



Planning Division

**PLANNING COMMISSION
STAFF REPORT**

TO: Planning Commission

FROM: Linda Windsor, Associate Planner

DATE: March 6, 2008

SUBJECT: Planning and Zoning Permit No. 07-500-7 (Special Use Permit) to demolish an existing retail building and build a pharmacy with prescription drive-through window at 481 South Ventura Road.

- 1) **Recommendation:** That the Planning Commission approve Planning & Zoning Permit No. 07-500-7, a special use permit, subject to certain findings and conditions.
- 2) **Project Description and Applicant:** A special use permit (SUP) request to demolish an existing 16,610 square foot retail building (currently occupied by the Salvation Army Thrift Store) and build a 14,410 square foot Walgreens pharmacy with prescription drive-through window, located at 481 South Ventura Road, within the Trolley Plaza Shopping Center (APNs: 183-133-030 and 183-133-031). The property is within the Historic Enhancement and Revitalization of Oxnard (HERO) Redevelopment area and within the sphere of influence of the Oxnard Airport. The proposed project is exempt from environmental review under Section 13502 of the CEQA Guidelines. Filed by Paul Poirier, Poirier + David Architects, 156 W Alamar, Suite C, Santa Barbara, CA 93105, on behalf of Walgreens.
- 3) **Existing & Surrounding Land Uses:** The project site is currently occupied by a retail building, with associated parking, landscape and on-site vehicle circulation, within the Trolley Plaza Shopping Center.

LOCATION	ZONING	GENERAL PLAN	EXISTING LAND USE
Project Site	C-2-PD	Airport Compatible	Retail
North	C-2-PD	Airport Compatible	Florist, Fast food with drive-through
South	C-2-PD	Airport Compatible	Gas Station/convenience market
East	C-2-PD	Airport Compatible	Neighborhood Shopping Center
West	C-2-PD	Airport Compatible	Retail

4) **General Plan Policies and Land Use Designation Conformance:** According to the Land Use chapter of the 2020 General Plan (Page V-62):

“Airport Compatible uses include 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. Airport compatible uses need not be directly related to or dependent upon the adjacent airport. The City may require hazard studies to determine the suitability of a proposed use and its relative intensity. The uses must be consistent with the Noise Element goals, policies and standards and consistent with policies of the FAA, Caltrans Division of Aeronautics and the Airport Land Use Commission.”

In approving the shopping center with retail uses, the Planning Commission determined that the shopping center conforms to the general plan designation and policies. General Commercial Planned Development (C-2-PD) zoning allows low intensity commercial uses and complies with the purpose and intent of the Airport Compatible land use designation. Previous discretionary approvals (see page 3, *Relevant Project and Property History, Related Permits*) for the shopping center restrict types of development and locations of building on the shopping center site.

The project site is within the 65 dB(A) CNEL Noise contour for the Oxnard Airport. Commercial land uses are defined as compatible within the 65 dB(A) by the General Plan (Noise element, page X-6 *et seq.*, Attachment C). Approval of this project would not change the use or intensity of use on the project site, and therefore not change the conformance with the General Plan.

5) **Environmental Determination:** In accordance with Section 15302 of the California Environmental Quality Act (CEQA) Guidelines, projects involving “replacement or reconstruction of existing...structures where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced” may be found to be exempt from the requirements of CEQA. The proposed project is smaller in size than the existing building and is a commercial building, as is the existing building. The Traffic Study prepared for the project indicates that the change in traffic volume attributable to the project is not significant. (see **Traffic, Circulation and Parking** section on page 5) Therefore, staff has determined that there is no substantial evidence that the project may have a significant effect on the environment and recommends that Planning Commission accept the Notice of Exemption (Attachment D).

6) **Analysis:**

a) **General Discussion:** The proposed project is located on two legal lots within the Trolley Plaza shopping center, in approximately the same location as the existing (larger) building. The subject site is interconnected by reciprocal parking and access agreements to the other buildings in Trolley Plaza, the gas station and the adjacent office building.

The proposed business will be open 24 hours per day. The Police Department has provided special conditions to reduce potential increases in crime associated with 24-hour businesses.

No alcohol sales are proposed for this business.

- b) **Relevant Project and Property History, Related Permits:** In March 1988, the Planning Commission approved Planned Development Permit No. 452, which allowed development of the shopping center, which was then known as Gold Coast Plaza. The overall shopping center plan was approved in December 1988 by the Oxnard Airport Authority. In 1989, the City Council approved Zone Change No. 738, rezoning this portion of the project site to General Commercial Planned Development (C-2-PD) to conform to the approved Planned Development Permit. The zone change includes restrictions on building locations and use types relative to the airport’s “Inner Safety Zone,” which extends to the north edge of the McDonald’s building. The proposed project is not within the Inner Safety Zone. The Trolley Plaza shopping center approval included four retail buildings, a two-story office building (along West Fifth Street), self-storage and required parking and landscaping. The McDonald’s restaurant north of this project site (within the shopping center) was approved under Special Use Permit No. 1451 in September 1992 (replacing one of the retail buildings). The Planning Manager approved a Minor Modification in 2003 (PZ 03-140-34) to change the colors of the buildings in this shopping center (not including McDonald’s).

The applicant has received a “Determination of No Hazard to Air Navigation” from the Federal Aviation Administration for construction of this project. (Attachment E). The Ventura County Department of Airports reviewed the project and determined that because the project is not significantly different from the existing building; no further review is required by the Airport Authority.

- c) **Zoning Compliance:** The proposed development is located in the General Commercial Planned Development (C-2-PD) zone district. In accordance with the City Code, the proposed pharmacy with drive-through facilities requires approval of a special use permit. Applicable development standards of the C-2-PD zone have been compared with the proposed project, as follows:

DEVELOPMENT STANDARD	REQUIRED	PROPOSED	COMPLIES?
Max. building height	35 feet	24’9” to 29’8” (tower)	YES
Front yard setback	10 feet	90+ feet	YES
Side yard setback	None	NA (not an exterior lot)	NA
Rear yard setback	15 feet	90 feet to next building	YES
Site Landscaping	Along street: min 10 feet	25 feet (existing)	YES
	5% of parking area to be landscaped (in addition to required parking lot landscape)	9.4%	YES

DEVELOPMENT STANDARD	REQUIRED	PROPOSED	COMPLIES?
Site Landscaping	Screen parking from streets by 36" tall berm or wall/ landscaping	Existing berm; new shrub hedge shown (see Detail B on sheet LP-2)	YES
Parking lot landscaping	Min 10 feet along street frontage	25 feet	YES
Parking lot landscaping	9 X 19 ft finger planters; 1/10 spaces	Shown on plan, except one area to save existing trees*	YES
Parking lot design	40 foot driveway throat at principal driveways	Existing 40 foot driveway throats from Ventura Rd	YES
Fences/Walls	Loading area screen walls	Screened from Ventura Road & parking lot	YES
Utilities	Trash enclosures/back flow preventers	Trash compactor shown within roofed enclosure; condition for materials; backflow preventer in rear of building	YES
Parking spaces	Walgreen's: 58 Trolley Plaza: 207	Walgreens: 74 Trolley Plaza: 322	YES
Loading Areas	1	1	YES
Signs	289 sq ft	281.21 sq ft	YES

*See **Landscaping** section, page 6.

- d) **Site Design Analysis:** The main entrance to the proposed store faces Ventura Road, at the southeast corner of the building. A tower element, enhanced paving, seating and landscaping form a "mini-plaza" at that location to emphasize the entrance. The drive-through facility (for prescription drop-off and pick-up only) is on the back (west) side of the building, screened from Ventura Road by the building, and the service facilities (loading, trash enclosure) are located on the north side of the building, screened from Ventura Road and adjacent parking areas. Parking for the project is located primarily on the west and south sides of the building (nearest to the entrance), with additional parking north of the drive-through and between the subject site and the McDonald's restaurant.

As part of the project, the applicant will upgrade the parking lot lighting on the Walgreens project site. The Police Department has reviewed the applicant's lighting plan and has recommended special conditions related to lighting to ensure the project meets City Code requirements and trees do not block parking lot lighting.

Concrete crosswalks on the site connect the proposed building to Ventura Road and the adjacent buildings. The applicant has paid special attention to the north side of the building (facing the florist and McDonald's) and northeast corner of the building to make the walk from McDonalds and the florist to Walgreens a more pleasant experience. The trash compactor, though near the northeast corner of the building, is contained within a gated stucco enclosure attached to the building, and with decorative features, including a roof covering matching the materials and design of the canopy and a planter with trellis adjacent

to the east side of the enclosure, facing the pedestrian walkway. In addition, the paved area at the northeast corner has decorative scored concrete and landscaping to soften it and emphasize its function as the walkway to the building entrance.

- e) **Traffic, Circulation and Parking Analysis:** A traffic study prepared by the applicant (Attachment F) states that additional traffic generated by the project would not create significant impacts. The City Traffic Engineer reviewed the applicant's traffic study and supports the study's findings of no significant traffic impacts.

Two driveways provide direct access to the subject site from Ventura Road. Connecting driveways from within the shopping center and the adjacent properties also provide access to the subject site. These building sites are interconnected with reciprocal parking and access agreements to allow these sites to function seamlessly as a single development. The reciprocal access and parking agreements are recorded with the land and are not changed by action on this application. A special condition in the resolution requires the developer to provide a copy of the recorded reciprocal parking and access agreements to the City prior to issuance of building permits. In addition, the resolution includes a special condition requiring that the developer work with the adjacent property owner (McDonald's franchisee) to establish a property owners' association to coordinate maintenance of parking, landscape and pedestrian areas.¹ This condition is routinely applied to all current shopping center proposals, but the property was subdivided before the requirement for common area maintenance agreements became a standard condition. (See Attachment G for ownership information of this area.)

The shared drive aisle from the gas station to the south has been relocated eastward from its current location to align with the drive aisle parallel to Ventura Road. The Traffic Engineer has reviewed and approved this change.

The loading area for the project is located on the north side of the building near the northwest corner, and is screened from Ventura Road by the trolley building (florist) and the compacter enclosure to the east of the loading area.

Customers enter the drive-through area from the northwest corner of the building, traveling southward to exit on the south side of the building. The applicant worked with City staff to revise the drive-through configuration to minimize conflicts between pedestrians and vehicles while enabling direct paths of travel for pedestrians, and maximize landscape area on the site. The traffic volumes and frequency for a pharmacy drive through are more similar to a bank drive-through than a fast-food drive through. City standards reflect this difference by requiring stacking for fewer cars for a pharmacy drive-through than for a fast-food facility.

¹ The McDonald's franchisee has recently applied for a Minor Modification to change the exterior of their building. The same requirements for establishment of the property owners' association and verification of the reciprocal parking, access and maintenance agreements will be added to the McDonald's Minor Modification conditions of approval.

The project requires fewer parking spaces than the existing project, both for the entire shopping center and for the new building. Specifically, 214 spaces were required for the existing shopping center and 207 spaces are now required with the proposed smaller building. With a total of 322 parking spaces proposed onsite, 115 spaces more than the City Code requirement are provided for the shopping center. The existing building requires 66 spaces and the proposed Walgreens requires only 58 spaces.

- f) **Building Design Analysis:** The proposed building is a contemporary stucco building with Spanish-style detailing, including mission tile, columns, a tower element and a stacked stone base, compatible with the other buildings in this shopping center. The building has a warm color palette of off-white with pale orange-yellow and terra cotta accents, to match the other buildings in the shopping center. A tower element at the building's southeast corner emphasizes the store entrance. A cantilevered canopy with Spanish tile roofing wraps the south and east elevations, above the storefront windows and leading to the store entrance. Partial depth columns and corbels appear to support the canopy and resemble the colonnade element of the retail building to the west. The mission tile roof and materials are repeated on the canopy over the drive-through lanes. The roof above the trash compactor area and the storage cabinets on the building's north elevation match the canopy and also reduce the apparent building height, providing a more human scale for the building. Decorative exterior lighting fixtures on the west and north portions of the building are consistent with the architectural style. The City's architectural consultant and the applicant worked together to improve the overall appearance of the building, and staff recommends approval of the resulting proposed design.
- g) **Signs:** The most recent revisions to the Trolley Plaza sign program were adopted in 1996. This project's sign proposal is consistent with the adopted sign program. The applicant's proposal includes channel letter signs on the south and east elevations above the canopy and an illuminated mortar and pestle logo sign (behind fixed glass) inside the tower element. An interior window sign on the east elevation and a "Drive-Through Pharmacy" sign at the entrance to the drive-through lane are also included in the subject project's sign proposal.

The project also includes rebuilding the freestanding sign on Ventura Road and the monument sign on West Fifth Street and adding a Walgreens panel to each sign. The increase in height and area required to add the Walgreens sign panels is also consistent with the existing Trolley Plaza sign program, and these signs are consistent with the shopping center architecture.

- h) **Landscaping & Open Space Compliance:** As indicated in the **Zoning Compliance** section, the project meets all applicable landscape standards, except for the spacing of landscape "finger" planters in one area of the project site.

