

**MOORPARK CITY COUNCIL
AGENDA REPORT**

TO: Honorable City Council

FROM: David A. Bobardt, Community Development Director
Prepared by Freddy A. Carrillo, Assistant Planner I 

DATE: December 26, 2012 (CC Meeting of 01/16/2013)

SUBJECT: Consider Resolution Approving Commercial Planned Development No. 2012-01, a Request to Construct a 77,834 Square-Foot, Two-Story Medical Office Building on a 4.0 Acre Parcel at 635 Los Angeles Avenue, on the Application of Mark Armbruster for Grand Moorpark, LLC

BACKGROUND/SUMMARY

This project, known as Grand Moorpark, has gone through the entitlement process twice: Commercial Planned Development (CPD) Permit No. 2005-04 and CPD No. 2010-01. Both applications have expired. The most recent application was approved by City Council on June 16, 2010. The project approval was valid for one year, by which construction must begin, or the permit must be extended. This permit was never extended and ultimately expired on June 15, 2011. A new application for the same project was submitted on April 27, 2012, as CPD No. 2012-01. Mark Armbruster of Armbruster Goldsmith & Delvac, LLC, submitted the application on behalf of Richard Paek, who owns the project in association with Grand Moorpark, LLC. This proposal is identical to the original project design of CPD No. 2010-01.

On September 25, 2012, the Planning Commission adopted Resolution No. 2012-554, recommending approval of the project to the City Council. During the public hearing, there were several concerns related to design details and changes to the building code since the project was first approved that were raised by the commission. The concerns are addressed by the applicant on a separate sheet attached to this report. Staff is satisfied that the applicant has addressed the concerns of the Planning Commission appropriately.

DISCUSSION

Project Setting

Existing Site Conditions:

The existing site is a relatively flat, unimproved four (4.0) acre parcel that has a rectangular shape, fronting on the north side of Los Angeles Avenue. Vegetation on the site consists of brush and weeds and three volunteer palm trees. The Mission Bell Plaza is located on the neighboring property to the east and single family homes are located to the north and west.

Previous Applications:

On May 7, 1997, the City Council approved Zone Change No. 96-1, changing the zoning of the 4.0 acre subject property from R-1-8, (Single Family Residential 8,000 Square Foot Minimum), to CO, (Commercial Office) on the application of A. DeeWayne Jones, D.D.S. Subsequently, Grand Moorpark LLC acquired the project site and filed General Plan Amendment Pre-screening Application No. 2001-02 to change the land use designation of the property to Very-High Density Residential. The City Council denied this application on December 1, 2004, finding a need to retain the site for commercial uses. On October 18, 2006, City Council approved Commercial Planned Development Permit No. 2005-04 to allow a construction of a 78,939 square-foot, two-story medical office building. A one-year extension was granted on December 13, 2007 and a second extension on October 8, 2008. The application officially expired on October 7, 2009. Also, on November 5, 2008, City Council approved Tentative Tract Map (TTM) No. 5869; a request to subdivide the medical office building into condominium units for sale or lease. The TTM will expire on November 5, 2015 with two two-year extensions provided by State law. On June 16, 2010, City Council approved CPD No. 2010-01 for the same construction. An extension was never requested by the applicant; therefore, the CPD application, good for one year, expired on June 15, 2011.

GENERAL PLAN/ZONING			
Direction	General Plan	Zoning	Land Use
Site	C-2 General Commercial	CO Commercial Office	Vacant lot
North	Medium Density Residential 4 DU/Acre	R-1-8 Single Family 8,000 sq. ft. min.	Single Family Houses
South	High Density Residential 7 DU/Acre	RPD-7U Residential Planned Development 7 units per acre	Vacant lot
East	C-2 General Commercial	CPD Commercial Planned Development	Mission Bell Plaza Shopping Center
West	Medium Density Residential 4 DU/Acre	R-1-8 Single Family 8,000 sq. ft. min.	Single Family Houses

General Plan and Zoning Consistency:

The Zoning Ordinance requires City Council approval of the Commercial Planned Development Permit for this project. The applicant's proposal is allowed in the CO (Commercial Office) Zoning Classification and the C-2 (General Commercial) General Plan Designation.

