



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: Hollie King Brunsky, AICP, Contract Planner Agenda Item No. K-1

Reviewed By: City Manager MMH City Attorney SMF Finance an Other (Specify) _____

DATE: December 2, 2009

TO: City Council

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

SUBJECT: Planning and Zoning Permit No. 08-300-04 for Property Located at 1001 East Channel Islands Blvd. Filed by Wolter Mehring, Channel Islands Inn, LP.

RECOMMENDATION

That the City Council:

1. Adopt a resolution approving Planning and Zoning Permit No. 08-300-04 for a Tentative Parcel Map, to subdivide one 3.87 acre parcel into two parcels of 2.51 gross acres (2.56 net acres) and 1.30 gross acres (1.25 net acres).
2. Adopt a resolution approving Planning and Zoning Permit No. 08-300-04 for a Parcel Map, to subdivide one 3.87 acre parcel into two parcels of 2.51 gross acres (2.56 net acres) and 1.30 gross acres (1.25 net acres).

DISCUSSION

On December 4, 2008, the Planning Commission adopted Resolution No. 2008-77 recommending that the City Council approve the tentative parcel map (PZ 08-300-04) to subdivide one 3.87 acre parcel into two parcels of 2.51 gross acres (2.56 net acres) and 1.30 gross acres (1.25 net acres). The project includes a proposed public right-of-way abandonment by the City of Oxnard of 2,161 square feet in favor of the subject property and the acceptance of right-of-way dedication to the City of Oxnard of 2,516 square feet from the subject property. The subject property is located at 1001 East Channel Islands Boulevard (APN 220-0-220-085). Existing land uses onsite include the Comfort Inn Hotel (98 hotel rooms) with an adjacent pool and an IHOP restaurant. This map would divide these two uses onto separate parcels. No new development is proposed as part of this project.

On June 18, 2009, the Planning Commission adopted Resolution 2009-24 to approve a modification to conditions to remove three project conditions that were no longer considered necessary for the

approved project, and add two new conditions. Resolution No. 2009-24 replaced Resolution No. 2008-77 recommending approval for a tentative parcel map for the property.

The City Council is required to approve the Tentative Parcel Map prior to approval of the Parcel Map. The recommendation is to adopt a resolution approving Tentative Parcel Map as recommended by the Planning Commission, subject to the conditions set forth in Planning Commission's Resolution No. 2009-24. Additionally, there is a recommendation to approve the Parcel Map as the developer has submitted the Parcel Map for City Council approval, and which conforms to all requirements of the Subdivision Map Act and the Oxnard City Code, is consistent with the General Plan, and is in substantial compliance with the Tentative Parcel Map recommended for approval by the Planning Commission.

FINANCIAL IMPACT

None

Attachments

1. Resolution (Tentative Parcel Map for PZ 08-300-04)
2. Resolution (Parcel Map for PZ 08-300-04)
3. Maps (Vicinity, General Plan, Zoning)
4. Verification of Status Form
5. Parcel Map
6. PC Resolution 2008-77
7. PC Resolution 2009-24
8. PC Staff Report dated December 4, 2008 (without attachments)
9. PC Staff Report for Modification dated June 18, 2009 (without attachments)

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. 08-300-04 (TENTATIVE PARCEL MAP) FOR PROPERTY LOCATED AT 1001 EAST CHANNEL ISLANDS BOULEVARD (APN 220-0-220-085), SUBJECT TO CERTAIN CONDITIONS. FILED BY: WOLTER MEHRING, CHANNEL ISLANDS INN, LP., 1028 18TH STREET, SUITE 2, SANTA MONICA, CA 90403

WHEREAS, on December 4, 2008, the Planning Commission adopted Resolution No. 2008-77 recommending that City Council approve Planning and Zoning Permit No. 08-300-04 (Tentative Parcel Map), in accordance with Chapter 15 of the Oxnard City Code; and

WHEREAS, on June 18, 2009, the Planning Commission approved a modification of conditions and adopted Resolution 2009-24 recommending that the City Council approve Planning and Zoning Permit No. 08-300-04 with said modifications and replaced Resolution No. 2008-77; and

WHEREAS, the City Council finds the tentative parcel map conforms to the City's General Plan and elements thereof; and

WHEREAS, Section 15301(k) 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

NOW, THEREFORE, the City Council of the City of Oxnard does hereby resolve to approve Planning & Zoning Permit No. 08-300-04 (Tentative Parcel Map) subject to the conditions set forth in Planning Commission Resolution No. 2009-24, on file in the Planning Division, and incorporated herein by reference.

Resolution No.
PZ 08-300-04 (TPM)
December 15, 2009
Page 2

PASSED AND ADOPTED this 15th day of December 2009, by the following vote:

AYES:

NOES:

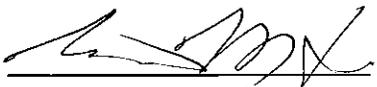
ABSENT:

Dr. Thomas E. Holden, Mayor

ATTEST:

Daniel Martinez, City Clerk

APPROVED AS TO FORM:



Alan Holmberg, City Attorney

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ATTACHMENT 1
PAGE 2 OF 2

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. 08-300-04 (PARCEL MAP) FOR PROPERTY LOCATED AT 1001 EAST CHANNEL ISLANDS BOULEVARD (APN 220-0-220-085), SUBJECT TO CERTAIN CONDITIONS. FILED BY: WOLTER MEHRING, CHANNEL ISLANDS INN, LP., 1028 18TH STREET, SUITE 2, SANTA MONICA, CA 90403

WHEREAS, on December 4, 2008, the Planning Commission adopted Resolution No. 2008-77 recommending that City Council approve Planning and Zoning Permit No. 08-300-04 (Tentative Parcel Map), in accordance with Chapter 15 of the Oxnard City Code; and

WHEREAS, on June 18, 2009, the Planning Commission approved a modification of conditions and adopted Resolution 2009-24 recommending that the City Council approve Planning and Zoning Permit No. 08-300-04 with said modifications and replaced Resolution No. 2008-77; and

WHEREAS, on December 15, 2009, the City Council reviewed and adopted a Resolution approving the Tentative Parcel Map; and

WHEREAS, the City Council has reviewed the Parcel Map to subdivide one 3.87 acre parcel into two parcels of 2.51 gross acres (2.56 net acres) and 1.30 gross acres (1.25 net acres) for property located at 1001 E. Channel Islands Boulevard; and

WHEREAS, the Parcel Map includes a public right-of-way abandonment by the City of Oxnard of 2,161 square feet in favor of the subject property and the acceptance of right-of-way dedication to the City of Oxnard of 2,516 square feet from the subject property; and

WHEREAS, approval of the Parcel 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 Parcel Map to subdivide a 3.87 acre parcel into two parcels of 2.51 gross acres (2.56 net acres) and 1.30 gross acres (1.25 net acres) is approved, subject to the conditions set forth in the Planning Commission Resolution 2008-77 adopted on December 4, 2008 and Planning Commission Resolution 2009-24 adopted on June 18, 2009, on file at the City of Oxnard Planning Division, approving the Tentative Parcel Map.
2. The Parcel Map is consistent with the General Plan, and is in substantial compliance with the previously approved Tentative Parcel Map.

