

RESOLUTION NO. 5304

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD GRANTING PLANNED DEVELOPMENT PERMIT NO. 311, APPLIED FOR BY BENSTOCK, INC., TO PERMIT THE CONSTRUCTION OF A 60 UNIT APARTMENT COMPLEX TO BE CONSTRUCTED WITHIN THREE BUILDINGS WITH 24 ONE-BEDROOM UNITS AND 36 STUDIO UNITS IN A R-3-PD (GARDEN APARTMENT PLANNED DEVELOPMENT) ZONE ON PARCEL "A" OF PARCEL MAP 74-28 LOCATED ON THE EAST SIDE OF SAVIERS ROAD NORTH OF THE EASTERLY EXTENSION OF CLARA STREET, SUBJECT TO CERTAIN CONDITIONS.

WHEREAS, the Planning Commission of the City of Oxnard has considered an application for a Planned Development Permit filed by Benstock, Inc., in accordance with Sections 34-146 through 34-157.1 of the Oxnard City Code; and

WHEREAS, the Planning Director has determined that the project covered by this application will produce no substantial impact on the environment, and a declaration to this effect has been duly executed and posted in accordance with the guidelines established by the City Council; and

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

1. That the proposed use is in conformance with the General Plan and other adopted standards of the City of Oxnard.
2. That the proposed use will not adversely affect or be materially detrimental to the adjacent uses, buildings or structures or to the public health, safety or general welfare.
3. That the site for the proposed use is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other items as required.
4. That the site for the proposed use will be served by streets and highways adequate in width and structure to carry the kind and quantity of traffic such use will generate.
5. That the site for the proposed use will be provided with adequate sewage, water, fire protection and storm drainage facilities.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Oxnard hereby grants said Planned Development Permit subject to the following conditions. The decision of the Planning Commission is final unless appealed in accordance with the provisions of Section 34-155 of the Oxnard City Code.

1. The planned development permit is granted for the land as described in the application and shall not be transferable.
2. The planned development permit shall become null and void within eighteen months from the date of its issuance, unless the proposed development or use has been substantially developed or diligently pursued.
3. The planned development permit shall be granted subject to the approval of a tentative parcel map and final parcel map and the completion of all the improvements required on the final parcel map.
4. The location of buildings and structures shall conform substantially to the plot plan submitted labeled Exhibit "A", except as amended at the time of approval.
5. The elevations of all buildings shall be substantially in conformance with the elevation plan submitted as part of Exhibit "A", except as amended at the time of approval. The developer shall submit revised elevation plans reflecting roof overhang on the front elevation prior to issuance of a building permit.
6. The final design of buildings and masonry walls, including materials and colors, is subject to approval of the Planning Director.
7. Any minor changes may be approved by the Planning Director but any substantial revision will require the filing of an amended planned development permit for consideration by the Planning Commission.
8. Trash pickup areas shall be screened with a solid masonry enclosure and located as per approval of the Public Works Director.
9. Underground utilities shall be required and installation shall conform to existing City policy.
10. A landscaping plan shall be submitted for the approval of the Planning Director and the Parks Superintendent prior to issuance of a building permit. Landscaping shall be installed prior to occupancy and maintained in accordance with the approved landscape plan.
11. Parking lot landscaping shall be provided as required in Section 34-9.2 of the Oxnard City Code.

12. All off-street parking spaces, including number, size, paving, striping location and access, shall comply with Sections 34-5 and 34-6 of the Oxnard City Code.
13. Building signs may be approved by the Planning Director subject to standards of the R-3 zone of the sign ordinance.
14. On-site lighting, if provided, shall be shielded from abutting properties so as to produce no nuisance or annoyance. No lighting shall be of the type or in a location such that it constitutes a hazard to vehicular traffic, either on private property or on abutting streets. The spacing and height of the standards and luminars shall be such that a maximum of seven foot candles and a minimum of one foot candle of illumination are obtained on all vehicle access ways and parking areas. The height of light standards shall not exceed 10 feet. To prevent damage from automobiles, standards shall be mounted on reinforced concrete pedestals or otherwise protected. Under canopy lighting elements shall be recessed or concealed in such a manner as not to be directly visible from a public street.
15. All roof heating and/or cooling systems shall be recessed and/or screened from adjoining property to the approval of the Planning Director.
16. All of the conditions of this planned development permit shall be complied with prior to occupancy or use of planned improvements.
17. No burning of combustible refuse on subject property is permitted.
18. Outdoor storage and display are not permitted.
19. A five foot sidewalk shall be constructed along Saviers Road. Curb and gutter improvements subject to approval by Public Works Department shall be constructed along Saviers Road adjacent to the west property line.
20. The fence around the pool shall be relocated so as not to allow dwelling units to open onto the pool area. The fence shall meet City ordinance requirements.
21. A perimeter wall of a decorative masonry material shall be provided along the east and north property lines subject to approval of the Planning Director.
22. An eight foot solid wall subject to approval by Planning Director shall be provided to screen those parking spaces fronting on Saviers Road and Clara Street, and said wall shall match the buildings in color and material.

23. That the deck areas and landings on the second-story level shall be screened with a minimum 42" high railing 50 percent or more enclosed.

PASSED AND ADOPTED by the Planning Commission of the City of Oxnard on this 26th day of May, 1977, by the following vote:

AYES: Commissioners: Duff, O'Connell, Flores, Stoll, Maron, John, Lopez

NOES: Commissioners: None

ABSENT: Commissioners: None

*Manuel M. Lopez*  
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Manuel M. Lopez, OD  
Chairman

ATTEST: *Gene L. Hosford*  
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Gene L. Hosford  
Secretary