

**MOORPARK CITY COUNCIL
AGENDA REPORT**

TO: Honorable City Council

FROM: David A. Bobardt, Community Development Director
Prepared By: Joseph Fiss, Principal Planner

DATE: June 2, 2011 (CC Meeting of 6/15/2011)

SUBJECT: Consider Resolution Approving Residential Planned Development (RPD) No. 2010-02, for 99 Single-Family and Duplex Homes within an Approved Subdivision (Canterbury Lane, Vesting Tentative Tract Map No. 5425), on the South Side of Los Angeles Avenue, East and South of Fremont Street, on the Application of Shea Homes LP

BACKGROUND

On November 16, 2010, Shea Homes LP submitted an application for an RPD permit for 99 single-family and duplex homes within an approved subdivision on the south side of Los Angeles Avenue east and south of Fremont Street, to replace RPD Permit No. 2003-02, which was approved on April 6, 2005 and expired on April 6, 2009. A vesting tentative tract map and development agreement for this project, also approved on April 6, 2005, are still valid.

An RPD Permit for site plan and architectural review is required to assure the project design complies with the zoning ordinance and the general plan, and is compatible with neighboring properties. Heights, setbacks, sizes, locations, architectural styles and colors of all proposed buildings, structures and other on-site improvements, landscaping design, neighborhood design, and permitted land uses are established as part of the RPD permit review and approval process. The City Council is the decision authority for this permit.

DISCUSSION

On March 22, 2011, the Planning Commission considered this application and adopted Resolution PC-2011-562, recommending approval of the project to the City Council. A full analysis of this project is provided in the attached March 22, 2011 Planning

Commission agenda report. The motion to recommend approval was approved by a 4-0 vote, with Vice Chair Di Cecco recusing himself to avoid a potential conflict of interest.

The Planning Commission's discussion focused on issues related to how the project affects the existing Fremont Street neighborhood, and the Welbat property to the south. The Planning Commission expressed that the cluster of 4 two-story homes on Fremont Street should be designed to mitigate the effect upon the privacy of the existing single-story homes on Fremont Street. The applicant is proposing additional landscaping and minimum 10-foot side yards to minimize the impact of these units. The additional landscaping and setbacks had previously been incorporated as conditions of approval. Staff has also added a condition (No. 24) that requires enhanced exterior window treatments on the elevations facing existing single-story homes and public rights-of-way, along with varying colors, roof designs and architectural details. That is particularly important for the 4 units in the middle of Fremont Street, which are all proposed as Type 1 units.

This project is covered by a Development Agreement that addresses affordable housing requirements. As a condition of the Development Agreement, Shea has agreed to reserve 20 units within the development for affordable housing purposes. The Plan 1 units shown in the project exhibits will be used for provision of these affordable units. The site plan shows (in green) 26 Plan 1 units. Twenty of these can be chosen to meet the affordable housing requirements without concentrating the affordable units in any one part of the project. The Development Agreement requires that the applicant sign a Purchase and Sale Agreement with the City. The location of the affordable units within the Project and the schedule for providing the affordable units by the Developer to qualified buyers or City in lieu of said buyers shall be included in the Purchase and Sale Agreement.

The Planning Commission also discussed the required improvements on Fremont Street. Fremont Street itself is currently held in fee by Shea Homes and is proposed to remain as a private street, maintained by the Canterbury Lane homeowners association. The street will be upgraded to improve existing drainage, and with appropriate underground utilities, including, but not limited to sewer, water, and power. The street will have rolled curbs and gutters, with street parking allowed, except adjacent to the existing Canterbury Lane recreation area. Although the project site will be raised higher than the elevation of the Fremont Street neighborhood, the drainage in that neighborhood will be improved because more rain and nuisance water will be diverted and carried through the new streets and underground drainage system built by the developer.

Fremont Street is proposed to be closed at Los Angeles Avenue upon the opening of Fremont Street at Majestic Court. There will be no through traffic from Los Angeles Avenue to Majestic Court. A soundwall with an overlapping pedestrian access is proposed. Staff has discussed various options with the Police Chief. These options

include the proposed overlapping wall, a straight wall with a pedestrian access, and a solid wall with no pedestrian access. The Police Chief concurs that the overlapping wall, as originally proposed, will allow for the best balance of security, evacuation options, and sound attenuation.

Ms. Mayta Welbat spoke at the Planning Commission meeting regarding a settlement agreement between the Welbats and Shea Homes. The settlement agreement pertained to a non-exclusive easement that would provide access through the Shea property to the north side of the Welbat property, which is partially within the Arroyo Simi. The applicant has shown the location of the proposed easement and gate on the site plan. The easement follows the width of the street shown as "G" Street, and continues across the area to be dedicated by Shea to the Ventura County Watershed Protection District. A condition of approval (No. 25) has been added so that the easement and gates will be shown on the plans, subject to the review and approval of the Community Development Director and City Engineer. Any portion of the easement that is shown over area that will be public right-of-way (the Majestic Court portion), shall terminate when such right-of-way is dedicated. In addition, an existing condition of approval requires a public access easement and gates to the Arroyo, which will give recreational (walking/biking) access to the Arroyo right-of-way, at such time as the Ventura County Watershed Protection District allows such access.

FISCAL IMPACT

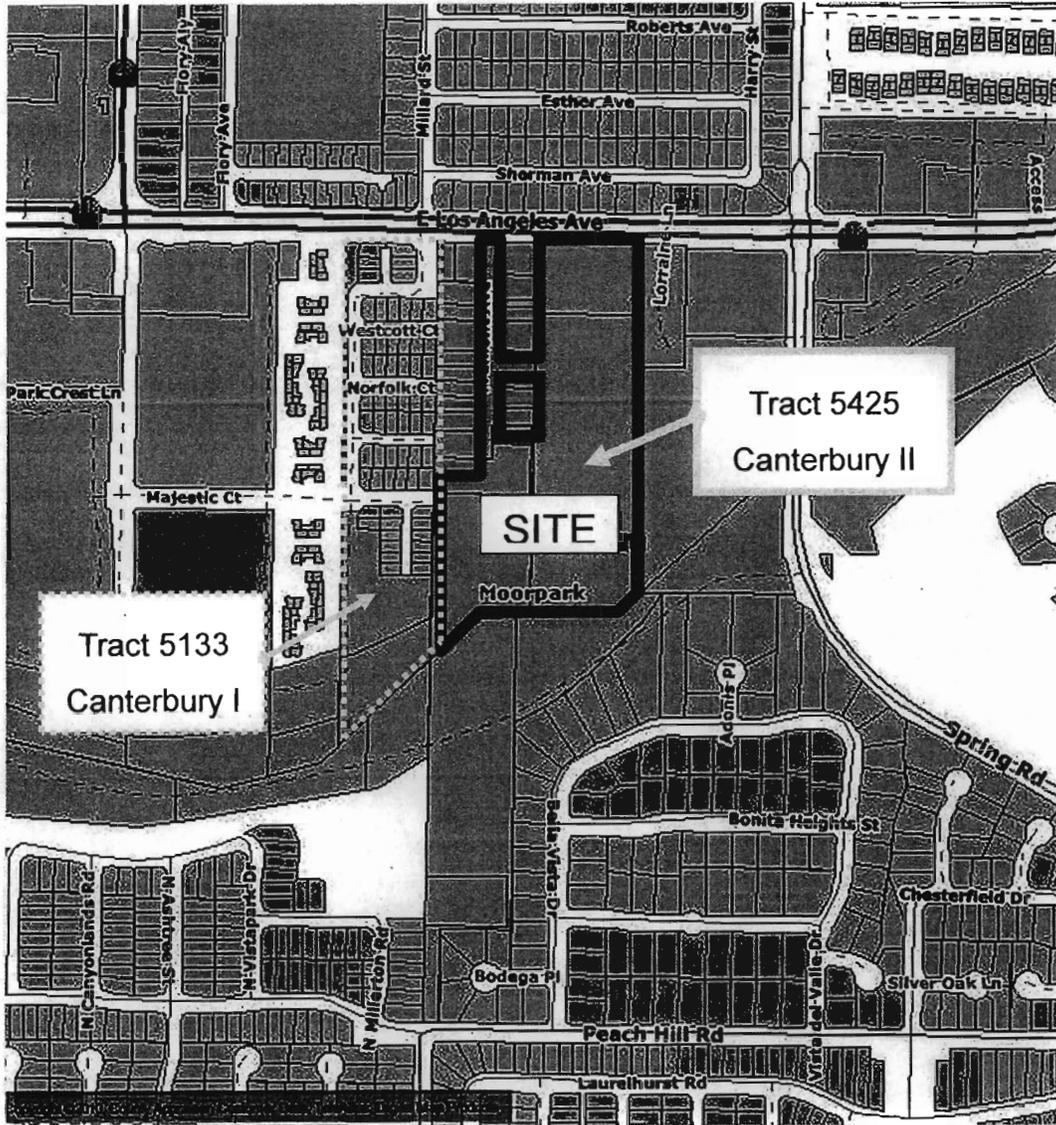
The action to be considered by the City Council is the approval of the Residential Planned Development, which is not a commitment of funds.

