Declaration No. 2006-05 finding that the proposed project will not have a significant effect on the environment and upholding the Commission's approval of PZ 05-500-27 (Special Use Permit) for the construction of a self storage facility with caretaker's unit and new industrial condominium building, subject to certain findings and conditions.
2. Approve the first reading by title only and subsequent adoption of an ordinance approving Zone Change (PZ 06-570-06 changing the zone district from Business and Research Park to Light Industrial, Planned Development (M-1-PD) on Parcel Number 3 located on the easterly portion of the project site.
3. Adopt a resolution approving PZ 05-300-30 (Tentative Parcel Map) to create three parcels for light industrial and future retail/BRP uses.

**DISCUSSION**

Project Description – The project involves a request for a tentative parcel map (PZ 05-300-30), zone change (PZ 06-570-06) and a special use permit (PZ 05-500-27) for development on 9.67 acres located on the southeast corner of Teal Club Road and Victoria Avenue (APN 183-0-090-575). The tentative map proposes to subdivide the existing parcel into three individual parcels: one parcel for industrial and self-storage use, and two parcels for future commercial/retail development. The zone change request pertains to one of the proposed parcels (Parcel 3) to change the zoning designation from Business and Research Park (BRP) to Light Industrial, Planned Development (M-1-PD). The special use permit is

necessary for the request to allow a caretaker's residence as part of the self-storage building, and to supplement the map request for condominium purposes on Parcel 3 for the industrial buildings. Development on Parcel 3 encompasses 152,990 square feet of floor area (99,920 sq. ft. for the self-storage facility, and 53,070 for the industrial buildings). All uses are proposed to occur within an enclosed building. No outdoor storage or uses are proposed at this time. Build-out of Parcels 1 and 2 is not proposed at this time and would be considered at a later date.

Planning Commission Review and Action - On September 20, 2007, the Planning Commission considered the aforementioned project and expressed some concerns regarding the proposed development project. The Commission's action on the 20<sup>th</sup> was to not certify the environmental document for the project and therefore, no action could be taken on the project permits.

The applicant addressed the Commission's concerns through revisions to the plans which were presented to the Commission on November 1, 2007. At this meeting, the Planning Commission reconsidered the revised project and approved the project 6:0 (Commissioner Sanchez abstaining due to a conflict) given that the plan revisions to address Commission comments were as follows:

- Provided a significant water gateway feature on the southeast corner of Victoria Avenue and Teal Club Road;
- Eliminate the drive through facilities on both Parcels 1 and 2;
- Provided energy efficient building elements within the industrial development project on Parcel 3; and
- Provided more articulation along the self storage building elevation facing Teal Club Road

The Commission also imposed a condition of approval requiring that architectural review be required in the future for any development on Parcels 1 and 2.

## **FINANCIAL IMPACT**

The applicant will be required to pay applicable development fees such as Traffic Impact fees, Art in Public Places and other impact fees.

- Attachments 1 - City Council Resolution, Upholding Approval of Special Use Permit  
2 - City Council Resolution, Tentative Parcel Map  
3 - City Council Ordinance, Zone Change Ordinance  
4 - Mitigated Negative Declaration No. 2006-05  
5 - Planning Commission Resolutions 2007-50 (ZC), 2007-51 (SUP), 2007-52 (TPM)  
6 - Planning Commission Staff Report, without attachments (dated November 1, 2007)  
7 - Planning Commission Power Point Presentation

Note: Attachments 4, 5 and 6 have been provided to City Council under separate cover. Copies for review are available at the Circulation Desk in the Library after 6:00 p.m. on Wednesday prior to the Council meeting and in the City Clerk's Office after 8:00 a.m. on Monday prior to the Council meeting.

**000082**

## **DISCUSSION**

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**000083**

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**000084**

RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD UPHOLDING THE PLANNING COMMISSION ACTION AND APPROVING SPECIAL USE PERMIT PZ 05-500-27 TO ALLOW THE CONSTRUCTION OF A SELF STORAGE FACILITY WITH CARETAKER'S RESIDENCE AND NEW INDUSTRIAL BUILDINGS ON THE PARCEL KNOWN AS PARCEL 3 OF PZ 05-300-30 LOCATED ON THE SOUTHEAST CORNER OF VICTORIA AVENUE AND TEAL CLUB ROAD (APN 183-0-090-575), SUBJECT TO CERTAIN CONDITIONS OF APPROVAL. FILED BY THE TEAL CLUB INVESTORS, L.P., 5023 N. PARKWAY CALABASAS, SUITE 200, CALABASAS, CA 91302.