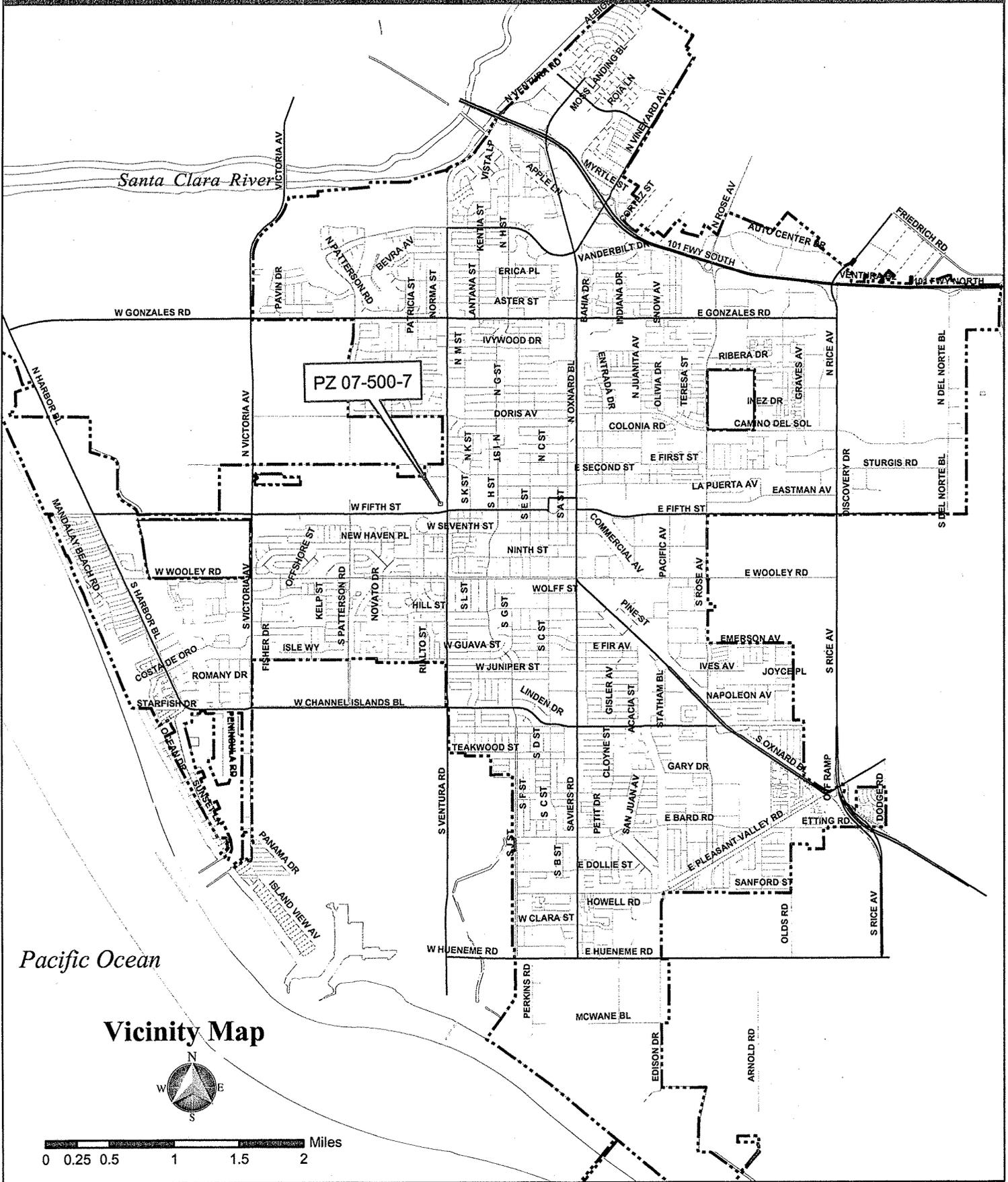
The City Code requires one 9-foot wide by 19-foot long finger planter for every ten parking spaces in a single-loaded row. The project meets or exceeds this requirement except along the south edge of the project. The driveway leading to the gas station has been relocated in

this area, requiring relocation of two existing finger planters with mature trees. Because another mature tree existed in another finger planter in the same row of parking spaces near the existing driveway, the applicant proposed to leave that tree (and finger planter) in place, resulting in a row of parking spaces with 9 spaces and 12 spaces separated by a finger planter. Planning Staff recommends approval of this arrangement to preserve the mature tree.

The applicant prepared a Tree Valuation Study for trees that would be removed or relocated due to the project construction. The City Landscape Architect has approved the study, and special conditions of approval related to the study are included in the attached resolution.

- 7) **Development Advisory Committee (DAC) Consideration:** The Development Advisory Committee (DAC) reviewed this project on July 18, and October 24, 2007. Most of the items recommended by the DAC have been incorporated into the revised plans. Items that are not in the revised plans are included as conditions of approval in the attached resolution.
- 8) **Community Input:** The proposed project was agendized for a Community Workshop on November 17, 2007 Community Workshop, but the project was not reviewed at that meeting due to noticing errors, and the project was subsequently reviewed at the December 17, 2007 Community Workshop. The Applicant mailed notices to the Fremont South Neighborhood and posted the site for the Community Workshop on December 7, 2007. No one attended the workshop for this item.
- 9) **Attachments:**
- A. Maps (Vicinity, General Plan, Zoning)
 - B. Reduced Project Plans
 - C. Excerpt from the General Plan (Noise)
 - D. Notice of Exemption
 - E. Determination of No Hazard to Air Navigation
 - F. Traffic Study
 - G. Ownership of Trolley Plaza and surrounding property
 - H. Resolution

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



Vicinity Map



0 0.25 0.5 1 1.5 2 Miles

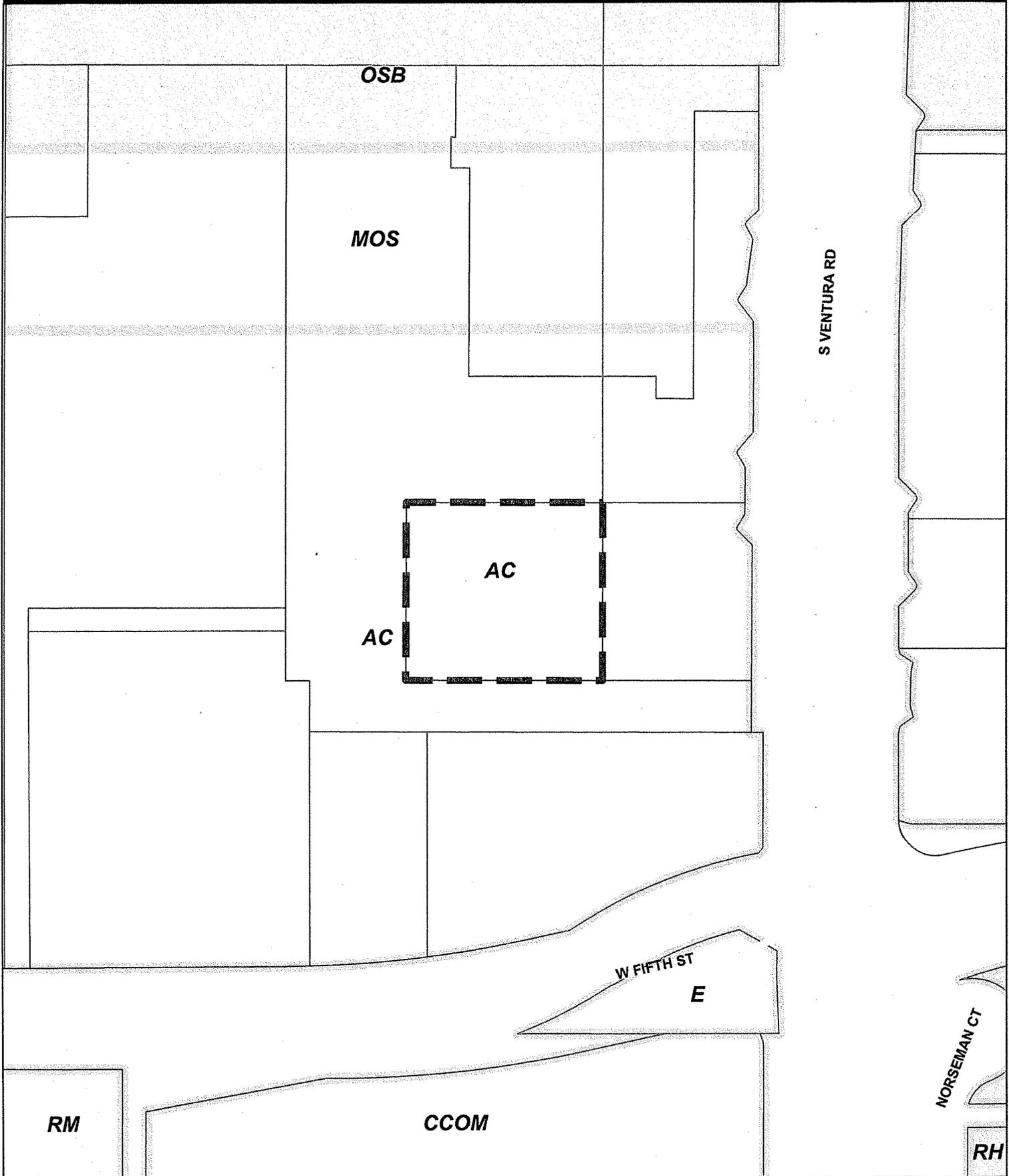


Oxnard Planning
October 18, 2007

PZ 07-500-7
Location: 481 S Ventura Rd
APN: 183013031
Walgreens

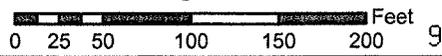


General Plan Map



Oxnard Planning
October 18, 2007

PZ 07-500-7
Location: 481 S Ventura Rd
APN: 183013031
Walgreens



General Plan Map



R1

ML

C2PD

C2PD

S VENTURA RD

W FIFTH ST

NORSEMAN CT

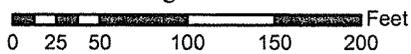
R3

C2



Oxnard Planning
October 18, 2007

PZ 07-500-7
Location: 481 S Ventura Rd
APN: 183013031
Walgreens



Zone Map



Walgreens
 FACILITIES PLANNING AND DESIGN
 10000 WOODBURN ROAD
 BOSTON, MA 02124
 617-442-2500
 60015-4616

DRAWING SPECIFICATIONS BY:
 WALGREENS CONSULTANT
 LANDMARK'S CONSULTANT
 ALL CONSTRUCTION UNLESS NOTED OTHERWISE BY:
 WALGREENS CONSULTANT
 LANDMARK'S CONSULTANT
 LANDMARK'S CONTRACTOR (TURNKEY CONSTRUCTION)

STORE		BUILDINGS	
NEW	<input checked="" type="checkbox"/>	NEW	<input checked="" type="checkbox"/>
REMODELING	<input type="checkbox"/>	EXISTING	<input type="checkbox"/>
RELOCATION	<input type="checkbox"/>	NEW SHELL ONLY	<input type="checkbox"/>
OTHERS	<input type="checkbox"/>		

PARKING REQUIREMENTS

USE	SQUARE FEET	PARKING SPACES REQUIRED
WALGREENS STORE	14,410	1,200
WALGREENS DRIVE THRU	14,410	50
TOTAL		1,250

WALGREENS DRIVE THRU: 8 SPACES
 DRIVE CENTER PARKING PROVIDER: 297 SPACES
 TOTAL: 305 SPACES
 RATIO = 7.44/1000 S.F.

