Meeting Date: 07/26/11

ACTION	TYPE OF ITEM
☐ Approved Recommendation	☒ Info/Consent
☐ Ord. No(s). _____	☐ Report
☐ Res. No(s). _____	☐ Public Hearing
☐ Other _____	☐ Other _____

Prepared By: Linda Windsor, Associate Planner LW Agenda Item No. I-5

Reviewed By: City Manager City Attorney SMF Finance Other *NA*

DATE: July 12, 2011

TO: City Council

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

SUBJECT: **Planning & Zoning Permit No. 05-300-8 (Final Map for Phase 1 of Tract No. 5592). North Shore at Mandalay Bay, filed by Mandalay Bay Development, LLC.**

RECOMMENDATION

That City Council adopt a resolution approving Planning and Zoning Permit No. 05-300-8 (Final Map) for Phase 1 of Tract No. 5592, located at the northeast intersection of West Fifth Street and Harbor Boulevard.

DISCUSSION

On May 19, 2005, the Planning Commission adopted Resolution No. 2005-30, recommending approval of Tentative Subdivision Map No. 5592 for the North Shore project, based on the Addendum to the Certified EIR. On June 14, 2005, the City Council adopted Resolution No. 12,883, approving the tentative subdivision map, subject to the conditions set forth in Planning Commission Resolution No. 2005-30. Approval of the tentative map was contingent and effective upon approval of a Coastal Development Permit. The Planning Commission adopted Resolution No. 2005-66 approving the Coastal Development Permit (PZ No. 05-400-04), on September 15, 2005. Due to the timing of the Coastal Development Permit approval date, combined with time extensions provided by the State legislature in 2008 and 2009, this tentative map has been determined to have an expiration date of September 15, 2011. The subdivision of 90.26 acres creates 200 lots, for subsequent development into 183 single family lots and 109 detached condominiums, open space, resource protection areas, local streets, easements and a public utility area.

This phase of the Final Map includes 26.55 acres (30%) of the entire Tract No. 5592 (see Attachment 3). Lots B, D, F and H provide areas for perimeter improvements along West Fifth Street and Harbor Boulevard (Lot B), the bike path and buffer area along the Edison Canal (Lot D), the resource protection area at the northwest edge of the site (Lot H), and the resource protection area, including the Milk-Vetch Preservation Area and its buffer area (Lot F). Final maps for the remaining 58.36 acres will be submitted at a later date.

The Development Services Department has issued a Verification of Status form indicating that the Final Map, as currently prepared, will be in compliance with the State Subdivision Map Act and Oxnard City Code requirements, and will conform to the previously approved tentative subdivision map. The Final Map is also consistent with the Coastal Land Use Plan, the Coastal Development Permit, mitigation measures of the EIR and Addendum for North Shore, and the 2020 General Plan, as well as the 2030 General Plan.

FINANCIAL IMPACT

None.

Attachment #1 - Resolution Approving Final Map of Tract No. 5592, Phase 1
#2 - Vicinity Map
#3 - Reduced Final Subdivision Map No. 5592-1 (PZ 05-300-8)
#4 – Verification of Status Form

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CITY COUNCIL OF THE CITY OF OXNARD

RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD APPROVING FINAL MAP OF TRACT NO. 5592-1, FOR PROPERTY LOCATED AT THE NORTHEAST CORNER OF WEST FIFTH STREET AND HARBOR BOULEVARD, FILED BY MANDALAY BAY DEVELOPMENT, LLC.

WHEREAS, the Tentative Subdivision Map for Tract No. 5592 (Tentative Map) for property located north of West Fifth Street and east of Harbor Boulevard, filed by Tri-Mark Pacific LLC, was recommended for approval by Planning Commission Resolution No. 2005-30, and approved by City Council Resolution No. 12,883, subject to certain conditions; and

WHEREAS, the Final Map of Phase 1 of such subdivision (Tract. 5592-1) has been submitted by Mandalay Bay Development LLC, together with the Subdivision Improvement Agreement proposed to be entered into in connection with the subdivision; and

WHEREAS, approval of the Final map is exempt as ministerial under the California Environmental Quality Act, according to City Council Resolution No, 10,851.

