

**MOORPARK CITY COUNCIL
AGENDA REPORT**

TO: Honorable City Council

FROM: Joseph Fiss, Planning Manager

DATE: May 14, 2015 (CC Meeting of 5/20/2015)



SUBJECT: Consider a Resolution Authorizing the Acceptance of a General Plan Amendment Application for Review Consistent with General Plan Amendment Pre-Screening No. 2014-02, a Request to Allow a General Plan Amendment Application to be Filed to Change the Land Use Designation from Freeway/Right of Way to Light Industrial (I-1) Adjacent to 14501 Princeton Avenue, on the Application of Sunbelt Enterprises LLC.

BACKGROUND/DISCUSSION

On March 18, 2015 (at a meeting continued from February 18, 2015), the Community and Economic Development Committee (CEDC) (Councilmembers Mikos and Pollock) considered General Plan Amendment Pre-Screening No. 2014-02; a request for a General Plan Amendment Pre-Screening 2014-02, to allow a General Plan Amendment Application to be filed to change the land use designation from Freeway/Right of Way to Light Industrial (I-1) adjacent to 14501 Princeton Avenue, on the application of Sunbelt Enterprises LLC. 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 and specific plan application is included as part of the project proposal.

It had been noticed that landscaping within the parking lot was substandard. This deficiency included trees missing from some of the planter areas, and dead spots in others. Additionally, vines adjacent to a retaining wall had either died, or never grown in. The applicant was notified of this deficiency, and subsequently corrected it. An adjacent portion of Caltrans right-of-way at the SR-118 eastbound off-ramp at Princeton Avenue is not landscaped and has become a nuisance location for trash accumulation and weed growth. A landscape and maintenance agreement does not exist between the applicant and Caltrans for maintenance of this adjacent off-ramp landscaping, nor

was one required as part of any past development permits on the project site. This issue would be addressed through the review process of any future development plan.

On August 11, 2000, the Community Development Director approved Permit Adjustment No. 2000-07 (No. 1 to DP 318) to allow a parking lot addition at this location. A condition of approval of this permit was that the applicant grant to the City an easement to allow installation and maintenance of a City entry monument sign on the northeast corner of the site, adjacent to the Princeton Avenue right-of-way. The easement was granted, and a sign was installed in 2009 as part of the City's entry sign program. The entry sign is currently maintained by the City.

FISCAL IMPACT

Staff and consultant costs related to the processing of the entitlement applications would be paid for by the developer. The City would bear some upfront costs related to the commercial demand study, but that cost should be recovered once other vacant commercial property developers seek a use other than commercial for those properties.

STAFF RECOMMENDATION

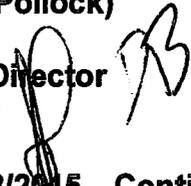
1. Open the public hearing, accept public testimony and close the public hearing; and
2. Adopt Resolution No. 2015-____ authorizing the acceptance of a General Plan Amendment application for review.

ATTACHMENTS:

1. March 18, 2015, Community and Economic Development Committee Agenda Report (with attachments)
2. Draft Resolution

**COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE
AGENDA REPORT**

TO: Community and Economic Development Committee
(Councilmember Mikos and Councilmember Pollock)

FROM: David A. Bobardt, Community Development Director
Prepared by: Joseph Fiss, Planning Manager 

DATE: March 10, 2015 (C&EDC Meeting of 3/18/2015, Continued from
2/18/15)

SUBJECT: Consider General Plan Amendment Pre-Screening 2014-02, a request
to allow a General Plan Amendment Application to be filed to Change
the Land Use Designation from Freeway/Right of Way to Light
Industrial (I-1) Adjacent to 14501 Princeton Avenue, on the
Application of Sunbelt Enterprises LLC.

DISCUSSION

This application was originally scheduled for Community and Economic Development Committee review on February 18, 2015. Due to an error in the location of the public notice sign, the item was continued to March 18, 2015. The public notice sign has since been relocated to the proper location, and courtesy public notices were sent to property owners within a 1,000 foot radius from the properties for which a General Plan Amendment Pre-Screening approval is requested. The February 18, 2015 CEDC Report is included as an attachment.

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 and that a Specific Plan for the project vicinity and Development Agreement for the vacant hilltop parcel be required.

