



**Planning Division**

**PLANNING COMMISSION  
STAFF REPORT**

**TO:** Planning Commission

**FROM:** Juan Martinez, Associate Planner

**DATE:** April 3, 2008

**SUBJECT:** Planning and Zoning Permit Nos. 07-540-08 (Planned Development Permit), 07-620-09 (General Planned Amendment), and 07-570-09 (Zone Change), Northwest Corner of Gary Drive and Rose Avenue (224-0-012-225)

- 1) Recommendation:** That the Planning Commission:
- a) Deny Planning and Zoning Permit No. 07-540-08 (Planned Development Permit).
  - b) Adopt a resolution recommending that the City Council deny Planning and Zoning Permit Nos. 07-620-09 (General Plan Amendment) and 07-570-09 (Zone Change).

**2) Project Description and Applicant:** The planned development permit proposes to develop an 18,745 square foot (0.42 acre) lot with five residential units and related site improvements. The general plan amendment proposes to re-designate the site from School to Residential Low Medium (8-12 dwelling units per acre): the zone change proposes to change the site’s designation from Community Reserve to R-2 (Multi-Family) residential. The irregular shaped parcel is undeveloped and is located on the northwest corner of Gary Drive and Rose Avenue within the College Estates Neighborhood. Filed by Ted Price, T.N Price and Associates, 1235 Flynn Road, Suite 405, Camarillo, CA 93012.

**3) Existing & Surrounding Land Uses:**

The triangular shaped site is a vacant, corner parcel that abuts two streets (Rose Avenue and Gary Drive). A monolithic sidewalk borders the undeveloped parcel along both streets and there are no pre-existing curb cuts for vehicular ingress/egress.

LOCATION	ZONING	GENERAL PLAN	EXISTING LAND USE
Project Site	Community Reserve	School	Vacant
North	R-2 PD (Residential:Multi-Family)	City Park	College Park
South	R-1 (Residential: Single Family)	Single Family	Single Family Homes
East	R-2 PD (Residential:Multi-Family)	Park	College Park
West	Community Reserve	School	Channel Islands High School

**4) Background Information:** On March 6, 2007, the City Council reviewed and provided preliminary comments for the required general plan amendment Pre-Application (PZ No. 06-600-04). The City Council raised several concerns regarding the site location, its surrounding land uses, and the density proposed at this location. City Council expressed concerns about the site's triangular and irregular shaped parcel and whether the proposed use would be appropriate at this location. The City Council did not indicate that the proposed development was appropriate and suitable to this location.

**5) Environmental Determination:** In accordance with Section 15270(a) of the California Environmental Quality Act (CEQA) Guidelines, projects which an agency rejects or disapproves are not subject to CEQA. Therefore, since the owner has requested that staff pursue and schedule for Planning Commission consideration and staff is recommending denial, environmental review for this project is not required nor has been completed.

**6) Analysis:**

**a) General Discussion:** The proposed project consists of five two-story units and a common driveway on the west side of the site. The subject site was not created from a conventional subdivision, but was a remainder parcel as a result of the Rose Avenue realignment.

**b) General Plan Consistency:** The proposed project is inconsistent with the current 2020 General Plan land use designation of School. The site is not listed as an Infill Site, Major Study Area, or Affordable Housing site. Noise Element Objective B.2 states "Protect noise sensitive uses from areas with high ambient noise" (page X-14). Rose Avenue generates noise levels too high for adjacent residential open space without sound walls. To add sound walls would essentially creating units with no front yards and a wall along Rose Avenue. Even with sound walls, some trucks would generate noise at a height such that noise goes over the sound wall into yard areas. Based on this General Plan information and the following zoning review, staff concludes the site is not suitable for residential use.

**c) Conformance with Zoning Development Standards:** The subject site is in the Community Reserve (CR) zone district, which allows for land uses that are predominantly open, such as parks. The applicant requests a zone change to Residential Multi-Family (R-2) to accommodate the multi-family units. Applicable development standards of the R-2 zone and the parking ordinance have been compared with the proposed project, as follows:

DEVELOPMENT STANDARD	REQUIRED	PROPOSED	COMPLIES ?
Max. building height 16-43	2 stories, not to exceed 25 feet	2-Stories	YES
Density 16-44	3,500 SF per DU. 5 units allowed on the site	5-Dwelling Units	YES

Front yard setback 16-45(A)	25% of lot depth, not to exceed 25 feet. Exception provided when 60% of the block is at a lesser setback;	6-Feet on Gary Drive, 7 feet on Rose	<b>NO</b>
Side yard setback 16-46(A)	10% of lot width, not less than 3 feet or more than 5.	5'-1" Interior Side Yard Setback	YES
Rear yard setback 16-47	25% of lot depth, not to exceed 25 feet.	Triangular Shape Area Exceeds 25-minimum	YES
Interior yard space 16-48	30% of lot area, min. dimension of 15' x 15'. Area open from ground to sky (see exceptions 16-304-16-307).	By design, only the triangular shaped area meets IYS Standards	<b>NO</b>
Fences/hedges - side & rear yards 16-309	Not to exceed 7 feet in height.	6-Foot High Slump Stone Fence with Channel Islands High School	YES
Parking spaces Resident 16-622	1 space in a garage for each 1-bedroom unit, and 2 spaces in a garage for each unit with 2 -5 bedrooms. 3 garage spaces for 6 bedrooms; 4 garage spaces for 7 bedrooms, 5 garage spaces for 8+ bedrooms.	5-Side by Side, Two Car Garages	YES
Parking spaces Visitor 16-622	For 1 <sup>st</sup> 30 units, 1 visitor space for each unit, and 0.5 visitor spaces per unit thereafter.	5-Stalls, Some Compact in Design	<b>NO</b>

