

THOUSAND OAKS CITY COUNCIL



Supplemental Information Packet

**Agenda Related Items - Meeting of September 10, 2019
Supplemental Packet Date: September 5, 2019**

5:00 P.M.

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.

From: Steven Boychuck <sboychuck@me.com>

2019 AUG 27 AM 9:32

Sent: Friday, August 23, 2019 2:43 PM

To: Rob McCoy <RMcCoy@toaks.org>; Al Adam <AAdam@toaks.org>; claudia4slowgrowth@roadrunner.com <claudia4slowgrowth@roadrunner.com>; Bob Engler <BEngler@toaks.org>; Ed Jones <EJones@toaks.org>; Andrew Powers <APowers@toaks.org>; Tracy Noonan <TNoonan@toaks.org>; Cyndi Rodriguez <CRodriguez@toaks.org>; Community Development Department <CommunityDevelopment@toaks.org>; Kelvin Parker <KParker@toaks.org>

Subject: Opposed to the 7-11 project at Flores and Moorpark...

Good afternoon,

Well, the developer is not getting the hint, that the residents who live in the neighborhood, and the Planning Commission, have said no. So, he is bringing it to our City Council. There may be residents who do not live in the neighborhood, or who drive thru the neighborhood, who want the 7-11. The priority is to listen to the actual residents and the Planning Commission, who say no.

As a resident of Ventura County for 53 years, and specifically Thousand Oaks for 17 years (Wildwood area for nine years), I am very concerned about the proposal to build a 21-hour (basically 24-hours) convenience store and gas station at this intersection, directly across from Thousand Oaks High School, and we will vigorously oppose it, along with thousands of my fellow residents of this great family-friendly city. Since it got rejected at 24-hours, now they think they can make it a 21-hour convenience store from 5am to 2am. They are now appealing to the City Council to approve the project. Bad idea, and this make the residents even more upset. We are not going to stand for these games!

There are gas stations with mini-markets along Moorpark Road at both Arboles and Janss, that can service customers, along with other businesses that operate during normal business hours. There once was a gas station at this site, that has been closed for several years. It was never a high volume station, which led to its demise. I know this as I have worked at all three Chevron stations in the area back in the mid 1980's and 1990's, (when they were actual "service" stations) when they were owned by Robert Brothers. That would be the old Wildwood Chevron at Arboles and Keats, the station at Olson and Moorpark, and Arboles and Plantas. I know for a fact this was a low volume station at Moorpark and Flores.

The only way a gas station can survive at this corner is to have a mini-market that sells highly profitable items such as; alcoholic beverages, tobacco products, and junk food. Why would the city leaders even consider the sale of these items directly across from our high school? As a comparison, some cities in Ventura County do not even allow ice cream sales from vendors within several hundred feet of a school, but it will be ok to sell alcoholic beverages, tobacco products, and junk food? Good grief! If they do not sell these items, a convenience store will never survive. So, if they start-up without those sales, they will eventually apply for a minor-mod of their SUP, to allow those sales. This makes no sense.

This corner is better suited for possibly a doctors office with multiple doctors (Family Practice or Specialist), or maybe even a 24-hour Urgent Care. Maybe a small healthy alternative fast food restaurant that closes by 11pm? These choices would benefit the students at the high school and the surrounding neighborhoods. We would rather see this as vacant land, than to build a problematic convenience store and gas station. Building a 7-11 would also reduce the property values in the immediate neighborhood, and bring visual blight to the area.

This concern has sparked several threads on NextDoor.com, and will carry on as long as this project remains on the books. One thread has over 500 responses! There is an online petition that has 1006

TO COUNCIL 9/5/2019
AGENDA ITEM NO. 8C
MEETING DATE 9/10/2019

people against this project from moving forward in any form. <https://www.thepetitionsite.com/758/655/381/to-not-allow-the-construction-of-a-24-hour-7-eleven-gas-station-on-moorpark-rd-amp-flores/>

I just drove by the 7-11 just east of Moorpark Road at Wilbur, and saw three subjects loitering, drinking beer and smoking cigarettes on the east side (Pennsfield Place) of the building. Does the SUP for this 7-11 allow that? No it does not! So, where is the enforcement of the SUP? Enforcement does not happen, even if it is written into the SUP, especially at night! The store employees and the franchisee could care less! This is exactly the problem that these projects create. I drove back by 30-minutes later and same concerns, loitering, drinking and smoking. Again, the store clerk could care less, and same thing for the franchisee. These people came in and bought items from the store (profit), and now think they can loiter and enjoy them on site.

While 7-11 will say how great of a corporate neighbor they will be in the beginning, their franchisee will just be flat out lazy, and not care about the neighborhood or the visual blight they are creating, as long as they are making money, and living far away in their multi-million dollar homes.

Those of us opposed to this project will not stand for it. There were several items the Planning Commission rejected this project for last time. It cannot and should not ever be allowed. This project needs to stop at the council. The residents of this neighborhood do not want or need this project, and I am standing tall with them. No on 7-11 at this site.

In closing, we do not want/need Moorpark Road and Thousand Oaks Blvd. to look like the main streets do in the San Fernando Valley, and we are ready to fight for it, as needed.

Respectfully submitted,

Steven Boychuck
704 Wildcreek Circle
Thousand Oaks, CA 91360
805.279.4177 cell

From: Erika Nicholson <nicholson4444@sbcglobal.net>

Subject: 7-Eleven proposal

Date: August 29, 2019 at 5:25:44 PM PDT

To: rmccoy@toaks.org, aadam@toaks.org, claudia4slowgrowth@roadrunner.com, bengler@toaks.org, eijones@toaks.org

2019 AUG 30 AM 9:34

CITY OF SAN JOAQUIN DEPARTMENT OF PUBLIC WORKS
15000 OAKS

City Council Members,

I am a resident who lives within 500 feet of the proposed development on North Moorpark Rd. I have been to both Planning Commission meetings where this development has been unanimously rejected twice. I will not be able to attend the City Council meeting on 9/10 due to a scheduled medical procedure but I wanted to make my dislike of this development known.

Those of us who are close neighbors of the 7-Eleven/gas station site are very concerned about how this type of establishment operating into the wee hours of the morning will affect our quiet residential neighborhood. There will be lighting 24 hrs a day and increased noise from supply trucks and tankers coming in and out. My most serious concerns though are centered around the vagrancy and robberies that these types of establishments attract. We do not want to be bringing these problems to our neighborhood.

My other major concern is the traffic impacts. At the first Planning Board meeting the traffic impacts were reported as being minimal. Then at the second meeting we were informed that the traffic impact was more serious than originally thought and there would have to be an entrance/exit on Las Flores with a median due to the difficulty of entering exiting on Moorpark Road. I still believe the issue with cars pulling into the gas pumps and trying to jockey for position on the correct side of the pumps mixed with students being picked up and dropped of in the parking lot will be a nightmare scenario. Also students crossing a 4 way crosswalk at Moorpark/Las Flores mixed with gas station traffic could be a tragic accident waiting to happen.

I have no objection to a property owner being able to sell their property and or build on their property I just feel very strongly that this is not the right neighborhood for a 7-Eleven. Please consider families who will have to deal with the negative repercussions this type of establishment will have. A 7-Eleven open 21 hours a day belongs on Thousand Oaks Blvd. or South Moorpark Rd. not among many many single family homes and a high school.

This developer has one objective and that is to capture the business from the high school traffic. He has been less than honest with those of us who have attended his "community outreach" meetings. He has claimed that other proposals have been negatively received such as an office building and other food establishments. These claims are disingenuous as I have lived here for 4 years and have never heard of any other business being proposed by him. I would welcome another office/medical building as the one that is already adjacent to the vacant lot causes no problem in the neighborhood whatsoever.

