



Planning Division

**PLANNING COMMISSION
STAFF REPORT**

TO: Planning Commission

FROM: Susan L. Martin, AICP, Planning Manager

DATE: June 17, 2010

SUBJECT: Planning and Zoning Permit No. 10-500-02, (Modification to Use Permit No. 671), Located at 316 South D Street.

- 1) **Recommendation:** That the Planning Commission approve Planning and Zoning Permit No. 10-500-02 for a major modification, subject to certain findings and conditions.

- 2) **Project Description and Applicant:** A request to eliminate Condition No. 17 of Planning Commission Resolution No. 5394, which requires the recordation of a parking covenant for a lot addressed at 316 South D Street to provide off-street parking for uses located at 321 South C Street. The properties are currently owned by the same party. Release of this covenant would allow the owner to sell the properties separately for possible future development. As allowed by the City Code (Section 16-152(G)), the applicant proposes to meet the parking requirements by using on-street and/or public parking facilities. No development is proposed as part of this request. Filed by Mr. Doug Kubiske, 750 South B Street, Oxnard, CA 93030.

- 3) **Existing & Surrounding Land Uses:** The property addressed at 316 South D Street is currently improved as a parking lot with associated landscaping.

LOCATION	ZONING	GENERAL PLAN	EXISTING LAND USE
316 S. D St.	Garden Apartment Residential (R3)	Residential Low (RL)	Public parking
North	Garden Apartment Residential (R3)	Residential Low (RL)	Public parking
South	Garden Apartment Residential (R3)	Residential Low (RL)	Residential apartments
East	Central Business District (CBD)	Central Business District (CBD)	Single story commercial
West	Garden Apartment Residential (R3)	Residential Low (RL)	School

- 4) Background Information:** On July 13, 1976, the City Council granted an appeal of Use Permit No. 671, allowing a surface parking lot at 316 South D Street to support commercial uses at 321 South C Street. On September 1, 1977, the Planning Commission adopted Resolution No. 5394 allowing a time extension of the previous approval. That resolution included the previous conditions of approval, and also added and clarified other concerns pertaining to the parking lot development and use.
- 5) Environmental Determination:** In accordance with Section 15061(b)(3) of the California Environmental Quality Act (CEQA) Guidelines, projects and activities for which “there is no possibility that the activity in question may have a significant impact on the environment” may be found to be exempt from the requirements of CEQA. This proposal involves the removal of a land use covenant and no new development is proposed as part of this request. Therefore, staff has determined that there is no substantial evidence that the project may have a significant effect on the environment and recommends that Planning Commission accept the Notice of Exemption (see Attachment C).
- 6) Analysis:** The parking lot at 316 South D Street provides a total of 14 parking spaces. The covenant ties seven of those spaces to the commercial uses conducted from 321 South C Street. In order to consider this request to remove the condition requiring the covenant, staff required a parking study to demonstrate how parking needs for the 321 South C Street building would be accommodated. City Code Section 16-152(G) allows the Planning Commission to consider the use of on-street/and or public parking facilities to meet the required parking for uses within the Central Business District. The applicant submitted a parking analysis, which finds an excess of available parking opportunities in this area. The City Traffic Engineer has reviewed the study and agrees with the conclusion, supporting removal of the condition requiring the covenant.

The remaining conditions from Planning Commission Resolution No. 5394 address landscaping, striping, lighting, and other standards for the parking lot and will remain in full force and effect. No physical changes at this location are proposed, and any future changes would need to comply with the existing permit conditions. Should future development of the site be considered, such activities would be reviewed in accordance with the City Code at that time.

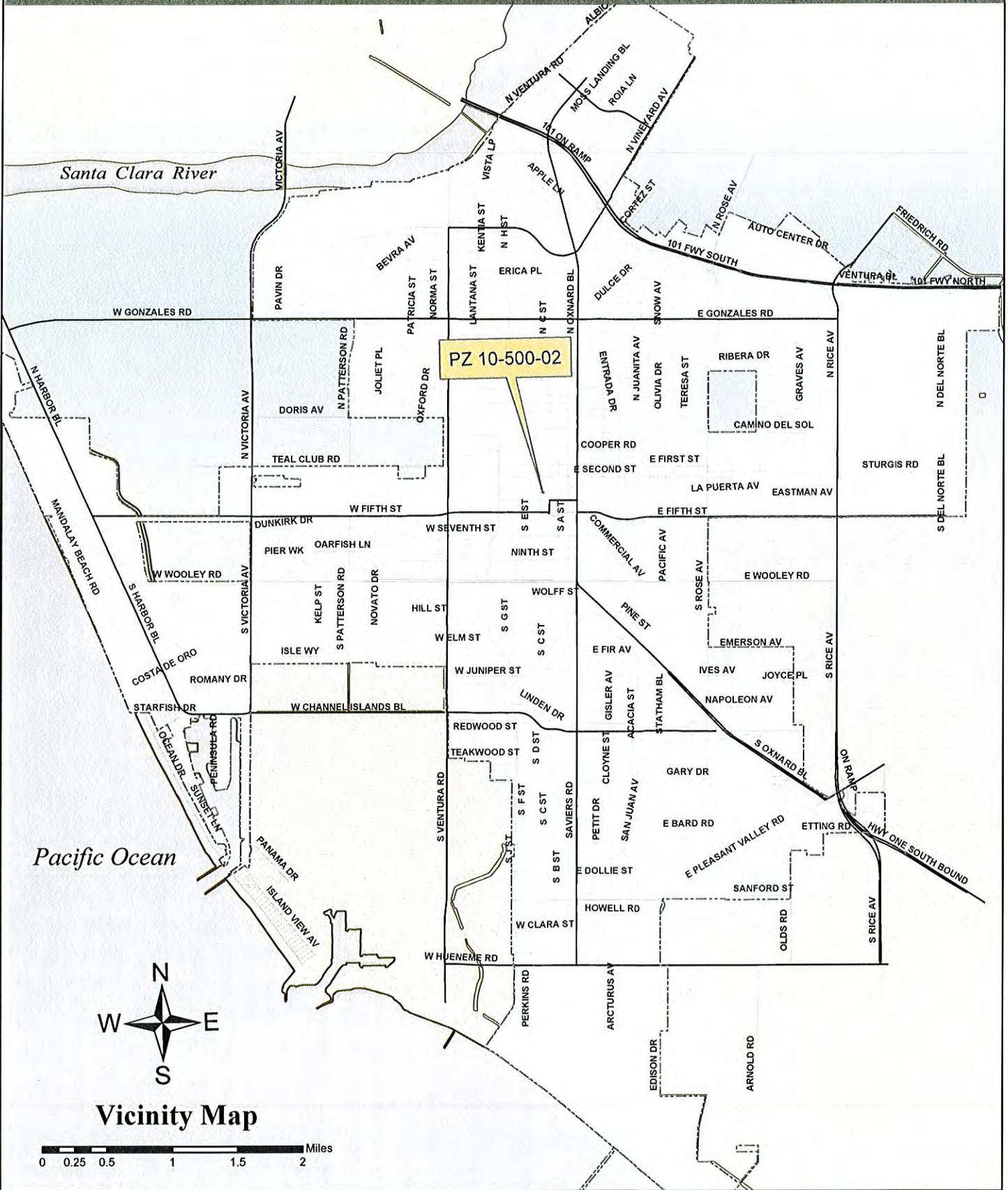
- 7) Appeal Procedure:** In accordance with Section 16-545 of the City Code, the Planning Commission’s action may be appealed to the City Council within 18 days after the decision date. Appeal forms may be obtained from the City Clerk and must be submitted with the appropriate fees before the end of the appeal period.

Attachments:

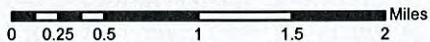
- A. Maps (Vicinity, General Plan, Zoning)
- B. Plot Plan
- C. Notice of Exemption
- D. Parking Analysis
- E. Resolution

Prepared by: <u>SM</u> SM
Approved by: <u>SM</u> SM

Vicinity Map



Vicinity Map



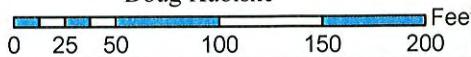
PZ 10-500-02
Location: 316 S D ST
APN: 202008314
Doug Kubiske

