



Planning Division

**PLANNING COMMISSION
STAFF REPORT**

TO: Planning Commission

FROM: Stephanie Diaz, Contract Planner

DATE: April 17, 2008

SUBJECT: Planning and Zoning Permit No.07-540-04 (Planned Development Permit),
Located at 2801 Saviers Road in the Centerpoint Mall.

- 1) **Recommendation:** That the Planning Commission approve Planning and Zoning Permit No. 07-540-04 for a Planned Development Permit for a 12, 780 square foot commercial building, subject to certain findings and conditions.
- 2) **Project Description and Applicant:** PZ No. 07-540-04 (Planned Development Permit) a request to demolish the 14,720 square foot building known as Yolanda’s Restaurant and replace it with a 12,780 square foot multi-tenant commercial building (known as Building S) located at 2801 Saviers Road in the Centerpoint Mall including APNs, 203-0-320-24 and 203-0-320-23 on a site zoned Commercial Planned Development (CPD). The proposed project is exempt from environmental review under Section 15302 of the CEQA Guidelines. Filed by Oxnard Center Company, 2655 Saviers Road, Oxnard, CA 93030
- 3) **Existing & Surrounding Land Uses:** The site is located in the Centerpoint Mall and contains the existing Yolandas Restaurant and reciprocal mall parking.

LOCATION	ZONING	GENERAL PLAN	EXISTING LAND USE
Project Site	C-PD	Commercial Regional	Restaurant and Parking
North	C-PD	Commercial Regional	Regional Shopping Mall
South	C-PD	Commercial Regional	Bank
East	C-2	Commercial Neighborhood	Commercial Shopping Center
West	C-PD	Commercial Regional	Regional Shopping Mall

- 4) **Background Information:** The project site is composed of two Assessor’s parcels in the southeast corner of the Centerpoint Mall. A freestanding building known as Building “S” (currently Yolanda’s Restaurant) is located on the project site. The mall and Building S were constructed in 1966 under SUP U187. An addition to Building S was constructed in 1982.

5) Environmental Determination: In accordance with Section 15302 of the California Environmental Quality Act (CEQA) Guidelines, projects involving “the replacement of a commercial structure with a new structure of substantially the same size, purpose and capacity” may be found to be exempt from the requirements of CEQA. This proposal removes a 14,720 square foot commercial structure and replaces it with a 12,780 square foot commercial structure. 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 (see Attachment C).

6) Analysis:

General Discussion: The replacement structure is proposed to be a multi-tenant commercial building with uses such as restaurant, bank, retail or office. Parking and access are provided through reciprocal agreements for use of the Centerpoint Mall entrances and parking spaces.

a) General Plan Consistency:

POLICY	DISCUSSION
<p>Standards for Land Use Density/Intensity states: “Regional Shopping Centers in these areas can be multi-story and range up to 3 million square feet in size on as much as 100 acres.(pg V-52)”</p>	<p>The proposed stand-alone building is part of the Centerpoint Mall , designated a regional shopping center. The center, including the proposed project is less than 3 million square feet in size (372,663 sf). Therefore, consistency with this policy may be found.</p>
<p>Land Use Element Policy 2 Other Infill Development: As stated in the Growth Management Element, it is the City’s policy to encourage development of these areas prior to extensive development of larger vacant areas.</p>	<p>The project is within the HERO redevelopment area. The City established redevelopment areas to encourage reinvestment and rehabilitation of properties within these areas. The project embraces redevelopment objectives by removing an old building and replacing it with new construction.</p>
<p>Land Use Element Policy 3 Infill/Modification Area Policies: This section of the 2020 General Plan is concerned with planning issues within the City’s existing areas and neighborhoods.</p>	<p>This project is within the existing commercial corridor on Saviers Road on an existing developed site that contains a regional shopping center. The site is within the Kamala Neighborhood which has been identified as a specific infill area.</p>
<p>Growth Management Element Policies consist of two general categories. The first category defines “where” the development will occur and the second defines “how” and “when” the development will proceed. The Oxnard City Urban Restriction Boundary (CURB) sets the primary self-imposed demarcation for the</p>	<p>The project is within the CURB. It is an “in-fill” project. “First priority for development is assigned to those areas necessary to “round out” or “fill in” the boundaries of existing partially developed neighborhoods and infill properties for which public services are already present or can be readily provided at the expense of the developer (page IV-21).” Therefore, the project complies with the Growth Management Element Policies in that it is in an</p>

<p><i>urbanization of the City. The City's Sphere of Influence identifies the probable ultimate physical boundary of the City. Greenbelt Agreements, such as the Save Open Space and Agricultural Resources (SOAR) initiative, designate portions of the planning area that shall remain in agriculture.</i></p>	<p>area designated for urban infill and adequate City services are already in place. By concentrating development in the City core, pressure is not put on areas outside of the CURB.</p>
<p>Community Design Policy #8: <i>"The City shall continue and formalize in area plans the architectural design themes established in visually distinctive areas of the Cit.</i></p>	<p>The proposed building is designed to upgrade the architecture related to the Centerpoint Mall.</p>

b) Conformance with Zoning Development Standards: The proposed development is located in the Commercial planned Development (C-PD) zone district. In accordance with the City Code, the proposed commercial development may be permitted with an approved Planned Development permit. Applicable development standards of the C-PD zone have been compared with the proposed project, as follows:

DEVELOPMENT STANDARD	REQUIREMENT	PROPOSED	COMPLIES?
Min. lot area	Not specified for commercial uses	N/A	YES
Max. building height	2 stories or 35 feet	29 ft	YES
Front yard setback	10 feet	10' after ROW take	YES
Side yard setback	No setback is required where a lot zoned general commercial abuts another lot so zoned	South – 12' North – 8'2"	YES
Rear yard setback	No rear yard for buildings of 16' or less. Buildings over 16' require a 15 foot setback.	15 ft	YES
Site landscaping	15% minimum	15.2%	YES
Parking lot landscape requirements	Min. 10' landscape strip parallel to street 5% site landscaping Parking areas 36 inch landscape berm or a combo wall/landscaping One tree for every 40 feet of property line	10 ft No berm proposed, however landscaping is proposed	YES
Automobile Parking	1 space per 250 square feet = 52 spaces for Building S	Site plan provides 187 spaces (reciprocal parking and access agreement)	YES

Motorcycle Parking	3 spaces for every 100 auto spaces required	4 spaces	
Lighting	Comply with City Code	Photometric plan to be provided	YES, to be conditioned
Trash Enclosures and Transformers	To be screened	Trash enclosure screened	YES
Rooftop Equipment	To be Screened	To be screened	YES
Parking Lot Striping	City Standard	9' x 17' and 9' x 19'	YES
Loading Zone	One 12'x 40' Cross Hatched 'No Parking'	One 12' x 40'	YES

c) Site Design: The project site is located in the southeast portion of the Centerpoint Mall. The site is separated from Channel Islands Boulevard by the Wells Fargo Bank. The proposed building and entrance face Saviers Road but there are also entrances facing the parking lot on the north and west sides of the building. A 20-foot wide landscape frontage is shown along Saviers Road. This front yard will be reduced to 10-feet in width when Saviers Road is widened. The existing Mall parking lot surrounds the building on the north and west sides. Redesign of the existing parking lot in this area is proposed to provide a setback from Saviers Road for the future widening. A loading zone and trash enclosure have also been incorporated into the parking lot.

d) Circulation and Parking: Vehicular ingress and egress to the project site is by way of the existing Centerpoint Mall driveways on Saviers Road and Channel Islands Boulevard. Customers can reach the proposed building as well as the main mall from the driveways and parking areas surrounding the project site. Pedestrian access to the proposed building is from sidewalks on Saviers Road and along the north side of the building. Sidewalks from Channel Islands Boulevard and along the west side of the building also provide pedestrian access. Pedestrians can also walk from the proposed building to the main mall along pedestrian paths in the parking lot.

The site area surrounding the proposed building contains four handicap parking spaces, 183 standard parking spaces, four motorcycle spaces and one loading zone. The proposed 12,780 square foot building would be required to provide 52 parking spaces at a rate of 1 space per 250 sq. ft. Therefore, the existing 183 standard parking spaces plus other mall spaces provide sufficient parking. Also, the existing Yolanda's Restaurant building that will be demolished, required more parking than the proposed building due to the larger size (14,720 sq. ft.) and the restaurant use that requires more parking than a mixed commercial building. A loading zone per City standards is provided in the parking lot on the west side of the proposed building.

A traffic analysis was performed for the entire mall with a planned increase of 172,274 sq.ft. (Austin Faust Associates December 17, 2007) The study found that the net traffic increase in the AM and PM falls under the impact threshold and no mitigations are required. Therefore, the demolition and reconstruction of Building S should not create

traffic impacts. The traffic study noted that the City Bus Center is located directly adjacent to the site on "C" Street and may be responsible for lower counts at the mall. The City Traffic Engineer found the study to be acceptable. The project provides right-of-way dedication for a southbound right-turn lane on Saviers Road. This is a future City widening project and is not the responsibility of the project.

