

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: Juan Martinez, Associate Planner *jm* Agenda Item No. **K-1**
 Reviewed By: City Manager *AD* City Attorney *S MF* Finance *AC* Other (Specify)

DATE: May 31, 2011

TO: City Council

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

SUBJECT: Planning and Zoning Permit No. 10-300-06 (Tentative Parcel Map), 2000/2001 Lockwood Street. Filed by Mike Penrod, McGaelic Group c/o Parkstone Companies, 860 Hampshire Road, Suite U, Westlake Village, CA 91361.

RECOMMENDATION

That City Council adopt a resolution approving Planning and Zoning Permit No. 10-300-06 (Tentative Parcel Map), subject to certain findings and conditions.

DISCUSSION

On April 21, 2011, the Planning Commission adopted Resolution No. 2011-19 recommending that City Council approve the subject tentative parcel map. This request would subdivide an approximately 21.9-acre parcel into four separate parcels. The subject property is largely developed and located at 2000/2001 Lockwood Street. A portion of it was previously occupied by Cars 101. No development is proposed as part of this request. Future development will be considered at a later time, in accordance with the City Code.

FINANCIAL IMPACT

None

- Attachment 1 - Resolution approving Tentative Parcel Map
- 2 - Project Maps (Vicinity, Zoning, General Plan)
- 3 - Tentative Parcel Map
- 4 - Planning Commission Staff Report w/out Attachments (04/07/11)
- 5 - Planning Commission Resolution No. 2011-19

CITY COUNCIL OF THE CITY OF OXNARD

RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD APPROVING PLANNING AND ZONING PERMIT NO. PZ 10-300-06 (TENTATIVE PARCEL MAP), A REQUEST TO SUBDIVIDE AN APPROXIMATELY 21.91-ACRE PARCEL INTO FOUR SEPARATE PARCELS, LOCATED AT 2000/2001 LOCKWOOD STREET. FILED BY MIKE PENROD, MCGAELIC GROUP C/O PARKSTONE COMPANIES 860 HAMPSHIRE ROAD, SUITE U WESTLAKE VILLAGE, CA 91361.

WHEREAS, the City Council has reviewed Planning & Zoning Permit No. 10-300-06 (Tentative Parcel Map) to subdivide an approximately 21.9-acre parcel located at 2000/2001 Lockwood Street, filed by Mike Penrod, McGaelic Group c/o Parkstone Companies; and

WHEREAS, the City Council has carefully reviewed Planning Commission Resolution No. 2011-19, recommending approval of the Tentative Parcel Map, subject to certain conditions; and

