



**CITY COUNCIL
AGENDA REPORT**

TYPE OF ITEM: Public Hearing

AGENDA ITEM NO.: 1

DATE: February 19, 2019

TO: City Council

FROM: Jeffrey Lambert
Development Services Director

SUBJECT: Appeal of Planning Commission's Decision on Planning and Zoning Permit No. 16-540-03 (Special Use Permit for a Planned Development Permit); Retail Shopping Center at 2441 N. Vineyard Ave. (APN 141-0-021-250 & 142-0-010-060). (15/10/10)

CONTACT: Jeffrey Lambert, Development Services Director
Jeffrey.Lambert@oxnard.org, (805) 385-7882

RECOMMENDATION:

That City Council adopt a resolution upholding the Planning Commission's approval of Planning and Zoning Permit No. 16-540-03 (Special Use Permit for a Planned Development Permit), subject to certain findings and conditions set forth in Planning Commission Resolution No. 2018-38.

BACKGROUND

On December 20, 2018, the Planning Commission voted 6 to 0 (with one Commissioner absent) to approve a Special Use Permit (SUP) for the construction of a 15,940 square-foot, single story, multi-tenant commercial retail center and associated on-site improvements on a vacant 1.35 acre lot located at 2441 N. Vineyard Avenue (see Attachments A and B). The project has been designed in compliance with all Oxnard City Code (OCC) General Commercial (C-2) zoning code requirements and has been designed consistent with the 2030 General Plan. At the December 20th meeting, questions were raised by the Planning Commission pertaining to landscaping and traffic flow. The Commissioners were generally supportive of the development project, applauding the architect and applicant for the project architectural design, site plan, and connection with the adjacent Food4Less development project (see Attachment C, Approved Plans).

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At the December Commission meeting, an attorney (Mr. Mark Sellers of Jackson Tidus) representing property owner Carlton Browne Oxnard, LLC (“Appellant”) at 2341-2381 N. Vineyard Ave. (south of the subject site) submitted a comment letter (see Attachment D, dated December 20, 2018) objecting to the development project. At this meeting, Mr. Sellers stated that his client owned the property directly south of the proposed project and that the proposed site plan design would negatively impact the visibility of his client's property. He suggested that the project be redesigned to create a uniform and fair setback of 77 feet to match the setback of his client's property. There were no other public comments. The Commissioners verified with staff that the design of the proposed project was in compliance with all General Plan and OCC development standards, and that a 77 foot setback was greatly in excess of the code required front setback and not necessary on the project site (see discussion below). At this meeting, the Commissioners noted that there was an existing large tree located on the southerly property owner's property which blocks the view of the appellant's property.

On January 4, 2019, Appellant appealed the Commission's approval on the grounds that the new 30-foot tall, single-story, retail building that is setback 30 feet from Vineyard Avenue will unfairly block the view of the Appellant's tenant signage. Furthermore, the Appellant also stated that the Planning Commission did not consider the adverse impacts of the project on adjoining uses as required in OCC Section 16-531 and should not have authorized the SUP per OCC Section 16-530 (see Attachment E, appeal correspondence dated January 4, 2019).

ANALYSIS

Although the January 4th appeal points were not articulated at the Planning Commission meeting or in the written letter submitted into the record at the Planning Commission meeting on December 20, 2018, these appeal points are identified below along with staff's response. As part of this analysis, it was necessary for staff to review the proposed project to the south and the record for the development of the Appellant's property (2341-2381 N. Vineyard Avenue, Planned Development Permit [PD] 219 approved May 22, 1973 by City Council Resolution 6004).

| Appeal Issues | Requirements/Response |
|---|---|
| Front Setback Shoe City - Project has a 30 foot landscaped set back buffer off of Vineyard Ave. Appellant - Commercial Center - (2341-2381 N. Vineyard Ave) to the South (“Appellant”) - Project has a | 2030 General Plan requires a 30 foot landscape buffer from future property line as the project is adjacent to a scenic highway (N. Vineyard Ave. [Community Development Goal 9.4 View Corridor Preservation]). The project complies with the 30' setback requirement The appellant's property was developed in 1973. The required front yard setback for the C-2 zone at that time was 10 feet, the same as it is today. The multi-tenant commercial building on the appellant's property was voluntarily setback 77 feet. |

| | |
|---|---|
| 77-foot setback off of Vineyard Avenue. | The Goodyear building at the south end of the appellant's property is consistent with the required 10 foot front yard setback. |
| Building Height Shoe City - New building ranges in height from 22 - 30 feet in height. "Appellant" - Commercial Center - (2341-2381 N. Vineyard Ave) to the South ("Appellant") - Existing building is 25 feet in height | <p>The project site is zoned C-2-PD which allows for a maximum being height of 35 feet. For visual character and interest the building has been conservatively designed to range in height from 22 to 30 feet. The majority of the building is 22 feet. On the west end closest to the railroad tracks the building is 26 feet in height. This 26 foot height is repeated once in the elevation and the east end of the building is 30 feet in height to match the scale of surrounding commercial developments. The height complies with relevant sections of the OCC.</p> <p>A review of the project file for the Appellants project site indicates that despite the maximum building height of 35 feet in the C-2 zone, the Appellant chose to build the existing commercial center to the south at 25 feet in height.</p> |
| The proposed 30 foot high building prevents essential exposure to the Appellant's property. | On January 15, 2019, in response to the appeal, the property owner (Mardy Ying) of 2441 N. Vineyard Avenue submitted the attached image from Google street view and a simulation of the proposed building, at scale, superimposed over this image (see Attachment F). The images demonstrate that the project will not block the signage for the Appellant's property in any way. |
| Shoe City Building Sign should be considered a freeway sign | <p>Article IX of Chapter 16 of OCC regulates advertising signs. Due to the limited frontage of the parcel, the project is permitted to have a monument (max. 42" in height) and wall sign. Condition 61 of the Planning Commission Resolution requires that the applicant receive approval from the Planning Manager, of a Master Sign Program for the shopping center that is in compliance with the OCC sign provisions.</p> <p>Although there is no definition of "freeway sign" in Oxnard's Municipal Code, the State of California defines freeway signs as directional signage on freeways and highways. The applicant's property does not have the required frontage for a free standing sign and will be installing a monument sign (max. 42" in height) and building wall signs.</p> |
| Shoe City | Community Workshops require notice to be mailed to the |

| | |
|------------------------------------|--|
| <p>Lack of Notification</p> | <p>owners of the neighborhood in which the project lies. If the project lies on the border of multiple neighborhoods, then all of these neighborhoods are notified. A community workshop sign is also posted on the project site. This project is on the border of the Rio Lindo neighborhood, but the project is not in a named neighborhood. In this case, the Rio Lindo neighborhood was notified of the Community Workshop but not the properties West of N. Vineyard Ave. that are not located within a neighborhood. The site was posted with an advertisement for the Community Workshop on May 4, 2018, ten days prior to the workshop. Notification of the community workshop was achieved in a manner consistent with department policy.</p> <p>For the Planning Commission hearing, notices are mailed to property owners within a 300-foot radius of the project property boundaries. Carlton Browne-Oxnard LLC, owner on record for the project, was included in this mailing and the notice was sent to 1442 E. Lincoln Avenue #358, Orange, CA 92865. The site was posted with a Planning Commission public hearing sign advertising the hearing and an advertisement was placed in the paper 10 days prior to the hearing. All notification was performed consistent with department policy and state law.</p> |
|------------------------------------|--|

As can be seen in the Google street image (Attachment F) the front façade of the appellant's property is not visible from the southbound lanes of N. Vineyard Avenue due to an American Sycamore planted in the northeast corner of the Appellant's property. This tree has a trunk diameter of 48 inches, is approximately 50 feet tall and has a canopy that is approximately 25 feet wide. This tree was installed on the Appellants property (and identified on the approved landscaping plan) and is approximately 47 years old.

The simulation provided by the applicant is a fair representation of how the proposed building will sit on the property. As the simulation depicts, no signage for the appellant's property will be obstructed by the proposed building. The appellant's property also includes a free-standing sign, which is not obstructed by the proposed building.

STRATEGIC PRIORITIES

This agenda item supports the Quality of Life strategy. The purpose of the Quality of Life strategy is to build relationships and create opportunities within the community for safe and vibrant neighborhoods, which will showcase the promising future of Oxnard. This item supports the following goals and objectives:

Goal 3. Strengthen neighborhood development, and connect City, community and culture.

Objective 3a. Create a renewed focus on establishing a positive outlook and orientation of our City, neighborhoods and overall community.

This agenda item supports the Economic Development strategy. The purpose of the Economic Development strategy is to develop and enhance Oxnard's business climate, promote the City's fiscal health, and support economic growth in a manner consistent with the City's unique character. This item supports the following goals and objectives:

Goal 1. Create vibrant and economically sustainable commercial, industrial and retail industries throughout the City.

Goal 2. Enhance business development throughout the City.

Objective 2a. Develop a strong citywide economy which attracts investment, increases the tax base, creates employment opportunities, and generates public revenue.

Goal 3. Enhance business retention and attraction.

FINANCIAL IMPACT

There is no estimated financial impact to the current FY 2018-2019 budget. The project will be subject to payment of applicable development and impacts fees and development will contribute to future property and sales tax revenues.

ATTACHMENTS:

Attachment A: December 20, 2018 Planning Commission staff report

Attachment B: Resolution of Approval 2018-38

Attachment C: Approved Plans

Attachment D. Letter in opposition from Jackson Tidus dated December 29, 2018

Attachment E. Carlton Browne Oxnard, LLC Appeal dated January 4, 2019

Attachment F. Google image and simulation

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Attachment G. City Council Resolution Upholding the Planning Commission's Approval



**PLANNING COMMISSION
STAFF REPORT**

TO: Planning Commission

FROM: Paul McClaren, Associate Planner

DATE: December 20, 2018

SUBJECT: Planning and Zoning Permit No. 16-540-03 (Special Use Permit), Property Located at 2441 N. Vineyard Avenue.

- 1) Recommendation:** That the Planning Commission adopt a resolution approving Planning and Zoning Permit No. 16-540-03 (Special Use Permit), subject to certain findings and conditions.
- 2) Project Description and Applicant:** A request to construct a 15,940 square-foot, single story, multi-tenant commercial retail center and associated on-site improvements on a vacant 1.35 acre lot. The proposed project is located at 2441 N. Vineyard Avenue. The project is exempt from environmental review pursuant to Section 15332, Class 32 of the California Environmental Quality Act Guidelines. Filed by Alex Kang, Applicant, 879 W. 190th Street, Suite 935, Gardena, CA 90248.
- 3) Existing & Surrounding Land Uses:** The proposed project lies on the west side of North Vineyard Avenue approximately 125 feet south of West Esplanade Drive (See Attachment A).

| Surrounding Land Uses | | | |
|-----------------------|---|-------------------------|--|
| Direction | Zoning | General Plan | Land Use |
| Project Site | General Commercial - Planned Development (C-2-PD) | Commercial General (CG) | Vacant |
| North | General Commercial - Planned Development (C-2-PD) | Commercial General (CG) | Food 4 Less Shopping Center |
| South | General Commercial - Planned Development (C-2-PD) | Commercial General (CG) | Single-story, multi-tenant commercial retail center. |
| Direction | Zoning | General Plan | Land Use |

| | | | |
|------|---|----------------------------|----------------------|
| East | Commercial General* (C-2-PD) | Commercial Office (COF) | Topa Financial Plaza |
| West | General Commercial - Planned Development - All Affordable Housing Opportunity (C-2-PD-AH) | Commercial General (CG) | Former Levitz |

* Zoning will be updated to be consistent with the General Plan as part of the General Plan Consistency Re-zoning.

4) Background Information: This site is the former home of a gas station approved in 1968 under PD82 and upgraded with a Special Use Permit (U1085) on March 21, 1985. Several minor modifications to U1085 were approved to allow additional automotive related uses. The gas station closed in 1998 but the auto repair remained open until 2001. The County of Ventura issued a Remedial Action Completion Certificate on June 20, 2007 for the removal and remediation of the three 15,000 gallon underground tanks. The site was determined to be clean and no further action was needed for the remediation. On December 4, 2008, the Planning Commission approved PZ 07-540-05 for a two-story, 21,861 square-foot mixed-use commercial building. On March 2, 2009, a demolition permit was issued to remove the three existing buildings on the site. The developer did not choose to exercise the rights granted under PZ 07-540-05 within 24 months and that entitlement became null and void per Condition 74 of Resolution 2008-78. The only occupants of the property since 2001 have been seasonal, temporary uses such as Christmas tree sales and the site has been cleared, except for the foundations, since 2009.

5) Environmental Determination: In accordance with Section 15332, Class 32 of the California Environmental Quality Act Guidelines (CEQA), projects characterized as in-fill on less than five acres and that are consistent with the General Plan and zoning designation may be found to be exempt. The proposed project is a new commercial/retail use in a General Commercial zone on an established 1.35-acre lot. Therefore, staff has determined that there is no substantial evidence that the project will have a significant effect on the environment and recommends that Planning Commission accept the Notice of Exemption (see Attachment B).

6) Analysis:

a) General Discussion: The project is a new 15,940 square-foot multi-tenant commercial building. The building will be divided into 3 to 8 tenant spaces with the anchor being a shoe outlet that has 35 retail locations throughout Southern California. The anchor will occupy the 6,000 square-feet closest to North Vineyard Avenue and the remaining space is divisible from 1,000 square-feet to 5,000 square-feet as needed by future tenants. The project should provide around 98 jobs in multiple shifts dependent on the number and type of tenants. The business hours are 10 a.m. to 10 p.m. daily.

The project will be compliant with Title 24 Green Building standards and a report will be

provided to demonstrate project compliance with California energy efficient standards.

- b) General Plan Consistency:** The City's 2030 General Plan land use designation for the subject site is General Commercial uses, which allows free-standing commercial uses along arterials.

Consistency with the 2030 General Plan is defined by the relationship between 2030 General Plan policies and the proposed project. The three consistency classification levels are:

- I. Direct Applicability to a Proposed Project or Program (full text of the policy and an explanation).
- II. Related or Indirect Applicability to the Proposed Project or Program (policy title and an explanation for each or groups of related or indirectly related policies).
- III. No or Distant Applicability to the Proposed Project or Program (all policies not listed as Level I and II are assumed to be consistent).

| POLICY | LEVEL | POLICY OR TITLE | EXPLANATION |
|-------------------------------|-------|----------------------------------|--|
| Community Development CD-9.2 | I | Revitalization and Redevelopment | The project will take a dilapidated property and revitalize it by removing an old foundation, constructing a new modern building, and beautifying the property with new landscaping. |
| Community Development CD-9.4 | I | View Corridor Preservation | The project has created a 30 foot landscape buffer along Vineyard Avenue, a designated scenic corridor. |
| Community Development CD-18.1 | I | Attract New Business | The anchor shoe outlet store is new to Oxnard and additional new spaces will be available for lease to new businesses. |
| POLICY | LEVEL | POLICY OR TITLE | EXPLANATION |

| | | | |
|---|-----|---|--|
| Infrastructure and Community Services ICS-8.4 | I | New Development Requires Bicycle Improvements. | This project will provide the space necessary to continue the multi-use path. |
| Sustainable Community SC-4.1 | I | Green Building Code Implementation | Project will comply with Title 24 Green Building Code |
| CD-3.4 CD-4.4 CD-14.1 CD-14.2 CD-14.3 Environmental Resources ER-10.1 | II | Neighborhood Quality of life. Commercial Area Aesthetics. Design Review Process Development Advisory Committee Functions (DAC) Quality of Design Promote use of Native and Water Wise Plants | The Development Advisory Committee (DAC) review process led to changes in the project and/or conditions of approval that meet these Level II policies. |
| All others | III | All policies not listed above | No or Distant Applicability to the Proposed Project |

- c) Conformance with Zoning Development Standards:** The proposed development is located in the General Commercial (C-2-PD) zone district. Applicable development standards of the C-2-PD zone have been compared with the proposed project, as follows:

| DEVELOPMENT STANDARD | REQUIREMENT | PROPOSED | COMPLIES? |
|----------------------|---|--|-----------|
| Max. building height | 2 stories or 35 feet | 30 feet | YES |
| Front yard setback | 10 feet from property line | 30 foot landscaping buffer to comply with 2030 General Plan for scenic roadways. | YES |
| Side yard setback | 5 feet. Zero when abuts another C-2 zoned lot. | 5' on the south 72' on the north | YES |
| Rear yard setback | 15 feet if >16 feet in height | 25' rear yard setback | YES |
| Floor Area Ratio | 0.35:1 max (per GP) | 0.27:1 | YES |
| DEVELOPMENT STANDARD | REQUIREMENT | PROPOSED | COMPLIES? |

| | | | |
|--|--|---|---|
| Off-street parking: | Retail $15,940/250 = 64$ 1 space must be a motorcycle space 2 - 12' x 40' Loading zones | 61 Standard spaces 4 accessible spaces 1 motorcycle space 66 total spaces 1 permanent 12' x 40' loading zone 1 shared 12' x 40' loading zone | YES with Commission approval (see Circulation and Parking discussion below) |
| Parking area Landscape Req. <ul style="list-style-type: none"> Along streets/alleys Parking/vehicle area | <ul style="list-style-type: none"> Min. 10' along frontage. Min 5' strip interior property lines. Tree every 40' interior property lines Minimum 5% of, exclusive of other required areas. | 30' strip in front 20' strip in back 5' strip on interior lines Tree every 40' 7.7% of parking area is landscaped | YES |
| Trash enclosures & transformers | To be screened at installation. | Screened | YES |
| Rooftop equipment | May not protrude above height of parapet. | Screened | YES |
| Fence | <ul style="list-style-type: none"> Cannot be located in the FY setback area No chain link in FY 8 feet max height | Fence along back of property separating property from multi-use path | YES |
| Lighting | Comply with Section 16-320 of the City Code. | Conditioned to comply | YES |

- d) **Site Design:** The property has approximately 132 feet of frontage along Vineyard Avenue and averages 438 feet deep. The 1.35 acres includes a second parcel at the rear of the property creating a T-shaped lot with the top of the T at the rear of the property. The proposed building will occupy the southerly portion of the property with the store fronts on the north and west sides. The parking for the center will occupy the northerly portion of the property. Along the western edge of the property there is a 20 foot offer of dedication of land parallel and adjacent to the railroad for the City's future construction of a multi-use path (MUP) (**See Section (e) Circulation and Parking**). Vine covered fencing will be installed to separate the path from the railroad property. The fencing will be 6 feet in height and will match the fencing used to separate the path from the railroad at the Food 4 Less site to the north. On the east end of the property is a private road that connects the Food 4 Less site to Vineyard Avenue and there is a reciprocal access easement agreement between the two property owners for maintenance and upkeep of this road. Sidewalk will also be added to the roadway to complete the pedestrian access from Vineyard Avenue to the Food 4 Less site. On Vineyard Avenue the City sidewalks will be removed and replaced where necessary to provide standard sidewalk widths in the public right-of-way.