Thank you
Sincerely,

Erika Nicholson
586 Calle Jazmin

TO COUNCIL 9/5/2019
AGENDA ITEM NO. 8C
MEETING DATE 9/10/2019

From: alanameg@aol.com

Date: September 2, 2019 at 17:11:28 PDT

To: aadam@toak.org, rmccoy@toaks.org, bengler@toaks.org,
ejones@toaks.org, claudia4slowgrowth@roadrunner.com

Subject: Support for the 7-Eleven Project!

2019 SEP -3 AM 7: 59

CITY CLERK DEPARTMENT
CITY OF THOUSAND OAKS

Council members,

I have physical therapy at Bartley Physical Therapy at 2166 N Moorpark, which is adjacent to new 7-Eleven proposed. I have always wondered why that lot has set empty so long and always thought it screamed for a little convenience market. After my therapy, I would love to get a Gatorade or Vitamin Water along with an apple or banana. I think it is crazy what some people are saying. All I hear is they want a park there since it is caddy-corner to the High school. The crazy thing is that a park would be the worst of all scenarios since kids would congregate there after and before class, which would be a disaster. Moreover, a park would guarantee there are homeless living there, which would be horrible for the residential community and High school alike.

If you think about the possible retail uses that could go there, everything is worse. A restaurant would be sure to be a hang-out spot. An ice-cream shop, yogurt store, juice bar (Jamba or Robeks) would be sure to be the go-to place for students.

No student is going to want to hang-out at a gas-station!!! They will use it suitably to get refreshments and fresh food instead of trekking a mile to the other one on Moorpark. Would parents prefer they take a dangerous long walk instead of simply crossing the street? The only way I can explain any of this, is neighbors just don't want anything to happen there, which is unfair to the owner of that property. They have gotten greedy since it took 10 years to clean-up and has been a fenced off piece of beautiful grass.

If they weren't being so selfish, they would realize that this is the least offensive use for the neighborhood. Plus, it was exactly this for 40 years (I think that long?) as a Mobil gas-station (with loud repair bays that this one won't have) with no adverse issues I can remember. It blows my mind that people wouldn't allow an owner to replace the original and issue-less use after they have spent god knows how much to fix the environmental contamination. Better yet, this time around, they will be getting a market instead of those loud and smelly auto bays which was what contaminated the land in the first place.

I can't make the Council hearing on the 12th, but I'm writing to express me and my entire family's support for this development. I'm all for activism and I vocally have come before you to oppose inappropriate, overzealous, and insensitive Developers in the past. But advocacy has gone too far if we are going to be up in arms about replacing a gas-station (especially one considerate enough to proactively agree not to sell vape or liquor!).

Alana Kay

TO COUNCIL 9/5/2019
AGENDA ITEM NO. 8C
MEETING DATE 9/10/2019

TO: Andrew P. Powers, City Manager

FROM: Mark Towne, Community Development Department Director

DATE: September 10, 2019

SUBJECT: Agenda Item No 8.C. Appeal of Planning Commission Decision Denying a Proposed Service Station and Convenience Store (SUP 2019-70299)

The following are materials submitted by the appellant pertaining to the subject item. The document was submitted to Councilmember Engler on September 3, 2019.

- 1 PREVIOUSLY APPROVED GAS STATION AND LUBE SERVICE 1999 - 2000
- 2 PROPOSED PROJECT RENDERINGS AND SITE PLAN
- 3 PROPOSED DESIGN CHARETTE WITH CITY STAFF
- 4 LETTERS OF SUPPORT FROM T.O. HIGHSCHOOL AND
- 5 CITY OF THOUSAND OAKS POLICE DEPARTMENT LETTER
- 6 NEW FRESH FARE PROTOTYPE FOR 7 ELEVEN
- 7 EXAMPLE OF CAMARILLO 7 ELEVEN SITE
- 8 ADJACENT DOMINO'S PIZZA PRECEDENT
- 9 NEIGHBORING RETAIL USES AND HOURS OF OPERATION
- 10 CI Commercial Code + Service Station Guidelines