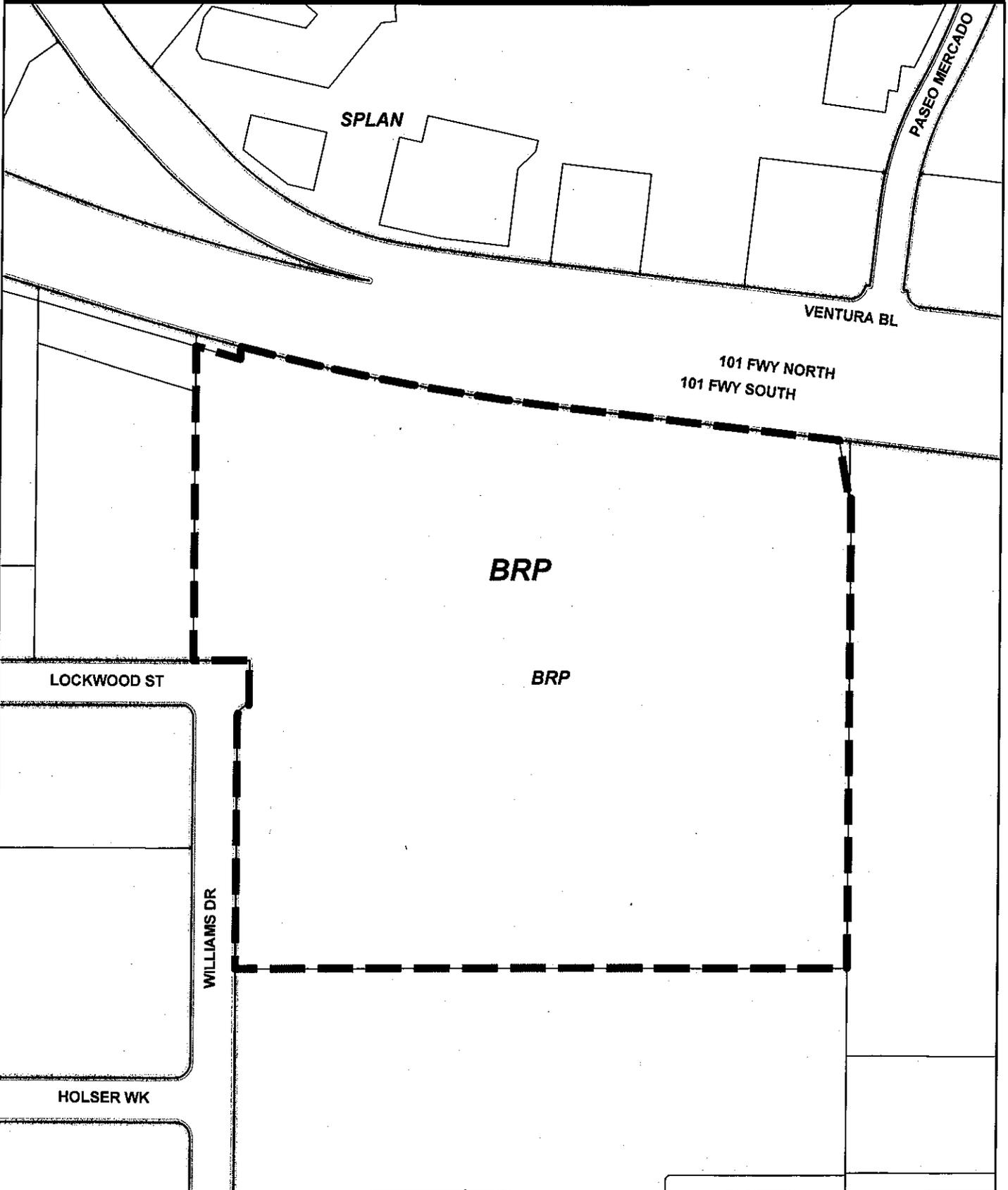
WHEREAS, said Tentative Parcel Map was referred to various public utility companies, City departments and the Development Advisory Committee for recommendations; and

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

WHEREAS, the City Council finds that the Tentative Parcel Map is consistent with the General Plan and any applicable Specific Plan thereunder; and

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

WHEREAS, in accordance with the State CEQA Guidelines, the Planning Division Manager has determined that the proposed project is exempt from environmental review under the California Environmental Quality Act. (State CEQA Guidelines Section No. 15315 – projects involving “division of property in urbanized areas zoned for... industrial use into four or fewer parcels.”)



