

**TO:** Planning Commission

**FROM:** Kelvin Parker, Community Development Director

**DATE:** November 18, 2024

**SUBJECT:** Development Permit Minor Modification (DPMN) 2021-70567-DPMN and Protected Tree Permit (PTP) 2021-70523-PTP

**APPLICANT:** Conejo Recreation and Park District

**LOCATION:** Conejo Community Park, 1175 Hendrix Avenue, APN 524-0-090-255

**REQUEST:**

To allow the demolition of an existing approximately 7,000 square foot community center building in order to construct a new 16,653 square foot community center building, construction of new play areas, trails, trash enclosure, covered stage, amphitheater seating, and shade structures, and to renovate existing outdoor features, including the baseball field, playgrounds, picnic areas, bridge, trails, landscaping, free-standing restroom, and parking lots; as well as the removal and replacement of three protected trees, relocation of 16 protected trees, encroachment into the protected zone of 48 protected trees, and planting of 21 replacement protected trees within the Public, Quasi-Public, and Institutional Lands and Facilities (P-L) Zone and acknowledge the California Environmental Quality Act (CEQA) Mitigated Negative Declaration adopted by the Conejo Recreation and Park District Board (Attachments #1, #2, and #3).

**RECOMMENDATION:**

That the Planning Commission adopt Resolution (Attachment #4) based on the findings and subject to the conditions contained therein to:

1. Acknowledge the California CEQA Mitigated Negative Declaration adopted by the Conejo Recreation and Park District Board;
2. Approve a Development Permit Minor Modification (2021-70567-DPMN) to allow the demolition of an approximately 7,000 square foot community center building with a new 16,653 square foot community center building, construct new play areas, trails, trash enclosure, covered stage amphitheater seating, and shade structures, and to renovate existing

outdoor features, including the baseball field, playgrounds, picnic areas, bridge, trails, landscaping, free-standing restroom, and parking lots as well as new landscaping and hardscaping; and

3. Approve a Protected Tree Permit (2021-70523-PTP) for the removal and replacement of three protected trees, relocation of 16 protected trees, encroachment into the protected zone of 48 protected trees, and planting of 21 replacement protected trees.

