



Meeting Date: 09/25/07

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
<input type="checkbox"/> Other _____	<input type="checkbox"/> Other _____

Prepared By: Nicole Doner, Associate Planner

Agenda Item No. **L-2**

Reviewed By: City Manager

Rupp
City Attorney

Finance *SW*

Other (Specify)

DATE: August 30, 2007

TO: City Council

FROM: Susan L. Martin, AICP, Planning Manager

SMartin

SUBJECT: Planning and Zoning Permit Nos. PZ 06-620-02 (General Plan Amendment), PZ 06-640-01 (Specific Plan Review) and PZ 06-570-04 (Zone Change) for Redevelopment of the Courts Development, Located West of Rose Avenue, North of First Street, South of Camino Del Sol and East of Marquita Street. Filed by Steadfast Residential Development LLC., 4343 Von Karman, Ste 300, Newport Beach, CA 92660; Oxnard Housing Authority 435 South "D" Street, Oxnard, CA 93030; and City of Oxnard, 300 West Third Street, Oxnard, CA 93030.

RECOMMENDATION

That City Council:

1. Adopt a resolution approving General Plan Amendment (PZ 06-620-02) changing the General Plan land use designation of the property located West of Rose Avenue, North of First Street, South of Camino Del Sol and East of Marquita Street from Low Medium Density Residential and Public/Semi Public to Medium Density Residential and Park.
2. Approve the first reading by title only and subsequent adoption of an uncodified ordinance adopting the Courts/Las Brisas Community Specific Plan (PZ 06-640-01) on the subject site.
3. Approve the first reading by title only and subsequent adoption of an ordinance amending the City zone maps (PZ 06-570-04) to change the zoning of the subject site from Multiple family (R-2) and Garden Apartment (R-3) to Garden Apartment, Planned Development (R-3-PD) with a Specific Plan overlay and Community Reserve (C-R).

SUMMARY

At its meeting of August 16, 2007, the Planning Commission adopted Resolution Nos. 2007-28, 29, and 30 recommending City Council approval of a General Plan Amendment (PZ 06-620-02), a Specific Plan (PZ 06-640-01), and a Zone Change (PZ 06-570-04), respectively, for a master planned community of up to 501 residences, a 21,000 square foot neighborhood center, and a 2,500 square foot leasing center.

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This new proposed community entails redevelopment of the existing 260 public housing units and private open space currently on-site. A Mitigated Negative Declaration (MND 06-04) was completed and adopted by the Planning Commission with the MND conditions of approval included in the Specific Plan Resolution.

At the Planning Commission hearing, local residents spoke both for and against the project. In general, there was support to replace the 260 public housing units, but concerns arose with the proposal to add 241 units in this area. Specific concerns included increased traffic, poor circulation, inadequate parking, and the compatibility of three-story structures along the First Street frontage facing existing one story single-family homes. Concerns raised by Commissioners include the project's lack of private open space, reduction in public open space, insufficient parking, increases in traffic and density, and excessive variations from City Code requirements that were inappropriate for the site. At the hearing, the applicant, Steadfast Residential Development, LLC (Steadfast) distributed an alternative Specific Plan incorporating modifications to selected development standards to the Planning Commission. Staff has previously reviewed these changes and, further recommends that the City Council approve the Planning Commission's recommended Specific Plan. The Planning Commission voted to recommend approval of the General Plan Amendment, Zone Change, the Las Brisas Specific Plan, as presented by staff, and adoption of MND 06-04.

DISCUSSION

The proposed community would consist of four neighborhoods of different housing types to address a diversity of income levels and expand the City's affordable housing inventory. The project will consist of 241 new units (101 detached single family homes, 60 attached condominiums/townhouses, and 80 affordable apartments); replacement of the existing 260 public housing units with 260 Section 8 multi-family rental units; and provide two (2) separate public parks areas (2.0 net acres total), a neighborhood center, a leasing center, and related street, park and landscaping improvements.

The General Plan Land Use designations are currently Low Medium Residential and Public/Semi Public. The General Plan Amendment would change the following: 3.3 acres of the site designated Public/Semi-Public (PSP) to Residential Medium (RM), 26 acres designated Residential Low Medium (RLM) to Residential Medium (RM), and 2.0 acres designated Residential Low Medium (RLM) to Park (PK). The density of this project will be approximately 15-18 units per acre. In addition, the applicant is requesting to amend Chapter V of the 2020 General Plan to allow Medium Density Residential within a master planned project subject to an adopted specific plan (Figure V-5). With the requested General Plan Amendment, Zone Change and adoption of the Specific Plan, the proposed project is determined to be in conformance with all applicable policies and requirements.

During the specific plan review process, City staff made four types of key changes relating to: 1) clarifications and consistency with Planning definitions, terms and permit processes; 2) discrete changes to site and development standards for site safety and quality of life purposes; 3) changes to resolve inconsistencies between the Mitigated Negative Declaration and Specific Plan (Conditions of Approval); and 4) clarifications to allowable/necessary permitting for development within the specific plan area. The Planning Commission supports the Specific Plan as proposed by staff.

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On the northern portion of the project site, the proposed project will incorporate the existing 3.3 net acre City park within the residential development in exchange for the dedication of two separate parks (2.0 net acres), off-site parking for approximately 55 vehicles, and two Del Sol Park AstroTurf-improved soccer fields. At a later date, City Council will be asked to approve the conveyance and exchange of parkland. The plan for the two internal community parks and the off-site soccer field improvements was developed with the input of the Parks and Facilities staff. The Parks and Recreation Commission reviewed the project concept on July 25, 2007 and all members expressed their support.

The proposed development will provide a minimum of 10 units of the 101 single family detached units as affordable to moderate income households, and 12 units of the 60 single family attached (condominium) units as affordable to low and very low income households. All 80 apartment units are affordable to low and very low income households; and all 260 multi-family units are affordable to extremely low and very low income households. The City's current affordable housing requirement is 10% of the total number of units of all residential projects greater than 10 units. The total percentage of affordable housing provided based on the overall development of the proposed project is approximately 72%.