ATTACHMENT 2
PAGE 1 OF 2

Resolution No.
PZ 08-300-04 (PM)
December 15, 2009
Page 2

3. The City Council authorizes the City Clerk to sign the Abandonment Certificate on the Parcel Map for the abandonment of public right-of-way.

PASSED AND ADOPTED this 15th day of December 2009, by the following vote:

AYES:

NOES:

ABSENT:

Dr. Thomas E. Holden, Mayor

ATTEST:

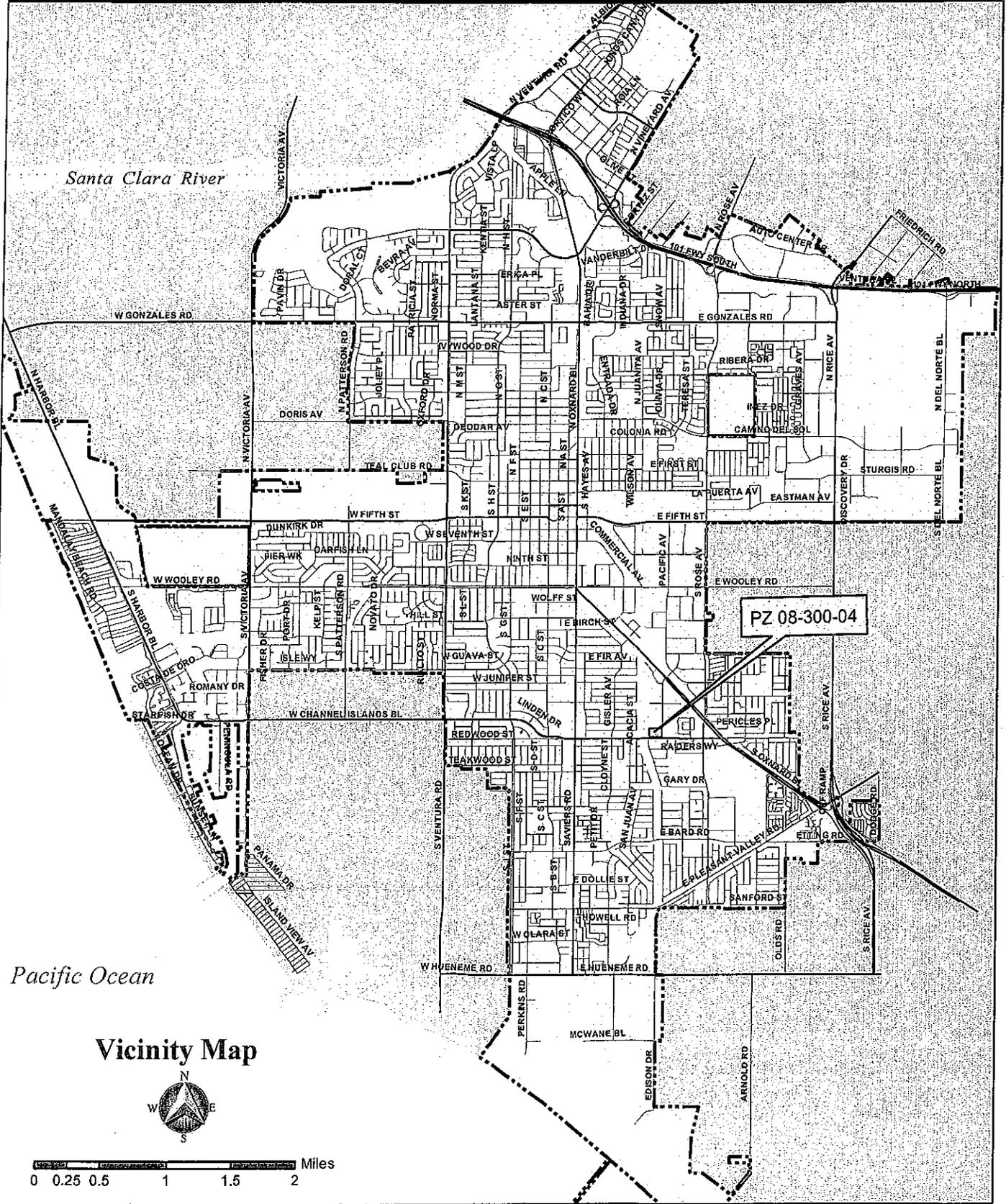
Daniel Martinez, City Clerk

APPROVED AS TO FORM:



Alan Holmberg, City Attorney

G:\PLNG\Hollie (HKB)\Channel Islands Inn\City Council\CI_INN_CC_Reso_Final_Map.doc



