



Meeting Date: 12/13/11

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

Prepared By: Juan Martinez, Associate Planner *JM* Agenda Item No. **I-11**

Reviewed By: City Manager *[Signature]* City Attorney *SMTF* Finance *[Signature]* Other (Specify) _____

DATE: November 30, 2011

TO: City Council

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

SUBJECT: **Planning and Zoning Permit No. 07-300-20 (Final Map for Tract No. 5781).
Filed by Ernie Mansi, Aldersgate Investment, LLC 300 East Esplanade Drive,
Suite 430, Oxnard, CA 93036.**

RECOMMENDATION

That City Council adopt a resolution approving Planning and Zoning Permit No. 07-300-20 (Final Map for Tract No. 5781), dividing one parcel into two lots for development of a 156 unit affordable housing condominium project and public park space, located at the southeast corner of RiverPark Boulevard and American River Court.

DISCUSSION

On April 3, 2008, the Planning Commission adopted Resolution No. 2008-21 recommending that the City Council deny the tentative subdivision map for PZ No. 07-300-20, on the grounds there was insufficient evidence to ensure the levee which borders the Santa Clara River would adequately protect the 6.15-acre project site from flood waters during a 100 year storm event. However, on April 22, 2008, City Council reviewed the Planning Commission findings and approved the Tentative Subdivision Map (Resolution No. 13,409). At the time, the Ventura County Watershed Protection District, in which the Santa Clara River levee lies, was working with the Federal Emergency Management Agency (FEMA) to secure accreditation of said levee. Although, matters involving FEMA accreditation of the levee have not yet been resolved, new construction in this area has not been restricted by FEMA or the Ventura County Watershed Protection District. Several recent evaluations of the Santa Clara River Levee adjacent to the Riverpark Specific Plan indicate that the levee does not meet FEMA levee certification standards. However, current effective Flood Insurance Rate Maps (FIRM) do not reflect a revised floodplain based on the lack of certification. An overall Santa Clara River Flood Insurance Study (SCR-FIS) reflecting the levee status and revised river conditions is not expected until at least 2014. This property is located approximately 3,500 feet from the levee and the most current SCR-FIS preliminary maps do not indicate that this property will be placed within a special flood hazard zone area.

Accordingly, the subdivision satisfied all criteria specified in the Subdivision Map Act and Chapter 15 of the City Code for tentative map approval, and there have been no changes in circumstances that would affect the 2008 approval. The final map will create two lots; one lot (6.15-acres) for condominium purposes to accommodate an affordable 156-unit residential complex (Vista Urbana) and a second lot (0.43-acres) for public park space. Development improvements were approved in May of 2009 and the final map will allow the residential units to be sold as individual condominium dwelling units and dedicate Children's Park (0.43-acres) for public use. In addition, a 28-foot wide strip along the northern side of the parcel will be dedicated as public right-of-way (American River Court). Aldersgate Investment, LLC is currently in the development stages and site improvements are underway.

The subdivider has submitted the attached final map for Tract 5781, which conforms to all requirements of the Subdivision Map Act, the City Code, and is consistent with the General Plan. The final map for Tract 5781 has been reviewed and found to be substantially compliant with the tentative subdivision map previously approved by the City Council.

FINANCIAL IMPACT

None

JM

Attachment

1. Resolution (Final Map)
2. Final Map (Reduced Copy)
3. Development Services Verification of Status
4. City Council Resolution No. 13,409
5. Vicinity Map

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 07-300-20 (FINAL MAP FOR TRACT 5781), A REQUEST TO SUBDIVIDE A 6.58-ACRE SITE INTO TWO LOTS; ONE LOT (6.15-ACRES) FOR CONDOMINIUM PURPOSES TO ACCOMMODATE AN AFFORDABLE 156 UNIT RESIDENTIAL COMPLEX AND A SECOND LOT (0.43-ACRE) FOR PUBLIC PARK SPACE, FOR PROPERTY COMPRISED OF LOT 18 OF TRACT 5352-1 (APN: 132-0-110-245), LOCATED AT THE SOUTHWEST PORTION OF PLANNING DISTRICT F WITHIN THE RIVERPARK SPECIFIC PLAN, BOUNDED ON THE NORTH BY AMERICAN RIVER COURT, ON THE WEST AND SOUTH BY RIVER PARK DRIVE, AND ON THE EAST BY LOT 19 OF TRACT 5352-1. FILED BY ERNIE MANSI, ALDERSGATE INVESTMENT, LLC 300 EAST ESPLANADE DRIVE, SUITE 430, OXNARD, CA 93036.

WHEREAS, on March 20, 2008, the Planning Commission voted to deny the subject tentative subdivision map for Tract No. 5781, and subsequently adopted Resolution 2008-21, on April 3, 2008, recommending that the City Council deny the subject tentative subdivision map; and

WHEREAS, the City Council carefully reviewed the findings of Planning Commission Resolution No. 2008-21, and determined that the Santa Clara River Levee is under the jurisdiction of the Ventura County Watershed Protection District, which agency is currently working with the Federal Emergency Management Agency (FEMA) to secure accreditation of said levee; and

WHEREAS, on April 22, 2008, the City Council reviewed and adopted Resolution No. 13,409 approving the Tentative Subdivision Map, subject to certain findings and conditions; and

WHEREAS, the City Council has reviewed the Final Map for Tract 5781 proposing to subdivide a 6.58-acre site into two lots; one lot (6.15-acres) for condominium purposes to accommodate an affordable 156 unit residential complex and a second lot (0.43-acre) for public park space; and

WHEREAS, the Final Map for Tract 5781 for the subdivision has been submitted, together with the Subdivision Improvement Agreement proposed to be entered into in connection with the subdivision; and

WHEREAS, the final map is exempt as ministerial under the California Environmental Quality Act in accordance with City Council Resolution No. 10,851.