- e) **Building Design:** The building design is modern with stucco walls and split face masonry base. The building has metal trellises and canopies some with ground mounted supports and others with building mounted supports. Slate tile provides accent walls. The standing metal seam roof has varying heights. The proposed colors are earthtones of green, tan and brown.
 - f) **Signs:** Building signs will be reviewed in the future, prior to issuance of building permits. Shopping center monument signs are currently under review through the Minor Modification process.
 - g) **Landscaping and Open Space:** The existing landscaping is dominated by various Palm trees and will be augmented with African Sumac trees. Day Lily, Agapanthus, Oleander and Flax, among other plants, will provide mid-level shrubs. Fescues and Day Lilies will provide ground cover.
- 7) **Development Advisory Committee:** The Development Advisory Committee (DAC) reviewed this project on February 2, 2008. The DAC commented on drainage, loading zone location and right-of-way dedication on Saviers Road. Recommendations of the DAC are included in the attached resolution.
- 8) **Community Workshop:** On February 10, 2008, the applicant mailed notices of the Community Workshop meeting to all property owners within the Kamala, Blackstock North, Bryce Canyon north and Cal Giser neighborhoods. The applicant also provided notice on the project site with a brief description of the project and contact information for the Community Workshop, conducted on February 25, 2008. One person spoke at the meeting regarding the project. He expressed concern for the loss of the Yolanda's Restaurant and questioned the type of uses that would fill the new building. He suggested a convenience store such as Trader Joe's as a good use for the mall. The applicant explained that the new building would be a multi-tenant building and may contain a bank and sandwich shop as these uses have expressed interest at this time.
- 9) **Appeal Procedure:** In accordance with Section 16-545 of the City Code, the Planning Commission's decision may be appealed to the City Council within 18 days.

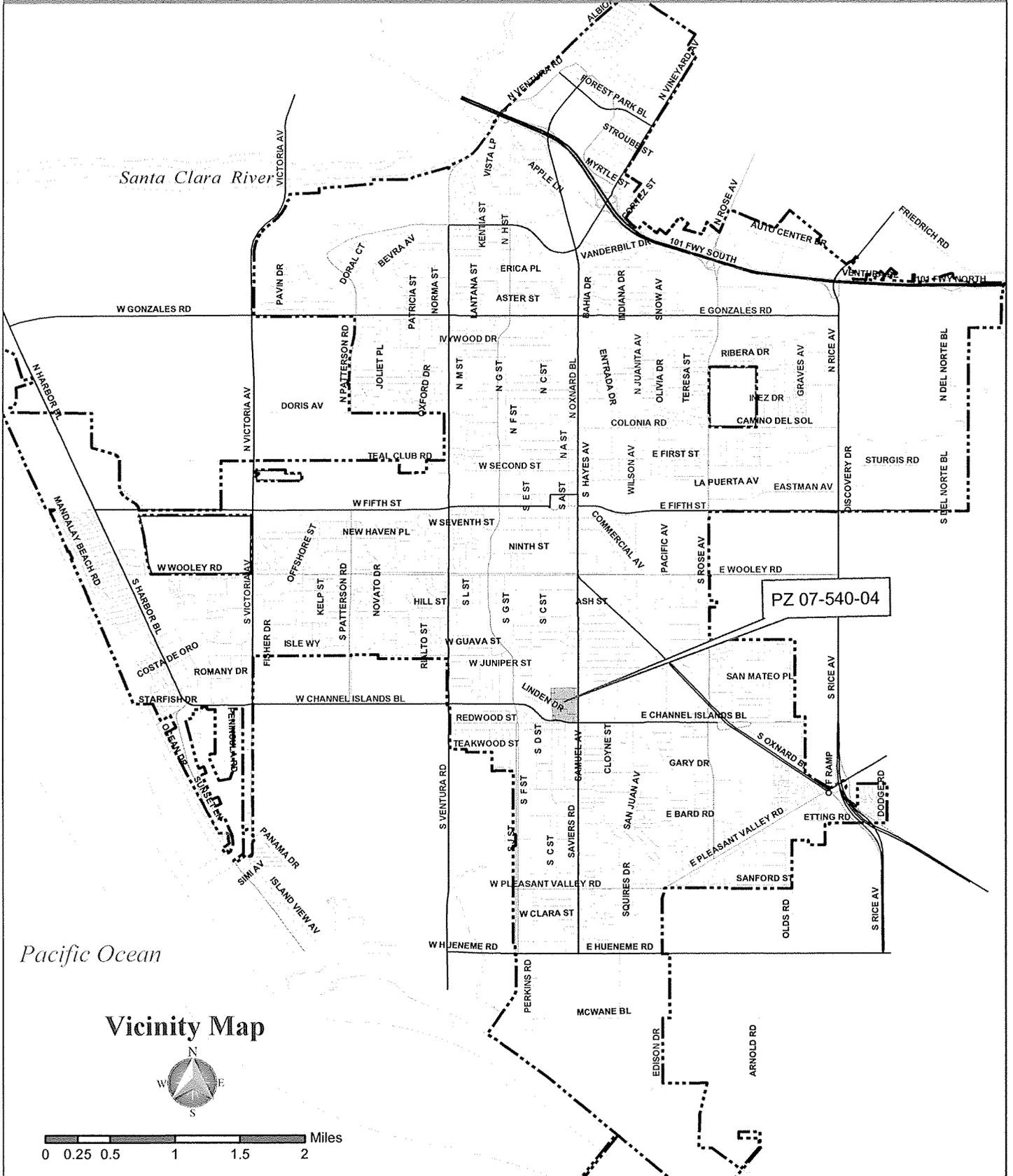
Attachments:

- A. Maps (Vicinity, General Plan, Zoning)
- B. Reduced Project Plans
- C. Notice of Exemption
- D. Resolutions

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

ATTACHMENT A
MAPS (VICINITY, GENERAL PLAN, ZONING)

Vicinity Map



PZ 07-540-04

Vicinity Map



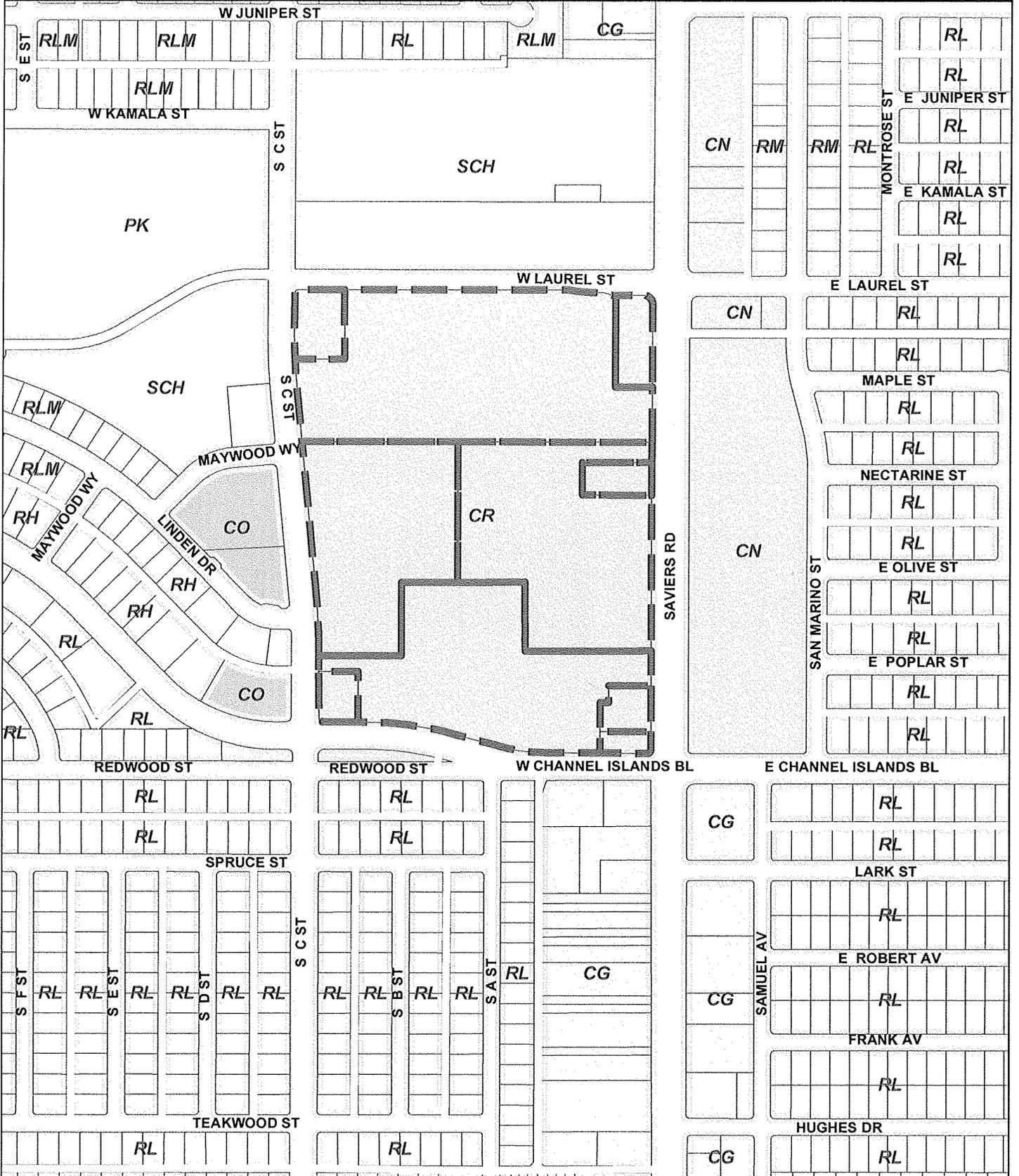
0 0.25 0.5 1 1.5 2 Miles



Oxnard Planning
January, 23, 2008

PZ 07-540-04
 Location: 2655 Saviers Rd
 APN: 203032014, 203032018, 203032017, 203032023,
 203032020, 203032025, 203032026, 203032027,
 203032019, 203032024
 Centerpoint Mall Master Plan