- e) Circulation and Parking:** The site can be accessed in three ways. Visitors can use the reciprocal access easement road coming from Food 4 Less and make a right turn into the site. Alternatively, visitors traveling southbound on Vineyard Avenue can make a right turn onto the easement road and then turn left into the property. Vineyard Avenue has a raised median that prevents visitors traveling northbound from making a left turn onto the easement road. As patrons enter the site from the easement road, they will drive over decorative concrete paving that helps to define the entrance and the pedestrian connectivity from Vineyard Avenue to the site and beyond to Food 4 Less. Once on the site, there is a central drive isle the entire length of the lot with perpendicular parking on each side. Finally, to provide truck and fire access, the parking lot also exits on the westerly end into the Food 4 Less site via a fire access easement. Per OCC 16-622, sixty-four parking spaces are required. The project is providing sixty-six parking spaces. Condition 48 of the resolutions (See Attachment C) requires that any modification of use of the property be able to provide parking as required by code.

Two 12'x 40' loading areas are required pursuant to section 16-644(A) of the Oxnard City Code. One permanent loading zone has been provided at the rear of the property along the multi-use path and a shared loading zone is provided that will be restricted before 10 a.m. for loading and will be available for patron parking during business hours. Section 16-644(B) OCC allows modification of the loading zone requirements by the Planning Commission or the Director in special circumstances based on the nature of the use or combination of uses, as well as the specific design characteristics of the project. Based on the size and occupancy of this site the, Development Advisory Committee felt that the proposed number of loading spaces (one) would be adequate to serve the site.

Three inverted-U bicycle racks with capacity for 6 bicycles have been provided and are spaced along the store frontage of the building. Three long-term bicycle lockers are also provided.

Multi-Use Path (MUP)/Bike Improvements: As part of the project, the developer is providing an irrevocable offer for a 20' wide stretch of land parallel to the railroad for the City's future construction of a MUP. The MUP was approved in the City's Bicycle and Pedestrian Facilities Master Plan (2012). The future construction of this MUP would allow users to exit the trail to access the businesses. At this time the City does not have funds to design or build the trail. Until such time as the City accepts the land, the 20' area will be maintained by the Developer.

- f) Building Design and Architecture:** The anchor store will occupy 6,000 square-feet of the retail space along Vineyard Avenue and this portion of the building will be thirty feet in height. The other stores elevations will range in height from 22 feet to 26 feet to break up the facade. The project went through multiple rounds of review with third party architectural consultants to ensure that the architecture was appropriate for a scenic roadway. The colors and materials will be complementary to the Food 4 Less site. The easterly and northerly elevations are the primary elevations but the southerly elevation is still visible from Vineyard Avenue so this facade will also have multiple materials to provide depth and interest. The entrances to the tenant spaces are framed by architectural

pillars on each side with a blade sign attached to one of the pillars. Metal awnings on the pedestrian arcade and wrapping around the west end of the building break up the flat front and help demarcate the entrances to the tenant spaces. The rooftop screening of equipment is integrated into the facade which adds height to this building.

- g) **Signs:** Condition 61 of the resolution requires that a master sign program be reviewed and approved by the Planning Manager. The sign program will ensure that signage for the shopping center is implemented per city code and presents an aesthetically pleasing and cohesive appearance. The sign program will include the signage on the building as well as a ground sign on Vineyard Avenue.
- h) **Landscaping and Open Space:** The site currently has 10 trees. An arborists report was prepared by L.A. Johnny Landscape Architects on September 5, 2017. The report recommends the removal of four trees appraised at a total value of \$900.00. Two of the trees to be removed are saplings and the other two are carrotwoods in poor condition. The trees are positioned on the site in locations that interfere with the parking lot design, are in poor health and would not survive relocation. To offset the removal of these trees four 36" box king palms will be added to the site as well as 23 other trees of various types. A total of 16% of the site will be landscaped. This includes the 30 foot deep buffer required along Vineyard Avenue which is a scenic roadway and 5' along the perimeter. Decorative hardscaping will define the entrance and provide a pedestrian path from Vineyard Avenue to the new shopping center and the Food 4 Less site.
- 7) **Development Advisory Committee:** The Development Advisory Committee (DAC) reviewed this project on March 8, 2017 and again on October 4, 2017. Recommendations of the DAC are included in the attached resolution as conditions (See Attachment C).
- 8) **Community Workshop and Public Input:** On May 4, 2018, the applicant mailed notices of the Community Workshop meeting to all property owners within the Rio Lindo Neighborhood. A notice of this meeting was posted on the project site with a brief description and contact information. The Community Workshop was conducted on May 14, 2018. A number of community members had questions and comments about the project. Most of the community members were happy to see something being done on the lot as the currently vacant site is considered an eyesore by these community members. However, while the community was positive about a project, they were not enthusiastic about the aesthetic qualities of the architecture for the proposed project. Similar concerns had been expressed by third party architectural review. As a result of the community workshop comments, third party architectural review and discussions with the Planning Manager the applicant chose to redesigned the elevations to address the concerns. The layout of the building has not changed since the community workshop but the elevations were completely redesigned and sent back to the City's architectural consultant. The consultant had some minor suggestions for improvements that have been addressed and overall the feedback was positive. The project now presents something that is more cohesive with the architectural styles of adjacent retail centers.
- 9) **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

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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. Notice of Exemption
- C. Resolution
- D. Reduced Project Plans

RESOLUTION NO. 2018-38

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD APPROVING PLANNING AND ZONING PERMIT NO. 16-540-03 (SPECIAL USE PERMIT) TO DEVELOP A 15,940 SQUARE-FOOT, SINGLE STORY, MULTI-TENANT COMMERCIAL RETAIL CENTER AND ASSOCIATED ON-SITE IMPROVEMENTS ON A VACANT 1.35 ACRE LOT, SUBJECT TO CERTAIN FINDINGS AND CONDITIONS. THE PROPOSED PROJECT IS LOCATED AT 2441 N. VINEYARD AVENUE. FILED BY ALEX KANG, APPLICANT, 879 W. 190TH STREET, SUITE 935, GARDENA, CA 90248.

WHEREAS, on December 29, 2016, Alex Kang, (the “**Applicant**”), submitted a request to construct a 15,940 square-foot, single story, multi-tenant commercial retail center and associated on-site improvements on a vacant 1.35 acre lot located at 2441 N. Vineyard Avenue; and

WHEREAS, on December 20, 2018, the Planning Commission of the City of Oxnard (“**Planning Commission**”) conducted a duly noticed public hearing to consider Applicant’s request to approve Planning and Zoning Permit No. 16-50-03 (Special Use Permit), to construct a 15,940 square-foot, single story, multi-tenant commercial retail center and associated on-site improvements on a vacant 1.35 acre lot (the “**Project**”) in accordance with Section 16-530 through 16-553 of the Oxnard City Code; and

WHEREAS, the Planning and Environmental Services Division has completed a preliminary environmental assessment of the Project in accordance with the California Environmental Quality Act (CEQA) and determined that the Project is subject to a Class 32 Categorical Exemption.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF OXNARD:

SECTION 1. Based on the entire record before the Planning Commission and all written and oral evidence presented, including the Planning Commission Staff Report and all attachments thereto, the Planning Commission finds:

- (1) **The proposed use is in conformance with the City of Oxnard General Plan and the elements thereof and other adopted standards.**

The proposed use is consistent with the 2030 General Plan, and the elements thereof and other adopted standards, as discussed in Section 6(b) of the Planning Commission Staff Report.

- (2) **The proposed use will not adversely affect or be materially detrimental to the adjacent uses, buildings or structures or to the public health, safety or general welfare.**

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 PZ 16-540-03 (SUP)
 Dec. 20, 2018

The Project is designed to be architecturally compatible with the design of the surrounding buildings in the region and is in compliance with applicable City codes for development of new commercial structures.

- (3) **The site for the proposed use is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and all items required by the conditions of approval.**

The Project meets all pertinent development standards, discussed in greater detail in Section 6(c) of the Planning Commission Staff Report.

- (4) **The site for the proposed use will be served by highways adequate in width and improved as necessary to carry the kind and quantity of traffic such use will generate.**

The Project will be adequately served by all existing infrastructure as reviewed at the Development Advisory Committee meeting and will generate minimal impact of traffic on streets and highways as determined by the City Traffic Engineer.

- (5) **The site for the proposed use will be provided with adequate sewerage, water, fire protection and storm drainage facilities.**

The Project will be served by existing water and sewer connections. In accordance with the Stormwater Quality Conditions of this Resolution, the Project's design will comply with stormwater control measures as required by the Los Angeles Regional Water Quality Control Board's municipal separate storm sewer system ("MS4") permit.

SECTION 2. In accordance with CEQA guidelines, §15332, the project qualifies as a Class 32 categorical exemption (In-fill Development Projects). This section pertains to environmentally benign infill projects that are consistent with the General Plan and Zoning requirements. The Planning and Environmental Services Division is hereby authorized and directed to file a Notice of Exemption with the Ventura County Clerk pursuant to Section 15602 of the State CEQA Guidelines within five (5) working days of passage, approval and adoption of this Resolution.

SECTION 3. Based on the findings set forth herein, the Planning Commission hereby approves Planning and Zoning Permit 16-540-03 (Special Use Permit), subject to the attached conditions of approval.

SECTION 4. The decision of the Planning Commission shall be final unless an appeal of the action is filed in accordance with the provisions of Section 16-545 of the Oxnard City Code.

SECTION 5. The Secretary shall certify the adoption of this Resolution.

**STANDARD CONDITIONS OF APPROVAL
 FOR LAND USE PERMITS**

Resolution No. 2018-38
 PZ 16-540-03 (SUP)
 Dec. 20, 2018

Note: The abbreviations below identify the City department or division responsible for determining compliance with these standard conditions. The first department or division listed has responsibility for compliance at plan check, the second during inspection and the third at final inspection, prior to issuance of a certificate of occupancy, or at a later date, as specified in the condition. If more than one department or division is listed, the first will check the plans or inspect the project before the second confirms compliance with the condition. The italicized code at the end of each condition provides internal information on the source of each condition: Some are standard permit conditions (e.g. *G-1*) while some are taken from environmental documents (e.g. *MND-S2*).

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

GENERAL PROJECT CONDITIONS

1. This permit is granted for the property described in the application on file with the Planning Division, and may not be transferred from one property to another. (PL, *G-1*).
2. This permit is granted for the plans dated August 29, 2018, (“the plans”) on file with the Planning Division. The project shall conform to the plans, except as otherwise specified in these conditions, or unless a minor modification to the plans is approved by the Planning and Environmental Services Manager (“Planning Manager”) or a major modification to the plans is approved by the Planning Commission. A minor modification may be granted for minimal changes or increases in the extent of use or size of structures or of the design, materials or colors of structures or masonry walls. A major modification shall be required for substantial changes or increases in such items. (PL, *G-2*)
3. This permit shall automatically become null and void 36 months from the date of its issuance, unless Developer has diligently developed the proposed project, as shown by the issuance of a grading, foundation, or building permit and the construction of substantial improvements. (PL, *G-3*)
4. All required off-site and on-site improvements for the project, including structures, paving, and landscaping, shall be completed prior to occupancy unless the Development Services Manager allows Developer to provide security or an executed agreement approved by the City Attorney to ensure completion of such improvements. (DS, *G-4*)
5. By commencing any activity related to the project or using any structure authorized by this permit, Developer accepts all of the conditions and obligations imposed by this permit and waives any challenge to the validity of the conditions and obligations stated therein. (CA, *G-5*)

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6. Developer agrees, as a condition of adoption of this resolution, at Developer's own expense, to indemnify, defend and hold harmless the City and its agents, officers and employees from and against any claim, action or proceeding to attack, review, set aside, void or annul the approval of the resolution or any condition attached thereto or any proceedings, acts or determinations taken, done or made prior to the approval of such resolution that were part of the approval process. (CA, G-6)
7. Developer shall complete the "Notice of Land Use Restrictions and Conditions" form, using the form provided by the City, for recording with the Ventura County Recorder. Before the City issues building permits, Developer shall submit the original completed, signed and notarized document, together with the required fees to the Planning Manager. (PL, G-8)
8. Developer shall provide off-street parking for the project, including the number of spaces, stall size, paving, striping, location, and access, as required by the City Code. (PL/B, G-9)
9. Before placing or constructing any signs on the project property, Developer shall obtain a sign permit from the City. Except as provided in the sign permit, Developer may not change any signs on the project property. (PL/B, G-10)
10. Developer shall obtain a building permit for any new construction or modifications to structures, including interior modifications, authorized by this permit. (B, G-11)
11. Developer shall not permit any combustible refuse or other flammable materials to be burned on the project property. (FD, G-12)
12. Developer shall not permit any materials classified as flammable, combustible, radioactive, carcinogenic or otherwise potentially hazardous to human health to be handled, stored or used on the project property, except as provided in a permit issued by the Fire Chief. (FD, G-13)
13. If Developer, owner or tenant fails to comply with any of the conditions of this permit, the Developer, owner or tenant shall be subject to a civil fine pursuant to the City Code. (CA, G-14)
14. Prior to issuance of building permits, Developer shall correct all violations of the City Code existing on the project property for which the Code Compliance Division has open cases. (PL, G-15).

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LANDSCAPE STANDARD CONDITIONS

15. Prior to issuance of a certificate of occupancy, Developer shall install landscape and automatic irrigation systems that have been approved by Parks and Facilities Superintendent. (PK, PK-3)
16. Developer shall properly maintain landscape planting and all irrigation systems as required by the City Code and as specified by this permit. Failure of Developer to do so may result in the revocation of this permit and initiation of legal proceedings against Developer to ensure compliance. (PK, PK-4)
17. Prior to the issuance of a certificate of occupancy, Developer shall provide a watering schedule to the building owner or manager and to Planning Division or designee. The irrigation system shall include a smart irrigation meter capable of automatically adjusting the water schedule based on weather conditions to include rain shut-off devices. (PK, PK-5)
18. All trees planted or placed on the property by Developer shall be at least 24-inch-box size. All shrubs and vines shall be at least five-gallon size, except as otherwise specified by this permit. (PK, PK-6)
19. Developer shall install an irrigation system that includes a water sensor shut off device as a water conservation measure. (PK, PK-22)
20. At time of submittal to the Building and Engineering Division for plan check, Developer's Landscape Architect or Architect shall provide the City with written confirmation that they have reviewed the civil engineering construction drawings and that the NPDES requirements are not in conflict with meeting the City's landscape requirements. (PK, PK-23)
21. Developer shall include a note on the Landscape Plans submitted to the Building and Engineering Division for a building permit that "all landscaping and irrigation comply with Ordinance No. 2822, which adopted the City of Oxnard Landscape Water Conservation Standards, and applicable water conservation requirements of the State of California". (PK, PK-24)
22. At the time of Plan Check submittal, the landscape plans shall contain an exhibit titled "Tree Tabulation Chart". The Tree Tabulation Chart shall contain a listing of all existing trees on site and shall refer to them by number as identified in the Arborist's Tree Report. The Tree Tabulation Chart shall clearly list all trees to remain, be removed or transplanted. The Chart shall contain the Arborist's economic appraisal value of each tree(s) removed as well as computations and calculations showing how the value of the removed tree(s) was put back into new tree sizes for the project that are in addition to meeting the City's minimum tree size of 24" box. (PK)

FIRE DEPARTMENT STANDARD CONDITIONS

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23. Developer shall construct all vehicle access driveways on the project property to be at least 26 feet wide. Developer shall mark curbs adjacent to designated fire lanes in parking lots to prohibit stopping and parking in the fire lanes. Developer shall mark all designated fire lanes in accordance with the California Vehicle Code. (FD/B, *F-1*)
24. All roof covering materials on the project property shall be of non-combustible or fire retardant materials approved by the Fire Chief and in compliance with the City Code. (FD, *F-2*)
25. Before the City issues building permits, Developer shall obtain the Fire Chief's approval of a plan to ensure fire equipment access and the availability of water for fire combat operations to all areas of the project property. The Fire Chief shall determine whether or not the plan provides adequate fire protection. (FD/DS, *F-3*)
26. At Developer's expense, Developer shall obtain two certified fire flow tests for the project property. The first test shall be completed before City approval of building plans and the second shall be completed after construction and prior to the issuance of a certificate of occupancy. A mechanical, civil, or fire protection engineer must certify the tests. Developer shall obtain permits for the tests from the Engineering Division. Developer shall send the results of the tests to the Fire Chief and the City Engineer. (FD/DS, *F-4*)
27. All structures on the project property shall conform to the minimum standards prescribed in Title 19 of the California Code of Regulations. (FD, *F-5*)
28. The project shall meet the minimum requirements of the "Fire Protection Planning Guide" published by the Fire Department. (FD, *F-6*)
29. At all times during construction, developer shall maintain paved surfaces capable of handling loads of 76,000 pounds which will provide access for fire fighting apparatus to all parts of the project property. (FD/DS, *F-7*)
30. Developer shall identify all hydrants, standpipes and other fire protection equipment on the project property as required by the Fire Chief. (FD, *F-8*)
31. Developer shall provide central station monitoring of the fire sprinkler system and all control valves. (FD, *F-10*)
32. Developer shall provide automatic fire sprinklers as required by the City Code (to include the trash enclosures) and shall contact the Fire Chief to ascertain the location of all connections. (FD, *F-12*)

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FIRE DEPARTMENT SPECIAL CONDITIONS

33. Plans shall show and identify all fire hydrants and fire service features on the project property and 150 Ft. radius of coverage from center of hydrant. Additional hydrants may be required once this information is provided.
34. Applicant shall provide a loop hydrant system for this project.
35. The FDC/Backflow must be within 50 feet of a hydrant.

POLICE DEPARTMENT CONDITIONS

36. Prior to the issuance of building permits, applicant shall receive approval of a site security plan from the Chief of Police or his designee.
37. A site security plan shall be submitted with the building plans and shall include:
 - a. A plan sheet documenting the floor plan and placement of cameras, camera control equipment, floor safe or similar non-movable safe.
 - b. Cash handling policy document which clearly guides employees on preparing cash trays, money drops for safe, bank deposit procedures, robbery and burglary alarm use, and what to do in the event of a robbery or other dangerous event.
 - c. Designation of a location where employees can prepare cash trays and count cash out of the view of customers.
38. The project will comply with the Outdoor Lighting Code and Guidelines.
 - a. Outdoor lighting shall comply with Title 24, Part 6, of the California Code of Regulations: California's Energy Efficiency Standards for Residential and Nonresidential Buildings.
 - b. Unless approved as a specific exception to this guideline, all outdoor lighting shall be flat lens, full cut-off fixtures with the light source fully shielded with the following exceptions:
 1. Luminaires with a maximum output of 260 lumens per fixture, regardless of number of bulbs (equal to one 20-watt incandescent light), may be left unshielded provided the fixture has an opaque top to keep light from shining directly up.
 2. Luminaires that have a maximum output of 1,000 lumens per fixture, regardless of number of bulbs (equal to one 60-watt incandescent light) may be partially shielded provided the bulb is not visible, and the fixture has an opaque to keep light from shining directly up.
39. Landscape elements shall be arranged to provide clear lines of sight and eliminate potential places of concealment.
40. Security camera systems shall meet or exceed the below standards:
 - a. Cameras and supporting equipment shall supply digital color images under normal lighting conditions. Greyscale images are expected for infra-red lighting.