TRACT NO. 5781

IN THE CITY OF OXNARD, COUNTY OF VENTURA, STATE OF CALIFORNIA
BEING A SUBDIVISION OF LOT 18 OF TRACT NO. 5552-1 AS SHOWN ON THE MAP RECORDED IN
BOOK 150, PAGES 76 THROUGH 92 INCLUSIVE, OF MISCELLANEOUS RECORDS (MAPS) IN THE
OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

OCTOBER, 2011

FOR CONDOMINIUM PURPOSES
HUITT-ZOLLARS

NO. OF LOTS: 1 (LOT 1 - FOR CONDOMINIUM PURPOSES)
NO. OF LETTERED LOTS: 1 (LOT 1 - FOR PARK PURPOSES)
GROSS AREA = 6.948 ACRES
DATE OF SURVEY:
MAY 2010

OWNER'S STATEMENT:

THE UNDERSIGNED HEREBY STATE THAT THEY ARE THE OWNERS OF OR ARE INTERESTED IN
THE LAND INCLUDED WITHIN THIS SUBDIVISION ENTITLED "TRACT NO. 5781" SHOWN ON
THE MAP AND SUBDIVISION AS SHOWN WITHIN THE EXTERIOR BOUNDARY LINE AND THAT THEY
MAP AND SUBDIVISION AS SHOWN WITHIN THE EXTERIOR BOUNDARY LINE AND THAT THEY
AMERICAN TRUST COMPANY AND THAT THEY HEREBY CERTIFY TO THE CITY OF OXNARD THE
EASEMENTS FOR WATERLINE PURPOSES AS SHOWN ON THIS MAP.

ADDERSGATE INVESTMENT, L.L.C., A DELAWARE LIMITED LIABILITY COMPANY

BY: _____
PRINT NAME ERNE MAUSS
PRINT TITLE MANAGER



James L. Garvin
JAMES L. GARVIN, P.L.S. 6343
MY REGISTRATION EXPIRES: 12/31/2012

SURVEYOR'S STATEMENT:

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED ON A FIELD SURVEY IN
OF THE RECORDS WITH THE RECORDS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCES
MOVEMENTS ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED AND THAT SAID
MOVEMENTS ARE SUBSIDIARY TO SINGLE THE SURVEY TO BE RETRAINED. I HEREBY STATE THAT
TECHNICAL COMPANIONS TO THE APPROVED OR CONDITIONALLY APPROVED
TECHNICAL MAP, IF ANY.

CITY COUNCIL'S CERTIFICATE:

THIS MAP ENTITLED "TRACT NO. 5781" CONSISTING OF 3 SHEETS IS PRESENTED TO THE CITY COUNCIL OF THE CITY
OF OXNARD, THIS 20th DAY OF _____, 20____ FOR APPROVAL. SAID COUNCIL HEREBY APPROVES SAID MAP AND DOES HEREBY RESOLVE
EXERCISE FOR WATERLINES AS ORDERED HEREON, AND DOES HEREBY ACCEPT, SUBJECT TO IMPROVEMENTS, AMERICAN
TRUST COMPANY AND THAT THE CITY CLERK OF SAID CITY HAS CAUSED THIS CERTIFICATE TO BE
SIGNED BY THE MAYOR AND ATTESTED TO BY THE CITY CLERK OF SAID CITY AND THE CORPORATE SEAL OF SAID CITY
OF OXNARD TO BE AFFIXED HERETO THIS _____ DAY OF _____, 20____.

DANIEL MARTINEZ
CITY CLERK OF THE CITY OF OXNARD

DR. THOMAS E. WARDEN
MAYOR OF THE CITY OF OXNARD

CITY SURVEYOR'S STATEMENT:

I HEREBY STATE THAT I HAVE EXAMINED THE FINAL MAP ENTITLED "TRACT NO. 5781" AND THAT THE
SUBDIVISION IS SUBSTANTIALLY THE SAME AS IT APPEARED ON THE TENTATIVE MAP AND ANY
APPROVED ALTERNATIONS THEREOF. THAT ALL PROVISIONS OF THE SUBDIVISION MAP ACT OF THE
STATE OF CALIFORNIA AND OF ANY LOCAL ORDINANCES APPLICABLE AT THE TIME OF APPROVAL OF
THIS TENTATIVE MAP HAVE BEEN COMPLIED WITH AND THAT I AM SATISFIED THAT THE MAP IS
TECHNICALLY CORRECT.

WARREN D. SMITH
CITY SURVEYOR
DATE _____, 20____

WARREN D. SMITH, L.S. 4842, Exp. 9/30/2012

CITY TREASURER'S CERTIFICATE:

I, DANIELLE K. MAWDS, CITY TREASURER OF THE CITY OF OXNARD, COUNTY OF VENTURA, STATE OF
CALIFORNIA, DO HEREBY CERTIFY THAT ACCORDING TO THE RECORDS OF MY OFFICE, THERE ARE NO
ASSIGNMENTS TO TRACT NO. 5781 OR ANY PART THEREOF FOR UNPAID MUNICIPAL TAXES OR SPECIAL
ASSESSMENTS. I HEREBY CERTIFY THAT THE CITY OF OXNARD HAS RECEIVED ALL SUCH TAXES AND FEES
PAYABLE. WITNESS MY HAND AND THE OFFICIAL SEAL OF THE CITY OF OXNARD THIS _____ DAY OF
_____, 20____.

