

## **ITEM 8.B.**

### **MOORPARK CITY COUNCIL AGENDA REPORT**

**TO:** Honorable City Council

**FROM:** David Bobardt, Planning Director   
Prepared by Joseph Fiss, Principal Planner 

**DATE:** July 2, 2009 (CC Meeting of July 15, 2009)

**SUBJECT:** Consider Resolution to Approve Residential Planned Development Permit No. 2009-01, a Twenty Unit Apartment Building on Approximately 0.9 Acres at 396 – 436 Charles Street, on the Application of the Area Housing Authority of the County of Ventura

#### **BACKGROUND**

On May 4, 2009 the Area Housing Authority of Ventura County submitted an application for a Residential Planned Development Permit for a two-story, twenty unit apartment building with underground parking, on approximately 0.9 acres, located at 396 – 436 Charles Street. The site is currently owned by the Moorpark Redevelopment Agency (MRA). The project also requires a Disposition and Development Agreement with the MRA and a Housing Agreement with the City.

#### **DISCUSSION**

On June 23, 2009, the Planning Commission considered this application and adopted Resolution PC-2009-546, recommending approval of the project to the City Council. A full analysis of this project is provided in the attached June 23, 2009 Planning Commission agenda report.

The motion to recommend approval was approved by a 3-1 vote, with Commissioner Landis expressing that he could not make the findings for the Residential Planned Development due to the lack of required parking.

Due to the topography of the site, it was not possible to design a semi-subterranean garage that could accommodate the required number of parking spaces. The density bonus provisions allow for additional concessions and/or incentives which result in identifiable cost reductions, in addition to merely increasing residential density. The only development concession that the developer has requested is a ten (10) percent reduction in the number of required parking spaces, for a total reduction of five (5) parking spaces. The project proposal has 45 spaces, or 2.25 spaces per unit. The

code requires 2.50 spaces per unit. Staff reported to the Planning Commission that this reduction is appropriate for a housing project of this nature. The parking proposed for the Charles Street apartments, at 2.25 spaces per unit, is more than the 2.13 parking spaces per unit provided at the most recent apartment complex built in Moorpark, Waterstone Apartments on Moorpark Avenue, which does not appear to have a parking problem, even though there is no street parking in the immediate vicinity. It can be anticipated that many of these households will not own more than one vehicle. In addition, the project is located close to shopping and public transit, reducing the need to drive. Finally, the frontage on Charles Street has an ample amount of on-street parking available.

The Planning Commission's discussion focused on architectural details, setbacks, and parking. Commissioner Di Cecco made some design and site planning suggestions to the applicant, but made those suggestions optional instead of recommending them as conditions of approval. Specifically, Commissioner Di Cecco suggested relocating the building northerly on the site, to create additional useable rear yard area, relocating the trash enclosure to the west, and including an additional shade structure within the front courtyard.

Stamp page No. 11 of the Planning Commission agenda report addresses air quality impacts from the project. The typographical omission of the word "not" in the sentence on project air quality impacts was clarified during the oral report at the Planning Commission meeting of June 23, 2009. It should be noted that the proposed project will produce less than the 25 pound per day threshold of NOx and reactive organic gas emissions, providing a conclusion that there will not be an impact on regional air quality from this project. Nonetheless, a standard condition on all projects involving Residential Planned Development permits is a contribution to the Moorpark Traffic Systems Management Fund to off-set air pollutants, consistent with the Ventura County Air Quality Assessment Guidelines.