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- b. Cameras shall be made by a reputable manufacturer and maintained to current industry standards.
 - c. Cameras shall have low light capability and able to identify persons conducting transactions or entering the business.
 - d. The video system shall utilize a Digital Video Recorder (DVR). VHS and other formats are prohibited.
 - e. The video system shall allow recording, live viewing and playback of recorded video for a period of a period of at least 30 days.
 - f. Recorded images shall bear a date and time stamp that cannot be altered.
 - g. Prior to the installation of a security camera system the applicant shall submit a plan showing location of cameras and the scope of their capture area. The plan shall include a list of components and a web address where a description of the component's specifications can be located.
 - h. Signage shall be posted near the primary public building entrance which states in 2" letters: "These premises are monitored by a security camera system".
 - i. Cameras in domed casings are highly encouraged as their area of focus is not easily determined by a casual observer.
 - j. Signs shall be posted on the property indicating that "Security Cameras in Use".
41. If an alarm system is installed, it shall be compliant with Oxnard City Code 11-95 through 11-100. Motion detection burglary or intrusion alarm systems shall utilize "Dual Technology" sensors capable of differentiating between human movement and non-human movement.
42. All non-custody, non-violent crimes occurring in the business shall be reported to the Oxnard Police Department via its Internet based reporting system which can be found at oxnardpd.org. The business shall supply a full report including statements, circumstances, and any related photographic evidence.
43. Prior to issuance of a certificate of occupancy, the Applicant will contact the Police Department's Compliance Specialist for review and inspection of installed cameras and alarm systems.

PLANNING DIVISION STANDARD CONDITIONS

44. Plans submitted by Developer with building permit applications shall show on the building elevation sheets all exterior building materials and colors, including product and finish manufacturer name, color name and number, and surface finish type (such as: stucco with sand finish, plaster with smooth finish) to be used in construction. (PL/B, PL-1)
45. Any application for a minor modification to the project shall be accompanied by four copies of plans reflecting the requested modification, together with applicable processing fees. (PL, PL-2)

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46. Before the City issues building permits, Developer shall include a reproduction of all conditions of this permit as adopted by resolution of the Planning Commission and/or the City Council in all sets of construction documents and specifications for the project. (PL, *PL-3*)
47. Before the City issues building permits, Developer shall provide to the Planning Division Manager color photographic reductions (11" by 17") of elevations and any other colored exhibit approved by the Planning Commission. (PL, *PL-4*)
48. Developer may not modify any use approved by this permit unless the Planning Division Manager determines that Developer has provided the parking required by the City Code for the modified use. (PL, *PL-7*)
49. During the plan check review process, the Developer shall provide a lighting plan that provides design details (light standards, bollards, wall mounted packs, etc.) and illumination site information within alleyways, pathways, streetscapes, and open spaces proposed throughout the development. An electrical engineer shall prepare the site lighting plan demonstrating that adequate lighting ranges will be provided throughout the development without creating light spillover, light pollution, or conflicts with surrounding factors such as tree locations, off-site or adjacent lighting. (PL)
50. Prior to issuance of building permits, Developer shall demonstrate that light standards illustrated on conceptual lighting plan do not conflict with tree locations. Developer shall submit a plan showing both the lighting and landscape on the same sheet.
51. Project on-site lighting shall be of a type and in a location that does not constitute a hazard to vehicular traffic, either on private property or on adjoining streets. To prevent damage from vehicles, standards in parking areas shall be mounted on reinforced concrete pedestals or otherwise protected. Developer shall recess or conceal under-canopy lighting elements so as not to be directly visible from a public street. Developer shall submit a lighting plan showing standard heights and light materials for design review and approval of the Planning Division Manager. (PL/B, *PL-8*)
52. In order to minimize light and glare on the project property, all parking lot and exterior structure light fixtures shall be high cut-off type that divert lighting downward onto the property and shall not cast light on any adjacent property or roadway. (PL, *PL-9*)
53. Developer shall provide for dust control at all times during project property preparation and construction activities. (B/DS, *PL-13*)
54. Developer agrees to participate in a water conservation program that includes refitting water fixtures existing on the project property with water conserving devices within residences or businesses in the City's water service area, if such a program is in effect when building permits are issued for this project. Among the requirements of such a program might be refitting existing toilets, faucets, shower heads, landscaping irrigation or other fixtures and items that consume water within the structure. (PL, *PL-14*)

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55. Because of water limitations placed upon the City by its water providers, approval of this permit does not guarantee that the City will issue building permits. Issuance of building permits may be delayed as a result of implementation of a water conservation or allocation plan. (PL, *PL-15*)
56. Prior to issuance of building permits, Developer shall pay a document imaging fee for the planning files in an amount calculated by planning staff at the time of building permit review based on fees then in effect. (PL/B, *PL-16*).
57. Developer shall participate in the City's Public Art Program by paying the Public Art fee prior to issuance of building permits, in accordance with City Council Resolution No. 14,124. (PL, *PL-50*)
58. Developer shall recess or screen roof heating and cooling systems and other exterior mechanical equipment from adjoining property and public streets, as required by this permit. Plumbing vents, ducts and other appurtenances protruding from the roof of structures shall be placed so that they will not be visible from the front of the property or other major public vantage points. Developer shall include a note on the construction plumbing drawings of exterior elevations to indicate to contractors that roof features shall be grouped and located in the described manner. Roof vents shall be shown on construction drawings and painted to match roof material color. (PL/B, *PL-41*)
59. Developer shall install all roof and building drainpipes and downspouts inside building elements. These items shall not be visible on any exterior building elevations. (PL, *PL-42*)
60. For any exterior utility meter panels, developer shall provide screening or an enclosure such that the panels are screened from public view. Such panels shall be located to take advantage of screening (e.g. landscaping or other building elements) from public right-of-ways, to the maximum extent feasible. (PL, *PL-43*)
61. Before the City issues building permits, Developer shall submit and obtain approval from the Planning Manager of a master sign program for the project, which shall indicate on the site plan the elevations, the size, placement, materials, and color of all proposed free-standing and building signs. The square footage of all signs for the project shall not exceed the total square footage allowable by City Code. (PL/ B, *PL-46*)
62. Prior to issuance of a certificate of occupancy, Developer shall remove all construction materials and vehicles from the subject property. (PL/B, *PL-47*)
63. Developer shall stripe loading zones for loading and unloading activities only and post to prohibit storage or other non-loading activity within the loading zone. The shared loading zone will be available for patron parking between the hours of 10:00 a.m. and 10:00 p.m. (PL/B, *PL-49*)

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64. Developer shall install toilets that have automatic flush sensors in all public restrooms. Such toilets shall be included on the plans submitted for a building permit and shall be maintained and in working order at all times. (PL)
65. Developer shall install individual mirrors above each sink in a public restroom to the satisfaction of the Planning Division Manager. The details of such mirrors shall be approved prior to issuance of a building permit. Developer shall remove graffiti from the mirrors or replace the mirrors within 24 hours of graffiti appearance. (PL)
66. Developer shall remove any and all graffiti from the project premises, including but not limited to graffiti within the building, such as in restrooms or fitting rooms, within 24 hours of its appearance. The surface of such affected areas shall be matched to blend in with the underlying colors and/or design, and shall not look like a paint patch. (PL)
67. Before the City issues building permits, Developer shall provide a Graffiti Deterrent Plan, subject to the approval the Planning Division Manager. Such plan shall include such elements as clear film on windows and/or mirrors, as well as washable paint and sealers on the building and perimeter walls. (PL)
68. Developer shall ensure that all construction equipment is maintained and tuned to recommended manufacturer's specifications. (MND, C-1)
69. At all times during construction activities, Developer shall minimize the area disturbed by clearing, grading, earth moving, or excavation operations to prevent excessive amounts of dust. (MND, C-2)
70. During construction, Developer shall water the area to be graded or excavated prior to commencement of grading or excavation operations. Such application of water shall be at least twice per day and shall penetrate sufficiently to minimize fugitive dust during grading activities. (MND, C-3)
71. During construction, Developer shall control dust by the following activities:
 - a. All trucks hauling graded or excavated material off-site shall be required to cover their loads as required by California Vehicle Code §23114, with special attention to Sections 23114(b)(F), (e)(2) and (e)(4) as amended, regarding the prevention of such material spilling onto public streets and roads.
 - b. All graded and excavated material, exposed soils areas, and active portions of the construction site, including unpaved onsite roadways, shall be treated to prevent fugitive dust. Treatment shall include, but not necessarily be limited to, periodic watering, application of environmentally-safe soil stabilization materials, and/or roll-compaction as appropriate. Watering shall be done as often as necessary and reclaimed water shall be used whenever possible. (MND, C-4)
72. During construction, Developer shall post and maintain onsite signs, in highly visible areas, restricting all vehicular traffic to 15 miles per hour or less. (MND, C-5)

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73. During periods of high winds (i.e. wind speed sufficient to cause fugitive dust to impact adjacent properties), Developer shall cease all clearing, grading, earth moving, and excavation operations to prevent fugitive dust from being a nuisance or creating a hazard, either onsite or offsite. (MND, C-6)
74. Prior to grading permit approval, Developer shall include on the grading plans a reproduction of all conditions of this permit pertaining to dust control requirements. (PL)

ENVIRONMENTAL RESOURCES DIVISION STANDARD CONDITIONS

75. To ensure that solid waste generated by the project is diverted from the landfill and reduced, reused or recycled, Developer shall complete and submit a “City of Oxnard C&D Environmental Resources Management & Recycling Plan” (“Plan”) to the City for review and approval. The Plan shall provide that at least 50% of the waste generated on the project be diverted from the landfill. The Plan shall include the entire project area, even if tenants are pursuing or will pursue independent programs. The Plan shall be submitted to and approved by the Environmental Resources Division prior to issuance of a building permit. The Plan shall include the following information: material type to be recycled, reused, salvaged or disposed; estimated quantities to be processed; management method used; destination of material including the hauler name and facility location. Developer shall use the Plan form.
76. Developer shall follow the approved “City of Oxnard C&D Environmental Resources Management & Recycling Plan” and provide for the collection, recycling, and/or reuse of materials (i.e., concrete, wood, metal, cardboard, green waste, etc.) and document results during construction and/or demolition of the proposed project. After completion of demolition and/or construction, Developer shall complete and submit the “City of Oxnard C&D Environmental Resources Management & Recycling Report For Work Completed” (“Work Completed Report”) and provide legible copies of weight tickets, receipts, or invoices for materials sent to disposal or reuse/recycling facilities. For other discarded or salvaged materials, Developer shall provide documentation, on the disposal facility’s letterhead, identifying where the materials were taken, type of materials, and tons or cubic yards disposed, recycled or reused, and the project generating the discarded materials. Developer shall submit and obtain approval of the Work Completed Report prior to issuance of a certificate of occupancy.
77. Developer shall arrange for materials collection during construction, demolition, and occupancy with the City’s Environmental Resources Division or Developer shall arrange for self-hauling. Regardless of hauling methods, all materials collected must be conveyed to the Del Norte Regional Recycling and Transfer Station.
78. Developer shall make provisions to divert at least 50% of the waste material generated during occupancy through source reduction, recycling, reuse, and green waste programs. Developer shall complete and submit a “City of Oxnard C&D Environmental Resources Management & Recycling Occupancy Plan” (“Occupancy Plan”) to the City’s Environmental Resources Division. An Occupancy Plan must be submitted and approved

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prior to issuance of a certificate of occupancy. An Occupancy Plan must be submitted and approved prior to issuance of a certificate of occupancy. A “City of Oxnard C&D Environmental Resources Management and Recycling Occupancy Report” shall be submitted to the Environmental Resources Division annually for approval on the anniversary date of the certificate of occupancy or at any such time that the facility’s operational functions change significantly.

79. Developer shall dispose of sewage and solid waste from the project by City’s wastewater and solid waste systems in a manner approved by the City Engineer.

DEVELOPMENT SERVICES DIVISION STANDARD CONDITIONS

80. Developer shall pay plan check and processing fees in effect at the time of construction plan submittal and shall pay development fees, encroachment permit fees, and other applicable fees in effect at permit issuance. (DS-1)
81. Developer’s Engineer shall design parking lot structural sections based on an analysis of the soils R-value and a traffic index (T.I.) approved by the City Engineer. The minimum structural section for parking lots is two inches of asphalt on four inches of base material. Developer shall indicate the proposed structural section and design T.I. on the site improvement plans. (DS-2)
82. Developer shall have the site improvement plans prepared using standard Development Services Division format(s) by a civil engineer licensed in the State of California. The plans shall incorporate recommendations from soil engineering and geology reports. Prior to issuance of a grading permit, improvement plans must be approved by the City Engineer and ink-on-mylar plans filed with the Development Services Division. (DS-3)
83. Developer shall submit improvement plans and drainage calculations demonstrating that storm drain runoff from the project property and all upstream areas will be safely conveyed to an approved drainage facility. The design and conveyance route shall be compatible with the City’s Master Plan of Drainage and shall be approved by the City Engineer prior to approval of improvement plans. (DS-4)
84. Developer shall protect building pads from inundation during a 1% chance (100 year) storm. (DS-5)
85. Developer shall replace all broken, uplifted, or missing curb, gutter, or sidewalk along the street frontage(s) of the project. (DS-6)
86. Before connecting the project to existing sewer and water service laterals, Developer shall inspect (pothole or video) existing lateral(s) and arrange for City staff to view inspection results. Developer shall make repairs to such facilities as determined necessary by City staff. Developer shall bring all existing water services into compliance with current City standards including removal of unused water or sewer laterals by disconnection at the main. (DS-7)

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87. Curb cut widths and design shall conform to City ordinances, standards, and policies in effect at the time City issues an encroachment permit. (DS-9)
88. Developer's site improvement plans shall include an onsite sewer plan. (DS-10)
89. Developer shall install onsite and offsite electric, cable, telephone and similar utility service laterals underground in accordance with City ordinances in effect at the time City issues a building permit. Services shall be installed underground to the nearest suitable riser pole as determined by the appropriate utility service provider. (DS-12)
90. Developer shall enter into an agreement, approved as to form by the City Attorney, to install and construct all public improvements required by this permit and by the City Code. Developer shall post security satisfactory to the Finance Director, guaranteeing the installation and construction of all required improvements within the time period specified in the agreement or any approved time extension. (DS-14)
91. A California licensed civil engineer shall prepare the public improvement plans and documents for this project in accordance with City standards and shall submit all such plans to the City Engineer. Submittal shall include, but not necessarily be limited to, grading, street, drainage, sewer, water and other appurtenant improvement plans, construction cost estimates, soils reports, and all pertinent engineering design calculations. City will not approve a parcel map or final map nor issue a grading, site improvement or building permit until the City Engineer has approved all improvement plans. (DS-15)
92. Prior to issuance of a site improvement permit, Developer shall provide to the Development Services Division a compact Disc (CD) containing digital copies of all project maps, address map, and/or civil improvements drawings in DWG format. Prior to improvement bond release, Developer shall provide an updated CD containing all changes that occur during construction. (DS-16)
93. Developer shall provide all necessary easements for streets, highways, alleys, sidewalks, parkways, landscaping, utilities, drainage facilities, or other improvements as required by City. If such easements cannot be obtained from the property owner by negotiation, City may acquire them at the expense of Developer by exercise of the power of eminent domain. Developer shall bear all costs of eminent domain proceedings, including appraisal, acquisition, attorney's fees, and court costs. Before City issues a site improvement permit, Developer shall dedicate all required easements to City. (DS-19)
94. Developer shall remove graffiti from the project, including graffiti on offsite public infrastructure under construction by Developer, within 24 hours of its appearance. If Developer fails to remove graffiti in accordance with this condition, the City may at the discretion of the Development Services Manager issue a stop work order until such time as the graffiti is removed. (DS-20)

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95. The conditions of this resolution shall prevail over all omissions, conflicting notations, specifications, dimensions, typical sections, and the like, that may or may not be shown on the improvement plans. (DS-21)
96. Developer shall pay the cost of all inspections of onsite and offsite improvements. (DS-22)
97. Developer shall be responsible for all project related actions of Developer's employees, contractors, subcontractors, and agents until City accepts the improvements. (DS-23)
98. Prior to beginning construction, Developer shall designate in writing an authorized agent who shall have complete authority to represent and to act for Developer. The authorized agent shall be present at the work site whenever work is in progress. Developer or the authorized agent shall make arrangements acceptable to City for any emergency work. When City gives orders to the authorized agent to do work required for the convenience and safety of the general public because of inclement weather or any other cause, and the orders are not immediately acted upon by the authorized agent, City may do or have such work done by others at Developer's expense. (DS-24)
99. "Standard Specifications for Public Works Construction" latest edition (including modifications thereto by City) and applicable City Standard Plates and Design Criteria shall be the project specifications, except as noted otherwise on the approved improvement plans. City reserves the right to upgrade, add to, or revise these specifications and plans and all other City ordinances, policies, and standards. If the improvements required of this project are not completed within 12 months from the date of City's approval of the improvement plans, Developer shall comply with and conform to any and all upgraded, additional or revised specifications, plans, ordinances, policies and standards. (DS-27)
100. Developer shall retain a California licensed Civil Engineer to ensure that the construction work conforms to the approved improvement plans and specifications and to provide certified "asbuilt" plans after project completion. Developer's submittal of certified "asbuilt" plans is a condition of City's final acceptance of the project and release of any associated security. (DS-29)
101. All grading shall conform to City's standard grading notes, City Code, and recommendations of Developer's soils engineer as approved by the City Engineer. (DS-30)
102. Developer shall design all slopes steeper than 5 (horizontal) to 1 (vertical) with a minimum 18 inch wide level area (at both top and bottom of slope) where it adjoins a wall, fence, sidewalk, trail, curb or similar improvement. (DS-32)
103. Developer shall design project grading to convey stormwater to a street, alley, or approved drain so that there are no undrained depressions. (DS-35)
104. Prior to issuance of a site improvement permit, Developer shall provide to the City Engineer easements or written consent (as determined appropriate by the Development

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Services Director) from all affected landowners for any diversion of historical flows or change in drainage conditions caused by the project. (DS-36)