WHEREAS, City Council has considered Planning Commission Resolution No. 2007-51 approving Special Use Permit No. PZ 05-500-27, for property located on the southeast corner of Victoria Avenue and Teal Club Road (APN 183-0-090-575), filed by Teal Club Investors, L.P.; and

WHEREAS, the City Council has considered the appeal filed by the Planning Department for logical review of the development project, and has carefully reviewed the decision of the Planning Commission; and

WHEREAS, in accordance with the California Environmental Quality Act, the Planning Division Manager provided public notice of the intent of the City to adopt a mitigated negative declaration for this project, and the City Council considered the proposed mitigated negative declaration, together with any comments received during the public review process, finds on the basis of the whole record before it (including the initial study and any comments received) that with the imposition of mitigation measures as conditions of approval, there is no substantial evidence that the project will have a significant effect on the environment, further finds that the mitigated negative declaration reflects the independent judgment of the City, and adopts the mitigated negative declaration; and

WHEREAS, the documents and other materials that constitute the record of proceedings upon which the decision to adopt the mitigated negative declaration is based is located in the Planning Division of the City of Oxnard, and the custodian of the record is the Planning Division Manager; and

WHEREAS, the City Council has conducted a hearing and received evidence in favor of and opposed to the application for a special use permit; and

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

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Resolution No.

1. That the proposed use is in conformance with the General Plan, as amended, and other adopted policies of the City of Oxnard.
2. That the proposed use will not adversely affect or be materially detrimental to the adjacent uses, buildings or structures or to the public health, safety or general welfare.
3. That the site for the proposed project is adequate in size and shape to accommodate the setbacks, parking, landscaping, and other City standards.
4. That the site for the proposed use will be served by streets and highways adequate in width and structure to carry the kind and quantity of traffic such use will generate.
5. That the site for the proposed use will be provided with adequate sewerage, water, fire protection and storm drainage facilities.
6. A substantial improvement of the use of the land will be thereby effected, and there will not be any detrimental effect upon the surrounding area.
7. The industrial development on parcel 3 is permitted with the zone change.
8. Building will substantially conform with plot plans and elevations submitted in support of the special use permit.
9. The applicant has demonstrated that densities are in conformance with existing and proposed public facilities, such as streets, sewers and water.

WHEREAS, the City Council 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 or visit this establishment in particular.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Oxnard hereby upholds the Planning Commission's approval of Special Use Permit PZ 05-500-27, subject to the conditions set forth in Planning Commission Resolution No. 2007-51.

**000086**



RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD APPROVING PARCEL MAP 05-300-30 (PLANNING AND ZONING PERMIT NO. 05-300-30), FOR PROPERTY LOCATED ON THE SOUTHEAST CORNER OF VICTORIA AVENUE AND TEAL CLUB ROAD (APN 183-0-090-575), SUBJECT TO CERTAIN CONDITIONS OF APPROVAL. FILED BY THE TEAL CLUB INVESTORS, L.P., 5023 N. PARKWAY CALABASAS, SUITE 200, CALABASAS, CA 91302

WHEREAS, City Council has considered Planning Commission Resolution No. 2007-52 recommending approval of Parcel Map No. 05-300-30, for property located on the southeast corner of Victoria Avenue and Teal Club Road (APN 183-0-090-575), filed by Teal Club Investors, L.P.; and

WHEREAS, in accordance with the California Environmental Quality Act, the Planning Division Manager provided public notice of the intent of the City to adopt a mitigated negative declaration for this project, and the City Council considered the proposed mitigated negative declaration, together with any comments received during the public review process, finds on the basis of the whole record before it (including the initial study and any comments received) that with the imposition of mitigation measures as conditions of approval, there is no substantial evidence that the project will have a significant effect on the environment, further finds that the mitigated negative declaration reflects the independent judgment of the City, and adopts the mitigated negative declaration; and

WHEREAS, the documents and other materials that constitute the record of proceedings upon which the decision to adopt the mitigated negative declaration is based is located in the Planning Division of the City of Oxnard, and the custodian of the record is the Planning Division Manager; and

WHEREAS, the City Council has conducted a hearing and received evidence in favor of and opposed to the application for a special use permit; and

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

WHEREAS, the City Council finds that the Parcel Map, the proposed site, and the design and improvement of the development requested are consistent with the General 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.

