

# THOUSAND OAKS CITY COUNCIL



## Supplemental Information Packet

*CM Rodriguez*

**Agenda Related Items - Meeting of April 26 2016**  
**Supplemental Packet Date: April 21, 2016**

### **Supplemental Information:**

Any agenda related public documents received and distributed to a majority of the City Council after the Agenda Packet is printed are included in Supplemental Packets. Supplemental Packets are produced as needed, typically a minimum of two—one available on the Thursday preceding the City Council meeting and the second on Tuesday at the meeting. The Thursday Supplemental Packet is available for public inspection in the City Clerk Department, 2100 E. Thousand Oaks Boulevard, during normal business hours (main location pursuant to the Brown Act, G.C. 54957.5(2) Both the Thursday and Tuesday Supplemental Packets are available for public review at the City Council meeting in the City Council Chambers, 2100 E. Thousand Oaks Boulevard.

### **Americans with Disabilities Act (ADA):**

In compliance with the ADA, if you need special assistance to participate in this meeting or other services in conjunction with this meeting, please contact the City Clerk Department at (805) 449-2151. Assisted listening devices are available at this meeting. Ask City Clerk staff if you desire to use this device. Upon request, the agenda and documents in this agenda packet, can be made available in appropriate alternative formats to persons with a disability. Notification at least 48 hours prior to the meeting or time when services are needed will assist City staff in assuring reasonable arrangements can be made to provide accessibility to the meeting or service.



## Community Development Department MEMORANDUM

2100 Thousand Oaks Boulevard • Thousand Oaks, CA 91362  
Planning Division • Phone 805/449.2323 • Fax 805/449.2350 • www.toaks.org  
Building Division • Phone 805/449.2500 • Fax 805/449.2575 • www.toaks.org

**To:** Scott Mitnick, City Manager  
**From:** John Prescott, Community Development Director  
**Date:** April 26, 2016  
**Subject:** **Agenda Item, 8-A: Public Hearing, Draft 2016-17 CDBG Action Plan and Social Services Committee Recommendations**

The attached letter from Habitat for Humanity of Ventura County was received on April 18, 2016, arriving after the draft 2016-17 CDBG Action Plan document was printed for distribution, under separate cover, with the April 26 City Council agenda packet.

Earlier comments received are printed into the bound document and can be found under Attachment A, "Draft Action Plan Comments, 3/28/2016 to 4/26/2016."

Attachment: 4 Pages

H:\COMMON\Housing & Redevelopment\2016 CDBG\2016 COUNCIL\Re\_41816\_Habitat\_AP\_Comments.doc

2016 APR 21 AM 8:49  
CITY CLERK DEPARTMENT  
CITY OF THOUSAND OAKS

TO COUNCIL 4-21-2016  
AGENDA ITEM NO. 8.A.  
MEETING DATE 4-26-2016

toaks.org



**RECEIVED**

APR 18 2016

**CITY OF THOUSAND OAKS  
COMMUNITY DEVELOPMENT**

April 11, 2016

John Prescott  
Community Development Director  
City of Thousand Oaks  
2100 Thousand Oaks Blvd.  
Thousand Oaks, CA 91362

Dear Mr. Prescott,

This letter is written to suggest an alternative to the current proposed Community Development Block Grant (CDBG) funding allocation for FY2016-17 as developed by the Thousand Oaks Community Development Department.

The proposed FY16-17 CDBG budget includes housing support for renovations and maintenance at two affordable apartment complexes as well as an allocation of funds designated to the Ranch and Thunderbird Oaks Mobile Home Parks. Habitat for Humanity applauds this allocation to mobile home parks where we have previously supported low income residents and are very aware of critical needs for safe and decent living conditions.

Missing from this budget proposal is the opportunity for all other low income homeowners in Thousand Oaks to receive support for critical housing needs. In the FY2015-16 budget \$145,621 was provided for single-family dwelling repairs, distributed on a lottery basis. This year there is no funding for home owners (including mobile homes) outside of specifically designated areas. Unlike other cities and unincorporated areas of Ventura County where Habitat provides home repair support utilizing CDBG funds, if a low-income homeowner in Thousand Oaks is in need of a ramp, grab bars, a critical roof repair or other similar safety and critical lifestyle issue, there is no opportunity to apply for even a small grant of \$2,000 - \$5,000 to make necessary repairs to maintain a safe and decent housing condition.

Habitat for Humanity of Ventura County encourages the City of Thousand Oaks to revise the current CDBG proposal to allow for a minimum of 10% of its housing allocation (\$43,000 out of \$435,000) to assist low income homeowner needs throughout the year. These funds should be utilized on a "needs based" application basis and could assist up to 10 residents/families with critical housing issues. The bulk of these funds could come from a reduction in the amount budgeted for the apartment complexes, thus achieving a more equitable 50/50 split between

support for low income rental and low income ownership units. In our experience, savings could also be achieved in the compliance cost currently allocated for the mobile home rehabilitation work. 26.5% of the total amount for compliance appears to be quite high.

Habitat for Humanity of Ventura County already works with the City of Camarillo, the City of Ventura and the County of Ventura as a CDBG program sub-recipient to provide home repairs for low income homeowners, including mobile home parks and single-family dwellings. In our work we partner with a wide variety of community volunteer groups, churches, the Home Depot Foundation and other sponsors to lower the costs and serve as many families as possible.

Our organization will be happy to meet again with your department to share with you how we work with the other cities and the county. Last fiscal year we supported 36 residents with a variety of home repairs and updates and we are on track for another 35 this fiscal year.

Most importantly, we believe some CDBG funds should be available for low income homeowners to receive support for critical needs throughout the year. By specifically designating 100% of CDBG housing funds to only 4 locations, all other low income residents are excluded from potential support, even though their needs may be more urgent. We urge you to reconsider the CDBG budget for FY 2016-17.