ATTACHMENT A
PAGE 1 OF 3

General Plan Map



PZ 10-500-02
Location: 316 S D ST
APN: 202008314
Doug Kubiske

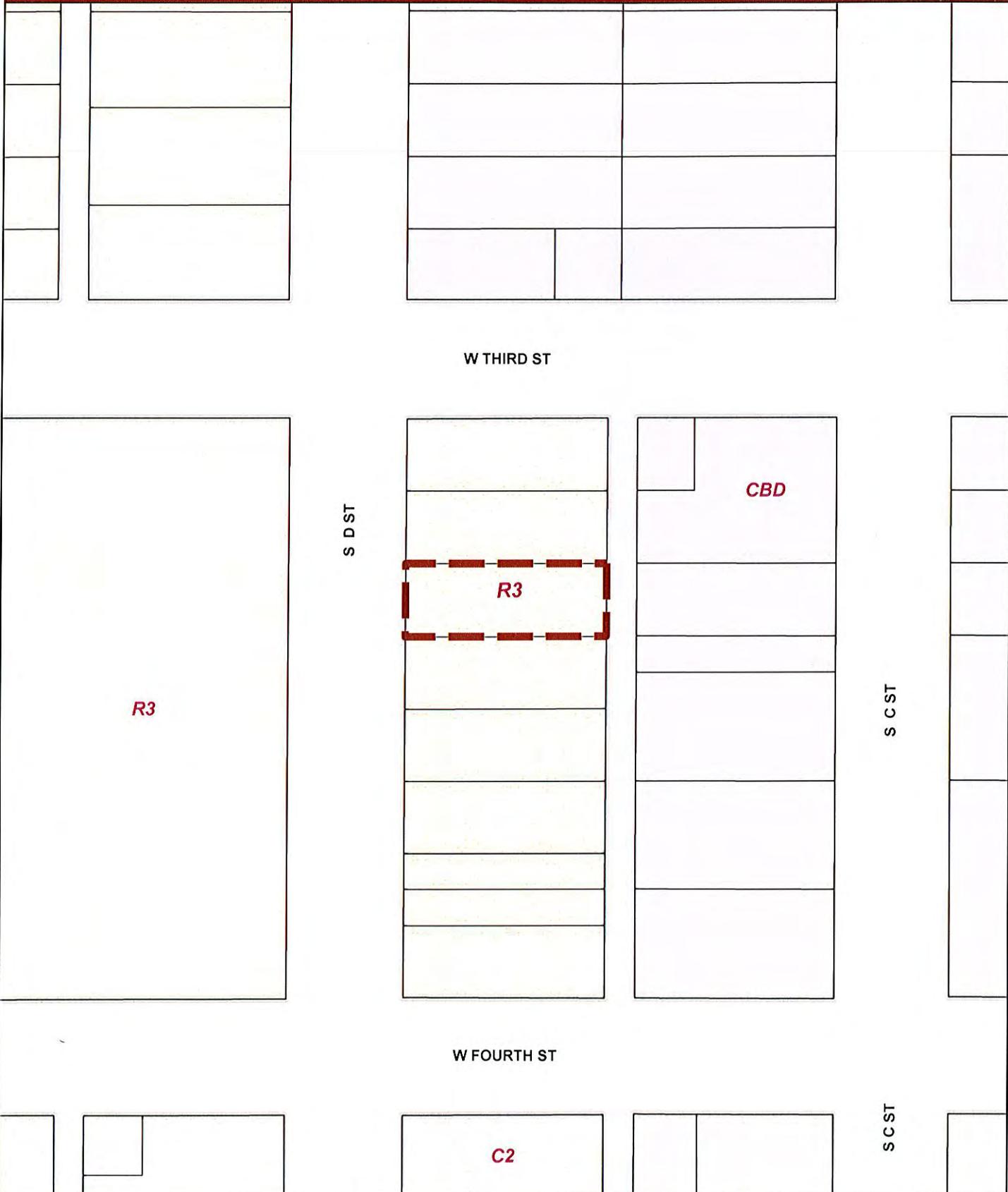


General Plan Map

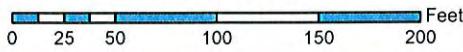
ATTACHMENT A
PAGE 2 OF 3



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PZ 10-500-02
 Location: 316 S D ST
 APN: 202008314
 Doug Kubiske



Zone Map

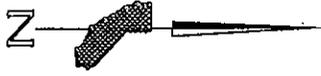
ATTACHMENT A
 PAGE 3 OF 3



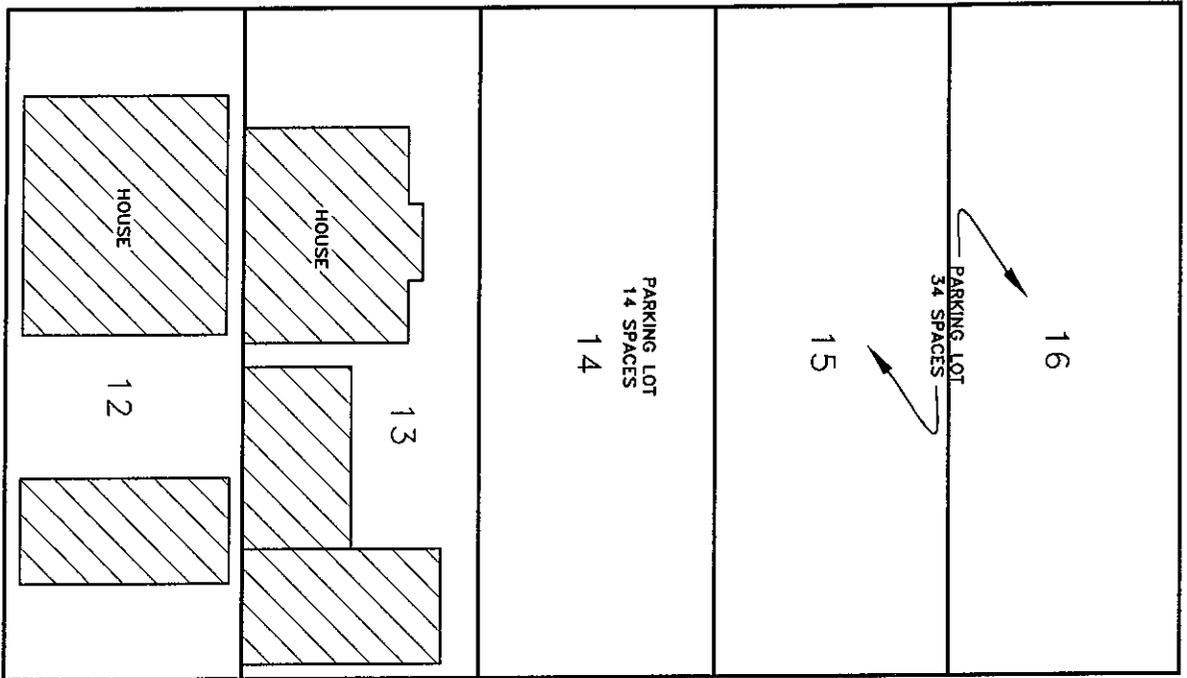
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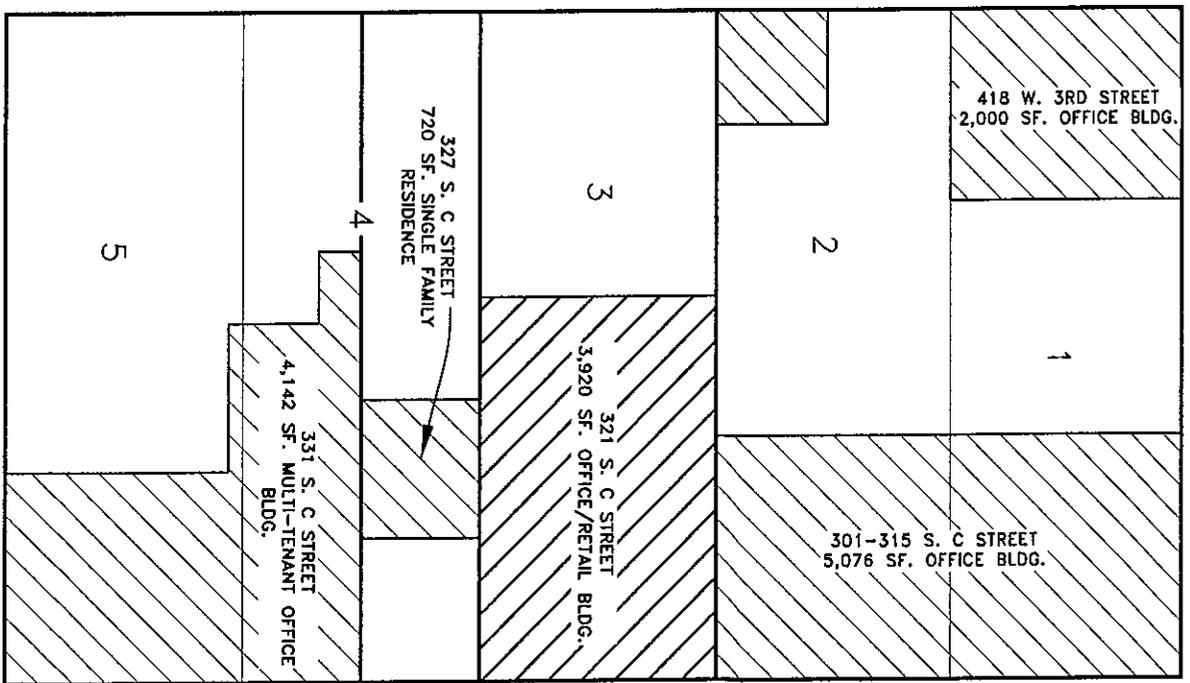
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☉ SOUTH D STREET 80'
 WIDTH



D 20' WIDTH



SIDEWALK 15' WIDTH

☉ SOUTH C STREET 80'
 WIDTH



NOTE: ALL STRUCTURES ARE EXISTING, NO PROPOSED STRUCTURES

PLOT PLAN	
LOT 14: 316 S. D STREET; LOT 3: 321 S. C STREET	SPECIAL USE PERMIT APPLICATION
CLIENT: KUBISKE	PLOT DATE: 2/26/10

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NOTICE OF EXEMPTION

Project Description:

PLANNING & ZONING PERMIT NO. 10-500-02 (Major Modification to Use Permit No. 671), a request to eliminate Condition No. 17 of Planning Commission Resolution No. 5394, which requires the recordation of a parking covenant for a lot addressed at 316 South D Street to provide off-street parking for uses located at 321 South C Street. Release of this covenant would allow the owner to sell the properties separately for possible future development. As allowed by the City Code (Section 16-152(G)), the applicant proposes to meet the parking requirements by using on-street and/or public parking facilities. No development is proposed as part of this request. Filed by Doug Kubiske, 750 South B Street, Oxnard, CA, 93030.

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]
- X No Possibility of Significant Effect [CEQA Guidelines, 14 Cal. Code of Regs. 15061(b)(3)]

Supporting Reasons: In accordance with Section 15061(b)(3) of the California Environmental Quality Act (CEQA) Guidelines, projects and activities for which “there is no possibility that the activity in question may have a significant impact on the environment” may be found to be exempt from the requirements of CEQA. This proposal involves the removal of a land use covenant and no new development is proposed as part of this request. Ample public and on-street parking is available to serve the parking needs of the Subject Property. 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

Parking Analysis

2010

Parking Analysis

**316 South D Street and 321 South C Street
Oxnard, California**

Owners:

William R. Derrick 1990 Trust
D.P. & D.B. Kubiske Family Trust

Prepared by: David Arthur Consultants, Inc.
110 Main Street Dundee, MI 48131
Office: (734) 823-5080
Fax: (734) 823-5085



DAVID ARTHUR CONSULTANTS, INC.

