



Meeting Date: June 26, 2007

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: Study Session

Prepared By: Nicole Doner, Associate Planner

Agenda Item No. K-1

Reviewed By: City Manager

*Rupp*  
City Attorney

Finance SW

Other (Specify)

DATE: June 26, 2007

TO: City Council

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

**SUBJECT: Planning and Zoning Permit Nos. PZ 05-300-01 (Tentative Parcel Map) and Appeal of Special Use Permit for Planned Residential Group PZ 05-500-01 for Project Located at 901 Cheyenne Way. Filed by Juan Cervantes, 1552 Cypress Street, Oxnard, CA 93030.**

### RECOMMENDATION

That City Council:

1. Adopt a resolution approving Planning and Zoning Permit No. PZ 05-300-01 (Tentative Parcel Map) for condominium purposes, subject to certain findings and conditions.
2. Adopt a resolution upholding the Planning Commission's approval of Special Use Permit (PZ 05-500-01) for a Planned Residential Group, subject to conditions.

### DISCUSSION

On May 17, 2007, the Planning Commission approved a special use permit for a planned residential group and recommended to the City Council the approval of a tentative parcel map to allow the construction of a 3-unit condominium development (Resolution No. 2007-07) on a 10,585 square foot lot. The parcel map will allow the individual sale of each residential dwelling unit and designate common areas within the site. The site is zoned R-2PD (Multiple family Residential Planned Development) and is located on the northeast corner of Cheyenne Way and Albany Drive in the College Estates Neighborhood.

The proposed development includes three detached units ranging in size from approximately 1,223 to 1,274 square feet. Each unit will offer three (3) bedrooms and two (2) baths, an attached two-car garage and an enclosed seven-foot by fifteen-foot concrete patio and yard. The proposed project has been designed with traditional architectural themes, which include asphalt shingle roof materials, stucco siding and exposed rafters. Windows along all elevations will be accented with border trims.

**000115**

Entitlements required to permit development of this condominium project include approval of a tentative parcel map for condominium purposes, and approval of a Special Use Permit for a Planned Residential Group to allow a reduction of the required front setback (from 25 feet to 20 feet), and a reduction in rear setback (from 25 feet to 20 feet). The location of this three-unit condominium project is consistent with the character of the surrounding neighborhood, with apartments and condominiums immediately adjacent to the east, north and across the street.

Section 15303 and 15061 of the State California Environmental Quality Act (CEQA) guidelines, provides criteria for new construction of a multi-family residential structure and exempts projects that do not have a potential for significant effects on the environment. This project satisfies the criteria and is exempt from CEQA.

The Planning Commission staff report (Attachment 4) provides the project details and information regarding the site and development improvements proposed.

#### **FINANCIAL IMPACT**

None.

- Attachment 1 - City Council Resolution, Upholding Approval of Special Use Permit  
2 - City Council Resolution, Tentative Parcel Map  
3 - Vicinity Map, General Plan Map and Zoning Map  
4 - May 17, 2007 Planning Commission Staff Report  
    A. Resolution No. 2007-07 (Special Use Permit)  
    B. Resolution No. 2007-08 (Tentative Parcel Map)  
    C. Notice of Exemption

Note: Attachment 4 has been provided to the City Council under separate cover. 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 Friday, June 22, 2007.

CITY COUNCIL OF THE CITY OF OXNARD

RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD UPHOLDING PLANNING COMMISSION APPROVAL OF A SPECIAL USE PERMIT/PLANNED RESIDENTIAL GROUP NO. PZ 05-500-01 TO CONSTRUCT THREE DWELLING UNITS, LOCATED AT 901 CHEYENNE WAY, (APN 221-0-063-160) WITHIN THE COLLEGE ESTATES NEIGHBORHOOD, SUBJECT TO CERTAIN FINDINGS AND CONDITIONS. FILED BY JUAN CERVANTES 1552 CYPRESS STREET, OXNARD, CA.

WHEREAS, the Planning Commission of the City of Oxnard has considered this application at its May 17, 2007 meeting and recommended City Council approval of Planning and Zoning Permit No. 05-500-01, filed by Juan Cervantes; and

WHEREAS, the Planning and Environmental Services Manager appealed the decision of the Planning Commission; and

WHEREAS, the City Council has conducted a hearing and received evidence in favor of and opposed to the application for a Special Use Permit/Planned Residential Group (SUP/PRG) for the property located on at 901 Cheyenne Way; and

WHEREAS, the Planning and Environmental Services Division has determined that the proposed project is exempt from environmental review pursuant to Section 15303 (Class 3) of the California Environmental Quality Act (CEQA) Guidelines, which categorically exempt new construction or conversion of small structures when the project consists of construction of three single-family units in an urbanized area. Based on the above exemption and in accordance with CEQA, the Planning and Environmental Services Manager has determined that there is no substantial evidence that the proposed project may have a significant effect on the environment and that a notice of exemption may be filed; and

WHEREAS, the documents and other material 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 and the custodian of the record is the Planning and Environmental Services Division.

