

**MOORPARK CITY COUNCIL
AGENDA REPORT**

TO: Honorable City Council

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



DATE: January 27, 2010 (CC Meeting of 2/17/2010)

SUBJECT: Consider General Plan Amendment Pre-Screening No. 2009-01 to Change the Land Use Designation on 67.96 Acres West of Gabbert Road and North of the North Hills Parkway/North Hills Industrial Park from Rural Low Density Residential to Rural Low Density Residential, Very High Density Residential, and Open Space on the Application of James Rasmussen, for Moorpark Property 67 LLC

BACKGROUND/DISCUSSION

On January 20, 2010, the Community and Economic Development Committee (Mayor Pro Tem Mikos and Councilmember Pollock) considered General Plan Amendment (GPA) Pre-Screening Application No. 2009-01 to change the planned use of 67.96 acres west of Gabbert Road and north of the North Hills Parkway/North Hills Industrial Park from Rural Low Density Residential to Rural Low Density Residential, Very High Density Residential, and Open Space, to allow development of 5, five-acre residential lots, 120 apartment units in 5 three-story buildings, 46 two-story detached condominium units, and 100 two-story duplex units, where currently 13 five-acre lots would be permitted.

This project has been designed with the five-acre lots on the ridge between the Gabbert neighborhood and the higher density components of this project, so that the higher density housing, at 40 to 60 feet below the ridge, and the North Hills Parkway, at 60 to 100 feet below the ridge, would not be visible from the Gabbert neighborhood. A three-dimensional model of the development will be required as part of the project application to demonstrate potential visual impacts, if the Council decides to accept an application for this project.

A copy of the Committee agenda report with analysis of this proposal is attached. The Committee recommended that the City Council allow the filing of a General Plan Amendment application on this project, provided that a development agreement be included as part of the project proposal.

FISCAL IMPACT

Staff and consultant costs related to the processing of the entitlement applications would be paid for by the developer.

STAFF RECOMMENDATION

1. Open the public hearing, accept public testimony and close the public hearing;
and
2. Direct staff to accept a General Plan Amendment application, provided that all other necessary entitlement applications, including an application for a development agreement, are filed concurrently.

ATTACHMENT:

1. January 20, 2010, Community and Economic Development Committee Agenda Report
2. Proposed Conceptual Site Plan (Under Separate Cover)

COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE AGENDA REPORT

TO: Community and Economic Development Committee
(Mayor Pro-Tem Mikos and Councilmember Pollock)

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

DATE: January 4, 2010 (CEDC Meeting of 1/20/2010)

SUBJECT: Consider General Plan Amendment Pre-Screening No. 2009-01 to Change the Land Use Designation on 67.96 Acres West of Gabbert Road and North of the North Hills Parkway/North Hills Industrial Park from Rural Low Density Residential to Rural Low Density Residential, Very High Density Residential, and Open Space on the Application of James Rasmussen, for Moorpark Property 67 LLC.

BACKGROUND

Section 17.44.050 of the Municipal Code requires the pre-screening of proposed General Plan Amendments through procedures set by City Council resolution. Resolution No. 2008-2672 establishes the procedures for General Plan Amendment pre-screening applications. There are two filing periods each year, May 31st and November 30th. Review and recommendation by the Community and Economic Development Committee is required prior to a public hearing before the City Council to determine whether or not a General Plan Amendment application may be accepted for processing.

On February 5, 2009, James Rasmussen, for Moorpark Property 67 LLC, filed an application for a General Plan Amendment (GPA) Pre-Screening to change the land use designation on 67.96 acres west of Gabbert Road and north of the North Hills Parkway/North Hills Industrial Park from Rural Low Density Residential to Rural Low Density Residential and Very High Density Residential, to allow for the filing of a GPA application along with other entitlement applications for a proposed residential development. Items requested to complete the application were recently provided to allow the consideration of this application by the Community and Economic Development Committee.