**d) Site Design:** The sliver parcel poses challenging factors that make the parcel undesirable for residential development. The site location along the Rose Avenue corridor and its corner orientation limits good site design by restricting first floor livable areas and creating non-conventional and compromised designs in floor plan functionality and site plan layout. This development cannot incorporate sound walls, front yard setback, and/or landscape buffers needed to create a suitable living environmental for residential developments facing arterials.

**e) Circulation and Parking:** The project proposes a single curb-cut approach off Gary Drive for vehicular ingress and egress. This drive provides vehicular access to all units and dead-ends at approximately 180-feet from Gary Drive. Each dwelling unit is proposed with a two car garage and a designated visitor parking stall. A common driveway provides access to the garage parking stalls and the uncovered visitor parking designed between two of the buildings. Most parking is designed to be in a perpendicular configuration to the drive isle. The unit at the end of the drive is designed with direct in/out access without a turnaround area. As designed, the dead end drive would require persons to back-up 180-feet to exit the site. This site layout also creates difficulties for service trucks (i.e refuse and fire) needing to access the site. In addition, there are line-of-sight conditions that may cause potential safety back-up conflicts in parking locations that have an abutting solid/wall obstructions that are immediately and perpendicular to the vehicular drive aisle. (i.e. parking stall No. 1 and 5)

- f) **Building Design:** The dwelling units are positioned to parallel the triangular shape of the parcel. Units A-C are attached and unit D and E are detached and laid out in a long ways position to accommodate the narrow portion of the lot. Two floor plan designs are proposed and both plans are provided in a two story configuration. Units B and C are 1,454 square feet in living area and units A, D, and E are 1,244 square feet in area.
- g) **Landscaping and Open Space:** The homes are designed to front Rose Avenue and are setback an average of 15-foot. The front yard area of the homes is proposed to be landscaped with a pathway that leads to the front door. As designed, the front yard does not meet the 30-percent interior yard space requirements of the proposed zone change (R-2-Mulit-Family). The interior yard space requirement is intended to be an area outside of the front yard setback that is open from the ground to the sky and used as a private/play area for the benefit of the residents. To satisfy and encourage open and active private/play areas, the City requires size areas to meet the minimum dimensions of 15-feet by 15-feet. As designed, the landscaped surfaces along Rose Avenue are not conducive areas for private/play areas that would benefit the residents. The 30-percent interior yard space requirement for this lot is 5,624 square feet in area, which is about the size of an average single family lot in the City.

## 7) Summary of Reasons for Denial Recommendation:

The following summarizes staff's reasoning for recommending denial:

- a. Inconsistency with the 2020 General Plan
- b. Inadequate front yard setback suitable for development facing arterials. Six and seven foot setbacks along Rose Avenue and Gary Drive are not acceptable, Second story bedrooms are setback at only 7-feet (approx) from Rose Avenue (public right-of-way).
- c. Unsuitable living environment in terms of outdoor yard areas due to adjacency to Rose Avenue without a noise buffer.
- d. Non-conventional and compromised floor plan design.
- e. Inadequate driveway and parking circulation. Several units do not have 25-foot back up minimum clearances required. Some Vehicle stalls require the need for multiple turn point to turnaround and exit the site.
- f. Unacceptable dead end drive without turnaround. Inadequate ingress/egress for refuse services truck.

- 8) **Appeal Procedure:** In accordance with Section 16-545 of the City Code, the Planning Commission's decision may be appealed to the City Council within 18 days.

*PZ 07-540-08 (PD), 07-570-09 (ZC), & 07-620-09 (GPA)*  
*T.N. Price and Associates, Casa de Rosas*  
*April 17, 2008*  
*Page 6*

**Attachments:**

- A. Maps (Vicinity, General Plan, Zoning)
- B. Development Project Plans
- C. Resolutions PZ 07-540-08 (PD)
- D. Resolution PZ 07-570-09 (ZC) & PZ 07-620-09 (GPA)

Prepared by:   
JM

Approved by:   
SM

**ATTACHMENT  
A**

**MAPS  
(VICINITY, ZONING, GENERAL PLAN MAP)**



CR

R2PD

CR

S ROSE AV

GARY DR

R1

HOUSTON PL

N CAMPUS DR

BOSTON DR

JASON PL

JASON PL

CONCORD ST

DALLAS DR



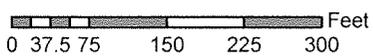
Oxnard Planning  
March 28, 2008

PZ 07-540-08, PZ 07-570-09, 07-620-09

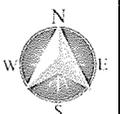
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APN: 224001222