Project Summary

Commercial Planned Development Permit No. 2012-01:

Parcel No.	Proposed Use	Building Area (sq. ft.)
4.0 acres	Medical office building with a 39,470 sq. ft. first floor and 38,364 sq. ft. second floor.	77,834 sq. ft. (total)

Proposed Project

Architecture:

The architecture of the building is a blend of styles with Tuscan, Spanish, and early California references in the design. The project includes a variety of textures, colors and materials. Roof heights are also varied with a mix of clay-tiled mansard roofs, tower elements, and parapet roofs. The introduction of a mix of roof styles, towers, balcony features, a large internal atrium, portico features, and multiple vertical and horizontal offsets reduce the massing of the building and foster a human scale. The proposed architecture is well designed and is compatible with the surroundings. The architecture is discussed in more detail in the analysis section of this report.

Setbacks:

The building is set back 30 feet from Los Angeles Avenue, which is consistent with the minimum required front setback in the CO Zone when fronting on a 4-6 lane road. Minimum interior setbacks required in the CO Zone are 5 feet, unless the adjacent property is residential and then the minimum setback required is 10 feet. The project contains 10-foot wide landscaped setbacks adjacent to residential properties to the west and north and a 7-foot landscaped setback adjacent to the commercial property to the east. The setbacks are discussed in more detail in the analysis section of this report.

Circulation:

The predominant ingress and egress into the site is proposed via a 30-foot wide driveway at the eastern frontage on Los Angeles Avenue. This original primary access point was proposed to have deceleration and acceleration lanes, 100 feet long in each direction, in an effort to smooth transitions of vehicles, allowing for both right in and right out turning movements when entering and exiting the property. However, Cal-trans would not approve the design because there was not sufficient space to accommodate the turning movements. Left-turn access for eastbound traffic on Los Angeles Avenue would be prohibited, as it was with the office building approved on the south side of Los

Angeles Avenue adjacent to the Mobil station. A raised landscaped median in Los Angeles Avenue is anticipated in the future. There is through circulation around the sides and rear of the building with a secondary exit-only driveway that is 20 feet in width at the western frontage on Los Angeles Avenue. The pedestrian circulation includes building entrances on all four sides of the building and a large interior atrium courtyard that contains access ways, benches and landscaping. There is a well-designed porte-cochere for passenger drop-off and service access at the north side of the building and a dedicated ambulance drop-off and pick up zone on the east side. Staff has encouraged the architect to design the circulation to accommodate future reciprocal access with the adjoining commercial development to the east. The future reciprocal access issue is discussed in more detail in the analysis section of this report.

Traffic:

Staff does not anticipate any traffic impacts on the community as a result of this proposed project if approved. Los Angeles Avenue has sufficient carrying capacity to accommodate the proposed medical office building.

Parking:

Lot	Proposed Use	Spaces Required	Spaces Provided
4.0 acres	77,834 sq. ft. Medical Office Building	259	271

The project is required to comply with the City's parking ordinance by providing one parking space for every 300 sq. ft. of gross floor area of medical office space. The project meets the minimum number of parking stalls, including the required number of accessible stalls as required by the parking ordinance and uniform building code. All of the parking spaces are 9 feet wide by 20 feet deep. The primary parking lot is located behind and to the sides of the medical office, with a total of 271 spaces.

Loading Area:

One loading area is proposed to be 25 feet deep by 14 feet wide and it is clear to sky with no overhead obstruction. This proposal, however, does not meet current code requirements. The code requires a loading area that is 35 feet deep and 11 feet wide. Staff has added a special condition require the loading space be redesigned to meet current parking code requirements as provided above. Also, one loading space is sufficient to accommodate the delivery of general administrative office and medical supplies for this facility. The proposed loading area does not conflict with traffic or circulation and it will only be used during regular business hours. Since this building is proposed adjacent to residences, a special condition is recommended to limit the hours of delivery to between 8:00 AM and 7:00 PM Monday through Saturday. Also, more restrictive hours for loading and unloading may be imposed by the Community Development Director if there are noise and other issues that make the loading and unloading incompatible with the adjacent residential uses, and idling of trucks while

loading or unloading would be prohibited.

Landscaping/Lighting:

The applicant has proposed a landscape theme generally consistent with the City's landscape guidelines and with the proposed architecture. The landscaping plan proposes to have 51 percent of the parking lot area to be shaded by tree canopies, meeting the required minimum of 50 percent shade coverage. The City's landscape architect will review the plans in detail to determine if the number and placement of all plant materials and irrigation is appropriate.

The applicant has provided a conceptual lighting plan, subject to review by the City's lighting consultant for consistency with the City's requirements. An additional condition of approval is recommended, requiring that lighting fixtures be architecturally compatible with the buildings and landscaping, subject to review and approval of the Community Development Director.

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

The City Engineer has recommended conditions on 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 to address project stormwater quality issues.