Circa 1967

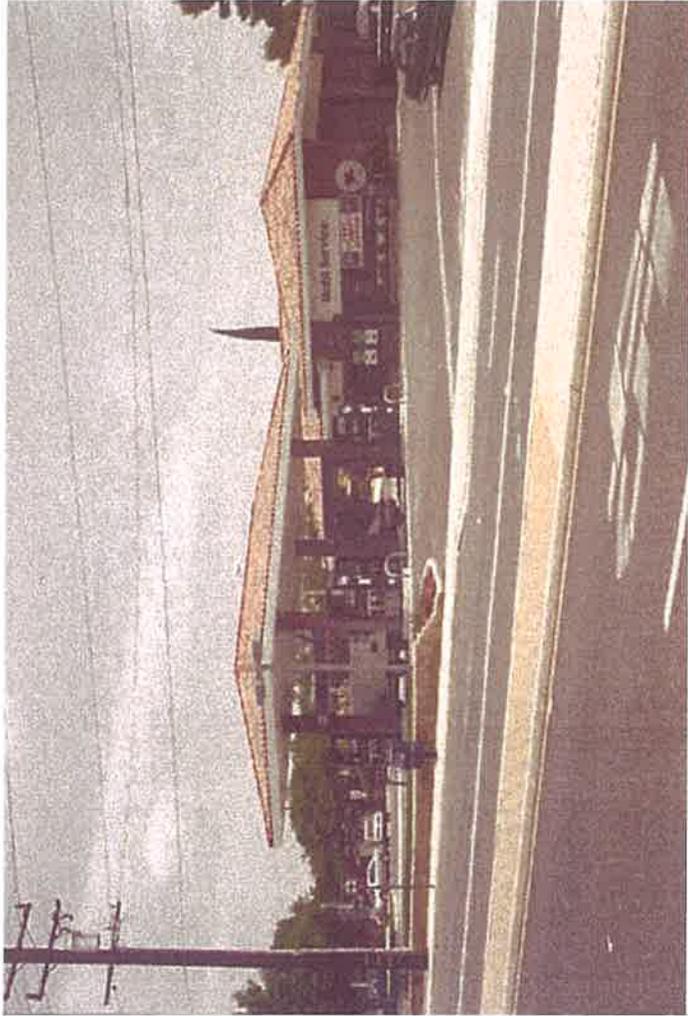
Mobile Gas Station

Moorepark Road



Mobil Gas Station











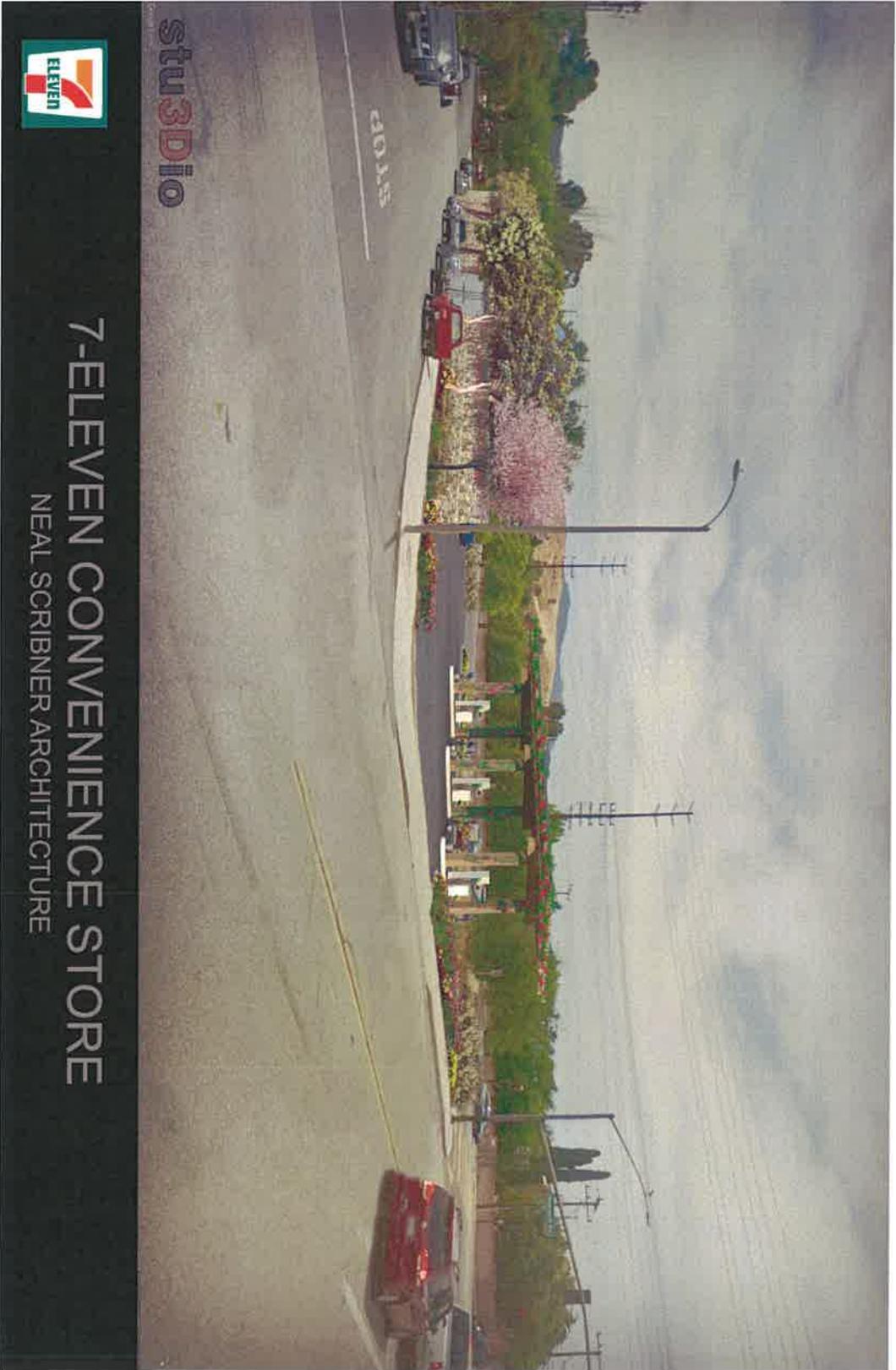


studio



7-ELEVEN CONVENIENCE STORE

NEAL SCRIBNER ARCHITECTURE

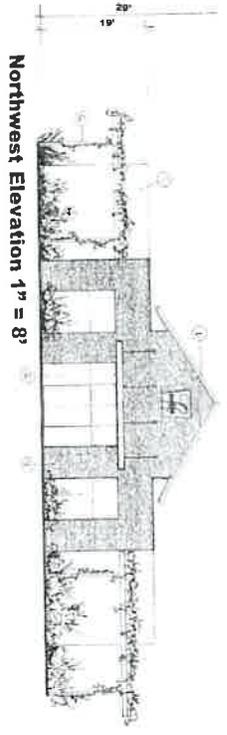
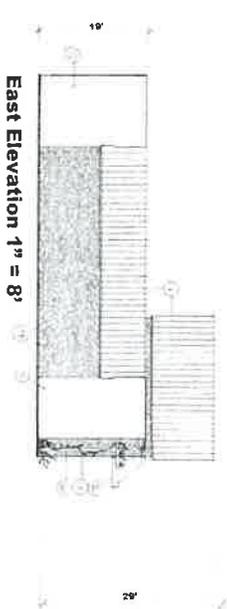
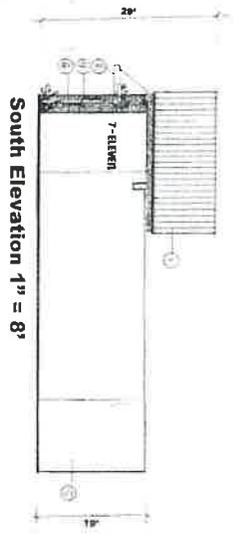
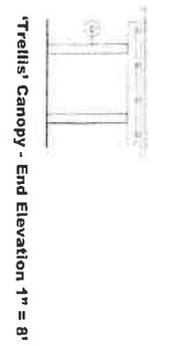
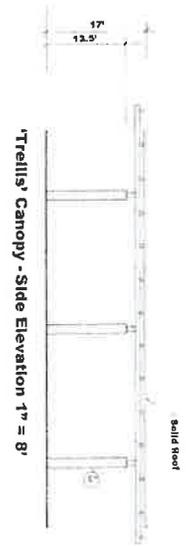


studio

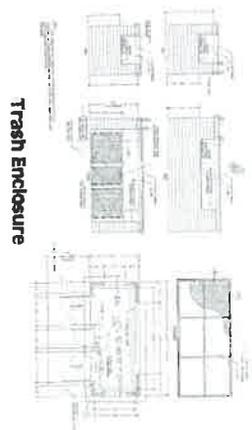
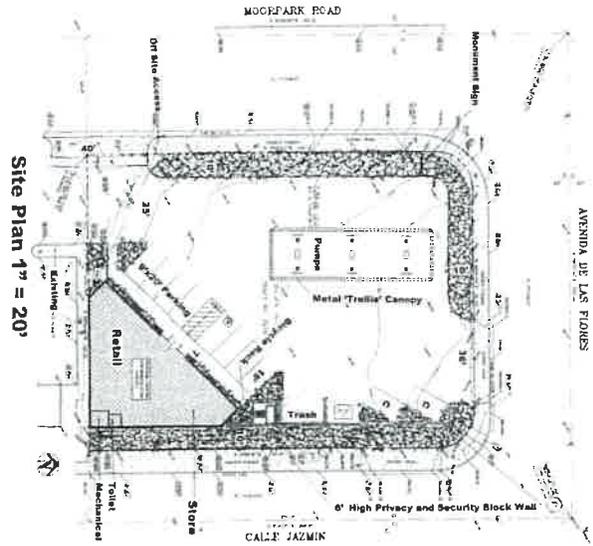
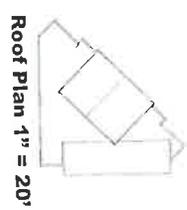


7-ELEVEN CONVENIENCE STORE

NEAL SCRIBNER ARCHITECTURE



- Building Colors & Materials**
1. Metal Roof - Copper "Custom Built Metal" Patina Green
 2. Metal Entry Canopy - B.M. 1078
 3. Entry Slat - B.M. 1083
 4. Metal Trellis - B.M. 1078 - Eduardo Cisneros
 5. Building Slat - B.M. 1095
 6. Metal Trellis Canopy Slat - B.M. 1143
 7. Block Wall - Dark Brown
 - 8.M. = Benjamin Moore Paint



Legend

- 7 - Elevation Conformance Sign
- 7 - Elevation Conformance Sign
- 7 - Elevation Conformance Sign
- APN No. 8703274288
- Planning No. SUP-2018-70250
- Zoning: CT
- Gross Site Area = 19,843 Sq.Ft. or 458 AC.
- Proposed Green Building = 2,489 Sq.Ft.
- Proposed Green Building = 2,489 Sq.Ft.
- Parking Coverage = 12,726 or 63.2%
- Parking Required = 10 Spaces
- Parking Shown = 10 Spaces
- Landscaping in Parking = 800 Sq.Ft. or 10%
- Landscaping in Parking = 800 Sq.Ft. or 10%
- Vicinity Map



