



Meeting Date: 6/20/2006

ACTION	TYPE OF ITEM
<input type="checkbox"/> Approved Recommendation	<input type="checkbox"/> Info/Consent
<input type="checkbox"/> Ord. No(s). _____	<input type="checkbox"/> Report
<input type="checkbox"/> Res. No(s). _____	<input checked="" type="checkbox"/> Public Hearing
<input type="checkbox"/> Other _____	<input type="checkbox"/> Other _____

Prepared By: Christopher Williamson, AICP Senior Planner *OW* Agenda Item No. L-1  
 Reviewed By: City Manager *[Signature]* City Attorney *[Signature]* Finance *[Signature]* Other (Specify) \_\_\_\_\_

DATE: June 8, 2006

TO: City Council

FROM: Susan L. Martin, AICP *[Signature]*  
Planning and Environmental Services Manager

SUBJECT: Planning and Zoning Permit Nos. 05-620-4 (General Plan Amendment), 05-630-2 (Specific Plan Amendment to the Northeast Community Specific Plan), 05-570-2 (Zone Change), 05-300-23 (Tentative Subdivision Map for Tract No. 5654), and 06-670-1 (Development Agreement), and appeal of the certification and adoption of Findings and Overriding Considerations for Final SEIR 05-02. Filed by Centex Homes, 27200 Tourney Road, Valencia, CA 91355.

**RECOMMENDATION**

That City Council:

1. Approve a resolution approving General Plan Amendment (PZ 05-620-5) changing the land use designation for portions of two parcels, generally located on the southeast corner of Oxnard Boulevard and Gonzales Road, from Park to Low Medium Density Residential.
2. Adopt a resolution amending the Northeast Community Specific Plan (PZ 05-630-2) to change the land use designation for portions of two parcels, generally located on the southeast corner of Oxnard Boulevard and Gonzales Road, from Sports Park to Low Medium Density Residential.
3. Approve the first reading by title only and subsequent adoption of an ordinance changing the zoning (PZ 05-570-2) for portions of two parcels, generally located on the southeast corner of Oxnard Boulevard and Gonzales Road, from Community Reserve to R-2 PD Multifamily Zone Planned Development.
4. Adopt a resolution approving a tentative subdivision map for Tract No. 5654 (PZ 05-300-23) for three parcels, generally located on the southeast corner of Oxnard Boulevard and Gonzales Road, creating 106 lots.
5. Adopt a resolution approving a development agreement (PZ 06-670-1) for three parcels, generally located on the southeast corner of Oxnard Boulevard and Gonzales Road, stipulating the development and dedication to the City of approximately 13 acres of street improvements and park facilities.

6. Adopt a resolution upholding the Planning Commission's certification of Final Supplemental Environmental Impact Report 05-02 and adoption of a Statement of Findings of Fact and Statement of Overriding Considerations.

## **SUMMARY**

The above requested actions would approve development of 25 acres at the southeast corner of Oxnard Boulevard and Gonzales Road, which is composed of a 21-acre privately-owned vacant site (APN's 215-0-010-100/-140) and a four-acre City park at Briana Court and Entrada Drive (APN 215-0-020-010). The proposed project consists of 101 single-family, two-story, residential units with public streets on 12.0 acres; 11.0 acres of improved public parks that include an Olympic-size competition swimming pool and related facilities, parking, picnic areas, basketball courts, ball fields, and bike trail; and the widening of Gonzales Road and Entrada Drive (2.0 acres). The proposed General Plan and NECSP amendments and zone change would redesignate only the housing portion of the project site, leaving 11 acres as currently designated and developed as public parks. Centex Homes has agreed to complete the park improvement and dedicate the 11 acres to the City prior to completion of the housing development.

## **DISCUSSION**

The project site was previously in agricultural use and the area was annexed into the City in 1997. In 2000, a 306-unit apartment project was proposed for the site, which did not progress to an application. In 2004, a 282-unit condominium project was considered with a larger public park, but also did not progress to an application. The City attempted several times to purchase the 21-acre portion of the site for development as a City park, but was unable to agree on a purchase price with the owners. The four-acre City park was purchased, improved, and dedicated to the City by the adjacent John Laing housing development.

