

RESOLUTION NO. 2007-2611

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MOORPARK, CALIFORNIA, ADOPTING A MITIGATED NEGATIVE DECLARATION AND APPROVING GENERAL PLAN AMENDMENT NO. 2004-05 FOR A CHANGE OF LAND USE DESIGNATIONS ON 10.57 ACRES SOUTH OF CASEY ROAD AND WEST OF WALNUT CANYON ROAD AND MOORPARK AVENUE, ON THE APPLICATION OF ESSEX PORTFOLIO, L.P.

WHEREAS, on June 26, 2007, the Planning Commission adopted Resolution No. PC-2007-518, recommending that the City Council adopt a Mitigated Negative Declaration and approve General Plan Amendment No. 2004-05, to amend the General Plan land-use designations from Specific Plan 9 (SP-9) – School Overlay to Very High Density Residential (VH), on 10.57 acres located south of Casey Road and west of Walnut Canyon Road and Moorpark Avenue, on the application of Essex Portfolio, L.P.; and

WHEREAS, at a duly noticed public hearing on July 18, 2007, the City Council considered the agenda report for General Plan Amendment No. 2004-05 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 City Council has read, reviewed, and considered the proposed Mitigated Negative Declaration prepared for the project referenced above.

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

SECTION 1. ENVIRONMENTAL DOCUMENTATION: The City Council finds and declares as follows:

- A. The Mitigated Negative Declaration and Initial Study prepared for this project, attached as Exhibit B, are complete and have been prepared in compliance with CEQA, and City CEQA Procedures.
- B. The City Council has considered information in the environmental document in its deliberation of this project before making a decision concerning the project and the Mitigated Negative Declaration.
- C. The Mitigation Measures are hereby incorporated into the project conditions of the Residential Planned Development for this project.
- D. The Mitigated Negative Declaration reflects an independent judgment of the City Council.

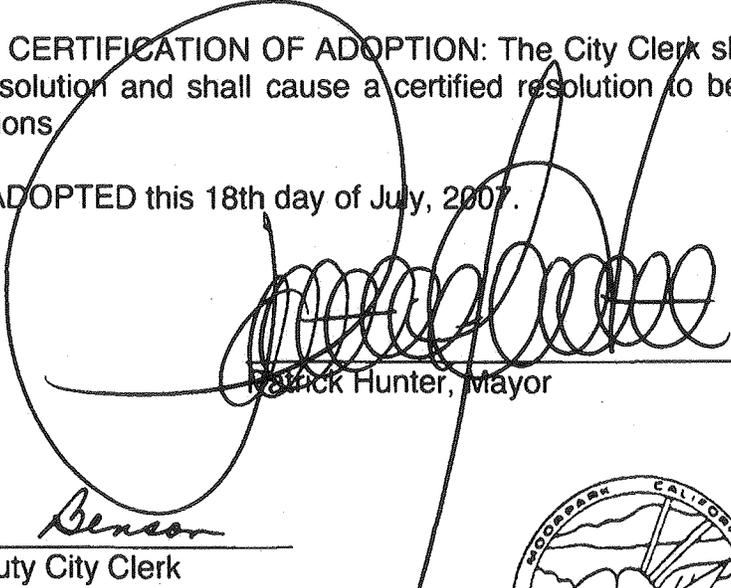
SECTION 2. ADOPTION OF MITIGATED NEGATIVE DECLARATION: The Mitigated Negative Declaration prepared in connection with General Plan Amendment No. 2004-05, Zone Change No. 2004-04, Development Agreement Nos. 2004-03, and Residential Planned Development Permit No. 2004-06 is hereby adopted.

SECTION 3. CITY COUNCIL APPROVAL: General Plan Amendment 2004-05 is approved, amending the General Plan Land Use Map as shown in Exhibit "A" attached hereto.

SECTION 4. The effective date of General Plan Amendment No. 2004-05 shall be concurrent with the effective date of the Ordinances for Zone Change No. 2004-04 and Development Agreement No. 2004-03, whichever occurs last.

SECTION 5. 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 18th day of July, 2007.


Patrick Hunter, Mayor

ATTEST:


Maureen Benson, Deputy City Clerk

Attachments:

- Exhibit A – General Plan Amendment Map
- Exhibit B – Mitigated Negative Declaration