### **FISCAL IMPACT**

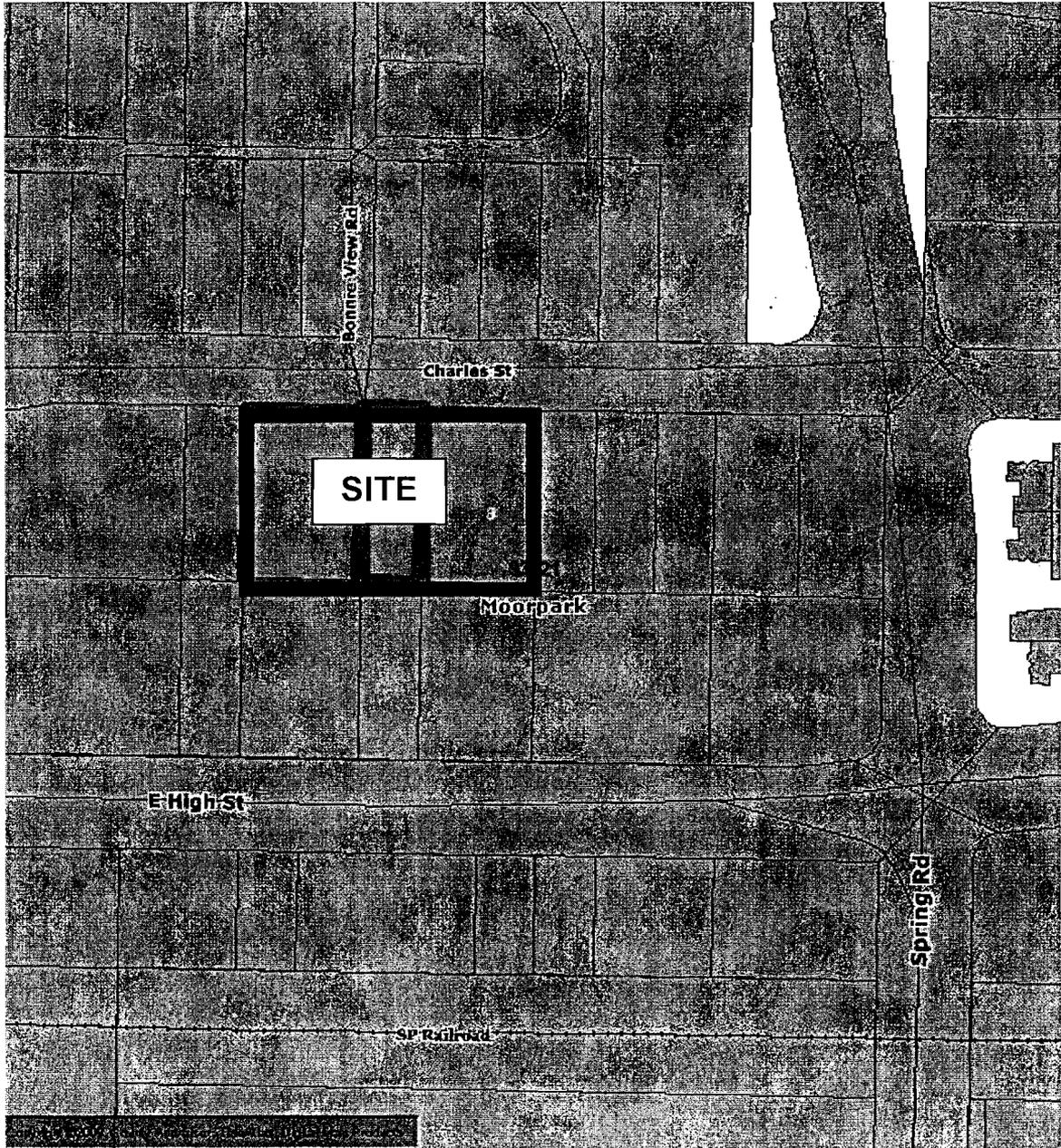
The action to be considered by the City Council is the approval of the Residential Planned Development, which is not a commitment of funds. The title for the property has been transferred to the City by Toll Brothers, Inc. to satisfy an affordable housing requirement for Tentative Tract No. 5463, and did not involve a cost to the City or Agency. A Disposition and Development Agreement (DDA) with the MRA will be required for this project. Details on the fiscal impacts of the project will be addressed in the future in the DDA report.

**STAFF RECOMMENDATION**

1. Open the public hearing, accept public testimony and close the public hearing.
2. Adopt Resolution No. 2009-\_\_\_\_, approving Residential Planned Development Permit No. 2009-01 subject to conditions of approval.