STAFF RECOMMENDATION

1. Open the public hearing, accept public testimony and close the public hearing.
2. Adopt Resolution No. 2011-____, approving Residential Planned Development Permit No. 2010-02 subject to conditions of approval.

ATTACHMENTS:

1. Location Map
2. Aerial Photograph
3. Project Plans
4. Planning Commission Agenda Report (w/o attachments)
5. Draft Resolution with Conditions of Approval



CC ATTACHMENT 1

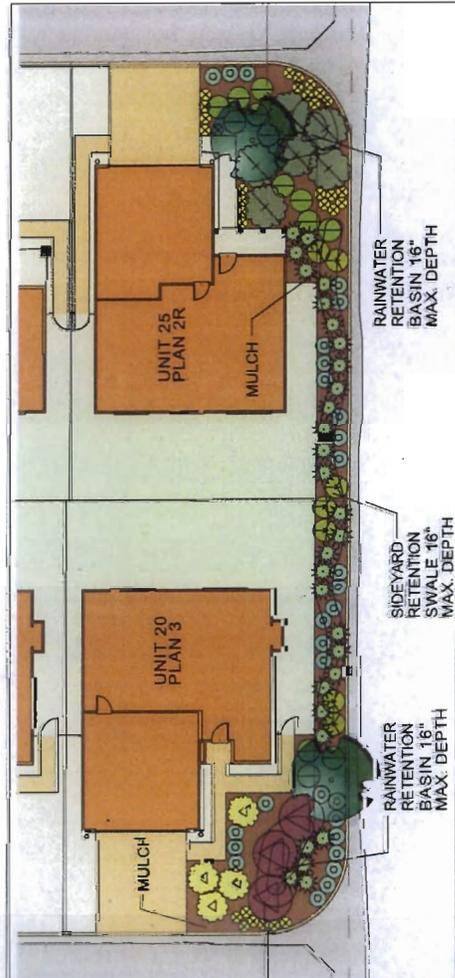
ITEM 8.A.



CC ATTACHMENT 2

PLANT LEGEND

- | | |
|---|--|
| SYM. FRONT YARD TREE | SYM. MEDIUM / SMALL SHRUB |
| AGONIS FLEXUOSA
PEPPERMINT TREE | SAGE OR FLAX
ROSEMARY OR STAR JASMINE
ROSES
DAY LILY
YARROW
MEXICAN FEATHER GRASS |
| LAGERSTROEMIA 'MUSKOGEE'
MUSKOGEE CRAPE MYRTLE | SYM. GROUND COVER |
| CALLISTEMON CITRINUS
LEMON BOTTLEBRUSH | COTONEASTER DAMERII
JUNIPERUS SABINA BROADMO
OR MYOPORUM PARVIFOLIUM |
| OLEA EUROPEA 'SWAN HILL'
SWAN HILL OLIVE | MULCH |
| SYM. LARGE / MEDIUM SHRUB | |
| CEANOTHUS THYRSIFLORUS 'SKYLARK'
SKYLARK CEANOTHUS
LANTANA CAMARA
LANTANA CAMARA
LEYMUS
LYME GRASS | |



CC ATTACHMENT 3

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1250 CORONA POINTE CT.
CORONA, CA 92879
(951) 261-1111 FAX (951) 443-8871