Attachment:

1. February 18, 2015 CEDC Report

**COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE
AGENDA REPORT**

TO: Community and Economic Development Committee
(Councilmember Mikos and Councilmember Pollock)

FROM: David A. Bobardt, Community Development Director
Prepared by: Joseph Fiss, Planning Manager 

DATE: January 26, 2015 (C&EDC Meeting of 2/18/2015)

SUBJECT: Consider General Plan Amendment Pre-Screening 2014-02, a request to allow a General Plan Amendment Application to be Filed to Change the Land Use Designation from Freeway/Right of Way to Light Industrial (I-1) Adjacent to 14501 Princeton Avenue, on the Application of Sunbelt Enterprises 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. 2013-3242 establishes the review procedures for General Plan Amendment Pre-Screening applications. 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 October 28, 2014, Sunbelt Enterprises LLC filed a General Plan Amendment Pre-Screening application seeking authorization to file a General Plan Amendment application to allow a General Plan Amendment application to be filed to change the land use designation from Freeway/Right of Way to I-1 (Light Industrial) to allow for a lot line adjustment on their campus so that individual buildings would be on their own lots and one large vacant lot would be created for future development.

DISCUSSION

Project Setting

The overall project site consists of three large industrial buildings on a 36-acre site. The site has been graded as two distinct pads, with the lower pad developed with the aforementioned buildings and the upper pad remaining undeveloped. Access to the parking lots is from three driveways on Princeton Avenue. The parking lot is landscaped, whereas the slopes leading to the upper lot are largely natural vegetation.

In 2000, Kavlico filed several applications to add parking, landscaping and lighting within two small remainder lots adjacent to the 118 freeway that they acquired from Caltrans. These two lots are the lots for which Sunbelt Enterprises now wishes to file a General Plan Amendment application so that they would have the same land use designation as the rest of the project site.

Previous Applications

Resolution No. 85-249 was adopted on November 4, 1985 for Development Plan DP-318 and LDM-5 on the project site on the application of Fred Kavli (Kavlico Corporation). The permit allowed the construction of a 130,288 square foot industrial building and division of an existing 55.9 acre parcel into two lots. Much of the site was dedicated for the SR 118/23 interchange as part of the lot split map.

Resolution No. 93-914 was adopted on February 9, 1993, approving Major Modification No. 1 to Development Plan No. 318, on the application of Fred Kavli. The permit allowed a 91,549 square foot building.

Resolution No. 97-1412 was approved on December 17, 1997, approving Industrial Planned Development Permit No. 97-3 on the application of Sunbelt Properties (Fred Kavli). The permit allowed a one-story 42,146 square foot industrial building on the project site.

On October 31, 2013, Kavlico submitted Pre-Application 2013-04 for a development concept for five (5), two-story medical office buildings on a nine (9) acre site as a separate lot. On November 12, 2013 the Moorpark Development Review Committee, comprised of City staff and staff from other agencies involved in development review, met to discuss this Pre-Application and determined that a General Plan Amendment would be required on the two remnant freeway properties to develop the site as findings of General Plan consistency are required whether the 9-acre development lot is created through a lot line adjustment or through a parcel map.

General Plan Land Use Designation

The Light Industrial land use designation requested for the remainder parcels is a designation intended for light industrial uses including light industrial service, technical research, and business offices in a business park context.

GENERAL PLAN/ZONING			
Direction	General Plan	Zoning	Land Use
Kavlico Site	I-1 (Light Industrial)	M-1 (Industrial Park), RE-1ac (Rural Exclusive 1-Acre)	Light Industrial, Vacant
Parcels in Question	FRWY-R/W	M-1 (Industrial Park)	Parking
North	FRWY-R/W	n/a	SR-118 Freeway Interchange
South	I-1 (Light Industrial), M (Residential Medium Density)	RE-1ac (Rural Exclusive 1-acre) and R-1-6 (Single Family Residential)	Undeveloped Remnant Parcels for Princeton Avenue Widening Project, Single Family Residential
East	I-1 (Light Industrial)	M-1 (Industrial Park)	Retail Motorcycle Dealership, Offices
West	FRWY-R/W	n/a	SR-118 Freeway

General Plan Goals and Policies

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

Land Use Element

Goal: Attain a balanced city growth pattern which includes a full mix of land uses.

- New development and redevelopment shall be coordinated so that the existing and planned capacity of public facilities and services shall not be adversely affected.

Goal: Encourage a diversity of industrial uses which are located and designed in a compatible manner with surrounding land uses.