EXISTING PARKING SPACES
 MCDONALD'S DRIVE THRU: 9
 WALKING DRIVE THRU: 2
 MOTORCYCLE: 6
 STANDARD 15'X51': 308
TOTAL PROVIDED: 325

PROPOSED PARKING SPACES
 WALGREENS DRIVE THRU: 8
 WALKING DRIVE THRU: 2
 ACCESSIBLE SPACES: 12
 MOTORCYCLE: 6
 STANDARD 15'X51': 287
TOTAL PROVIDED: 315

Paul Politer + Michael David
 ARCHITECTS
 500 West Lake Street, Suite 1000
 Los Angeles, CA 90010
 phone 310-852-8181 fax 310-852-8183

NO.	DATE	BY	REVISIONS	FOR

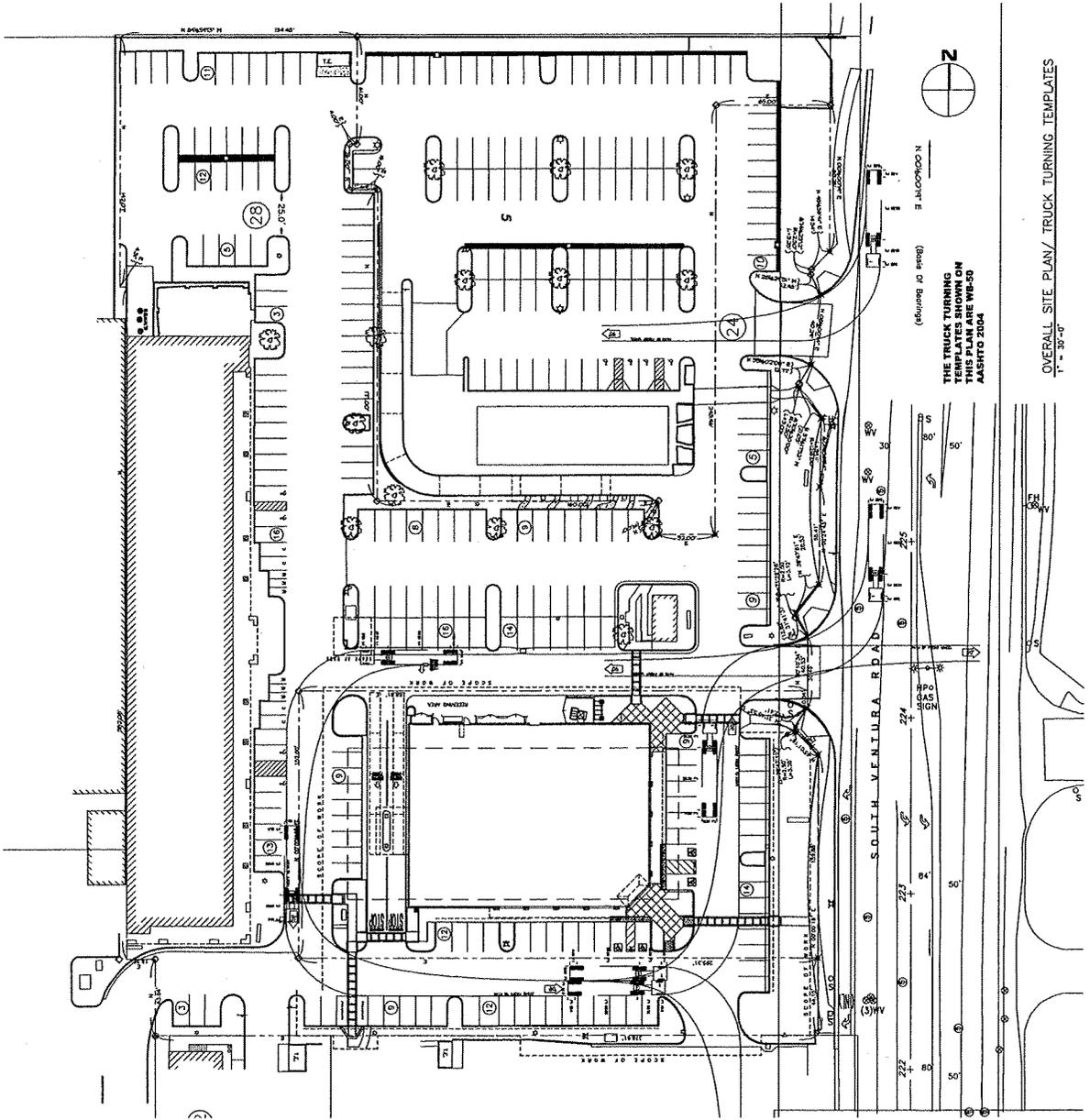
CERTIFICATION AND SEAL

I HEREBY CERTIFY THAT THE DESIGN AND CONSTRUCTION OF THIS PROJECT WAS PREPARED BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND THAT I AM A duly REGISTERED ARCHITECT UNDER THE LAWS OF THE STATE OF CALIFORNIA AND I AM SIGNING THIS PLAN AND SEAL.

PROJECT NAME: WALGREENS 'VENTURA & 5TH' PLAZA
 PROJECT NO.: 07449
 STORE NUMBER: 07449
 PROJECT ADDRESS: 481 S. VENTURA & 5TH PLAZA, OAKLAND, CALIFORNIA 94612

OVERALL SITE PLAN / TURNING TEMPLATES
 SCALE: AS SHOWN
 DRAWN BY: JJ
 DATE: 11-05-2007
 RELEASED TO CONSTRUCTION
 REVIEWED BY: JJ

A0.2
 OF DWGS.



OVERALL SITE PLAN / TRUCK TURNING TEMPLATES
 1" = 30'-0"

B

2. Airport Noise

a. Oxnard Airport¹

The California Division of Aeronautics has adopted the Community Noise Equivalent Level (CNEL) as their methodology for describing airport noise exposure. The Federal Aviation Administration (FAA) and Environmental Protection Agency (EPA) use the Day Night Noise Level (Ldn) for quantifying noise levels in the community. As noted above, the Ldn and CNEL are closely related, and noise levels computed by the two methods typically differ by less than 1 dB(A), even though the Ldn does not apply a weighting factor to noise occurring within the evening (7:00 to 10:00 p.m.).

The California Division of Aeronautics requires land use within a 65 dB(A) CNEL contour around airports to be compatible with airport operations. Otherwise, the airport operator is required to obtain a variance from the State to continue airport operations.

Land uses which are considered incompatible within the 65 dB(A) CNEL are as follows:

- Single-family dwellings
- Multiple-family dwellings
- Trailer parks
- Schools of standard construction
- Hospitals
- Childcare facilities

Compatible land uses within the 65 dB(A) CNEL include:

- Agriculture
- Airport property
- Industrial property

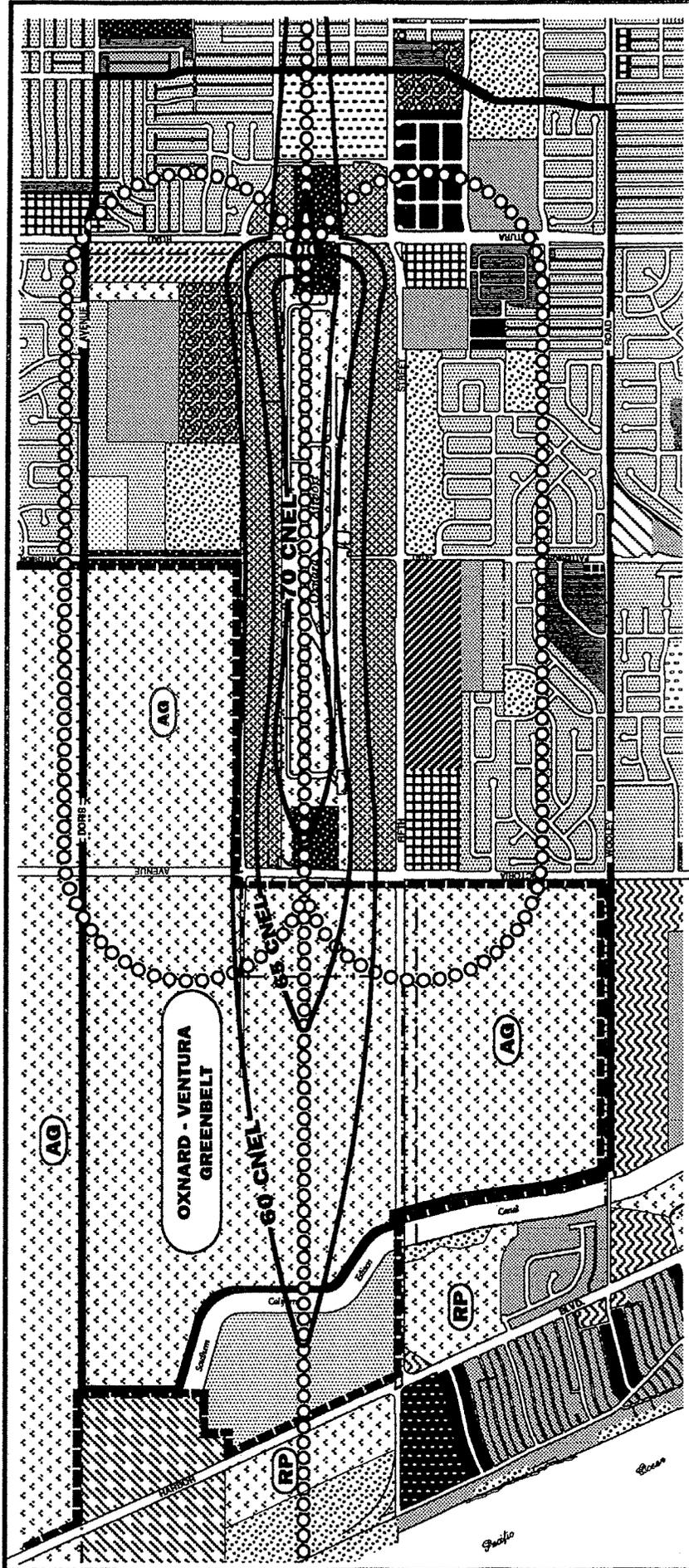
¹ The information in this section is based on the Oxnard Airport ANCLUC Study, Final Report (October 1984), prepared by PRC Engineering, Inc. It is supplemented by additional analyses for the Oxnard Airport Master Plan EIR.

- Commercial property
- Property subject to an aviation easement for noise
- High rise apartments in which adequate protection against exterior noise has been included in the design and construction, together with a central air-conditioning system. Adequate protection means that the noise reduction, design and construction (exterior to interior) shall be sufficient to assure that interior community noise equivalent level in all habitable rooms does not exceed 45 dB(A) CNEL during aircraft operations.

Oxnard Airport is used primarily by general aviation and commuter aircraft. In 1985, there were about 294 aircraft based at this facility. No expansion of airport operations is planned at this time. Oxnard Airport noise contours for 1983 are shown in **Figure X-2**.

Incompatible land uses within the existing 65 dB(A) CNEL contour for Oxnard Airport consist of single family and multiple family residential units located in the area bounded by Teal Club Road to the north, Ventura Road to the east, and Little Farms Road to the south. There are a total of 21 incompatible single family units and 10 incompatible multiple family units located on 17 parcels (approximately 9 acres) within this area. (See **Figure X-3**.) Because these dwelling units are primarily impacted by the noise from aircraft while still on the ground, preparing for takeoff, on-site noise measurements may indicate that intervening structures shield some of these units. Therefore, those dwelling units not in a direct noise transmission path from aircraft on the runway may be exposed to less than 65 dB(A) CNEL. In the remainder of the 65 dB(A) CNEL contours, the existing land uses consist of compatible commercial, light industrial and agricultural uses.

While it is also desirable to prohibit residential uses within the 60 dB(A) CNEL contour, they are not considered incompatible. Approximately two acres and eight single-family homes are located north and east of Ventura Road in the 60 dB(A) contour. The other approximately one-acre residential area affected by the 60 dB(A) CNEL contour, which contains a total of 16 units, is located south of Fifth Street. The existing land uses in the remainder of the 60 dB(A) CNEL contour consist of commercial land uses.



RESIDENTIAL

- Very Low
- Low
- Low Med.
- Medium
- High

COMMERCIAL

- Convenience
- Community
- Specalized
- Office

OPEN SPACE

- Miscellaneous
- Buffer
- Parks
- AG
- RP

OTHER

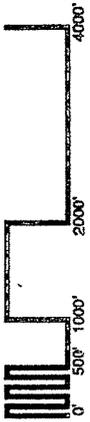
- Airport Compatible
- Schools
- L.A.F.C.O. Sphere Of Influence
- Airport Sphere of Influence
- Noise Contol 10, 65 & 70
- Flight Tracts