Engineers, Architects, and Land Surveyors

110 Main Street Dundee, Michigan 48131

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Parking Analysis 316 South D Street and 321 South C Street Oxnard, California

Table of Contents

- 1) Project Description
- 2) 1200 ft. Radius Parking Survey
 - a) Introduction
 - b) Methodology and Variables
 - c) Conclusions
- 3) Recommendations
- 4) Diagrams, Charts, Raw Data



1. Project Description

On behalf of the owners, through foreclosure, of the following properties:

- | | |
|---------|---|
| Lot 14: | 316 South D Street (AP# 202-0-083-140)
7,000 sf. Lot, R3, paved parking lot, no structures |
| Lot 3: | 321 South D Street (AP# 202-0-083-030)
7,000 sf. Lot, CBD, paved parking lot, 3,900 sf. Building |

David Arthur Consultants, Inc. submits this parking study for review. It is the owner's desire to sell the two properties to two different buyers. There is, however, a recorded covenant linking the parking lot on Lot 14 to Lot 3 existing for the duration of Lot 3's parking necessities. The following quotes and paraphrases are pertinent to the Planning Commission's decision.

In summary, additional parking provided from Lot 14 for Lot 3 is no longer necessary due to the facts that a) current CBD zone parking ordinance allows for public parking consideration for determining parking spaces provided; b) the 4th Street public parking garage was recently constructed and is located approximately 450' east from the subject properties.

Applicable documents and a brief summary of each are as follows.

- **Special Use Permit 671** – An applicant in 1976 submitted for this SUP to allow for construction and use of a parking lot on Lot 14 (no rezoning since) as transitional parking for a commercial building located at the SW corner of C and 3rd Street. In addition, some of the Lot 14 parking lot was assigned transitional parking use from Lot 3. At the creation time of this permit, the 4th Street parking structure did not exist and the CBD zone parking ordinance did not allow for consideration of public parking spaces in parking need calculations. The Planning Commission initially denied the applicant's request but the City Council approved the SUP on appeal.
- **Planning Commission Resolution 5394** – Paragraph 17 indicates, "A covenant shall be recorded to tie the parking spaces [located on Lot 14] to the commercial building to the east [the building located on Lot 3] which the transitional parking serves for as long as the spaces are required."
- **City Council Resolution 6763** – Paragraph 11 indicates, "Property on which parking is approved by the granting of this use permit shall be permanently secured to the institutional use which it serves, as required by parking by a covenant approved by the City and recorded in the County Recorder's Office."
- **Covenant (recorded December 23, 1977)** – The last paragraph indicates, "The obligation to so bind and secure the property described in Exhibit 'B' is contingent upon the continued use of the property described in Exhibit 'A' such that off-street, on-site parking is required by the City of Oxnard. The obligation shall be reduced or eliminated by providing parking for the benefit of the property described in Exhibit 'A' in accordance with the [then] existing Ordinances of the City of Oxnard upon application to said City."

2. 1200ft. Radius Parking Study

a) Introduction

This study was performed at the request of Brian Foote, AICP, Associate Planner, in an e-mail sent Friday, February 12, 2010 at 7:35 P.M. EST, with the Subject: "316 South D St. & 321 South C St." per City Code Section 16-152(G)(2)(a-f). Other than the cited City Code, the Oxnard Planning Division through Brian Foote, was unable to produce authentic documentation outlining more specific standards to the parking study. Professional interpretation of the City Code has produced the following study.

b) Methodology and Variables

To construct a 1200 ft. radius surrounding the properties in question, the extents of the properties boundaries and locations were established through mapping. From these extents, a normal vector was circumscribed around the properties with radii created at corners to obtain the survey boundaries. The boundary of the study includes entire properties and spaces which lie partially on the boundary itself. Center lines of streets and alleys were used as natural divisions for creating individual compartments within the model and distance divisions of 140 ft. were used for approximations. The compartmentalization is better shown in the figure "Map A: Area Divisions" and the distance divisions in "Map B: Distance Divisions" in Section 4. Each relevant compartment was analyzed based on peak values and demand. To estimate the amount of parallel parking available in unmarked sections of the street, a standard parking space size of 18 ft. is divided by the total linear distance along legal parking areas rounded down. The number of spaces is then adjusted to account for small driveways (residential) as accounting for a 1.5 car length reduction and large driveways (large residential, commercial, industrial) accounting for 3 car lengths. According to City Code 16-152(G)(2)(a, d-e), a temporal analysis is only necessary to areas directly affected by the proposed project. This includes the following sites: the 4th Street parking structure, the public parking lots located at the southeast corner of South C and 4th Streets, parking along North 5th Street, the southwest corner of 4th Street and Oxnard Blvd., the northwest corner of 4th Street and Oxnard Blvd., the northeast corner of 3rd Street and South A Street, the southeast corner of 4th Street and Oxnard Blvd., the northeast corner of South B and 6th Streets, the lot located on the north side of 6th between South B and South C Streets, the west side of Oxnard Blvd. between 6th and 5th Streets, curbside parking on the west and north side of division 33, the east and north side of division 34, the south side of division 24, and the west side of division 35. Measurements were taken 2 times a day for the sampling period and an average was arrived at for occupancy.

The demand for spaces is arrived at by the following 2 theories using empirical data and a simplification of proportionate demand for spaces based on the geometric series found by the inverse of the distance from the site. Relative Importance (RI) is the product of the inverse distance from the site and the relevant variable showing clear demand structures. In Illustration 4, RI is the product of the inverse distance from the site



and the total number of spaces available per distance region. For Illustration 5, RI is the product of the inverse distance from the site and the inverse of the occupancy percentage.

c) Results

The following graphs are based on all data obtained through the study. All data may be reviewed in the appendix section, including calculation pages.