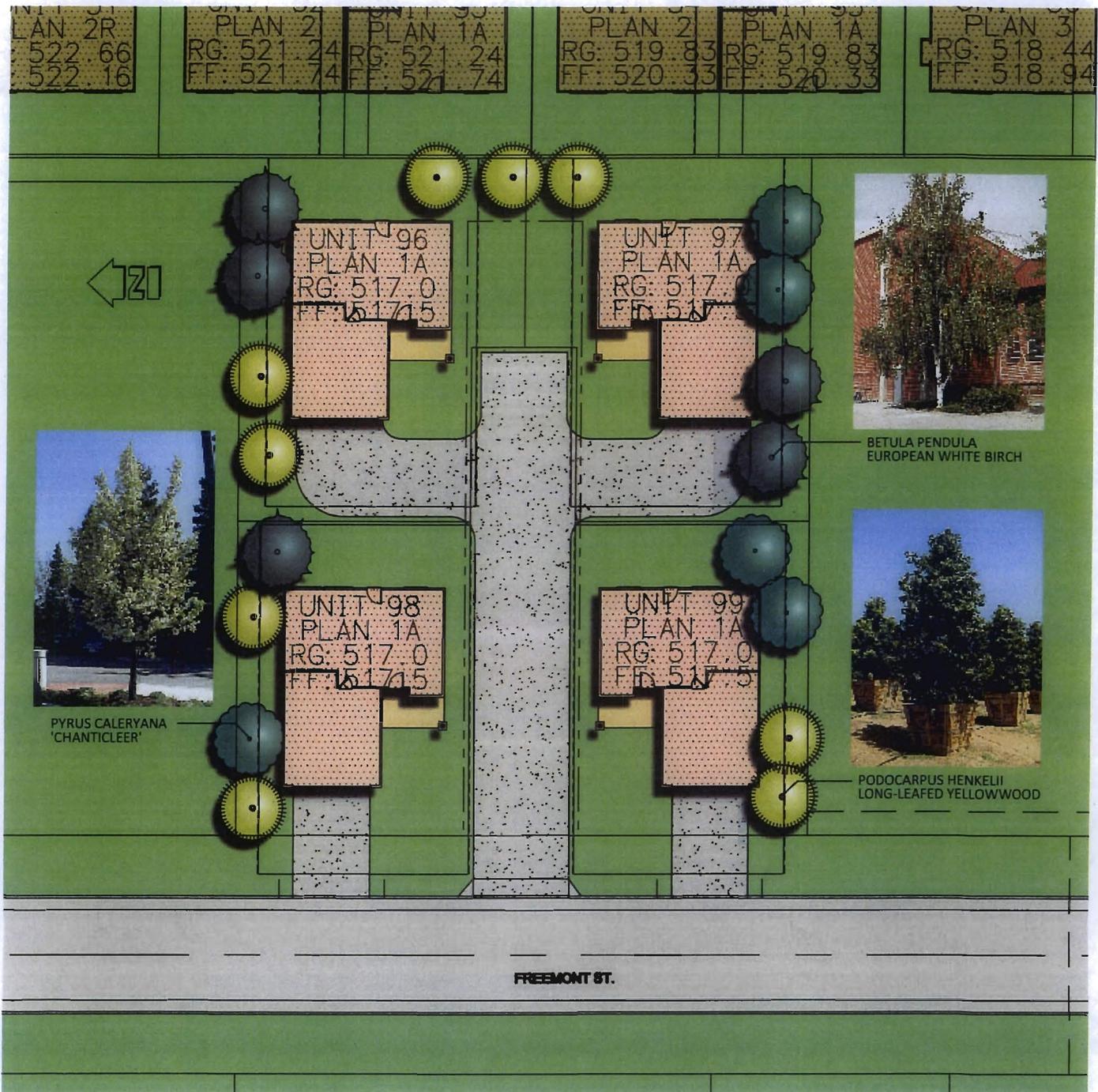
NO.	DATE	BY	DESCRIPTION

CLIENT
SHEA HOMES
COMMUNITY DEVELOPMENT
1250 CORONA POINTE CT.
CORONA, CA 92879

SHEET TITLE
PRELIMINARY
LANDSCAPE PLAN
CANTERBURY LANE PHASE II
HOUSING UNITS
LOS ANGELES AVENUE
MOORPARK, CALIFORNIA

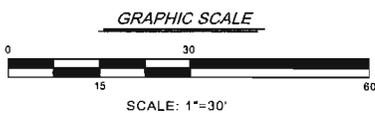
DATE
DRAWN
CHECKED
DESIGNED
PROJECT NO. 10-80
SHEET 1 OF 3

LANDSCAPE STUDY



APRIL 14, 2011

CANTERBURY FREEMONT CLUSTER



JORDAN, GILBERT & BAIN LANDSCAPE ARCHITECTS, INC.

3350 LOMA VISTA ROAD, VENTURA CA 93003
(805) 642-3641 FAX (805) 642-9614

Jordan, Gilbert & Bain Landscape Architects, Inc. © 2009



PLAN 'IX-B'
FRONT ELEVATION

05-14-11
PASSENIAN
LACON
SHEA HOMES
147-1007

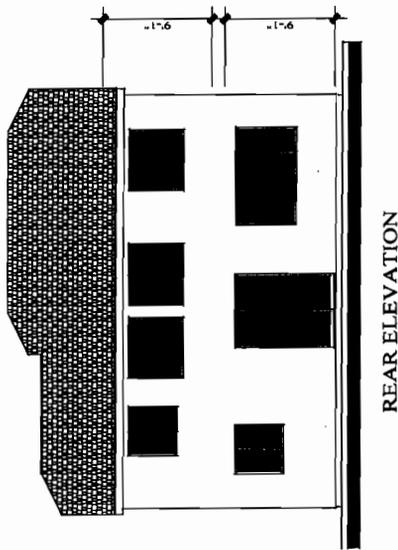
CANTERBURY II
MOORPARK, CA.
SHEA HOMES



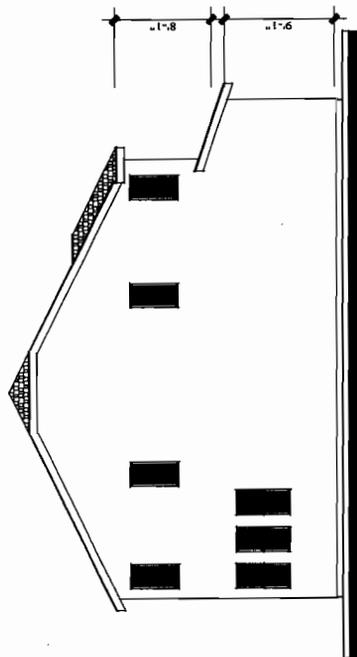
BUILDING TYPE 'E'
FRONT ELEVATION

CANTERBURY II
 MOORPARK, C.A.
 SHEA HOMES

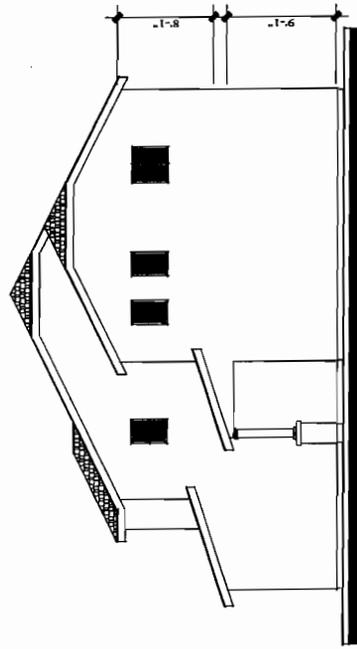
02-14-11
 BASSENIAN
 LACON
 2000 LACON, MO. 63056
 636-271-1111
 147-10097



REAR ELEVATION



LEFT ELEVATION



RIGHT ELEVATION

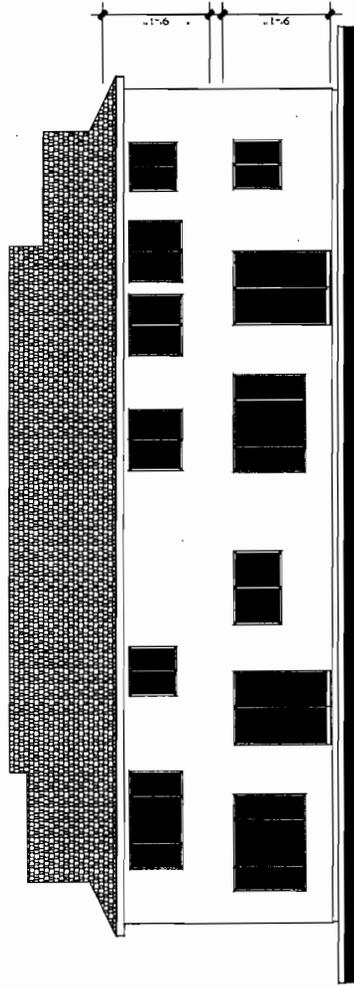
BUILDING TYPE '1X-B'

CANTERBURY II

MOORPARK, C.A.

