

**MOORPARK CITY COUNCIL
AGENDA REPORT**

TO: Honorable City Council

FROM: David A. Bobardt, Community Development Director

DATE: April 27, 2016 (CC Meeting of 5/18/2016)

SUBJECT: Consider 1) Resolution Directing the Planning Commission to Study, Hold a Public Hearing, and Provide a Recommendation on an Updated Development Agreement for the Pacific Communities Project, Vesting Tentative Tract Map No. 5882, a Proposed Development of 283 Homes on Approximately 39 Acres on the South Side of Los Angeles Avenue West of Leta Yancy Road; 2) Selection of a Council Ad-Hoc Committee to Negotiate an Updated Development Agreement for the Pacific Communities Project; and 3) Waiver of the General Plan Amendment Pre-Screening Process for this Project for the Purpose of Providing Affordable Housing

BACKGROUND

Government Code Section 65864 and City of Moorpark Municipal Code Chapter 15.40 provide for Development Agreements between the City and property owners in connection with proposed plans of development for specific properties. Development Agreements are designed to strengthen the planning process, to provide developers some certainty in the development process and to assure development in accordance with the terms and conditions of the agreement. Procedures for amendment to a Development Agreement are established in Section 15.40.120 of the Moorpark Municipal Code, which require the same review process as a new development agreement; adoption of an ordinance by City Council after public hearings by the Planning Commission and City Council.

DISCUSSION

Update to Development Agreement

On June 16, 1999, the Moorpark City Council adopted Ordinance No. 257 (effective July 16, 1999), approving a Development Agreement between the City of Moorpark (City) and MP Group, LLC (Developer). The agreement was approved in connection with the

Pacific Communities project, a thirty five (35) acre, 247-unit, detached single-family residential project located on the south side of Los Angeles Avenue west of Leta Yancy Road. The agreement remains in full force and effect for twenty (20) years from the operative date of the agreement (until January 15, 2019), or until the close of escrow on the initial sale of the last Affordable Housing Unit, whichever occurs last. An additional 37 homes on approximately 5 acres adjacent to the original Pacific Communities project were approved by the City Council on October 18, 2000 as part of this project, for a total of 284 homes. Due to flood plain issues that have since been resolved and the stagnant housing market, none of this property has been developed.

On February 17, 2010, the City Council approved a General Plan Amendment Pre-Screening application for the development of 457 homes on this property. The developer has since abandoned this proposal and the Pre-Screening authorization has expired.

On April 15, 2016, the developer submitted an application for a new development proposal, Vesting Tentative Tract Map No. 5882, consisting of 153 single-family detached homes and 130 detached condominium units for a total of 283 homes on this property, at a similar density to what was originally approved in 1999 and 2000. The developer has also requested an updated development agreement to address this revised project.

On April 20, 2016, the City Council authorized the purchase of 1.6 acres at 776 Los Angeles Avenue, adjacent to the original Pacific Communities project, to be used for affordable housing. The General Plan and Zoning call for commercial use of this property, and residential use of this property would require a General Plan Amendment and Zone Change. The current Pacific Communities development proposal would involve an exchange of 1.6 acres of land adjacent to Leta Yancy Road to the City for this property.

Based on the changes to the project area and proposed development, staff and the developer concur that the development agreement for this property should be updated to reflect the current project and current development expectations, along with a timeframe that would endure the life of the project. Consideration of the proposed land exchange between the City and Developer would also be addressed by an updated Development Agreement between the City and Developer. In addition, other considerations in the current Development Agreement would be revisited to be consistent with more recently approved projects and Development Agreements. Hearings on an updated Development Agreement would be scheduled concurrently with the hearings on the General Plan Amendment, Zone Change, Vesting Tentative Tract Map, and Residential Planned Development Permit for this project, after the draft Development Agreement is negotiated between the City and Developer.

Selection of Development Agreement Ad-Hoc Committee

Staff is also requesting the City Council to select two Councilmembers to serve on an ad-hoc committee to negotiate the terms of the updated Development Agreement with the Developer. Currently, there are three development agreements with Council ad-hoc committees appointed as follows:

- Hitch Ranch – Councilmembers Mikos and Millhouse;
- Everett Street Terraces – Councilmembers Millhouse and Van Dam;
- Mansi/Aldersgate – Councilmembers Pollock and Van Dam.

Waiver of General Plan Amendment Pre-Screening Process

Finally, because the developer has been working with City staff on the property acquisition and potential land exchange for consideration as part of this project, staff recommends waiving the General Plan Amendment Pre-Screening process for this property to be re-designated for residential use.

FISCAL IMPACT

None.

STAFF RECOMMENDATION

1. Adopt Resolution No. 2016-____.
2. Select two Councilmembers for an ad-hoc committee to negotiate an updated development agreement for this project.
3. Waive the General Plan Amendment Pre-Screening Process for this project for the purpose of providing affordable housing.

