



**Planning Division**

**PLANNING COMMISSION  
STAFF REPORT**

**TO:** Planning Commission

**FROM:** Brian Foote, AICP, Associate Planner

**DATE:** October 21, 2010

**SUBJECT:** Planning and Zoning Permit Nos. 09-300-04 (Tentative Subdivision Map), 09-500-02 (Special Use Permit), and 09-535-01 (Density Bonus).

- 1) **Recommendation:** That the Planning Commission:
  - a) Adopt a resolution denying Planning and Zoning Permit No. 09-500-02 (Special Use Permit); and,
  - b) Adopt resolutions recommending that the City Council deny Planning and Zoning Permit Nos. 09-300-04 (Tentative Subdivision Map) and 09-535-01 (Density Bonus).
  
- 2) **Project Description and Applicant:** A request for approval of: a special use permit to construct a three-story 31,346 square-foot multi-family dwelling with 16 condominiums on a vacant 34,636 square-foot lot; a 35% density bonus for four affordable units and 12 market-rate units; and a tentative subdivision map to subdivide for 16 residential condominium units. The applicant also requests concessions pursuant to State density bonus law for the development standards applicable to front setbacks, side setback, interior yard space, open area, and guest parking. The project site is located at 5101 Saviers Road, at the southwest corner of Saviers Road and Pleasant Valley Road (APN's 222-0-102-015, 200). Filed by Lauterbach & Associates Architects, on behalf of owner Lorenzo Castillo, 300 Montgomery Ave., Oxnard, CA 93036.
  
- 3) **Existing & Surrounding Land Uses:** The project site is vacant and unimproved, and surrounded on three sides by retail commercial development in the Southwinds neighborhood. To the south of the project site are multi-family dwellings.

LOCATION	ZONING	PERMITTED USES	EXISTING USES
Project Site	C-2-PD	Commercial General	Vacant
North	C-2	Commercial General	Pleasant Valley Plaza Shopping Ctr
South	C-2-PD	Commercial General	Duplexes & Apartments
East	C-2-PD	Commercial General	Best Breakfast Restaurant, Retail across Saviers Rd
West	C-2-PD	Commercial General	Victory Outreach Church

- 4) Background Information:** On March 16, 2006, the Planning Commission approved a Special Use Permit (PZ 04-500-29) for an identical project with 16 condominium dwelling units, plus a mixed use component facing Saviers Road. On April 18, 2006, the City Council adopted resolutions approving Tentative Subdivision Map (PZ 04-300-20) and Density Bonus (PZ 06-535-01) for 16 residential condominiums including the 35% density bonus. The project expired in 2009 when the expiration date passed and no building or grading permits had been issued.
- 5) Environmental Determination:** The project may qualify for exemption from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15332, for in-fill development projects that are located on less than five acres of land, consistent with the zoning and General Plan, surrounded by urban development, all public services and utilities are available, and no sensitive habitats or species exist on the property. If the Planning Commission decides to support the proposed project, it should be referred to staff for proper environmental review.
- 6) Analysis:**
- a) General Discussion:** The current application was filed on May 26, 2009, and was deemed incomplete on June 10, 2009. After the architect submitted additional application items and the SUP application was substantially complete, the Development Advisory Committee reviewed the proposal on October 7, 2009. The density bonus application remained incomplete due to omitted information that is required by Zoning Code §16-415, specifically: the proposed sale prices of all units, and affordable units; the locations of the affordable units within the project; the proposed method to guarantee that the applicant will establish the sales prices as stated in the application; and, the proposed method of ensuring the continued affordability of all lower-income density bonus units for at least 30 years.

Following the DAC meeting, the architect met individually with various DAC members in order to resolve specific DAC concerns, but revised plans were never submitted. On August 18, 2010, staff contacted the architect and owner to request that updated plans with substantial revisions be submitted to enable further processing, but no response was received. On October 4<sup>th</sup> the property owner was advised in person that the application may be withdrawn prior to being scheduled for the Planning Commission; however, staff has not received any verbal or written request for withdrawal. The proposal has not been revised to address the Development Advisory Committee's concerns (specifically, inconsistency with California Fire Code §504.1), and no feasible alternative has been identified to redesign the project that would address the DAC's concerns. The following sections document staff's analysis and recommendation for denial.

- b) Density Bonus:** The C-2-PD zone allows a maximum base density of 12 dwelling units on the subject property (i.e. 18 units per acre), based on the net site area of 0.7-acre. The minimum number of required affordable units was calculated based on Community Development Commission Resolution No. 111 for the Southwinds Redevelopment Area, as well as the State affordable housing law (Government Code §65915). CDC Resolution 111

requires two affordable units (one very-low income plus one low income) in the redevelopment area. For the density bonus request, Government Code §65915(f)(2) provides a formula that requires two very-low income units ( $12 \times 0.11 = 1.32 = 2$  units) in order to be eligible for the 35% density bonus. The affordable units provided to satisfy CDC Resolution 111 cannot also be counted as the units that satisfy Government Code §65915(f)(2); the density bonus units are in addition to the redevelopment area units. The application proposes a total of 16 dwelling units, 12 market-rate units plus four affordable units. The applicant proposed three options (i.e. mix of very-low, low, or moderate income units) so that the City could choose a preferred option; however, the developer must specify his preferred option. Also, the proposal did not specify which units would satisfy CDC Resolution 111 versus those units that would satisfy Gov. Code §65915(f).

The applicant also requests concessions pursuant to Government Code §65915(d)(2)(C) for specified development standards, specifically: 1) reductions to two front yard setbacks (combined as one concession); 2) reduced side yard setback; and 3) reduced interior yard space and open space (combined as one concession). These are discussed in detail in the Site Design section (page 6). Government Code §65915(d)(2)(C) states that up to three concessions may be granted if at least 15% of the units are provided for very-low income households, and the proposal includes 16.7% ( $2 / 12 = .167$  or 16.7%) very-low income units.

- c) **General Plan Consistency:** The proposed development will not be consistent with the applicable General Plan policies listed below. The 2020 General Plan designates the subject property as Commercial General (CG), and is intended for retail and office uses as well as multifamily residential uses with density ranging between 13 to 18 dwelling units per acre. However, the applicant proposes a density bonus pursuant to Government Code §65915, which, if approved, could allow up to 16 units maximum.

POLICY	VIOLATION
<p><b>Land Use Element Section (E)(2)</b> (page V-56) states, “General commercial land uses include older established one-story retail centers and free-standing commercial uses... and may also include higher density residential uses (up to 13-18 dwelling units per acre)....”</p>	<p>The applicant requests a density bonus in accordance with California Government Code §65915. Without the density bonus, the proposed density of 20 Dwelling Units per acre would exceed the maximum density of 18 DU/acre for Commercial General (C-2) land uses.</p>
<p><b>Circulation Policy #7</b> (page VI-25) states, “Streets shall be constructed to their ultimate width and network gaps shall be closed whenever possible.”</p>	<p>Pleasant Valley Road is designated as a secondary arterial. The proposed site plan has not been modified to incorporate the additional 5 feet needed for right-of-way widening and dedication of Pleasant Valley Road to ultimate width. Therefore, the proposed development is not consistent with this policy. Government Code §65915(k)(1)(3) does not require the City to waive dedication requirements.</p>

**d) Conformance with Zoning Development Standards:** The project site is currently designated Commercial General (C-2-PD), and §16-142 requires that buildings used exclusively for dwelling purposes shall comply with the setbacks of the R-3 zone. The proposed project is consistent with some, but not all, of the applicable development standards as shown in the table below. For those standards which the project does not conform, the applicant has requested either: a) a concession pursuant to Government Code §65915; or b) approval as a Planned Development with modification of certain numerical standards by up to 25% pursuant to Zoning Code §16-271 (specifically a 21% reduction for building separation, and a 25% reduction for balcony dimensions).

DEVELOPMENT STANDARD	REQUIREMENT	PROPOSED	COMPLIANT?
Max. building height §16-58*	2 stories or 35 feet max., unless additional stories approved with a special use permit.	3 stories & 34 feet	Yes, if PC approves
Density §16-74	1 unit per 2,400 sq.ft. lot area (equivalent to 18 DU per acre)	1 unit per 2,164 sq.ft. of lot area (20 DU per acre)	Yes, if D.B. approved
Front yards §16-60*	20 feet	15 inches (P.V.) 2 ft. (Saviers Rd.) 20 ft. (Charles St.) <b>Concession Requested</b>	Yes, if D.B. approved
Side yard §16-61*	7.5 feet for 2½ stories.	7 ft., 6 inches (to exterior wall); 5 ft., 6 inches (to parking garage) <b>Concession Requested</b>	Yes, if D.B. approved
Street side yard §16-61*	10 feet (½ of required front yard)	20 ft., 1 inch	Yes
Rear yard §16-62*	25 feet	25 ft.	Yes
Interior yard space §16-63*	30% of lot area (i.e. 9,028 sq.ft.) Minimum dimensions of 15' x 15'. May not include vehicle parking or circulation areas. 25% of required IYS may be provided by deck space if min. 10' x 10' and 200 sq.ft. Area must be open from ground to sky (see exceptions in §16-304-§16-307).	If 170' x 25' then 4,250 sq.ft. = 14%, (includes tot lot & bioswale areas).  Deck Space: if 2,125 sq.ft. = 6%  <b>Concession Requested</b>	Yes, if D.B. approved

DESCRIPTION	REQUIREMENT	MINIMUM	COMMENTS
Parking spaces, Resident	1 bedroom: 1 garage space; 2 – 3 bedrooms: 3 garage spaces; 4+ bedrooms: 2.5 garage spaces. Per Gov. Code §65915(p)(1) <i>Min. = 32</i>	33	Yes, after modification of Unit C to 3 bedrooms.
Parking spaces, Visitor	None required per Gov. Code §65915(p)(1)	9	Yes, if D.B. approved
Fences/walls/hedges - front yard §16-308	Must be at least 50% open, and may not exceed 42 inches. Or if solid wall, then may not exceed 18 inches.	Landscaping less than 42 inches	Yes
Fences/walls/hedges - sides & rear §16-309	Not to exceed 7 feet in height. If within the required front or side yard, then see §16-308.	Wall at 6 feet max. side and rear P/L's	Yes
Uncovered Porches §16-307	May extend not more than 6 feet into a required front, side, or rear setback.	North Bldg: 0 feet. South Bldg: 4 feet into the rear yard	Yes
Open Balconies §16-306	May extend not more than 4 feet into a required rear setback, or 30 inches into a required front setback.	North Bldg: 0 feet. South Bldg: 4 feet into the rear yard	Yes
<b>ATTACHED DWELLING UNIT STANDARDS APPLIES TO PROJECTS OF 6 OR MORE UNITS</b>			
Min. Dwelling Size §16-362(A)	One bedroom: 700 sq.ft Two bedroom: 900 sq.ft	A: 1,691 SF min. C: 1,683 SF min. D: 1,356 SF min.	Yes
Building Separation §16-362 (B)	Equal to the height of the taller structure (34 feet)	27'	Yes, with PD modification of 21%
Recreation Facilities §16-362 (C)	Include at least one of the following: Swimming pool, spa, tennis/basketball/volleyball court, BBQ/picnic area, recreation building, exercise equipment, children's play equipment, or others as approved by PC.	Tot Lot & BBQ area	Yes

