

**MOORPARK CITY COUNCIL
AGENDA REPORT**

TO: Honorable City Council

FROM: David A. Bobardt, Community Development Director 

DATE: November 25, 2013 (CC Meeting of 12/4/2013)

SUBJECT: Consider Extending Time Limits in City's General Plan Amendment (GPA) Pre-Screening Application Review Procedure

BACKGROUND

At the March 18, 2015 City Council meeting during Public Comment, John Newton had requested consideration of an agenda item to extend the expiration date of GPA Pre-Screening authorizations to file applications. He was particularly concerned about the expiration of authorizations for GPA Pre-Screening No. 2003-04 (Everett Street Terraces – Dr. John C. Chiu, FLPN, applicant) and GPA Pre-Screening No. 2008-02 (North Village – A-B Properties, applicant). An updated explanation of his request is attached. At the same meeting, Councilmember Pollock requested a report on the expiration of GPA Pre-Screening authorizations.

DISCUSSION

The City's GPA Pre-Screening Application Review Procedure was last amended by Resolution No. 2013-3242 on December 4, 2013. One issue of concern addressed in the latest review procedure was the timing under which a decision to allow a GPA application to be filed is valid. The new procedure provided for any new approval to be valid for a two-year period, by which a complete application must be filed, and for GPA Pre-Screening applications approved by the City Council prior to December 4, 2013 to be valid until December 4, 2015, by which a complete application must be filed.

The Everett Street Terraces GPA Pre-Screening No. 2003-04, for an apartment project on Everett Street, was approved in 2004. The application is incomplete. On October 27, 2015, additional application materials were submitted. These were reviewed and determined to still be incomplete. This project has been in process for 11 years. Community Development staff is working with the applicant on obtaining the information needed to process this application.

The North Village GPA Pre-Screening No. 2008-02, for single family homes north of North Hills Parkway, was approved in 2010. Staff has had several discussions over the past few years with potential investors on this property, however, no application has been submitted for a project on this property.

Two other GPA Pre-Screening applications would have also expired on December 4, 2015. However, one, GPA Pre-Screening No. 2012-01 (Casey Road Senior Community – 1 Moorpark, LLC, applicant), has had a complete application filed for a retirement community north of Casey Road. It is currently under review. The other, GPA Pre-Screening 2009-02 (Pacific Arroyo – Pacific Communities Builder, applicant), is no longer being pursued as the applicant is proposing a project consistent with the current General Plan designation.

The request to extend the validity of the two remaining GPA Pre-Screening applications by approximately four months is supported by staff. To formalize an action on this request, the GPA Pre-Screening Procedure would require an amendment by resolution of City Council.

STAFF RECOMMENDATION

Extend GPA Pre-Screening authorizations that would expire on December 4, 2015, to be valid through March 31, 2016, and direct staff to return with a resolution updating the GPA Pre-Screening Procedure to incorporate this change.

ATTACHMENT: Request for time extension.

David Bobardt

From: newtoncnslt@msn.com

To: skueny@moorparkca.gov

Subject: Extension of Time, Pre-Screened Approvals

Date: Thu, 29 Oct 2015 16:35:14 -0700

Steve,

Per our discussion, I respectfully request an extension of time beyond the current December, 2015 deadline for two previously Pre-Screened projects to be deemed complete for processing. These project proposals were put on hold the same as all other pending projects in the City during the economic downturn. Both are now active but may not be able to be deemed complete by this December. Their status is as follows:

Dr. John C. Chiu, FLPN, Everett Street Condominiums at Walnut Canyon Road & Everett Street. The revised/updated plans, studies & reports were delivered to Planning Manager Joe Fiss on Tuesday, October 27th with a request to be deemed complete by December. This may not be possible if additional information, study or plan revisions are requested by staff in order to render the application complete, hence the request for an extension of time.

Matt Osgood, a builder/developer affiliate of City Ventures, has been attempting to file a joint application for both the Rasmussen property on Gabbert Road & the A-B Properties 87 acres in Gabbert Canyon. The Rasmussen property Pre-Screen approval was recently approved while the A-B Pre-Screen approval is facing the December, 2015 deadline to be deemed complete for processing. Mr. Osgood's engineer has been in the process of putting the joint application together covering both properties. A new bridge fee has been proposed for the Rasmussen property which was not known during Mr. Osgood's due diligence investigation which has caused him to re-evaluate the acquisition of that property; he is renegotiating with the property owner. In the meantime, Mr. Osgood has been in consultation with Joe Fiss regarding filing the entitlement application on the A-B Property alone but is unsure whether that application can be deemed complete by the December deadline. He may be able to return to the joint application approach with both properties but that is not certain at this time, hence the request for an extension of time for the A-B 87 acres.

More specifically, on behalf of both the Dr. Chiu and A-B Properties owners, I am requesting an extension of time to March 31st, 2016 to allow the additional time necessary to render both of these previously approved Pre-Screened project proposals to be able to be deemed complete for processing. This should be adequate time for both to be able to satisfy staff's submittal requirements. Thank you for your consideration and willingness to work with us on this Steve. It is both reasonable and fair under the circumstances.

John Newton, John W. Newton & Associates, Inc., Land Use Consultants/Broker #00925471, 159 Moonsong Court, Post Office Box 471, Moorpark, CA 93021. T-805.529.3494 F-805.529.7604 newtoncnslt@msn.com

CC ATTACHMENT