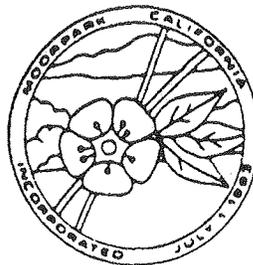


EXHIBIT A

GENERAL PLAN AMENDMENT NO. 2004-05

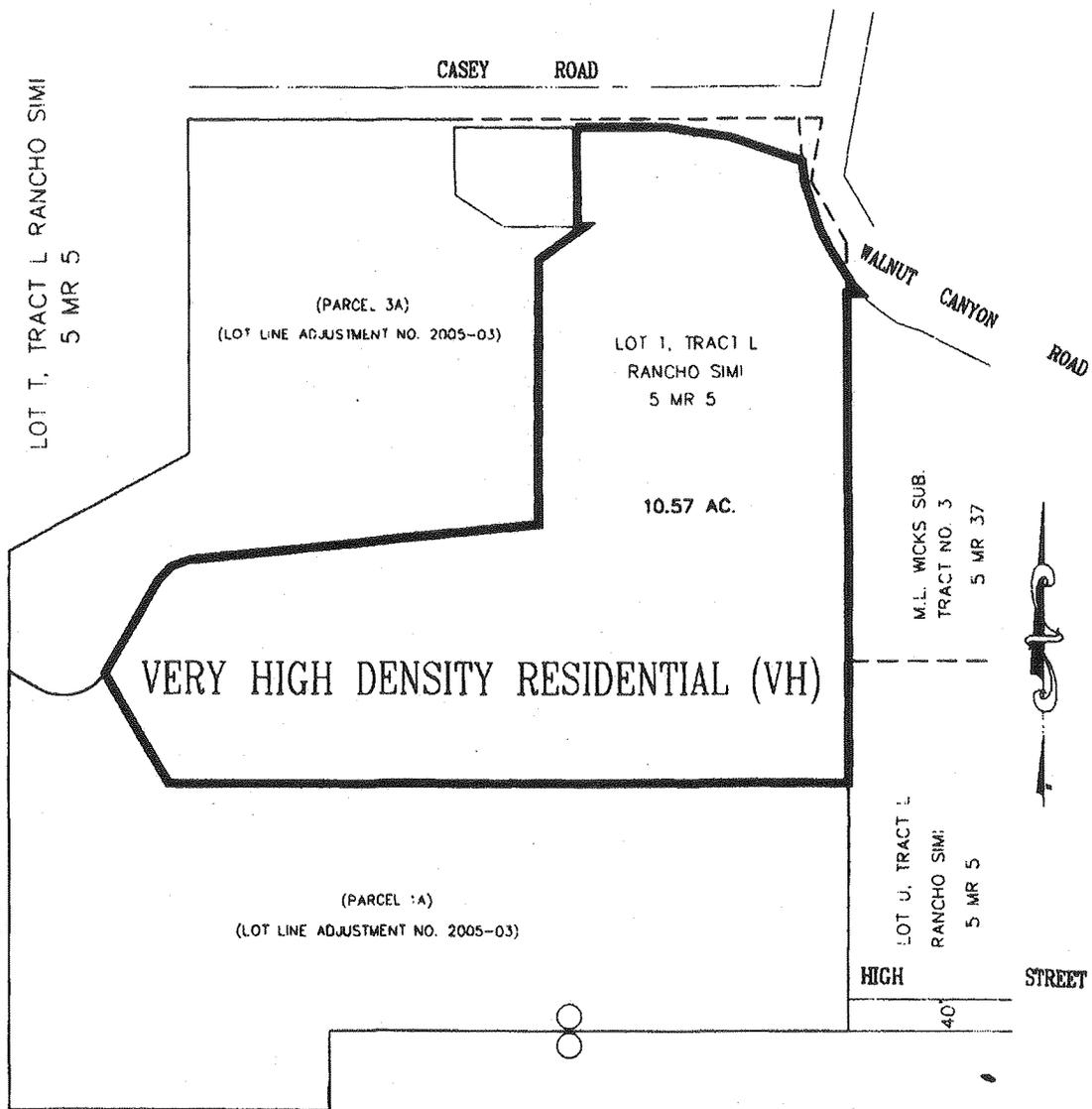


EXHIBIT B

MITIGATED NEGATIVE DECLARATION AND INITIAL STUDY



**MITIGATED NEGATIVE DECLARATION
CITY OF MOORPARK**
799 MOORPARK AVENUE
MOORPARK, CA 93021
(805) 517-6200

The following Mitigated Negative Declaration has been prepared in accordance with the California Environmental Quality Act of 1970 as amended, the State Guidelines, and the Environmental Procedures of the City of Moorpark.

Public Review Period: June 17, 2005 to July 16, 2005

Project Title/Case No.: Essex Moorpark Apartments: GPA 2004-05, ZC 2004-04, RPD 2004-06

Project Location: South of Casey Road, West of Walnut Canyon Road, Moorpark, Ventura County. (Location Map Attached)

Project Description: 200 Apartments on 10.57 acres of vacant land with access from Casey Road.

Project Type: Private Project Public Project

Project Applicant: Essex Portfolio, L.P.

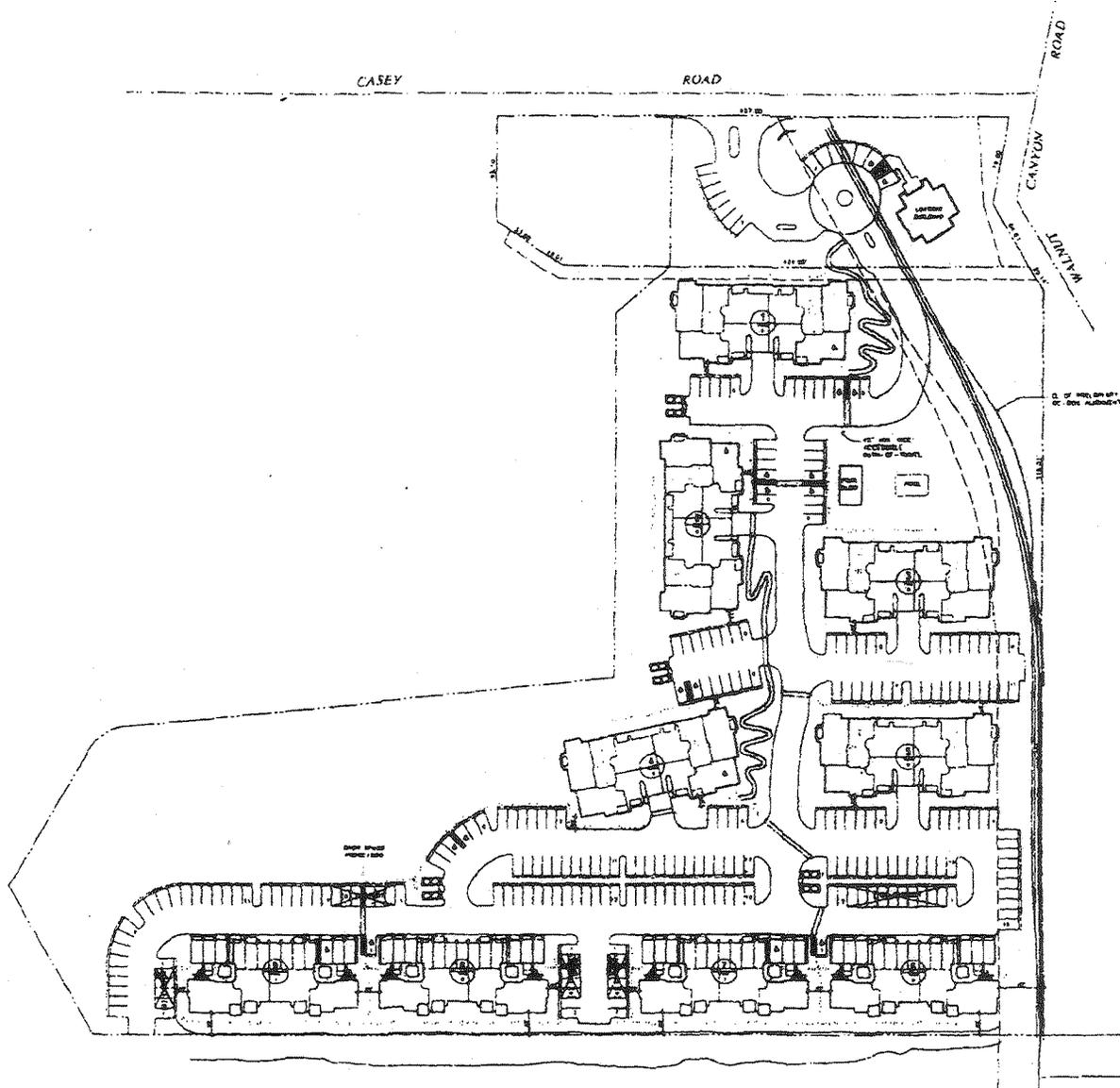
Finding: After preparing an Initial Study for the above-referenced project, revisions have been made by or agreed to by the applicant consistent with the mitigation measures identified in the Initial Study. With these revisions, it is found that there is no substantial evidence, in light of the whole record before the City of Moorpark, that the project may have a significant effect on the environment. (Initial Study Attached)

Responsible Agencies: California Department of Transportation

Trustee Agencies: n/a

Attachments: Location Map
Initial Study

Contact Person: David A. Bobardt
Community Development Department
City of Moorpark
799 Moorpark Avenue
Moorpark, California, 93021
(805) 517-6281



PROJECT SUMMARY

SITE AREA : 10.55 AC
 UNITS : 200
 DENSITY : 18.9 U./A.

