

**CITY MANAGER  
QUARTERLY REPORT TO CITY COUNCIL  
APRIL - JUNE 2019**

**COMMUNITY DEVELOPMENT DEPARTMENT**

**CITY COUNCIL PRIORITY OBJECTIVES**

**Creation of Mixed Use Zone (Also Objective I.A.4):**

Description: Evaluate a potential mixed use (residential/commercial) zone within the Downtown Specific Plan area with a report to City Council by February 28, 2018.

Status: Staff has begun studying and analyzing the potential for mixed use development on vacant and underutilized property along High Street and Charles Street. Zoning will be addressed as part of a mixed use project application proposed for High Street by Daly Group, Inc., which was submitted in the third quarter of 2018 and is expected to be considered in 2019.

Staff is exploring the option of creating a Mixed-Use Overlay Zone that could be applied to any commercially-zoned land in the City. An overlay zone would not change the underlying commercial district uses or standards, but would allow high-density residential uses in conjunction with the commercial uses. An overlay zone would be a tool to facilitate the High Street mixed-use proposal in downtown and could be applied to other commercial parcels in the future (initiated by the City or by a property owner or developer).

City Council held a public workshop on May 15, 2019 to allow for comments on the High Street Depot Project design and the necessary implementation tools to implement mixed-use development.

**Los Angeles Avenue Traffic Study (Also Objective II.A.10.):**

Description: Prepare a Traffic Study of the Los Angeles Avenue (SR 118) corridor to determine ultimate location for traffic signals and other improvements to optimize traffic flow and minimize impacts on adjacent residential streets and provide information for use in preparation of the Circulation Element with a report to the City Council by January 31, 2018.

Status: On September 9, 2016, the City Council approved initiation of the traffic study. A Request for Proposals was distributed to four traffic consulting firms on October 9, 2016. The proposals were due on November 10, 2016. One firm, Kimley-Horn and Associates, submitted a proposal. Staff reviewed this proposal and determined it to meet the needs of the City. On December 21, 2016, the City Council approved an agreement with Kimley-Horn and Associates to prepare the traffic study for a not-to-exceed amount of \$110,000. CDD and PWD Directors had a kickoff meeting with Caltrans Traffic and Permits staff and the City's consultant at Caltrans District 7 Headquarters on June 28, 2017. Caltrans requested a study that only addresses optimization of existing signals and does not raise other, more vexing issues like truck safety and weigh stations, which would delay straightforward signal optimization.

Caltrans staff also suggested that addition of future signals in a report to them will clearly indicate a reduced capacity on Los Angeles Avenue. They recommended that future signals be analyzed individually following published “warrant” rules. City’s consultant agreed with this approach and will prepare a report for Council that includes the optimization of current signals as well as these other, more complex issues. Caltrans committed to updating the City on how they may be using the traffic signal interconnect system installed on Los Angeles Avenue more than ten years ago. The draft report was submitted to Staff in November 2017 and is under review. As part of their required deliverables Kimley-Horn developed a revised signal timing plan with Caltrans. While the new timing has reduced congestion on Los Angeles Avenue it has increased delays at two crossing streets; Spring Road and Tierra Rejada/Gabbert. Kimley-Horn completed troubleshooting of the issue and advised Caltrans on further timing changes after the initial changes were made. Caltrans has subsequently made further changes to reduce congestion on the side streets and slightly increase congestion on the mainline State highway, to balance the competing interests. Caltrans is also upgrading older traffic signal controllers and installing GPS based clocks to ensure signal timing does not continue to drift. The results of the Los Angeles Avenue Traffic Study are scheduled to be presented to the City Council on November 7, 2018. Following the November 7, 2018 presentation, the City Manager told Council staff will come back in spring 2019 with an update of progress for SR 118 improvements. In December 2018 Caltrans informed staff the State has now replaced all the old controllers on SR 118 within the City. They also determined the ten year old interconnect system for all those controllers has a break in the line needing repair. Finally, Caltrans’ patching and complete slurry seal project on SR 118, from the freeway to Somis cut traffic detection loops in the City. Those loops have been replaced but Caltrans has not yet informed staff if the 2018 programming has been restored. Staff has followed up with Caltrans staff, including the new District Director, and is awaiting an update on the restoration. Caltrans has confirmed that: the programming has been restored; that they have replaced all of the traffic controller computers within the City along SR 118; that they have installed the two GPS satellite clocks purchased by the City to ensure that the signals remain coordinated; and that they have repaired the cabling that synchronizes the signals. The consultant who measured the congestion before all this work will measure the congestion after the work. That report will be presented to Council in the near future. The City Engineer/Public Works Director’s Box Item June 4, 2019 memo was delivered to Councilmembers to forward the “after” results that show reductions in congestion have been achieved by the work so far and the memo delineated proposed future projects that should result in additional reductions.

Approval Authority: City Council

**General Plan Update (City Priority Objective, Also Objective VI.A.5.):**

Description: Prepare a comprehensive update of Land Use, Open Space, Conservation and Recreation, and Circulation Elements including environmental documentation and insure internal consistency among all General Plan Elements. Consider creation of a Natural Open Space land use designation and the City’s vision for land within the City’s Area of Interest as part of the Land Use Element. Present Land Use Element to the City Council by January 31, 2018 and present Circulation Element including possible designation of Moorpark Avenue (SR 23) between Casey Road and Los Angeles Avenue (SR 118) as an arterial street by October 31, 2018. Present Open Space, Conservation and Recreation Element including a Trails Master Plan to City Council by

June 30, 2019. Upon adoption of any General Plan Amendments, prepare necessary changes to the Zoning Ordinance to insure conformity and consistency with the General Plan.

Status: The City Council appointed an Ad Hoc Committee (Mayor Parvin and Councilmember Mikos) to work with staff to complete an update to the Open Space, Conservation, and Recreation Elements. Staff is finalizing a draft of the Land Use and Circulation Elements. Approximately 95% of the GIS mapping for the General Plan has been completed. Staff has initiated work with J. H. Douglas and Associates to assist in the completion of the Land Use Element update.

As presented to Council in March 2019, staff is recommending a comprehensive update of the City's General Plan. This would allow for consistency in policies across all elements and act as the vision of the City for the next 20 years. Further, a comprehensive General Plan along with the associated EIR would allow for streamlining of discretionary actions by the City, thus creating a more consistent and predictable process. Staff is drafting a Request for Proposals to solicit bids from consultants to assist with the efforts. Once the draft RFP is prepared, staff will seek City Council and/or Council Sub-Committee review prior to release. Staff's goal is to release the RFP late summer 2019. This process will require funding in the FY19-20 budget and will likely take 18-24 months to complete.

Approval Authority: City Council

### **High Street Streetscape Plan**

Description: Modify the approved High Street Streetscape Plan. Develop phasing plan and construct selected portions of the High Street Streetscape Plan, including traffic calming devices, decorative paving, landscaping and metal trellis (public art) in the Metrolink parking lot by June 30, 2019.

Status: **No change since last report.** Staff has started initial discussions on options for achieving this objective.

## **DEPARTMENTAL GOALS AND OBJECTIVES**

### **Downtown Housing Program (Objective I.A.3):**

Description: Develop program to encourage new multi and single family housing projects on underutilized residential and commercial sites within the Downtown Specific Plan area with a report to City Council by February 28, 2018.

Status: Staff is studying and analyzing the potential for mixed use development on vacant and underutilized property along High Street and Charles Street. A mixed use development project for High Street has been submitted by the Daly Group. Review of this project includes consideration of zoning to allow mixed use development on High Street. Additionally, the City has executed an Exclusive Negotiating Agreement with the Area Housing Authority who is proposing a scattered site rental affordable housing development on City-owned properties on First Street, Charles Street, and a site to be deeded to the City on Leta Yancy Road as part of the Pacific Communities project.

**State Route 23 Bypass and North Hills Parkway (Objective II.A.13.):**

Description: Determine whether or not to have developer complete grading of Alternate SR 23 and North Hills Parkway within Specific Plan No. 2 or accept cash in-lieu of grading by December 31, 2017.

Status: Staff has been working with Pardee Homes on finalizing the grading plan for the area within their project site. On October 21, 2009, the City Council approved a proposal from RBF Consultants, the engineer for Pardee Homes, to design the extension of 23 Bypass from the northern City limits to Broadway Street, so Pardee's grading will allow for a future connection. RBF has been awarded a contract for the alignment study of the 23 Bypass to Broadway and work is proceeding. On November 19, 2010, staff signed a contract with Glenn Lukos Associates, Inc. to perform Department of Fish and Game regulatory services for this project and work has commenced. Staff is revisiting the project at this time and intends to present the City Council with a "buyout" option for consideration. Community Development and Public Works Directors met with City Attorney and the City Manager of March 21, 2018 to discuss next steps to resolve open Pardee issues. The City Manager's Office is coordinating efforts on this matter.

Approval Authority: City Council.

**Evaluate Projects of Other Agencies (Objective V.A.6):**

Description: Evaluate potential impacts of projects under jurisdiction of other public agencies including Moorpark Desalter Project and extensions of quarry operations, and make recommendations for possible City Council action.

**Conditional Use Permit No. 4913 Modification of Conditions (Rancho San Cristobal Mining Project):**

Description: Extension of the operation permit to 2046, along with expansion of operation to allow the existing maximum of 300 truck trips per day for 260 operating days per year (up from 180 operating days per year).

Status: **No change since last report.** The Ventura County Planning Director conducted a hearing on this project on May 11, 2017 and later approved this permit request. The City of Moorpark appealed this approval to the County Planning Commission. The Ventura County Planning Commission conducted a hearing and approved this permit request on October 5, 2017. The City of Moorpark appealed this approval and is awaiting scheduling of a hearing before the Ventura County Board of Supervisors.

The City has worked to insert language into the permit for Rancho San Cristobal that limits the number of southbound trips to 10% of the total per the project's Environmental Impact analysis. The County has adopted the language proposed by the City and the project was approved.

**Conditional Use Permit No. 4571 Minor Modification (Wayne J. Sand and Gravel):**

Description: Extension of the operation permit to 2025, expansion of operation to allow an average of 460 truck trips per day with a peak of 600 trips per day (up from an average of 72 and a maximum of 100 permitted trips), expansion of the boundary of the mining area, and expansion of the hours of operation to allow 24 hour hauling.

