



Meeting Date: 10 / 26 / 2010

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
<input type="checkbox"/> Other _____	<input type="checkbox"/> Other _____

Prepared By: Brian Foote AICP, Associate Planner ^{BF} Agenda Item No. L-1

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

DATE: September 20, 2010

TO: City Council

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

SUBJECT: The Anacapa Townhomes Project – Planning & Zoning Permit Nos. 08-400-04 (Coastal Development Permit), 09-300-01 (Tentative Subdivision Map), and 09-590-01 (Coastal Zone Variance) Located at the Northeast Corner of Harbor Boulevard and Wooley Road. Filed by Oxnard Shores Co., LLC.

RECOMMENDATION

That City Council:

1. Adopt a resolution upholding the Planning Commission’s approval of the Coastal Development Permit (PZ No. 08-400-04) for the Anacapa Townhomes project, subject to the conditions set forth in Planning Commission Resolution No. 2010-15; and
2. Adopt a resolution approving the Tentative Subdivision Map for Tract 5843 (PZ No. 09-300-01) for the Anacapa Townhomes project, subject to the conditions set forth in Planning Commission Resolution No. 2010-16; and
3. Adopt a resolution upholding the Planning Commission’s approval of the Coastal Zone Variance (PZ No. 09-590-01) for the Anacapa Townhomes project, subject to the conditions set forth in Planning Commission Resolution No. 2010-17.

DISCUSSION

The subject site is a vacant parcel, consisting of 3.96 gross acres, located at the northeast corner of Harbor Boulevard and Wooley Road within the City’s Coastal Zone (see Attachment 1). A coastal development permit is requested for five, multi-family, three-story structures with a total of 70 condominium units. A tentative map is requested to subdivide the property into five lots plus 70 condominium dwelling units. A coastal zone variance is requested to modify the development standards for specified portions of the front, side, and rear yard setbacks to permit architectural projections, stairways, and structure walls. The proposal otherwise conforms to the coastal zoning and coastal land use plan designations for the subject property.

This property is encumbered by a Development Agreement between the City of Oxnard and the Oxnard Shores Company that was approved by Ordinance No. 2159 on April 19, 1988, allowing the applicant to construct 70 condominium dwelling units on the subject property. On July 5, 1988, the City Council adopted Ordinance No. 2169 changing the zone for the subject property from R-2-C to R-3-C in order

to accommodate the density of development envisioned in the Development Agreement. The Development Agreement expires at the completion of development and no later than year 2015. The current project, if approved as proposed, will implement the Development Agreement.

At the Planning Commission hearing on August 5, 2010, five residents attended to express concerns about the proposed structure height with three stories, traffic volume and speeds on Wooley Road near the site, shortage of on-street parking in the Dunes neighborhood, and dust control during construction. Two of the five public speakers commented favorably about the project as a whole and the proposed architecture. The Commissioners commented favorably on the architecture, site design, and future property values. The Commissioners acknowledged the public's concerns about existing and future traffic along Wooley Road, the density and height of the project, and future bike lanes. The Commission was strongly in favor of the project overall, and also commended the developer for being responsive to the residents and community.

The Planning Commission unanimously adopted Resolution Nos. 2010-15 and 2010-17, approving the coastal development permit and coastal zone variance, respectively. The Planning Commission unanimously adopted Resolution No. 2010-16, recommending that the City Council approve the proposed tentative map. The Planning Commission also adopted a mitigated negative declaration (MND No. 09-03) in accordance with the California Environmental Quality Act (CEQA). Mitigation measures are included in the project and no potentially significant environmental impacts were identified, including traffic/circulation, biological resources, noise, air quality, and hazardous materials. The Planning Commission staff report, resolutions, and minutes are attached (see Attachments 6, 7, 8).

FINANCIAL IMPACT

The City would receive a payment to the In-Lieu Affordable Housing fee fund in the approximate sum of \$350,000 (i.e. \$5,000 per dwelling unit). The Community Development Commission approved Pre-Application No. 09-600-1 on April 21, 2009, authorizing the developer to submit an affordable housing payment. Traffic impact fees will be paid to compensate for impacts on local roads, Quimby fees will be paid to compensate for off-site impacts on City parks, and Art in Public Places in-lieu fees will be paid to provide for future public art displays. This project will result in various financial benefits to the City including additional property taxes.

- Attachment 1 - Location Map
2 - Tentative Subdivision Map for Tract No. 5843
3 - City Council Resolution, Tentative Subdivision Map (PZ 09-300-01)
4 - City Council Resolution, Coastal Development Permit (PZ 08-400-04)
5 - City Council Resolution, Coastal Zone Variance (PZ 09-590-01)
6 - Planning Commission Minutes
7 - Planning Commission Resolutions
8 - Planning Commission Staff Report
9 - Supplemental information to City Council dated October 18, 2010

Note: Attachments 7 and 8 have been provided to the City Council under separate cover. Copies are available for review at the Circulation Desk in the Library after 6:00 p.m. on Thursday prior to the Council meeting, and at the City Clerk's Office after 8:00 a.m. on the Friday prior.



Vicinity Map



0 0.25 0.5 1 1.5 2 Miles



Oxnard Planning
October 6, 2008

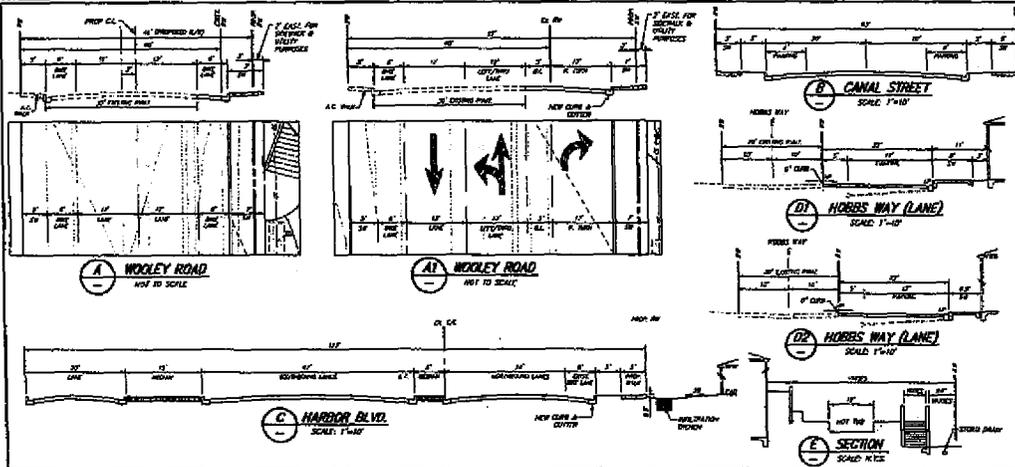
PZ 08-400-04
Location: NE Harbor Bl & Wooley Rd.
APN: 196003329
The Shores Townhouses