### **BACKGROUND:**

#### *Planning Commission Review*

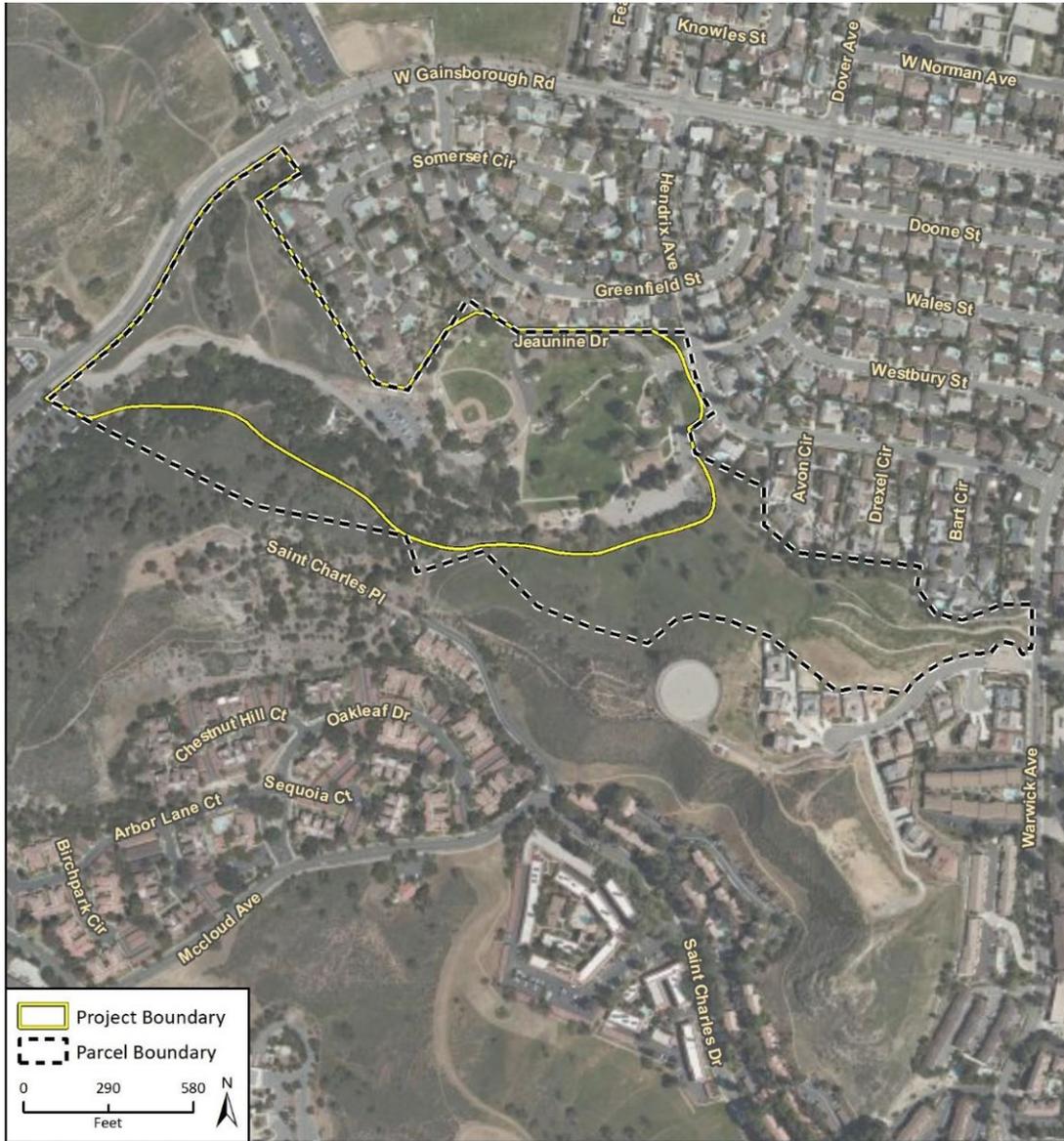
Section 9-4.4305(a)(2) of the Thousand Oaks Municipal Code (TOMC) requires Planning Commission review for requests involving the removal of one or more non-exempt protected trees twenty-four (24") or greater in trunk diameter as measured at four and one-half (4½') feet above natural grade, which is the diameter at breast height (dbh). In this case, the project proposes to remove three protected landmark trees, two of which are greater than 24 inches in diameter and do not qualify for a permit exemption listed in TOMC Section 9-4.4304. Therefore, the applicant's request to remove the trees requires Planning Commission consideration. Staff has included findings and draft conditions of approval, that ensure compliance with these findings in the attached Resolution (Attachment #4).

#### *Project Site and Setting:*

The project site is Conejo Community Park, located at 1175 Hendrix Avenue across from its intersection with Dover Avenue. The parcel on which the project site is located is 48.37 acres and is Assessor's Parcel Number (APN) 524-009-0-255. The portion of the site occupied by Conejo Community Park makes up approximately 36.6 acres of the total parcel. The project site is located less than 1 mile north of U.S. Route 101 and 0.33 mile west of North Moorpark Road.

The property is owned and operated by Conejo Recreation and Park District (CRPD). It is zoned Public, Quasi-Public, and Institutional Land and Facilities (P-L) and has a General Plan land use designation of Parks, Golf Courses, and Open Space. Surrounding uses include single-family residences to the north and east, and multi-family beyond open space areas to the south and west. The park is adjacent to and associated with the Conejo Botanic Gardens and Kids Adventure Garden.

Figure 1: Project Site in Neighborhood Context



The park was constructed in the early 1960s and acquired by CRPD from Ventura County in 1972 following the City approval of Z 1974-328. The Community Center, just under 7,000 square feet in total, was built in 1965 by local volunteer efforts. Currently the area is developed as an ungated community park with walking paths, a fitness path, restrooms, bridge, baseball field, community center building, playground, picnic facilities, lawn amphitheater, and general open space with 179 parking spaces.