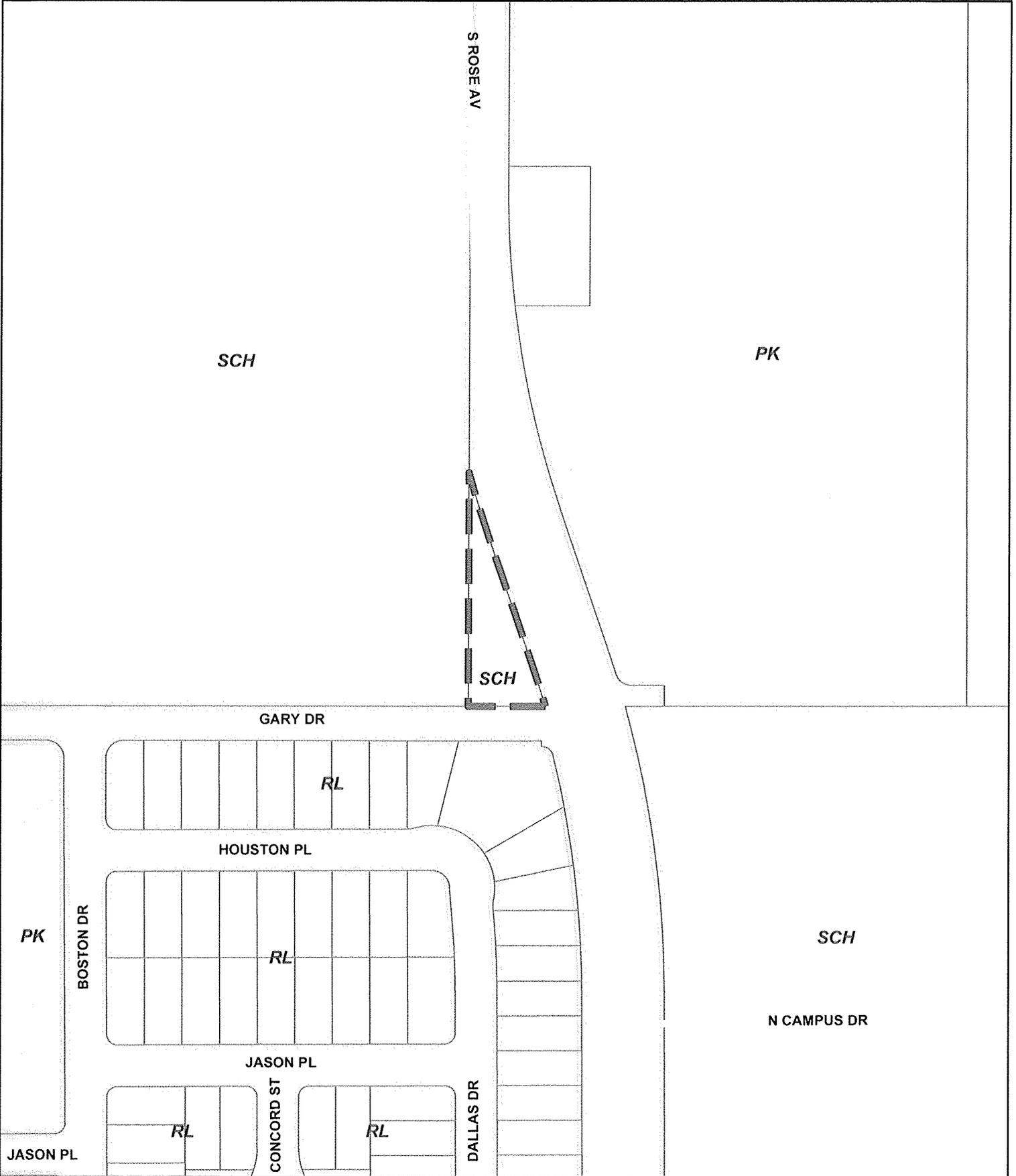
Casa De Rosas



Zone Map



1:2,225



**ATTACHMENT  
B**

**DEVELOPMENT PROJECT PLANS**

**LOT DATA:**  
**OWNER/DEVELOPER**

1990 GARY DRIVE  
 OXNARD, CALIFORNIA 93426  
 CONTACT: TERRY PRICE, AIA  
 PHONE: 805-753-0070  
 FAX: 805-753-0174

**ARCHITECT**

1990 GARY DRIVE  
 OXNARD, CALIFORNIA 93426  
 CONTACT: TERRY PRICE, AIA  
 PHONE: 805-753-0070  
 FAX: 805-753-0174

**PROJECT DATA**

SITE ADDRESS: GARY DRIVE  
 OXNARD, CALIFORNIA  
 GROSS SITE AREA: 103,400 SQ. FT.  
 PARCEL NUMBER: 240400225

**NO EXISTING BUILDINGS**

PROPOSED BUILDINGS: RESIDENTIAL  
 BUILDING CODE: TYPE V-B CONSTRUCTION

UNIT # & SQ. FT. 1st FLOOR 486 SQ. FT.  
 2nd FLOOR 486 SQ. FT.  
 TOTAL 972 SQ. FT.

UNIT # & C. TOTAL 2,088 SQ. FT.

UNIT # & D. TOTAL 3,214 SQ. FT.

UNIT # & E. TOTAL 3,214 SQ. FT.

UNIT # & F. TOTAL 3,214 SQ. FT.