Illustration 1: Total Parking Space Count

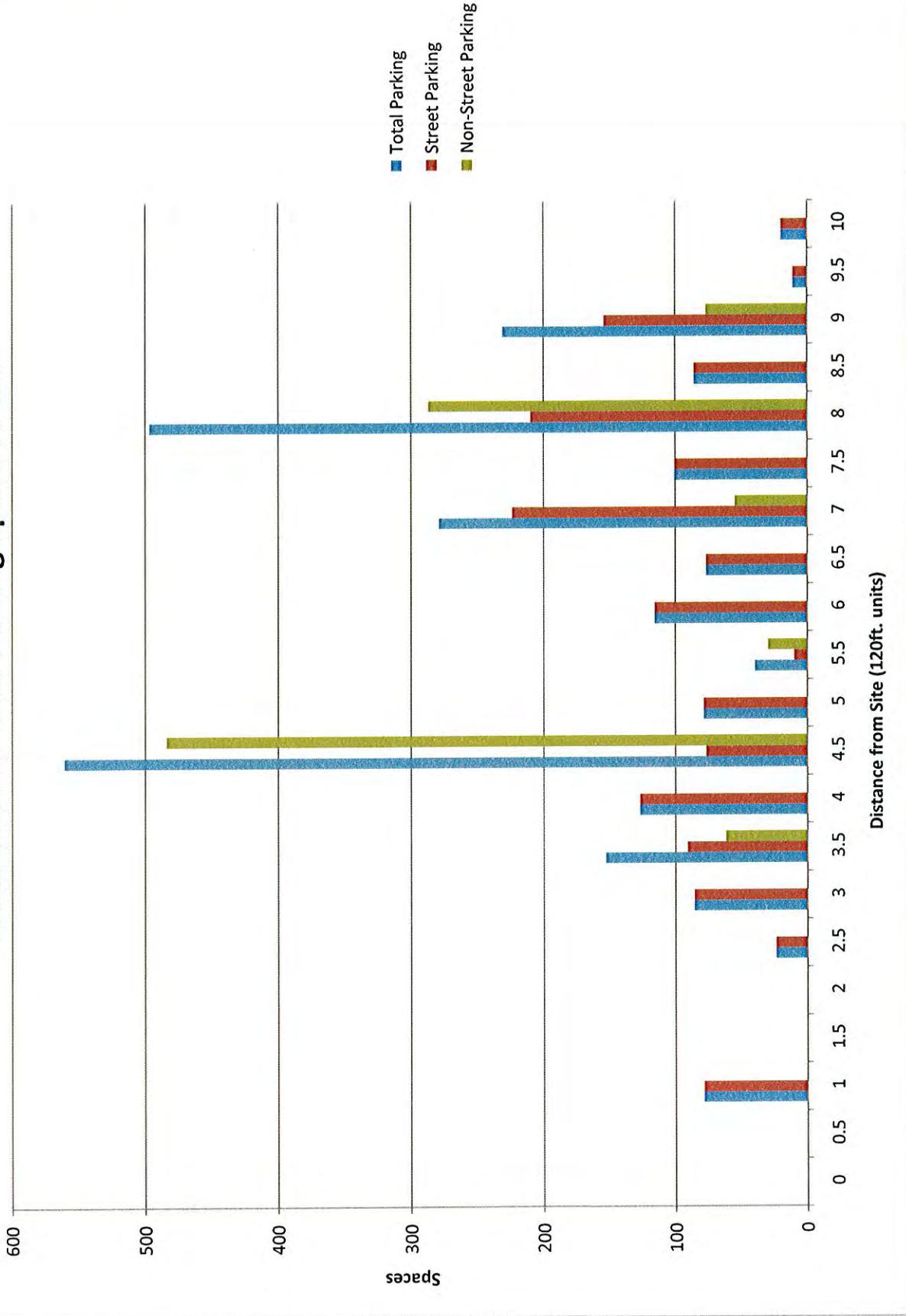


Illustration 2: Surveyed Space Count

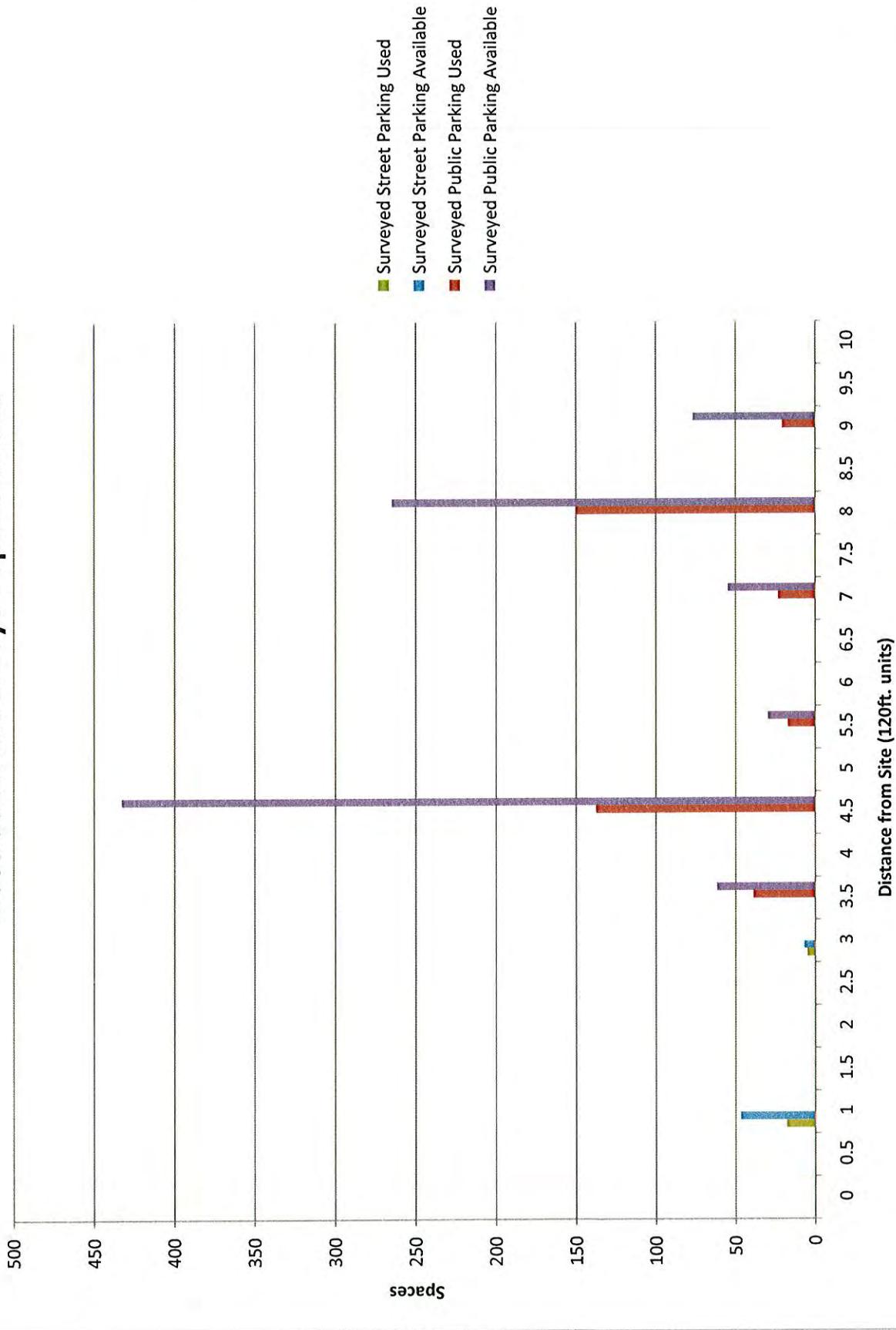


Illustration 3: Surveyed Use Percentage

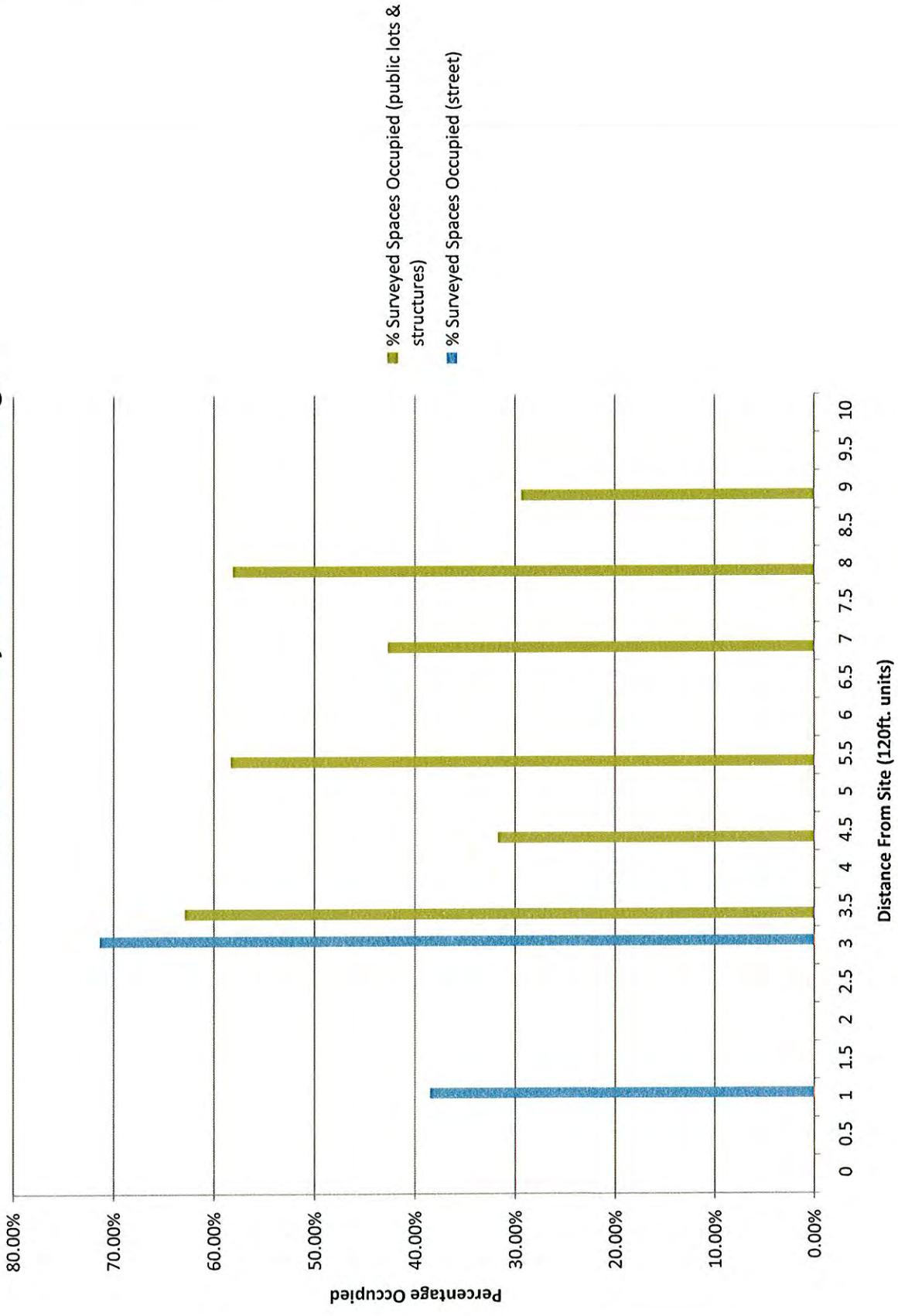


Illustration 4: Space Based Relative Importance vs. Distance

