

**MOORPARK CITY COUNCIL
AGENDA REPORT**

TO: Honorable City Council

FROM: David A. Bobardt, Community Development Director



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

SUBJECT: Consider Resolution Directing the Planning Commission to Study, Hold a Public Hearing, and Provide a Recommendation on a Revised Development Agreement with Essex Portfolio, L.P. for Approximately 10.57 Acres South of Casey Road

BACKGROUND/DISCUSSION

On July 18, 2007, the City Council approved General Plan Amendment 2004-05, Zone Change 2004-04, Residential Planned Development Permit 2004-06 (Project Approvals) and a development agreement for a 200-unit apartment complex in nine buildings spread throughout a 10.57 acre project site located on the south side of Casey Road on a portion of the old high school site. The development agreement remains unsigned by the applicant. Shortly after Council approval, the developer asked for changes to the agreement, and the City has been negotiating with the developer since this time. On September 19, 2012, the City Council gave direction to staff on proposed amendments to the development agreement. These amendments would be incorporated into a revised development agreement to replace the previous development agreement.

Procedures for adopting a revised development agreement are established in Section 15.40.120 of the Moorpark Municipal Code, which require the same review process as a new development agreement; adoption of an ordinance by City Council after public hearings by the Planning Commission and City Council. A resolution is attached for City Council consideration to schedule hearings on a revised development agreement.

FISCAL IMPACT

Costs to process the revised Development Agreement would be paid by the applicant.

STAFF RECOMMENDATION

Adopt Resolution No. 2012-____.

Attachment: Draft Resolution No. 2012-____

RESOLUTION NO. 2012-_____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MOORPARK, CALIFORNIA, DIRECTING THE PLANNING COMMISSION TO STUDY, HOLD A PUBLIC HEARING, AND PROVIDE A RECOMMENDATION ON A REVISED DEVELOPMENT AGREEMENT WITH ESSEX PORTFOLIO L.P. FOR APPROXIMATELY 10.57 ACRES SOUTH OF CASEY ROAD

WHEREAS, on July 18, 2007, the Moorpark City Council adopted Ordinance No. 355, approving a Development Agreement with Essex Portfolio, L.P. for the development of 200 apartment units on approximately 10.57 acres south of Casey Road; and

WHEREAS, the Development Agreement has not been signed by the Developer, who has since requested amendments to the terms of the Development Agreement; and

WHEREAS, on September 19, 2012, the City Council gave direction to staff on amendments to the terms of the Development Agreement; and

WHEREAS, Section 15.40.120 of the Moorpark Municipal Code establishes procedures for the approval of a Development Agreement.

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

SECTION 1. INITIATION OF PROCEEDINGS: The City Council hereby authorizes the initiation of proceedings to consider a revised Development Agreement with Essex Portfolio L.P., for approximately 10.57 acres south of Casey Road.

SECTION 2. DIRECTION TO PLANNING COMMISSION: The Planning Commission is hereby directed to study, hold a public hearing, and provide a recommendation to the City Council on this matter.

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 7th day of November, 2012.

Janice S. Parvin, Mayor

ATTEST:

Maureen Benson, City Clerk