- New industrial development should be located adjacent to existing industrial uses and along major transportation corridors.

- Industrial uses shall incorporate design features, such as screen walls, landscaping and setbacks, and include height and lighting restrictions, so as to minimize adverse impacts on adjacent uses and enhance the visual characteristics of the area.
- Industries which are considered to have limited emissions and which meet local, regional, and state air and water pollution control goals and standards should be encouraged to locate within the City.

Goal: Achieve a well-balanced and diversified economy within the City which provides a variety of economic and employment opportunities.

- A balance job/housing ratio should be encouraged.
- New commercial and industrial uses which will generate long-term employment opportunities and diversify the community's employment base shall be encouraged.

Goal: Enhance the physical and visual image of the community.

- New development shall be compatible with the scale and visual character of the surrounding neighborhood.

Circulation Element

Goal: Provide a circulation system which supports existing, approved and planned land uses throughout the City while maintaining a desired level of service on all streets and at all intersections.

- Level of service "C" shall be the system performance objective for traffic volumes on the circulation system. For roadways and interchanges already operating at less than level of service "C", the system performance objective shall be to maintain or improve the current level of service.
- New development projects shall mitigate off-site traffic impacts to the maximum extent feasible.
- Adequate off-street parking shall be provided for new construction.

Goal: Provide a citywide system of safe, efficient and attractive bicycle and pedestrian routes for commuter, school, and recreational use.

- New development and redevelopment projects shall be required to include safe, separate, and convenient paths for bicycles and pedestrians so as to encourage these alternate forms of non-polluting transportation.
- Proposed residential, commercial, and industrial developments shall be required to include bikeways in their street improvement plans, consistent with the Circulation Element Bikeway Network Plan, and to construct the bicycle paths, or lanes, or routes as a condition of project approval.

ANALYSIS

General Plan Amendment 85-3 was approved by the City Council on November 4, 1985 to allow the ultimate development of the site as described above. In 2000, Kavlico filed several applications to add parking, landscaping and lighting within two remainder lots adjacent to the 118 freeway that they acquired from Caltrans. Upon the applicant's recent request for a Lot Line Adjustment, staff researched the appropriate maps and found that the designation of these lots is FRWY-R/W (Freeway Right-of-Way), which does not allow parking or industrial use. Newly created parcels must be consistent with the General Plan. The proposed General Plan Amendment would correct this situation.

Additionally, the property owner owns a single 0.30 acre lot that fronts on Princeton Avenue. This lot is zoned RE-1ac, but has a General Plan Designation of I-1 Light Industrial. In order to create a developable lot on the western side of the site (the "hilltop"), a driveway would need to be built on this lot for vehicular access, either primary or secondary, depending on how the site is developed. Commercial driveways are not allowed in the residential zones. A Zone Change would be required for this to occur.

In order to preclude piecemeal planning of this area and to ensure potential circulation issues from the development of the vacant hilltop property are properly addressed, staff is recommending that the CEDC recommend to the City Council that a Specific Plan be prepared to be considered concurrently with the General Plan Amendment, Zone Change, and Development Agreement. Staff would determine the boundaries of such a Specific Plan, as it would be appropriate to include surrounding properties, and the Princeton Avenue streetscape.

The buildings already developed and their parking facilities are in an appropriate location for industrial uses as they are bounded by freeway right-of-way on the north and west, and industrial uses on the east. In order to achieve consistency with the General Plan and provide certainty to both the City and developer on public improvements associated with this project, a development agreement should be required as part of any consideration of a General Plan Amendment and other entitlement applications for this project.

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 pre-screening application does not involve 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.