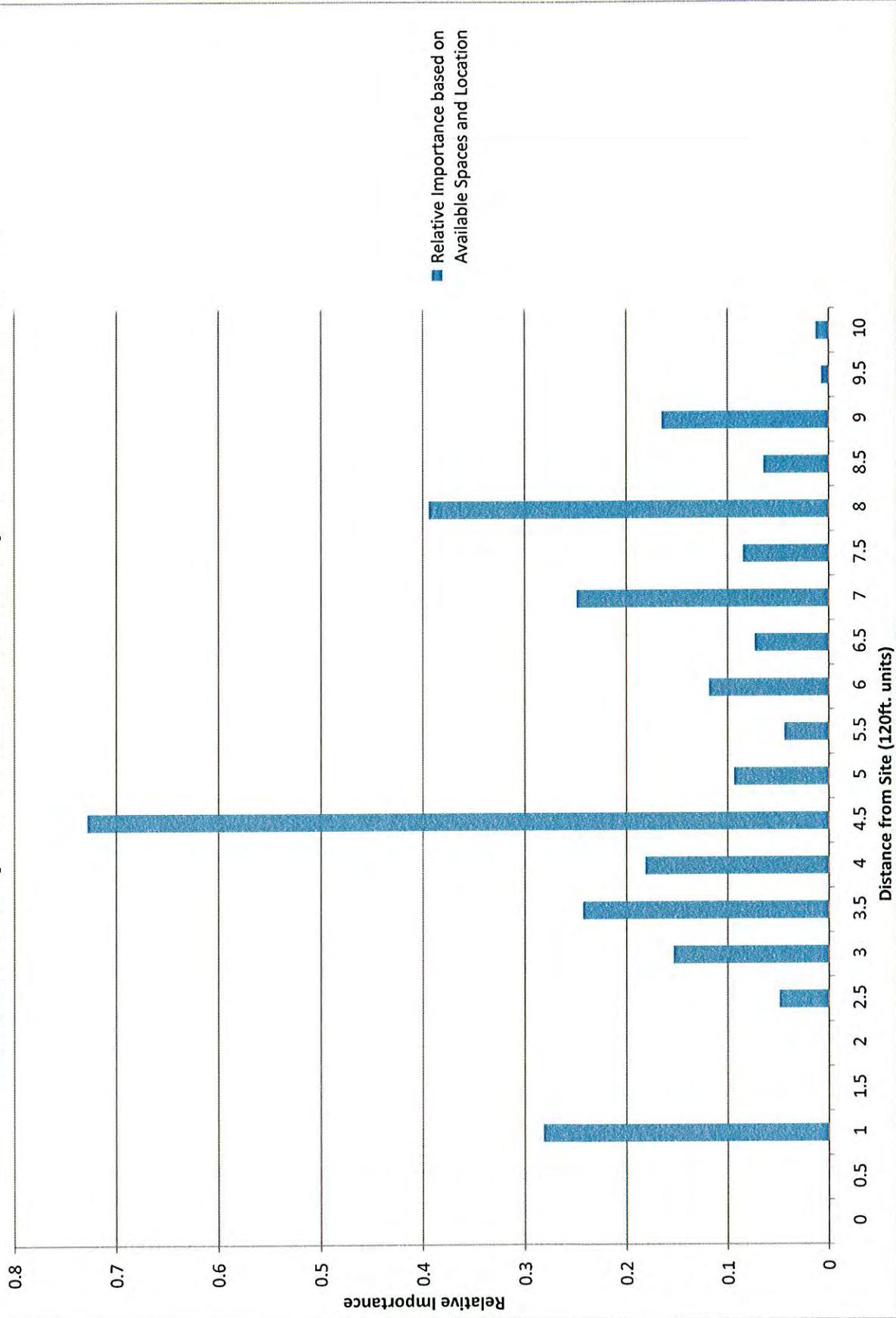


Illustration 5: Use Based Relative Importance vs. Distance

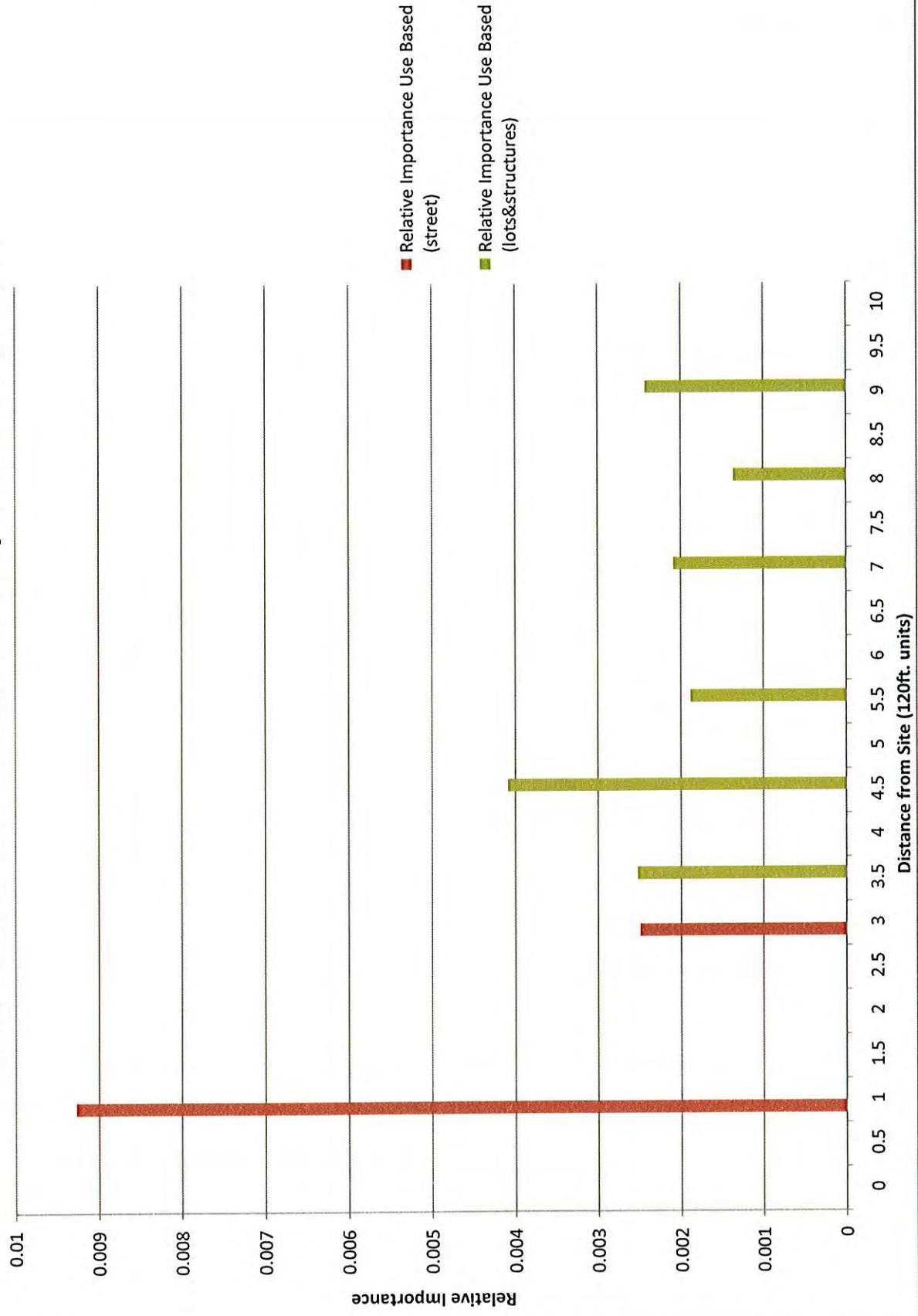


Illustration 6: Impact Percentage on Current Parking

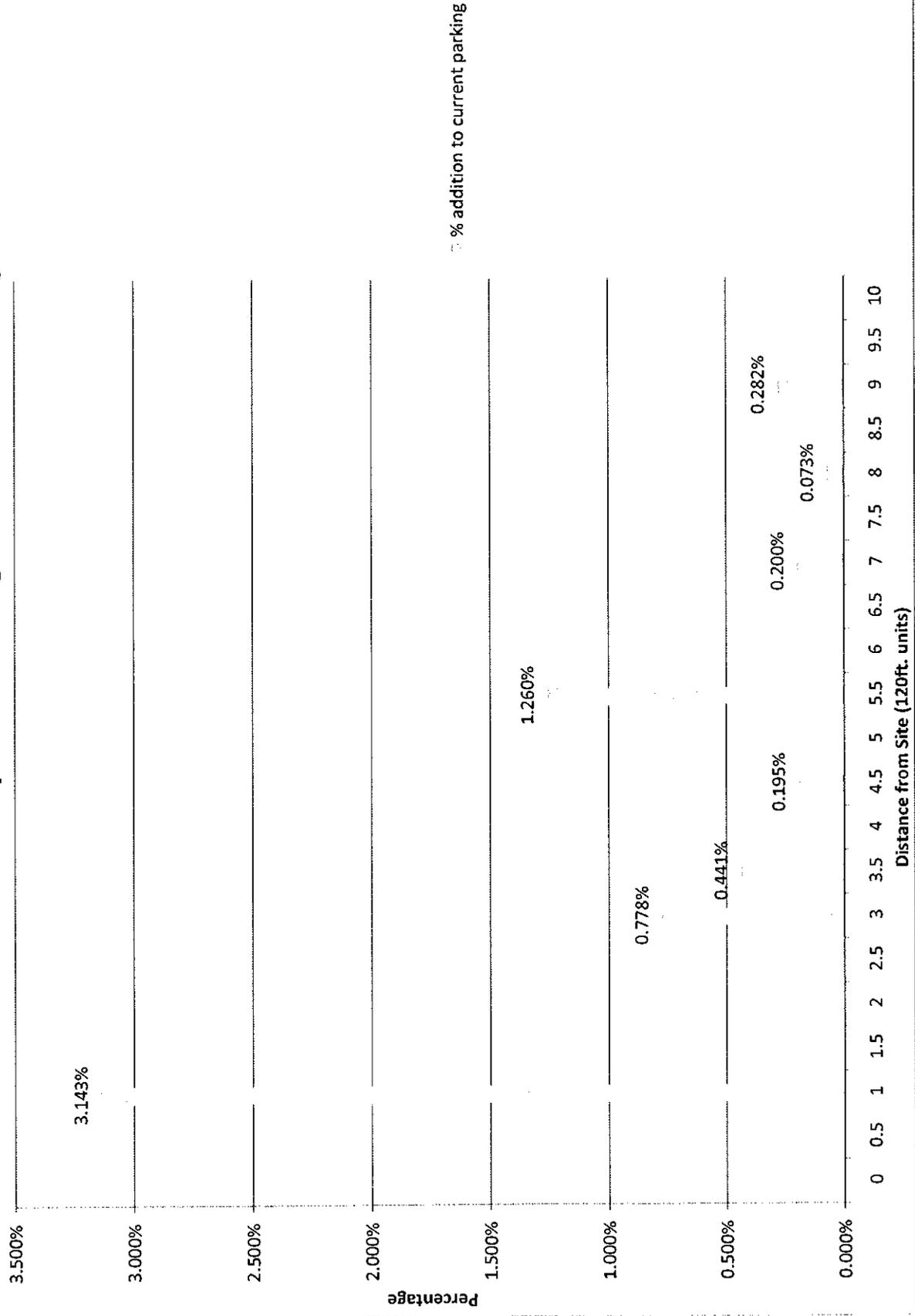
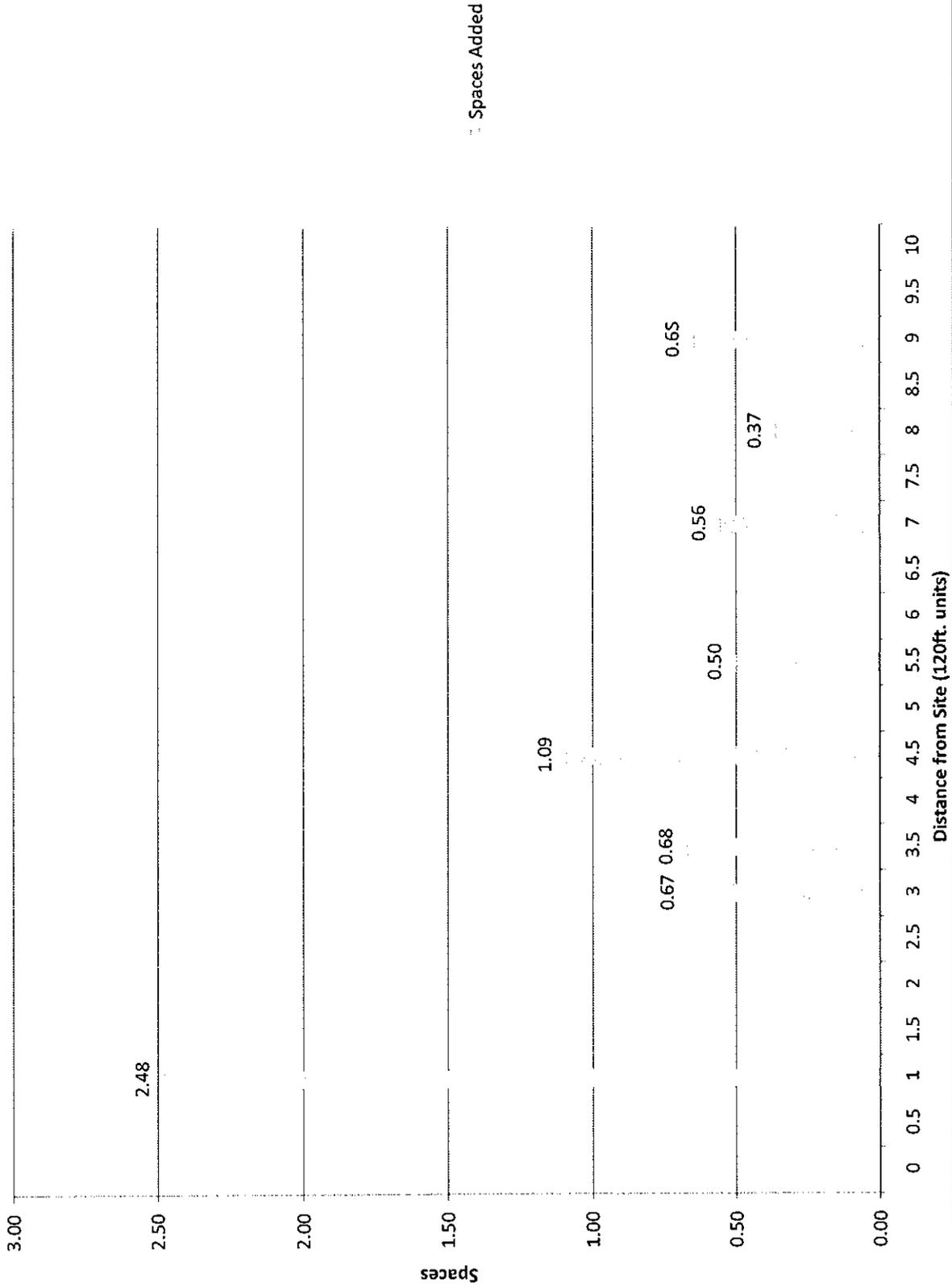