NOW, THEREFORE, the City Council of the City of Oxnard resolves:

1. The Final Map for Tract 5592-1 is approved, subject to the conditions set forth in Planning Commission Resolution No. 2005-30, and City Council Resolution No. 12,883 for the Tentative Subdivision Map.

2. The Final Map is consistent with the General Plan, the Coastal Land Use Plan, the Coastal Development Permit, mitigation measures of the EIR and Addendum for North Shore, and is in substantial compliance with the previously approved Tentative Subdivision Map.

3. The Subdivision Improvement Agreement is approved and the Mayor is authorized to execute such agreement.

4. All offers of dedication shown on the Final Map are accepted subject to improvement.

PASSED AND ADOPTED this 26th day of July, 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

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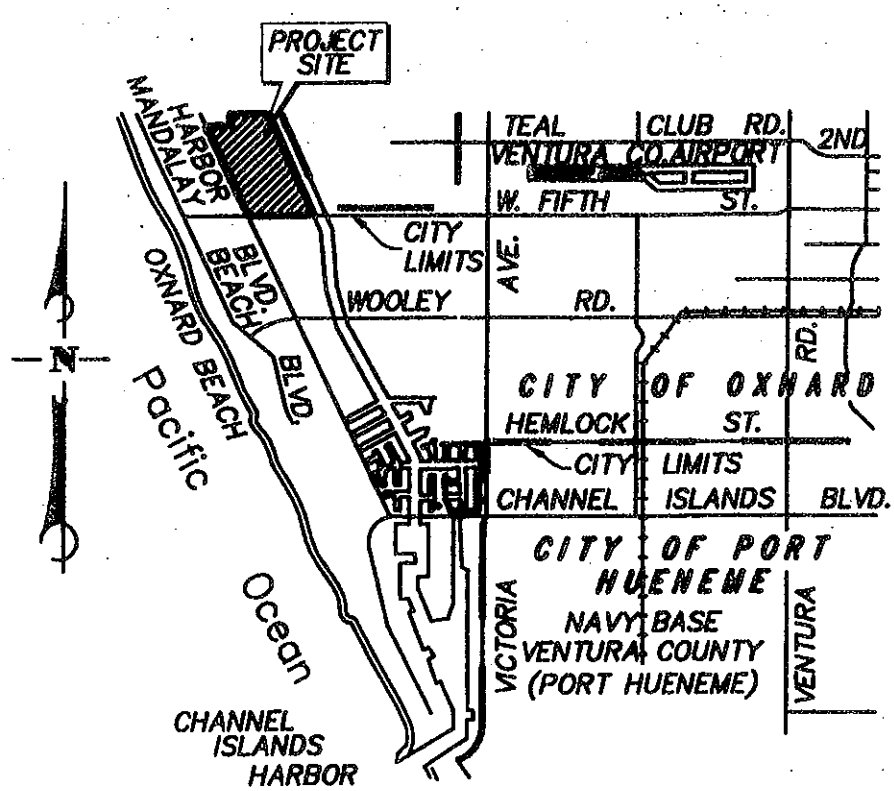
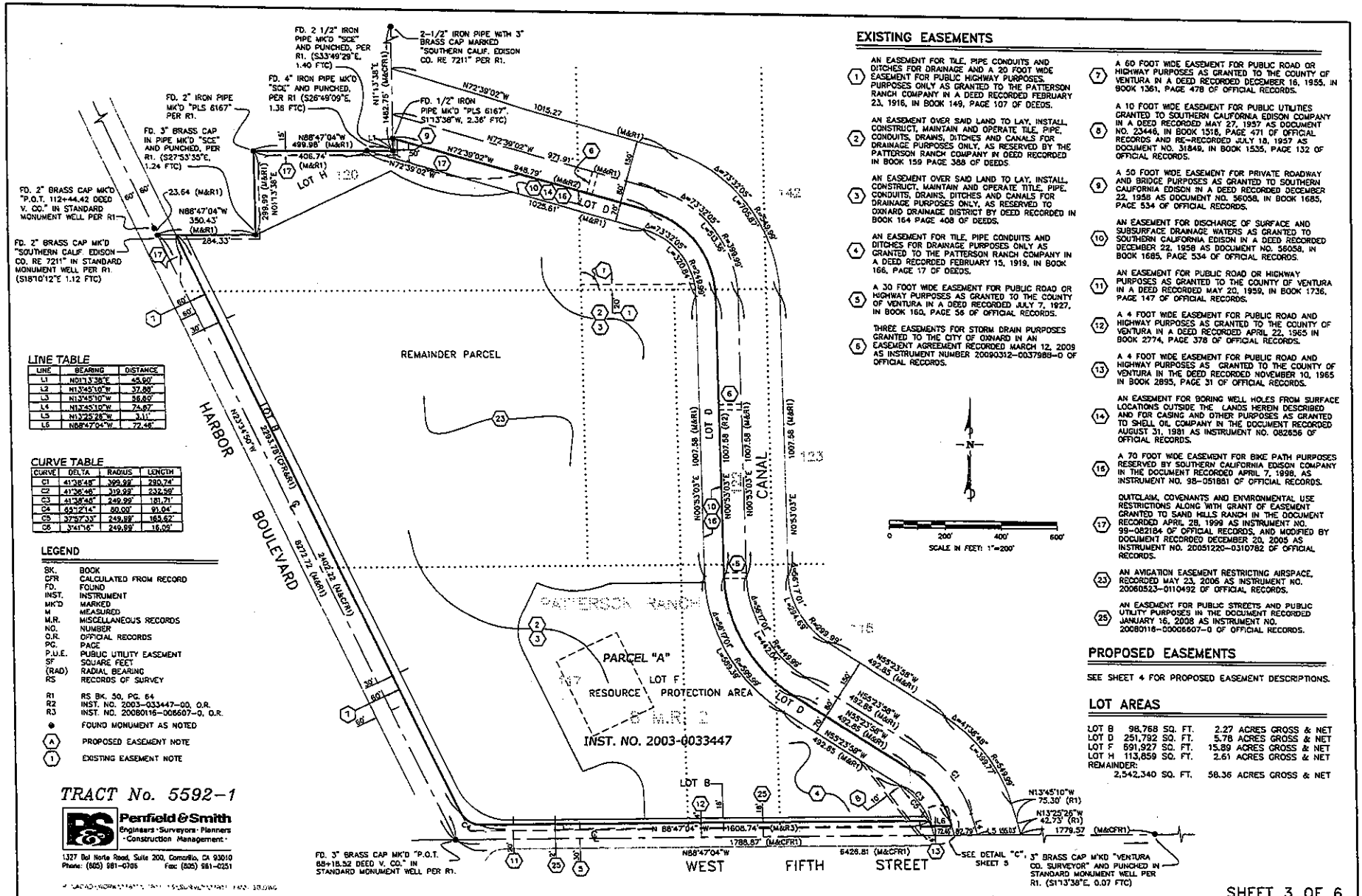