Air Quality:

All commercial/industrial projects are required to off-set air pollutants consistent with the 2003 Ventura County Air Quality Assessment Guidelines. Staff has included a standard condition requiring the applicant to make contribution to the Moorpark Traffic System Management Fund as a method to meet this requirement.

ANALYSIS

Issues

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

- Architecture
- Setbacks
- Building Height
- Reciprocal Access

Architecture:

The architecture of the two-story medical office has Tuscan and Spanish influences along with early California references. With a mix of appropriate site planning and ample use of outdoor spaces, the design achieves a pedestrian-friendly atmosphere conducive to medical uses of the facility. The building is broken into two wings, an east and west wing, separated by an outdoor covered courtyard and atrium feature. Each wing has an approximate footprint of 108 feet wide by 192 feet deep.

The atrium has been introduced between the east and west wings of the building and open at the building's north and south ends. The atrium contains an exposed vaulted wood beam ceiling structure and serves as the main building entrance at both ends of the building, also allowing for vertical circulation for visitors and users up to the second floor. The architect has indicated that the atrium serves to make the project appear to be two buildings thus reducing its mass and scale on the property.

The architectural elements proposed include large gable end roofs and smaller, moderately pitched mansard roofs, all covered with multi-colored, clay S-tile. There are 2 tower features and several portico entrance embellishments, which serve to break up the horizontal and vertical massing of the building. The wainscot along the balance of the front and rear of the building is clad with cultured stone veneer, as are a variety of façades along the exterior entrances and window elements of the first floor. Wrought iron window and balcony accents, precast sills, and contrasting stucco and cement plaster provide variety and visual interest in the building. There is a well-designed porte-cochere for pedestrian drop off and entrance located at the center of the north elevation facing the parking lot where extensive use of pavers and decorative bollards make for an inviting access point into the medical facility.

The following building materials are proposed on the project:

- | | |
|---|--------------------------------------|
| ➤ Clay S-tile roofing | ➤ Decorative stone tile |
| ➤ Decorative Concrete Cornice molding surrounds | ➤ Decorative Wrought Iron guard rail |
| ➤ Rock veneer | ➤ Decorative Wrought Iron grill |
| ➤ Precast concrete detailing | ➤ Stucco plaster |
| ➤ Concrete quatrefoil | ➤ Aluminum window mullions |

The following Conditions of Approval are recommended by staff to fully carry out and enhance the style of architecture that is proposed:

- The arched openings must have a rounded bull nose edge or rock veneer which is wrapped within the window recess to the satisfaction of the Community Development Director.

- All pre-cast concrete detailing must have a natural concrete finish and score lines to the satisfaction of the Community Development Director.
- An appropriately scaled pre-cast concrete keystone must be included at the tops of the pre-cast concrete surrounds of arched openings where deemed necessary, to the satisfaction of the Community Development Director.
- The Applicant shall submit all of the proposed colors, materials and building finish textures for review and approval to the satisfaction of the Community Development Director prior to the issuance of building permits.
- A final hardscape plan shall be prepared to include the treatment of the decorative hardscape areas with integral color and texture at all predominate pedestrian areas, and prominent drive aisles including but not limited to the entrances and exits to the site off of Los Angeles Avenue and the prominent entrances into the office building and throughout the atrium, and the final plan shall be subject to the review and approval of the Community Development Director prior to the issuance of building permits.
- Prior to installation of hardscape and building materials, a field check and approval shall be required by the Community Development Director.
- Air conditioning handling units must be no higher than the lowest parapet on the roof and shall be painted the same color as the roofing material and there shall not be any piping, visible roof ladders, equipment, vents, exterior drains and scuppers or any other exposed equipment on the roof.
- All ground-mounted utility boxes must be screened with landscaping and all gas, electric, and water meters shall also be screened to the degree allowable by the utility companies, to the satisfaction of the Community Development Director.

The proposed architecture is well designed and is compatible with its commercial surroundings as well as with recently approved projects in town. Coupled with good massing, introduction of large pedestrian links and amenities and appropriate site planning, the architectural plan for the project will make a positive contribution to the development of Los Angeles Avenue.