105. Developer shall dispose of sewage and solid waste from the project by City's wastewater and solid waste systems in a manner approved by the City Engineer. (DS-38)
106. Developer shall install water mains, fire hydrants and water services in conformance with City standard plates, design criteria and specifications as directed by the City Engineer. (DS-41)
107. Developer shall install City approved backflow prevention devices for water connections if so ordered by the City Engineer. (DS-45)
108. Prior to designing the water system for the project, Developer shall have a certified fire flow test performed to determine existing water pressure and flow characteristics. The water system shall be designed to allow for a 10 psi drop in the static water pressure measured during the fire flow test. After construction and before City issues a certificate of occupancy, the City Engineer may require a second test. Developer shall obtain permits from the City Engineer prior to performing tests. Developer shall have all tests certified by a mechanical, civil, or fire protection engineer and provide written results of all tests to the City Engineer. (DS-47)
109. Developer shall submit a landscape irrigation plan prepared by a licensed professional, showing proper water meter size, backflow prevention devices, and cross connection control. (DS-59)
110. Developer shall be responsible for and bear the cost of replacement of all existing survey monumentation (e.g., property corners) disturbed or destroyed during construction, and shall file appropriate records with the Ventura County Surveyor's Office. (DS-64)
111. Developer shall construct a concrete apron along the length of the trash enclosure opening that extends a minimum of 15 feet from the face of the enclosure. (DS-69)
112. Developer shall provide adequate vehicle sight distance as specified by CalTrans specifications at all driveways and intersections. (TR-71)
113. Developer shall install bike racks in accordance with City standards at locations approved by City Traffic Engineer. (TR-73)
114. Developer shall design project to minimize degradation of stormwater quality by complying with the applicable sections of the Los Angeles Regional Water Quality Control Board's municipal separate storm sewer system ("MS4") permit (Order R4-2010-0108 including all revisions) for new development and redevelopment projects. Developer shall submit stormwater quality calculations and associated construction plans demonstrating compliance with the MS4 permit. Calculations shall generally be organized to follow the

Resolution No. 2018-38
 PZ 16-540-03 (SUP)
 Dec. 20, 2018

steps outlined in Chapter 2 of the 2011 Technical Guidance Manual for Stormwater Control Measures ("2011 TGM"). (DS-78)

115. Developer's stormwater quality calculations shall include site specific analysis and recommendations from a geotechnical engineer, and if applicable, a landscape architect for design and implementation of stormwater treatment and infiltration devices. Geotechnical Engineering analysis and recommendations shall include, but not necessarily be limited to, determination of site specific soil infiltration rates, depth to permeable soil layers, methods to reach permeable soil layers, appropriate compaction rates, recommendations to enhance infiltration, and other requirements of the 2011 TGM. Landscape architectural recommendations shall include, but not necessarily be limited to, suggestions regarding appropriate vegetation and soil amendments for vegetated infiltration devices. Project plans shall implement approved design recommendations. (DS-81)
116. Using forms provided by the Development Services Division, Developer shall submit a stormwater quality control measures maintenance and operations plan ("the Plan") for this project. If the BMPs implemented with this project include proprietary products that require regular replacement and/or cleaning, Developer shall provide proof of a contract with an entity qualified to provide such periodic maintenance. The property owner is responsible for the long-term maintenance and operation of all BMPs included in the project design. Upon request by City, property owner shall provide written proof of ongoing BMP maintenance operations. No grading or building permit shall be issued until the Development Services Manager approves the Plan and Developer provides an executed copy of the City's stormwater covenant with the Plan included as an exhibit for recordation by the City. (DS-82)
117. Developer's stormwater quality control measures maintenance and operations plan shall include: 1) Requirement to clean on-site storm drains at least twice a year; once immediately before the first of October (the beginning of the rainy season) and once in January. The City Engineer may require additional cleaning; 2) Requirement to maintain parking lots free of litter and debris. Developer shall sweep sidewalks, drive aisles, and parking lots regularly to prevent the accumulation of litter and debris. When swept or cleaned, debris must be trapped and collected to prevent entry into the storm drain system. Developer may not discharge any cleaning agent into the storm drain system; 3) Requirement to label all on-site storm drain inlets with the message "Don't Dump - Drains to Ocean" in accordance with City standards. (DS-83)
118. Developer shall provide pre-treatment for all infiltration based stormwater quality Best Management Practices ("BMPs"). Pre-treatment devices must effectively reduce sediment load entering infiltration BMPs to minimize occlusion of underlying soils and reduce long term maintenance requirements and thereby maintain the infiltration capacity of the BMP. 2011 TGM compliant pre-treatment such as vegetated swales are an approved form of pre-treatment. Proprietary pre-treatment devices must be capable of removing 80% of 50 micron particles to be considered adequate pre-treatment. Typical catch basin inserts do not provide the sufficient sediment storage to provide pre-treatment. (DS-85)

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Dec. 20, 2018*

119. Prior to issuance of a grading, building or demolition permit and prior to commencement of any clearing, grading or excavation, Developer shall provide evidence of assignment of a permit identification number by the California State Water Resources Control Board indicating submittal of a Notice of Intent (NOI) by the Developer in accordance with the NPDES Construction General Permit. Developer shall comply with all requirements of the General Permit and the Ventura Countywide MS4 Permit, including preparation of a Stormwater Pollution Prevention Plan (SWPPP). Developer shall keep the SWPPP updated to reflect current site conditions and a copy of the SWPPP shall be kept onsite and available for City or designated representative to review upon request. (DS-86)
120. Developer shall construct proposed walkways that cross vehicular drive aisles of colored enhanced concrete. The concrete color shall contrast with the parking lot paving material to clearly identify pedestrian areas. (DS-101)
121. Developer shall pay to the County of Ventura a road mitigation fee in accordance with the agreement between the City and the County of Ventura. Proof of payment shall be provided to the Development Services Division prior to issuance of a building permit. (DS-105)

DEVELOPMENT SERVICES SPECIAL CONDITIONS

122. Developer shall construct multi-bin trash enclosure (one bin for recycle use) with a solid non-combustible roof (8' minimum clearance) that prevents stormwater from entering the refuse bins. Developer shall construct all other components of the trash enclosure in accordance with the approved City Standard Plan on file with the Development Services Division. Developer shall finish the trash enclosure to match the major design elements of the main structure. The finish and roof appearance shall be indicated on the building plans and are subject to approval by the Planning Division. The location and configuration of trash enclosures shall be reviewed and approved by the Environmental Resources Division. All refuse bins on the site shall be stored in an approved trash enclosure. No objects other than refuse bins may be stored in the trash enclosure without the written permission of the Environmental Resources Division. (DS)
123. If a restaurant or other food preparation tenant occupies a portion of this project, Developer shall provide a traffic-rated/grated drain (or other approved drain) within the trash enclosure to catch all wash water from the trash enclosure. This drain shall be placed to avoid trash bin wheel loads and shall connect to the sanitary sewer system via a grease interceptor. (DS)
124. If a restaurant or other food preparation tenant occupies a portion of the project, project owner shall require tenant to provide and maintain an area within the tenant space for the washing/steam cleaning of equipment, floor mats, and accessories. This area shall be self-contained and connected to the project grease interceptor. (DS)
125. Developer shall provide a separate water meter for any tenant space proposed for use as a food preparation facility as required by the Oxnard City Code. (DS)

Resolution No. 2018-38
PZ 16-540-03 (SUP)
Dec. 20, 2018

126. Developer shall abandon all existing sewer and water laterals that are not proposed for use by the project. Civil improvement plans shall indicate the location of all such laterals and note their abandonment. (DS)
127. Developer shall irrevocably offer an 18-foot wide easement for a Class 1 Multi-use path ("MUP") generally in the alignment indicated on the architectural site plan. The easement shall be located near the west property line but shall not include the most westerly 2-feet adjacent to the railroad track property. Final alignment to be approved by the Development Services Director. (DS)
128. Developer shall remove all existing improvements (primarily pavement) from the limits of the future MUP easement. (DS)
129. Developer shall not construct any stormdrain inlets within the proposed MUP. The MUP area shall be graded to a generally level (2% maximum crossfall) condition with all stormwater from the MUP directed towards the Developer's property. The MUP grading shall not block drainage (if any) from the adjacent railroad property. No drainage from the Developer's property shall be directed towards the MUP area (excluding the 2-foot landscape strip adjacent to the west property line). (DS)
130. Developer shall be responsible for maintaining the area within the irrevocable MUP easement until such time as the City accepts the easement. (DS)
131. Developer shall install and perpetually maintain the landscaping, irrigation, and fencing within the most westerly 2-feet of the property which is outside of the future MUP easement. (DS)
132. Developer shall provide onsite fire hydrants such that all points of all structures are within one hundred fifty (150) feet of a fire hydrant, or as otherwise approved by the Fire Department. Fire hydrant line improvements shall be designed in accordance with City standards and shown on the Civil Engineer's improvement plans prior to issuance of a site improvement/grading permit. Developer shall provide the City with an easement over the waterline using standard City format. (DS)
133. Developer shall construct the onsite water main with two points of connection to the existing water system on the adjacent northerly property to create a looped water system. The new water main shall be located a minimum of 5-feet from the adjacent curb line and shall meet all Health Department water separation requirements. (DS)
134. Developer shall construct a minimum 7' wide sidewalk at all locations where the sidewalk is constructed adjacent to the front of parking spaces. (DS)
135. Developer shall extend the proposed onsite north-south sidewalk to connect to the existing sidewalk on the adjacent northerly property. This shall include the construction of approximately 10 linear feet of sidewalk on the adjacent property. Developer shall be relieved of the requirement to construct the offsite portion if the adjacent property owner

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 PZ 16-540-03 (SUP)
 Dec. 20, 2018

- indicates an objection to the improvements. Final limits of construction are subject to approval of the Development Services Manager. (DS)
136. Developer shall redesign the onsite pedestrian connection to the public sidewalk along the south side of the project entry to comply with all ADA requirements. (DS)
 137. Developer shall remove and replace the panel(s) of sidewalk along the project's Vineyard Avenue frontage that are of substandard width. This portion of sidewalk is adjacent to the existing Edison facilities and the improvements shall include removal of the existing bollard and adjustment to grade of the nearby manhole. The final scope of these improvements is subject to approval of the Development Services Manager. (DS)
 138. Prior to issuance of a grading/site improvement permit, Developer shall provide evidence that the land represented by Assessor Parcel Numbers 142-0-021-25 and 142-0-010-06 have been merged into a single legal lot. (DS)
 139. Developer acknowledges that provision of a continuous unobstructed vehicular drive aisle that results in a vehicular connection to the adjacent northerly parcel would be a benefit to the general circulation for this project. Developer does not object to provision of a vehicular connection constructed in accordance with good engineering practice and agrees not to construct gates or otherwise obstruct the proposed vehicular drive aisle. (DS)
 140. The percolation tests for this project shall include implementation of the reduction factor specified in the "Guidelines for Design, Investigation, and Reporting for Low Impact Development Stormwater Infiltration" published in the Administrative Manual of the County of Los Angeles Department of Public Works. This reduction factor is in addition to the safety factor specified in the Technical Guidance Manual. (DS)
 141. Developer's geotechnical engineer shall perform percolation tests on the exposed bottom of all infiltration facilities immediately prior to facility construction and provide the City with a written opinion that the exposed soil layer is suitable for the proposed infiltration facility based on review of the existing geotechnical reports, percolation tests, infiltration facility design, and characteristics of the exposed soil layer. This requirement shall be noted on the civil site plan and the report shall be reviewed and approved by the project civil engineer prior to submittal for approval by the City. (DS)
 142. Developer shall use the City of Oxnard hydrology method for all stormwater calculations unless otherwise directed by the City Engineer. (DS)
 143. Developer shall design the onsite stormwater system to safely convey runoff from storms in excess of the Stormwater Quality Design Volume to a safe point of discharge without resuspension of material removed by the hydrodynamic separator. (DS)
 144. Developer's engineer shall design the project in compliance with the 2018 version of the Technical Guidance Manual for Stormwater Quality Measures including the requirement to treat (with release allowed) the Effective Impervious Area and developed pervious surfaces. (DS)
 145. Developer shall install poles for proposed parking lot lighting centered on parking stall striping to reduce potential vehicle strikes. (TR)

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PZ 16-540-03 (SUP)
Dec. 20, 2018*

146. Prior to issuance of a building permit, the Developer shall submit to the Planning Manager for review and approval, designs for decorative facade features for installation on the west elevation.

PASSED, APPROVED, AND ADOPTED by the Planning Commission of the City of Oxnard on this 20th day of December, 2018.

Vincent Stewart, Chair

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Planning Commission of the City of Oxnard at a meeting held on the 20th day of December, 2018, and carried by the following vote:

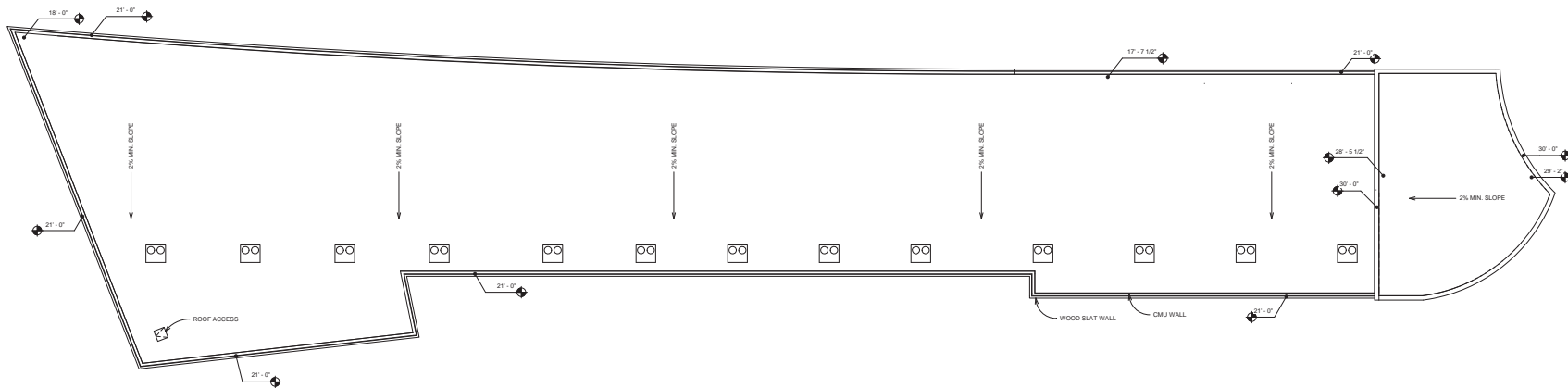
AYES: Commissioner(s): FRANK, CHUA, STEWART, DOZIER SANCHEZ

NOES: Commissioner(s):

ABSENT: Commissioner(s): HUBER, FUHRING

ABSTAIN: Commissioner(s):

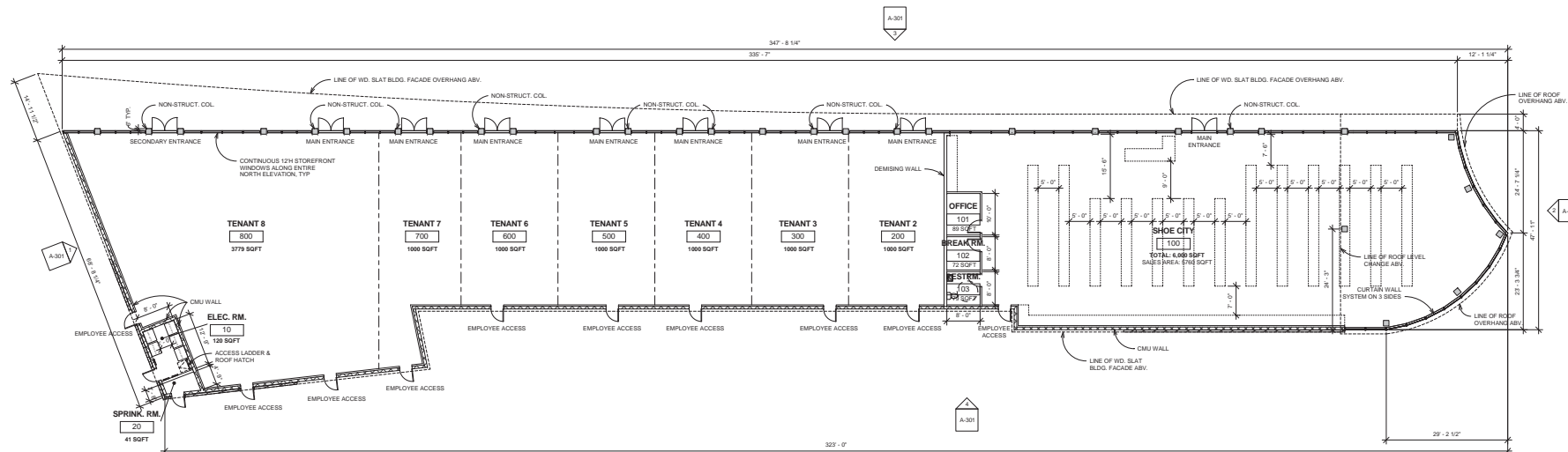
Kathleen Mallory, Secretary



ROOF PLAN

SCALE: $\frac{3}{32}'' = 1'-0''$

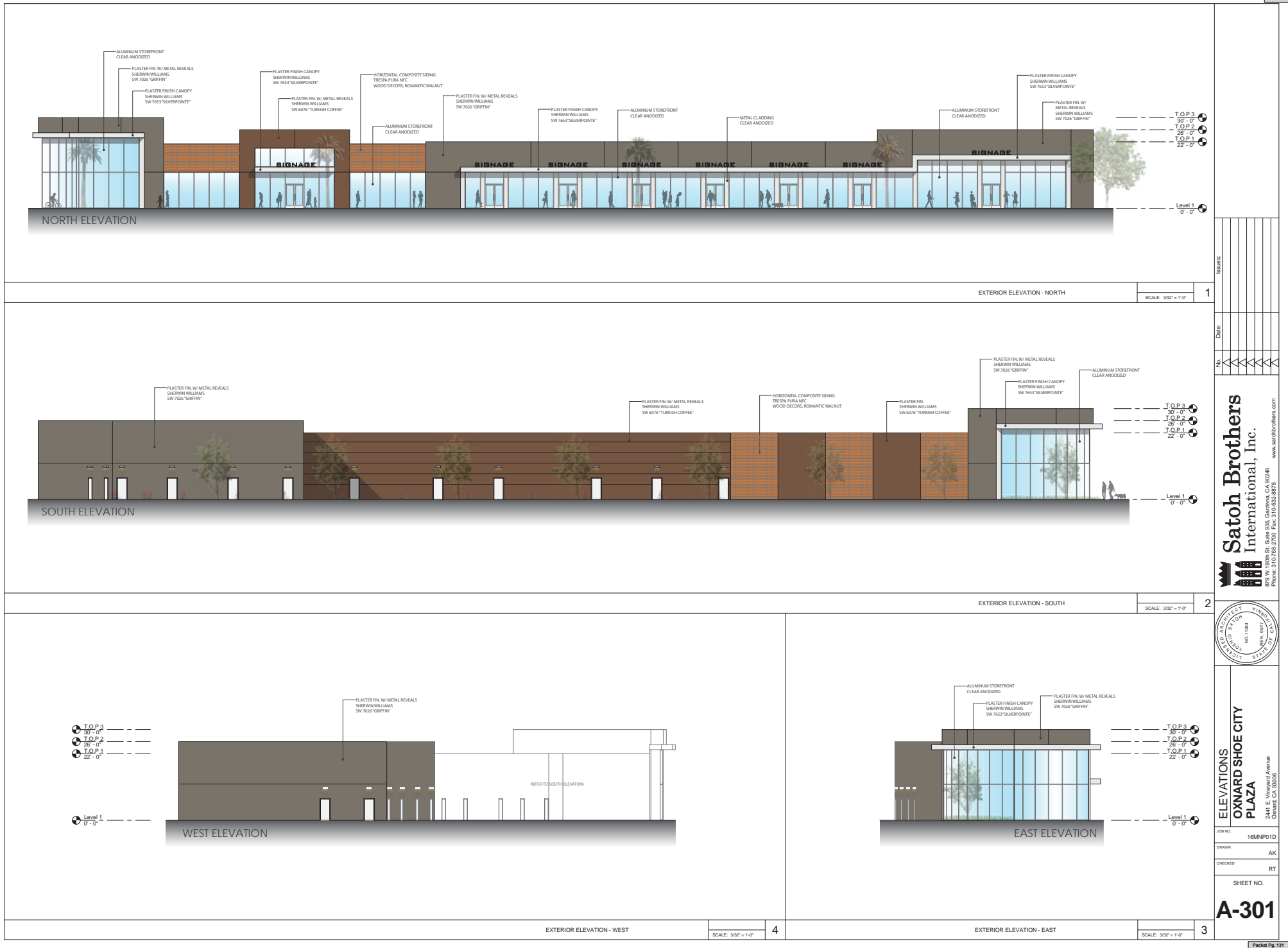
2



FLOOR PLAN

SCALE: $3/32" = 1'-0"$

1



Satoh Brothers
International, Inc.
879 W. 130th St. Suite 952, Gardena, CA 90248
Phone: 310-504-2135 Fax: 310-504-5071
www.satohbrothers.com



ELEVATIONS
OXNARD SHOE CITY
PLAZA
2441 E. Vineland Avenue
Oxnard, CA 93056

JOB NO. 16MNP01D
DRAWN: AK
CHECKED: RT
SHEET NO.