NOW, THEREFORE, the City Council of the City of Oxnard resolves that Parcel Map 05-300-30 is hereby approved, subject to the conditions set forth in Planning Commission Resolution No. 2007-52.

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ATTACHMENT 2  
PAGE 1 OF 2

Resolution No.

PASSED AND ADOPTED this 27th day of November 2007, by the following vote:

AYES:

NOES:

ABSENT:

\_\_\_\_\_  
Dr. Thomas E. Holden, Mayor

ATTEST:

\_\_\_\_\_  
Daniel Martinez, City Clerk

APPROVED AS TO FORM:

  
Gary L. Gillig, City Attorney

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ATTACHMENT 2  
PAGE 2 OF 2

CITY COUNCIL OF THE CITY OF OXNARD

ORDINANCE NO.

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OXNARD APPROVING PZ 06-570-06 TO CHANGE THE ZONE DISTRICT FOR PROPERTY LOCATED ON THE SOUTHEAST CORNER OF VICTORIA AVENUE AND TEAL CLUB ROAD, KNOWN AS PARCEL 3 AS PART OF PZ 05-300-30. FILED BY TEAL CLUB INVESTORS, L.P., 5023 N. PARKWAY CALABASAS, SUITE 200, CALABASAS, CA 91302

WHEREAS, the zoning of the subject property is Business and Research Park and in order for the project to be approved, the zoning of the subject parcel must be amended to Light Industrial, Planned Development (M-1-PD); and

WHEREAS, the City Council has held a public hearing and received and reviewed written and oral comments related to proposed Zone Change No. 06-570-06; and

WHEREAS, the City Council finds after due study and deliberation that the public interest and general welfare require the adoption of Zone Change No. 06-570-06; and

WHEREAS, in accordance with Section 15070 of the California Code of Regulations, a subsequent environmental impact report was prepared for Zone Change No. 06-570-06 and the Planning Commission approved the Initial Study and Mitigated Negative Declaration for the project; and

WHEREAS, the documents and other material that constitute the record of proceedings upon which the decision to certify the adopt the final subsequent environmental impact report is located in the Planning Division, and the custodian of the record is the Planning Manager; and

WHEREAS, Applicants agree, as a condition of adoption of this resolution at each Applicant's own expense, to indemnify, defend, and hold harmless 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 this resolution or any proceedings, acts, or determination taken, done, or made prior thereto that were part of the approval process.

WHEREAS, the zone change is consistent with the 2020 General Plan.

NOW, THEREFORE, the City Council of the City of Oxnard does ordain as follows:

- Part 1. Zone Change No. 06-570-06 is approved, as shown on the map attached hereto as Exhibit A and incorporated herein by reference.
- Part 2. Within fifteen days after passage, the City Clerk shall cause this ordinance to be published one time in a newspaper of general circulation, published and circulated in the City. Ordinance No. XXXX was first read on November 27, 2007, and finally adopted on December 4, 2007, to become effective thirty days thereafter.

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ATTACHMENT 3  
PAGE 1 OF 2

Ordinance No. \_\_\_\_\_

Page 2

PASSED AND ADOPTED this 4<sup>th</sup> day of December 2007, by the following vote:

AYES:

NOES:

ABSENT:

\_\_\_\_\_  
Dr. Thomas E. Holden, Mayor

ATTEST:

\_\_\_\_\_  
Daniel Martinez, City Clerk

APPROVED AS TO FORM:

  
Gary L. Gillig, City Attorney

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ATTACHMENT 3  
PAGE 2 OF 2

**Teal Club  
Development Project,  
Southeast corner of Victoria  
Avenue and Teal Club Road  
Teal Club Investors, LLC**

November 1, 2007  
Planning Commission Meeting  
PZ 06-570-06 (Zone Change)  
PZ 05-300-30 (Tentative Parcel Map)  
PZ 05-500-27 (Special Use Permit)

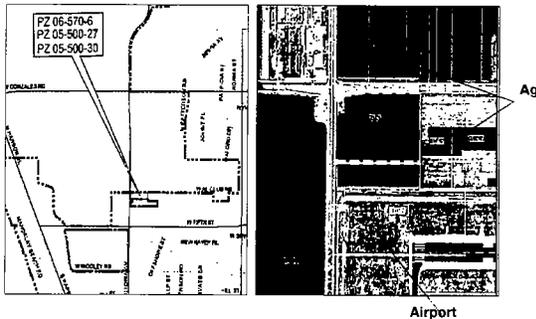
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**Project Description**