NOW, THEREFORE, the City Council of the City of Oxnard does hereby resolve to uphold approval of Planning and Zoning Permit No. 05-500-01 (Special Use Permit/Planned Residential Group) subject to the finding and conditions set forth in Planning Commission Resolution No. 2007-07, on file in the Planning and Environmental Services Division, and incorporated herein by reference.

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Resolution No.  
PZ 05-500-01 (SUP/PRG)  
June 11, 2007  
Page 2 of 2

PASSED AND ADOPTED this 26<sup>th</sup> day of June, 2007, by the following vote:

AYES:

NOES:

ABSENT:

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

ATTEST:

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

APPROVED AS TO FORM:

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

000118

ATTACHMENT \_\_\_\_\_  
PAGE 2 OF 2

CITY COUNCIL OF THE CITY OF OXNARD

RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD APPROVING PLANNING & ZONING PERMIT NO. 05-300-01 (TENTATIVE PARCEL MAP) FOR PROPERTY LOCATED AT 901 CHEYENNE WAY, SUBJECT TO CERTAIN CONDITIONS. FILED BY JUAN CERVANTES 1552 CYPRESS STREET, OXNARD, CA.

WHEREAS, on May 17, 2007, the Planning Commission of the City of Oxnard adopted Resolution No. 2007-08, recommending City Council approval of Planning & Zoning Permit No. 05-300-01 (Tentative Parcel Map) for property located at 901 Cheyenne Way, filed by Juan Cervantes; and

WHEREAS, the City Council has carefully reviewed Planning Commission Resolution No. 2007-08 and finds that the Tentative Parcel Map complies with all requirements of the Subdivision Map Act and the Oxnard City Code; and

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

WHEREAS, the City Council finds that the proposed site is suitable for the type and density of development requested and the development will not cause substantial environmental damage, serious public health problems or conflict with any public utility or service easements; and

WHEREAS, the Planning and Environmental Services Division has determined that the proposed project is exempt from environmental review pursuant to Section 15303 (Class 3) of the California Environmental Quality Act (CEQA) Guidelines, which categorically exempt new construction or conversion of small structures when the project consists of construction of three single-family units in an urbanized area. Based on the above exemption and in accordance with CEQA, the Planning and Environmental Services Manager has determined that there is no substantial evidence that the proposed project may have a significant effect on the environment and that a notice of exemption may be filed; and

WHEREAS, the documents and other material that constitute the record of proceedings upon which the decision to file a notice of exemption is based is located in the Planning and Environmental Services Division and the custodian of the record is the Planning and Environmental Services Division.

NOW, THEREFORE, the City Council of the City of Oxnard resolves to approve Planning & Zoning Permit No. 05-300-01 (Tentative Parcel Map), subject to the conditions set forth in Planning Commission Resolution No. 2007-08, on file in the Planning and Environmental Services Division, and incorporated herein by reference.

**000119**

ATTACHMENT 2  
PAGE 1 OF 2

Resolution No.  
PZ 05-300-01 (TPM)  
June 11, 2007  
Page 2 of 2

PASSED AND ADOPTED this 26<sup>th</sup> day of June, 2007, by the following vote:

AYES:

NOES:

ABSENT:

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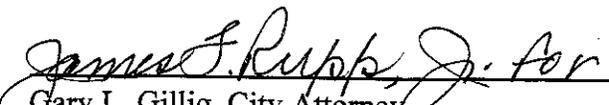
Dr. Thomas E. Holden, Mayor

ATTEST:

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Daniel Martinez, City Clerk

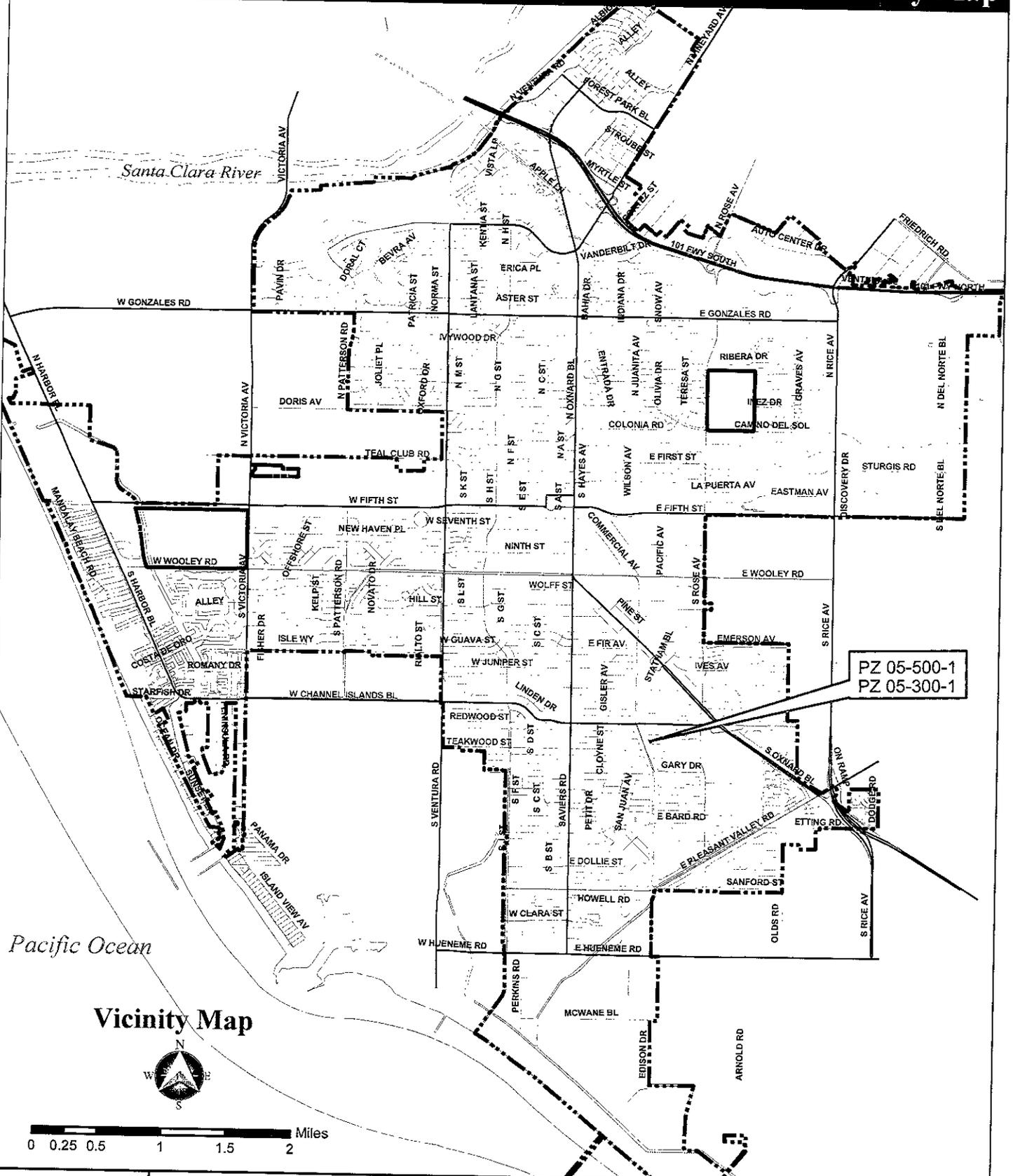
APPROVED AS TO FORM:

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

000120

ATTACHMENT 2  
PAGE 2 OF 2

# Vicinity Map



PZ 05-500-1  
PZ 05-300-1

Pacific Ocean

## Vicinity Map



**CITY OF Oxnard CALIFORNIA**  
Oxnard Planning  
April 23, 2007

PZ 05-500-1 PZ 05-300-1  
Location: 901 Cheyenne Wy  
APN: 221006316  
Juan Cervantez

**000121**

ATTACHMENT 3  
PAGE 1 OF 3

BISMARK

WY

RH

RH

ALBANY

RM

RM

RM

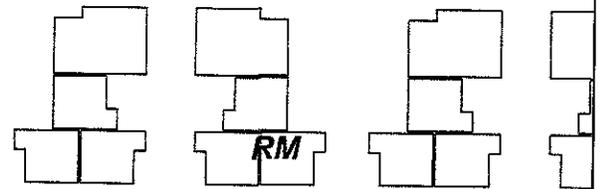
CHEYENNE

WY

DR

ER

E



RL

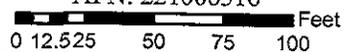
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Oxnard Planning  
April 26, 2007

PZ 05-500-1, PZ 05-300-1  
Location: 901 Cheyenne Wy.  
APN: 221006316



General Plan Map

000122

ATTACHMENT 3  
PAGE 2 OF 3



BISMARK WY

R3PD

R3PD

R2PD

ALBANY DR

R2PD

CHEYENNE WY

R2PD R2PD R2PD R2PD

R1

R1

R1

R1



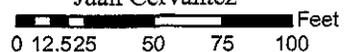
Oxnard Planning  
April 26, 2007

PZ 05-500-1 PZ 05-300-1

Location: 901 Cheyenne Wy

APN: 221006316

Juan Cervantez



000123

Zone Map

ATTACHMENT 3  
PAGE 3 OF 3