Status: **No change since last report.** The Draft Environmental Impact Report for this project was released on June 5, 2006, with comments due on August 25, 2006. Staff prepared and submitted comments. A Final EIR was completed and submitted to the City on June 25, 2009. The County Environmental Report Review Committee (ERRC) continued consideration of the Final EIRs for the expanded operations of the Wayne J sand and gravel mines to an indefinite future meeting at the request of County staff to allow the staff to address EIR issues. City staff submitted a comment letter to Ventura County planning staff on August 19, 2009. Ventura County planning staff forwarded it to the ERRC for consideration as part of their review process of the EIR. The ERRC reviewed the Final EIR on March 3, 2010 and recommended certification. On March 13, 2015, the City received a revised Draft EIR for this project. Comments due on April 30, 2015. The City Council discussed this project and the Draft EIR on April 15, 2015, and a letter was sent to the County providing City's comments. A County Planning Commission hearing was tentatively scheduled for December 4, 2015; however, this hearing did not take place. The applicant met with the Mayor and staff twice in December 2015 to discuss City concerns with the project. On February 11, 2016, the County Planning Commission approved this project after holding a public hearing. The City Council appealed this approval to the Board of Supervisors, who approved this project on May 3, 2016. On June 2, 2016, the City filed a Petition for Writ of Mandate for Violation of the California Environmental Quality Act on this approval with the Ventura County Superior Court. The case has since been transferred to Judge Hogue in the Los Angeles Superior Court. A hearing was held on October 4, 2017. Judge Hogue found several faults with the EIR in not complying with the California Environmental Quality Act and directed the parties to meet and confer in an effort to agree on the text of the remand order. Agreement could not be attained and the matter went back to Judge Hogue on December 27, 2017. Judge Hogue suspended portions of the project that relied on the flawed EIR (additional truck trips and asphalt batch plant) and allowed the expansion of the mine to proceed with the previous number of allowed truck trips. The County will have to return to the writ to explain how it intends to remedy the deficient portions of the EIR.

Staff had been negotiating with Wayne J over several months to develop solutions to mitigate the impacts of the proposed average daily trips proposed in the new permit. An agreement was not reached. On September 21, 2018, the Court granted the City's motion for attorney fees and costs in the amount of \$337,364.50 from the County. Wayne J has paid the City the court-ordered fees.

**Butler Ranch (County VTTM No. 5837 [Case No. SD-09-0025] and Zone Change No. -09-0007), Located at 1313 Tierra Rejada Road, Simi Valley/Moorpark, Butler Ranch – APNs 513-0-050-065 9 (County), 500-0-360-185 (County), and Designated Remainder 500-0-370-275 (City of Simi Valley):**

Description: Robert Butler has hired Jensen Design and Survey to compile an application for the County, seeking approval of a Vesting Tentative Tract Map and Zone

Change on the Butler Ranch property Located at 1313 Tierra Rejada Road, Simi Valley/Moorpark, Butler Ranch [APNs 513-0-050-065 (County), 500-0-360-185 (County), and Designated Remainder 500-0-370-275 (City of Simi Valley)]. The latest revised project proposes to change the zoning of the 508-acre property from the current designation of AE-40 to OS-20 and to subdivide a 508-acre property into 24 residential lots, each a minimum of 20 acres in size, with two means of access from Tierra Rejada Road. The application also indicates that an open space conservation easement of approximately 332 acres (65% of the total property) is proposed. Because the project has been revised to include minimum 20-acre lots, the City no longer has a concern with consistency with the Moorpark SOAR Initiative. Also, the proposed conservation of 332 acres, to be restricted with a biological restrictive covenant and conserved for botanical and wildlife habitat purposes, is appropriate since this property contains identified wildlife corridors.

**Status:** **No change since last report.** Comments were filed by staff on the proposed application on April 7, 2014, primarily requesting that the County analyze wildlife corridors and visual impacts in an EIR, as part of the environmental review on the proposed Zone Change and subdivision applications. A Notice of Preparation of an EIR was received by the City on November 19, 2014. Staff responded by re-submitting its April 7, 2014 comments.

**Broad Beach Re-nourishment Project:**

**Description:** The Broad Beach Geologic Hazard Abatement District (BBGHAD) originally proposed to import 600,000 cubic yards of sand from east Ventura County sand and gravel mines, with the potential of transporting the material by trucks through Moorpark to replenish eroded sand on Broad Beach in Malibu. On April 3, 2015, the BBGHAD submitted a revised coastal development permit application to the California Coastal Commission to initially import 300,000 cubic yards of sand, with major sand deposition events of 300,000 cubic yards each every 5 years for a 20-year period.

**Status:** On May 28, 2014, the City Council authorized the sending a letter by the Mayor to the BBGHAD expressing concern over the amount of truck traffic that could impact Moorpark residents. This letter was sent on June 11, 2014. BBGHAD staff has been meeting with the City to discuss this concern. A tentative agreement was reached between the City and the BBGHAD to keep project trucks out of Moorpark with appropriate monitoring and enforcement. It is pending approval of the BBGHAD Board. The BBGHAD Board had this agreement on their December 17, 2014 agenda for consideration; however, according to BBGHAD counsel, a quorum of the Board was not available to take action. A hearing before the California Coastal Commission was held on December 11, 2014 and staff expressed the need for the agreement. The BBGHAD withdrew the application at the hearing before the Coastal Commission took action. A revised project was approved by the California Coastal Commission on October 9, 2015. Prior to this approval, the City Council approved a haul route and monitoring agreement with the BBGHAD on October 7, 2015, that would avoid streets through Moorpark as a haul route. This agreement has been executed by both parties. On March 11, 2016, County Counsel submitted a letter to the City threatening litigation if the agreement is not rescinded. On March 24, 2016, the City Attorney responded, indicating that the City will not rescind the agreement. On April 1, 2016, County Counsel filed a Petition for Writ of Mandate and Complaint for Declaratory and Injunction Relief

with the Ventura County Superior Court. This case has since been transferred to the Santa Barbara Superior Court. On March 15, 2017 Santa Barbara County Superior Court Judge Thomas Anderle found no basis for injunctive relief and denied the petition. This judgment was entered on April 20, 2017. On April 28, 2017, the County appealed this judgment and on May 8, 2017, the City cross-appealed. On June 12, 2018, the Court of Appeal upheld the validity of the Settlement Agreement, recognizing Moorpark's right to negotiate important protections for its residents. The County appealed the matter to the California Supreme Court, which rejected the case, allowing the appellate court decision to stand.

### **Proposed Moorpark Desalter Project:**

**Description:** The Ventura County Waterworks District No. 1 is proposing to construct a Moorpark Desalter project to pump and treat poor quality groundwater in the South Las Posas basin immediately west of Moorpark, in order to provide higher quality water to future users. The project consists of a treatment facility and up to 22 wells on land west of Butter Creek Road, south of Los Angeles Avenue, and east of Hitch Boulevard.

**Status:** **No change since last report** A Notice of Preparation of an EIR was received by the City on November 21, 2014. On December 17, 2014, the City Council authorized the sending a letter to the County requesting that the EIR address land use and planning impacts, aesthetic impacts, and consider alternative locations for the wells. Staff will continue to monitor this project. City Engineer/Public Works Director spoke briefly at the May 13 and July 20, 2016 Fox Canyon Groundwater Management Agency Board meetings to support the concept of pumping and treating local, poor quality groundwater for potable use as our City relies on imported water to meet more than 80% of needs. The County has applied to the State for Proposition 1 water grants for a feasibility study and construction.

### **Specific Plan No. 1 – Hitch Ranch (Objective V.A.7.)**

**Description:** Present for City Council consideration General Plan Amendment of Land Use Element and accompanying entitlements for Specific Plan No. 1 (Hitch Ranch) by December 31, 2018. This Specific Plan is for the development of up to 906 dwelling units, three (3) acres of institutional use, and open space on 283 acres located north of the Union Pacific Railroad, west of Walnut Canyon Road (Highway 23), and east and west of Gabbert Road.

**Status:** Staff met with Comstock Homes and they are preparing to resubmit project with a proposed 755 units. Staff informed Comstock that a new project application is required, as the original project is more than 10 years old. Staff expects to receive the complete submittal in July. Concurrently, Staff is evaluating the draft Initial Study, which establishes preliminary environmental impacts associated with the project. Staff expects to present an overview of the project and scope of the forthcoming Environmental Impact Report to the Planning Commission at their regular meeting on July 23. The Project includes a Development Agreement (DA) and preliminary negotiations are anticipated to begin in fall, 2019. The DA is anticipated to include dedication of a 5+ acre parcel of land designated RD-20 by right to the City for affordable housing. Comstock has been working on similar projects and invited the Ad-Hoc City Council committee (Mikos, Pollock) to visit one of Comstock's affordable project partners, Peoples Self-Help Housing, for a project in Goleta. *Previous*

*Information:* A Notice of Preparation (NOP) for the project Environmental Impact Report (EIR) was released on June 29, 2004, with public comments due by August 1, 2004. An EIR public scoping meeting was held on July 22, 2004. Given the length of time since the NOP was released, a new NOP was prepared and sent out for comment on May 12, 2006, with comments due June 13, 2006. The applicant has subsequently been working with staff on refining the project design. A preliminary Draft EIR was reviewed by staff and comments were given back to the EIR consultant on April 15, 2009. On June 3, 2009, the City Council, to assist in meeting state goals for affordable housing required in the City's Housing Element Update, authorized the processing of an alternative with 755 units, up from 620 units identified as the maximum in the Land Use Element of the General Plan. This would require a General Plan Amendment. Preliminary draft working documents for the Specific Plan and EIR have been submitted to staff for internal review, which is underway. An updated Notice of Preparation (NOP) for the project Environmental Impact Report (EIR) was released on May 8, 2012, with public comments due by June 11, 2012. Comments were received and are being reviewed while the Draft EIR is being completed. A revised General Plan Amendment Pre-Screening application was submitted on May 30, 2018 to increase the number of housing units as part of the Specific Plan to 906, including a mix of detached and attached housing units at varying densities. This application was reviewed by the Community and Economic Development Committee in September 2018. After receiving considerable public comment, the committee took the item off calendar to allow for further discussions between the applicant and staff.

Approval Authority: City Council

### **General Plan Amendments**

#### **General Plan Amendments 2005-02 and 2014-01 (Objective V.A.8)**

Description: Present for City Council consideration General Plan Amendment (GPA) of Land Use Element and accompanying entitlements for GPA 2005-02 (Chiu) and GPA 2014-01 (Kozar/Grand Moorpark/Sky Line 66 LLC).

Status: **No change since last report.** Staff is continuing review and processing of these projects. More specific information on each project is provided below in this report.

The Kozar/Grand Moorpark/Sky Line 66 LLC project is expected to be considered by the Planning Commission in August and by the City Council in October.

The Chiu project is expected to be considered by the Planning Commission in September and by the City Council in November.