COUNTY GENERAL PLAN DESIGNATES COUNTY AREAS AS AGRICULTURE

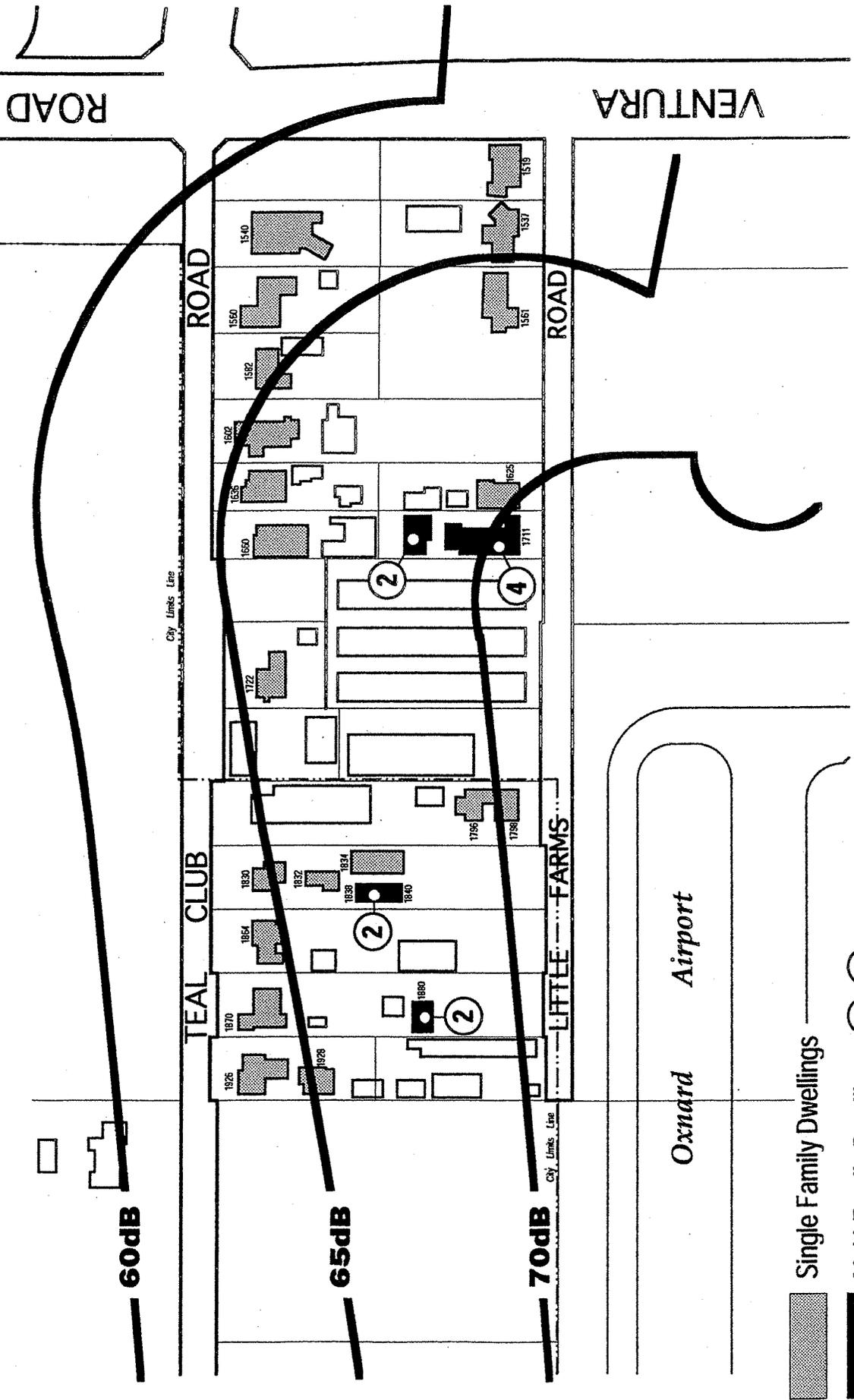
IN ADDITION TO THE CAMARILLO AIRPORT ZONE AND OXNARD AIRPORT SPHERE OF INTEREST, THE COUNTY OF VENTURA'S NOISE CRITERIA WOULD APPLY TO USES OUTSIDE THESE PLANNING AREAS

Figure X-2

SCALE

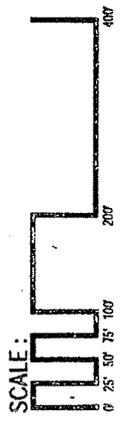


GENERAL PLAN



-  Single Family Dwellings
-  Multi-Family Dwellings
-  2
-  4

Figure X-3



IMPACTED LAND USES

Figure 9.3

LAND USE COMPATIBILITY FOR COMMUNITY NOISE ENVIRONMENTS (1)

LAND USE CATEGORY	COMMUNITY NOISE EXPOSURE L _{dn} OR CNEL, dB						INTERPRETATION
	55	60	65	70	75	80	
RESIDENTIAL - LOW DENSITY SINGLE FAMILY, DUPLEX, MOBILE HOMES	•••••	•••••	•••••	•••••	•••••	•••••	NORMALLY ACCEPTABLE Specified land use is satisfactory, based upon the assumption that any buildings involved are of normal conventional construction, without any special noise insulation requirements.
RESIDENTIAL - MULTI-FAMILY	•••••	•••••	•••••	•••••	•••••	•••••	CONDITIONALLY ACCEPTABLE New construction or development should be undertaken only after a detailed analysis of the noise reduction requirements is made and needed noise insulation features included in the design. Conventional construction, but with closed windows and fresh air supply systems or air conditioning will normally suffice.
TRANSIENT LODGING - MOTELS, HOTELS	•••••	•••••	•••••	•••••	•••••	•••••	NORMALLY UNACCEPTABLE New construction or development should generally be discouraged. If new construction or development does proceed, a detailed analysis of the noise reduction requirements must be made and needed noise insulation features included in the design.
SCHOOLS, LIBRARIES, CHURCHES, HOSPITALS, NURSING HOMES	•••••	•••••	•••••	•••••	•••••	•••••	CLEARLY UNACCEPTABLE New construction or development should generally not be undertaken.
AUDITORIUMS, CONCERT HALLS, AMPHITHEATRES	•••••	•••••	•••••	•••••	•••••	•••••	
SPORTS ARENA, OUTDOOR SPECTATOR SPORTS	•••••	•••••	•••••	•••••	•••••	•••••	
PLAYGROUNDS, NEIGHBORHOOD PARKS	•••••	•••••	•••••	•••••	•••••	•••••	
GOLF COURSES, RIDING STABLES, WATER RECREATION, CEMETERIES	•••••	•••••	•••••	•••••	•••••	•••••	
OFFICE BUILDINGS, BUSINESS COMMERCIAL AND PROFESSIONAL	•••••	•••••	•••••	•••••	•••••	•••••	
INDUSTRIAL, MANUFACTURING UTILITIES, AGRICULTURE	•••••	•••••	•••••	•••••	•••••	•••••	

CONSIDERATIONS IN DETERMINATION OF NOISE-COMPATIBLE LAND USE

A. NORMALIZED NOISE EXPOSURE INFORMATION DESIRED

Where sufficient data exists, evaluate land use suitability with respect to a "normalized" value of CNEL or L_{dn}.

B. NOISE SOURCE CHARACTERISTICS

The land use-noise compatibility recommendations should be viewed in relation to the specific source of the noise. For example, aircraft and railroad noise is normally made up of higher single noise events than auto traffic but occurs less frequently. Therefore, different sources yielding the same composite noise exposure do not necessarily create the same noise environment. The State Aeronautics Act uses 65 dB CNEL as the criterion which airports must eventually meet to protect existing residential communities from unacceptable exposure to aircraft noise. In order to facilitate the purposes of the Act, one of which is to encourage land uses compatible with the 65 dB CNEL criterion wherever possible, and in order to facilitate the ability of airports to comply with the Act, residential uses located in Com-

munity Noise Exposure Areas greater than 65 dB should be discouraged and considered located within normally unacceptable areas.

C. SUITABLE INTERIOR ENVIRONMENTS

One objective of locating residential units relative to a known noise source is to maintain a suitable interior noise environment at no greater than 45 dB CNEL of L_{dn}. This requirement, coupled with the measured or calculated noise reduction performance of the type of structure under consideration, should govern the minimum acceptable distance to a noise source.

D. ACCEPTABLE OUTDOOR ENVIRONMENTS

Another consideration, which in some communities is an overriding factor, is the desire for an acceptable outdoor noise environment. When this is the case, more restrictive standards for land use compatibility, typically below the maximum considered "normally acceptable" for that land use category, may be appropriate.

(1) Office of Noise Control, California Department of Health (1976).



NOTICE OF EXEMPTION

Project Description:

PLANNING AND ZONING PERMIT NO. 07-500-7 (Special Use Permit), A request to demolish an existing 16,610 square foot retail building (currently occupied by the Salvation Army Thrift Store) and build a 14,410 square foot Walgreens pharmacy with prescription drive-through window, located at 481 South Ventura Road, within the Trolley Plaza Shopping Center (APNs: 183-133-030 and 183-133-031). The property is zoned General Commercial Planned Development (C2PD) and is within the HERO Redevelopment area. The proposed project is exempt from environmental review under Section 13502 of the CEQA Guidelines. Filed by Paul Poirier, Poirier + David Architects, 156 W Alamar, Suite C, Santa Barbara, CA 93105, for Walgreens, 104 Wilmont Road #1435, Deerfield II 60015.

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(s) 115302 of the California Code of Regulations, projects involving “replacement or reconstruction of existing...structures where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced” may be found to be exempt from the requirements of CEQA. The proposed project is smaller than the existing building, is located in the same location as the existing building, and will have substantially the same purpose and capacity as the existing building. 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

D



Federal Aviation Administration
 Air Traffic Airspace Branch, ASW-520
 2601 Meacham Blvd.
 Fort Worth, TX 76137-0520

Aeronautical Study No.
 2007-AWP-3016-OE

Issued Date: 06/08/2007

Amy Ciolek
 Walgreens FPDE
 106 Wilmot Rd, MS #1620
 Deerfield, IL 60015-4616

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure:	Building Walgreens 07449 SEC
Location:	Oxnard, CA
Latitude:	34-11-54.04 N NAD 83
Longitude:	119-11-42.97 W
Heights:	32 feet above ground level (AGL) 78 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking and/or lighting are accomplished on a voluntary basis, we recommend it be installed and maintained in accordance with FAA Advisory circular 70/7460-1 K Change 2.

The structure considered under this study lies in proximity to an airport and occupants may be subjected to noise from aircraft operating to and from the airport.

This determination expires on 12/08/2008 unless:

- (a) extended, revised or terminated by the issuing office.
- (b) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE POSTMARKED OR DELIVERED TO THIS OFFICE AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power will

void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

A copy of this determination will be forwarded to the Federal Communications Commission if the structure is subject to their licensing authority.

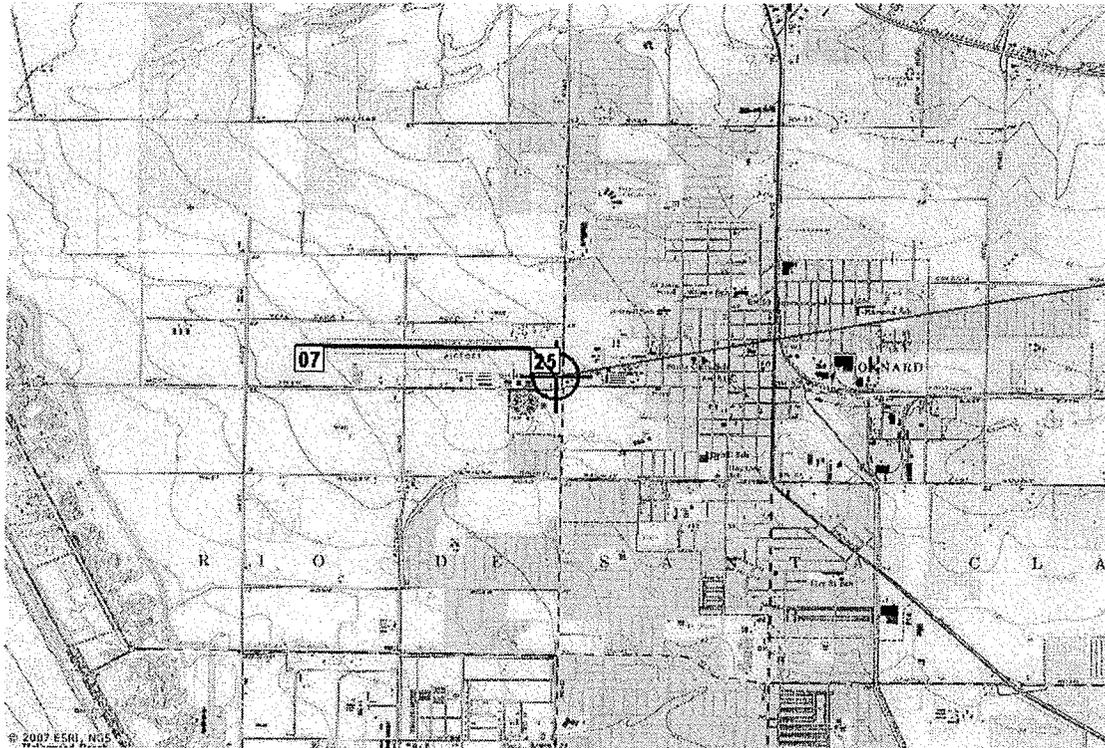
If we can be of further assistance, please contact our office at (310) 725-6557. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2007-AWP-3016-OE.

Signature Control No: 520473-100543473
Karen McDonald
Specialist

(DNE)

Attachment(s)
Map(s)

Verified Map for ASN 2007-AWP-3016-OE





ASSOCIATED TRANSPORTATION ENGINEERS

100 N. Hope Avenue, Suite 4, Santa Barbara, CA 93110 • (805) 687-4418 • FAX (805) 682-8509

Richard L. Pool, P.E.
Scott A. Schell, AICP

October 30, 2007

07079L02.WP

Ms. Amy Ciolek
Walgreens
106 Wilmot Road
Deerfield, Illinois 60015

REVISED TRAFFIC IMPACT ANALYSIS FOR THE VENTURA ROAD/FIFTH STREET WALGREENS PHARMACY - CITY OF OXNARD

Associated Transportation Engineers (ATE) has prepared the following revised traffic impact analysis for the Ventura Road/Fifth Street Walgreens Pharmacy proposed in the City of Oxnard. This revised traffic impact analysis addresses City comments on the initial August 17, 2007 traffic impact analysis. It's is our understanding that this revised traffic impact analysis will be submitted to the City of Oxnard to assist staff in their analysis of the project.