A-301

| Issue: | Date: | No. |
|----------------|-----------|-----|
| CITY SUBMITTAL | 2/10/2018 | 1 |
| CITY COMMENTS | 4/12/2018 | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |



TREE LEGEND

| BOTANICAL | COMMON | WUCOLS | BOX SIZE | QUAN. | NOTE | 75% MAX WIDTH |
|-------------------------------|--------------------|--------|----------|-------|----------|---------------|
| ARCHONTOPHOEIC CUNNINGHAMIANA | KING PALM | M | 36" | 4 | 7' BT | 11 |
| CORYMBIA CITRIODORA | LEMON-SCENTED GUM | L | 36" | 3 | AT ENTRY | 30 |
| CORYMBIA CITRIODORA | LEMON-SCENTED GUM | L | 24" | 12 | | 30 |
| KOELREUTERIA BIPINNATA | CHINESE FLAME TREE | L | 24" | 8 | | 25 |

SHRUB LEGEND

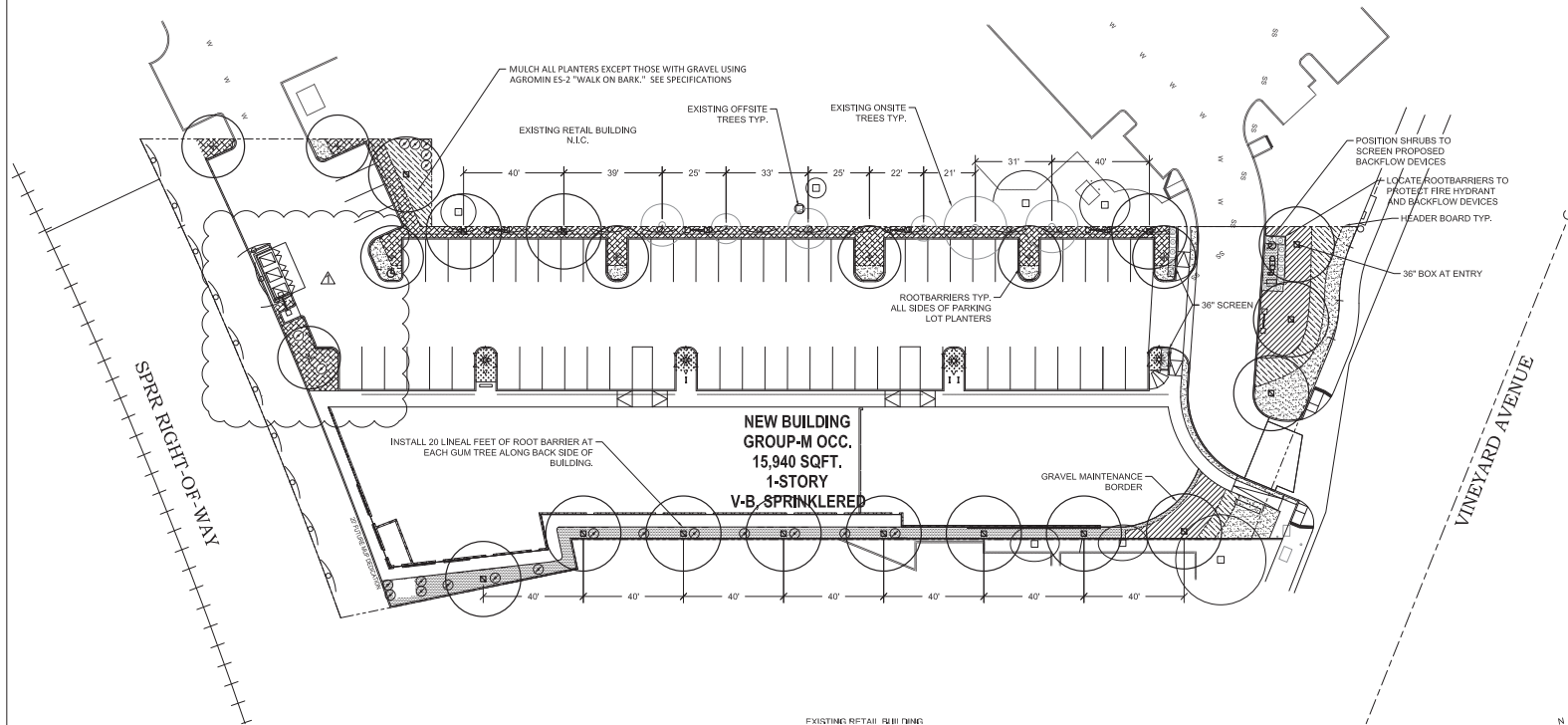
| BOTANICAL | COMMON | WUCOLS | SIZE | QUAN. | SPAC. | NOTE |
|-----------------------|----------------------|--------|--------|-------|-------|-----------------------|
| BERBERIS THUNBERGII | BERBERIS 'ROSE GLOW' | L | 5-GAL | 21 | | |
| MACADYENA UNGUIS-CATI | YELLOW TRUMPET VINE | L | 5-GAL | 20 | 20' | CLIMBS |
| RHUS INTEGRIFOLIA | LEMONADE BERRY | VL | 15-GAL | 15 | 48" | 36" HIGH WHEN PLANTED |

GROUND COVER LEGEND

| BOTANICAL | COMMON | WUCOLS | SIZE | APPROX AREA SF | SPAC. | NOTE |
|-----------------------------------|---------------------|--------|-------|----------------|----------|--------------|
| CARISSA MACROCARPA 'GREEN CARPET' | NATAL PLUM | L | 1-GAL | 1245 | 36" O.C. | TRI. SPACING |
| CERASTIUM TOMENTOSUM | SNOW IN SUMMER | M | FLATS | 290 | 12" O.C. | TRI. SPACING |
| GAZANIA 'SUNBURST WHITE' | TRAILING GAZANIA | L | FLATS | 1560 | 9" O.C. | TRI. SPACING |
| PELARGONIUM SIDOIDES | SILVERLEAF GERANIUM | L | FLATS | 2575 | 18" O.C. | TRI. SPACING |
| SANTOLINA CHAMAECYPARISSUS | LAVENDER COTTON | L | FLATS | 1400 | 12" O.C. | TRI. SPACING |

LANDSCAPE MATERIALS LEGEND

| | | |
|---|---------|---------------------------|
| GREY CRUSHED GRANITE, 3/8", NO FINES, OVER WEEDBARRIER | 1600 SF | 2" DEEP |
| 3/8" HEADER BOARD, RECYCLED PLASTIC, BENDA BOARD OR EQUAL, COLOR SAND, INSTALL PER MANUFACTURERS INSTALLATION GUIDE | 380 LF | |
| INSTALL ROOT BARRIERS AS SHOWN FOR TREES CLOSER THAN 8" TO BUILDING OR HARDSCAPE. USE DEEPROOT 18" UNIVERSAL GUIDE URB 18-2 | 350 LF | 24X18 PANELS 1.9 MM THICK |



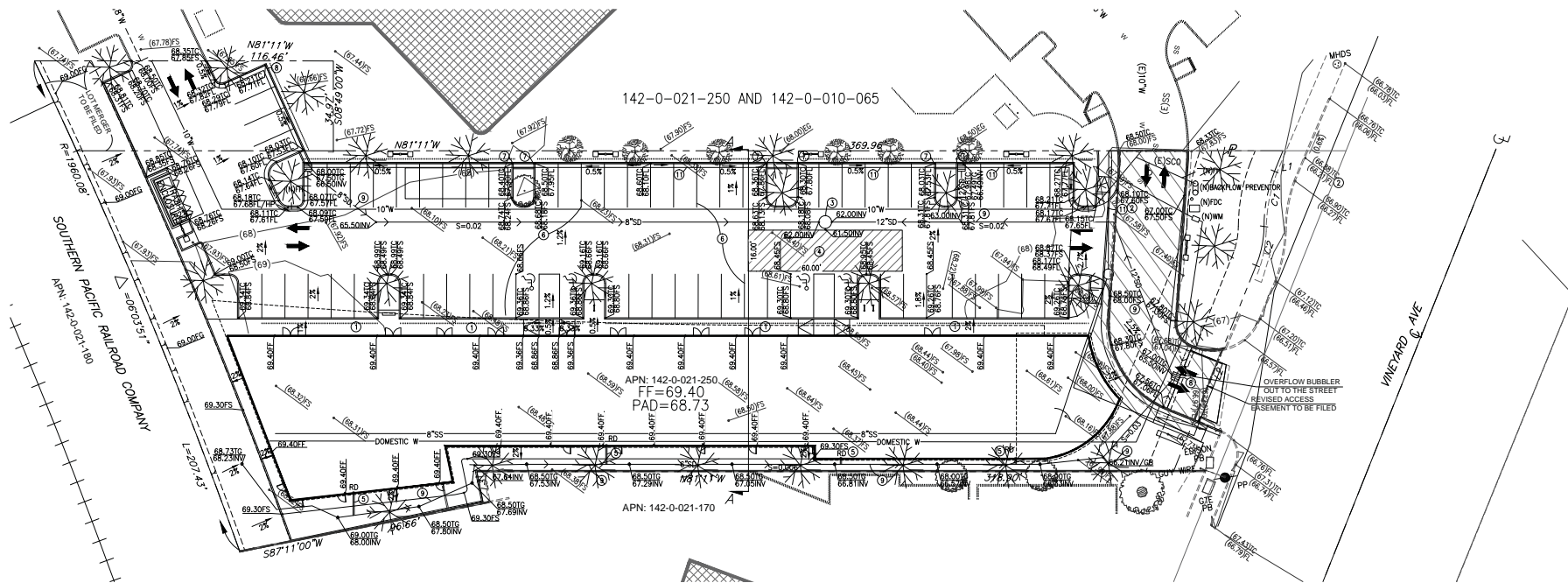
EXISTING RETAIL BUILDING

PLANTING PLAN

SCALE: 1" = 30'-0"

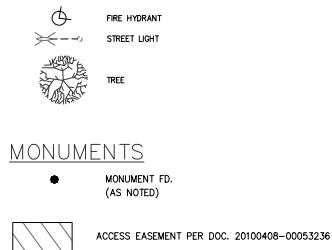
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LEGEND

| | | | |
|-------|----------------------|-----------|--------------------------------|
| --- | CENTER LINE | PL | PROPERTY LINE |
| --- | PROPERTY LINE | PP | POWER POLE |
| --- | WROUGHT IRON FENCE | PB | PULL BOX |
| --- | WOODEN FENCE | SMH | SANITARY SEWER MANHOLE |
| --- | GAS LINE | SS | STREET SIGN/STOP SIGN |
| --- | SEWER LINE | SDCB | STORM DRAIN CATCH BASIN |
| --- | WATER LINE | SDMH | STORM DRAIN MAN HOLE |
| --- | ASPHALT CONCRETE | SGN | SIGN |
| AC | AREA DRAIN | TC | TOP OF CURB |
| AD | BOLLARD | TW | TOP OF WALL |
| CB | CATCH BASIN | TE | TRASH ENCLOSURE |
| CL | CENTERLINE | WH | WATER HEATER |
| CLF | CHAIN LINK FENCE | WB | WATER DBB |
| CO | CLEAN OUT | WM | WATER METER |
| CONC. | CONCRETE | WV | WATER VALVE |
| DI | DRAINAGE INLET | (100.00) | RECORD DISTANCE |
| DO | DOOR | 100.00(-) | MEASURED DISTANCE |
| DS | DOWNSPOUT | 100.00(+) | CALCULATED DISTANCE |
| EB | ELECTRIC BOX | --- | POWER POLE |
| EP | EDGE OF PAVEMENT | --- | SIGN |
| ET | ELECTRIC TRANSFORMER | --- | CATCH BASIN |
| EV | ELECTRIC VAULT | --- | SDMH (SANITARY SEWER MAN HOLE) |
| FL | FLOW LINE | --- | OR UTILITY MAN HOLE |
| FR | FIRE HYDRANT | --- | TREE |
| FS | FLAGPOLE | --- | PALM |
| GM | GAS METER | | |
| LS | LANDSCAPE | | |
| LP | LIGHT POLE | | |
| MB | MAIL BOX | | |



CONSTRUCTION NOTES

1. CONSTRUCT 4" THICK CONC. SIDEWALK
2. JOIN EXISTING CONTRACTOR TO VERIFY ALL ELEVATIONS PRIOR TO ANY CONSTRUCTION
3. CONSTRUCT HYDRO SEPARATOR
4. CONSTRUCT UNDERGROUND INFILTRATION BASIN 1 SHEET 4
5. ROOF DRAINS CONNECT TO STORM DRAIN
6. CONSTRUCT 3" AC/ 8" AB IN PARKING AREA PER SOILS REPORT
7. CONSTRUCT 3" AC/ 8" AB IN DRIVE LANE PER SOILS REPORT
8. CONSTRUCT 2' WIDE CURB OPENING PER DETAIL 4 ON SHEET 4
9. CONSTRUCT 3'X3' CATCH BASIN DETAIL 5 SHEET 4
10. CONSTRUCT PVC SCHEDULE 80 OR APPROVED EQUAL. SIZE AS SHOWN ON PLAN
11. CONSTRUCT CURB & GUTTER PER DETAIL 2 SHEET 4
12. CONNECT TO EXISTING SEWER

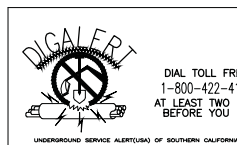
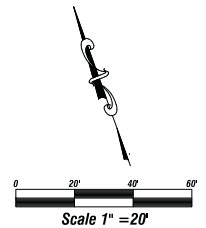
LINE DATA

| BEARING | LENGTH |
|----------------|--------|
| L1 N30°58'31"W | 8.66' |
| L2 N30°40'44"E | 86.48' |
| L3 S02°47'00"E | 12.05' |

CURVE DATA

| RADIUS | DELTA | DISTANCE |
|-----------|-----------|----------|
| C1 58.00' | 21°42'24" | 21.97' |
| C2 42.00' | 21°18'14" | 15.62' |

SEE CROSS SECTION ON SHEET 5



DIAL TOLL FREE
1-800-422-4133
AT LEAST TWO DAYS
BEFORE YOU DIG

PREPARED BY:
PACIFIC GEOTECH, INC.
10038 CLARK AVE
HACIENDA HEIGHTS, CA 91745
TEL (626) 333-8607
info@pgeotech.com

JIRAYUS PUKKANASUT, PE
R.C.E. No. 73728

4/9/18
DATE

PLACE THE ENGINEER'S SEAL IN THIS SPACE



LAND DEVELOPMENT PERMIT No. _____

REVISIONS

| NO. | DATE | DESCRIPTION | BY |
|-----|------|-------------|----|
| | | | |
| | | | |
| | | | |
| | | | |



Development Services Department
PRELIMINARY GRADING PLAN
2441 E VINEYARD AVE

| | | |
|----------------------|-------|-------------|
| ACCEPTED BY: | DATE: | EXP. DATE: |
| ACCEPTED BY: | DATE: | EXP. DATE: |
| SCALE: HORIZ. VERT.: | DATE: | CHECKED BY: |
| DRAWN BY: | DATE: | CHECKED BY: |
| SHEET NO. 3 OF 5 | DATE: | CHECKED BY: |



December 20, 2018

Direct Dial: 805.418.1914
 Email: msellers@jacksontidus.law
 Reply to: Westlake Village Office
 File No: 9725.126447

VIA HAND DELIVERY

City of Oxnard Planning Commission
 City of Oxnard
 305 West Third Street
 Oxnard, CA 93030

Re: Agenda Item F. 2 – Planning and Zoning Permit PZ No. 16-540-03: Opposition to a Proposed Layout and Design of a 15,940 Square Foot New Retail Building at 2441 N. Vineyard Avenue, Oxnard, California.

Dear Honorable Commissioners:

This firm represents Carlton Browne Oxnard, LLC, the owner of the improved commercial retail center and parcel that are adjacent to the proposed new Shoe City retail center, which project is seeking Planning and Zoning Permit PZ No. 16-540-03 from the Planning Commission. Carlton Browne Oxnard, LLC has spent a considerable sum in recently remodeling the building's façade and for the parking lot pavement sealing and restriped, with plans to have the landscape renovated next year. Carlton Browne Oxnard, LLC has owned this center for more than 30 years. Unfortunately, our client never received any notice of a May 14, 2018 Public Input meeting for this proposed project. While our client applauds the effort to improve this old gas station site, it must oppose the project as presently laid out and designed.