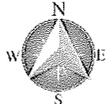
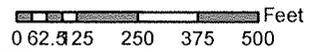
General Plan Map



Oxnard Planning
January 23, 2008

PZ 07-540-04
Location: 2655 Saviers Rd
APN: 203032014, 203032018, 203032017, 203032023,
203032020, 203032025, 203032026, 203032027,
203032019, 203032024
Centerpoint Mall Master Plan

General Plan Map

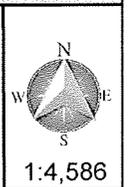
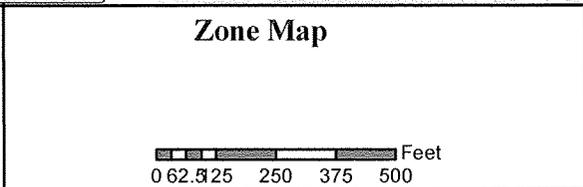


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Zone Map



PZ 07-540-04
 Location: 2655 Saviers Rd
 APN: 203032014, 203032018, 203032017, 203032023,
 203032020, 203032025, 203032026, 203032027,
 203032019, 203032024
 Centerpoint Mall Master Plan



**ATTACHMENT B
REDUCED PROJECT PLANS**

128,127 SF
 8,072 SF
 12,703 SF
 15%
 19,848 SF
 12.2%

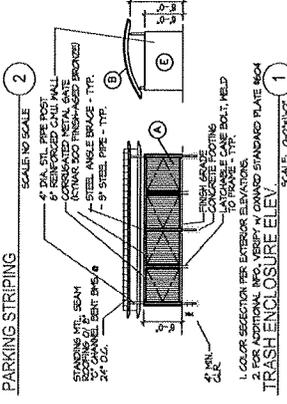
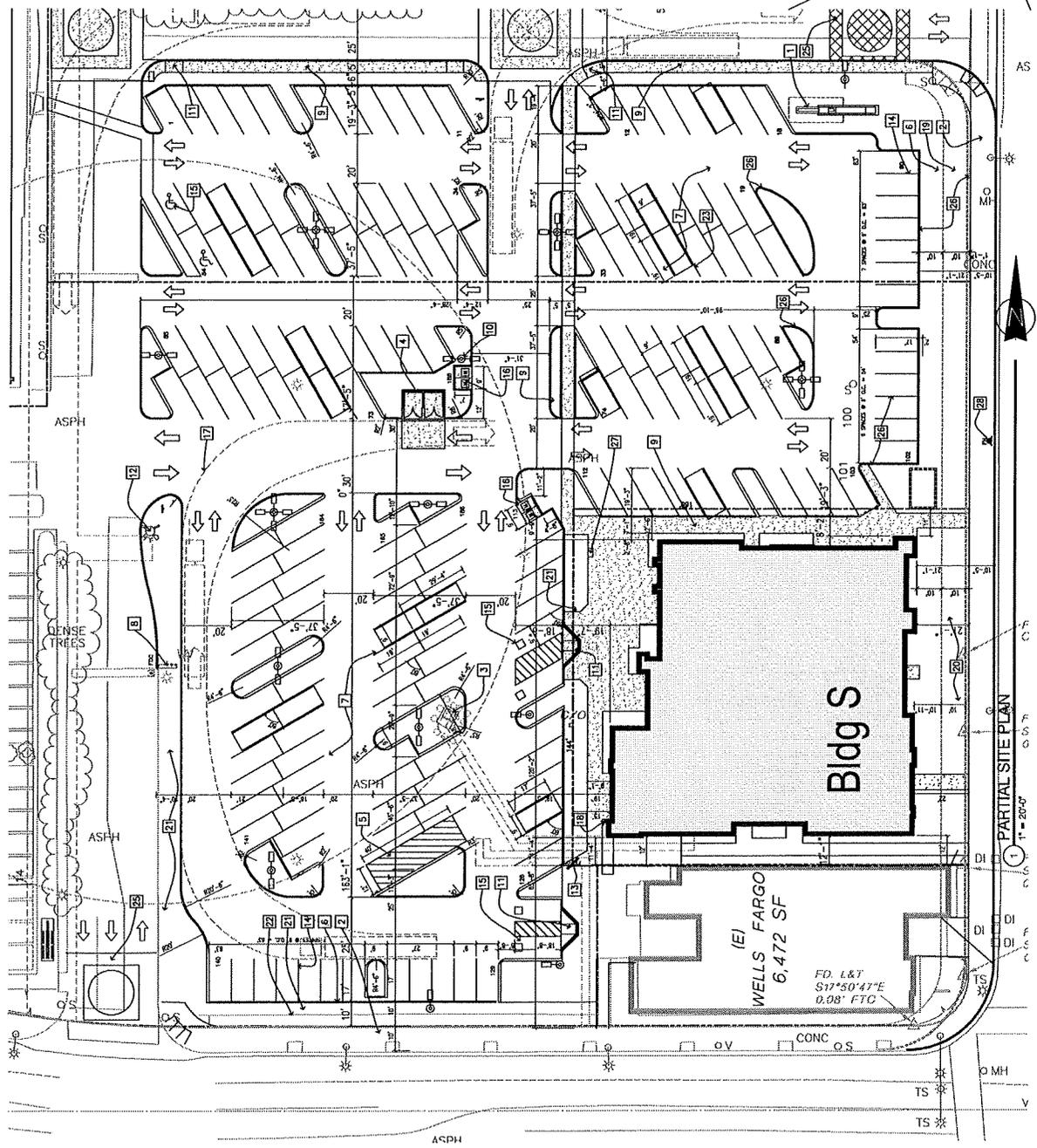
B
 1/4"

4 Spaces
 183 Spaces
 4 Spaces
 183 Spaces
 6-30" Rock

HC
 Standard
 Nonstandard
 183 Spaces
 4 Spaces
 183 Spaces
 6-30" Rock

PARTIAL SITE ANALYSIS
 MULTITENANT RETAIL BUILDING
 WITH RECREATIONAL ACCESS AND PARKING
 OCCUPANCY GROUP
 CONSTRUCTION TYPE
 PARTIAL SITE AREA
 (E) WELLS FARGO
 PAUL BUILDING COVERAGE
 LANDSCAPE AREA
 PAVED AREA
 Coverage
 91,227 SF
 88.5%

- KEYNOTES:**
- 1 MOTORCYCLE PARKING ON CONC.
 - 2 ASP. TRUCK TURNING RADIUS
 - 3 ASP. DRIVEWAY CONNECTION
 - 4 LINE UP ADJACENT MARK
 - 5 NO SHADE AREA
 - 6 PROPOSED LANDSCAPE AREA
 - 7 CONC. GRAD TO BE REVISED
 - 8 PROPOSED PARKING AREA PER CITY
 - 9 PROPOSED PARKING PER CITY
 - 10 DRIVE TRAY TO BE REVISED
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PARTIAL SITE PLAN A3
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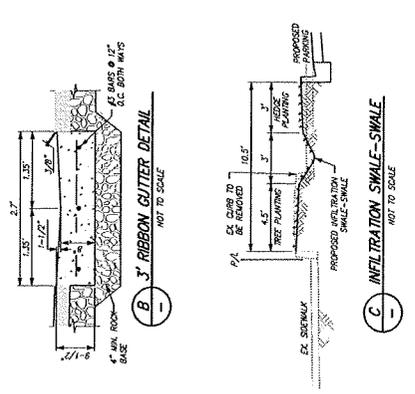
Centerpoint Mall
 388 SWEETSHED OXNARD CA 93033

Centerpoint Mall Master Plan
 CHANNEL ISLAND BLVD. & SAVIERS ROAD, OXNARD CA 93033