PROJECT DESCRIPTION

Walgreens is proposing to construct a 14,410 square-foot pharmacy with a drive through. The project is located within an existing shopping center located on the northwest corner of the Ventura Road and West Fifth Street intersection in the City of Oxnard. The project will replace a 16,120 square foot retail commercial building currently on site. Figure 1 (attached) illustrates the project site plan.

PROJECT GENERATED TRAFFIC VOLUMES

Project Trip Generation

Trip generation estimates were developed for the proposed Walgreens Pharmacy (ITE Land Use Code 880) and the existing retail commercial building (ITE Land Use Code 814) based on rates published in the Institute of Transportation Engineers (ITE), Trip Generation, 7th Edition. The average daily, A.M. and P.M. peak hour trip generation comparison of the two retail commercial land uses is presented in Table 1.

F

**Table 1
Project Trip Generation Comparison**

Land Use	Size	ADT		A.M. PEAK HOUR				P.M. PEAK HOUR			
		Trips	Rate	Enter	Exit	Total	Rate	Enter	Exit	Total	Rate
<u>Proposed Use:</u> Walgreens	14,410 sq.ft.	1,270	88.16	22	16	38	2.66	61	63	124	8.62
<u>Existing Use:</u> Retail Commercial	16,120 sq.ft.	714	44.32	11	10	21	1.30	26	34	60	3.72
Total New Commercial Trips:		+556		+11	+6	+17		+35	+29	+64	

The data presented in Table 1 indicate that the existing retail commercial use generates a total of 714 average daily trips, 21 A.M. peak hour trips and 60 P.M. peak hour trips. The proposed Walgreens is estimated to generate a total of 1,270 average daily trips, 38 A.M. peak hour trips and 124 P.M. peak hour trips. The Walgreens pharmacy is expected to generate an additional 556 average daily trips, 17 A.M. peak hour trips and 64 P.M. peak hour trips.

Project Trip Distribution and Assignment

The project-generated A.M. and P.M. peak hour traffic volumes were distributed and assigned to the study-area intersection. Figure 2 illustrates the project trip distribution and assignment.

PROJECT-SPECIFIC IMPACTS

City of Oxnard Impact Threshold Criteria

The City of Oxnard's criteria for evaluating project impacts at intersections is based upon the change in ICU/LOS attributable to the project. The City of Oxnard has adopted the following guidelines to prepare a traffic study and determine a project's effects on intersections (per City Resolution No. 10,453).

Traffic studies shall include a list of intersections where the project will worsen the Intersection Capacity Utilization (ICU) numeric value of Level of Service (LOS) by 0.02 or more. This ICU list shall include intersections projected to be at LOS "C" with background traffic (existing, plus approved, plus pending projects), and LOS "D", "E" or "F" with background traffic plus project-generated traffic.

At intersections where the project increases the ICU by 0.02 to 0.039, a list shall be prepared that identifies the improvements necessary to mitigate the identified project impact. City staff will then determine the amount of participation from the project for

the necessary improvements.

The developer shall mitigate the project's impacts to the circulation system by:

(a.) Construction of all master planned facilities within the project area, consisting of half the master planned roadways abutting the project area, plus one lane. 'Roadways' includes related improvements, such as sidewalks, curbs, gutters and drainage facilities. 'Project area' means the area shown on the approved plans for the project.

(b.) Construction of all improvements necessary to mitigate impacts to intersections that the ICU list shows will be worsened by 0.04 or more (subject to the mitigation fee limit).

The City of Oxnard's criteria for evaluating project impacts at intersections is based upon the change in ICU/LOS attributable to the project. If an intersection operates in the LOS "C", "D", "E", or "F" ranges with existing-plus-pending projects volumes and a change in ICU of 0.02 or greater is generated by the project under study, the impact is considered significant. The level of service must then be mitigated to the ICU level identified without the project traffic.

Existing Conditions

The existing A.M. and P.M. peak hour traffic volumes at the Ventura Road/Fifth Street intersection is illustrated on Figure 3. These volumes were collected by ATE on Thursday, May 24th, 2007 before the end of the school year and are attached for reference.

The existing level of service for the signalized study-area intersection was calculated using the Intersection Capacity Utilization (ICU) methodologies required by the City of Oxnard. Revised worksheets illustrating the level of service calculations are attached for reference. The worksheets reflect the current intersection geometry. The Ventura Road/Fifth Street intersection currently operates in the LOS "A"- "C" range during the A.M. and P.M. peak hour periods as shown in Table 2.

**Table 2
Existing Peak Hour Levels of Service**

Intersection	Control	Weekday LOS			
		A.M. Peak Hour		P.M. Peak Hour	
		ICU	LOS	ICU	LOS
Ventura Road/W. Fifth Street	Signal	0.60	LOS A	0.72	LOS C

Cumulative Conditions

The City of Oxnard requires that the study-area intersection be analyzed with the addition of traffic generated by projects which have been approved and/or are pending within the project study-area (cumulative scenario). For the purposes of this traffic analysis, the cumulative traffic volumes were derived from the Oxnard Traffic Model (OTM).

The cumulative peak hour volumes were assigned to the study-area street network by the OTM. The model accounts for the "diverted" and "pass-by" trips generated by the various types of land uses. The OTM then generates the cumulative intersection volumes. Figures 4 and 5 illustrate the cumulative and cumulative + project A.M. and P.M. peak hour volumes at the Ventura Road/Fifth Street intersection respectively.

Cumulative Levels of Service

Levels of service was calculated for the Ventura Road/Fifth Street intersection assuming the OTM cumulative volumes with the addition of the project-generated traffic assigned to the intersection. Tables 3 and 4 lists the A.M. and P.M. peak hour cumulative and cumulative + project ICU and LOS for the intersection. Worksheets illustrating the level of service calculations are attached for reference. Note that intersection operates slightly better under the A.M. peak hour cumulative condition due to the redistribution of traffic through the study-area by the OTM because of improvements to the existing circulation system.

Table 3
Cumulative + Project A.M. Peak Hour Levels of Service

Intersection	Control	A.M. Peak Hour					
		Cumulative		Cumulative + Project		Change	Impact
		ICU	LOS	ICU	LOS		
Ventura Road/W. Fifth Street	Signal	0.56	LOS A	0.56	LOS A	0.00	No

Table 4
Cumulative + Project P.M. Peak Hour Levels of Service

Intersection	Control	P.M. Peak Hour					
		Cumulative		Cumulative + Project		Change	Impact
		ICU	LOS	ICU	LOS		
Ventura Road/W. Fifth Street	Signal	0.77	LOS C	0.77	LOS C	0.00	No

The data presented in Tables 3 and 4 indicate that the Ventura Road/Fifth Street intersection will continue to operate at LOS "C" or better for the cumulative + project scenario and that the project would not exceed the City's traffic impact criteria at the location.