Setbacks:

The 30-foot front setback is the minimum required for commercially-zoned properties fronting on Los Angeles Avenue. This distance allows the building to present a strong front elevation, screen parking behind the building, while still providing good visibility to the adjacent commercial uses to the east. While the site plan achieves compliance with the minimum interior yards as required by the Zoning Ordinance, the building is set back significant distances from the adjacent properties to protect privacy and minimize intrusions on visibility, light and air flow around the residential structures of the surrounding properties. The proposed building is 80 feet from residential properties to the west and landscaping areas, parking and drive aisles are placed within this setback distance. The proposed building is 150 feet from the residential properties to the north,

separated by landscaping areas, parking and two drive aisles. The proposed building is also 150 feet from the commercial properties to the east and landscaping areas, parking and two drive aisles are located within this setback. A new 8-foot high slump block masonry wall with stucco pilasters and pre-cast concrete caps on the wall and pilasters is proposed around the perimeter of the property, adjacent to the existing residential development. This height is consistent with the Zoning Ordinance standard for a wall separating commercially and residentially-zone properties. A slump-stone block wall already exists on the eastern property line and would remain in place, painted to match the new wall. A special condition is recommended requiring the submittal of a fencing/wall plan for review and approval of the Community Development Director.

Building Height:

The Commercial Office zone allows for a maximum building height of 25 feet. Section 17.24.080.B. of the Municipal Code provides for an exception to this requirement stating that- "Roof structures may be erected above the height limits prescribed in this title, provided that no additional floor space is thereby created". The building is 25 feet in height below the roof structures. The eaves of the mansard roof elements start at 26 feet and go up to a typical height of 31 feet, 6 inches. Some of the introduced parapet features are at a height of 34 feet, 6 inches.

There are gable end roofs on the side elevations that are at 36 feet, 6 inches in height and the gable end roof structure covering the atrium as viewed on the front and rear elevations is at a maximum elevation of 37 feet, 10 inches, representing the tallest feature on the building. Since the atrium roof structure is on the interior of the building, its height does not present a negative aesthetic impact, but rather serves to tie the wings of the building together with a well-designed architectural feature. The height exceptions as proposed are acceptable in that these architectural projections provide complementary architecture and appropriate massing for the medical office building. Furthermore, the extended roof structures and parapets will serve to screen any mechanical equipment proposed on the roof.

Reciprocal Access:

The service use of this property would be compatible with the retail and service uses occurring on the adjacent Mission Bell Plaza commercial shopping center property. Reciprocal access between these properties would eliminate the need to exit onto Los Angeles Avenue when going between uses and it would also provide a signalized exit onto Los Angeles Avenue for the medical office. The architect has shown areas for future landscape fingers in an appropriate location to accommodate future reciprocal access with the adjoining commercial development to the east. A recent settlement agreement between the City and the adjacent owner allows for this property owner to obtain an access easement through Mission Bell Plaza. Staff has recommended special conditions for this project to obtain that access easement and construct all improvements associated with the reciprocal access between the two properties.

Findings

Commercial Planned Development Permit Findings:

The following draft findings are provided for Planning Commission consideration:

- 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, Zoning Ordinance, and other applicable regulations, as it meets or exceeds the Commercial Office development standards for setbacks, parking, landscaping and height and meets the intent contained within applicable City Ordinances, guidelines and policies; and the proposed project is compatible with the site planning and architecture of the adjacent commercial center.
- B. The site design would not create negative impacts on or impair the utility of properties, structures or uses in the surrounding area as the property is zoned to allow a commercial office development and the site plan design integrates the building location at the south-western section of the subject property, thus minimizing impacts on adjacent residential properties while preserving visibility of the adjacent commercial structures as viewed from off-site. Generous setbacks from adjacent residential properties preclude impacts on the privacy and amount of light and air that the existing residents' enjoy.
- C. The proposed medical office service use is compatible with existing and permitted uses in the surrounding area as the architectural design and site plan arrangement complement the design of the adjacent commercial shopping center to the east; and the proposed medical office building is located in such a manner so as not to impede the use of the adjacent residential properties to the north and west and reduces any potential impacts to existing residential developments based on the presence of deep setbacks which buffer the proposed office building from existing residences.

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:

Date Application Determined Complete: April 27, 2012
Planning Commission Action Deadline: Not Applicable
City Council Action Deadline: February 6, 2013

ENVIRONMENTAL DETERMINATION

In accordance with the City's environmental review procedures adopted by resolution, the Community Development 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 cannot be readily identified, an Environmental Impact Report (EIR) is prepared.