CITY TREASURER OF THE CITY OF OXNARD

COUNTY TAX COLLECTOR'S CERTIFICATE:

I HEREBY CERTIFY THAT ALL CERTIFICATES AND SECURITY REQUIRED UNDER THE PROVISIONS
OF SECTIONS 66442 AND 66484 OF THE SUBDIVISION MAP ACT HAVE BEEN FILED AND
DEPOSITED WITH ME.

DATE: _____, 20____

STEPHEN HINZ
COUNTY TAX COLLECTOR
COUNTY OF VENTURA

BY: _____
DEPUTY COUNTY TAX COLLECTOR

COUNTY RECORDER'S CERTIFICATE:

FILED THIS _____ DAY OF _____, 20____, AT _____ IN BOOK _____
OF MISCELLANEOUS RECORDS (MAPS), AT PAGES _____
AT THE REQUEST OF ADDESGATE INVESTMENT, LLC

MARK A. HUNK
COUNTY RECORDER
COUNTY OF VENTURA
BY: _____
DEPUTY COUNTY RECORDER

ABANDONMENT CERTIFICATE:

THE CITY OF OXNARD HEREBY ABANDONS, PURSUANT TO SECTION 66484 (3) OF THE SUBDIVISION MAP
ACT, ALL PUBLIC STREETS AND PUBLIC UTILITY EASEMENTS WITHIN THE EXTERIOR BOUNDARY LINE WHICH
ARE IRREVOCABLY OFFERED FOR ABANDONMENT TO THE CITY OF OXNARD PER INSTRUMENT NO. S
COUNTY, CALIFORNIA, AND 2008017-012268, BOTH OF OFFICIAL RECORDS OF VENTURA
COUNTY, CALIFORNIA, NOT SHOWN ON THIS MAP.

COUNTY TAX COLLECTOR'S CERTIFICATE:

I HEREBY CERTIFY THAT ALL CERTIFICATES AND SECURITY REQUIRED UNDER THE PROVISIONS
OF SECTIONS 66442 AND 66484 OF THE SUBDIVISION MAP ACT HAVE BEEN FILED AND
DEPOSITED WITH ME.

DATE: _____, 20____

STEPHEN HINZ
COUNTY TAX COLLECTOR
COUNTY OF VENTURA

BY: _____
DEPUTY COUNTY TAX COLLECTOR

ABANDONMENT CERTIFICATE:

THE CITY OF OXNARD HEREBY ABANDONS, PURSUANT TO SECTION 66484 (3) OF THE SUBDIVISION MAP
ACT, ALL PUBLIC STREETS AND PUBLIC UTILITY EASEMENTS WITHIN THE EXTERIOR BOUNDARY LINE WHICH
ARE IRREVOCABLY OFFERED FOR ABANDONMENT TO THE CITY OF OXNARD PER INSTRUMENT NO. S
COUNTY, CALIFORNIA, AND 2008017-012268, BOTH OF OFFICIAL RECORDS OF VENTURA
COUNTY, CALIFORNIA, NOT SHOWN ON THIS MAP.

COUNTY TAX COLLECTOR'S CERTIFICATE:

I HEREBY CERTIFY THAT ALL CERTIFICATES AND SECURITY REQUIRED UNDER THE PROVISIONS
OF SECTIONS 66442 AND 66484 OF THE SUBDIVISION MAP ACT HAVE BEEN FILED AND
DEPOSITED WITH ME.

DATE: _____, 20____

STEPHEN HINZ
COUNTY TAX COLLECTOR
COUNTY OF VENTURA

BY: _____
DEPUTY COUNTY TAX COLLECTOR

ABANDONMENT CERTIFICATE:

THE CITY OF OXNARD HEREBY ABANDONS, PURSUANT TO SECTION 66484 (3) OF THE SUBDIVISION MAP
ACT, ALL PUBLIC STREETS AND PUBLIC UTILITY EASEMENTS WITHIN THE EXTERIOR BOUNDARY LINE WHICH
ARE IRREVOCABLY OFFERED FOR ABANDONMENT TO THE CITY OF OXNARD PER INSTRUMENT NO. S
COUNTY, CALIFORNIA, AND 2008017-012268, BOTH OF OFFICIAL RECORDS OF VENTURA
COUNTY, CALIFORNIA, NOT SHOWN ON THIS MAP.

COUNTY TAX COLLECTOR'S CERTIFICATE:

I HEREBY CERTIFY THAT ALL CERTIFICATES AND SECURITY REQUIRED UNDER THE PROVISIONS
OF SECTIONS 66442 AND 66484 OF THE SUBDIVISION MAP ACT HAVE BEEN FILED AND
DEPOSITED WITH ME.

DATE: _____, 20____

STEPHEN HINZ
COUNTY TAX COLLECTOR
COUNTY OF VENTURA

BY: _____
DEPUTY COUNTY TAX COLLECTOR

TRACT NO. 5781

IN THE CITY OF OXNARD, COUNTY OF VENTURA, STATE OF CALIFORNIA
BEING A SUBDIVISION OF LOT 18 OF TRACT NO. 5352-1 AS SHOWN ON THE MAP RECORDED IN
BOOK 150, PAGES 76 THROUGH 92 INCLUSIVE, OF MISCELLANEOUS RECORDS (MAPS) IN THE
OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

OCTOBER, 2011

FOR CONDOMINIUM PURPOSES

HUITT-ZOLIARS

NO. OF LOTS : 1 (LOT 1 - FOR CONDOMINIUM PURPOSES)
NO. OF LETTERED LOTS : 1 (LOT A - FOR PARK PURPOSES)
GROSS AREA = 6.948 ACRES
DATE OF SURVEY:
MAY 2010

ALDRSGATE INVESTMENT, L.L.C.