I have included our current "Preserve A Home" flyer which outlines the support we offer very-low income homeowners in many areas of Ventura County.

Best Regards,



Steven J. Dwyer  
Executive Director

cc: Joel Price, Mayor  
Claudia Bill-de la Pena, City Councilmember  
Andrew Fox, City Councilmember  
Al Adam, City Councilmember  
Rob McCoy, City Councilmember



## Habitat for Humanity of Ventura County Preserve a Home Program

Habitat for Humanity of Ventura County is offering a new level of support to low-income homeowners through its **Preserve a Home Program**. Qualified homeowners in need of a “hand up” can turn to Habitat for Humanity and its network of volunteers to perform needed home repair work at an affordable cost. Depending on the level of repair needed, the services will fall into one of three categories:

**A Brush With Kindness:** Simple home exterior repairs, landscaping and yard clean-up. All work is limited to the home’s exterior.

**Minor Repair:** Exterior repairs and yard clean up, plus small repairs inside the home. Examples include: replacement of broken light bulbs and fixtures, insulation, weather stripping, energy efficient windows, smoke detector replacement, interior paint and caulking or re-sealing sinks and tubs.

**Major Repair:** This component includes repair services from A Brush with Kindness and Minor Repair, plus plumbing, electrical work, roof and flooring replacement, grab bar installation, ramps and door widening for improved wheelchair access.

*Habitat for Humanity of Ventura County does **not** provide immediate service for repairs.*

After an application has been received, Habitat for Humanity of Ventura County will conduct an initial interview and site visit at your home. If all eligibility requirements are met, Habitat for Humanity staff and key volunteers will assess the home repairs needed and complete additional site visits and inspections

### Eligibility Requirements

Applicants who wish to apply must meet the following requirements before completing an application:

- **Low to very-low income:** The applicant homeowner income must be between 30% and 50% of Ventura County’s median income for 2013 as recommended by HUD. (Review the Income Guidelines for more information.)
- **Owner-occupied:** The applicant homeowner **must** be living in the home that requires home preservation services.
- **Need:** The applicant homeowner must demonstrate a specific need for home repairs.





## Income Guidelines

Please use the chart below to determine if you meet the income guidelines to qualify for our Preserve a Home program.

**2015 Eligibility Income Chart\***

Family Size	Household Income	
	Minimum 30% of Ventura County Median family Income	Maximum 50% of Ventura County Median Family Income
1	\$19,050	\$31,750
2	\$21,800	\$36,250
3	\$24,500	\$40,800
4	\$27,200	\$45,300
5	\$29,400	\$48,950
6	\$32,570	\$52,550
7	\$36,730	\$56,200
8	\$40,890	\$59,800

\*HUD 2015 Household Income Limits, Ventura County, CA

## Payment for Repairs

The applicant homeowner and/or family must assist with repairs and may be required to pay back services rendered through low, affordable, payments or a one-time lump sum donation. If a homeowner cannot afford the services, business groups or individuals may provide funding with a donation to Habitat for Humanity of Ventura County.

## How to Apply

We accept applications from homeowners who meet the income guidelines and are currently living in their home. We also reach out to neighborhood groups to identify low-income families who have homes in need of repair. For more information, contact Felipe Flores at felipef@habitatventura.org or 805-485-6065, x103.

### Community Support

Together, Habitat for Humanity volunteers, neighborhood residents, and local businesses and cities are changing the face of neighborhoods and the lives of the families who live there.

### Ways to help Habitat for Humanity

Donate funds and materials: Monetary gifts and in-kind donations make additional repairs possible; most donations are tax deductible.

### Donate your time and talents:

Each and every volunteer can have a large impact. On A Brush with Kindness worksites, we welcome students as young as 14 years of age.

Sponsor home repairs: Businesses, faith groups, service organizations, and individuals can sponsor home repairs in full, or partner with others to share the sponsorship.

For more information, please contact:

Felipe Flores, Director – Preserve a Home  
Phone: 805-485-6065, x103



# City Council MEMORANDUM

2100 Thousand Oaks Boulevard • Thousand Oaks, CA 91362  
Phone 805/449.2121 • Fax 805/449.2125 • www.toaks.org

**TO:** City Council

**FROM:** Rob McCoy, Councilmember

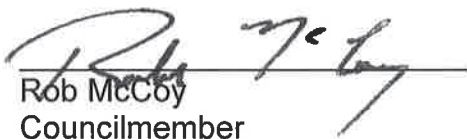
**DATE:** April 26, 2016

**SUBJECT:** **Ex Parte Communication, Agenda Item 8B – Lowe's Sign Appeal**

2016 APR 20 AM 10:00  
CITY CLERK DEPARTMENT  
CITY OF THOUSAND OAKS

In compliance with Thousand Oaks Municipal Code Section 1-10.08, the purpose of this memo is to convey that I met with Simon Liversage and several members of the Seventh Day Adventist Leadership Team on March 30, 2016.

Our discussion centered around the Lowe's project sign appeal in general.

  
Rob McCoy  
Councilmember

CMO:470-90\ H:Common/Ex Parte Communication/04 26 16, Mccoy, Agenda Item 8B

TO COUNCIL 4-21-2016  
AGENDA ITEM NO. 8.B.  
MEETING DATE 4-26-2016



# City Council MEMORANDUM

2100 Thousand Oaks Boulevard • Thousand Oaks, CA 91362  
Phone 805/449.2121 • Fax 805/449.2125 • www.toaks.org

**TO:** City Council

**FROM:** Joel R. Price, Mayor

**DATE:** April 26, 2016

**SUBJECT:** **Ex Parte Communication, Agenda Item 8B – Lowe's Sign Appeal and Agenda Item 8D – Highgate Residential Project Appeal**

2016 APR 20 AM 10:03  
CITY CLERK DEPARTMENT  
CITY OF THOUSAND OAKS

In compliance with Thousand Oaks Municipal Code Section 1-10.08, the purpose of this memo is to convey that I met with the people listed below regarding the subject agenda items as follows:

**April 6, 2016:** I met with Tom Cohen at a local coffee shop to discuss the Lowe's project. Mr. Cohen was trying to make the point for approval of larger signage.