Vicinity Map



0 0.25 0.5 1 1.5 2 Miles

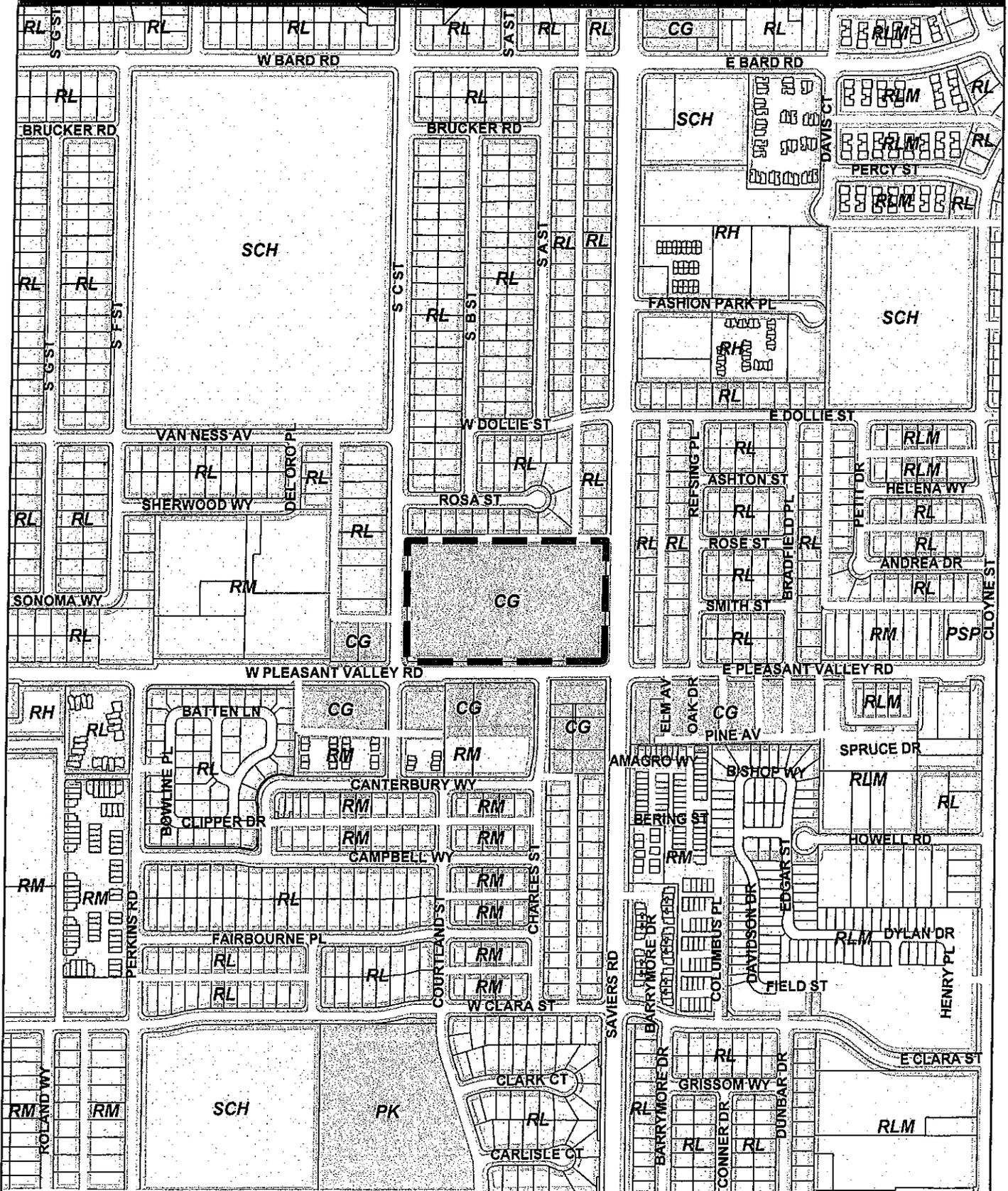


Oxnard Planning
October 1, 2008

PZ 08-300-04
 Location: 1001 E Channel Islands Bl
 APN: 22002008
 Channel Islands Inn, LLC

ATTACHMENT 3
 PAGE 1 OF 3

General Plan Map



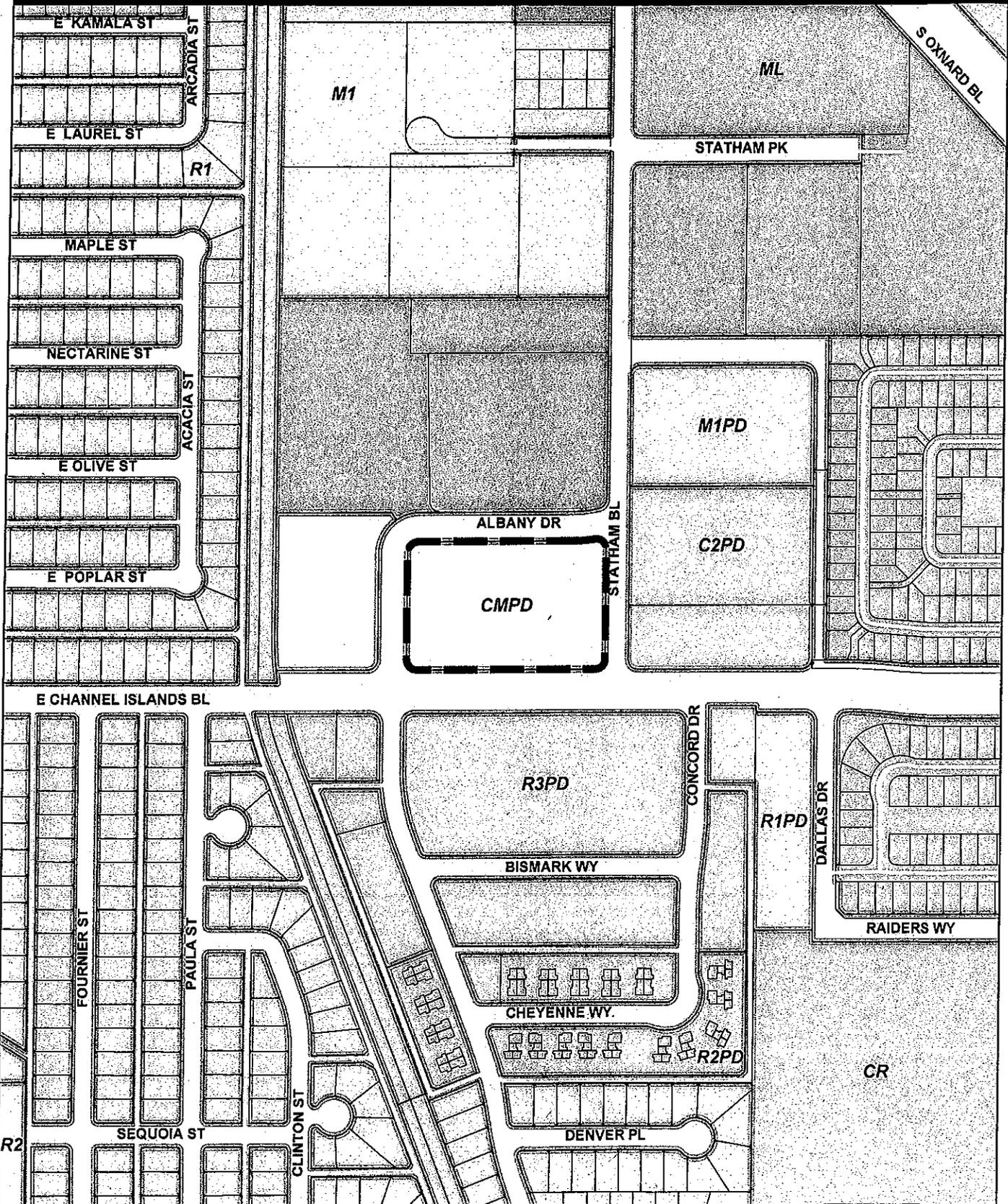
PZ 08-300-04
 Location: 1001 E Channel Islands Bl
 APN: 22002008
 Channel Islands Inn, LLC

General Plan Map
 ATTACHMENT 3
 PAGE 2 OF 3

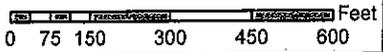


1:5,836

Zone Map



PZ 08-300-04
 Location: 1001 E Channel Islands Bl
 APN: 22002008
 Channel Islands Inn, LLC



Zone Map

ATTACHMENT 3
 PAGE 3 OF 3



1:3,996



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

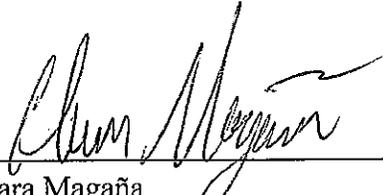
Tract/Parcel Map

Project Location:

PARCEL 08-300-04

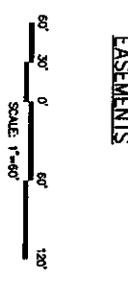
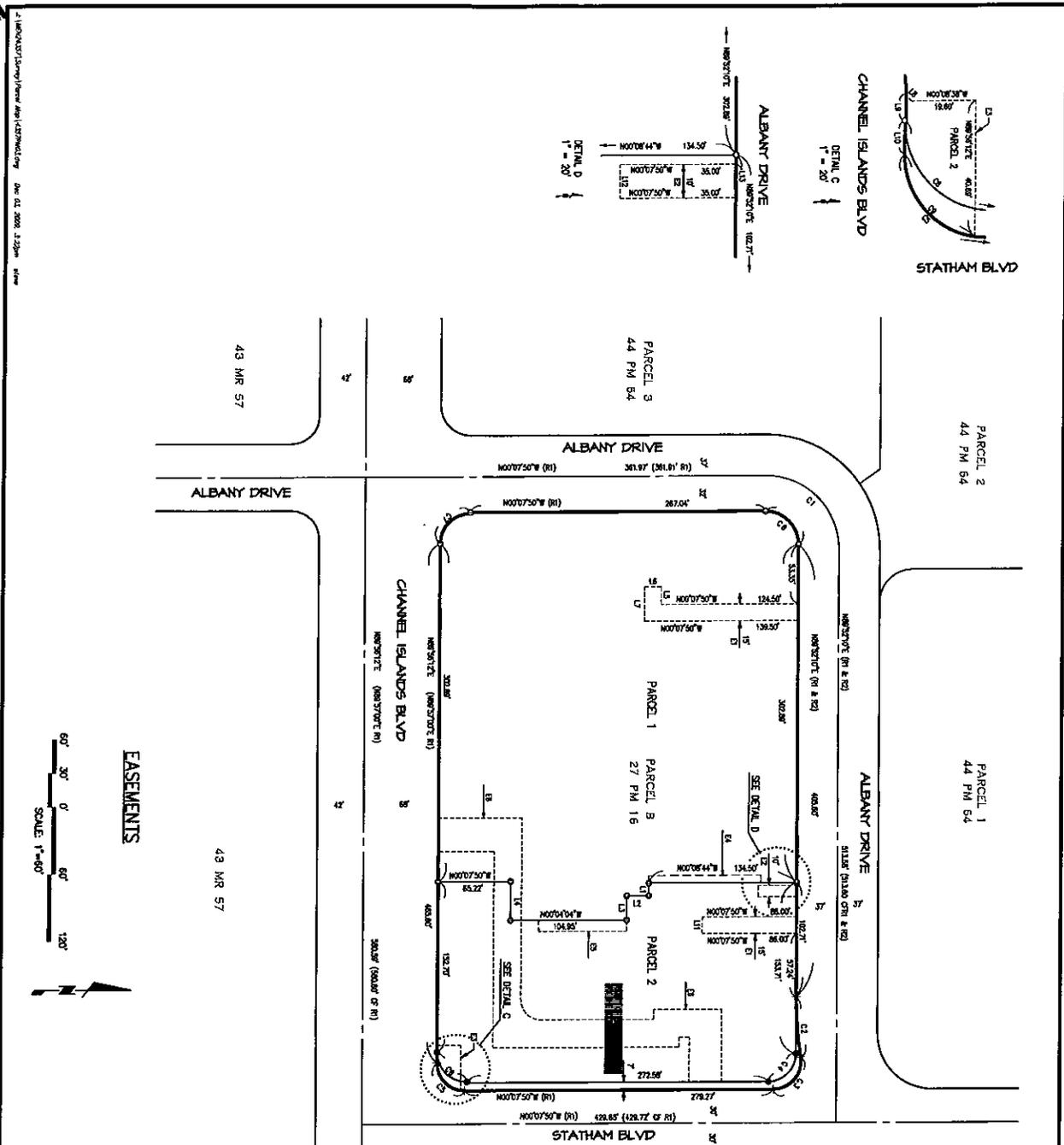
- Map requires subdivision improvement agreement.
- The Development Services Program does not require improvement plans for this development.
- This Program has reviewed the improvement plans and found them acceptable. Based on our review, we believe these plans comply with the resolution of the Planning 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: 11/24/09



Clara Magaña
Development Services Program

ATTACHMENT 4
PAGE 1 OF 1



EASEMENTS

CURVE DATA:

NO.	DELTA	BOOKS	LENGTH
01	90°00'00"	57.00'	106.34'
02	91°11'11"	37.00'	84.23'
03	90°13'11"	26.00'	45.53'
04	90°07'00"	26.00'	36.77'
05	90°04'00"	26.00'	38.37'
06	90°04'00"	27.00'	42.44'
07	88°25'57"	27.00'	42.38'
08	90°07'00"	30.00'	47.07'
09	82°17'02"	25.00'	35.86'

LINE DATA:

LINE NO.	BEARING	DISTANCE
L1	N89°00'00"E	11.32'
L2	N00°07'50"W	19.70'
L3	N90°00'00"E	21.75'
L4	N89°37'00"E	34.88'
L5	N89°32'00"E	16.00'
L6	N00°07'50"W	15.00'
L7	N89°32'00"E	31.00'
L8	H44°56'17"E	2.85'
L9	H89°56'17"E	7.89'
L10	H89°56'17"E	16.00'
L11	H89°32'00"E	15.00'
L12	H89°32'00"E	16.00'
L13	H89°32'00"E	2.75'

ABBREVIATIONS:

- CF CALCULATED FROM
- OF OXNARD FIELD BOOK
- PD PLANNED
- PN PLANNED
- SMF SEARCHED FOR NOT FOUND
- BC BEARING
- R RECONSTRUCTION OF CURVE
- FOVAL FOVAL

MONUMENT LEGEND/NOTES:

SEE SHEET 2

RECORD REFERENCES:

SEE SHEET 2

EASEMENTS:

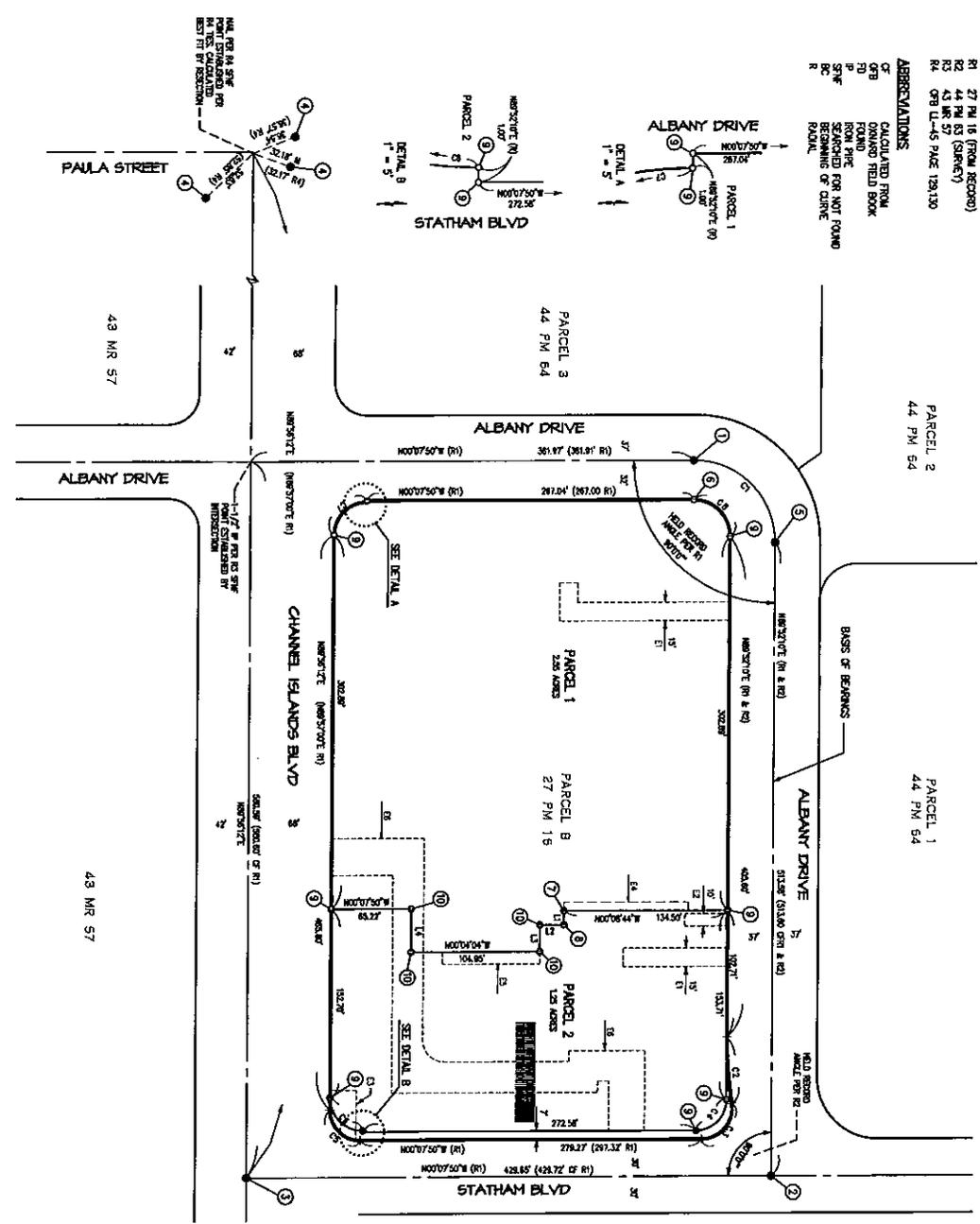
- E1 EASEMENT FOR WATERBARS RELATED APPURTENANCES TO THE CITY OF OXNARD PER INSTRUMENT NO. 86-15870 OF OFFICIAL RECORDS
- E2 EASEMENT FOR UNDERGROUND ELECTRICAL SUPPLY SYSTEMS AND COMMUNICATION SYSTEMS AND INCIDENTAL PURPOSES TO SOUTHERN CALIFORNIA Edison PER INSTRUMENT NO. 86-17598 OF OFFICIAL RECORDS
- E3 EASEMENT FOR UTILITIES AND INCIDENTAL PURPOSES TO THE CITY OF OXNARD PER BOOK 2286 AT PAGE 203 OF OFFICIAL RECORDS
- E4 PROPOSED POOL EASEMENT TO BE RECORDED BY SEPARATE DOCUMENT
- E5 PROPOSED POOL EASEMENT TO BE RECORDED BY SEPARATE DOCUMENT
- E6 PROPOSED ACCESS EASEMENT TO BE RECORDED BY SEPARATE DOCUMENT

PARCEL MAP NO. 08-300-04
 IN THE CITY OF OXNARD
 COUNTY OF VENTURA, CALIFORNIA
 BEING A SUBDIVISION OF PARCEL B AS SHOWN ON PARCEL MAP NO. 73-23 RECORDED IN BOOK 27, PAGE 16 OF PARCEL MAPS
 JULY 2004

JENSEN DESIGN AND SURVEY, INC. • 1622 OAKLAND STREET • VENTURA, CALIFORNIA 93003 • (805) 634-8977

RECORD REFERENCES:
 R1 27 PM 16 (FROM RECORD)
 R2 44 PM 63 (SHERVY)
 R3 43 MR 57
 R4 08 CL-45 PAGE 12X130

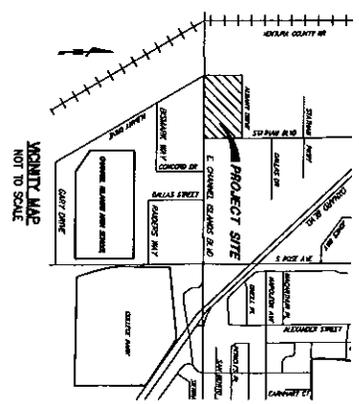
ABBREVIATIONS:
 OF CALCULATED FROM
 OR OWNED FIELD BOOK
 P IRON PIPE
 SFW SEARCHED FOR NOT FOUND
 BC BEGINNING OF CURVE
 R ROAD



SEE SHEET 3 FOR EASEMENTS



NOTE:
 DATA SHOWN () IS PER RECORD INDICATED. ALL OTHER DATA IS MEASURED. MEASURED DATA FOLLOWED BY A RECORD REFERENCE IS IN AGREEMENT WITH THAT RECORD.
BASES OF BEARINGS:
 THE BEARING OF MONUMENT FOR THE CENTER LINE OF ALBANY DRIVE AS SHOWN ON 44 PM 63 WAS USED AS THE BASIS OF BEARINGS FOR THIS MAP.



- MONUMENT LEGEND/NOTES**
- TO MONUMENT AS NOTED
 - SET MONUMENT AS NOTED
 - ① TO CONCRETE WALL NO RECORD IN LEAD OF STANDARD SURVEY MONUMENT WELL PER R2
 - ② TO 1.5" P WITH TAG "ICE 11322" IN STANDARD SURVEY MONUMENT WELL PER R2
 - ③ TO SINE AND WISHER STAMPED "CITY OF OXNARD", RUSH, PER R4
 - ④ TO LEAD AND TACK NO TAG PER R4
 - ⑤ TO 1.5" P WITH TAG "ICE 11322" IN STANDARD SURVEY MONUMENT WELL PER R2, MONUMENT 0.02' FROM BC
 - ⑥ SET 1-1/2" P W/TAG "LS 5455"
 - ⑦ SET 1-1/2" P W/TAG "LS 5455", MONUMENT 44" W 1.00' FTS
 - ⑧ SET LEAD & TACK W/TAG "LS 5455", MONUMENT 1.00' FTS
 - ⑨ SET LEAD & TACK W/TAG "LS 5455"
 - ⑩ SET CONCRETE WALL W/TAG "LS 5455"

