

**TO:** Planning Commission

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

**DATE:** November 18, 2024

**SUBJECT:** **Special Use Permit (SUP) 2024-70012, Major Modification and Protected Tree Permit (PTP) 2024-70110**

**APPLICANT:** Conejo Recreation and Park District

**LOCATION:** Borchard Community Park, 190 North Reino Road,  
APN 668-0- 020-825

**REQUEST:**

To allow the demolition of an existing 10,000 square foot skatepark facility and 27 parking spaces to construct a new 20,000 square foot skatepark facility, four new 50' high LED light poles to be illuminated until 10:00 P.M. daily, shade structures, covered picnic area, bench spectator seating, fencing, and security system as well as new landscaping and hardscaping with encroachment into the protected zone of one California Sycamore tree (*Platanus racemosa*) at the existing 28-acre Borchard Community Park within the Public, Quasi-Public, and Institutional Lands and Facilities (P-L) Zone, including one waiver to allow the light poles to exceed 35' high (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. Find that the project is Categorically Exempt from the California Environmental Quality Act (CEQA) Guidelines pursuant to Class 1 Section 15301 Existing Facilities as determined by the Conejo Recreation and Park District Board, the Lead Agency for the proposed project; and
2. Approve a Special Use Permit Major Modification (SUP-2024-70012) to allow the demolition of an existing 10,000 square foot skatepark facility and 27 parking spaces in order to construct a new 20,000 square foot skatepark facility, four new 50' high LED light poles to be illuminated from 7:00 A.M.

- to 10:00 P.M., shade structures, covered picnic area, bench spectator seating, fencing, and security system as well as new landscaping and hardscaping, with
3. One waiver of the TOMC to allow an increase in the total structural height of the proposed light poles from 35 feet to no more than 50 feet as otherwise required by TOMC Section 9-4.3203; and
  4. Approve a Protected Tree Permit (PTP 2024-70110) to allow encroachment into the protected zone of one California Sycamore tree (*Platanus racemosa*) located at the northeast corner of the proposed site.

**BACKGROUND:**

*Planning Commission Review*

Section 9-4.3203 of the Thousand Oaks Municipal Code (TOMC) states that structures within the P-L zone shall not exceed a height of 35 feet, unless approved by the Commission as meeting the intent of this article. As the project proposes four new 50-foot-tall LED light poles, Planning Commission approval is required. 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 subject 27.32-acre property, known as Borchard Community Park is owned and managed by the applicant, the Conejo Recreation and Park District (CRPD). The existing park site is located north of Borchard Road, east of North Reino Road and south of Newbury Park High School, with the existing skatepark in the corner defined by the intersection of North Reino and Borchard Roads. The southern boundary of the skatepark is bordered by a Ventura County Flood Control easement.

The subject property is zoned Public, Quasi-Public, and Institutional Lands and Facilities Zone (P-L) with a General Plan land use designation of Parks, Golf Courses, and Open Space. Surrounding uses include single-family residences to the northwest, east, and south, commercial to the west, and a high school to the north. (Attachments #1, #2, and #3)

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The development of the park was permitted by SUP No. 1969-107 and has been modified several times to allow athletic lighting onsite, as well as an addition to the community center building. Currently the park is developed with 284 parking spaces, the Borchard Community Center, a soccer field, three softball fields, four reservable picnic areas, four lighted tennis courts, a lighted outdoor basketball court, two sand volleyball courts, a skatepark, a tot playground, a youth playground, two sets of horseshoe pits, and bocce courts. The existing skatepark, built in 2002 is approximately 10,000 square feet with ledges, banks, rails, a hubba, and a quarter pipe, and is open from sunrise to approximately 10:00 P.M. seven days a week. Supervised lessons are offered periodically at the skatepark by CRPD staff.