**April 13, 2016:** I met with Tom Cohen and representatives of Jemstreet Properties at a local coffee shop to discuss the developer's further modifications and other mitigation efforts based on Planning Commission comments and denial.

  
Joel R. Price  
Mayor

TO COUNCIL 4-21-2016  
AGENDA ITEM NO. 8B, 8D  
MEETING DATE 4-26-2016





City Council  
**MEMORANDUM**

2100 Thousand Oaks Boulevard • Thousand Oaks, CA 91362  
Phone 805/449.2121 • Fax 805/449.2125 • www.toaks.org

**TO:** City Council

**FROM:** Claudia Bill-de la Peña, Mayor Pro Tem

**DATE:** April 26, 2016

**SUBJECT:** **Ex Parte Communication, Agenda Item 8D – Highgate Residential Project Appeal**

2016 APR 20 AM 10:03  
CITY CLERK DEPARTMENT  
CITY OF THOUSAND OAKS

In compliance with Thousand Oaks Municipal Code Section 1-10.08, the purpose of this memo is to convey that I met with the people listed below regarding the subject agenda item as follows:

On April 22, 2016, I met with Tom Cohen and representatives from Jemstreet Properties at the Highgate residential project site. We walked the site and discussed the project in general.

On the same date, I met with Southshore Hills residents Faith Grant and Don Rosenberg on Highgate Road to listen to their concerns regarding the Highgate Residential project.

Claudia Bill-de la Peña  
Mayor Pro Tem

TO COUNCIL 4-21-2016  
AGENDA ITEM NO. 8.D.  
MEETING DATE 4-26-2016



City Council  
**MEMORANDUM**

2100 Thousand Oaks Boulevard • Thousand Oaks, CA 91362  
Phone 805/449.2121 • Fax 805/449.2125 • www.toaks.org


**TO:** City Council

**FROM:** Al Adam, Councilmember

**DATE:** April 26, 2016

**SUBJECT:** **Ex Parte Communication, Agenda Item 8D – Highgate Residential Project Appeal**

In compliance with Thousand Oaks Municipal Code Section 1-10.08, the purpose of this memo is to convey that on April 20, 2016, I spoke with Southshore resident Faith Grant by phone about her concerns and objections to the Highgate Residential Project.

  
Al Adam  
Councilmember

2016 APR 20 PM 3:28  
CITY CLERK DEPARTMENT  
CITY OF THOUSAND OAKS

CMO:470-90\H:Common/Ex Parte Communications/2016/04 26 16, Adam, Agenda Item 8C

TO COUNCIL 4-21-16  
AGENDA ITEM NO. 8.D.  
MEETING DATE 4-26-2016

Antoinette Mann - City mum cannibalizm postponed sign in foreign language

**From:** Iqbal Quidwai <i.quidwai@gmail.com>  
**To:** America786 Yahooogroup <americamyhome786@yahooogroups.com>, "Prescott, Joh...  
**Date:** 4/15/2016 10:14 AM  
**Subject:** City mum cannibalizm postponed sign in foreign language  
**Cc:** Wendy Leung <wendy.Leung@vcstar.com>, Editor The Acorn <tonewstip@theaco...  
**Bc:** Antoinette Mann  
**Attachments:** Image-1.jpg

So sad!!!

[https://www.google.com/search?hl=en&authuser=0&site=imghp&tbm=isch&source=hp&biw=1242&bih=585&q=pot+cooking&oq=pot+cooking&gs\\_l=img.1.0.0l2.4148.7f3A](https://www.google.com/search?hl=en&authuser=0&site=imghp&tbm=isch&source=hp&biw=1242&bih=585&q=pot+cooking&oq=pot+cooking&gs_l=img.1.0.0l2.4148.7f3A)

City mum cannibalizm postponed sign in foreign language no reply cannot find anything glorified web site  
 Cm @ pc sd he was accommodating to business so give 2 yrs instead of come back with new project Trailer, equipment gone!! Make me waste \$\$ almost gave money attorney !

NICK Ekbal Quidwai shared 3 photos with you from the Flickr app! Check them out:  
<https://www.flickr.com/photos/67148044@N00/shares/K6W29k>

Sent from my iPhone by Nick Iqbal Quidwai Newbury Park CA

2016 APR 21 PM 1:44  
 CITY CLERK DEPARTMENT  
 CITY OF THOUSAND OAKS

TO COUNCIL 4-21-2016  
 AGENDA ITEM NO. 8.B.  
 MEETING DATE 4-26-2016



**NICK Ekbal Quidwai**  
shared 3 photos with you!



# PUBLIC HEARING

ON PROPOSED APPLICATION ON THIS SITE

REQUEST: To allow modifications to the site plan, floor plans and building elevations, of a previously approved shopping center.