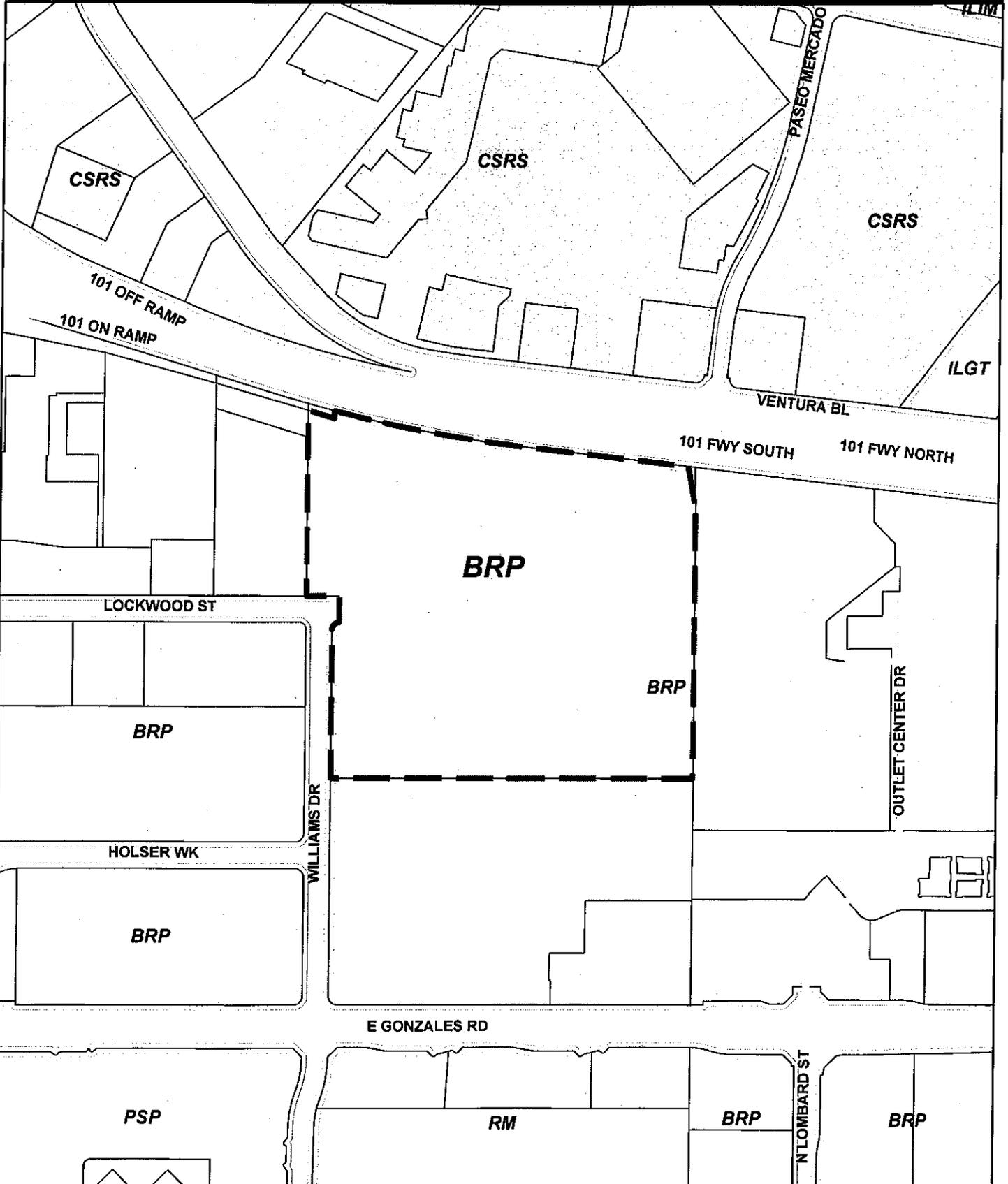
PZ 10-300-06
 Location: 2000 Lockwood St
 APN: 213003134

0 50 100 200 300 400 Feet

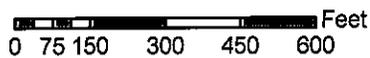
Zone Map
 ATTACHMENT 2
 PAGE 2 OF 3



General Plan Map



PZ 10-300-06
Location: 2000 Lockwood St
APN: 213003134



General Plan Map
ATTACHMENT 2
PAGE 3 OF 3



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Planning Division

**PLANNING COMMISSION
STAFF REPORT**

TO: Planning Commission

FROM: Juan Martinez, Associate Planner

DATE: April 7, 2011

SUBJECT: Planning and Zoning Permit No. 10-300-06, (Tentative Parcel Map), Located at 2000/2001 Lockwood Street.

- 1) **Recommendation:** That the Planning Commission adopt a resolution recommending that the City Council approve Planning and Zoning Permit No. 10-300-06 (Tentative Parcel Map), subject to certain findings and conditions.

- 2) **Project Description and Applicant:** A request to subdivide an approximately 21.9-acre parcel into four separate parcels. The subject property is largely developed and located at 2000/2001 Lockwood Street. A portion of it was previously occupied by Cars 101. No development is proposed as part of this request. Future development will be considered at a later time, in accordance with the City Code. Filed by Mike Penrod, McGaelic Group c/o Parkstone Companies, 860 Hampshire Road, Suite U, Westlake Village, CA 91361.

- 3) **Existing & Surrounding Land Uses:** The 21.9-acre site was built in the late 90's to house Autonation USA, a used automotive dealership. The site was most recently occupied by Cars 101. However, the site and buildings currently lie unoccupied.