EXISTING ZONING	PROPOSED ZONING	PROPOSED	COMMENTS
Open Area §16-362 (D)	One lawn area of not less than 2,500 sq.ft. with minimum dimensions of not less than 35' x 35'.	Width dimension not to standard. If 170' x 25' = 4,250 SF. <b>Concession Requested</b>	Yes, if D.B. approved
Distance to garage from DU §16-362 (E)	75' max. distance to garage from any dwelling unit entry. Distances measured from DU entry to space serving that unit. When a stairway/elevator provides access, it is considered the entrance.	Requires designated spaces to be within 75'	Yes, after modification
Balconies & Patios §16-362 (F)	All 2 <sup>nd</sup> story dwelling units shall have at least one patio or balcony having minimum dimensions of 10' x 10'. <i>Reduction of 25% (to 7.5 feet) possible with PD approval.</i>	North bldg: Balconies 10' x 10'  South bldg: Decks 3.5' & 5' wide; patios 4' wide.	North: Yes  South: No
Balcony Enclosure §16-362 (G)	All balconies and patios shall have railings or walls which provide at least 50% enclosure.	Exceeds 50%	Yes
Storage Areas §16-362(H)	Each unit shall have a storage area of at least 225 cubic feet (ft. <sup>3</sup> ). Cannot intrude into the minimum garage dimensions. <i>Calculations not provided. Reduction of 13% (to 200 ft.<sup>3</sup>) possible with PD approval.</i>	North Bldg: approx 225 – 250 ft. <sup>3</sup> South Bldg: approx. 200 ft. <sup>3</sup>	North: Yes  South: Yes, with PD modification of 13%

\* Indicates R-3 development standard is applicable per §16-74.

- e) **Site Design:** The subject property is surrounded by development or public rights-of-way. The proposed Building 1 faces Pleasant Valley Road and Building 2 faces Charles Street, with vehicular access to both structures provided by driveways from Charles Street. The applicant's request for concessions pursuant to Government Code §65915 would: a) reduce the front setback on Pleasant Valley Road to 15 inches (from the 20-foot minimum); b) reduce the front setback on Saviers Road to 2 feet (from the 20-foot minimum); c) reduce the interior side setback to 5.5 feet (from the 7.5-foot minimum) for Building 1; and d) reduce the interior yard space from the 30% minimum to approximately 20%, as well as reduce the 35' x 35' dimensions required for the Open Area. The requirement for building separation is equal to the height of the taller structure, in this case 34 feet, and 27 feet is proposed. The applicant requests a reduction of 21% to the building separation pursuant to Zoning Code §16-271 (Planned Development).

During the DAC review, the Fire Marshal expressed concerns about the inability to provide ladder access to effect rescues along the south side of Building 1 (i.e. facing the restaurant property) due to the 5½-foot landscape setback that includes trees, shrubs, vehicles encroaching from the parking garage, and a drainage bioswale (see Attachment C). California Building Code §1026 requires bedroom egress windows that open directly to a public way or a yard that leads to a public way (which are provided), and California Fire Code §504.1 requires emergency access to be provided to such exterior openings. The Fire Marshal reviewed the plans for consistency with the Fire Code and operational requirements, and determined that the reduced side yard and obstacles prevented ladder access to the south side of Building 1.

As a proposed affordable housing project, the Government Code specifies the criteria for which a project may be denied. Government Code §65589.5(d) states,

A local agency shall not disapprove a housing development project... for very low, low-, or moderate-income households... or condition approval in a manner that renders the project infeasible for development... unless it makes written findings, based upon substantial evidence in the record, as to one of the following....

(2) The development project as proposed would have a specific, adverse impact upon the public health or safety, and there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to low- and moderate-income households.... As used in this paragraph, a "specific, adverse impact" means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions.... Inconsistency with the zoning ordinance or general plan land use designation shall not constitute a specific, adverse impact upon the public health or safety.

(3) The denial of the project or imposition of conditions is required in order to comply with specific state or federal law, and there is no feasible method to comply without rendering the development unaffordable to low- and moderate-income households....

The proposed site design does not comply with California Fire Code §504.1, the site plan has not been revised and no feasible alternative has been provided to demonstrate compliance, and the impact cannot be mitigated or avoided. **Therefore, the inconsistency with the Fire Code constitutes the basis for a recommendation for denial.**

- f) **Circulation and Parking:** The 2020 General Plan designates Pleasant Valley Road as a secondary arterial, with a total right-of-way of 96 feet and curb-to-curb width of 80 feet. Traffic Engineering staff requested revisions so the plans would accurately and clearly show the street dimensions, traffic lanes, intersection alignment, and incorporate standard designs for the sidewalk and parkway adjacent to Pleasant Valley Road (see Attachment C). Some of these inconsistencies were not noted on the previously approved plans from 2006. Traffic Engineering staff also required the site plan to show an additional 5 feet on the northerly property line along Pleasant Valley Road to be dedicated for public right-of-way in order to construct Pleasant Valley to its ultimate width of 96 feet including curb-to-curb width of 80 feet (including one additional left-turn lane, new right-turn pocket, new bike lane, and new sidewalk). The plans have not been revised and no feasible alternative has been provided to incorporate the necessary changes, and therefore, staff has not indicated support for the project as proposed. If the site plan were to show the adjustment for an additional 5 feet of right-of-way, such a change would further reduce the interior side setback for Building 1 (i.e. south side facing the restaurant), would not alleviate the Fire Marshal's concerns about emergency access as required by Fire Code §504.1, and could create an inconsistency with California Building Code §704.8 (regulating exterior wall openings depending on the distance to property line).

The applicant is utilizing Government Code §65915(p)(1) that specifies the parking requirements for affordable housing projects. In this case, a total of 33 resident parking spaces are required, and 32 are provided (however, Unit C may be modified to a 3-bedroom unit in order to achieve the 32 required spaces). The City Code requires a minimum of 16 guest parking spaces, however, the applicant cites Government Code §65915(p) that waives guest parking, and instead proposes 9 guest spaces.

- g) **Building Design:** The proposed structures are 3 stories in height, and require Planning Commission approval to exceed the maximum of two stories. Building 1 has the Unit D floor plan only; Building 2 has Unit types A and C. The exterior of the structures show a cement plaster finish painted 'Almond' or 'Cochise'. Architectural treatment consists primarily of vertical/horizontal articulations to the exterior walls (e.g. balconies and changes in wall planes to create pockets of light and shadow), with minor trim elements consisting of decorative columns and wood fascia painted 'Boxwood'. Roof material is lightweight concrete tile in 'Terra Cotta Blend'. Windows are shown with clear glazing with white vinyl trim.

Balconies are provided for each dwelling unit, although the balconies provided in Building 2 will not meet the 10' x 10' minimum dimensions as required by Zoning Code §16-362(F). Zoning Code §16-271 allows the Planning Commission to reduce the minimum required size of balconies by up to 25% to 7'6" (i.e. for Building 2 only), as well as reduce the size of private storage space to less than the required 225 cubic feet (for Building 2 only).

- h) Landscaping and Open Space:** The applicant requests a concession pursuant to Government Code §65915(d)(2)(C) to allow the single lawn area to count toward the Interior Yard Space and Open Area, as well as reduce the requirements for size and dimensions. The minimum requirement for Interior Yard Space is 30% of the lot size, and approximately 20% is proposed (i.e. 14% lawn area plus 6% deck space) for a deficiency of 10%. The minimum requirement for Open Area is one lawn area of not less than 2,500-sq.ft. with minimum dimensions of 35' x 35', and the applicant proposes dimensions of 170' x 25' for a total of 4,250-sq.ft, for a deficiency of 10' to the dimension requirement.
- 7) Development Advisory Committee:** The Development Advisory Committee (DAC) reviewed the proposal on October 7, 2009, and various City departments/divisions requested a number of changes to the plans in order to comply with applicable regulations. The applicant had been working with individual DAC members in an attempt to revise the plans, however, revised plans have not been submitted. Therefore, a number of items have not been resolved, including: correct alignment of Pleasant Valley Road and the intersection; street dedication for widening of Pleasant Valley Road; adequate interior side setback to allow ladder access for the Fire Department; type of fire sprinkler systems; and location and access for the refuse enclosure (see Attachment C for the DAC minutes).
- 8) Community Workshop:** The project plans were not revised to the satisfaction of the DAC, and therefore, the project was not scheduled for a presentation in a Community Workshop.
- 9) Appeal Procedure:** In accordance with Section 16-545 of the City Code, the Planning Commission's action on the special use permit may be appealed to the City Council within 18 days after the decision date. Appeal forms may be obtained from the City Clerk and must be submitted with the appropriate fees before the end of the appeal period. The Planning Commission's action on the tentative map and density bonus requests are recommendations and the matter will be considered by the City Council in a noticed public hearing at a later date.

**Attachments:**

- A. Maps (Vicinity, General Plan, Zoning)
- B. Reduced Project Plans
- C. DAC minutes of October 7, 2009
- D. Resolutions

