

**MOORPARK CITY COUNCIL
AGENDA REPORT****TO: Honorable City Council****FROM: Barry K. Hogan, Community Development Director** **DATE: May 11, 2007 (CC Meeting of 6/6/2007)****SUBJECT: Consider the Ad Hoc Committee Recommendation on Development Agreement No. 2004-03 with Essex Portfolio, L.P. for Approximately 19.41 Acres South of Casey Road****BACKGROUND/DISCUSSION**

A development agreement for the proposed development of a 19.41 acre site, south of Casey Road and west of Walnut Canyon Road, with two-hundred (200) apartments on 11.57 acres and the remaining 8.84 acres to be sold to the City, has been drafted. Other applications in process associated with this project include General Plan Amendment No. 2004-05, Zone Change No. 2004-04, and Residential Planned Development (RPD) Permit No. 2004-06. The Development Agreement Ad-Hoc Committee (Mayor Hunter and former Councilmember Harper) met with representatives from Essex Portfolio, L.P. (applicant) and staff several times and most recently on February 23, 2006, to review and finalize the negotiations on the substantive points of the attached draft development agreement for this proposed project. Those substantive points include, but are not limited to:

- Negotiated Area of Contribution Fees
- Provision for 20 percent of the units (40 units) to be affordable to low and very low income households, plus an additional 5 percent (10 units) to be affordable to moderate income households if bond financing is used
- Negotiated Art in Public Places Fee since negotiations were already in place prior to the change in the Art in Public Places Fee
- Developer to underground the flood channel through the total property
- Relocation of the overhead utility lines

Other than the above items, the fees agreed to are the same as other development agreements. Since February 2006 staff and the applicant have been discussing the terms and language of the various developer requirements in the draft agreement. Staff recommends that the Development Agreement hearings be scheduled concurrently with the other entitlement application hearings as follows:

- June 26, 2007 – Planning Commission hearing for recommendations on General Plan Amendment, Zone Change, Residential Planned Development Permit, and Development Agreement.
- July 18, 2007 – City Council hearing on General Plan Amendment, Zone Change, Residential Planned Development Permit, and Development Agreement.

STAFF RECOMMENDATION

Direct staff to set and advertise public hearings before the Planning Commission and City Council for consideration of the development agreement, concurrent with other related entitlements.