



Meeting Date: 09/23/08

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
<input type="checkbox"/> Other _____	<input type="checkbox"/> Other _____

Prepared By: Hollie King Brunsky, AICP, Contract Planner Agenda Item No. L-1

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

**DATE:** September 23, 2008

**TO:** City Council

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

**SUBJECT:** Planning and Zoning Permit Nos. 07-500-18 (Special Use Permit), 07-570-06 (Zone Change), 08-300-05 (Tentative Subdivision Map), and 08-670-04 (Development Agreement) for the old Colonial House site, located at the southwest corner of Oxnard Blvd. and Roderick Avenue. Filed by Aldersgate Investments, LLC, 300 Esplanade Drive, Suite 430 Oxnard, CA 93036.

**RECOMMENDATION**

That City Council:

1. Adopt a resolution upholding the Planning Commission’s approval of Planning and Zoning Permit No. 07-500-18 (Special Use Permit), subject to the conditions set forth in Planning Commission Resolution No. 2008-53; and
2. Adopt a resolution approving Tentative Subdivision Map for Tract No. 5796 for condominium purposes (Planning and Zoning Permit No. 08-300-05), subject to the conditions set forth in Planning Commission Resolution No. 2008-54; and
3. Adopt a resolution approving a Zone Change from C-2 zoning to C-2-PD (Planning and Zoning Permit No. 07-570-06), subject to the conditions set forth in Planning Commission Resolution No. 2008-55; and
4. Approve the first reading by title only and subsequent adoption of an ordinance approving a Development Agreement for the proposed development (Planning and Zoning Permit No. 08-670-04).

**DISCUSSION**

The project proposes for a mixed-use building with commercial and residential condominium uses. The proposal includes a request to develop a 2.18 acre vacant parcel located at the southwest corner of Oxnard Boulevard and Roderick Avenue, and addressed as 705, 711, 747 N. Oxnard Boulevard (APNs 200-0-252-02, -12, -13, respectively). A zone change to modify the existing C-2 (Commercial General)

zone designation to C-2-PD (General Commercial with a Planned Development Overlay) is requested to accommodate the proposed development. This project consists of a three-story structure with approximately 16,000 square feet of commercial/professional space on the first floor, a parking garage on the first floor, and a total of 40 residential condominium units on the second and third floors as part of the special use permit for a planned residential group. The proposed Tentative Map is to merge the three legal lots into one parcel and for condominium purposes. Administrative relief to allow shared parking and on-street parking was also included in the request. The applicant would be providing six of the one-bedroom units (15% of total project) as affordable. The project also includes a proposed Development Agreement between the applicant and the City of Oxnard.

On September 23, 2008 the Planning Commission approved the Special Use Permit and recommended that the City Council approve the Zone Change from C-2 to C-2-PD, and approved the Tentative Subdivision Map for Tract No. 5796. The Commission also considered the Development Agreement. In accordance with the California Environmental Quality Act (CEQA), the Planning Commission adopted a mitigated negative declaration (No. 08-02) with mitigation measures for the project.

As a Planned Residential Group (Section 16-445) the following modifications to the development standards were considered and approved: Reduced setbacks for the second and third floor residential part of the structure, height of proposed structure, and reduction of interior yard space for individual residential units. A special finding was made to allow the 61 parking spaces and 22 on-street parking spaces to be shared by the residential visitors. Additionally, two on-street loading zone areas are proposed for the project as loading spaces cannot be accommodated in the garage area, and the proposed on-street loading zones are closer to the commercial and residential locations. Considering the constraints of developing mixed-use at the project site, Planning Commission found that the project provided an appropriate mix of on-site and on-street parking.

## **FINANCIAL IMPACT**

Prior to the issuance of Building/Grading Permits, the applicant is to pay a tree replacement fee of \$28,831.00 to the City of Oxnard or an equivalent amount is to be invested in landscaping beyond code-required landscaping, or a combination of both that equals the tree. 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. This project will result in various financial benefits to the City including additional property taxes.