Centerpoint Mall
 388 SWEETSHED OXNARD CA 93033

CONSTRUCTION NOTES

1. CONSTRUCT 4" CURB AND 18" BUTTER PER CITY OF OMAHA STD. PLATE 111. (07-47) CONSTRUCT 12" WIDE CONCRETE SHOULDER PER CITY OF OMAHA STD. PLATE 111. (07-47).
2. CONSTRUCT 4" CURB AND 18" BUTTER PER CITY OF OMAHA STD. PLATE 111. (07-47).
3. CONSTRUCT 1" RIBBON GUTTER PER DETAIL H080A.
4. CONSTRUCT 12" WIDE CONCRETE SHOULDER WITH 12" WIDE CONCRETE SHOULDER PAD TO BOTTOM OF THE GRASS SWALE.
5. INSTALL 4" THICK CONCRETE SIDEWALK PER CITY OF OMAHA STD. PLATE 112. SEE LANDSCAPE PLAN FOR CONCRETE COLOR & PATTERNS.
6. INSTALL NEW 4" ASPHALT PAVEMENT ON 8" AGGREGATE MATCH EXISTING PAVEMENT SECTION. MATCH EXISTING SECTION TO BE DETERMINED BY SOLE CONTRACTOR & APPROVED BY CITY ENGINEER.
7. CONSTRUCT EXISTING FIRE LINE TO NEW BUILDING SPRAWLER ROSE.
8. CONSTRUCT 4" THICK CONCRETE WALKING (W400 PSI) WITH #3 BAR @ 18" O.C. EACH WAY ON TOP OF 4" A.S.
9. REMOVE EXISTING PAVEMENT, EXPOSE PAVEMENT TO MATCH EXISTING CONTRACTOR TO ADJUST EXISTING EXISTING AND PROPOSED JOINTS CAUSE DRAINAGE CONFLICTS IN FIELD.
10. CONSTRUCT HANDICAP ACCESS RAMP PER CITY OF OMAHA STD. PLATE NO. 110. CASE A, TYPE 2.
11. CONSTRUCT HANDICAP ACCESS RAMP PER CITY OF OMAHA STD. PLATE NO. 110. CASE A, TYPE 1.
12. INSTALL DETECTABLE WARNING/DIRECTIONAL TEXTURE (TRUNCATED DOME) PER SPINIC STD. PER 111.
13. CONSTRUCT DOORSE 4" HAD REMOVE ENCLOSURE PER CITY OF OMAHA STD. PLATE 606.
14. INSTALL CATCH BASIN, NOS PRODUCT 24"X24" AT RAIN ORAIZ OF APPROVED EQUAL PER MANUFACTURER'S RECOMMENDATIONS.
15. CONSTRUCT STANDARD CITY OF OMAHA PARKING STALL PER DETAIL "A" SHEET NO. 4.
16. JOIN EXISTING CURB, MATCH EXISTING ELEVATION.
17. JOIN EXISTING CONCRETE SIDEWALK OR PAVEMENT, MATCH EXISTING ELEVATION.
18. REMOVE EXISTING PAVEMENT.
19. REMOVE EXISTING CURB OR WALL.
20. REMOVE EXISTING LIGHT POLE.
21. INSTALL THE AIRWAY ASSEMBLY PER CITY OF OMAHA STD. PLATE NO. 300. JUNE 2015.
22. CAP PIPE FOR FUTURE CONNECTION.
23. INSTALL 24" SQUARE PVC STORM DRAIN.
24. SAWCUT AND REMOVE EXISTING PAVEMENT AND CONSTRUCT TRENCH REPAIR PER CITY OF OMAHA STD. PLATE 602.
25. CONSTRUCT COMPACT CITY OF OMAHA PARKING STALL PER DETAIL "B" SHEET NO. 4.



PZ 07-540-40

OXFORD CENTER BUILDING "S"
APR 2013-D-320-245

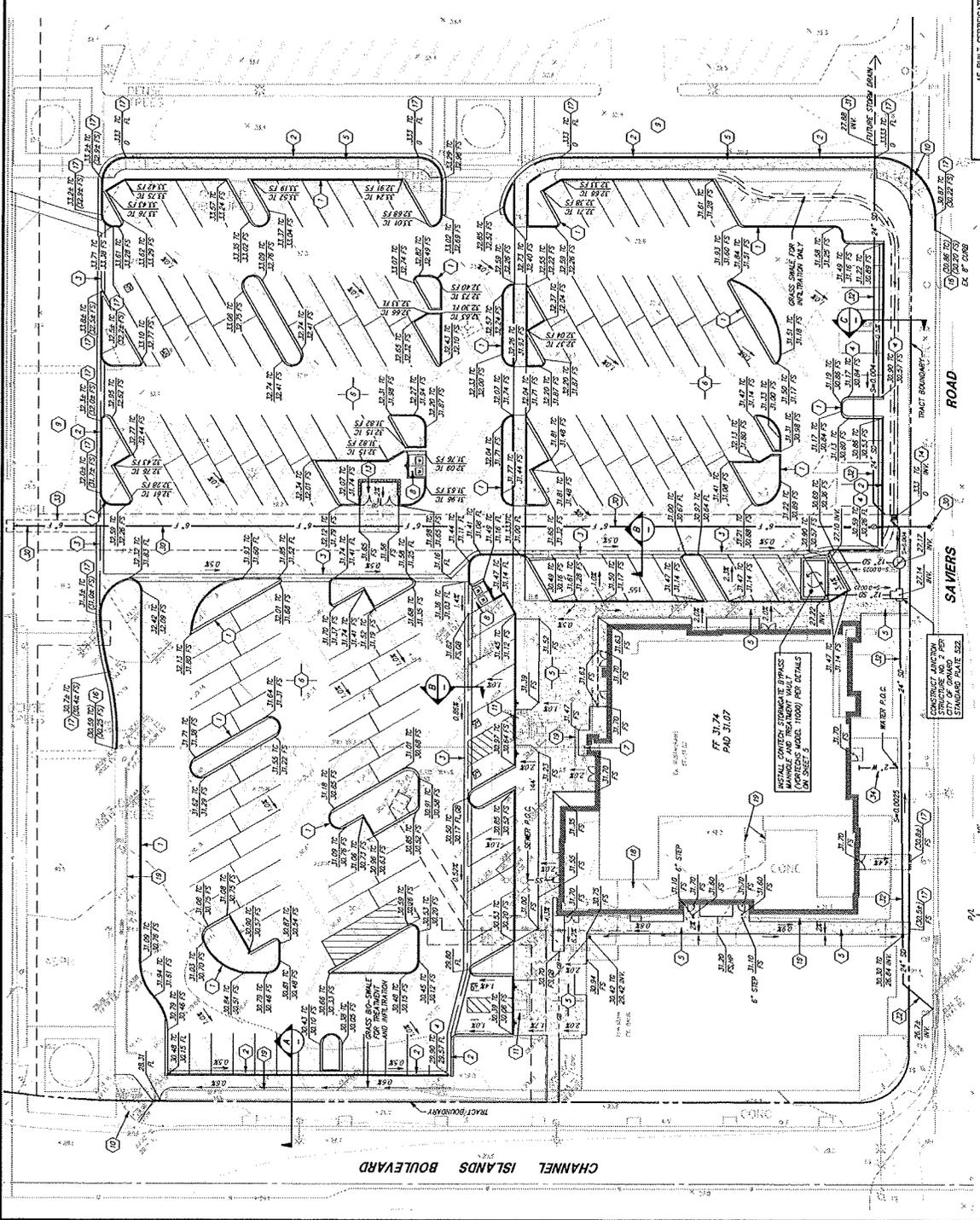
DESIGNED BY: [Signature] DATE: 07/10/18
 CHECKED BY: [Signature] DATE: 07/10/18
 DRAWN BY: [Signature] DATE: 07/10/18
 SCALE: 1"=20'

NO.	DATE	REVISIONS
1		AS BUILT CERTIFICATE

AS BUILT CERTIFICATE

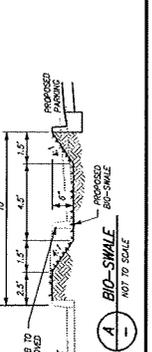
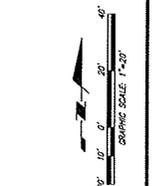
I HEREBY CERTIFY THAT THE WORK SHOWN ON DRAWING NO. [Number] WAS CONSTRUCTED IN ACCORDANCE WITH THE SPECIFICATIONS AND APPROVED CHANGES, AS INDICATED IN THE REVISION RECORD.