Prepared by: 
BF
Approved by: 
FK SM

# Vicinity Map



Pacific Ocean

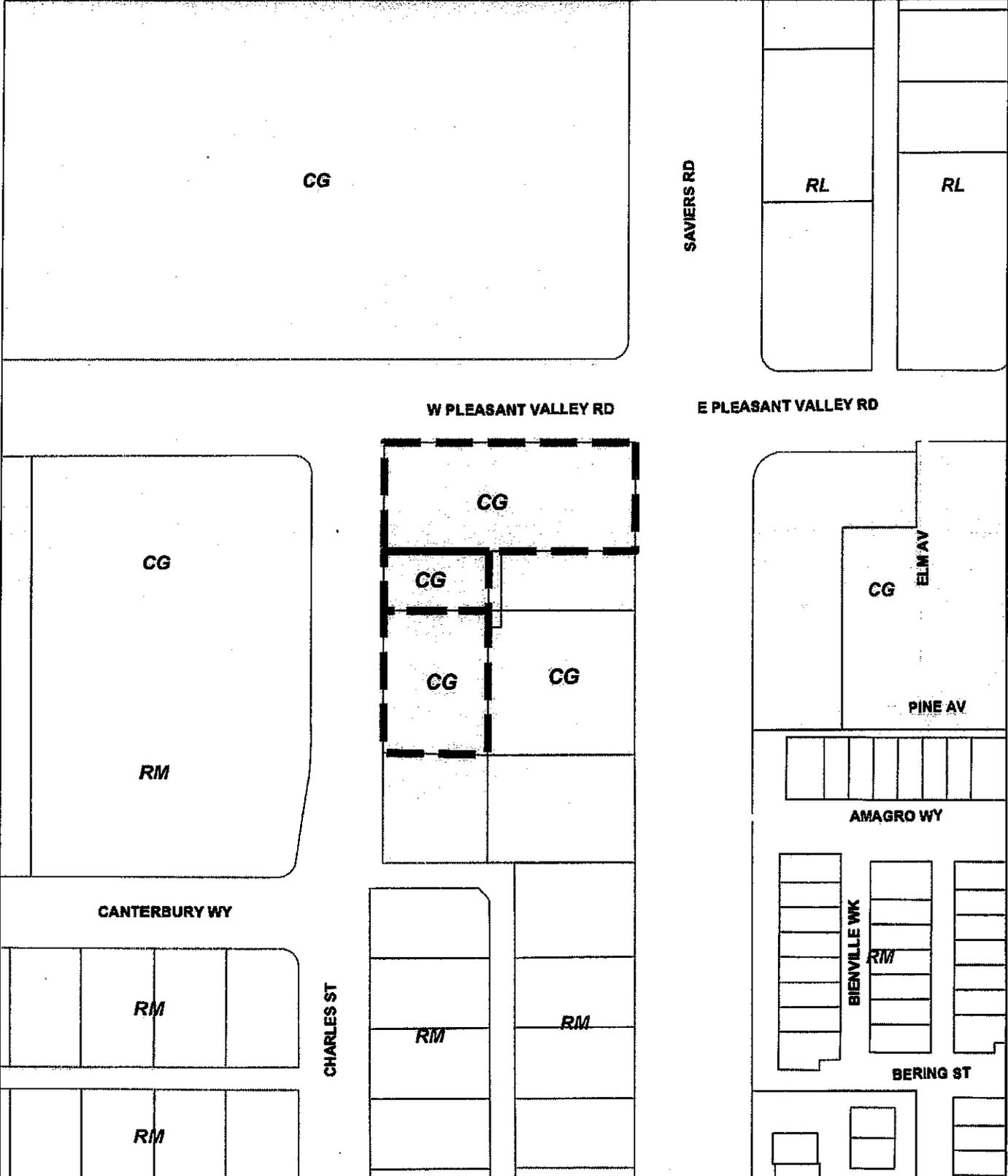
# Vicinity Map



Oxnard Planning  
June 23, 2009

PZ 09-300-04, 09-500-02, 09-535-01  
Location: 5101 Saviers Rd.  
APN: 222010201, 222010224, 222010226  
Villa San Lorenzo

# General Plan Map



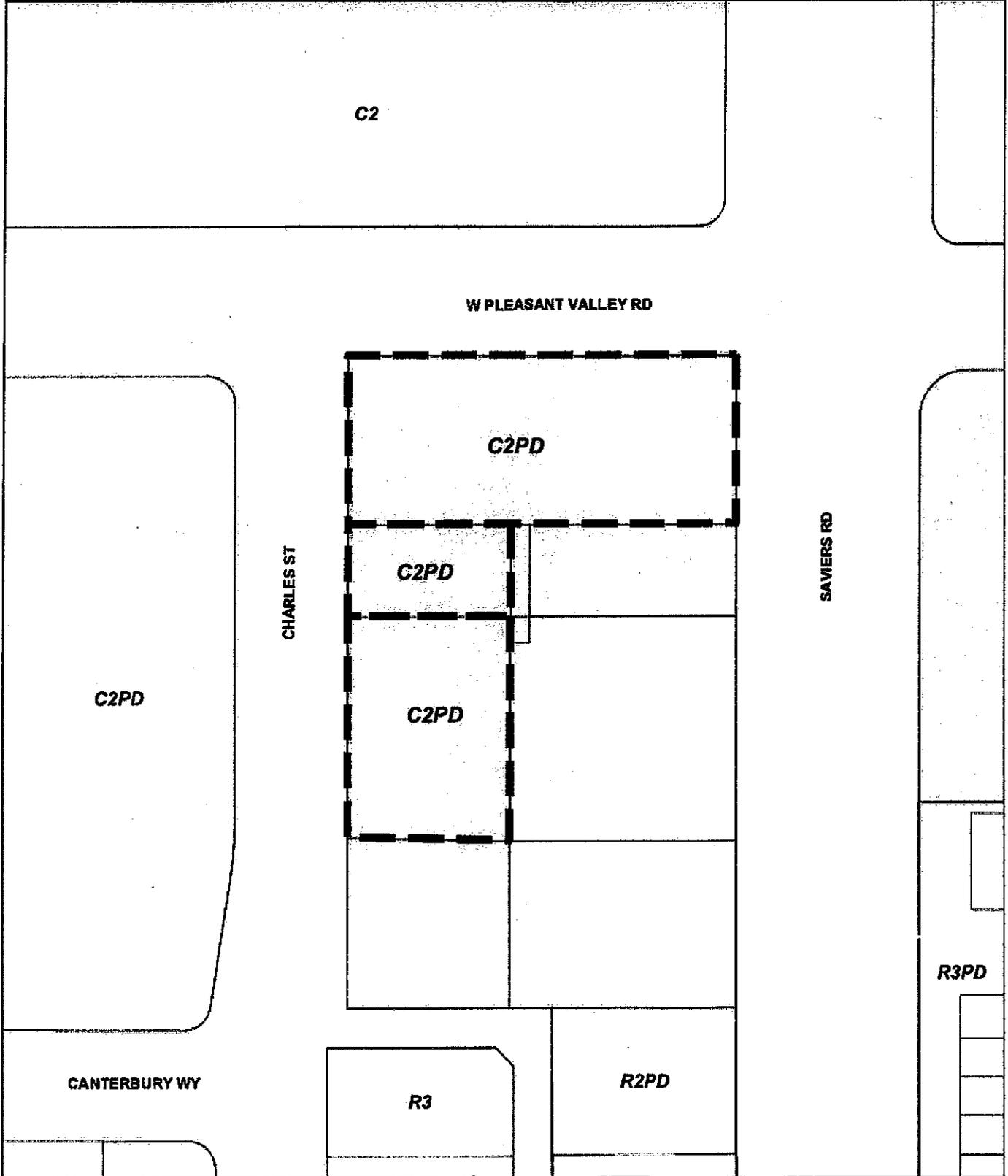
PZ 09-300-04, 09-500-02, 09-535-01  
 Location: 5101 Saviers Rd  
 APN: 222010201, 222010224, 222010226  
 Villa San Lorenzo

0 25 50 100 150 200 Feet

General Plan Map



# Zone Map



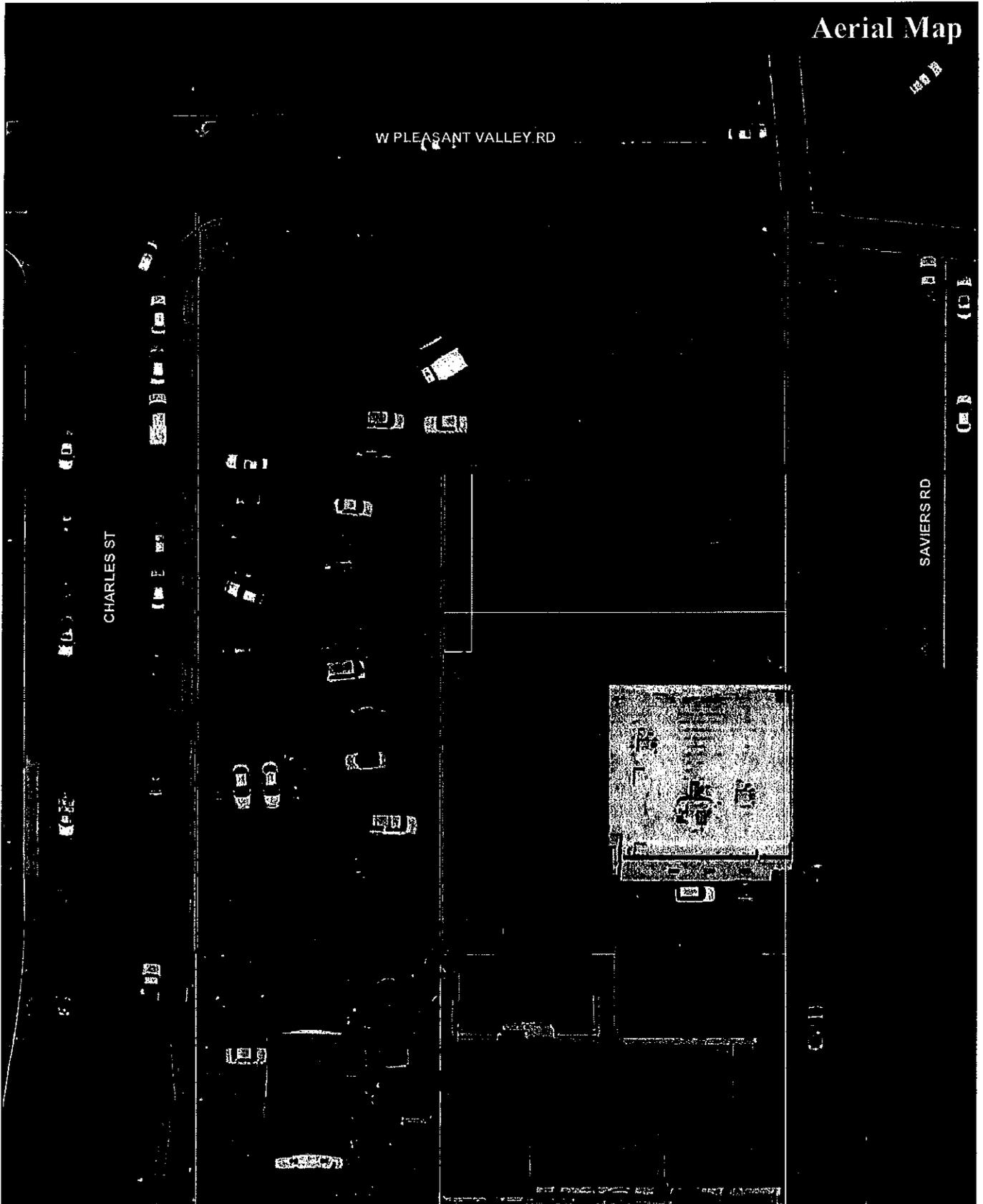
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Location: 5101 Saviers Rd  
APN: 222010201, 222010224, 222010226  
Villa San Lorenzo

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Zone Map



# Aerial Map



Oxnard Planning  
June 23, 2009

PZ 08-200-13  
Location: 3550 S. Harbor Bl  
APN: 206028047  
Moqueca Brazilian Cuisine