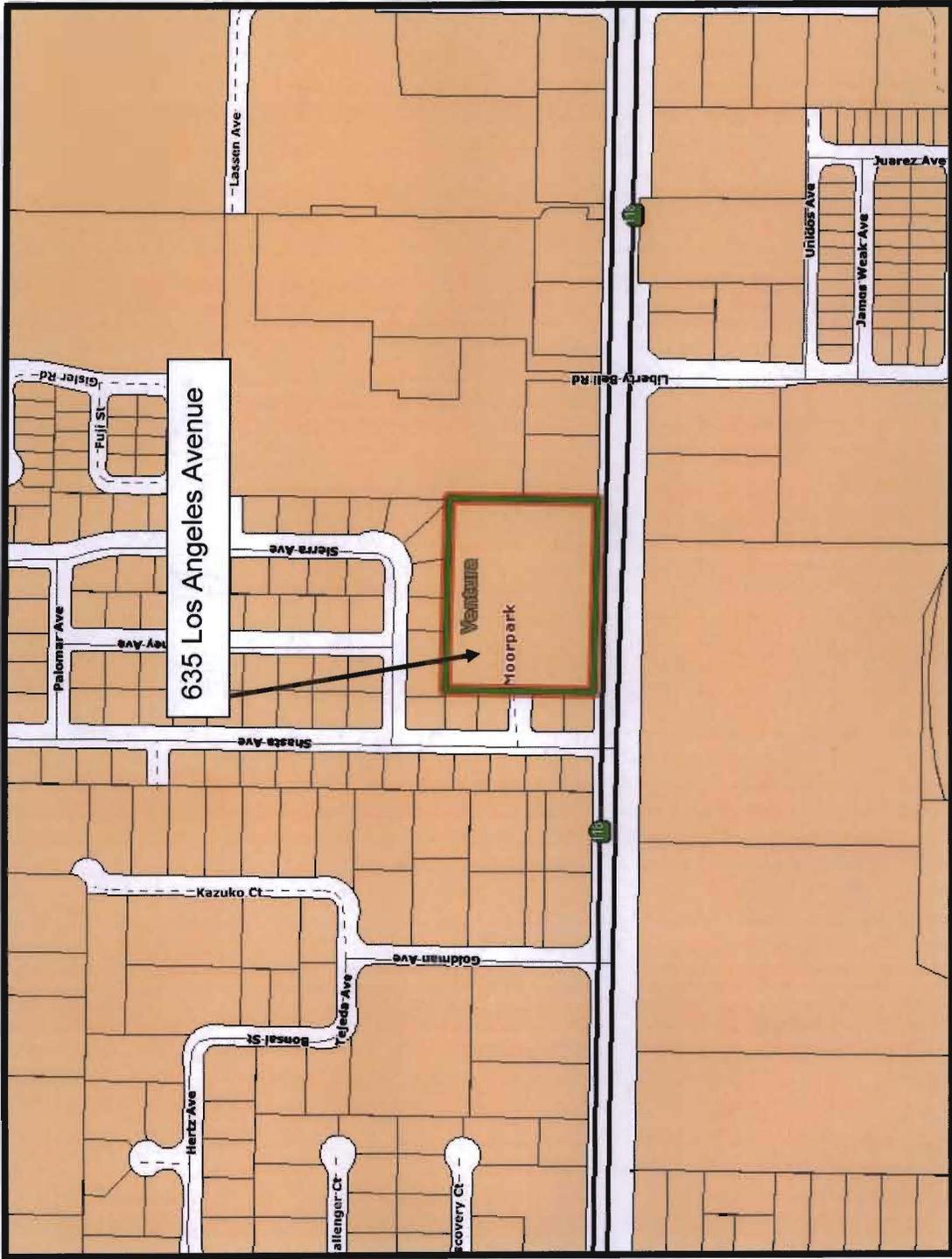
The Director has reviewed this project and found it to be Categorically Exempt in accordance with Section 15332 (Class 32 – Infill Development Projects) of the California Code of Regulations (CEQA Guidelines). No further environmental documentation is required.

STAFF RECOMMENDATION

1. Open the public hearing, accept public testimony and close the public hearing.
2. Adopt Resolution No. 2012-_____ approving Commercial Planned Development Permit No. 2012-01, subject to Conditions of Approval.

ATTACHMENTS:

1. Location Map
2. Aerial Map
3. Project Exhibits (UNDER SEPARATE COVER)
 - A. Title Page
 - B. Site Plan
 - C. First Floor Plan
 - D. Second Floor Plan
 - E. Roof Plan
 - F. Elevations
 - G. Elevations
 - H. Landscape Planting Plan
4. Letter from John Parezo, CAL-AM Planning & Design Group
5. Draft CC Resolution with Conditions of Approval



Location Map
635 Los Angeles Avenue



Aerial Map
635 Los Angeles Avenue

Project Exhibits (UNDER SEPARATE COVER)

- A. Title Page
- B. Site Plan
- C. First Floor Plan
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- E. Roof Plan
- F. Elevations
- G. Elevations
- H. Landscape Planting Plan

(UNDER SEPARATE COVER)

