



**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 18<sup>th</sup> Street, Suite 2, Santa Monica, CA 90403.

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

LOCATION	ZONING	GENERAL PLAN	EXISTING LAND USES
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	PLANNING AND 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.

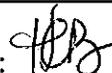
**b) General Plan Consistency:** The proposed condition modifications will not result in any inconsistency with any general plan policies, which were originally reviewed and approved by the Planning Commission in December 2008.

**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.

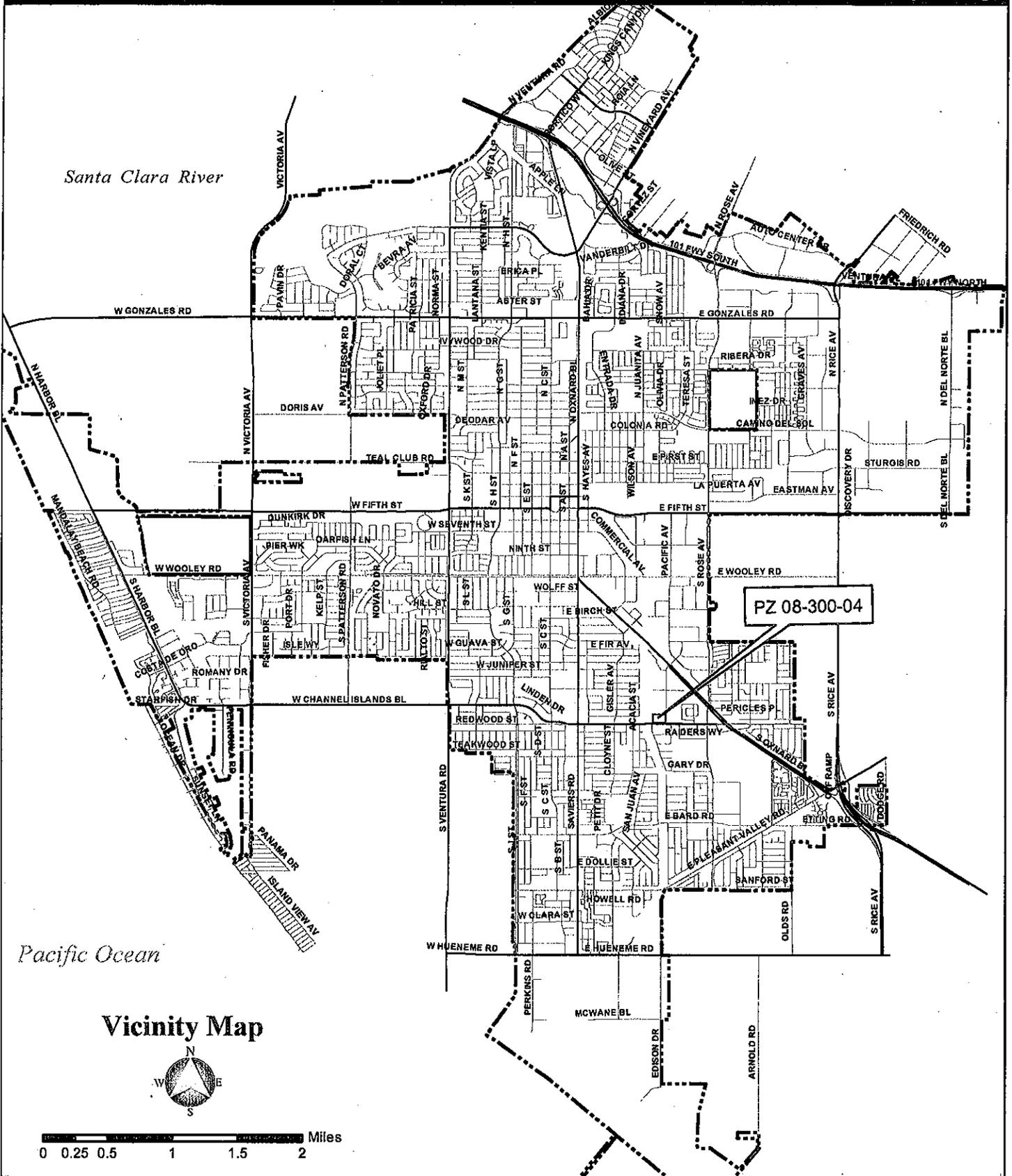
**Attachments:**

- 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

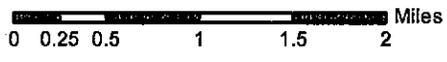
**EXHIBIT A**  
**Maps**  
**(Vicinity, General Plan, and Zoning)**