ATTACHMENT /
PAGE / OF /

LEGEND

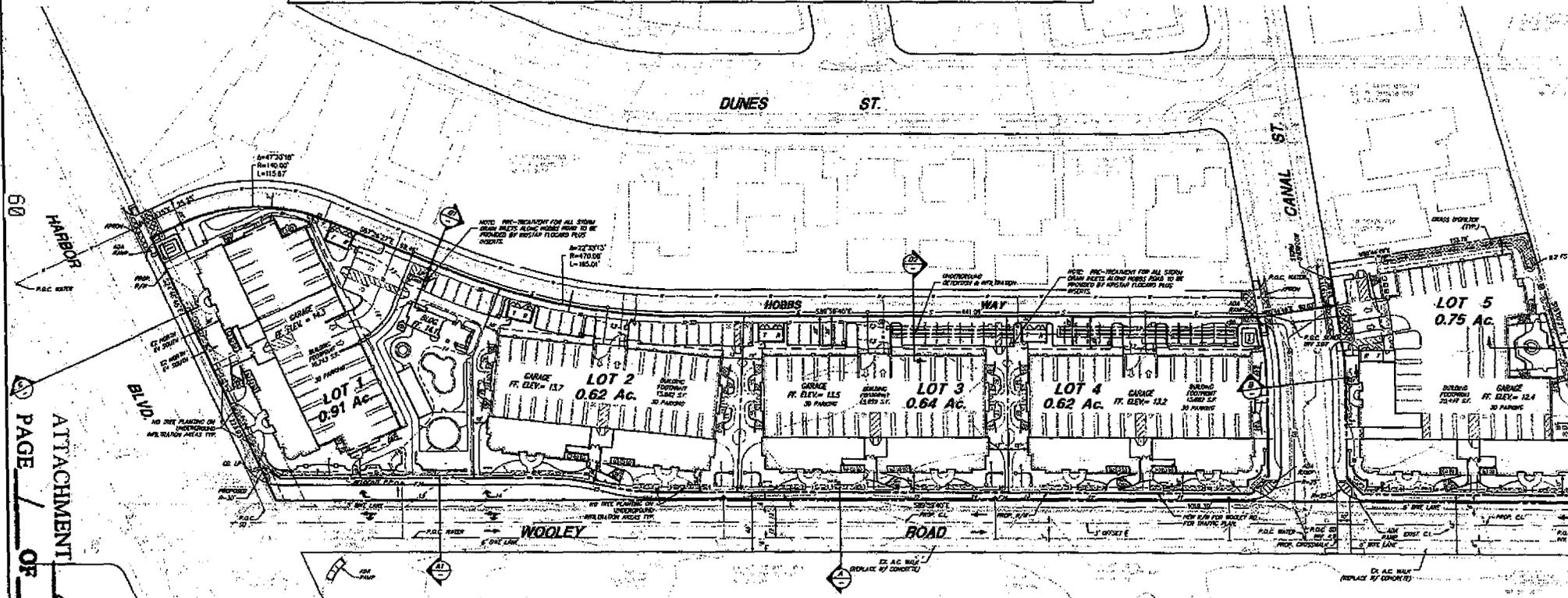
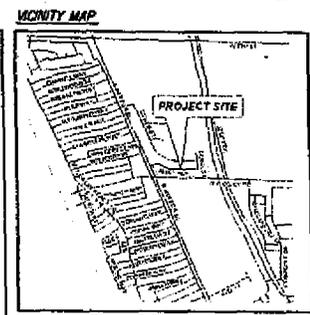
PROPOSED	EXISTING
STORY DRUM	STORY DRUM
CATCH BASIN	WATER
SURFACE DRAIN	SEWER
WATER	GAS
SEWER, SEWER MAINLINE	TELEPHONE
TOP OF SLOPE	OVERHEAD CECG
LINE OF SLOPE	DRAIN LINE FENCE
ROADWAY	WATER MAIN
CONCRETE PAVEMENT	TRUCK PARKING
STREET LIGHT	STREET LIGHT
CONCRETE WALL	CONCRETE WALL
BLOCK WALL	STREET SIGN
CONCRETE WALL	UTILITY HOLES
FENCE	
STREET LIGHT	
FIRE HOSEWAY	
ACCESS	
GRASS BROWLINE	
UNDERGROUND AND PAVEMENT AREAS	
DO NOT PLANTING ON THIS DRAINAGE AREAS	

SECTIONS



LAND USE DATA

TOTAL PROJECT AREA:	1.36 AC.
RESIDENTIAL TOWNHOUSE UNITS:	70 UNITS
PROJECT DENSITY:	70.0 UNITS / AC.
WOOLEY ROAD DEDICATION:	< 6.00' <=
CANAL STREET DEDICATION:	< 6.00' <=
A. AREA - LOTS 1	
LOT 1:	0.91 AC.
LOT 2:	0.62 AC.
LOT 3:	0.64 AC.
LOT 4:	0.62 AC.
B. AREA - LOTS 5	
LOT 5:	0.75 AC.
TOTAL NET AREA	
	3.54 AC.
C. AREA DATA	
BLDG. COVERAGE:	0.8223 AC. = 33.8% OF SITE
LANDSCAPE PLANTING & BUFFERING:	0.4348 AC. = 15.4% OF SITE
D. PARKING	
NECESSARY PARKING REQUIRED:	
3 FOR UNIT @ 61 UNITS =	183 STALLS
1 PER 7.5 UNIT @ 9 UNITS =	120 STALLS
TOTAL NECESSARY PARKING REQUIRED =	303 STALLS
PROVIDED PARKING REQUIRED:	
3/2 PER UNIT FOR RESIDENTIAL UNITS (40) =	60 STALLS
3/2 PER UNIT FOR RESIDENTIAL UNITS (40) =	60 STALLS
TOTAL PROVIDED PARKING REQUIRED =	120 STALLS
ADDITIONAL PARKING PROVIDED:	
STANDARD STALLS =	140 STALLS
ACCESSORY STALLS =	30 STALLS
TOTAL ADDITIONAL PARKING PROVIDED =	170 STALLS
TOTAL PARKING PROVIDED = 290 STALLS	



ATTACHMENT
 PAGE 1 OF 2

UTILITIES

CONTRACTOR:	GAC
CITY OF ANACAPA:	JOHNSON CALIF. GAS CO.
STATE OF CALIFORNIA:	LOS ANGELES GAS CO.
COUNTY OF SANTA BARBARA:	SANTA BARBARA GAS CO.
CONTRACTOR:	WATERWORKS
CITY OF ANACAPA:	WATERWORKS
STATE OF CALIFORNIA:	WATERWORKS
COUNTY OF SANTA BARBARA:	WATERWORKS

- NOTES**
- SEE SHEET 2 FOR HOBBES WAY TRANSITION
 - SEE SHEET 2 FOR WOOLEY ROAD TRANSITION

SEE SHEET 2 FOR
WOOLEY ROAD TRANSITION

REVISION	DATE	BY	DESCRIPTION

**ANACAPA TOWNHOMES
TENTATIVE TRACT No. 5843
FOR CONDOMINIUM PURPOSE**

EASEMENT SCHEDULE

ANY LAND ADJACENT HERETO SHALL BE OPEN AND AVAILABLE TO THE PUBLIC FOR THE PURPOSES OF THE CITY OF ANACAPA AND THE COUNTY OF SANTA BARBARA.