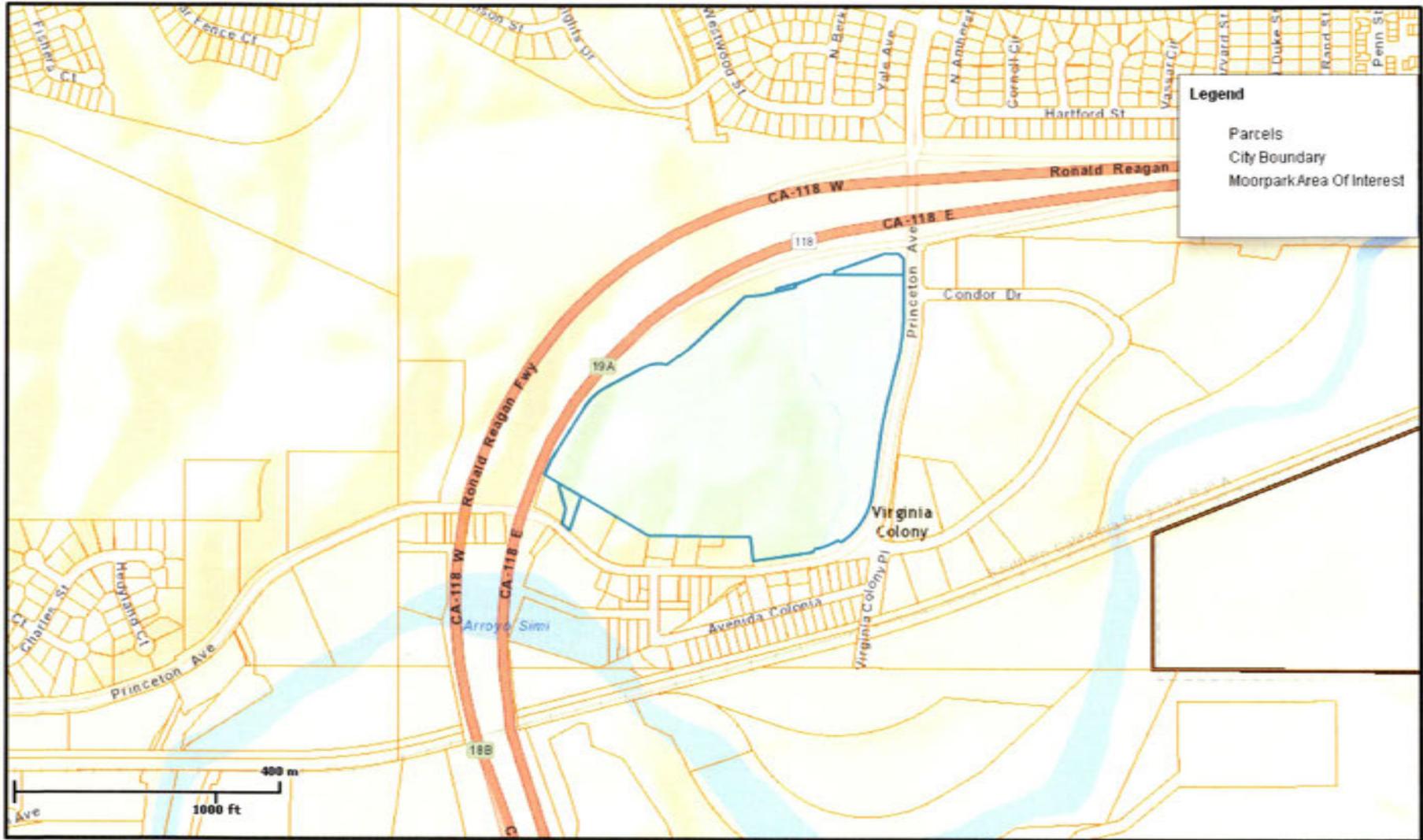
STAFF RECOMMENDATION

It is recommended that the Community and Economic Development Committee recommend that the City Council authorize the filing of a General Plan Amendment application and that a Specific Plan for the project vicinity and Development Agreement for the vacant hilltop parcel be required.

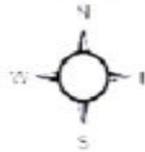
Attachment:

1. Location Map
2. Aerial Photograph
3. Conceptual Site Plan

Location Map



CEDC ATTACHMENT 1

<p>1" = 752 ft</p>	<p>14399, 14401, 14501 Princeton Avenue</p>	<p>10/29/2014</p>		
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This map represents a visual display of related geographic information. Data provided hereon is not a guarantee of actual field conditions. To be sure of complete accuracy, please contact Moorpark staff for the most up-to-date information.

Aerial Photograph

CEDC ATTACHMENT 2



Legend

- Parcels
- City Boundary
- Moorpark Area Of Interest

<p>1" = 752 ft</p>	<p>General Plan Amendment Pre- Screening No. 2014-02</p>	<p>01/29/2015</p>		
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This map represents a visual display of related geographic information. Data provided hereon is not a guarantee of actual field conditions. To be sure of complete accuracy, please contact Moorpark staff for the most up-to-date information.

