



Meeting Date: 04/05/2011

ACTION	TYPE OF ITEM
<input type="checkbox"/> Approved Recommendation	<input type="checkbox"/> Info/Consent
<input type="checkbox"/> Ord. No(s). _____	<input type="checkbox"/> Report
<input type="checkbox"/> Res. No(s). _____	<input checked="" type="checkbox"/> Public Hearing/ Info Consent
<input type="checkbox"/> Other _____	<input type="checkbox"/> Other _____

Prepared By: Brian Foote, AICP, Associate Planner *BF* Agenda Item No. **K-1**

Reviewed By: City Manager *MD* City Attorney *SMF* Finance *JV* Other (Specify) _____

DATE: March 14, 2011

TO: City Council

FROM: Susan L. Martin, AICP, Planning Manager *sm*
Development Services Department

SUBJECT: Rancho Victoria Plaza Project – Planning & Zoning Permit Nos. 10-300-03 (Tentative Subdivision Map) and 10-500-07 (Special Use Permit) Located at 3600 & 3700 West Fifth Street. Filed by Richard Ridgway, Investec Rancho Victoria LLC.

RECOMMENDATION

That City Council:

1. Adopt a resolution approving the Tentative Subdivision Map for Tract 5877 (PZ No. 10-300-03) for the Rancho Victoria Plaza project, subject to the conditions set forth in Planning Commission Resolution No. 2011-04; and
2. Adopt a resolution upholding the Planning Commission’s approval of the Special Use Permit (PZ No. 10-500-07) for the Rancho Victoria Plaza project, subject to the conditions set forth in Planning Commission Resolution No. 2011-05.

DISCUSSION

The subject site is a vacant parcel, consisting of 6.0 gross acres, located approximately 480 feet east of the southeast corner of West Fifth Street and Victoria Avenue (see Attachment 1). A special use permit is requested to construct a total of 14 single-story structures totaling 53,016 square-feet. A tentative map is requested to subdivide the property into 14 commercial condominium lots, plus one common lot for shared parking areas, landscaping, walkways, etc. The proposal conforms to the applicable 2020 General Plan, zoning and development standards for the subject property.

At the Planning Commission hearing on February 17, 2011, three residents spoke generally in favor of the project, and also mentioned concerns about resident’s vehicular access to the adjacent residential neighborhood, pedestrian access gate, and street width. The conditions of approval require construction of design features that will address the concerns (e.g. adequate turn radius, revised Southampton median, and pedestrian access gate). The Commissioners commented favorably about the proposed office and retail uses, compatibility with the adjacent residential neighborhood, and pedestrian-oriented design.