The currently proposed project would develop housing on 12 acres located on the western portion of the site along a new public street, named Altamira Avenue, and along Entrada Drive. Two acres are needed to widen Gonzales Road and Entrada Drive. On the remaining 11 acres, located mostly in the northeastern corner of the project site opposite Pacifica High School, the developer would build a swimming pool, baseball fields, parking, and other park facilities and then dedicate the improved park areas over to the City. The park facilities would be built to specifications approved by the Public Works Department and so stipulated in the Development Agreement.

With regard to the use of a portion of the City park for housing, Government Code §38441 provides for the conveyance of a minor portion of a park in exchange for an equal or greater area or value of privately-owned contiguous land after: 1) notice and public hearing, 2) determination that the exchange is in the public interest, and 3) adoption of a resolution of discontinuance. The existing park, which also includes the bike trail to Camino del Sol, is a total of 6.25 acres in size. The developer proposes to develop housing and public streets on 2.8 acres (45.6% of the total park area), and replace the 2.8 acres with 8.5 acres of improved park at the northern and eastern ends of the project site, which is contiguous

to the existing park by way of the SPRR/Oxnard Boulevard bike trail. The City will gain 5.7 acres of improved public park as a result of the abandonment and exchange, and this gain is considered in the public interest.

The Planning Commission held a public hearing on June 1<sup>st</sup> and certified the Final Supplemental Impact Report (SEIR) 05-02 at that time. Certification of the SEIR was appealed by staff so that the City Council may consider it along with the other project entitlements, and adopt the CEQA-required Findings of Fact and Statement of Overriding Considerations. All environmental impacts were mitigated except the risk of train derailment, which is a risk that already exists and cannot be mitigated by the City.

### **FINANCIAL IMPACT**

The City would have ongoing maintenance, management, and operating costs for the park facilities and public streets.

CW/CW

- Attachment #1 - Draft Planning Commission Minutes of June 1, 2006  
#2- June 1, 2006 Planning Commission staff report  
#3 - General Plan Amendment resolution  
#4 - NECSP Amendment resolution  
#5 - Zone Change ordinance  
#6 - Tentative Subdivision Map resolution  
#7 - Development Agreement Ordinance  
#8 - FEIR resolution, Findings of Fact, Statement of Overriding Considerations  
#9- Final SEIR for the Centex Tract No. 5654 Project

Note: Attachments 1, 2, 6, 7, 8, and 9 have been provided to the City Council. Copies are available for review at the Circulation Desk in the Library after 6:00 p.m. on the Thursday prior to the Council meeting and at the City Clerk's Office after 8:00 a.m. on Monday, June 19, 2006.

CITY COUNCIL OF THE CITY OF OXNARD

RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD APPROVING PLANNING AND ZONING PERMIT NO. 05-620-4 FOR A GENERAL PLAN AMENDMENT TO CHANGE THE LAND USE MAP TO DESIGNATE PORTIONS OF TWO PARCELS LOCATED ON THE SOUTHEAST CORNER OF OXNARD BOULEVARD AND GONZALES ROAD (APN'S 215-0-010-100/-140) TO LOW MEDIUM RESIDENTIAL, SUBJECT TO CERTAIN FINDINGS. FILED BY CENTEX HOMES, 27200 TOURNEY ROAD, VALENCIA, CA 91355.

WHEREAS, on June 15, 2006 the Planning Commission approved Resolution No. 2006-30 recommending that the City Council adopt a resolution approving Planning and Zoning Permit No. 05-620-4 (General Plan Amendment) filed by Centex Homes changing the land use designation on portions of two parcels located at the southeast corner of Oxnard Boulevard and Gonzales Road from Park to Low Medium Residential; and

WHEREAS, the City Council has held a public hearing and received and reviewed written and oral comments related to proposed General Plan Amendment No. 05-620-4; and

WHEREAS, the City Council finds after due study and deliberation that the public interest and general welfare require the adoption of General Plan Amendment No. 05-620-4; and

WHEREAS, in accordance with Section 15162 of the California Code of Regulations, a subsequent environmental impact report was prepared for General Plan Amendment No. 05-620-4 and the Planning Commission certified the final subsequent environmental impact report; and

WHEREAS, the City Council certifies that the final subsequent environmental impact report for General Plan Amendment No. 05-620-4 was presented to the City Council, and the City Council considered the information contained in the final subsequent environmental impact report before approving this project; and

WHEREAS, the documents and other material that constitute the record of proceedings upon which the decision to certify and adopt the final subsequent environmental impact report is located in the Planning and Environmental Services Division, and the custodian of the record is the Planning and Environmental Services Manager; and

WHEREAS, Applicants agree, as a condition of adoption of this resolution at each Applicant's own expense, to indemnify, defend, and hold harmless 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 this resolution or any proceedings, acts, or determination taken, done, or made prior thereto that were part of the approval process.