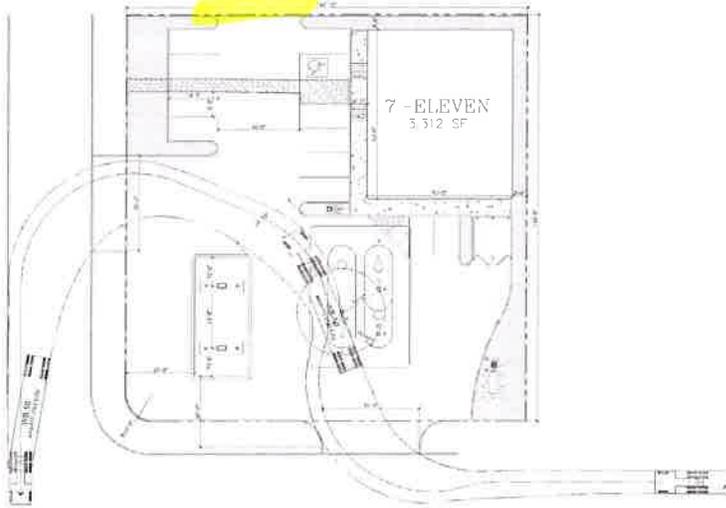
NEAL SCRIBNER A.I.A.
ARCHITECTURE

NEAL SCRIBNER A.I.A.
ARCHITECTURE
2760 Via Del Lato, Thousand Oaks, CA 91320, 805.216.1106, Neal@scribner.com

1 7-ELEVEN. Convenience Store

Applicant
Taylor Magellan, Inc. (310) 277-2451
2325 S. Beverly Drive
Beverly Hills, CA 90212

22K - 2MPD - 3312 SF Store



22,000 SQ FT SITE
1 DISPENSES



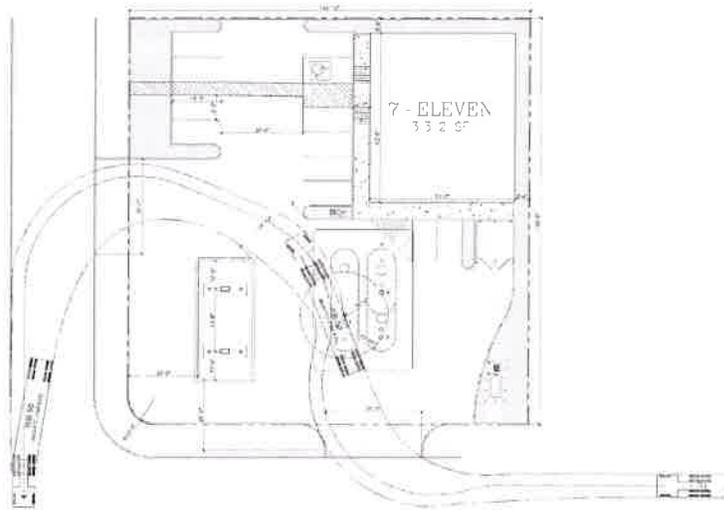
1 CONCEPTUAL SITE PLAN

EXCEPTIONS NOTED:
CANOPY LOCATION IS NON-PROTO - CAMERAS WILL BE NEEDED
TANK LOCATION IS NON-PROTO
TANKER PARTIALLY BLOCKS ACCESS POINT WHILE OFFLOADING

AND P. 10007
 10/11/11 10:00 AM
 10/11/11 10:00 AM

CORE STATES 08017 CORE STATES 08017		7-ELEVEN, INC. ONE ARTE PLAZA, 1722 NORTH RIVERST, DALLAS, TEXAS 75201 7-11 CONCEPTUAL SITE PLAN #10
SHEET GO.0	CHECKED BY CFS	DATE 10/11/11

22K - 2MPD - 3312 SF Store



22,000 SQ. FT SITE
2 DISPENSERS

N
1 CONCEPTUAL SITE PLAN

EXCEPTIONS NOTED:
CANOPY LOCATION IS NON-PROTO - CAMERAS WILL BE NEEDED
TANKER LOCATION IS NON-PROTO
TANKER PARTIALLY BLOCKS ACCESS POINT WHILE OFFLOADING

DATE: 08/11/2011 10:51 AM

<p>7-ELEVEN INC. ONE ARTISAN WAY, FORT WORTH, TEXAS 76104 7-11 CONCEPTUAL SITE PLAN #10</p>	
<p>CORE STATES GROUP</p>	
<p>Scale: 1/8" = 1'-0"</p>	<p>Date: 10/20/11</p>
<p>Drawn By: [Name]</p>	<p>Checked By: [Name]</p>
<p>SHEET: G0.0</p>	



residential curb cut

REQUESTING WAIVER OF 46 FEET SET BACK ON CALLE JAZMIN FOR THE PROPOSED OFFICE BUILDING AND DRIVEWAY. THE PROPOSED DRIVEWAY IS A SIDEWALK INSTEAD OF DRIVEWAY.

PROPOSED OFFICE / OFFICE BUILDING
 3600 SF OFFICE 1ST FLOOR
 3600 SF OFFICE 2ND FLOOR
 LOT AREA : 19,943 SQ FT
 TOTAL BUILDING AREA : 7,200 SQ FT
 LOT COVERAGE : 18.04%

PARKING REQUIREMENTS:
 DENIAL REQUIRED: 1/250
 OFFICE REQUIRED: 1/450
 3,600/750 = 18 PARKING SPACES
 3,600/450 = 8 PARKING SPACES

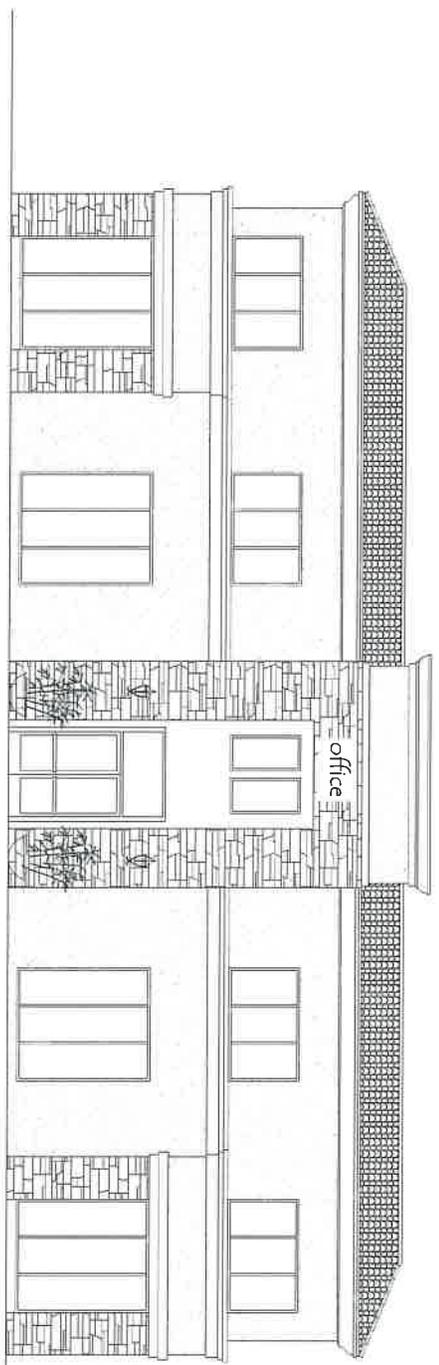
TOTAL REQUIRED: 23 PARKING SPACES
 TOTAL PROVIDED: 23 PARKING SPACES

SCALE 3/32" = 1'