#### **General Plan Amendments 2016-01, 2013-02, and 2015-02 (Objective V.A.9)**

Description: Present for City Council consideration General Plan Amendment (GPA) of Land Use Element and accompanying entitlements for GPA 2016-01 (Pacific Communities, GPA 2013-02 (Mansi/Aldersgate Investments), and GPA 2015-02 (Duncan/Ashley/Spring Road LLC) by December 31, 2017.

Status: GPA 2016-01 was approved on October 4, 2017. GPA 2015-02 was approved on December 20, 2017. A resolution recommending approval of GPA 2013-02 was adopted by the Planning Commission on November 27, 2018. The GPA was approved

by the City Council on March 6, 2019. More specific information on each project is provided below in this report. As these three items have been completed, they will be removed from future reports.

### **General Plan Amendments 2016-02 and 2015-01 (Objective V.A.10)**

Description: Present for City Council consideration General Plan Amendment (GPA) of Land Use Element and accompanying entitlements for GPA 2016-02 (Moorpark 67/Rasmussen/West Pointe Homes) and GPA 2015-01 (Sunbelt Specific Plan) by June 30, 2019.

Status: **No changes since last report.** Staff is continuing review and processing of these projects. More specific information on each project is provided below in this report.

### **Residential Planned Development Permits**

#### **Residential Planned Development Permit No. 99-02, Tentative Tract No. 5187, General Plan Amendment No. 99-01 and Development Agreement No. 2001-01 (Meridian Hills/K. Hovnanian Homes):**

Description: A three-hundred-fifty (350) acre, 248-lot subdivision and Residential Planned Development on the west side of Walnut Canyon Road, south of the proposed Spring Road extension and north of the North Hills Parkway (formerly Highway 118 Arterial Bypass). Submitted February 25, 1999.

Entitlement Status: On January 23, 2002, the City Council certified the EIR, approved the Mitigation Monitoring and Reporting Program and had the first reading of the Ordinances approving the Zone Change and Development Agreement. The General Plan Amendment, Vesting Tentative Tract Map and Residential Planned Development were approved by the City Council on February 6, 2002, at which time the second reading of the Ordinances for Zone Change and Development Agreement also occurred. The Final Map for Tract 5187 was approved by the City Council on May 17, 2006. In January of 2008, staff was informed by William Lyon Homes that the ownership of the remaining unbuilt portions of the project was transferred to Resmark, LLC. On February 20, 2008, the City Council referred this issue to an ad hoc committee of Mayor Pro Tem Parvin and Councilmember Millhouse. On April 16, the City Council continued the review of the application on the updated implementation plan and transfer of ownership of the property from William Lyon Homes to Resmark, LLC, to a date uncertain so that the ad hoc committee could further review this plan with the residents and developer. Staff met with the existing homeowners of the development on May 1, 2008 to ensure that resident's concerns were addressed in the proposed implementation plan that will be presented to the City Council for consideration. On May 21, 2008, the City Council approved the amended implementation plan. On June 18, 2008, staff provided a status update to City Council on the applicant's compliance with the amended implementation plan and the City Council requested another status update at the regularly scheduled City Council meeting on August 20, 2008. On August 20, 2008 and on October 1, 2008, the City Council reviewed a status update on the applicant's compliance with the amended implementation plan. The City Council reviewed the amended implementation plan at the regularly scheduled City Council meeting on December 17, 2008. On March 29, 2013, Pre-Application No. 2013-01 was

submitted for review of proposed architectural updates for proposed development of 66 single family homes within Tract 5187, Meridian Hills' neighborhood, (Currently owned by Resmark, previously developed by William Lyon Homes). TRI-Pointe Homes submitted a Modification No. 1 application to introduce four new floor plans and revise the master plotting for construction of 66 units in Meridian Hills. The application was reviewed by City Council at a scheduled public hearing on November 6, 2013, and the applicant withdrew the application at the meeting. K. Hovnanian homes purchased the project from Resmark Homes, with escrow closing in September 2014. An updated Implementation Plan was approved by the City Council in advance of the purchase, on July 16, 2014. On October 17, 2014, the Community Development Director approved an Administrative Permit to construct a "model home complex" consisting of six model homes; two will serve as sales offices, and two adjacent parking lots on four vacant lots in the Meridian Hills. A third amendment to the Implementation Plan was scheduled for City Council consideration on July 6, 2016 to recognize a new owner and financial partner, Hearthstone, Inc., but was removed from the agenda and placed on the July 20, 2016, September 7, 2016, and September 21, 2016 City Council agendas, when it was finally removed after Hearthstone, Inc. no longer was pursuing entering the project as a financial partner, and the request was withdrawn.

Condition Compliance Status: **No change since last report.** Construction of the homes is complete. A zoning clearance for the grading permit for the construction of the multi-use trail connection across the Peters' property was issued in June 2014, and construction is underway. Landscaping and accessibility improvements are still needed for completion of this trail. The Implementation Plan calls for completion of these improvements by July 30, 2015. This date was missed and some repairs remain outstanding. Staff has completed a punch list of corrective items regarding the landscaping and trail construction. To date, the punch list has not been completed and several outstanding items still remain, such as planting and irrigation deficiencies, the replacement of address tiles on the mailbox, and reconstruction of a back drain that was installed behind a retaining wall. As of October 24, 2018 modifications of the drainage system and repair of the damaged retaining wall is almost complete. Staff is working with the applicant to audit the conditions of approval.

Building and Safety Status: All homes have been completed.

Engineering Status: Storm drain installation of the Ventura County Watershed Protection District (VCWPD) facilities adjacent to Walnut Canyon Road has been completed pending a letter of completion from VCWPD. A memo from Engineering to Planning dated March 13, 2008, specifies Engineering items required to be corrected or constructed for transfer of ownership from William Lyon Homes to Resmark, LLC. Construction of these items is ongoing and is being monitored. Final cap asphalt paving for Meridian Hills Drive and owner-occupied in tract streets has been installed. K. Hovnanian provided replacement bonds for those submitted by ORA Ashford, LLC and ORA Marquis 89, LLC. K Hovnanian's replacement bonds have been approved and sent to the City Clerk's office. VCWPD issued a letter dated August 25, 2011, accepting the regional flood control basin constructed with the Meridian Hills project. Staff is seeking clarification of this determination. Plans and a grading permit have been approved for the construction of the trails system and sidewalk connections at the Walnut Canyon Road and Spring Road intersection, and construction is complete.

Plans have been approved and a permit for construction issued for sidewalk modifications to meet accessibility requirements on both ends of the flood control basin. An updated grading permit has been issued to K. Hovnanian. Construction is complete. Fine grading plans for the K. Hovnanian model lots have been reviewed and approved. Water Tank Access Road and Storm Drain plans submitted and approved. Bonds for the work have been accepted and the grading permit has been approved. The water tank access road is under construction. The City will need a will serve letter for TR 5187-1 Lots 1-24, as the water allocation for these lots were used elsewhere in the development. Tract 5187-2 Lot L, the Equestrian Trail, is under review. Debris wall plans nearly ready to be approved. RJR is requiring an operations and maintenance manual for the debris walls. A slope failure on a trail on Lot Q is being investigated. Repairs to the slope failure are being designed for presentation to Council for approval on July 19, 2017. Two bids were received to repair the slope on September 11, 2017. Bid award is scheduled for October 4, 2017 with a 30 working day schedule following contract formation. Offsite work as well as home construction continues south of Meridian Hills Drive. The repair of the slope was completed in December, 2017. The Subdivision Improvement Agreement was approved by the City on March 2, 2018. City Council approved an Irrevocable Offer of Fee Dedication and Temporary Construction Easement Agreement required for the possible future realignment of Meridian Hills Drive on March 21, 2018. Under the City's oversight, the developer accomplished the final paving of sections of six private streets in Tract 5187-2 in March 2018. The City Council approved close out actions for the project to repair the slope within Lot Q on June 6, 2018. The Developer paid the City \$510,000 for the City's future resurfacing of Meridian Hills Drive, the single public street within the development, and \$170,000 to extend Meridian Hills Drive from the equestrian site (Lot L) to the proposed Hitch Ranch development which the City will hold in trust for the Hitch Ranch developer to use in the future. The City Engineer/Public Works Director forwarded the draft settlement agreement, Quitclaim deed and Open Space Easement to Howard Yaras, HOA President, on July 16, 2018 for review. This settlement will put the ownership of Lot Q, which is behind the perimeter fence and not accessible to the public, into the control of the HOA and ensure that the open space will be preserved. Cracks in the decomposed granite trail within Lot Q were observed which might indicate slope movement. The City Manager notified the HOA that approval by Council of the settlement agreement must be delayed until an engineering investigation and resolution of the matter takes place. Additionally, at another location, inadequate compaction of subgrade soils below Meridian Hills Drive has resulted in surface settlement of the road. A preconstruction meeting is scheduled for April 25 to coordinate the work, part of which will require a total closure of Meridian Hills Drive between the two gates on the north side of the road. During that closure, residents will access the east gate on Meridian Hills Drive via their private street network. As of the June 2019 report, the developer's design and construction team has replaced a thirty foot deep storm drain manhole structure that was not sealed and had a non-compliant safety ledge. The developer has not yet provided the City Engineer/Public Works Director with testing results and a proposed plan to remediate several poorly compacted soil areas under Meridian Hills Drive. Completion of repairs will be required before the developer will be permitted to accomplish the final paving of Meridian Hills Drive.

**Residential Planned Development (RPD) Permits No. 2002-03, -04, and -05, Zoning Ordinance Amendment No. 2002-02, Tentative Tract Map No. 5045 - Minor Modification 1, Development Agreement (Pardee Construction Company, Specific Plan No. 2):**

Description: Development of 318 out of 450 single-family residential lots and one (1) multi-family lot for 102 units on property located north of Charles Street, along the extension of Spring Road, east of Walnut Canyon Road (SR-23) and west of Happy Camp Canyon Regional Park. As part of the implementation measures for Specific Plan No. 2, this project also includes sixty-nine (69) acres of private open space, a 7-acre public park, and 101 acres of habitat conservation area.

Entitlement Status: The Tentative Map was approved by the City Council on August 2, 2000. A Permit Adjustment to allow for private streets and modification of the lot configuration was approved, reducing the number of single-family residential units to 450. A Modification for gates on private streets was approved by the City Council on January 21, 2004. On July 7, 2004 the City Council approved Residential Planned Development Permits for Planning Areas 1-4. On October 5, 2005, the City Council approved Final Tract Map Nos. 5045-1, 5045-2, and 5045-3. On March 1, 2006, the City Council approved Final Tract Map Nos. 5045-4 and 5045-5.

