

TO: Planning Commission

FROM: Kelvin Parker, Community Development Director

DATE: October 23, 2023

SUBJECT: **Janss Marketplace Hotel Project
2021-70997 Zone Change (Z),
2022-70079 Development Permit (DP),
2022-70265 Tentative Tract Map (TTM),
Special Use Permit (SUP) 2023-70009,
Landscape Plan Check (LPC) 2023-70006, and
California Environmental Quality Act (CEQA) 2022-70002
Environmental Impact Report (EIR)**

APPLICANT: **Verdant Thousand Oaks LLC (Adam Corral – Greens
Development) & Newmark Merrill Companies**

LOCATION: 225 North Moorpark Road, APNs: 525-0-030-390, 525-0-030-410, 525-0-030-430, 525-0-030-440, 525-0-030-450, 525-0-030-470, 525-0-030-480, 525-0-054-030, & 525-0-054-040.

REQUEST:

That the Planning Commission:

1. Consider the Environmental Impact Report and Mitigation Monitoring and Reporting Program prepared in accordance with the California Environmental Quality Act (**CEQA-2022-70002**), and
2. Make a recommendation to the City Council for the following applications for the construction of a hotel, commercial retail space, and associated landscape, hardscape, and grading located at 225 North Moorpark Road (Attachment #s 1, 2, and 3):

Zone Change (2021-70997-Z): Zone Change limited to the footprint of the proposed building, from C-3 (Community Shopping Center) to C-3-H (Community Shopping Center – Height Overlay) to increase the building's maximum height up to 75 feet.

Development Permit (2022-70079-DP): To allow the demolition of approximately 35,500 square feet of commercial development and construct a new 216-room five-story hotel with amenities and approximately 13,000 square feet of commercial retail space, including outdoor dining, hardscape, landscape, and grading within the approximately 38-acre Janss Marketplace in the C-3 (Community Shopping Center) zone.

As part of the DP, the applicant requests two (2) Waivers of the TOMC to:

- a. Maintain an approximately 35% building and structure coverage above the prescribed 25% building and structure coverage as otherwise required by TOMC Section 9-4.1404(b); and
- b. Maintain the existing 2,642 parking spaces, below the required 3,767 parking spaces for the existing Janss Marketplace plus the Janss Marketplace Hotel Project, resulting in an approximately 30% parking reduction for the Janss Marketplace as otherwise required by TOMC Section 9-4.2402.

Tentative Tract Map (2022-70265- TTM): To subdivide one (1) 21.63-acre commercial lot into three (3) parcels to allow the retail component to be sold separately from the hotel component that includes provisions for shared parking, ingress, egress, and amenities:

- a. Parcel 1 totaling 20.42 acres,
- b. Parcel 2 airspace totaling 0.66 acres, and
- c. Parcel 3 airspace totaling 0.49 acres.

Special Use Permit (SUP-2023-70009): To allow for the sale and consumption of beer, wine, and distilled spirits with food service on the premises within the hotel's 1,780 square-foot bar and up to 13,308 square feet of restaurant uses with up to 5,204 square feet of exterior patio space.

RECOMMENDATION:

That the Planning Commission adopt Resolutions (Attachment #s 4, 5, and 6) based on the findings and subject to the conditions contained therein recommending that City Council:

1. Certify the Final Environmental Impact Report (CEQA-2022-70002) and Mitigation Monitoring and Reporting Program in accordance with CEQA;
2. Adopt an Ordinance approving a Zone Change (2021-70997-Z) (Attachment #4);

3. Adopt a Resolution approving a Development Permit (2022-70079-DP) and Tentative Tract Map (2022-70265-TTM) (Attachment #5); and
4. Adopt a Resolution approving a Special Use Permit (SUP-2023-70009) (Attachment #6).

PLANNING COMMISSION REVIEW:

Section 9-4.2914 of the Thousand Oaks Municipal Code (TOMC) requires the Planning Commission (Commission) to make a recommendation to the City Council (Council) for all proposed Zone Changes initiated by verified applications. Council Resolution No. 2022-003 initiated a Zone Change and authorized concurrent processing of entitlement applications for the proposed project requiring the Commission to make a recommendation to Council for the whole of the entitlement request.

Section 9-4.2105 of the TOMC requires approval of a Development Permit for a Hotel use in the C-3 zone, and Section 9-4.2804(a)(1) of the TOMC requires the Commission to review proposed developments that do not comply with all of the development standards for the zone, such as the two (2) Waivers requested as part of this project to maintain to building and structural coverage and existing off-street parking.

9-3.702(a)(1) to the TOMC requires the Commission to make a recommendation to Council for the proposed map subdivision consistent with the requirements of the Subdivision Map Act and the TOMC.

Section 9-4.2105 of the TOMC requires approval of a Special Use Permit for restaurants, cafes, and other specialized food service establishments with alcoholic beverage consumption up to and greater than 0.5% alcohol by volume in the C-3 zone.

The associated Landscape Plan Check is an administrative process that will be implemented as a project condition of approval.

As the project includes a Zone Change, the Council is required to make the final decision on each of the above-described entitlement applications, with a recommendation from the Commission.

The Commission may recommend approval of the Development Permit if the following findings (1-4) can be made, and the Commission may recommend approval of the Special Use Permit if the following findings (1-5) can be made:

1. The project is consistent with the Thousand Oaks General Plan and any applicable specific plan or redevelopment plan;
2. The project complies with all applicable laws, regulations and policies, including the TOMC;
3. The project will not be detrimental to the public health, safety or general welfare;
4. The project has been reviewed in conformance with the provisions of the CEQA;
5. The proposed use at the proposed location will be compatible with land uses in the vicinity.

The Commission may recommend denial of the map if any of the following findings can be made:

1. That the proposed map is not consistent with the applicable General and Specific Plans;
2. That the design or improvement of the proposed subdivision is not consistent with the applicable General and Specific Plans;
3. That the site is not physically suitable for the type of development;
4. That the site is not physically suitable for the proposed density of development;
5. That the design of the subdivision or the proposed improvements are likely to cause substantial environmental damages or substantially and avoidably injure fish or wildlife or their habitat;
6. That the design of the subdivision or the type of improvements is likely to cause serious public health problems; and
7. That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or the use of property within the proposed subdivision or with public access to public resources as defined and regulated by Sections 66478.1, et seq. of the Subdivision Map Act. In this connection, the governing body may approve a map if it finds that alternate easements, for access or for use, will be provided and that they will be substantially equivalent to easements previously acquired by the public. This subsection shall apply only to easements of record or to easements established by judgment of a court of competent jurisdiction, and no authority shall be granted to a legislative body to determine that the public at large has acquired easements for access through, or the use of, property within the proposed subdivision.

Staff has included suggested findings and draft conditions of approval, including the Environmental Impact Report's Mitigation Measures, that ensure compliance with these findings. The recommended findings and suggested conditions of approval are incorporated in the attached Resolutions (Attachment #s 4, 5, and 6).

BACKGROUND:

Project Site and Setting

The project site is located at 225 North Moorpark Road within the existing Janss Marketplace, which is an approximately 611,000 square-foot (SF) shopping center served by existing utility infrastructure and contains retail establishments, a gym, a movie theater, restaurants, and a four-story parking structure on approximately 38-acres. The site is bound by North Moorpark Road to the east, West Hillcrest Drive to the south, West Wilbur Road to the west, and Brazil Street to the north (see Figure 1). The whole of the Janss Marketplace contains 2,642 existing shared parking spaces. The location of the proposed hotel contains an existing building with a two-story volume, which was previously a Marshall's department store until 2017 and dental offices until 2019.

Figure 1: Existing Conditions

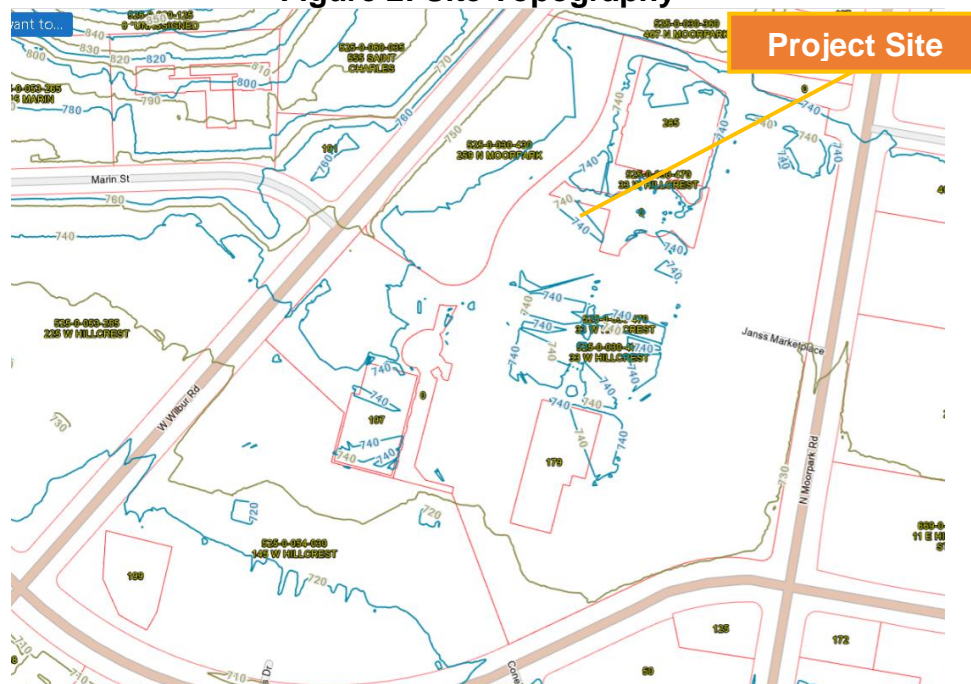


Source: GIS 2023, 2022 Aerial Image

Ornamental landscaping exists on the project site including a variety of groundcover, shrubs, vines, and trees such as Ponderosa Pine, Callery Pear, and Southern Magnolia trees. No landmark trees occur on-site.