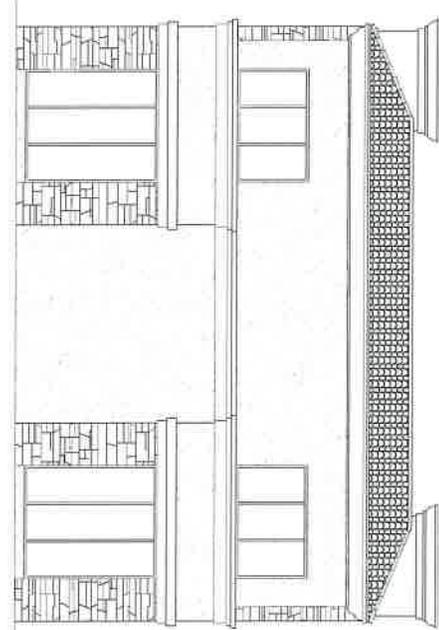


Applicant:
 Mr. Ken Lewi
 818-968-5252

1/15/15 AS NOTED 011-15 1	Mr. Ken Lewi ENCINO, CA 91316 818-968-5252	project NEW OFFICE BUILDING 2198 MOORPARK RD THOUSAND OAKS CA, 91352	11/30/2015 24	SITE PLANS	18243 SENTENO STREET ROWLAND HEIGHTS, CA 91748 ZEITOUNY@MSN.COM PH. (626) 723-4751 CEL (323) 892-1168	PLANS BY: Z & A ZEITOUNY ASSOCIATES
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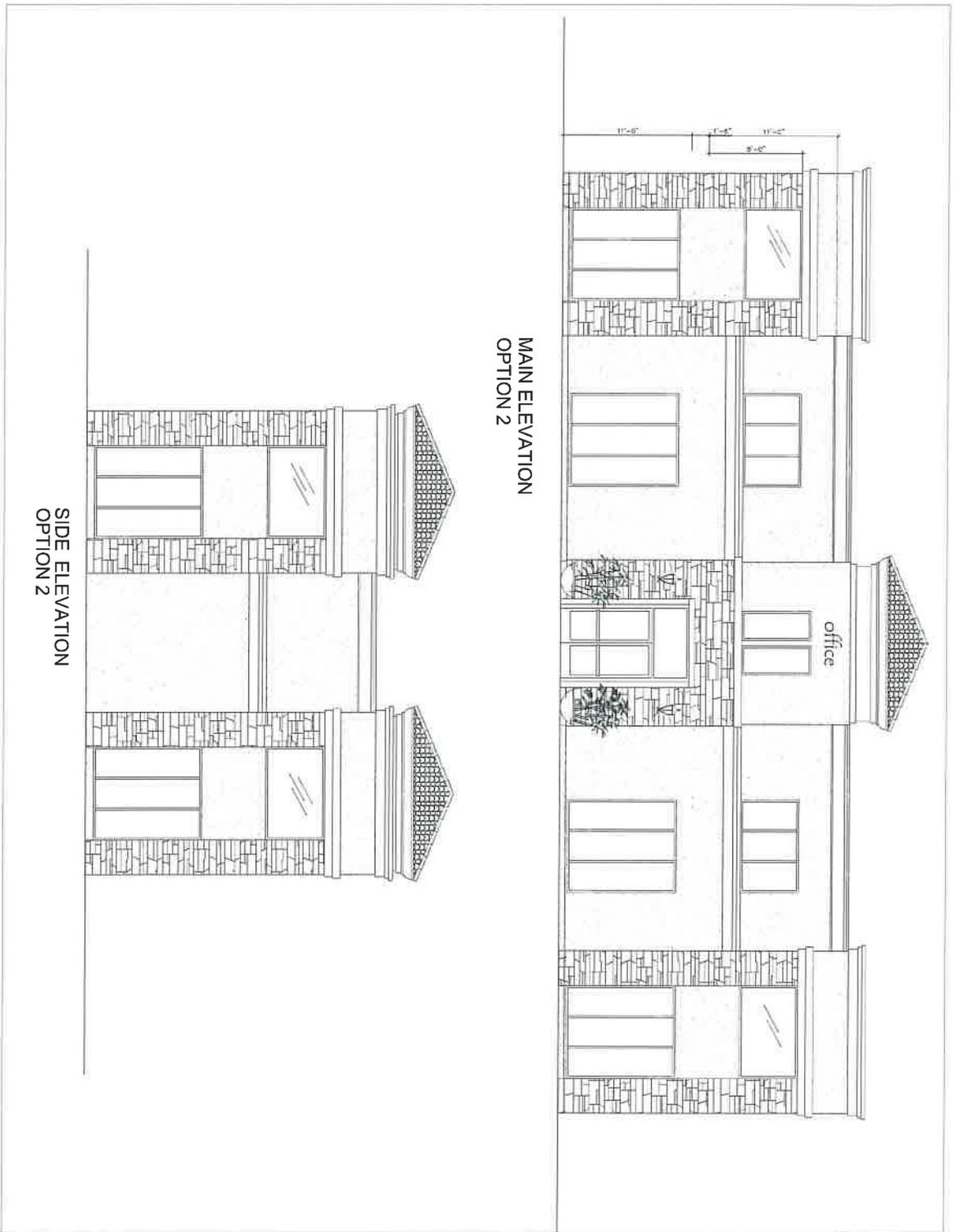


MAIN ELEVATION
OPTION 1



SIDE ELEVATION
OPTION 1

SCALE 1/4" = 1'



MAIN ELEVATION
OPTION 2

SIDE ELEVATION
OPTION 2

SCALE 1/4" = 1'

tmegdal@elliottmegdal.com

From: Lichtl, Luis A <llichtl@conejousd.org>
Sent: Monday, August 14, 2017 2:01 PM
To: Taylor Megdal
Subject: RE: 7-Eleven: E Avenida de Las Flores and Moorpark Vacant Lot

I reached out and sent the message [that this is not an issue for TOHS or our District.](#)

Good luck.

LL

Lou Lichtl, Principal
Thousand Oaks High School



From: Taylor Megdal [mailto:tmegdal@elliottmegdal.com]
Sent: Monday, August 14, 2017 11:20 AM
To: Lichtl, Luis A <llichtl@conejousd.org>
Subject: RE: 7-Eleven: E Avenida de Las Flores and Moorpark Vacant Lot

Principal – so I move things along and didn't hear back, I sent it that email to the City folks. Look forward to working with you on the 7-Eleven project to make it a really nice amenity for the campus!

Taylor Megdal

Taylor Megdal, Esq
252 South Beverly Drive, Suite C
Beverly Hills, CA 90212

(310) 277-0456 office
(310) 601-6600 cellular

From: Taylor Megdal [mailto:tmegdal@elliottmegdal.com]
Sent: Monday, August 07, 2017 5:54 PM
To: 'llichtl@conejousd.org' <llichtl@conejousd.org>
Subject: 7-Eleven: E Avenida de Las Flores and Moorpark Vacant Lot



Thousand Oaks High School
2323 Moorpark Road
Thousand Oaks, CA 91360-3198
Phone: (805) 495-7491 Fax: (805) 374-1165
www.conejousd.org/tohs
Eric Bergmann, Ed.D. Principal
Mark W. McLaughlin, Ed.D. Superintendent



August 9, 2018

Matt Chang, Associate Planner
City of Thousand Oaks
2100 E. Thousand Oaks Blvd.
Thousand Oaks, CA 91362
(805) 449-2317

Mr. Chang,

My name is Dr. Eric Bergman and I am the Principal of Thousand Oaks High School. Regarding the proposed 24-hour, 7-Eleven gas and convenience store proposed for the vacant lot (SUP 2018-70220) across the street from our school, the Developer has consulted my predecessor numerous times and visited me three times since I became Principal. I have really appreciated the good-faith and neighborly approach to gaining my input on the use in general, site-lay out, and most recently, the renderings and appearance.