**Figure One - Existing Conditions**



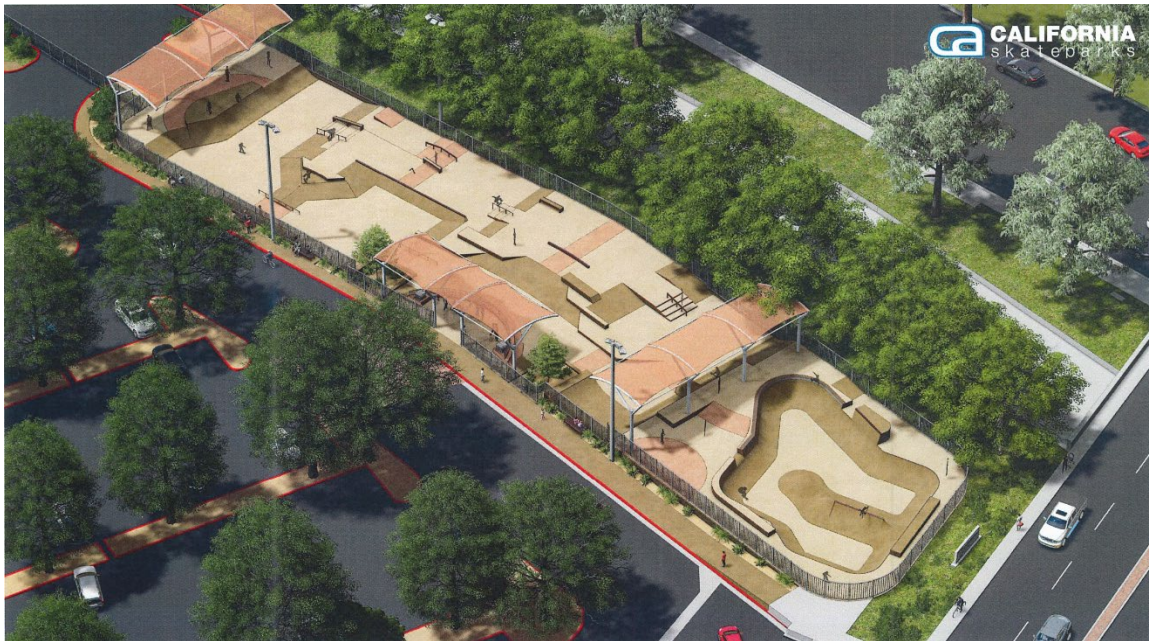
Site Plan from [https://www.crpdc.org/wp-content/uploads/2019/04/BOC\\_Map\\_Rev-1.pdf](https://www.crpdc.org/wp-content/uploads/2019/04/BOC_Map_Rev-1.pdf)

*Project Description:*

The proposal involves a Major Modification to SUP No. 1969-107 for the demolition of the existing 10,000 square foot skatepark and construction of a new 20,000 square foot skatepark; including the installation of four new 50-foot-tall light poles with a total of 16 light fixture heads, new ground mounted electrical equipment, 14.5 foot tall shade structures, a picnic area with approximately 20 seats, a security system, and the addition of approximately 100 shrubs and hardscaping (Attachment #5). Due to the expansion of the skatepark, 27 parking spaces currently used as overflow storage are to be removed with a total of 257 parking spaces to remain within the existing lot.

A Major Modification to the Special Use Permit is required specifically to request a waiver to allow the new light poles to exceed 35 feet in height, up to 50 feet. The new lighting will operate on automatic timer from dark (automatically determined based on time of year) until 10:00 P.M, in keeping with the hours at which the nearby playing fields are also illuminated. Security lighting, installed at 20 feet in height on the same poles, may operate for longer periods of time, if that is determined to be necessary by CRPD or the Police Department.

**Figure Two – Project Rendering**



Rendering provided by CRPD staff

The maximum capacity for the proposed skatepark is approximately 140 people, compared to 85 people under current conditions. Supervised lessons, camps, and birthday parties will continue to be offered at the site, during open hours when programming is not taking place. The operating hours will remain the same.

Additionally, this project includes a Protected Tree Permit for the encroachment into the protected zone of one California Sycamore tree (*Platanus racemosa*) located at the northeast corner of the proposed site. While grading will occur within the root zone of the subject tree, it is to be protected in place as recommended by the Arborist Report (Attachment #6) and the recommended Conditions of Approval (Attachment #4).

### **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 is zoned Public, Quasi-Public and Institutional Lands and Facilities (P-L). The current and proposed use as a skatepark 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 Standards and Precise Plan of Design Guidelines*

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, except for the structure height of the proposed light poles. A waiver is requested to allow the light poles to exceed the 35 feet in height allowed by TOMC Section 9-4.3203 to 50 feet. All other structures, including the shade structures, will remain below the maximum height.

Staff supports this waiver as the proposed light poles will not introduce new or intensified lighting impacts to the area. They are also the same height or shorter than existing light poles at the park, which were permitted under previous SUP modifications. Additionally, there are no protected views would be impacted.