STATE OF CALIFORNIA)
COUNTY OF)

ON _____ BEFORE ME,
A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED _____
WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON WHOSE NAME IS
SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME
IN HIS AUTHORIZED CAPACITY, AND THAT BY HIS SIGNATURE ON THE INSTRUMENT THE PERSON, OR
THE ENTITY UPON BEHALF OF WHICH THE PERSON ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE
FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND

SIGNATURE _____

PRINT NAME _____

COMMISSION NO. _____

EXPIRATION DATE _____

COUNTY OF PRINCIPAL PLACE OF BUSINESS _____

GRAND PACIFIC ASSET 1, LLC

STATE OF CALIFORNIA)
COUNTY OF)

ON _____ BEFORE ME,
A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED _____
WHO PROVED TO ME ON
THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED
TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/IT/HEY EXECUTED THE SAME
IN HIS/HER/ITS/THEIR AUTHORIZED CAPACITY (IES), AND THAT BY HIS/HER/IT/HEIR SIGNATURE(S) ON THE
INSTRUMENT THE PERSON(S) OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED,
EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE
FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND

SIGNATURE _____

PRINT NAME _____

COMMISSION NO. _____

EXPIRATION DATE _____

COUNTY OF PRINCIPAL PLACE OF BUSINESS _____

SIGNATURE OMISSIONS

IN ACCORDANCE WITH THE PROVISIONS OF SECTION 66436 (6)(3)(C)-(H) OF THE SUBDIVISION MAP ACT, THE FOLLOWING SIGNATURES HAVE BEEN OMITTED, THEIR INTEREST BEING SUCH THAT IT CANNOT OPEN INTO A FEE TITLE.

- 1.) JOHN GRUBER, EASEMENT HOLDER FOR A WATER DITCH, RECORDED JANUARY 10, 1981 IN BOOK 32, PAGE 381 OF DEEDS. (NOT LOCATABLE FROM RECORD)
- 2.) CITY OF OXNARD, A POLITICAL SUBDIVISION OF THE STATE OF CALIFORNIA, EASEMENT HOLDER OF THE TRACT RECORDED JANUARY 27, 2005 AS INSTRUMENT NO. 2005017-0021247 OF OFFICIAL RECORDS. SAID SUBDIVISION WAS RECEIVED BY THE CITY OF OXNARD. (TO BE ABANDONED HEREON)
- 3.) CITY OF OXNARD, A POLITICAL SUBDIVISION OF THE STATE OF CALIFORNIA, EASEMENT HOLDER FOR THE TRACT RECORDED JANUARY 27, 2005 AS INSTRUMENT NO. 2005017-0021266 OF OFFICIAL RECORDS. (TO BE ABANDONED HEREON)

IN ACCORDANCE WITH THE PROVISIONS OF SECTION 66436 (6)(3)(C) OF THE SUBDIVISION MAP ACT, THE FOLLOWING SIGNATURES HAVE BEEN OMITTED, THEIR INTEREST BEING SUCH THAT IT CANNOT OPEN INTO A FEE TITLE.

- 4.) MAZARINE E. DONLON, AS EXECUTOR OF THE WILL OF WILLIAM C. DONLON, DECEASED, HOLDER OF AN INTEREST IN OIL, GAS AND MINERALS BELOW 500 FEET PER BOOK 4723, PAGE 472 OF OFFICIAL RECORDS.
- 5.) ARLEN J. RICHMAN AND EUGLY J. RICHMAN, HOLDERS OF INTEREST IN OIL, GAS AND MINERALS BELOW 500 FEET PER INSTRUMENT NOS. 86-172622, 86-172623, 86-172624, 86-172627 AND 86-172628 ALL OF OFFICIAL RECORDS.
- 6.) AUGUST FERRO, AND FREDERICK FERRO, HOLDERS OF 1/2 INTEREST IN OIL, GAS AND MINERALS RECORDED JUNE 16, 1954, IN BOOK 1209, PAGE 162 OF OFFICIAL RECORDS.
- 7.) JOE FERRO, AKA JOSEPH AND RUTH FERRO, HOLDERS OF INTEREST IN OIL, MINERALS, NATURAL GAS AND HYDROCARBONS RECORDED DECEMBER 21, 1954 IN BOOK 1252, PAGE 425 OF OFFICIAL RECORDS.

TRACT NO. 5781

IN THE CITY OF OXNARD, COUNTY OF VENTURA, STATE OF CALIFORNIA
 BEING A SUBDIVISION OF LOT 18 OF TRACT NO. 5352-1 AS SHOWN ON THE MAP RECORDED IN
 BOOK 150, PAGES 78 THROUGH 92, INCLUSIVE, OF MISCELLANEOUS RECORDS (MAPS) IN THE
 OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