# Vicinity Map



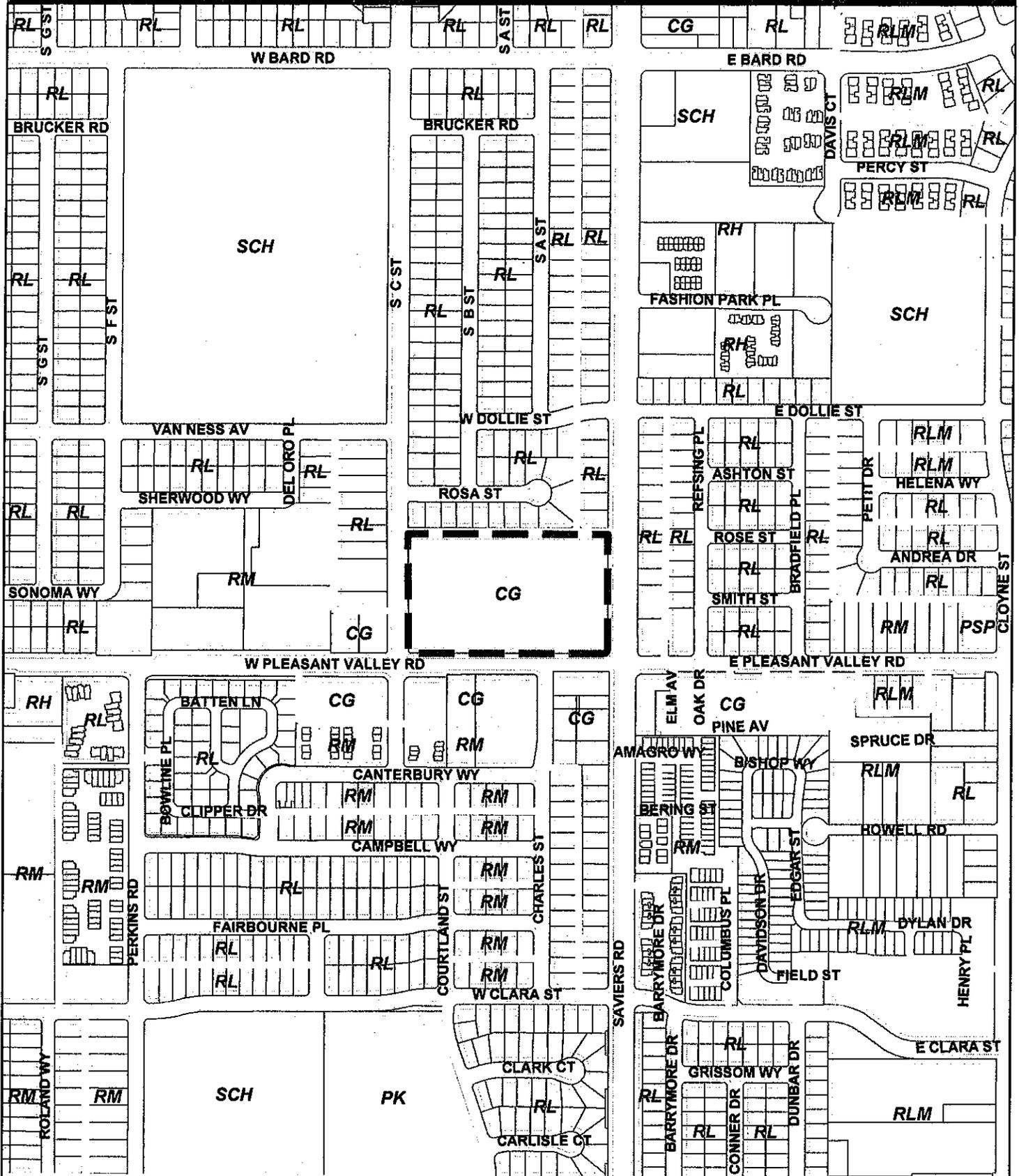
PZ 08-300-04

## Vicinity Map



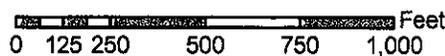
PZ 08-300-04  
 Location: 1001 E Channel Islands Bl  
 APN: 22002008  
 Channel Islands Inn, LLC