TOPOGRAPHIC REFERENCE

CALIFORNIA MAPPING
DATE: 6-14-2010



JENSEN ENGINEERING
1602 GARDEN STREET
VENTURA, CALIF. 93003
TEL: 805/634-0979
FAX: 805/634-0979
SCALE: 1"=30'

CITY OF ANACAPA COUNTY OF SANTA BARBARA STATE OF CALIFORNIA

DEED: 001-1-2010

DATE: APR 24, 2010

CITY COUNCIL OF THE CITY OF OXNARD

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD APPROVING PLANNING AND ZONING PERMIT NO. 09-300-01 (TENTATIVE SUBDIVISION MAP) FOR TRACT NO. 5843, TO SUBDIVIDE A 3.9 ACRE PROPERTY INTO FIVE PARCELS AND 70 AIR-RIGHTS CONDOMINIUM DWELLING UNITS, LOCATED AT THE NORTHEAST CORNER OF HARBOR BOULEVARD AND WOOLEY ROAD (APN 196-0-033-295), SUBJECT TO CERTAIN FINDINGS AND CONDITIONS. FILED BY OXNARD SHORES COMPANY LLC, 1015 SOUTH HARBOR BOULEVARD, OXNARD, CA 93035.

WHEREAS, City Council has carefully reviewed Planning Commission Resolution No. 2010-16 recommending approval of Planning and Zoning Permit No. 09-300-01 for Tentative Tract Map No. 5843, for a 3.9-acre property located at the northeast corner of Harbor Boulevard and Wooley Road, filed by Oxnard Shores Company LLC; and

WHEREAS, in accordance with the California Environmental Quality Act, the Planning Manager provided public notice of the intent of the City to adopt a mitigated negative declaration for this project, and the City Council considered the mitigated negative declaration adopted by the Planning Commission, together with any comments received during the public review process, finds on the basis of the whole record before it (including the initial study and any comments received) that with the imposition of mitigation measures as conditions of approval, there is no substantial evidence that the project will have a significant effect on the environment, further finds that the project requires no further environmental review and further finds that the mitigated negative declaration reflects the independent judgment of the City; and

WHEREAS, the documents and other materials that constitute the record of proceedings upon which the decision to adopt the mitigated negative declaration is based is located in the Planning and Environmental Services Division of the City of Oxnard, and the custodian of the record is the Planning Manager; and

WHEREAS, the Planning Commission adopted Resolution No. 2010-16, approving and adopting Mitigated Negative Declaration No. 09-03 and the program of monitoring or reporting for the changes to the project made conditions of approval in order to mitigate or avoid significant effects on the environment, on file in the Planning Division, and the City Council considered the mitigated negative declaration as adopted by the Planning Commission; and

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

WHEREAS, the City Council finds that the Tentative Map, the proposed site, and the design and improvement of the development requested are consistent with the General Plan; and

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

WHEREAS, the City Council finds that the proposed division of land complies with the requirements established by the Subdivision Map Act and Chapter 15 of the Oxnard City Code, including but not limited to requirements as to area, improvement and design, floodwater drainage control, appropriate improved public roads, sanitary disposal facilities, water supply availability and environmental protection; and

WHEREAS, the City Council 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, the City Council of the City of Oxnard resolves that Tentative Subdivision Map for Tract No. 5843 is hereby approved, subject to the conditions set forth in Planning Commission Resolution No. 2010-16, and the following Development Services special conditions.

1. Developer shall design and construct interim Wooley Road improvements to accommodate a 12-foot driving lane in each direction, a 12-foot wide painted center median with left-turn lanes at Canal Street and Harbor Boulevard, an 8-foot wide bike lane in each direction, and a 7-foot wide sidewalk on both sides of the street, for a total improvement width of 66 feet along the entire project frontage except as modified by these conditions. The improvements within 200 feet of the easterly leg of the Wooley Road/Harbor Boulevard intersection shall be designed to accommodate a 12-foot driving lane in each direction, a 12-foot wide westbound left turn lane, a 5-foot wide westbound through bicycle lane, an 8-foot wide eastbound bicycle lane and 7-foot wide sidewalks on both sides of the street. Improvements between the Edison Canal Bridge and the project frontage shall be improved as required to provide standard traffic and bicycle lane transitions. (TR)
2. Between Canal Street and the Edison Canal Bridge, Developer shall provide a painted island separating opposing traffic that flairs from the existing centerline near the bridge to 12 feet wide at a point 50 feet easterly of the centerline of Canal Street. Travel lanes between Canal Street and the bridge shall be 12 feet wide with appropriate bicycle lane transitions to existing widths. The northerly bicycle lane striping shall conform to MUTCD standards with dashed striping for right-turns into Canal Street beginning 100 feet east of Canal Street. The east leg of the Canal Street/Wooley Road intersection shall include a 10 foot wide white ladder style cross-walk. Developer shall also construct a raised concrete median (area of pedestrian refuge) on both sides of the striped crosswalk.

Flashing yellow beacons (and/or in-pavement lighting if determined appropriate by the City Traffic Engineer) for the crosswalk shall be incorporated into the design. Final design of roadway improvements, including temporary transitions, shall be subject to approval of the City Traffic Engineer. Only those Wooley Road traffic improvements that are permanent and are determined will remain in place when Wooley is widened to its ultimate width are eligible for reimbursement under the City's Traffic Master Plan reimbursement program. (TR)

3. Developer shall relocate traffic signal poles, adjust intersection striping, and modify existing signal equipment at the intersection of Harbor Boulevard and Wooley Road to accommodate required street improvements. Signal Poles and equipment must be placed in their ultimate location to be reimbursable under the City's Traffic Master Plan reimbursement program. (TR)
4. The Developer shall eliminate the need for a 2 foot wide sidewalk and utility easement along the northerly Wooley Road right-of-way by adjusting the back-of-sidewalk approximately two (2) feet southerly to align with the proposed northerly six-foot right-of-way dedication along the property frontage. This adjustment shall not be interpreted to modify the width requirements specified elsewhere in these conditions. (TR)
5. The Developer shall acquire, and dedicate to the City, all additional right-of-way required to encompass the construction of Wooley Road required by these conditions. (TR)

PASSED AND ADOPTED this 26th day of October, 2010, by the following vote:

AYES:

NOES:

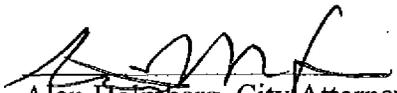
ABSENT:

Dr. Thomas E. Holden, Mayor

ATTEST:

Daniel Martinez, City Clerk

APPROVED AS TO FORM:


Alan Holmberg, City Attorney

CITY COUNCIL OF THE CITY OF OXNARD

RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD UPHOLDING THE PLANNING COMMISSION'S APPROVAL OF PLANNING AND ZONING PERMIT NO. 08-400-04 (COASTAL DEVELOPMENT PERMIT) TO ALLOW DEVELOPMENT OF 70 RESIDENTIAL CONDOMINIUM UNITS WITHIN FIVE BUILDINGS AND ASSOCIATED INFRASTRUCTURE INCLUDING STREETS, SIDEWALKS, UTILITIES AND LANDSCAPING ON A VACANT 3.9 ACRE PROPERTY LOCATED AT THE NORTHEAST CORNER OF HARBOR BOULEVARD AND WOOLEY ROAD (APN 196-0-033-295), SUBJECT TO CERTAIN FINDINGS AND CONDITIONS. FILED BY OXNARD SHORES COMPANY LLC, 1015 SOUTH HARBOR BLVD., OXNARD, CA 93035.