Environmental

An initial study was prepared to identify any potentially significant adverse effects of the proposed project on the environment. Potential impacts included Air Quality, Biological Resources, Cultural Resources, Geology, Noise, Population and Housing, Public Services, Recreation, Transportation and Traffic and Public Utilities. Mitigation measures to reduce potential impacts to a less than significant level were proposed by staff. The applicant agreed to incorporate these mitigations into the project and the MND was prepared for public review. On June 1, 2007, MND 06-04 was released for a 20-day public review and comment period, which ended June 21, 2007. No significant comments were received on the environmental document and the Planning Commission adopted the MND at its meeting in August.

FINANCIAL IMPACT

The City would have future maintenance, management, and operating costs for the park facilities and public streets. The applicant will be required to pay applicable development fees such as Traffic Impact fees, Art in Public Places, Quimby, and Air Quality mitigation fees.

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- Attachment #1 - City Council Resolution for the General Plan Amendment PZ 06-620-02
#2 - City Council Ordinance for The Courts/Las Brisas Specific Plan PZ 06-640-01
 Exhibit A – Specific Plan
 Exhibit B – Planning Commission Resolution 2007-29
#3 –City Council Ordinance for Zone Change PZ 06-570-04
#4 - Planning Commission Resolution Nos. 2007-28 and 2007-30
#5 - August 16, 2007 Planning Commission Staff Report, Maps and Mitigated Negative Declaration

Note: Exhibits A and B of Attachment No. 2 and Attachment Nos. 4 (Planning Commission Resolutions) and 5 (Planning Commission Staff Report, Maps, and MND) 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, September 24, 2007.

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CITY COUNCIL OF THE CITY OF OXNARD

RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD APPROVING PLANNING AND ZONING PERMIT NOS. PZ 06-620-02 GENERAL PLAN AMENDMENT TO CHANGE THE LAND USE MAP TO DESIGNATE PROPERTY LOCATED AT 100 CARMELITA COURT (APN 201-0-080-020, 201-0-100-020, 201-0-090-085 & 201-0-090-06) FROM LOW MEDIUM DENSITY RESIDENTIAL AND PUBLIC/SEMI PUBLIC TO MEDIUM DENSITY RESIDENTIAL AND PARK SUBJECT TO CERTAIN FINDINGS. FILED BY STEADFAST RESIDENTIAL DEVELOPMENT, LLC., 4343 VON KARMAN AVE, SUITE 300, NEWPORT BEACH, CA 92660; OXNARD HOUSING AUTHORITY 435 SOUTH "D" ST., OXNARD, CA, 93030; AND CITY OF OXNARD 300 WEST THIRD STREET, OXNARD, CA 93030.

WHEREAS, on August 16, 2007, the Planning Commission approved Resolution No. 2007-28 recommending that the City Council adopt a resolution approving Planning and Zoning Permit No. 06-620-02 (General Plan Amendment) filed by Steadfast Residential Development, LLC, the Oxnard Housing Authority, and the City of Oxnard; and

WHEREAS, the City Council held a public hearing and received and reviewed written and oral comments related to proposed General Plan Amendment No. 06-620-02; 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. 06-620-02; and

WHEREAS, in accordance with the California Environmental Quality Act, the Planning Manager provided public notice of the intent of the City to adopt a mitigated negative declaration for the project referred to as PZ 06-620-02, 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 material that constitute the record of proceedings upon which the decision to adopt the mitigated negative declaration for the project referred to as PZ 06-620-02 is based is located in the Planning Division, and the custodian of the record is the Planning Manager; and

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Resolution No.

Page 2

WHEREAS, Applicants, Steadfast Residential Development, LLC, and Oxnard Housing Authority, agree as a condition of approval of this resolution and at their own expense, to indemnify and defend the City of Oxnard and its agents, officers and employees from and against any claims, actions or proceedings to attack, set aside, void or annul the approval of this resolution or any actions or proceedings, acts or determinations taken, done or made before the approval of this resolution that were part of the approval process.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Oxnard hereby approves General Plan Amendment PZ 06-620-02 for property located on the north side of East First Street, between South Rose Avenue and Marquita Street within the La Colonia Neighborhood as shown on the map attached hereto as Exhibit A and incorporated herein by reference.

PASSED AND ADOPTED this ____ day of September, 2007, by the following vote:

AYES:

NOES:

ABSENT:

Dr. Thomas E. Holden, Mayor

ATTEST:

APPROVED AS TO FORM:

Daniel Martinez, City Clerk


Gary L. Gillig, City Attorney

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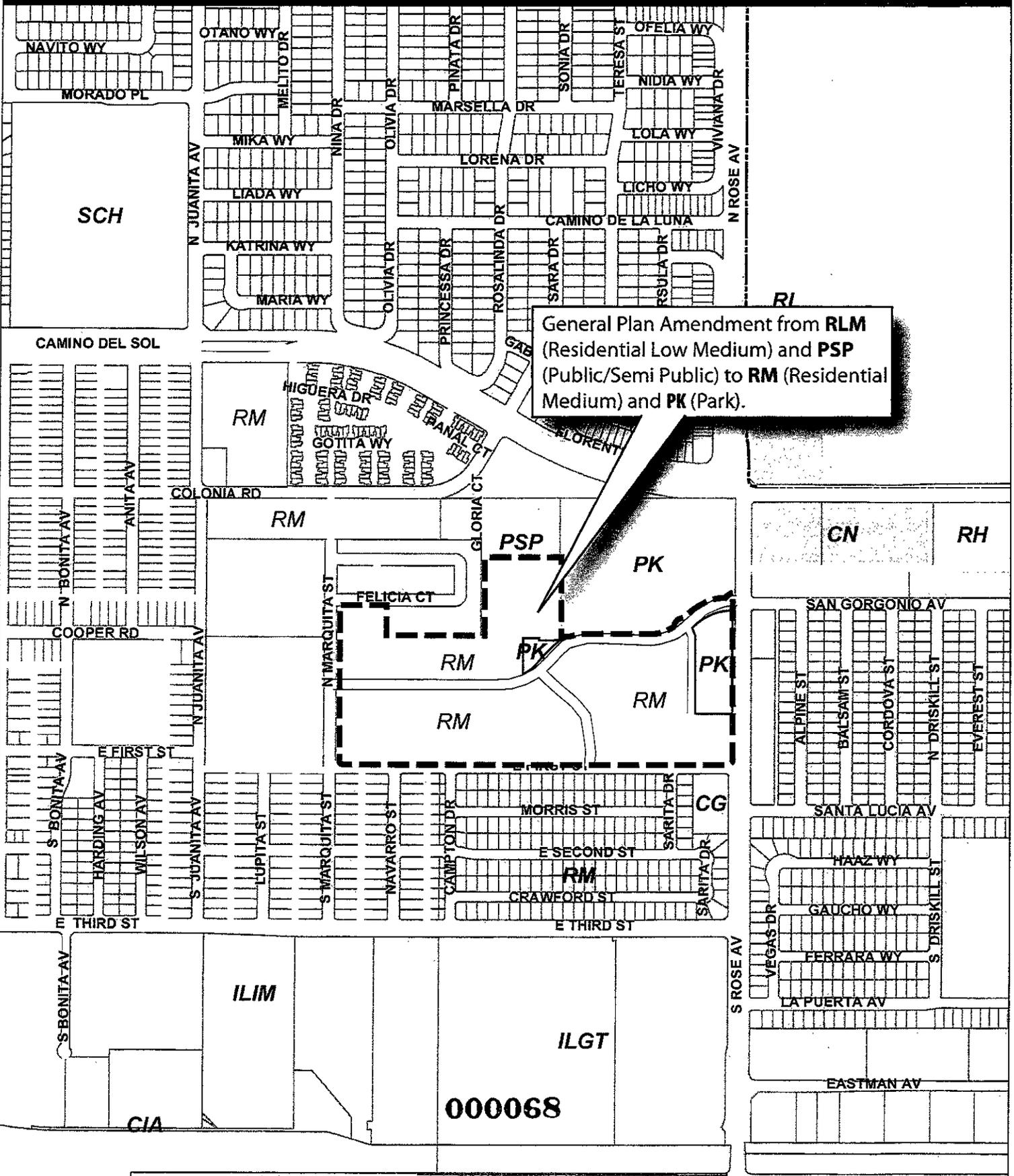
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EXHIBIT 'A'
General Plan Amendment

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General Plan Amendment



General Plan Amendment from RLM (Residential Low Medium) and PSP (Public/Semi Public) to RM (Residential Medium) and PK (Park).

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PZ 06-620-02 (General Plan Amendment); PZ 06-640-01 (Specific Plan); PZ 06-570-04 (Zone Change)
 Location: 100 Carmelita Ct
 APN: 201009008, 201008002, 201001002
 Steadfast Feet
 0 125 250 500 750 1,000

General Plan Amendment

ATTACHMENT 1
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EXHIBIT B

Planning Commission Resolution 2007-29

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RESOLUTION NO. 2007-29

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD ADOPTING A MITIGATED NEGATIVE DECLARATION SETTING FORTH MITIGATION MEASURES AND RECOMMENDING TO THE CITY COUNCIL AN UNCODIFIED ORDINANCE ADOPTING A SPECIFIC PLAN (PZ-06-640-01) FOR THE COURTS/LAS BRISAS COMMUNITY ON PROPERTY LOCATED WEST OF ROSE AVENUE, NORTH OF FIRST STREET, SOUTH OF CAMINO DEL SOL AND EAST OF MARQUITA STREET. FILED BY STEADFAST RESIDENTIAL DEVELOPMENT, LLC., 4343 VON KARMAN AVE, SUITE 300, NEWPORT BEACH, CA 92660; OXNARD HOUSING AUTHORITY 435 SOUTH "D" ST., OXNARD, CA, 93030; AND CITY OF OXNARD 300 WEST THIRD STREET, OXNARD, CA 93030.

WHEREAS, the Planning Commission of the City of Oxnard has considered an application for Planning and Zoning Permit No. 06-640-01, filed by Steadfast Residential Development, LLC, the Oxnard Housing Authority, and the City of Oxnard to adopt The Courts/Las Brisas Specific Plan for the above described property; and

WHEREAS, the Planning Commission has held public hearings and received and reviewed written and oral comments related to proposed Planning and Zoning Permit No. 06-640-01; and

WHEREAS, the Planning Commission finds after due study and deliberation that the public interest and general welfare require adoption of Planning and Zoning Permit No. 06-640-01;

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

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

1. That the proposed specific plan is in conformance with the General Plan
2. That the proposed specific plan is a logical refinement of the General Plan, and that the land use relationships, the streets proposed, and the reservations for public lands are in conformance with adopted standards of the Planning Commission or constitute good City planning policies.
3. That the development proposed on the specific plan will not adversely affect or be materially detrimental to the adjacent land uses, buildings, or structures or to the health, safety or general welfare of the citizens of Oxnard; and

EXHIBIT B

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WHEREAS, the Planning Commission finds that the applicant agrees with the necessity of and accepts all elements, requirements, and conditions of this resolution as being a reasonable manner of preserving, protecting, providing for, and fostering the health, safety, and welfare of the citizenry in general and the persons who work, visit or live in this subdivision in particular.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Oxnard hereby recommends to the City Council an uncodified ordinance, attached hereto as Exhibit 1, adopting the Specific Plan, subject to the following conditions.

CONDITIONS OF APPROVAL

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	Public Works, Landscape Design	CE	Code Compliance

SPECIFIC PLAN CONDITIONS

1. Developer shall correct Figure 3-2 to remove San Gorgonio extension from Multi-family designated area, as it is a public street. Developer shall include double lines that follow the public street outline for the San Gorgonio Avenue public street to Marquita Street and identify the lower half of the area as Multi-Family.
2. Developer shall correct Figure 3-1 to remove the parking lot area from Planning Area 4 as it is an off-site improvement on City property and not a part of the developer's property.
3. Developer shall amend Figure 3-1 to differentiate the Neighborhood Center from the Park/Recreation district and use two different colors.
4. Developer shall correct Figure 3-3 to show the sidewalk consistent with current plans.