The topography of the Janss Marketplace descends approximately 40 feet across approximately 1,640 feet (an approximately 2.5% slope) from West Wilbur Road in the northwest corner of the development to the intersection of West Hillcrest Drive and Sears Drive in the south-center portion of the development. The topography at the location of the proposed hotel is flat (Figure 2).

Figure 2: Site Topography



Source: GIS 2023

The project site is in the C-3 zone, and two portions of the site are in the C-3-H (maximum height up to 75 feet) zone, the project would introduce a third portion of the site within the C-3-H (maximum height up to 75 feet) zone. The project site is surrounded by the following uses (see below – Figure 15):

- **North:** To the north, the project site and the Janss Marketplace are bounded by Brazil Street. Commercial Uses are to the north of Brazil Street, including, but not limited to, Sparkling Image Car Wash, Chick-fil-A Fast Food, and Five Guys Fast Food which are in the C-3 zone.
- **South:** The project site and the Janss Marketplace are bounded by a large surface parking lot to the south, followed by West Hillcrest Drive. Commercial uses are south of West Hillcrest Drive, including, but not limited

- to, Chuck E. Cheese Pizza and Goodwill Retail Store and Donation Center which are in the C-3 zone and C-3-H (maximum height up to 75 feet) zone.
- **East:** The project site and the Janss Marketplace are immediately bounded by a large surface parking lot to the east. North Moorpark Road is adjacent to the parking lot. Commercial Uses are to the east of North Moorpark Road, including, but not limited to, Best Buy, Total Wine and More, and Ross Dress for Less which are in the C-3 zone.
 - **West:** To the west, the project site is bounded by West Wilbur Road. To the west of West Wilbur Road, uses include a variety of commercial and office uses which are in the C-3 zone, C-3-H (maximum height up to 75 feet) zone, and C-O (Commercial Office) zone.

Existing development within the Janss Marketplace ranges between one- and four-story (259 North Moorpark Road). Existing commercial and office buildings in the immediate vicinity range between one- to five-story (225 West Hillcrest Drive).

The Janss Marketplace is located approximately 850 feet from the centerline U.S. 101 with access directly from North Moorpark Road, and the Janss Marketplace includes direct access from North Moorpark Road, West Hillcrest Drive, West Wilbur Road, and Brazil Street. The Janss Marketplace contains an interior access road for vehicles and a pedestrian walkway internal to the Janss Marketplace. The site is within walking and biking distance to existing commercial and neighborhood-serving retail uses. The project is an infill development located near transit stops (Route 42 and Route 41 run by City of Thousand Oaks). Public transit areas (bus stops) are available along the North Moorpark Road, West Wilbur Road, and the Janss Marketplace's interior access road adjacent to the proposed hotel's location. Bus services connections along Thousand Oaks Boulevard, Hampshire Road, Hillcrest Drive, Moorpark Road, Westlake Village, and the Thousand Oaks Transit Center. Bicycle lanes are located along the Hillcrest Drive and West Wilbur Road in this area. Conejo Community Park is the nearest public park at 1175 Hendrix Avenue, approximately 0.9 miles from the project site.

Past Actions

Prior to site development, the project site was utilized for agricultural purposes.

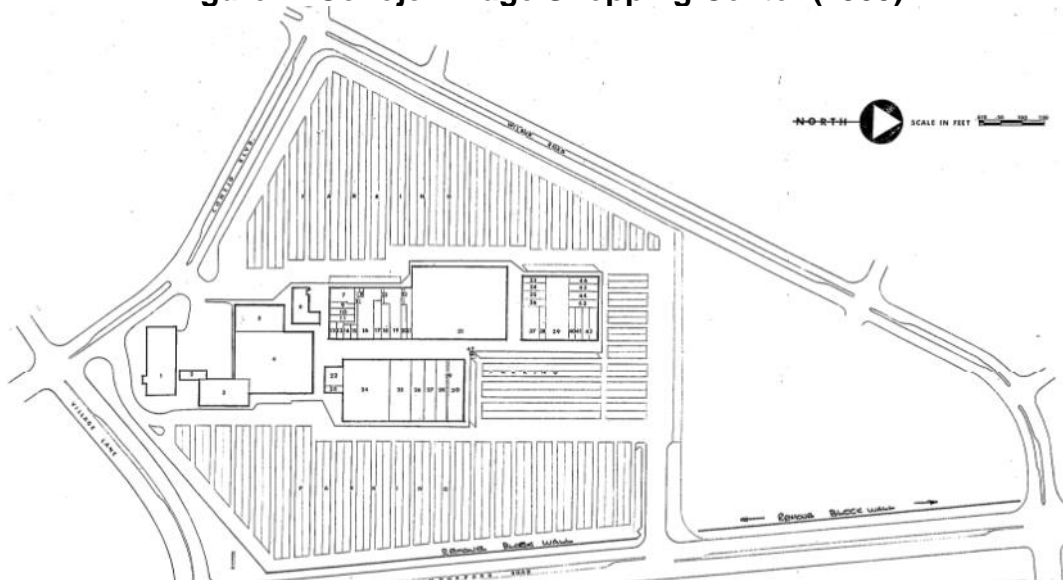
On December 14, 1959, the Ventura County Planning Commission approved a Planned Development Permit (PD-34) for the "Conejo Village Shopping Center" which was the first mall established in the City with buildings in the center of the

site and surface parking on the east and west sides of the buildings (Figure 4). The underlying map, Tract Map No. 1229, was recorded on April 29, 1960.

Between 1965 and 1994, the Conejo Village Shopping Center grew, adding department stores, general and specialty retail, restaurants, and offices, and modifications were made to the circulation and parking areas.

In March and April 1994, the Commission and Council approved a Height Overlay, Major Modification to a Planned Development Permit and a Uniform Sign Program (Z-93-680, PD-34 Major Modification 43, SUP-94-866) setting the stage for a major renovation to transform the Conejo Village Shopping Center into the Janss Marketplace. The C-3-H Height Overlay zone applied to portions of the Janss Marketplace allowing an anchor tenant and theater building to exceed the maximum allowable 35-foot height up to 75 feet (Figure 5).

Figure 4: Conejo Village Shopping Center (1959)



Source: PD-34

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Since 1994, the Janss Marketplace has continued to evolve, modernizing the buildings as tenant's and community's commercial needs continue to shift.

On October 26, 2021, an application was submitted requesting the Council to initiate a Height Overlay Zone Change to allow the hotel to exceed the maximum allowable 35-foot height up to 75 feet (Z 2021-70997) and authorize concurrent processing of entitlement applications for the Janss Marketplace Hotel Project. On January 11, 2022, the Council adopted Resolution 2022-003 initiating a Zone Change Height Overlay and authorizing concurrent processing of entitlement applications (Attachment #7).

On February 17, 2023, a Notice of Preparation (NOP) of a Draft Environmental Impact Report (EIR) and associate Scoping Meeting for the Janss Marketplace Hotel Project was filed with the State Clearinghouse (SCH Number 2023020431),

published and mailed. The NOP was circulated for 30-days for public review between February 17 and March 20, 2023, and the Scoping Meeting was held on March 1, 2023.

On March 2, 2023, a Notice of Application was mailed to all property owners and occupants within a 500-foot radius of the subject property; and on August 10, 2023, a Notice of Application sign was posted on the subject property.

On August 11, 2023, a Notice of Completion (NOC) was provided to the State Clearinghouse (OPR), Responsible and Trustee Agencies. On August 11, 2023, a Notice of Availability (NOA) was published in the VC Star, filed with the Ventura County Clerk and circulated to the OPR, Responsible and Trustee Agencies, adjacent city agencies, the general public and other interested parties giving notice to the general public and all interested parties that the project Draft EIR was being circulated for 45-days for public review between August 11 and September 25, 2023.