VICINITY MAP

NOT TO SCALE

ATTACHMENT 2

PAGE 1 OF 1



LINE TABLE

LINE	BEARING	DISTANCE
L1	N01°13'38"E	45.90'
L2	N13°45'10"W	37.88'
L3	N13°45'10"W	56.80'
L4	N13°45'10"W	74.67'
L5	N13°25'26"W	3.11'
L6	N88°47'04"W	72.46'

CURVE TABLE

CURVE	DELTA	RADIUS	LENGTH
C1	41°38'48"	399.99'	290.74'
C2	41°36'46"	319.99'	232.59'
C3	41°38'48"	249.99'	181.71'
C4	65°12'14"	80.00'	91.04'
C5	37°57'33"	249.99'	165.62'
C6	3°41'16"	249.99'	16.09'

LEGEND

BK.	BOOK
CFR	CALCULATED FROM RECORD
FD.	FOUND
INST.	INSTRUMENT
MK'D	MARKED
M	MEASURED
M.R.	MISCELLANEOUS RECORDS
NO.	NUMBER
O.R.	OFFICIAL RECORDS
PG.	PAGE
P.U.E.	PUBLIC UTILITY EASEMENT
SF	SQUARE FEET
(RAD)	RADIAL BEARING
RS	RECORDS OF SURVEY
R1	RS BK. 30, PG. 64
R2	INST. NO. 2003-033447-00, O.R.
R3	INST. NO. 20080116-006607-0, O.R.
●	FOUND MONUMENT AS NOTED
(A)	PROPOSED EASEMENT NOTE
(1)	EXISTING EASEMENT NOTE