CURVE DATA

NO.	BEARING	LENGTH	BEARINGS	DISTANCE
C1	90°00'00" (R)	67.00' (R)	105.54' (R)	11.32'
C2	87°31'00" (R)	32.00' (R)	54.52' (R)	19.30'
C3	89°33'11" (R)	25.00' (R)	43.92' (R)	21.75'
C4	90°00'00" (R)	25.00' (R)	38.27'	34.89'
C5	90°04'00" (R)	25.00' (R)	38.30'	
C6	90°04'50" (R)	25.00' (R)	38.33'	
C7	90°04'00" (R)	27.00' (R)	42.44'	
C8	89°55'57" (R)	27.00' (R)	42.38'	
C9	90°00'00" (R)	30.00' (R)	47.12' (R)	

PARCEL MAP NO. 08-300-04

IN THE CITY OF OXNARD
 COUNTY OF VENTURA, CALIFORNIA
 BEING A SUBDIVISION OF PARCEL B AS SHOWN ON PARCEL MAP NO
 73-23 RECORDED IN BOOK 27, PAGE 16 OF PARCEL MAPS
 JULY 2004

RESOLUTION NO. 2008-77

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD RECOMMENDING CITY COUNCIL APPROVAL OF PLANNING AND ZONING PERMIT NO. 08-300-04 (TENTATIVE PARCEL MAP), FOR PROPERTY LOCATED AT 1001 EAST CHANNEL ISLANDS BOULEVARD (APN 220-0-220-085), SUBJECT TO CERTAIN CONDITIONS. FILED BY: WOLTER MEHRING, CHANNEL ISLANDS INN, LP., 1028 18TH STREET, SUITE 2, SANTA MONICA, CA 90403

WHEREAS, the Planning Commission of the City of Oxnard has considered the tentative parcel map (Planning and Zoning Permit No. 08-300-04), filed by Wolter Mehring in accordance with Chapter 15 of the Oxnard City Code; 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 parcel map conforms to the City's General Plan and elements thereof; and

WHEREAS, Section 15301(k) 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 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, 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:

STANDARD CONDITIONS OF APPROVAL

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		
	City Attorney	PL Planning Division

ATTACHMENT 6
PAGE 1 OF 4

DEPARTMENTS AND DIVISIONS			
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. 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)

PLANNING DIVISION SPECIAL CONDITIONS

3. Prior to recordation of the Final Map, the construction for the minor modification approved on September 16, 2008 for the alteration of the pool storage shed and pool equipment shed must be completed.
4. Prior to recordation of the Final Map, the construction for the minor modification for the alteration of the restaurant roof overhang must be approved and completed.
5. At the time of recordation of the Final, the proposed access easement, pool deck easement, and parking easement as shown on the attached map as “Exhibit A” must be recorded concurrently.
6. 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)

DEVELOPMENT SERVICES CONDITIONS

7. 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)
8. 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)
9. By title sheet dedication at the time of filing the subdivision map, Developer shall dedicate all water rights for the project property to City. (DS-39)
10. 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)

DEVELOPMENT SERVICES SPECIAL CONDITIONS

11. Developer shall process this subdivision as a parcel map and not as a parcel map waiver. (DS)
12. Developer shall alter the width of the proposed vacation of Albany Drive to result in the retention of 7 foot of right-of-way behind the face of the curb. Additional right-of-way will allow for future sidewalk expansion and allow existing street lights to remain in their current location behind the 5' wide sidewalk. (DS)
13. Prior to recordation of the parcel map, Developer shall provide written verification from private utility companies (Electrical, Cable TV, Telephone, etc) that they have no underground utilities that rely upon the proposed vacated right-of-way. (DS)

14. Prior to recordation of the parcel map, Developer shall provide a written report prepared by a California Licensed Architect or engineer evaluating potential violations of the fire protection requirements of the California Building Code that may result from placement of new lot lines near existing structures. Report shall include proposed mitigations to eliminate violations. (DS)
15. Prior to recordation of the parcel map, Developer shall provide written verification from a California Licensed Architect or engineer that all required alterations necessary to mitigate potential violations of the fire protection requirements of the California Building Code have been completed. (DS)
16. Prior to recordation of the parcel map, Developer shall provide evidence of an agreement regarding reciprocal access, irrigation meter charges, and cross-lot drainage between the newly created parcels. (DS)
17. Parcel map shall include a written notation of proposed abandonment of a portion of Albany Drive in accordance with Government Code (Subdivision Map Act) Section 66499.50-1/2. (DS)

FIRE DEPARTMENT CONDITIONS

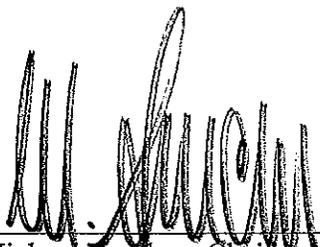
18. A mutual agreement process shall be developed between the parcel owners to maintain and service the fire sprinkler system as long as it is shared. (Fire)
19. Identify all utilities on the properties, especially noting locations of shut-off valves and switches. If utilities are to be isolated to the separate parcels please note. (Fire)

PASSED AND ADOPTED by the Planning Commission of the City of Oxnard on this 4th day of December 2008, by the following vote:

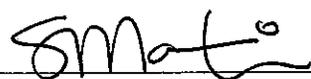
AYES: Commissioners: Frank, Pinkard, Dean, Medina, Elliott, Sanchez

NOES: Commissioners: None

ABSENT: Commissioners: Okada



Michael Sanchez, Chairman

ATTEST: 

Susan L. Martin, Secretary

RESOLUTION NO. 2009 - 24

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD RECOMMENDING CITY COUNCIL TO APPROVE PLANNING AND ZONING PERMIT NO. 09-550-05 (REVISED TENTATIVE PARCEL MAP), FOR PROPERTY LOCATED AT 1001 EAST CHANNEL ISLANDS BOULEVARD SUBJECT TO CERTAIN CONDITIONS. FILED BY: WOLTER MEHRING, CHANNEL ISLANDS INN, LP., 1028 18TH STREET, SUITE 2, SANTA MONICA, CA 90403

WHEREAS, on December 4, 2008, the Planning Commission of the City of Oxnard recommended approval of a tentative parcel map by Resolution 2008-77 (Planning and Zoning Permit No. 08-300-04), filed by Wolter Mehring in accordance with Chapter 15 of the Oxnard City Code; and

WHEREAS, the Planning Commission of the City of Oxnard has considered the revised tentative parcel map/major modification (Planning and Zoning Permit No. 09-550-05), filed by Wolter Mehring in accordance with Chapter 15 of the Oxnard City Code; and

WHEREAS, this Resolution, Resolution No. 2009-24 replaces Resolution No. 2008-77 recommending approval for a tentative parcel map for said property located at 1001 East Channel Islands Boulevard; 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 parcel map conforms to the City's General Plan and elements thereof; and

WHEREAS, the proposed project is in conformance with the General Plan and other adopted policies of the City of Oxnard.