### **Attachments**

- #1- City Council Resolution (Special Use Permit)
- #2- City Council Resolution (Tentative Subdivision Map)
- #3- City Council Ordinance (Zone Change)
- #4- City Council Ordinance (Development Agreement)
- #5- Vicinity, General Plan, Zone Maps
- #6- Reduced Project Plans
- #7- PC Resolution Nos. 2008-53; 2008-54; 2008-55
- #8- PC Staff Report

Note: Attachment Nos. 4, 6, 7 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 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 07-500-18 (SPECIAL USE PERMIT), TO ALLOW A MIXED-USE BUILDING WITH COMMERCIAL AND CONDOMINIUM USES, APPROXIMATELY 16,000 SQUARE FEET OF COMMERCIAL SPACE, A SPECIAL USE PERMIT/PLANNED RESIDENTIAL GROUP FOR 40 CONDOMINIUM UNITS AND SITE IMPROVEMENTS INCLUDING LANDSCAPING, RECREATIONAL FACILITIES, PARKING, AND SIGNS, LOCATED AT THE SOUTHWEST CORNER OF OXNARD BLVD. AND RODERICK AVENUE AND ADDRESSED AS 705, 711 AND 747 N. OXNARD BOULEVARD (APN'S 200-0-252-02, -12, AND -13, RESPECTIVELY), AND KNOWN AS THE COLONIAL MIXED-USE BUILDING, SUBJECT TO CERTAIN FINDINGS AND CONDITIONS. FILED BY ALDRSGATE INVESTMENTS, LLC, 300 ESPLANADE DRIVE, OXNARD, CA.

WHEREAS, on September 4, 2008, the Planning Commission adopted Resolution No. 2008-53 approving Planning and Zoning Permit No. 07-500-18 to allow the development of a mixed use building with commercial space of 16,000 square feet, and 40 residential condominiums located at 705, 711, and 747 N. Oxnard Blvd., filed by Aldersgate Investments, 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 07-500-18 (Special Use Permit); and

WHEREAS, in accordance with the California Environmental Quality Act, the Planning Commission has adopted a mitigated negative declaration (#08-02) with mitigation measures for the project;

NOW, THEREFORE, the City Council of the City of Oxnard resolves that the Planning Commission's approval of Planning and Zoning Permit No. PZ 07-500-18 (Special Use Permit) is upheld, subject to the conditions set forth in Planning Commission Resolution No. 2008-53.

Resolution No.  
PZ 07-500-18 (SUP)  
September 23, 2008  
Page 2

PASSED AND ADOPTED this 23rd of September 2008, by the following vote:

AYES:

NOES:

ABSENT:

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

ATTEST:

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

APPROVED AS TO FORM:

  
Alan Holmberg, Acting City Attorney

CITY COUNCIL OF THE CITY OF OXNARD

RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD APPROVING A TENTATIVE SUBDIVISION MAP OF TRACT 5796 (PLANNING AND ZONING PERMIT NO. 08-300-05) FOR CONDOMINIUM PURPOSES TO CREATE 40 RESIDENTIAL UNITS AND 16,000 SQUARE FEET OF OFFICE SPACE, FOR PROPERTY LOCATED AT THE SOUTHWEST CORNER OF OXNARD BLVD. AND RODERICK AVENUE AND ADDRESSED AS 705, 711 AND 747 N. OXNARD BOULEVARD (APN'S 200-0-252-02, -12, AND -13, RESPECTIVELY), AND KNOWN AS THE COLONIAL MIXED-USE BUILDING, SUBJECT TO CERTAIN FINDINGS AND CONDITIONS. FILED BY ALDRSGATE INVESTMENTS, LLC, 300 ESPLANADE DRIVE, OXNARD, CA.

WHEREAS, City Council has carefully reviewed Planning Commission Resolution No. 2008-54 recommending approval of Tentative Subdivision Map of Tract No. 5796, for property located at 705, 711, and 747 N. Oxnard Blvd., filed by Aldersgate Investments, 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 there under; 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, in accordance with the California Environmental Quality Act, the Planning Commission has adopted a mitigated negative declaration (#08-02) with mitigation measures for the project.

