

**MOORPARK CITY COUNCIL
AGENDA REPORT**

TO: Honorable City Council

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



DATE: October 25, 2012 (CC Meeting of 11/7/2012)

SUBJECT: Consider a One-Year Extension for Industrial Planned Development No. 2009-01 and Conditional Use Permit No. 2009-01 (Moorpark West Studios)

DISCUSSION

On October 5, 2011, the City Council adopted Resolution 2011-3063 approving Industrial Planned Development No. 2009-01, and Conditional Use Permit No. 2009-01 for the Moorpark West Studios project. These approvals took effect upon the effective date of the Development Agreement for the project. The Development Agreement, which was approved by Ordinance No. 409 on October 19, 2011, took effect thirty days later on November 18, 2011. The Development Agreement addresses the term of subsequent approvals as follows:

“Term of Subsequent Approvals. The term of any Subsequent Approval, except a tentative subdivision map or subdivision improvement or other agreements relating to the Project, shall be one year; provided that the term may be extended by the decision maker for four (4) additional one (1) year periods upon application of the Developer holding the Subsequent Approval filed with City's Community Development Department prior to the expiration of that Approval. Each such Subsequent Approval shall be deemed inaugurated, and no extension shall be necessary, if a building permit was issued and the foundation received final inspection by City's Building Inspector prior to the expiration of that Approval. The term of any tentative subdivision map, should one be approved by City during the term of this Agreement, shall be as set forth under the Subdivision Map Act, Government Code Section 66410 et seq. and Title 16 Subdivisions, of the Moorpark Municipal Code.”

In the past year, the developer has been able to get the property annexed into Waterworks District No. 1. The applicant has also been working diligently on obtaining the necessary permits from the Watershed Protection District to box the channels for the road crossings. However, because of the rainy season, they will not be able to begin work until April 2013. The applicant is currently preparing a lot line adjustment to acquire 15 feet of the property to the west, as was shown on the approved plans. This is a ministerial permit which the City will be processing. Additionally, they are working on obtaining the properties south of Los Angeles Avenue for the street widening. Once these properties are obtained, City staff will prepare an item for Council consideration to annex the property for the road widening.

STAFF RECOMMENDATION

Direct the Community Development Director to issue a letter granting a one-year extension of Industrial Planned Development No. 2009-01 and Conditional Use Permit No. 2009-01 (Moorpark West Studios), to November 18, 2013.