He informed me recently that the City is recommending approval for the project but not the 24-hour operating hours. As the biggest neighbor and stakeholder on that corner, this is a real concern for us for a multitude of different reasons:

- 1.) When the lights go-off, instead of the bright, exposing light, and the safety it provides, we fear a criminal element will take advantage of the darkness.
- 2.) The 24/7 activated corner will have visible cameras and serve as a strong deterrent for criminals potentially lying in wait. We see this development as an addition to our security apparatus and crime prevention that will help ward off predators and protect my staff, students and campus.
- 3.) I have a real fear drug-deals could happen at a dark gas station and closed convenience store during late hours. The idea of pot deals or vape exchanges by my students under the disguise of darkness is inevitable and we must prevent.
- 4.) Even if my students aren't doing anything unsavory or illegal on the property during closed hours, it presents a location for loitering and hiding.

For all these reasons, by stripping the hours of operations down from 24/7, I am losing many of the benefits of this exciting addition to our neighborhood.

Sincerely,

Dr. Eric W. Bergmann, Principal
Thousand Oaks High School
2323 N. Moor Park Road
Thousand Oaks, CA 91360

Thousand Oaks City Council and Planning Commission

2100 Thousand Oaks Blvd.

Thousand Oaks, CA 91362

March 5, 2019

The Conejo Valley Unified School District School Board (CVUSD) has received numerous requests to take a position on the proposed development of a 7-Eleven (market and gas station) on the vacant lot near Thousand Oaks High School (TOHS). We understand the Thousand Oaks Planning Commission will be discussing this proposed development at its upcoming meeting in April. As CVUSD respects the jurisdiction of the Planning Commission and City Council on this issue, the purpose of this letter is not to take a position one way or another, but to communicate those issues of concern to CVUSD as a community partner and stakeholder in the eventual outcome. While we understand there are many more considerations that the Planning Commission and City Council must take into account in deciding on the proposed development, we hope that appropriate consideration will be given to the issues and concerns outlined below.

Central to each of the identified issues and concerns is the reality that the proposed development has the significant potential to affect the well-being of our district's student population given its proximity to TOHS. TOHS is comprised of 2,070 students that attend school across the street from the proposed development, and will assuredly comprise a large portion of the customers that patronize both the proposed 7-Eleven and adjacent gas station. For that reason, in order to evaluate the concerns and feedback received from CVUSD staff, parents, students and other stakeholders, the Board agreed to establish a two-member ad hoc committee comprised of board trustees Cindy Goldberg and Jenny Fitzgerald. That ad hoc committee identified the specific concerns and issues detailed in this letter based on meetings and discussions with the following:

- Superintendent Mark McLaughlin
- Developer Taylor Megdal of Elliot Megdal and Associates
- TOHS Principal Eric Bergmann
- TOHS School Resource Officer - Deputy Elson Molina
- TOHS teachers who attended a meeting open to all TOHS teachers
- TOHS Student Senate

- President of the TOHS PTSA
- TOHS School Site Council
- Various other community members

Based on the feedback received as part of these efforts, the matters and issues of concern that we believe to be pertinent to your review that relate to the well-being of our students (whether for the proposed 7-Eleven establishment or any future potential use of the currently vacant lot), include the following:

- Traffic safety: The developer indicated that certain steps will be taken to reduce issues with traffic flow, including closing one of the entry/exit points to the lot. However, we request your full evaluation of whether the proposed use of the property, including a gas station at this location, may lead to increased traffic incidents. As part of this evaluation, please consider the existing heightened school traffic and dangerous turns (U-turns and left turns) in the immediate area of the subject lot and possible additional safety measures to protect students, such as the installation of in-pavement LED crosswalk lighting. It is important to note that students and other community members, including those participating in certain after school activities, pass by this location on foot on a regular basis.
- Security and student safety: Given the higher than average crime rates that can be associated with convenience stores, concerns were expressed regarding the security of the proposed establishment and the perimeter of TOHS, as well as the safety of students. We understand the proposed 24 hour establishment will include the installation of lights requested by the Thousand Oaks Sheriff's office and 32 cameras with a live feed to the Thousand Oaks Police Department and the office of TOHS' safety officer. However, it is our understanding that these camera feeds will not be monitored in real time. Consequently, as such measures will only be useful to review a potential security incident after it has occurred, we request your thorough evaluation of whether any potential use of this lot may increase crime in an area so close to TOHS.
- Alcohol, tobacco, and vaping products: We request that you consider the inclusion of a deed restriction prohibiting the sale of alcohol, tobacco/tobacco related products, and vaping products for the longest period of time permitted by law. In addition, in the interest of all CVUSD students, please consider passing a local ordinance(s) prohibiting the sale of these products within a certain distance from schools for new developments.

- Student health/nutrition: Many have expressed concerns regarding the availability of unhealthy food and beverage options that may be available at a convenience store like 7-Eleven. We have communicated these concerns directly to the developer, who has advised that the proposed 7-Eleven will include a section with fresh food options in order to address this concern. However, concerns remain about the many food and beverage options that will remain available through the proposed development, and we believe that further consideration should be given to the availability of additional fresh, healthy food and beverage options should it ultimately be approved.

Should the Planning Commission or City Council require any additional information or detail concerning the above-identified issues and concerns, the identified ad-hoc committee is available to further discuss such matters as needed. It is also important to note that, despite the identified matters, CVUSD recognizes the value in improving the immediate corridor. Our hope is only that any proposed improvement appropriately recognizes and accounts for the interests of those students at TOHS that will undoubtedly patronize such development, and that it strives to provide an establishment that is beneficial for such students.

Thank you in advance for your evaluation of these items as you consider the proposed usage of the subject lot, and for your continued community partnership in ensuring the very best for our district's students and community.

Sincerely,

CVUSD



M E M O R A N D U M

City of Thousand Oaks • Thousand Oaks, California
Police Department

DATE: March 29, 2018

TO: Matt Chang, Planning Department

FROM: Senior Deputy Damian Alvarez, Intelligence Led Policing - Special Protects and Technology Unit *DN 372*

SUBJECT: PAR 2018-70078 Megdal and Associates

The Thousand Oaks Police Department submits the following security conditions for the proposed commercial / residential project to be located at 2198 Moorpark Road in the city of Thousand Oaks. These conditions are included in, or in addition to, the Standard Conditions of Approval for Commercial/Industrial Projects, stipulated in the City of Thousand Oaks City Council Resolution No. 95-20.

DOOR SECURITY HARDWARE – Exterior double doors shall have an astragal constructed of steel or aluminum a minimum of .125” thick, which will cover the opening between the doors. The attachment of the astragal shall comply with all applicable provisions of the Fire Code. Exterior, outward opening single doors shall have the appropriate type of latch guard installed so as to prevent the violation of the latch and strike. The latch guard shall be a minimum of .125” thick and extend a minimum of six inches above and below the door latch or deadbolt. Doors utilizing rim and cylinder locks shall have heavy-duty cylinder guards installed. All outward opening exterior doors shall have hinges equipped with non-removable hinge pins or a mechanical interlock (set screws) to prevent removal of the door from the outside by removing the hinge pins.

LIGHTING – Weather and breakage resistant covers shall protect all exterior lighting. Exterior lighting fixtures will be fully enclosed to minimize tampering and breakage. After hours exterior lighting shall provide sufficient illumination to allow viewing of the exterior of the buildings and parking areas. Interior after hours lighting is also highly recommended. The use of metal halide fixtures or Light-Emitting Diode (LED) is preferred over high-pressure sodium fixtures, since metal halide and LEDs provides superior illumination and color rendition. Lighting will also include illumination in the area of the sound wall bordering Calle Jazmin.

A lighting plan must be submitted to The Thousand Oaks Police Department for review and is subject to change prior to Police Department approval.