**COPIES OF THE EXHIBIT ARE AVAILABLE
UPON REQUEST OF THE PROJECT PLANNER**

November 6, 2012

Mr. Freddy Carrillo / Mr. Dave Bobardt
City of Moorpark
799 Moorpark Avenue
Moorpark, CA 93021

**RE: Applicant Responses - CPDP No. 2012-01
Grand Moorpark, LLC**

Dear Freddy/Dave,

Per your request Grand Moorpark, LLC is pleased to address concerns and questions raised by members of the Planning Commission at the regular meeting on September 25, 2012. Though the project was approved, staff agreed to address several issues raised during the deliberations. In our meeting with you last week, the issues were discussed and additional information was provided to help resolve the commissioners' concerns. Please review the points discussed below and let us know if Grand Moorpark, LLC has adequately addressed the issues.

A. Bicycle Racks:

Bicycle racks are shown on the architectural site plan, located next to the north entrance to the building adjacent to the proposed Bus Stop. The exact quantity required shall be determined during the construction document plan check process.

B. Trash Enclosure:

The trash enclosure has been completely designed with materials matching the building design, including tile roofing, stone veneer wall finish, and decorative screened metal gates, including a separate personnel access gate. Complete plans are indicated on Sheet A1.2 of the project drawings. The trash enclosure is oversized and is approximately 17'-0" x 26'-0". It is anticipated that at least six (6) full-size large rolling trash bins can be accommodated inside the structure.

C. Valid Tract Map:

Mark Armbruster's office responded to this item the day after the hearing. You have acknowledged receipt of their analysis, and the fact that the map entitlement is valid until 2015.

D. Accessible Parking:

The project is required to have 259 parking stalls. That requires seven (7) accessible stalls, including one (1) van accessible stall. The current site plan shows that ten (10) accessible stalls have been provided. There are 271 parking stalls provided at this time (surplus of 12). The specific occupancy classification for each proposed suite of the building has not been determined. Should the accessible stall requirement change, Owner is prepared to modify the parking to accommodate code requirements.

E. Elevators:

There was a question that the buildings' design incorporated one (1) elevator. The building design incorporates two (2) elevators, each directly accessible from the second floor courtyard balcony.

F. Visitor Emergency Exiting:

A concern was raised that visitors could be trapped on the second floor exterior balcony in an after-hours situation, and in the event both elevators were disabled, and re-entry back into the building on the second floor was not possible. We have evaluated the building entrances and access/egress. The building perimeter has secured access at all four (4) main entrance points to the buildings (Storefront entries at the East & West building entries and the 12' high courtyard gates at the South & North entries). There are two (2) additional doors that close off the building at the second floor balcony next to each of the elevators which has raised concerns. Owner has agreed that the two (2) "balcony" entrance doors will be removed from the design, allowing free access from the courtyard balcony into either wing of the project and four (4) possible stair exits.

G. Southern California Edison Transformer (Southwest building corner):

During the project design there was much deliberation with SCE over transformer equipment and location. We have attached their final design requirements for your information. At the time we had extensive discussions with the principal planner, Joe Vacca about this situation, and even requested that Edison allow us to "underground" the transformer at the Edison-required location. SCE denied this request. Because of maintenance and SCE truck access, their design actually is to place the equipment further east in front of the building than our drawings show. They were also resistant to locating the transformer next to or to the opposite side of the driveway to allay possible restrictions to access or blockage of the driveway.

In the interest of cooperation, Owner is agreeable to re-enter discussions with SCE when revised construction documents are prepared for the new required plan check submittal, and pursue a more acceptable location for the transformer.

We hope that this additional information resolves concerns and provides you with adequate information for your report to the City leadership. If we can be of further assistance please don't hesitate to contact us.

Very truly yours,

CAL-AM PLANNING & DESIGN GROUP

A handwritten signature in black ink, appearing to read 'John Parezo', with a stylized, cursive script.