PARKING PROVIDED:
 32 PRIVATE GARAGES
 120 GARAGES-IN-COMMON (MIN.)
 18 CARPORTS
 124 OPEN SPACES
 474 TOTAL SPACES (2.13)

BURKE

MOORPARK APARTMENTS

MOORPARK, CA

ARCHITECTURAL SITE PLAN

A2

ESSEX PROPERTY TRUST





Essex Moorpark Apartments
RPD No. 2004-06

CITY OF MOORPARK INITIAL STUDY
799 MOORPARK AVENUE
MOORPARK, CA 93021
(805) 517-6211

Project Title: Essex Moorpark Apartments **Case No.:** RPD 2004-06, GPA 2004-CZC 2004-04, DA 2004-03

Contact Person and Phone No.: David A. Bobardt (805) 517-6281

Name of Applicant: Essex Portfolio, LP

Address and Phone No.: 22120 Clarendon Street #200, Woodland Hills, CA 91367 (818)227-2131

Project Location: Southwest Corner of Casey Road and Walnut Canyon Road

General Plan Designation: Specific Plan **Zoning:** Rural Exclusive

Project Description: 200-unit apartment complex with access from Casey Road

Surrounding Land Uses and Setting:

North: Walnut Canyon School

South: Vacant, Railroad Right-of-Way

East: Moorpark Civic Center

West: Vacant

Responsible and Trustee Agencies: Caltrans for signal modifications on SR-23

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:
The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" or "Less Than Significant With Mitigation," as indicated by the checklist on the following pages.

<input type="checkbox"/>	Aesthetics	<input type="checkbox"/>	Agricultural Resources	<input checked="" type="checkbox"/>	Air Quality
<input type="checkbox"/>	Biological Resources	<input type="checkbox"/>	Cultural Resources	<input type="checkbox"/>	Geology/Soils
<input type="checkbox"/>	Hazards and Hazardous Materials	<input type="checkbox"/>	Hydrology/Water Quality	<input type="checkbox"/>	Land Use/Planning
<input type="checkbox"/>	Mineral Resources	<input checked="" type="checkbox"/>	Noise	<input type="checkbox"/>	Population/Housing
<input type="checkbox"/>	Public Services	<input type="checkbox"/>	Recreation	<input checked="" type="checkbox"/>	Transportation/Traffic
<input type="checkbox"/>	Utilities/Service Systems	<input type="checkbox"/>	Mandatory Findings of Significance	<input type="checkbox"/>	None

DETERMINATION: On the basis of this initial evaluation, I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. Mitigation measures described in the attached Exhibit 1 have been added to the project. A **MITIGATED NEGATIVE DECLARATION** will be prepared.

Prepared by: David A. Bobardt *DP* **Reviewed by:** Barry K. Hogan *BKH*

Date: June 15, 2005 **Date:** June 15, 2005

INITIAL STUDY EXHIBIT 1:
MITIGATED NEGATIVE DECLARATION
MITIGATION MEASURES AND
MONITORING AND REPORTING PROGRAM

1. Prior to the issuance of the first building permit, the applicant shall contribute fees to the City's Transportation Systems Management Program to offset increases in NOx emissions in excess of 25 pounds per day during the first 3 years of operation, unless the City has adopted a formal Transportation Systems Management Fee Program, in which case such fees shall apply to this project. Currently estimated at \$29,686.45 for this project, the Community Development Director shall calculate the emissions and fees using the latest URBEMIS model at the time of building permit issuance.

Monitoring Action: Receipt of fees
Timing: Prior to issuance of first building permit
Responsibility: Community Development Director

2. Construction shall be designed so that interior noise levels are below 45 dBA CNEL. Prior to the issuance of a building permit, the applicant shall provide a noise report to demonstrate the achieving of this standard.

Monitoring Action: Review of noise report
Timing: Prior to issuance of first building permit
Responsibility: Community Development Director

3. A Citywide Traffic Mitigation Fee shall be paid to fund public street and traffic improvements directly or indirectly affected by the development. The fee shall be paid in accordance with fee requirements in effect at the time of zoning clearance application.

Monitoring Action: Receipt of fees
Timing: Prior to issuance of first building permit
Responsibility: Community Development Director

4. Prior to issuance of the first Zoning Clearance for a building permit, the applicant shall comply with all mitigation identified in Table 4-1 of the April 2005 Traffic Analysis, including the submission to the Community Development Department of project responsibility and fair-share contributions for intersection improvements and proof of participation in the County Traffic Mitigation Fee Program. The cost of improvements and the level of fair-share participation will be to the satisfaction of the City Engineer based on the traffic report prepared for the project.

Monitoring Action: Receipt of fees
Timing: Prior to issuance of first building permit
Responsibility: Community Development Director, City Engineer

5. Prior to the issuance of a Zoning Clearance for each building permit, the applicant shall pay to the Community Development Department the Area of Contribution (AOC) Fee for the area in which the project is located. The fee shall be paid in accordance with City Council adopted AOC fee requirements in effect at the time of building permit application.

Monitoring Action: Receipt of fees
Timing: Prior to issuance of first building permit
Responsibility: Community Development Director

**AGREEMENT TO PROPOSED MITIGATION MEASURES AND
MONITORING AND REPORTING PROGRAM**

In accordance with the CEQA Guidelines Section 15070 (California Code of Regulations Title 14, Chapter 3, Article 6), this agreement must be signed prior to release of the Mitigated Negative Declaration for public review.

I, THE UNDERSIGNED PROJECT APPLICANT, HEREBY AGREE TO MODIFY THE PROJECT DESIGN, CONSTRUCTION OR OPERATION AS NECESSARY TO INCLUDE ALL OF THE ABOVE-LISTED MITIGATION MEASURES IN THE PROJECT.

Signature of Project Applicant

Date

	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
A. AESTHETICS – Would the project:				
1) Have a substantial adverse effect on a scenic vista?	_____	_____	_____	_____ X _____
2) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	_____	_____	_____	_____ X _____
3) Substantially degrade the existing visual character or quality of the site and its surroundings?	_____	_____	_____	_____ X _____
4) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	_____	_____	_____	_____ X _____

Response: The site was previously developed with athletic fields for the Moorpark High School. It is currently vacant and mostly covered with non-native weeds. The project involves a redevelopment of the site with apartments.

