



**DEPARTMENT OF PLANNING AND  
COMMUNITY DEVELOPMENT**

DATE: OCTOBER 19, 2006  
TO: PLANNING COMMISSION  
FROM: PLANNING STAFF  
SUBJECT: CONDITIONAL USE PERMIT AMENDMENT CASE NO. 03-CUP-018 (RT-AH ASSOCIATES)

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**BACKGROUND AND DISCUSSION**

On July 6, 2006, the Planning Commission held a public hearing for RT-AH Associates' request to amend an approved Conditional Use Permit to change the approved exterior building materials of a new Homewood Suites Hotel that is under construction (Case No. 03-CUP-018). Specifically, the applicant requested approval to install Hardie plank siding on the hotel's building elevations in place of approved cedar shake material. The hotel is located at 28901 Canwood Street, east of Kanan Road and west of Clareton Drive.

The Planning Commission continued the public hearing to the July 20, 2006 Planning Commission meeting and requested that the applicant submit alternate building colors for the Commission's consideration. The applicant requested, and was granted, five separate continuance requests in order to allow for more time to address the issues raised by the Planning Commission.

Upon review of the existing colors on the hotel buildings, the applicant is requesting to retaining the color of the Hardi plank siding and yellow stucco color that has been applied to the second and third story elevations. In order to allow for more color contrast on the buildings, the applicant willing to paint the first floor stucco window headers in white, instead of yellow, to match the white colored window frames and mullions, and the white colored balcony railing. The window headers on the first floor of the west elevation of the westerly building have been painted white. The Planning Commissioners are requested to visit the site to observe the proposed color change on the building prior to the hearing. If the Planning Commission supports the proposed color change, the applicant has agreed to repaint all the window headers on the first floor of each building.

The project staff report and meeting minutes from the July 6, 2006 Planning Commission meeting is attached for reference.

**RECOMMENDATION**

Staff recommends that the Planning Commission determine whether the request is appropriate for the development project. If the Planning Commission desires to approve the request, it is recommended that the Planning Commission adopt the draft Resolution and conditions of approval.

**ATTACHMENTS**

- Draft Resolution and Conditions of Approval
- July 6, 2006 Planning Commission Meeting Minutes
- July 6, 2006 Planning Commission Staff Report

DRAFT RESOLUTION NO. \_\_\_\_

A RESOLUTION OF THE PLANNING COMMISSION OF THE  
CITY OF AGOURA HILLS  
APPROVING AN AMENDMENT  
TO CONDITIONAL USE PERMIT CASE NO. 03-CUP-018

THE PLANNING COMMISSION OF THE CITY OF AGOURA HILLS HEREBY FINDS,  
RESOLVES AND ORDERS AS FOLLOWING:

Section 1. An application was duly filed by RT-AH Associates with respect to real property located at 28901 Canwood Street (A.P.N. 2048-011-062), requesting approval of a Conditional Use Permit amendment to change approved building materials for a hotel. Public hearings were duly held on July 6, 2006, and October 19, 2006, at 6:30 p.m. in the City Council Chambers of City Hall, 30001 Ladyface Court, Agoura Hills, California. Notice of the time, date, place and purpose of the aforesaid hearing was duly given.

Section 2. Evidence, both written and oral, was duly presented to and considered by the Planning Commission at the aforesaid public hearing.

Section 3. The Planning Commission finds that the request to install plank siding on the hotel in lieu of cedar shingles is acceptable and complies with the City's Architectural Design Standards and Guidelines. The alternate material is architectural compatible with the building it serves and the surrounding developed area. The Planning Commission, pursuant to the Agoura Hills Zoning Ordinance, finds that the findings contained in City Council Resolution No. 04-1312, approved on January 28, 2004, are still valid and state as follows:

A. The proposed use, as conditioned, is consistent with the objectives of the Zoning Ordinance and the purposes of the zoning district in which the use is located. The property is located in the Commercial Retail Service (CRS) zone and Freeway Corridor Overlay zone. The project provides for hotel use, which may be permitted in the CRS zone, subject to the issuance of a Conditional Use Permit.