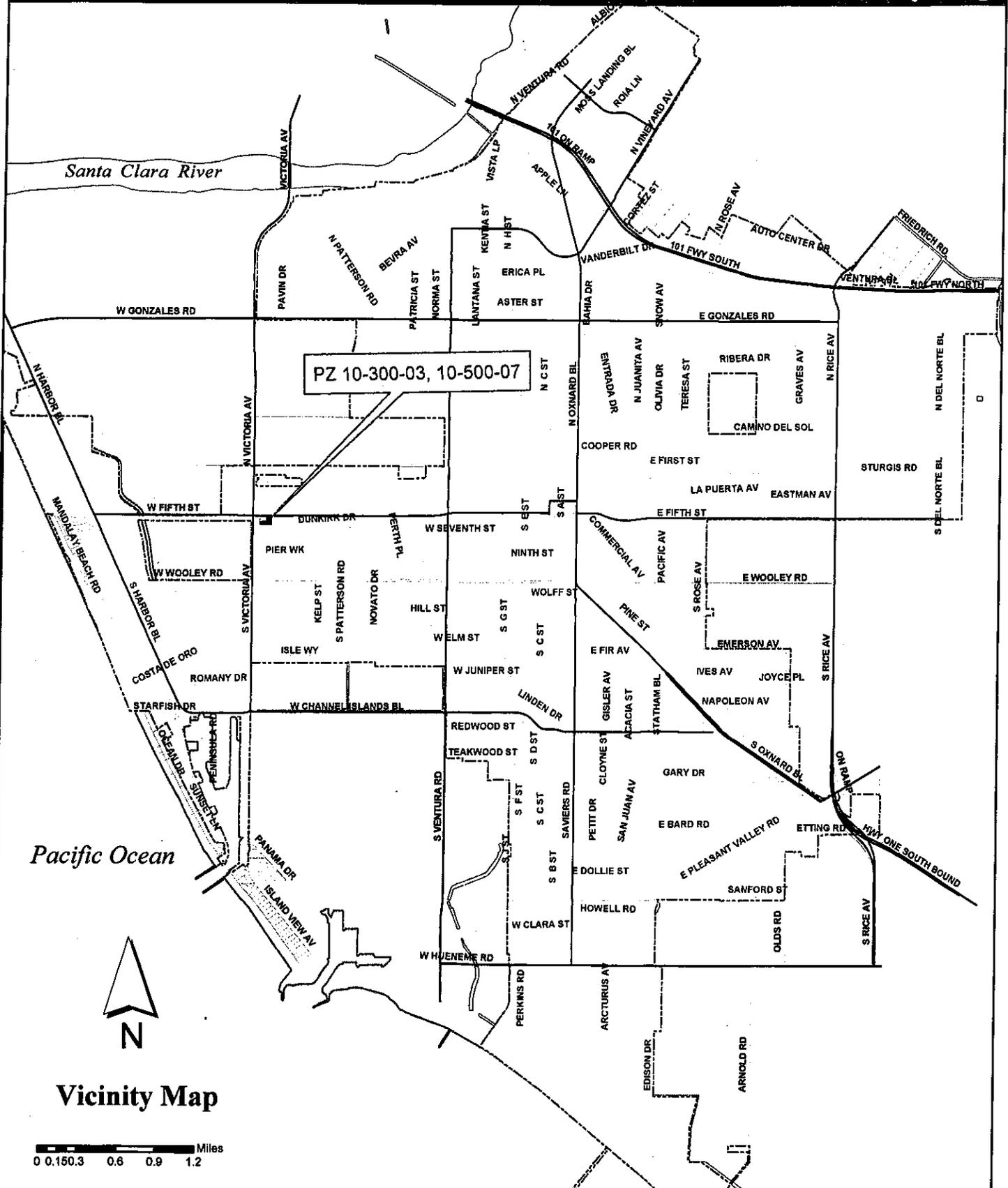
The Planning Commission unanimously adopted Resolution Nos. 2011-04 recommending that the City Council approve the proposed tentative map, and unanimously adopted Resolution No. 2011-05 approving the special use permit. The Planning Commission also adopted an addendum to the previously-adopted Mitigated Negative Declaration (MND No. 05-09) in accordance with the California Environmental Quality Act (CEQA). No potentially significant environmental impacts were identified, and the previously-adopted mitigation measures remain applicable to the project. The Planning Commission staff report, resolutions, and minutes are attached (see Attachments 5, 6, 7).

FINANCIAL IMPACT

Traffic impact fees will be paid to compensate for impacts on local roads, and Art in Public Places in-lieu fees will be paid to provide for future public art displays. This project will result in various financial benefits to the City including additional property taxes.

- Attachment 1 - Location Map
- 2 - Tentative Subdivision Map for Tract No. 5877
 - 3 - City Council Resolution, Tentative Subdivision Map (PZ 10-300-03)
 - 4 - City Council Resolution, Special Use Permit (PZ 10-500-07)
 - 5 - Planning Commission Minutes
 - 6 - Planning Commission Resolutions
 - 7 - Planning Commission Staff Report

Note: Attachments #6 and 7 have been provided to City Council under separate cover. Copies for review are available at the Help Desk in the Library after 6:00 p.m. on Wednesday prior to the Council meeting and in the City Clerk's Office after 8:00 a.m. on Monday prior to the Council meeting.

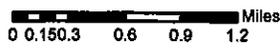


PZ 10-300-03, 10-500-07

Pacific Ocean



Vicinity Map



PZ 10-300-03, 10-500-07
 Location: 3600-3700 W Fifth St
 APN: 18501708, 18501709
 Rancho Victoria Plaza

ATTACHMENT _____
 PAGE 1 OF 1

CITY COUNCIL OF THE CITY OF OXNARD

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD APPROVING PLANNING AND ZONING PERMIT NO. 10-300-03 (TENTATIVE SUBDIVISION MAP) FOR TRACT NO. 5877, TO SUBDIVIDE A 6.0 ACRE PROPERTY INTO FOURTEEN COMMERCIAL CONDOMINIUMS PLUS ONE COMMON LOT, LOCATED AT 3600 & 3700 WEST FIFTH STREET (APN'S 185-0-170-085, 095), SUBJECT TO CERTAIN FINDINGS AND CONDITIONS. FILED BY INVESTEC RANCHO VICTORIA LLC, 200 E. CARRILLO STREET, SUITE 200, SANTA BARBARA, CA 93101.