Resolution No.  
PZ 08-300-05 (TSM)  
September 23, 2008  
Page 2

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF OXNARD DOES  
HEREBY RESOLVE AS FOLLOWS:

Tentative Subdivision Map for Tract No. 5796 is hereby approved, subject to the conditions  
set forth in Planning Commission Resolution No. 2008-54.

PASSED AND ADOPTED this 23rd day of September, by the following vote:

AYES:

NOES:

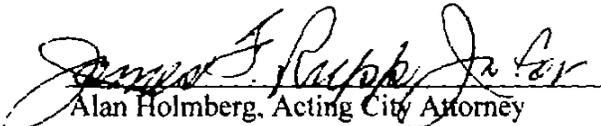
ABSENT:

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

ATTEST:

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

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Alan Holmberg, Acting 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 07-570-06, TO CHANGE THE ZONE DISTRICT FROM C-2 (COMMERCIAL GENERAL) TO C-2-PD (COMMERCIAL GENERAL, PLANNED DEVELOPMENT) FOR PROPERTY LOCATED AT THE SOUTHWEST CORNER OF OXNARD BLVD. AND RODERICK AVENUE AND ADDRESSED AS 705, 711 AND 747 N. OXNARD BOULEVARD (APN'S 200-0-252-02, -12, AND -13, RESPECTIVELY), AND KNOWN AS THE COLONIAL MIXED-USE BUILDING, SUBJECT TO CERTAIN FINDINGS AND CONDITIONS. FILED BY ALDRSGATE INVESTMENTS, LLC, 300 ESPLANADE DRIVE, OXNARD, CA.

WHEREAS, the zoning of the subject property is General Commercial and in order for the project to be approved, the zoning of the subject parcel must be amended to General Commercial, Planned Development (C-2-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. 07-570-06; 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. 07-570-06; and

WHEREAS, in accordance with the California Environmental Quality Act, the Planning Commission has adopted a mitigated negative declaration (#08-02) with mitigation measures for the project;

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.

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

- Part 1. Zone Change No. 07-570-06 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 \_\_\_\_\_, and finally adopted on \_\_\_\_\_, to become effective thirty days thereafter.

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

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PASSED AND ADOPTED this 7<sup>th</sup> day of October, 2008, by the following vote:

AYES:

NOES:

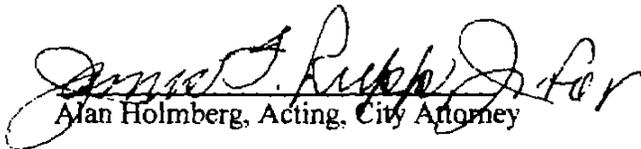
ABSENT:

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

ATTEST:

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

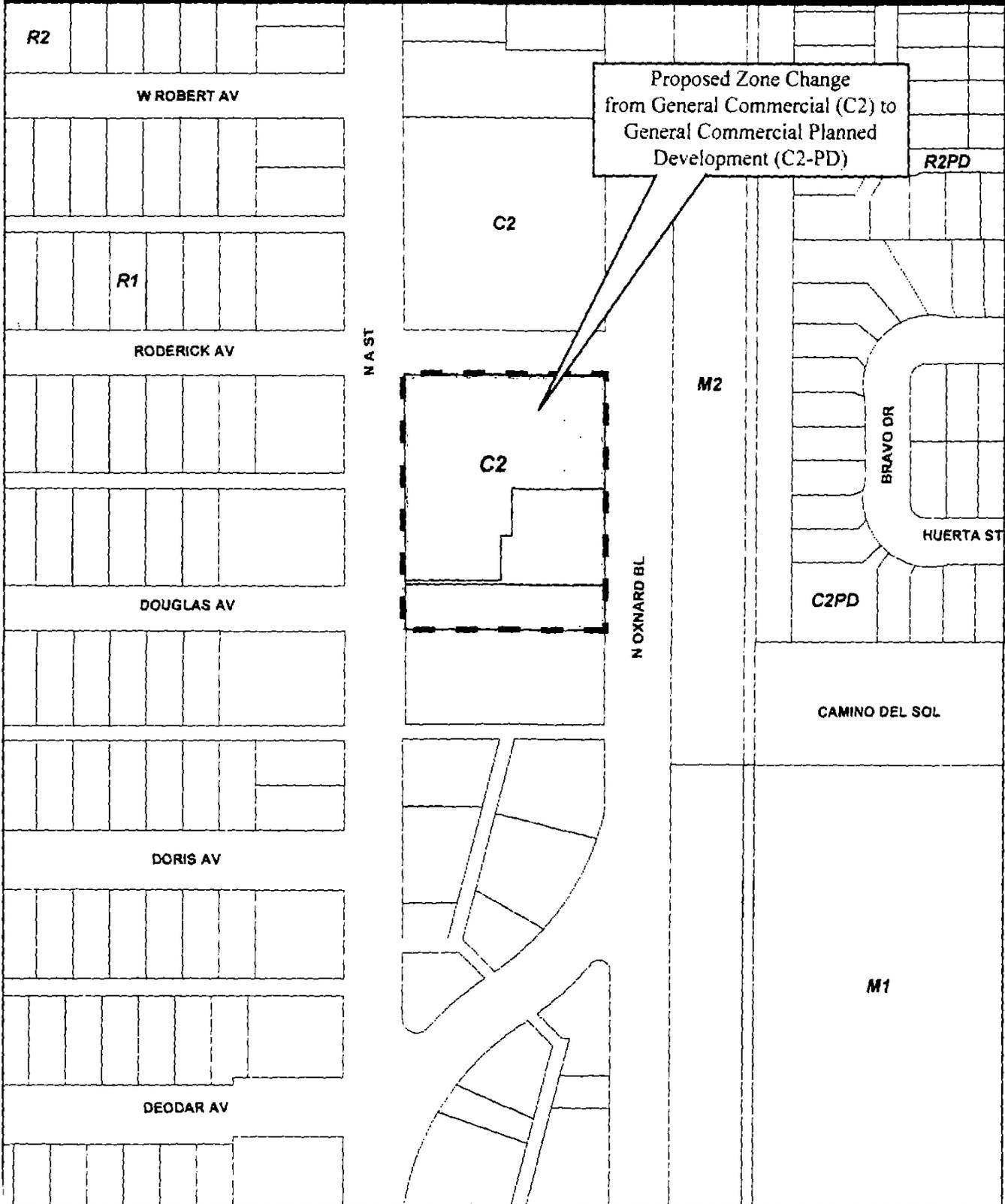
APPROVED AS TO FORM:

  
Alan Holmberg, Acting, City Attorney

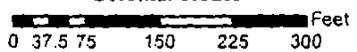
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ATTACHMENT 3  
PAGE 2 OF 3

# Zone Change



PZ 07-500-18, PZ 08-300-05  
Location: 705, 711, 747 N Oxnard Bl  
APN: 200025202, 200025212, 200025213  
Colonial House