CASE NUMBER: DPMJ 2015-70263



**CityClerk - admin hearings NOT on main page: Lowe's sign down for 10 days b4 appeal  
03/15/26 add to agenda for Thurs Mrh 17th 16 hearing on 22nd 16**

---

**From:** "NICK I. Quidwai" <concernedcitztoaks@gmail.com>  
**To:** CityClerk <cityclerk@toaks.org>, "city@toaks.org" <city@toaks.org>  
**Date:** 3/15/2016 2:20 PM  
**Subject:** admin hearings NOT on main page: Lowe's sign down for 10 days b4 appeal  
 03/15/26 add to agenda for Thurs Mrh 17th 16 hearing on 22nd 16  
**Cc:** Rob McCoy <rmccoy@toaks.org>, Joel Price <jprice@toaks.org>, Editor The ...  
**Attachments:** IMG\_9334.JPG; IMG\_9335.JPG; city mtgs miss admin hearings.docx; ACORN  
 DEC LOWES SDA PG1.jpg; Grand jury complaint oct 22 15.pdf

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<http://www.toaks.org/government/depts/community/planning/public.asp> NO  
 NOTICE OF HEARING ON CITY WEB SITE EVEN A WEEK B4 MTG (MARCH  
 15, 2016) hearing on 22nd March 16  
 SIGN DOWN SINCE MRH 4TH

*Nick I. Quidwai*

"Do not take life too seriously. You will never get out of it alive."

Newbury Park CA 91320-1821 ConcernedCitzTOaks at gmail.com

Cell 805-390-2857  <http://cctoaks-nick.blogspot.com/>

NO registration needed  <https://www.facebook.com/profile.php?id=100003180981002&sk=wall>

Concernedcitizensthousandoaks NickQuidwai

 IQuidwai7860  @cctoaks



2016 MAR 15 PM 5:20  
CITY CLERK DEPARTMENT  
CITY OF THOUSAND OAKS

Date: Tue, Mar 15, 2016 at 2:05 PM  
 Subject: Lowe's sign down for 10 days b4 appeal 03/15/26

Lowe's sign down for 10 days b4 appeal 03/15/26

+++++

EVERY LITTLE COMM. agenda listed here EXCEPT ADMINISTRATIVE  
 HEARINGS still HIDDEN 4 layers down on site:

TO COUNCIL 4-21-2016  
 AGENDA ITEM NO. B.B.  
 MEETING DATE 4-26-2016



Very little notification to potential CANNIBALIZED businesses like Fitness Anytime, Gold's Gym etc.

Sent from my iPhone by Nick Iqbal Quidwai Newbury Park CA











Browser tabs: Inbox (32,601) - rick ch2d... | Lame's sign down for 10 d... | Facebook | Digital Signage Expo 2016 | Thousand Oaks - Commitee... | About DigitalSignage.com

Address bar: www.thousandoaks.org/government/committees/default.asp

Navigation: Home > City Government > Committees / Commissions / Boards

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- Committee Applications
- Ad-Hoc Committees
- Business Roundtable
- City Council Standing Committees
- City Investment Review Committee
- Community Funding Review Committee
- Council on Aging
- Cultural Affairs Commission
- Disabled Access Appeals & Advisory Board
- Planning Commission
- Rent Adjustment Commission
- Redevelopment Successor Agency Oversight Board
- Traffic & Transportation Advisory Commission
- Youth Commission
- TOPASS

## BOARDS / COMMISSIONS / COMMITTEES


The City of Thousand Oaks is served by many advisory Boards, Commissions, and Committees which pass on valuable information to the City Council to help the Council make informed decisions about various local issues. City residents serve as volunteers on Committees/Commissions/Boards and are appointed by the City Council. The City is appreciative of the hundreds of residents who volunteer their time and talents to our local government process.

**Agendas** are the list of subjects to be discussed at the meeting. According to the California Ralph M. Brown Act, only topics listed on the public agenda can be discussed at that particular meeting so citizens are notified of the subject of the meeting.

To view Agendas, select a name on the left. For past City Council meeting agendas view archives [here](#)

**Minutes** are the official record of business conducted at City Council meetings. Summary notes of meetings are taken for Committees/Commissions/Boards.

[Applications](#)  
[Vacancy List](#)





# Grand Jury County of Ventura

800 South Victoria Avenue L#3751  
Ventura, CA 93009  
(805) 477-1600

## COMPLAINT FORM

**ALL COMPLAINTS RECEIVED BY THE GRAND JURY ARE TREATED CONFIDENTIALLY**

Please complete all information and return to the Grand Jury by mail at the above address or by fax to (805) 658-4523. Documents submitted cannot be returned.

\*Your Name:

\*Home Address:

\*City: NP

\*Phone Numbers:



Nick Ekbal Quidwai  
Concerned Citizens/T. Oaks  
Box 824, Newbury Pk, CA 91319  
805-435-1416 cctoaks.com

State: CA

Zip: 91320

817 SAN CARLOS DRIVE

(Home) 805 498 4665

(Work or cell) 805 390 2857

Em F. Quidwai@gmail.com

**CONCISE STATEMENT OF ISSUE.** In one or two sentences, summarize the specific issue you want the grand jury to address. Brown Act violations City Thousand Oaks

Consent slender Abuse - No vote reply citizen speak

(2) Build / Demo Auto Dealership without any hearing

(3) Plann Comm to redress himself conflict of interest

**SUPPORTING DATA.** Provide information relating to the issue, including dates of even names of officials, other persons, departments, and agencies involved. (Attach additional sheets if needed.)

please read my correspondence to city  
no reply -> watch video asking  
please do justice

\*Signature:

\*Date: 10/22/11

\* Required information; complaint will be rejected if not completed.