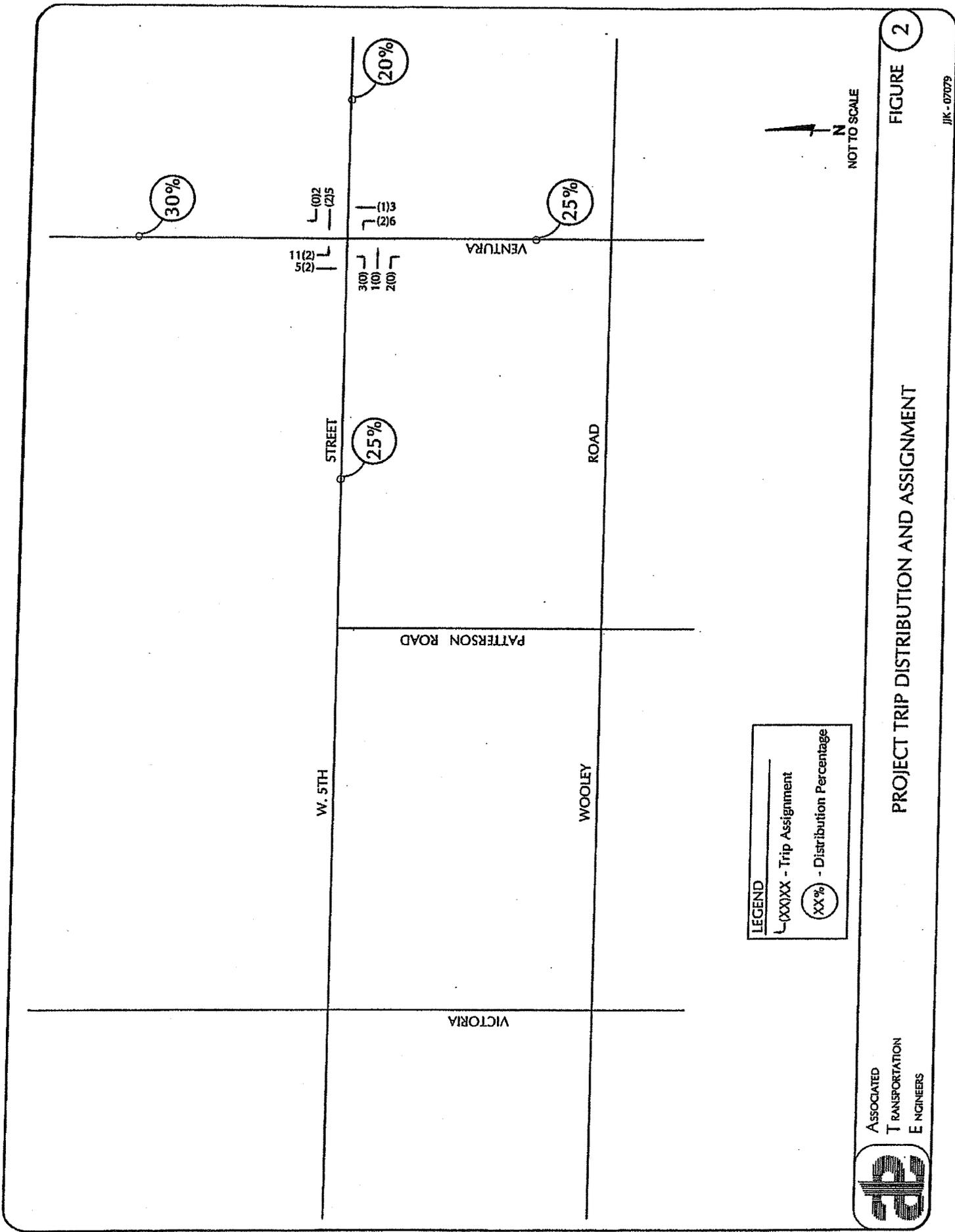
Associated Transportation Engineers



Scott A. Schell, AICP
Principal Planner

SAS/DFN

Attachments: Figures 1 - 5
LOS Worksheets
Existing Traffic Counts



2

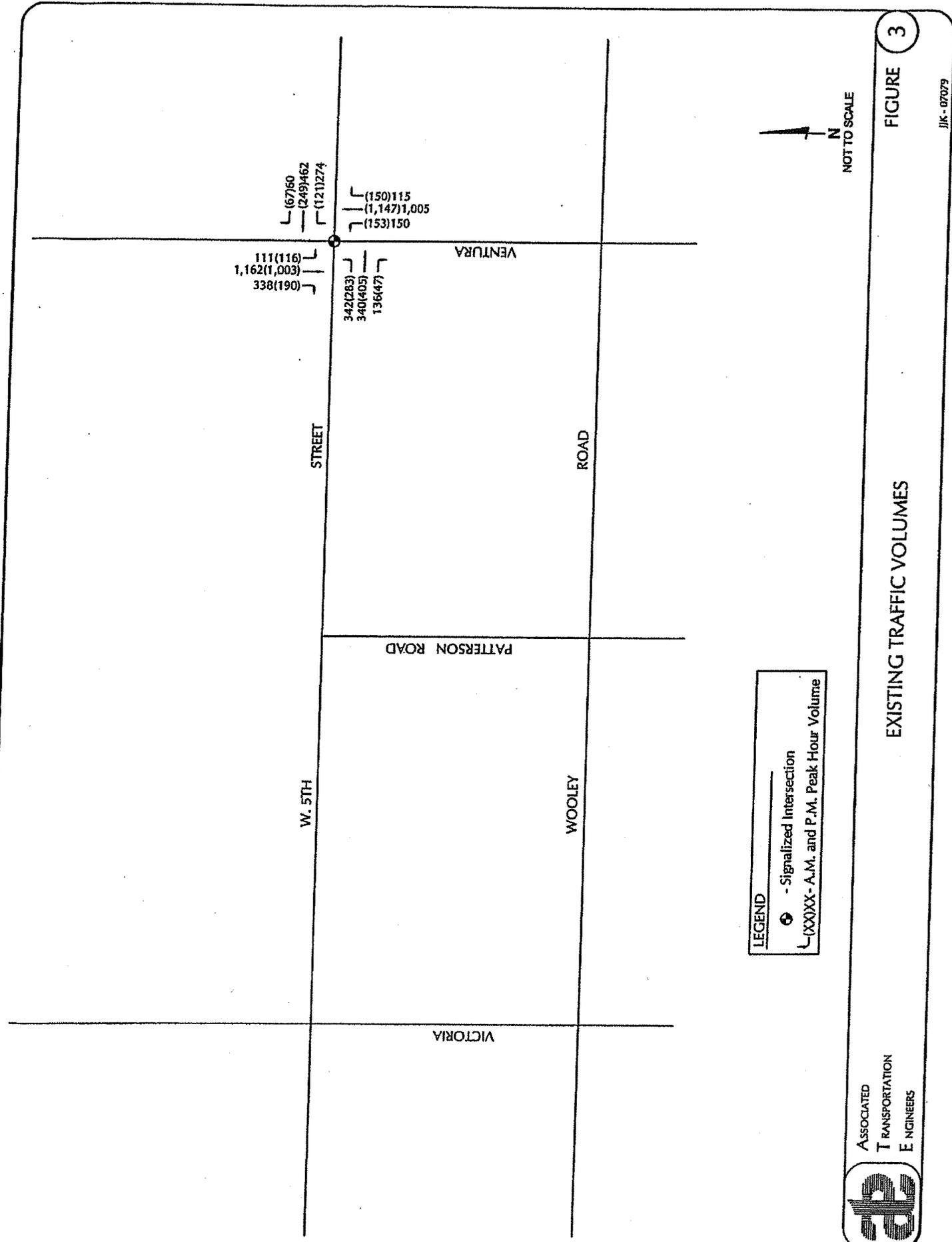
FIGURE

PROJECT TRIP DISTRIBUTION AND ASSIGNMENT

JJK - 07079

ASSOCIATED
TRANSPORTATION
ENGINEERS





LEGEND

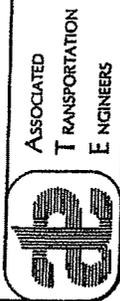
- - Signalized Intersection
- ┌(XXXX)-A.M. and P.M. Peak Hour Volume

N
NOT TO SCALE

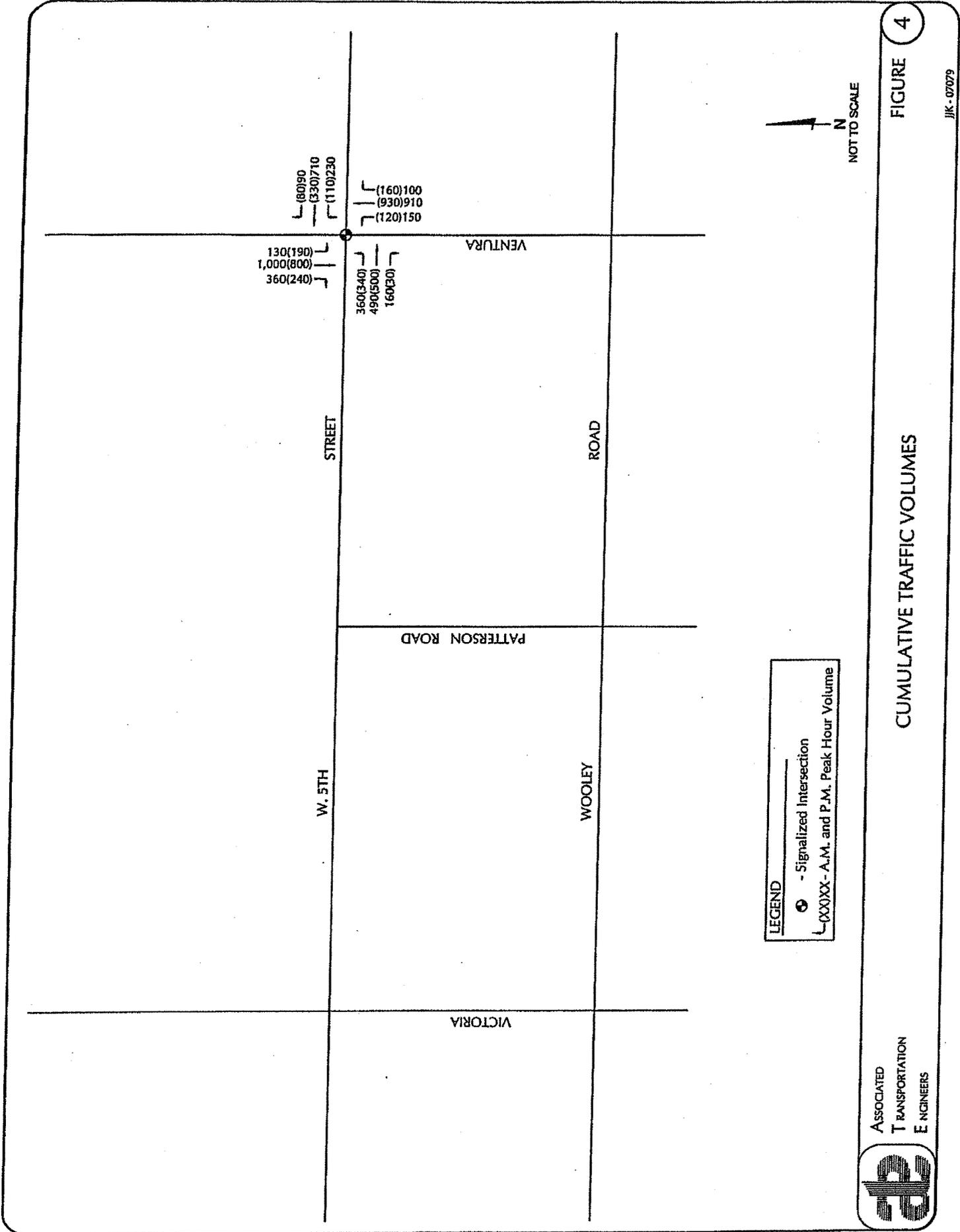
FIGURE 3

EXISTING TRAFFIC VOLUMES

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ENGINEERS



LEGEND

- ⊕ - Signalized Intersection
- └(XXXX)- A.M. and P.M. Peak Hour Volume

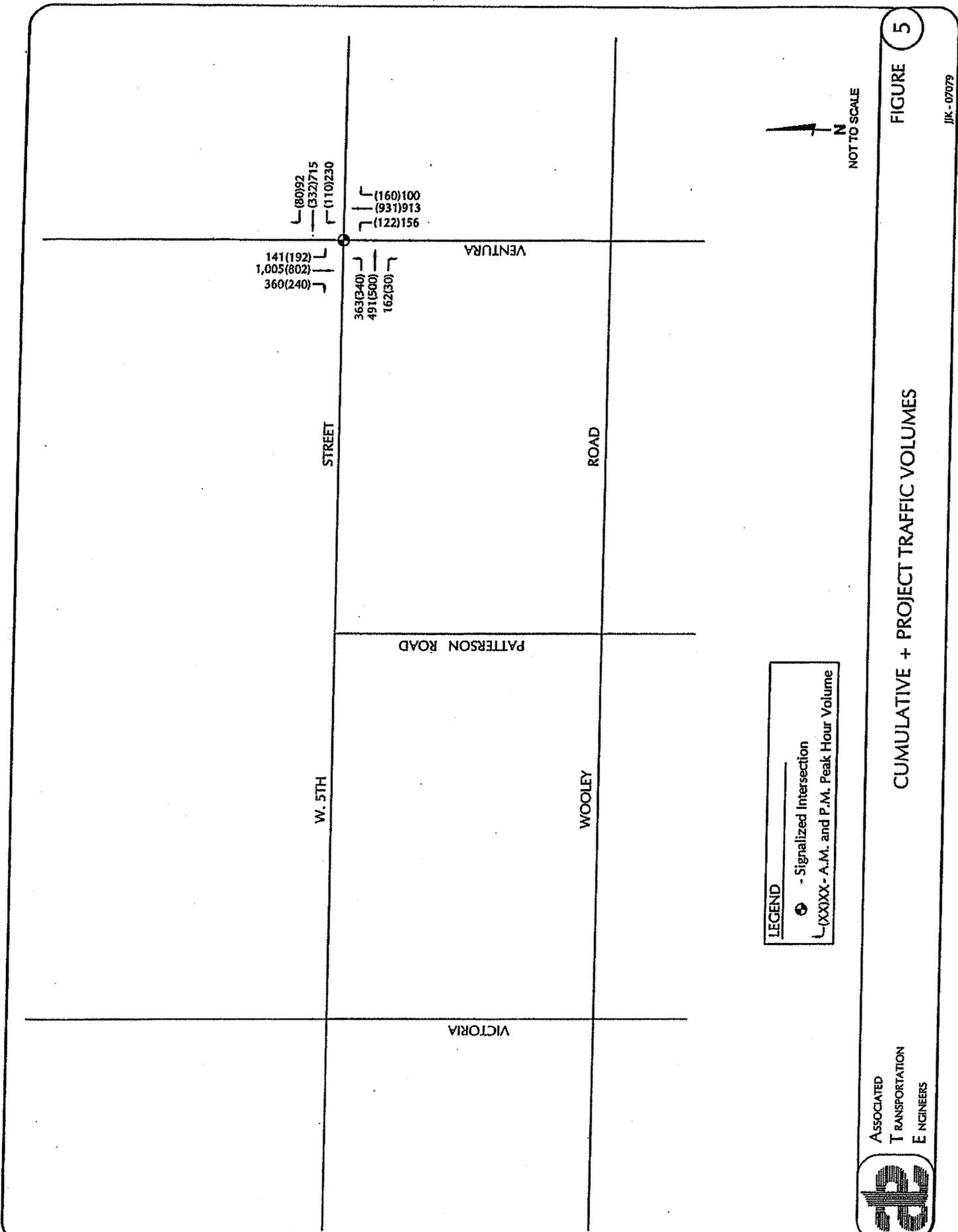
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NOT TO SCALE

FIGURE 4

CUMULATIVE TRAFFIC VOLUMES

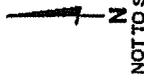
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LEGEND

- - Signalized Intersection
- └(XXXX)- A.M. and P.M. Peak Hour Volume



5

CUMULATIVE + PROJECT TRAFFIC VOLUMES

JJK - 07079



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ENGINEERS

PROJECT: WALGREENS

REFERENCE #17AM

INTERSECTION CAPACITY UTILIZATION WORKSHEET

COUNT DATE: 05/24/2007

TIME PERIOD: AM

N/S STREET: VENTURA ROAD

E/W STREET: 5TH STREET

CONTROL TYPE: SIGNAL

TRAFFIC VOLUME SUMMARY

VOLUMES	NORTH BOUND			SOUTH BOUND			EAST BOUND			WEST BOUND		
	L	T	R	L	T	R	L	T	R	L	T	R
(A) EXISTING	153	1147	150	116	1003	190	283	405	47	121	249	67
(B) BASELINE	120	930	160	190	800	240	340	500	30	110	330	80
(C) PROJECT	2	1	0	2	2	0	0	0	0	0	2	17

GEOMETRICS

EXISTING GEOMETRICS	NORTH BOUND		SOUTH BOUND		EAST BOUND		WEST BOUND	
	L	TT TR	LL	TT R	LL	T TR	LL	T TR

TRAFFIC SCENARIOS

SCENARIO 1: EXISTING (A)
 SCENARIO 2: BASELINE (B)
 SCENARIO 3: BASELINE+PROJECT (B+C)

PROJECT: WALGREENS

LEVEL OF SERVICE CALCULATIONS

MOVE- MENTS	# OF LANES	CAPACITY	SCENARIO VOLUMES			SCENARIO V/C RATIOS					
			1	2	3	1	2	3			
NBL	1	1600	153	120	122	0.096 *	0.075 *	0.076 *			
NBT	3	4800	1147	930	931	0.266	0.223	0.223			
NBR (a)	0	0	132	141	141	-	-	-			
SBL	2	3200	116	190	192	0.050	0.050	0.050			
SBT	2	3200	1003	800	802	0.313 *	0.250 *	0.251 *			
SBR (b)	1	1600	175	221	221	0.050	0.138	0.138			
EBL	2	3200	283	340	340	0.088	0.106 *	0.106 *			
EBT	2	3200	405	500	500	0.138 *	0.164	0.164			
EBR (c)	0	0	37	24	24	-	-	-			
WBL	2	3200	121	110	110	0.050 *	0.050	0.050			
WBT	2	3200	249	330	332	0.095	0.124 *	0.129 *			
WBR (d)	0	0	56	67	81	-	-	-			
INTERSECTION CAPACITY UTILIZATION: LEVEL OF SERVICE:						0.60 A	0.56 A	0.56 A			

NOTES: (a) 12% RTOR
 (b) 8% RTOR
 (c) 21% RTOR
 (d) 16% RTOR

...