Sources: Project Application (9/24/2004), Site Inspection (4/27/2005), General Plan Land Use Element (1992).

Mitigation: None required.

B. AGRICULTURE RESOURCES – In determining whether impacts to agricultural resources are significant environmental effects, the City of Moorpark may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:

1) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	_____	_____	_____	_____ X _____
2) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	_____	_____	_____	_____ X _____
3) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	_____	_____	_____	_____ X _____

Response: The project is not planned or zoned for agricultural uses. The Ventura County Important Farmland Map has the site classified as "Urban and Built-Up Land."

Sources: California Dep't of Conservation: Ventura County Important Farmland Map (2002), General Plan Land Use Element (1992), Zoning Map (2005)

Mitigation: None required.

	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
C. AIR QUALITY – Would the project:				
1) Conflict with or obstruct implementation of the applicable air quality plan?	_____	_____	_____	<u> X </u>
2) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	_____	_____	<u> X </u>	_____
3) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	_____	_____	<u> X </u>	_____
4) Expose sensitive receptors to substantial pollutant concentrations?	_____	_____	_____	<u> X </u>
5) Create objectionable odors affecting a substantial number of people?	_____	_____	_____	<u> X </u>

Response: The project is expected to result in a total 3,385 lbs of NOx in excess of the VCAPCD's 25 lb per day threshold during the first 3 years of operation (2006-2008), mostly from vehicle traffic. After the first 3 years, the project will generate less than 25 lbs per day of NOx. Payment of the City's Transportation Systems Management Program fee, a standard condition of development projects in Moorpark, will mitigate this impact.

Sources: Ventura County Air Pollution Control District: Ventura County Air Quality Assessment Guidelines (2000), URBEMIS 2002

Mitigation: Prior to the issuance of the first building permit, the applicant shall contribute fees to the City's Transportation Systems Management Program to offset increases in NOx emissions in excess of 25 pounds per day during the first 3 years of operation, unless the City has adopted a formal Transportation Systems Management Fee Program, in which case such fees shall apply to this project. Currently estimated at \$29,686.45 for this project, the Community Development Director shall calculate the emissions and fees using the latest URBEMIS model at the time of building permit issuance.

D. BIOLOGICAL RESOURCES – Would the project:

1) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	_____	_____	_____	<u> X </u>
2) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	_____	_____	_____	<u> X </u>
3) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	_____	_____	_____	<u> X </u>

	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
4) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	_____	_____	_____	_____X_____
5) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	_____	_____	_____	_____X_____
6) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	_____	_____	_____	_____X_____

Response: The project site was previously developed with athletic fields for Moorpark High School.

Sources: Project Application (9/24/2004), Site Inspection (4/27/2005), California Department of Fish and Game: Natural Diversity Data Base-Moorpark and Simi Valley Quad Sheets (1993)

Mitigation: None required.

E. CULTURAL RESOURCES – Would the project:

1) Cause a substantial adverse change in the significance of a historic resource as defined in §15064.5?	_____	_____	_____	_____X_____
2) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	_____	_____	_____	_____X_____
3) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	_____	_____	_____	_____X_____
4) Disturb any human remains, including those interred outside of formal cemeteries?	_____	_____	_____	_____X_____

Response: No cultural resources have been identified on the property. The site has been previously graded, and the chance of discovering new resources is remote. Compliance with applicable State and Federal laws will avoid any adverse impact.

Sources: Project Application (9/24/2004), Site Inspection (4/27/2005)

Mitigation: None required.

F. GEOLOGY AND SOILS – Would the project:

1) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42	_____	_____	_____X_____	_____
ii) Strong seismic ground shaking?	_____	_____	_____X_____	_____

	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
iii) Seismic-related ground failure, including liquefaction?	_____	_____	X	_____
iv) Landslides?	_____	_____	X	_____
2) Result in substantial soil erosion or the loss of topsoil?	_____	_____	X	_____
3) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	_____	_____	X	_____
4) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	_____	_____	X	_____
5) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	_____	_____	X	_____

Response: Standard conditions of approval will be placed on the project by the City Engineer to address geologic and soil conditions. The applicant shall be required comply with the recommendations the geotechnical report prepared for the site area.

Sources: Project Application (9/24/2004), General Plan Safety Element (2001)

Mitigation: None required.

G. HAZARDS AND HAZARDOUS MATERIALS – Would the project:

1) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	_____	_____	X	_____
2) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	_____	_____	_____	X
3) Emit hazardous emission or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	_____	_____	X	_____
4) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	_____	_____	_____	X
5) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	_____	_____	_____	X

	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
6) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	_____	_____	_____	X
7) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	_____	_____	_____	X
8) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	_____	_____	_____	X

Response: Asbestos-containing materials and lead-based paint were identified in a vacant school building on-site proposed to be removed as part of the project. Any demolition will require clearance from Ventura County Environmental Health prior to the issuance of a demolition permit.

Sources: Project Application Phase I Report (9/24/2004), General Plan Safety Element (2001)

Mitigation: None required.

H. HYDROLOGY AND WATER QUALITY – Would the project:

1) Violate any water quality standards or waste discharge requirements?	_____	_____	X	_____
2) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	_____	_____	_____	X
3) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	_____	_____	X	_____
4) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	_____	_____	X	_____
5) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	_____	_____	X	_____
6) Otherwise substantially degrade water quality?	_____	_____	X	_____
7) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard boundary or Flood Insurance Rate Map or other flood hazard delineation map?	_____	_____	_____	X

	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
8) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	_____	_____	_____	X
9) Expose people or structures to a significant risk of loss, injury or death involving i) flooding, including flooding as a result of the failure of a levee or dam?	_____	_____	_____	X
ii) inundation by seiche, tsunami, or mudflow?	_____	_____	_____	X

Response: Standard conditions of approval will ensure that the project complies with all applicable Federal, State, Regional and local regulations with respect to drainage, flooding, and water quality.

Sources: Project Application (9/24/2004), General Plan Safety Element (2001)

Mitigation: None required.

I. LAND USE AND PLANNING – Would the project:

1) Physically divide an established community?	_____	_____	_____	X
2) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	_____	_____	X	_____
3) Conflict with any applicable habitat conservation plan or natural community conservation plan?	_____	_____	_____	X

Response: A General Plan Amendment has been requested to increase the allowable residential density on the project site. The proposed apartments would be compatible with existing and future surrounding uses and would contribute to Housing Element goals for affordable housing.

Sources: Project Application (9/24/2004), General Plan Land Use Element (1992), General Plan Housing Element (2001)

Mitigation: None required.