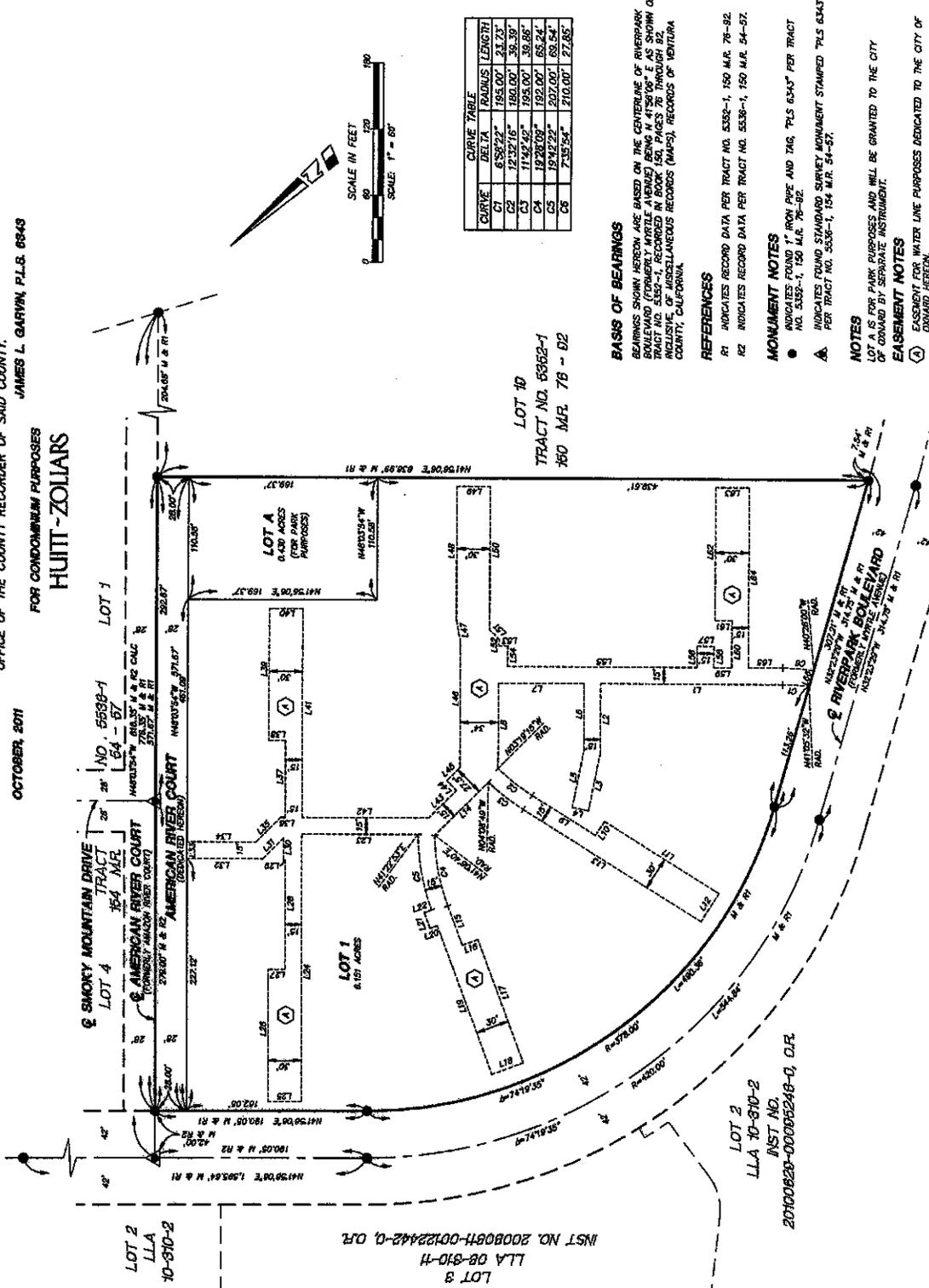
JAMES L. GARVIN, P.L.S. 6843

OCTOBER, 2011

FOR CONDOMINIUM PURPOSES

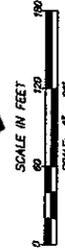
HUITT-ZOLLARS

NO. OF LOTS : 1 (LOT 1 - FOR CONDOMINIUM PURPOSES)
 NO. OF LETTERED LOTS : 1 (LOT A - FOR PARK PURPOSES)
 GROSS AREA = 6.948 ACRES
 DATE OF SURVEY:
 MAY 2010



LINE	BEARING	LENGTH
L1	N 41°56'08" E	162.48'
L2	N 48°03'54" W	62.47'
L3	N 38°46'54" W	53.71'
L4	N 57°11'08" E	75.09'
L5	N 38°46'54" W	52.24'
L6	N 48°03'54" W	50.89'
L7	N 41°56'08" E	76.95'
L8	N 48°03'54" W	76.94'
L9	N 41°56'08" E	67.45'
L10	N 48°03'54" W	71.00'
L11	N 41°56'08" E	71.00'
L12	N 48°03'54" W	38.06'
L13	N 41°56'08" E	38.06'
L14	N 48°03'54" W	69.63'
L15	N 41°56'08" E	69.63'
L16	N 48°03'54" W	35.00'
L17	N 41°56'08" E	35.00'
L18	N 48°03'54" W	18.47'
L19	N 41°56'08" E	18.47'
L20	N 48°03'54" W	6.84'
L21	N 41°56'08" E	6.84'
L22	N 48°03'54" W	15.00'
L23	N 41°56'08" E	15.00'
L24	N 48°03'54" W	103.69'
L25	N 41°56'08" E	240.94'
L26	N 48°03'54" W	30.00'
L27	N 41°56'08" E	118.67'
L28	N 48°03'54" W	15.00'
L29	N 41°56'08" E	90.15'
L30	N 48°03'54" W	18.47'
L31	N 41°56'08" E	20.18'
L32	N 48°03'54" W	68.11'
L33	N 41°56'08" E	15.00'
L34	N 48°03'54" W	61.90'
L35	N 41°56'08" E	31.41'
L36	N 48°03'54" W	3.91'
L37	N 41°56'08" E	68.57'
L38	N 48°03'54" W	15.03'
L39	N 41°56'08" E	119.07'
L40	N 48°03'54" W	30.02'
L41	N 41°56'08" E	188.58'
L42	N 48°03'54" W	113.26'
L43	N 41°56'08" E	35.13'
L44	N 48°03'54" W	72.20'
L45	N 41°56'08" E	76.85'
L46	N 48°03'54" W	112.17'
L47	N 41°56'08" E	22.16'
L48	N 48°03'54" W	120.24'
L49	N 41°56'08" E	30.00'
L50	N 48°03'54" W	128.58'
L51	N 41°56'08" E	6.35'
L52	N 48°03'54" W	6.35'
L53	N 41°56'08" E	8.17'
L54	N 48°03'54" W	16.70'
L55	N 41°56'08" E	168.54'
L56	N 48°03'54" W	19.24'
L57	N 41°56'08" E	15.00'
L58	N 48°03'54" W	19.24'
L59	N 41°56'08" E	16.95'
L60	N 48°03'54" W	42.63'
L61	N 41°56'08" E	15.00'
L62	N 48°03'54" W	120.17'
L63	N 41°56'08" E	30.00'
L64	N 48°03'54" W	162.80'
L65	N 41°56'08" E	30.77'
L66	N 48°03'54" W	15.16'