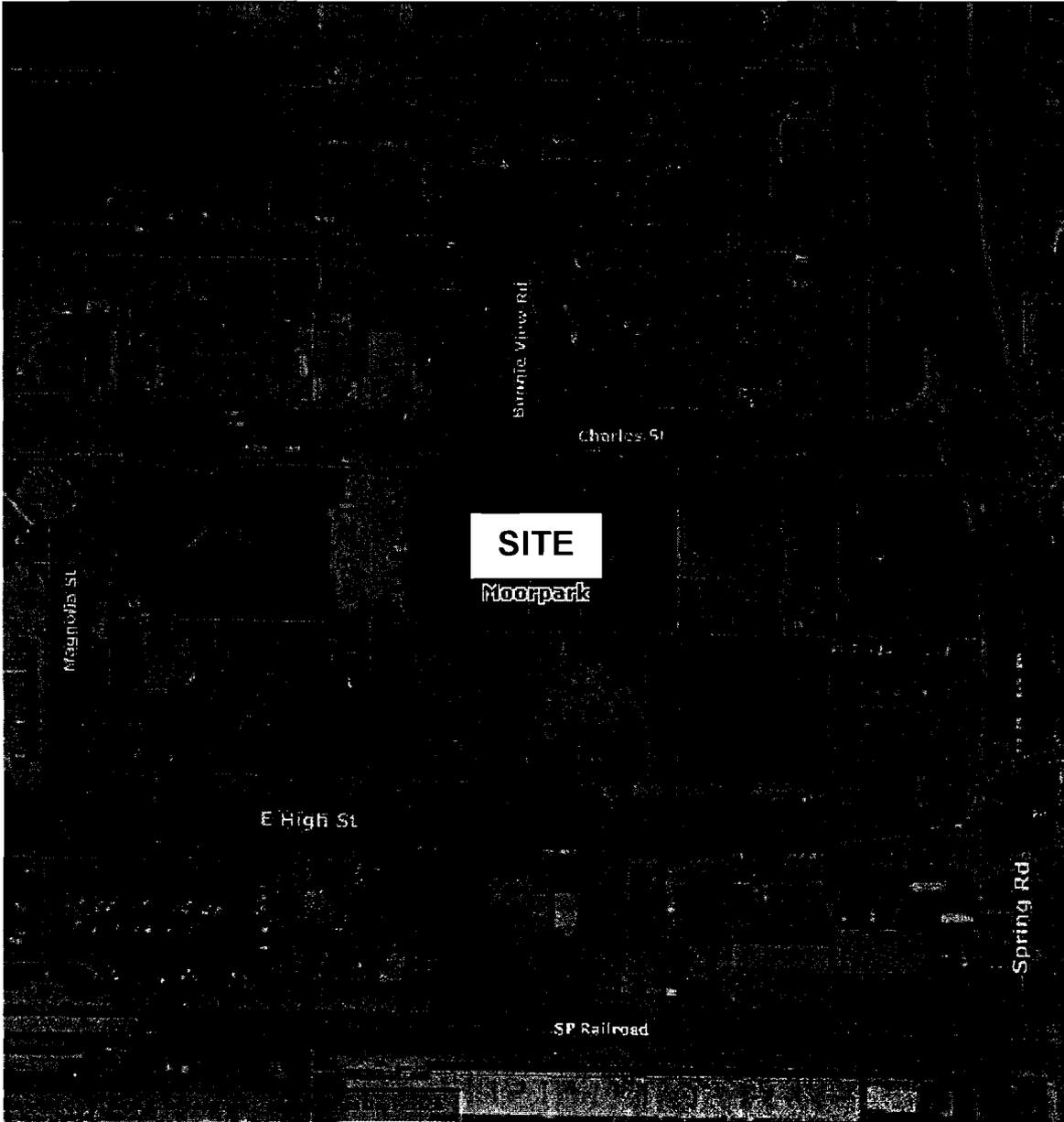
**ATTACHMENTS:**

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



LOCATION MAP

CC ATTACHMENT 1



AERIAL PHOTOGRAPH

CC ATTACHMENT 2

## **PROJECT PLANS**

- A-100 Cover Sheet / Key Plan**
- C1 Preliminary Grading & Drainage Plan**
- LS-1 Scale: 1"= 10'**
- A-101 Site/Garage Level Floor Plan**
- A-201 First Floor Plan**
- A-202 Second Floor Plan**
- A-203 Roof Plan**
- A-204 Unit Plans**
- A-301 Building Elevations**

**(UNDER SEPARATE COVER)**

ITEM: 8.C.