UNIT # & G. TOTAL 3,214 SQ. FT.

UNIT # & H. TOTAL 3,214 SQ. FT.

UNIT # & I. TOTAL 3,214 SQ. FT.

UNIT # & J. TOTAL 3,214 SQ. FT.

UNIT # & K. TOTAL 3,214 SQ. FT.

UNIT # & L. TOTAL 3,214 SQ. FT.

UNIT # & M. TOTAL 3,214 SQ. FT.

UNIT # & N. TOTAL 3,214 SQ. FT.

UNIT # & O. TOTAL 3,214 SQ. FT.

UNIT # & P. TOTAL 3,214 SQ. FT.

UNIT # & Q. TOTAL 3,214 SQ. FT.

UNIT # & R. TOTAL 3,214 SQ. FT.

UNIT # & S. TOTAL 3,214 SQ. FT.

UNIT # & T. TOTAL 3,214 SQ. FT.

UNIT # & U. TOTAL 3,214 SQ. FT.

UNIT # & V. TOTAL 3,214 SQ. FT.

UNIT # & W. TOTAL 3,214 SQ. FT.

UNIT # & X. TOTAL 3,214 SQ. FT.

UNIT # & Y. TOTAL 3,214 SQ. FT.

UNIT # & Z. TOTAL 3,214 SQ. FT.

UNIT # & AA. TOTAL 3,214 SQ. FT.

UNIT # & AB. TOTAL 3,214 SQ. FT.

UNIT # & AC. TOTAL 3,214 SQ. FT.

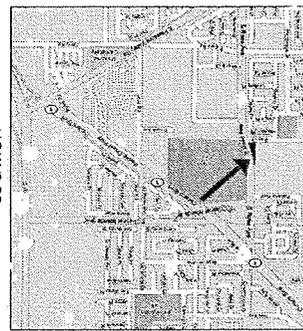
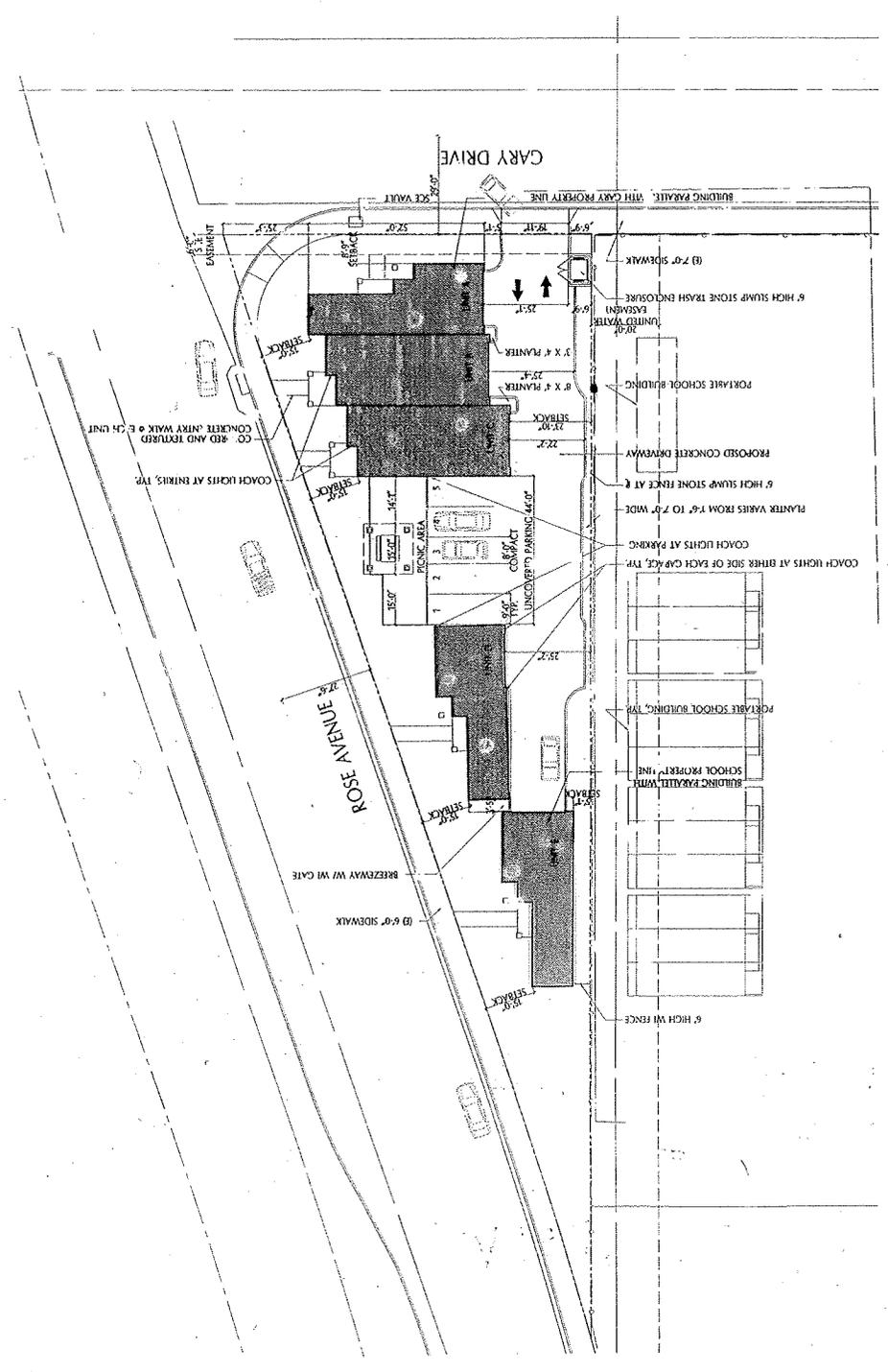
UNIT # & AD. TOTAL 3,214 SQ. FT.

