



Meeting Date: 05/06/08

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: Winston Wright, Associate Planner ^{W12} Agenda Item No. K-1

Reviewed By: City Manager [Signature] Rupp City Attorney [Signature] Finance [Signature] Other (Specify) _____

DATE: April 28, 2008

TO: City Council

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

SUBJECT: Planning and Zoning Permit Nos. 07-500-12 (Special Use Permit) and 07-300-12 (Tentative Subdivision Map for Tract No. 5770 for Condominium Purposes) for the Adaptive Reuse of Existing Industrial Structures Located at 300 West Ninth Street (Commonly Known as the Press Courier Building) to Develop 46 Residential Condominiums and 6,000 sq. ft. of Office Space. Filed by Press Courier Lofts, LLC, 2001 Statham Boulevard, Suite 117, Oxnard, CA 93033.

RECOMMENDATION

That City Council:

1. Adopt a resolution upholding the Planning Commission's approval of Planning and Zoning Permit No. 07-500-12 (special use permit), subject to the conditions set forth in Planning Commission Resolution No. 2008-24; and
2. Adopt a resolution approving Tentative Subdivision Map for Tract No. 5770 for condominium purposes (Planning and Zoning Permit No. 07-300-25), subject to the conditions set forth in Planning Commission Resolution No. 2008-25.

DISCUSSION

On July 20, 2007, Press Courier Lofts, LLC submitted applications for a special use permit and a tentative subdivision map. The applications propose the adaptive reuse of the existing 52,000 square foot former *Press Courier Newspaper* offices and printing facilities to develop 54 residential condominiums. The 2.18 acre project site is located in the Central Business District and is part of the *South of Seventh District* of the Downtown Strategic Plan.

During the review process the project went through two Downtown Design Review Committee meetings and two Development Advisory Committee meetings. Corrections were made through each phase of project review. Due to ventilation and access issues eight residential units in a basement area were replaced with 6,000 square feet of office space and approximately 2,300 square feet of storage for project residents.

On March 18, 2008, the Community Development Commission approved the applicant's request to pay affordable housing in-lieu fees.

On April 17, 2008, the Planning Commission approved the special use permit and recommended that the City Council Approve Tentative Subdivision Map for Tract No. 5770. In accordance with the California Environmental Quality Act (CEQA), the Planning Commission determined that the project is characterized as *in-fill development* and exempt from the requirements of CEQA.

As a Planned Residential Group (Section 16-445) the following modifications to the development standards were considered and approved: elimination of one private balcony, elimination of the requirement that residential parking be in garages, and a reduced open space requirement. A special finding was made to allow the 33 parking lifts to be considered as 66 tandem parking spaces. Additionally, the developer requested that 41 required parking spaces and a loading zone be located on adjoining City streets. Considering the constraints of redeveloping the site, Planning Commission found that the project provided an appropriate mix of on-site and on-street parking.

Staff appealed the special use permit to the City Council in order to provide an efficient and coordinated review of a multiple permit project.

FINANCIAL IMPACT

A payment of approximately \$233,000 would be made to the Community Development Commission's Affordable Housing In-Lieu Fee Fund. A \$95,000 payment would be made to the Community Development Commission which will be used towards parking and sidewalk improvements on the eastern side of B Street between Eighth and Ninth Streets. Traffic impact fees will be made to off-set impacts on local roads, Quimby fees will be made to off-site impacts on City parks, and Art in Public Places in-lieu fees will be made to provide for future public art displays. The sale of the residential and office condominiums will also result in an unknown increase in property tax revenue.

- 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. 2008-24 approving PZ 07-500-12
#7- PC Resolution No. 2008-25 approving PZ 07-300-12
#8- PC Staff Report

Note: PC Resolution No. 2008-24 and the PC Staff Report 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 Monday.

CITY COUNCIL OF THE CITY OF OXNARD

RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD UPHOLDING PLANNING COMMISSION APPROVAL OF PLANNING AND ZONING PERMIT NO. 07-500-12 (SPECIAL USE PERMIT) TO ALLOW THE REDEVELOPMENT OF AN EXISTING 52,000 SQUARE FOOT INDUSTRIAL BUILDING INTO 46 RESIDENTIAL CONDOMINIUMS AND 6,000 SQUARE FEET OF OFFICE CONDOMINIUM AIRSPACE, FOR PROPERTY LOCATED AT 300 WEST NINTH STREET (COMMONLY KNOWN AS THE PRESS COURIER BUILDING) WITHIN THE *SOUTH OF SEVENTH DISTRICT OF THE DOWNTOWN STRATEGIC PLAN*. FILED BY PRESS COURIER LOFTS, LLC, 2001 STATHAM BOULEVARD, SUITE 117, OXNARD, CA 93033.