# General Plan Map



Oxnard Planning  
October 1, 2008

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

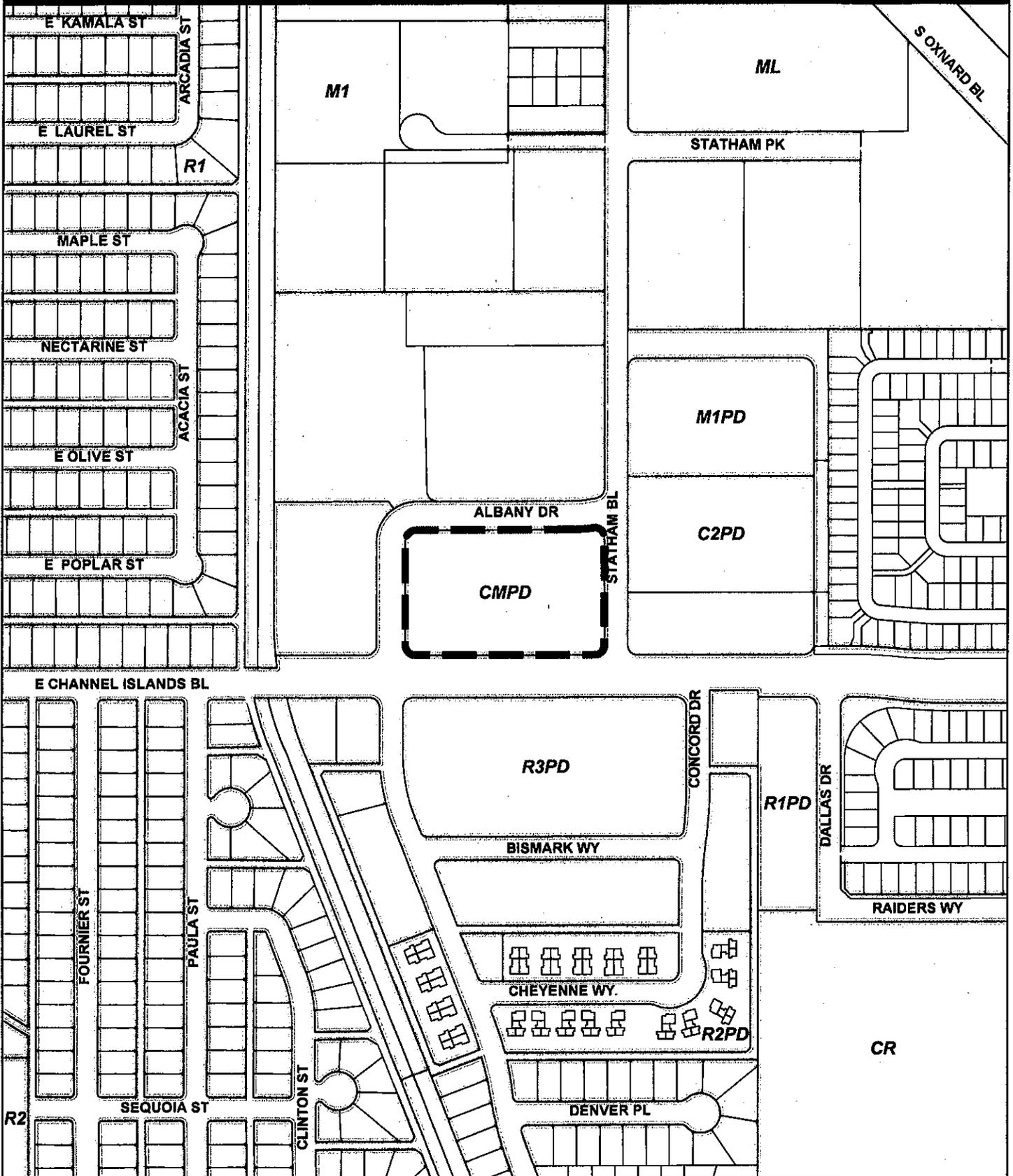


## General Plan Map

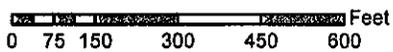