Zone Change

## Exhibit A

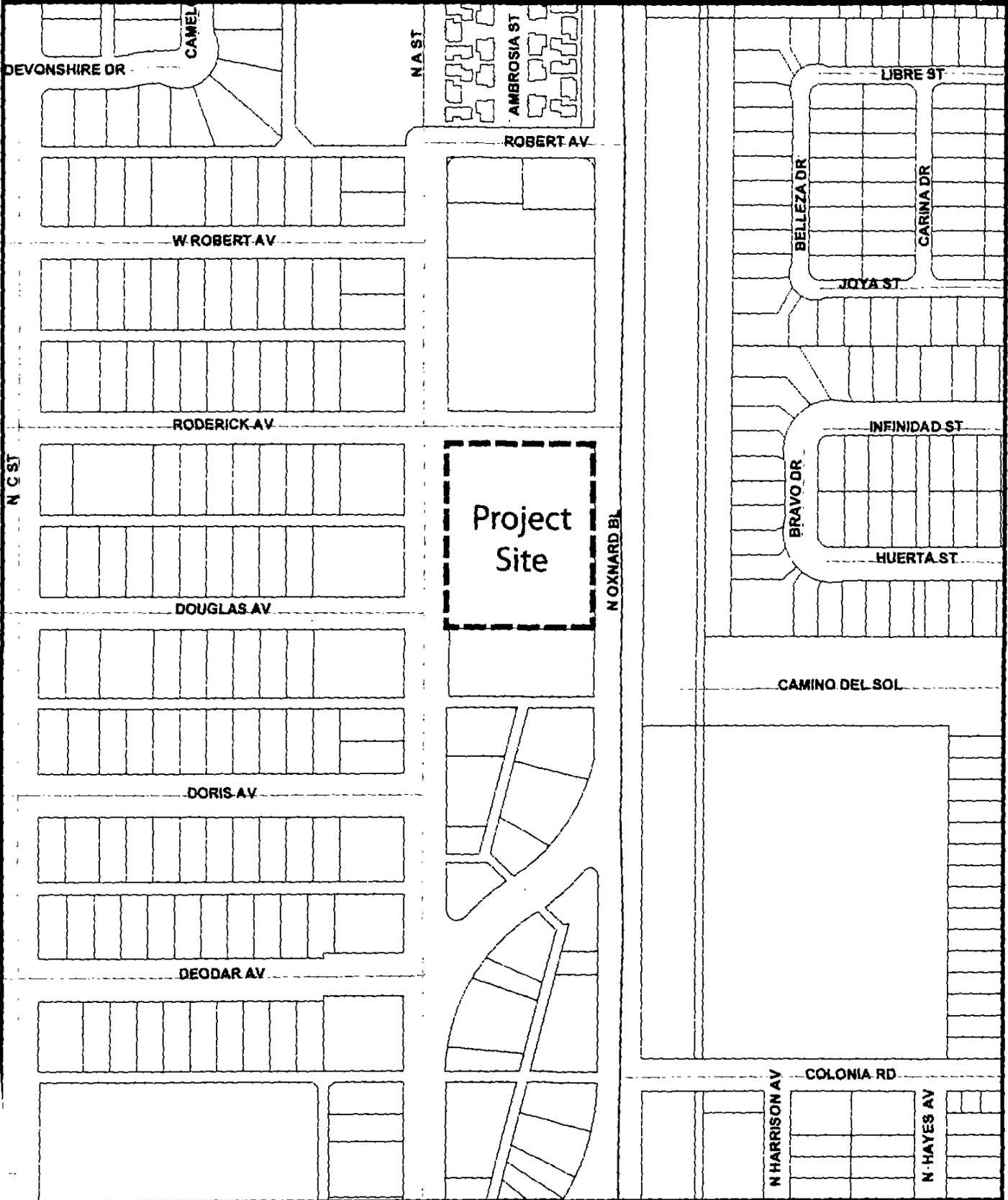


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ATTACHMENT 3  
PAGE 3 OF 3

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# Vicinity Map



Oxnard Planning  
July 10, 2008

000148

# Vicinity Map



ATTACHMENT 5

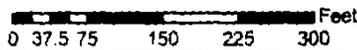
PAGE 1 OF 3

# General Plan Map



City Planning  
28, 2008

PZ 07-500-18, PZ 08-300-05  
Location: 705, 711, 747 N Oxnard Bl  
APN: 200025202, 200025212, 200025213  
Colonial House