Illustration 7: Impact - Spaces Added vs. Distance



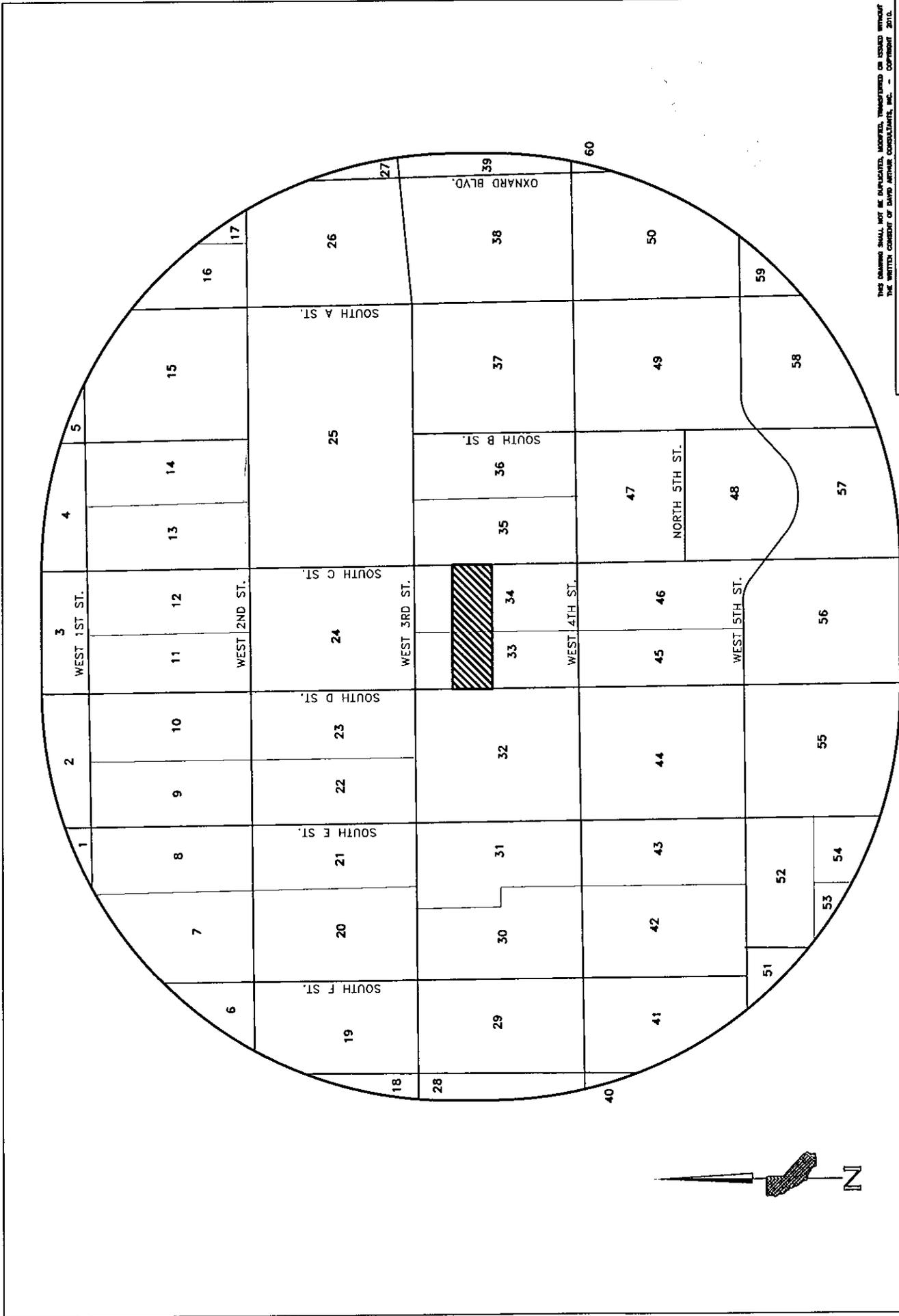
d) Conclusions

Illustration 1 shows the largest number of available spaces in the 630ft. (4.5) range from the site due to the parking structure located on the northeast corner of South B and 4th Street. In addition to this, the total number of used spaces shown in Illustration 2 indicates a large number of occupied spaces compared to the other parking lots, but when viewed in conjunction with Illustration 3 shows the structure to be only at approximately 31.76% capacity. The large size of the parking structure, however, is offset by its distance from the site in terms of importance. This is most clearly shown in Illustration 5 as the demand for parking directly next to the site is more than 2 times more important than the structure itself. The parking structure however, is the next most important parking site using the analysis and will likely be the most important structure due to its capacity as shown on Illustration 4. Therefore, Illustration 5 may be thought of as the current parking situation for the site, with a transition to the demand curve on Illustration 4 as more spaces are required due to development. 7 spaces is the planning staff analysis from 1977 and the impact of these spaces on the existing parking situation is negligible. Illustration 7 shows the total number of spaces added per distance region based on demand per region and Illustration 6 shows the total % of total existing parking which accommodates the 7 spaces. These figures indicate the maximum impact from the removal of SUP-671 to be 3.143% and the minimum impact being 0.073% on public parking lots, structures, and street parking.

3. Recommendations

In consideration of Staff Analysis U-671 on 8-11-1977 Project Description Item Number 9, "A covenant would be required to tie 7 of the transitional parking spaces to the building [321 South C Street] as long as the commercial use would require the spaces," in conjunction with City Council Resolution 6763, Planning Commission Resolution 5394, and the information contained in this parking study, it is our recommendation SUP-671 is no longer necessary and should be removed as an encumbrance therefore allowing the properties to exist independent of each other. This will cause a statistically insignificant impact on the large amount of parking available in the 1200' study.