- 9.67 acres located on the southeast corner of Victoria Avenue and Teal Club Road;
- Zone Change, Tentative Map and Special Use Permit;
- Construction of approximately 15,724 sf of retail space on Parcels 1 and 2; and
- 152,990 sf self storage w/caretaker's facility and industrial condominium sq. ftg. on Parcel 3. No RV space or outside storage

2

**Vicinity and Aerial**



3

**September 20, 2007  
Planning Commission Meeting**

- Concerns:
  - Need for significant feature on the corner of Victoria/Teal Club;
  - Drive through facilities;
  - Energy efficiency on Buildings 3;
  - Self storage building articulation; and
  - Adequacy of environmental document

4

**Permit Requirements**

- Parcel 3 - Zone Change from Business and Research Park to Light Industrial, Planned Development (M-1-PD) to facilitate construction of industrial condos and self storage building;
- Tentative Parcel Map for subdivision of 3 parcels; and
- SUP for new construction on Parcel 3 and caretaker's facility associated with self storage

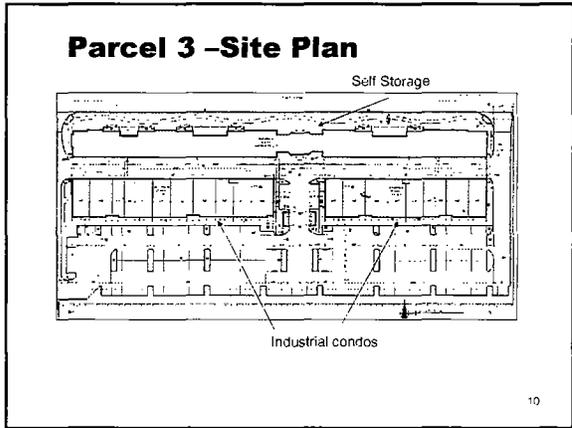
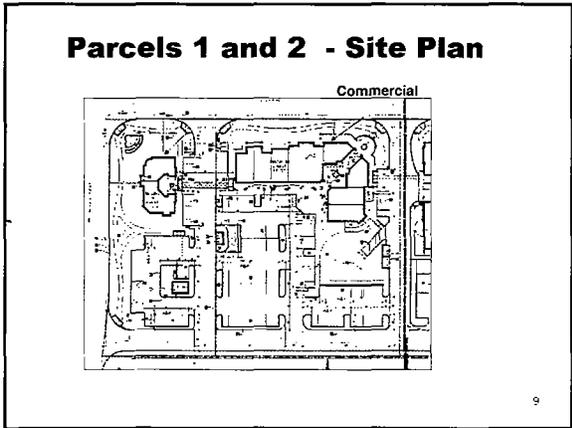
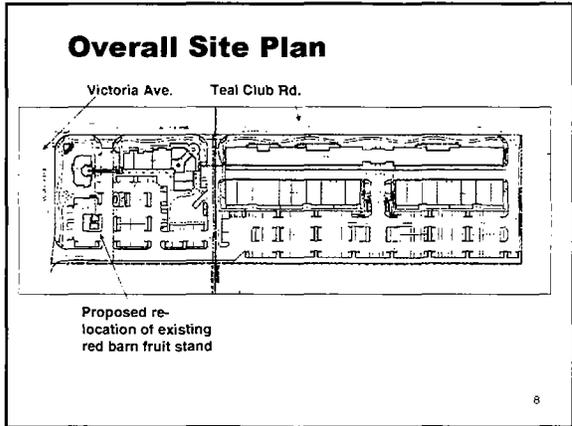
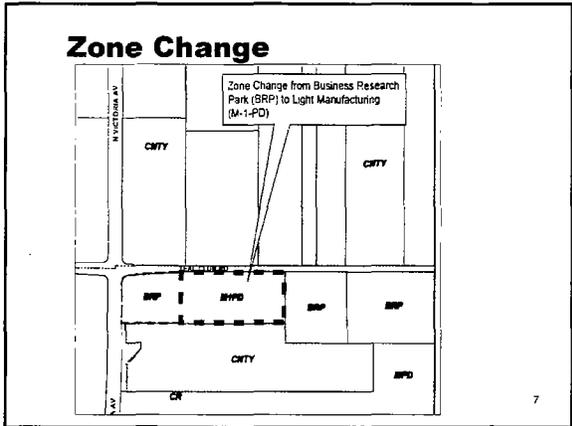
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**Zone Change**

