



Meeting Date: 09/09/08

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. K-2  
 Reviewed By: City Manager *[Signature]* City Attorney *[Signature]* Finance *[Signature]* Other (Specify) \_\_\_\_\_

**DATE:** August 12, 2008

**TO:** City Council

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

**SUBJECT:** Planning and Zoning Permit Nos. 07-400-09 (Coastal Development Permit) and 07-300-23 (Tentative Subdivision Map for Tract No. 5797 for Condominium Purposes) for the Construction of Seven Residential Condominiums Located at 5103 & 5107 Wooley Road. Filed by Candice Forehand, on Behalf of Owner Yolanda Morton, 2300 Knoll Drive, Suite A, Ventura, CA 93003.

**RECOMMENDATION**

That City Council:

1. Adopt a resolution upholding the Planning Commission's approval of Planning and Zoning Permit No. 07-400-09 (Coastal Development Permit), subject to the conditions set forth in Planning Commission Resolution No. 2008-46; and
2. Adopt a resolution approving Tentative Subdivision Map for Tract No. 5797 for condominium purposes (Planning and Zoning Permit No. 07-300-23, subject to the conditions set forth in Planning Commission Resolution No. 2008-47.

**DISCUSSION**

On November 20, 2007, Candice Forehand of J.E. Armstrong Architecture, LLC submitted applications for a coastal development permit and a tentative subdivision map. The applications propose the development of a 16,825 square foot vacant property with seven residential condominiums in two buildings. The project site is located in the Coastal Medium Density Multiple-Family Zone (R-3-C) within the Oxnard Shores Neighborhood.

During the review process, the project was reviewed by the Development Advisory Committee and alterations to the plans were made to address committee concerns. Design changes were made to address the massing of the buildings by altering roof lines and adding architectural features to the building façades such as recessed balconies, exposed beams, and cornices. Site changes were also made to promote on-site detention of storm water.

Prior to taking the project before the Planning Commission, the Developer clarified some of the "green building" features designed into the project and agreed to conditions to assure their implementation. These features include exceeding California Title 24 Energy Efficiency Standards by 5%, the installation of Energy Star qualified appliances, and the use of on-demand tankless water heaters.

On August 7, 2008, the Planning Commission unanimously approved the project with the added condition that the covenants, conditions, and restrictions adopted by the Homeowner's Association include a restriction that individual bedrooms would not be rented separately.

Staff appealed the coastal development permit to the City Council in order to provide an efficient and coordinated review of a multiple permit project.

#### **FINANCIAL IMPACT**

Traffic impact fees will be paid to off-set impacts on local roads, Quimby fees will be paid to off-set impacts on City parks, and Art in Public Places in-lieu fees will be made to provide for future public art displays. These fees will be assessed prior to the issuance of a building permit. The development of the condominiums will also result in an unknown increase in property tax revenue.

- Attachment #1 - Resolution (Coastal Development Permit)  
#2 - Resolution (Tentative Subdivision Map)  
#3 - Vicinity Map  
#4 - General Plan Map  
#5 - Zoning Map  
#6 - Reduced Project Plans  
#7 - PC Resolution No. 2008- 46  
#8 - PC Resolution No. 2008- 47  
#9 - PC Staff Report  
#10-PC PowerPoint Presentation

Note: The reduced project plans (Attachment #6), Planning Commission Resolution No. 2008-46 (Attachment #7), the Planning Commission Staff Report (Attachment #9), and the Planning Commission PowerPoint presentation (Attachment #10) 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.

CITY COUNCIL OF THE CITY OF OXNARD

RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD UPHOLDING PLANNING COMMISSION APPROVAL OF PLANNING AND ZONING PERMIT NO. 07-400-09 (COASTAL DEVELOPMENT PERMIT) TO ALLOW THE CONSTRUCTION OF SEVEN RESIDENTIAL CONDOMINIUMS LOCATED AT 5103 & 5107 WOOLEY ROAD. FILED BY CANDICE FOREHAND, ON BEHALF OF OWNER YOLANDA MORTON, 2300 KNOLL DRIVE, SUITE A, VENTURA, CA 93003.

WHEREAS, on August 7, 2008, the Planning Commission adopted Resolution No. 2008-46 approving Planning and Zoning Permit No. 07-400-09 (Coastal Development Permit) to allow the construction of seven residential condominiums located at 5103 and 5107 Wooley Road. filed by Candice Forehand, in accordance with section 17-57(C)(5) of the Oxnard City Code; and

WHEREAS, the City Council has considered the appeal of the Planning Commission's decision, filed by Planning Division Staff, and carefully reviewed 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 the Coastal Development Permit; and

WHEREAS, Section 15332 of the California Code of Regulations exempts the project from the requirement for the preparation of environmental documents imposed by the California Environmental Quality Act; and

NOW, THEREFORE, the City Council of the City of Oxnard resolves that the Planning Commission's approval of the Coastal Development Permit is upheld, subject to the conditions set forth in Planning Commission Resolution No. 2008-46.