On October 6, 2023, the Notice of Hearing was published, mailed and posted on the subject property.

Project Goals and Objectives

The applicant's goals and objectives of the proposed project are to:

1. Enhance the City of Thousand Oaks and Janss Marketplace, by creating an aesthetically pleasing hotel that is compatible with existing adjoining uses to serve the local community.
2. Revitalize Janss Marketplace by replacing outdated dormant building structures, with a fresh, modern building and design.
3. Provide local employment, with career advancement opportunities.
4. Provide needed overnight and extended stay services to residents, business groups, and tourists within the City of Thousand Oaks.
5. Provide shopping, dining, recreational, and assembly opportunities within the City of Thousand Oaks.
6. Strengthen the City's commercial core by providing local quality lodging for residents, business groups, and tourists.
7. Create a financially viable hotel capable of serving a wide range of guests.
8. Provide fiscal and economic benefits to the City by adding local amenities to the community.

Project Description

Building Form and Design

The proposal involves a five-story, 216-room, approximately 133,000 square-foot hotel as shown in the project plans (Figure 6). The building footprint would cover approximately 36,300 square-feet (0.83-acres). The structure would be rectangular-shaped, apart from a diagonal cutout adjustment at the northwest corner of the footprint to accommodate a curve in the access road to the west of the property. The structure would include an open-air courtyard within the center of the building composed of two levels, the first floor consisting of a patio and special event area, and the second floor consisting of a pool deck.

The first-floor square footage would be split between hotel and retail space, with the hotel occupying approximately 17,500 square-feet of indoor space and approximately 5,200 square-feet of an outdoor courtyard, totaling 22,700 square-feet of hotel use on the ground floor. The retail space would occupy approximately 13,300 square-feet, and up to approximately 5,200 square feet of exterior patios could be installed for future retail tenants (Figure 7).

Figure 6 – Site Plan

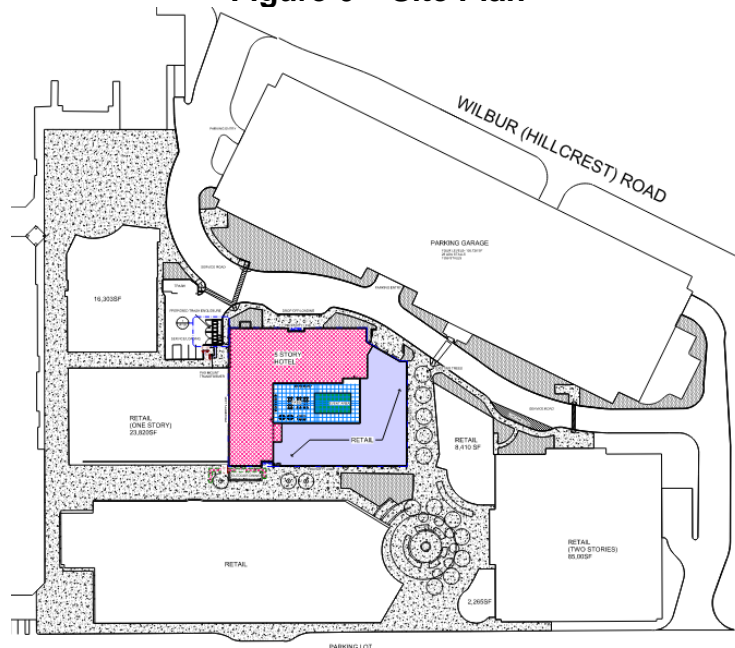


Figure 7 – First Floor

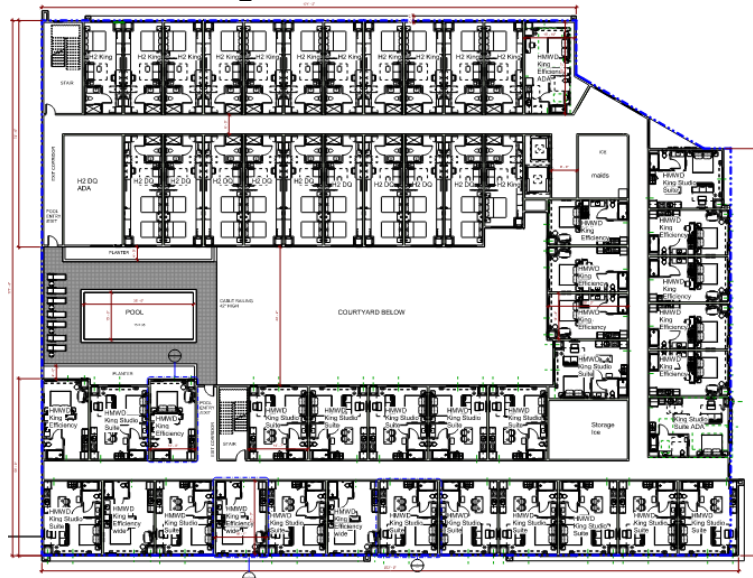


Sheet A-2, Attachment #8

Primary components of the first floor would include a front desk and hotel management offices, a sundry store for hotel guests, three meeting rooms, a bar, a commercial kitchen and dining room, a fitness room, restrooms, two laundry rooms, and work areas. The courtyard on the first floor would include a special event area and patio with outdoor dining. The remaining space on the first floor would be occupied by retail and a service corridor on the northern and eastern sides of the building. The main entrance for the hotel would be located on the western side of the building, setback from the access road. A secondary entrance for the hotel would be located on the eastern side of the building, accessed from the pedestrian walkway internal to the Janss Marketplace. The retail spaces would be accessible along the north and east sides of the building.

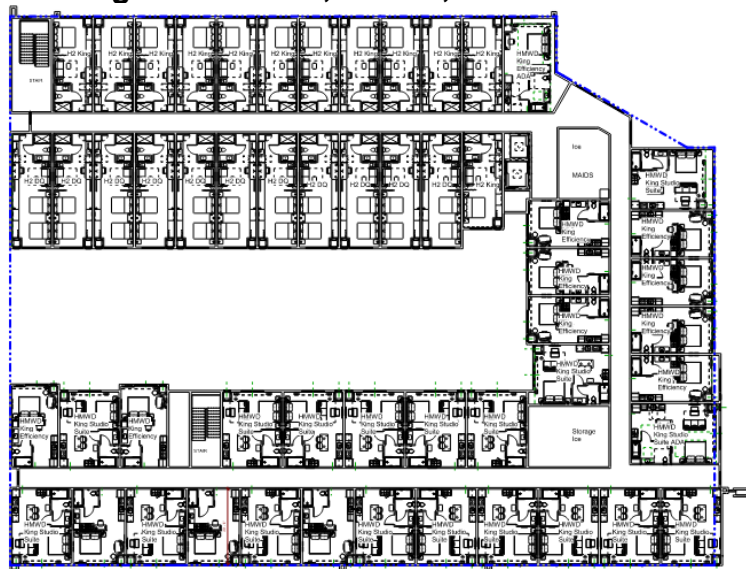
The remaining floors would be approximately 28,900 square feet each, and the second floor would have an outdoor pool, deck, and planter area of approximately 2,300 square feet. The 216-room hotel would have 173 king rooms and 43 double-queen rooms (Figures 8 & 9).

Figure 8 – Second-Floor



Sheet A-3, Attachment #8

Figure 9 – Third, Fourth, and Fifth-Floor



Sheets A-4 – A-6, Attachment #5

The building would have a flat roof with parapet walls, mechanical equipment screen walls, elevator shaft, enclosed stairways, and an architectural element to give architectural interest. As shown in the east, north and west elevations below

(Figures 10, 11 & 12), the ground floor would be twenty feet (20') tall, the second through fifth floor would each be 10 feet (10') tall, with the roof at sixty feet (60') (blue line). A four-foot (4') parapet wall wraps the edge of the building bring the height to sixty-four feet (64') (pink line). Two ten-foot (10') mechanical equipment screen walls, placed approximately thirty feet (30') back from the edge of the building, rise from the roof to a maximum height of seventy feet (70') (green line). A decorative architectural element, consisting of a roof cover opened to the sides, is located between sixty-eight feet (68') and approximately seventy-one feet (71') (orange line). The enclosed stairways, giving the Fire Department access to the roof, rise to a height of seventy-three feet (73') (purple line), which is the buildings' maximum height. As the site is flat, no additional height is added due to grading. The maximum height limit of the C-3 zone is thirty-five feet (35') (dashed-red line), and the maximum height limit of the requested C-3-H zone is seventy-five feet (75') (solid red line).

Figure 10 – East Elevation



Sheet A-8, Attachment #8

Figure 11 – North Elevation



Sheet A-9, Attachment #8

Figure 12 – West Elevation



Sheet A-10, Attachment #8

Architectural Design

The project's architectural design is a Contemporary style. The exterior walls of the building are earth-toned colors primarily consisting of off-white, light-browns, grays, and black. The overall structure would be composed of a combination of smooth trowel finish stucco, composite wood siding, concrete porcelain tile, steel storefront doors and canopies, recessed anodized aluminum windows, clear glazing, and wood-timber louvers (Figures 10, 11, 12 & 13). These colors and materials are found throughout the Janss Marketplace as identified in the colors/material board and inspirational photo board (Attachment #8). Placeholders for public art are included on the building's façade.