The project complies with the Precise Plan of Design Guidelines by screening all ground-mounted equipment and using natural colors throughout the design, which harmonizes the proposed structures with the surrounding natural environment and residential settings.

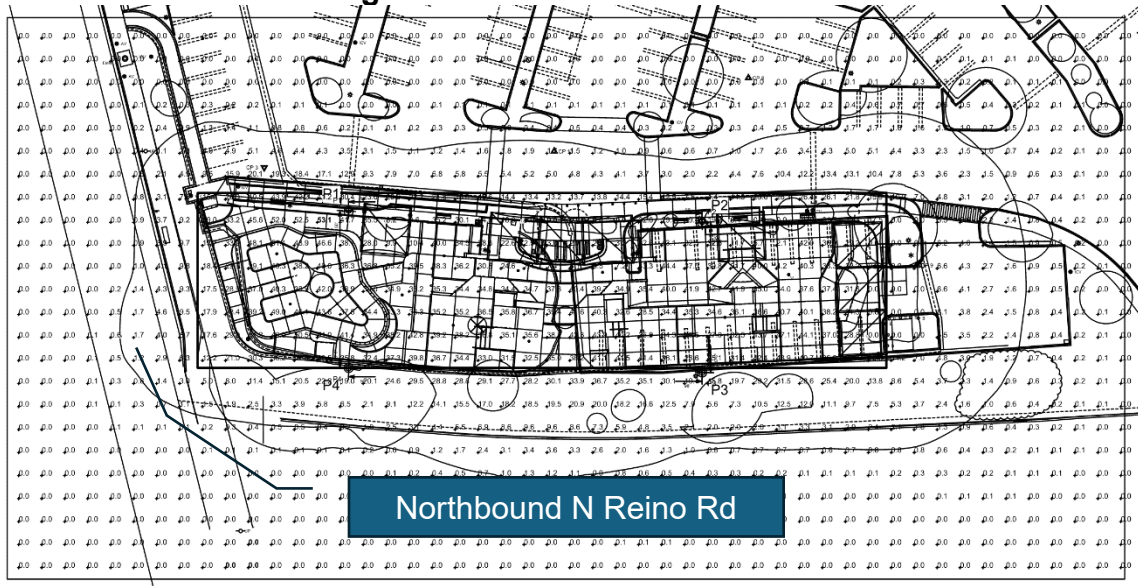


## Lighting

The proposed lights will not significantly increase the park's existing illumination which already has three lighted sports fields and tennis courts. The poles are designed to exceed 35 feet, reaching up to 50 feet, to ensure adequate coverage while minimizing offsite spillover. This approach aligns with industry standards, as higher poles allow for better light distribution and reduced glare, enhancing visibility and safety for park users. Prior modifications to the original SUP permitted the installation of four 40' poles, four 50' poles, and six 65' poles at the park. The existing lights at the park are allowed to operate up to 10:00 P.M., seven days a week. The new lighting will function on automatic timer, activating at dusk (adjusted seasonally) and turning off at 10:00 P.M, consistent with the illumination schedule of nearby playing fields are also illuminated. Security lighting, installed at 20 feet in height on the same poles, may operate for extended periods, if deemed necessary by CRPD or the Police Department.

As shown in the project plans (Attachment #5), the proposed lighting is designed to contain all light spill within the property boundaries, with the exception for a minor area along North Reino Road (See Figure below) This photometric study does not account for the existing mature foliage, which is likely to further prevent light spillover from extending beyond the property. In addition, there are no protected views in the vicinity that could be affected.

**Figure Two – Photometric Plan**



## **Vehicular Access and Parking**

Vehicular access points to the park will not change.

The park's expansion will result in the removal of 27 parking spaces, leaving 257 parking spaces. While the P-L zone does not require a specific number of parking spaces for parks and recreational facilities, spaces being removed are from an overflow lot currently used intermittently for storage. As such, the park will continue to have sufficient parking spaces to accommodate current and anticipated park usage.

## **Landscaping and Fencing**

The conceptual landscape plan includes new native and drought tolerant landscaping around the proposed skate park and related mechanical equipment on the east side. Additionally, there are five red iron bark eucalyptus and three pistaches proposed to be protected in place as well as seven crape myrtles and one carrotwood to be removed in the existing parking lot. A California Sycamore tree with an 18-in diameter trunk planted as part of the existing parking lot landscaping will be protected in place, per the conditions of approval included in the resolution.