WHEREAS, on August 5, 2010, the Planning Commission adopted Resolution No. 2010-15 approving Planning and Zoning Permit No. 08-400-04 to allow the development of 70 residential condominium dwelling units located at the northeast corner of Harbor Boulevard and Wooley Road, filed by Oxnard Shores Company LLC, in accordance with Section 17-57 *et seq.* of the Oxnard City Code; and

WHEREAS, the City Council has considered the appeal of the Planning Commission's decision filed by the Planning and Environmental Services Division, and carefully reviewed the decision of the Planning Commission; and

WHEREAS, the City Council has conducted a hearing and received evidence in favor of and opposed to the application for a Planning and Zoning Permit No. PZ 08-400-04; and

WHEREAS, in accordance with the California Environmental Quality Act, the Planning Manager provided public notice of the intent of the City to adopt a mitigated negative declaration for this project, and the City Council considered the mitigated negative declaration adopted by the Planning Commission, together with any comments received during the public review process, finds on the basis of the whole record before it (including the initial study and any comments received) that with the imposition of mitigation measures as conditions of approval, there is no substantial evidence that the project will have a significant effect on the environment, further finds that the project requires no further environmental review and further finds that the mitigated negative declaration reflects the independent judgment of the City; and

WHEREAS, the documents and other materials that constitute the record of proceedings upon which the decision to adopt the mitigated negative declaration is based is located in the Planning and Environmental Services Division of the City of Oxnard, and the custodian of the record is the Planning Manager; and

WHEREAS, the Planning Commission adopted Resolution No. 2010-15, approving and adopting Mitigated Negative Declaration No. 09-03 and the program of monitoring or reporting for the changes to the project made conditions of approval in order to mitigate or avoid significant effects on the environment, on file in the Planning and Environmental Services Division, and the City Council considered the mitigated negative declaration as adopted by the Planning Commission.

NOW, THEREFORE, the City Council of the City of Oxnard resolves that the Planning Commission's approval of Planning and Zoning Permit No. PZ 08-400-04 is upheld, subject to the conditions set forth in Planning Commission Resolution No. 2010-15, and the following Development Services special conditions.

1. Developer shall design and construct interim Wooley Road improvements to accommodate a 12-foot driving lane in each direction, a 12-foot wide painted center median with left-turn lanes at Canal Street and Harbor Boulevard, an 8-foot wide bike lane in each direction, and a 7-foot wide sidewalk on both sides of the street, for a total improvement width of 66 feet along the entire project frontage except as modified by these conditions. The improvements within 200 feet of the easterly leg of the Wooley Road/Harbor Boulevard intersection shall be designed to accommodate a 12-foot driving lane in each direction, a 12-foot wide westbound left turn lane, a 5-foot wide westbound through bicycle lane, an 8-foot wide eastbound bicycle lane and 7-foot wide sidewalks on both sides of the street. Improvements between the Edison Canal Bridge and the project frontage shall be improved as required to provide standard traffic and bicycle lane transitions. (TR)
2. Between Canal Street and the Edison Canal Bridge, Developer shall provide a painted island separating opposing traffic that flairs from the existing centerline near the bridge to 12 feet wide at a point 50 feet easterly of the centerline of Canal Street. Travel lanes between Canal Street and the bridge shall be 12 feet wide with appropriate bicycle lane transitions to existing widths. The northerly bicycle lane striping shall conform to MUTCD standards with dashed striping for right-turns into Canal Street beginning 100 feet east of Canal Street. The east leg of the Canal Street/Wooley Road intersection shall include a 10 foot wide white ladder style cross-walk. Developer shall also construct a raised concrete median (area of pedestrian refuge) on both sides of the striped crosswalk. Flashing yellow beacons (and/or in-pavement lighting if determined appropriate by the City Traffic Engineer) for the crosswalk shall be incorporated into the design. Final design of roadway improvements, including temporary transitions, shall be subject to approval of the City Traffic Engineer. Only those Wooley Road traffic improvements that are permanent and are determined will remain in place when Wooley is widened to its ultimate width are eligible for reimbursement under the City's Traffic Master Plan reimbursement program. (TR)
3. Developer shall relocate traffic signal poles, adjust intersection striping, and modify existing signal equipment at the intersection of Harbor Boulevard and Wooley Road to accommodate required street improvements. Signal Poles and equipment must be placed

in their ultimate location to be reimbursable under the City's Traffic Master Plan reimbursement program. (TR)

4. The Developer shall eliminate the need for a 2 foot wide sidewalk and utility easement along the northerly Wooley Road right-of-way by adjusting the back-of-sidewalk approximately two (2) feet southerly to align with the proposed northerly six-foot right-of-way dedication along the property frontage. This adjustment shall not be interpreted to modify the width requirements specified elsewhere in these conditions. (TR)
5. The Developer shall acquire, and dedicate to the City, all additional right-of-way required to encompass the construction of Wooley Road required by these conditions. (TR)

PASSED AND ADOPTED this 26th of October 2010, 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

CITY COUNCIL OF THE CITY OF OXNARD

RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD UPHOLDING THE PLANNING COMMISSION'S APPROVAL OF PLANNING AND ZONING PERMIT NO. 09-590-01 (COASTAL ZONE VARIANCE) TO ALLOW CONSTRUCTION OF 70 RESIDENTIAL CONDOMINIUM UNITS WITHIN FIVE BUILDINGS WITH A REDUCTION IN THE SPECIFIED AREAS OF THE REQUIRED FRONT, SIDE AND REAR YARD SETBACKS, LOCATED AT THE NORTHEAST CORNER OF HARBOR BOULEVARD AND WOOLEY ROAD (APN 196-0-033-295), SUBJECT TO CERTAIN FINDINGS AND CONDITIONS. FILED BY OXNARD SHORES COMPANY LLC, 1015 SOUTH HARBOR BOULEVARD, OXNARD, CA 93035.