LANDSCAPING – Landscaping shall not cover, nor partially cover any exterior door or window. Landscaping, including trees, will not be placed directly under any overhead lighting that could cause loss of light at ground level. All landscaping will be kept trimmed in

order to provide an unobstructed view of the parking areas and building from adjacent streets. The standard CPTED (Crime Prevention Through Environmental Design) landscaping rules of "two foot / six foot" shall apply to the property (No shrubbery shall be higher than 2 feet and lower the tree canopy shall not grow below 6 feet). This will reduce concealment areas and keep the area well-lit during darkness hours. Hostile and thorny vegetation should also be used to limit property cross over and discourage sleeping or resting in the area.

ADDRESS IDENTIFIERS – The tenant will display the name of their business and address on main entrances and service doors.

UTILITY ROOMS AND ENCLOSURES – All exterior utility rooms and enclosures containing electrical and telephone equipment shall be kept locked at all times.

TRASH ENCLOSURES – Exterior trash enclosures shall be kept closed and locked during non-business hours to discourage, loitering, illegal dumping and theft. Trash encloses will be constructed to have outside visibly to reduce the possibility of camping or sleeping in the area.

VIDEO SURVEILLANCE SYSTEM – Will be required for a 360 degree view outside the structures and around the parking facility. The CCTV system will also include the area of the sound wall bordering Calle Jazmin (Both sides). The surveillance system will be HD quality, have night vision capabilities and be able to retain video data for no less than 30 days.

WINDOWS / ADVERTISEMENT – No more than 10-20% percent blocking of the exterior windows facing the parking area with advertisement. This is done in order to maintain a clear view of the interior of business from the street and surrounding areas.

ROOF ACCESS – Roof access must be secured with locking doors or any other mechanism to restrict access for non-public areas.

OTHER SECURITY CONCERNS - The businesses will correct any safety or security concerns upon written notice by the Thousand Oaks Police Department.



A FRESH MOVE



**NEW
LOOK**



Confidential - For 7-Eleven, Inc. Use Only















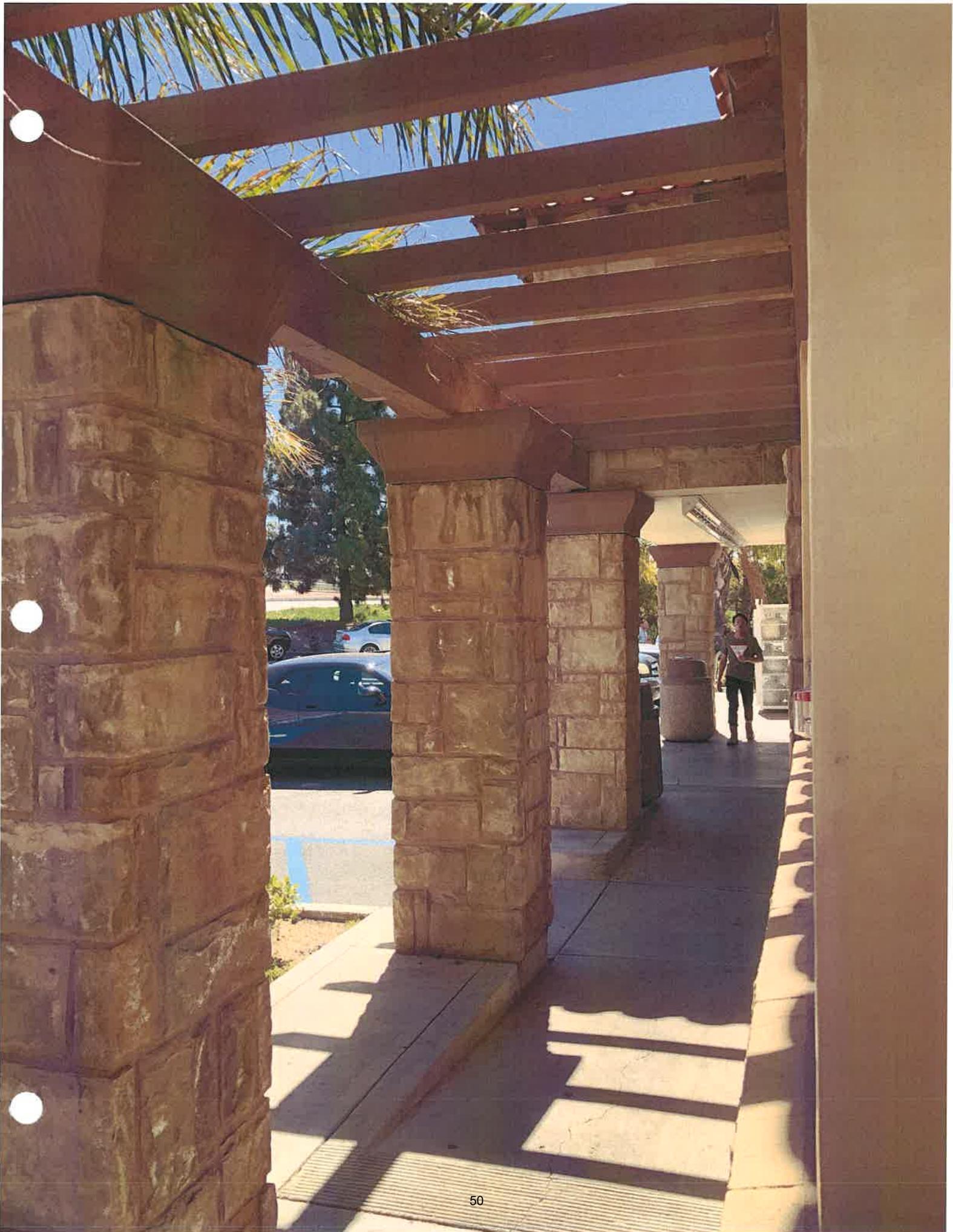






7

















TYLENOL Extra Strength \$1.99
Acetaminophen \$1.99
Advil \$1.99
ALEVE \$1.99
Motrin \$1.99
MAGNUM \$2.99

DayQuil \$4.99
Cold & Flu Day Time Relief \$4.99
Claritin \$4.99
Allergy Relief \$4.99
Zantac 150 \$4.99
Alka-Seltzer \$2.99
Allegra \$1.99

Rolaids \$4.99
Antacid \$3.99
Antacid \$1.99
Zantac 150 \$4.99
Acid Controller \$3.99
Acid Reducer \$6.99

Theraflu \$7.99
Advil Low Dose \$5.99
ALEVE \$5.99
ALEVE \$6.99
ALEVE \$4.99
Acid Controller \$8.99
Anti-Diarrheal \$7.99
Dulcolax \$5.99

Visine \$4.99
Visine A \$3.99
Redness Relief \$5.99
TYLENOL \$7.99
TYLENOL \$5.99
BAYER \$4.99
BAYER \$3.99
Dramamine \$5.99
Dramamine \$5.99
Dramamine \$4.99
Dramamine \$6.99

TYLENOL Cold-Max \$8.99
ALEVE pm \$4.99
Aleve pm \$8.99
Aleve pm \$8.99
Aleve pm \$4.99
TYLENOL \$6.99
Advil PM \$6.99
Advil PM \$3.99

TAMPAX \$3.99
TAMPAX \$3.99
always \$5.49
always \$5.49
TAMPAX \$7.99
Playtex \$6.99



Price tags for the top shelf: \$1.49, \$1.49, \$1.49, \$1.49, \$1.49, \$1.49.



Price tags for the second shelf: \$1.49, \$1.49, \$1.49, \$1.49.



Price tags for the third shelf: 99¢, 99¢, 2/\$1.99, 99¢, 99¢.



Price tags for the fourth shelf: \$2.29, \$2.29, \$2.29, \$2.29, 99¢.