CURVE	DELTA	RADIUS	LENGTH
C1	65°52'24"	105.00'	31.21'
C2	123°27'16"	180.00'	30.28'
C3	114°27'40"	180.00'	30.28'
C4	19°28'09"	192.00'	65.24'
C5	19°42'22"	202.00'	69.54'
C6	7°35'54"	210.00'	72.85'



LOT 10
 TRACT NO. 5352-1
 160 MR. 76 - 02

BASIS OF BEARINGS
 BEARINGS SHOWN HEREON ARE BASED ON THE CENTERLINE OF RIVERPARK BOULEVARD (FORMERLY CALLED RIVERPARK BOULEVARD) WHICH IS SHOWN ON TRACT NO. 5352-1, RECORDED IN BOOK 150, PAGES 78 THROUGH 92, INCLUSIVE, OF MISCELLANEOUS RECORDS (MAPS), RECORDS OF VENTURA COUNTY, CALIFORNIA.

REFERENCES
 R1 INDICATES RECORD DATA PER TRACT NO. 5352-1, 150 MR. 76-82
 R2 INDICATES RECORD DATA PER TRACT NO. 5358-1, 150 MR. 54-57.

MONUMENT NOTES
 ● INDICATES FOUND 1" IRON PIPE AND TAG, PLS 6343* PER TRACT NO. 5352-1, 150 MR. 76-82
 ▲ INDICATES FOUND STANDARD SURVEY MONUMENT STAMPED PLS 6343* PER TRACT NO. 5356-1, 154 MR. 54-57.

NOTES
 LOT A IS FOR PARK PURPOSES AND WILL BE GRANTED TO THE CITY OF OXNARD BY SEPARATE INSTRUMENT.

EASEMENT NOTES
 ⊕ EASEMENT FOR WATER LINE PURPOSES DEDICATED TO THE CITY OF OXNARD HEREON.



**VERIFICATION OF STATUS:
FINAL MAPS AND IMPROVEMENT PLANS**

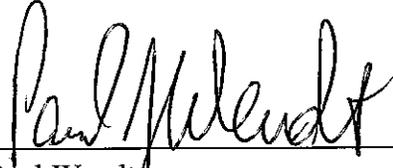
Tract/Parcel Map

Project Location:

TRACT 5781

- 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: 11.15.11



Paul Wendt
Development Services Program

ATTACHMENT 3
PAGE 1 OF 1

CITY COUNCIL OF THE CITY OF OXNARD

RESOLUTION NO. 13,409

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD APPROVING PLANNING AND ZONING PERMIT NO. 07-300-20 (TENTATIVE SUBDIVISION MAP FOR TRACT NO. 5781), TO SUBDIVIDE A 6.58-ACRE SITE INTO TWO LOTS; ONE LOT (6.15-ACRES) FOR CONDOMINIUM PURPOSES TO ACCOMMODATE AN AFFORDABLE 156 UNIT RESIDENTIAL COMPLEX AND A SECOND LOT (0.43-ACRE) FOR PUBLIC PARK SPACE. THE SITE IS COMPRISED ENTIRELY OF LOT 18 OF TRACT 5352-1 (APN: 132-0-110-24) AND IT IS AT THE SOUTHWEST PORTION OF PLANNING DISTRICT F WITHIN THE RIVERPARK SPECIFIC PLAN. IT IS BOUNDED ON THE NORTH BY AMERICAN RIVER COURT, ON THE WEST AND SOUTH BY RIVER PARK DRIVE, AND ON THE EAST BY LOT 19 OF TRACT 5352-1. FILED BY TONY TALAMANTE, RIVERPARK LEGACY, LLC 30699 RUSSELL RANCH ROAD, SUITE 290, WESTLAKE VILLAGE, CA 91361.