WHEREAS, on August 5, 2010, the Planning Commission adopted Resolution No. 2010-17 approving Planning and Zoning Permit No. 09-590-01 to allow the development of 70 residential condominium dwelling units with specified encroachments into the required front, side and rear setbacks, located at the northeast corner of Harbor Boulevard and Wooley Road, filed by Oxnard Shores Company LLC, in accordance with Sections 17-57 through 17-58 and Sections 16-530 through 16-553 of the Oxnard City Code; and

WHEREAS, the City Council has considered the appeal of the Planning Commission's decision filed by the Planning and Environmental Services Division, and carefully reviewed the decision of the Planning Commission; and

WHEREAS, the City Council has conducted a hearing and received evidence in favor of and opposed to the application for a Planning and Zoning Permit No. PZ 09-590-01; and

WHEREAS, in accordance with the California Environmental Quality Act, the Planning Manager provided public notice of the intent of the City to adopt a mitigated negative declaration for this project, and the City Council considered the mitigated negative declaration adopted by the Planning Commission, together with any comments received during the public review process, finds on the basis of the whole record before it (including the initial study and any comments received) that with the imposition of mitigation measures as conditions of approval, there is no substantial evidence that the project will have a significant effect on the environment, further finds that the project requires no further environmental review and further finds that the mitigated negative declaration reflects the independent judgment of the City; and

WHEREAS, the documents and other materials that constitute the record of proceedings upon which the decision to adopt the mitigated negative declaration is based is located in the Planning and Environmental Services Division of the City of Oxnard, and the custodian of the record is the Planning Manager; and

MINUTES

OXNARD PLANNING COMMISSION
REGULAR MEETING
AUGUST 5, 2010

A. ROLL CALL

At 7:02 p.m., the regular meeting of the Oxnard Planning Commission convened in the Council Chambers. Commissioners Sonny Okada, Patrick Mullin, Deirdre Frank, Chairman Randall Elliott, and Dale Dean were present. Chairman Elliott presided and called the meeting to order. Staff members present were: Chris Williamson, Principal Planner, Paul Wendt, Senior Civil Engineer; Jason Samonte, Traffic Engineer; Stephen Fischer, Assistant City Attorney; Doug Spondello, Assistant Planner; Linda Windsor, Associate Planner; Brian Foote, Associate Planner, and Lori Maxfield, Recording Secretary.

B. PUBLIC COMMENTS

C. READING OF AGENDA

Principal Planner Williamson reviewed the agenda, and stated that under Planning Manager Comments, he would give a status on the 2030 General Plan and Housing Element.

D. CONSENT AGENDA

1. APPROVAL OF MINUTES -- July 1, 2010

MOTION Commissioner Dean moved and Commissioner Okada seconded a motion to approve the minutes of July 1, 2010 as presented. The question was called and the motion carried 4-0-1-1, Commissioner Elliott abstaining, and Commissioner Medina absent.

E. CONTINUED PUBLIC HEARINGS

F. NEW PUBLIC HEARINGS

1. PLANNING AND ZONING PERMIT NO. 10-520-01 (Minor Special Use Permit) a request to permit the operation of a church (Life of Victory Worship Center), within an existing 3,328 square foot industrial suite. The project is located at 2041 Cabot Place, Unit B and includes a request for administrative relief to provide shared on-site parking. The proposed project is exempt from environmental review under Section 15301 of the CEQA Guidelines. Filed by Designated Agent Elizabeth Callahan, 400 Esplanade Drive, Suite 301, Oxnard, CA 93036.
PROJECT PLANNER: Doug Spondello

Assistant Planner Spondello presented the staff report including surrounding uses; requested parking relief; parking agreement; and hours of operation. He also displayed the location and zoning maps; aerial view; site and floor plans; and site photos.

Principal Planner Williamson explained that the permit would not be approved unless the applicant could provide adequate parking.

Chairman Elliott opened the public testimony.

Applicant was not present.

Mr. Morey Navarro, property owner across the street from the site, spoke in opposition due to inadequate parking, as the neighboring businesses remain open during the evening; there are only 65 total parking spaces for 12 units; and any future tenants would have no parking.

Chairman Elliott closed the public testimony.

Planning Commission discussed concerns over parking shortage related to businesses remaining open at night; no street parking; not the right location for a church; a surrogate business would occupy space intended for industrial purposes, which may create a conflict with current and future tenants.

MOTION Commissioner Frank moved and Commissioner Mullin seconded a motion to adopt a resolution denying PZ 10-520-01, and directed staff to return with a resolution with findings for denial. The question was called and the motion carried 4-1-1, Commissioner Okada voting no, and Commissioner Medina absent.

2. PLANNING AND ZONING PERMIT NO. 10-510-5, a request to permit the sale of beer and wine for off-site consumption to registered hotel guests from the hotel's "Suite Shop," and to permit sale and service of beer and wine for on-site consumption to registered overnight hotel guests and their invitees, during the hotel's complimentary "happy hour" within the existing Homewood Suites Hotel, located at 1950 Solar Drive. The proposed project is exempt from environmental review under Section 15301 of the CEQA Guidelines for Existing Facilities. Filed by Mian Extended Stay, Inc., 1106 N. Highway 360, Suite 400, Grand Prairie, Texas 75050.
PROJECT PLANNER: Linda Windsor

Associate Planner Windsor presented the staff report surrounding uses; Police report; hotel not currently serving alcohol; limitation on number of drinks to be served; and alcohol may only be purchased by registered guests. She also displayed the location map and aerial and site photos.

Senior Officer Daniel Schrubbs, beat coordinator, indicated that there had not been any problems with the adjacent hotel selling alcohol in a similar situation.

Chairman Elliott opened the public testimony. No comments were received, and the public testimony was closed.

Planning Commission asked for clarification on how the system of complimentary "happy hour" works with regard to monitoring the number of drinks served.

Applicant was not present.

MOTION Commissioner Frank moved and Commissioner Okada seconded a motion to continue PZ 10-510-05 to August 19, 2010. The question was called and the motion carried 5-0-1, Commissioner Medina absent.

3. PLANNING AND ZONING PERMIT NO. 10-510-08 (Special Use Permit - Alcohol) a request for a Special Use Permit to allow sale of beer, wine and spirits within a full-service restaurant to be operated by Buffalo Wild Wings, located at 1600 E. Gonzales Road at the southwest corner of Rose Avenue and East Gonzales Road, in the Rose Ranch Shopping Center, within the Northeast Community Specific Plan Area. The project is exempt from environmental review under Section 15301 of the CEQA Guidelines. Filed by Brian Engle, Lingle Design Group, Inc. 158 W. Main Street, Lena, IL 61048, on behalf of Buffalo Wild Wings Restaurant.
PROJECT PLANNER: Linda Windsor

Associate Planner Windsor presented the staff report including surrounding uses; outdoor dining; building approved through a minor modification of the center; Police concerned that no barrier exists between properties; fence provided on patio as a barrier to prevent passing of alcohol; no live entertainment on patio; and Police condition No. 17 revised to read: "Employees shall not be allowed to consume alcoholic beverages at any time during their shift. Employees shall not report to work with evidence of having consumed any intoxicants such as alcohol, illegal drugs or controlled substances."

Chairman Elliott opened the public testimony.

Mr. Ed Keegan, regional construction manager for Buffalo Wild Wings, gave a brief presentation including a description of the business; company was just beginning in California; dividing wall with a children's side; management attuned to use and sales of alcohol; agreed to all conditions; will employ 75 people; and described the layout of patio.