The retail buildings on Carlton Browne Oxnard, LLC's parcel are single story and setback 77' from Vineyard Avenue, having two rows of paved parking spaces in front of those buildings. (See aerial photo with the 77' setback line drawn in on the adjacent parcels.) The Carlton Browne Oxnard center's layout is a normal suburban commercial center arrangement with an open paved parking area between the street and retail buildings. The Shoe City site is a narrow deep angled parcel with 132' of street frontage, with the proposed back of the stores facing the Carlton Browne Oxnard center. When the Shoe City site was used as a gas station, there were no structures blocking the view of the Carlton Browne Oxnard center and of its tenants' stores from Vineyard Avenue. The Food 4 Less building on the other side of Shoe City site is also set well away from Vineyard Avenue. However, the proposed higher (30' tall) front portion of the building, that is to be a Shoe City anchor store, encroaches into the normal commercial front parking area to a point that is only 30' from Vineyard Avenue.

Irvine Office
 2030 Main Street, 12th Floor
 Irvine, California 92614
 t 949.752.8585 f 949.752.0597

Westlake Village Office
 2815 Townsgate Road, Suite 200
 Westlake Village, California 91361
 t 805.230.0023 f 805.230.0087

www.jacksontidus.law

City of Oxnard Planning Commission
PZ No. 16-540-03
December 20, 2018
Page 2

The key to the success of any commercial use or retail center is having adequate exposure to the nearby consumer traffic. This proposed 30' high building, if placed only 30' from the Vineyard Avenue, prevents that essential exposure to our client's property for the potential customers traveling westbound on Vineyard Avenue. Having drivers and passengers able to see the shops and exterior business signs in our client's center is critical to that center's long-term success. Hidden retail properties become vacant.

It appears the Shoe City building could be redesigned to be setback with a similar 77' open area from Vineyard Avenue, and with some paved parking spaces added in the front area of that parcel. Any lost tenant space might be added to the rear portions of that parcel that are now proposed for a few parking spaces. Due to the angled orientation of the Shoe City parcel and with the store fronts facing to the east, along with the large setback of the adjoining Food 4 Less building, that redesign would give all Shoe City center tenants adequate exposure to the Vineyard Avenue consumer traffic.

We assume sales tax generation is important to the City, and a guiding land use principle should be to design new retail centers to assist in that sales tax generation. The Carlton Browne Oxnard center has 36,466 square feet of rental area and is the home to 5 businesses or tenants who pay City taxes and business licenses. The proposed project layout, which would block the traveling public's view of our client's center, diminishes our client's property as an attractive retail site and impedes that City tax revenue generation effort. Creating a similar 77' setback that allows drivers and passengers on Vineyard Avenue to continue to see the shops and signs in the Carlton Browne Oxnard center will create a fair, equal and uniform treatment with these neighboring commercial properties.

To issue this Special Use Permit the Commission must find the proposed use will not "adversely affect or be materially detrimental to such adjacent uses, buildings or structures or to the public health, safety or general welfare." With the detrimental impacts to our client's adjacent commercial retail uses and buildings as described herein, we feel the Commission cannot make this finding and we ask that it direct the project be redesigned with a similar or uniformed 77' setback parking area along Vineyard Avenue.

Very truly yours,

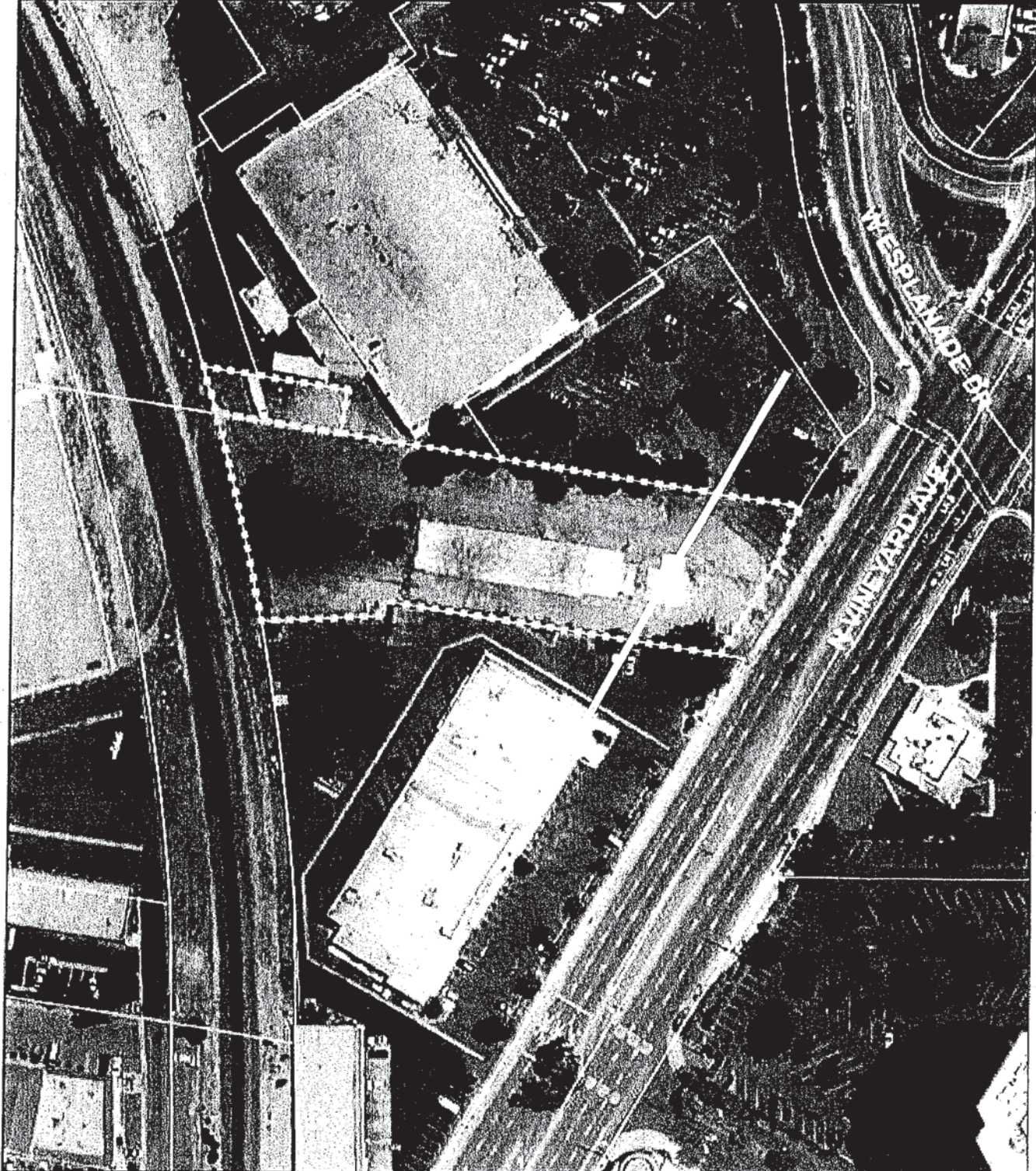


Mark G. Sellers

MGS:sh
Enclosure

1431264.2

Aerial Map



OXNARD

Oxnard Planning
April 26, 2018

PZ 16-540-03

Location: 2441 E Vineyard Ave
APN: 1420021160, 1420010065
Shoe City

Aerial Map

0 25 50 100 150 200 Feet



Received
Oxnard City Clerk

2019 JAN -4 PM 3: 23



REQUEST FOR APPEAL

Development Services Department

Use this form to request an appeal of a decision rendered on one of the following type of permits: Administrative Wireless Permit; Discretionary Development Permit decision rendered by the Development Services Director; or a Discretionary Development Permit decision rendered by the Planning Commission.

Submit the original request for appeal and two (2) copies along with the appropriate appeal fee. To determine your appeal fee go to: oxnard.org/planning and click on planning handouts and applications or contact the Planning Division at (805) 385-7858.

I, Carlton Browne Oxnard, LLC, am requesting an appeal of a decision made by
Print name
 the Planning Commission that was made on December 20, 2018 regarding
State decision making body Date
Planning and Zoning Permit PZ No. 16-540-03
Specify PZ No.

Check one of the following:

- ☐ **Appeal of a Decision Rendered on a Wireless Permit.** Pursuant to Section No. 16-488 (C) of the Oxnard City Code, I am submitting an appeal to the Secretary of the Planning Commission. I am filing this appeal within 10 days of the Planning Manager's decision on a wireless communications facility permit. I am requesting that this appeal be considered by the Planning Commission.
- ☐ **Appeal of a Decision Rendered on a Discretionary Permit - Development Services Director.** Pursuant to Section No. 16-525 (B) of the Oxnard City Code, I am submitting an appeal to the City Clerk. I am filing this appeal within 10 days of the Development Services Director's decision on a discretionary permit. I am requesting that this appeal be considered by the Planning Commission.
- ☒ **Appeal of a Decision Rendered on a Discretionary Permit - Planning Commission.** Pursuant to Section 16-545 of the Oxnard City Code, I am submitting an appeal to the City Clerk. I am filing this appeal within 18 days of the Planning Commission's decision on a discretionary permit. I am requesting that this appeal be considered by the City Council.

State the grounds, facts, and if known the code sections supporting your request: (Provide additional sheets if necessary)

This proposed new structure is an unusually 30' high single story retail building that is setback only 30' feet from Vineyard Avenue while our neighboring retail building to the west is setback 77' from Vineyard Avenue and with a maximum height of 25', as a result this new building unfairly will block the view of our tenant businesses. (CONTINUED, SEE ATTACHED)

X Mark A. Sellers
 Appellant Signature

1/4/19
 Date

cc: City Attorney
 Development Services Director
 Project Planner
 Applicant

| OFFICE USE ONLY | |
|------------------------------|--|
| Date Received: | |
| Received By: | |
| Contacted Dept/Division Rep: | |

**ATTACHMENT TO APPEAL OF PLANNING COMMISSION'S DECISION ON
PLANNING AND ZONING PERMIT PZ NO. 16-540-03: SINGLE STORY NEW
RETAIL BUILDING AT 2441 N. VINEYARD AVENUE.**

[Basis for Carlton Browne Oxnard, LLC's Appeal - Continued]

When the Appellant Carlton Browne Oxnard addressed the Planning Commission on December 20, 2018, as to the adverse impacts of the project's limited setback and significant height, the Commission focused only on whether the project met the minimum City street front setback standard. Applying only the minimum City standard indicates the Commission misunderstood the purpose and function of a Special Use Permit process. The Special Use Permit process looks at the project's impact on adjoining uses and the compatibility of the proposed project's design with those adjoining properties. We note the City's reviewing body is the required to find the proposed project will not "adversely affect or be materially detrimental to such adjacent uses, buildings or structures," a finding here which is not supported by the facts or evidence in the record. Oxnard Muni Code SEC. 16-531. While there are design standards for setbacks or building heights, the Special Use Permit process allows a city to have the flexibility to modify the setbacks or building heights as the circumstances or potential impacts on the adjoining commercial properties require such modifications. Oxnard Muni Code SEC. 16-530 (B) says "Special use permits authorized by this chapter are granted for such time and upon such conditions and limitations as are deemed necessary to preserve . . . the utility and value of adjacent property . . ." If the reviewing body's role in project evaluation was a simple matter of evaluating if a project met the minimum setback standard and was less than the maximum height standard, a Special Use Permit process would not be needed.

In this very competitive retail market with the internet siphoning away of store sales, a critical key to the success of any commercial retail center, like the Carlton Browne Oxnard's (herein "Appellant") center, is having adequate exposure to the nearby consumer traffic, here the southbound lanes on Vineyard Avenue. Hidden retail space becomes vacant and the City's sales tax revenues are reduced.

The Appellant's retail building heights range from 20' to 25' and the retail building setback is 77' from Vineyard Avenue, having two rows of paved parking spaces and a landscaped strip in front of that building. Appellant has owned this center for more than 30 years and has spent a considerable sum in recently remodeling the building's façade. The Shoe City developer applicant had previously shown the Appellant a 2 story project that was setback around 77' from Vineyard Avenue and also in the front had a

stepped back second story over 20' high Shoe City store on the 1st floor, a project design and layout that the Appellant could have lived with. [See attached].

Rather than build that 2 story Shoe City project, the developer applicant has abandoned that design and is now proposing a 30' high single story stepped up front for the building¹ that protrudes 47' out into the Appellant's adjoining retail building's traffic view corridor, adversely impacting the continued success of the Appellant's tenant businesses, and the rental utility and value of Appellant's retail center. Also the higher 30' step up design appears to be an effort at creating in essence a freeway sign for Shoe City. (See developer's tenant marketing flier attached that lists the traffic counts on Vineyard and the 101 freeway that indicates the importance to retailers of visibility to traffic). The Food 4 Less building on the other side of Shoe City site is set even further than 77' away from Vineyard Avenue. The Shoe City site is a right turn in and right turn out site. Therefore, if the building is setback 77' and limited to a 25' maximum height, this proposed retail project, being at an open angle to Vineyard Avenue, will still have retail stores that will receive considerable south bound traffic exposure.

Unfortunately, the Appellant neither received the present building elevations and layout from the developer applicant, nor did it receive any notice of a May 14, 2018 Public Input meeting for this proposed redesigned Shoe City project. Therefore, it was not able to raise its objections and concerns prior to the December 20, 2018 Planning Commission hearing. While the Appellant applauds the effort to improve this old gas station site, it must oppose the project as presently laid out and designed as such will adversely impact the existing 5 business tenants and the future re-renting efforts in its retail center. Creating a similar 77' setback that allows south bound drivers and passengers on Vineyard Avenue to continue to see the shops and signs in the Carlton Browne Oxnard center will create a fair, equal and uniform treatment for these adjoining commercial properties.

We understand that Vineyard Avenue has been designated a City *scenic* route. Having just one 30' high narrow building protrude out into that street's view corridor is visually unattractive. With the significantly setback location of the Food 4 Less building and having a 77' consistent setback and height for the adjoining 2 retail buildings along Vineyard Avenue would create a more attractive open streetscape.

The prior approved 2 story project had 6 parking spaces in the front 77' setback area. It appears the Shoe City building could be redesigned with that similar 77' setback, and have some paved parking spaces added to that front area, with some tenant space

¹ One story retail buildings are normally around 20 feet in height. (See: Oxnard Muni Code SEC. 16-125).

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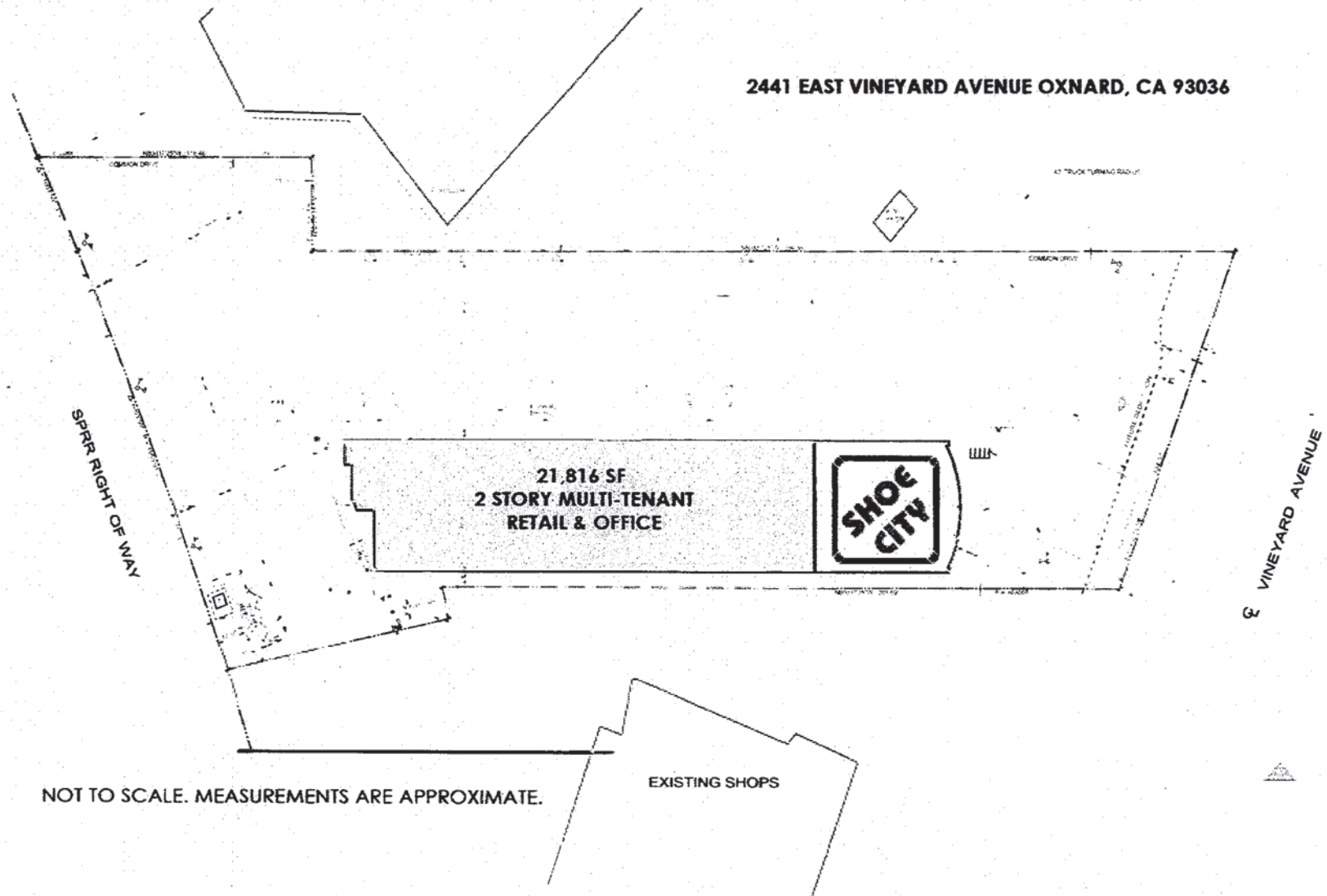
possibly added in the rear portions of that parcel that are now proposed for a few parking spaces.

RELIEF REQUESTED

1. Deny Planning And Zoning Permit PZ No. 16-540-03 as that project is now designed and laid out; OR
2. Approve Planning And Zoning Permit PZ No. 16-540-03 with a condition added requiring the developer Applicant to redesign the single story building keeping the same architecture but to have the front of the building setback 77' from Vineyard Avenue and with a reduced front building height of 25', and with up to 6 parking spaces relocated to the front 77' setback area with some building space possibly added in the rear portions of that parcel that were the site of the relocated parking spaces. The City Development Services Director to review and approve that redesign.

1432296.1

2441 EAST VINEYARD AVENUE OXNARD, CA 93036



NOT TO SCALE. MEASUREMENTS ARE APPROXIMATE.