TRACT No. 5592-1

Penfield & Smith
Engineers · Surveyors · Planners · Construction Management ·
1327 Del Norte Road, Suite 200, Camarillo, CA 93010
Phone: (805) 981-0706 Fax: (805) 981-0251

EXISTING EASEMENTS

(1) AN EASEMENT FOR TILE, PIPE CONDUITS AND DITCHES FOR DRAINAGE AND A 20 FOOT WIDE EASEMENT FOR PUBLIC HIGHWAY PURPOSES. PURPOSES ONLY AS GRANTED TO THE PATTERSON RANCH COMPANY IN A DEED RECORDED FEBRUARY 23, 1916, IN BOOK 149, PAGE 107 OF DEEDS.

(2) AN EASEMENT OVER SAID LAND TO LAY, INSTALL, CONSTRUCT, MAINTAIN AND OPERATE TILE, PIPE, CONDUITS, DRAINS, DITCHES AND CANALS FOR DRAINAGE PURPOSES ONLY, AS RESERVED BY THE PATTERSON RANCH COMPANY IN DEED RECORDED IN BOOK 159 PAGE 388 OF DEEDS

(3) AN EASEMENT OVER SAID LAND TO LAY, INSTALL, CONSTRUCT, MAINTAIN AND OPERATE TITLE, PIPE, CONDUITS, DRAINS, DITCHES AND CANALS FOR DRAINAGE PURPOSES ONLY, AS RESERVED TO OXNARD DRAINAGE DISTRICT BY DEED RECORDED IN BOOK 164 PAGE 408 OF DEEDS.

(4) AN EASEMENT FOR TILE, PIPE CONDUITS AND DITCHES FOR DRAINAGE PURPOSES ONLY AS GRANTED TO THE PATTERSON RANCH COMPANY IN A DEED RECORDED FEBRUARY 15, 1919, IN BOOK 166, PAGE 17 OF DEEDS.

(5) A 30 FOOT WIDE EASEMENT FOR PUBLIC ROAD OR HIGHWAY PURPOSES AS GRANTED TO THE COUNTY OF VENTURA IN A DEED RECORDED JULY 7, 1927, IN BOOK 160, PAGE 56 OF OFFICIAL RECORDS.

(6) THREE EASEMENTS FOR STORM DRAIN PURPOSES GRANTED TO THE CITY OF OXNARD IN AN EASEMENT AGREEMENT RECORDED MARCH 12, 2009 AS INSTRUMENT NUMBER 20090312-0037988-0 OF OFFICIAL RECORDS.

(7) A 60 FOOT WIDE EASEMENT FOR PUBLIC ROAD OR HIGHWAY PURPOSES AS GRANTED TO THE COUNTY OF VENTURA IN A DEED RECORDED DECEMBER 16, 1955, IN BOOK 1361, PAGE 478 OF OFFICIAL RECORDS.

(8) A 10 FOOT WIDE EASEMENT FOR PUBLIC UTILITIES GRANTED TO SOUTHERN CALIFORNIA EDISON COMPANY IN A DEED RECORDED MAY 27, 1957 AS DOCUMENT NO. 23446, IN BOOK 1518, PAGE 471 OF OFFICIAL RECORDS AND RE-RECORDED JULY 18, 1957 AS DOCUMENT NO. 31849, IN BOOK 1535, PAGE 132 OF OFFICIAL RECORDS.

(9) A 50 FOOT WIDE EASEMENT FOR PRIVATE ROADWAY AND BRIDGE PURPOSES AS GRANTED TO SOUTHERN CALIFORNIA EDISON IN A DEED RECORDED DECEMBER 22, 1958 AS DOCUMENT NO. 56058, IN BOOK 1685, PAGE 534 OF OFFICIAL RECORDS.

(10) AN EASEMENT FOR DISCHARGE OF SURFACE AND SUBSURFACE DRAINAGE WATERS AS GRANTED TO SOUTHERN CALIFORNIA EDISON IN A DEED RECORDED DECEMBER 22, 1958 AS DOCUMENT NO. 56058, IN BOOK 1685, PAGE 534 OF OFFICIAL RECORDS.