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5. Developer shall amend Figure 3-9 Conceptual Landscape Plan to add typical sections for drives and streets and a section for pedestrian ways.
6. Developer shall revise Figure 3-5 to label the remaining unlabeled proposed private streets as private lanes.
7. Developer shall amend Table 5-1 to add: "Developer shall be required to provide a low water using plant demonstration in the models and provide informational brochures on low water using plants to residents.
8. Developer shall provide language to project planner, to include in the Specific Plan, on ways to save energy and provide green building efforts and language regarding the public art requirements and timing.
9. Developer shall amend Figure 3-6 to add a new paseo sectional that illustrates the landscape treatments adjacent to these walkways.
10. Developer shall revise Figure 5-10 to relocate the private subdivision identifications monument sign out of the public parking lot and into a private area.
11. Developer shall revise Figures 3-2 and 3-5 to show the street west of the passive park to be designed and constructed, as a public street and the street between Navarro and C Streets shall be cut off from First Street.
12. Developer shall revise Figure 3-7 Conceptual Walkway Plan to add a pedestrian walkway lightpath at the locations between parking lot and Del Sol Park and between the Neighborhood Center and Marquita for mid-block crossing.

MITIGATED NEGATIVE DECLARATION CONDITIONS

Air Quality

1. During construction, Developer shall ensure that all construction equipment is maintained and tuned to meet applicable Environmental Protection Agency (EPA) and California Air Resources Board (CARB) emission requirements. At such time as new emission control devices or operational modifications are found to be effective, Developer shall immediately implement such devices or operational modifications on all construction equipment.
2. During smog season (May through October), Developer shall lengthen the construction period so as to minimize the number of vehicles and equipment operating at the same time.
3. At all times during construction activities, Developer shall minimize the area disturbed

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- by clearing, grading, earth moving, or excavation operations to prevent excessive amounts of dust.
4. 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 penetrate sufficiently to minimize fugitive dust during grading activities.
 5. During construction, Developer shall control dust by the following activities:
 - a. All trucks hauling graded or excavated material offsite 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.
 6. During construction, Developer shall post and maintain onsite signs, in highly visible areas, restricting all vehicular traffic to 15 miles per hour or less.
 7. 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.
 8. Throughout construction, Developer shall sweep adjacent streets and roads at least once per day, preferably at the end of the day, so that any visible soil material and debris from the construction site is removed from the adjacent roadways.
 9. Developer shall mitigate air quality emissions associated with development of the subject site through a contribution to the City's Transportation Demand Management (TDM) program. Such fee shall be calculated at the time of building permit issuance in accordance with the Ventura County Air Quality Assessment Guidelines, as amended. Such fee shall be collected in full prior to building permit issuance.
 10. Prior to issuance of a demolition permit for demolition of any on-site structures, Developer shall notify the District and shall conduct demolition and renovation activities in compliance with District Rule 62.7, *Asbestos – Demolition and Renovation*. Rule 62.7 governs activities related to demolition of buildings with asbestos-containing materials. This rule establishes the notification and emission control requirements for demolition

activities. Specifically, this rule requires that the owner or operator of a facility shall removal all asbestos-containing material from a facility being demolished.

Biology

11. Based on the final accepted arborist report, the Public Works, Parks & Maintenance Service Division shall determine and shall have the final approval of the following: a) trees to be saved and incorporated into the development; b) trees to be removed and replaced with trees of specified species and sizes meeting the City required minimum of 24" box; c) appraisal value of trees removed shall be put back into new trees and landscaping; or d) mitigation fee to be paid for the appraisal value of the loss of the trees that are not saved or replaced.

Cultural Resources

12. Based on the recognized sensitivity for the occurrence of buried sites and artifacts and as mandated by the City of Oxnard archaeological guidelines, Developer shall pay for monitoring by a qualified archaeologist and Native American monitor (specifically a qualified Ventureño Chumash descendant). Monitoring shall be required all soil disturbances including grading (cut and fill) or other excavation (e.g., trenching). Should movement of soils during grading for recompaction activities show no evidence of an archaeological site or artifacts and with the agreement of the City of Oxnard, Planning and Environmental Services Division and onsite Native American consultant, further monitoring at this location by the archaeologist shall no longer be required. In the event that a prehistoric site or historic remains older than 50-years is identified during monitoring, the Archaeologist and/or Native American monitor shall be empowered to stop all construction activities in the vicinity of the find. The archaeologist shall document, identify, and evaluate the potential significance of the find. Such evaluation may require Phase 2 site subsurface excavation and evaluation program. Should remains prove to be significant, avoidance of the resource is the preferred mitigation. If avoidance through project redesign is not feasible, further investigations in the form of a Phase 3 data recovery program will be implemented to mitigate impacts to the identified resource. The Native American monitor shall remain on site throughout any necessary site documentation, evaluation, and mitigation processes.
13. Contracts shall include monthly reports from the archaeological monitor to the Planning & Environmental Services Division summarizing the monitor's activities during the reporting period. A copy of the contract for these services shall be submitted to the Planning and Environmental Services Manager for review and approval prior to issuance of any grading permits.

Geology and Soils

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14. Prior to issuance of building permit, the applicant shall submit a site-specific soils investigation prepared by a licensed geotechnical engineer. At a minimum, the study shall include liquefaction and compressible soils characteristics on-site and shall identify any necessary construction techniques or other mitigation measures to prevent significant earthquake/ liquefaction/ compressible soils impacts on the proposed project. All recommendations of the report shall be incorporated into the project as conditions of approval. The report shall be submitted concurrently with plans submitted for review by the Building Official.
15. All construction shall meet the minimum requirements of the Uniform Building Code for anticipated seismic activity within the region.
16. To mitigate the traffic noise impacts associated with project plus year 2020 General Plan build out traffic, the second floor deck of the single-family residences immediately adjacent to and facing East First Street shall include a perimeter soundwall of not less than 5 feet in height, measured from the floor elevation of the deck, to achieve sound levels at or below 65 db CNEL. An acoustical specialist shall determine the placement, materials and height of the barrier. Sound rated windows may also be required to reduced sound to less than or equal to 45 db CNEL for interior noise and less than or equal to 65 db CNEL for exterior noise.

Noise

17. Developer shall prepare and record a notice to appear in all deeds of property within the project relating to the soccer field noise and inhabitants may be affected by such noise. Before the City issues building permits, Developer shall provide evidence of recordation of such notice with the Ventura County Recorder's Office. All future purchasers and renters of dwelling units shall be provided with a copy of the notice relating to the soccer field noise that affects the property.