J. MINERAL RESOURCES – Would the project:

1) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	_____	_____	_____	X
2) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	_____	_____	_____	X

	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
Response: There are no known mineral resources on the project site.				
Sources: Project Application ((9/24/2004), General Plan Open Space, Conservation, and Recreation Element (1986)				
Mitigation: None required.				

K. NOISE – Would the project result in:

1) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			X	
2) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?				X
3) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
4) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
5) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				X
6) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				X

Response: The predominant noise impacting the project site is related to the railroad operations. The project site is in an area normally acceptable for residential uses. Mitigation is included to ensure that interior noise levels meet the standards of the Noise Element.
In addition, standard conditions of approval have been placed on the project to adequately address any potential noise issues. Outdoor equipment must comply with the City's noise standards. Construction activity hours are limited and construction is not allowed on Sundays. Additionally, construction activities such as requiring staging areas, regulating haul routes and other requirements to limit noise activities are required.
Sources: Project Application (9/24/2004), General Plan Noise Element (1998)
Mitigation: Construction shall be designed so that interior noise levels are below 45 dBA CNEL. Prior to the issuance of a building permit, the applicant shall provide a noise report to demonstrate the achieving of this standard.

	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
L. POPULATION AND HOUSING – Would the project:				
1) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	_____	_____	_____	<u> X </u>
2) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	_____	_____	_____	<u> X </u>
3) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	_____	_____	_____	<u> X </u>

Response: The project will provide market-rate and affordable apartments to address existing housing needs in the city.

Sources: Project Application (9/24/2004)

Mitigation: None required.

M. PUBLIC SERVICES

1) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

Fire protection?	_____	_____	<u> X </u>	_____
Police protection?	_____	_____	<u> X </u>	_____
Schools?	_____	_____	<u> X </u>	_____
Parks?	_____	_____	<u> X </u>	_____
Other public facilities?	_____	_____	<u> X </u>	_____

Response: Conditions of approval and Development fees are collected by agencies in order to alleviate potential adverse impacts on public services. The applicant is required to obtain approvals of the Fire Protection District, Police Department, Water District and other applicable agencies prior to obtaining a building permit.

Sources: Project Application (9/24/2004), General Plan Safety Element (2001), General Plan Open Space, Conservation, and Recreation Element (1986)

Mitigation: None required.

N. RECREATION

1) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	_____	_____	<u> X </u>	_____
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	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
2) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	_____	_____	x	_____

Response: The project includes a recreational area for its residents. In addition, this project will be conditioned to provide a contribution to the City's recreational and parks program

Sources: Project Application (9/24/2004), General Plan Open Space, Conservation, and Recreation Element (1986)

Mitigation: None required.

O. TRANSPORTATION/TRAFFIC – Would the project:

1) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	_____	x	_____	_____
2) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	_____	x	_____	_____
3) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	_____	_____	_____	x
4) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	_____	_____	_____	x
5) Result in inadequate emergency access?	_____	_____	x	_____
6) Result in inadequate parking capacity?	_____	_____	x	_____
7) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	_____	_____	_____	x

Response: A traffic study has been prepared for this project and is incorporated into this Initial Study. Mitigation is included to ensure project compliance with the mitigation identified in this study.

Sources: Project Application (9/24/2004), Project Traffic Analysis (4/13/2005), General Plan Circulation Element (1992)

	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
Mitigation:				
1. A Citywide Traffic Mitigation Fee shall be paid to fund public street and traffic improvements directly or indirectly affected by the development. The fee shall be paid in accordance with fee requirements in effect at the time of zoning clearance application.				
2. Prior to issuance of the first Zoning Clearance for a building permit, the applicant shall comply with all mitigation identified in Table 4-1 of the April 2005 Traffic Analysis, including the submission to the Community Development Department of project responsibility and fair-share contributions for intersection improvements and proof of participation in the County Traffic Mitigation Fee Program. The cost of improvements and the level of fair-share participation will be to the satisfaction of the City Engineer based on the traffic report prepared for the project.				
3. Prior to the issuance of a Zoning Clearance for each building permit, the applicant shall pay to the Community Development Department the Area of Contribution (AOC) Fee for the area in which the project is located. The fee shall be paid in accordance with City Council adopted AOC fee requirements in effect at the time of building permit application.				

P. UTILITIES AND SERVICE SYSTEMS – Would the project:

1) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	_____	_____	X	_____
2) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	_____	_____	X	_____
3) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	_____	_____	X	_____
4) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	_____	_____	X	_____
5) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	_____	_____	X	_____
6) Be served by the landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	_____	_____	X	_____
7) Comply with federal, state, and local statutes and regulations related to solid waste?	_____	_____	X	_____

Response:	The project is required to enter into agreements and provide adequate utility and service systems prior to the issuance of a building permit for construction.
Sources:	Project Application (9/24/2004), Ventura County Watershed Protection District. Technical Guidance Manual for Stormwater Quality Control Measures (2002)
Mitigation:	None required.

	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
Q. MANDATORY FINDINGS OF SIGNIFICANCE				
1) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?			X	
2) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effect of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and effects of probable future projects)?			X	
3) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?			X	

Response: The site has been previously disturbed and is surrounded by existing and future urban development. No endangered species or habitats have been identified on this site. No unmitigated cumulative impacts have been identified.

Sources: Project application (9/24/2004)

Earlier Environmental Documents Used in the Preparation of this Initial Study

None

Additional Project References Used to Prepare This Initial Study

One or more of the following references were incorporated into the Initial Study by reference, and are available for review in the Community Development Office, City Hall, 799 Moorpark Avenue, Moorpark, CA 93021. Items used are referred to by number in the Response Section of the Initial Study Checklist.

1. The City of Moorpark's General Plan, as amended.
2. The Moorpark Municipal Code, as amended.
3. The City of Moorpark CEQA adopted by City Council Resolution No. 2004-2224
4. Public Resources Code Section 21000 et. seq. and California Code of Regulations, Title 14 Section 15000 et. seq.
5. Ventura County Air Quality Assessment Guidelines, October 31, 2003

JUL 14 2005 07:27 FROM:RMA PLANNING DEPT

805 654 2509

707 805 5298270

P. 1 / 9

RESOURCE MANAGEMENT AGENCY
county of ventura

Planning Division

Christopher Stephens
Director

July 13, 2005

David Bobardt, Planning Manager
Community Development Department
City of Moorpark
799 Moorpark Avenue
Moorpark, CA 93021

FAX#: (805) 529-8270

SUBJECT: GPA 2004-05, ZC 2004-04, RDP 2004-06, Essex Portfolio; MND

Thank you for the opportunity to review and comment on the above subject document. Attached are the comments that we have received resulting from an intra-county review of the projects.