**CityClerk - LOWE'S APPEAL Applicant/Appellant Academy Road LLC INFO FOR AGENDA PACKET MRH 22ND 16 HEARING**

**From:** "NICK I. Quidwai" <concernedcitztoaks@gmail.com>  
**To:** CityClerk <cityclerk@toaks.org>, Antoinette Mann <amann@toaks.org>  
**Date:** 3/15/2016 2:04 PM  
**Subject:** LOWE'S APPEAL Applicant/Appellant Academy Road LLC INFO FOR AGENDA PACKET MRH 22ND 16 HEARING  
**Cc:** Rob McCoy <rmccoy@toaks.org>, Joel Price <jprice@toaks.org>  
**Attachments:** SDA 12 PGS 020116 APPEAL.pdf

**LOWE'S APPEAL Applicant/Appellant Academy Road LLC INFO FOR AGENDA PACKET MRH 22ND 16 HEARING PLEASE INCLUDE**

**John Prescott via gmail.com**

Feb 24

to NICK, Andrew, Claudia, Joel, Mark, Rob, Tracy

Sec. 9-4.2808(h) of our Municipal Code deals with appeals of certain conditions. Historically, the Council has limited itself to the matter raised in the appeal being brought before it. In this case, it is simply the size of certain signage. You personally had the right to appeal the Planning Commission's decision "en toto" and you did not do so. So that was your opportunity to have the Council consider the entire Planning Commission decision. The Thousand Oaks Municipal Code section only applies to administrative decisions where there is no appeal procedure already stated elsewhere in the Code (as it says right at the beginning). This is not an administrative decision and there is an appeal procedure elsewhere in the Code. (Not sure why you included a copy of an excerpt from the City of Fremont Municipal Code).

Having said that, since you have followed this case so closely, I am sure you know that the Planning Commission's decision was to merely to approve some site plan and design changes to an already approved project. If the Commission had denied that application, or if the Commission's decision to approve were overturned by Council upon considering a timely filed appeal, then the project itself would still be approved, but with the original design. They could go ahead and build it.

Having said that, again since you have followed this case so closely, I am sure you are aware that the approval of the project development permit itself was due to expire last year. The applicant timely filed a request to extend the underlying permit approval for two years, as permitted by the Municipal Code. You opposed that time extension and requested an administrative hearing, which was held late last year and was properly conducted. The hearing officer approved the time extension. A denial would have terminated the project approval. You did not appeal the administrative decision.

You did not exhaust administrative remedies available to you (appeal to Planning Commission and City Council) to challenge the hearing officer's decision to extend the time to initiate construction pursuant to the project development permit.

TO COUNCIL 4-21-2016  
 AGENDA ITEM NO. 8-B  
 MEETING DATE 4-26-2016

John C. Prescott  
City of Thousand Oaks  
Community Development Director  
2100 Thousand Oaks Blvd.  
Thousand Oaks CA 91362  
(805) 449-2311  
[jprescott@toaks.org](mailto:jprescott@toaks.org)

>>> On 2/24/2016 at 1:06 PM, "NICK I. Quidwai" <[concernedcitztoaks@gmail.com](mailto:concernedcitztoaks@gmail.com)> wrote:

*Nick I. Quidwai 805-390-2857*

**"Do not take life too seriously. You will never get out of it alive."**

**Newbury Park CA 91320-1821 [ConcernedCitzTOaks@gmail.com](mailto:ConcernedCitzTOaks@gmail.com)**

**Cell 805-390-2857 [www.cctoaks.com](http://www.cctoaks.com) <http://concernedcitztoaks.blogspot.com/?view=flipcard>**

**<https://www.facebook.com/profile.php?id=100003180981002&sk=wall>**

**Concernedcitizensthousandoaks NickQuidwai Feb 24, 2016**

**TO: Mr. John Prescott Community Dev Director**

**CC: Mz. Tracy Noonan City Attorney**

**RE: Appeal Lowes Plann Comm dec city council hearing March 22, 2016 "SCOPE of Appeal"**

We had correspondent before and challenged the extension where the admin. Hearing was conducted improperly:

10 mins for org. group not provided; the hearing notices NOT circulated properly; no community outreach.

You claim that the scope of the appeal has to be limited to ONLY issue raised by appellant. Pray tell us where you come up with that covenant as your municipal code is silent on the matter as well as the code of civil procedure.

You should not be rushing to hold the hearing on March 22<sup>nd</sup> 2016 when you have been told that if you do not allow us to bring the issue of business cannibalism and notification deficiencies, we are ready to file a Writ of Mandate in Superior Court.

If you indeed have a legal basis to limit the scope of the appeal please provide now rather than in a brief before the court to save us all time and money.

**City of TO Municipal code:**

**Sec. 1-4.01. Right to appeal.**

Except where an appeals procedure is otherwise specifically provided in this Code, any person excepting to the denial, suspension, or revocation of a license or permit applied for or held by him pursuant to any of the provisions of this Code, or to any administrative decision made by any official of the **City**, if the denial, suspension, or revocation of such permit or the determination of such administrative decision involves the exercise of administrative discretion or personal judgment exercised pursuant to any of the provisions of this Code, may appeal in writing to the **City Manager** by filing with the **City Clerk** a written notice of such appeal, setting forth the specific grounds thereof.

No right of appeal to the **City Manager** from any administrative decision made by an official of the **City** pursuant to any of the provisions of this Code shall exist when such decision is ministerial and thus does not involve the exercise of administrative discretion or personal judgment exercised pursuant to any of the provisions of this Code.

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<http://www.codepublishing.com/CA/Fremont/html/Fremont18/Fremont18300.html#18.300.050>

**18.300.050 Conduct of hearing on appeal.**

(a) Scope of Hearing. Review of all appeals shall be de novo. The review body is not bound by the decision that has been appealed or limited to the issues raised on appeal.

(b) Action of Review Body. The review body may continue the matter from time to time, and, at the conclusion of its consideration, may affirm, reverse, or modify the decision appealed and may take any action which might have been taken in the first instance by the body from whose action is being appealed. If new or different evidence is presented on appeal, the review body may also refer the matter for reconsideration to the body whose action is being appealed. (Ord. 9-2014 § 41, 3-4-14.)