PROJECT NOTES

ASSESSORS PARCEL NO. 510-0-010-002
 PARCEL AREA: 36.17 ACRES (PER COUNTY ASSESSOR)
 EXISTING ZONING: M-1
 PROPOSED ZONING: CD
 GENERAL PLAN DESIGNATION: L-1 LIGHT INDUSTRIAL

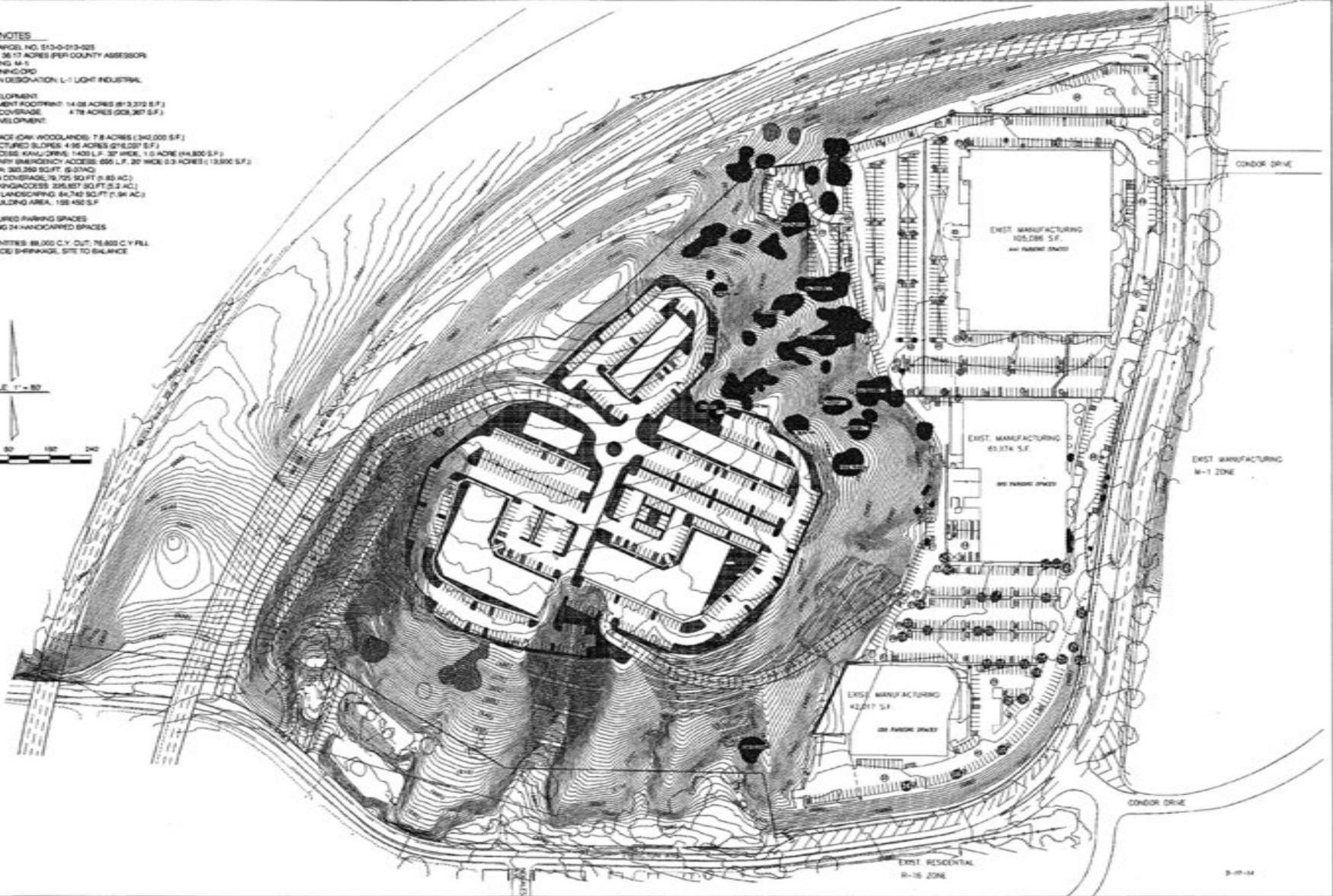
EXISTING DEVELOPMENT
 DEVELOPMENT FOOTPRINT: 14.08 ACRES (613,373 S.F.)
 BUILDING COVERAGE: 478 ACRES (208,307 S.F.)