DISCUSSION

Project Setting

The site is a former estate property that has several flat pad areas developed on the northern section of the site. Otherwise, the site is very hilly. A caretaker's residence and a small storage building are located on the site. Other buildings previously on the site, including a large estate home, were at the request of the owner, vacated and burned in place during exercises by the Fire Protection District. The site has dozens of Carrotwood Trees, as well as other ornamental landscaping that have not been maintained in recent years. The outlying areas of the site have native landscaping. The site is bounded by an equestrian ranch on the north, the Ventura County Watershed Protection debris basin on the west, the Gabbert Road neighborhood on the east, the AB Properties future industrial development on the south, and the future Hitch Ranch development on the east and south. A GPA Pre-Screening application has been submitted for the property to the north, the topic of a separate staff report at this meeting. Attachment 1 to this report shows an aerial view of the project site and vicinity with current General Plan designations.

Previous Applications

In 2003, a GPA Pre-Screening application was filed to amend the General Plan land use designation on this site from Rural Low Residential (one (1) dwelling unit per 5 acres) to Very High Density Residential (fifteen (15) dwelling units per acre) to allow for the construction of five (5) estate lots and 183 "courtyard" homes. In 2005, staff recommended that the Affordable Housing/Community Development Committee recommend that the City Council not allow the filing of a General Plan Amendment application primarily because the design of North Hills Parkway was not finalized and appropriate secondary access did not exist for that number of dwelling units. The application was withdrawn by the applicant at the Affordable Housing/Community Development Committee meeting.

General Plan Land Use Designation

The Very High Density Residential, Rural Low Density Residential, and Open Space land use designations requested for the site would allow the proposed development of 5, five-acre residential lots, 120 apartment units in 5 three-story buildings, 46 two-story detached condominium units, and 100 two-story duplex units. The proposed development includes a common recreation area and open space.

GENERAL PLAN/ZONING			
Direction	General Plan	Zoning	Land Use
Site	RL (Rural Low Density Residential)	AE (Agricultural Exclusive)	Caretaker residence and abandoned building pads
North	RL (Rural Low Density Residential)	RE-5ac (Rural Exclusive – Five Acre Minimum Lot Size)	Equestrian Ranch and Home
South	I-2 (Medium Industrial)	M-2 (Limited Industrial)	Future Industrial Development
	----- Specific Plan # 1 (Hitch Ranch)	----- AE (Agricultural Exclusive)	----- Unimproved
East	RL (Rural High Density Residential)	RE-1ac (Rural Exclusive – One Acre Minimum Lot Size)	Residential
	----- Specific Plan # 1 (Hitch Ranch)	----- AE (Agricultural Exclusive)	----- Unimproved
West	Agriculture (County)	AE (Agricultural Exclusive) (County)	Agriculture/Drainage

Evaluation Criteria

Criteria most pertinent for approval or denial of this General Plan Amendment Pre-Screening are:

- Conformity with Goals, Policies, and Implementation Strategies of the General Plan
- Potential for Compatibility with Existing and Planned Uses in the Area
- Facilitation of a Significant Contribution to the Provision of Affordable Housing
- Conformity with Other City Council Policies
- Potential to Provide Public Benefit

General Plan Goals and Policies

Goals and policies from the General Plan most pertinent to this project include:

Land Use Element

- Attain a balanced city growth pattern which includes a full mix of land uses. New development shall be orderly with respect to location, timing, and density, consistent with the provision of local public services and facilities, and compatible with the overall suburban rural community character.
- Provide a variety of housing types and opportunities for all economic segments of the community. A mix of residential densities shall be provided which accommodate the housing needs of all members of the community. Residential projects shall include variation of product types, lot sizes, and designs where feasible. Inclusionary zoning shall be used where feasible to require that a percentage of new units are affordable to very low to moderate income households.
- Develop new residential housing which is compatible with the character of existing neighborhoods and minimizes land use incompatibility. Infill development in existing residential neighborhoods shall be compatible with the scale and character of the surrounding neighborhood.
- Establish land uses and development intensities which are compatible with scenic and natural resources and which encourage environmental preservation.
- Enhance the physical and visual image of the community. New development shall be compatible with the scale and visual character of the surrounding neighborhood.

Housing Element

- Provide residential sites through land use, zoning and Specific Plan designations to provide a range of housing opportunities. Identify adequate housing sites to facilitate the 1998-2005 Regional Housing Needs Assessment (RHNA) goals. Ensure residential sites have appropriate public services, facilities, circulation, and other needed infrastructure to support development.
- Require, in aggregate, ten percent (10%) of new units to be affordable to lower-income households.