## Aerial Map

2007 Aerial



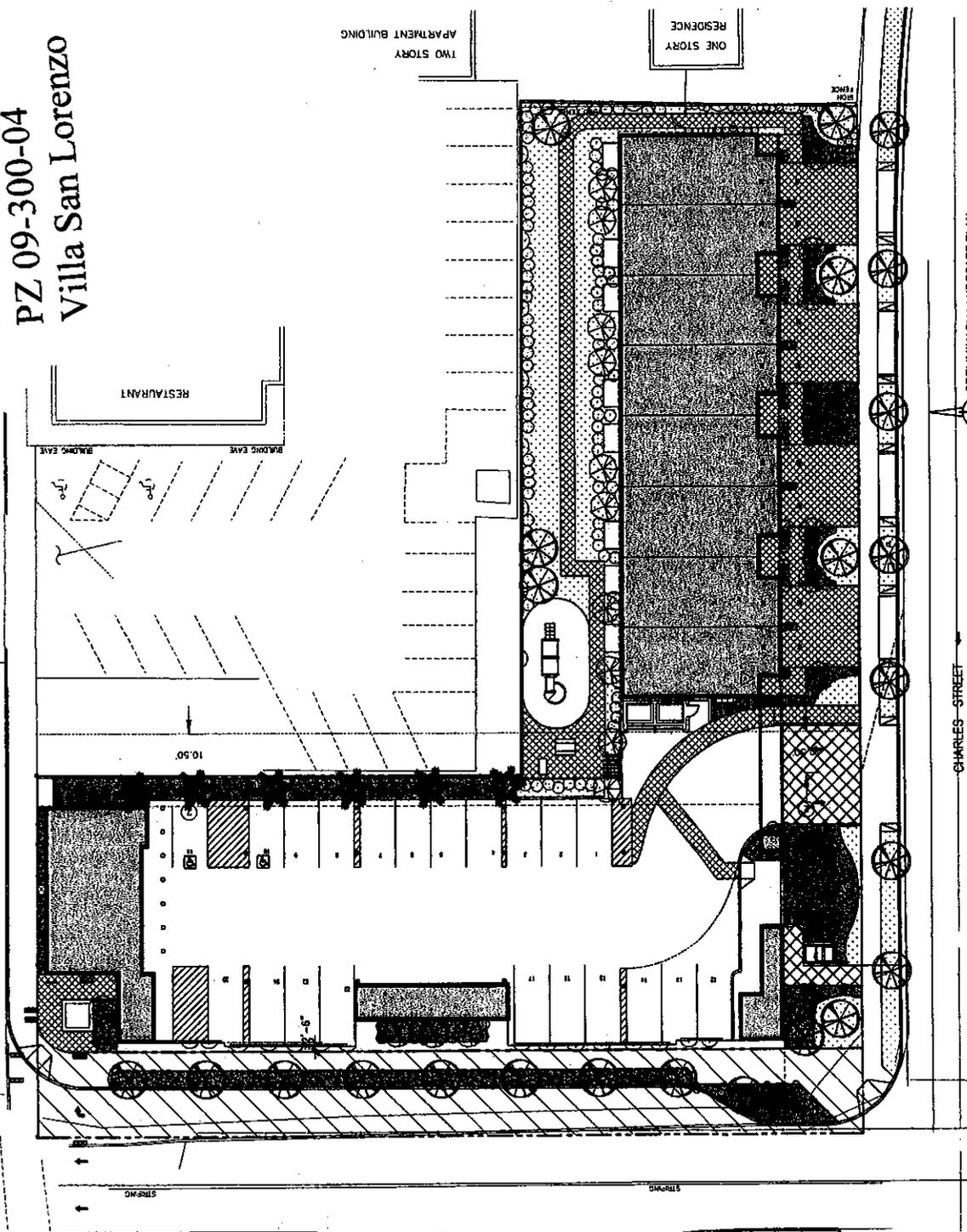
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PZ 09-500-02  
 PZ 09-300-04  
 Villa San Lorenzo



- 1. ASPHALT
- 2. CONCRETE
- 3. GRASS
- 4. SAND
- 5. GRAVEL
- 6. PAVING STONES
- 7. BRICK
- 8. TERRAZZO
- 9. POLISHED CONCRETE
- 10. STONE
- 11. WOOD DECK
- 12. WOOD PATIO
- 13. WOOD FENCE
- 14. METAL FENCE
- 15. IRON FENCE
- 16. ALUMINUM FENCE
- 17. VINYL FENCE
- 18. CHAIN LINK FENCE
- 19. BRICK FENCE
- 20. STONE FENCE
- 21. WOOD FENCE
- 22. METAL FENCE
- 23. IRON FENCE
- 24. ALUMINUM FENCE
- 25. VINYL FENCE
- 26. CHAIN LINK FENCE
- 27. BRICK FENCE
- 28. STONE FENCE
- 29. WOOD FENCE
- 30. METAL FENCE
- 31. IRON FENCE
- 32. ALUMINUM FENCE
- 33. VINYL FENCE
- 34. CHAIN LINK FENCE
- 35. BRICK FENCE
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- 41. VINYL FENCE
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- 43. BRICK FENCE
- 44. STONE FENCE
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- 48. ALUMINUM FENCE
- 49. VINYL FENCE
- 50. CHAIN LINK FENCE

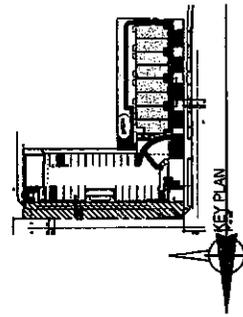
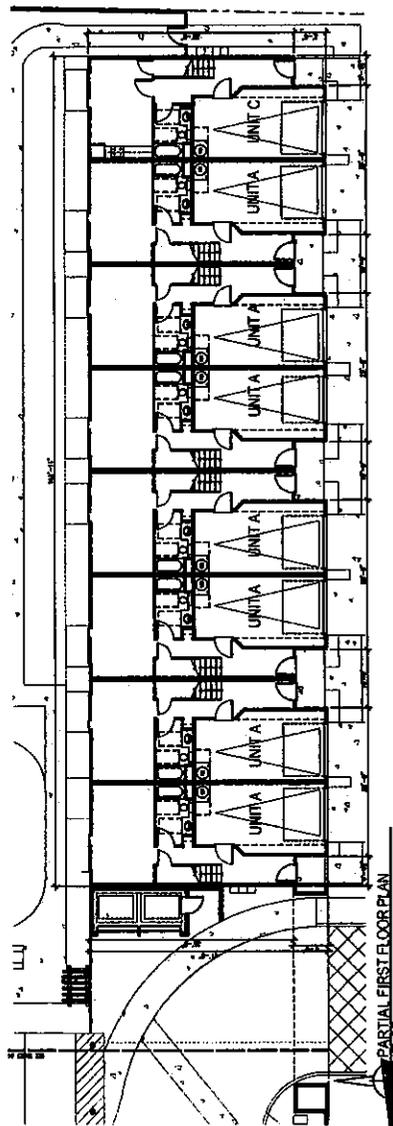
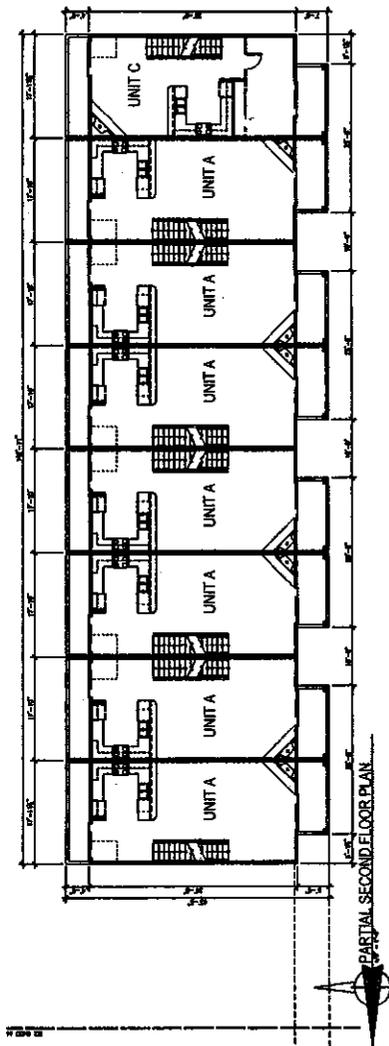
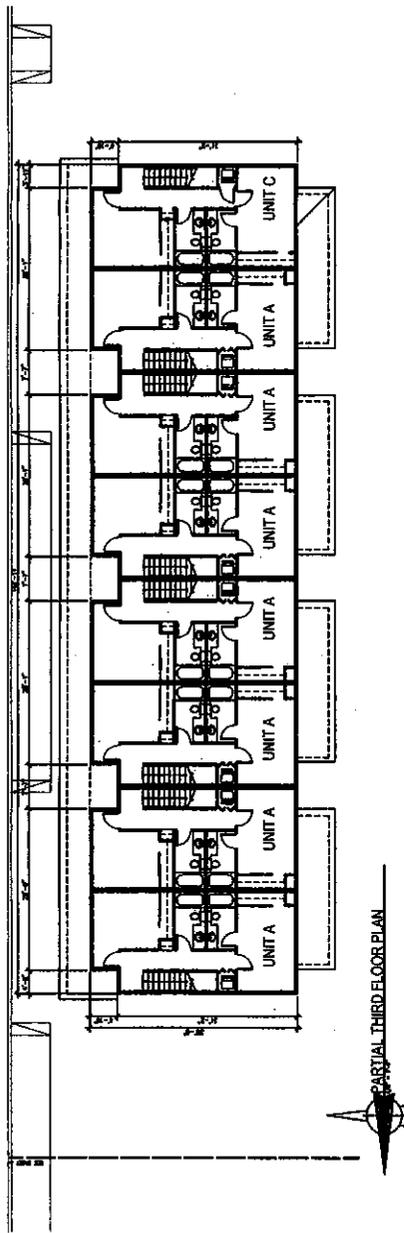
PRELIMINARY LANDSCAPE PLAN - L1



VILLA SAN LORENZO  
 MIXED - USE DEVELOPMENT  
 PLEASANT VALLEY & SA VIERS RD. OXNARD, CA.