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CA code civil Procedure

[http://leginfo.legislature.ca.gov/faces/codes\\_displaySection.xhtml?lawCode=CCP&sectionNum=1005.&highlight=true&keyword=scope+hearing](http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=CCP&sectionNum=1005.&highlight=true&keyword=scope+hearing)

**CODE OF CIVIL PROCEDURE - CCP****PART 2. OF CIVIL ACTIONS [307 - 1062.20]**

( *Part 2 enacted 1872.*  )

**TITLE 14. OF MISCELLANEOUS PROVISIONS [989 - 1062.20]**

( Title 14 enacted 1872. )

## CHAPTER 7. General Provisions [1045 - 1055]

( Chapter 7 enacted 1872. )

scope request sda 022416

*Nick T. Quidwai*



"Do not take life too seriously. You will never get out of it alive."

Newbury Park CA 91320-1821 ConcernedCitzTOaks at gmail.com

 <http://cctoaks-nick.blogspot.com/>

NO registration needed  <https://www.facebook.com/profile.php?id=100003180981002&sk=wall>

Concernedcitizensthousandoaks NickQuidwai

 IQuidwai7860  @cctoaks





# Reporter

ENVIRONMENT • VENTURA COUNTY'S **FREE** WEEKLY • [WWW.VCREPORTER.COM](http://WWW.VCREPORTER.COM) • JANUARY 28, 2016



## SAVE Newbury Park

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ANALYSIS



# Thousand Oaks Acorn

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2016-01-28 / Front Page

## Lowe's is a go

### Home improvement store gets OK (again) to build in Newbury Park

By Becca Whitnall

[becca@theacorn.com](mailto:becca@theacorn.com)



**APPROVED—Lowe's hopes to build soon at a 20-acre site of Wendy Drive near the 101 Freeway in Newbury Park. An LA Fitness and two drive-thru restaurants are included in the development plan. Courtesy of City of Thousand Oaks**

One of the largest pieces of undeveloped commercial space left in the Conejo Valley may soon be a bustling shopping center.

San Pedro-based Rich Development Company has, for the second time in five years, received approval to build a Lowe's home improvement store and garden center next to the 101 Freeway at Wendy Drive on property owned by the Seventhday Adventist Church.

The 4-0 decision rendered Monday by the Thousand Oaks Planning Commission is the last green light—barring an appeal—Rich

Development needs to proceed. Plans for the 20-acre site at Grande Vista Drive and Wendy in Newbury Park also call for a 37,000-square-foot LA Fitness and two drive-thru restaurants.

[Enlarge Map](#)

The company came before the commission Jan. 25 to request modifications to a plan originally approved by the land-use board in December 2010. The company withdrew its plans in 2011 for economic reasons.

Despite receiving the go-ahead this week, the project isn't a done deal, the developer said.

Because the commission would not make allowances in regard to the city's sign ordinance—which limits the size and shape of retail signs—some of the tenants may be dissuaded from signing off on the deal, said Tab Johnson, partner and development manager of Rich Development.

The developer requested signage, both on the buildings and on the street, larger than allowed in city code.

"I'll have to take that all back to my tenants, and they're going to have to make a business decision," Johnson told the commission before their vote.

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Calling the sign ordinance "antiquated," Johnson said it gives unfair advantage to a Home Depot store just a stone's throw from the proposed Lowe's.

Because "The Home Depot" has more letters in its name than "Lowe's," its sign is inherently easier to see, Johnson said.

"I think that if you're the owner of a business and the other guy's got a 30-foot-long sign with 4-foot-high letters and you have a 15-foot-long sign with 4-foot-high letters, you would say you're at a disadvantage."

Commission chair Doug Nickles told Johnson that the planning commission's job is to enforce rules, not make them.

"Currently we have some certain standards set for this area, and I see my role as trying to make sure they're maintained," Nickles said. "(The request) is a step further than what I'm comfortable with, but I can see where you'd want to pursue that."

The commission did agree to allow Rich Development's request to use taller light posts than the city staff recommended, thus allowing for a wider illumination area per pole and, ultimately, fewer poles.

"It truly does help having so many poles not outnumbering the trees on the site," Johnson said.

As part of the conditions of approval, the developer agreed to attempt to seed a sheer volcanic rock hillside and make street improvements in front of its property. It is also responsible for developing the shopping center at Hillcrest Drive and Teller Road.

Monday night's meeting marked the third time the Seventh-day Adventist site has been before the commission.

In 2008, Costco had its sights set on building a 152,148-square foot store and gas station but withdrew its application with the city the following year, citing a lease negotiation failure.

The 2010 Lowe's application was the second attempt.

Commissioner Daryl Reynolds, who put forward the motion to approve the project, has seen them all.

"This is the third time I've seen a project on this property," she said. "I'm excited to see something done to this piece of property. . . . I think this will finish off that area."

Not everyone was pleased.

Ventura resident Tom Harkins, a member of the Seventh-day Adventist Church, said he is worried the project may not be in the best interest of the church or the community.

"The reason I'm coming here is our church has got into problems where they've sold property and they always end up backwards afterwards, it seems," he said. "I would say the majority . . . of the members of the Seventh-day Adventist Church were not in favor of all this development, and we thought maybe there should be something better in the area."

The four-person vote came more than six hours into the meeting, which also addressed a home-expansion conflict, and after an early announcement by Nickles that Commissioner Pete Turpel had tendered his resignation, citing personal reasons.

Anyone wishing to appeal the commission's approval of the project to the City Council must do so by Feb. 4. The cost to appeal is \$1,475.