NOW, THEREFORE, the City Council of the City of Oxnard resolves to amend the City of Oxnard 2020 General Plan Land Use Map (Figure V-5) land use designation for property located at the southeast corner of Oxnard Boulevard and Gonzales Road, as shown in Exhibit A, attached hereto and incorporated herein by reference.

PASSED AND ADOPTED this 20th day of June, 2006 by the following vote:

AYES:

NOES:

ABSENT:

\_\_\_\_\_  
Dr. Thomas E. Holden, Mayor

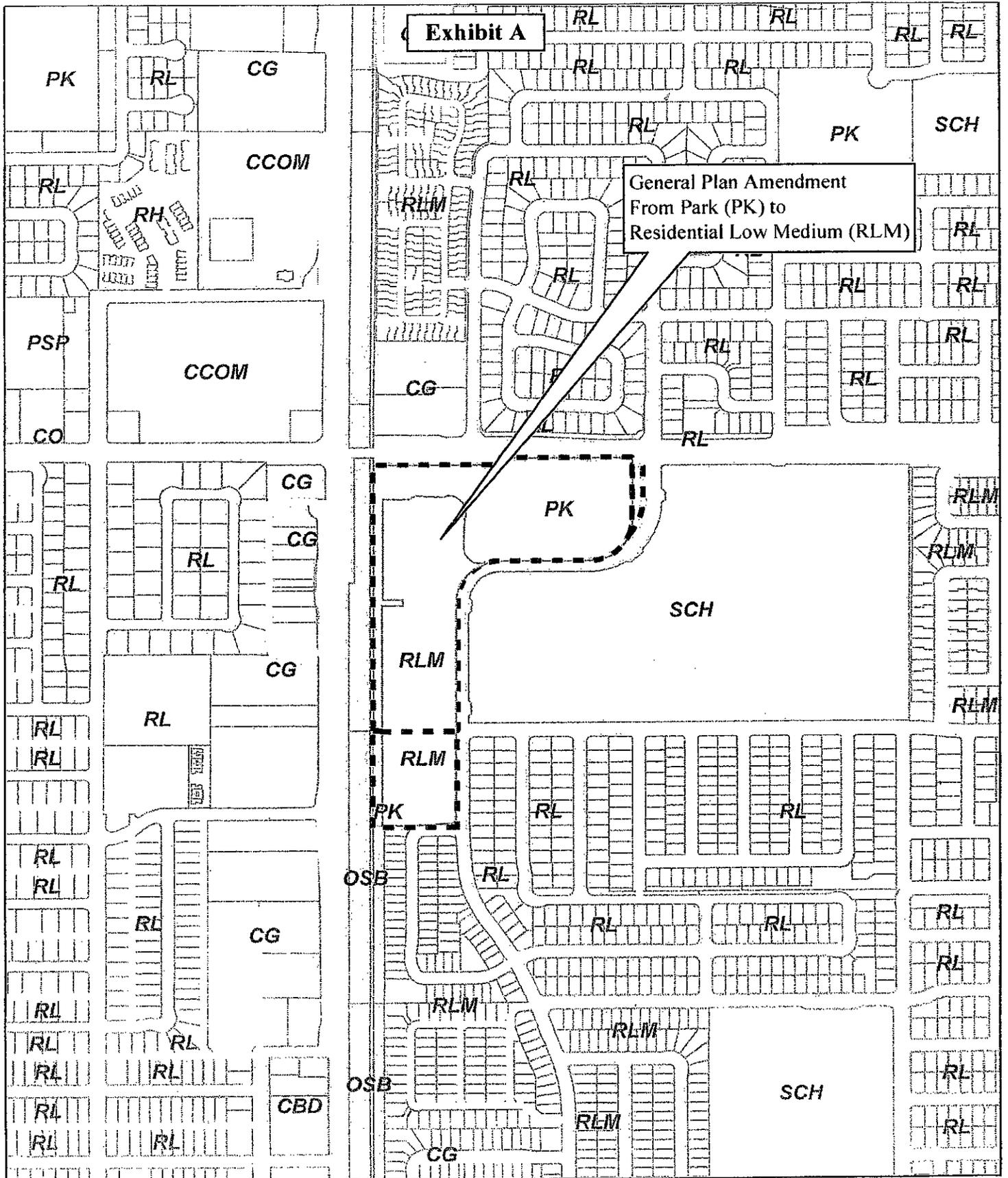
ATTEST:

\_\_\_\_\_  
Daniel Martinez, City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Gary L. Gillig, City Attorney

ASSASSINMENT 3  
PAGE 2 OF 3



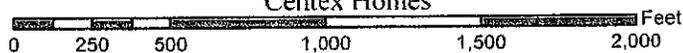
PZ 05-620-4

General Plan Amendment

Location: SEC Oxnard Bl & Gonzales Rd.

APN: 215001010, 215001014, 215002010

Centex Homes



AMENDMENT 3  
PAGE 3 OF 3



Planning & Environmental Services

000102

CITY COUNCIL OF THE CITY OF OXNARD

RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD APPROVING PLANNING AND ZONING PERMIT NO. 05-630-2 FOR AN AMENDMENT TO THE NORTHEAST COMMUNITY SPECIFIC PLAN TO CHANGE THE LAND USE MAP FOR PORTIONS OF TWO PARCELS LOCATED ON THE SOUTHEAST CORNER OF OXNARD BOULEVARD AND GONZALES ROAD (APN'S 215-0-010-100/-140) TO LOW MEDIUM RESIDENTIAL. FILED BY CENTEX HOMES, 27200 TOURNEY ROAD, VALENCIA, CA 91355.

WHEREAS, on June 15, 2006 the Planning Commission approved Resolution No. 2006-31 recommending that the City Council adopt a resolution approving Planning and Zoning Permit No. 05-630-2 (Specific Plan Amendment) filed by Centex Homes changing the land use designation on portions of two parcels located at the southeast corner of Oxnard Boulevard and Gonzales Road from Sports Park to Low Medium Residential; and

WHEREAS, the City Council has held a public hearing and received and reviewed written and oral comments related to proposed Specific Plan Amendment No. 05-630-2; and

WHEREAS, the City Council finds after due study and deliberation that the public interest and general welfare require the adoption of Specific Plan Amendment No. 05-630-2; and

WHEREAS, in accordance with Section 15070 of the California Code of Regulations, a subsequent environmental impact report was prepared for Specific Plan Amendment No. 05-630-2 and the Planning Commission certified the final subsequent environmental impact report; and

WHEREAS, the City Council certifies that the final subsequent environmental impact report for Specific Plan Amendment No. 05-630-2 was presented to the City Council, and the City Council considered the information contained in the final subsequent environmental impact report before approving this project; and

WHEREAS, the documents and other material that constitute the record of proceedings upon which the decision to certify the adopt the final subsequent environmental impact report is located in the Planning and Environmental Services Division, and the custodian of the record is the Planning and Environmental Services Manager; and

WHEREAS, Applicants agree, as a condition of adoption of this resolution at each Applicant's own expense, to indemnify, defend, and hold harmless 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 this resolution or any proceedings, acts, or determination taken, done, or made prior thereto that were part of the approval process.

NOW, THEREFORE, the City Council of the City of Oxnard resolves to amend the City of Oxnard Northeast Community Specific Plan for property located at the southeast corner of Oxnard Boulevard and Gonzales Road, as shown in Exhibit A, attached hereto and incorporated herein by reference.

PASSED AND ADOPTED this 20th day of June, 2006 by the following vote:

AYES:

NOES:

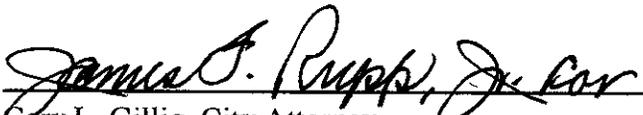
ABSENT:

\_\_\_\_\_  
Dr. Thomas E. Holden, Mayor

ATTEST:

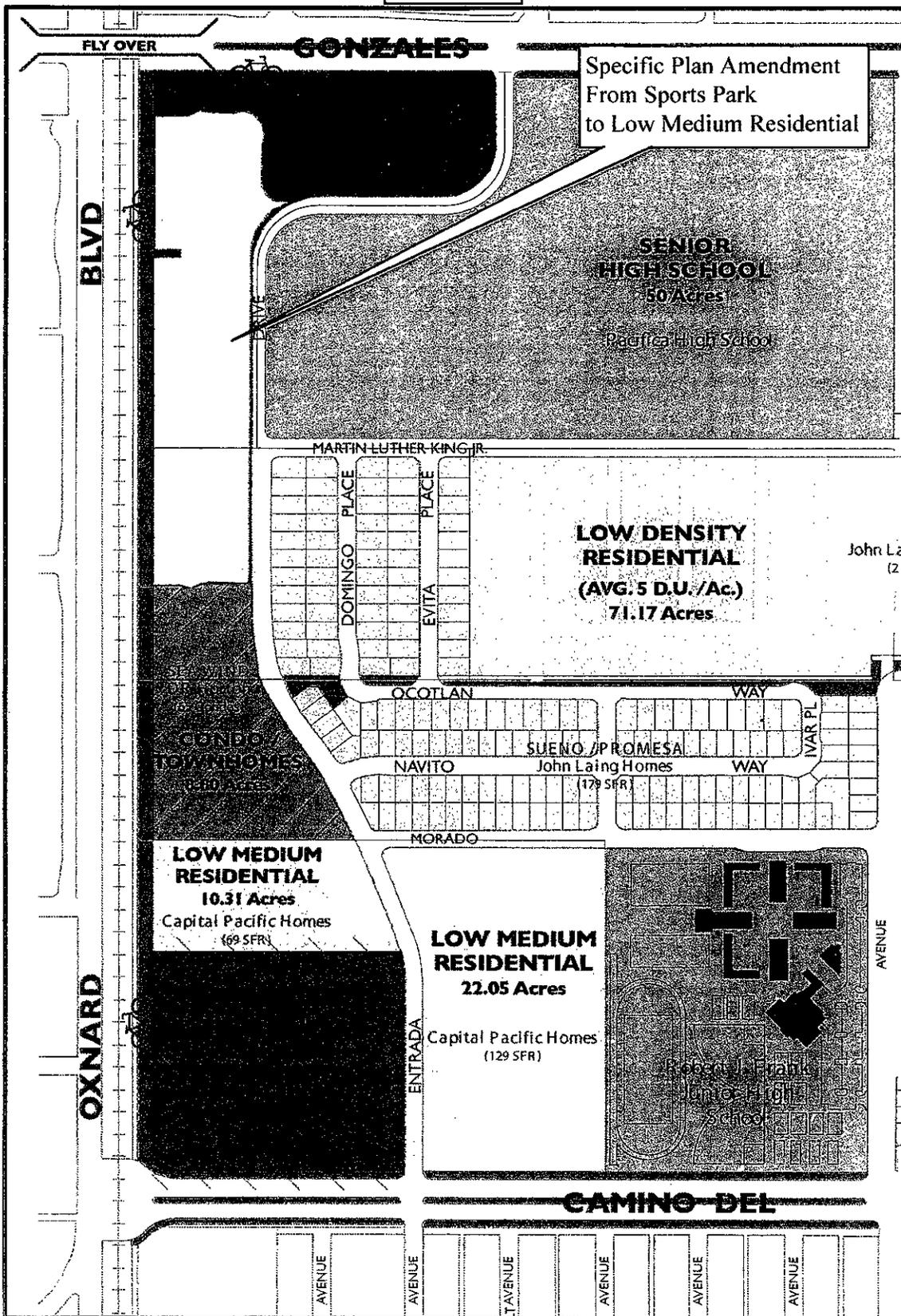
\_\_\_\_\_  
Daniel Martinez, City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Gary L. Gillig, City Attorney

ATTACHMENT #4  
PAGE 2 OF 5

**Exhibit A**



PZ 05-630-2

Location: SEC Oxnard Bl & Gonzales Rd.