*Project Description:*

The proposal involves the following (Attachment #5):

- New
  - Trails
  - Play areas
  - Entry feature and passenger drop-off area
  - Approximately 500 square foot amphitheater area
  - Approximately 240 square foot trash enclosure
  - Approximately 350 square foot maintenance equipment storage enclosure
  - Two detached shade structures
  
- Renovated
  - Demolition of an existing 7,000 square foot community center building to construct a new 16,653 square foot community center building, with adjacent terraced rain gardens;
  - Demolition of an existing 605 square foot restroom to construct a new (approximately 1,000 square foot), prefabricated restroom building;
  - Resurfaced and restriped parking lots (with a total reduction of two parking spaces);
  - Replacement parking lot lighting;
  - Upgraded baseball field;
  - Enhanced creek bridge;
  - Trail improvements including new trees and trail plantings;
  - Renovated playground area;

In addition, 99 protected trees were surveyed on site. Three of these protected trees will be removed as they have trunks directly adjacent to grading for concrete hardscapes. Sixteen will be relocated as they have trunks located within grading limits or retaining wall relocation. Four trees are expected to have major impacts from grading for concrete pedestrian pathways and hardscapes, and 44 trees are expected to have minor impacts, while 32 trees are expected to have no impacts. Twenty-one (15 California sycamore, 6 valley oak) 36" box trees will be planted as replacement trees.



The site also currently hosts preschool activities, youth camps, community club meetings, large business conferences, and small corporate retreats; the project would not increase the frequency of these events. The maximum number of attendees at events at the project site is estimated at 6,000 people for concerts, and fewer for other events, such as weddings. The number of attendees at each event type is not anticipated to increase from existing levels.

**EVALUATION:**

*Consistency with the General Plan and Zoning*

The subject property is designated “Parks, Golf Courses, and Open Space” on the Land Use Designations Map of the General Plan and zoned Public, Quasi-Public and Institutional Lands and Facilities (P-L). The current and proposed use as a community park is consistent with the City’s General Plan land use designation, which allows for public and private recreation and open space.

*Consistency with the Zoning*

The proposed project complies with all requirements of the Thousand Oaks Municipal Code, including specific development standards for the P-L zone in Article 32 of Title 9 of the TOMC.

In addition, the project complies with the Precise Plan of Design Guidelines through the screening of all ground-mounted equipment and use of natural colors throughout the design which serves to harmonize the proposed structures with the surrounding natural environment and residential settings.

**Lighting**

The project proposes to replace the existing 20-foot-high light poles within the eastern parking lots with poles of the same height. As conditioned, any light poles within line of sight of a property zoned for residential use will not be allowed to exceed 14’ high.

In the evening, security lighting on the community center building and in the parking lot will be positioned so that the lighting will not affect adjacent uses by spilling onto or shining into nearby residential or open space uses. Events held in the evening within the Park may install temporary lights, but these would be limited to the duration of the event.

### **Vehicle Access and Traffic**

Vehicular access points to the park will not change.

The western parking lot, closest to Gainsborough Road will be resurfaced and restriped to accommodate an increase in the number of parking spaces. The northeastern parking lot will be resurfaced and restriped with the same number of spaces. The southeastern parking area south of the existing community center will be extended up to 10 feet into the undeveloped area south of the existing wall to provide greater access to the picnic areas and new community center. The parking lot configuration at the new community center has been designed to provide equal opportunity for accessibility around the building and park, as well as new fire access for life safety services. ADA-accessible spaces, electric vehicle charging spaces, a drop off area, lighting, and driveway access for park and food service vehicles will be added at the southeastern parking lot as part of the proposed project, with all parking lot related work resulting in 177 parking spaces, or the net loss of two parking spaces. As conditioned, all newly created parking spaces must meet the dimensions required by the TOMC.

There is no standard-parking requirement for parks and recreational facilities within the P-L zone. However, since the project would not substantially intensify current operational uses, it is not anticipated that the need for parking will increase significantly, nor that additional traffic impact will occur. The existing park infrastructure includes 179 parking spaces throughout the park. As seen in Table 1, below, with the proposed configuration changes and upgrades to ADA-accessible spaces will result in a net decrease of two parking spaces.