(11) AN EASEMENT FOR PUBLIC ROAD OR HIGHWAY PURPOSES AS GRANTED TO THE COUNTY OF VENTURA IN A DEED RECORDED MAY 20, 1959, IN BOOK 1736, PAGE 147 OF OFFICIAL RECORDS.

(12) A 4 FOOT WIDE EASEMENT FOR PUBLIC ROAD AND HIGHWAY PURPOSES AS GRANTED TO THE COUNTY OF VENTURA IN A DEED RECORDED APRIL 22, 1965 IN BOOK 2774, PAGE 378 OF OFFICIAL RECORDS.

(13) A 4 FOOT WIDE EASEMENT FOR PUBLIC ROAD AND HIGHWAY PURPOSES AS GRANTED TO THE COUNTY OF VENTURA IN THE DEED RECORDED NOVEMBER 10, 1965 IN BOOK 2895, PAGE 31 OF OFFICIAL RECORDS.

(14) AN EASEMENT FOR BORING WELL HOLES FROM SURFACE LOCATIONS OUTSIDE THE LANDS HEREIN DESCRIBED AND FOR CASING AND OTHER PURPOSES AS GRANTED TO SHELL OIL COMPANY IN THE DOCUMENT RECORDED AUGUST 31, 1981 AS INSTRUMENT NO. 082656 OF OFFICIAL RECORDS.

(16) A 70 FOOT WIDE EASEMENT FOR BIKE PATH PURPOSES RESERVED BY SOUTHERN CALIFORNIA EDISON COMPANY IN THE DOCUMENT RECORDED APRIL 7, 1998, AS INSTRUMENT NO. 98-051881 OF OFFICIAL RECORDS.

(17) QUITCLAIM, COVENANTS AND ENVIRONMENTAL USE RESTRICTIONS ALONG WITH GRANT OF EASEMENT GRANTED TO SAND HILLS RANCH IN THE DOCUMENT RECORDED APRIL 28, 1999 AS INSTRUMENT NO. 99-082184 OF OFFICIAL RECORDS, AND MODIFIED BY DOCUMENT RECORDED DECEMBER 20, 2005 AS INSTRUMENT NO. 20051220-0310782 OF OFFICIAL RECORDS.

(23) AN AVIGATION EASEMENT RESTRICTING AIRSPACE, RECORDED MAY 23, 2006 AS INSTRUMENT NO. 20060523-0110492 OF OFFICIAL RECORDS.

(25) AN EASEMENT FOR PUBLIC STREETS AND PUBLIC UTILITY PURPOSES IN THE DOCUMENT RECORDED JANUARY 16, 2008 AS INSTRUMENT NO. 20080116-00006607-0 OF OFFICIAL RECORDS.

PROPOSED EASEMENTS

SEE SHEET 4 FOR PROPOSED EASEMENT DESCRIPTIONS.

LOT AREAS

LOT B	98,768 SQ. FT.	2.27 ACRES GROSS & NET
LOT D	251,792 SQ. FT.	5.78 ACRES GROSS & NET
LOT F	691,927 SQ. FT.	15.89 ACRES GROSS & NET
LOT H	113,859 SQ. FT.	2.61 ACRES GROSS & NET
REMAINDER:	2,542,340 SQ. FT.	58.36 ACRES GROSS & NET

VERIFICATION OF STATUS:
FINAL MAPS AND IMPROVEMENT PLANS

Tract 5592-01
Project Location:
Fifth Street at Harbor Blvd

☒ Map requires subdivision improvement agreement.

☐ The Development Services Program does not require improvement plans for this development.

☒ This Program has reviewed the improvement plans and found them acceptable. Based on our review, we believe these plans comply with the resolution of the Planning Commission and the City Council approving the tentative map for this development.

☒ This Program has reviewed the Final Map and Title Sheet and found them acceptable. Based on our review, we believe the map complies with the resolution of the Planning Commission and the City Council approving the tentative map for this development and also with the Subdivision Map Act of the State of California.

☒ The Final Map has been signed.

DATE: 6/17/11

Paul J. Wendt, Supervising Civil Engineer
Development Services Program