Condition Compliance Status: The Landscape Maintenance Assessment District formation was completed and approved by City Council on January 17, 2007. Final occupancies have been granted for all houses.

Building and Safety Status: Construction is complete.

Engineering Status: Home construction is complete, and all repairs and final asphalt cap was completed April 2016 within Planning Areas 2 and 3. Pardee and their contractor met with staff on April 17, 2017, to discuss outstanding issues related to exonerating surety bonds. PWD Director is preparing staff report to Council to exonerate uncontested bonds at the July 19, 2017 meeting. A number of bonds were released in July leaving survey monumentation and bypass highway sureties to be resolved. Other issues include mitigation area within the highway right-of-way and La Perch access at Water District offices. Community Development and Public Works Directors met with City Attorney and the City Manager on March 21, 2018 to discuss next steps to resolve open Pardee issues. City staff and counsel have met twice since the March 21<sup>st</sup> meeting. A meeting with the developer team was held on August 24, 2018. Staff is scheduled to meet again with the developer team on October 29, 2018. The substantive issues include access to the La Perch Ranch, the grading for the North Hills Parkway, the 23 bypass as well as the associated \$4.83 million surety bond.

Staff has met with Wastewater District #1 to discuss strategies for addressing the entrance to the La Perch property. Based on that meeting, the City and WWD#1 have scheduled a meeting with Pardee to devise a way for the developer to provide the access specified in the Development Agreement. The meeting with the developer is set for May 3, 2019. Following the meeting and after an agreed upon solution can be developed, staff will work with Pardee on the substantive issue related to their grading obligation/\$4.83 million surety bond associated with the Route 23 and North Hills Parkway bypass work. The City Manager, staff and Water District Staff met with Pardee on May 3, 2019 to bring the District up to speed on the issues. Michaela Brown left the

County to return to the Midwest in May 2019. Joseph Pope is the new head of the Water District. The City Engineer/Public Works Director met with him on June 24, 2019 on this matter. Joe is the recently retired Public Works Officer of the Naval Base and has lived in the area for some years. A follow-up meeting will occur with the same parties and the La Perch ranch owners will occur in the near future.

**Residential Planned Development Permit No. 2003-04, General Plan Amendment No. 2003-04, Zone Change No. 2003-03, Tentative Map No. 5463 (Toll Brothers, Inc.):**

Description: An expansion of the Country Club Estates Project on 43.3 acres located on the north side of Championship Drive, east of Grimes Canyon Road. The development consists of 50 single-family homes.

Entitlement Status: The City Council approved the General Plan Amendment and first reading of the Zone Change and Development Agreement ordinances, and adopted the Mitigated Negative Declaration on November 15, 2006. The Tentative Tract Map and Residential Planned Development were approved by the City Council on December 6, 2006. A Permit Adjustment application was approved on March 29, 2007, to clarify certain conditions of approval. The applicant submitted an additional Permit Adjustment application and a request to modify the Development Agreement on issues related to affordable housing, open space, and improvement timing. The additional Permit Adjustment was approved by staff, and the request to amend Ordinance 346 to modify Development Agreement No. 2004-01, relating to timing of Grimes Canyon Road improvements and the timing and manner of open space and affordable housing mitigation, was approved by the City Council on June 20, 2007. The Development Agreement was signed by Toll Brothers and submitted to the City for execution.

Approval Authority: City Council

Condition Compliance Status: **No change since last report.** An Early Grading Agreement was executed and mass grading was completed. On August 15, 2013, the applicant submitted Modification No. 1 to RPD 2003-04 for approval of two new house plans and modification of three existing house plans. This modification was approved by City Council on October 2, 2013. Two model homes were completed, and construction of all production homes is complete. The recreation area/tot lot is complete. Final condition compliance is proceeding.

Building and Safety Status: Construction complete.

Engineering Status: The final map has been approved by City Council and recorded with the Ventura County Recorder. Grading, street, storm drain, water and sewer improvements have been completed except for the final asphalt cap. Formation of a landscape maintenance district is complete. Fine grading plans are reviewed and approved as each lot is sold and constructed. Toll will record three documents that would allow the following: 1) construction of a home on the remainder parcel of Lot 5 of the Vallette Tract that conforms to the conditions of TR 5463; 2) relocation of the remainder parcel's street access from Grimes Canyon Road to Nicklaus Road; and 3) maintenance of the landscaped slope on the north side of Championship Drive west of Augusta Drive by the HOA. The documents have been reviewed by Engineering to

ensure conformity with the project conditions. The developer has complied with condition 6.24 and paid the City \$1.38 million for the future resurfacing of Championship Drive, the single public street in the neighborhood. As of the June 2019 report the private street system is nearly ready for receiving its final cap. A utility and compaction problem caused by a homeowner's contractor must be repaired under the street and a number of cracked and broke concrete areas must also be replaced before the final cap can go in.

**Residential Planned Development Permit Nos. 2004-02 and 2004-03; Zoning Ordinance Amendment No. 2004-05; and Specific Plan Amendment No. 2004-02 (Toll Brothers, Specific Plan No. 2):**

Description: Residential Planned Development Permit applications for Planning Areas 8 and 9 for 132 single-family homes, and a zoning code amendment to the Development Standards for Specific Plan No. 2. The Residential Planned Development applications were submitted on April 15, 2004. The Specific Plan Amendment was submitted July 19, 2004.

Entitlement Status: The Residential Planned Development applications and the zoning code application were approved on April 6, 2005. Final Tract Map 5045-8 (PA 8 & 9) was approved by City Council on August 2, 2006. A Permit Adjustment was approved to raise elevations in Planning Areas 8 and 9 to be consistent with a revised grading plan. A Permit Adjustment was also approved for KB Home to make slight adjustments in the architectural elevations of the approved houses in Planning Areas 8 and 9. Toll submitted a Modification No. 1 application to introduce three new floor plans and revises the master plotting of planning Areas 8 & 9; City Council reviewed and approved the application on November 17, 2010. A fourth Permit Adjustment application by Toll, submitted October 2, 2012, requesting approval to make slight adjustments to the interior floor plans and the architectural elevations of the approved houses in Planning Areas 8 and 9 is currently being considered by staff. Toll submitted a Modification No. 2 application to introduce two new one story floor plans and revise the master plotting of planning Areas 8 & 9; City Council reviewed and approved the application on April 17, 2013.

Condition Compliance Status: **No change since last report.** Toll Brothers purchased the project from KB Home on November 30, 2009. Toll Brothers originally indicated intent to build the site as approved by the City Council on April 6, 2005. Toll received approval for a modification to introduce three new floor plans and revises the master plotting of planning Areas 8 & 9. Building Permit Zoning Clearances for all homes have been approved, including the construction of a new model home. Final occupancies have been issued for a total of 132 houses.

Building and Safety Status: Construction is complete.

Engineering Status: The grading, street, storm drain, water and sewer improvements have all been completed except for the final asphalt cap. Fine grading plans are reviewed and approved as each lot is sold and constructed.

**Residential Planned Development No. 2004-05, General Plan Amendment No. 2004-03, Zone Change No. 2004-03 and Tentative Tract Map No. 5437 (Canyon Crest Partners/Birdsall Group):**

Description: General Plan Amendment to the Land Use Element Map to change forty-two (42) acres between Walnut Canyon Road and Specific Plan No. 2 from Rural Low Density Residential to Rural High Density Residential and Open Space 1, Zone Change to change the Zoning from Rural Exclusive-5 acre to Residential Planned Development (RPD-1u), and a Vesting Tentative Tract Map No. 5437 to create 22 lots and a Residential Planned Development Permit to allow the construction of 21 houses, submitted August 10, 2004; and Development Agreement No. 2006-01, submitted March 20, 2006.

Entitlement Status: The City Council approved the project May 17, 2006. On March 4, 2015, the City Council Approved Modification No. 1 to the RPD, extending the expiration date to March 4, 2018. Pursuant to the Development Agreement, Vesting Tentative Tract Map No. 5437 expired May 17, 2016, 10 years after its approval. No provisions for extension were included in the Development Agreement. On January 16, 2018, an application was submitted for Vesting Tentative Tract Map No. 5437 which is the exact same map, with the same map number, as was previously approved. Due to market conditions and developer issues, development of this project was delayed. Development Agreement 2006-01 remains in effect until June 21, 2026 and Residential Planned Development 2004-05 (approving architecture) was renewed by a modification to the RPD on March 4, 2015, remaining in effect until March 4, 2018 (3 years from the date of the adoption of Resolution No. 2015-3368). Two additional one-year extensions were proposed to be permitted at the Community Development Director's discretion upon finding progress on project implementation. The applicant has requested the first one-year extension of the Residential Planned Development concurrently with this application. On August 28, 2018, the proposal was presented to the Planning Commission and, due to the concerns of adjacent residents, continued the meeting with the public hearing open to the meeting of November 27, 2018. At that meeting, the Planning Commission recommended denial of the project to the City Council. This item was scheduled to be heard by the City Council on December 19, 2018, but was postponed to January 16, 2019 to resolve access and construction issues. On January 16, 2019 the City Council adopted a resolution re-approving the Vesting Tentative Tract Map and a one-year extension of the Residential Planned Development. In order to alleviate concerns of adjacent property owners, conditions of approval were added requiring the developer to obtain permanent, non-construction access rights through adjacent private streets and gates with an enforceable cost-sharing agreement for the proportional burden of adjacent private streets and gates. In addition the applicant is required to provide the City with a construction management plan stating adjacent private streets shall not be used for construction vehicles and construction traffic during the grading of lots and construction of homes and other public and private improvements in the project.

Approval Authority: City Council

Condition Compliance Status: City and Fire District staff reviewed proposed street names. On January 21, 2015, the Council approved street names of Los Palacios Drive and Vista Verde Court.

Building and Safety Status: No activity at this time.

Engineering Status: **No change since last report.** The third review of grading/improvement plans; hydrology report, final map and geotechnical report have been returned to the applicant.

**Residential Planned Development Permit No. 2005-02, General Plan Amendment No. 2005-02; Zone Change No. 2005-02; Development Agreement No. 2005-04; Tentative Tract Map No. 5739 (Chiu):**

Description: A Zone Change, General Plan Amendment, development agreement and residential planned development to allow construction of a fifty (50) unit apartment building with 125 under-building parking spaces on a two (2) acre site on the north side of Everett Street, east of Walnut Canyon Road.

