



Meeting Date: 03/20/07

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 (Info/consent)
<input type="checkbox"/> Other _____	<input type="checkbox"/> Other _____

Prepared By: Winston Wright, Associate Planner *WW* Agenda Item No. L-1  
 Reviewed By: City Manager \_\_\_\_\_ Rupp \_\_\_\_\_ City Attorney *g* Finance *SW* Other (Specify) \_\_\_\_\_

**DATE:** March 20, 2007  
**TO:** City Council

**FROM:** Susan L. Martin, AICP *smartin*  
 Planning and Environmental Services Manager

**SUBJECT:** Planning and Zoning Permit Nos. 05-620-08 (General Plan Amendment), 05-570-03 (Zone Change), 05-500-24 (Special Use Permit for a Planned Residential Group), and 05-300-26 (Tentative Subdivision Map) for the Westwinds II project located at 5482 & 5536 Cypress Road (APN 222-0-052-180 & 222-0-041-020). Filed by Paragon Communities, 8614 S. Saran Drive, Playa Del Rey, CA 90293.

**RECOMMENDATION**

That City Council:

1. Adopt a resolution approving Planning and Zoning Permit No. 05-620-08, General Plan Amendment.
2. Adopt a resolution approving Planning and Zoning Permit No. 05-570-03, Zone Change.
3. Adopt a resolution approving Planning and Zoning Permit No. 05-300-26, a Tentative Subdivision Map for Tract 5659 for condominium purposes, subject to conditions.
4. Adopt a resolution upholding the Planning Commission's approval of, Special Use Permit for a Planned Residential Group (PZ No. 05-500-24), subject to the conditions.

**DISCUSSION**

On December 7, 2006, the Planning Commission approved a special use permit for a planned residential group of 47 residential detached condominium units in a gated community (resolution No. 2006-64). Westwinds II is adjacent to and east of the Westwinds I project now nearing completion. The Planning Commission also recommended that the City Council approve a general plan amendment to change a portion of the project site from Residential Low to Residential Low Medium, a zone change for the site from R-1 to R-2, and a tentative subdivision map for Tract No. 5659 for condominium purposes.

The project is a gated community with rectangular lots oriented towards private streets. The streets are 32-feet wide from curb face to curb face and have a 5-foot wide sidewalk and parking on one side. In accordance with the street naming guidelines, the Street Naming Committee has approved street names for this project (see Attachment #6). The 47-unit subdivision proposes four model plans, all two-story, that range from 1,520 square feet to 1,863 square feet in size. All units have a two-car garage and a driveway that allows for guest parking. The project also includes a 3,300 square foot open space area with a barbeque and picnic table that can be used by the residents of Westwinds II and their guests.

The property is located within the Cypress Neighborhood and the Historic Enhancement and Revitalization of Oxnard (HERO) Redevelopment Project area. There is no substantial evidence that the project may have a significant effect on the environment and the Planning Commission adopted a mitigated negative declaration on December 7, 2006. With the approval of the general plan amendment and the zone change the project will be consistent with the 2020 General Plan policies and it will conform to the land use designation.

## **FINANCIAL IMPACT**

The project will be required to pay applicable development fees. An in-lieu Affordable Housing Payment will be made rather than providing affordable housing on-site. The developer will also pay Quimby Fees that will go towards the construction costs of Cypress Park, which is adjacent to the project site to the north.

- Attachment #1 - Vicinity Map
- #2 - General Plan Amendment Resolution
- #3 - Zone Change Ordinance
- #4 - Tentative Subdivision Map Resolution
- #5 - Special Use Permit Resolution
- #6 - Approval Letter from the Street Naming Committee
- #7 - PC Resolution No(s). 2006-61, 2006-62, 2006-63, & 2006-64
- #8 - PC Staff Report

Note: Attachment No(s) 7 and 8 have been provided to the City Council. Copies are available for review at the circulation desk in the Library after 5:00 p.m. on the Friday prior to the Council meeting and at the City Clerk's office after 8:00 a.m. on Monday.



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. 05-620-08 FOR A GENERAL PLAN AMENDMENT TO CHANGE THE LAND USE MAP TO DESIGNATE ONE PARCEL LOCATED AT 5482 CYPRESS ROAD (APN 222-0-052-180) TO RESIDENTIAL LOW MEDIUM. FILED BY PARAGON COMMUNITIES, 8614 S. SARAN DRIVE, PLAYA DEL REY, CA 90293.