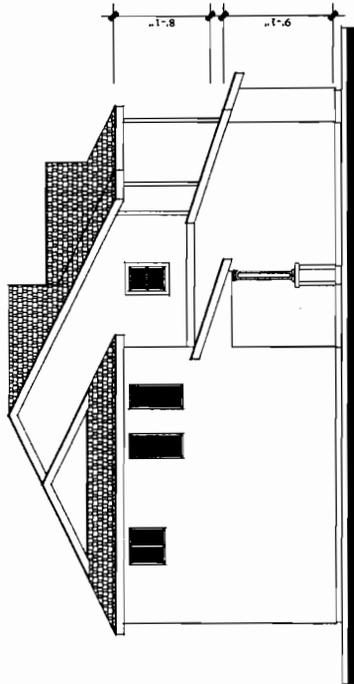
SHEA HOMES

04-27-11
BASSEMAN
LACON
 ARCHITECTS & INTERIORS
 147-10047



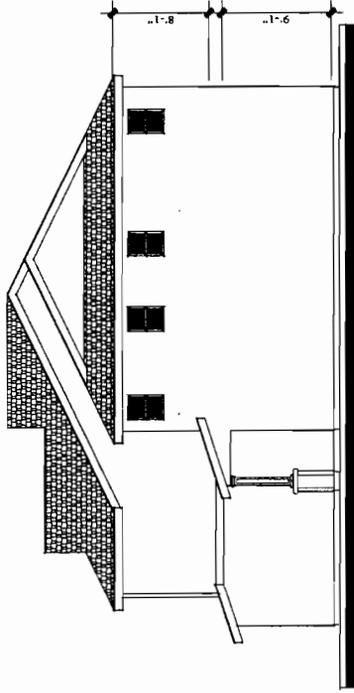
REAR ELEVATION

PLAN 1



LEFT ELEVATION

PLAN 1



RIGHT ELEVATION

PLAN 2

BUILDING TYPE 'A'

CANTERBURY II

MOORPARK, C.A.

SHEA HOMES

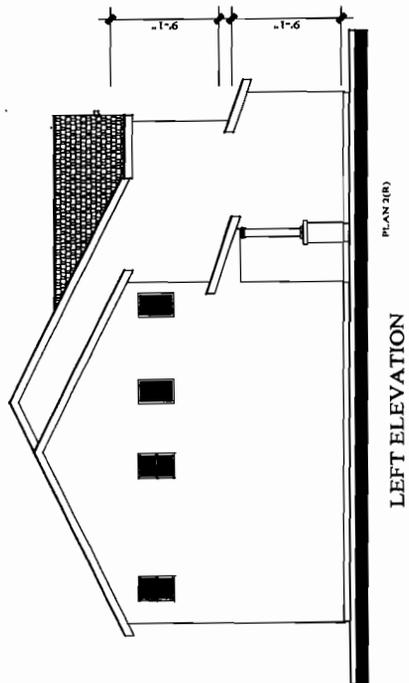
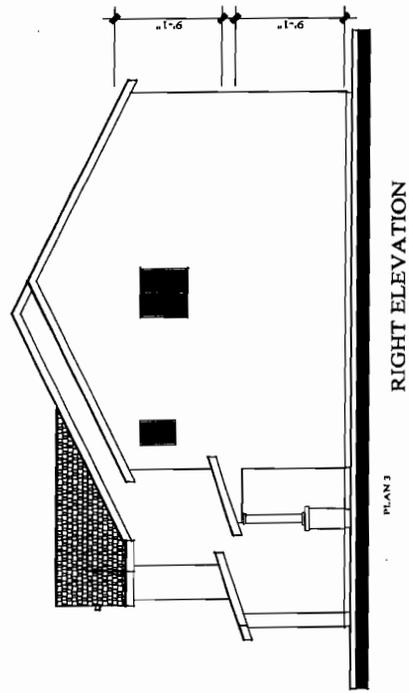
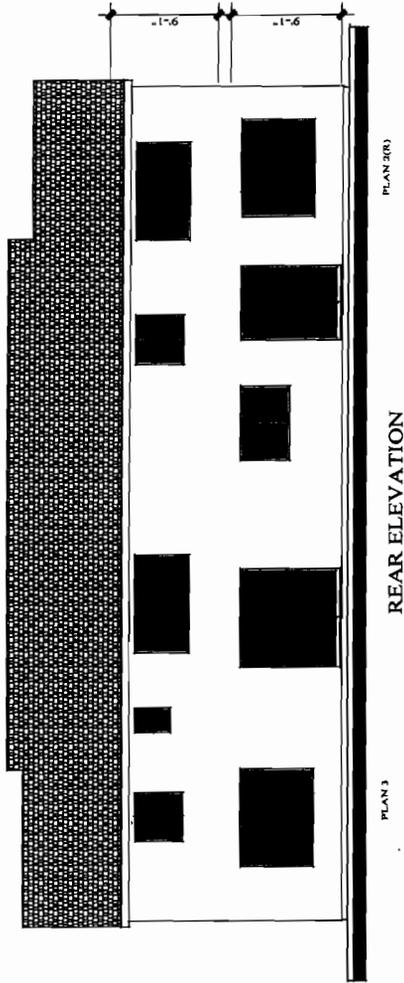
04-97-11
BASSMAN
ARCHITECTS
LLC
 1000 S. GARDEN ST., SUITE 100
 ANAHEIM, CA 92805
 TEL: 714.944.1111
 FAX: 714.944.1112
 WWW.BASSMANARCHITECTS.COM



BUILDING TYPE 'A'
FRONT ELEVATION

CANTERBURY II
MOORPARK, CA.
SHEA HOMES

08-14-11
BASSENAN
LACON
147-10047



BUILDING TYPE 'E'

CANTERBURY II
 MOORPARK, CA.

SHEA HOMES

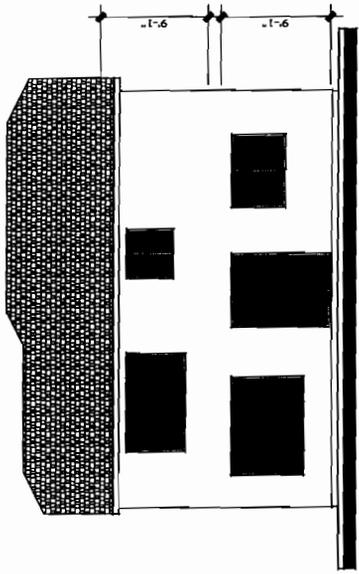
04-27-11
BASSEMAN
LACON
 ARCHITECTS
 1000 S. GARDEN ST. SUITE 100
 ANAHEIM, CA 92805
 TEL: 714.222.1111
 FAX: 714.222.1111



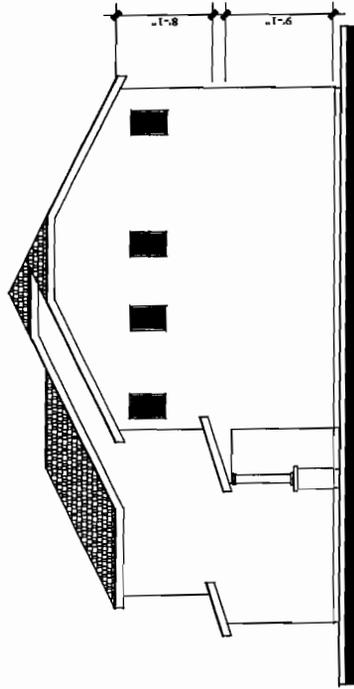
PLAN '2X-A'
FRONT ELEVATION

CANTERBURY II
MOORPARK, CA.
SHEA HOMES

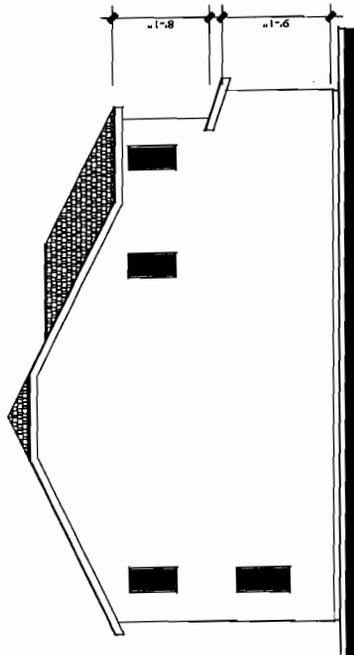
09-14-11
BASENAN
LACON
SHEA HOMES
147-10047



REAR ELEVATION



RIGHT ELEVATION



LEFT ELEVATION

BUILDING TYPE '2X-A'

CANTERBURY II
MOORPARK, C.A.