Entitlement Status: **No change since last report.** The application was found incomplete as of February 6, 2006. A demolition permit has been issued and demolition and cleaning of the site is complete. Updated plans were resubmitted along with a Tentative Tract Map on March 9, 2007. An ad-hoc committee consisting of Councilmembers Millhouse and Van Dam has been established to develop a draft development agreement for this project. The applicant has purchased the property to the west and has incorporated this property into the design of this proposal. A draft Development Agreement has been prepared for discussions with the applicant and staff. The authorization to accept a General Plan Amendment application would have expired unless a complete application was received by December 4, 2015. On December 2, 2015, the City Council approved an amendment to the GPA Pre-Screening Procedure, to extend this authorization through March 31, 2016. New application materials were submitted on March 30, 2016 and the application was determined complete. This item is expected to be considered by the Planning Commission and City Council in 2019. The Development Agreement has been negotiated and the project is now awaiting environmental review and entitlement.

Condition Compliance Status: No activity at this time.

Building and Safety Status: No activity at this time.

Engineering Status: **No change since last report.** Staff reviewed an October 27 letter from the applicant's representative and a number of different 2016 plans on October 30, 2017 and identified some driveway, trash hauling and garage circulation issues that need more work. Engineering staff submitted further comments for the environmental study on June 28, 2018.

**Residential Planned Development (RPD) Permit No. 2009-02, Tentative Tract Map No. 5860, Development Agreement (Pardee Construction Company, Specific Plan No. 2):**

Description: 133 single family detached homes on 22 acres.

Entitlement Status: Applications for Zoning Ordinance Amendment No. 2009-01, RPD Permit No. 2009-02, and Tentative Tract Map No. 5860 were submitted on September 18, 2009. The City Council approved these applications on July 7, 2010. On June 20,

2011, Pardee submitted a letter requesting a one year time extension on the approval of the RPD, which was granted in an approved extension letter, on June 30, 2011. On June 19, 2012, Pardee submitted Permit Adjustment No. 1 to RPD 2009-02 to adjust the architecture of the exterior elevations of the approved homes and this application was approved on July 27, 2012.

Approval Authority: City Council

Condition Compliance Status: **No change since last report.** Fine grading, building permit, and final occupancy zoning clearances for all 133 houses have been issued.

Building and Safety Status: Construction is complete.

Engineering Status: **No change since last report.** Grading, drainage and street improvements have been completed. Home construction is complete, all repairs and final asphalt cap was completed April 2016. The secondary entrance is under reconstruction to repair the inadequate base layer and to construct a paver stone cap surface.

**Residential Planned Development No. 2016-01, General Plan Amendment No. 2016-01, Zone Change No. 2016-01, Tentative Tract Map No. 5882, Development Agreement No. 2016-01 (Pacific Communities Builder, Inc.):**

Description: A request for a proposed gated residential development consisting of 153 single-family residential units and 130 detached condominium units on 38.73 acres. The project will include a swimming pool, tot lot, and associated amenities. The application was submitted on April 15, 2016.

Entitlement Status: The City Council adopted the Mitigated Negative Declaration, approved the General Plan Amendment, Vesting Tentative Tract Map, and Residential Planned Development, and had first reading of the ordinances for the Zone Change and Development Agreement on September 20, 2017. Second reading of the ordinance was October 4, 2017.

Condition Compliance Status: The applicant is currently working on conditions of the Vesting Tentative Map.

Building and Safety Status: Plans have been submitted for plan review.

Engineering Status: Developer has submitted Final Engineering Construction Drawings for plan review. The plan review process is ongoing. Staff has reviewed conceptual street plans and entrances. Developer's engineer is working on incorporating bus stop and Los Angeles Avenue drainage into their plans. Staff reviewed Vesting Tentative Tract Map and identified an issue with dedications along Leta Yancy Road that will be resolved in the purchase process. Staff also initiated communication with Edison to underground electric lines on the west side of Leta Yancy Rd. Staff communicated with developer and County staff regarding excessive County storm drain pipe and stormwater detention conditions pending for the project. Engineering staff provided input to Parks, Recreation and Community Services and Community Development

Departments in June 2018 regarding access to the affordable housing sites adjacent to this project. The developer completed removal of very old chicken remains in November 2018 under the supervision of the Ventura County Environmental Health Department. Staff has requested and received a copy of the final, County approved, completion report. The City's consulting engineer has completed the second plan check of the draft improvement plans and draft map for phases 01 and 04 and has returned those drawings to the developer. The City received similar plans for first plan check for phases 02, 03 and 05 on June 28, 2019.

The Developer and the City had a few meetings regarding initiating proceedings for the Community Facilities District to fund developer fees and certain infrastructure improvements. Financial and Bond Counsel began their preliminary discussions to determine how much in bonds would be issued in the first phase of the bond sales, and outline what project milestones need to be met in order to proceed with the first bond sale.

Given the current market environment for selling community facility district bonds, it was explained that the Developer needs to be further along in the project development phase. In order to capture the best possible interest rate for the bonds on the open market, investors and underwriters will want to see substantial progress on the project such as site grading, residential home pad construction and/or home units being under construction. The Developer's finance team is in agreement with the notion that the project should be further along and both sides are now sharing preliminary information about the project to ensure that the City and the Developer have all the required information to begin the formation process once more progress is made on the project.

The Developer has also provided comments on the draft Affordable Housing Agreement. Staff will be meeting with the Developer to finalize the Agreement in May. The Affordable Housing Agreement needs to be executed and recorded prior to the recordation of the Tract map.

**Residential Planned Development Permit No. 2012-02 and Development Agreement No. 2012-02 (Essex Portfolio, LP):**

Description: Two-hundred (200) apartment units on 10.57 acres located at the former high school site on the south side of Casey Road, west of the City Hall/Community Center site. The applications include a request for a Residential Planned Development permit and new Development Agreement. Submitted October 1, 2012.

Entitlement Status: The Planning Commission reviewed the proposed Development Agreement on June 4, 2013, and adopted a resolution recommending approval by City Council. The project was approved by the City Council on March 1, 2017, with second reading and approval of the Development Agreement enabling ordinance on March 15, 2017. The Development Agreement and Affordable Housing Agreement were executed and recorded on April 17, 2017.

Approval Authority: City Council

Condition Compliance Status: **No change since last report.** The applicant met with the Mayor and City Manager in June 2018 to discuss the status of the project and hurdles toward starting development.

Building and Safety Status: No activity at this time.

Engineering Status: No activity at this time.

**Residential Planned Development No. 2013-01; General Plan Amendment No. 2013-02; Zoning Change No. 2013-02; and Development Agreement No. 2013-01 (Aldersgate Investments c/o Ernie Mansi):**

Description: A 390-unit senior continuing care retirement community on 49.52 acres north of Casey Road and west of Walnut Canyon Road. The project will include independent living, assisted living, and memory care as well as associated amenities. The application was submitted on September 3, 2013.

Entitlement Status: The Application was determined complete prior to the December 4, 2015 expiration of the authorization to accept a General Plan Amendment. An IS/MND environmental analysis was prepared and circulated for public comment in January 2018. This item was scheduled for Planning Commission consideration on September 25, 2018 and the public hearing continued to October 23, 2018 and again to November 27, 2018. On September 23, 2018, just prior to the initial Planning Commission hearing, the City received a letter from "Better Neighborhoods" which questioned the adequacy of the environmental analysis. On November 27, 2018, the Planning Commission ultimately adopted a resolution recommending approval of the CEQA analysis and project entitlements to the City Council. On March 6, 2019, the City Council adopted resolutions and ordinances approving the project. The applicant has begun conversations with staff regarding complying with their affordable housing requirement. The applicant is proposing to purchase property owned by the City on Charles Street to construct the required 26 units of low-income for-sale housing. On June 25, 2019, the City Council authorized an Exclusive Negotiating Agreement to allow the applicant to further develop their concept for the affordable housing units.

Condition Compliance Status: No activity at this time.

Building and Safety Status: No activity at this time.

Engineering Status: No activity at this time.

**Residential Planned Development No. 2014-01 (formerly 98-02) and Vesting Tentative Tract No. 5130, General Plan Amendment No. 98-01, Zone Change No. 98-01 and Development Agreement No. 98-03 (City Ventures on behalf of Moorpark 150, LLC, formerly SunCal):**

Description: One-hundred-ten (110) single-family, detached homes on seventy-two (72) acres, located on the east side of Walnut Canyon Road, north of Wicks Road, with temporary access proposed from Walnut Canyon Road, and proposing primary access to North Hill Parkway and the future northerly extension of Spring Road.

**Entitlement Status:** The City Council approved the project and Development Agreement on December 17, 2003. On March 29, 2006, the Community Development Director approved Permit Adjustment No. 1 to change only the timing language of condition number 20 of City Council Resolution Number 2003-2150, (which stated that: Prior to issuance of a Certificate of Occupancy for the first dwelling unit, construction of roadway improvements to Walnut Canyon Road shall be completed to the satisfaction of the City Engineer), this was changed to state that: Construction of roadway improvements to Walnut Canyon Road shall be completed to the satisfaction of the City Engineer and Public Works Director by November 8, 2008, or prior to occupancy of the fiftieth (50<sup>th</sup>) residential unit, whichever comes first. On December 22, 2006, Lone Star Opportunity Fund purchased SunCal's interest in the property; however, Moorpark 150, LLC remains the record fee owner. The second one year extension on this approval to December 17, 2008, was granted by the Planning Director at the request of the applicant. A modification to the entitlements to extend the time horizon of the Residential Planned Development Permit and to extend the time horizon for improvements was considered by the City Council on November 19, 2008, and the City Council approved the request at that meeting. On April 6, 2011, City Council approved Modification No. 2, amending Special Condition No. 20 for Vesting Tentative Tract Map No. 5130, requiring construction of roadway improvements to Walnut Canyon Road and overlaying of the pavement on Wicks Road, and that it must be completed to the satisfaction of the City Engineer and Public Works Director prior to issuance of the certificate of occupancy for the 1st dwelling unit, or April 11, 2013, whichever comes first. The RPD permit was extended by the Community Development Director for an additional year to December 17, 2012. An application for a second one year extension of the RPD was denied by the City Council on December 19, 2012. City Ventures acquired the property on December 19, 2012. The RPD expired December 17, 2012, and the applicant is working towards submitting an application to address this. On May 12, 2014, the developer submitted an application for a new RPD and Modification No. 3 to address the timing of completion of improvements to Walnut Canyon Road and Wicks Road and the application was deemed incomplete on June 10, 2014. Planning Commission reviewed this revised project in January 2015. On March 18, 2015, the City Council approved the Modification to the Tentative Tract Map and the new RPD for this project. On June 15, 2016, the City Council initiated an amendment to the Development Agreement for this project to extend the term to December 31, 2040. The Planning Commission recommended approval of this amendment on August 23, 2016. The City Council is tentatively scheduled to consider this amendment in the fall of 2017.