DATE: 07/10/18
 SIGNATURE: [Signature]
 NAME: [Name]
 TITLE: INSPECTOR

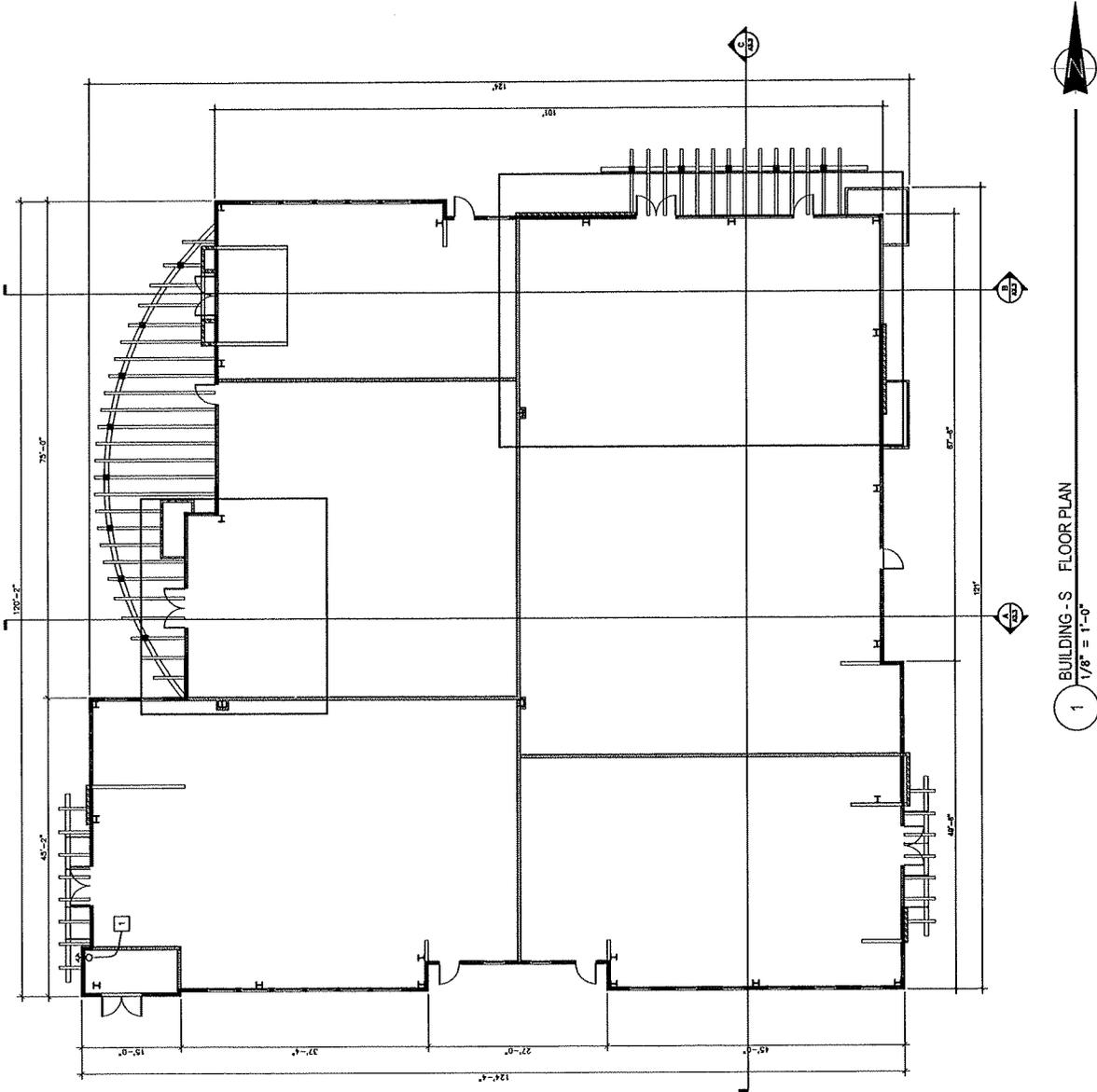


1872 NORTON STREET
JENSEN
 ENGINEERS & ARCHITECTS
 855.664.4977
 855.664.4978
 855.664.4979

REGISTERED PROFESSIONAL ENGINEER
 STATE OF NEBRASKA
 NO. 0000000000
 EXPIRES 12/31/2020



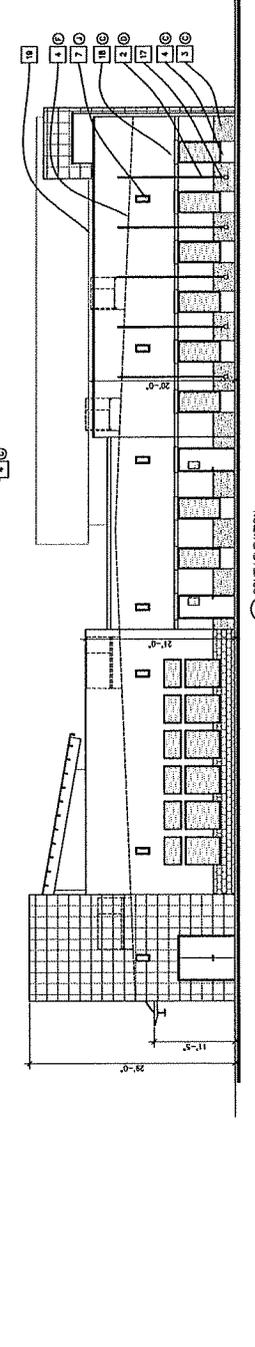
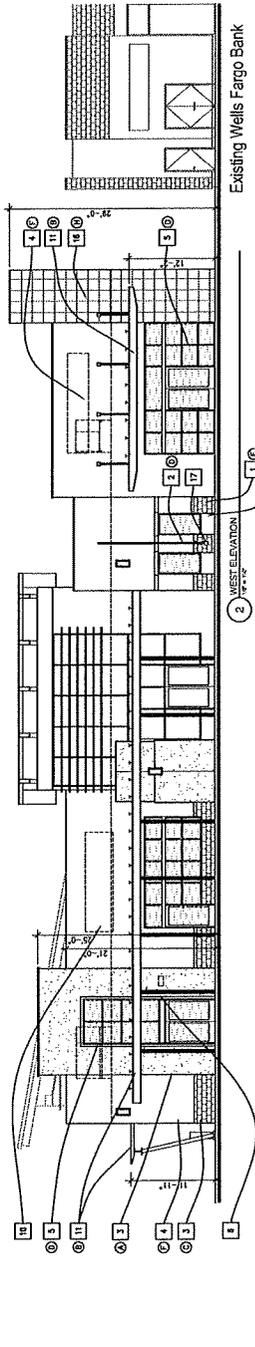
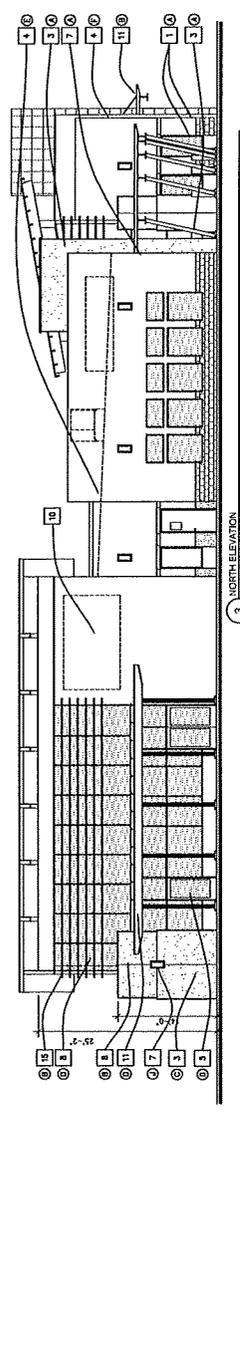
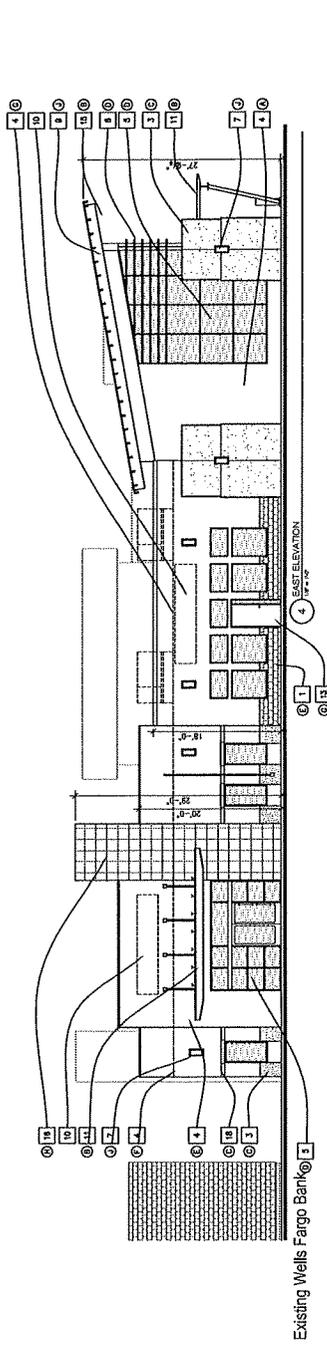
KEY NOTES	WALL LEGEND
1 PROPOSED LOCATION FOR THE SPRINKLER RISER	<p>1" x 1/2" CA. METAL STUDS @ 16" O.C. FINISHES PER EXISTING EXTERIOR</p> <p>6" x 12" CA. METAL STUDS @ 16" O.C. FINISHES PER EXISTING EXTERIOR</p> <p>8" x 12" CA. METAL STUDS @ 16" O.C. FINISHES PER EXISTING EXTERIOR</p> <p>12" x 12" CA. METAL STUDS @ 16" O.C. EXTERIOR WALL FINISHES PER EXISTING EXTERIOR</p> <p>3-1/2" x 12" CA. METAL STUDS @ 16" O.C. FINISHES PER EXISTING EXTERIOR EXTERIOR</p> <p>1/2" x 1/2" CA. METAL STUDS @ 16" O.C. FINISHES PER EXISTING EXTERIOR</p>