WHEREAS, City Council has carefully reviewed Planning Commission Resolution No. 2011-04 recommending approval of Planning and Zoning Permit No. 10-300-03 for Tentative Tract Map No. 5877, for a vacant 6.0-acre property located at 3600 and 3700 West Fifth Street, filed by Richard Ridgway, Investec Rancho Victoria LLC; and

WHEREAS, in accordance with the California Environmental Quality Act, the Planning Manager provided public notice of the intent of the City to adopt a mitigated negative declaration for this project, and the City Council, after considering the addendum to Mitigated Negative Declaration No. 05-09 adopted by the Planning Commission, together with any comments received during the public review process, finds on the basis of the whole record before it that with the imposition of mitigation measures as conditions of approval, there is no substantial evidence that the project will have a significant effect on the environment, further finds that the project requires no further environmental review and further finds that the addendum reflects the independent judgment of the City; and

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

WHEREAS, the Planning Commission adopted Resolution No. 2011-04, approving and adopting the addendum to Mitigated Negative Declaration No. 05-09 and the program of monitoring or reporting for the changes to the project made conditions of approval in order to mitigate or avoid significant effects on the environment, on file in the Planning Division, and the City Council considered the addendum as adopted by the Planning Commission; and

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

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

WHEREAS, the City Council finds that the proposed site is suitable for the type and density of development requested and is not likely to cause substantial environmental damage, serious public health problems or conflict with any publicly acquired easements or access; and

WHEREAS, the City Council finds that the proposed division of land complies with the requirements established by the Subdivision Map Act and Chapter 15 of the Oxnard City Code, including but not limited to requirements as to area, improvement and design, floodwater drainage control, appropriate improved public roads, sanitary disposal facilities, water supply availability and environmental protection; and

WHEREAS, the City Council finds that the applicant agrees with the necessity of and accepts all elements, requirements, and conditions of this resolution as being a reasonable manner of preserving, protecting, providing for, and fostering the health, safety, and welfare of the citizenry in general and the persons who work or visit in this subdivision in particular.

NOW, THEREFORE, the City Council of the City of Oxnard resolves that Tentative Subdivision Map for Tract No. 5877 is hereby approved, subject to the conditions set forth in Planning Commission Resolution No. 2011-04.

PASSED AND ADOPTED this 22nd day of March, 2011, by the following vote:

AYES:

NOES:

ABSENT:

Dr. Thomas E. Holden, Mayor

ATTEST:

Daniel Martinez, City Clerk

APPROVED AS TO FORM:



Alan Holmberg, City Attorney

CITY COUNCIL OF THE CITY OF OXNARD

RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD UPHOLDING THE PLANNING COMMISSION'S APPROVAL OF PLANNING AND ZONING PERMIT NO. 10-500-07 (SPECIAL USE PERMIT) TO CONSTRUCT 14 COMMERCIAL BUILDINGS FOR A TOTAL OF 53,016 SQUARE-FEET ON A VACANT 6-ACRE LOT, LOCATED AT 3600 & 3700 WEST FIFTH STREET (APN'S 185-0-170-085, 095), SUBJECT TO CERTAIN FINDINGS AND CONDITIONS. FILED BY INVESTEC RANCHO VICTORIA LLC, 200 E. CARRILLO STREET, SUITE 200, SANTA BARBARA, CA 93101

WHEREAS, on February 17, 2011, the Planning Commission adopted Resolution No. 2011-05 approving Planning and Zoning Permit No. 10-500-07 to allow the development of 14 single-story commercial structures totaling 53,016 square-feet on a vacant 6.0-acre property located at 3600 and 3700 West Fifth Street, filed by Richard Ridgway, Investec Rancho Victoria LLC, in accordance with Section 16-530 through 16-553 of the Oxnard City Code; and

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

WHEREAS, the City Council has conducted a hearing and received evidence in favor of and opposed to the application for a Planning and Zoning Permit No. PZ 10-500-07; and

WHEREAS, in accordance with the California Environmental Quality Act, the Planning Manager provided public notice of the intent of the City to adopt a mitigated negative declaration for this project, and the City Council, after considering the addendum to Mitigated Negative Declaration No. 05-09 adopted by the Planning Commission, together with any comments received during the public review process, finds on the basis of the whole record before it that with the imposition of mitigation measures as conditions of approval, there is no substantial evidence that the project will have a significant effect on the environment, further finds that the project requires no further environmental review and further finds that the addendum reflects the independent judgment of the City; and

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

WHEREAS, the Planning Commission adopted Resolution No. 2011-05, approving and adopting the addendum to Mitigated Negative Declaration No. 05-09 and the program of monitoring or reporting for the changes to the project made conditions of approval in order to mitigate or avoid

Amendment revising the text of the RiverPark Specific Plan to revise the provisions of Section 5.9.3.3 related to freeway-oriented signs, and revising Exhibit 5HH to Section No. 5 showing locations of such signs within Specific Plan District D, located north of the 101 Freeway, east of Oxnard Boulevard, west of Vineyard Avenue, and generally south of the District D residential neighborhoods. The question was called and the motion carried 5-2-0, Commissioners Nash and Guevara voting no.