Figure 13 – Conceptual Rendering of Mall Courtyard-Facing Facade



Sheet A-11, Attachment #8

Hotel Operations & Special Events

The hotel is anticipated to operate 24 hours a day, 7 days a week. The anticipated occupancy for this type of product has seasonal variability but is estimated to operate at approximately 78% occupancy.

As designed, amenities for hotel guests include, but is not limited to, full-service restaurant, bar, meeting rooms, banquet room, and special event facilities, sundry shop, a fitness room, guest laundry, business center, a swimming pool, and fire pits. Each guestroom is anticipated to be equipped with a work desk, a built-in refrigerator, microwave, and a flat screen television.

Special events, including weddings, are considered “incidental and accessory uses” to the hotel’s operation and are authorized to occur only within the hotel’s event space and meeting rooms without any additional Planning entitlements if the special event does not exceed a maximum of 250 total attendees and staff members (a permit is required for events exceeding 251 total attendees and staff members). Special events are subject to noise and security conditions. The hotel operator is to coordinate all special events with the Fire Department, Police Department, and Alcohol Beverage Control, and secure permits from those Departments and Agencies, as needed, prior to the start of the special event.

Special events could include live entertainment, but the hotel bar and restaurants are not permitted to have live entertainment or to become a dance establishment or nightclub at this location.

Retail – Outdoor Dining

Up to 5,204 square feet of exterior patio space (subject to compliance with the Building Code and Fire Code) for the benefit of the approximately 13,300 square feet of restaurant uses is included in this Development Permit. Unamplified outdoor music is allowed within the outdoor dining areas, but live entertainment, other than unamplified outdoor music is prohibited.

Alcohol

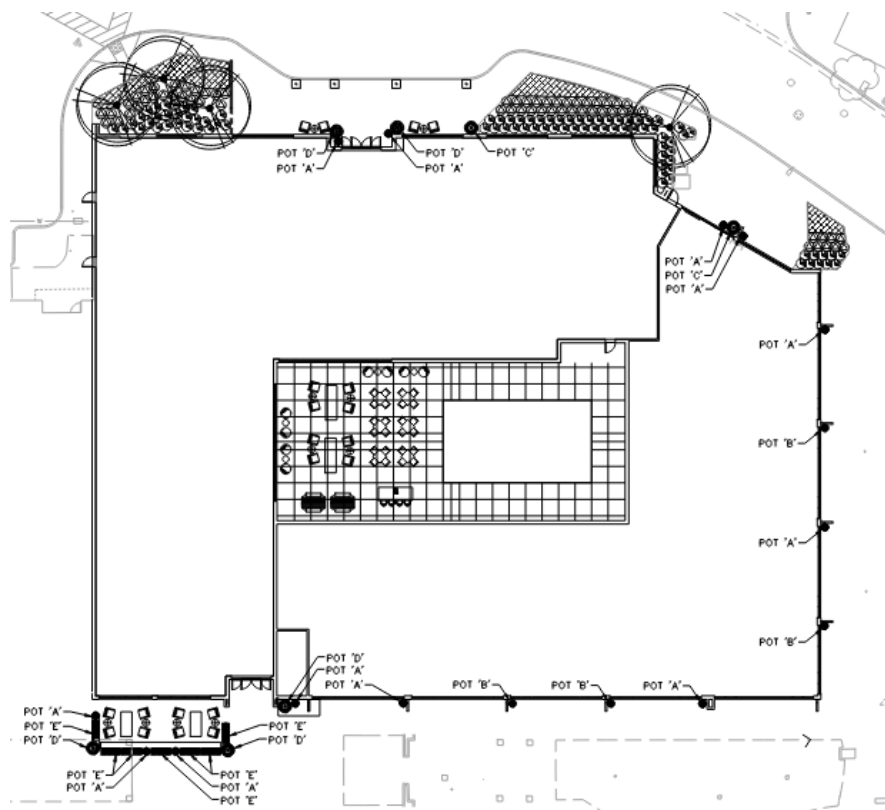
The hotel and restaurants are anticipated to offer the sale and consumption of beer, wine, and distilled spirits for consumption on the premises within the hotel’s approximately 1,780 square-foot bar with food service and up to 13,308 square feet of restaurant uses with up to 5,204 square feet of exterior patio space. Sales, service and consumption of alcoholic beverages is only allowed when full meal

service is available to patrons and is limited to the hours of 9:00 AM to 1:30 AM each day of the week. The operators would be required to obtain licenses from the State of California Department of Alcoholic Beverage Control.

Landscaping

A conceptual landscape plan has been submitted that demonstrates landscaping would be provided in three primary planters at the southwest and northwest corners of the project groundcover. Landscaping would also include a variety of shrubs in pots located at the hotel and retail entrances, and around an outdoor seating area at the southeast corner of the structure (Figure 14). A Final Landscape Plan, consistent with the City's and Fire's regulations would be processed while the project's construction plans are being reviewed.

Figure 14 – Conceptual Rendering of Mall Courtyard-Facing Facade



Conceptual Landscape Sheet 1 of 1, Attachment #8

There are no protected trees currently onsite. A total of 13 existing trees are to be removed, including Ponderosa Pine, Callery Pear, and Southern Magnolia.

Lighting

A combination of wall-mounted, recessed, and emergency light fixtures would be installed to provide lighting in the outdoor areas and at entrances. The hotel entrances would have wall-mounted cylinder downlights, square recessed downlights, and slim wall pack wall-mounted fixtures. The hotel's internal event and pool areas would have outdoor architectural emergency light fixtures and E26 base string lights. The east and north facing walls of the building would have architectural features that include hardwired ribbon lights and recessed linear 28-watt LED lights with spackle flange. The retail entrance areas would have square recessed downlights to illuminate the entrances. Additionally, signage for the hotel and retail spaces, consistent with the City's municipal code, are anticipated to be installed during the operational phase.

Vehicular Access and Parking

Access to the site would continue to be provided from the existing service road along the west side of the current structure. This road can be accessed from West Wilbur Road and North Moorpark Road/Brazil Street. A drop off lane would be located at the front of the hotel's west entrance. The project would include clear space for a fire truck on the north side of the building. There are three loading facilities within close proximity to the hotel.

No new parking spaces are proposed as part of the project. Parking would be provided utilizing the existing 2,642 shared parking spaces within Janss Marketplace. The Janss Marketplace permits do not restrict any parking spaces to any particular use or tenant. It is expected that the hotel guests would predominantly park in the parking structure's approximately 1,396 spaces as the parking structure is conveniently located adjacent to the project site.

Pedestrian Access and Walkability

The project includes direct pedestrian access to the hotel and retail/restaurant spaces from the existing Janss Marketplace pedestrian circulation system.

The project is within a short walking distance of many commercial centers offering dining, retail, grocery, professional, and recreation uses, thus reducing the potential number of vehicle trips from the project.

As conditioned, the project is to provide up to 38 short- and up to 38 long-term bicycle parking.

Grading

The project would require grading onsite to allow for project implementation, but significant changes in finish elevations are not expected. Project grading, following demolition of the existing use, would involve a 52,576 square-foot (1.21-acre) project disturbance area. Pedestrian paths of travel on the north, east and west sides of the hotel are anticipated to be improved. It is anticipated that site grading would require eighty-four (84) cubic yards cubic yards of cut, twenty-eight (28) cubic yards of fill, and the export of fifty-six (56) cubic yards of soil. No soil will be imported. Pile driving is not required to construct the hotel.

Drainage

The proposed project is anticipated to include minimal drainage improvements, such as upgraded filtration, to be consistent with the City's stormwater regulations. The existing project area of disturbance is already developed for commercial use and current drainage flows to the west, toward the drive aisle located west of the building, and into a nearby catch basin. The proposed drainage pattern would match the existing conditions and runoff would flow west into nearby catch basins. The impervious area would remain approximately the same as existing conditions, so runoff flow rates and volumes would be similar to the existing conditions.

Airspace Subdivision

An airspace subdivision is proposed to allow the retail component to be sold separately from the hotel component. The 21.63-acre parcel's airspace is to be subdivided into three parcels for property conveyance and financial purposes. Parcel 1 (Master Ground Lot) would total 20.42 acres, Parcel 2 (hotel) would total 0.66 acres, and Parcel 3 (commercial) would total 0.49 acres. Reciprocal access, parking, utilities, and amenities are to be provided to all parcels throughout the Janss Marketplace. The airspace subdivision has been designed to be in compliance with Fire Code and Building Code standards.

Construction

Implementation of the project would occur over the course of approximately 18 months. Building activities are anticipated to begin in spring of 2024 and the anticipated opening date is winter of 2025.