Centerpoint Mall
255 SAVIERS ROAD OXNARD CA 93033

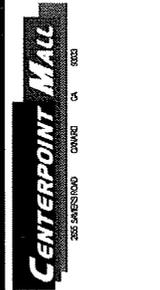
KEY NOTES	
1	SPUT FACE MASONRY BRICK VENEER.
2	2" STUCCO CLEAR ALUM. VEEBEL VEHICLE BOWL.
3	EXTERIOR STUCCO WITH HEAVY JOINT FINISH BR. GREY/TTI.
4	EXTERIOR STUCCO MEDIUM SAND FINISH WITH GREY/TTI PROTECTION COATING.
5	STAINPROTECT SYSTEM PER MANUFACTURER.
6	WARRANTY SYSTEM FOR THE ACROSTIC STAINPROTECT (IF HIGH WARE AND WEAR ARE CONCERNS) (SEE SPECIFICATIONS).
7	EXTERIOR LIGHT FIXTURES, ULTRAVIA "E8".
8	EXTENDED ALUMINUM MOLLIERS.
9	STAINPROTECT METAL SPAN ROOF.
10	LOADING DOOR BEING REMOVED DURING RENOVATION UNDER SEPARATE PERMIT.
11	EXTERIOR METAL TRILLES.
12	MECHANICAL EQUIPMENT BEING PAINTED WALLS.
13	METAL PERSONNEL DOOR PAINTED TO MATCH PANEL.
14	STAINPROTECT DOOR ASSEMBLY FOR IMPERMEABLE.
15	DOORLESS GLE-AM BEAM.
16	SLATE TILE ACROSTIC WALL.
17	SLATE TILE MET. AND PLASTER WITH J-HOLD SUBSTRATE.
18	IF PRECAST CONCRETE PANELS OF WINDOWS, 3/4" REVEAL AT STUCCO FINISHING.
19	SEE MECHANICAL ROOM 3007. ALL MECHANICAL EQUIPMENT WILL BE RELOCATED.

MATERIAL / COLORS	
1	ENTRY FLOOR: BRICK VENEER
2	METAL CHIMNEY PELLETS: BRICK BLACK WALNUT
3	ACROSTIC FINISHING: BRICK BLACK WALNUT
4	STAINPROTECT SYSTEM: BRICK BLACK WALNUT
5	ACROSTIC FINISHING: BRICK BLACK WALNUT
6	BASE COURSE: BRICK BLACK WALNUT
7	STUCCO WALL: BRICK BLACK WALNUT
8	STAINPROTECT SYSTEM: BRICK BLACK WALNUT
9	ACROSTIC FINISHING: BRICK BLACK WALNUT
10	STAINPROTECT SYSTEM: BRICK BLACK WALNUT
11	STAINPROTECT SYSTEM: BRICK BLACK WALNUT
12	STAINPROTECT SYSTEM: BRICK BLACK WALNUT
13	STAINPROTECT SYSTEM: BRICK BLACK WALNUT
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16	STAINPROTECT SYSTEM: BRICK BLACK WALNUT
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18	STAINPROTECT SYSTEM: BRICK BLACK WALNUT
19	STAINPROTECT SYSTEM: BRICK BLACK WALNUT

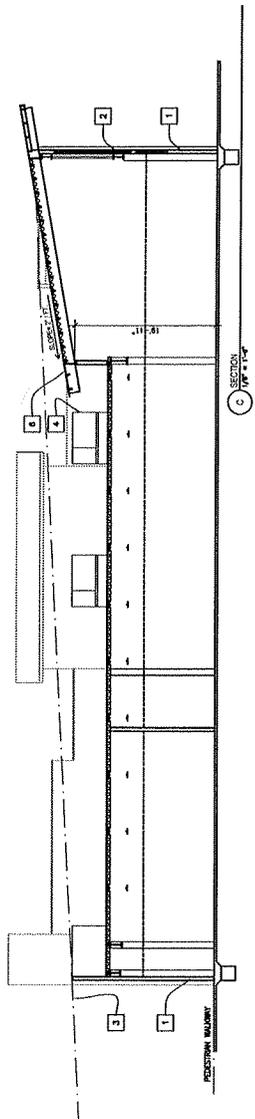


EXTERIOR ELEVATIONS A3.2
 Jan. 2, 2008

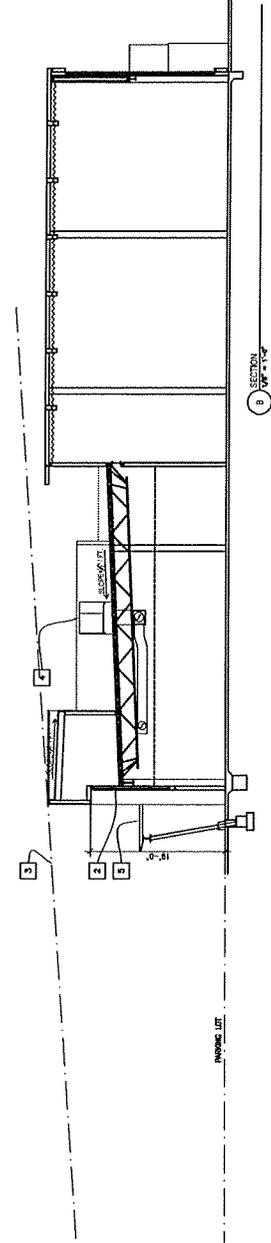
Centerpoint Mall Master Plan
 CHANNEL ISLAND BLVD. & SAVIERS ROAD, OXNARD CA 93003



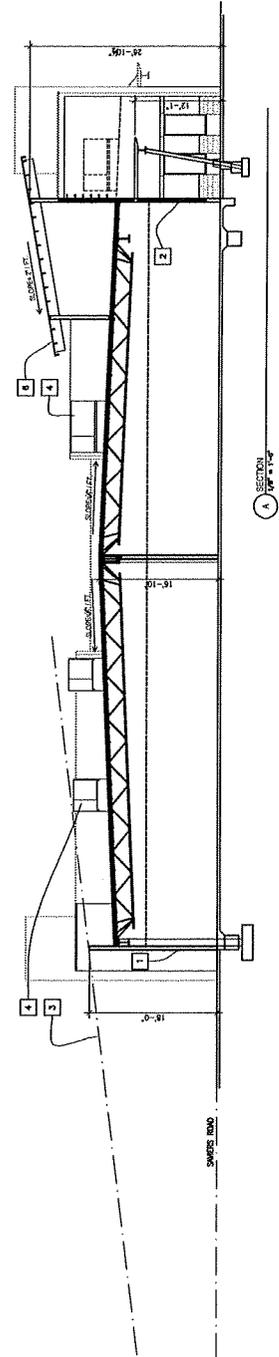
KEY NOTES	
1	OUTDOOR METAL STUD WALLS
2	ALUM. WINDOW SYSTEM
3	INSULATED WINDOW SILL LIKE SCREENING FROM SOFT AWAY
4	MECHANICAL EQUIPMENT
5	EXPOSED ST. BEAM AT TRUSS
6	STANDING METAL ROOF



C SECTION
0'-0" x 1'-0"



B SECTION
0'-0" x 1'-0"



A SECTION
0'-0" x 1'-0"

Centerpoint Mall Master Plan
CHANNEL ISLAND BLVD. & SAVIERS ROAD, OXNARD CA 93033





NOTICE OF EXEMPTION

Project Description:

PZ 07-540-04 a request to demolish the 14,720 square foot building known as Yolanda's Restaurant and replace it with a 12,780 square foot multi-tenant commercial building (known as Building S) located at 2801 Saviers Road in the Centerpoint Mall including APNs, 203-0-320-24 and 203-0-320-23 on a site zoned Commercial Planned Development (C-PD).

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 15302 of the California Code of Regulations, "projects involving the replacement of a commercial structure with a new structure of substantially the same size, purpose and capacity" may be found to be exempt from the requirements of CEQA. The proposed project replaces a 14,720 sf commercial building with a 12,780 sf commercial building. Therefore, staff has determined that there is no substantial evidence that the project may have a significant effect on the environment.