PASSED AND ADOPTED this 9th day of September 2008, by the following vote:

AYES:

NOES:

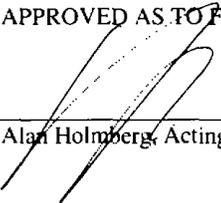
ABSENT:

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

ATTEST:

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

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Alan Holmberg, Acting City Attorney

CITY COUNCIL OF THE CITY OF OXNARD

RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD APPROVING TENTATIVE SUBDIVISION MAP FOR TRACT NO. 5797 (PLANNING AND ZONING PERMIT NO. 07-300-23) FOR PROPERTY LOCATED AT 5103 & 5107 WOOLEY ROAD (APNs 191-0-076-075 & 191-0-076-085) WITHIN THE OXNARD SHORES NEIGHBORHOOD, SUBJECT TO CERTAIN CONDITIONS. FILED BY CANDICE FOREHAND, ON BEHALF OF OWNER YOLANDA MORTON, 2300 KNOLL DRIVE, SUITE A, VENTURA, CA 93003.

WHEREAS, City Council has carefully reviewed Planning Commission Resolution No. 2008-47 recommending approval of Tentative Subdivision Map of Tract No. 5797 (Tentative Map), for property located 5103 and 5107 Wooley Road, filed by Candice Forehand; and

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

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

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; and

WHEREAS, Section 15332 of the California Code of Regulations exempts the project from the requirement for the preparation of environmental documents imposed by the California Environmental Quality Act.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF OXNARD DOES HEREBY RESOLVE AS FOLLOWS:

Tentative Subdivision Map for Tract No. 5797 is hereby approved, subject to the conditions set forth in Planning Commission Resolution No. 2008-47.

PASSED AND ADOPTED this 9th day of September 2008, by the following vote:

AYES:

NOES:

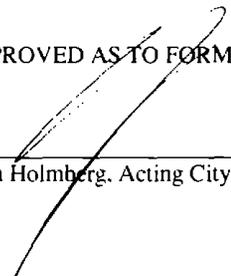
ABSENT:

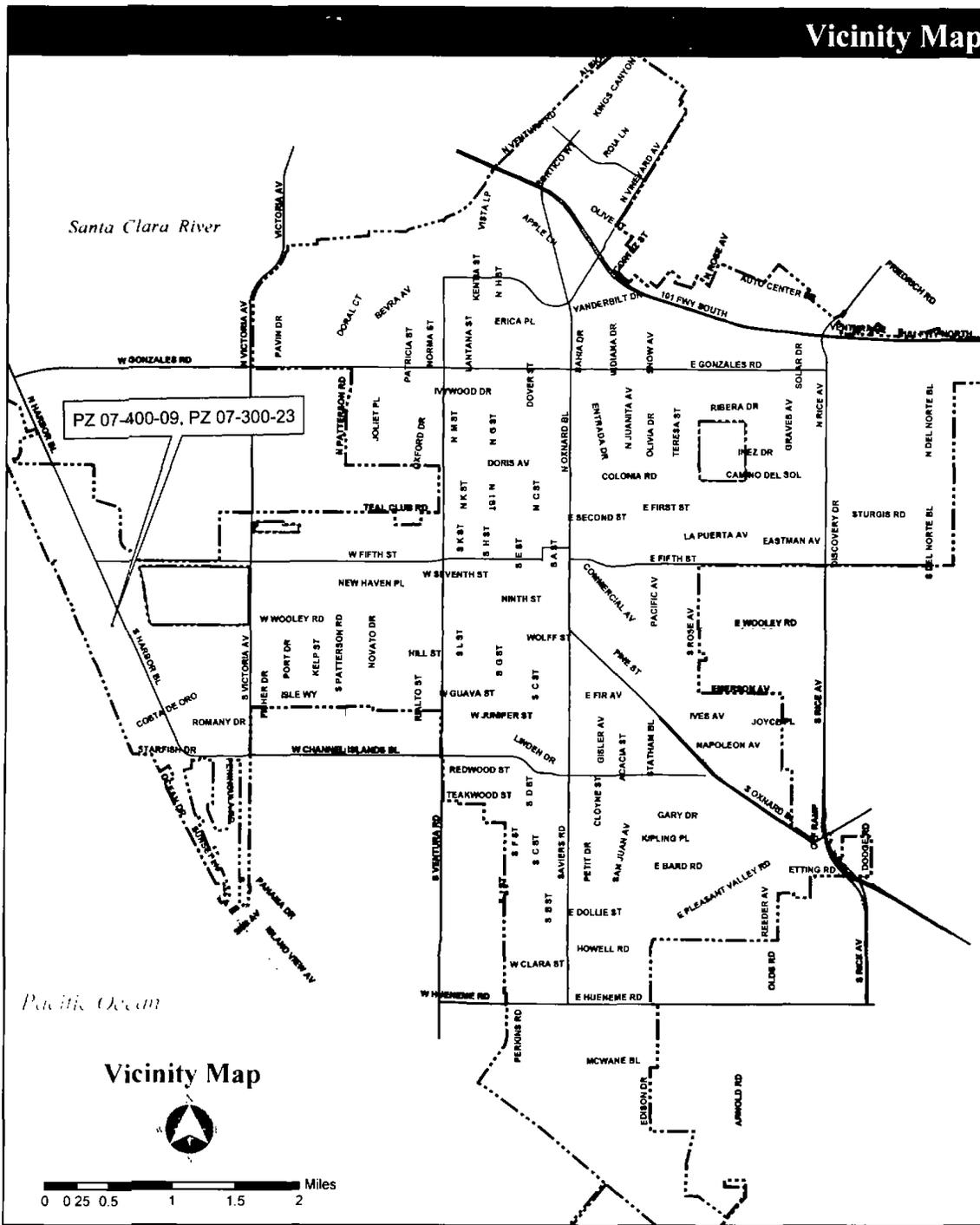
\_\_\_\_\_  
Dr. Thomas E. Holden  
Mayor