A construction staging area is proposed to be located southwest of the project's footprint, within an area utilized for trash facilities/enclosures. The project includes a preliminary safety plan which identifies temporary protected walkways for both construction workers and Janss Marketplace employees and visitors. The protected walkways and associated signage are intended to minimize interruptions to surrounding businesses and isolate contractors, power tool utilization, and products of demolition and construction from the public. These protected walkways would be installed on the north by northeast and southeast sides of the construction zone, and would be composed of medium load, select-wood sheeting covered scaffolding. Chain link fencing would also be installed on the north by northwest and southwest sides of the construction zone to isolate construction equipment and activities. Gated access for commercial ingress and egress would be secured by lock and chain. If needed, spotter employees may also be stationed outside of the construction perimeter to assist with traffic control during higher risk construction phases.

EVALUATION:

Consistency with the General Plan

The General Plan land use designation for the subject property is Commercial, which encourages hotel, retail, restaurant (including ancillary on-site sale and consumption of alcoholic beverages), and similar uses. The project is consistent with the General Plan as the project consists of hotel, retail and restaurant uses within a commercial area, is located within a district that has other commercial uses and is on a site that has easy access to the Ventura Freeway Corridor. The Project provides commercial employment opportunities.

The project was reviewed for its consistency with the General Plan as part of the EIR process. Specifically, two tables specify how the project is consistent General Plan Goals and Policies:

1. EIR Table 5.1-1 "Project consistency with Relevant General Plan Policies" (Attachment #10, Section 5.1, Pages 5.1-28 through 5.1-30), and
2. EIR Table 5.10-2 "General Plan Consistency Analysis" (Attachment #10, Section 5.10, Pages 5.10-15 through 5.10-17)

These tables are also incorporated into Resolution (Attachment # 5).

The City is in the process of completing the 2045 General Plan Update. An updated, 'preferred alternative' Land Use Map was endorsed by Council in May 2021, but updates to the Land Use Map will not go into effect until the draft 2045

General Plan Update is approved. The Preferred Land Use Map would change the General Plan land use designation for the project site to “Mixed-Use,” which would “provide for neighborhood- serving goods and services and multifamily residential in a mixed-use format (vertical or horizontal) or as stand-alone projects”. The proposed project is consistent with the hotels, retail, and restaurant uses which are anticipated to be allowed within the Mixed-Use land use designation; with the proposed Floor-Area-Ratio (FAR), at 38-acres would allow up to 1,655,280 square feet of commercial development, and the maximum height of 75 feet where specified by a Height Overlay. The project is approximately 0.30 miles from Thousand Oaks Boulevard and is in proximity to local transit opportunities and non-vehicular modes of transportation. The project would encourage development at a currently underutilized site with additional retail area on the first floor, hotel restaurant and bar, event space, and associated hotel rooms and fitness areas. Therefore, the project would be consistent with the proposed “key strategies” of the draft 2045 General Plan.

Consistency with the Economic Development Strategic Plan

The proposed project is complimentary to Thousand Oaks 2017 Economic Development Strategic Plan Real Estate/Zoning strategic recommendation as the project implements a mix of uses at the Janss Marketplace to help replace the loss of larger department stores and big box retailers. The project is also complimentary to Thousand Oaks Economic Development Strategic Plan Public/Private Investment strategic recommendation as the project reinvestments in a key commercial center which will be a major contributor to the tax base. The project is anticipated to contribute to the fiscal health of Thousand Oaks. In particular, the development is anticipated to result in short-term economic growth during the construction of the facility and generate long-term growth through the collection of Transient Occupancy Taxes (TOT). Collectively, these actions are anticipated to contribute to the fiscal health of Thousand Oaks.

Consistency with the Zoning

The project site is in the C-3 zone, and two portions of the site are in the C-3-H (maximum height up to 75 feet) zone, the project would introduce a third portion of the site within the C-3-H (maximum height up to 75 feet) zone.

The project, as designed, was reviewed for consistency with the C-3 and C-3-H zones and other TOMC development standards including, but not limited to, use, height, setbacks, parcel size, building coverage and parking as part of the EIR process. Specifically, EIR Table 5.1-2 “TOMC Consistency Analysis Governing Scenic Quality” (Attachment #10, Section 5.1, Pages 5.1-39 through 5.1-42; and incorporated into Attachment # 5) specifies the project is consistent C-3 and C-3-H zones (upon approval of the proposed Zone Change) with the exception of Building and Structure Coverage and Off-street Parking. As part of the DP, the Commission has the authority to grant Waivers of the TOMC standards (discussed below).

The project site is a through-lot, meaning it has two front and two side yard setbacks. The C-3 zone identifies measurable setbacks for the front and side yard setbacks. As shown below in Table 1, the project complies with the minimum front and side yard setbacks.

Table 1: Required Setbacks

DEVELOPMENT STANDARD	REQUIRED	EXISTING LOT LINES	PROPOSED LOT LINES (LD 2021-70479 & 2022-70265-TTM)	COMPLIES
Front (east along North Moorpark Road)	100 feet from the centerline of a public street.	Approximately 550 feet from the centerline of North Moorpark Road.	Approximately 550 feet from the centerline of North Moorpark Road. Approximately 205 feet to boundary of LD 2021-70479's Parcel 1.	Yes
Front (west along West Wilbur Road)	100 feet from the centerline of a public street.	Approximately 350 feet from the centerline of West Wilbur Road.	Approximately 350 feet from the centerline of West Wilbur Road.	Yes
Side (north)	None, unless abutting a Residential zone.	Abuts the C-3 zone. Approximately 390 feet at the closest point.	Abuts the C-3 zone. Approximately 25 feet to boundary of LD 2021-70479's Parcel 1 at the closest point.	Yes
Side (south)	None, unless abutting a Residential zone.	Abuts the C-3 zone. Approximately 490 feet at the closest point.	Abuts the C-3 zone. Approximately 490 feet at the closest point.	Yes

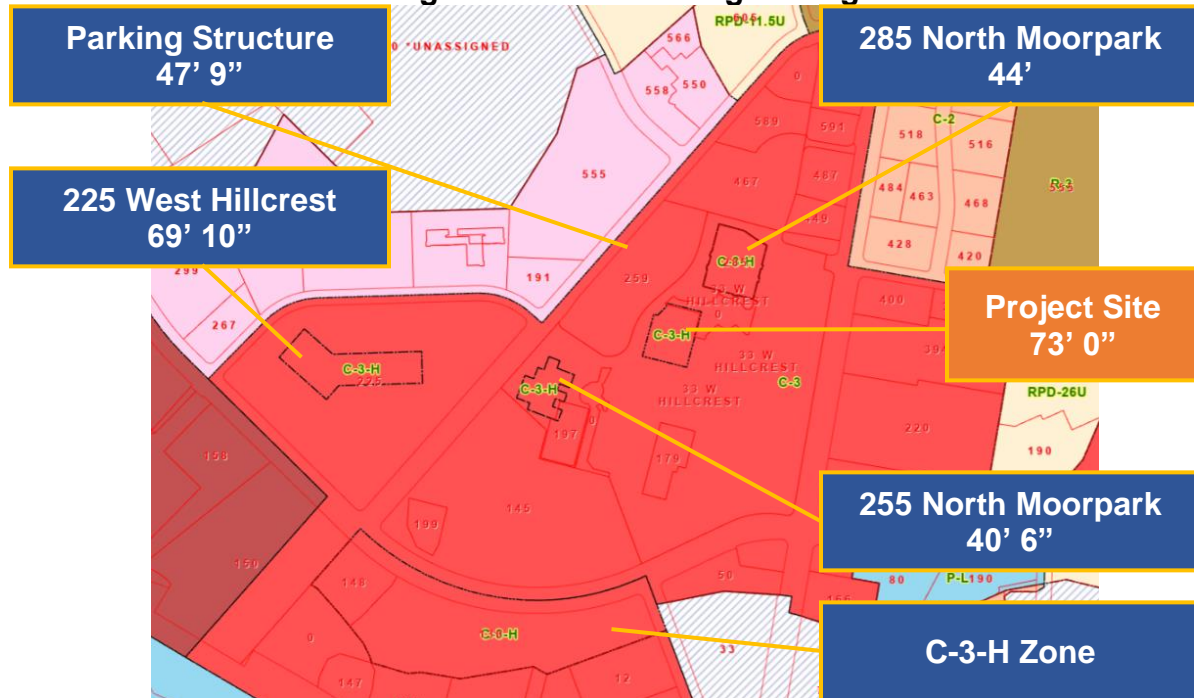
Height Overlay

The TOMC indicates that height in the C-3 zone shall not exceed thirty-five feet (35') in height unless a subject property is designated within the "Height Limit Overlay Zone (H)." TOMC Section 9-4.3300 states "The H or Height Limit Overlay Zone is intended to be applied as an overlay zone of the C-1, C-2, C-3, M-1, and M-2 Zones on properties where it may be appropriate to consider a waiver of the building height limit specified by the underlying commercial or industrial zone to a maximum of seventy-five (75') feet." Zoning overlays are an additional layer of planning controls that are applied to properties as tailored zoning districts, with a specialized set of regulations. The height overlay is consistent with the current General Plan as it would increase the diversity of uses within the Janss Marketplace and promotes the efficient use of land through concentrated development. The height overlay is also consistent with the draft 2045 General Plan Update that allows a maximum height of 75 feet on this property subject to approval of a Height Overlay.