Parcel Nos.	Existing Zoning	Proposed Zoning
1	BRP	No change
2	BRP	No change
3	BRP	M-1-PD

6

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- ### Land Use Compatibility
- Agricultural uses to north, west and east; ag/airport to the south;
  - Roadways, landscaping and low intensive industrial uses providing buffer to agricultural uses;
  - Condition requires disclosure of agricultural operations; and
  - Airport buffering with industrial use, parking spaces and landscaping
- 11

- ### Land Use Compatibility, cont.
- Existing BRP and proposed low intensity Light Industrial, Planned Development (M-1-PD) zoning designations/uses are consistent with the Airport Compatible General Plan land use designation; and
  - GP specifies that Airport Compatible uses are considered low intensity commercial and industrial uses which are compatible with airport operations and activities in that they do not pose unreasonable hazards to aircraft operations nor do they subject large numbers of persons to hazards from aircraft
- 12

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### Zoning Compliance

- Projects comply with all zoning regulations with inclusion of conditions to address:
  - Reciprocal parking and loading and unloading agreement on Parcels 1 and 2
  - Modification of corner sign/wall to either be reduced in height or set back from the corner
  - Future drive through facilities or uses will require SUP or DDR permits

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### Building Design, Continued

- Site is located in close proximity to the airport, the height of the buildings and site landscaping are restricted;
- Retail buildings on Parcels 1 and 2, are Mediterranean Village style, with covered arcades, Spanish style roofs, wood trellises, decorative canopies, and open courtyards – building heights consistent with airport restrictions; and
- Barn style structure, at the south end of Parcel 1

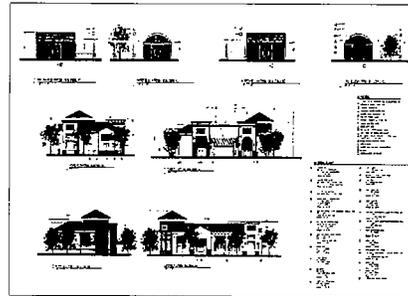
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### Building Design

- Buildings on Parcel 3 pick up the characteristics of the airport vernacular and have more of an industrial character: sloped roof design for the storage and industrial buildings on Parcel 3 adhere to the airport runway protection zone provisions;
- Storage building on Parcel 3, has similar architectural features as the retail buildings, which tie the two projects together; and
- Industrial condominium buildings, on the south portion of Parcel 3, are concrete tilt up construction with standing metal seam sloped roofs. County Dept. Airports sign off received

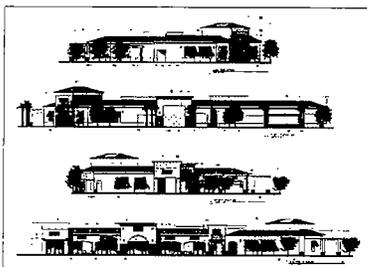
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### Elevations, Building 1A



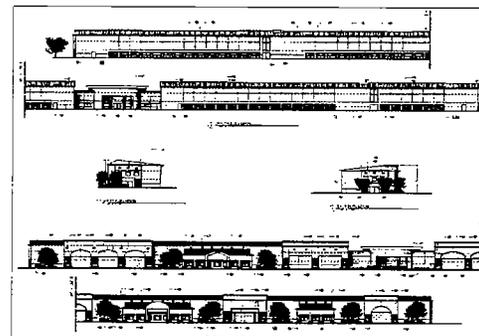
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### Elevations, Building 2A



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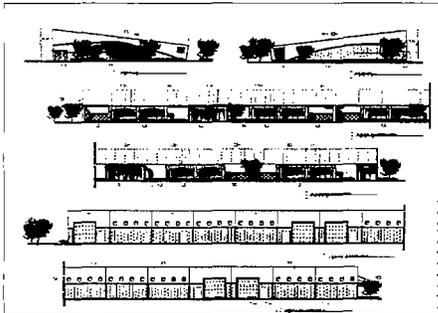
### Elevations, Buildings 3A