Population and Housing

18. Developer shall continue to actively pursue relocation of the families who have valid claims for relocation, in accordance with the plan submitted by the Developer. As directed by the Housing Director, Developer shall continue to schedule and conduct the community meetings until all such families have been successfully relocated.

Public Services

19. Prior to issuance of building permit(s), Developer shall pay all required development impact fees.

Recreation

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20. Prior to issuance of building permit(s), Developer shall pay all required development impact fees.

Transportation and Traffic

21. Prior to issuance of building permit(s), Developer shall pay all required traffic development impact fees.
22. Prior to City Council approval of final eight-lot master subdivision map, all roadway design specifications shall be completed by a registered traffic engineer to the satisfaction of the City Traffic Engineer.

Utilities and Service Systems

23. The applicant will be required to obtain a "will serve" letter from the City of Oxnard Water Division, which ensures that the Water Division has adequate water to serve the development.
24. Storm water runoff shall be limited to the runoff rates specified by the Development Services Program and onsite detention may be required. All detention basins, if needed, shall be designed in accordance with City standards and policies.
25. Developer shall submit source reduction and recycling plans to the City to provide information on how waste generated during construction is to be diverted from landfills. This plan shall be submitted to and approved by the City prior to issuance of a building permit.
26. To ensure accurate and consistent monitoring of solid waste mitigation measures, Developer shall arrange with the City Environmental Resources (Solid Waste) Division for the collection of materials and recycling of materials generated from the construction and occupancy. This shall be accomplished prior to issuance of a building permit.
27. Developer shall make provisions to divert at least 50% of the waste material generated during operation through source reduction, recycling, reuse, and/or green waste programs. Developer shall submit an Occupancy Recycling Plan to the Environmental Resources Division, which shall include the following information: estimated quantities and materials to be generated, management method to be used to reduce landfill disposal; quantity, size and location of recycling and trash bins, destination of material including the names of haulers and facility locations. Recycling and green waste shall be hauled to the City's Materials Recycling Facility. The Occupancy Plan form must be submitted and approved by the Environmental Resources Division prior to issuance of a certificate of occupancy.

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In addition, Developer shall submit an Occupancy Recycling Report annually to the Environmental Resources Division on the anniversary date of the certificate of occupancy. The Report shall include the following information: material type recycled, reused, salvaged or disposed; quantities, management method, destination of material including hauler names and facility locations. Documentation must be included such as weight tickets or receipts regarding the above.

28. Developer shall install clearly labeled storage containers in a kitchen base cabinet within each residence to facilitate separate disposal of recyclable and non-recyclable waste typically generated by residents. The location and specifications (size, materials, etc.) of such storage unit shall be shown on the construction document floor plans submitted to the City for building permits. Recycling guidelines shall be clearly posted on the door of the storage cabinet. The intent of this mitigation measure is to create a situation wherein recycling is as convenient for residents as disposing of trash. If Developer is installing a trash chute within a multi-story residential building, the Developer shall also install a recycling chute for recyclable materials adjacent to the trash chute provided within the building.
29. Developer shall provide literature in each residence (including on the door of the recycling / storage cabinet, as detailed above) explaining the importance of recycling, what can be recycled, and providing suggestions for source reduction, as well as water and energy conservation.

PASSED AND ADOPTED by the Planning Commission of the City of Oxnard on this 16th day of August, 2007 by the following vote:

AYES: Commissioners: Medina, Elliott, Dean, Pinkard, Sanchez, Okada

NOES: Commissioner: Frank

ABSENT: None

Dr. Sonny Okada, Chairperson

ATTEST: _____
Susan L. Martin, Secretary

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CITY COUNCIL OF THE CITY OF OXNARD

ORDINANCE NO. __

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OXNARD APPROVING ZONE CHANGE NO 06-570-04 FOR PROPERTY LOCATED WEST OF ROSE AVENUE, NORTH OF FIRST STREET, SOUTH OF CAMINO DEL SOL AND EAST OF MARQUITA STREET (APN 201-0-080-020, 201-0-100-020, 201-0-090-085, & 201-0-090-06 PORTION) AS GARDEN APARTMENT PLANNED DEVELOPMENT WITH A SPECIFIC PLAN OVERLAY, AND COMMUNITY RESERVE (C-R) SUBJECT TO CERTAIN FINDINGS. FILED BY STEADFAST RESIDENTIAL DEVELOPMENT, LLC., 4343 VON KARMAN AVE., SUITE 300, NEWPORT BEACH, CA 92660; OXNARD HOUSING AUTHORITY, 435 SOUTH "D" STREET, OXNARD, CA 93030; AND CITY OF OXNARD, 300 WEST THIRD STREET, OXNARD, CA 93030.

WHEREAS, on August 16, 2007 the Planning Commission of the City of Oxnard considered an application filed by Steadfast Residential Development, LLC., to amend the zoning of the above-described property for the property located at 100 Carmelita Court from R-2 and R-3 to R-3-PD with a Specific Plan Overlay and C-R and recommended that City Council approve the application; and

WHEREAS, on September __, 2007, the City Council will consider the application for Zone Change 06-570-04 and will hold a public hearing to receive and review written and oral comments; and

WHEREAS, in accordance with the California Environmental Quality Act, the Planning 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 comment 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 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; and

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WHEREAS, Applicants Steadfast Residential Development, LLC, and Oxnard Housing Authority, agree, as a condition of adoption of this ordinance at their 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 ordinance or any proceedings, acts, or determination taken, done, or made prior thereto that were part of the approval process.

WHEREAS, the zone change is consistent with the 2020 General Plan as amended.

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

Part 1. The zoning governing property located on the following parcels, as shown on the map attached hereto as Exhibit A, incorporated herein by reference and on file with the City Clerk, is hereby changed as follows:

APN	TO
201-080-02	R-3-PD (Garden Apartment-Planned Development with a Specific Plan overlay)
201-100-02	R-3-PD (Garden Apartment-Planned Development with a Specific Plan overlay); and C-R (Community Reserve)
201-090-08	R-3-PD (Garden Apartment-Planned Development with a Specific Plan overlay)
201-090-06 portion	R-3-PD (Garden Apartment-Planned Development with a Specific Plan overlay)

Part 2. In accordance with the California Environmental Quality Act, the Planning 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.

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ATTACHMENT 3

PAGE 2 OF 4

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 _____, 2007, and finally adopted on _____, to become effective thirty (30) days thereafter.