Presently, there are two portions of the Janss Marketplace designated with a C-3-H zoning overlay, which allows development up to a maximum of seventy-five feet (75'). Currently, three structures exceed thirty-five feet (35') within the Janss Marketplace, an additional structure to the west of the Janss Marketplace exceeds thirty-five feet (35'), and another C-3-H zoning overlay exists to the south of the Janss Marketplace (Figure 15):

- 285 North Moorpark Road (currently vacant; previously occupied by Burlington Coat Factory), directly adjacent to the project site with a maximum height of forty-four feet (44').
- 255 North Moorpark Road (currently Regal Cinema), directly adjacent to the project site with a maximum height of forty feet six inches (40' 6").
- Four-story parking structure, directly adjacent to the project site with a maximum height of forty-seven feet and nine inches (47' 9").
- 225 West Hillcrest Drive (originally Exxon Corporation regional headquarters) with a maximum height of sixty-nine feet and ten inches (69' 10").

Figure 15: Surrounding Zoning



Source: GIS 2023

The proposed development is located within a commercial core area of the city, within the center of the Janss Marketplace, and it is designed to integrate into the Janss Marketplace and surrounding built environment. As part of the EIR analysis, peer reviewed line-of-sight studies were conducted to identify the proposed building height within the existing context (Attachment #10, Section 5.1, Pages 5.1-13 through 5.1-25, Line of Sight Exhibits 5.1-2a through 5.1-2g). Based on the location of the hotel within the Janss Marketplace (surrounded by commercial structures, a four-story parking garage, and landscaping), the hotel is not readily visible from public vantage points or scenic corridors (Figures 16 through 20).

Figure 16: Surrounding Zoning - Line of Sight 2¹



Source: EIR, Exhibit 5.1-1c, Attachment #10

As seen in Line of Sight 2, the view of the hotel is largely blocked from public view by existing topography, signage, and landscaping.

Figure 17: Surrounding Zoning - Line of Sight 5²



Source: EIR, Exhibit 5.1-1f, Attachment #10

As seen in Line of Sight 5, an incremental view of the hotel can be seen when turning into the Janss Marketplace's eastern parking field while still maintaining a view of Fireworks Hill.

¹ Line of Sight 2 represents public views of the project site while traveling westbound along East Hillcrest Drive.

² Line of Sight 5 represents views of the hotel while traveling westbound from North Moorpark Road.

Figure 18: Surrounding Zoning - Line of Sight 1¹



Source: EIR, Exhibit 5.1-1b, Attachment #10

Figure 19: Surrounding Zoning - Line of Sight 3²



Source: EIR, Exhibit 5.1-1d, Attachment #10

As seen in Line of Sight 1 and 3, the view of the hotel is largely blocked from public view by existing development.

¹ Line of Sight 1 represents public views of the project site while traveling southbound along North Moorpark Road.

² Line of Sight 3 represents views of the hotel while traveling eastbound from the West Wilbur Road/Marin Street.

Figure 20: Surrounding Zoning - Line of Sight 6¹



Source: EIR, Exhibit 5.1-1g, Attachment #10

As seen in Line of Sight 6, the view of the hotel is almost entirely blocked from public and private view by existing topography, structures, and landscaping.

Staff supports the Height Overlay request as it would be located in an area with two-story to five-story massing. The construction of a new hotel with a five-story massing would not create a conflict of scale, intensity, or use. The existing Janss Marketplace physical development as seen from the public vantage points would largely be unchanged when the project is constructed.

Building Architecture

The project's architectural design is a Contemporary style (Figures 10, 11, 12 & 13). The existing Janss Marketplace physical development as seen from the public vantage points would largely be unchanged when the project is constructed; however, the building would be noticed from within the Janss Marketplace.

The objective of the proposed architecture, art murals, lighting, and landscaping is to provide continuity with the surrounding urban development as well as provide a distinct visual impression and building identity, soften the urban experience, and

¹ Line of Sight 6 represents views of the hotel while traveling northbound from the West Hillcrest Drive/Conejo Boulevard.

provide complimentary aesthetic standards with the surrounding Janss Marketplace. The project's architect has designed the hotel in accordance with these principles:

1. Unique Focus: exterior focus composed of key elements that highlight the building's exterior, break up the elevations, and relate to the local environment.
2. Transparency: visual connection from front to back creates a sense of openness and allows for maximum natural light to permeate the interior spaces.
3. Changes in Material: building façade's materials are applied in a simple and systematic manner that allows for changes in depth, color, and texture. The building base materials should provide a durable, strong finish that serves to anchor the building to the site.
4. Highlight Arrival: as both a visual wayfinding component and a memorable experience, the drop-off area should be highlighted through the architecture and intentionally placed lighting. The use of a unique accent material and a strong architectural feature element focuses the attention on the main arrival area.
5. Calm Color Palette: The materials used on the exterior of the building should be a warm mix of neutrals highlighting different textures and finishes. All material choices should speak to the regional and local context of the property.

The architectural design of the building reflects the commercial vernacular of the Janss Marketplace. The base rectangular shape of the building is found throughout the Janss Marketplace. The five-story building would be directly adjacent to 285 North Moorpark Road with a four-story massing, the four-story parking structure, and retail buildings with a two-story massing. The building's form has strong horizontal elements and pedestrian-scaled geometric forms which break up the massing of the structure. Horizontal and vertical articulation, recessed storefront and windows, and canopies will provide shadow lines which will further offset the massing. The hotel's angular architectural elements introduce a playful touch and a unique language to this building. The roof cover opened to the sides is designed to give architectural interest without increasing the building size, mass, or scale.

Retail uses would have glass storefronts with architectural façade treatments, and hotel entrances would provide a porte cochere (structural overhang) over the driveway and pedestrian walkway (at the service road entrance only), soft lighting,

potted landscaping, and pavement enhancements providing pedestrian-friendly atmosphere.

The hotel design includes many design features found throughout the Janss Marketplace, including glass storefront systems, metal canopies with negative spaces for light, wood louvers, and material transitions (stone/tile, composite wood, and stucco). The hotel's entrance along the Janss Marketplace pedestrian walkway incorporates a thick fascia form giving a direct nod to the Janss Marketplace pedestrian walkway canopy. The project's colors and materials are found throughout the Janss Marketplace as identified in the colors/material board and inspirational photo board (Attachment #8) which further integrates the project into the Janss Marketplace. Additionally, placeholders for public art are included on the building's façade which compliments the Janss Marketplace display of art throughout the shopping center.

Collectively, the building simultaneously blends into and stands out from the Janss Marketplace. Design features incorporated into the building design result in a visually interesting and attractive design. The proposed building articulation, rooftop screening, and other architectural design features would provide visual articulation of the building massing. The proposed building materials, architecture, placeholders for public art, and landscaping would provide visual compatibility with the character of the site and surrounding area and enhance pedestrian scale.

As the closest edge of the Janss Marketplace is located approximately 750 feet from U.S. 101 and 850 feet from the centerline of U.S. 101, the project was reviewed for consistency with the City's Guidelines for development within the corridors of Route 101 and 23 Freeway as part of the EIR process, specifically within EIR Table 5.1-3 "Project Consistency with the Thousand Oaks Guidelines for Development within the Corridors of Route 101 and 23 Freeways" (Attachment #10, Section 5.1, Pages 5.1-42 through 5.1-48). The project was found to be consistent with the Guidelines. This table is incorporated into Resolutions (Attachment #s 4, 5, and 6).

Landscape Architecture

Ornamental landscaping exists on the project site including a variety of groundcover, shrubs, vines, and trees such as Ponderosa Pine, Callery Pear, and Southern Magnolia trees. No landmark trees occur on-site.

A total of 13 existing trees would be removed, including Ponderosa Pine, Callery Pear, and Southern Magnolia trees, to accommodate the construction of the new hotel. However, new trees, shrubs, and groundcover within planters at the southwest and northwest corners of the project site and pots would be installed.

A conceptual landscape plan has been prepared to illustrate the proposed landscaping for the project. If the project is approved, a formal landscape plan will be required, and technical evaluation of that plan will be provided through a Landscape Plan Check process to further ensure compliance with the City's landscape and irrigation standards.

Compatibility with Surrounding Uses

Staff finds the overall structure is compatible with the Janss Marketplace and integrates into the existing surrounding development. The proposed structure at 146,290¹ square feet would displace a vacant 35,513 square-foot retail space within the 611,049 square-foot Janss Marketplace resulting in a 721,826 square-foot development.