WHEREAS, on December 7, 2006 the Planning Commission approved Resolution No. 2006-61 recommending that the City Council adopt a resolution approving Planning and Zoning Permit No. 05-620-08 (General Plan Amendment) filed by Paragon Communities changing the land use designation on one parcel located at 5482 Cypress Road from Residential Low to Residential Low Medium; 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. 05-620-08; 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. 05-620-08; and

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

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

WHEREAS, Applicants agree, as a condition of adoption of this resolution at 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 5482 Cypress Road, as shown in Exhibit A, attached hereto and incorporated herein by reference.

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ATTACHMENT 2  
PAGE 1 OF 3

Resolution No.  
PZ No. 05-620-08  
Page 2

PASSED AND ADOPTED this 20th day of March 2007 by the following vote:

AYES:

NOES:

ABSENT:

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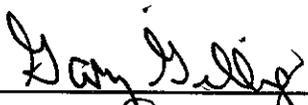
Dr. Thomas E. Holden, Mayor

ATTEST:

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Daniel Martinez, City Clerk

APPROVED AS TO FORM:

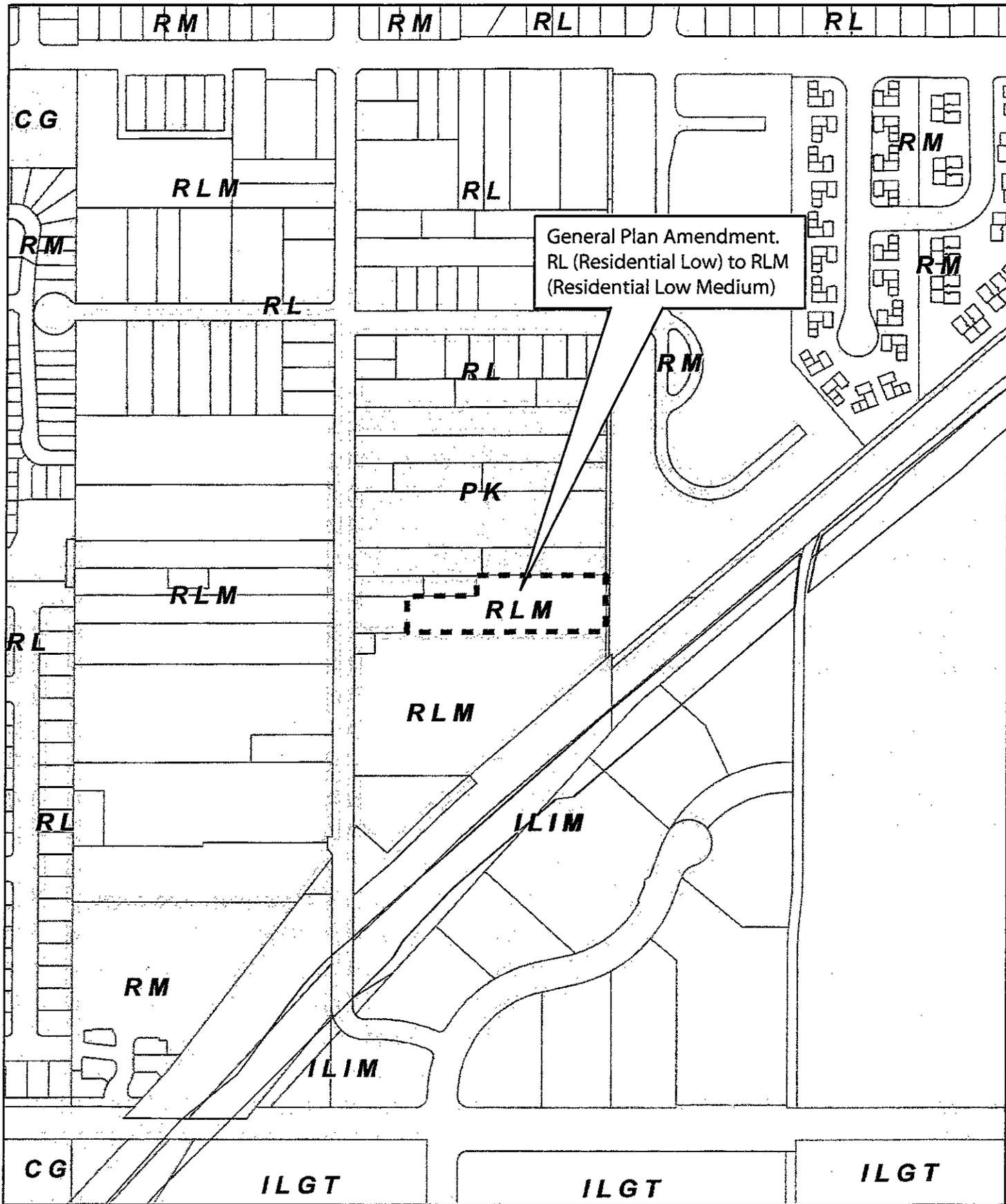
 03-12-07  

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Gary L. Gillig, City Attorney

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ATTACHMENT 2  
PAGE 2 OF 3



General Plan Amendment.  
 RL (Residential Low) to RLM  
 (Residential Low Medium)

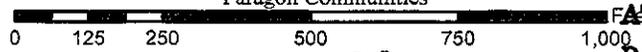
RLM



Planning & Environmental Services  
 December 20, 2006

**General Plan Amendment**

PZ 05-620-08  
 Location: 5482 Cypress Rd.  