WHEREAS, on March 20, 2008, the Planning Commission voted to deny the subject tentative subdivision map for Tract No. 5781, and subsequently adopted Resolution 2008-21, on April 3, 2008, recommending that the City Council deny the subject tentative subdivision map; and

WHEREAS, the City Council has carefully reviewed the findings of Planning Commission Resolution No. 2008-21, and has decided that the Santa Clara River Levee is under the jurisdiction of the Ventura County Watershed Protection District, which said agency is currently working with the Federal Emergency Management Agency (FEMA) to secure accreditation of said levee; and

WHEREAS, new information and expert testimony demonstrate that the Santa Clara Levee will adequately contain and protect the south bank of the river bordering the Riverpark project, and the future inhabitants of the parcel, which is approximately three-quarters of a mile from the 6.15-acre site; and

WHEREAS, the tentative subdivision map (PZ 07-300-20) proposes to subdivide a 6.58-acre site into two lots; one lot (6.15-acres) for condominium purposes to accommodate an affordable 156 unit residential complex and a second lot (0.43-acre) for public park space; and

WHEREAS, the subject subdivision is located within District F of an area commonly known as the *RiverPark Specific Plan Area*, subject to certain conditions; and

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

WHEREAS, the proposed subdivision, together with the provisions for its design and improvement, is consistent with the 2020 General Plan; and

WHEREAS, the proposed subdivision is consistent with the vision, spirit, design, intent and objectives of the *RiverPark Specific Plan*; and

WHEREAS, in accordance with the California Environmental Quality Act (CEQA), an environmental impact report (EIR No. 00-03) was prepared to analyze potential impacts associated with the approval and the implementation of the *RiverPark Specific Plan* and the anticipated build out of the 701 acre specific plan site; and

WHEREAS, on July 16, 2002, the City Council adopted Resolution No. 12,209 upholding the Planning Commission's decision certifying the environmental impact report (State Clearinghouse No. 2000051046) and adopting findings of fact, statement of overriding considerations and mitigation monitoring and reporting program; and

WHEREAS, the City Council finds that the proposed division of land complies with the requirements of area, improvement and design, flood water and drainage control, appropriate improved public roads, sanitary disposal facilities, water supply availability, environmental protection, fees and other matter pertaining to the land division; and

WHEREAS, the City Council finds that the applicant and owner agree 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, the City Council of the City of Oxnard does hereby resolve to approve Planning & Zoning Permit No. 07-300-20 (Tentative Subdivision Map for Tract No. 5781), subject to the conditions attached.

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. *MVD-S2*).

DEPARTMENTS AND DIVISIONS			
CA	City Attorney	PL	Planning Division
DS	Dev Services/Eng Dev/Inspectors	TR	Traffic Division
PD	Police Department	B	Building Plan Checker
SC	Source Control	FD	Fire Department
PK	Public Works, Landscape Design	CE	Code Compliance

GENERAL PROJECT CONDITIONS

1. This permit is granted for the property described in the application on file with the Planning and Environmental Services Division ("Planning Division"), and may not be transferred from one property to another. (PL, *G-1*).

2. This permit is granted for the plans dated April 22, 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. 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)
4. 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)
5. Developer shall record with the Ventura County Recorder a "Notice of Land Use Restrictions and Conditions" in a form acceptable to the City Attorney. Before the City issues building permits or allows Developer to occupy the project, Developer shall submit a copy of the recorded document to the Planning Division Manager. (PL, G-8)
6. 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)
7. Prior to issuance of building permits, Developer shall correct all violations of the City Code existing on the project property. (PL, G-15).

PLANNING DIVISION SPECIAL CONDITIONS

8. An 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)
9. Approval of this tentative subdivision map is granted subject to the City's approval of a Planning and Zoning Permit No. 07-300-10 (Development Design Review Permit). The City shall issue building permits only after such permit has been approved by the Development Services Director. (PL/DS)
10. Developer shall comply with the affordable housing requirements set forth in the Development Agreement (A6128), which requires that a minimum number of dwelling units be set aside and made available at specified affordable rates. (PL)

11. Prior to issuance of building permits, Developer shall provide an exhibit which illustrates and provides the dwelling unit information regarding affordable housing requirements for those homes set aside in accordance with the Section 11, of the "First Amendment to the Development Agreement-A6128). (PL)
12. Developers shall provide the necessary declarations, covenants, and transfers to future buyers further described within Section 11, of the "First Amendment to the Development Agreement-A6128). (PL)
13. Developer shall establish a homeowners association and the association shall be responsible for the maintenance of parking, landscape, recreation and other interior areas held in common by the association and for the enforcement of Conditions Covenants & Restrictions related to property maintenance. (PL/DS, PL-33)
14. Developer shall include in all deeds for the project and in the Conditions Covenants & Restrictions a prohibition against parking recreational vehicles in the project. (CE/PL, PL-35)

PARK SPECIAL CONDITIONS

15. Park amenities shall be further defined at time of plan check submittal and shall include, play equipment, drinking fountain, park signage, security lighting and conduit provided for future closed circuit monitoring. (PK)
16. The park shall be maintained by the established Community Facilities District. (PK)

DEVELOPMENT SERVICES CONDITIONS

17. 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)
18. 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)

19. 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)
20. Prior to release of the final map or parcel map for recordation, Developer shall provide the City Engineer with a 100-scale base map for addressing purposes. The map shall be drawn on 18-inch by 24-inch mylar and shall show the standard address map title block, north arrow, street names, tract number, phase boundary and lot numbers. The City will assign all addresses. (DS-56)
21. 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)

STORMWATER QUALITY CONDITIONS

22. 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)
23. Prior to issuance of a site improvement permit, Developer shall provide to the Development Services Division a compact Disc (CD) containing digital copies of the final subdivision map, address map, and civil improvements drawings in DWG format. Prior to improvement bond release, Developer shall provide an updated CD containing all changes that occur during construction. (DS-101)

PASSED AND ADOPTED this 22nd day of April 2008. by the following vote:

AYES: Councilmembers Maulhardt, Zaragoza and Herrera.