**Condition Compliance Status: No change since last report.** On August 16, 2006, the City Council approved the street names with the directive to staff to work with the applicant to find an appropriate alternative street name to replace Trailhead Place. The Landscape Maintenance District manual has been reviewed by staff for completeness and is acceptable. Staff has requested the deposit to begin the formal formation of the LMD. The final map and rough grading plans are being reviewed by staff. SunCal/Moorpark 150 LLC's interest in this project have been purchased by Hudson Advisors of Dallas, who had planned to proceed with obtaining final map approval and rough grading permits. In the summer of 2012, Armed Forces Bank became the property owner, and has indicated to City staff their intent to sell the property. City Ventures acquired the property on December 19, 2012, and has been working with staff on condition compliance, including the submittal of a new RPD application. On March

18, 2015, the City Council approved the Modification to the Tentative Tract Map and the new RPD for this project. Staff has met several times with representatives from City Ventures to review conditions and timing. City Ventures is conducting the required studies prior to grading, obtaining the required State permits, and communicating with City Staff in regard to timing of submittals and other aspects of conditions of compliance.

Building and Safety Status: Plan check is expired.

Engineering Status: **No activity at this time.** Street names have been approved. The Final Map and grading and improvement plans have been resubmitted and are in review. The geotechnical report has been approved. Developer has resubmitted material regarding offsite easements on Walnut Canyon Road improvements that have now satisfied all requirements. The Encroachment Permit for work along Walnut Canyon has expired, and the developer is working with Caltrans on reinstatement. The improvement plans and final map are ready to be signed. The developer has requested the required bonding amounts. The developer may request an early grading agreement.

**Residential Planned Development No. 2014-02; General Plan Amendment No. 2014-01; Zoning Change No. 2014-01; Tentative Tract Map No. 5869; and Development Agreement No. 2015-03 (Sky Line 66 LLC c/o Menashe Kozar):**

Description: A proposed 69-unit townhome community on 4.01 acres on the north side of Los Angeles Avenue, east of Shasta Avenue. The project will include a swimming pool, tot lot, and associated amenities. The application was submitted on October 10, 2014.

Entitlement Status: The Application is complete and is currently undergoing environmental review. Required studies have been conducted. The project is being redesigned and is expected to be considered by the Planning Commission and City Council in 2019.

Condition Compliance Status: No activity at this time.

Building and Safety Status: Submitted for plan check 1/24/19, first review complete with corrections.

Engineering Status: Engineering staff has provided input to Community Development staff regarding access geometry to project site, which the applicant will have to obtain Caltrans permits to allow access to their site, including whether or not left turns will be allowable in and/or out. On May 10, 2019 the City Engineer/Public Works Director ordered unpermitted grading work to stop on the Kozar property. Essentially the owner completed clearing, grubbing and some minor grading on the site without permission. The owner complied with the stop work order.

**Residential Planned Development Permit No. 2015-01 (Area Housing Authority of the County of Ventura):**

Description: A 24-Unit Apartment Complex consisting of three buildings (five 3-bedroom townhomes in one 2-story building, one 2-bedroom manager unit above a

community room in a second two-story building, and fifteen 2-bedroom flats, and three 3-bedroom flats in a 3-story building) located between Charles Street and Everett Street between Moorpark Avenue and Walnut Street. The project includes a tot-lot, two barbecue areas, a community garden, a community room, bicycle racks, a trash/recycling enclosure, and solar carports. Common laundry rooms are provided on each floor of the flat building, and private laundry facilities are provided in the manager unit and the townhomes.

Entitlement Status: The Planning Commission approved the project on May 26, 2015. A Disposition and Development Agreement and an Affordable Housing Agreement were approved by the City Council for this project on June 17, 2015 and amended on June 15, 2016. In December 2015, the applicant met with staff to discuss potential revisions to the project. Modification No. 1, incorporating these proposed revisions, was approved by the Planning Commission on February 23, 2016.

Approval Authority: Planning Commission

Condition Compliance Status: The project has been approved for tax credits by the California Tax Credit Allocation Committee. In response, the applicant submitted plans for grading and construction. A lot line adjustment to merge the lots has been approved and recorded. A Zoning Clearance for construction was issued on June 23, 2017. The project is complete and final condition compliance is proceeding. The applicant has requested final accounting to close out the project.

Building and Safety Status: Construction is complete.

Engineering Status: No activity since last report. Construction of offsite improvements commenced in the third quarter. Work is ongoing. Grading permit has been issued and work is underway. Demolition and rough grading work is complete. The soil improvement work is approximately 50% complete. Subcontractor Malcolm Drilling Co. is installing 334 twenty-foot deep stone columns to support the future apartment buildings. This work is necessary due to the identified risk of liquefaction in the event of a strong earthquake. Ground modification work has been successfully completed. Owner has made minor site design revisions that are being reviewed by City at this time. The developer has completed rough grading and some offsite improvements including driveways and wet utilities. The developer constructed offsite improvements in November and December of 2018. However, much of the initial work had to be removed and replaced because drainage was impaired on SR 23 and Everett Street. The developer removed overhead cabling and poles along the SR 23 frontage in December 2018.

**Residential Planned Development No. 2015-02; General Plan Amendment No. 2015-02; Zoning Change No. 2015-03; Vesting Tentative Tract Map 5972; and Development Agreement No. 2015-01 (Spring Road LLC c/o Scott Uhles):**

Description: A proposed 95-unit townhome community on 8.52 acres on the west side of Spring Road, south of Los Angeles Avenue. The project will include a swimming pool, tot lot, and associated amenities. The application was submitted on November 17, 2015.

Entitlement Status: The Development Agreement Council Ad-Hoc Committee (Parvin, Van Dam) met with the developer on March 28, 2017 and September 20, 2017 to discuss the terms of the Development Agreement. On November 7, 2017 the Planning Commission recommended to the City Council approval of the project. The City Council approved the Mitigated Negative Declaration, General Plan Amendment, Tentative Tract Map and Residential Planned Development Permit on December 6, 2017. The Zone Change Ordinance and Enabling Ordinance for the Development Agreement were also introduced on December 6, 2017. Second reading of the Zone Change Ordinance was held on December 20, 2017. Due to a late request by the developer for a change in wording of the Development Agreement, a revised Enabling Ordinance for the Development Agreement was re-introduced on December 20, 2017, with second reading of the Development Agreement held on January 17, 2018. The applicant has had several conversations with potential developers, including developers of other Moorpark projects to see if they can build their affordable housing units as part of this project. None of those conversations has yielded an outcome and the applicant is growing concerned that his project may never be built because he has been told it is not profitable. The applicant has had inquired about the process for creating a Community Facilities District to mitigate upfront development fees.

Condition Compliance Status: No activity at this time

Building and Safety Status: No activity at this time

Engineering Status: No activity since last report. Staff has communicated to developer's engineer their need to present an irrevocable offer to dedicate land for the widening of Los Angeles Avenue and to clear that land of encroachments by August 15, 2018. The Developer's engineer presented an irrevocable offer to staff in September 2018.

**Residential Planned Development No. 2016-02; General Plan Amendment No. 2016-02; Zoning Clearance No. 2016-02; Development Agreement No. 2016-02; VTM 5847 (Moorpark 67/Rasmussen/West Pointe Homes):**

Description: A proposed Residential Planned Development comprising of 133 single-family homes and 5 estate lots. The application was submitted on October 31, 2016.

Entitlement Status: **No change since last report.** The application is currently undergoing evaluation and environmental review. Required studies have been conducted. Since late 2018, the applicant has had monthly meetings with staff to identify any issues or concerns as early as possible. Entitlement of this project will be proceeding as staffing resources become available.

Condition Compliance Status: No activity at this time.

Building and Safety Status: No activity at this time.

Engineering Status: No activity at this time.

**Residential Planned Development No. 2018-01; Zone Change No. 2018-01 (226 High Street – High Street Depot):**

Description: A proposed mixed-use project consisting of 91 multi-family residential units,

13,656 square-feet of commercial space and on-site improvements were submitted on September 6, 2018. Subsequent submittals were received on November 1, 2018 and December 7, 2018.

Entitlement Status: The Developer and the City entered into an Exclusive Negotiating Agreement on June 18, 2018 to establish the terms and conditions of a Disposition and Development Agreement (DDA). City Council approved an extension of the ENA on April 3, 2019 to allow additional time for negotiations on the DDA. The terms of the DDA have been finalized and negotiations on the DA have begun. Staff continues to work with the developer to refine the development proposal. A City Council workshop was held on May 15, 2019 to allow the Council and public to provide comments on the project proposal as well as the pathway forward for entitlements (the zoning district does not currently allow mixed uses). Staff and the developer continue to work on refinements to the proposed project and the CEQA environmental analysis.

Approval Authority: City Council

Condition Compliance Status: No activity at this time.

Building and Safety Status: No activity at this time.

Engineering Status: The City currently owns most of the properties that are proposed to be used for this development. A parcel map for the two parcels proposed for development, the parcel to be used for the Metrolink Parking Lot expansion and the Chamber of Commerce building and parking lot has been submitted to the County Surveyor.

### **Commercial Planned Development Permits**

#### **Commercial Planned Development No. 2006-01, Conditional Use Permit No. 2006-07 (Moorpark Hospitality, Inc. / Fairfield Inn & Suites by Marriott):**

Description: Request to build a 4-story, 108-unit hotel with surface parking, and an indoor pool and spa at the southeast corner of the SR-23 freeway and White Sage Road.

Entitlement Status: The City Council approved this project with conditions on May 2, 2007. On March 16, 2009, a final extension letter was approved extending the expiration to May 2, 2010. On March 26, 2010, the applicant filed a Permit Adjustment application requesting modification of the expiration date of this application. This request was considered by the City Council on May 5, 2010. A final extension was granted, and the Commercial Planned Development permit and Conditional Use Permit expired on May 2, 2012. On January 21, 2015, the City Council approved a Modification to the permit for an amendment to the approved architecture and the permit expiration date to allow construction and operation of a previously approved 112-room (now 108-room) hotel on a 2.38 acre parcel.

Condition Compliance Status: A Zoning Clearance for Plan Check was issued on February 17, 2015. Mass grading is complete and site work is mostly complete. Construction of the structure outside of the site work area is mostly complete.

Building and Safety Status: A building permit has been issued and construction continues.