ATTEST:

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

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Alan Holmberg, Acting City Attorney

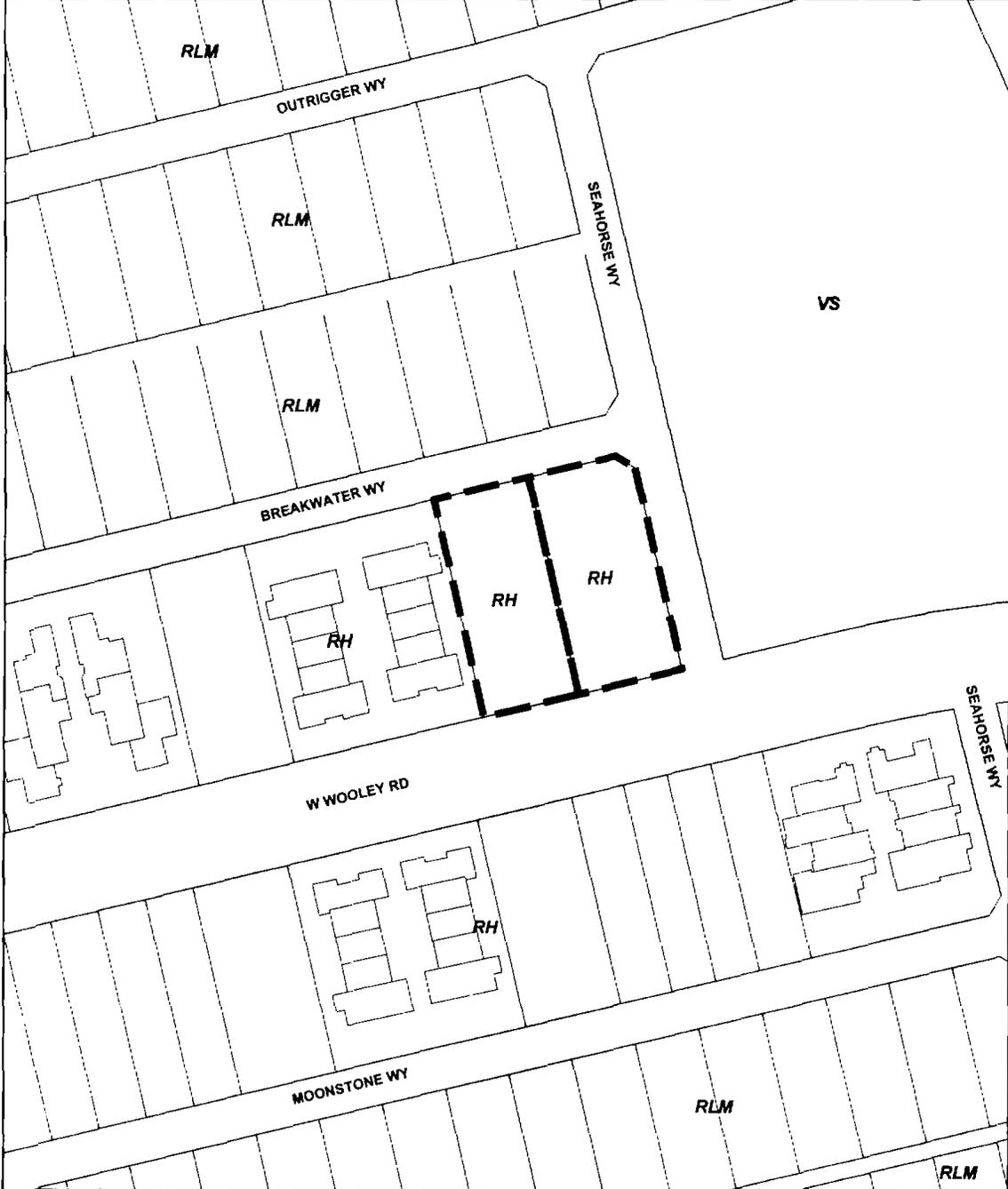


Oxnard Planning  
March 28, 2008

PZ 07-400-09, PZ 07-300-23  
Location: 5103, 5107 Woolley Rd  
APN: 191007607, 191007608  
Morton Condominiums

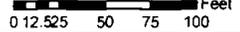
ATTACHMENT 3  
PAGE 1 OF 1

General Plan Map



Oxnard Planning  
March 28, 2008

PZ 07-400-09, PZ 07-300-23  
Location: 5103, 5107 Wooley Rd  
APN: 191007607, 191007608  
Morton Condominiums



General Plan Map

ATTACHMENT 4  
PAGE 1 OF 1



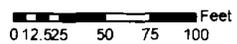
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Oxnard Planning  
March 28, 2008

PZ 07-400-09, PZ 07-300-23  
Location: 5103, 5107 Wooley Rd  
APN: 191007607, 191007608  
Morton Condominiums



Zone Map

ATTACHMENT 5

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RESOLUTION NO. 2008-47

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD RECOMMENDING APPROVAL OF A TENTATIVE TRACT MAP OF TRACT NO. 5797 (PLANNING AND ZONING PERMIT NO. 07-300-23), FOR PROPERTY LOCATED AT 5103 & 5107 WOOLEY ROAD (APN 191-0-076-075 & 191-0-076-085), SUBJECT TO CERTAIN CONDITIONS. FILED BY CANDICE FOREHAND, ON BEHALF OF OWNER YOLANDA MORTON, 2300 KNOLL DRIVE, SUITE A, VENTURA, CA 93003.

WHEREAS, the Planning Commission of the City of Oxnard has considered the tentative tract map of Tract No. 5797 (Planning and Zoning Permit No. 07-300-23), filed by Candice Forehand in accordance with Chapter 15 of the Oxnard City Code; and

WHEREAS, said tentative map was referred to various public utility companies, City departments and the Development Advisory Committee for recommendations; and