WHEREAS, Section 15315 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 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, 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:

STANDARD CONDITIONS OF APPROVAL

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			
	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. 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*)

PLANNING DIVISION SPECIAL CONDITIONS

3. At the time of recordation of the Final, the proposed access easement, pool deck easement, and parking easement as shown on the attached map as “Exhibit A” must be recorded concurrently.
4. Prior to recordation of the Final Map, an agreement between the City and the property owners of each parcel must be recorded that allows building ingress/egress and fire ingress/egress between both parcels at all times.
5. 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)

DEVELOPMENT SERVICES CONDITIONS

6. 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)
7. 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)
8. By title sheet dedication at the time of filing the subdivision map, Developer shall dedicate all water rights for the project property to City. (DS-39)
9. 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)

DEVELOPMENT SERVICES SPECIAL CONDITIONS

10. Developer shall process this subdivision as a parcel map and not as a parcel map waiver. (DS)
11. Developer shall alter the width of the proposed vacation of Albany Drive to result in the retention of 7 foot of right-of-way behind the face of the curb. Additional right-of-way will allow for future sidewalk expansion and allow existing street lights to remain in their current location behind the 5' wide sidewalk. (DS)
12. Prior to recordation of the parcel map, Developer shall provide written verification from private utility companies (Electrical, Cable TV, Telephone, etc) that they have no underground utilities that rely upon the proposed vacated right-of-way. (DS)

13. Prior to recordation of the parcel map, Developer shall provide a written report prepared by a California Licensed Architect or engineer evaluating potential violations of the fire protection requirements of the California Building Code that may result from placement of new lot lines near existing structures. Report shall include proposed mitigations to eliminate violations. (DS)
14. Prior to recordation of the parcel map, Developer shall provide written verification from a California Licensed Architect or engineer that all required alterations necessary to mitigate potential violations of the fire protection requirements of the California Building Code have been completed. (DS)
15. Prior to recordation of the parcel map, Developer shall provide evidence of an agreement regarding reciprocal access, irrigation meter charges, and cross-lot drainage between the newly created parcels. (DS)
16. Parcel map shall include a written notation of proposed abandonment of a portion of Albany Drive in accordance with Government Code (Subdivision Map Act) Section 66499.50-1/2. (DS)

FIRE DEPARTMENT CONDITIONS

17. A five year state fire sprinkler system certification shall be provided by an approved, authorized fire sprinkler company. (Fire)
18. Identify all utilities on the properties, especially noting locations of shut-off valves and switches. If utilities are to be isolated to the separate parcels please note. (Fire)

PASSED AND ADOPTED by the Planning Commission of the City of Oxnard on this 18th day of June 2009, by the following vote:

AYES: Commissioners: Frank, Mullin, Sanchez, Dean, Okada

NOES: Commissioners:

ABSENT: Commissioners: Elliot, Medina



Deirdre Frank, Chair

ATTEST:



Susan L. Martin, Secretary



Planning Division

**PLANNING COMMISSION
STAFF REPORT**

TO: Planning Commission

FROM: Hollee King Brunsky, AICP, Contract Planner

DATE: December 4, 2008

SUBJECT: Planning and Zoning Permit No. 08-300-04 (Tentative Parcel Map) for Property Located at 1001 East Channel Islands Blvd (APN 220-0-220-085). Filed by Wolter Mehring, Channel Islands Inn, LP.

1) **Recommendation:** Adopt a resolution recommending that the City Council approve Planning and Zoning Permit No. 08-300-04 for a tentative parcel map, subject to certain findings and conditions

2) **Project Description and Applicant:**

A request to subdivide one 3.87 acre parcel into two parcels of 2.51 gross acres (2.56 net acres) and 1.30 gross acres (1.25 net acres). The project includes a proposed street/right-of-way vacation by the City of Oxnard of 2,161 square feet in favor of the subject property and the acceptance of right-of-way dedication to the City of Oxnard of 2,516 square feet from the subject property. The subject property is located at 1001 East Channel Islands Boulevard. Existing land uses onsite include the Comfort Inn Hotel (98 hotel rooms) with an adjacent pool and an IHOP restaurant. This map would divide these two uses onto separate parcels. No new development is proposed as part of this project. Filed by Wolter Mehring, Channel Islands Inn, LP., 1028 18th Street, Suite 2, Santa Monica, CA 90403.

3) **Existing & Surrounding Land Uses:**

LOCATION	ZONING	GENERAL PLAN	EXISTING LAND USE
Project Site	Comm.and Light Manufacturing Zone (C-M-PD)	Commercial Neighborhood	Comfort Inn Hotel and IHOP Restaurant
North	Limited Manufacturing Zone (M-L)	Industrial Light	Light Industrial Uses
South	Garden Apartment (R3-PD)	Residential Low-Medium (7-12 DU/acre)	Multi-Family Residential
East	General	Commercial General	Grocery Store

LOCATION	ZONING	GENERAL PLAN	EXISTING LAND USE
	Commercial (C-2-PD)		
West	Comm. and Light Manufacturing Zone (C-M-PD)	Commercial Neighborhood	Self Storage Facility

4) Background Information: A 98-room hotel, restaurant, and pool were approved on the project site on May 16, 1985 as a Special Use Permit No. 1091. Since 1985, various modifications were made to the site to accommodate office and storage space, a restaurant change, and sign variations. Most recently, a modification was approved on September 16, 2008 to alter the existing pool storage shed and equipment shed to reduce the square footage of the structures. This modification was necessary in order for the storage shed and equipment shed to meet the setback requirements of the proposed parcel map. An additional modification will be required prior to the recordation of the map that will reduce the existing restaurant roof overhang to accommodate the setback requirements of the proposed parcel map.

5) Environmental Determination: In accordance with Section 15315 of the California Environmental Quality Act (CEQA) Guidelines, projects involving *“the division of property in urbanized areas zoned for residential, commercial, industrial use into four or fewer parcels when the division is in conformance with the General Plan and zoning...”* may be found to be exempt from the requirements of CEQA. The proposed project of a division of one lot into two lots with no adverse impacts to the environment is consistent with the Categorical Exemption. Therefore, staff has determined that as there is no substantial evidence that the project may have a significant effect on the environment, staff recommends that Planning Commission accept the Notice of Exemption (see Attachment C).

6) Analysis:

a) General Discussion: The project does not qualify for a parcel map waiver with the proposed vacation and dedication of right-of-way. According to the City Surveyor, placement of the City’s right-of-way along Albany Drive and Statham Boulevard were not recorded properly and, as a result, there is a discrepancy between the property’s legal description and the City’s street right-of-way maps. To correct these errors, and as part of the request, the City is vacating 2,161 square feet of right-of-way along Albany Drive in favor of the subject property and accepting a right-of-way dedication to the City of Oxnard of 2,516 square feet along Statham Boulevard from the subject property. These actions, once recorded, will correct the land division and right-of-way errors.

b) General Plan Consistency: The project has a General Plan designation of Commercial Neighborhood (CN) and it is consistent with the goals and policies of the

CN designation. The 2020 General Plan designation of Commercial Neighborhood applies to properties that provide “a wide range of services oriented toward two or more residential neighborhoods.” Each resulting parcels would accommodate an existing use of a 98-room hotel with a pool and an IHOP restaurant. The project will not conflict with any schools, parks, growth management or airport land use policies. Therefore, the project is consistent with the City's 2020 General Plan and Chapter 16 of the Oxnard City Code.