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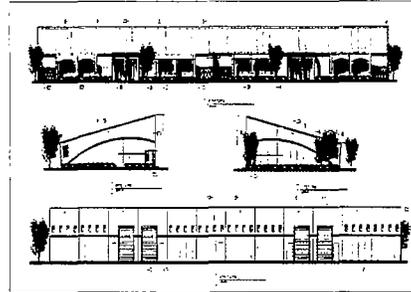
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### Elevations, Buildings 3B



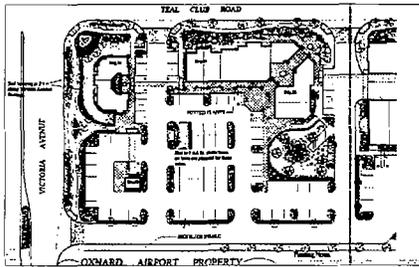
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### Elevations, Buildings 3C



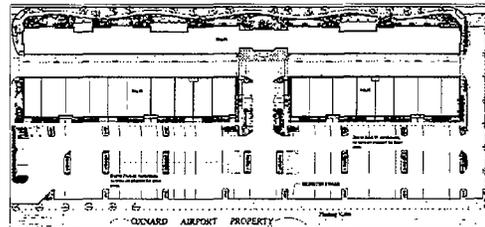
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### Landscape Plan



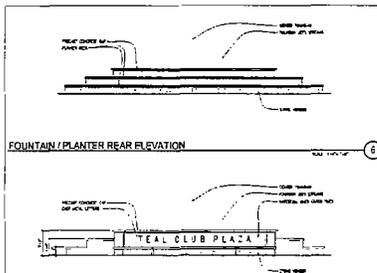
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### Landscape Plan, Continued



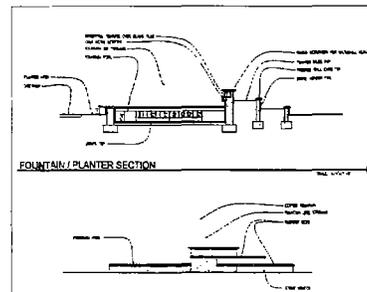
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### Water Fountain



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### Water Fountain Detail, cont.



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### **Environmental Review**

- March 2007 - Initial Study/Mitigated Negative Declaration prepared; MND includes mitigation measures to reduce potentially significant impacts to less than significant levels. The mitigation measures have been incorporated into the project design and conditions of approval
- IS/MND recirculated in July/August with revision to project and Teal Club roadway improvements; no significant additional comments on IS/MND. Addressed comments from APCD, LAFCO, Caltrans

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### **Environmental Review, cont.**

- Traffic – improvement of Teal Club Road to 40 feet of right of way will improve circulation on roadway and is adequate to support anticipated levels of traffic due to development of Parcels 1-3. Conclusions of traffic study supported by City Traffic Engineer
- Existing and proposed LOS on Teal Club Road will continue at LOS D; project will not result in reductions in the LOS on Teal Club Road or Victoria Road
- Project will result in roadway safety and efficiency improvements on Teal Club Rd.

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### **Environmental Review, cont.**

- Traffic roadway and other improvements designed to ensure safety is improved; ultimate Teal Club roadway improvements if/when additional vehicle trips occur due to development to the north. Significant traffic fees will be paid to improve Teal Club Rd. and Victoria Ave.
- Hydrology – drainage will be conveyed via underground pipe directed to flow into drainage channel. Detachment from Drainage District No. 1, supported by LAFCO and District No. 1.

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### **Environmental Review, cont.**

- Undergrounding of drainage ditch will improve water quality and safety on Teal Club Road.
- Soil – Survey identified pesticides and contamination on site which are typical for agricultural operations. All required clean up is required prior to issuance of a grading permit. Environmental Health, regulatory agency overseeing clean up, reviewed report and supported conclusions in MND. No methyl bromide used on site.

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### **Staff Recommendation**

- Adopt Mitigated Negative Declaration 2006-05 finding that the proposed project will not have a significant effect on the environment;
- Adopt a resolution recommending that City Council approve PZ 05-570-06 (Zone Change), to change the zone district from Business and Research Park to Light Industrial, Planned Development (M-1-PD) on Parcel 3;
- Adopt a resolution recommending that City Council approve PZ 05-300-30 (Tentative Parcel Map) to create three parcels for retail and light industrial uses; and
- Adopt a resolution approving PZ 05-500-27 (Special Use Permit) for the new construction on Parcel 3 and the caretaker's unit (S. 16-225), subject to certain findings and conditions.

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### **End of Presentation**

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