PROJECT: WALGREENS

REFERENCE #17PM

INTERSECTION CAPACITY UTILIZATION WORKSHEET

COUNT DATE: 05/24/2007

TIME PERIOD: PM

N/S STREET: VENTURA ROAD

E/W STREET: 5TH STREET

CONTROL TYPE: SIGNAL

TRAFFIC VOLUME SUMMARY

VOLUMES	NORTH BOUND			SOUTH BOUND			EAST BOUND			WEST BOUND		
	L	T	R	L	T	R	L	T	R	L	T	R
(A) EXISTING	150	1005	115	111	1162	338	342	340	136	274	462	60
(B) BASELINE	150	910	100	130	1000	360	360	490	160	230	710	90
(C) PROJECT	6	3	0	11	5	0	3	1	2	0	5	2

GEOMETRICS

EXISTING GEOMETRICS	NORTH BOUND			SOUTH BOUND			EAST BOUND			WEST BOUND		
	L	T	TR	LL	TT	TR	LL	T	TR	LL	T	TR

TRAFFIC SCENARIOS

- SCENARIO 1: EXISTING (A)
- SCENARIO 2: BASELINE (B)
- SCENARIO 3: BASELINE+PROJECT (B+C)

PROJECT: WALGREENS

LEVEL OF SERVICE CALCULATIONS

MOVE-MENTS	# OF LANES	CAPACITY	SCENARIO VOLUMES			SCENARIO V/C RATIOS					
			1	2	3	1	2	3			
NBL	1	1600	150	150	156	0.094 *	0.094 *	0.098 *			
NBT	3	4800	1005	910	913	0.231	0.208	0.209			
NBR (a)	0	0	104	90	90	-	-	-			
SBL	2	3200	111	130	141	0.050	0.050	0.050			
SBT	2	3200	1162	1000	1005	0.363 *	0.313 *	0.314 *			
SBR (b)	1	1600	304	324	324	0.190	0.203	0.203			
EBL	2	3200	342	360	363	0.107 *	0.113 *	0.113 *			
EBT	2	3200	340	490	491	0.143	0.197	0.198			
EBR (c)	0	0	118	139	141	-	-	-			
WBL	2	3200	274	230	230	0.086	0.072	0.072			
WBT	2	3200	462	710	715	0.161 *	0.247 *	0.249 *			
WBR (d)	0	0	54	81	83	-	-	-			
INTERSECTION CAPACITY UTILIZATION: LEVEL OF SERVICE:						0.72 C	0.77 C	0.77 C			

- NOTES: (a) 10% RTOR
 (b) 10% RTOR
 (c) 13% RTOR
 (d) 10% RTOR

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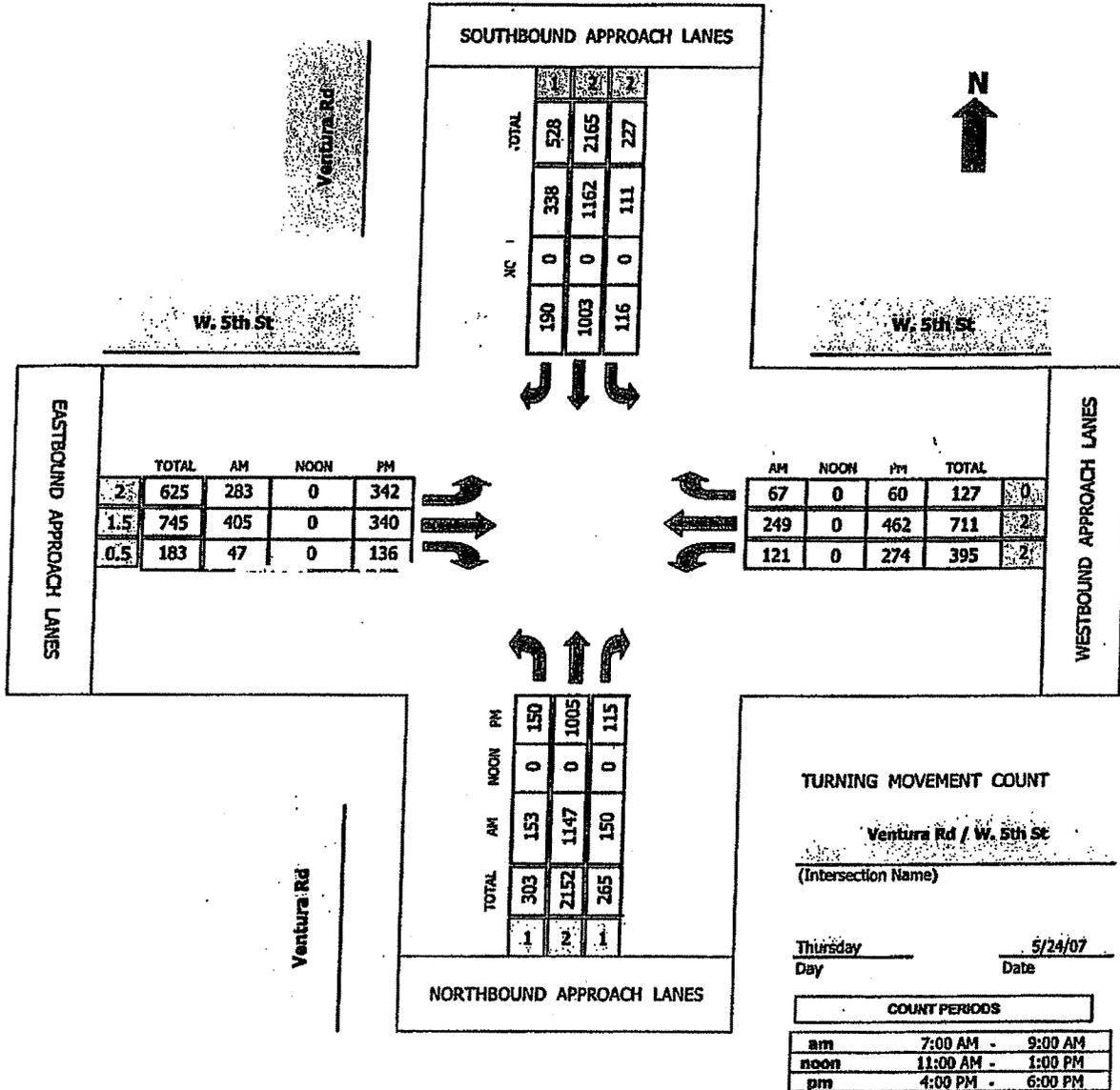
Intersection Turning Movement

Prepared by:

National Data & Surveying Services

TMC Summary of Ventura Rd/W. 5th St

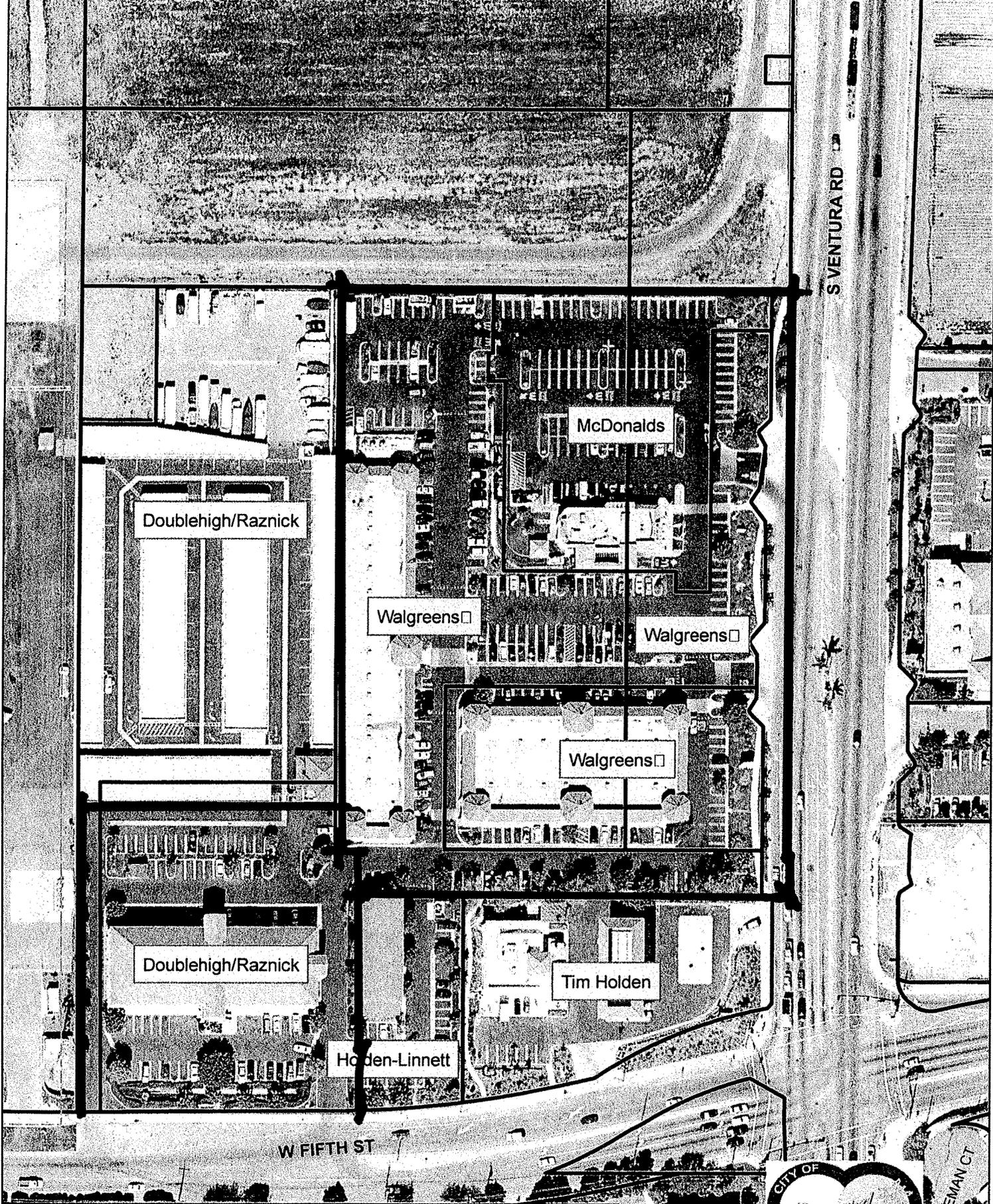
Project #: 07-2252-010



AM PEAK HOUR 730 AM

NOON PEAK HOUR 0 AM

PM PEAK HOUR 500 PM



**Trolley Plaza Ownership
January 2008**



Planning Division

RESOLUTION NO. 2008 – [PZ 07-500-7]

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD APPROVING PLANNING AND ZONING PERMIT NO. PZ 07-500-7 (SPECIAL USE PERMIT), TO ALLOW DEMOLITION OF AN EXISTING 16,120 SQUARE FOOT RETAIL BUILDING AND CONSTRUCTION OF A NEW 14,410 SQUARE FOOT BUILDING FOR A PHARMACY WITH DRIVE-THROUGH FACILITIES, LOCATED AT 481 SOUTH VENTURA ROAD, NORTH OF WEST FIFTH STREET, ON THE WEST SIDE OF VENTURA ROAD (APNs 183-133-030 AND 183-133-031) SUBJECT TO CERTAIN FINDINGS AND CONDITIONS. FILED BY PAUL POIRIER, POIRIER + DAVID ARCHITECTS, 156 W ALAMAR, SUITE C, SANTA BARBARA, CA 93105, FOR WALGREENS, 104 WILMONT ROAD #1435, DEERFIELD IL 60015

WHEREAS, the Planning Commission of the City of Oxnard has considered an application for Planning and Zoning Permit No. 07-500-7, filed by POIRIER + DAVID ARCHITECTS, FOR WALGREENS, in accordance with Section 16-530 through 16-553 of the Oxnard City Code; and

WHEREAS, Section 15302 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 received October 8, 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 complete the "Notice of Land Use Restrictions and Conditions" form, using the form provided by the City, for recording with the Ventura County Recorder. Before the City issues building permits, Developer shall submit the original completed, signed and notarized document, together with the required fees to the Planning 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, the approved signs for this project, and the adopted sign program for Trolley Plaza, Developer may not change any signs on the project property. (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 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*)
17. 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*)
18. 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*)
19. 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*)
20. 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*)
21. 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

22. At the time of landscape and irrigation plans submittal, 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.

23. In addition to providing landscaping and irrigation improvements to Walgreens and the associated project site, the *portion of the Trolley Plaza owned by Walgreens* is subject to landscape and irrigation replacement improvements. The landscape and irrigation plans submitted for plan check shall include a Comprehensive Landscape Site Plan that includes the entire Trolley Plaza area limits. A thorough landscape and irrigation deficiency review and inventory of the site shall be performed. All areas not in compliance with the current City of Oxnard Landscape Standards shall be addressed and corrected on the Comprehensive Landscape Plan. Deficiency landscape and irrigation items identified will include, but are not limited to the following: (a) missing or failing trees; (b) missing or failing shrubs; (c) missing or failing groundcovers; and (d) missing or failing irrigation. Replace the existing turf in parking lot finger planters with approved ground covers and shrubs. The Comprehensive Landscape Site Plan shall identify all species, quantities and sizes of the proposed replacement landscape and irrigation improvements. Landscape and irrigation replacements and improvements shall also include the parkway areas adjacent to Ventura Road.
24. Staff accepts the arborist's tree report dated July 27th, 2007 and the total economic tree appraisal value of \$50,523. Staff acknowledges that some of the trees will be saved in place while others will be transplanted to other locations on site. Only the economic appraisal value of the trees to be removed from the site 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. The landscape architectural plans shall contain a Tree Tabulation Chart that accurately reflects the trees to be removed, saved, or transplanted and shall demonstrate how the economic appraisal value of the trees removed from the site have been put back into new tree sizes for the project

FIRE DEPARTMENT STANDARD CONDITIONS

25. 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)
26. 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)
27. 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)
28. 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*)
29. 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*)
 30. The project shall meet the minimum requirements of the "Fire Protection Planning Guide" published by the Fire Department. (FD, *F-6*)
 31. 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*)
 32. Developer shall identify all hydrants, standpipes and other fire protection equipment on the project property as required by the Fire Chief. (FD, *F-8*)
 33. Developer shall provide central station monitoring of the fire sprinkler system and all control valves. (FD, *F-10*)
 34. 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*)
 35. 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*)
 36. Developer shall comply with Certified Unified Program Agency (CUPA) requirements regarding the storage, handling and generation of hazardous materials or waste. Prior to the issuance of building permits, Developer shall contact the CUPA division of the Fire Department to ensure that such requirements are followed. (FD, *F-16*)

FIRE DEPARTMENT SPECIAL CONDITIONS

37. Before the City issues a certificate of occupancy, the Developer shall install a Knox Box key vault at a location on the building to be determined by the Fire Department.
38. Developer shall relocate the fire hydrant located at the existing south driveway between the gas station and the subject property needs to the south so that it is within 2 feet of the new curb which will border the gas station.