SHEA HOMES



ARROYO SIMI FLOOD CONTROL CHANNEL

LOS ANGELES AVENUE



LEGEND
 [Blue Box] PLAN 1 (26 TOTAL)
 [Orange Box] PLAN 2 (35 TOTAL)
 [Green Box] PLAN 3 (38 TOTAL)



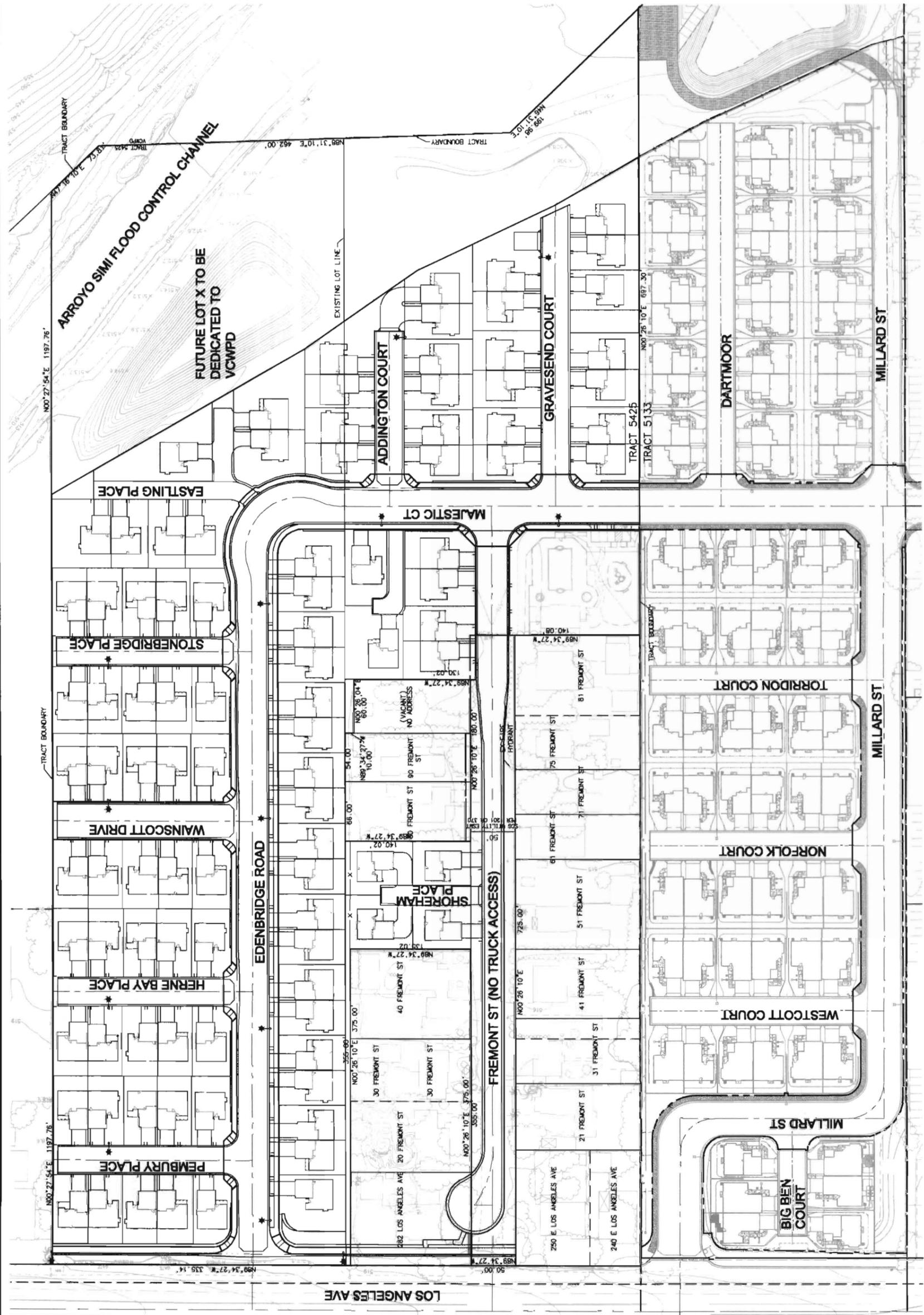
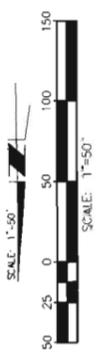
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 CONSULTING
 PLANNING ■ DESIGN ■ CONSTRUCTION
 8801 VERDEWAY SUITE 300
 CARROLL, CALIFORNIA 95746-8685
 916.383.3373 • FAX 916.383.3371 • WWW.RBF.COM

6L

SHEET 1
OF 1

OVERALL SITE PLAN
TRACT 5133 AND 5425
MOORPARK, CA



**MOORPARK PLANNING COMMISSION
AGENDA REPORT**

TO: Honorable Planning Commission

FROM: David A. Bobardt, Community Development Director
Prepared by Joseph Fiss, Principal Planner

DATE: March 10, 2011 (PC Meeting of March 22, 2011)

SUBJECT: Consider Resolution Recommending Approval of Residential Planned Development (RPD) No. 2010-02, for 99 Single-Family and Duplex Homes within an Approved Subdivision (Canterbury Lane, Vesting Tentative Tract Map No. 5425), on the South Side of Los Angeles Avenue, East and South of Fremont Street, on the Application of Shea Homes LP

BACKGROUND

On November 16, 2010, Shea Homes LP submitted an application for an RPD permit for 99 single-family and duplex homes within an approved subdivision on the south side of Los Angeles Avenue east and south of Fremont Street, to replace previously approved RPD Permit No. 2003-02, which was approved on April 6, 2005, and expired on April 6, 2009. A vesting tentative tract map and development agreement for this project, also approved on April 6, 2005, are still valid, and the Planning Commission is being asked to make a recommendation only on the RPD permit application.

An RPD Permit for site plan and architectural review is required to assure the project design complies with the zoning ordinance and the general plan, and is compatible with neighboring properties. Heights, setbacks, sizes, locations, architectural styles and colors of all proposed buildings, structures and other on-site improvements, landscaping design, neighborhood design, and permitted land uses are established as part of the RPD permit review and approval process. The City Council is the decision authority for this permit.