APN: 215001010, 215001014, 215002010

Centex Homes



Planning & Environmental Services

0 300 600 1200

**000105**

ATTACHMENT

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TABLE 2-1 LAND USE PROGRAM  
NORTHEAST SPECIFIC PLAN LAND USE PROGRAM

LAND USE	AREA (Acres)	SUBTOTAL (Acres)	DENSITY (Dwellings/Acre)	DWELLING UNITS
<b>RESIDENTIAL</b>				
Low Density	298.3		>5	1,427
Low Medium Residential	124	138	7 - 12	94
Medium Density	63.0		18	908
Manufactured Housing	19.5		7	136
		506.8		3,411
<b>COMMERCIAL</b>				
General Commercial	14.5			
Mixed Use	15.0			
Neighborhood Commercial	6.0	35.5		
<b>INDUSTRIAL</b>				
Business Research Park (Mixed Use)	35.5	35.50		
<b>INSTITUTIONAL</b>				
Elementary School	12.0			
Neighborhood Center	2.0			
		14.0		
<b>OPEN SPACE</b>				
Neighborhood Park	12.0			
Buffer	6.8			
Greenbelt	33.5			
Sports Park	25	11		
		72.2		

1,041

NO. OF DWELLING UNITS  
BY DENSITY RANGE  
BY LAND USE



City of Portland  
Department of Planning  
1000 NE Oregon Street  
Portland, Oregon 97232  
503-944-6000



CITY COUNCIL OF THE CITY OF OXNARD

ORDINANCE NO.

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OXNARD APPROVING PLANNING AND ZONING PERMIT NO. 05-570-2 TO CHANGE ZONING FOR PORTIONS OF TWO PARCELS LOCATED ON THE SOUTHEAST CORNER OF OXNARD BOULEVARD AND GONZALES ROAD (APN'S 215-0-010-100/-140) TO R-2 MULTI-FAMILY RESIDENTIAL. FILED BY CENTEX HOMES, 27200 TOURNEY ROAD, VALENCIA, CA 91355.

WHEREAS, on June 15, 2006 the Planning Commission approved Resolution No. 2006-32 recommending that the City Council adopt a resolution approving Planning and Zoning Permit No. 05-570-2 (Zone Change) filed by Centex Homes changing the land use designation on portions of two parcels located at the southeast corner of Oxnard Boulevard and Gonzales Road from Community Reserve to R-2 Multi-Family Residential; and

WHEREAS, the City Council has held a public hearing and received and reviewed written and oral comments related to proposed Zone Change No. 05-620-2; and

WHEREAS, the City Council finds after due study and deliberation that the public interest and general welfare require the adoption of Zone Change No. 05-620-2; and

WHEREAS, in accordance with Section 15070 of the California Code of Regulations, a subsequent environmental impact report was prepared for Zone Change No. 05-620-2 and the Planning Commission certified the final subsequent environmental impact report; and

WHEREAS, the City Council certifies that the final subsequent environmental impact report for Zone Change No. 05-620-2 was presented to the City Council, and the City Council considered the information contained in the final subsequent environmental impact report before approving this project; and

WHEREAS, the documents and other material that constitute the record of proceedings upon which the decision to certify the adopt the final subsequent environmental impact report is located in the Planning and Environmental Services Division, and the custodian of the record is the Planning and Environmental Services Manager; and

WHEREAS, Applicants agree, as a condition of adoption of this resolution at each Applicant's own expense, to indemnify, defend, and hold harmless 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 this resolution or any proceedings, acts, or determination taken, done, or made prior thereto that were part of the approval process.

000108

ADJUDICATION 5  
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WHEREAS, the zone change is consistent with the 2020 General Plan.

NOW, THEREFORE, the City Council of the City of Oxnard does ordain as follows:

- Part 1. Zone Change No. 05-620-2 is approved, as shown on the map attached hereto as Exhibit A and incorporated herein by reference.
- Part 2. Within fifteen days after passage, the City Clerk shall cause this ordinance to be published one time in a newspaper of general circulation, published and circulated in the City. Ordinance No. \_\_\_\_\_ was first read on June 20, 2006, and finally adopted on \_\_\_\_\_, 2006, to become effective thirty days thereafter .