4. Diagrams, Charts, Raw Data



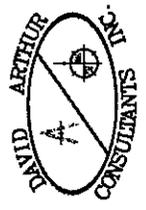
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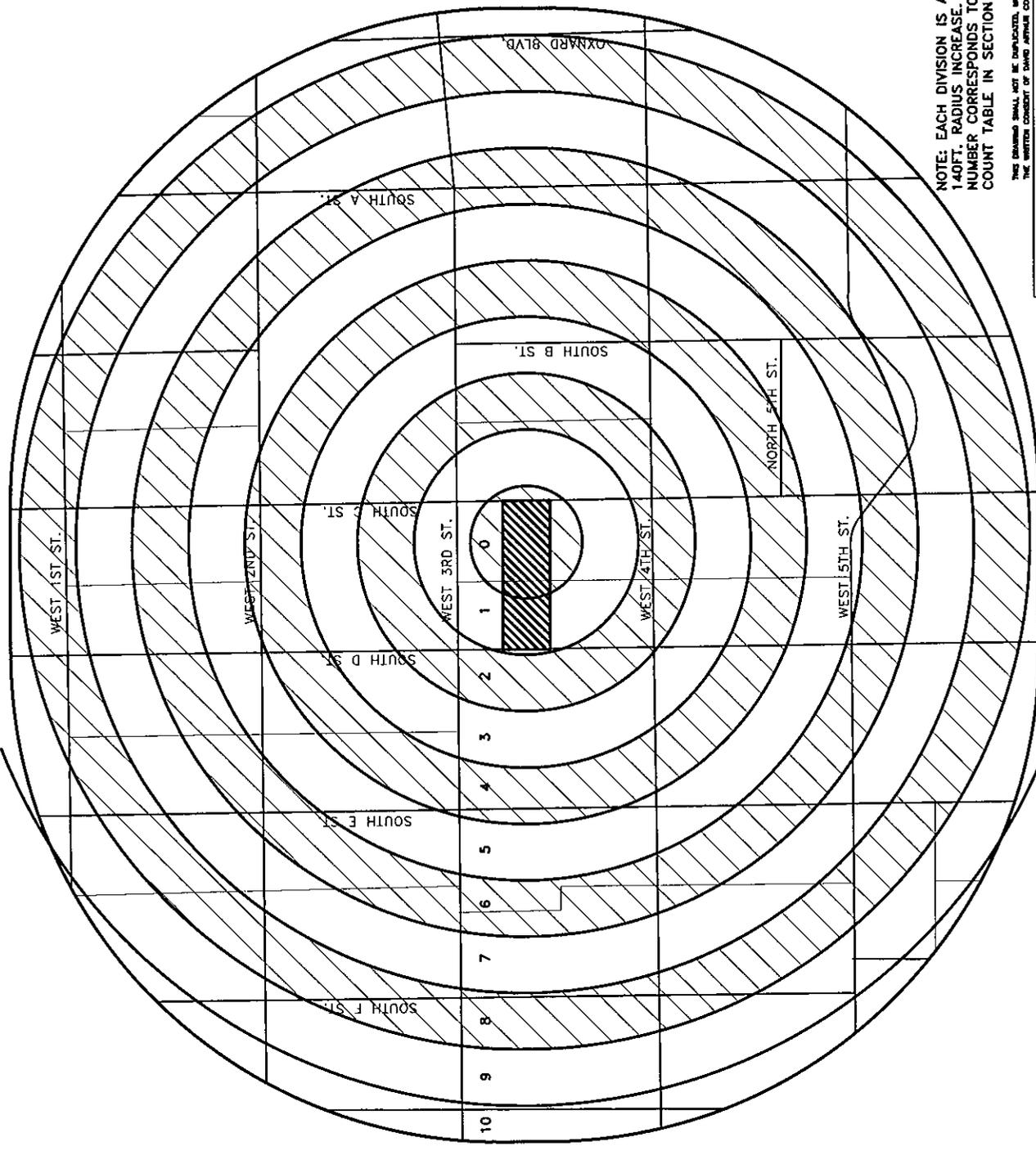
MAP A: AREA DIVISIONS
 LOT 14: 316 S. D STREET; LOT 3: 321 S. C STREET
 SPECIAL USE PERMIT APPLICATION
 CLIENT: KUBISKE PLOT DATE: 2/26/10

— 316 S. D STREET AND 321 S. C STREET



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NOTE: EACH DIVISION IS AN APPROXIMATELY 140FT. RADIUS INCREASE. THE DISTANCE NUMBER CORRESPONDS TO THE SPACE COUNT TABLE IN SECTION 4.

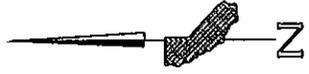
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MAP B: DISTANCE DIVISIONS
 LOT 14: 316 S. D STREET; LOT 3: 321 S. C STREET
 SPECIAL USE PERMIT APPLICATION
 CLIENT: KUBISKE PLOT DATE: 2/26/10

- 316 S. D STREET AND 321 S. C STREET



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Section #	Parallel Parking Lengths (ft)				Parallel Spaces (spaces)				Other Spaces (spaces)		(spaces)			Distance
	North	South	East	West	North2	South2	East2	West2	Marked	Driveways	Public Parallel	Public Other	Total	
1	0	148	52	0	0	8	2	0			10		10	9
2	0	304	110	71	0	16	6	3			25		25	9
3	0	300	110	110	0	16	6	6			26		26	8
4	0	300	71	110	0	16	3	6			-2		22	8
5	0	148	52	0	0	8	2	0			10		10	9
6	0	177	213	0	0	9	11	0			20		20	10
7	0	209	0	213	0	11	0	11			22		22	8.5
8	131	131	0	0	7	7	0	0	18		-5		27	8
9	137	137	0	332	7	7	0	18			-5		27	7
10	137	137	332	0	7	7	18	0			-4		28	6.5
11	137	137	0	332	7	7	0	18			-9		23	6
12	137	137	332	0	7	7	18	0			-5		27	6
13	137	137	0	332	7	7	0	18			-2		30	6
14	137	137	332	0	7	7	18	0			-7		25	6.5
15	150	293	300	332	8	16	16	18			-11		47	7
16	0	137	0	300	0	7	0	16			23	22	45	8
17	0	90	0	0	0	5	0	0			5		5	9
18	0	0	0	0	0	0	0	0			0		0	10
19	177	216	332	278	9	12	18	15			-5		49	9
20	216	216	0	332	12	12	0	18			-4		38	7
21	137	137	332	0	7	7	18	0			-4		28	6
22	137	137	0	332	7	7	0	18			-10	51	73	4.5
23	137	137	332	0	7	7	18	0			-2		30	3.5
24	300	300	0	0	16	16	0	0			32		32	3
25	603	515	333	332	33	28	18	18			97		97	4
26	222	0	0	333	12	0	0	18			30	102	132	8
27	0	0	0	0	0	0	0	0			0		0	9
28	0	0	0	0	0	0	0	0			0		0	10
29	216	216	332	0	12	12	18	0			-2		40	8.5
30	0	216	0	332	0	12	0	18	11		-2		39	7
31	0	137	0	0	0	7	0	0	17		24		24	5
32	0	300	332	0	0	16	18	0	22		-2		54	3
33	131	0	0	332	7	0	0	18	9		-5		29	1
34	131	0	332	0	7	0	18	0	8		-2		31	1
35	131	0	0	221	7	0	0	12	3		-3		19	1
36	100	0	332	0	5	0	18	0	7		-6		24	2.5
37	137	0	0	0	7	0	0	0	48		55	433	488	4.5
38	0	259	0	0	0	14	0	0	28		-2	55	95	7
39	0	0	0	0	0	0	0	0			0		0	9
40	0	0	0	0	0	0	0	0			0		0	10
41	216	60	332	0	12	3	18	0			-2		31	9
42	216	216	332	332	12	12	18	18			-2		58	7.5
43	137	137	332	0	7	7	18	0			-8		24	6.5
44	300	300	332	332	16	16	18	18			-13		55	5
45	131	131	0	332	7	7	0	18			-2		30	4
46	131	131	332	0	7	7	18	0			-2		30	3.5
47	0	0	0	230	0	0	0	12	22		-3	62	93	3.5
48	0	0	0	0	0	0	0	0	10		10	30	40	5.5
49	0	0	0	0	0	0	0	0	8		8		8	6
50	0	0	0	0	0	0	0	0	33		33	56	89	8
51	136	0	75	0	7	0	4	0			11		11	9.5
52	295	0	124	124	16	0	6	6			-4		24	8.5
53	0	0	0	0	0	0	0	0			0		0	9.5
54	0	0	147	0	0	0	8	0			8		8	9
55	300	0	298	298	16	0	16	16			-5		43	7.5
56	200	0	300	332	11	0	16	18			-12		33	7
57	0	0	0	70	0	0	0	3	22		25	16	41	8
58	0	0	0	0	0	0	0	0	24		24	91	115	8
59	0	0	0	0	0	0	0	0	16		16	48	64	9
60	0	0	0	0	0	0	0	0			0	29	29	9
Total	5940	6820	7165	6674	316	363	384	358	306	-155	1572	995	2567	



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 Phone: 734-823-5080 Fax: 734-823-5085

Section #	Surveyed Parking Spots				Public Other Usage			Public Usage Parallel		
	Public Parallel	Public Other	Total	Distance	9AM Occ.	4:30PM Occ.	Average % Occ.	9AM Occ. 2	4:30PM Occ. 3	Average % Occ. 2
24	7	0	7	3	0	0		5	5	71.43%
26	0	102	102	8	28	47	36.76%	0	0	
33	14	0	14	1	0	0		5	5	35.71%
34	21	0	21	1	0	0		8	8	38.10%
35	12	0	12	1	0	0		5	5	41.67%
37	0	433	433	4.5	142	133	31.76%	0	0	
38	0	55	55	7	18	29	42.73%	0	0	
47	0	62	62	3.5	34	44	62.90%	0	0	
48	0	30	30	5.5	15	20	58.33%	0	0	
50	0	56	56	8	37	44	72.32%	0	0	
57	0	16	16	8	9	8	53.13%	0	0	
58	0	91	91	8	61	67	70.33%	0	0	
59	0	48	48	9	4	16	20.83%	0	0	
60	0	29	29	9	12	10	37.93%	0	0	
Total	54	922	976	5.464286	360	418	48.70%	23	23	46.73%