SURROUNDING LAND USES			
DIRECTION	ZONING	GENERAL PLAN	EXISTING LAND USE
PROJECT SITE	BRP	Business & Research Park	Use Car Sales
North	Business Park	Commercial Specialized CR	101 Fwy/Commercial Center
East	BRP	Business & Research Park	Vacant Site/The Palms Commercial Center
South	BRP	Business & Research Park	Industrial Building
West	BRP	Business & Research Park	Vacant Land/Industrial Type

4) Background Information: In December of 1997, the Planning Commission approved special use permit to allow site improvements for an automobile retail facility. On-site structures consisted of 3-tilt up concrete structures that included a 23,886 square foot showroom, a 24,570 square foot service and vehicle rental facility with 13 service bays and a 1,716 square foot car wash building. At the time, Autonation USA developed the site and operated an automobile retail facility for approximately 16 months.

5) Environmental Determination: In accordance with Section 15315 of the California Environmental Quality Act (CEQA) Guidelines, projects involving "division of property in urbanized areas zoned for... industrial use into four or fewer parcels when the division is in conformance with the General Plan and zoning, no variances or exceptions are required, all services and access to the proposed parcels to local standards are available..." may be found to be exempt from the requirements of CEQA. This proposal proposes to re-subdivide an already developed 22-acres (approximately) site into four parcels. 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:

a) General Discussion:

The tentative parcel map will create individual parcels ranging from 2.89-acres to 9.61-acres in size. The four parcels will front and share Lockwood Street (Private Street) for ingress and egress since the front property line of the four parcels will occur down the center of the private street. The street dead-ends at the east end with an adjoining undeveloped property to the east and continuation of street is anticipated to connect with the future build out of the adjacent undeveloped site. Lockwood Street and related infrastructural improvements are in-place and the map proposes a 70-foot wide public access and public utility easement that will benefit the proposed four parcels. Two of the four parcels will not have a building and any future development will require the filing of development entitlements. Parcel 2, comprising of 9.61-acres contains a 23,000 (approx) square foot building, and parcel 4, consisting of 6.34-acres has a 27,000 (approx) square foot building. Parcel 1 is developed as a parking lot and Parcel 3 (2.89-acres) is undeveloped.

The division of land does not propose infrastructural changes to existing vehicular parking and circulation design; however, shared access and maintenance agreements will be required since the four parcels will maintain shared ownership of the street (private) and utility needs along a propose 70-foot wide easement proposed. Parcel 1 will be left without direct access from Lockwood Street. Since, no development improvements are proposed to Parcel 1, access will remain in place off Parcel 2. Should access to Parcel 1 be restricted through Parcel 2, an alternate access would be provided from the adjacent

property. This alternate access would be temporary, and would only be allowed for property and landscape maintenance purposes.

Future development proposals will evaluate permanent access needs to Parcels 1 and 3. Parcels 2 and 4 are developed and have buildings have ingress and egress access in place. In the meantime, Lockwood Street is fully improved with curb, gutter and mature landscaping, and no changes to the streetscape are proposed or required as part of this permit.

- b) General Plan and Zoning Consistency:** The land use designation of the City's 2020 General Plan is consistent with the parcel's zoning design of Business and Research Park (BRP). This BRP zoning designation permits a variety of professional, administrative, technological research, and manufacturing uses. Retail and service facilities may also be established in this zone in freestanding buildings or as part of multi-use developments. Future development and use of the subject parcels will be subject to the requirements of the BRP zone. Based on the above analysis, the project is in conformance with the General Plan and zoning for the property.

In accordance with the City Code Section 15-11(A), the proposed division of land to divide a single parcel into four separate parcels may be permitted provided that the parcels created conform to the lot standards of the BRP zone as described below.

DEVELOPMENT STANDARD	REQUIREMENT	PROPOSED	COMPLIES ?
Min. lot area	20,000 sq. ft. (Approx. 0.46-acres)	- Parcel 1: 3.09-acres - Parcel 2: 9.61-acres - Parcel 3: 2.89-acres - Parcel 4: 6.34-acres	YES
Min. lot width	Interior Lots: 100 feet Corner Lots: 150 feet	Parcel 1 is 268-ft approx at shortest	YES
Min. lot depth	150 feet	Parcel 4 is 295-ft approx at shortest point	YES
Front yard setback	- 30 feet & 40 feet for thoroughfare	- 135'-0" Lockwood Street (Parcel 4)	YES
Side yard setback	Equal to building height, unless otherwise approved by SUP	74-feet (Parcel 4)	EXISTING CONDITION
Rear yard setback	20 feet minimum	126 feet (Parcel 2) 61.7 feet (Parcel 4)	YES
Max. lot coverage	40% of total area	5.5 % (Parcel 2) 9.6% (Parcel 4)	YES

7) Development Advisory Committee: The Development Advisory Committee (DAC) reviewed this project on December 8, 2010. Recommendations of the DAC are included in the attached resolution(s).