UNIT # & AE. TOTAL 3,214 SQ. FT.

UNIT # & AF. TOTAL 3,214 SQ. FT.

UNIT # & AG. TOTAL 3,214 SQ. FT.

UNIT # & AH. TOTAL 3,214 SQ. FT.



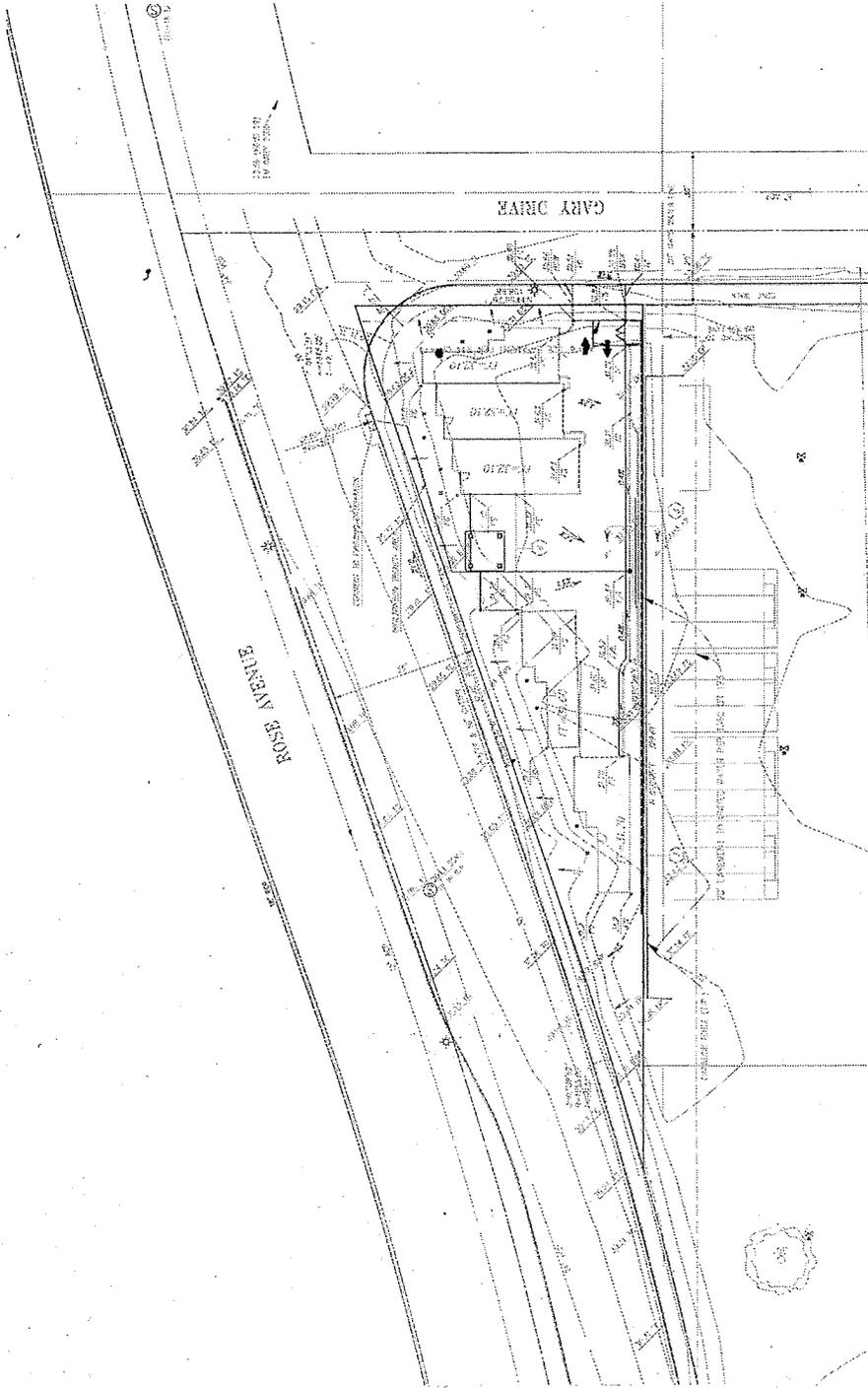
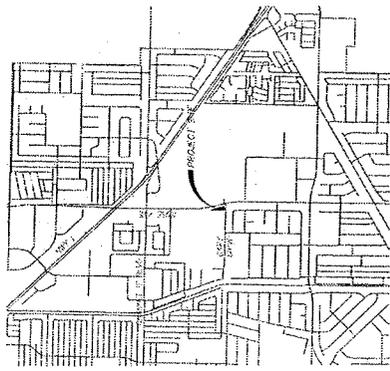
**SITE PLAN**  
 SCALE: 1/16"=1'-0"