WHEREAS, on April 17, 2008, the Planning Commission adopted Resolution No. 2008-24 approving Planning and Zoning Permit No. 07-500-12 to allow the redevelopment of an existing 52,000 square foot newspaper and printing facility into 46 residential condominiums and 6,000 square feet of office condominium airspace located at 300 west Ninth Street, filed by Press Courier Lofts, LLC, in accordance with sections 16-530 through 16-561 of the Oxnard City Code; and

WHEREAS, the City Council has considered the appeal of the Planning Commission's decision filed by the Planning and Environmental Services Division, and carefully reviewed the decision of the Planning Commission; and

WHEREAS, the City Council has conducted a hearing and received evidence in favor of and opposed to the application for a Planning and Zoning Permit No. PZ 07-500-12 (Special Use Permit); 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 that the Planning Commission's approval of Planning and Zoning Permit No. PZ 07-500-17 (Special Use Permit) is upheld, subject to the conditions set forth in Planning Commission Resolution No. 2008-24.

CITY COUNCIL OF THE CITY OF OXNARD

RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD APPROVING TENTATIVE SUBDIVISION MAP FOR TRACT NO. 5770 (PLANNING AND ZONING PERMIT NO. 07-300-12) FOR PROPERTY LOCATED AT 300 WEST NINTH STREET (COMMONLY KNOWN AS THE PRESS COURIER BUILDING) WITHIN THE *SOUTH OF SEVENTH DISTRICT OF THE DOWNTOWN STRATEGIC PLAN*. SUBJECT TO CERTAIN CONDITIONS. FILED BY PRESS COURIER LOFTS, LLC, 2001 STATHAM BOULEVARD, SUITE 117, OXNARD, CA 93033.

WHEREAS, City Council has carefully reviewed Planning Commission Resolution No. 2008-25 recommending approval of Tentative Subdivision Map of Tract No. 5770, for property located at 300 West Ninth Street , filed by Press Courier Lofts, LLC; 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 thereunder; 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. 5770 is hereby approved, subject to the conditions set forth in Planning Commission Resolution No. 2008-25.

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ATTACHMENT 2
PAGE 1 OF 2

PASSED AND ADOPTED this 6th day of May, by the following vote:

AYES:

NOES:

ABSENT:

Dr. Thomas E. Holden
Mayor

ATTEST:

Daniel Martinez, City Clerk

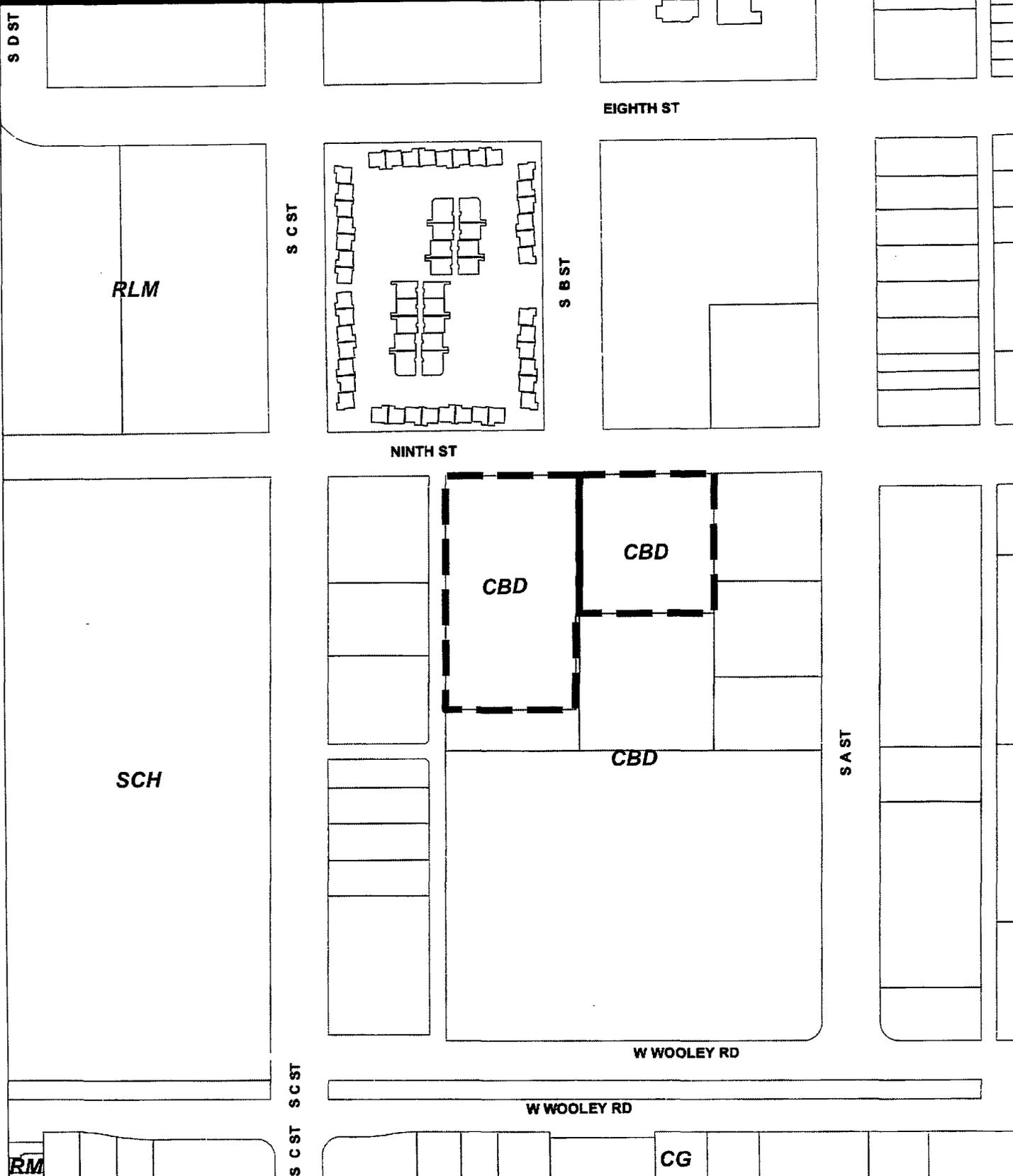
APPROVED AS TO FORM:


Gary L. Gillig, City Attorney

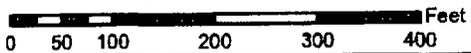
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ATTACHMENT 2
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General Plan Map



PZ 07-500-12, PZ 03-300-12
 Location: 301 W Ninth St
 APN: 202019137, 202019139
 Press Courier Lofts