Noise Element

- Protect the public from adverse noise impacts. Incorporate noise considerations into planning decisions to prevent or minimize future land-use incompatibilities. Limit the impact of nuisance noise sources upon residential areas. Residential buildings should be located and oriented to minimize or eliminate a noise problem for a site adjacent to a highway.

Circulation Element

- The completion of the ultimate circulation system, through the improvement of sub-standard roadway segments and intersections and the construction of missing roadway links and related facilities shall be actively promoted.
- New residential streets should be designed so as to discourage pass-through trips which do not begin nor end within the residential areas within the City of Moorpark.
- New development projects shall mitigate off-site traffic impacts to the maximum extent feasible.
- Roadways in hillside areas shall not have a significant, adverse impact on the natural contours of the land; grading for streets shall be minimized; and harsh cut slopes which may not heal into natural appearing surfaces shall be avoided.
- Multi-use equestrian, bicycle, and pedestrian trails shall be encouraged wherever feasible.

ANALYSIS

Under the current General Plan and Zoning Designations, this property could be developed with up to thirteen (13) five-acre lots, consistent with the development to the north, likely without any dedicated open space preservation or significant affordable housing provision. This proposed GPA, when accompanied by an appropriate development proposal, could further a number of the General Plan goals and policies stated above better than lower density residential use of the site as currently planned. At the density ranges contemplated, this project could be a source of additional affordable housing in the City.

As mentioned above, in 2005, unresolved issues with the proposal were primarily due to grading concerns, the design of North Hills Parkway not being finalized, and the lack of appropriate secondary access. At this time, the plan would have grading balance on site (no import or export), and a large, highly visible knoll on the southeast corner of the site would be preserved as open space. The development proposal includes five-acre lots on its north and east perimeter, buffering the higher density development from the Gabbert Road neighborhood.

The connection of the development road network to Gabbert Road provides a safe second means of access for both the proposed development as well as the existing Gabbert Road neighborhood. The access would need to be designed in a sensitive manner to maintain the rural feel of the Gabbert Road neighborhood, and this would have to be carefully studied as part of the review of this project application. With the finalization of the design of North Hills Parkway, the provision of North Village Drive as an improved road for access, and the connection of the development's road network to Gabbert Road, circulation issues could be resolved and it is appropriate to allow for the processing and consideration this project at this time. One additional public benefit that should be provided with any development of this property would be the extension of a

multi-use trail through this development from the Hitch Ranch property to the proposed residential development to the north.

In order to ensure that a project involving a General Plan Amendment as proposed for this site furthers the General Plan goals without adverse impacts and provides for predictable, consistent development, it is recommended that a development agreement be required to be processed concurrently with the applications for a General Plan Amendment, Specific Plan Amendment, Zone Change, Subdivision Map, Residential Planned Development Permit, and any other necessary entitlements.

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). Since this project proposal requires consideration of a General Plan Amendment, which is a legislative matter, it is not subject to processing time limits under the Permit Streamlining Act. None of the other time limits are applicable to this pre-screening application.

ENVIRONMENTAL DETERMINATION

A GPA Pre-Screening application does not involve any approval action and is therefore not subject to environmental review. Should the City Council allow the filing of a General Plan Amendment application on this project, an initial study will be prepared to determine the proper environmental documentation or further studies.

STAFF RECOMMENDATION

It is recommended that the Community and Economic Development Committee recommend that the City Council authorize the filing of a General Plan Amendment application, provided that a multi-use trail improvement is shown on the development plan as described in this report, and that a Development Agreement be required.