Chairman Elliott closed the public testimony.

MOTION Commissioner Okada moved and Commissioner Frank seconded a motion to adopt a resolution granting PZ 10-510-08, a Special Use Permit to allow beer, wine, and spirits sales for on-site consumption with a 6,700 square foot restaurant (Buffalo Wild Wings Grill & Bar), located at 1600 East Gonzales Road, subject to certain findings and conditions. The question was called and the motion carried 5-0-1, Commissioner Medina absent.

4. PLANNING AND ZONING PERMIT NO. 08-400-04 (Coastal Development Permit), 09-300-01 (Tentative Subdivision Map) and 09-590-01 (Coastal Zone Variance), a request for approval of a Tentative Tract Map to create five parcels and subdivide for 70 air-rights condominium units; a Coastal Development Permit to construct five, multifamily, three-story structures with a total of 70 condominium dwelling units, parking garages, and pool and recreation amenities; and a Coastal Zone Variance to modify the front, side, and rear yard setbacks to permit architectural projections. The project site is a vacant 4-acre property located at the northeast corner of Harbor Boulevard and Wooley Road. In accordance with the California Environmental Quality Act (CEQA) Guidelines, a Mitigated Negative Declaration is proposed for this project. This project, if approved by the Planning Commission and City Council, would be appealable to the California Coastal Commission

per Section 17-58(K) of the Oxnard City Code. Filed by Mike Marlow, Oxnard Shores Co., LLC, 1015 S. Harbor Blvd., Oxnard, CA 93035.
PROJECT PLANNER: Brian Foote

Associate Planner Foote presented the staff report including surrounding uses; architecture; site currently vacant, and subject to 1988 development agreement that allows up to 70 dwelling units, and would expire 2015 or at time of development; City Council changed zoning to higher density; no potentially significant impacts were identified in the Mitigated Negative Declaration; and variance request were related to the setbacks. He also displayed the location, zoning, and tentative maps; aerial photo; site plan; elevations; interior open spaces; and floor plan.

Mr. Pete Weeger, representing Oxnard Shores Company, gave a brief presentation including surrounding uses; architecture; density; amenities; building types; parking; windows; lighting; stormwater runoff system; catch basin filtration; landscaping; and resource conservation elements. He also displayed the site plan; aerial photo of the neighborhood; and a video prospectus of the project.

Traffic Engineer Samonte indicated that he would look into both extending the deceleration lane on Wooley Road, and installing a traffic light at the intersection of Canal Street and Harbor Boulevard at Wooley Road.

Chairman Elliott opened the public testimony.

RECESS Chairman Elliott called a recess at 8:42 p.m. The meeting reconvened at 8:50 p.m. with all Commissioners present, except Commissioner Medina.

Ms. Cindy Eaves, spoke in opposition due to building height; traffic study was done prior to Seabridge and Westport developments; road should be widened; and shortage of visitor parking.

Mr. James Burke expressed concern regarding traffic issues; no walkways; noise created by construction occurring on weekends and early mornings; who would pay for damage done to neighboring homes created by dirt and dust during construction; and number of cars per residence should be regulated.

Mr. Greg Kenney, Chairman of the Oxnard Dunes Neighborhood, spoke in favor of the project, but was concerned about traffic safety; bike lane and traffic signal should be added on Wooley Road.

Ms. Maree Penhart stated her concerns regarding noise from the project and building height.

Ms. Gerry Moreno spoke in favor of the project, but was concerned about parking at the site, traffic on Wooley Road, and recommended a flashing light at Wooley Road and Canal Street.

Chairman Elliott closed the public testimony.

Planning Commission discussed the view from Hobbs Way; architecture; interior open space; conservation efforts; floor plans; elevations; traffic; future elementary school at Tradewinds Drive; bike safety; commended the public for attending community meetings on the project, and the

developer for listening to the public's concerns; and encouraged the City and developer to start addressing traffic and safety issues.

Principal Planner Williamson explained that during the General Plan process, noise studies were done around the City, and the corner of Wooley Road and Victoria Avenue already exceeded the City's standards of 65 decibels. Decksider Homes on the southeast corner were built without sound walls, so residents were already impacted by exceeded noise levels. The homeowner's association wrote to the City that they wanted to be advised of all projects that contribute traffic to Wooley Road and Victoria Avenue. The estimate from the homeowners' association to build a sound wall is \$100,000. The contribution of this project is approximately five percent of the \$100,000. So, it's a way to mitigate the noise impact because it's already a significant impact.

MOTION Commissioner Mullin moved and Commissioner Okada seconded a motion to adopt a resolution granting PZ 08-400-4 (Coastal Development Permit), to allow development of 70 attached condominium units within five buildings and associated infrastructure including streets, sidewalks, utilities, and landscaping on five proposed lots; a resolution granting PZ 09-590-01 (Coastal Zone Variance) to allow a reduction in the specified areas of the required front, side, and rear yard setbacks; and adopt a resolution recommending City Council approval of PZ 09-300-1 (Tentative Subdivision Map), to allow subdivision of approximately 3.9 acres of vacant land, located at the northeast corner of Harbor Boulevard and Wooley Road, subject to certain findings and conditions.. The question was called and the motion carried 5-0-1, Commissioner Medina absent.

G. PLANNING COMMISSION BUSINESS

H. PLANNING MANAGER COMMENTS

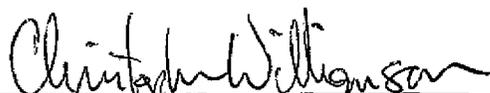
Principal Planner Williamson discussed the status of the 2030 General Plan; Housing Element; and peaker plant. He indicated the last workshop on the General Plan would be held in September, regarding the Del Norte Extension and Jones Ranch; then it would go back to City Council. The Housing Element would be presented to the Planning Commission on August 19, 2010 with comments to be taken; then it would return to Planning Commission in September for recommended approval. The Superior Court ruled that the zoning allowed Southern California Edison to construct the peaker plant; and the City would decide by late September whether to appeal to decision.

I. ADJOURNMENT

At 9:26 p.m., the Planning Commission concurred to adjourn.



Randall Elliott, Chairman

ATTEST: 
Christopher Williamson, Secretary



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October 18, 2010

TO: City Council

FROM: Brian Foote, AICP, Associate Planner *B. Foote*
Sue Martin, AICP, Planning Manager

SUBJECT: Anacapa Townhomes Project – Additional Traffic Conditions
(PZ Nos. 08-400-04, 09-300-01, 09-590-01)

Based on the concerns raised in the Council meeting on September 28, 2010, the following conditions of approval are proposed to be included in the resolutions for the Coastal Development Permit and Tentative Subdivision Map.