 APN: 222005218  
 Paragon Communities



**000044**

CITY COUNCIL OF THE CITY OF OXNARD

ORDINANCE NO.

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OXNARD APPROVING ZONE CHANGE (PZ NO. 05-570-03) FOR PROPERTY LOCATED AT 5482 AND 5536 CYPRESS ROAD (APNS 222-0-052-180 AND 222-0-041-020) AS MULTIPLE FAMILY (R-2), SUBJECT TO CERTAIN FINDINGS. FILED BY PARAGON COMMUNITIES, 8614 S. SARAN DRIVE, PLAYA DEL REY, CA 90293.

The City of Council of the City of Oxnard does ordain as follows:

Part 1. The zoning governing property located on the following parcels, as shown in Planning Commission Resolution No. 2004-62 on file with the Planning and Environmental Services Division, is hereby changed as follows:

	FROM	TO
222-0-052-180	R-1 (single-family)	R-2 (multiple-family)
222-0-041-020	R-1 (single-family)	R-2 (multiple-family)

Part 2. In accordance with the California Environmental Quality Act, the Planning and Environmental Services Manager provided public notice of the intent of the City to adopt a mitigated negative declaration for this project, and the Planning Commission considered the proposed mitigated negative declaration, before making its recommendation herein; and

Part 3. Pursuant to Government Code Section 65863.5, the City Clerk shall mail a copy of this ordinance to the Assessor of Ventura County within thirty (30) days from the adoption of this ordinance.

Part 4. Within 15 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 \_\_\_\_\_, and finally adopted on \_\_\_\_\_, to become effective thirty (30) days thereafter.

PASSED AND ADOPTED this 20th day of March 2007, by the following vote:

AYES:

NOES:

ABSENT:

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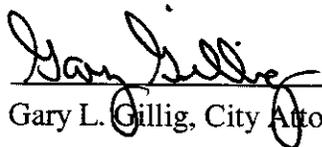
Dr. Thomas E. Holden, Mayor

ATTEST:

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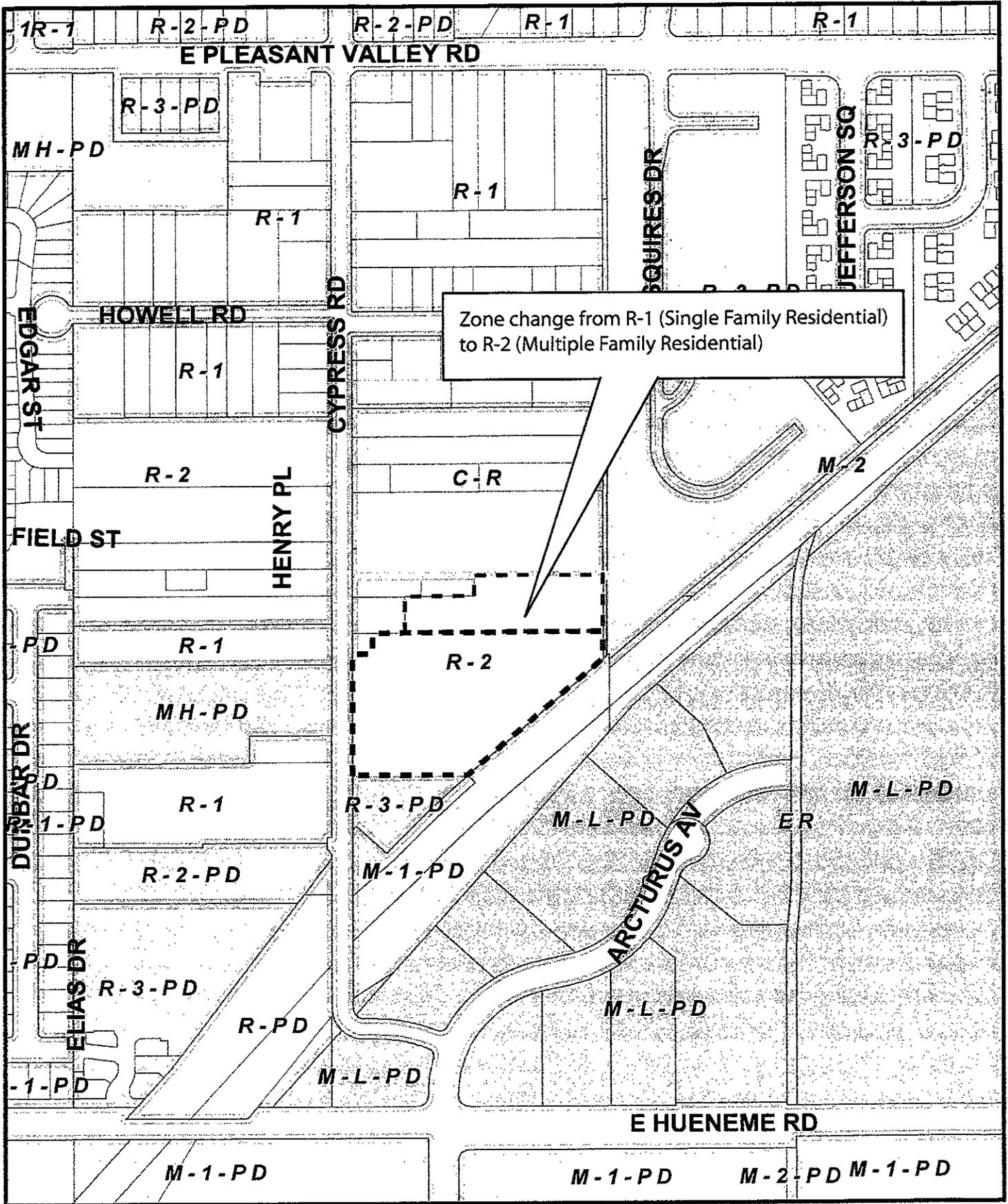
Daniel Martinez, City Clerk

APPROVED AS TO FORM:

 03-12-07  
Gary L. Gillig, City Attorney

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ATTACHMENT 3  
PAGE 2 OF 3



Zone change from R-1 (Single Family Residential) to R-2 (Multiple Family Residential)



Planning & Environmental Services  
August 30, 2006

**Zone Change**  
PZ 05-570-3

Location: 5482 & 5536 Cypress Rd.  
APN: 222005218, 223004102  
Paragon Communities



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ATTACHMENT 3  
PAGE 3 OF 3

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. 05-300-26 FOR A TENTATIVE SUBDIVISION MAP FOR CONDOMINIUM PURPOSES FOR TRACT NO. 5659, LOCATED AT 5482 AND 5536 CYPRESS ROAD (APNS 222-0-052-180 AND 222-0-041-020), SUBJECT TO CERTAIN CONDITIONS. FILED BY PARAGON COMMUNITIES, 8614 SOUTH SARAN DRIVE, PLAYA DEL REY, CA 90293.

WHEREAS, on December 7, 2006 the Planning Commission approved Resolution No. 2006-63 recommending that the City Council adopt a resolution approving Tentative Subdivision Map for Tract No. 5659 (PZ No. 05-300-26) for property located at 5482 and 5536 Cypress Road for 47 single-family condominium units in a gated community, filed by Paragon Communities; and

WHEREAS, City Council has carefully reviewed Planning Commission Resolution No. 2006-63 recommending approval of Tentative Subdivision Map for Tract No. 5659; and

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

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

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

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

ATTACHMENT 4  
PAGE 1 OF 2

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

NOW, THEREFORE, the City Council of the City of Oxnard resolves that Tentative Subdivision Map for Tract No. 5659 (PZ No. 05-300-26) is hereby approved, subject to the conditions set forth in Planning Commission Resolution No.2006-63.