DISCUSSION

Existing Site Conditions:

The primary change to the project site since the RPD Permit was first approved is that two on-site buildings, the Coptic Church and Moose Lodge, have been removed, and a private recreational facility constructed to serve both Tract 5133 (Canterbury Lane) and this project has been built. The 15-acre primarily vacant project site is relatively flat and unimproved,

with the exception of soil stockpiling and a borrow pit that was permitted as part of the adjacent Tract 5133 project. Vegetation consists of a few ornamental and non-native volunteer trees, shrubs and weeds. The only notable change to the surrounding area since this project was first approved is that the 77 homes in Tract 5133 have been built.

The site is directly adjacent to the Arroyo Simi, with 2.76 acres of the site being dedicated to the Ventura County Watershed Protection District (VCWPD) for creation of a wetlands area. Much of the remaining developable area of the site is currently within the 100-year floodplain. Flood protection in this area is being addressed through the raising of the site several feet with fill material.

Previous Applications:

On April 6, 2005, the City Council approved General Plan Amendment No. 2003-02, Zone Change No. 2003-02, Vesting Tentative Tract Map No. 5425, and RPD Permit No. 2003-02, to subdivide this site for condominium purposes to develop 102 duplex-style and detached condominium dwellings and a recreation facility. A development agreement was also approved for the project that, among other things, requires 20 of the dwelling units to be reserved at an affordable sales price meeting the criteria of all applicable State laws to qualify as newly affordable to moderate income, low income and very low income persons, to satisfy a portion of the City's RHNA obligation and the Moorpark Redevelopment Agency's affordable housing goals. As mentioned above, the RPD Permit expired on April 6, 2009 as the use had not been inaugurated. The term of the Development Agreement is for 20 years from approval or until the sale of the last affordable housing unit, whichever comes last, and the term of Vesting Tentative Tract Map is for 10 years from approval.

General Plan and Zoning Consistency:

GENERAL PLAN/ZONING			
Direction	General Plan	Zoning	Land Use
Site	Very High Density Residential (VH)	Residential Planned Development (RPD)	Vacant
North	Medium Density Residential (M)	Single Family Residential (R-1)	Los Angeles Avenue/ Single-Family Residential
South	Floodway	Open Space (O-S)	Arroyo Simi
East	General Commercial (C-2)	Commercial Planned Development (CPD)	Commercial
West	Medium Density Residential (M)	Single Family Residential (R-1) and Residential Planned Development (RPD)	Single-Family/Duplex Residential

The proposed residential development is consistent with the Very High Density Residential (VH) General Plan land use designation and the Residential Planned Development (RPD) zoning designation of the site. The proposal would result in a gross density of 6.6 dwelling units per acre for the entire site, and a net density of approximately 11 dwelling units per acre after dedication of streets and land to the Ventura County Watershed Protection District.

The purpose of the Residential Planned Development zone is to provide areas for communities which will be developed, utilizing modern land planning and unified design techniques. This zone provides a flexible regulatory procedure in order to encourage:

1. Coordinated neighborhood design and compatibility with existing or potential development of surrounding areas;
2. An efficient use of land particularly through the clustering of dwelling units and the preservation of the natural features of sites;
3. Variety and innovation in site design, density and housing unit options, including garden apartments, townhouses and single-family dwellings;
4. Lower housing costs through the reduction of street and utility networks; and
5. A more varied, attractive and energy-efficient living environment, as well as, greater opportunities for recreation than would be possible under other zone classifications.

Design/Setbacks/Amenities

The 99 unit project consists of 82 duplex units and 17 detached units, with three different floor plans ranging from 1,605 to 1,972 square feet. Each unit includes a two-car garage. The project would be annexed to the Canterbury I HOA and would share the recreation area, which has already been constructed within the boundaries of Vesting Tentative Tract Map No. 5425. Minor changes have been made to the site plan based on the relocation of the private recreation area from the southeast corner to the present area, more centrally located to serve both Tract 5133 and this project.

As previously approved under RPD Permit No. 2003-02, a duplex-style design has been proposed for most of the homes with detached homes where the area does not allow for duplex construction. This is a similar product to that was constructed on Tract No. 5133/RPD No. 1998-01. The design and colors have been refreshed based on input from existing buyers of this product type over time, but would be compatible with the design and colors used in Tract 5133. This product provides a useable minimum 18-foot long driveway for each residence wide enough for two vehicles. The proposed units are designed to give the appearance of a large, single-family home from the street. By providing a variety of floor plans and elevations, the appearance of "back-to-back" duplex units is avoided. The dwelling units are all two stories in height. A standard level of architectural detail and sufficient architectural variety between units is provided to create visual interest. The square footage of the units ranges from 1,605 square feet to 1,972 square feet. Seventeen of units are detached; however, they share the same architecture and floor

plans as the duplex-style units. A special condition of approval regarding articulation of the side and rear elevations of the detached units has been added to provide for visual interest.

Setbacks in the RPD Zone are determined by the approved plotting and/or conditions of approval. Although this is a condominium project, it has been designed to impart the sense of a compact, single-family neighborhood that will be compatible with the Fremont Street neighborhood, the approved adjacent tract (Tract No. 5133/RPD No. 1998-01), and other surrounding properties. Strict adherence to the setbacks would substantially alter the design concept. This project is unique in that there are two types of setbacks to be considered.

Each unit is proposed with a small front yard to be maintained by the Homeowners Association. A minimum eighteen foot deep front yard is proposed for the garage doors. Typical five foot side yards and fifteen foot rear yards are proposed; however, in a few isolated instances lesser setbacks are proposed due to site constraints. A condition of approval is recommended that side yard clearances will not be less than three feet and that rear yards will not be less than thirteen feet.

The previously approved Residential Planned Development proposed a private recreation area in the southeast corner of the project which was proposed to be used by the residents of this project and of Tract 5133 and was intended to take the place of the smaller one approved for Tract 5133. Due to market conditions, the development of this project was delayed, and thus the provision of the recreation area for both projects was also delayed. It would have been unfeasible to provide a recreation area for Tract 5133 across an undeveloped parcel, and it was reasonable to provide a recreation area for Tract No. 5133 prior to development of this project. Shea requested a modification to allow the recreation area to be relocated to a more central location, and on March 17th, 2010 the City Council approved the modification to allow the recreation area to be built at its current location on the northwest corner of Majestic Court and Fremont Street. This recreation area is sized appropriately, and proper amenities have been provided to accommodate the additional 99 dwelling units. A condition of approval has been added requiring Tract 5425 to annex to the same Homeowner's Association as Tract 5133 with all the same rights and privileges.

Parking/Circulation:

A two-car garage is provided as required for each unit. In addition, driveways are all long enough and wide enough to accommodate 2 additional vehicles. Street parking will also be available on one side of each street, consistent with standards for Tract 5133.

The tract is designed to take access from Los Angeles Avenue on the north and the extension of Majestic Court on the west. The "L" shaped access allows for short private streets and driveways creating small neighborhoods. Given the unique shape of the property, 19 units take access from "A" Street and 2 units take access from Majestic Court, both public streets.