EXISTING SHOPS

Contact: Eric FriedlandCell: 818.398.0354 | eric@cirecre.com

BRE # 00946545

CIRE Commercial Real Estate | 20855 Ventura Blvd., Suite 7, Woodland Hills, CA 91364 | cirecre.com

This information has been secured from sources we believe to be reliable, but we make no representations or warranties, expressed or implied, as to the accuracy of the information. References to square footage are approximate. References to neighboring retailers are subject to change and may not be identical to the vacancy being marketed either prior to, during, or after the time of the offering. Taxation and other legal matters should be discussed with a qualified attorney and not a real estate agent.





SOUTH ELEVATION



NORTH ELEVATION



EAST ELEVATION



WEST ELEVATION

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 BRE # 00946545

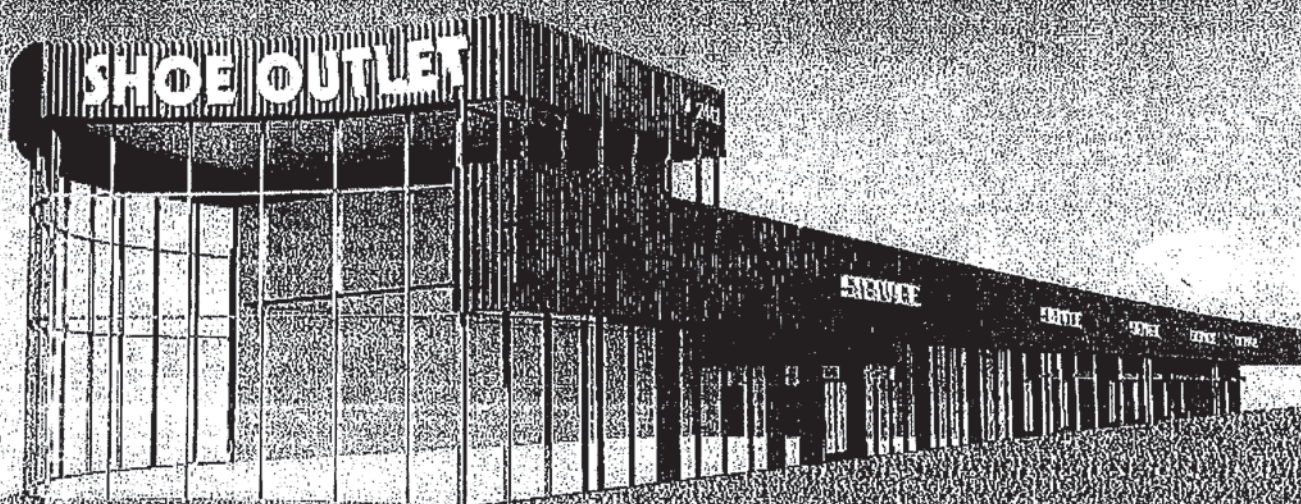
CIRE Commercial Real Estate | 20855 Ventura Blvd., Suite 7, Woodland Hills, CA 91364 | cirecre.com

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★ ★ ★ ★ ★ COMING SOON ★ ★ ★ ★ ★

OXNARD SHOE OUTLET PLAZA



2441 E. Vineyard Avenue, Oxnard, CA

For further information contact:

BRUCE MILTON

805.626.1281

bmilton@lee-re.com

Lic # 01945652

PETER PADDEN

805.626.1283

ppadden@lee-re.com

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**LEE &
ASSOCIATES**

COMMERCIAL REAL ESTATE SERVICES

Lee & Associates®-LA North/Ventura, Inc. • D #01191039
A Member of the Lee & Associates Group of Companies
1000 Town Center Drive, Suite 310, Oxnard, CA 93036
805.626.1212 P 805.413.7000 F www.lee-associates.com

No warranty or representation is made to the accuracy of the foregoing information. Terms of sale or lease and availability are subject to change or withdrawal without notice.

- ▶ Ground Breaking November 2018!
- ▶ Suites From 1,000 to 5,000 Square Feet
- ▶ White Shell Condition at Turnover
- ▶ Great Competitive Rates
- ▶ High Visibility & Signage on Vineyard Avenue
- ▶ Just Off 101 Ventura Freeway Off Ramp at Vineyard
- ▶ On-site Nose-in Parking with Reciprocal Easements to Adjacent Retail

| DEMOGRAPHICS | 1 Mile | 3 Miles | 5 Miles |
|------------------|----------|----------|----------|
| Total Population | 27,250 | 131,813 | 285,159 |
| Avg HH Income | \$72,618 | \$60,590 | \$84,800 |

- TRAFFIC COUNTS**
- Vineyard - 40,000 Cars Per Day
 - W. Esplanade Dr. West of Vineyard - 9,994 Cars Per Day
 - 101 Fwy at Vineyard North - 142,572 Cars Per Day
 - 101 Fwy at Vineyard South - 133,174

PREPARED 1/04/19, 15:40:41
Planning Division

PAYMENTS DUE INVOICE
PROGRAM PZ821L

PROJECT NUMBER: 19-00000003 MISC/APPEAL SHOE CITY/2441 VINEYARD AVE

| FEE DESCRIPTION | AMOUNT DUE |
|-------------------------|------------|
| ----- | |
| 5% PERMIT SURCHARGE FEE | 91.50 |
| APPEAL-ALL OTHERS | 1830.00 |
| TOTAL DUE | 1921.50 |

Please present this invoice to the cashier with full payment.

P A I D
JAN 04 2019
CITY OF
OXNARD
TREASURER



M.1.f



Photo Credit: Google Street View

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD UPHOLDING PLANNING COMMISSION APPROVAL OF PLANNING AND ZONING PERMIT NO. 16-540-03 (SPECIAL USE PERMIT FOR A PLANNED DEVELOPMENT PERMIT) TO CONSTRUCT A 15,940 SQUARE-FOOT, SINGLE STORY, MULTI-TENANT COMMERCIAL RETAIL CENTER AND ASSOCIATED ON-SITE IMPROVEMENTS ON A VACANT 1.35 ACRE LOT LOCATED AT 2441 N. VINEYARD AVENUE. THE SITE IS ZONED GENERAL COMMERCIAL (C2). FILED BY ALEX KANG, APPLICANT, 879 W. 190TH STREET, SUITE 935, GARDENA, CA 90248.

WHEREAS, on December 20, 2018, the Planning Commission adopted Resolution No. 2018-38, approving Planning and Zoning Permit No. 16-540-03 (Special Use Permit for a Planned Development Permit), to construct a 15,940 square-foot, single story, multi-tenant commercial retail center and associated on-site improvements on a vacant 1.35 acre lot located at 2441 N. Vineyard Avenue (the "Project") filed by Alex Kang (the Applicant); and

WHEREAS, the City Council has considered the appeal of the Planning Commission's decision filed by Carlton Browne Oxnard, LLC, 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 in opposition to the application for a Planning and Zoning Permit No. 16-540-03 (Special Use Permit for a Planned Development Permit); and

WHEREAS, the City Council finds that the proposed site, and the design and improvement of the development requested are consistent with the 2030 General Plan; and

WHEREAS, the Planning and Environmental Services Division has completed a preliminary environmental assessment of the Project in accordance with the California Environmental Quality Act (CEQA) and determined that the Project is subject to a Class 32 Categorical Exemption.

NOW, THEREFORE, the City Council of the City of Oxnard does hereby resolve to uphold Planning Commission Resolution No. 2018-38, including all the findings contained therein, and approves Planning and Zoning Permit No. 16-540-03 (Special Use Permit for a Planned Development Permit), subject to the conditions set forth in Planning Commission Resolution No. 2018-38.

PASSED AND ADOPTED this 19th day of February 2019, by the following vote:

AYES:

NOES:

ABSENT:

Tim Flynn, Mayor

ATTEST:

Michelle Ascencion, City Clerk

APPROVED AS TO FORM:

Stephen M. Fischer, City Attorney

2441 N. Vineyard Ave Shoe City Appeal (Special Use Permit No. 16-540-03)

Filed by: Carlton Browne Oxnard, LLC

Kathleen Mallory
Planning & Environmental Services Manager

February 19, 2019



Appeal of Planning Commission's Dec. 20th Special Use Permit approval.

Project:

- 15,940 square-foot, multi-tenant commercial retail building - 2441 N. Vineyard Avenue.
- 22 to 30 foot high single story building
- Vacant lot
- Project in compliance with all General Commercial (C-2) zoning code requirements
- Consistent with the 2030 General Plan

APPEAL POINTS

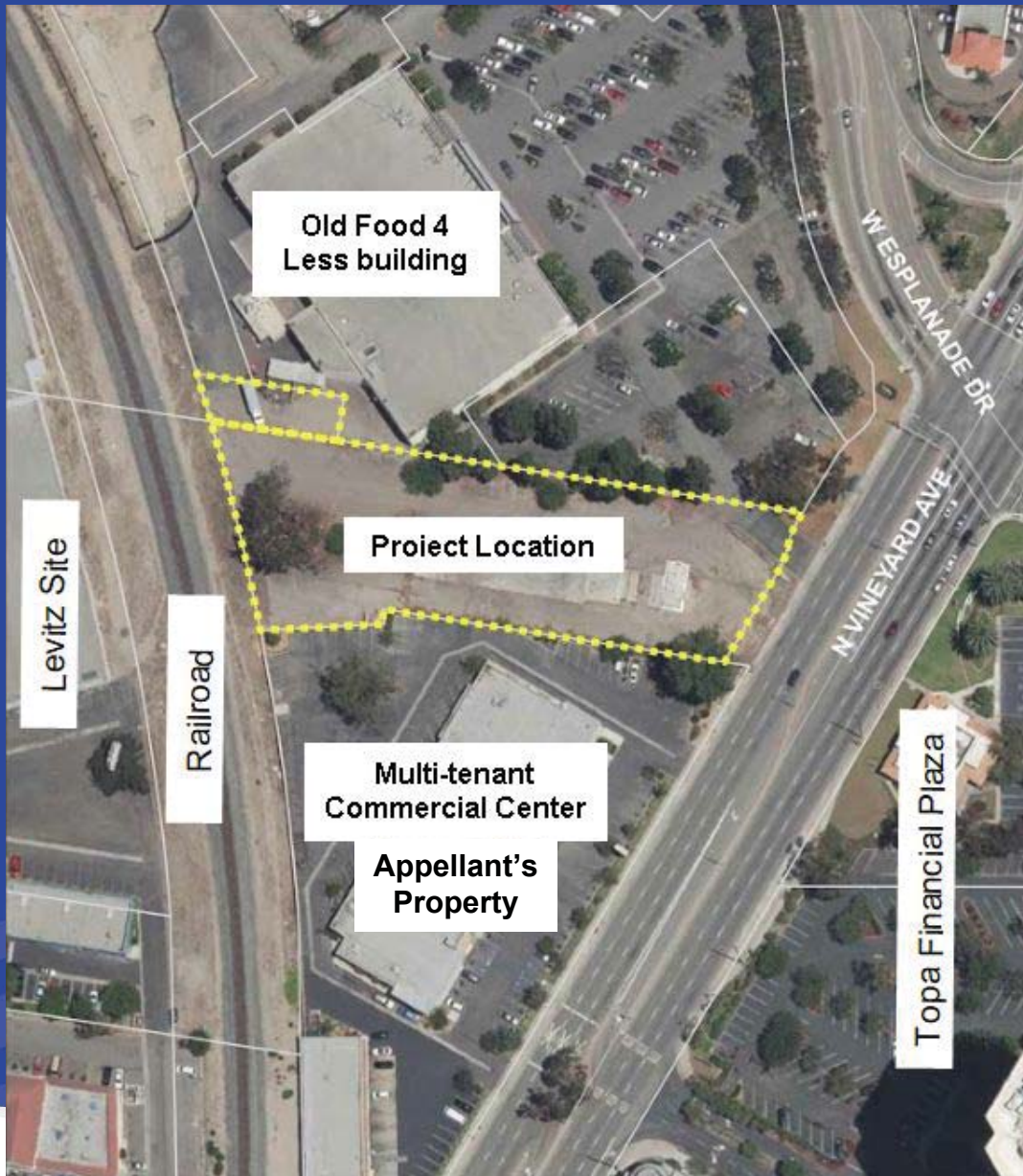
16-540-03, Shoe City - Appeal

Appeal on the following grounds:

1. Project should be designed with a 77' setback to be consistent with appellant's property.
2. Project 30' height will obscure the appellant's property (traveling southbound on N. Vineyard).
3. Proposed building signage considered "freeway signage".
4. Failed to provide notice of community workshop.

Project Location

16-540-03, Shoe City - Appeal

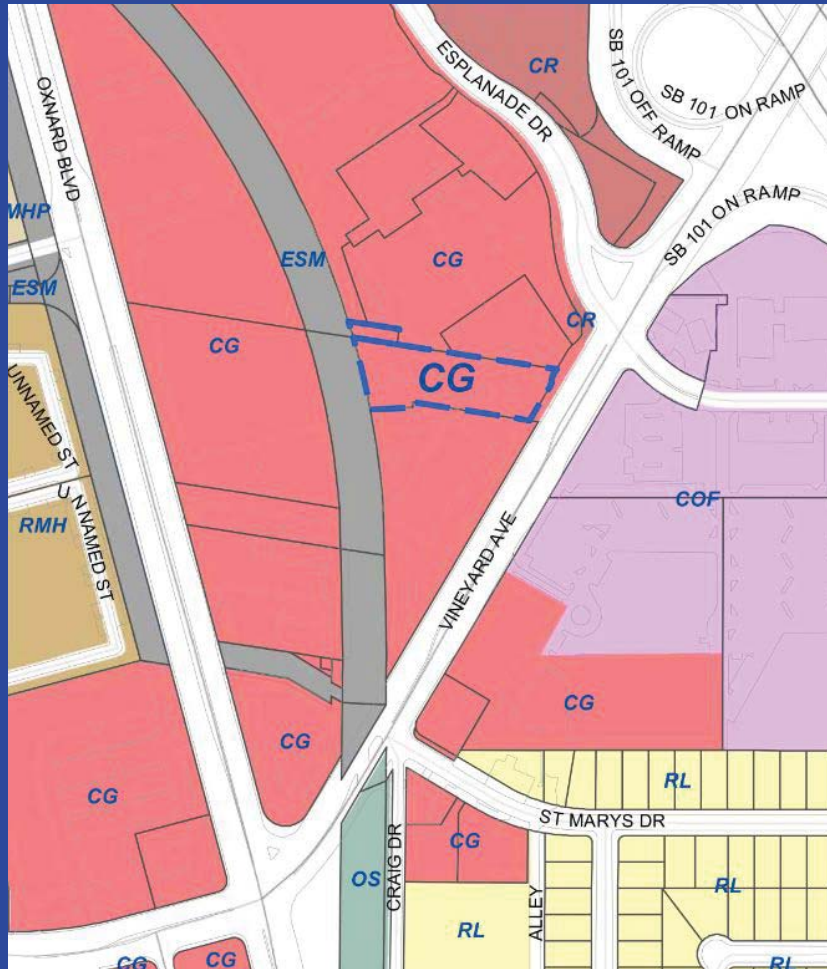


North – Food 4 Less Shopping Center

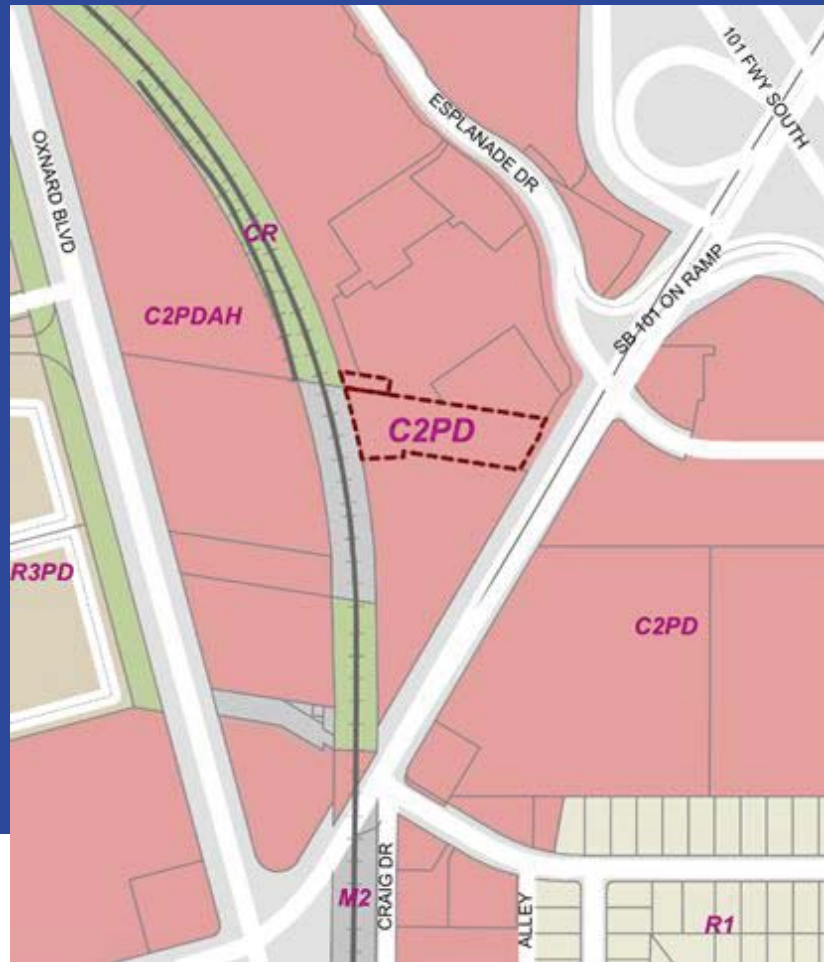
South – Multi-tenant commercial center (Appellant's Property)