The five-story project would fit within the existing urbanized area which consists of one- through four-story structures within the Janss Marketplace and one- to five-story buildings in the immediate vicinity. Additionally, the project site and properties to the west and south are within the C-3-H height overlay which have the potential to construct commercial buildings up to a maximum height up to 75 feet.

The project is consistent with the City's Commercial Architectural Design Guidelines and Standards (Resolution No. 2005-011) and Freeway Corridor Guideline by using unified design elements throughout the development. The project meets the intent of the goals and policies pertaining to community design for the project site. The proposed project includes design features that would create a sense of place that is unified and attractive. As such, the project meets the intent of the aesthetic character/quality for the site per the City's General Plan policies and Municipal Code regulations governing scenic quality.

The proximity to the commercial areas within the Thousand Oaks Boulevard Specific Plan (SP-20) area, 401 West Hillcrest Specific Plan (SP-17), Conejo Community Park, bus services, nearby commercial, office and multi-family uses, and the development encouraged within the draft 2045 General Plan Update at the

¹ 216-room hotel is ~132,982 square feet. The retail space is 13,308 square feet.

currently underutilized site make the subject site highly suited to the proposed use and density.

Waivers

Building and Structure Coverage

The existing building and structure coverage within the 38-acre Janss Marketplace is approximately 35% consisting of an approximately 28.45%¹ building coverage and an additional 6.4%² parking structure coverage.

Upon demolition of the approximately 35,500 square feet of commercial development, building coverage will be reduced to 26.31%³, and after the hotel is constructed, with a larger 36,300 square-foot building footprint, building coverage will increase to 28.50%⁴.

Staff supports granting the maximum Building and Structure Coverage Waiver to maintain an approximately 35% building and structure coverage above the prescribed 25% building and structure coverage as otherwise required by TOMC Section 9-4.1404(b) because the additional 800 square-foot footprint would be imperceptible in the context of the existing approximately 611,000 square feet of development in the Janss Marketplace. The creation of three airspace subdivision parcels will not alter the building coverage statistics.

Off-street Parking

Section 9-4.2403(b) of the TOMC specifies that, in a project with more than one type of use, the total requirement for off-street parking shall be the sum of the requirements for the various individual uses, unless the Commission or Council approves the shared use of parking spaces. Alternating (shared) use of parking facilities may be appropriate in cases where certain uses generate peak parking demands during hours when other uses are not in operation or generate lower demand. The applicant is seeking approval of a shared parking program based upon different peak hours of parking demand for the different uses in the project.

¹ = (~471,000 SF building footprint)/(~38 acres) = 28.45% building coverage.

² = (~106,000 SF parking structure footprint)/(~38 acres) = 6.4% structure coverage.

³ = (~435,500 SF building footprint)/(~38 acres) = 26.31% building coverage.

⁴ = (~471,800 SF building footprint)/(~38 acres) = 28.50 % building coverage.

The TOMC specifies that the burden of proof for a reduction in the total number of required parking spaces is on the applicant and that sufficient documentation shall be submitted justifying a reduced quantity of parking. The use of a shared parking arrangement has previously been approved for the Janss Marketplace.

In compliance with requirements of the TOMC, the applicant has submitted the attached shared parking analysis prepared by the applicant's Traffic Engineers, Kimley-Horn and Associates dated October 4, 2023, to demonstrate that the supply of off-street parking is adequate to meet demand (Attachment #9).

Per a strict application of the TOMC, a total of 3,146 parking spaces are required under current conditions, but the Janss Marketplace has a total of 2,642 parking spaces which are currently shared between all parcels within the Janss Marketplace. This results in a 16% parking reduction for the Janss Marketplace as otherwise required by TOMC Section 9-4.2402.

The project is not providing any additional parking spaces to the 2,642 shared parking spaces within the Janss Marketplace. A total of 3,767 parking spaces would be required for the existing Janss Marketplace plus the Janss Marketplace Hotel Project if shared parking was not utilized. This results in a 30% parking reduction for the Janss Marketplace as otherwise required by TOMC Section 9-4.2402.

The primary reason for shared parking is to reduce the number of spaces to a reasonable number which satisfies demand, not to a total that is less than necessary. The provision of an ample supply of parking lots is important to avoid a deficiency which would adversely impact nearby parking lots and public streets and conflict with the intent and purpose of the TOMC.

Both the City's Planning Division and Traffic Division have reviewed the analysis prepared by the applicant's consultant and concurs with the findings. According to the shared parking analysis:

1. Actual parking usage data was collected which demonstrated the peak parking occupancy did not exceed forty-two percent (42%) of all available parking spaces.
2. As the Janss Marketplace is approximately forty percent (40%) vacant, demand counts were calibrated to project parking demand at one hundred percent (100%) occupancy of available spaces for allowable uses. Peak parking demand for the Janss Marketplace at one hundred percent (100%)

- occupancy plus the project resulted in a total parking demand of 1,933 parking spaces.
3. The hotel's peak hour parking demands occur in the evening while the Janss Marketplace's peak parking demands occur in the day.
 4. The 2,642 shared parking spaces can accommodate a parking demand of 1,933 parking spaces.

It is Staff's position that the analysis represents a conservative estimate of parking demand.

Staff supports granting the maximum Off-street Parking Waiver to maintain the existing 2,642 parking spaces, below the required 3,767 parking spaces for the existing Janss Marketplace plus the Janss Marketplace Hotel Project, resulting in an approximately 30% parking reduction for the Janss Marketplace as otherwise required by TOMC Section 9-4.2402 because the 2,642 shared parking spaces can accommodate a parking demand of 1,933 parking spaces as demonstrated in the shared parking analysis.

The project has been conditioned to update the reciprocal parking agreements to ensure the project has access to parking facilities. Additionally, the project has been conditioned to prepare a "Parking Management Program" to:

1. Establish loading and unloading zones for guests and deliveries;
2. Implement a valet program for hotel special events; and
3. Include items to reduce auto dependency such as shuttles, auto sharing, bike sharing, ridesharing and, education/information programs with guests.

Access and Traffic

The project would maintain the existing pedestrian and vehicular circulation pattern in the Janss Marketplace. The project site would be accessible through existing driveways at the Janss Marketplace. No changes are proposed to the existing access for the general public; however, a new fire lane would be constructed on the north side of the hotel between the existing interior access road and the north-south pedestrian walkway. The project would not result in inadequate emergency access. Internal circulation would be designed and constructed to City and Fire standards, and would comply with City and Fire width, clearance, and turning-radius requirements.

There is an existing four-story parking structure across a service/access road that would provide parking for the project. The proposed project includes pedestrian circulation improvements to provide greater continuity with pedestrian access

points within the Marketplace. The project would not cause any permanent street closures, block access to any surrounding land use, or cause any change in the existing street grid system.

Traffic

A trip generation analysis has been prepared by the City's Traffic Division, and a trip generation analysis was prepared by the applicant and peer reviewed by the City's Traffic Division (Attachment #10, Appendix L). The trip generation analysis determined the net amount of traffic that would be generated by the proposed project, with the removal of traffic from the existing use and the addition of traffic from the proposed project. The trip generation analysis determined:

- Based on the existing retail square footage, it is estimated that the existing retail generates approximately 1,314 daily trips, with 30 trips (19 inbound and 11 outbound) in the morning peak hour and 121 trips (58 inbound and 63 outbound) in the evening peak hour.
- It is estimated that the proposed project would generate approximately 2,219 daily trips, with 110 trips (62 inbound and 48 outbound) in the morning peak hour and 172 trips (87 inbound and 85 outbound) in the evening peak hour.
- Comparing the existing retail trip generation to the proposed project, including the internal capture credit, it is estimated that the proposed project would generate 724 more trips to the roadway network daily, with 64 more trips in the morning peak hour and 41 more trips in the evening peak hour, compared to existing conditions.

As the proposed project would generate a net increase of 64 AM peak-hour trips and 41 PM peak-hour trips, the project meets the City's trip generation screening criterion because it generates less than 100 net PM peak-hour trips. Accordingly, the trip generation analysis determined that VMT impacts resulting from the project are presumed to be less than significant and no mitigation measures are required (Attachment 10, Transportation Section 5.13).

Currently, the City of Thousand Oaks maintains a minimum Level of Service (LOS) C at all signalized intersections, per the General Plan Goals and Policies Resolution 97-8, except for Rancho Conejo Boulevard at Hillcrest Drive and specific intersections on Thousand Oaks Boulevard, which are required to maintain a LOS D or better, per Resolution 2019-11. The project is adjacent to the intersection of North Moorpark Road and West Hillcrest Drive. While the project is

not required to prepare a Traffic Impact Study because it generates less than 100 net PM peak-hour trips, the Traffic Division conducted an evaluation of the existing LOS at the following key signalized intersections:

- North Moorpark Road/West Hillcrest Drive
- North Moorpark Road/Thousand Oaks Boulevard
- North Moorpark Road /U.S. 101 NB Ramps
- North Moorpark Road /U.S. 101 SB Ramps

The Traffic Division determined all existing intersections currently operate at a LOS “C” or better during morning and evening peak hours.