Fremont Street is currently a private street easement, which presently serves 17 houses. Fee title to Fremont Street is held by Shea Homes, and is contained within the boundaries of this proposed subdivision. As part of this project, Fremont Street will be improved with a cul-de-sac on the north end, eliminating direct access to Los Angeles Avenue. Full access rights will be provided to existing residences through to Majestic Court, and maintenance will be required of the Tract 5425 HOA. A number of alternative plotting proposals have been submitted for the four homes mid-block on Fremont Street. Staff is recommending that plotting in substantial conformance with Option "E" be approved as this proposal maintains guest parking off-street, provides for turnarounds for the rear units, and is most consistent with the detached housing that currently exists on Fremont Street.

Two properties to the east are currently underutilized with an office use and an RV storage yard. Past inquiries have explored redeveloping these properties with residential uses. As previously required for potential residential development of these two properties to the east, "stubbed" street access to these properties with access and drainage easements irrevocably given to the City of Moorpark is proposed with this project. The City would be able to accept these easements when and if the adjacent properties need such access and transfer the City's access and drainage rights to those properties. Until such time, the applicant would be required to construct a six foot high wood fence across the end of these stubbed streets and provide a minimum three foot landscape area. The Homeowners Association would maintain the fences and landscaping until such time as the easements are activated and the streets extended.

A traffic report was prepared for the originally approved 102 unit project. According to the analysis, over a 24-hour period, that proposed project is expected to generate 1,008 daily trips during a typical weekday (504 inbound and 504 outbound trips). The reduction of three units will have a negligible difference on traffic impacts. The project's calculated fair share contribution toward the recommended cumulative mitigation measures are 0.6% for the Moorpark Avenue/High Street intersection, 1.5% for the Moorpark Avenue/Los Angeles Avenue intersection and 3.3% for the Spring Road/New Los Angeles Avenue intersection. The traffic analysis also evaluated the potential closure of Fremont Street at Los Angeles Avenue. Vehicular access would be provided via the future extension of Majestic Court. The traffic analysis concluded that the potential Fremont Street closure would not result in any significant changes to the existing traffic patterns. The disposition of Fremont Street was resolved as part of the Tract Map Approval.

Findings

- A. The site design, including structure location, size, height, setbacks, massing, scale, architectural style and colors, and landscaping, is consistent with the provisions of the general plan, any applicable specific plans, zoning ordinance, and any other applicable regulations in that the buildings have been designed to be architecturally consistent with the surrounding neighborhood and, the project has been designed and conditioned to be consistent with all required safety codes, including the California Building Code and City of Moorpark Zoning Ordinance.

- B. The site design would not create negative impacts on or impair the utility of properties, structures or uses in the surrounding area in that the project has been designed to meet appropriate setback, parking, and design requirements.
- C. The proposed uses are compatible with existing and permitted uses in the surrounding area in that the buildings have been designed to be architecturally consistent with the surrounding residential properties in scale, colors, and materials.

PROCESSING TIME LIMITS

Time limits have been established for the processing of development projects under the Permit Streamlining Act (Government Code Title 7, Division 1, Chapter 4.5), the Subdivision Map Act (Government Code Title 7, Division 2), and the California Environmental Quality Act Statutes and Guidelines (Public Resources Code Division 13, and California Code of Regulations, Title 14, Chapter 3). Under the applicable provisions of these regulations, the following timelines have been established for action on this project:

Date Application Determined Complete:	March 10, 2011
Planning Commission Action Deadline:	Not Applicable
City Council Action Deadline:	May 9, 2011

Upon agreement by the City and Applicant, one 90-day extension can be granted to the date action must be taken on the application.

ENVIRONMENTAL DETERMINATION

The City Council adopted a Mitigated Negative Declaration for the previously approved project on April 6, 2005. Since there have been no significant changes in the project or in the circumstances under which the project is undertaken, and there is no new information that would affect the outcome of the environmental analysis, no further environmental documentation is required.

STAFF RECOMMENDATION

1. Open the public hearing, accept public testimony and close the public hearing.
2. Adopt Resolution No. PC-2011-____ recommending to the City Council conditional approval of Residential Planned Development Permit No. 2010-02.

ATTACHMENTS:

1. Location Map
2. Project Exhibits: Under Separate Cover
3. City Council Resolution No. 2005-2304
4. Draft PC Resolution with Conditions of Approval

RESOLUTION NO. 2011-_____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MOORPARK, CALIFORNIA, APPROVING RESIDENTIAL PLANNED DEVELOPMENT (RPD) NO. 2010-02, FOR 99 SINGLE-FAMILY AND DUPLEX HOMES WITHIN AN APPROVED SUBDIVISION (CANTERBURY LANE, VESTING TENTATIVE TRACT MAP NO. 5425), ON THE SOUTH SIDE OF LOS ANGELES AVENUE, EAST AND SOUTH OF FREMONT STREET, ON THE APPLICATION OF SHEA HOMES LP

WHEREAS, On March 22, 2011, the Planning Commission adopted Resolution PC-2011-562, recommending conditional approval of Residential Planned Development Permit No. 2010-02 on the application Shea Homes LP for 99 single-family and duplex homes within an approved subdivision (Canterbury Lane, Vesting Tentative Tract Map no. 5425), on the south side of Los Angeles Avenue, east and south of Fremont Street; and

WHEREAS, at a duly noticed public hearing held on June 15, 2011, the City Council considered the agenda report and any supplements thereto and any written public comments; opened the public hearing, took and considered public testimony both for and against the proposal, closed the public hearing, and reached a decision on this matter; and

WHEREAS, the City Council adopted a Mitigated Negative Declaration for the previously approved project on April 6, 2005, and since there have been no significant changes in the project or in the circumstances under which the project is undertaken and there is no new information that would affect the outcome of the environmental analysis, no further environmental documentation is required..

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

SECTION 1. PLANNED DEVELOPMENT FINDINGS: Based upon the information set forth in the staff report(s), accompanying studies, and oral and written public testimony, the City Council makes the following findings in accordance with City of Moorpark, Municipal Code Section 17.44.030:

- A. The site design, including structure location, size, height, setbacks, massing, scale, architectural style and colors, and landscaping, is consistent with the provisions of the general plan, any applicable specific plans, zoning ordinance, and any other applicable regulations in that the buildings have been designed to be architecturally consistent with the surrounding neighborhood and, the project has been designed and conditioned to be consistent with all required safety codes, including the California Building Code and City of Moorpark Zoning Ordinance.
- B. The site design would not create negative impacts on or impair the utility of properties, structures or uses in the surrounding area in that the project has

been designed to meet appropriate setback, parking, and design requirements.

- C. The proposed uses are compatible with existing and permitted uses in the surrounding area in that the buildings have been designed to be architecturally consistent with the surrounding residential properties in scale, colors, and materials.

SECTION 2. CITY COUNCIL APPROVAL: The City Council hereby approves Residential Planned Development Permit No. 2010-02, subject to Special and Standard Conditions of Approval attached hereto and incorporated herein as Exhibit A.

SECTION 3. The City Clerk shall certify to the adoption of this resolution and shall cause a certified resolution to be filed in the book of original resolutions.

PASSED AND ADOPTED this 15th day of June, 2011.

Janice S. Parvin, Mayor

ATTEST:

Maureen Benson, City Clerk

EXHIBIT A

**STANDARD AND SPECIAL CONDITIONS OF APPROVAL
FOR RESIDENTIAL PLANNED DEVELOPMENT 2010-02**

STANDARD CONDITION OF APPROVAL

The applicant shall comply with Standard Conditions of Approval for Planned Development Permits as adopted by City Council Resolution No. 2009-2799 (Exhibit A), except as modified by the following Special Conditions of Approval. In the event of conflict between a Standard and Special Condition of Approval, the Special Condition shall apply.