PASSED AND ADOPTED this ____ day of _____, 2007, by the following vote

AYES:

NOES:

ABSENT:

Dr. Thomas E. Holden, Mayor

ATTEST:

APPROVED AS TO FORM:

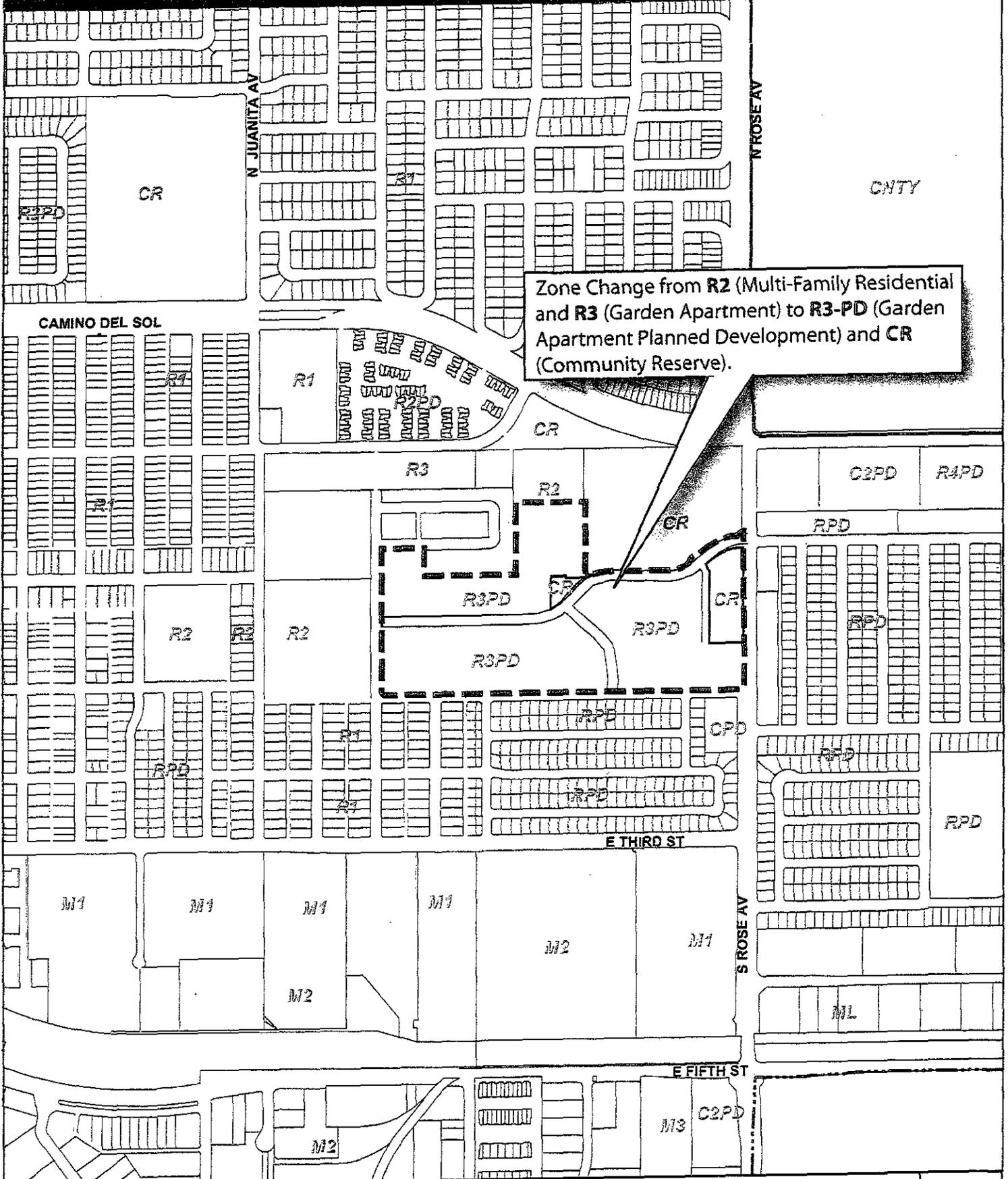
Daniel Martinez, City Clerk


Gary L. Gillig, City Attorney

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ATTACHMENT 3
PAGE 3 OF 4

Zone Change



Zone Change from R2 (Multi-Family Residential and R3 (Garden Apartment) to R3-PD (Garden Apartment Planned Development) and CR (Community Reserve).

PZ 06-620-02 (General Plan Amendment); PZ 06-640-01
 (Specific Plan); PZ 06-570-04 (Zone Change)
 Location: 100 Carmelita Ct
 APN: 201009008, 201008002, 201001002

000081

Zone Change
 ATTACHMENT 3
 PAGE 4 OF 4



Steadfast
 Feet
 0 100 200 300 400

RESOLUTION NO. 2007-28

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD RECOMMENDING TO THE CITY COUNCIL ADOPTION OF A GENERAL PLAN AMENDMENT (PZ 06-620-02) TO CHANGE THE LAND USE MAP TO DESIGNATE PROPERTY LOCATED AT 100 CARMELITA COURT (APN 201-0-080-020, 201-0-100-020, 201-0-090-085 & 201-0-090-06) FROM LOW MEDIUM DENSITY RESIDENTIAL AND PUBLIC/SEMI PUBLIC TO MEDIUM DENSITY RESIDENTIAL AND PARK. FILED BY STEADFAST RESIDENTIAL DEVELOPMENT, LLC., 4343 VON KARMAN AVE, SUITE 300, NEWPORT BEACH, CA 92660; OXNARD HOUSING AUTHORITY 435 SOUTH "D" ST., OXNARD, CA, 93030; AND CITY OF OXNARD 300 WEST THIRD STREET, OXNARD, CA 93030.