The applicant will be required to pay the Citywide traffic mitigation fee to help contribute towards the cost of future improvements at the intersections identified in the City's 2019 Traffic Impact Mitigation Fee Nexus Study. In addition, the project conditions require adequate vehicular and pedestrian sight visibility and any necessary traffic control signs and/or striping.

Grading

As depicted on the Grading Plan, the site will require approximately eighty-four (84) cubic yards of cut and forty twenty-eight (28) cubic yards of fill for a net export of fifty-six (56) cubic yards. Using a capacity of sixteen (16) cubic yards per truck, it is estimated that four (4) truck trips will be necessary to haul away the export material. If approved, the applicant will be required to provide a haul route and management plan to the Public Works Department for review and approval prior to commencing grading activities pursuant to the conditions of approval. Additionally, the TOMC limits construction hours between the hours of 7:00 a.m. and 7:00 p.m., Monday through Saturday with no work allowed on Sunday, so no grading activities or truck trips are permitted to occur outside these hours.

Solid Waste Collection

The project includes a new waste enclosure to the southwest corner of the hotel. The applicant has received preliminary approval from the solid waste management company and Public Works Department for the waste enclosure design and placement of the containers and bulky item pick-up area. The conditions of approval included in the Resolution (Attachment #5) have specific requirements for bin and solid waste hauling.

Alcohol Special Use Permit

Special Use Permit requests involving on-site sale and consumption of alcoholic beverages involves review of the appropriateness of the activity in relation to surrounding land uses and analysis of parking requirements. All establishments are subject to obtaining approvals, with operational conditions, from the State of California Alcohol Beverage Control, Thousand Oaks Police Department, and Thousand Oaks Community Development Department who all evaluate business operations and uses that may or may not be appropriate at specific locations. In approving a Special Use Permit, project conditions are imposed that are site-specific to ensure that uses are not in conflict with surrounding properties and uses. Sensitive uses established by TOMC Section 9-4.2802.5 include: residences, schools, hospitals, convalescent hospitals, hotels, motels, etc.

The hotel and restaurants are anticipated to offer the sale and consumption of beer, wine, and distilled spirits for consumption on the premises within the hotel's approximately 1,780 square-foot bar with food service and up to 13,308 square feet of restaurant uses with up to 5,204 square feet of exterior patio space.

The proposed hotel and restaurant locations are in the center of the Janss Marketplace. The Janss Marketplace already contains numerous establishments which serve alcohol. The closest multi-family residential development is located approximately 1,180 feet to the northeast of the project site and separated by the Janss Marketplace development, commercial and office uses to the north, and West Wilbur Road. The potential sale and consumption of alcohol at the project site will be compatible with land uses in the vicinity that are predominantly commercial. As the commercial uses will be open to the public, it is anticipated to be an amenity to those living in the adjacent residential development and those working within the Janss Marketplace and surrounding commercial and office uses. Therefore, the project will be compatible with the land uses in the vicinity.

The proposed hotel has been conditioned to create a Special Events Noise Monitoring Plan, and both the hotel and retail areas are conditioned to ensure noise generated by the project's bar and restaurants are regulated to ensure that the noise cannot be heard from off-site residential properties during operating hours. Staff finds that the Special Events Noise Monitoring plan and the physical barriers and distance from residential properties are adequate buffers between the hotel and restaurant locations and residentially-zoned properties to minimize any potential disturbance to neighboring properties. Since the sale and consumption of alcoholic beverages is an accessory use to the hotel and restaurant locations and the closest residentially-zoned property to the subject site is approximately 1,180 feet away and buffered by intervening structures, staff supports the subject request.

Additionally, the Thousand Oaks Police Department has reviewed the request, and with the inclusion of the attached conditions, has no objection.

Approval of the requested Special Use Permit for this project will cover future businesses that intend to operate under a liquor license within the property's retail area. Future businesses would be allowed the option to transfer the SUP to their name and assume the responsibilities of the permit through review and approval of a Special Use Permit – Minor Modification application prior to occupancy. The specifics of future tenants including exact business type and hours of operation are not known currently.

As discussed above, the project request includes a Waiver for off-street parking, and supports granting the Waiver because the 2,642 shared parking spaces can accommodate a parking demand of 1,933 parking spaces as demonstrated in the shared parking analysis.

Staff has reviewed the proposed restaurant and lounge with alcohol service use in the context of the Findings contained within TOMC Sec. 9-4.2803, and has found that the project, as conditioned, would be consistent with these Findings as specified in the draft Resolution (Attachment #6).

ENVIRONMENTAL REVIEW:

In accordance with the California Environmental Quality Act (CEQA), a comprehensive evaluation of the potential environmental impacts for this project was performed. This evaluation determined that the project could have a significant effect on the environment without appropriate mitigation measures in

place, therefore an EIR (Attachment #s 10 & 11) was prepared for the project. Appropriate measures are detailed in the report to ensure appropriate mitigation is in place so no significant adverse environmental impact results from the project. To that end, a Mitigation Monitoring and Reporting Program is required to ensure the indicated mitigation measures are applied to the project.

A Notice of Availability was posted with a 45-day public review period for the Draft Environmental Impact Report between August 11, 2023 and September 25, 2023. Staff did not receive correspondence from any member of the public (non-agency) but did receive public agencies correspondence that include: California Department of Transportation (DOT), Ventura County Air Pollution Control District (VCAPCD), and Ventura County Fire Protection District (VCFD) regarding the DEIR posting, which are included in the Response to Comments (RTC) within the CEQA Findings for the EIR. None of the comments received on the DEIR for this project merit any substantive change to the environmental analysis or conclusions contained in the DEIR. The CEQA Findings for the EIR (Attachment #11), including the Mitigation Monitoring and Reporting Program (MMRP) and RTC is included for Planning Commission's information. Staff is therefore recommending the Planning Commission consider the Final Environmental Impact Report prepared for the project in accordance with the California Environmental Quality Act (CEQA-2022-70002).

PUBLIC CORRESPONDENCE

Following the mailing of the Notice of Application on March 2, 2023, and following the posting of the Notice of Application on August 10, 2023, staff received and responded to several phone calls requesting details about the project and communicated concerns regarding parking, height, and general development impacts.

Following the publication of the Notice of Hearing on October 6, 2023, as of the publication of this staff report, staff has received one phone call regarding traffic and height; however, staff has not received any written correspondence regarding this project. Should any correspondence be received after the publication of the report, it will be provided to the Commission via a supplemental packet.

CONCLUSION:

Staff has evaluated the project in terms of compatibility with the City's regulations and the surrounding neighborhood. Overall, the proposed project has been designed to meet the intent of the City's standards, codes, and policies. Staff supports the requested Zone Change, Development Plan and two (2) Waivers, and the alcohol Special Use Permit as the project is consistent with the intent of the 1) current General Plan and Draft 2045 General Plan goals and policies, 2) the 2017 Economic Development Strategic Plan recommendations, and 3) the TOMC development standards; the project would be consistent with the scale and character of existing and allowable development in the vicinity under the same zoning; the development is not detrimental to and would not adversely impact the surrounding development; and the project continues to evolve the Janss Marketplace, modernizing the buildings as tenant's and community's commercial needs continue to shift. The proposed building design and site layout integrates well with surrounding development and has a cohesive architectural design meeting the Architectural Guidelines and Guidelines for Development within the Corridors of Route 101 and 23 Freeways. Based on the analysis and findings contained in this report, staff recommends the Planning Commission to make a recommendation to approve this project, subject to the conditions of approval in the attached Resolutions (Attachment #s 4, 5, and 6).

PREPARED BY: Scott Kolwitz, Senior Planner

Attachments:

- Attachment #1 – Vicinity Map
- Attachment #2 – Location Map
- Attachment #3 – Aerial Photo
- Attachment #4A – Resolution for CEQA-2022-70002 and 2021-70997-Z
- Attachment #4B – 2021-70997-Z Zoning Map Ordinance
- Attachment #5 – Resolution for CEQA-2022-70002, 2022-70079-DP and 2022-70265-TTM
- Attachment #6 – Resolution for CEQA-2022-70002 and SUP-2023-70009
- Attachment #7 – City Council adopted Resolution 2022-003
- Attachment #8 – Project Plans, dated October 9, 2023
- Attachment #9 – "Parking Analysis Memorandum for the Proposed Janss Marketplace Expansion Project in the City of Thousand Oaks" prepared by Kimley-Horn and Associates, Inc. dated October 4, 2023
- Attachment #10 – Draft EIR (CEQA-2022-70002)
- Attachment #11 – Final EIR (CEQA-2022-70002)