Attachments:

1. Aerial Photograph of Project Site
2. Conceptual Site Plan

**Aerial Photograph of Project Site
With General Plan Land Use Designations**

(UNDER SEPARATE COVER)

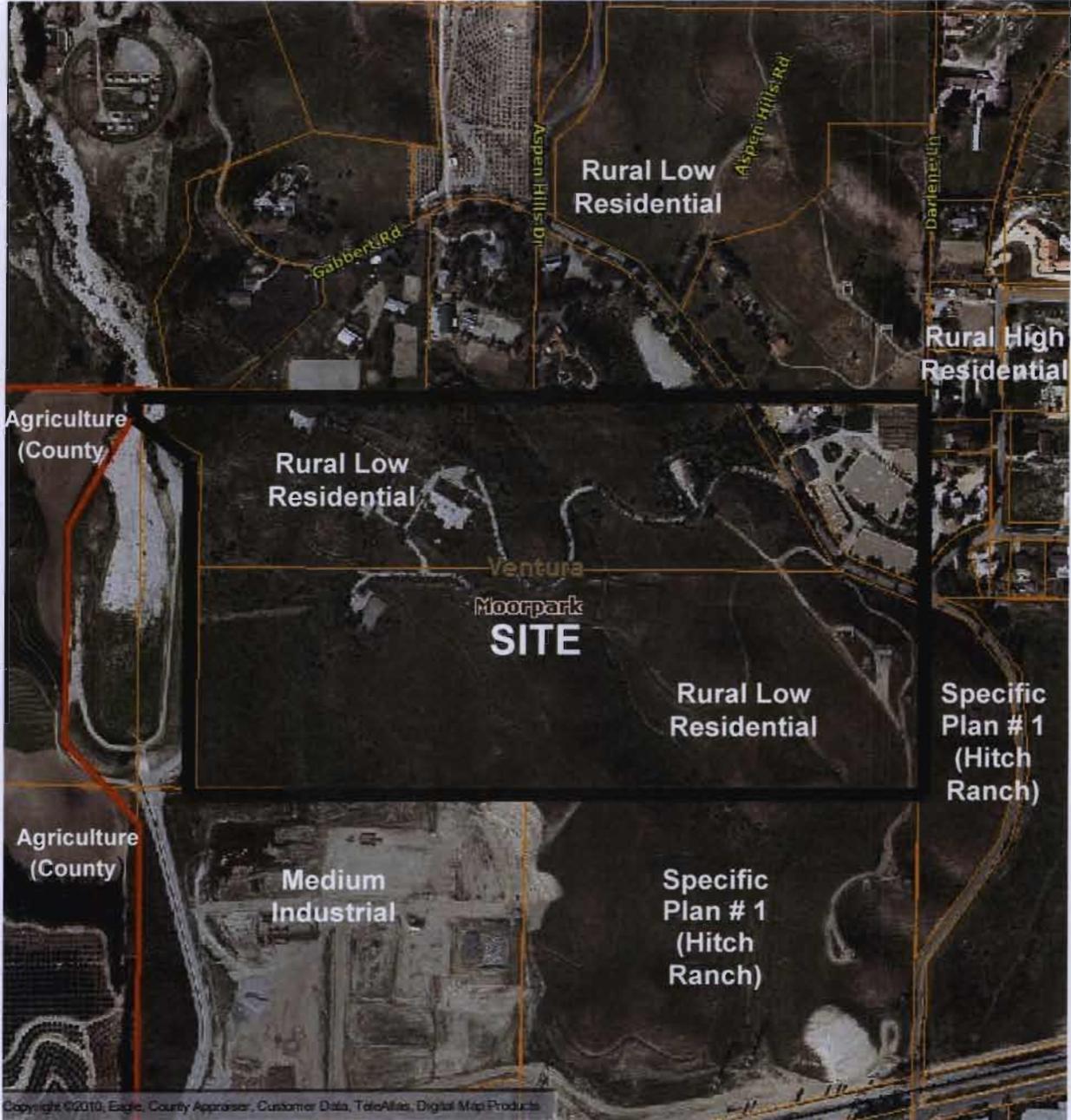
Proposed Conceptual Site Plan

(Under Separate Cover)

CC ATTACHMENT 2

**EXHIBITS ITEM 8.C.
MOORPARK PROPERTY**

**Aerial Photograph of Project Site
With General Plan Land Use Designations**



CEDC ATTACHMENT 1



CONCEPTUAL SITE PLAN

MOORPARK SITE

MOORPARK PROPERTY 67, LLC

Feb 01, 2010

MOORPARK, CA

HPA#08647



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