SPECIAL CONDITIONS

1. This planned development permit will expire one year from the date of its approval unless the use has been inaugurated by issuance of a building permit for construction. The Community Development Director may, at his/her discretion, grant up to two (2) additional one-year extensions for use inauguration of the development permit, if there have been no changes in the adjacent areas and if the applicant can document that he/she has diligently worked towards use inauguration during the initial period of time. The request for extension of this planned development permit shall be made in writing, at least thirty (30) days prior to the expiration date of the permit and shall be accompanied by applicable entitlement processing deposits.
2. To compensate for the removal of mature trees from this project site, enhanced landscaping, as determined by the Community Development Director, valued at \$177,872.00 (\$47,548.00 for Tract No. 5425 and \$130,324.00 for Tract No. 5133) shall be distributed over both projects (Tract Nos. 5425 and 5133) and the recreation area to create a balanced and unified atmosphere in the development.
3. Any future homeowner improvements to the individual homes and the exclusive use area shall follow the City's RPD (residential planned development) zone Development Standards. Said standards shall be incorporated into the Covenants, Conditions and Restrictions for this project.
4. The front setback for each unit shall not be less than eighteen (18') feet.
5. The rear setback for each unit shall not be less than thirteen (13') feet.
6. There shall be no less than three (3') feet of clearance between side yard block walls and allowable interior protrusions.
7. The soundwall adjacent to Los Angeles Avenue shall be no less than eight (8') feet in height, when measured from inside of the project, with the final design and height to be approved by the Community Development Director and City Engineer/Public Works Director, subject to ultimate pad elevations. The design of the sound wall shall also provide for a pedestrian opening at Fremont Street subject to approval of the Community Development Director and City Engineer/Public Works Director.

8. A fence/wall plan shall be required. Location, design, material and height of all fences and walls shall be approved by the Community Development Director. Interior walls shall be a minimum height of six (6') feet from the highest finished grade.
9. A solid decorative block wall, a minimum of eight feet (8') in height from the finished grade of the Fremont Street Tract and a minimum of six feet (6') in height from the finished grade of Tract 5425, shall be installed along the western boundary of the site, adjacent to the Fremont Street tract. Where possible, a single combined retaining/privacy wall, no less than eight feet (8') and no higher than ten feet (10') shall be provided. In the event that an alternative design is required, the Community Development Director may approve a stepped retaining wall with a privacy wall at the top of the slope. The final location and design, including wall heights, retaining walls and sound walls, shall be subject to approval by the Community Development Director.
10. The landscape plan shall incorporate, to the satisfaction of the Community Development Director, natural vegetation in the transition area to the Arroyo at the southern portion of the development.
11. Architectural enhancements, such as window reveals and plant-ons are required on side and rear elevations subject to the approval of the Community Development Director.
12. The detached housing units shall include articulation of the side walls, to avoid having an entire side of the building on a single plane, to the satisfaction of the Community Development Director.
13. This development shall be annexed to the same Homeowner's Association as Tract 5133 with all the same rights, privileges, and obligations, including use of the recreation area.
14. It shall be the responsibility of the homeowner association to maintain Fremont Street and other designated private streets, including sidewalks, curbs, gutters, pavement markings, and signage, where required, the front yards of the units within this subdivision, the recreation area(s), project private streets, common area landscaping, and walls and fences. The CC&Rs shall include a provision that maintenance of Fremont Street shall be on a similar schedule as other streets within the project and that the City may enforce this condition. The Community Development Director and City Engineer/Public Works Director shall make the final determination as to the extent of homeowner association maintenance to be included in the CC&Rs.
15. Pads 96 to 99 shall be designed in substantial conformance with Option "E" presented to the City Council to create a condition of consistent front yards on Fremont Street and consistent with the setback and parking requirements of this Residential Planned Development. The precise pad locations and orientation shall be approved by the Community Development Director prior to map recordation. These pads must have 10 foot side yard setbacks from existing Fremont Street properties, 18 foot wide driveways, and sufficient side-yard landscaping to screen the units. The turnaround must be signed and striped for no parking.

16. Amenities for the affordable housing units required by the Development Agreement and Affordable Housing Agreement shall be identical to the base level of amenities provided in the market-rate units, and shall include but not be limited to concrete tile roofs, air conditioning/central heating, washer/dryer hookups, garbage disposal, built-in dishwasher, concrete driveway, automatic garage door opener, flooring, countertops, and window coverings to the satisfaction of the Community Development Director.
17. There shall be no storage of recreational vehicles of any type on any lot, driveway, or street within the subdivision. This requirement shall be reflected on the Homeowner's Association (HOA) Covenants, Conditions, and Restrictions (CCR's).
18. The final location of all community mailboxes must be approved by the Community Development Director and City Engineer/Public Works Director prior to installation.
19. Parking is restricted to the south side of the street for "B," "C," and "E," Streets; and to the west side for "A," "F," and "G" Streets. Parking shall be allowed on both sides of, "D" Street and Majestic Court (approval of all street names shall follow the City's process). "No Stopping at Any Time" signs shall be installed at the sole cost of the applicant to the satisfaction of the Ventura County Fire Prevention District and the City Engineer/Public Works Director.
20. There shall be no street parking on "A" Street adjacent to Units 5, 44, and 45, and no street parking on Majestic Court adjacent to Unit 71. Curbs in this location shall be painted red, and "No Stopping at Any Time" signs shall be installed at the sole cost of the applicant to the satisfaction of the Ventura County Fire Prevention District and the City Engineer/Public Works Director.
21. All remainder areas that are not designated for homeowner use or vehicular maneuvering shall be landscaped, irrigated, and maintained by the Homeowner's Association as common area subject to the review and approval of the Community Development Director.
22. Noise attenuation construction shall be required on all units affected by the noise generated from Los Angeles Avenue to the satisfaction of the Community Development Director. At a minimum the following items shall be provided:
 - a. All second story windows along Los Angeles Avenue shall be double glazed window assemblies or an equivalent with a minimum STC 33 rating.
 - b. All rear and side entry doors of the homes on Pads 1 through 5, and Pad 45, shall be gasketed (jamb, head, sill) with interlocking or tube-type compression weather-stripping, or an effective equivalent.
 - c. All exterior vents on the homes on Pads 1 through 5, and Pad 45, shall be directed away from Los Angeles Avenue in order to reduce noise transmissions into the house through vents and ducts.
23. Fremont Street shall not be opened to through traffic from Los Angeles Avenue. Access to and from Majestic Court shall not be permitted until access from Los Angeles is prohibited.

24. Enhanced exterior window treatment must be included on all elevations facing existing single-story homes and public rights-of-way, and all buildings must vary in roof design, color, and architectural details subject to review and approval of the Community Development Director.
25. The easement between Shea and the property to the south must be shown on the site plan, and all proposed gates and improvements needed to meet current stormwater quality regulations must be shown on the fence and wall plans, subject to the review and approval of the Community Development Director and City Engineer. This easement must be disclosed to the homeowners on the street shown as "G" Street, in a manner acceptable to the Community Development Director.

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