Any responses to these comments should be sent directly to the commenter, with a copy to Carl Morehouse, Ventura County Planning Division, L#1740, 800 So. Victoria Avenue, Ventura, CA 93009.

If you have any questions regarding any of the comments, please contact the appropriate respondent. Overall questions may be directed to Carl Morehouse at (805) 654-2476.

Sincerely,



Christopher Stephens
County Planning Director

G:\Planning Division\Outside Environmental Documents\Response Letters\Moorpark 05-042

Attachment

County RMA Reference Number 05-042

Post-it® Fax Note	7671	Date	7/14	# of pages	9
To	DAVID BOBARDT		From		
Co./Dept.			Co.		
Phone #			Phone #		
Fax #			Fax #		

JUL-14-2005 07:27 FROM:RMA P LANNING DEPT

805 654 2509

805 5298270

P.2/9



VENTURA COUNTY
WATERSHED PROTECTION DISTRICT
PLANNING AND REGULATORY DIVISION
800 South Victoria Avenue, Ventura, California 93009
PAUL CALLAWAY, Permit Manager - 805 654-2011

DATE: July 8, 2005

TO: Carl Morehouse, Resource Management Agency
Tricia Maier

FROM: Paul Callaway, Permit Manager

SUBJECT: RMA 05-042 - CITY OF MOORPARK

Any direct drainage connection to the watercourse will require review and permitting by the District. We will also need to receive a Hydrology and Hydraulic report addressing the increase in runoff due to the increase of impervious area from the proposed development of the above sites and to assist in mitigation of the cumulative impact of similar projects in the Moorpark area per the Watershed Protection District requirements.

The developer should be conditioned that on-site detention will be required. The detention requirement must be shown to be adequate to address the increase in runoff due to this site's development and to assist in mitigation of the impact per Watershed Protection District requirements in any storm frequency.

There is a Watershed Protection District easement that covers a portion of this proposed lot. It will be necessary to apply, issue and complete the permit requirements should any encroachment into the easement be required.

JUL 23 2005

**VENTURA COUNTY
AIR POLLUTION CONTROL DISTRICT**
Memorandum

TO: Carl Morehouse, Planning **DATE:** June 29, 2005

FROM: K.D. Otani 

SUBJECT: Request for Review of Mitigated Negative Declaration (MND) for Essex Moorpark Apartments, City of Moorpark, RPD No. 2004-06 (Ref. No. 05-042)

Air Pollution Control District staff has reviewed the subject project, which is General Plan Amendment No. 2004-05, Zone Change No. 2004-04, Residential Planned Development Permit No. 2004-06, to allow construction of a 200-unit apartment complex on approximately 10.57 acres of land south of Casey Road and west of Walnut Canyon Road in the City of Moorpark. The project also includes the removal of one 500 square foot building.

District staff has completed the review of the MND for the purpose of evaluating air quality impacts. Staff concurs that significant regional air quality impacts are expected to result from the project, and we do not anticipate long-term local air quality impacts. While no significant long-term local air impacts are expected we do anticipate short-term air quality impacts due to construction and demolition activities planned for this project.

The following are our proposed revision and recommendations for this project:

Regional Air Quality Impacts

Based on the latest version of the "URBEMIS 2002 for Windows" (Version 8.7.0) computer model the emission estimate for oxides of nitrogen (NO_x) is 28.82 lbs/day. See Attachment 1 for a copy of the URBEMIS emission estimates. The unit cost for NO_x is \$8.77/lb for projects completed in the year 2005.

Local Air Quality Impacts

After the review of the Initial Study for this project District Staff sent a letter addressed to Mr. David A. Bobardt, Planning Manager, at the City of Moorpark (dated October 25, 2004) recommending several permit conditions be applied to the subject project which are not included in the mitigation measures described in the subject MND. We would

like to reiterate the project conditions stated in our original letter and recommend they be included as project conditions:

Fugitive Dust Project Conditions

- 1) A "Fugitive Dust Mitigation Plan" shall be developed and adopted for the project. Please see Attachment 2 for an example of a fugitive dust mitigation plan.
- 2) Dust control requirements shall be shown on all grading plans.

Ozone Precursor Project Conditions

- 3) Construction equipment idling time shall be minimized to the maximum extent feasible.
- 4) The engine size of construction equipment shall be the minimum practical size.
- 5) Heavy-duty diesel-powered construction equipment manufactured after 1996 (with federally mandated clean diesel engines) shall be utilized wherever feasible.
- 6) Construction equipment engines shall be maintained in good condition and in proper tune as per manufacturers' specifications.
- 7) The number of construction equipment operating simultaneously shall be minimized through the efficient management practices to ensure that the smallest number is operating at any one time.

Nuisance Project Condition

- 8) Facilities shall be constructed and operated in accordance with the Rules and Regulations of the Ventura County Air Pollution Control District, with emphasis on Rule 51, *Nuisance*.

"A person shall not discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance or annoyance to any considerable number of persons or to the public or which endangers the comfort, repose, health or safety of any such persons or the public or which cause or have a natural tendency to cause injury or damage to business or property."

Construction Equipment Permit Condition

- 9) Any combustion equipment onsite, which is rated at 50 horsepower (HP) or greater, must have either an APCD Permit to Operate (PTO), or be registered with the

California Air Resources Board's (CARB) Portable Equipment Registration Program (PERP). Examples of such equipment include portable electrical generators and air compressors.

For more information on obtaining an APCD PTO please contact the District's Permitting Engineering Division at (805) 645-1401 or (805) 645-1481. Additional information can also be accessed from the Permits section of the APCD website at www.vcapcd.org. For more information on CARB's PERP program, please visit the CARB website at <http://www.arb.ca.gov/pcrp/perp.htm>, or call (916) 324-5869.

Demolition Project Condition

The application materials indicate that an existing building would be demolished to make way for the proposed project. Demolition activities have the potential to disturb asbestos containing materials.

- 10) The applicant shall notify the District prior to issuance of demolition permits for any onsite structures. Demolition and/or renovation activities shall be conducted in compliance with District Rule 62.7, *Asbestos - Demolition and Renovation*.

Rule 62.7 governs activities related to demolition of buildings with asbestos-containing materials. This rule establishes the notification and emission control requirements for demolition activities. Specifically, this rule requires that the owner or operator of a facility shall remove all asbestos-containing material from a facility being demolished. For additional information on asbestos, or to download a copy of Rule 62.7, please visit our website at www.vcapcd.org/asbestos.htm. You can also contact the District's Asbestos Coordinator, Jay Nicholas at (805) 645-1443 or by email at jay@vcapcd.org.

If you have any questions, contact me by telephone at (805) 645-1422 or by email at kd@vcapcd.org.