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# City of Thousand Oaks

COMMUNITY DEVELOPMENT DEPARTMENT

BUILDING DIVISION

PLANNING DIVISION

HOUSING/REDEVELOPMENT DIVISION

(805) 449-2500

(805) 449-2323

(805) 449-2393

PROJECT #: 2010-70114  
(For City Use Only)

## PERMIT TIME EXTENSION APPLICATION AND AFFIDAVIT

Time Extension of (case#): DP 2010-70114, SPA 2007-70740, Zone 2 Change 2007-70741

### I. APPLICANT INFORMATION (not Applicant's representative)

Name and Organization: Academy Road, LLC

Address: 600 N Tustin Suite 150

Phone: (714)835-3311

City/State/Zip: Santa Ana CA 92705

Email: Tab@richdevelopment.com

### II. PROPERTY OWNER INFORMATION (if different than Applicant)

Name and Organization: David Filippis, Seventh-Day Adventist Church

Address: 1535 E. Chevy Chase Dr

Phone: (530)470-0836

City/State/Zip: Glendale, CA 91206

Email: dakfilippis@yahoo.com

### III. PROJECT COORDINATOR/APPLICANT'S REPRESENTATIVE INFORMATION

Name and Organization: Tab Johnson Academy Road, LLC

Address: 600 N. Tustin Ave Suite 150

Phone: (714-835-3311)

City/State/Zip: Santa Ana CA 92705

Email: tab@richdeveleopment.com

### IV. PROPERTY LOCATION

STREET ADDRESS: Academy Dr & Grande Vista

ASSESSORS PARCEL NO.(S): \_\_\_\_\_

### V. AFFIDAVIT\*

I declare under penalty of perjury, that I, \_\_\_\_\_, am the owner, lessee, attorney of the owner, or person with power of attorney from the owner of the property involved in this application, and that the foregoing is true and correct.

Executed at (city) \_\_\_\_\_, California, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Printed Name and Title

Signature

\*IF THE PROPERTY OWNER/APPLICANT is a Corporation, the names, addresses and titles of all officers of the Corporation shall accompany this application. If the property owner/applicant is a General Partner, the name and address of all General Partners shall accompany this application.

### (For City Use Only)

Fee \$ \_\_\_\_\_ Date received: \_\_\_\_\_ Received by: \_\_\_\_\_



~~lqbal Quidwai [REDACTED]@gmail.com~~

## Re: TOCC MEETING TUES OCT 20, 2015 NO AGENDA YET

1 message

~~lqbal Quidwai [REDACTED]@gmail.com~~

Wed, Dec 16, 2015 at 4:26 PM

To: John Prescott <JPrescott@toaks.org>

Cc: Andrew Powers <APowers@toaks.org>, Claudia Pedroso <CPedroso@toaks.org>, Patrick Hehir <PHehir@toaks.org>, Rob McCoy <RMcCoy@toaks.org>

Bcc: ~~chris.cov155@aol.com~~, wendy.Leung@vcstar.com, ~~praguy7@aol.com~~, tonewstip@theacorn.com, ~~ray [REDACTED]@yahoo.com~~

Sorry we have been unable to communicate I am out talking & no one including fitness people know about this. I am courteous & try to not be confrontational I am with Ccto part time we need the material + not enough time for hearing etc

Extension needed AFTER may 16 so Jan hearing will not hurt any party

Please consider Thank you in advance ; from trader joes center

Sent from my iPhone by Nick lqbal Quidwai Newbury Park CA

On Dec 16, 2015, at 4:17 PM, John Prescott <JPrescott@toaks.org> wrote:

Nick, this is very puzzling. We have provided everything you asked for and you thanked us for providing everything you needed, including the resolution approving the Lowe's project with all the conditions. We invited you to come to our office to review the application and plans for the project to which you are objecting, which unfortunately you declined to do.

Sent from my iPad

On Dec 16, 2015, at 3:21 PM, ~~lqbal Quidwai [REDACTED]@gmail.com~~ wrote:

### **2ND NOTICE: dec 16, 15**

Despite speaking @ the council meeting yesterday:

NO File from the original approval have been provided

No MINUTES have been provided. (See Attorney Tom Cohen's use of minutes to make points yesterday @ sign hearing 8A

No list of FEW businesses that were notified.

PS: Grand Jury is already looking @ abuse of consent calendar etc.



*Iqbal Quidwai*

Newbury Park CA 91320-1821 USA I.quidwai at gmail.com

<https://www.youtube.com/user/iqidwai/videos>

<https://www.blogger.com/blogger.g?blogID=1321311241700037109#allposts>

<https://www.facebook.com/iqidwai>

<http://www.cctoaks.com/>



On Tue, Dec 15, 2015 at 12:51 PM, John Prescott <JPrescott@toaks.org> wrote:

The request for continuance set forth below will be presented to the administrative hearing officer at the hearing. Staff will not recommend a continuance since notice of the hearing was properly given in accordance with the Municipal Code.

John C. Prescott  
City of Thousand Oaks  
Community Development Director  
2100 Thousand Oaks Blvd.  
Thousand Oaks CA 91362  
(805) 449-2311  
jprescott@toaks.org

>>> [REDACTED] 12/15/2015 10:26 AM >>>

Thank you, but this is not enough & almost too late The link from calendar does not work, page for agendas does not show admin hearings; also sign cannot be read while driving & there is NO legal parking to stop. Notices sent only 500 ft which is a crime to collect taxes & not inform. Last night company sad they sent notice to 1000 people this is the holidays too.

We request a CONTINUATAnce due to the above,  
Copy VC grand jury

Sent from my iPhone by Nick Iqbal Quidwai Newbury Park CA

On Dec 15, 2015, at 10:17 AM, Claudia Pedroso <CPedroso@toaks.org> wrote:

Mr. Quidway,

please find the link to the staff report for the admin hearing.

2/1/2016

Gmail - Re: TOCC MEETING TUES OCT 20, 2015 NO AGENDA YET

<http://www.toaks.org/civica/filebank/blobdload.asp?BlobID=31275>

Let me know if you have any questions.

Claudia Pedroso, AIA, LEED AP  
Senior Planner  
City of Thousand Oaks  
Community Development Dept.  
2100 East Thousand Oaks Boulevard  
Thousand Oaks, CA 91362  
ph (805) 449-2337  
fax (805) 449-2575

<i.quidwai@gmail.com> wrote:

Thanks Claudia, I have nothing scheduled that day. Yes.