**MOORPARK PLANNING COMMISSION  
AGENDA REPORT**

**TO:** Honorable Planning Commission

**FROM:** David Bobardt, Planning Director   
Prepared by Joseph Fiss, Principal Planner 

**DATE:** May 18, 2009 (PC Meeting of June 23, 2009)

**SUBJECT:** Consider Residential Planned Development Permit No. 2009-01 to Allow a Twenty-Unit Apartment Building on Approximately 0.9 Acres at 396 – 436 Charles Street, on the Application of the Area Housing Authority of Ventura County

**BACKGROUND**

On May 4, 2009 the Area Housing Authority of Ventura County submitted an application for a Residential Planned Development Permit for a two-story, twenty unit apartment building with underground parking, on approximately 0.9 acres, located at 396 – 436 Charles Street. The site is currently owned by the Moorpark Redevelopment Agency. The project also requires a Disposition and Development Agreement with the Moorpark Redevelopment Agency and a Housing Agreement with the City.

**DISCUSSION**

**Project Setting**

Existing Site Conditions:

The approximately 0.9 acre site currently consists of three adjacent lots which are currently unimproved. The site is located on the south side of Charles Avenue, east of Magnolia Street and west of Spring Road. The site slopes generally from the northeast corner to the southwest corner.

Previous Applications:

On May 12, 2006, Efrain Lopez and Victor Llamas submitted an application for Residential Planned Development Permit No. 2006-01, to build four (4) condominiums (two buildings with two units each) on 436 Charles Street. The application was deemed incomplete and the property was subsequently purchased by Toll Brothers, along with 396 Charles Street and deeded to the City of Moorpark to partially meet their affordability requirements for Tract No. 5463.

<b>GENERAL PLAN/ZONING</b>			
<b>Direction</b>	<b>General Plan</b>	<b>Zoning</b>	<b>Land Use</b>
Site	High Density Residential (H) (Downtown Specific Plan)	Residential Planned Development (RPD)	Vacant
North	High Density Residential (H) (Downtown Specific Plan)	Residential Planned Development (RPD)	Single Family Residential
South	Old Town Commercial (C-OT) (Downtown Specific Plan)	Old Town Commercial (C-OT)	Non-Conforming Industrial/Non-Conforming Single Family Residential
East	High Density Residential (H) (Downtown Specific Plan)	Residential Planned Development (RPD)	Single Family Residential
West	High Density Residential (H) (Downtown Specific Plan)	Residential Planned Development (RPD)	Senior Apartment Housing

General Plan and Zoning Consistency:

Multiple Family Residential development is consistent with the High Density Residential General Plan land use designation and the Residential Planned Development (RPD) zoning designation of the site.

The property is zoned Residential Planned Development (7-14 dwelling units per acre). Although this project exceeds the maximum allowable density by approximately 59 percent, this exception would be permitted through the use of Density Bonus allowances for affordable housing, as permitted by State law and Title 17.64 of the Moorpark Municipal Code under the density bonus General Plan

and Downtown Specific Plan amendments adopted by the City Council on June 17, 2009, and the density bonus Zoning Ordinance amendment introduced by the City Council on June 17, 2009 and scheduled for second reading and adoption on July 1, 2009. This issue is discussed in the Analysis section below.

### **Project Summary**

#### Residential Planned Development Permit No. 2009-01:

The twenty unit rental apartment building consists of fourteen 2-bedroom units and six 3-bedroom units with six different floor plans. Each unit includes one bathroom and a private balcony or deck ranging from 89 to 128 square feet. Additionally, each unit includes an assigned private storage cabinet inside of a semi-subterranean garage. All of the units would be affordable to and rented by very-low and low-income households.

The project includes a number of common amenities, including an outdoor roof deck, a ground level courtyard, a community room, a computer lab, a common laundry room, and an office for an on-site manager.

An elevator provides access from the semi-subterranean garage to the first and second floors.