DAL, LLC  
 395 SOUTH VENTURA RD. OXNARD, CA 93025

JULY 2005 20-040303

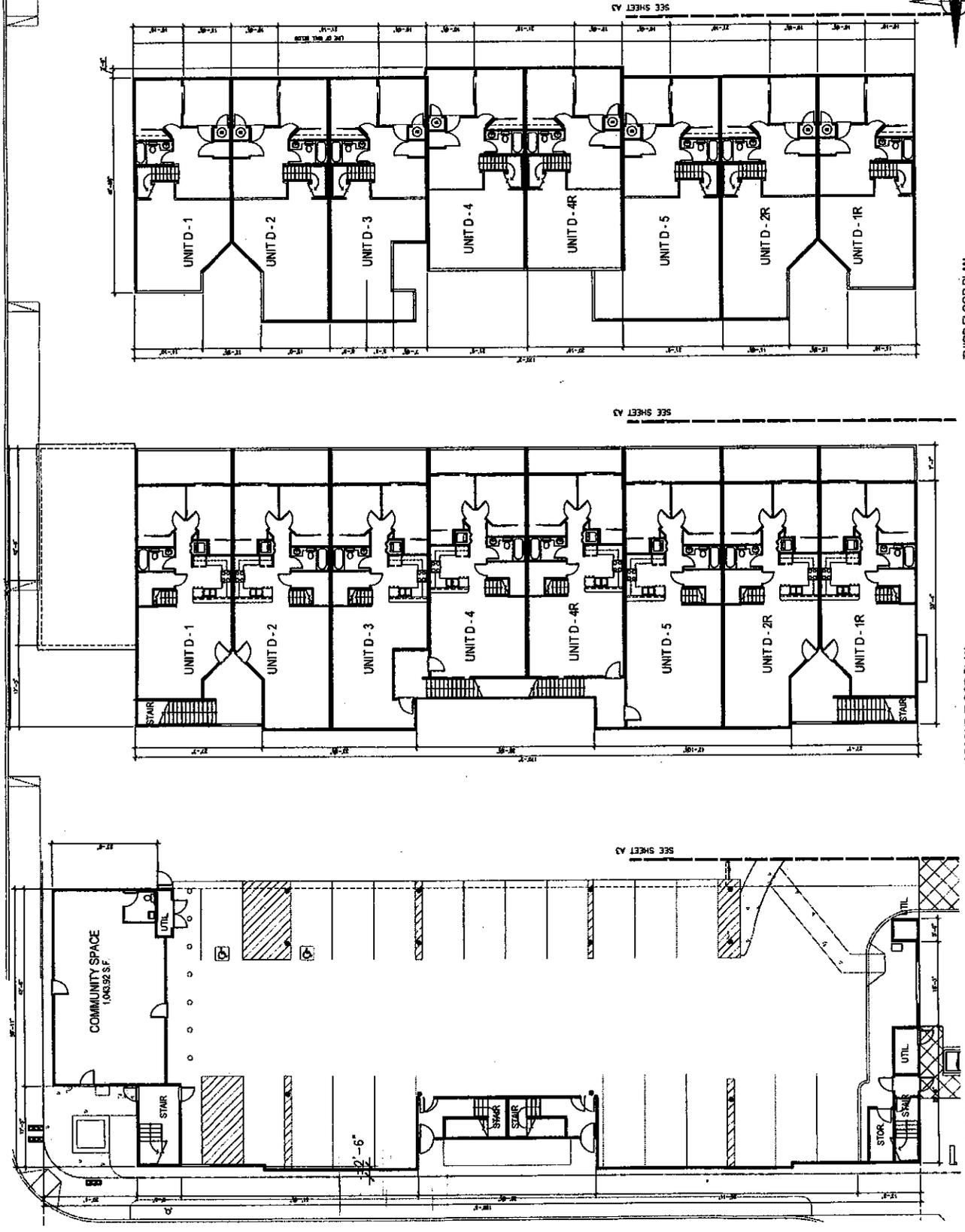


PARTIAL FLOOR PLANS - A3

**LAUTERBACH & ASSOCIATES**  
 ARCHITECTS INC.  
 JULY 2005 20-040003

VILLA SAN LORENZO  
 MIXED - USE DEVELOPMENT  
 PLEASANT VALLEY & SAVIERS RD., OXNARD, CA.

DAL, LLC  
 5050 WENTWORTH AVENUE, SUITE 100  
 OXNARD, CA 93030



FIRST FLOOR PLAN

SECOND FLOOR PLAN

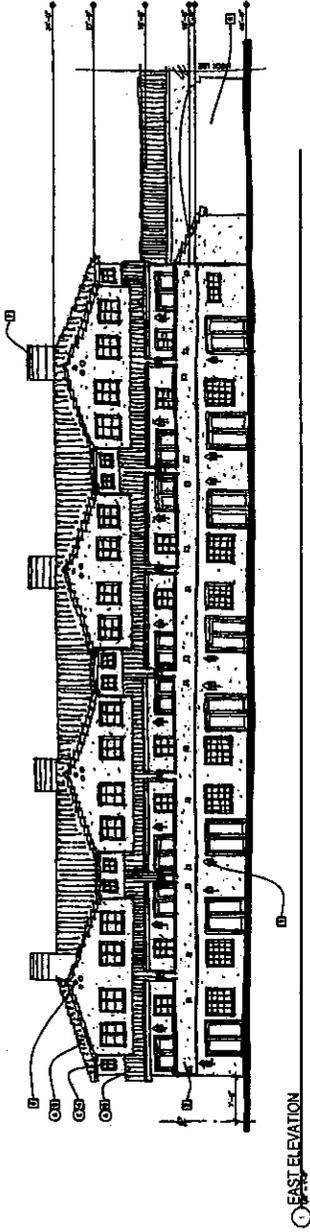
THIRD FLOOR PLAN

PARTIAL FLOOR PLANS - A4

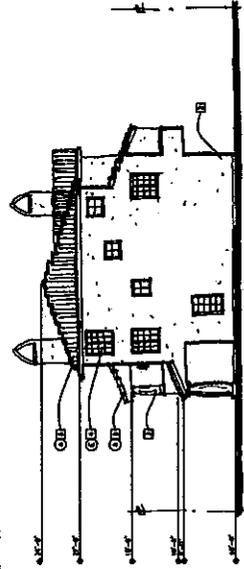
**DAL, LLC**  
 200 SOUTH VENTURA RD. OXNARD, CA 93020

**VILLA SAN LORENZO**  
 MIXED - USE DEVELOPMENT  
 PLEASANT VALLEY & SAVIERS RD. OXNARD, CA.

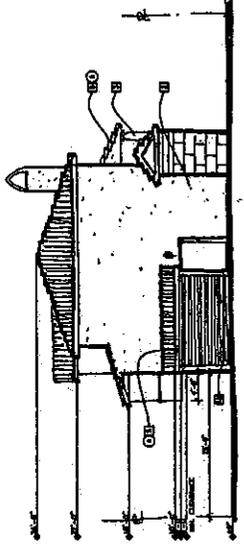
**LAUTERBACH & ASSOCIATES**  
 ARCHITECTS, INC.  
 200 WEST MAIN ST. OXNARD, CA 93020  
 JULY 2008 20-040203



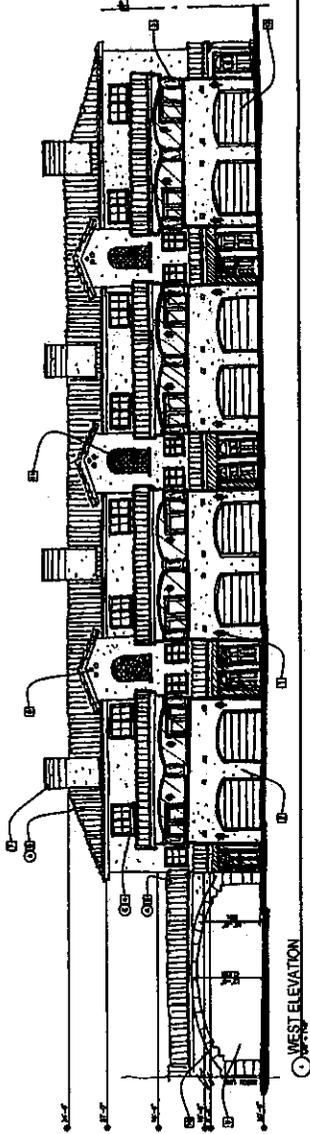
① EAST ELEVATION



① SOUTH ELEVATION



① NORTH ELEVATION



① WEST ELEVATION

- KEYNOTES:**
- ① EXTERIOR WALL FINISH - SEE PLAN
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  - ⑳ EXTERIOR WALL FINISH - SEE PLAN

- COLORS/MATERIAL:**
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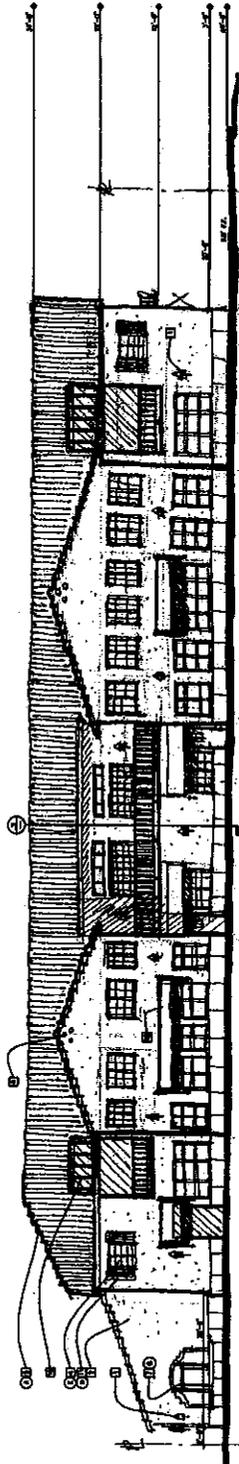
EXTERIOR ELEVATIONS - A5



JULY 2005 20-04-0200

VILLA SAN LORENZO  
MIXED - USE DEVELOPMENT  
PLEASANT VALLEY & SAVERS RD. OXNARD, CA.

DAL, LLC  
31 SOUTH FORTY-NINE AVENUE, OXNARD, CA 93025



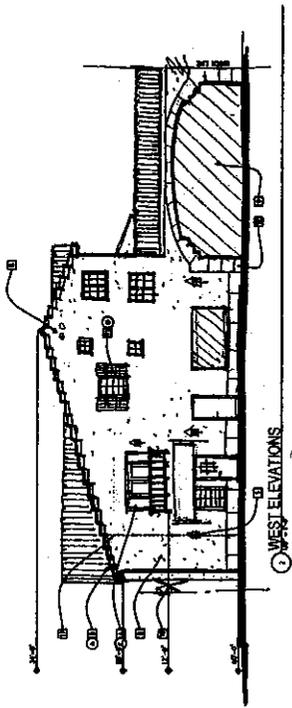
⊙ NORTH ELEVATION

KEYNOTES:

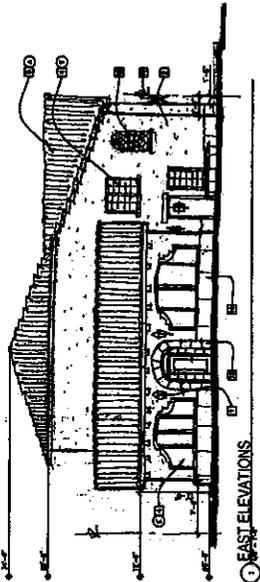
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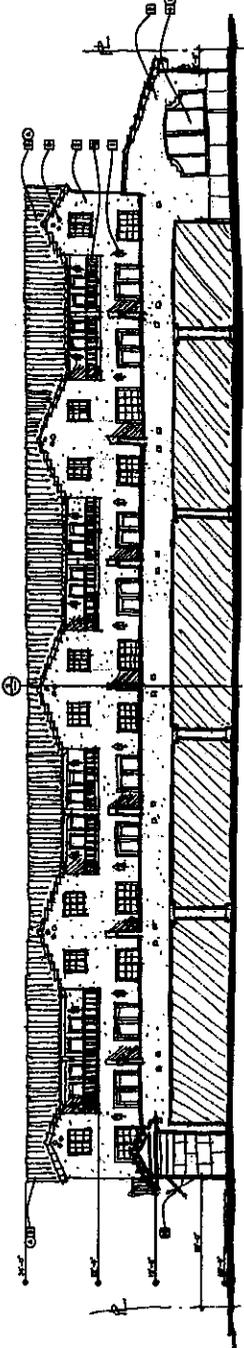
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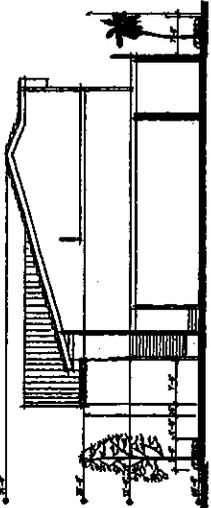
⊙ WEST ELEVATION



⊙ EAST ELEVATION



⊙ SOUTH ELEVATION



⊙ SECTION

EXTERIOR ELEVATIONS - A6

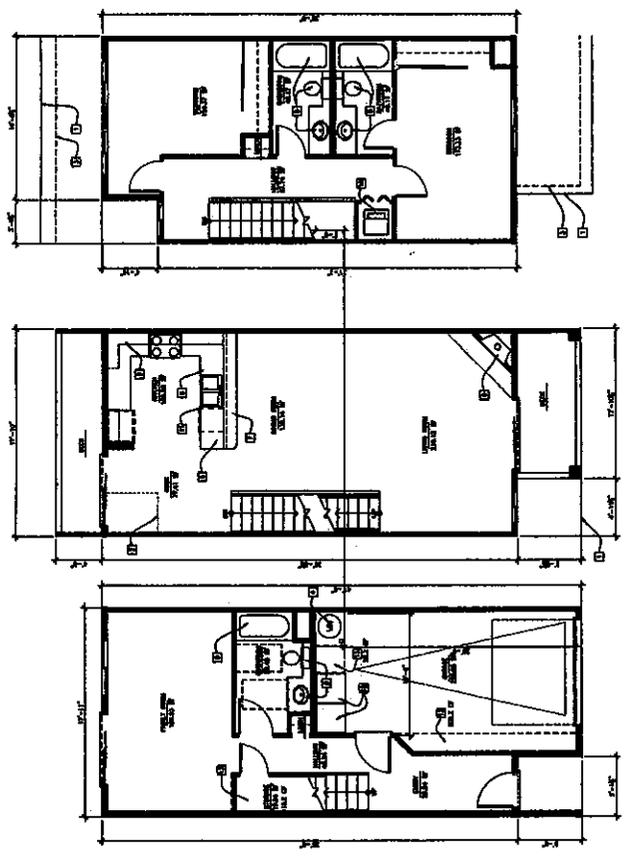
VILLA SAN LORENZO  
MIXED - USE DEVELOPMENT  
PLEASANT VALLEY & SAVIERS RD. OXNARD, CA.