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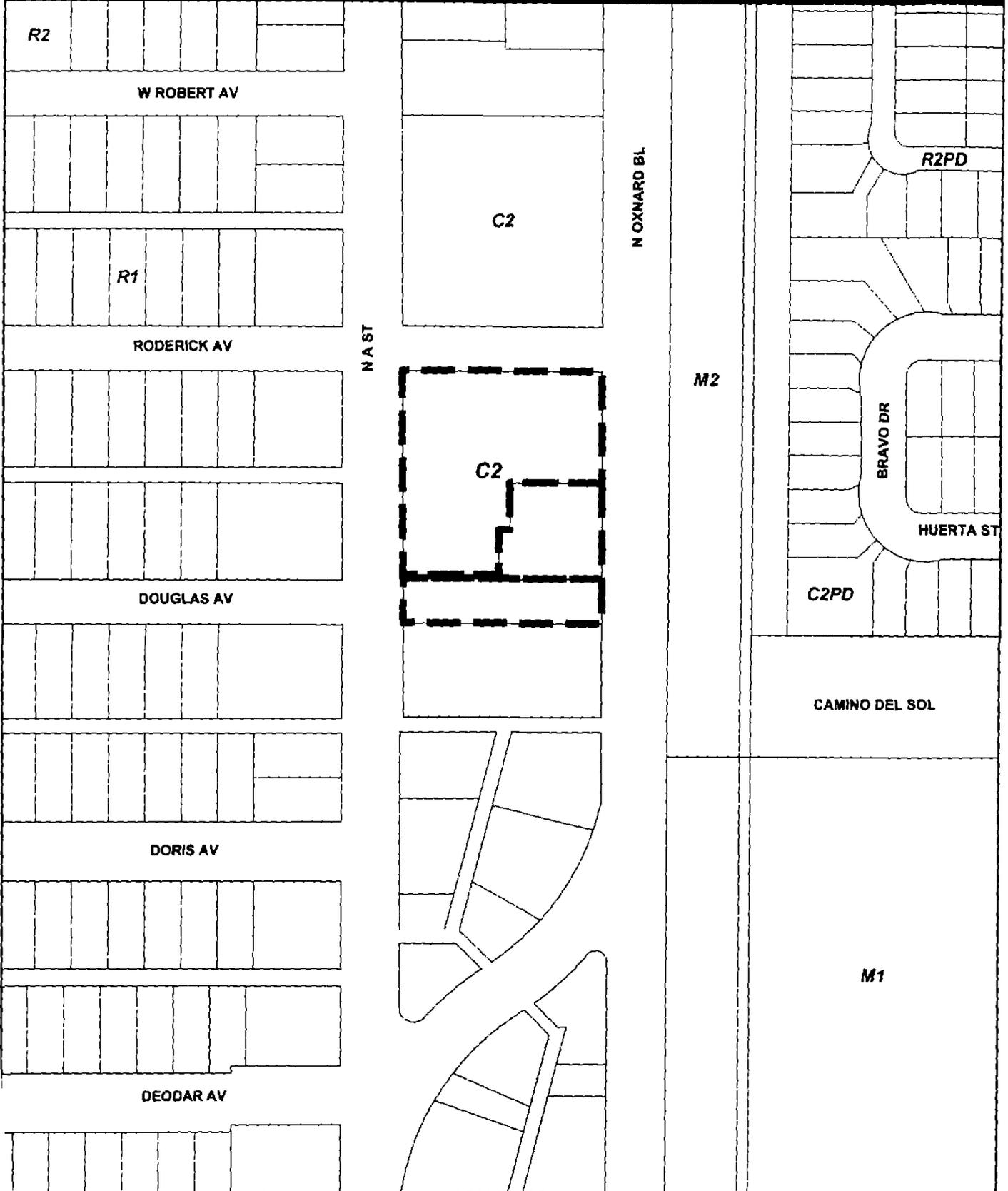
General Plan Map

ATTACHMENT 5  
PAGE 2 OF 3



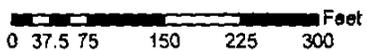
1:2,101

# Zone Map



Oxnard Planning  
July 28, 2008

PZ 07-500-18, PZ 08-300-05  
Location: 705, 711, 747 N Oxnard Bl  
APN: 200025202, 200025212, 200025213  
Colonial House



Zone Map  
ATTACHMENT 5  
PAGE 3 OF 3  
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1:2,116