PROPOSED DEVELOPMENT
 OPEN SPACE (CAK WOODLANDS): 7.8 ACRES (340,000 S.F.)
 MANUFACTURED SLOPES: 4.96 ACRES (216,227 S.F.)
 MAIN ACCESS: 600' DRIVE, 1400' L.F., 30' WIDE, 1.0 ACRE (44,800 S.F.)
 SECONDARY (EMERGENCY) ACCESS: 600' L.F., 30' WIDE, 0.3 ACRES (13,800 S.F.)
 PAD AREA: 300,750 SQ.FT. (6.97 AC)
 BUILDING COVERAGE: 19,725 SQ.FT. (0.45 AC)
 NET PARKING ACCESS: 259,875 SQ.FT. (5.9 AC)
 PARKING LANDSCAPING: 84,742 SQ.FT. (1.94 AC)
 TOTAL BUILDING AREA: 158,450 S.F.

50% REQUIRED PARKING SPACES
 INCLUDING 24 HANDICAPPED SPACES
 GRADING QUANTITIES: 88,000 C.Y. CUT, 76,800 C.Y. FILL
 10% SUBSIDENCE (SHRINKAGE), SITE TO BALANCE



SCALE: 1" = 80'



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 Structural and Civil Engineering
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DEVELOPER:
SUNBELT PROPERTIES
 180 SOLAR DRIVE
 ORLANDO, CALIFORNIA
 928-584-5700

**SUNBELT III HILLTOP
 PARKING / LAND USE STUDY**

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MOORPARK, CALIFORNIA, AUTHORIZING THE ACCEPTANCE OF A GENERAL PLAN AMENDMENT APPLICATION FOR REVIEW CONSISTENT WITH GENERAL PLAN AMENDMENT PRE-SCREENING NO. 2014-02; A REQUEST FOR A GENERAL PLAN AMENDMENT PRE-SCREENING TO ALLOW A GENERAL PLAN AMENDMENT APPLICATION TO BE FILED TO CHANGE THE LAND USE DESIGNATION FROM FREEWAY/RIGHT OF WAY TO LIGHT INDUSTRIAL (I-1) ADJACENT TO 14501 PRINCETON AVENUE, ON THE APPLICATION OF SUNBELT ENTERPRISES LLC.

WHEREAS, Section 17.44.050(C) of the Moorpark Municipal Code requires the pre-screening of General Plan Amendment applications requested by property owners before an application can be accepted for review; and

WHEREAS, Resolution No. 2013-3242 establishes the process for the review of General Plan Amendment Pre-Screening applications; and

WHEREAS, on October 28, 2014, Sunbelt Enterprises LLC submitted an application for General Plan Amendment Pre-Screening No. 2014-02, requesting a change in the land use designation from Freeway/Right of Way to Light Industrial (I-1) Adjacent to 14501 Princeton Avenue.; and

WHEREAS on March 18, 2015 (at a meeting continued from February 18, 2015), the Community and Economic Development Committee reviewed General Plan Amendment Pre-Screening No. 2014-02 and recommended that the City Council allow the acceptance for review of a General Plan Amendment application for this proposal; and

WHEREAS, at a duly noticed public hearing held on May 20, 2015, the City Council considered the agenda report and any supplements thereto and written public comments; opened the public hearing and 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 Community Development Director has determined that action on a General Plan Amendment Pre-Screening application is not a project approval subject to the California Environmental Quality Act of 1970, as amended.

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

SECTION 1. ENVIRONMENTAL DOCUMENTATION: The City Council concurs with the determination of the Community Development Director that action on a General Plan Amendment Pre-Screening application is not a project approval subject to the California Environmental Quality Act of 1970, as amended, in that it only allows for the filing of an application for a General Plan Amendment, which is subject to review and action by the Planning Commission and City Council.

SECTION 2. AUTHORIZATION TO ACCEPT APPLICATION: Staff is hereby authorized to accept for review a General Plan Amendment application consistent with General Plan Amendment Pre-Screening No. 2014-02, provided that all other necessary entitlement applications and deposits for the proposed development project, including an application for a development agreement, and specific plan, are filed concurrently.

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 20th day of May, 2015.

Janice S. Parvin, Mayor

ATTEST:

Maureen Benson, City Clerk