4/3/08

(Date)



Susan L. Martin, AICP
Planning Division Manager

**ATTACHMENT C
NOTICE OF EXEMPTION**

**ATTACHMENT D
RESOLUTION**

RESOLUTION NO. 2008 – [PZ 07-540-04]

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD APPROVING PLANNING AND ZONING PERMIT NO.07-540-04 (PLANNED DEVELOPMENT PERMIT), TO ALLOW DEMOLITION OF A 14,720 SQUARE FOOT BUILDING AND REPLACE IT WITH A 12,780 SQUARE FOOT COMMERCIAL BUILDING, LOCATED AT 2801 SAVIERS ROAD IN THE CENTERPOINT MALL (APN 302-0-23 AND -24), SUBJECT TO CERTAIN FINDINGS AND CONDITIONS. FILED BY OXNARD CENTER COMPANY, 2655 SAVIERS ROAD, Oxnard, CA, 93030.

WHEREAS, the Planning Commission of the City of Oxnard has considered an application for Planning and Zoning Permit No.07-540-04, filed by Oxnard Center Company 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 Division, and may not be transferred from one property to another. (PL, *G-1*).
2. This permit is granted for the plans dated April 17, 2008, (“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, 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 submitting landscape and irrigation plans, Developer shall obtain approval of the Parks and Facilities Superintendent or designee (“Superintendent”) of a plan showing on the project property all existing trees and identifying the trees to be saved, transplanted or removed. (PK, PK-1)
17. 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)
18. 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)
19. 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)
20. 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)
21. 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)
22. 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

23. Staff accepts the Arborist’s Tree Report, dated October 18, 2006, which includes seventy-seven (77) existing palm trees as a part of the Building “S” overall site improvement area.

24. All landscaping shall conform to the previously approved Conceptual Tree Master Plan for Center Point Mall. A copy of the approved Conceptual Tree Master Plan shall be included as a part of the Landscape Plan Check submittal package.
25. A 36" high visual screen shall be provided at time of planting to help screen cars from adjacent roadway and entry drive aisles on Saviers Rd. and Channel Islands Blvd.
26. The reuse of existing transplanted palm trees in parking lot finger planters shall not be too densely planted as to create either a pedestrian or vehicular visibility conflict.
27. The landscape plan submittal shall include a Tree Tabulation Chart which provides an accounting of all trees (by number, from the Arborist's Report, dated October 18, 2006) to be removed, saved in place, or transplanted. For example, all existing trees (77 palm trees) inventoried by the Arborist's Report for the building "S" improvement areas of the project site shall be accounted for in the tabulation chart; and if some existing trees are not being reused as a part of the building "S" site improvements, indicate where they are being relocated and or stored at the Center Point Shopping Center.
28. If existing trees are removed from the Center Point Mall site and not reused, the economic appraisal value (based on the approved Arborist's Report) of the trees removed 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.
29. The landscape plan submittal shall contain the following landscape section details:
 - (a.) A landscape detail section starting at the Saviers Rd. sidewalk and continuing through to the adjacent parking lot (similar location to section C on the Grading and Drainage plan, sheet 2 of 5). The section shall clearly show the grade modifications, the proposed infiltration swale; the impact to the proposed and/or existing palm trees and (where appropriate) how the 36" high visual screen will be provided in this area.
 - (b) A landscape detail section starting at the Channel Islands Blvd. sidewalk and continuing through to the adjacent parking lot (similar location to section A on the Grading and Drainage Plan, sheet 2 of 5). The section shall clearly show the grade modifications, the proposed infiltration swale; the impact to locating the proposed palm trees and how the 36" high visual screen will be provided in this area.
30. The Rhus lancea trees proposed shall be standard upright tree form and not a low branching multi-trunk form.
31. Exterior trash enclosure walls shall have 5 gallon size self clinging vines on trash enclosure walls as a graffiti deterrent.

FIRE DEPARTMENT STANDARD CONDITIONS

32. 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*)
33. 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*)
34. 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*)
35. 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*)
36. The project shall meet the minimum requirements of the "Fire Protection Planning Guide" published by the Fire Department. (FD, *F-6*)
37. 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*)
38. Developer shall identify all hydrants, standpipes and other fire protection equipment on the project property as required by the Fire Chief. (FD, *F-8*)
39. Developer shall provide central station monitoring of the fire sprinkler system and all control valves. (FD, *F-10*)
40. 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*)
41. 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*)

FIRE DEPARTMENT SPECIAL CONDITIONS

42. Before the City issues a certificate of occupancy, the Developer shall install a Knox Box key vault at a location to be determined by the Fire Department.

PLANNING DIVISION STANDARD CONDITIONS

43. 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*)
44. 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*)
45. 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*)
46. 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*)
47. 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*)
48. 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*)
49. During the plan check review process, the Developer shall provide a lighting plan that provides design details (light standards, bollards, wall mounted packs, etc.) and illumination site information within alleyways, pathways, streetscapes, and open spaces proposed throughout the development. An electrical engineer shall prepare the site lighting plan demonstrating that adequate lighting ranges will be provided throughout the development without creating light spillover, light pollution, or conflicts with surrounding factors such as tree locations, off-site or adjacent lighting. (PL)

50. 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.
51. 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 standard heights and light materials for design review and approval of the Planning Division Manager. (PL/B, *PL-8*)
52. 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*)
53. Developer shall provide graphic site directories at principal access walkway points. (PL/B, *PL-10*)
54. 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*)
55. 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*)
56. Developer shall provide for dust control at all times during project property preparation and construction activities. (B/DS, *PL-13*)
57. 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*)

58. 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*)
59. 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*).
60. 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*)
61. 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*)
62. 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*)
63. For any exterior utility meter panels, Developer shall paint such panels to match the structure upon which it is located. Such panels 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*)
64. Developer shall install toilets that have automatic flush sensors in all public restrooms. 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*)
65. Developer shall install individual mirrors above each sink in a public restroom 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*)
66. Before the City issues building permits, Developer shall submit and obtain approval from Planning Division of a master sign program for the project, which shall indicate on the site plan the elevations, the size, placement, materials, and color of all proposed free-standing and building signs. The square footage of all signs for the project shall not exceed that allowed by ordinance square feet, calculated in accordance with the City Code. (PL/ B, *PL-46*)

67. Prior to issuance of a certificate of occupancy, Developer shall remove all construction materials and vehicles from the subject property. (PL/B, *PL-47*)
68. Developer shall limit outdoor storage of materials to the locations shown on the project plans. Developer shall screen storage areas from adjacent properties and streets by a wall or similar screening. All fence and wall materials shall match the predominant design and materials of the main structure on the project property. (PL/B, *PL-48*)

PLANNING DIVISION SPECIAL CONDITIONS

69. 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)
70. General condition (for all new construction and additions, except additions to a single family residence):
 - a. Developer shall participate in the City's Art in Public Places Program by paying the Public Art fee prior to issuance of building permits, in accordance with City Council Resolution No. 13,103.
71. Developer shall ensure that all construction equipment is maintained and tuned to meet applicable Environmental Protection Agency (EPA) and California Air Resources Board (CARB) emission requirements. At such time as new emission control devices or operational modifications are found to be effective, Developer shall immediately implement such devices or operational modifications on all construction equipment.
72. During smog season (May through October), Developer shall lengthen the construction period so as to minimize the number of vehicles and equipment operating at the same time.
73. At all times during construction activities, Developer shall minimize the area disturbed by clearing, grading, earth moving, or excavation operations to prevent excessive amounts of dust.
74. 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.
75. 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 §23114, with special attention to Sections 23114(b)(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.

76. During periods of high winds (i.e. wind speed sufficient to cause fugitive dust to impact adjacent properties), Developer shall cease all clearing, grading, earth moving, and excavation operations to prevent fugitive dust from being a nuisance or creating a hazard, either onsite or offsite.
77. Throughout construction, Developer shall sweep adjacent streets and roads at least once per day, preferably at the end of the day, so that any visible soil material and debris from the construction site is removed from the adjacent roadways.
78. Developer shall mitigate air quality emissions associated with development of the subject site through a contribution to the City's Transportation Demand Management (TDM) program. Such fee shall be calculated at the time of building permit issuance in accordance with the Ventura County Air Quality Assessment Guidelines, as amended. Such fee shall be collected in full prior to building permit issuance.
79. Prior to grading permit approval, Developer shall include on the grading plans a reproduction of all conditions of this permit pertaining to dust control requirements. (PL)

ENVIRONMENTAL RESOURCES DIVISION

80. 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.
81. 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.