8) Appeal Procedure: The Planning Commission's action is a recommendation and the matter will be considered by the City Council at a later date.

Attachments:

- A. Maps (Vicinity, General Plan, Zoning)
- B. Reduced Tentative Parcel Map
- C. Notice of Exemption
- D. Resolution

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

RESOLUTION NO. 2011-19

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD RECOMMENDING TO THE CITY COUNCIL THE APPROVAL OF PLANNING AND ZONING PERMIT NO. PZ 10-300-06 (TENTATIVE PARCEL MAP), A REQUEST TO SUBDIVIDE AN APPROXIMATELY 21.91-ACRE PARCEL INTO FOUR SEPARATE PARCELS. A PORTION OF THE SUBJECT PARCEL WAS PREVIOUSLY OCCUPIED BY CARS 101. NO DEVELOPMENT IS PROPOSED AS PART OF THIS REQUEST. FUTURE DEVELOPMENT WILL BE CONSIDERED AT A LATER TIME, IN ACCORDANCE WITH THE CITY CODE. FILED BY MIKE PENROD, MCGAELIC GROUP C/O PARKSTONE COMPANIES 860 HAMPSHIRE ROAD, SUITE U WESTLAKE VILLAGE, CA 91361.

WHEREAS, the Planning Commission of the City of Oxnard has considered an application for a Tentative Parcel Map (PZ 10-300-06) to re-subdivide a 21.91 acre site into four separate parcels, filed by Mike Penrod, McGaelic Group c/o Parkstone Companies; and

WHEREAS, said tentative parcel map was referred to various public utility companies, City departments and the Development Advisory Committee for recommendations; and

WHEREAS, the Planning Commission finds the tentative map conforms to the City's General Plan and elements thereof within which the subject site is located; and

WHEREAS, in accordance with the State CEQA Guidelines, the Planning Division Manager has determined that the proposed project is exempt from environmental review under the California Environmental Quality Act. Section No. 15315 of the State CEQA Guidelines categorically exempts projects involving "division of property in urbanized areas zoned for... industrial use into four or fewer parcels when the division is in conformance with the General Plan and zoning, no variances or exceptions are required, all services and access to the proposed parcels to local standards are available..." This proposal proposes to re-subdivide an already developed 22-acres (approximately) site into four parcels. 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).

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

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Oxnard hereby recommends to the City Council the approval of the tentative parcel map, subject to the following conditions:

Note

The abbreviations listed below indicate which City group or program has responsibility to insure compliance with these conditions. The first agency listed has responsibility at plan check, the second at inspection and the third at final inspection, prior to certificate of occupancy, or at a later date, as specified in the condition.

Departments and Divisions

City Attorney	Planning Division
Development Service/Eng Development	Traffic
Police Department	Building Inspector
Source Control	Fire Prevention
Parks Division	Code Enforcement

If more than one agency is listed, the first department or division listed must check the plans or inspect the project before the second may approve compliance with the condition.

PLANNING STANDARD 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 21, 2011, (“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 Division 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. 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)
4. Subdivider 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, Subdivider shall submit the original completed, signed and notarized document, together with the required fees to the Planning Manager. (PL, G-8)

5. If Subdivider, owner or tenant fails to comply with any of the conditions of this permit, the Subdivider, owner or tenant shall be subject to a civil fine pursuant to the City Code. (CA, G-14)

PLANNING SPECIAL CONDITIONS

6. Approved tentative map shall expire thirty-six (36) months after its approval, unless an extension is applied for and approved by the City Council pursuant to Section 15-46 of the City Code. (PL)
7. All landscaped areas shall be regularly maintained and designed to have operable irrigation at all times. Any changes to the irrigation system shall be reviewed and approved by the Planning Division/Landscape Architect. (PL)