John Parezo, AIA
Managing Architect
C-15656

(818) 620-3790
(949) 751-8863
Johnp@cal-amdesign.com

CC: Mr. Menashe Kozar
Mr. Richard Paek
Mr. Mark Armbruster
Ms. Nicole Kuklok-Waldman

RESOLUTION NO. 2013-___

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MOORPARK, CALIFORNIA, APPROVING COMMERCIAL PLANNED DEVELOPMENT PERMIT NO. 2012-01, A REQUEST TO CONSTRUCT A 77,834 SQUARE-FOOT MEDICAL OFFICE BUILDING ON A 4.0 ACRE PARCEL AT 635 LOS ANGELES AVENUE, ON THE APPLICATION OF MARK ARMBRUSTER FOR GRAND MOORPARK, LLC

WHEREAS, on September 25, 2012, the Planning Commission adopted Resolution No. PC-2012-576 recommending conditional approval of Commercial Planned Development Permit (CPD) No. 2012-01 on the application of Mark Armbruster for Grand Moorpark, LLC., for a 77,834 square-foot, two-story medical office building on a 4.0 acre parcel at 635 Los Angeles Avenue; and

WHEREAS, at a duly noticed public hearing held on January 16, 2013, 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 Community Development Director's determination that this project is Categorically Exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15332 of the CEQA Guidelines as a Class 32 exemption for infill 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, accompanying studies, and oral and written public testimony, the City Council makes the following findings in accordance with City of Moorpark, Municipal Code Section 17.44.040:

- 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, Zoning Ordinance, and other applicable regulations, as it meets or exceeds the Commercial Office development standards for setbacks, parking, landscaping and height and meets the intent contained within applicable City Ordinances, guidelines and policies; and the proposed project is compatible with the site planning and architecture of the adjacent commercial center.
- B. The site design would not create negative impacts on or impair the utility of properties, structures or uses in the surrounding area as the property is zoned to

allow a commercial office development and the site plan design integrates the building location at the south-western section of the subject property, thus minimizing impacts on adjacent residential properties while preserving visibility of the adjacent commercial structures as viewed from off-site. Generous setbacks from adjacent residential properties preclude impacts on the privacy and amount of light and air that the existing residents' enjoy.

- C. The proposed medical office service use is compatible with existing and permitted uses in the surrounding area as the architectural design and site plan arrangement complement the design of the adjacent commercial shopping center to the east; and the proposed medical office building is located in such a manner so as not to impede the use of the adjacent residential properties to the north and west and reduces any potential impacts to existing residential developments based on the presence of deep setbacks which buffer the proposed office building from existing residences.

SECTION 2. CITY COUNCIL APPROVAL: The City Council hereby approves Commercial Planned Development Permit No. 2012-01, subject to the Standard and Special Conditions of Approval included in Exhibit A (Standard and Special Conditions of Approval), attached hereto and incorporated herein by reference.

SECTION 3. CERTIFICATION OF ADOPTION: 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 16th day of January, 2013.

Janice S. Parvin, Mayor

ATTEST:

Maureen Benson, City Clerk

Attachment:

Exhibit A –Standard and Special Conditions of Approval for Commercial Planned Development Permit No. 2012-01

EXHIBIT A

**STANDARD AND SPECIAL CONDITIONS OF APPROVAL FOR COMMERCIAL
PLANNED DEVELOPMENT (CPD) No. 2012-01**

STANDARD CONDITIONS OF APPROVAL

The applicant shall comply with Standard Conditions of Approval for Subdivisions and 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. Prior to issuance of a grading permit, the Applicant shall provide an Irrevocable Offer of Dedication to the City of an easement for the purpose of providing ingress/egress access, drainage and parking to the adjacent property to the east. The City of Moorpark shall not assume any responsibility for the offered property or any improvements to the property until this action has been accepted by the City Council. If accepted by the City of Moorpark, this easement may be fully assignable to the property owner to the east of this property, as an easement appurtenant for parking, ingress/egress access purposes and all uses appurtenant thereto. The form of the Irrevocable Offer of Dedication and other required pertinent documents required to satisfy the above requirements shall be to the satisfaction of the Community Development Director, Public Works Director/City Engineer and the City Attorney.
2. Prior to or concurrently with the issuance of a grading permit, the Applicant shall provide the City with an agreement that will assure the City that the easement required as part of Condition No. 1 above shall be adequately maintained by property owners to safely convey storm water flows. Said agreement shall be submitted to the Public Works Director/City Engineer and City Attorney for review and approval. The agreement shall be a durable agreement, binding upon any future property owner or each lot of the development. The agreement shall include provisions for the owners to maintain any private storm drain or National Pollutant Discharge Elimination System (NPDES).
3. Within one (1) year of the approval of this entitlement, the applicant shall obtain an access easement consistent with the Easement Agreement recorded on September 11, 2011, by and between Mission Bell West, LP, and the City of Moorpark.
4. Prior to the issuance of a Certificate of Occupancy for the first office space, the Applicant shall enter into the standard Caltrans tri-party agreement for the maintenance of the parkway landscaping along Los Angeles Avenue.