AYES:

NOES:

ABSENT:

\_\_\_\_\_  
Dr. Thomas E. Holden, Mayor

ATTEST:

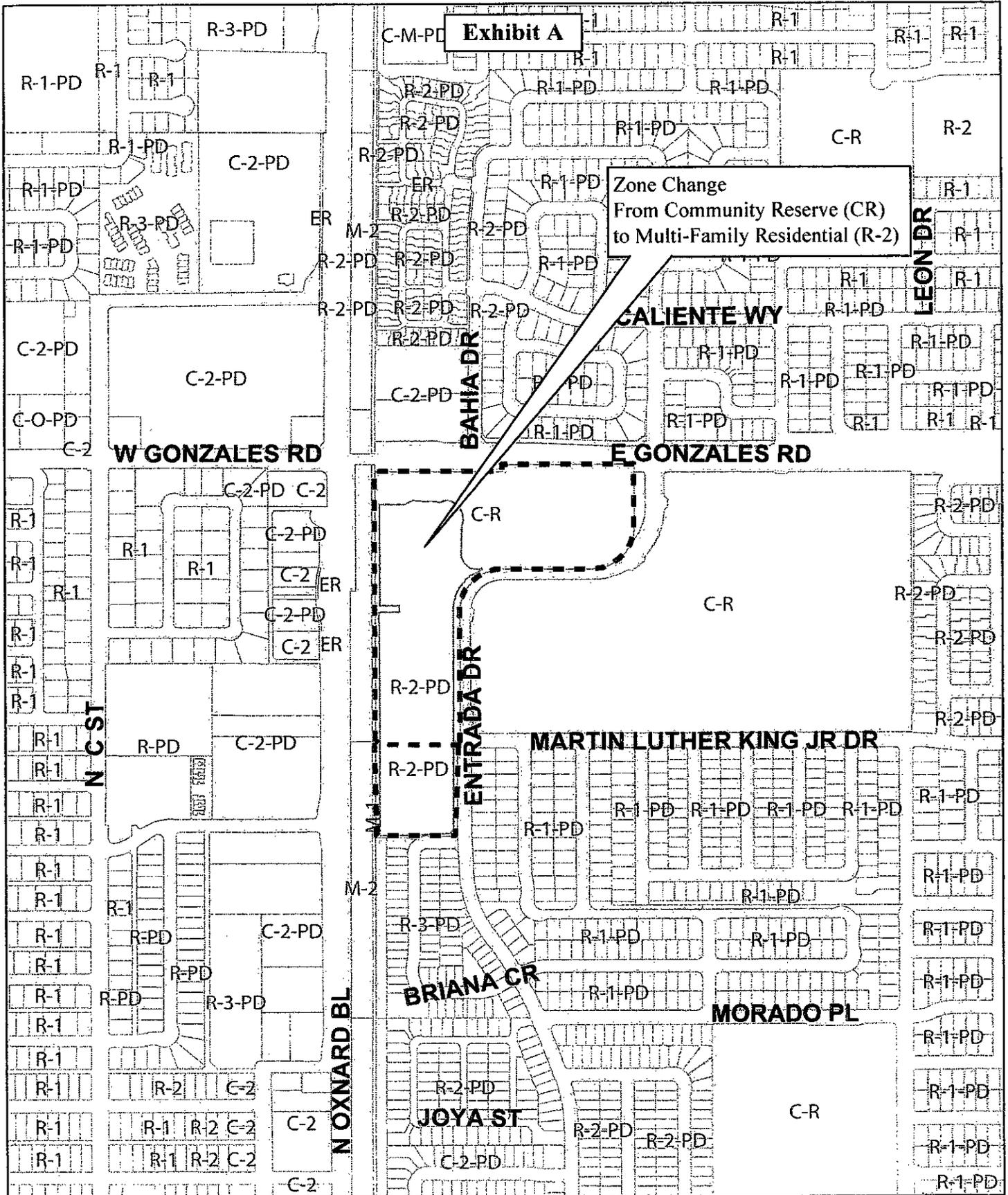
\_\_\_\_\_  
Daniel Martinez, City Clerk

APPROVED AS TO FORM:

*James J. Rupp, Jr.*  
\_\_\_\_\_  
Gary L. Gillig, City Attorney

ATTACHMENT # 5  
PAGE 2 OF 3

000109



**Exhibit A**

Zone Change  
From Community Reserve (CR)  
to Multi-Family Residential (R-2)

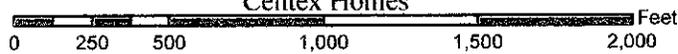
PZ 05-570-2

Zone Change

Location: SEC Oxnard Bl & Gonzales Rd.

APN: 215001010, 215001014, 215002010

Centex Homes



**000110**



Planning & Environmental Services

MANAGEMENT 5  
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