**LAUTERBACH & ASSOCIATES**  
ARCHITECTS INC.

JULY 2005 20-0000

DAL, LLC  
2755 WILSON AVENUE, SUITE 200, OXNARD, CA 93030

- 1. FINISH
- 2. FLOOR FINISH
- 3. CEILING FINISH
- 4. WALL FINISH
- 5. EXTERIOR FINISH
- 6. ROOF FINISH
- 7. PAINT
- 8. STAIN
- 9. CARPET
- 10. TILE
- 11. GRANITE
- 12. MARBLE
- 13. CEMENT
- 14. CONCRETE
- 15. BRICK
- 16. BLOCK
- 17. INSULATION
- 18. GLASS
- 19. METAL
- 20. WOOD
- 21. PLASTER
- 22. GYPSUM
- 23. LUMBER
- 24. STEEL
- 25. COPPER
- 26. ALUMINUM
- 27. BRASS
- 28. STAINLESS STEEL
- 29. GLASS BLOCK
- 30. TRANSPARENT GLASS
- 31. OPAQUE GLASS
- 32. TINTED GLASS
- 33. LOW EMISSIVITY GLASS
- 34. DOUBLE GLAZING
- 35. THERMALLY BROKEN GLAZING
- 36. MONO GLAZING
- 37. POLYMER GLAZING
- 38. VINYL GLAZING
- 39. RUBBER GLAZING
- 40. GLASS PAINT
- 41. GLASS COATING
- 42. GLASS TREATMENT
- 43. GLASS CLEANING
- 44. GLASS REPAIR
- 45. GLASS REPLACEMENT
- 46. GLASS INSTALLATION
- 47. GLASS REMOVAL
- 48. GLASS DEMOLITION
- 49. GLASS DISPOSAL
- 50. GLASS RECYCLING



① FIRST FLOOR PLAN - 777 SF  
 ② SECOND FLOOR PLAN - 639 SF  
 ③ THIRD FLOOR PLAN - 585 SF  
 UNIT PLANS - UNIT A

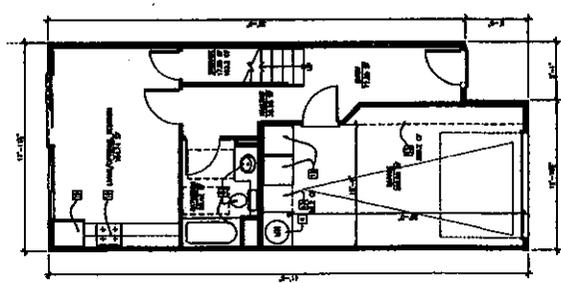
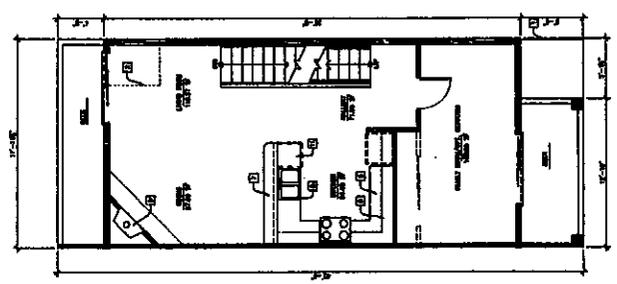
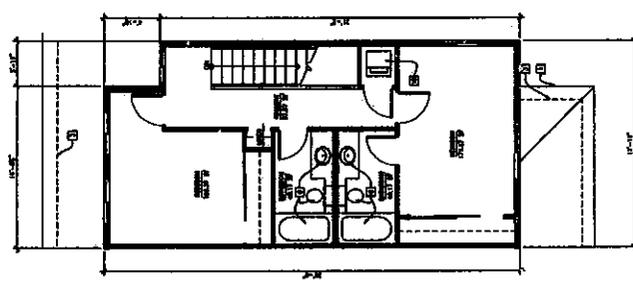
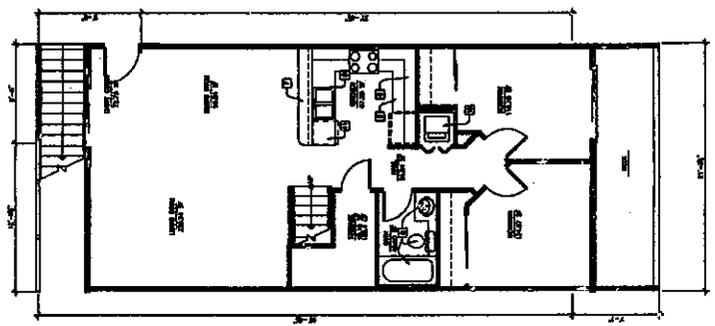
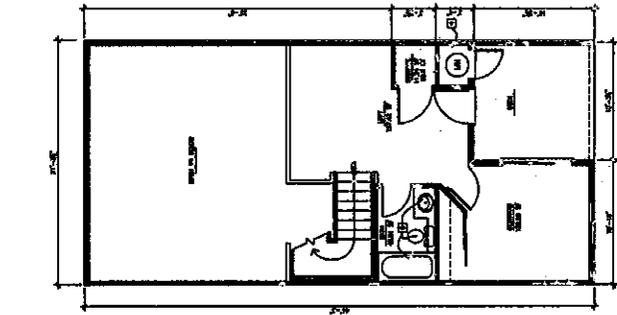
UNIT PLANS - UNIT A - A7



VILLA SAN LORENZO  
 MIXED - USE DEVELOPMENT  
 PLEASANT VALLEY & SAVIERS RD. OXNARD, CA.

DAL, LLC  
 200 SOUTH AVENUE, SUITE 200, OXNARD, CA 93030

- 1. FLOOR FINISH
- 2. CEILING FINISH
- 3. WALL FINISH
- 4. DOOR FINISH
- 5. WINDOW FINISH
- 6. STAIR FINISH
- 7. BATH FINISH
- 8. KITCHEN FINISH
- 9. CLOSET FINISH
- 10. HALL FINISH
- 11. PORCH FINISH
- 12. DRIVEWAY FINISH
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① THIRD FLOOR PLAN - SE. VARIES  
UNIT PLANS - UNIT D-4 (OTHER D. UNITS SIMILAR)

② SECOND FLOOR PLAN - SE. VARIES

③ THIRD FLOOR PLAN - 565 SF  
UNIT PLANS - UNIT C

④ SECOND FLOOR PLAN - 645 SF

⑤ FIRST FLOOR PLAN - 717 SF

UNIT PLANS - UNITS C & D - A8



VILLA SAN LORENZO  
MIXED - USE DEVELOPMENT  
PLEASANT VALLEY & SAVERS RD. OXNARD, CA.

DAL, LLC  
21 SOUTH HIGHLAND AVENUE, OXNARD, CA 93030

*The following comments from the DAC are intended to assist applicants on ways to improve the development of projects.*

## **DEVELOPMENT ADVISORY COMMITTEE (DAC) MINUTES OCTOBER 7, 2009**

Members in attendance: Ashley Golden, Planning Division (805-385-7882); David Gorcey, Landscape Architect, (805-385-7412); Earnel Bihis, Traffic Engineering Division (805-385-7812); Paul Wendt, Development Services (805-385-7894); Sal Velasquez, Fire Department (805-385-7720); John F. Worthy, AIA, Architectural Representative (805) 983-7411; and Richard Bryan, Community Development (805-385-7851); Absent:: Cliff Waer, Police Department (805-385-7490); Steve Soliz, Environmental Resources (805-385-8069); Sarah Isordia, US Postal Service (805-278-7618); Chuck McQuary, Gold Coast Transit (805) 483-3959 x 137; and James Moranville, Oxnard School District (805-487-3918).

**PZ PZ 09-500-02 (SUP), 09-300-04 (TTM),  
09-535-01 (Density Bonus)**

*Planner: Brian Foote*

**Request:** A request for approval of a SUP & TM to construct 16 residential condominiums in two buildings on a 34,636-SF property, and a Density Bonus for 4 additional dwelling units (33% bonus) and 2 concessions from development standards.

**Location:** Southwest Corner of Pleasant Valley Road and Saviers Road

**Applicant:** Mark Pettit, Lauterbach & Associates Architects

**Discussion with applicant:** 10:00

### Planning Division

- 1) Prior to resubmittal the following meetings need to occur:
  - a) Planning, Building & Safety, and Applicant
    - The proposed design appears not to meet minimum building code requirements or there may be additional requirements for several items, including but not limited to: parking area ventilation, disabled access to northerly units, building separations, noise ratings, and setback from the parking area to the south property line.
  - b) Refuse, Development Services, Planning, & Fire, Applicant (Refuse Enclosure location)
  - c) Planning, Community Development, Housing (affordability requirements, no. of units, level of affordability, bedroom sizes). Planner to relay to Applicant the needs for the Density Bonus Application and how they related to the "options" proposed by the applicant.
  - d) Traffic & Applicant
- 2) Table on page A1 mislabels the 2<sup>nd</sup> and 3<sup>rd</sup> floor square-footages for units D-1 through D-5.
- 3) Table on page A1: identify garage and balcony/deck areas as separate square footage entries
- 4) Table on page A1: include total square footage of both buildings, as well as each unit type.
- 5) Engineering Site Plan #7 should state proposed use as "Residential condominiums".
- 6) Engineering Site Plan #8 should state proposed zoning as "C2-PD (existing)".
- 7) 4 or 6 total affordable units required for the Affordability (Redevelopment Project Area) and Density Bonus/Concessions requirements:
  - a) Two (2) units are required for Redevelopment Area (15% of the units)
    - 1 Very Low income level; and,
    - 1 Low or Moderate income level (CDC Resolutions #85 and #111).