### **Proposed Project**

#### Architecture:

The proposed architecture is of a "Craftsman" style, with a combination of exterior cement plaster and fiber cement siding. Fiber cement shingles, and cultured stone veneer accent the building. The main colors of the buildings are a combination of beige/tan, mustard/gold, green/sage and accent colors in a range from off-white to brown. The roof material consists of architectural quality asphalt shingles. The style, colors, and materials are consistent with the surrounding area, and with the requirements of the Downtown Specific Plan.

The City requires that affordable housing units provided by a density bonus and developed in conjunction with a market-rate housing development must be of similar design and quality as the market-rate units. Exteriors and floor plans of affordable units must be similar in colors and materials to the market-rate units. Although this project is not developed in conjunction with a market-rate housing development, the interior and exterior design is indistinguishable from a comparable market-rate development.

#### Setbacks:

The Downtown Specific Plan and the Zoning Code call for the Residential Planned Development zone to provide a flexible regulatory zone to encourage creative and innovative design and to act as a transition between Single Family Residential and the Old Town Commercial Buildings. As such, there are no specific setback

requirements for this zone. Building design in a Residential Planned Development is “form based”, meaning that building design should address the relationship between building facades and the public realm, the form and mass of buildings in relation to one another, and the scale and types of streets and blocks.

This building has been designed to be consistent with the setbacks and building separations that are typically found in this neighborhood. A 32-foot front setback is provided, giving the building appropriate scale in relation to Charles Street. A 22-foot rear setback is provided to give appropriate separation from the commercial area on High Street.

In addition to appropriate setbacks, the building has been designed with “four-sided” architecture and appropriate articulation on all sides.

Circulation:

There is one driveway entrance to the project that leads to the surface parking and semi-subterranean garage. A “hammerhead” is provided at the south end of the surface parking area to allow easier turnaround of larger vehicles. The semi-subterranean parking area as proposed is unsecured. Staff thinks that this is not appropriate, as there are many opportunities for safety and security problems in enclosed garages. A condition of approval has been added that requires all large openings to be secured, and a remote operated gate be provided at the entrance to the garage. This will not interfere with circulation if appropriately designed.

Parking:

<b>Proposed Use</b>	<b>Spaces Required</b>	<b>Spaces Provided</b>
Resident Parking	40 (2 per unit)	40 (2 per unit)
Guest Parking	10 (0.5 per unit)	5 (0.25 per unit)
<b>Total</b>	<b>50</b>	<b>45</b>

This project does not meet the full parking requirements per the City's parking ordinance. A deficit of five (5) parking spaces (ten (10) percent of the required spaces) has been proposed. A reduction of required parking can be granted by the City Council for affordable housing. This issue is discussed in detail in the Analysis section of this report.

Landscaping:

The landscaping plan provides for three distinct landscaped areas. The perimeter landscaping includes many medium to large evergreen and deciduous trees within a “riparian” type setting. This includes a dry “streambed” that functions as surface drainage. To further emphasize this concept a pedestrian bridge extends from the sidewalk to the entry courtyard. The entry courtyard is mostly hardscape, but provides benches and low-maintenance landscaping within a shady common area.

The final landscaped area is the roof deck, which is a sunny common area with several potted flowering plants. The entire landscape concept is generally low-maintenance and low-water usage.

Site Improvements and National Pollution Discharge Elimination Standards Requirements (NPDES):

The City Engineer has conditioned the project to provide for all necessary on-site and off-site storm drain improvements including the imposition of National Pollution Discharge Elimination System (NPDES) requirements. "Passive" Best Management Practices Drainage Facilities are required to be provided so that surface flows are intercepted and treated on the surface over biofilters (grassy swales), infiltration areas and other similar solutions.

Air Quality:

DB

According to the 2000 Ventura County Air Quality Assessment Guidelines, the proposed project will produce less than the allowable 25 pound threshold of NOX, providing a conclusion that there will be an impact on regional air quality. As is required with all commercial/industrial projects, staff incorporates a standard condition requiring a contribution to the Moorpark Traffic Systems Management Fund to off-set air pollutants, consistent with the 2000 Ventura County Air Quality Assessment Guidelines.