B. The proposed use, as conditioned, is compatible with the surrounding properties in that a hotel is a permitted use within the CRS zone, subject to issuance of Conditional Use Permit. The building design, materials and colors are compatible with the Oak Creek apartment complex located to the north within the same tract and with the overall architectural design concept approved for the J.h. Snyder mixed use development project. The project meets or exceeds all development standards, including yard areas, building height, parking and lot coverage. Also, the potential mass of the project is mitigated through the design of four separate buildings that encompass 24% of the parcel, which is below the 60% building lot coverage allowed for the zone.

C. The proposed use, as conditioned, and the condition in which it will be maintained will not be detrimental to the public health, safety, or general welfare. The project will be developed in full compliance with all Building Code and measures identified in the Mitigation Monitoring Program, which was developed as part of the tract EIR and in the EIR Addendum

prepared for this project. From the perspective of the California Environmental Quality Act (CEQA), traffic impacts associated with the hotel project are fully mitigated. The property owner's Draft Resolution No. \_\_\_\_

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contribution to traffic improvements will allow the City to begin construction of the 101 Freeway interchange improvements at Kanan Road and the realignment of Canwood Street, which will serve traffic on Canwood Street and Kanan Road, will be completed prior to completion of the hotel's construction.

D. The proposed use, as conditioned, will comply with each of the applicable provisions of the Zoning Ordinance. The projects meets the development standards of the CRS and FC zones relative to required yard areas, building height, off-street parking, lot coverage and landscape coverage. The height of the buildings will not exceed the 35-foot height limit of the zone, and the buildings will be placed 81-96 feet from the front yard property line, in excess of the minimum 35-foot front yard requirement of the zone

E. The distance from other similar and like uses is sufficient to maintain the diversity of the community. Two hotels are located within the city. Both existing hotels are located near the Agoura Road/Reyes Adobe Road intersection and are more than one mile away from the project site and only one existing hotel in the City offers extended stay suites.

F. The proposed uses, as conditioned, are consistent with the goals, objectives and policies of the General Plan. Goal No. 1 of the General Plan Land Use Element calls for the provision of a mix of land uses which meet the diverse needs of the Agoura Hills residents, offers a variety of employment opportunities, and allows for capture of regional growth. The proposed project will provide for a visitor-serving commercial use, which is a policy of attaining this General Plan goal.

Section 4. The request to change approved building materials for construction an approved hotel is not considered a "project" under the California Environmental Quality Act (CEQA), per Section 15378 of the CEQA Guidelines and, therefore, no CEQA review is necessary.

Section 5. Based upon the aforementioned findings, the Planning Commission hereby approves an amendment to Conditional Use Permit Case No. 03-CUP-018, with respect to property described in Section 1 hereof, subject to the attached Conditions of Approval.

PASSED, APPROVED and ADOPTED this 19<sup>th</sup> day of October, 2006, by the following vote to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

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Phil Ramuno, Chairperson

ATTEST:

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Doug Hooper, Secretary

CONDITIONS OF APPROVAL  
(CASE NO. 03-CUP-018 AMENDMENT)

STANDARD CONDITIONS

1. This decision, or any aspect of this decision, can be appealed to the City Council within fifteen (15) days from the date of Planning Commission action, subject to filing appropriate forms and related fees.
2. This action shall not be effective for any purpose until the applicant has agreed in writing at the applicant is aware of and accepts all conditions of this permit with the Department of Planning and Community Development.
3. Except as modified herein, the approval of this action is limited to and requires complete conformation to the approved plans as approved by the City Council on January 28, 2004.
4. It is hereby declared to be the intent that if any provision of this permit is held or declared to be invalid, the permit shall be void and the privileges granted hereunder shall lapse.
5. It is further declared and made a condition of this action that is any condition herein is violated, the Permit shall be suspended and the privileges granted hereunder shall lapse; provided that the applicant has been given written notice to cease such violation and has failed to do so for a period of thirty (30) days.

SPECIAL CONDITIONS

6. All Conditions of Approval in City Council Resolution No. 04-1312, except as modified herein, are valid and shall remain valid for the life of the project. The Conditions of Approval in City Council Resolution No. 04-1312 are amended as follows:

“Planning Conditions:

77. The applicant shall comply with all building material samples approved by the Planning Commission. The cedar panel shake material shall be replaced with Hardie plank siding of “Khakie Brown” color (Product No. JH20-30). Prior to final painting and final application of stone veneer on the buildings, the applicant shall provide color samples on the building wall for review and approval by the Director of Planning and Community Development.”

END