WHEREAS, the Planning Commission of the City of Oxnard has considered an application for Planning and Zoning Permit No. 06-620-02, filed by Steadfast Residential Development, LLC, the Oxnard Housing Authority, and the City of Oxnard to amend the land use map of the General Plan to designate 29.5 acres of the above described property as medium density residential and 2.0 acres as Park;

WHEREAS, the Planning Commission has held public hearings and received and reviewed written and oral comments related to proposed Planning and Zoning Permit No. 06-620-02; and

WHEREAS, the Planning Commission finds after due study and deliberation that the public interest and general welfare require adoption of Planning and Zoning Permit No. 06-620-02; and

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

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Oxnard hereby recommends to the City Council adoption of the amendment to the General Plan, amending the 2020 General Plan Land Use Map (Figure V-5) as shown in Exhibit "A" attached hereto and incorporated by reference.

000082

ATTACHMENT 4
PAGE 1 OF 8

PASSED and ADOPTED by the Planning Commission of the City of Oxnard on this 16th day of August, 2007 by the following vote:

AYES:

NOES:

ABSENT:

Dr. Sonny Okada, Chairperson

ATTEST: _____
Susan L. Martin, Secretary

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ATTACHMENT 4
PAGE 2 OF 8

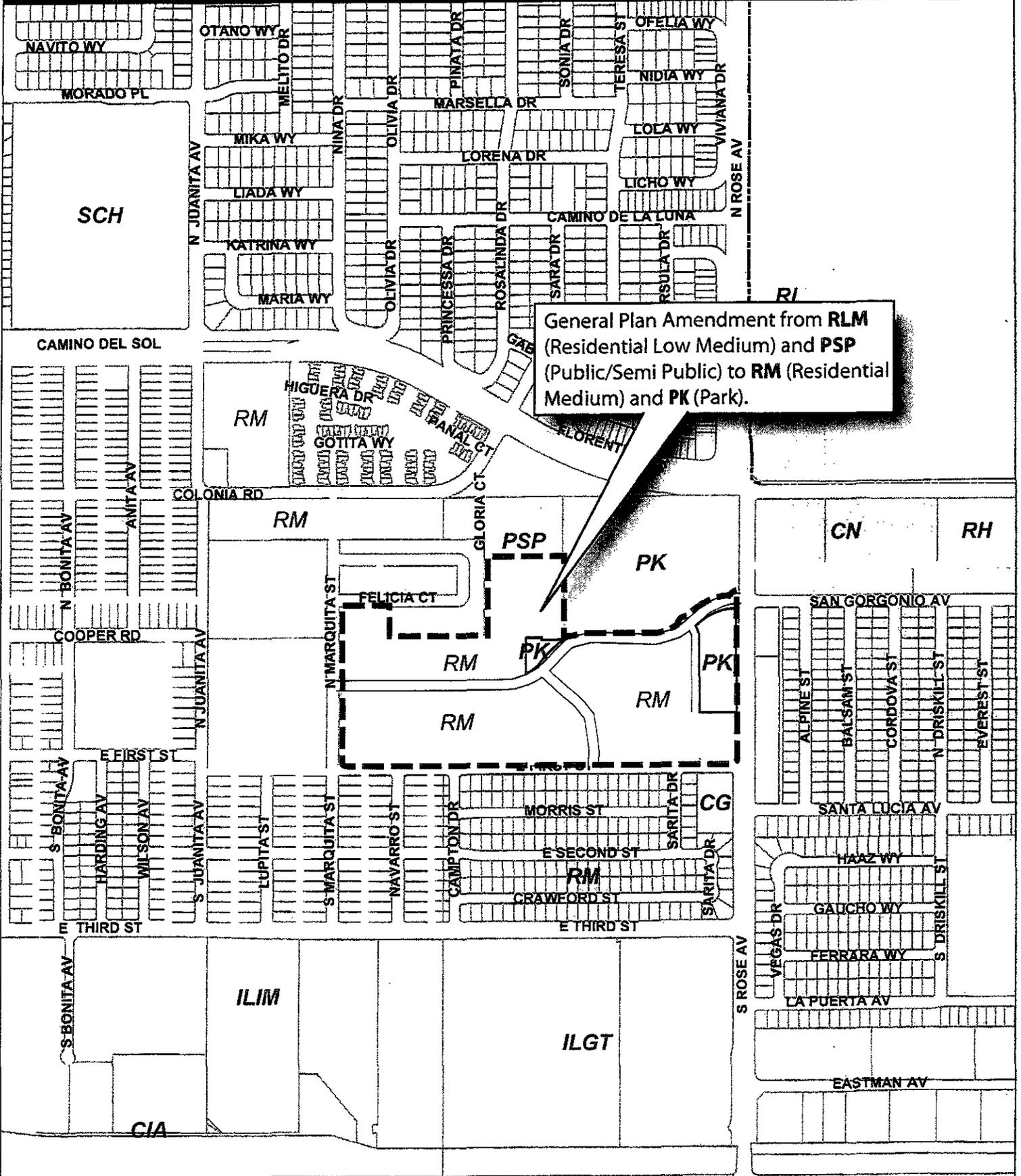
EXHIBIT "A"

General Plan Amendment

000084

ATTACHMENT 4
PAGE 3 OF 8

General Plan Amendment



General Plan Amendment from RLM (Residential Low Medium) and PSP (Public/Semi Public) to RM (Residential Medium) and PK (Park).



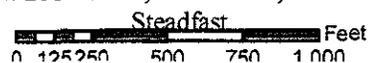
Oxnard Planning
August 3, 2007

PZ 06-620-02 (General Plan Amendment); PZ 06-640-01 |

(Specific Plan); PZ 06-570-04 (Zone Change)

Location: 100 Carmelita Ct

APN: 201009008, 201008802, 201001002



000085 ATTACHMENT 4
PAGE 4 OF 8

General Plan Amendment



RESOLUTION NO. 2007- 30

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD RECOMMENDING TO THE CITY COUNCIL ADOPTION OF A ZONE CHANGE (PZ 06-570-04) TO CHANGE THE LAND USE MAP TO DESIGNATE PROPERTY LOCATED AT 100 CARMELITA COURT (APN 201-0-080-020, 201-0-100-020, 201-0-090-085 & 201-0-090-06) FROM MULTIPLE FAMILY (R-2) AND GARDEN APARTMENT (R-3) TO GARDEN APARTMENT, PLANNED DEVELOPMENT WITH A SPECIFIC PLAN OVERLAY (R-3-PD) AND COMMUNITY RESERVE (C-R). FILED BY STEADFAST RESIDENTIAL DEVELOPMENT, LLC., 4343 VON KARMAN AVE, SUITE 300, NEWPORT BEACH, CA 92660; OXNARD HOUSING AUTHORITY 435 SOUTH "D" ST., OXNARD, CA, 93030; AND CITY OF OXNARD 300 WEST THIRD STREET, OXNARD, CA 93030.