JUL-14-2005 07:27 FROM:RMA PLANNING DEPT 805 654 2509
Page: 1
06/28/2005 1:38 PM

TR 905 5298270

P.619

URBEMIS 2002 For Windows 0.7.0

File Name: <Not Saved>
Project Name: Essex Moorpark Apartments
Project Location: Ventura County
On-Road Motor Vehicle Emissions Based on EMFAC2002 version 2.2

SUMMARY REPORT
(Pounds/Day - Summer)

AREA SOURCE EMISSION ESTIMATES

	ROG	NOx	CO	SO2	PM10
TOTALS (lbs/day,unmitigated)	13.24	1.51	1.42	0.00	0.01

OPERATIONAL (VEHICLE) EMISSION ESTIMATES

	ROG	NOx	CO	SO2	PM10
TOTALS (lbs/day,unmitigated)	16.88	27.11	211.52	0.22	21.28

SUM OF AREA AND OPERATIONAL EMISSION ESTIMATES

	ROG	NOx	CO	SO2	PM10
TOTALS (lbs/day,unmitigated)	30.12	28.62	212.94	0.22	21.28

Model Fugitive Dust Mitigation Plan

Fugitive dust produced during grading, excavation, and construction activities shall be controlled by the following:

1. The areas disturbed at any one time by clearing, grading, earth moving, or excavation operations shall be minimized to prevent excessive amounts of dust.
2. Pre-grading/excavation activities shall include watering the area to be graded or excavated before commencement of grading or excavation operations. Application of water (preferably reclaimed, if available) should penetrate sufficiently to minimize fugitive dust during earthmoving, grading, and excavation activities.
3. All trucks shall be required to cover their loads as required by California Vehicle Code §23114.
4. All graded and excavated material, exposed soil areas, including unpaved parking and staging areas, and other active portions of the construction site, including unpaved on-site roadways, shall be treated to prevent fugitive dust. Treatment shall include, but not necessarily be limited to, periodic watering, application of environmentally-safe soil stabilization materials, and/or roll-compaction as appropriate. Watering shall be done as often as necessary and reclaimed water shall be used whenever possible.
5. Graded and/or excavated inactive areas of the construction site shall be monitored by (indicate by whom) at least weekly for dust stabilization. Soil stabilization methods, such as water and roll-compaction, and environmentally-safe dust control materials, shall be periodically applied to portions of the construction site that are inactive for over four days. If no further grading or excavation operations are planned for the area, the area should be seeded and watered until vegetation is established, or periodically treated with environmentally-safe dust suppressants.
6. Signs shall be posted on site limiting vehicle speed to 15 miles per hour or less.
7. During periods of high winds (i.e., wind speed sufficient to cause fugitive dust to impact adjacent properties), all clearing, grading, earth moving, and excavation operations shall be curtailed to the degree necessary to prevent fugitive dust created by on-site activities and

operations from being a nuisance or hazard, either off-site or on-site. The site superintendent/supervisor shall use his/her discretion in conjunction with the APCD in determining when winds are excessive.

8. Adjacent streets and roads shall be swept at least once per day, preferably at the end of the day, if visible soil material is present.
9. Wheel washers or track out devices shall be installed where vehicles enter and exit unpaved roads onto paved road, or wash off trucks and any other equipment leaving the site.
10. All on-site construction roads that have a daily traffic volume of more than 50 daily trips shall be paved.
11. All site access roads shall be paved at least 100 feet from the main road.
12. Material open material stockpiles shall be covered, seeded, periodically watered, or treated with environmentally-safe dust suppressants.
13. There shall be at least one qualified and authorized person on-site each work day to enforce the provisions of the Fugitive Dust Mitigation Plan and any other applicable fugitive rules, ordinances, or conditions.
14. Personnel involved in grading operations should be advised to wear respiratory protection in accordance with California Division of Occupational Safety and Health regulations.
15. All project construction operations shall be conducted in compliance with all applicable Ventura County Air Pollution Control District Rules and Regulations with emphasis on Rule 50 (Opacity) and Rule 51 (Nuisance).



PUBLIC WORKS AGENCY
TRANSPORTATION DEPARTMENT
Traffic, Advance Planning & Permits Division

MEMORANDUM

DATE: June 23, 2005

TO: Resource Management Agency, Planning Division
Attention: Carl Morehouse

FROM: Nazir Lalani, Deputy Director

SUBJECT: Review of Document 05-042
Mitigated Negative Declaration (MND)
Essex Moorpark Apartments
South of Casey Road, West of Walnut Canyon Road in the City of Moorpark
Lead Agency: The City of MOORPARK

The Public Work Agency - Transportation Department has completed the review of the Initial Study and Notice of Intent to adopt a Mitigated Negative Declaration (MND). The proposed project proposes to construct 200 Apartments on 10.57 acres of vacant land with access from Casey Road in the City of Moorpark. We offer the following comments:

1. The cumulative traffic impact of this project on Ventura County Road Network should be addressed by the payment of the Traffic Impact Mitigation Fees (TIMF). Mitigation 2 on page 13 of the initial Study indicates the participation in the County TIMF Program. Based on the fee schedule established in accordance with County Ordinance Code 8601-0 et seq. for the area identified in the Ordinance as the Moorpark Traffic Impact Fee District, and the information provided in the MND, the estimated fee amount is:

200 Apartments X \$120.00/ Other Housing Units = \$ 24,000

If the project cumulative impacts are not mitigated by payment of a TIMF, current General Plan policy will require County opposition to this project. If the County has successfully negotiated a Reciprocal Agreement with the City before the approval of this project, this project will be subject to the terms of this Agreement.

The above County fee is an estimate and may be subject to adjustment at the time of deposit due to provisions in the Traffic Impact Mitigation Ordinance allowing the fee to be adjusted for inflation based on the Engineering News Record (ENR) construction cost index.

2. The Traffic Study prepared for this project was not available for review of this Initial Study and MND.

Our review is limited to the impacts this project may have on the County's Regional Road Network.

Please call me at 654-2080 if you have questions.



Arnold
Schwarzenegger
Governor

STATE OF CALIFORNIA
Governor's Office of Planning and Research
State Clearinghouse and Planning Unit



Sean Walsh
Director

July 19, 2005

David A. Bobardt
City of Moorpark
799 Moorpark Avenue
Moorpark, CA 93021

Subject: Essex Moorpark Apartments: GPA 2004-05, ZC 2004-04, RPD 2004-06
SCH#: 2005061096

Dear David A. Bobardt:

The State Clearinghouse submitted the above named Mitigated Negative Declaration to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on July 18, 2005, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Handwritten signature of Terry Roberts in cursive.
Terry Roberts
Director, State Clearinghouse

Enclosures
cc: Resources Agency

RECEIVED
JUL 21 2005
CITY OF MOORPARK

**Document Details Report
State Clearinghouse Data B:**

SCH# 2005061096
Project Title Essex Moorpark Apartments: GPA 2004-05, ZC 2004-04, RPD 2004-06
Lead Agency Moorpark, City of

Type MN Mitigated Negative Declaration
Description D
 Two hundred apartments on 10.57 acres.