DEVELOPMENT SERVICES STANDARD CONDITIONS

8. Prior to issuance of a site improvement permit, Developer shall provide to the Development Services Division a compact Disc (CD) containing digital copies of the parcel map, address map, and civil improvements drawings in DWG format. Prior to improvement bond release, Developer shall provide an updated CD containing all changes that occur during construction. (DS-16)
9. Developer agrees, as a condition of approval of this resolution, to indemnify, defend and hold harmless, at Developer's expense, City and its agents, officers and employees from and against any claim, action or proceeding commenced within the time period provided for in Government Code Section 66499.37, to attack, review, set aside, void or annul the approval of this resolution or to determine the reasonableness, legality or validity of any condition attached thereto. City shall promptly notify Developer of any such claim, action or proceeding of which City receives notice, and City will cooperate fully with Developer in the defense thereof. Developer shall reimburse City for any court costs and attorney's fees that City may be required to pay as a result of any such claim, action or proceeding. City may, in its sole discretion, participate in the defense of any such claim, action or proceeding, but such participation shall not relieve Developer of the obligations of this condition. Developer's acceptance of this resolution or commencement of construction or operations under this resolution shall be deemed to be acceptance of all conditions thereof. (DS-18)
10. Prior to approval of the final map or parcel map, Developer shall provide the City Engineer with written evidence from the Ventura County Clerk's Office that Developer has executed and filed with the Clerk all certificates, statements and securities required by Government Code Sections 66492 and 66493. (DS-26)

11. By title sheet dedication at the time of filing the parcel map, Developer shall dedicate all water rights for the project property to City. (DS-39)
12. Prior to release of the final map or parcel map for recordation, Developer shall post a bond or other security satisfactory to the City Attorney, guaranteeing that all monuments will be set as required by the Government Code and the City Code. (DS-57)

DEVELOPMENT SERVICES SPECIAL CONDITION

13. Prior to recordation of the parcel map, Developer shall provide proof of recordation of City standard detention basin and stormwater quality covenants that reflects then current stormwater conveyance, treatment, and detention system. (DS)
14. Developer shall dedicate a public access easement to the City over Lockwood Street extending from the back of the north sidewalk to the back of the south sidewalk to allow the general public to have access through the property. Property owners shall retain responsibility for maintenance and liability associated with Lockwood Street improvements including, but not limited to, pavement and sidewalk improvements. Concurrent with recordation of the parcel map, Developer shall record an agreement (or similar document) regarding perpetual maintenance of the private street. The agreement shall, at a minimum, designate responsible parties, method of cost allocation, and dispute resolution measures. (DS)
15. Developer shall dedicate a public utility (excluding sewer and storm drain) easement to the City over Lockwood Street extending from the back of the north sidewalk to the back of the south sidewalk. (DS)
16. Developer shall dedicate a waterline easement to the City over existing waterlines throughout the project. Final extents of the easement shall be determined by the Development Services Manager at the time of parcel map processing. (DS)
17. Developer shall provide proof of recordation of stormdrain and sewer easements (or similar document) for conveyance of stormwater and sewage through private property. Easement shall extend to the point of connection to a public storm drain and wastewater system. (DS)
18. Developer shall provide proof (or required improvements) that subdivision will not create a violation of City Code Section 22-21 regarding separate water service for each premise or create any other code violation. (DS)
19. Prior to recordation of the parcel map, Developer shall provide proof of construction (or provision of security to guarantee construction) of a paved vehicular access path to all

improved parcels (particularly proposed parcel 1.) Final approval of the width and location of the paved access path is subject to approval of the Development Services Manager. (DS)

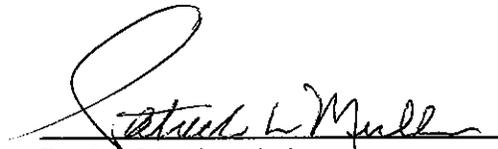
20. Prior to recordation of the parcel map, Developer shall provide proof of redistribution of the existing Rose Avenue interchange assessment by the assessment district engineer to reflect the new lot configuration. (DS)

PASSED AND ADOPTED by the Planning Commission of the City of Oxnard on this 21st day of April 2011, by the following vote:

AYES: Commissioners: Nash, Medina, Huber, Guevara, Stewart, Murguía, Mullin

NOES: Commissioners: None

ABSENT: Commissioners: None


Patrick Mullin, Chair

ATTEST: 
Susan L. Martin, Secretary