**ANALYSIS**

**Issues**

Staff analysis of the proposed project has identified the following areas for Planning Commission consideration in their recommendation to the City Council:

- Density
- Parking

Density:

The Downtown Specific Plan allows for increased density, up to fourteen (14) dwelling units per acre when lots are consolidated. Lot consolidation allows for greater flexibility in site design, potential for reduction in the number of driveways serving the consolidated property and opportunities to more quickly improve a neighborhood. In this case, three lots have been consolidated to create one site of 37,000 square feet in order to qualify for the maximum density allowed by the Downtown Specific Plan

As proposed, this project exceeds the maximum allowable density of fourteen (14) dwelling units per acre by approximately fifty three (53) percent. This exception is permitted through the use of Density Bonus allowances for affordable housing, as permitted by State law.

On June 17, 2009, the City Council introduced Ordinance No. 376 which amends Section 17.64 addressing density bonuses and incentives for provision of affordable housing. This ordinance allows a density bonus up to a maximum of one hundred percent (100%) greater than the density allowed by the existing zoning of a housing development when one hundred percent (100%) of the units in a housing development are restricted to be affordable to low and very low income households. Under the current maximum allowable zoning, up to 13 dwelling units could potentially be built. The density bonus would allow up to 26 dwelling units.

#### Parking:

Due to the topography of the site, it was not possible to design a semi-subterranean garage that could accommodate the required number of parking spaces. The density bonus provisions allow for additional concessions and/or incentives which result in identifiable cost reductions, in addition to merely increasing residential density. The only development concession that the developer has requested is a ten (10) percent reduction in the number of required parking spaces, for a total reduction of five (5) parking spaces. This reduction is appropriate for a housing project of this nature. It can be anticipated that many of these households will not own more than one vehicle. In addition, the project is located close to shopping and public transit, reducing the need to drive. Finally, the frontage on Charles Street has an ample amount of on-street parking available. These factors in combination demonstrate that the project has sufficient off-street parking.

#### **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, the downtown specific plan, the zoning ordinance, and any other applicable regulations in that the building has been designed to be architecturally consistent with the requirements of the City of Moorpark Downtown Specific Plan which stipulates that new buildings must architecturally compatible with existing surrounding buildings and the character of the Downtown Specific Plan area ; 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 building has been designed to be architecturally consistent with the surrounding residential properties in scale, colors, and materials.

The Downtown Specific Plan requires that, when approving a density higher than the low end of the range the approving authority shall make all of the following additional findings:

- A. The project is consistent with the City's General Plan and Specific Plan goals and policies in that it is consistent with Goal 3 of the Land Use Element of the General Plan which states "Provide a variety of housing types and opportunities for all economic segments of the community. This project provides twenty housing units restricted for lower income households. The density of this project is consistent with Chapter 5.1 of the Land Use Element of the General Plan, which states that "The City Council may approve a density bonus over the otherwise maximum residential density, consistent with the State Density Bonus Law (Section 65915 et seq. of the California Government Code) and any density bonus provisions contained in the City Municipal Code."
- B. The project is consistent with the City's Zoning Ordinance and the development requirements and design standards of the Downtown Specific Plan in that the building has been designed to be architecturally consistent with the requirements of the City of Moorpark Downtown Specific Plan which stipulates that new buildings must architecturally compatible with existing surrounding buildings and the character of the Downtown Specific Plan area.
- C. The project is compatible with existing and planned surrounding land use and development in that the building has been designed to be architecturally consistent with the surrounding residential properties in scale, colors, and materials; and conditioned to be consistent with all required safety codes, including the California Building Code and City of Moorpark Zoning Ordinance.
- D. The project is superior to a lower density design in that the increased density affords the ability develop the steep lot in a manner that provides additional housing opportunities that meet the overall development standards of the surrounding area, provides a superior architectural product, and provides adequate parking and recreational facilities.