Lead Agency Contact

Name David A. Bobardt
Agency City of Moorpark
Phone (805) 517-6281 **Fax**
email
Address 799 Moorpark Avenue
City Moorpark **State** CA **Zip** 93021

Project Location

County Ventura
City Moorpark
Region
Cross Streets Casey Road / Walnut Canyon Road
Parcel No. 511-0-020-055, 105, 155
Township 2N **Range** 19W **Section** **Base** SB

Proximity to:

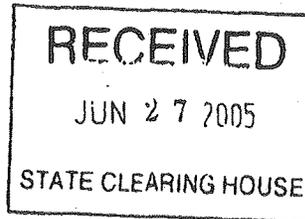
Highways 23, 118
Airports
Railways UPRR
Waterways
Schools Walnut Canyon, Chaparral
Land Use Vacant / Rural Exclusive / Specific Plan

Project Issues Air Quality; Noise; Traffic/Circulation

Reviewing Agencies Resources Agency; Regional Water Quality Control Board, Region 4; Department of Parks and Recreation; Native American Heritage Commission; Department of Health Services, Office of Emergency Services; Department of Fish and Game, Region 5; Department of Water Resources; California Highway Patrol; Caltrans, District 7

Date Received 06/17/2005 **Start of Review** 06/17/2005 **End of Review** 07/18/2005

DEPARTMENT OF TRANSPORTATION
DISTRICT 7, Office of Regional Planning
100 MAIN STREET
LOS ANGELES, CA 90012-3606
PHONE (213) 897-3747
FAX (213) 897-1337
TTY (213) 897-4937



clear
7-18-05
e



*Flex your power!
Be energy efficient!*

June 21, 2005

IGR/CEQA cs/050621 – NEG DEC
City of Moorpark
Essex Moorpark Apartments, 200 apartments on 10.57 acres,
GPA 2004-05, ZC 2004-04, RPD 2004-06
S. of Casey Rd./W. of Walnut Canyon Rd.
Vic. VEN-23-13.62; SCH # 2005061096

Mr. David A Bobardt
City of Moorpark
799 Moorpark Ave.
Moorpark, California 93021

Dear Mr. Bobardt:

Thank you for including the California Department of Transportation in the environmental review process for the above-mentioned project. Based on the information received, we have the following comments:

Please submit a copy of the 4-13-05 Project Traffic Analysis for Caltrans review. Since the proposed project is located close to State Route 23 and trips generated by the project is anticipated to have an impact on both State Route 23 and State Route 118, the traffic study should have included an analysis of affected intersections along these State highways. Caltrans will need to review the traffic mitigation measures listed in Table 4-1 of the April 2005 Traffic Analysis.

Any traffic mitigation measures that involve State highways will need a Caltrans Encroachment Permit. A standard Caltrans Encroachment Permit application along with 6 sets of engineering plans would be needed for Caltrans review and approval. A Transportation Management Plan will be needed for any lane closures, detours, parking restrictions, etc.

If you have any questions regarding our comments, please refer to our IGR/CEQA Record number cs/050621 and do not hesitate to contact me at (213) 897-3747.

Sincerely,

Original Signed By Carl Shiigi

Cheryl J. Powell
IGR/CEQA Program Manager

cc: Scott Morgan, State Clearinghouse

DEPARTMENT OF TRANSPORTATION
DISTRICT 7, OFFICE OF PUBLIC TRANSPORTATION
AND REGIONAL PLANNING
IGR/CEQA BRANCH
100 SOUTH SPRING STREET
LOS ANGELES, CA 90012
PHONE (213) 897-3747
FAX (213) 897-1337

AUG 31 2005



*Flex your power!
Be energy efficient!*

August 25, 2005

Mr. Joseph Fiss
City of Moorpark
Community Development Department
799 Moorpark Avenue
Moorpark, CA 93021

Re: *Essex Apartments*
IGR/CEQA No. 050667/EA, SCH# 2005061096
Vic. VEN-23-PM R13.37

Dear Mr. Fiss:

Thank you for including the California Department of Transportation in the review process for the proposed development of 200 residential units known as the Essex Apartments. The development is to be located west of Walnut Canyon Road (State Route 23) south of Casey Road in the City of Moorpark. After a review of the traffic study submitted, we have the following comments:

- The traffic impact analysis correctly noted that the intersection at Walnut Canyon Road (SR-23) and Casey is congested during morning drop-off and afternoon pick-up times of students from the school nearby. City representatives have complained to this department that northbound traffic on Walnut Canyon Road sometimes backs up from Casey to New Los Angeles Avenue. Consequently, we are concerned that additional traffic related to the proposed Essex Apartments project would further deteriorate traffic operations at that interchange and result in longer delays. The proposed traffic mitigation so far, does not address the northbound left turn delay from SR-23 to Casey Road. To avoid delay during the permitting process, please contact this Department to discuss other traffic mitigation alternatives that would be mutually acceptable.
- We note that, to address the projects' cumulative transportation impacts in the area, it will be required to contribute funds on a fair-share basis towards short range and long range transportation improvements throughout the City. We remind you that all improvements to State highways need to be coordinated with this Department.
- We encourage the City to adopt a traffic impact fee program to address cumulative transportation impacts. When a local match is provided for improvements on State highways, they may be expedited.

If you have any questions regarding our comments, you may contact me at (213) 897-3747 and please refer to record number 050667/EA.

Sincerely,

A handwritten signature in cursive script that reads "Cheryl Powell".

CHERYL J. POWELL
IGR/CEQA Program Manager

STATE OF CALIFORNIA)
COUNTY OF VENTURA) SS.
CITY OF MOORPARK)

I, Maureen Benson, Deputy City Clerk of the City of Moorpark, California, do hereby certify under penalty of perjury that the foregoing Resolution No. 2007-2611 was adopted by the City Council of the City of Moorpark at a regular meeting held on the 18th day of July, 2007, and that the same was adopted by the following vote:

AYES: Councilmembers Mikos, Parvin, Van Dam, and Mayor Pro Tempore
Millhouse
NOES: None
ABSENT: Mayor Hunter
ABSTAIN: None

WITNESS my hand and the official seal of said City this 1st day of August, 2007.

Maureen Benson

Maureen Benson, Deputy City Clerk
(seal)