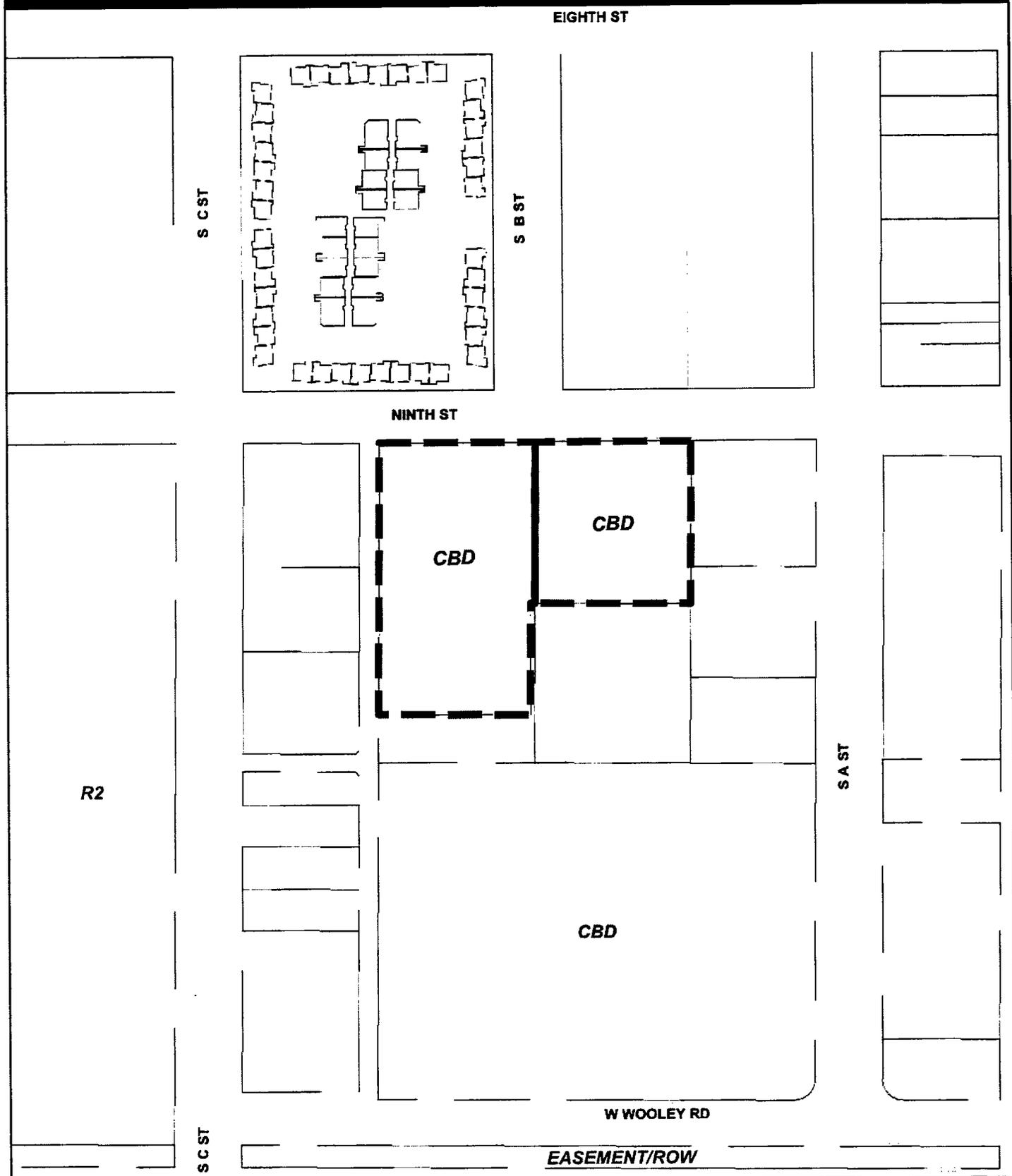


General Plan Map

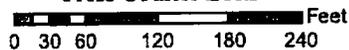


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Zone Map



PZ 07-500-12, PZ 03-300-12
Location: 301 W Ninth St
APN: 202019137, 202019139
Press Courier Lofts



Zone Map



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ATTACHMENT 5
PAGE 1 OF 1

RESOLUTION NO. 2008 – 25

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD RECOMMENDING APPROVAL OF A TENTATIVE SUBDIVISION MAP OF TRACT 5770 (PLANNING AND ZONING PERMIT NO. 07-330-12) FOR CONDOMINIUM PURPOSES TO CREATE 46 RESIDENTIAL UNITS AND 6,000 SQUARE FEET OF OFFICE SPACE, FOR PROPERTY LOCATED AT 300 WEST NINTH STREET (APN 202-0-191-375 & 202-0-191-395), SUBJECT TO CERTAIN CONDITIONS. FILED BY PRESS COURIER LOFTS, LLC, 2201 STATHAM BOULEVARD, SUITE 117, OXNARD, CA 93033.

WHEREAS, the Planning Commission of the City of Oxnard has considered the tentative subdivision map of Tract No. 5770 (Planning and Zoning Permit No. 07-300-12), filed by Press Courier Lofts, LLC in accordance with Chapter 15 of the Oxnard City Code; and

WHEREAS, said tentative 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 subdivision 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
PK	Public Works, Landscape Design	CE	Code Compliance

PLANNING CONDITIONS

1. 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)
2. 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*).
3. 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*)

DEVELOPMENT SERVICES CONDITIONS

4. 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)

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

PASSED AND ADOPTED by the Planning Commission of the City of Oxnard on this 17th day of April, 2008, by the following vote:

AYES: Pinkard, Medina, Elliot, Dean, & Sanchez

NOES:

ABSENT: Frank & Okada

Michael Sanchez, Chairman

ATTEST: _____
Chris Williamson, Senior Planner for
Susan L. Martin, Secretary