



**DEPARTMENT OF PLANNING AND
COMMUNITY DEVELOPMENT**

TO: Planning Commission

FROM: Planning Staff

SUBJECT: Conditional Use Permit Case No. 04-CUP-007; Oak Tree Permit Case No. 04-OTP-020; and Tentative Parcel Map No. 62245

DATE: May 5, 2005

I. BACKGROUND AND DISCUSSION

On April 7, 2005, the Planning Commission held a public hearing to consider Adler Realty Investment's request for a Conditional Use Permit, an Oak Tree Permit and a Tentative Parcel Map to construct a 118,162 square foot furniture retail center on vacant property located on the northeast corner of Canwood Street and Derry Avenue (Case Nos. 04-CUP-007, 04-OTP-020 and PM 62245). The Planning Commission continued the hearing to May 5, 2005 and directed staff to return with Resolutions of approval, final conditions, the final Mitigated Negative Declaration and the Mitigation Monitoring Program for adoption. The Planning Commission also requested that the applicant address design changes for Building 1, which is located on the west end of the property, and incorporate additional landscaping in the parking aisles, adjacent to Canwood Street.

The applicant has revised the Site Plan to include wider landscape planters at both driveway entries along Canwood Street, and has provided three additional finger planters and widened the easterly finger planters in front of Building 3, in the parking aisle located adjacent to Canwood Street. A total of 289 parking spaces are now proposed for the center, which is 10 fewer spaces than previously proposed. A minimum of 158 parking spaces is required for furniture sales uses.

The design of Building 1 has been changed. The Planning Commission requested additional articulation on the building, particularly on the front (south) elevation in order to minimize the prominence of the entry element and to achieve greater compatibility with the other two buildings. The applicant attempted to address these recommendations by incorporating a hip roof element with a skylight above the entry and narrowing the entry columns (portals) by 18 inches. The building height has also been lowered by approximately one foot and stone veneer previously shown on corner pavilion elements of the building and on most of the west building elevation has been replaced with stucco. This was done in response to a comment made by the Old Agoura Homeowners Association that too much stone was being used on the building. However, the Planning Commission did not give a specific recommendation to remove the stone veneer and at the recommendation of the City Architectural Review Panel, staff recommends that the stone veneer be retained on the south and west building elevations as previously shown. Staff also finds that the proposed skylight to be located above the entry element shed roof has the potential to be prominently visible in the evening with the building's internal illumination, and that it be replaced with a full hip roof.

Building 3 has been modified to include two additional entry doors on the south elevation. The applicant has also shown the proposed roof equipment enclosure details on the roof plans. Roof-mounted equipment is proposed to be screened by several mansard parapet enclosures. Staff requests that the equipment screening for Building 3 be simplified to consist of one enclosure, instead of 5 individual enclosures for all of the roof equipment.

Based on comments raised at the previous hearing, The City Engineer has modified Condition No. 67 of the Conditional Use Permit Resolution to require the applicant to install and maintain landscaping and irrigation in the Lewis Road right-of-way. A concern was also raised at the hearing regarding line-of-sight visibility at the Derry Avenue/Canwood Street intersection. The City Engineer and City Traffic Engineer reviewed the ingress and egress visibility at the intersection and determined that no changes to the applicant's proposed plans are necessary. The project will provide for a 10-foot wide sidewalk which will improve site distance, thus ensuring adequate perception and reaction times for drivers to operate vehicles safely at the intersection.

Staff has added Condition No. 102 to the Conditional Use Permit Resolution which requires the installation of a temporary screen fence on the site during construction. The fence is intended to conceal construction clutter, serve as a deterrent to trespass onto the property and to protect adjoining properties from dust.

The City Environmental Analyst found that the project would not result in any significant effects on the environment that could not be mitigated to less than significant levels. The Draft MND was circulated for a 20-day review period, ending on April 7, 2005. The applicant has accepted the proposed mitigation measures that reduce the residual impacts associated with all environmental concerns to less than significant levels.

The Planning Commission is also required by CEQA to also adopt a "reporting and monitoring program" to ensure compliance during project implementation. The mitigation monitoring and reporting program is attached to the Draft Resolution of Approval.

II. RECOMMENDATION

Based on the Planning Commission's direction given on April 7, 2005, staff recommends that the Planning Commission approve Conditional Use Permit Case No. 04-CUP-007, Oak Tree Permit Case No. 04-OTP-020 and PM 62245, subject to conditions, based on findings included in the attached Draft Resolutions.

III. ATTACHMENTS

- Draft Resolution and Conditions of Approval (for CUP and OTP)
- Draft Resolution and Conditions of Approval (for Tentative Parcel Map)
- Mitigation Monitoring Program
- Reduced Copies of Project Plans
- April 7, 2005 Draft Planning Commission Meeting Minutes
- April 7, 2005 Staff Report