### **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:

<b>Date Application Determined Complete:</b>	<b>May 13, 2009</b>
<b>Planning Commission Action Deadline:</b>	<b>Not Applicable</b>
<b>City Council Action Deadline:</b>	<b>August 21, 2009</b>

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**

In accordance with the City's environmental review procedures adopted by resolution, the Planning Director determines the level of review necessary for a project to comply with the California Environmental Quality Act (CEQA). Some projects may be exempt from review based upon a specific category listed in CEQA. Other projects may be exempt under a general rule that environmental review is not necessary where it can be determined that there would be no possibility of significant effect upon the environment. A project which does not qualify for an exemption requires the preparation of an Initial Study to assess the level of potential environmental impacts.

Based upon the results of an Initial Study, the Director may determine that a project will not have a significant effect upon the environment. In such a case, a Notice of Intent to Adopt a Negative Declaration or a Mitigated Negative Declaration is prepared. For many projects, a Negative Declaration or Mitigated Negative Declaration will prove to be sufficient environmental documentation. If the Director determines that a project has the potential for significant adverse impacts and adequate mitigation can not be readily identified, an Environmental Impact Report (EIR) is prepared.

The Director has reviewed this project and found it to be Categorically Exempt in accordance with Section 15332 (Class 32, Infill Projects) of the California Code of Regulations (CEQA Guidelines). 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-2009-\_\_\_\_ recommending to the City Council conditional approval of Residential Planned Development Permit No. 2009-01.

RESOLUTION NO. 2009-\_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MOORPARK, CALIFORNIA, APPROVING RESIDENTIAL PLANNED DEVELOPMENT PERMIT NO. 2009-01 TO ALLOW A TWENTY (20) UNIT APARTMENT BUILDING ON APPROXIMATELY 0.9 ACRES AT 396-436 CHARLES STREET, ON THE APPLICATION OF THE AREA HOUSING AUTHORITY OF THE COUNTY OF VENTURA

WHEREAS, June 23, 2009, the Planning Commission adopted Resolution No. PC-2009-546, recommending conditional approval of Residential Planned Development Permit No. 2009-01 on the application of the Area Housing Authority of the County of Ventura for a two-story, twenty (20) unit apartment building with underground parking on approximately 0.9 acres at 396-436 Charles Street; and

WHEREAS, at a duly noticed public hearing held on July 15, 2009, 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 concurs with the Planning Director's determination that this project is Categorically Exempt from the provisions of CEQA pursuant to Section 15332 as a Class 32 exemption for in-fill development projects.

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, the downtown specific plan, the zoning ordinance, and any other applicable regulations in that the building has been designed to be architecturally consistent with the requirements of the City of Moorpark Downtown Specific Plan which stipulates that new buildings must architecturally compatible with existing surrounding buildings and the character of the Downtown Specific Plan area ; 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 building has been designed to be architecturally consistent with the surrounding residential properties in scale, colors, and materials.

SECTION 2. DOWNTOWN SPECIFIC PLAN FINDINGS: Based upon the information set forth in the staff report(s), accompanying studies, and oral and written public testimony, the Planning Commission makes the following findings in accordance with the Downtown Specific Plan:

- A. The project is consistent with the City's General Plan and Specific Plan goals and policies in that it is consistent with Goal 3 of the Land Use Element of the General Plan which states "Provide a variety of housing types and opportunities for all economic segments of the community. This project provides twenty housing units restricted for lower income households. The density of this project is consistent with Chapter 5.1 of the Land Use Element of the General Plan, which states that "The City Council may approve a density bonus over the otherwise maximum residential density, consistent with the State Density Bonus Law (Section 65915 et seq. of the California Government Code) and any density bonus provisions contained in the City Municipal Code."
- B. The project is consistent with the City's Zoning Ordinance and the development requirements and design standards of the Downtown Specific Plan in that the building has been designed to be architecturally consistent with the requirements of the City of Moorpark Downtown Specific Plan which stipulates that new buildings must be architecturally compatible with existing surrounding buildings and the character of the Downtown Specific Plan area.
- C. The project is compatible with existing and planned surrounding land use and development in that the building has been designed to be architecturally consistent with the surrounding residential properties in scale, colors, and materials; and conditioned to be consistent with all required safety codes, including the California Building Code and City of Moorpark Zoning Ordinance.
- D. The project is superior to a lower density design in that the increased density affords the ability to develop the steep lot in a manner that provides additional housing opportunities that meet the overall development standards of the surrounding area, provides a superior architectural product, and provides adequate parking and recreational facilities.