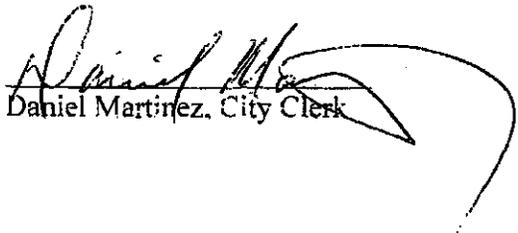
NOES: Counciman Flynn.

ABSENT: Mayor Holden.



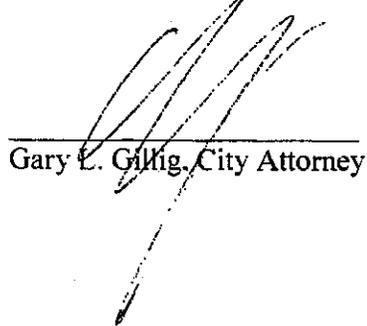
Dean Maulhardt, Mayor Pro Tem

ATTEST:



Daniel Martinez, City Clerk

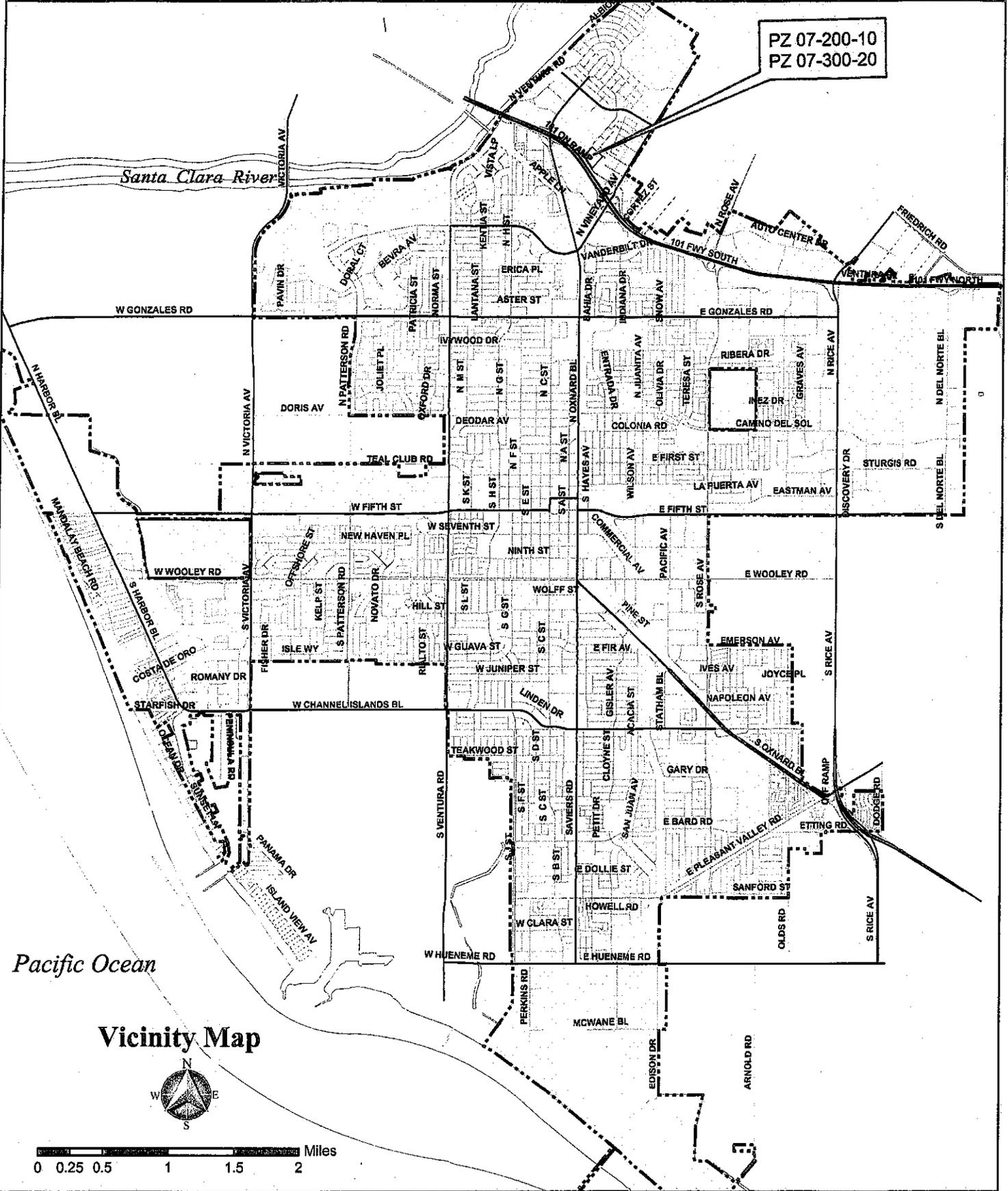
APPROVED AS TO FORM:



Gary L. Gillig, City Attorney

Vicinity Map

PZ 07-200-10
PZ 07-300-20



Vicinity Map



0 0.25 0.5 1 1.5 2 Miles



Oxnard Planning
November 28, 2007

PZ 07-200-10, PZ 07-300-20
Location: 301 Myrtle Av (Riverpark Bl)
APN: 132011024
Riverpark

ATTACHMENT 5
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