**Table 1: Existing vs Proposed Parking**

| <b>Lot Area</b> | <b>Existing</b> | <b>Proposed</b> |
|-----------------|-----------------|-----------------|
| Northeast       | 39              | 39              |
| Southeast       | 95              | 81              |
| Western         | 45              | 57              |
| <b>Total</b>    | <b>179</b>      | <b>177</b>      |

### **Landscaping and Fencing**

The existing park features mature groves of protected trees and a creek which would be enhanced with a new bridge and landscape improvements throughout the park and the new community center. In addition, replacement protected tree species will be planted throughout the park, especially along walking trails and seating areas. New play areas, including thematic slides and climbing equipment are proposed to take advantage of the existing topography.

The project proposes several detached shade structures, all of which will be below 20' as well as fencing, as required, throughout.

### **Grading, Hydrology, and Drainage**

Grading would occur after demolition of the community center and would involve the generation of 3,500 cubic yards of cut and 3,500 cubic yards of fill. All grading on the project site would be balanced on site and therefore, the project would not require any import or export.

The project site has a channelized creek north of the community center footprint. Some renovation is planned for areas near and over the creek, including the entry drop-off area and the replacement of one or more bridges that cross the creek. The impervious surfaces currently on-site are the parking lots, buildings and paved seating areas, as well as the multi-use paths that throughout the site. Of the proposed project improvements to the site, most of the project surfaces would remain pervious with lawns or landscape plantings. The asphalt for the pedestrian trail and parking lot would be porous asphalt, to allow for some permeability and the equestrian trail is a native earth composition. During construction, the project is required to comply with an approved Stormwater Pollution Prevention Plan (SWPPP). Project operations would be subject to compliance with the existing National Pollutant Discharge Elimination System (NPDES) permit and with the guidelines within the Ventura County Technical Guidance Manual for Stormwater Quality Control Measures. Additionally, conditions of approval related to stormwater and drainage can be found in the Planning Commission Resolution Attachment #4.

### **Protected Tree Permit 2021-70523-PTP**

The Protected Tree Arborist Report, dated April 2022, and prepared by Rincon Consultants, Inc., identifies a total of 99 protected trees on the property of which 29 are coast live oak trees (*Quercus agrifolia*), 46 are valley oak trees (*Quercus lobata*), 5 are holly oak trees (*Quercus ilex*) trees, 1 is an island oak tree (*Quercus tomentella*), 16 are California sycamore trees (*Platanus racemosa*), and 2 are toyon trees (*Heteromeles arbutifolia*) (Attachment #6).

The project would result in the:

- Removal of three trees
- Relocation of 16 trees
- Major encroachment into the protected zone of 4 trees
- Minor encroachment into the protected zone of 44 trees
- Retention and protection of 32 protected trees

The City's Tree Consultant has inspected the subject protected trees, independently reviewed the tree report provided by the applicant's consultant and

concur that the tree impacts are necessary to allow site preparation and grading activities for the proposed site improvements. Specifically, the tree removals are necessary to allow site preparation and grading activities for the proposed parking lot expansion and associated site improvements.

To mitigate these impacts, CRPD will replace removed and significantly impacted oak and landmark trees at a ratio of 3:1 with 36-inch box trees of the same species, exceeding the requirements of the Oak Tree Preservation and Protection Guidelines. In addition, CRPD proposes to plant another valley oak and two additional coast live oak 36-inch box trees on site, exceeding the proposed replacement trees.

**Figure 3: Protected Tree Plan**



Furthermore, the trees to be relocated will be monitored. As stated in the report and as conditioned:

*“Refundable cash security deposit in amount equal to cost of purchasing equivalent nursery grown oak will be made with Community Development Department prior to relocation. The deposit will be refunded after 12 months if the community development department determines the tree has survived and is considered to be in good health. If the tree is considered to be marginal, the deposit will be retained for another 12 months, when another inspection will be conducted. If the health of the tree is unchanged or had declined, the developer will remove the relocated tree and replace it with an equivalent nursery grown oak tree. The security deposit will then be refunded.”*

It is staff's position that the proposed tree removals are necessary to allow reasonable use of the property. The project has been conditioned to replace each oak tree proposed for removal with two (2) 24" box oak trees and one (1) 36" box oak tree in compliance with the City's Oak Tree Preservation and Protection Guidelines and to require twelve replacement trees at the same ratio for those being significantly encroached upon. Other conditions of approval include the refundable cash deposit, described above, and protective measures for those trees which will have minor or no encroachment activity. With these conditions, staff supports the proposed request as it relates to protected trees on site.