Row Labels	Sum of Total	Sum of Public Parallel	Sum of Public Other	Row Labels	Sum of 9AM Occ.	Sum of 4:30PM Occ.	Average of Average % Occ.	Sum of 9AM Occ. 2	Average of Average % Occ. 2
1.0	79	79		1	0	0	0	18	0.384920635
2.5	24	24		3	0	0	0	5	0.714285714
3.0	86	86		3.5	34	0	0.629032258	0	0
3.5	153	91	62	4.5	142	133	0.317551963	0	0
4.0	127	127		5.5	15	20	0.583333333	0	0
4.5	561	77	484	7	18	29	0.427272727	0	0
5.0	79	79		8	135	166	0.581352012	0	0
5.5	40	10	30	9	16	26	0.293821839	0	0
6.0	116	116		Grand Total	360	418	0.487024201	23	0.467261905
6.5	77	77							
7.0	279	224	55						
7.5	101	101							
8.0	497	210	287						
8.5	86	86							
9.0	231	154	77						
9.5	11	11							
10.0	20	20							
Grand Total	2567	1572	995						

Sum of Public Parallel	Sum of Public Other	Sum of 4:30PM Occs
47	0	18
7	0	5
0	62	0
0	433	0
0	30	0
0	55	0
0	265	0
0	77	0
54	922	23

Relative importance sum both parallel and public
0.026161175

spaces/sqmi	Average occ.struct	Average occ.parallel	rel imp * average occ	rel imp * average occ	Surveied Street Parking Used	Surveied Street	Surveied Public	Surveied Public	RI *	7 space Impact %
#REF!	#REF!	#REF!	#REF!	#REF!	#REF!	#REF!	#REF!	#REF!	#REF!	#REF!
17703.12263	0	0.384920635	#DIV/0!	0.009278351	18	47	0	0	2.48	3.143%
#REF!	#REF!	#REF!	#REF!	#REF!	#REF!	#REF!	#REF!	#REF!	#REF!	#REF!
2191.103785	0	0.714285714	#DIV/0!	0.0025	5	7	0	0	0.67	0.778%
5729.440304	0.629032258	0	0.002523403	#DIV/0!	0	0	39	62	0.68	0.441%
8571.448615	#REF!	#REF!	#REF!	#REF!	#REF!	#REF!	#REF!	#REF!	#REF!	#REF!
5590.249167	0.317551963	0	0.004089728	#DIV/0!	0	0	137.5	433	1.09	0.195%
21274.77502	#REF!	#REF!	#REF!	#REF!	#REF!	#REF!	#REF!	#REF!	#REF!	#REF!
2464.991759	0.5833333333	0	0.00188383	#DIV/0!	0	0	17.5	30	0.50	1.260%
1095.551893	#REF!	#REF!	#REF!	#REF!	#REF!	#REF!	#REF!	#REF!	#REF!	#REF!
2697.538151	#REF!	#REF!	#REF!	#REF!	#REF!	#REF!	#REF!	#REF!	#REF!	#REF!
1594.994667	0.427272727	0	0.002089666	#DIV/0!	0	0	23.5	55	0.56	0.200%
5019.94672	#REF!	#REF!	#REF!	#REF!	#REF!	#REF!	#REF!	#REF!	#REF!	#REF!
1637.922155	0.581352012	0	0.001365181	#DIV/0!	0	0	150.5	265	0.37	0.073%
7122.679675	#REF!	#REF!	#REF!	#REF!	#REF!	#REF!	#REF!	#REF!	#REF!	#REF!
1121.636462	0.293821839	0	0.002431016	#DIV/0!	0	0	21	77	0.65	0.282%
2698.640267	#REF!	#REF!	#REF!	#REF!	#REF!	#REF!	#REF!	#REF!	#REF!	#REF!
117.8909102	#REF!	#REF!	#REF!	#REF!	#REF!	#REF!	#REF!	#REF!	#REF!	#REF!
194.0938393	#REF!	#REF!	#REF!	#REF!	#REF!	#REF!	#REF!	#REF!	#REF!	#REF!

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RESOLUTION NO. 2010 – [PZ 10-500-02]

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD APPROVING PLANNING AND ZONING PERMIT NO. 10-500-02 (MAJOR MODIFICATION TO USE PERMIT NO. 671), TO REMOVE CONDITION NO. 17 FROM PLANNING COMMISSION RESOLUTION NO. 5394 WHICH REQUIRES A RECORDED PARKING COVENANT FOR A LOT AT 316 SOUTH D STREET TO PROVIDE OFF-STREET PARKING FOR USES AT 321 SOUTH C STREET (APN 202-0-083-140), SUBJECT TO CERTAIN FINDINGS AND CONDITIONS. FILED BY DOUG KUBISKE, 750 SOUTH B STREET, OXNARD, CA 93030.

WHEREAS, the Planning Commission of the City of Oxnard has considered an application for Planning and Zoning Permit No. 10-500-02, filed by Doug Kubiske, in accordance with Section 16-530 through 16-553 of the Oxnard City Code; and

WHEREAS, Section 15061(b)(3) 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, Planning Commission, in accordance with Section 16-152(G)(1) of the Oxnard City Code, finds that the number of required parking spaces have been met by one or a combination of the following methods:

1. Within the subject property; and/or
2. On-street immediately adjacent and contiguous to the property line; and/or
3. Public parking lots within 700 feet of the nearest point of the subject property; and/or
4. Public parking structures within 1,000 feet of the nearest point of the subject property.

WHEREAS, the Planning Commission, in accordance with Section 16-152(G)(2) of the Oxnard City Code, has reviewed the proposed parking arrangement and has determined that the proposed mix of on-site and on-street parking is appropriate for the proposed use; and

WHEREAS, the Planning Commission finds, after due study, deliberation and public hearing that the proposed use is in conformance with the General Plan and other adopted policies of the City of Oxnard.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Oxnard hereby resolves to remove Condition No. 17 from Planning Commission Resolution No. 5394. All other conditions of Planning Commission Resolution No. 5394 shall remain in full force and effect. The decision of the Planning Commission is final unless appealed in accordance with the provisions of Section 16-545 of the Oxnard City Code.

PASSED AND ADOPTED by the Planning Commission of the City of Oxnard on this 17th day of June, 2010, by the following vote:

AYES:

NOES:

ABSENT:

Randall Elliott, Chairman

ATTEST: _____
Susan L. Martin, Secretary



NOTICE OF EXEMPTION

Project Description:

PLANNING & ZONING PERMIT NO. 10-500-02 (Major Modification to Use Permit No. 671), a request to eliminate Condition No. 17 of Planning Commission Resolution No. 5394, which requires the recordation of a parking covenant for a lot addressed at 316 South D Street to provide off-street parking for uses located at 321 South C Street. Release of this covenant would allow the owner to sell the properties separately for possible future development. As allowed by the City Code (Section 16-152(G)), the applicant proposes to meet the parking requirements by using on-street and/or public parking facilities. No development is proposed as part of this request. Filed by Doug Kubiske, 750 South B Street, Oxnard, CA, 93030.

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]
- X No Possibility of Significant Effect [CEQA Guidelines, 14 Cal. Code of Regs. 15061(b)(3)]

Supporting Reasons: In accordance with Section 15061(b)(3) of the California Environmental Quality Act (CEQA) Guidelines, projects and activities for which “there is no possibility that the activity in question may have a significant impact on the environment” may be found to be exempt from the requirements of CEQA. This proposal involves the removal of a land use covenant and no new development is proposed as part of this request. Ample public and on-street parking is available to serve the parking needs of the Subject Property. 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

RESOLUTION NO. 2010 – [PZ 10-500-02]

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD APPROVING PLANNING AND ZONING PERMIT NO. 10-500-02 (MAJOR MODIFICATION TO USE PERMIT NO. 671), TO REMOVE CONDITION NO. 17 FROM PLANNING COMMISSION RESOLUTION NO. 5394 WHICH REQUIRES A RECORDED PARKING COVENANT FOR A LOT AT 316 SOUTH D STREET (APN 202-0-083-140), SUBJECT TO CERTAIN FINDINGS AND CONDITIONS. FILED BY DOUG KUBISKE, 750 SOUTH B STREET, OXNARD, CA 93030.

WHEREAS, the Planning Commission of the City of Oxnard has considered an application for Planning and Zoning Permit No. 10-500-02, filed by Doug Kubiske, in accordance with Section 16-530 through 16-553 of the Oxnard City Code; and

WHEREAS, Section 15061(b)(3) 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, Planning Commission, in accordance with Section 16-152(G)(1) of the Oxnard City Code, finds that the number of required parking spaces have been met by one or a combination of the following methods:

1. Within the subject property; and/or
2. On-street immediately adjacent and contiguous to the property line; and/or
3. Public parking lots within 700 feet of the nearest point of the subject property; and/or
4. Public parking structures within 1,000 feet of the nearest point of the subject property.

WHEREAS, the Planning Commission, in accordance with Section 16-152(G)(2) of the Oxnard City Code, has reviewed the parking study submitted in support of the application and has determined that the proposed mix of on-site and on-street parking is appropriate for the proposed use; and

WHEREAS, the Planning Commission finds, after due study, deliberation and public hearing that the proposed use is in conformance with the General Plan and other adopted policies of the City of Oxnard.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Oxnard hereby resolves to remove Condition No. 17 from Planning Commission Resolution No. 5394. All other conditions of Planning Commission Resolution No. 5394 shall remain in full force and effect. The decision of the Planning Commission is final unless appealed in accordance with the provisions of Section 16-545 of the Oxnard City Code.

PASSED AND ADOPTED by the Planning Commission of the City of Oxnard on this 17th day of June, 2010, by the following vote:

AYES:

NOES:

ABSENT:

Randall Elliott, Chairman

ATTEST: _____
Susan L. Martin, Secretary