**"Casa De Rosas"**  
 1990 Gary Drive  
 Oxnard, California  
**T. N. Price and Associates**

PREPARED BY:

**LCS Architects, Inc.**  
 ARCHITECTS • 1100 GARDEN • OXNARD  
 2144 Oxnard Blvd. Ste. 200  
 Oxnard, CA 93426  
 TEL: 805-753-7474 FAX: 805-753-7474

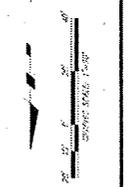
THIS PROJECT IS NOT FINANCED BY ANY DIVISION OF THE CALIFORNIA OR FEDERAL GOVERNMENT  
 EACH UNIT IN THIS PROJECT HAS BEING SPACED ON MORE THAN ONE FLOOR



REFERENCE: TN PRICE & ASSOCIATES  
 PROJECT NO. 98-001  
 DATE: 10/10/98  
 DRAWN BY: JES  
 CHECKED BY: JES  
 PROJECT: 1990 GARY DRIVE  
 CITY OF OXNARD

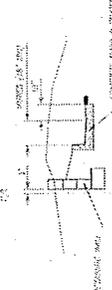
**PRELIMINARY GRADING**  
 FOR  
**T.N. PRICE & ASSOCIATES**  
 1990 GARY DRIVE  
 City of OXNARD

**JENSEN DESIGN**  
 1425 DIXON STREET  
 VENTURA, CALIF. 93003  
 PHONE: 805/664-8977  
 FAX: 805/664-8979  
 WWW.JENSENDESIGN.COM



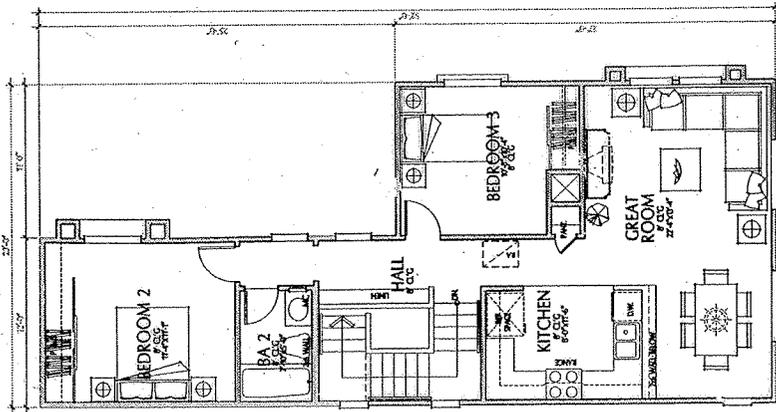
**CONSTRUCTION NOTES**

1. EXISTING GRADE & ELEVATION TO BE SHOWN AND NOTED.
2. ADJUSTING THE GRADE TO BE SHOWN.
3. RETAINING WALL.
4. 4" DIA. STEEL PIPES.
5. PROTECTIVE BENCHES FOR SLOPE OF EXISTING TERRACE LEVEL.
6. CONCRETE CURB AND GUTTER TO BE SHOWN.



**SECTION A-A**

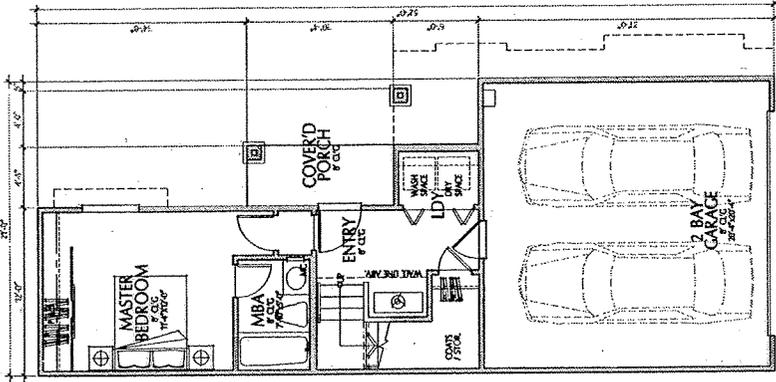




SECOND FLOOR UNIT E (A & D SIMILAR) SCALE 1/4"=1'-0"

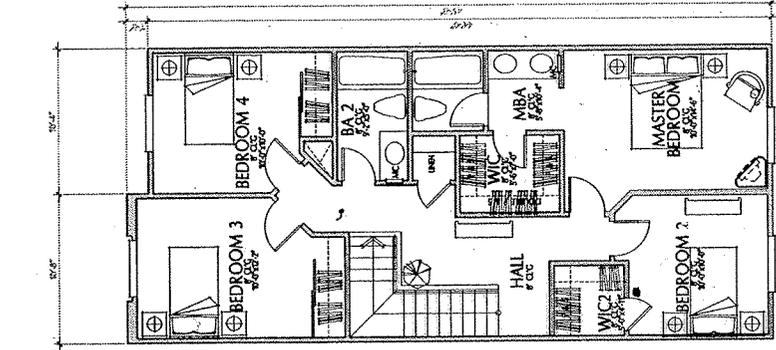
ROOM	SQUARE FOOTAGE
MASTER BEDROOM	196
BEDROOM 2	121
BEDROOM 3	121
KITCHEN	48
GREAT ROOM	144
HALL	36
BA 2	25
COVERED PORCH	36
TOTAL	732

UNIT E, A & D	FIRST FLOOR	403 SQ. FT.
	SECOND FLOOR	841 SQ. FT.
	TOTAL	1,244 SQ. FT.
UNITS E, A, & D TOTAL		3,732 SQ. FT.