1. Developer shall design and construct interim Wooley Road improvements to accommodate a 12-foot driving lane in each direction, a 12-foot wide painted center median with left-turn lanes at Canal Street and Harbor Boulevard, an 8-foot wide bike lane in each direction, and a 7-foot wide sidewalk on both sides of the street, for a total improvement width of 66 feet along the entire project frontage except as modified by these conditions. The improvements within 200 feet of the easterly leg of the Wooley Road/Harbor Boulevard intersection shall be designed to accommodate a 12-foot driving lane in each direction, a 12-foot wide westbound left turn lane, a 5-foot wide westbound through bicycle lane, an 8-foot wide eastbound bicycle lane and 7-foot wide sidewalks on both sides of the street. Improvements between the Edison Canal Bridge and the project frontage shall be improved as required to provide standard traffic and bicycle lane transitions. (TR)
2. Between Canal Street and the Edison Canal Bridge, Developer shall provide a painted island separating opposing traffic that flairs from the existing centerline near the bridge to 12 feet wide at a point 50 feet easterly of the centerline of Canal Street. Travel lanes between Canal Street and the bridge shall be 12 feet wide with appropriate bicycle lane transitions to existing widths. The northerly bicycle lane striping shall conform to MUTCD standards with dashed striping for right-turns into Canal Street beginning 100 feet east of Canal Street. The east leg of the Canal Street/Wooley Road intersection shall include a 10 foot wide

white ladder style cross-walk. Developer shall also construct a raised concrete median (area of pedestrian refuge) on both sides of the striped crosswalk. Flashing yellow beacons (and/or in-pavement lighting if determined appropriate by the City Traffic Engineer) for the crosswalk shall be incorporated into the design. Final design of roadway improvements, including temporary transitions, shall be subject to approval of the City Traffic Engineer. Only those Wooley Road traffic improvements that are permanent and are determined will remain in place when Wooley is widened to its ultimate width are eligible for reimbursement under the City's Traffic Master Plan reimbursement program. (TR)

3. Developer shall relocate traffic signal poles, adjust intersection striping, and modify existing signal equipment at the intersection of Harbor Boulevard and Wooley Road to accommodate required street improvements. Signal Poles and equipment must be placed in their ultimate location to be reimbursable under the City's Traffic Master Plan reimbursement program. (TR)
4. The Developer shall eliminate the need for a 2 foot wide sidewalk and utility easement along the northerly Wooley Road right-of-way by adjusting the back-of-sidewalk approximately two (2) feet southerly to align with the proposed northerly six-foot right-of-way dedication along the property frontage. This adjustment shall not be interpreted to modify the width requirements specified elsewhere in these conditions. (TR)
5. The Developer shall acquire, and dedicate to the City, all additional right-of-way required to encompass the construction of Wooley Road required by these conditions. (TR)

CITY COUNCIL OF THE CITY OF OXNARD

RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD UPHOLDING THE PLANNING COMMISSION'S APPROVAL OF PLANNING AND ZONING PERMIT NO. 08-400-04 (COASTAL DEVELOPMENT PERMIT) TO ALLOW DEVELOPMENT OF 70 RESIDENTIAL CONDOMINIUM UNITS WITHIN FIVE BUILDINGS AND ASSOCIATED INFRASTRUCTURE INCLUDING STREETS, SIDEWALKS, UTILITIES AND LANDSCAPING ON A VACANT 3.9 ACRE PROPERTY LOCATED AT THE NORTHEAST CORNER OF HARBOR BOULEVARD AND WOOLEY ROAD (APN 196-0-033-295), SUBJECT TO CERTAIN FINDINGS AND CONDITIONS. FILED BY OXNARD SHORES COMPANY LLC, 1015 SOUTH HARBOR BLVD., OXNARD, CA 93035.

WHEREAS, on August 5, 2010, the Planning Commission adopted Resolution No. 2010-15 approving Planning and Zoning Permit No. 08-400-04 to allow the development of 70 residential condominium dwelling units located at the northeast corner of Harbor Boulevard and Wooley Road, filed by Oxnard Shores Company LLC, in accordance with Section 17-57 *et seq.* of the Oxnard City Code; and

WHEREAS, the City Council has considered the appeal of the Planning Commission's decision filed by the Planning and Environmental Services Division, and carefully reviewed the decision of the Planning Commission; and

WHEREAS, the City Council has conducted a hearing and received evidence in favor of and opposed to the application for a Planning and Zoning Permit No. PZ 08-400-04; and

WHEREAS, in accordance with the California Environmental Quality Act, the Planning Manager provided public notice of the intent of the City to adopt a mitigated negative declaration for this project, and the City Council considered the mitigated negative declaration adopted by the Planning Commission, together with any comments received during the public review process, finds on the basis of the whole record before it (including the initial study and any comments received) that with the imposition of mitigation measures as conditions of approval, there is no substantial evidence that the project will have a significant effect on the environment, further finds that the project requires no further environmental review and further finds that the mitigated negative declaration reflects the independent judgment of the City; and

WHEREAS, the documents and other materials that constitute the record of proceedings upon which the decision to adopt the mitigated negative declaration is based is located in the Planning and Environmental Services Division of the City of Oxnard, and the custodian of the record is the Planning Manager; and

WHEREAS, the Planning Commission adopted Resolution No. 2010-15, approving and adopting Mitigated Negative Declaration No. 09-03 and the program of monitoring or reporting for the changes to the project made conditions of approval in order to mitigate or avoid significant effects on the environment, on file in the Planning and Environmental Services Division, and the City Council considered the mitigated negative declaration as adopted by the Planning Commission.

NOW, THEREFORE, the City Council of the City of Oxnard resolves that the Planning Commission's approval of Planning and Zoning Permit No. PZ 08-400-04 is upheld, subject to the conditions set forth in Planning Commission Resolution No. 2010-15, and the following Development Services special conditions.

1. Developer shall design and construct interim Wooley Road improvements to accommodate a 12-foot driving lane in each direction, a 12-foot wide painted center median with left-turn lanes at Canal Street and Harbor Boulevard, an 8-foot wide bike lane in each direction, and a 7-foot wide sidewalk on both sides of the street, for a total improvement width of 66 feet along the entire project frontage except as modified by these conditions. The improvements within 200 feet of the easterly leg of the Wooley Road/Harbor Boulevard intersection shall be designed to accommodate a 12-foot driving lane in each direction, a 12-foot wide westbound left turn lane, a 5-foot wide westbound through bicycle lane, an 8-foot wide eastbound bicycle lane and 7-foot wide sidewalks on both sides of the street. Improvements between the Edison Canal Bridge and the project frontage shall be improved as required to provide standard traffic and bicycle lane transitions. (TR)
2. Between Canal Street and the Edison Canal Bridge, Developer shall provide a painted island separating opposing traffic that flairs from the existing centerline near the bridge to 12 feet wide at a point 50 feet easterly of the centerline of Canal Street. Travel lanes between Canal Street and the bridge shall be 12 feet wide with appropriate bicycle lane transitions to existing widths. The northerly bicycle lane striping shall conform to MUTCD standards with dashed striping for right-turns into Canal Street beginning 100 feet east of Canal Street. The east leg of the Canal Street/Wooley Road intersection shall include a 10 foot wide white ladder style cross-walk. Developer shall also construct a raised concrete median (area of pedestrian refuge) on both sides of the striped crosswalk. Flashing yellow beacons (and/or in-pavement lighting if determined appropriate by the City Traffic Engineer) for the crosswalk shall be incorporated into the design. Final design of roadway improvements, including temporary transitions, shall be subject to approval of the City Traffic Engineer. Only those Wooley Road traffic improvements that are permanent and are determined will remain in place when Wooley is widened to its ultimate width are eligible for reimbursement under the City's Traffic Master Plan reimbursement program. (TR)
3. Developer shall relocate traffic signal poles, adjust intersection striping, and modify existing signal equipment at the intersection of Harbor Boulevard and Wooley Road to accommodate required street improvements. Signal Poles and equipment must be placed

in their ultimate location to be reimbursable under the City's Traffic Master Plan reimbursement program. (TR)