Sent from my iPad Iqbal Nick QUIDWAI Newbury Park CA USA

On Nov 4, 2015, at 11:09 AM, Claudia Pedroso <CPedroso@toaks.org> wrote:

Mr. Quidwai,

I am tentatively scheduling the administrative hearing for December 17.  
Would you be available that day?

Thanks,

Claudia Pedroso, AIA, LEED AP  
Senior Planner  
City of Thousand Oaks  
Community Development Dept.  
2100 East Thousand Oaks Boulevard  
Thousand Oaks, CA 91362  
ph (805) 449-2337  
fax (805) 449-2575

>>> [REDACTED]@gmail.com 10/21/2015 8:06 PM >>>

Thanks, I am open except for Thanksgiving, but that is too far away I  
will have to take time off regardless as it is @ 3 pm

Sent from my iPhone by Nick Iqbal Quidwai Newbury Park CA

On Oct 21, 2015, at 6:17 PM, Claudia Pedroso  
<CPedroso@toaks.org> wrote:

No problem. We'll be scheduling the administrative  
hearing soon. I just need to get some dates available from  
you and the applicant. I will let you know of the tentative  
dates next week.

Sent from my iPhone

On Oct 20, 2015, at 7:59 PM, Iqbal Quidwai  
[REDACTED]

Mz. Pedroso thanks for providing everything  
that I need @ oak tree hearing will read this  
tomorrow Thank you for your help.

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2015-12-23 / Business

## Lowe's shows renewed interest in Adventist property

### Home improvement giant receives extension on building permit

By Becca Whitnall

[becca@theacorn.com](mailto:becca@theacorn.com)

**PERMIT EXTENDED**—Equipment sits idle on the lot that Lowe's wants to build on near the 101 Freeway in Newbury Park. The company recently asked for and received an extension on its permit. **RICHARD GILLARD/Acorn Newspapers**

Lowe's home improvement store is keeping its options open in Newbury Park, or at least trying to.

The company has asked for and received a three-year extension from the city to build on a property just north of the 101 Freeway at Wendy and Grande Vista drives.

The city held a Dec. 17 administrative hearing, presided over by Marjan Behzadi of the planning department, when a resident appealed the city's decision to grant the extension.

[Enlarge Map](#)

Newbury Park resident and longtime City Hall critic Nick Quidwai filed the appeal.

Quidwai said the permit shouldn't be extended because of what he called the "cannibalization of (locally owned) businesses." *CITY AND STUDY SAID TO! \$50K*

"Too many buildings have been built here, especially retail, and existing businesses are not able to compete, and that's why we have the high vacancy rate," he said during the hearing.

Further, he proposed the hearing should be postponed because, though they met minimum legal requirements, notices regarding the hearing were difficult to read.

"The sign is not readable when you're driving, and there is no parking," he said. "You have to park across the street when you're driving and, by definition, this stops residents from knowing and participating in the hearing."

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While a



Courtesy of City of Thousand Oaks

representative for Lowe's attended the hearing, he made no comments.

Behzadi did not grant a continuation of the hearing nor did she overturn the city's decision to grant the extension.

The permit, unless appealed to the City Council, is now good through 2018.

Lowe's originally received permission from the Thousand Oaks City Council to build a 153,000-square-foot store, complete with garden center, in January 2011 on the property owned by the Seventh-day Adventist Church.

It passed muster with the planning commission in December 2010.

In October 2011, representatives of the home improvement giant met with the city and told them it would not be coming to Newbury Park at that time, but the company retained the permit.

Aside from the extension, the permit remains unchanged.

City planner Claudia Pedroso said she is expecting Lowe's to bring an additional request before the planning commission in which the company will propose some plan changes, including rotating the building and adding a 24-Hour Fitness gym and some restaurants.

The tentative date for that proposal is Jan. 25, Pedroso said.

The planner also said the company may hold on to both permits simultaneously.

"My understanding is they're making sure that if the changes don't get approved, they have (the original permit) as a backup plan," she said.

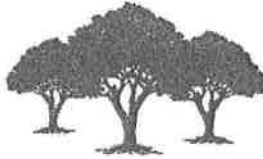
Pedroso said the developers have indicated they'd like to get the project underway soon, but have not yet been given a timeline.

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*of THOUSAND OAKS*

**Nick E. Quidwai**  
EXECUTIVE DIRECTOR



*Nick E. Quidwai 805-390-2857*

"Do not take life too seriously. You will never get out of it alive."

Newbury Park CA 91320-1821 [ConcernedCitzTOaks@gmail.com](mailto:ConcernedCitzTOaks@gmail.com)

Cell 805-390-2857 [www.cctoaks.com](http://www.cctoaks.com)

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Concernedcitizensthousandoaks NickQuidwai Feb 1 2016

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DEVELOPMENT**

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THRO \$1475! APPEAL CITY  
COUNCIL  
THUR 4<sup>TH</sup> FEB DEADLINE!**



**Save newbury park from CANNIBALISM! Appeal TOCC  
April 26<sup>th</sup> 16**

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STOPPED Oakmont Housing! Appeal postponed again!  
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**[ref=aymt homepage panel](#)**

**[https://www.youtube.com/my\\_videos?o=U](https://www.youtube.com/my_videos?o=U)**

Nick *Quidwai*

Newbury Park CA 91320-1821 USA I.quidwai [at gmail.com](mailto:at@gmail.com)

<https://www.youtube.com/user/iquidwai/videos>

2016 APR -7 PM 12:54  
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CITY OF THOUSAND OAKS

TO COUNCIL 4-21-2016  
AGENDA ITEM NO. 8.B.  
MEETING DATE 4-26-2016