

## REPORT TO CITY COUNCIL

**DATE: MAY 10, 2006**

**TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL**

**FROM: GREG RAMIREZ, CITY MANAGER**

**BY: MIKE KAMINO, DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT**

**SUBJECT: CONDUCT A PRE-SCREEN REVIEW AND PROVIDE DIRECTION REGARDING A PROPOSED ZONE CHANGE AND GENERAL PLAN AMENDMENT TO CHANGE THE LAND USE DESIGNATION OF THE PROPERTY ON THE NORTHWEST CORNER OF CANWOOD AND DERRY AVENUE FROM BUSINESS PARK-MANUFACTURING (BP-M) TO COMMERCIAL-RETAIL SERVICE (CRS) (CASE NO. 06-PSR-001)**

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Agoura Business Center, LLC, is seeking direction from the City Council on whether to proceed with a Zone Change and General Plan Amendment to change the land use designation of a property located on the northwest corner of Canwood Street and Derry Avenue from Business Park–Manufacturing (BP-M) to Commercial Retail Service (CRS). The purpose of the prescreen review is to provide an opportunity for the City Council to offer non-binding comments to assist the applicant in determining whether they should proceed with a formal request for the proposed Zone Change and General Plan Amendment.

The applicant owns the 12.2 acre industrial park located on the east and west sides of Derry Avenue. The 1.86 acres of vacant land on the northwest corner of Canwood Street and Derry Avenue consists of two pads of 1.7 acres and 0.16 acres in size. Both pads were pre-graded with the development of the industrial park prior to the City’s incorporation. The larger upper pre-graded pad is in the BP-M zone. The lower and smaller pad located at the street intersection has split zoning of CRS and BP-M and is basically a remnant parcel from the extension of the Canwood Street that was completed in the early 1990’s.

In 2004, the property owner filed for a Conditional Use Permit to develop, on the upper vacant pad, a 20,000 sq. ft. industrial building similar to buildings in the remainder of the industrial park. However, the property owner is now interested in consolidating the upper and the lower pads for the purpose of commercial-retail development. This would be accomplished by re-grading the site by moving the existing 20 ft. high slope that separates the upper and lower pads approximately 200 feet to the north, thereby increasing the size of the lower pad from about .16 acres (7,000 sq. ft) to 1.86 acres (81,000 sq. ft.). The new 1.86 acre commercial site would require a General Plan Amendment and Zone Change to Commercial Retail Service (CRS) to allow commercial development.

The following are land use issues that the Council should consider in the proposed request:

1. The existing lower pad is only 7,000 sq. ft. in area and is considered to be non-conforming in that the minimum lot size in the CRS zone is 10,000 sq. ft. Potential development on this pad is further constrained given its triangular configuration. The site also has a slope and significant street frontages which require greater setbacks. These factors further limit the developable area.

2. The Canwood Street corridor is developing with commercial uses, and the proposal would continue this development trend. Across the street from the subject site is NW Rug. To the east is the recently approved Adler Furniture Center site and the existing Reed's Furniture is located further east. There is a wide range of uses permitted in the CRS zone including retail, office, and restaurant. The property owner has expressed a desire for home furnishing uses, as well as uses that may provide support to the industrial and office businesses in the area.
3. The site has an FC (Freeway Corridor) overlay zone and is highly visible from the freeway. Commercial rather than industrial development may be more appropriate as viewed from the freeway. This site essentially serves as the transition area of Canwood Street from a freeway frontage road to an interior road and, thus, a transitional commercial development may be a suitable use. Also, given the significant grade differences between the upper and lower pads, a series of retaining walls are proposed by the applicant to enlarge the lower pad for commercial development. However, the grading as shown by the property owner's conceptual proposal, is only one grading solution, and there are other solutions that could modulate the appearance of the change in topography. As this site is visible from the freeway, care should be given to the design of any slope or retaining wall solutions proposed to separate the upper and lower pads. It is likely that any commercial development would take advantage of the freeway visibility. However, given its distance from freeway interchanges, the site is likely not viable for freeway oriented uses.
4. A viable commercial development would generate sales tax revenue, while sustaining employment opportunities, and could serve as a gateway to the industrial park. Any future commercial development could be designed to screen the industrial areas to the north. However, the proposal would result in the incremental and permanent loss of 1.7 acres of the City's limited industrial base.

The Council Economic Development Subcommittee reviewed this proposal in July 2005 and expressed preliminary support in concept. Staff would also note that the property owner, as part of this pre-screen review, has provided conceptual site and elevation plans which show 3 buildings totaling 22,000 square feet that could potentially be built on a new 1.86 acre commercial pad.

The following are options for the City Council to consider regarding this matter:

1. Allow the applicant to proceed with a General Plan Amendment and Zone Change as proposed. The Council could further direct that any development proposal be filed concurrently with the General Plan Amendment and Zone Change request.
2. Direct the applicant to proceed with the General Plan Amendment and Zone Change, but revise to reduce the scope of the commercial designation to meet the minimum zoning ordinance lot requirements: 10,000 square-foot size, 100 feet wide and 100 feet deep. This will potentially result in a smaller commercial pad than what is requested and a correspondingly smaller industrial pad than what currently exists.
3. Recommend no changes to the current General Plan and Zoning designations.
4. Direct that this matter be reviewed as part of the current General Plan update process which is anticipated to be completed in approximately two years.

## **RECOMMENDATION**

Staff recommends that the City Council provide non-binding comments to the applicants as to whether they should proceed with their request for a Zone Change and General Plan Amendment to allow for the proposed retail buildings.

Attachments Vicinity/Zoning Map  
Preliminary Architectural Plans and Renderings