A new eight-foot-high iron fence will surround the new skate park, replacing the existing eight-foot-high iron fence currently surrounding the existing skate park and storage area.

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

The project site is a relatively flat, previously disturbed parking lot and existing skate park. Grading would include 785 cubic feet of cut and 390 cubic feet of fill, resulting in a net export of 395 cubic feet. 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**

The Tree Protection Plan dated September 25, 2024, and prepared by Envicom Corporation identifies a California Sycamore tree within the project area with a trunk diameter greater than 12-inches, thus qualifying it as a protected tree per the TOMC. The expanded skatepark, new transformer, and reconfigured sidewalk will be placed within the protected zone of the existing tree, which is currently planted within an existing parking lot finger. A City Arborist Consultant has reviewed the request and conducted an inspection of the subject tree, concluding that the encroachment was necessary for the project and that, with the recommended conditions, the tree is able to be protected in place.

With the inclusion of conditions, including on-site monitoring by the applicant's consultant during all encroachment activities, the proposed encroachment within the tree's protected zone is not expected to result in a decline in the health of the tree, per the Tree Protection Plan. Approval is, therefore, consistent with the intent of the Landmark Tree Preservation and Protection ordinance since appropriate work methods, work monitoring, and treatment methods for impacted root systems are required to minimize impacts to the subject tree. However, if the health or stability of the tree is impacted, an application to remove and replace the protected tree at the required ratio will be required. With the inclusion of the recommended conditions, approval of this request will not be contrary to, or be in conflict with, the general purpose and intent of the Landmark Tree Preservation and Protection Ordinance (Chapter 43 of Title 9 of the Municipal Code).

### **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:

In May 2019, in an effort to conduct public outreach and form a focus group, CRPD mailed residents within 1,000 feet of Borchard Community Park and provided additional marketing through materials at every community center and various social media platforms.

From this effort, a focus group of nine individuals (not including CRPD staff) was formed, representing the local business community, Conejo Valley Unified School District, the skating community, and the community at large. Over approximately a half dozen meetings, the focus group refined the initial conceptual plan. The work was paused during the COVID pandemic but resumed with the hiring of the consultant team from California Skateparks. Working with the focus group, California Skateparks further refined the conceptual plan for the renovation of the skatepark.



In September 2022, to gather ideas, input, and feedback, two on-site meetings were held. To advertise these meetings, CRPD mailed residents within 1,000' of Borchard Community Park and provided additional marketing through materials at every community center and various social media platforms. For those who were unable to attend the meetings, an online survey was provided.

In November 2022, a construction document design services contract was approved, and plans were developed with California Skateparks.

In June 2023, the CRPD Board of Directors approved the Two-Year 2023-24 and 2024-25 Budget at their regularly scheduled meeting. In September 2024, the Board of Directors determined that the project is categorically exempt at their regularly scheduled meeting.

City staff have not received any comments during the Notice of Hearing period, as of the publication of this staff report.

#### **ENVIRONMENTAL REVIEW:**

The project was analyzed in conformance with the California Environmental Quality Act (CEQA). The CRPD Board of Directors, as the lead agency, determined that the proposed project is categorically exempt from the provisions of CEQA pursuant to Class 1 Categorical Exemption, Existing Facilities (Sec. 15301). The proposed expansion would increase the size of the existing skatepark by 10,000 square feet, which is specifically allowed pursuant to CEQA Guidelines Section 15301(e)(2) referenced above. The project would make improvements at the skatepark, and the facility would maintain its existing and intended function. The remaining project components, such as adding lights, shaded structures, picnic area, spectator benches, and landscaping are components which support the Borchard Community Park use and purpose, as intended in the exemption. All of the project improvements would occur within the boundaries of the developed and urbanized site.

On September 5, 2024, the CRPD Board of Directors determined that the project is categorically exempt. 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 a memo supporting the categorical exemption (dated August 29, 2024), a copy of which is attached at Attachment #7.

Pursuant to the 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 categorical exemption in making its decision but is not required to make a determination regarding the exemption.

**CONCLUSION:**

City staff has evaluated the project in terms of compatibility with the surrounding area and existing uses 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 requested modification including the waiver of the height maximum as the project supports General Plan goals and does not introduce new or intensified lighting 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 – Tree Protection Plan
- Attachment #7 – Conejo Recreation & Park District Resolution 090524-A