- c) **Conformance with Zoning Development Standards:** The subject site is located in the Commercial and Light Manufacturing (C-M-PD) zone district. No new development and no change to existing land uses are proposed as part of this subdivision request. The existing structures and parking meet the requirements of the C-M-PD zone district. As proposed, the parcel map would divide the site between the hotel and pool portion of the site and the restaurant portion of the site. With the aforementioned modifications to the small structures on site, the proposed parcel map would meet the requirements of the zoning standards of the zone district.

- d) **Site Design:** This project involves a parcel map that will divide one parcel with the uses of the hotel, pool, and restaurant into two parcels with the use of the hotel and pool on one lot and the restaurant on one lot. Currently, the hotel is operating under the name Comfort Inn, and the restaurant operates as an IHOP restaurant. A proposed “pool deck easement” is proposed for recordation as part of the map and it would allow both parties to share the pool deck on proposed Parcel 2.

- e) **Circulation and Parking:** The applicant proposes to have a shared driveway access easement for ease of movement between the two parcels as part of the proposed parcel map and a proposed to allow for shared parking. With the subdivision, both parcels will continue to meet the parking standards for each use. The hotel use requires 99 spaces and the proposed lot would accommodate 103 spaces. The restaurant would require 57 parking spaces and the proposed lot will provide 82 parking spaces. Therefore, the project would be consistent with circulation and parking standards.

7) **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 Proposed Tentative Parcel Map
with Exhibit A (parking and access easements)
- C. Notice of Exemption
- D. Resolution

Prepared by: _____ HKB
Approved by: _____ SM



Planning Division

**PLANNING COMMISSION
STAFF REPORT**

TO: Planning Commission

FROM: Hollee King Brunsky, AICP, Contract Planner

DATE: June 18, 2009

SUBJECT: Planning and Zoning Permit No. 09-550-05 (Revised Tentative Parcel Map) for Property Located at 1001 East Channel Islands Blvd

1) **Recommendation:** That the Planning Commission adopt a resolution approving Planning & Zoning Permit No. 09-550-05 (revised tentative parcel map/major modification to conditions) subject to certain findings and conditions.

2) **Project Description and Applicant:**
 A request to revise an approved, but not yet recorded, tentative parcel map (TPM No. 08-300-04). The modification would revise Resolution No. 2008-77 (see Attachment D) to remove three project conditions that are no longer considered necessary for the approved project, and add two new conditions. No changes are proposed to the approved new parcels. The approved tentative parcel map consists of subdivision of one parcel of approximately 3.87 acres into two parcels: 2.44 acres and 1.43 acres. The project is located at 1001 East Channel Islands Boulevard. Filed by Wolter Mehring, Channel Islands Inn, LP., 1028 18th Street, Suite 2, Santa Monica, CA 90403.

3) **Existing & Surrounding Land Uses:**

LOCATION	ZONING	GENERAL PLAN	EXISTING LAND USE
Project Site	Comm. and Light Manufacturing Zone (C-M-PD)	Commercial Neighborhood	Comfort Inn Hotel and IHOP Restaurant
North	Limited Manufacturing Zone (M-L)	Industrial Light	Light Industrial Uses
South	Garden Apartment (R3-PD)	Residential Low-Medium (7-12 DU/acre)	Multi-Family Residential

LOCATION	ZONING	GENERAL PLAN	EXISTING LAND USE
East	General Commercial (C-2-PD)	Commercial General	Grocery Store
West	Comm.and Light Manufacturing Zone (C-M-PD)	Commercial Neighborhood	Self Storage Facility

4) Background Information: On May 16, 1985, Special Use Permit No. 1091 was approved by Planning Commission for a 98-room hotel, restaurant, and pool at the subject site. Since 1985, various modifications were made to the site to accommodate office and storage space, a restaurant change, and sign variations. A modification approved on September 16, 2008 allowed alteration of the existing pool storage shed and equipment shed in order to accommodate building code setbacks for the proposed new parcel line. The Planning Commission recommended a proposed Tentative Parcel Map for approval on December 4, 2008, to subdivide the one parcel of approximately 3.87 acres into two parcels of approximately 2.44 acres and 1.43 acres.

5) Environmental Determination: In accordance with Section 15315 of the California Environmental Quality Act (CEQA) Guidelines, projects involving *“the division of property in urbanized areas zoned for residential, commercial, industrial use into four or fewer parcels when the division is in conformance with the General Plan and zoning...”* may be found to be exempt from the requirements of CEQA. The proposed project of a division of one lot into two lots and the modification of conditions for said division with no adverse impacts to the environment is consistent with the Categorical Exemption. Therefore, staff has determined that as there is no substantial evidence that the project may have a significant effect on the environment, staff recommends that Planning Commission accept the Notice of Exemption (see Attachment C).

6) Analysis:

a) General Discussion: The applicant requests to remove the following conditions of approval for the December 4 that require alterations of the pool storage shed and equipment shed:

3. Prior to recordation of the Final Map, the construction for the minor modification approved on September 16, 2008 for the alteration of the pool storage shed and pool equipment shed must be completed.
4. Prior to the recordation of the Final Map, the construction for the alteration of the restaurant roof overhang must be approved and completed.

Although the modification was approved in September 2008, the Building Division and Fire Department have now determined that an agreement between the two parcels and the City for building and fire ingress and egress would satisfy their needs. This

would allow the structures to remain as-is and would not require them to be altered. As such, the following new condition is proposed:

- #. Prior to recordation of the Final Map, an agreement between the City and the property owners of each parcel must be recorded that allows building ingress/egress and fire ingress/egress between both parcels at all times.

In addition to the changes above, changes to Fire Department conditions are requested by the Fire Department to provide better fire protection for the site. These changes have been agreed to by the property owner.

The following Fire Department condition is proposed to be removed:

- 18. A mutual agreement process shall be developed between the parcel owners to maintain and service the fire sprinkler system as long as it is shared.

A new Fire Department condition is proposed in place of the one above:

- #. A five year state fire sprinkler system certification shall be provided by an approved, authorized fire sprinkler company.

b) General Plan Consistency: The proposed condition modifications will not result in any inconsistency with any general plan policies, which were originally reviewed and approved by the Planning Commission in December 2008.

c) Conformance with Zoning Development Standards: The proposed condition modifications will not result in any inconsistency with any development standards, which were originally reviewed and approved by the Planning Commission in December 2008.

7) 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 after the decision date. Appeal forms may be obtained from the City Clerk and must be submitted with the appropriate fees before the end of the appeal period.

Attachments:

- A. Maps (Vicinity, General Plan, Zoning)
- B. Reduced Proposed Tentative Parcel Map
with Exhibit A (parking and access easements)
- C. Notice of Exemption
- D. Resolution 2008-77 (Approved December 4, 2008)
- E. Resolution

Prepared by: _____ HKB
Approved by: _____ SM