Attachments:

1. Conceptual Site Plan
2. Draft Resolution No. 2016-____



LEGEND:

- ① FUSCHIA (PRODUCT A)
- ② VERBENA (PRODUCT B)
- ③ RECREATION CENTER (Lot 154)
- ④ LINEAR PARK (LOT C & D)
- ⑤ LA AVENUE LANDSCAPE (LOT A, & B)
- ⑥ MAIN ENTRY
- ⑦ SECONDARY ENTRY
- ⑧ MULTI PURPOSE DETENTION BASIN 1 (LOT F)
- ⑨ MULTI PURPOSE DETENTION BASIN 2 (LOT E)

CONCEPTUAL SITE PLAN
PACIFIC ARROYO
 VTTM 5882
 CITY OF MOORPARK

SCALE : 1/80
 13-2016 REV

48

TOTAL AREA CALCULATIONS	
DESCRIPTION	AREA AC.
Single Family (Lots 1-153)	11.21
Detached Condo (Lots 155-182/Units 1-130)	11.34
Private Streets (Lots 1-9)	7.11
Clubhouse (Lot 154)	0.50
Open Space (Lots 1-9)	3.18
VCWP Future Dedication (Lots 1-9)	3.36
PROJECT TOTAL	38.73

AREA CALCULATIONS	
DESCRIPTION	AREA AC.
City Owned Parcel	1.84
Swamp Parcel	1.84
Lot 154 Yucca Road Street Dedication	0.16

OPEN SPACE CALCULATIONS	
DESCRIPTION	Area (SQ)
Common Open Space	3.29
Clubhouse/Rec Center Lot 154	0.50
Open Space Lots A-F	3.18
VCWP Future Dedication Lot 154	3.36
Common Open Space Lots 155-182	2.76
Total Common Open Space	9.83
Private Open Space	10.7
Private Open Space Lots 1-153, 155-182	9.35
Total Open Space (Common and Private)	19.18
Open Space Percentage of Project Total	49%

RESIDENTIAL PLANNED DEVELOPMENT (RPD)		
Lot Area	Single Family	Detached Condo
3,290 SF	1/A	1/A
Building Setbacks		
- Front	10' to side load garage, 8' to living areas	8'
- Side	8'	10' between buildings
- Street Side	10'	
- Rear	13'	3' to garage
Maximum Building Height		
- Detaching Units	30'	30'
- Accessory Structures	18'	16'
- Petio Cover	12'	12'

RESIDENTIAL PLANNED DEVELOPMENT (RPD) - CONT'D		
Lot Area	Single Family	Detached Condo
3,290 SF	1/A	1/A
Parking		
- Garage	2 car private garage, per existing unit	10 min. detached
Open Space		
- Private	450 SF	450 SF
- Open Space	15' min. dimension	10 min. dimension
- Common Open Space	Refer to Area Calculation Tables	
On-street parking	150 spaces	
Detached Condo	100 spaces	

RESOLUTION NO. 2016-_____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MOORPARK, CALIFORNIA, DIRECTING THE PLANNING COMMISSION TO STUDY, HOLD A PUBLIC HEARING, AND PROVIDE A RECOMMENDATION ON AN UPDATED DEVELOPMENT AGREEMENT FOR THE PACIFIC COMMUNITIES PROJECT, VESTING TENTATIVE TRACT MAP NO. 5882, A PROPOSED DEVELOPMENT OF 283 HOMES ON APPROXIMATELY 39 ACRES ON THE SOUTH SIDE OF LOS ANGELES AVENUE WEST OF LETA YANCY ROAD

WHEREAS, on June 16, 1999, the Moorpark City Council adopted Ordinance No. 257 (effective July 16, 1999), approving a Development Agreement between the City of Moorpark (City) and MP Group, LLC, (Developer), in connection with the Pacific Communities project, Tentative Tract Map No. 5053 and Residential Planned Development (RPD) No. 96-01, a thirty five (35) acre, 247-home project located on the south side of Los Angeles Avenue west of Leta Yancy Road; and

WHEREAS, on October 18, 2000, the City Council adopted Resolution No. 2000-1783, approving Tentative Tract Map No. 5204 and RPD No. 99-04 for a 37-home project on approximately 5 acres west of Leta Yancy Road, expanding the original Pacific Communities project; and

WHEREAS, on April 15, 2016, Developer submitted an application for a new development proposal, Vesting Tentative Tract Map No. 5882, consisting of 153 single-family detached homes and 130 detached condominium units for a total of 283 homes on this property, at a similar density to what was originally approved in 1999 and 2000; and

WHEREAS, City and Developer wish to prepare an updated Development Agreement to an amendment to the Development Agreement with A-B Properties to address terms for certain public improvements; and

WHEREAS, Section 15.40.120 of the Moorpark Municipal Code establishes procedures for the amendment of a Development Agreement.

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

SECTION 1. INITIATION OF PROCEEDINGS: The City Council hereby authorizes the initiation of proceedings for an updated Development Agreement with MP Group, LLC, et al. for Vesting Tentative Tract Map No. 5882.

SECTION 2. DIRECTION TO PLANNING COMMISSION: The Planning Commission is hereby directed to study, hold a public hearing, and provide a recommendation to the City Council on this matter.

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 18th day of May, 2016.

Janice S. Parvin, Mayor

ATTEST:

Maureen Benson, City Clerk