*The following comments from the DAC are intended to assist applicants on ways to improve the development of projects.*

- b) Two (2) or four (4) Units for the Density Bonus request and number of Concessions requested.
  - 2 Very Low income level; or,
  - 4 Low or Moderate income level;
  - Units provided for Density Bonus and concessions are in addition to the units required for the Redevelopment Area Affordability Requirements.
- 8) A maximum of 3 concessions may be requested, *if* providing at least 30% of units for Low income, or at least 15% for Very Low income households.
  - a) Concession #1: front setbacks (Saviers Rd & Pleasant Valley).
  - b) Concession #2: Interior Yard Space.
  - c) Concession #3: Open Area.
- 9) Building height must be measured from the top of the average curb elevation of the adjacent principal public street (i.e. do not measure height from the graded pad adjacent to building). Height measurement, if more than 34 ft., will also affect the building separation requirement.
- 10) Unit C floor plan is indicating optional bedrooms on 1<sup>st</sup> floor and 2<sup>nd</sup> floor, which would total 4 bedrooms in Unit C. Parking requirement for 4 bedroom units is 2.5 spaces according to Government Code §65915(p)(1); fractional numbers must be rounded up to the next whole number according to Government Code §65915(p)(2), and cannot be provided with on-street spaces. Eliminate the optional bedroom or change the Unit C to another Unit A to comply with parking requirements.
- 11) Parking space design requirements for one-space garages: 10.5' wide & 20' long measured from the interior of the structure. Any obstructions within 1'0" of walls must be 0'6" or less in height. CC&R's must require that required garage spaces be used for parking only, not as storage space.
- 12) Revise plan to lower 6 ft wall height to 18 inches from Saviers Rd property line to the access gate (approx. 30 lineal feet).
- 13) Decks on west side of South Bldg are scaled at 5 ft. wide (not 7.5 ft. as labeled).
- 14) All 2<sup>nd</sup> story dwelling units must have at least one patio *or* balcony having minimum dimensions of 10' x 10' (may be reduced to 7.5' with approved 25% reduction according to the Planned Development section).
  - a) Balconies can encroach into the required rear yard setback 4.
    - 1. Applicant can request 25% reduction to required setbacks/increased projections; however, in this case the balcony will encroach into the required Interior Yard Space/Open Area and further reduce those areas under the concession.
- 15) Revise landscape plan to show concrete driveway aprons 20 ft. wide to match driveway width (slopes of aprons cannot have groundcover or other landscaping – must be concrete to match).
- 16) Label "Porte Cochere" to "Entry Arch". This feature does not meet definition or requirements in §16-321 as a Porte Cochere, and should be re-named accordingly
- 17) Transformer, trash enclosures, transformers, hardware, etc. must be completely screened with shrubs and/or vines, walls not over 18 inches high, or similar to achieve complete screening. Review the City's "Landscape Standards" and verify that the Site Plan can accommodate the required sizes of trees, shrubs, groundcover, any low walls, etc.
- 18) Recommend expanding the trellis to cover the picnic table area.
- 19) Provide copy of draft CC&R's when available.
- 20) Applicant to comply with City's requirements for Onsite Posting. Contact Project Planner for additional information.
- 21) After completion of DAC review, Applicant should coordinate with Planner to schedule and provide public notice for a Community Meeting.

*The following comments from the DAC are intended to assist applicants on ways to improve the development of projects.*

### Development Services

- 22) Refuse enclosure must be located in an accessible location that does not require truck to back up or to enter through archway. 12'0" clearance will not be adequate to allow truck access.
- 23) Engineering site plan (not architectural site plan) must include the following items; 1) Location (dimension from either centerline or curb line), size and material of sewer, water and storm drain utilities (existing and proposed) in adjacent streets; 2) depict both curbs (and median improvements) for adjacent streets with dimensions for existing and proposed improvements ; 3) full details (all four legs) of existing Saviers/Pleasant Valley intersection with dimensions for proposed and existing (including lane dimensions (proposed and existing) and usage (through, left, right)); 4) Right-of-way lines for adjacent streets (both sides of street). These details are needed to properly layout proposed improvements. Current information shown on architectural site plan for intersection is not accurate.
- 24) Engineering site plan and architectural plan are inconsistent in proposed layout of sidewalk and parkway along Pleasant Valley Road.
- 25) Water meters shall be provided with individual service connections (no manifold systems) and shall be placed in groups of two along the Charles Street frontage.
- 26) Provide more details of proposed sewer connection. Each unit to have its own lateral connecting to a new main in Charles Street. Provide preliminary calculations for elevations of sewer main flow line to determine ability to serve lots in accordance with City standards and plumbing code. Main to be 8 inch in diameter.
- 27) Provide a plan titled "tentative map" for proposed subdivision. This plan must include the required items from the planning handout for tentative maps. It may include additional items but not less. The plan needs to show existing and proposed lot lines, easements, etc. along with a note stating that the map is "for condominium purposes." Many of these items are currently included on the plan titled "engineering site plan."
- 28) Elevations of swales, direction of swale flow, pipe locations, finish floor elevations and other information is inconsistent between provided drainage study and engineering site plan. All provided calculations and plans must be consistent.
- 29) Provide a "to scale" cross-section of proposed swales at the most their most critical point. This would typically be at the point where the swale is the deepest compared to the top of slope. It is critical that the swale "fit" in the area provided while meeting the 4:1 slope requirements. This is most important for the swale serving drainage area 1.
- 30) Drainage report comments; 1) Per preceding comment, there is inconsistency between report and engineering site plan by BP Engineers; 2) Runoff potential for drainage area 1 is more consistent with commercial use than residential; 3) The roughness coefficient is used in the GSF calculation should be  $n=0.20$  per the technical manual, instead of  $n=0.03$  used in report (this affects the depth of flow and velocity) ; 4) Drainage report must include use of the T-2 Form from the technical manual which calculates the treatment swale length requirement; 5) Project must provide treatment for driveway areas (these are probably the most polluted portion of this project).

### Landscape Design

- 31) There will be a condition that Quimby Fees apply to this project and will be calculated by the Case Planner.
- 32) There will be a condition for the use of root barrier sheeting for the street trees planted in parkways.

*The following comments from the DAC are intended to assist applicants on ways to improve the development of projects.*

- 33) There will be a condition required to coordinate the water meters/ lateral line locations; and utility boxes and mail box location so as to not be in conflict with the street tree in the parkway.
- 34) There will be a condition requiring that there are no conflicts between any bio-swale locations and required landscaping for the project. Provide a section on the landscape plans that illustrates that there is no conflict with any bio-swale and required landscaping for the project.
- 35) Provide shading for the picnic table (a structure or suitably large tree at a minimum of size of 36" box).
- 36) Engineering Site Plan sidewalk/parkway layout for Pleasant Valley does not match Pleasant Valley sidewalk/parkway layout on the Preliminary landscape Plan. The Preliminary Landscape Plan layout is correct.

#### Community Development

- 37) The developer must provide one (1) unit affordable to a very low-income household, and one (1) unit affordable to either a moderate- or low-income household. The developer must decide to propose the unit for a moderate- or low-income household.
- 38) Community Development staff needs to know the bedroom count in order to determine the number of required bedrooms in the affordable units.

#### Police Department

- 39) Police recommends graffiti/etching-resistant film application on accessible window panes in public areas including reflective surfaces in public restrooms.
- 40) All exterior lighting fixtures in common areas shall be independent from the resident's control and shall be on during all hours of darkness.
- 41) Can this site be gated? Securing the site with an electric gate on the west side is preferable and will significantly increase security and minimize problems often associated with carport parking. If a gate is installed click to enter and a separate pedestrian man gate will be required.
- 42) Provide cut sheets for all exterior lighting.
- 43) Pedestrian security measures are necessary in areas of limited natural surveillance such as exterior stairwells and hidden corners. The installation of beveled mirrors on the landings where the stairs change directions is one such measure.
- 44) Address numbers shall not be affixed to individual unit doors; rather placed adjacent to or above doorways so unit numbers can be discerned when doors are propped open.
- 45) Developer will enroll project in and comply with the Oxnard Police Department "Crime Free Multi-Housing Program," as applicable to this housing development. For enrollment information, contact the Crime Prevention Officer at (805) 385-8349.
- 46) Post all vehicle entrances in compliance with California Vehicle Code §22658(a)(1). Persons in lawful possession of the property may then cause the removal of a vehicle parked on the property to the nearest public garage if parked without the owner's permission.
- 47) Developer shall submit and the Police Chief or designee shall approve a security and lighting plan prior to the issuance of a building permit. The lighting plan shall include a photometric study that integrates the site's approved landscaping plan (if any). The integrated photometric/landscaping plan will indicate the specific location and canopy size of fully mature trees thereby highlighting potential landscape/lighting conflicts in the future.
- 48) Video surveillance systems shall comply with "Oxnard Police Department Proposed Standards, Guidelines & Recommendations Closed-Circuit Television Surveillance Systems," available online at <http://www.oxnardpd.org/documents/opdcctv.pdf>.

*The following comments from the DAC are intended to assist applicants on ways to improve the development of projects.*

- 49) Electronic security systems must comply with Oxnard City Ordinance No. 2601 (available online at <http://oxnardpd.org/documents/alarm-ordinance-2002.pdf>) and must be properly permitted by the City of Oxnard (available online at <http://oxnardpd.org/documents/alarm-permit.pdf>).
- 50) Metal halide lamps or those that provide quality color rendition are required.
- 51) Project to comply with outdoor lighting code & guidelines.

#### Fire Department

- 52) Contact Fire Department to discuss location of new fire hydrants and fire department connections.
- 53) 7'6" landscape access area South of North building cannot have trees or other vegetation except for low groundcover. Fire Department needs this space to deploy ground ladders to effect rescues from unit balcony areas. Parked cars also cannot intrude into this 7'6" area.
- 54) North building will have an NFPA 13 Fire sprinkler system. South building will have at minimum a NFPA 13R Fire sprinkler system.
- 55) Fire sprinklers will include coverage at the trash enclosure.

#### Traffic Engineering Division

- 56) Per City Standard, minimum radii at intersections shall be 35' for Secondary Arterial intersecting with Secondary Arterial. Design and construct curb return at the southwest corner of the intersection with 35' radius.
- 57) Due to existing queuing issue at eastbound Pleasant Valley, a second left-turn lane is needed. Also, based on the 2030 General Plan, the intersection of Saviers Road with Pleasant Valley Road requires dual-left turn lanes on all approaches. It is also classified as a secondary arterial, thus shall have a bike lane, two-traveled lanes in each direction and a median. Design and construct the eastbound Pleasant Valley Rd per the requirement of the General Plan. A concept plan will show how the lane configuration at eastbound Pleasant Valley could meet this requirement.
- 58) In order to meet the above requirements, Pleasant Valley Road shall be widened by 5' in addition to the shown road widening (total curb to curb width of 80').
- 59) The proposed bulb-out at the corner of Charles St. and Pleasant Valley Road is not required. Design and construct the curb return without the bulb-out. Transition for the eastbound right-turn pocket shall be addressed by striping (Lane Drop Marking Detail 37C).
- 60) Modify traffic signal to accommodate the proposed improvements.
- 61) Show the correct road alignment of Pleasant Valley Rd. in the Overall and Engineering Site Plan.
- 62) Driveway curb cuts were modified to be as wide as the driveways (i.e. approx. 20'8") in compliance with Conditions #63 and #64 of PC Resolution No. 2006-18. The remaining 15'0" between driveways shall be painted red striping along the east side Charles St.
- 63) Meet with Traffic Division to discuss the interim design for Pleasant Valley Road.

