



**DEPARTMENT OF PLANNING AND  
COMMUNITY DEVELOPMENT**

**ACTION DATE:** January 5, 2006

**TO:** Planning Commission

**APPLICANT:** Adler Realty Investments, Inc.  
21800 Burbank Blvd., Suite 300  
Woodland Hills, CA 91367

**CASE NO.:** 05-ABAN-001

**LOCATION:** North side of Canwood Street, west of Derry Avenue and east of Lewis Road; and on the east side Derry Avenue, north of Canwood Street.

**REQUEST:** Request for the Planning Commission to find the proposed street vacation of a portion of the north side Canwood Street and the east side of Derry Avenue to be in conformance with the General Plan.

**ENVIRONMENTAL ANALYSIS:** The request is not subject to the requirements of the California Environmental Quality Act.

**RECOMMENDATION:** Staff recommends the Planning Commission adopt a motion determining the proposed street vacation to be consistent with the General Plan.

**I. BACKGROUND, DESCRIPTION AND ANALYSIS**

On May 5, 2005, the Planning Commission approved Conditional Use Permit Case No. 04-CUP-007, allowing for the development of a new furniture/retail center on the northeast corner of Canwood Street and Derry Avenue. The City Council considered an appeal of the Planning Commission's decision on July 13, 2005, and upheld the Planning Commission's approval of the project, subject to additional changes and conditions. Included with the project's conditions was the requirement for the City to vacate a portion of public right-of-way on the north side of Canwood Street to reconfigure the property lines to coincide with the back of the proposed sidewalk on Canwood Street and the public right-of-way on Derry Avenue, per the attached exhibits.

Pursuant to that condition of approval, the applicant has filed an application for the street vacation. Prior to the City Council taking action on the request to vacate the relatively thin portions of Canwood Street and Derry Avenue, adjacent to the project site street frontage, the Planning Commission must determine whether the vacation and the future sale of this public land, would be in conformance with the General Plan Circulation Element. Staff finds that the portion of Canwood Street and Derry Avenue proposed to be dedicated is not an essential part of the transportation network within the City. Should the street vacation be approved by City Council, as proposed, Canwood Street would continue to serve as a balanced roadway system that provides adequate accessibility to existing and future land uses. The proposal would be in conformance with the Circulation Element of the City' General Plan in that sufficient roadway right-of-way will exist after the vacations to provide for the necessary lanes of travel. Canwood Street would continue to be improved as a two-lane local arterial at this location and staff finds that the proposal to vacate a portion of Canwood Street and Derry Avenue would be in conformance with the General Plan.

## **II. RECOMMENDATION**

Staff recommends that the Planning Commission adopt a motion to approve the draft Resolution, setting forth its findings of fact and recommendation to the City Council relative to the vacation of a portion Canwood Street and Derry Avenue.

## **III. ATTACHMENTS**

- Draft Resolution
- Street Vacation Exhibit (Exhibit A)
- Street Vacation Legal Description (Exhibit B)

Case Planner: Doug Hooper, Assistant Director of Community Development

A RESOLUTION OF THE PLANNING COMMISSION  
OF THE CITY OF AGOURA HILLS  
REPORTING ON CONFORMITY WITH THE GENERAL PLAN  
SETTING FORTH ITS FINDINGS OF FACT AND  
RECOMMENDATION TO THE CITY COUNCIL  
FOR THE VACATION OF A PORTION OF  
CANWOOD STREET AND DERRY AVENUE  
IN THE CITY OF AGOURA HILLS  
(CASE NO. 05-ABAN-001)

THE PLANNING COMMISSION OF THE CITY OF AGOURA HILLS HEREBY RESOLVES AS FOLLOWS:

WHEREAS, the City of Agoura Hills received an application from Adler Realty Investments, Inc. requesting approval of the vacation of the northerly portion of Canwood Street, west of Derry Avenue and east of Lewis Road, and the easterly portion of Derry Avenue, north of Canwood Street. The vacation request is associated with application Case Nos. 05-ABAN-001 and 04-CUP-007 to construct a furniture/retail center on the northeast corner of Canwood Street and Derry Avenue.

WHEREAS, portions of right-of-way proposed to be vacated are those portions of the following streets designated on the map attached hereto as Exhibit B and incorporated herein by reference. Any portion of the foregoing streets not designated on the attached maps is not proposed for vacation and will remain as City right-of-way.

WHEREAS, the Planning Commission considered the application for the Planning Commission's recommendation to the City Council at a public hearing held at 6:30 p.m. on January 5, 2006, in the Council Chambers of the Agoura Hills Civic Center, 30001 Ladyface Court, Agoura Hills, California. Notice of the time, date, place and purpose of the aforesaid was duly given.

WHEREAS, evidence, both written and oral, was duly presented to and considered by the Planning Commission at the aforesaid public meeting; and

WHEREAS, the Planning Commission of the City of Agoura Hills is responsible for reporting its findings on and recommendations for a transportation and traffic circulation system for the City of Agoura Hills; and

WHEREAS, the portions of Canwood Street and Derry Avenue, as shown in Exhibit "B," are not an essential part of the transportation network within the City of Agoura Hills and both streets would continue to serve as balanced roadway systems that would provide for adequate accessibility to existing and future land uses; and

Draft Resolution No. \_\_\_\_

WHEREAS, the Planning Commission of the City of Agoura Hills does hereby resolve as follows:

Section 1: Pursuant to Government Code Section 65402 and Streets & Highways Code Section 8313, the Planning Commission held a duly-noticed public hearing regarding the conformity of the proposed vacation to the General Plan.

Section 2: After receiving evidence, both written and oral, regarding the conformity of the proposed street vacations with the General Plan, the Planning Commission hereby finds that the proposed vacation of portions of right-of-way specified above and on Exhibit B conform to the General Plan for the reasons stated in the staff report. The City Engineer is to forward a copy of this recommendation to the City Council forthwith.

PASSED, APPROVED AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2006, by the following vote to wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

\_\_\_\_\_  
Phil Ramuno, Vice Chairperson

ATTEST:

\_\_\_\_\_  
Mike Kamino, Secretary