

CITY OF THOUSAND OAKS
PLANNING COMMISSION

RESOLUTION NO. 10-2019 PC

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF THOUSAND OAKS DENYING A
SPECIAL USE PERMIT FOR THE USE OF CERTAIN
PROPERTY WITHIN SAID CITY

Application No. SUP 2019-70299

Applicant: Megdal Thousand Oaks, LLC

Location: 2198 N. Moorpark Road

The Planning Commission of the City of Thousand Oaks, California,
DOES RESOLVE AS FOLLOWS:

WHEREAS, the applicant has filed with this Commission a petition requesting a Special Use Permit under the provisions of the City of Thousand Oaks Municipal Code to allow the construction of a new 21-hour convenience store with gas pumps and an overhead canopy located on the southwest corner of N. Moorpark Road and Avenida de las Flores more commonly known as 2198 N. Moorpark Road; and

WHEREAS, the Planning Commission, upon giving the required notice, did, on the 8th day of July 2019, conducted a duly-advertised public hearing as prescribed by law to consider said application; and

WHEREAS, at the July 8, 2019 Planning Commission public hearing, oral and written evidence, including a staff report, were presented and received, and arguments were heard from all interested parties appearing in the matter; and

WHEREAS, after considering all the evidence and information provided, the Planning Commission voted to deny said application based on the findings of set forth as follows:

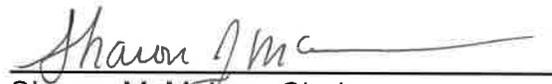
1. The project does not comply with all applicable laws, regulations and policies, including the Thousand Oaks Municipal Code for the following reasons:
 - A setback deviation near residential is necessary to accommodate the proposed convenience store building, and

- The 21-hour use is inconsistent with the Service Station Design Criteria (Resolution 72-337) which recommends limited hours of operation for stations within 200 feet of residential property. The subject site is 60' from a single-family residential property.
2. The project will be detrimental to the public health, safety or general welfare because of the proposed 21-hour operation and proximity to residential dwellings. The hours of operation will create adverse impacts resulting from outdoor commercial activities such as noise from fueling vehicles and truck deliveries, and potential light pollution which conflicts with the sensitive uses nearby. Additionally, the 21-hour operation will create related noise from patrons and employees that is not compatible with the nearby residential area.
 3. The proposed convenience store, with its close proximity to a high school, will attract students to the site, thereby creating site conflicts and potential safety issues due to the potential volume of pedestrians and vehicles visiting the site at the same time.

NOW, THEREFORE, BE IT RESOLVED that said application for a Special Use Permit is denied, without prejudice.

I HEREBY CERTIFY that the foregoing resolution reflects action taken by the Planning Commission of the City of Thousand Oaks at a regular meeting held on the 8th day of July, 2019, by the following vote:

AYES	Commissioners Buss, Lanson, Newman and Chair McMahon
NOES	None
ABSENT	Commissioner Kohan
ABSTAIN	None


 Sharon McMahon, Chair
 Planning Commission



 Kelvin Parker, Secretary
 Planning Commission