82. 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.
83. 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.
84. 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.
85. RECYCLING: Property Owner/Management shall provide housekeeping/janitorial carts which accommodate separated recyclable and non-recyclable trash. Visual aids for each housekeeping cart shall include a general list of mixed recyclables accepted and the standard 3-arrow recycling symbol on the collection container. (P-11)

DEVELOPMENT SERVICES DIVISION STANDARD CONDITIONS

86. 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)
87. 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)
88. 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)
89. 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)

90. Developer shall protect building pads from inundation during a 100-year storm. (DS-5)
91. Developer shall remove and replace all improvements that are damaged during construction. (DS-6)
92. 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)
93. Each structure shall be served by separate sewer and water services. There shall be no interconnections between structures. (DS-8)
94. 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)
95. Developer shall install on-site and off-site utility services underground in accordance with City ordinances in effect at the time City issues the building permit. Services shall be installed underground to the nearest suitable riser pole as determined by the appropriate utility service provider. (DS-12)
96. 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)
97. Developer shall provide all necessary easements for streets, highways, alleys, sidewalks, breezeways, parkways, landscaping, utilities, drainage facilities, and other improvements as required by City. If such easements cannot be obtained from the property owner by negotiation, City may acquire them at the expense of Developer by exercise of the power of eminent domain. Developer shall bear all costs of eminent domain proceedings, including appraisal, acquisition, attorney's fees, and court costs. Before City issues a site improvement permit, Developer shall dedicate all required easements to City. (DS-19)
98. 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)
99. 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)
 100. Developer shall pay the cost of all inspections of on-site and off-site improvements. (DS-22)
 101. Developer shall be responsible for all project-related actions of Developer's employees, contractors, subcontractors, and agents until City accepts the improvements. (DS-23)
 102. 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)
 103. "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)
 104. 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)
 105. 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)
 106. Storm drain, sewer and water facilities shall conform to applicable City Master Plans. Developer shall prepare plans for these facilities in accordance with City's engineering design criteria in effect at the time of improvement plan submittal. Developer shall submit plans with

pertinent engineering analyses and design calculations for review and approval by the City Engineer prior to issuance of a site improvement permit. (DS-34)

107. 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. (DS-38)
108. 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)
109. 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)
110. Developer shall install City approved backflow prevention devices for water connections if so ordered by the City Engineer. (DS-45)
111. 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)
112. 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)
113. Developer shall provide adequate vehicle sight distance as specified by CalTrans specifications at all driveways and intersections. (TR-71)
114. Developer shall install bike racks in accordance with City standards at locations approved by City Traffic Engineer. (TR-73)
115. 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)
116. 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)
117. 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

118. 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).

119. 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)
120. 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)
121. 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)
122. 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)
123. 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)
124. 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

125. Developer shall pay to the County of Ventura a road mitigation fee in accordance with the agreement between the City and the County of Ventura. Proof of payment shall be provided to the Development Services Division prior to issuance of a building permit. (DS-105)
126. Developer shall construct proposed onsite walks 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)
127. Developer shall design and construct proposed sidewalk drain at the southwest corner of the project in accordance with City standard plate 124. (DS)
128. Developer shall design the grass swale filter (full stormwater treatment) in accordance with the Technical Guidance Manual for Stormwater Quality Control Measures. Design calculations shall be included in the project drainage report. (DS)
129. Developer shall design the grass swale filters (infiltration only) in accordance with the Technical Guidance Manual for Stormwater Quality Control Measures with the exception of residence time. Swales shall be designed to promote infiltration to the maximum extent practical within the landscape area provided. Design calculations shall be included in the project drainage report. (DS)
130. 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)
131. 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)
132. 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)
133. Developer shall require any food preparation tenant within this building to provide and maintain an area within their tenant space for the washing/steam cleaning of equipment, floor mats and accessories. This area shall be self-contained and connected to the project grease interceptor. (DS)

134. Developer shall construct a concrete apron along the length of the trash enclosure opening that extends a minimum of 15 feet from the face of the enclosure. (DS)
135. Developer shall construct trash enclosure (one bin for recycle use) with a solid roof (8-foot minimum clearance) that prevents stormwater from entering the refuse bins. Developer shall construct all other components of the trash enclosure in accordance with the approved City Standard Plan on file with the Development Services Division. Developer shall finish the trash enclosure to match the major design elements of the main structure. The finish and roof appearance shall be indicated on the building plans and are subject to approval by the Planning and Environmental Services Division. The location and configuration of trash enclosures shall be reviewed and approved by the Environmental Resources Collection Division. All refuse bins on the site shall be stored in an approved trash enclosure. No objects other than refuse bins may be stored in the trash enclosure without the written permission of the Environmental Resources Collection Division. (DS)
136. If Source Control determines that any tenant within the building is required to install a grease interceptor for their operations, Developer shall provide a traffic-rated drain centered in the trash enclosure and connect it to the sewer system via the grease interceptor. If no grease interceptor is required for the project, Developer shall design the enclosure to surface drain to the storm drain system. (DS)
137. Developer to provide water system calculations, based on in-place fire hydrant tests, demonstrating that the proposed fire line extension is capable of providing City standard fire flows. Calculations shall be approved by City prior to issuance of a site improvement/grading permit. (DS)
138. Developer shall provide onsite fire hydrants such that all points of all structures are within one hundred fifty (150) feet of a fire hydrant, or as otherwise approved by the Fire Department. Fire hydrant line improvements shall be designed in accordance with City standards and shown on the civil engineer's improvement plans prior to issuance of a site improvement/grading permit. Developer shall provide the City with an easement over the waterline using standard City format. (DS)
139. Prior to issuance of a grading/site improvement permit, Developer shall dedicate to the City an 11 foot – 1 inch wide Right-of-Way strip along the project's Saviers Road frontage for a future southbound right turn pocket. Dedication shall extend from the southerly property line of the lot containing proposed Building S to the existing driveway approximately 325 feet north. Construction of the right turn pocket is not a requirement of this approval. (TR)
140. Developer shall construct the proposed parking lot as shown dashed on "partial site plan" sheet A3, dated Jan 2, 2008, which locates the edge of the parking lot approximately 21 feet west of the current right-of-way or 10 feet from the proposed right-of-way line and relocates proposed planters. Developer shall landscape the entire area between back of current sidewalk and the new parking lot curb. Stormwater quality and infiltration swale and proposed storm drain

pipes and other private infrastructure shall be located entirely outside of dedicated right-of-way on private property. (DS)

POLICE DEPARTMENT CONDITIONS

141. Post all vehicle entrances in compliance with California Vehicle Code §22658(a)(1). Persons in lawful possession of the property may then cause the removal of a vehicle parked on the property to the nearest public garage if parked without the owner's permission.
142. Any electronic security system must comply with Oxnard City Ordinance No. 2601 (available online at <http://oxnardpd.org/documents/alarm-ordinance-2002.pdf>) and must be properly permitted by the City of Oxnard (available online at <http://oxnardpd.org/documents/alarm-permit.pdf>).
143. If a video surveillance system is being installed at this property, comply with "Oxnard Police Department Proposed Standards, Guidelines & Recommendations Closed-Circuit Television (CCTV) Surveillance Systems," available online at <http://www.oxnardpd.org/documents/opdctv.pdf>.
144. Businesses will 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."
145. If any On-Sale or Off-Sale alcohol establishments are part of this development, contact Senior Officer Cliff Waer at (805) 385-7490 or CliffWaer@OxnardPD.org to discuss alcohol-related conditions. Alcohol permits will only be considered on an individual basis and shall not be a part of any "cluster" permits for multiple outlets within the development.
146. Metal halide lamps or those that provide quality color rendition are required.
147. Exterior lighting shall be on photocells and shall be on during all hours of darkness.
148. **OUTDOOR LIGHTING CODE & GUIDELINE**
 - (a) Outdoor lighting shall comply with Title 24, Part 6, of the California Code of Regulations: California's Energy Efficiency Standards for Residential and Nonresidential Buildings.
 - (b) Unless approved as a specific exception to this guideline, all outdoor lighting shall be flat lens, full cut-off fixtures with the light source fully shielded with the following exceptions:
 1. Luminaires with a maximum output of 260 lumens per fixture, regardless of number of bulbs (equal to one 20-watt incandescent light), may be left unshielded provided the fixture has an opaque top to keep light from shining directly up.
 2. Luminaires that have a maximum output of 1,000 lumens per fixture, regardless of number of bulbs (equal to one 60-watt incandescent light) may be partially shielded

provided the bulb is not visible, and the fixture has an opaque top to keep light from shining directly up.

(c) Oxnard City Code 16-320

Lighting within physical limits of the area required to be lighted shall not exceed seven foot-candles, nor be less than one foot-candle at any point. A light source shall not shine upon, or illuminate directly any surface other than the area required to be lighted. No lighting shall be of a type or in a location that constitutes a hazard to vehicular traffic, either on private property or on abutting streets. The height of light standards shall not exceed 26 feet. To prevent damage from automobiles, standards in parking areas shall be mounted on reinforced concrete pedestals or otherwise protected.

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

AYES: Commissioners

NOES: Commissioners

ABSENT: Commissioners

Michael Sanchez, Chairman

ATTEST: _____
Susan L. Martin, Secretary