WHEREAS, the Planning Commission finds the tentative map conforms to the City's General Plan and elements thereof; and

WHEREAS, Section 15332 of Title 14 of the California Code of Regulations exempts the project from the requirement for the preparation of environmental documents imposed by the California Environmental Quality Act; and

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 the approval of the tentative tract map, subject to the following conditions:

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

**GENERAL PROJECT CONDITIONS**

1. This permit is granted for the property described in the application on file with the Planning Division, and may not be transferred from one property to another. (PL, G-1).

**PLANNING SPECIAL CONDITIONS**

2. This permit is granted for the plans dated May 22, 2008, ("the plans") on file with the Planning Division. The project shall conform to the plans, except as otherwise specified in these conditions, or unless a minor modification to the plans is approved by the Planning and Environmental Services Manager ("Planning Manager") or a major modification to the plans is approved by the Planning Commission. (PL, G-2)
3. An approved tentative map shall expire thirty-six (36) months after its approval, unless an extension is applied for and approved by the City Council pursuant to Section 15-46 of the City Code. (PL)

**DEVELOPMENT SERVICES CONDITIONS**

4. Developer shall record the Tract 5797 final map prior to issuance of a building permit for the project. (DS)

PASSED AND ADOPTED by the Planning Commission of the City of Oxnard on this 7th day of August, 2008, by the following vote:

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

NOES: Commissioners: None

ABSENT: Commissioners: Dean

\_\_\_\_\_  
Michael Sanchez, Chairman

ATTEST:



\_\_\_\_\_  
Susan L. Martin, Secretary