2. **PLANNING AND ZONING PERMIT NO. 10-300-3 (Tentative Subdivision Map) and 10-500-7 (Special Use Permit)** – A request for approval of a tentative map to subdivide a vacant 6-acre property into 14 commercial parcels plus one common lot, and a special use permit to construct 14 commercial structures for a total of 53,016 square-feet of office/retail space with 239 parking spaces. The project site is located at 3600 and 3700 West Fifth Street. The project is subject to the California Environmental Quality Act (CEQA), and an addendum to Mitigated Negative Declaration No. 05-09 has been prepared. Filed by Richard Ridgeway, Investec Real Estate, 200 East Carrillo Street, Suite 200, Santa Barbara CA 93101.

PROJECT PLANNER: Brian Foote

Associate Planner Foote presented the staff report including surrounding uses; background on the property; proposed sign program; addendum to adopted Mitigated Negative Declaration No. 05-09 was prepared indicating no new or significant issues. He also displayed the location, General Plan, zoning, and tentative maps; site plan; elevations; materials and color boards; rendering of pylon and ground signs; and photos of surrounding businesses.

Chairman Mullin opened the public testimony.

Mr. Mark Pettit, architect for the project, gave a brief presentation indicating the project was similar to the previously approved project that had expired; discussed site improvements; monitoring and alarms; modified locations and towers oriented to bring prominence to the site; use of drought tolerant landscape; covered seating area at bus stop; open to use of recycled water for landscaping; won't contain 100 percent of the runoff on the property in a 100 year storm; there hadn't been a lot of wildlife for some time; and indicated that the developer had owned the property since 2006, and would be ready for construction when the market turns around.

Traffic Engineer Samonte discussed the turnabout at Jolly Roger Way, and the standard street width of 36 feet.

Ms. Julie Miller expressed her concerns on current overnight camping on site, traffic, and access from the development onto private streets Dunkirk Drive and Jolly Roger Way, which are narrow, and have limited parking; suggested that the pedestrian access from the site into the residential development be eliminated, or provide key access to the residents. She suggested looking at access from Victoria Avenue and Fifth Street instead.

Ms. Pat Brown stated that she hoped that the shopping center wouldn't have negative effects on the nearby residences, suggesting private gates into the housing project, and recommended that the residents have the right to discuss the matter with the developer.

Mr. Bert Perello questioned whether the street widths were less than standard, and does the developer have to adhere to old or new standards.

Mr. Mark Pettit stated that the turning radius would be increased, and the median into the development would be modified for a better circulation pattern; agreeable to eliminating pedestrian access on private streets, or providing key access; indicated that a lot of the drainage systems on the site had already been built, but any that are not in place would be constructed according to the newest codes.

MOTION Commissioner Medina moved and Commissioner Guevara seconded a motion to adopt a resolution granting PZ 10-500-07, a Special Use Permit to allow development of a 53,016 square foot office/retail center; and adopt a resolution recommending City Council approval of PZ 10-300-03, a Tentative Subdivision Map to allow subdivision of approximately six acres of vacant land into 14 commercial parcels plus one common lot, located at 3600 and 3700 West Fifth Street, subject to certain findings and conditions. The question was called and the motion carried unanimously.

RECESS Chairman Mullin called a recess at 9:03 p.m. The meeting reconvened at 9:09 p.m. with all Commissioners present.

3. **PLANNING AND ZONING PERMIT NO. 10-550-5 (Major Modification)** – A request for approval of a major modification to an approved Planned Development to eliminate a 2,014 square-foot rooftop terrace, and reduce the size of the required Interior Yard Space from 3,397 square-feet to 1,383 square-feet. The previously approved project was for a three-story 6,080 square-foot multifamily dwelling with seven apartments, rooftop terrace, and second-floor courtyard on a vacant lot. The project site is located at 610 Cuesta Del Mar Drive. No other adjustments are proposed to the previously-approved project. The project is exempt from environmental review pursuant to Sections 15192 and 15194 of the California Environmental Quality Act (CEQA) Guidelines. Filed by Rasmussen & Associates Architects, on behalf of the Oxnard Housing Authority, 21 South California Street, Ventura, CA 93001.
PROJECT PLANNER: Brian Foote

Associate Planner Foote presented the staff report including surrounding uses; height reduction; and interior yard space requirement, indicating with the reduction, it would only be provided on the second floor. He also displayed the location map; aerial of the site; zoning and General Plan maps; renderings of the floor plans, previously approved rooftop terrace and trellis, and approved and proposed heights; and elevations.

Housing Director Wilkins stated that the project would be started as soon as possible; there was no alternative to the chain link fencing; asking for any changes could jeopardize funding from the Redevelopment Agency; project would be privately managed, with rents being set by a third party; and 49 percent of the units would be market rate, and the remaining 50 percent would be affordable.

Chairman Mullin opened the public testimony.

Ms. Kathy Wilson, Architect with Rasmussen and Associates, stated that the individual units would have French balconies approximately 18 inches in depth with sliding patio doors; first floor units