4. The Developer shall eliminate the need for a 2 foot wide sidewalk and utility easement along the northerly Wooley Road right-of-way by adjusting the back-of-sidewalk approximately two (2) feet southerly to align with the proposed northerly six-foot right-of-way dedication along the property frontage. This adjustment shall not be interpreted to modify the width requirements specified elsewhere in these conditions. (TR)
5. The Developer shall acquire, and dedicate to the City, all additional right-of-way required to encompass the construction of Wooley Road required by these conditions. (TR)

PASSED AND ADOPTED this 26th of October 2010, 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

CITY COUNCIL OF THE CITY OF OXNARD

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD APPROVING PLANNING AND ZONING PERMIT NO. 09-300-01 (TENTATIVE SUBDIVISION MAP) FOR TRACT NO. 5843, TO SUBDIVIDE A 3.9 ACRE PROPERTY INTO FIVE PARCELS AND 70 AIR-RIGHTS CONDOMINIUM DWELLING UNITS, LOCATED AT THE NORTHEAST CORNER OF HARBOR BOULEVARD AND WOOLEY ROAD (APN 196-0-033-295), SUBJECT TO CERTAIN FINDINGS AND CONDITIONS. FILED BY OXNARD SHORES COMPANY LLC, 1015 SOUTH HARBOR BOULEVARD, OXNARD, CA 93035.

WHEREAS, City Council has carefully reviewed Planning Commission Resolution No. 2010-16 recommending approval of Planning and Zoning Permit No. 09-300-01 for Tentative Tract Map No. 5843, for a 3.9-acre property located at the northeast corner of Harbor Boulevard and Wooley Road, filed by Oxnard Shores Company LLC; and

WHEREAS, in accordance with the California Environmental Quality Act, the Planning Manager provided public notice of the intent of the City to adopt a mitigated negative declaration for this project, and the City Council considered the mitigated negative declaration adopted by the Planning Commission, together with any comments received during the public review process, finds on the basis of the whole record before it (including the initial study and any comments received) that with the imposition of mitigation measures as conditions of approval, there is no substantial evidence that the project will have a significant effect on the environment, further finds that the project requires no further environmental review and further finds that the mitigated negative declaration reflects the independent judgment of the City; and

WHEREAS, the documents and other materials that constitute the record of proceedings upon which the decision to adopt the mitigated negative declaration is based is located in the Planning and Environmental Services Division of the City of Oxnard, and the custodian of the record is the Planning Manager; and

WHEREAS, the Planning Commission adopted Resolution No. 2010-16, approving and adopting Mitigated Negative Declaration No. 09-03 and the program of monitoring or reporting for the changes to the project made conditions of approval in order to mitigate or avoid significant effects on the environment, on file in the Planning Division, and the City Council considered the mitigated negative declaration as adopted by the Planning Commission; and

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

WHEREAS, the City Council finds that the Tentative Map, the proposed site, and the design and improvement of the development requested are consistent with the General Plan; and

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

WHEREAS, the City Council finds that the proposed division of land complies with the requirements established by the Subdivision Map Act and Chapter 15 of the Oxnard City Code, including but not limited to requirements as to area, improvement and design, floodwater drainage control, appropriate improved public roads, sanitary disposal facilities, water supply availability and environmental protection; and

WHEREAS, the City Council 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, the City Council of the City of Oxnard resolves that Tentative Subdivision Map for Tract No. 5843 is hereby approved, subject to the conditions set forth in Planning Commission Resolution No. 2010-16, and the following Development Services special conditions.

1. Developer shall design and construct interim Wooley Road improvements to accommodate a 12-foot driving lane in each direction, a 12-foot wide painted center median with left-turn lanes at Canal Street and Harbor Boulevard, an 8-foot wide bike lane in each direction, and a 7-foot wide sidewalk on both sides of the street, for a total improvement width of 66 feet along the entire project frontage except as modified by these conditions. The improvements within 200 feet of the easterly leg of the Wooley Road/Harbor Boulevard intersection shall be designed to accommodate a 12-foot driving lane in each direction, a 12-foot wide westbound left turn lane, a 5-foot wide westbound through bicycle lane, an 8-foot wide eastbound bicycle lane and 7-foot wide sidewalks on both sides of the street. Improvements between the Edison Canal Bridge and the project frontage shall be improved as required to provide standard traffic and bicycle lane transitions. (TR)
2. Between Canal Street and the Edison Canal Bridge, Developer shall provide a painted island separating opposing traffic that flairs from the existing centerline near the bridge to 12 feet wide at a point 50 feet easterly of the centerline of Canal Street. Travel lanes between Canal Street and the bridge shall be 12 feet wide with appropriate bicycle lane transitions to existing widths. The northerly bicycle lane striping shall conform to MUTCD standards with dashed striping for right-turns into Canal Street beginning 100 feet east of Canal Street. The east leg of the Canal Street/Wooley Road intersection shall include a 10 foot wide white ladder style cross-walk. Developer shall also construct a raised concrete median (area of pedestrian refuge) on both sides of the striped crosswalk.

Flashing yellow beacons (and/or in-pavement lighting if determined appropriate by the City Traffic Engineer) for the crosswalk shall be incorporated into the design. Final design of roadway improvements, including temporary transitions, shall be subject to approval of the City Traffic Engineer. Only those Wooley Road traffic improvements that are permanent and are determined will remain in place when Wooley is widened to its ultimate width are eligible for reimbursement under the City's Traffic Master Plan reimbursement program. (TR)

3. Developer shall relocate traffic signal poles, adjust intersection striping, and modify existing signal equipment at the intersection of Harbor Boulevard and Wooley Road to accommodate required street improvements. Signal Poles and equipment must be placed in their ultimate location to be reimbursable under the City's Traffic Master Plan reimbursement program. (TR)
4. The Developer shall eliminate the need for a 2 foot wide sidewalk and utility easement along the northerly Wooley Road right-of-way by adjusting the back-of-sidewalk approximately two (2) feet southerly to align with the proposed northerly six-foot right-of-way dedication along the property frontage. This adjustment shall not be interpreted to modify the width requirements specified elsewhere in these conditions. (TR)
5. The Developer shall acquire, and dedicate to the City, all additional right-of-way required to encompass the construction of Wooley Road required by these conditions. (TR)

PASSED AND ADOPTED this 26th day of October, 2010, 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