

RESOLUTION NO. 5347

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD GRANTING PLANNED DEVELOPMENT PERMIT NO. 290, APPLIED FOR BY MARKHAM F. MACLIN TO AMEND PLANNED DEVELOPMENT PERMIT APPLICATION NO. 112, FOR THE CONVERSION OF AN EXISTING SERVICE STATION TO INCLUDE A CONVENIENCE MARKET AND FAST-FOOD RESTAURANT IN ADDITION TO THE SALE OF GASOLINE IN A C-2-PD (GENERAL COMMERCIAL PLANNED DEVELOPMENT) ZONE, LOCATED AT THE NORTH-EAST CORNER OF WOOLEY ROAD AND VENTURA ROAD SHOWN AS PARCEL "A" OF RECORD OF SURVEY 69-28 AND COMMONLY KNOWN AS 1050 S. VENTURA ROAD, SUBJECT TO CERTAIN CONDITIONS.

WHEREAS, the Planning Commission of the City of Oxnard has considered an application for a Planned Development Permit filed by Markham F. Maclin in accordance with Sections 34-146 through 34-157.1 of the Oxnard City Code; and

WHEREAS, the Planning Commission finds that the project is categorically exempt as defined in Title 14, Division 6, Article VIII (commencing with Section 15100) of the California Administrative Code and does not require an Environmental Impact Report or Negative Declaration as established in the California Environmental Quality Act; and

WHEREAS, the Commission finds that, after due study, deliberation and public hearing, the following circumstances exist:

1. That the proposed use is in conformance with the General Plan and other adopted standards of the City of Oxnard.
2. That 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.
3. That the site for the proposed use is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other items as required.
4. That the site for the proposed use will be served by streets and highways adequate in width and structure to carry the kind and quantity of traffic such use will generate.

5. That the site for the proposed use will be provided with adequate sewage, water, fire protection and storm drainage facilities.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Oxnard hereby grants said Planned Development Permit subject to the following conditions. The decision of the Planning Commission is final unless appealed in accordance with the provisions of Section 34-155 of the Oxnard City Code.

1. The planned development permit is granted for the land as described in the application and shall not be transferable.
2. That the planned development permit is granted for the convenience market use, the fast-food restaurant facility and the wine room only and that the sale of gasoline shall be prohibited.
3. The planned development permit shall become null and void within eighteen months from the date of its issuance, unless the proposed development or pursued.
4. The planned development permit shall be granted subject to the approval of a tentative parcel map and final parcel map and the completion of all the improvements required on the final parcel map.
5. Contracts, conditions and restrictions shall be subject to the approval of the City Attorney and the Planning Director.
6. The location of buildings and structures shall conform substantially to the plot plan submitted labeled Exhibit "A", except as amended at the time of approval.
7. The elevations of all buildings shall be substantially in conformance with the elevation plan submitted as part of Exhibit "A", except as amended at the time of approval.
8. The final design of buildings and masonry walls, including materials and colors, is subject to approval of the Planning Director.

9. Any minor changes may be approved by the Planning Director but any substantial revision will require the filing of an amended planned development permit for consideration by the Planning Commission.
10. Trash pickup areas shall be screened with a solid masonry enclosure and located as per approval of the Public Works Director.
11. A landscaping plan shall be submitted for the approval of the Planning Director and the Parks Superintendent prior to issuance of a building permit. Landscaping shall be installed prior to occupancy and maintained in accordance with the approved landscape plan.
12. Parking lot landscaping shall be provided as required in Section 34-9.2 of the Oxnard City Code.
13. All off-street parking spaces, including number, size, paving, striping, location and access, shall comply with Sections 34-5 and 34-6 of the Oxnard City Code.
14. Building signs may be approved by the Planning Director subject to standards of the C-1 zone of the sign ordinance.
15. On-site lighting, if provided, shall be shielded from abutting properties so as to produce no nuisance or annoyance. No lighting shall be of the type or in a location such that it constitutes a hazard to vehicular traffic, either on private property or on abutting streets. The spacing and height of the standards and luminars shall be such that a maximum of seven foot candles and a minimum of one foot candle of illumination are obtained on all vehicle access ways and parking areas. The height of light standards shall not exceed 15 feet. To prevent damage from automobiles, standards shall be mounted on reinforced concrete pedestals or otherwise protected. Under canopy lighting elements shall be recessed or concealed in such a manner as not to be directly visible from a public street.

16. All roof heating and/or cooling systems shall be recessed and/or screened from adjoining property to the approval of the Planning Director.
17. All of the conditions of this planned development permit shall be complied with prior to occupancy or use of planned improvements.
18. No burning of combustible refuse on subject property is permitted.
19. Outdoor storage and display are not permitted.
20. That noise which is perceptible at the property line shall not exceed 55 DBA (decibels "A" scale).
21. The operator shall not create any public nuisance as defined in Chapter 19 of the Oxnard City Code.
22. A permit shall be obtained from the Oxnard Fire Department for the handling, storage and use of all flammable, combustible and hazardous materials.
23. That the block wall on the north and east property line be increased in height for the entire length of the property to six feet. The height of the wall shall be measured from the finish grade within three feet on the subject property as required by Section 34-9.1 for zone walls.
24. That the westerly most curb cut on Wooley Road and southerly curb cut on Ventura Road shall be closed with new curb, gutter and sidewalk installed to the approval of the Public Works Director.
25. That the parking lot be striped as indicated on the plan prepared by staff and additional interior parking lot landscaping be installed as indicated on the staff plan.
26. That a burglar alarm system be improved to the approval of the Police Department.
27. That the applicant shall enter into an agreement with the City transferring the required property for street widening on Ventura Road. The property to be transferred shall be shown as a separate parcel on the required parcel map.

28. That a seven foot wide landscape strip be installed in the area between the northerly curb cut on Ventura Road and the south property line.
29. That the pump islands be removed and replaced with paving to match the existing parking lot.

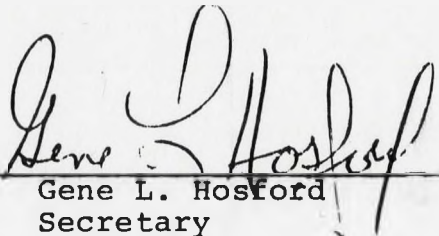
PASSED AND ADOPTED by the Planning Commission of the City of Oxnard on this 7th day of July, 1977, by the following vote:

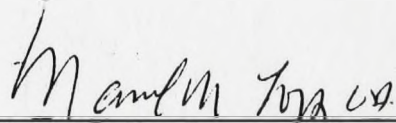
AYES: Commissioners: Maron, John, Duff, Stoll, O'Connell, Lopez

NOES: Commissioners: None

ABSENT: Commissioners: Flores

ATTEST:


Gene L. Hosford
Secretary


Manuel M. Lopez, OD
Chairman