PASSED AND ADOPTED this 20th day of March 2007, by the following vote:

AYES:

NOES:

ABSENT:

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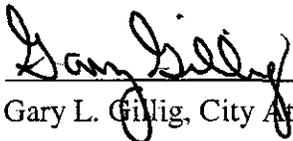
Dr. Thomas E. Holden, Mayor

ATTEST:

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Daniel Martinez, City Clerk

APPROVED AS TO FORM:

 03-12-07  
Gary L. Gillig, City Attorney

CITY COUNCIL OF THE CITY OF OXNARD

RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD UPHOLDING THE DECISION OF THE PLANNING COMMISSION APPROVING SPECIAL USE PERMIT PZ NO. 05-500-24, FOR DEVELOPMENT OF 47 SINGLE-FAMILY CONDOMINIUM UNITS IN A PLANNED RESIDENTIAL GROUP AS PART OF THE WESTWINDS II PROJECT, FOR PROPERTY LOCATED AT 5482 AND 5536 CYPRESS ROAD (APNS 222-0-052-180 AND 222-0-041-020), SUBJECT TO CERTAIN CONDITIONS. FILED BY PARAGON COMMUNITIES, 8614 S. SARAN DRIVE, PLAYA DEL REY, CA 90293.

WHEREAS, on December 7, 2006 the Planning Commission adopted Resolution No. 2006-64, approving an application for a Special Use Permit, for development of 47 single-family condominiums in a Planned Residential Group, filed by Paragon Communities; and

WHEREAS, the City Council has carefully reviewed the Planning Commission decision approving the application, the staff report, and minutes of testimony at the Planning Commission public hearing; and

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

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

WHEREAS, the City Council has conducted a hearing and received evidence in favor of and opposed to the application.

NOW, THEREFORE, the City Council of the City of Oxnard resolves that the Planning Commission's approval of Planned Development Permit No. 05-500-24 is hereby upheld, subject to the conditions contained in Planning Commission Resolution No. 2006-64 (on file in the Planning and Environmental Services Division, which is incorporated herein by reference):

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ATTACHMENT 5  
PAGE 1 OF 2

PASSED AND ADOPTED this 20<sup>th</sup> day of March 2007, by the following vote:

AYES:

NOES:

ABSENT:

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

ATTEST:

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

APPROVED AS TO FORM:

*Gary L. Gillig* 03-12-07  
Gary L. Gillig, City Attorney



dated

Planning and Environmental Services Division  
305 West Third Street • Oxnard, CA 93030 • (805) 385-7858 • Fax (805) 385-7417

August 28, 2006

Mr. Brian Catalde  
Paragon Communities, Inc.  
8614 S. Saran Dr.  
Playa del Rey, CA 90293

RE: TRACT NO. 5659 (Paragon Communities, Westwind II)

Dear Mr. Catalde:

At its meeting of August 24, 2006, the Street Naming Committee approved the following street names for the above-referenced project, located within the southeast portion of the City. The following street names are also shown on the attached map:

<u>Site Plan Label</u>	<u>Approved Street Name</u>
A Street (Entry street)	Clara Street (continues from across Cypress Rd)
B Street	Hillary Way
C Street	Bradley Lane
D Street	Dora Drive

These names are selected in accordance with the City's street naming policies contained in City Council Resolution No. 9311. This resolution establishes procedures for street naming, which includes City Council action prior to consideration of the tentative map. If you have any questions about this letter, please feel free to contact me at (805) 385-7849.

Sincerely,

LINDA WINDSOR  
Chairperson, Street Naming Committee

enclosure

cc: Street Naming Committee  
Rick Conrad, Conrad & Conrad, LLC (5015 Marlin Way, Oxnard, CA 93035)  
Dan Rydberg, Street Maintenance Superintendent  
Warren Smith, City Surveyor  
Jared Rosengren, Project Planner  
Tara Willis, Information Systems

ATTACHMENT 6  
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