

**MOORPARK CITY COUNCIL
AGENDA REPORT**

TO: Honorable City Council

FROM: David A. Bobardt, Community Development Director



DATE: November 28, 2012 (CC Meeting of 12/5/2012)

SUBJECT: Consider Ordinance Amending a Development Agreement with A-B Properties for Approximately 34.53 Acres, North of the Union Pacific Railroad Right-of-Way, West of Gabbert Road

BACKGROUND/DISCUSSION

On April 18, 2012, the City Council directed the Planning Commission to study, hold a public hearing, and provide a recommendation on an Amendment to a Development Agreement between the City and A-B Properties for Approximately 34.53 Acres, North of the Union Pacific Railroad Right-of-Way, West of Gabbert Road. The intent of the Amendment is to address the impact on the original Development Agreement of a Settlement Agreement between A-B Properties, SCE, and the Hitch Ranch owners related to access rights to the property from Gabbert Road. On July 24, 2012, the Planning Commission considered a draft Ordinance amending the Development Agreement and recommended its approval.

A public hearing before the City Council on this draft Ordinance was opened on October 3, 2012. At the applicant's request, the City Council continued the matter with the hearing open until November 7, 2012 to allow for further discussion of the terms of the Development Agreement between the applicant and staff. On November 7, 2012, the City Council continued this matter to December 5, 2012, with the public hearing still open. Since this time, staff and the applicant have continued to negotiate the terms on this draft Development Agreement. Additional time is still needed to finalize the terms of the draft agreement. As the adoption of an Ordinance for the Development Agreement is a legislative act, time limits under the Permit Streamlining Act do not apply.

STAFF RECOMMENDATION

1. Accept public testimony.
2. Continue the item with the public hearing open to December 19, 2012 with no further advertising.