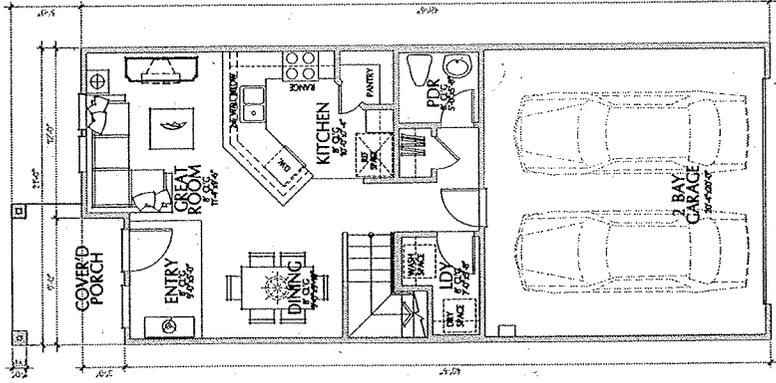
FIRST FLOOR SCALE 1/4"=1'-0"

ROOM	FLOOR	SQUARE FOOTAGE
ENTRY	1	36
DINING	1	36
LIVING	1	144
KITCHEN	1	48
COVERED PORCH	1	36
2 BAY GARAGE	1	144
MASTER BEDROOM	1	196
BEDROOM 3	1	121
BEDROOM 4	1	121
MBA	1	35
WIC	1	36
BA 2	1	25
HALL	1	36
COVERED PORCH	1	36
TOTAL		841



SECOND FLOOR UNIT B (C SIMILAR) SCALE 1/4"=1'-0"

UNIT B & C	FIRST FLOOR	565 SQ. FT.
	SECOND FLOOR	889 SQ. FT.
	TOTAL	1,454 SQ. FT.
UNITS B & C TOTAL		2,908 SQ. FT.



FIRST FLOOR SCALE 1/4"=1'-0"

# "Casa De Rosas"

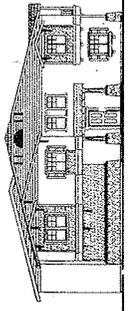
1990 Gary Drive  
Oxnard, California

## T. N. Price and Associates

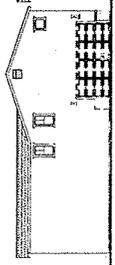
PREPARED BY:



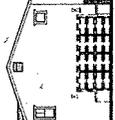
LGS Architects, Inc.  
architecture • land planning • forensic  
2440 Oxnard Drive  
Oxnard, CA 93021  
© 2007 LGS Architects, Inc.



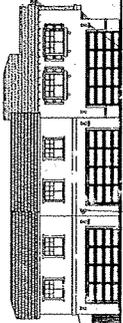
LEFT SIDE ELEVATION



REAR ELEVATION

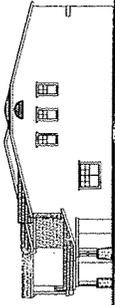


STUCCO, TYP.

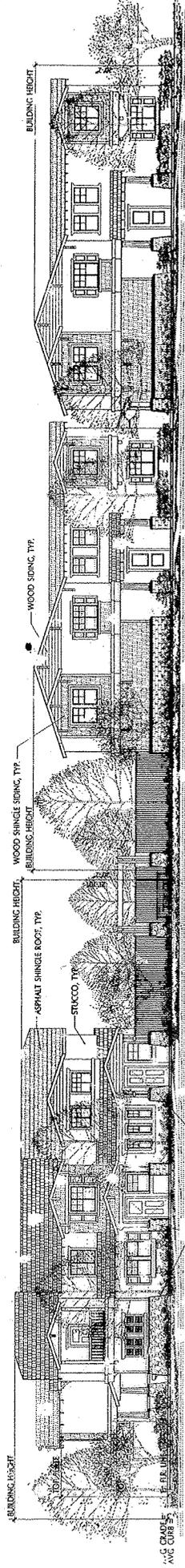


COACH LIGHTS, TYP.

ADDRESS DISPLAY, TYP.



RIGHT SIDE ELEVATION



FRONT ELEVATION.....CRAFTSMAN

# "Casa De Rosas"

1990 Gary Drive  
Oxnard, California  
T. N. Price and Associates

PREPARED BY:  
  
LGS Architects, Inc.  
architecture • land planning • landscape  
interior design • construction  
10001 Broadway  
Van Nuys, California 91411  
Tel: 818/709-1234

**ATTACHMENT  
C**

**RESOLUTION  
PZ 07-540-08  
(PLANNED DEVELOPMENT)**

RESOLUTION NO. 2008-\_\_\_\_\_

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD DENYING PLANNING AND ZONING PERMIT NO. PZ 07-540-08 (PLANNED DEVELOPMENT), TO DEVELOP AN 18,745 SQUARE FOOT (0.42 ACRE) LOT WITH FIVE RESIDENTIAL UNITS AND RELATED SITE IMPROVEMENTS. THE SITE IS LOCATED ON THE NORTHWEST CORNER OF GARY DRIVE AND ROSE AVENUE WITHIN THE COLLEGE ESTATES NEIGHBORHOOD. FILED BY TED PRICE, T.N PRICE AND ASSOCIATES, 1235 FLYNN ROAD, SUITE 405, CAMARILLO, CA 93012.