East – Topa Financial Plaza

West – Former Levitz site



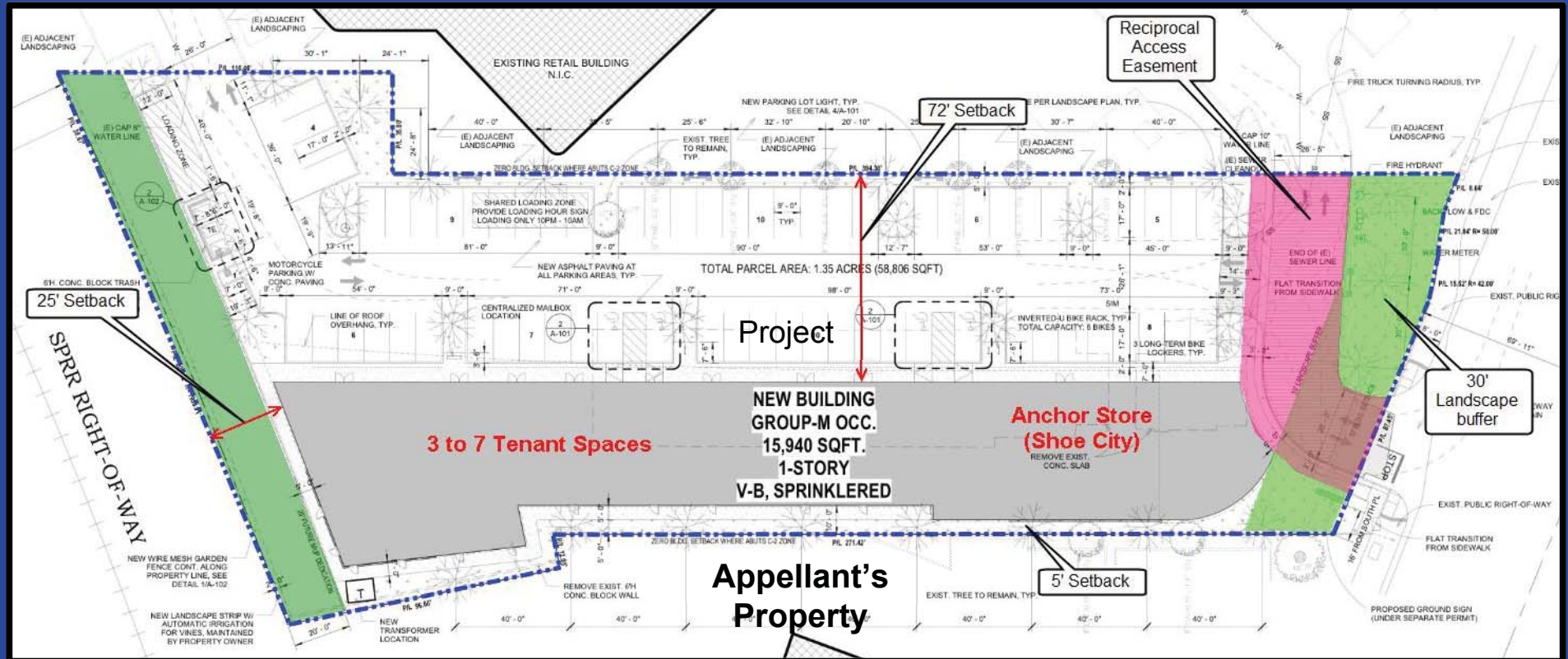
Commercial General



General Commercial – Planned Development

Approved Site Plan

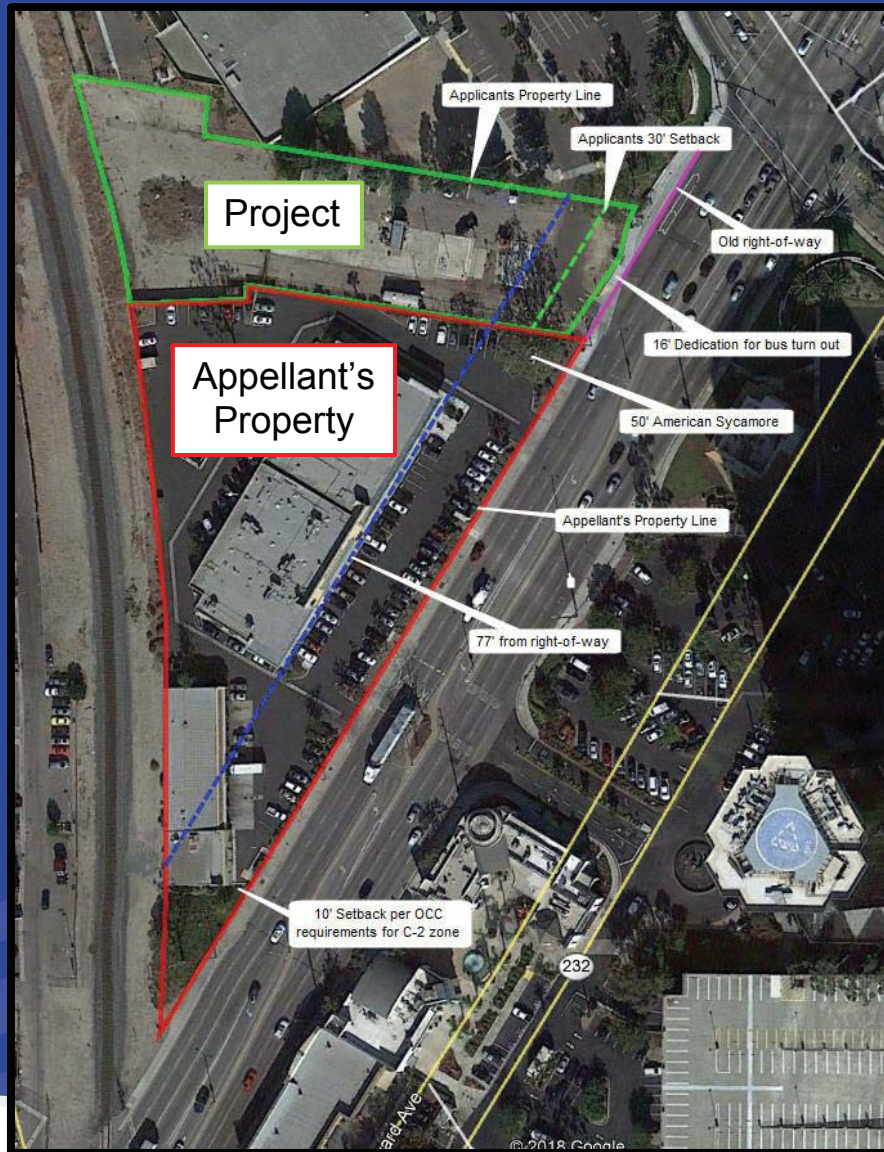
16-540-03, Shoe City - Appeal



Appeal Point No. 1

Setbacks on N. Vineyard Ave.

16-540-03, Shoe City - Appeal



- Project should be designed with a 77' setback - consistent with appellant's property.
- Staff Response:
 1. 10' front setback required
 2. Existing bldg. on appellant property has 10' setback.
 3. Applicant meets the required 30' setback.

Appeal Point No. 2

16-540-03, Shoe City - Appeal

Bldg. will Obscure Appellant's Property

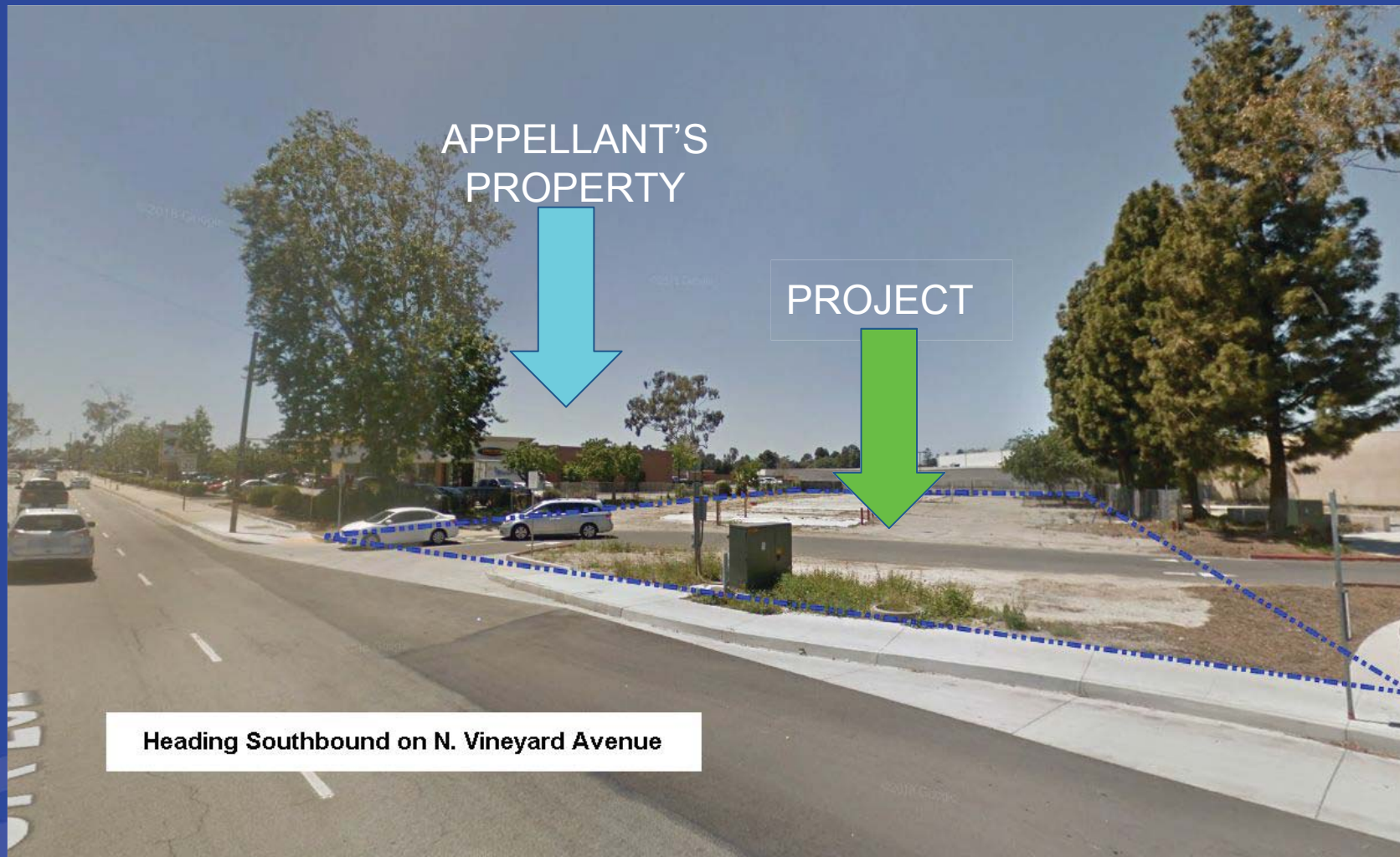


Photo Simulation

16-540-03, Shoe City - Appeal



Appeal Point No. 3 Freeway Signage

16-540-03, Shoe City - Appeal



OXNARD
2441 E. VINEYARD AVENUE

Appeal Point No. 4

16-540-03, Shoe City - Appeal

Insufficient Notification

- Site Posted for Community Workshop - May 4, 2018.
- Mailed Noticed to 1,248 residents - Rio Lindo neighborhood.
- Site Posted for Planning Commission public hearing on December 10, 2018.
- Mailed Planning Commission meeting notice to the Property Owners within 300 feet radius.
- All notifications were performed consistent with department policy and state law.

- That City Council adopt a resolution upholding the Planning Commission's approval of Planning and Zoning Permit No. 16-540-03 (Special Use Permit), subject to certain findings and conditions set forth in Planning Commission Resolution No. 2018-38.

OXNARD SHOE CITY PLAZA

2441 E. Vineyard Ave., Oxnard CA 93036



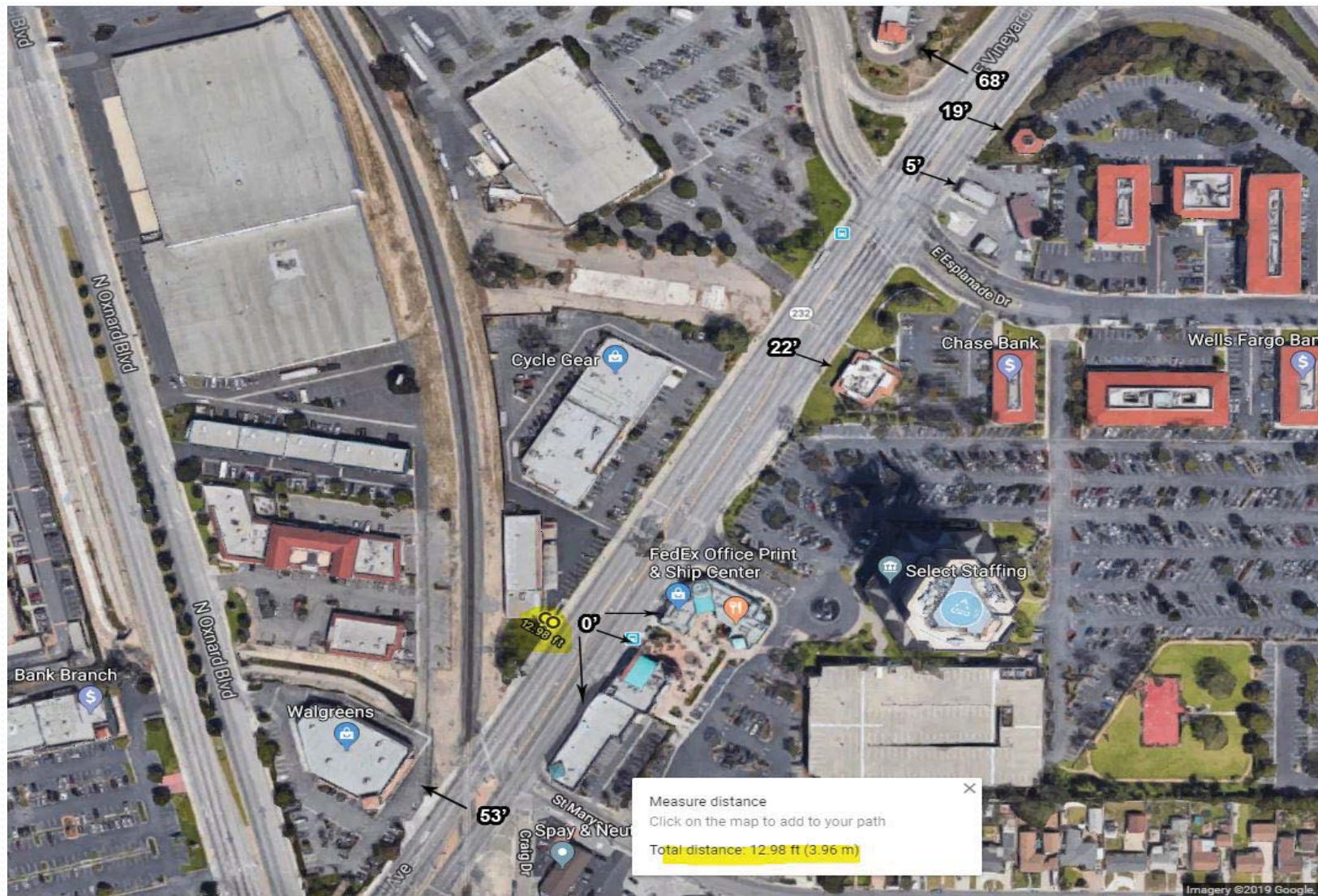
How Will This Plaza Benefit Oxnard

Developing a vacant lot on Vineyard Ave. that is located at one the main entrances into City of Oxnard with a modern commercial building for future business and employment opportunities.

This shopping center will be mostly local or regional business owners. Strengthen Oxnard's economy.

Shoe City (34 regional chain) hires local staff. Generates , on average, \$2M in annual sales

Current Vineyard Ave Setbacks



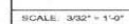
CARLTON BROWNE OXNARD CENTER'S REQUEST FOR A UNIFORM 77' SETBACK

UNIFORMITY WILL VISUALLY ENHANCE THE VINEYARD STREETScape



Contact: Eric Friedland
Cell: 818.398.0354 | eric@cirecre.com
BRE # 00946545

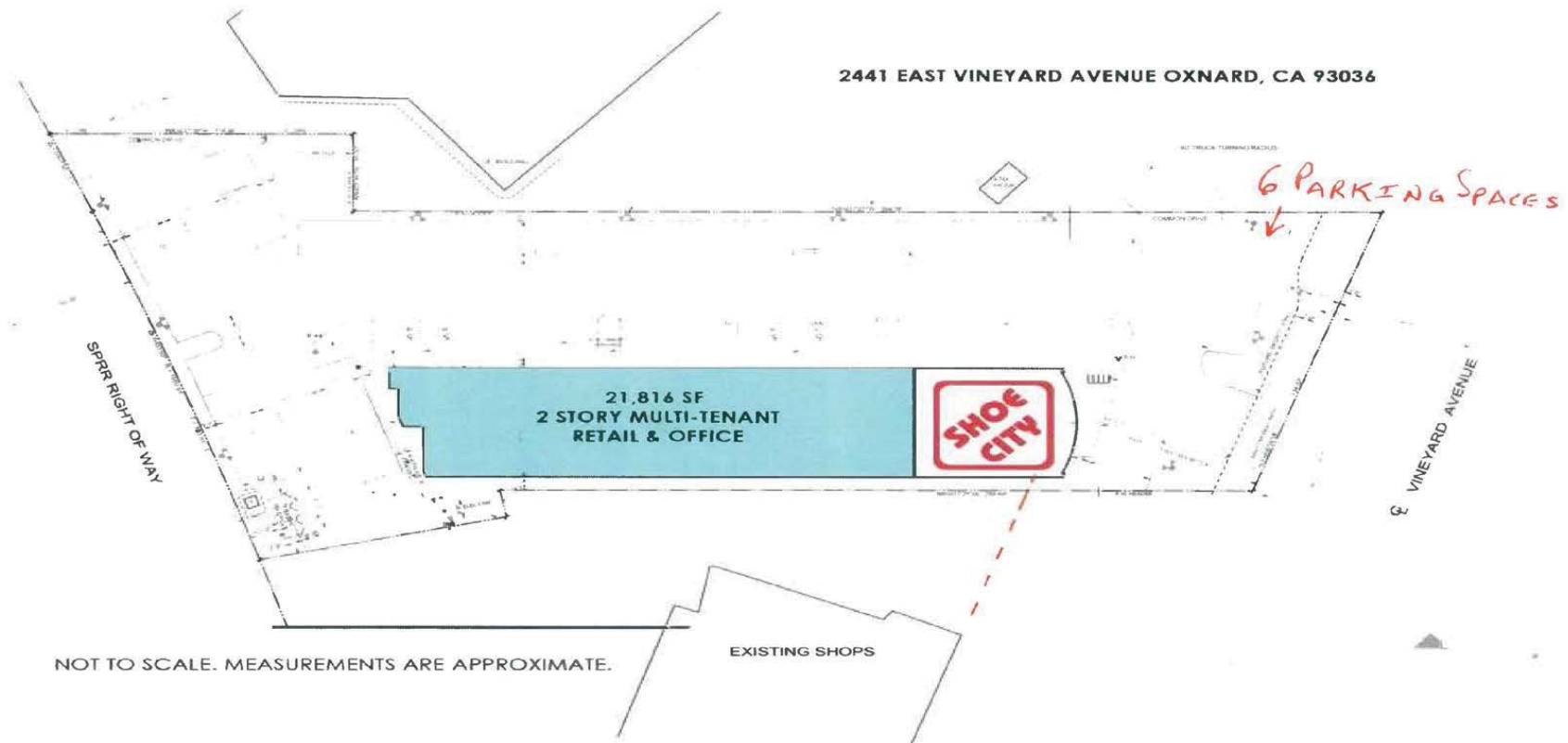




4

Date: _____

2441 EAST VINEYARD AVENUE OXNARD, CA 93036



Contact: Eric Friedland

Cell: 818.398.0354 | eric@cirecre.com

BRE # 00946545

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