POLICE DEPARTMENT CONDITIONS

39. Security cameras shall be installed to monitor the premises and be positioned to monitor at minimum the entry/exit, all points of sale, the drive through and the areas immediately

surrounding the exterior of the business. The camera system shall comply with the following minimum standards: (PD)

- a. The cameras shall be color cameras, made by a reputable manufacturer and maintained to current industry standards. They shall have low light capability and be capable of identifying persons conducting transactions at the stores' registers or entering/exiting the business.
 - b. The system shall utilize a Digital Video Recorder (DVR). The use of videocassette recorders (VHS and other formats) is prohibited. The DVR shall allow recording, live viewing and playback of recorded video for a period of least 30 days. DVR shall perform all recording, viewing (local and remote), playback (local and remote), queries and backup functions simultaneously, with no interruption of any other function.
40. Future tenant improvements such as; the establishment of a bank, ATM, check cashing business or any business planning to sell alcoholic beverages will require further review and approval from the Police Chief or his/her designee
 41. Developer shall provide a follow up photometric study including: readings within the required 1 to 7 foot candles, readings to be expected outside the project area along its edges, notations of what if any shielding might be used to mitigate potential light trespass, and documentation explaining any exceptions to the established standards. (PD)
 42. Developer shall establish responsible cash handling procedures to reduce the likelihood of robberies and thefts. (PD)
 43. Developer shall equip each point of sale with a silent robbery alarm that complies with Oxnard City Ordinance No. 2601. (PD)
 44. Developer shall bolt down all cash registers to service counters in order to prevent the entire device from being stolen during a burglary or robbery. (PD)
 45. Developer shall have drop-safes installed to allow employees to deposit daily receipts throughout the day as the amounts exceed allowable levels in the register (typically \$50). (PD)
 46. Developer shall install signage which indicates that employees do not possess keys to safes and that minimal levels of cash are available in register. (PD)
 47. Developer shall have adequate staffing at all times that is sufficient to effectively monitor the behavior of customers and the safety of employees. At no time will there be fewer than three employees on the premises. (PD)
 48. The business shall have written procedures that include guidelines for customer/employee de-escalation, employee safety, robbery or theft deterrence and employee actions during critical situations such as a robbery in progress. (PD)

49. Developer shall install a video feedback monitor which displays the live feed from security cameras positioned nearby. The monitor shall, at a minimum, be displayed at each customer entrance. (PD)
50. Prior to issuance of building permit, Developer shall contact Detective Martin Ennis at (805) 385-8349 or MartinEnnis@OxnardPD.org to discuss enrollment in and compliance with the Oxnard Police Department "Crime Free Business Program." (PD)

PLANNING DIVISION STANDARD CONDITIONS

51. 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*)
52. 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*)
53. 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*)
54. 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*)
55. 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*)
56. 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*)
57. Prior to issuance of building permits, Developer shall demonstrate that light standards illustrated on conceptual lighting plan do not conflict with tree locations. Developer shall submit a plan showing both the lighting and landscape on the same sheet.
58. 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 light standard heights and exterior lighting fixtures for design review and approval of the Planning Division Manager. (PL/B, *PL-8*)

59. 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. (PL, *PL-9*)
60. 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*)
61. 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*)
62. Developer shall provide for dust control at all times during project property preparation and construction activities. (B/DS, *PL-13*)
63. 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*)
64. 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*)
65. 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*).
66. 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*)

67. 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*)
68. 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*)
69. For any exterior utility meter panels and/or doors, Developer shall paint such panels to match the structure upon which it is located. Such panels and doors 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*)
70. Developer shall install toilets that have automatic flush sensors in all public restrooms (i.e. for use by customers). 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*)
71. Developer shall install individual mirrors above each sink in a public restroom (i.e. for use by customers), 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*)
72. Prior to issuance of a certificate of occupancy, Developer shall remove all construction materials and vehicles from the subject property. (PL/B, *PL-47*)

PLANNING DIVISION SPECIAL CONDITIONS

73. Developer shall cooperate with the adjacent property owner in establishing a property owners' association for all property within the commercial and office portions of the shopping center, and the association shall be responsible for the coordinated maintenance of parking areas, landscape and other common areas of the shopping center. The developer shall work with the adjacent property owner to establish Conditions Covenants & Restrictions related to property maintenance prior to issuance of a certificate of occupancy and/or final inspection of the building, whichever comes first. (PL/DS, *PL-33*)
74. Prior to issuance of a building permit, Developer shall provide to the Planning Manager copies of the recorded reciprocal access and parking agreements with the surrounding properties. (PL, DS)
75. Developer shall remove any and all graffiti from the project premises, including but not limited to graffiti within the building, such as in restrooms, 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)

76. 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)
77. Developer shall record a notice to appear in all deeds of property within the project that the project is within or proximate to the Oxnard Airport Sphere of Influence and inhabitants may be affected by the airport and aircraft operations. Before the City issues building permits, Developer shall provide evidence of recordation of such notice with the Ventura County Recorder's Office. (PL)
78. Developer shall grant to the County of Ventura an avigation easement that includes the elements of the Federal Aviation Administration's (FAA) Model Avigation Easement. (PL)
79. The Federal Aviation Administration's review shall result in a finding of "no objection." (PL)
80. Developer shall file with FAA a Form 7460, "Notice of Construction or Alteration," that enables the FAA to review the development for any hazards to airport/aviation operations. (PL)
81. The Developer shall adhere to any recommendations from the FAA for marking or lighting. (PL)
82. Developer shall participate in the City's Art in Public Places Program, in accordance with City Council Resolution No. 13,103 by paying the in-lieu Public Art fee prior to issuance of a building permit. (PL)
83. Developer shall contract with a qualified archaeologist to conduct a Phase I cultural resources survey of the project site prior to issuance of any grading permits. The survey shall include: (1) an archaeological and historical records search through the California Historical Resources Information System at CalState Fullerton; and (2) a field inspection of the project site. Upon completion, the Phase I survey report shall be submitted to the Planning Division for compliance verification. A copy of the contract for these services shall be submitted to the Planning Division Manager for review and approval prior to initiation of the Phase I activities.

The contract shall include provisions in case any cultural resources are discovered onsite. In the event that any historic or prehistoric cultural resources are discovered, work in the vicinity of the find shall be halted immediately. The archaeologist shall evaluate the discovery and determine the necessary mitigations for successful compliance with all

applicable regulations. Developer or its successor in interest shall be responsible for paying all salaries, fees and the cost of any future mitigation resulting from the survey. (PL)

84. Developer shall contract with a Native American monitor to be present during all subsurface grading, trenching or construction activities on the project site. The monitor shall provide a weekly report to the Planning Division summarizing the activities during the reporting period. 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 monitoring report(s) shall be provided to the Planning Division prior to approval of final building permit signature. (PL)

ENVIRONMENTAL RESOURCES DIVISION

85. To ensure that solid waste generated by the project is diverted from the landfill and reduced, reused or recycled, Developer shall complete and submit a "City of Oxnard C&D Environmental Resources Management & Recycling Plan" ("Plan") to the City for review and approval. The Plan shall provide that at least 50% of the waste generated on the project be diverted from the landfill. The Plan shall include the entire project area, even if tenants are pursuing or will pursue independent programs. The Plan shall be submitted to 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 Plan form.
86. Developer shall follow the approved "City of Oxnard C&D Environmental Resources Management & Recycling 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 and submit the "City of Oxnard C&D Environmental Resources Management & Recycling Report For Work Completed" ("Work Completed 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 Work Completed Report prior to issuance of a certificate of occupancy.
87. Developer shall arrange for materials collection during construction, demolition, and occupancy with the City's Environmental Resources Division or Developer shall arrange for self-hauling to an authorized facility.
88. Developer shall make provisions to divert at least 50% of the waste material generated during occupancy through source reduction, recycling, reuse, and green waste programs.

Developer shall complete and submit a “City of Oxnard C&D Environmental Resources Management & Recycling Occupancy Plan” (“Occupancy Plan”) to the City’s Environmental Resources Division. An Occupancy Plan must be submitted and approved prior to issuance of a certificate of occupancy. A “City of Oxnard C&D Environmental Resources Management & Recycling Occupancy Report” shall be submitted to the Environmental Resources Division annually on the anniversary date of the certificate of occupancy for approval.

89. 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.

DEVELOPMENT SERVICES DIVISION STANDARD CONDITIONS

90. 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)
91. 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)
92. 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)
93. 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)
94. Developer shall protect building pads from inundation during a 100-year storm. (DS-5)
95. Developer shall remove and replace all improvements that are damaged during construction. (DS-6)
96. 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)

97. 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)
98. 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)
99. 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)
100. 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)
101. 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)
102. Developer shall pay the cost of all inspections of on-site and off-site improvements. (DS-22)
103. Developer shall be responsible for all project-related actions of Developer's employees, contractors, subcontractors, and agents until City accepts the improvements. (DS-23)
104. 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)

105. "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)
106. 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)
107. 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)
108. 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)
109. 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)
110. 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)
111. Developer shall install City approved backflow prevention devices for water connections if so ordered by the City Engineer. (DS-45)
112. 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)
113. 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)

114. 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)
115. Developer, property owner or tenant shall participate in a Traffic Management Association (TMA) if one is formed and shall implement and participate in all programs and strategies established by the TMA. This condition shall be included in all leases and rental agreements for the project property. (TR-72)
116. Developer shall install bike racks in accordance with City standards at locations approved by City Traffic Engineer. (TR-73)
117. 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)
118. 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)
119. In non-residential developments where fifty or more persons are employed, Developer shall include a transportation information center stocked with bus schedules, rideshare information, and related information on alternative methods of transportation. Developer or owner shall update such information at least once a month. (TR-77)

STORMWATER QUALITY CONDITIONS

120. 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)
121. 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)
122. 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)

123. 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)
124. 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)
125. 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)
126. 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

127. 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 final subdivision map, 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)
128. Prior to issuance of a building permit, Developer shall obtain the approval of the Refuse Department for the make and model of the proposed trash compactor to assure compatibility with City equipment. (DS)

129. Developer shall design and construct the trash compactor enclosure with a solid roof to prevent rainwater from entering the enclosure. The minimum height of the roof shall be approved by the Refuse Division. (DS)
130. Prior to issuance of a site improvement permit, Developer shall provide written permission from the adjacent property owner for all work proposed on the adjacent lot. (DS)
131. 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)
132. Developer shall design the grass swale filter in accordance with the Technical Guidance Manual for Stormwater Quality Control Measures. Design calculations shall be included in the project drainage report. (DS)
133. 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)
134. 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)
135. Developer shall install a perforated underdrain below all grass-filter swales constructed with a longitudinal slope of less than 1%. Underdrain shall connect to a point of safe discharge as approved by the Development Services Manager. (DS)
136. Prior to issuance of a site improvement plan, Developer to provide proof of recordation of a reciprocal drainage agreement (or similar document acceptable to the Development Services Manager) with the adjoining property owner. (DS)

PASSED AND ADOPTED by the Planning Commission of the City of Oxnard on this 6th day of March, 2008, by the following vote:

AYES: Commissioners

NOES: Commissioners

ABSENT: Commissioners

Michael Sanchez, Chairman

ATTEST: _____

Susan L. Martin, Secretary

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