WHEREAS, on April 17, 2008, the Planning Commission of the City of Oxnard considered an application for Planning and Zoning Permit No. 07-540-08, filed by Ted Price, T.N Price and Associates; and

WHEREAS, the proposed development involves Planning and Zoning Permit Nos. 07-570-09 (Zone Change) and 07-620-09 (General Plan Amendment), which were filed concurrently and are entitlements needing paralleled consideration from the City; and

WHEREAS, section 15270(a) of the State Guidelines to the California Environmental Quality Act (CEQA) provides that CEQA does not apply to projects that are disapproved.

NOW, THEREFORE, the Planning Commission of the City of Oxnard finds, as follows, that the proposed project is (or has):

1. Inconsistent with the 2020 General Plan.
2. Inadequate front yard setback suitable for development facing arterials.
3. Unsuitable living environment in terms of outdoor yard areas.
4. Non-conventional and compromised floor plan design.
5. Inadequate driveway and parking circulation.
6. Unacceptable dead end drive without turnaround.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Oxnard hereby denies the application for Planning and Zoning Permit No. 07-540-08 (Planned Development), for the findings listed above.

PASSED AND ADOPTED by the Planning Commission of the City of Oxnard on this 17<sup>th</sup> day of April 2008, by the following vote:

AYES: Commissioners:

NOES: Commissioners:

ABSENT: Commissioners:

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

ATTEST:

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

**ATTACHMENT  
D**

**RESOLUTION  
PZ 07-570-09 (ZONE CHANGE) &  
PZ 07-620-09 (GENERAL PLAN AMENDMENT)**

RESOLUTION NO. 2008-\_\_\_\_\_

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD DENYING PLANNING AND ZONING PERMIT NOS. 07-620-09 (GENERAL PLAN AMENDMENT) TO RE-DESIGNATE THE PROJECT SITE FROM SCHOOL TO RESIDENTIAL LOW MEDIUM, AND 07-570-09 (ZONE CHANGE) TO CHANGE THE ZONE DESIGNATION FROM COMMUNITY RESERVE TO R-2 (MULTI-FAMILY); LOCATED ON THE NORTHWEST CORNER OF GARY DRIVE AND ROSE AVENUE WITHIN THE COLLEGE ESTATES NEIGHBORHOOD. FILED BY TED PRICE, T.N PRICE AND ASSOCIATES, 1235 FLYNN ROAD, SUITE 405, CAMARILLO, CA 93012.

WHEREAS, the Planning Commission of the City of Oxnard has considered several applications affecting a triangular shaped 18,745 square foot (0.42 acre) site located on the northwest corner of Gary Drive and Rose Avenue, filed by Ted Price, T.N Price and Associates; and

WHEREAS, the proposed zone change proposes to change the site's zoning designation from Community Reserve to R-2 (Multi-Family) residential and the general plan amendment proposes to re-designate the site from School to Residential Low Medium (8-12 dwelling units per acre).

WHEREAS, the proposed Planning and Zoning Permit Nos. 07-570-09 (Zone Change) and 07-620-09 (General Plan Amendment) applications involve Planning and Zoning Permit No. 07-540-08 (Planned Development Permit), which were filed concurrently and are entitlements needing parallel consideration from the City; and

WHEREAS, section 15270(a) of the State Guidelines to the California Environmental Quality Act (CEQA) provides that CEQA does not apply to projects that are disapproved; and

WHEREAS, the Planning Commission finds, after due study, deliberation and public hearing, that the project is not consistent with the 2020 General Plan; that the proposed development may not conform with adopted City standards and constitute good City planning; and that the project may adversely affect or be materially detrimental to adjacent land uses, buildings or structures or to the public health, safety or general welfare.

NOW, THEREFORE, the Planning Commission of the City of Oxnard finds, as follows, that the proposed project is (or has):

1. Inconsistent with the 2020 General Plan.
2. Inadequate front yard setback suitable for development facing arterials.
3. Unsuitable living environment in terms of outdoor yard areas.
4. Non-conventional and compromised floor plan design.
5. Inadequate driveway and parking circulation.
6. Unacceptable dead end drive without turnaround.

NOW, THEREFORE, BE IT FUTHER RESOLVED that the Planning Commission of the City of Oxnard recommends the following actions to the City Council:

1. Denial of Planning and Zoning Permit No.07-620-09 (General Plan Amendment).
2. Denial of Planning and Zoning Permit No. 07-570-09 (Zone Change).

PASSED AND ADOPTED by the Planning Commission of the City of Oxnard on this 17<sup>th</sup> day of April 2008, by the following vote:

AYES: Commissioners:

NOES: Commissioners:

ABSENT: Commissioners:

---

Michael Sanchez, Chairman

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