Engineering Status: Grading plans have been reviewed and returned to the project engineer for corrections. Revised engineering plans were submitted on June 28, 2017 for plan check and have been approved. The development will utilize the previously constructed detention basin to comply with the post-construction BMP requirements. Grading permit has been issued and site work began September 2017. Grading work is approaching completion as of December 2017. Rough grading has been completed. The Los Angeles Regional Water Quality Board has opened an investigation into the project team's failure to comply with stormwater regulations. Cal OSHA has opened an investigation into the project team's failure to comply with worker safety regulations about excavation safety. Work at just one spot, the southeast corner of the project is suspended. The engineer of record must submit a corrective plan to correct the problem, and complete a deep storm drain and the site retaining wall. The remainder of the site is still under construction. A tractor trailer hit a fire hydrant on White Sage Road. The resulting flood caused a stackable retaining wall to partially fail. The developer has rebuilt the retaining wall that failed. They also provided a design solution for the storm drain connection at the southeast corner of the site. But, probably due to the ongoing rainy season, they have not informed Engineering about when and how they will safely accomplish this work between a sandy slope and tall retaining wall. The developer informed the City on April 23, 2019 that they intend to finish the storm drain work very soon. The developer received Final determinations from CalOSHA in June 2019 for their violations of safety. The developer installed the drain connector at the SE corner of the site in June but has not yet connected it to the hillside surface ditches nor has provided Public Works with video of the storm drains to show that the long exposed pipes are not clogged with dirt.

### **Industrial Planned Development Permits**

#### **Industrial Planned Development No. 2017-01; Parcel Map No. 2016-01**

Description: To subdivide an approximately 10-acre developed parcel into two parcels of 7.80 acres and 2.19 acre and the construction of a 35,330 square-foot industrial building on the newly-created 2.2-acre parcel located at 400 Science Drive.

Entitlement Status: The City Council approved this project with conditions on December 6, 2017.

Approval Authority: City Council

Condition Compliance Status: No activity at this time.

Building and Safety Status: No activity at this time.

Engineering Status: No change since last report. City staff from several departments expedited the processing of the final parcel map for this project, leading to Council approval on June 11, 2018.

**Industrial Planned Development Permit No. 2000-01; Tentative Tract Map No. 5226 (Moorpark Carlsberg Holdings, LLC):**

Description: Industrial buildings with a total of 302,000 square feet and creation of seven (7) lots and a 143,000 square foot Home Depot on one (1) lot, located within the Carlsberg Specific Plan, bounded by SR-23 on the east, Miller Parkway on the west, and Moorpark Marketplace (Zelman) on the north. Submitted on February 27, 2000.

Entitlement Status: On April 18, 2007, the City Council approved Modification No. 1 to IPD 2000-01 to allow a reconfiguration of the project to incorporate the Home Depot store, and to allow ten (10) light industrial and office buildings on the remaining seven (7) lots, for a total of approximately 445,000 square feet of building space. On September 2, 2015, the City Council approved Modification No. 2 to the Industrial Planned Development (IPD) for a change in architecture and site planning by changing two originally approved unbuilt buildings (B and C) to three buildings of a similar style and smaller total size.

Condition Compliance Status: The Final Map has been recorded and construction is complete, with the exception of Building A. Buildings D through J are complete and tenant improvements are proceeding. Buildings B1, B2, and C are complete.

Building and Safety Status: Construction is complete on Buildings B through J

Engineering Status: **No activity at this time.** Grading plans, hydrology report and geotechnical report have been approved for rough grading, and Phase 1 precise grading. A grading permit was issued, and rough grading and Phase 1 precise grading are completed. Fine grading plans for Phase 2 have been approved but not constructed. A new developer is proposing a new site layout for Phase 2. Addendum hydrology report for Phase 2 is approved. The final map has been recorded. Base course asphalt paving is complete on the new portion of Patriot Drive. Developer has installed the final pavement cap on Patriot Drive to satisfy agreement requirements with Home Depot. Grading bond and Street, Storm Drain and Erosion Control Improvement bond have been accepted and transmitted to City Clerk August 19, 2008. Miller Parkway paving has been completed. A grading plan for two lots is under review. Fine grading for buildings B-1 and B-2 has been completed. Grading for three industrial tilt up buildings was completed in spring 2017, and those buildings have been erected. All grading and paving was completed in 2017.

**Industrial Planned Development No. 2009-01, General Plan Amendment No. 2009-01, Zone Change No. 2009-01, Conditional Use Permit No. 2009-01 (Triliad Development, Inc.):**

Description: Request to develop a motion picture studio complex (Moorpark West Studios) with 12 soundstages, support buildings, and a 4-story parking structure on a 37.53 acre site. Project requires consideration of an amendment to the General Plan Land Use Designation of 10.75 acres from General Commercial to Medium Industrial. Submitted March 23, 2009.

Entitlement Status: This project was approved by the City Council on October 5, 2011. On November 7, 2012, the City Council approved a one-year extension of the Industrial Planned Development Permit (IPD). The applicant is currently working with other

agencies on obtaining approvals for this project, and construction of improvements to the flood control channel to allow road crossings is currently taking place. A second one-year extension of the IPD was approved by the City Council on October 2, 2013. A request for a third one-year extension was considered by the City Council on November 5, 2014. On February 18, 2015, the City Council approved a request for an amendment to the Planned Development Permit to allow for an additional three year extension to the entitlements. The IPD and CUP will expire November 18, 2019. Any additional extension would require an extension of the term of the Development Agreement, which must be initiated by the developer at least 180 days before its expiration on November 18, 2021.

Approval Authority: City Council

Condition Compliance Status: **No change since last report.** No activity at this time.

Building and Safety Status: No activity at this time.

Engineering Status: **No activity at this time.** The developer's engineer is in communications with Caltrans District 7 in regards to obtaining an encroachment permit. The developer is expecting to receive from Caltrans one or more design exceptions to construct on Los Angeles Avenue two lanes in each direction from Gabbert Road west to the new intersection with North Hills Parkway. It appears that the City will be required to take title to the land necessary to widen State Route 118 for further transfer to Caltrans upon completion of widening work. Staff is working to understand if there are any environmental issues that have to be remediated before that first transfer takes place.

**Industrial Planned Development No. 2017-02 and Conditional Use Permit No. 2017-02 (Fence Factory):**

Description: A request to allow a sales office, showroom, fabrication shop and outdoor storage on a 2.65 acre lot at 14110 Princeton Avenue (submitted on September 18, 2017).

Entitlement Status: On October 17, 2018, the City Council approved the permit with conditions.

Approval Authority: City Council

Condition Compliance Status: **No change since last report.** A Zoning Clearance has been issued for tenant improvements.

Building and Safety Status: No activity at this time.

Engineering Status: On June 3, 2019, the applicant resubmitted a grading and parking lot paving plan.

**Tentative Parcel Map No. 2017-01 (City of Moorpark):**

Description: Subdivide a 2.92 acre developed parcel into four parcels at 192 High Street (Submitted on July 6, 2017).

Entitlement Status: This project was approved by the City Council on June 20, 2018.

Approval Authority: City Council

Condition Compliance Status: No activity at this time.

Building and Safety Status: No activity at this time.

Engineering Status: Plans have been reviewed and submitted to County for recordation.

**Tentative Parcel Map No. 2017-02 (Kimley-Horn):**

Description: Subdivide an approximately 10 acre developed parcel into two parcels of 9.11 acres and 0.50 acres at 800 Los Angeles Avenue (Target) (Submitted on October 10, 2017).

Entitlement Status: This project was approved by the City Council on February 21, 2018.

Approval Authority: City Council

Condition Compliance Status: No activity at this time.

Building and Safety Status: No activity at this time.

Engineering Status: The Final Parcel Map has been reviewed and recorded by the County. The City will inspect the utility trenches and soil compaction as the work proceeds.

**Tentative Tract Map Nos. 5147 and 5906 and Development Agreement Nos. 98-04 and 2012-01 (A-B Properties):**

Description: Seventeen (17) lot industrial subdivisions of 34.5 acres, located north of the Union Pacific Railroad tracks and about one-quarter (1/4) of a mile west of Gabbert Road.

Entitlement Status: Tentative Tract Map No. 5906 would replace Tract No. 5147, which was approved by the City Council on March 15, 2000, subject to conditions, including provision of direct access from Los Angeles Avenue, and construction of a railroad underpass to allow future connection to the North Hills Parkway before permits are issued for development of more than seventy (70%) percent of the total approved lots. On July 24, 2012, the Planning Commission reviewed and recommended approval on a revised Development Agreement for this project. That item will be scheduled for City Council consideration in fall 2012. On August 17, 2012, an application for Tentative Tract Map No. 5906 was submitted to incorporate changes to TR 5147 consisting of access alternatives and internal tract circulation. On December 19, 2012, the City Council introduced an ordinance terminating Development Agreement No. 1998-04 and approving Development Agreement No. 2012-01 for this project. The second reading and adoption of the ordinance was approved on January 16, 2013. On February 26,

2013, a public hearing on the Tentative Map was held and the Planning Commission recommended approval of this application to the City Council. This Tentative Map application was approved by the City Council on May 15, 2013.

Condition Compliance Status: The developer has been working with the Engineering Department on the technical requirements to record the tract map. However, there are two major outstanding DA items required prior to taking the map to Council for approval.

The DA requires the Developer to submit and gain approval from City Manager of an Implementation Plan addressing the requirements for, among other things, phasing and construction responsibilities of the Developer and any successors including sureties for performance for grading, construction of storm drains and utilities, private and public streets, and other private and public improvements on or offsite. Additionally, prior to the recording of the Final Map for the Project, a Community Facilities District or other funding mechanism to the satisfaction of the City Council, is required to be established to provide funding for certain improvements to North Hills Parkway. Neither of these has yet occurred.

Building and Safety Status: No activity at this time.

Engineering Status: Final Engineering construction documents were submitted to the City for plan review. Grading and Improvement plans, final map and geotechnical report have been approved. Grading, drainage and NPDES corrections are required and developer has been issued a notice of these corrections. The site needs approximately 70,000 additional yards of earth import fill. The City has allowed for offsite import and import activity is being monitored by their geotechnical consultant. Revisions to the emergency access road through SCE to Gabbert Road have been reviewed and approved. A letter from Engineering summarizing the outstanding grading issues and fees owed is being drafted. The new Tentative Tract Map submitted on August 17, 2012 is under review. Developer's representative told staff in December 2017 that engineering plans will be submitted in near future. Developer will meet with City staff in first half of April 2018. Developer and staff discussed the potential development, especially concerning changes to stormwater requirements that will affect the work. The City Engineer/Public Works Director approved the plans for a temporary stockpile permit on June 27, 2018. City completed the second plan review of the developer's improvement plans and proposed final map on June 3, 2019 and returned those plans to developer's engineer. The southwest corner of the property is within the special flood hazard area. The developer's representative, Mr. Newton, asked staff for concurrence on the idea of approving the Final Map before the FEMA resolution of the flood plain issue. Staff demurred upon advice of counsel as well as engineering judgment. It is staff's understanding that the developer has engaged a consultant to obtain a Conditional Letter of Map Revision (CLOMR) from FEMA for a portion of the property.