**REQUIRED FINDINGS:**

The findings required for approval of the requested entitlements found in Title 9 of the Thousand Oaks Municipal Code for a Development Permit-Minor Modification and Protected Tree Permit are contained in the Planning Commission Resolution attached as Attachment #4.

**COMMUNITY OUTREACH:**

CRPD is the lead agency for this project and has conducted community outreach in the adjoining neighborhoods. The following summary of outreach efforts was provided by CRPD staff.

Conejo Recreation and Park District (CRPD) strives to provide inclusivity in the programs, parks, and facilities we maintain and operate for the community. Within each project, the District makes every effort to have an avenue for community input from patrons to support all community members' recreational needs.

Throughout 2019 and into early 2020, CRPD staff gathered input from two initial stakeholder meetings, four community meetings, and staff project development meetings leading up to and after these public meetings. Additionally, an online survey was generated which provided supplemental comments from the park's users about existing features, uses, and proposed additions to the park facility.

As a result of this public outreach, the community developed and established guiding priorities for the future vision of Conejo Community Center and Park. To encourage public participation, the meetings were advertised in direct resident mailers, the local newspaper, District social media and website, email group, as well as on site signage.

In 2020, from the community input generated, staff prepared and presented a concept plan in additional community meetings. Following the public outreach meetings, the CRPD Board of Directors authorized staff to move forward with the initial design concept plan and prepare a Request for Proposals,

In the following months, the District awarded a contract to a design consultant. Through the summer and fall, staff worked through initial schematic drawings with the consultant team. In mid-2021, the design development plans were presented and reviewed by the community. The District was required to complete an Initial Study to evaluate possible environmental impacts of project implementation. The Initial Study found that a Mitigated Negative Declaration (MND) was the appropriate level of CEQA environmental review documentation. The MND was adopted by the CRPD Board of Directors on June 17, 2021.

City staff received two phone calls and two written comments during the Notice of Hearing period, as of the publication of this staff report (Attachment 9).

**ENVIRONMENTAL REVIEW:**

The Conejo Recreation and Park District (CRPD) is the lead agency for environmental review purposes, since it is the agency which plans to carry out the project. As the lead agency, the District has prepared the MND for the project (dated June 2021), a copy of which is attached as Attachment #7. The MND was adopted by the CRPD Board of Directors on June 17, 2021. A letter confirming the continuing validity of the MND is included as Attachment #8.

Pursuant to the California Environmental Quality Act (CEQA) Guidelines, the City is defined as a “responsible agency” for this project, which means that it has permit authority over the project. As a responsible agency, the City must review and consider the Mitigated Negative Declaration prepared by the District in making its decision but is not required to approve it.

**CONCLUSION:**

City staff has evaluated the project in terms of compatibility with the surrounding area and concludes that the proposed project will not have a detrimental impact on the surrounding area. Overall, the proposed project has been designed to meet the intent of the City's standards, codes, and policies. City staff supports the requests as the project aligns with the General Plan goals and does not introduce new or significant negative impacts on the surrounding area. Based on the analysis and findings contained in this report, staff recommends approval of this project, subject to the conditions of approval in the attached Resolution (Attachment 4).

**PREPARED BY:** Justine Kendall, Senior Planner

Attachments:

- Attachment #1 – Vicinity Map
- Attachment #2 – Location Map
- Attachment #3 – Aerial Map
- Attachment #4 – Resolution
- Attachment #5 – Project Plan Set
- Attachment #6 – Protected Tree Report
- Attachment #7 – Final Conejo Community Park IS/MND with Appendices
- Attachment #8 – CEQA Memo
- Attachment #9 – Public Correspondence