1:5,836

# Zone Map



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



## Zone Map



1:3,996

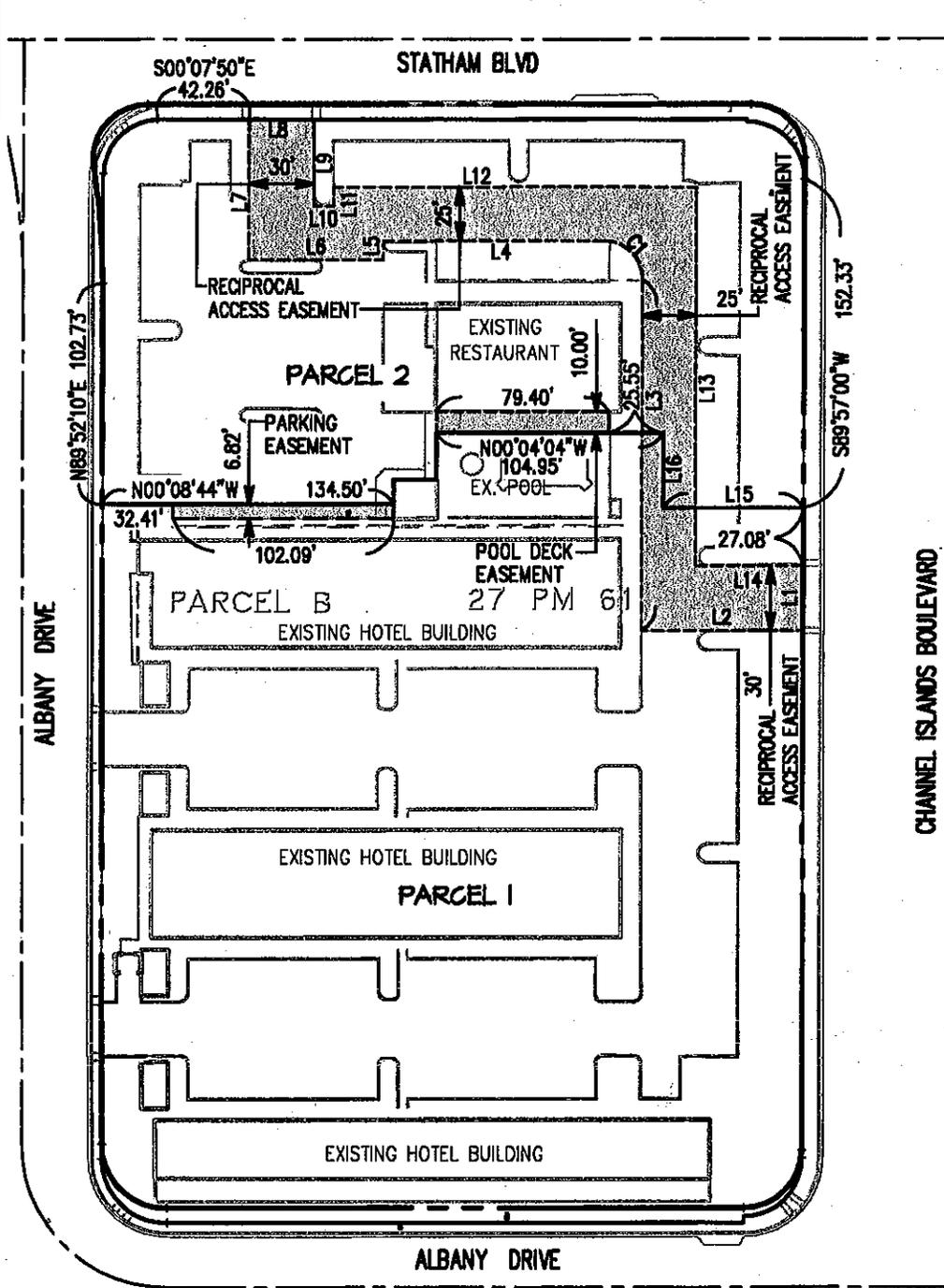
**EXHIBIT B**  
**Tentative Parcel Map**  
**With Exhibit A (easements)**