**Tentative Tract Map No. 2019-01 (Tuscany Square Shopping Center):**

Description: Subdivide a 6.96 acre developed parcel at 140-146 Los Angeles Avenue into five parcels.

Entitlement Status: On March 26, 2019, the Planning Commission opened the public hearing and continued this item with the public hearing still open to April 23, 2019, at the

request of the applicant. On April 23, 2019, the Planning Commission reviewed the application and forwarded a recommendation of approval to the City Council. On June 5, 2019 the City Council adopted a resolution approving this project.

Condition Compliance Status: No activity at this time.

Building and Safety Status: No activity at this time.

Engineering Status: No activity at this time.

### **Conditional Use Permits**

#### **Conditional Use Permit No. 2016-02 and Administrative Permit No. 2016-04:**

Description: A request to allow the remodel and conversion of a former 1,530 square-foot single family home and 495 square-foot detached accessory structure into a 2,025 square-foot residential care facility at 100 Leta Yancy Road (submitted on May 16, 2016).

Entitlement Status: On October 19, 2016, the City Council adopted Resolution No. 2016-3546 approving this project with conditions.

Approval Authority: City Council

Condition Compliance Status: Condition Compliance is underway.

Building and Safety Status: Last inspection 5/18/18, no extension has been requested. Building permits are expired. However, applicant has met with staff and plans to move forward with project.

Engineering Status: **No activity at this time.** Staff has received the developer's plans for site and off-site improvements, which are under review. Engineering has completed two plan checks. Design is not approved, more work to be done. Staff met with developer's engineer in December 2017 to review third plan check comments. The final plans should be prepared in near future. The Community Development and Public Works Directors reviewed and signed developer's plans in March 2018. The site has been largely cleared as of June 27, 2018. The site is being kept clean and organized. Ground up vegetative matter and other deleterious materials will have to be removed when site grading begins.

#### **Conditional Use Permit No. 2016-05; Modification No. 2 to Commercial Planned Development No. 2004-03 (Verizon Wireless) and Zoning Ordinance Amendment No. 2017-04:**

Description: A request to allow construction of a Major Wireless Communication Facility consisting of 12 panel antennas; and installation of an above ground equipment enclosure within a 48-foot high tower at 14339 White Sage Road (Warehouse Discount Center site) with signage on the tower (submitted on December 2, 2016).

Entitlement Status: The project applications originally were placed on the City Council agenda for its April 19, 2017 meeting. After opening the public hearing (there were no

speakers), the City Council continued the agenda item to May 3, 2017, at the request of the property owner, who was unavailable for the meeting. One of the staff-recommended conditions was to prohibit signage on the tower, as this is not allowed by the Zoning Ordinance. The property owner expressed that the proposed signage was essential to his business and on April 26, 2017, requested a Zoning Ordinance Amendment to be considered as part of the applications to allow the proposed signage. On May 3, 2017, the City Council closed the public hearing and referred the applications (with the Zoning Ordinance Amendment) to the Planning Commission for recommendation. On June 27, 2017, the Planning Commission considered the applications and recommended approval with conditions. On July 19, 2017, the City Council adopted Ordinance No. 450 to amend sign regulations and allow signage on certain wireless communication facilities in certain locations, and Resolution No. 2017-3614 approving the construction and operation of a major wireless communication facility.

Approval Authority: City Council

Condition Compliance Status: On July 13, 2018, a City Welcome Sign Agreement was signed between NLA 14339, LLC (owner) and the City of Moorpark.

Building and Safety Status: Plans have been approved.

Engineering Status: No activity as this time.

**Modification No. 1 to Conditional Use Permit No. 2018-03 (13836 Princeton Avenue):**

Description: On January 22, 2019, the Planning Commission approved CUP No. 2018-03, to allow outdoor storage of equipment and vehicles on two lots in conjunction with an existing business (Trench Shoring Company) at 13828 Princeton Avenue and 13836 Princeton Avenue. Applicant is requesting to modify conditions of approval (Submitted on June 24, 2019).

Entitlement Status: Application under review.

Approval Authority: Planning Commission,

Condition Compliance Status: No activity at this time.

Building and Safety Status: No activity at this time.

Engineering Status: No activity at this time.

**Conditional Use Permit No. 2019-01 (1-275 Los Angeles Avenue):**

Description: A Conditional Use Permit (CUP) and Permit Adjustment (PA) application to allow a New Single-Tenant Drive-Through Restaurant within an existing shopping center located at 1-275 Los Angeles Avenue (Moorpark Town Center). The proposed building is designed at 2,226 square feet in area. (Submitted on January 10, 2019).

Entitlement Status: On June 25, 2019, the Planning Commission adopted Resolution No. 2019-640 approving this project with conditions.

Approval Authority: Planning Commission.

Condition Compliance Status: No activity at this time.

Building and Safety Status: No activity at this time.

Engineering Status: No activity at this time.

**Conditional Use Permit No. 2019-03 (Cavaletti Vineyards, LLC):**

Description: to allow a 966 square-foot winery within an existing 11,492 square-foot commercial building at 165 Poindexter Avenue, Suite D. (Submitted on June 6, 2019).

Entitlement Status: Under review.

Approval Authority: Planning Commission.

Condition Compliance Status: No activity at this time.

Building and Safety Status: No activity at this time.

Engineering Status: No activity at this time.

**Temporary Use Permit No. 2019-04 (6061 Gabbert Road):**

Description: A request to allow the operation of six-week summer day camp for up to 75 enrolled children. (Submitted on February 1, 2019). The applicant has indicated long term plans to use this site as a place of religious assembly. This use would require a Conditional Use Permit in the Rural Exclusive (RE) Zone.

Entitlement Status: Approved with Conditions.

Approval Authority: On March 26, 2019, the Community Development Director issued a letter approving this project with conditions.

Condition Compliance Status: Activity ongoing. This item will be removed from subsequent reports.

Building and Safety Status: No activity at this time.

Engineering Status: No activity at this time.

**Home Occupation Permits**

4 Home Occupation Permits were issued in April 2019  
10 Home Occupation Permits were issued in May 2019  
2 Home Occupation Permits were issued in June 2019

## **Building and Safety Activity**

### **March 2019**

Permits Issued	Decrease From Last Year to Date	Total Valuation	Decrease From Last Year to Date	Inspections	Decrease From Last Year to Date
64	-51%	\$574,200	-97%	155	-28%

### **April 2019**

Permits Issued	Decrease From Last Year to Date	Total Valuation	Decrease From Last Year to Date	Inspections	Decrease From Last Year to Date
82	-31%	\$399,856	-93%	169	-44%

### **May 2019**

Permits Issued	Decrease From Last Year to Date	Total Valuation	Decrease From Last Year to Date	Inspections	Decrease From Last Year to Date
89	-30%	\$507,464	-56%	126	-58%

## **Land Development (Engineering Activities)**

### **Retaining Wall Failures (Tract No. 4142— Buttercreek Estates HOA):**

Description: Repair of retaining walls and slopes along Mountain Meadow Drive.

Status: The wall and slope failures from the early 2000's have been repaired and were deemed acceptable to the City on June 28, 2010.

An additional section of wall along Mountain Meadows Drive failed in late March, 2011. The HOA submitted an investigative report and is preparing plans for repairs. On October 5, 2011, City Council found that the proposed wall replacement concept is consistent with the PC-3 Mountain Meadows Specific Plan. The HOA has submitted wall replacement plans along with the required plan check fees. The third plan check has been completed and returned to the engineer. The HOA submitted an alternative design in August 2015 and the plan review comments were returned to the HOA in September 2015. Plans were approved on July 5, 2016, and permits will be issued once inspection fees are submitted, the grading contractor submits their insurance information. The HOA has selected a contractor to replace the walls and the contractor's representative met with the City Engineer/Public Works Director and Building Official on January 4, 2017, to address administrative matters. Several rounds of correspondence and negotiation have subsequently taken place between City and HOA's attorney. As of June 30, 2017, the HOA has agreed with City insurance and licensure requirements and final language for the required, full value surety bond is nearly settled. This is required before the City Engineer/Public Works Department can permit the work. HOA is still working to obtain a \$100,000 surety bond as of September 28, 2017. Apparently the contractor they have selected is unable to be bonded. The HOA and originally selected contractor (Brave Development & Construction) were unable to obtain bonds. Therefore the HOA provided a \$100,000 cash bond. The HOA

informed staff in mid-December 2017 that the HOA has selected a new contractor (Geoworks). Staff received final insurance documents on December 28, 2017 and will issue a permit and final bond transmittal documents within next several days. Concurrently, the HOA has protected the slope with plastic and sandbags to minimize future movement. An HOA Board member shared with staff that one of the homeowners at the top of the slope emptied their swimming pool water onto the slope last year and that this may have contributed to the soil movement that staff observed. Staff issued a grading permit to the HOA's general contractor, Geoworks in January 2018. As of this report they have done some demolition at western end of the property but their work has been hampered by winter rains. With the end of the rainy season, work should resume shortly. As of June 27, 2018 work at the western end of the project, the first phase, is winding up as geotextile fabric, asphaltic waterproofing, drainage systems, and gravel backfill is placed. Once this section is complete the project team intends to repeat the process section by section, moving eastward. The contractor has suspended construction of the new retaining wall for several weeks. Construction restart was previously scheduled for 4/22/2019, but has been delayed again. The HOA submitted a new design change to remove and replace 180 linear feet of the sub-drain behind an existing section of the retaining wall that is to remain. The associated grading design change is currently under plan review by Engineering.

**Code Compliance Activity**

**January 2019**

Formal Cases Opened	Cases Closed	Informal Investigations Opened	Informal Investigations Resolved	Inspections Conducted
17	17	14	116	21

**February 2019**

Formal Cases Opened	Cases Closed	Informal Investigations Opened	Informal Investigations Resolved	Inspections Conducted
19	20	18	17	20

**March 2019**

Formal Cases Opened	Cases Closed	Informal Investigations Opened	Informal Investigations Resolved	Inspections Conducted
17	20	15	15	22

**Business Registration Activity**

**April (New): 31**

**May (New): 43**

**June (New): 40**

**Fiscal YTD (New): 498**

**April (Renewals): 254**

**May (Renewals): 210**

**June (Renewals): 233**

**Fiscal YTD (Renewals): 2561**