5. The Applicant shall prohibit truck parking or storage overnight in the parking lot area. Limited truck parking, when in association with a permitted use, shall be allowed, but in no case shall there be overnight parking.
6. The Applicant shall provide a bus stop on-site for the City of Moorpark bus system. The bus stop location shall be shown on the site plan, with the location to the satisfaction of the Community Development Director and Public Works Director/City Engineer.
7. Prior to the issuance of a building permit for a building the Applicant shall submit a fencing/wall plan for review and approval of the Community Development Director for the walls/fencing of the east, north and west perimeters of the property.
8. All lighting fixtures must be architecturally compatible with the buildings and landscaping subject to the review and approval of the Community Development Director for compliance with the standards in Chapter 17.30 of the Municipal Code prior to the issuance of building permits.
9. Loading area(s) must be a minimum of 11 feet wide and 35 feet deep in compliance with parking standards subject to the review and approval of the Community Development Director for compliance with the standards in Chapter 17.32 of the Municipal Code prior to the issuance of building permits
10. Deliveries may only occur between 8:00 AM and 7:00 PM Monday through Saturday. More restrictive hours for loading and unloading may be imposed by the Community Development Director if there are noise and other issues that make the loading and unloading incompatible with the adjacent residential uses. Trucks must have their engines shut off while loading or unloading.
11. The Applicant shall construct all improvements on site with reciprocal access between the subject property and the property to the east. Additional landscape finger planters shall be constructed as demonstrated on the proposed site plan to the satisfaction of the Community Development Director.
12. Any exterior maintenance, cleaning, sweeping and landscape work may only be performed between 7:00 AM and 7:00 PM Monday through Friday and 9:00 AM to 5:00 PM on Saturdays.
13. The arched openings must have a rounded bull nose edge or rock veneer which is wrapped within the window recess to the satisfaction of the Community Development Director.
14. All pre-cast concrete detailing must have a natural concrete finish and score lines to the satisfaction of the Community Development Director.
15. An appropriately scaled pre-cast concrete keystone must be included at the tops of the pre-cast concrete surrounds of arched openings where deemed necessary, to the satisfaction of the Community Development Director.

16. The Applicant shall submit all of the proposed colors, materials and building finish textures for review and approval to the satisfaction of the Community Development Director prior to the issuance of building permits.
17. A final hardscape plan shall be prepared to include the treatment of the decorative hardscape areas with integral color and texture at all predominate pedestrian areas, and prominent drive aisles including but not limited to the entrances and exits to the site off of Los Angeles Avenue and the prominent entrances into the office building and throughout the atrium, and the final plan shall be subject to the review and approval of the Community Development Director prior to the issuance of building permits.
18. Prior to installation of hardscape and building materials, a field check and approval shall be required by the Community Development Director.
19. Air conditioning handling units must be no higher than the lowest parapet on the roof and shall be painted the same color as the roofing material and there shall not be any piping, visible roof ladders, equipment, vents, exterior drains and scuppers or any other exposed equipment on the roof.
20. All ground-mounted utility boxes must be screened with landscaping and all gas, electric, and water meters shall also be screened to the degree allowable by the utility companies, to the satisfaction of the Community Development Director.
21. Prior to any construction work in or on Los Angeles Avenue, the Applicant shall obtain all necessary permits from the California Department of Transportation (Caltrans) Office of Permits.
22. The Applicant shall prepare a master sign program for the business which shall be submitted to the Community Development Director for review and approval to ensure compliance with the sign ordinance prior to the issuance of building permits for sign installations.
23. Submittal of a Federal Emergency Management Agency (FEMA) approved Conditional Letter of Map Revision (CLOMR) is required by the Public Works Director/City Engineer prior to the issuance of any grading permit in a FEMA identified 100-year floodplain.
24. Left turns into or out of the property from/to Los Angeles Avenue are prohibited. The design of both driveways must be to the satisfaction of the Community Development Director, Public Works Director/City Engineer and Caltrans. The Applicant shall post "Right Turn Only" signs at both driveways prior to the first occupancy.
25. County Traffic Fee: Prior to the issuance of a Zoning Clearance for each building permit, the applicant shall pay to the Community Development Department the County Traffic Fee for County Traffic District No. 4 in which the project is located. The fee shall be paid in accordance with City Council adopted Reciprocal Traffic Mitigation Agreement fee requirements in effect at the time of building permit application.

26. All ground-mounted mechanical equipment, including but not limited to: transformers and generators must be screened with landscaping and/or decorative masonry walls to the satisfaction of the Community Development Director.
27. The porte-cochere must maintain a minimum internal clearance height of fourteen (14) feet to allow for fire department vehicle access to the satisfaction of the Ventura County Fire Department.

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