# EXHIBIT "A"

ONE SHEET ONLY

(SITE PLAN)



### CURVE DATA

NO	DELTA	RADIUS	LENGTH
C1	90°04'50"	18.00'	28.30'

### LINE DATA

NO	BEARING	DISTANCE
L1	S89°57'00"W	30.00'
L2	N00°03'00"W	75.24'
L3	N89°57'00"E	163.34'
L4	N00°07'50"W	101.80'
L5	S89°52'10"W	8.80'
L6	N00°07'50"W	62.27'
L7	N89°52'10"E	65.23'
L8	S00°07'50"E	30.00'
L9	S89°52'10"W	40.23'
L10	S00°07'50"E	9.16'
L11	N89°52'10"E	8.80'
L12	S00°07'50"E	167.97'
L13	S89°57'00"W	176.40'
L14	S00°03'00"E	50.24'
L15	N00°07'50"W	65.24'
L16	N89°57'00"E	34.99'

### AREA

#### RECIPROCAL ACCESS EASEMENT

12,700 S.F. / 0.29 AC

#### PARKING EASEMENT

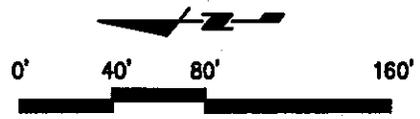
697 S.F. / 0.02 AC

#### POOL DECK EASEMENT

794 S.F. / 0.02 AC

### ADDRESS

1001 E. CHANNEL ISLAND BLVD  
OXNARD, CA.



SCALE: 1"=80'

**EXHIBIT C**  
**Notice of Exemption**



## NOTICE OF EXEMPTION

### ***Project Description:***

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 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. Filed by Wolter Mehring, Channel Islands Inn, LP., 1028 18<sup>th</sup> Street, Suite 2, Santa Monica, CA 90403.

### ***Finding:***

The Planning Division of the Development Services Department of the City of Oxnard has reviewed the above proposed project and found it to be exempt from the provisions of the California Environmental Quality Act (CEQA).

- Ministerial Project
- Categorical Exemption
- Statutory Exemption
- Emergency Project
- Quick Disapproval [CEQA Guidelines, 14 Cal. Code of Regs. 15270]
- No Possibility of Significant Effect [CEQA Guidelines, 14 Cal. Code of Regs. 15061(b)(3)]

***Supporting Reasons:*** 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 there is no substantial evidence that the project may have a significant effect on the environment.

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
Susan L. Martin, AICP  
Planning Division Manager

**EXHIBIT D**  
**Resolution 2008-77**  
**Approved by Planning Commission on**  
**December 4, 2008**

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 18<sup>TH</sup> 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

<b>DEPARTMENTS AND DIVISIONS</b>			
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)

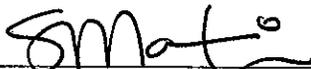
PASSED AND ADOPTED by the Planning Commission of the City of Oxnard on this 4th day of December 2008, by the following vote:

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

NOES: Commissioners: None

ABSENT: Commissioners: Okada

  
Michael Sanchez, Chairman

ATTEST:   
Susan L. Martin, Secretary

**EXHIBIT E**  
**Resolution 09-550-05**

RESOLUTION NO. PZ 09-550-05

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD APPROVING 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 18<sup>TH</sup> STREET, SUITE 2, SANTA MONICA, CA 90403

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, said revised 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 revised 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*).

<b>DEPARTMENTS AND DIVISIONS</b>			
	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:

NOES: Commissioners:

ABSENT: Commissioners:

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Deidre Frank, Chair

ATTEST: \_\_\_\_\_  
Susan L. Martin, Secretary