SECTION 3. CITY COUNCIL APPROVAL: The City Council hereby approves Residential Planned Development Permit No. 2009-01, subject to Special and Standard Conditions of Approval attached hereto and incorporated herein as Exhibit A.

SECTION 4. 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 15<sup>th</sup> day of July, 2009.

\_\_\_\_\_  
Janice S. Parvin, Mayor

ATTEST:

\_\_\_\_\_  
Deborah S. Traffenstedt, City Clerk

## EXHIBIT A

### **STANDARD AND SPECIAL CONDITIONS OF APPROVAL FOR RESIDENTIAL PLANNED DEVELOPMENT 2009-01**

#### **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 two (2) years 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. Prior to issuance of a building permit for this project, a housing agreement consistent with Chapter 17.64 of the Zoning Ordinance in a form acceptable to the City Council is required as part of the granting of a density bonus. Affordability shall be maintained for the life of the project.
3. An automatic security gate is required at the entrance to the subterranean garage. A minimum clear open width of fifteen (15') feet in each direction must be provided for separate entry/exit gates and a minimum twenty feet (20') for combined entry/exit gates. A Knox Box system must be installed or an EKey system, subject to the approval of the Community Development Director and the City Engineer. The method of gate control, including operation during power failure, is subject to review by the Fire Protection District. Gate plan details must be submitted to the Fire Protection District for approval prior to installation. A final acceptance inspection by the Fire Protection District is required prior to placing any gate into service.
4. The openings and ventilation on the subterranean garage must be designed such that a person can not enter or exit except through proper accesses. Such design

can include decorative bars, or other methods, subject to the review and approval of the Planning Director.

5. Adequate interior security lighting must be provided within the subterranean garage. Such lighting shall be subject to the review of the City's Lighting Consultant and approval of the Planning Director and Police Chief.
6. Full accessibility must be provided to the upper outdoor deck, subject to the satisfaction of the Building Official.
7. The elevator must be designed to accommodate a gurney or stretcher, consistent with Chapter 30 of The California Building Code (Elevators and Conveying Systems)
8. Storage units must be assigned to the individual apartment units or reserved for guests in a manner to the satisfaction of the Planning Director.
9. Parking spaces must be assigned to the individual apartment units or reserved for guests in a manner to the satisfaction of the Planning Director.
10. Parking spaces must be maintained to be accessible for parking operable vehicles at all times.
11. Roof appurtenances are limited to necessary vents, and must be the same color as the roofing material and must be to the satisfaction of the Planning Director.
12. Downspouts must either be internal (not visible from the exterior of the building), or of an architectural design that complements the overall design of the buildings to the satisfaction of the Planning Director.
13. All windows on the apartment building must have decorative trim. Window surrounds adjacent to accessible areas must be constructed out of durable materials and may not have foam cores to the satisfaction of the Planning Director.
14. Window design must be consistent with the plans as submitted. Any mullions must be external.
15. All ground mounted utility boxes must be screened with landscaping and all gas, electric, and water meters must also be screened to the degree allowable by the utility companies, to the satisfaction of the Planning Director. The Planning Director may require that the meters and/or boxes be painted to match the exterior color of the building.
16. Any required railing at the top of slopes or retaining walls must be decorative, with detailed plans to be submitted for review and approval of the Planning Director prior to issuance of building permits.
17. Storage on the balconies, except for that which is integral to the design of the unit, is prohibited and to be enforced by the apartment manager.

18. Native trees, including but not limited to sycamores and other native trees, must be incorporated into the landscape plan, especially along the trail. None of the prohibited plants indicated in the Provisionally Acceptable Plant List and the Invasive and Prohibited Plant List contained in the city's Landscape Guidelines may be used in this development.
19. All requirements of the Disposition and Development Agreement shall apply. If there is a conflict in the requirements of the Disposition and Development Agreement and these conditions of approval, the requirements of the Disposition and Development Agreement shall take precedence.
20. Prior to the issuance of a building permit a Lot Line Adjustment shall be submitted to and approved by the City of Moorpark merging the three existing lots into one lot. Building permits will only be issued upon proof of recordation.

- END -