#### Post Office

- 64) Contact Martha Zubiate for mailbox locations and types, 805-278-7615.
- 65) Specify location of cluster mailboxes. Include a parking space or loading zone for mail vehicle.

#### Architectural Comments

- 66) Exterior Doors material and color not specified. Provide specification.

*The following comments from the DAC are intended to assist applicants on ways to improve the development of projects.*

- 67) Cantilevered stucco covered balcony at East Elevation (Units A&C) is long, monolithic and visually "heavy". Suggest providing first floor wing walls between units to "support" balcony above and provide outdoor privacy at stoops. (Sheet A-5).
- 68) Second floor and Third floor portion of wall at north elevation on Sheet A-5 is blank. Some type of architectural detailing (possibly windows) is recommended for this area, but there are potential problems with fire rating, building separation, trash enclosure location, privacy, etc.
- 69) The partial West elevation on Charles St., at the 3 story units 'A' & 'C', does not have the base detail as the rest of the west elevation and north (Pleasant Valley) elevation. Suggest wainscot detail at garages to keep a consistent appearance. (Sheet A-5)
- 70) Fabric Awnings shown at North and West elevations color are not specified. Colored elevations show two different colors. Suggest one color for consistency. Provide specification.
- 71) The partial west elevation at corner of Pleasant Valley and Charles St. (unit D) contains a 3 story flat wall next to garage opening. Recommend articulation, such as stepping second/third floor wall in or out to create another wall plane or awning over first floor garage opening. (Sheet A-6).
- 72) Clarify on the Pleasant Valley north elevation if the "windows" on the first floor parking level are open or have glass in the openings.
- 73) On the floor plans the 3<sup>rd</sup> floor balconies appear to have solid walls, yet railings are shown on the elevations. Please clarify that balconies on south face of North Bldg (page A4) will have railings and not be enclosed (shows wrought iron railings per #16 on page A6).

General Comments

- 74) Project is not ready for conditions. Submit a written response to each DAC comment, and 10 sets of revised plans. Include a reduced set (8 ½ X 11) of the revised plans.

  
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Ashley Golden, DAC Chair

RESOLUTION NO. 2010 –

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD DENYING PLANNING & ZONING PERMIT NO. 09-500-02 (SPECIAL USE PERMIT), PROPOSING TO CONSTRUCT TWO MULTI-FAMILY THREE-STORY STRUCTURES TOTALING 31,346 SQUARE-FEET AND 16 ATTACHED CONDOMINIUM DWELLING UNITS ON A VACANT 34,636 SQUARE-FOOT PROPERTY, LOCATED AT THE SOUTHWEST CORNER OF SAVIERS ROAD & PLEASANT VALLEY ROAD (APN'S: 222-0-102-010, -240, -260). FILED BY LAUTERBACH & ASSOCIATES ARCHITECTS, 300 MONTGOMERY AVENUE, OXNARD, CA 93036.

WHEREAS, the Planning Commission of the City of Oxnard has considered an application for Planning and Zoning Permit No. 09-500-02 (Special Use Permit), filed by Lauterbach & Associates Architects Inc., in accordance with Section 16-530 through 16-553 of the Oxnard City Code; 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, after due study, deliberation and public hearing, that the following circumstances exist:

1. The granting of this permit would be inconsistent with the General Plan and other adopted standards of the City in that the proposal does not comply with the requirements for minimum street dedication, street width and improvements.
2. The granting of this use permit would, under the circumstances of this particular case, adversely affect or be materially detrimental to adjacent uses, buildings or structures, to the health or safety of persons residing in or working in the neighborhood, or to the general welfare, in that the proposal does not comply with minimum standards for setbacks, street dedication, street width, emergency access, and California Fire Code §504.1.
3. The site for the proposed use is inadequate in size and shape to accommodate the setbacks, parking, landscaping, and other City standards in that the proposal does not comply with the requirements for street dedication, setbacks, interior yard space and open area, and off-street parking.
4. The site for the proposed use will not be served by streets and highways adequate in width and structure to carry the kind and quantity of traffic such use will generate in that the proposal does not comply with minimum requirements for street dedication, street width, and public improvements (e.g. City Code §15-147 requires road width of 80 feet, and the Circulation Element and Figure VI-1 of the 2020 General Plan

require total right-of-way of 96 feet, which necessitates project modifications to dedicate and improve portions of the project site as public right-of-way).

5. The site for the proposed use will be provided with adequate sewerage, water, fire protection and storm drainage facilities.

WHEREAS, the Planning Commission finds that the project as proposed would have a specific, adverse impact upon the public health or safety, and there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to low- and moderate-income households. The denial of the project is required in order to comply with specific state or federal law, and there is no feasible method to comply without rendering the development unaffordable to low- and moderate-income households.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Oxnard hereby denies this permit. The decision of the Planning Commission is final unless appealed in accordance with the provisions of Section 16-545 of the Oxnard City Code.

PASSED AND ADOPTED by the Planning Commission of the City of Oxnard on this 21<sup>st</sup> day of October, 2010, by the following vote:

AYES: Commissioners

NOES: Commissioners

ABSENT: Commissioners

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Randall Elliott, Chair

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

RESOLUTION NO. 2010 –

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD RECOMMENDING CITY COUNCIL DENIAL OF PLANNING & ZONING PERMIT NO. 09-300-04 (TENTATIVE SUBDIVISION MAP) REQUESTING SUBDIVISION OF A VACANT 34,636 SQUARE-FOOT PROPERTY INTO 16 RESIDENTIAL CONDOMINIUM DWELLING UNITS, LOCATED AT THE SOUTHWEST CORNER OF SAVIERS ROAD & PLEASANT VALLEY ROAD (APN'S: 222-0-102-010, -240, -260). FILED BY LAUTERBACH & ASSOCIATES ARCHITECTS, 300 MONTGOMERY AVENUE, OXNARD, CA 93036.

WHEREAS, the Planning Commission of the City of Oxnard has considered an application for Planning and Zoning Permit No. 09-300-04, filed by Lauterbach & Associates Architects Inc., in accordance with Chapter 15 of the Oxnard City Code; 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 Tentative Map, the proposed site, and the design and improvement of the development requested are inconsistent with the General Plan in that the proposal does not comply with the requirements for maximum density, minimum street dedication, minimum street width, and street improvements; and

WHEREAS, the Planning Commission finds that the proposed site is not suitable for the type and density of development requested and is likely to cause serious public health problems or conflict with publicly acquired easements or access, in that the proposal does not comply with minimum standards for street dedication, street width, setbacks, emergency access, and California Fire Code §504.1; and

WHEREAS, the Planning Commission finds that the proposed division of land does not comply with the requirements established by the Subdivision Map Act and Chapter 15 of the Oxnard City Code, including but not limited to requirements as to improvement and design, and appropriate improved public roads (e.g. City Code §15-147 requires road width of 80 feet, and the Circulation Element and Figure VI-1 of the 2020 General Plan require total right-of-way of 96 feet, which necessitates project modifications to dedicate and improve portions of the project site as public right-of-way); and

WHEREAS, the Planning Commission finds that the project as proposed would have a specific, adverse impact upon the public health or safety, and there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to low- and moderate-income households. The denial of the project is required in order to comply with specific state or federal law, and there is no feasible method to comply without rendering the development unaffordable to low- and moderate-income households.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Oxnard hereby recommends to the City Council the denial of the tentative subdivision map.

PASSED AND ADOPTED by the Planning Commission of the City of Oxnard on this 21<sup>st</sup> day of October, 2010, by the following vote:

AYES: Commissioners

NOES: Commissioners

ABSENT: Commissioners

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Randall Elliott, Chair

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

RESOLUTION NO. 2010 –

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD RECOMMENDING DENIAL OF PLANNING & ZONING PERMIT NO. 09-535-01 (DENSITY BONUS) FOR A 35% DENSITY BONUS TOTALING 16 ATTACHED CONDOMINIUM DWELLING UNITS ON A VACANT 34,636 SQUARE-FOOT PROPERTY, LOCATED AT THE SOUTHWEST CORNER OF SAVIERS ROAD & PLEASANT VALLEY ROAD (APN'S: 222-0-102-010, -240, -260). FILED BY LAUTERBACH & ASSOCIATES ARCHITECTS, 300 MONTGOMERY AVENUE, OXNARD, CA 93036.

WHEREAS, the Planning Commission of the City of Oxnard has considered an application for PZ No. 09-535-01 for the proposed development with four affordable units and a 35% density bonus, including concessions from certain development standards in accordance with State affordable housing law, filed by Lauterbach & Associates Architects Inc., in accordance with Sections 16-410 through 16-422 of the Oxnard City Code; 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, after due study, deliberation and public hearing, that the following circumstances exist:

1. That the proposed use would be inconsistent with the General Plan and other adopted policies of the City of Oxnard, and the density bonus application as proposed would adversely affect or be materially detrimental to adjacent uses, buildings or structures, to the health or safety of persons residing in or working in the neighborhood, or to the general welfare in that the proposal does not comply with all applicable provisions of the Oxnard City Code and California Fire Code Section 504.1.
2. That the project meets the criteria set out in Government Code section 65915(b) as it provides three very low income and one low income units.
3. The applicant has not provided a satisfactory method to guarantee that the rental prices will be established as stated in the application.
4. The applicant has not agreed to execute the agreement referred to in Section 16-421 of the City Code.
5. The four affordable units have a proportionate number of bedrooms as other units in the development and do not differ in appearance, size and amenities from other units of the same size in the project.

WHEREAS, the Planning Commission recommends that the City Council deny the requested density bonus incentives or concessions for the proposed development, in accordance with Section 16-419(C) of the City Code:

1. Not allow the minimum front yard setback (20 feet) to be reduced to 15 inches on the northerly side fronting on Pleasant Valley Road, and 2 feet on the easterly side fronting on Saviers Road.
2. Not allow the minimum side yard setback (7.5 feet for 2½ stories) to be reduced to 5 feet to the structure exterior wall on the southerly side.
3. Not allow the interior yard space (30% of lot area, in this case 9,028 square-feet) to be reduced to approximately 20% or 4,250 square-feet.
4. Not allow the open area (minimum 2,500 square-feet and not less than 35'x35' dimensions) to be reduced to 170'x25'.

WHEREAS, the Planning Commission finds that the project as proposed would have a specific, adverse impact upon the public health or safety, and there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to low- and moderate-income households. The denial of the project is required in order to comply with specific state or federal law, and there is no feasible method to comply without rendering the development unaffordable to low- and moderate-income households.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Oxnard hereby recommends that the City Council deny a density bonus permit for the affordable housing development for a 35% density increase to allow four additional units on the site, including the incentives or concessions listed above.

PASSED AND ADOPTED by the Planning Commission of the City of Oxnard on this 21<sup>st</sup> day of October, 2010, by the following vote:

AYES: Commissioners

NOES: Commissioners

ABSENT: Commissioners

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Randall Elliott, Chair

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