WHEREAS, the Planning Commission of the City of Oxnard has considered an application for Planning and Zoning Permit No. 06-570-04, filed by Steadfast Residential Development, LLC., Oxnard Housing Authority and the City of Oxnard to amend the zoning of the 29.5 acres of the above-described property for the property located at 100 Carmelita Court from R-2 and R-3 to R-3-PD and amend the zoning of the 2.0 net acres of the above-described property from R-3 to C-R; and

WHEREAS, the Planning Commission has held public hearings and received and reviewed written and oral comments related to proposed Planning and Zoning Permit No. 06-570-04; and

WHEREAS, the Planning Commission finds after due study and deliberation that the public interest and general welfare require the adoption of Planning and Zoning Permit No. 06-570-04; and

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

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Oxnard hereby recommends to the City Council adoption of Planning and Zoning Permit No. 06-570-04, amending the City's official Zoning Map to change the zoning designation of the property as shown in Exhibit 'A', attached hereto and incorporated herein by reference.

000086

ATTACHMENT 4
PAGE 5 OF 8

PASSED AND ADOPTED by the Planning Commission of the City of Oxnard on this 16th day of August 2007, by the following vote:

AYES: Commissioners:

NOES: Commissioners:

ABSENT: Commissioners:

Dr. Sonny Okada, Chairperson

ATTEST: _____
Susan L. Martin, Secretary

000087

ATTACHMENT 4
PAGE 6 OF 8

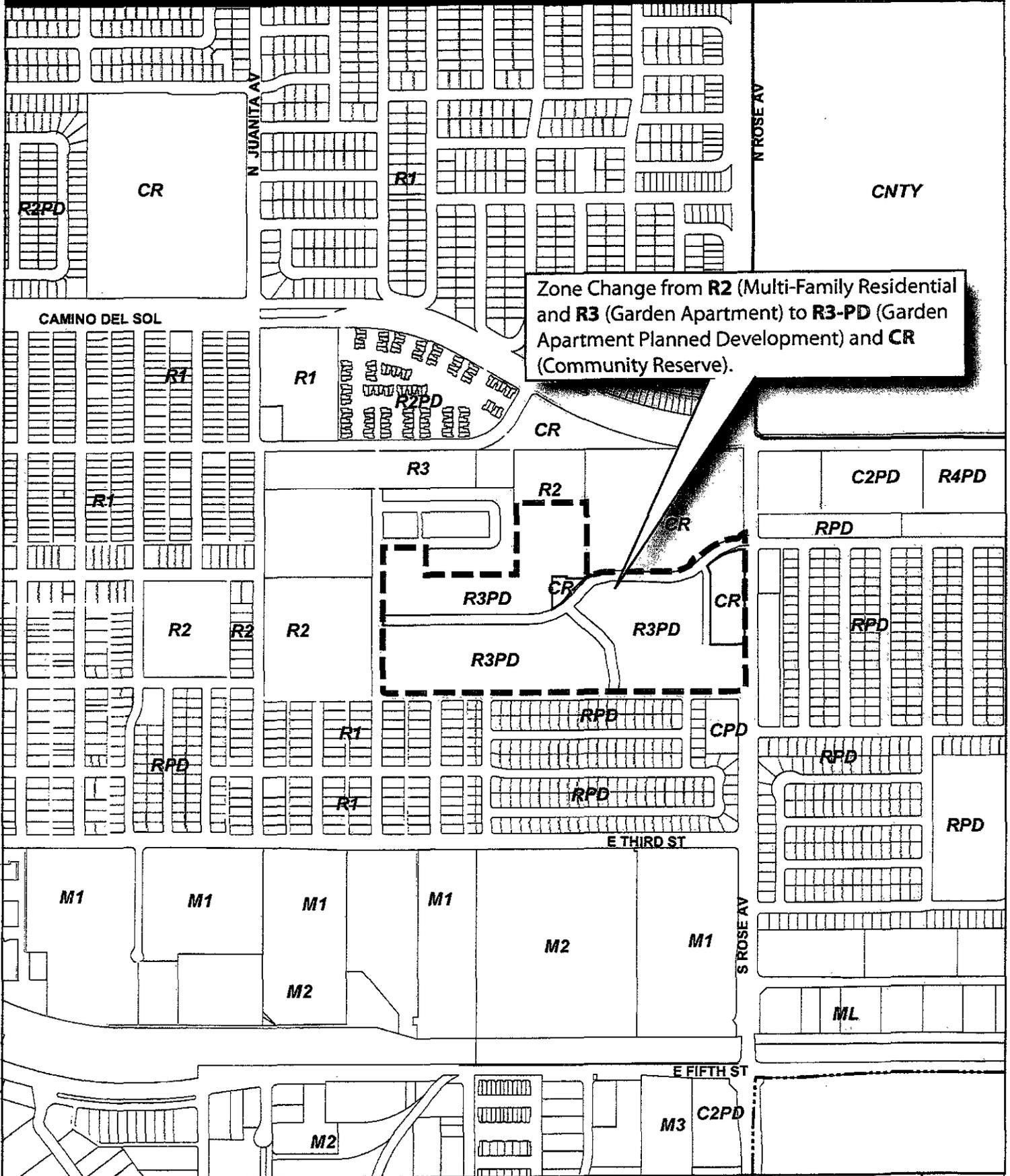
EXHIBIT 'A'

Zone Change

000088

ATTACHMENT 4
PAGE 1 OF 8

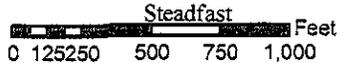
Zone Change



Zone Change from R2 (Multi-Family Residential and R3 (Garden Apartment) to R3-PD (Garden Apartment Planned Development) and CR (Community Reserve).



PZ 06-620-02 (General Plan Amendment); PZ 06-640-01
(Specific Plan); PZ 06-570-04 (Zone Change)
Location: 100 Carmelita Ct
APN: 201009008, 201008002, 201001002



Zone Change
000089 ATTACHMENT 4
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