Price tags for the fifth shelf: \$1.29, \$1.29, \$1.09, \$1.09, \$2.19.



Price tags for the sixth shelf: 99¢, 99¢, 99¢, 99¢, 99¢, \$2.19.



Price tags for the seventh shelf: \$1.59, \$1.59, \$1.59, \$1.59, 2/\$2, \$1.59.



Price tags for the bottom shelf: \$1.59, \$1.59, \$1.59, \$1.59, \$1.59.





Domino's Pizza - 2220 N Moorpark Rd Ste 104, Thousand Oaks, CA 91360

Monday-Sunday: 11:00AM – 1:00AM;

Friday-Saturday: 11:00AM – 2:00AM

Planning Commission Conclusions:

Modification 1

NO. 1 was approved on December 5, 1988 to extend the operating hours for Domino's only beyond those established by the original permit on a six (6) month trial basis. The hours were extended from 8:00 a.m. to 9: 00 p.m. Monday through Saturday and 10: 00 a.m. to 9: 00 p.m. Sunday to 11 :00 a.m. to 12: 00 a.m. seven (7) days a week. Other restrictions were also imposed by the City to prevent potential impacts to the neighboring residential area including restricting the operation to phone order deliveries, prohibiting walk- in trade, and limiting the sale to whole pizzas with no sale of individual slices. Also, electronic controlled games were prohibited.

Modification 2

Modification NO. 2 to the development permit was the required six month review of the extended operating hours for Domino' s. The review found that there were no complaints filed from the surrounding neighborhood over this time period concerning the extended operating hours. Therefore, the extended hours were approved and will expire upon termination of the pizza bakery use.

Modification 3

Modification NO. 3 was approved by the Planning Commission on October 21, 1991 to further extend the operating hours of the pizza bakery to 11 : 00 a.m. to 1 : 00 a.m. Sunday through Thursday, and 11 : 00 a.m. to 2:00 a.m. Friday and Saturday and to allow customer carry- out services during these same hours. The permit maintained the restriction of take out only, with the prohibition of tables and chairs. The Commission granted the extension of operating hours with the finding that sufficient evidence was provided to indicate that the extended hours for take- out services would not adversely impact the surrounding neighborhood, including the high school.

Modification 4

Modification No. 4, approved in September, 1992, conducted the six (6) month review required by Modification No. 3. Staff again found that there were no complaints filed from the surrounding neighborhood or evidence of nuisance problems over this review period concerning the extended hours and customer carry- out services.

Modification 5

Modification No. 5, approved by the Planning Commission and City Council in 1995, expanded the uses allowed by the deed restriction on the property. The modification request was filed by a new owner of the center. The basis for the request was that the owner was having trouble finding tenants for the center with the restrictions on uses established by the deed restriction.



M E M O R A N D U M

*City of Thousand Oaks • Thousand Oaks, California
Community Development Department*

TO: Planning Commission
FROM: Community Department Development
SUBJECT: DP 87-608 Major Modification No. 6
APPLICANT: David Lidgi
DATE ACCEPTED
AS COMPLETE: May 11, 1999
PLANNER: Jonathon Shepherd, Senior Planner

REQUEST

A Major Modification has been filed to modify the existing covenant and deed restriction to allow additional uses within an existing commercial shopping center, located on the northeast corner of Avenida de las Flores and Moorpark Road.

RECOMMENDATION

It is the recommendation of the Community Development Department that DP 87-608 Major Modification No. 6 be approved, in part subject to the attached conditions and based upon the following findings:

1. The requested additional permitted uses are listed as permitted uses within the underlying C-2 zone classification, and are applicable to other C-2 zoned parcels.
2. The requested additional permitted uses will not adversely impact the surrounding residential neighborhood and high school and are land use activities that comply with the original intent and purpose of the deed restriction.
3. That, with the conditions imposed by the Commission, the granting of this modification:
 - a. Will maintain the degree of compatibility of property uses that the Zoning Ordinance is intended to promote and preserve, considering the particular use on the particular site and existing or proposed uses on parcels within the zone in which the subject property is located; and



- b. Will not result in a use which may reasonably be expected to become obnoxious, dangerous, offensive or injurious to the public health, safety or welfare, by reason of the emission of noise, smoke, dust, fumes, vibrations, odor or other harmful or annoying substances; and
- c. Will preserve the integrity and character of the zone in which the use will be located and the utility and value of property in the zone and in adjacent zones; and
- d. Will not be or become detrimental to the public interest, health, safety, convenience or general welfare.

ENVIRONMENTAL REVIEW

This project is categorically exempt from the California Environmental Quality Act, as Class 5 (minor alterations in land use limitations) The request for a modification in the existing deed restriction to allow additional uses at this center is a minor change to the existing conditions under which the center operates and does not introduce any potential environmental effects.

PROJECT HISTORY

On November 1, 1966 the subject property was rezoned from R-1-10 (Single Family Residential) to CPD (Commercial Planned Development), an old classification inherited from Ventura County when the City incorporated. All CPD zoning was later converted by a blanket City-wide zone change to either C-1 (Neighborhood Shopping Center) or C-3 (Community Shopping Center), and the subject property was reclassified C-1. In conjunction with this zone change, a deed restriction, mutually agreed to by the City and the then property owner, was recorded that limited the commercial use of the property to a drive-thru dairy business (Giacapuzzi Dairy) or similar food dispensing activity. A drive-thru dairy was approved and subsequently constructed on site in 1967.

By 1985, the drive-thru dairy had closed down and the property was sold. On April 15, 1985 DP 85-551, a request for a commercial office/retail structure on the property, was denied by the Commission based on findings of insufficient parking, lack of adequate setback from Calle Jazmin, various design departures from the City's architectural design guidelines, and non-compliance with the deed restriction which, as noted above, limits the use of the site to a dairy or similar type of activity. In conjunction with the denial of this application, the Commission initiated Zone Change 85-555 to allow a review of the appropriate zone for the property.

Z 85-555 was approved by the City Council in November 1986 changing the zone classification from C-1 to C-2 (Highway and Arterial Commercial). This was a more appropriate classification than C-1, considering the small size of the property. However, the C-2 zone allows a fairly broad range of commercial uses, and the Council was concerned about the potential compatibility with the area.

As part of the Council's action therefore, a deed restriction was required limiting the allowed uses on the property to certain specific identified uses considering the site's physical configuration, and the location and proximity to adjacent residences and Thousand Oaks High School. It was determined that these particular uses would be sensitive to the adjacent residential area and high school. A copy of the original deed restriction is attached for the Commission's information.

This deed restriction was required in part due to concerns and prior problems of students loitering at the drive-thru dairy. The applicant at that time agreed to the deed restriction and it was recorded on November 5, 1986.

DP 87-806 was approved by the Planning Commission on June 22, 1987 for the construction of the commercial center currently located on site. Condition "I-3" of the resolution approving the project cites the use limitations contained in the deed restriction.

There have been five (5) modifications to the permit. The first four (4) modifications involve the Domino's Pizza facility. The fifth modification allowed the deed restriction to be expanded to allow additional uses. The modifications are pertinent to this current modification request, since they deal with requests impacting the deed restriction.

Through submittal of information from the owner of the Domino's franchise and her attorney, Staff determined that the operation was more similar to a bakery than a restaurant, as it was a take out facility only, and therefore was a permitted use under the deed restriction. Modification No. 1 was approved on December 5, 1988 to extend the operating hours for Domino's only beyond those established by the original permit on a six (6) month trial basis. The hours were extended from 8:00 a.m. to 9:00 p.m. Monday through Saturday and 10:00 a.m. to 9:00 p.m. Sunday to 11:00 a.m. to 12:00 a.m. seven (7) days a week. Other restrictions were also imposed by the City to prevent potential impacts to the neighboring residential area including restricting the operation to phone order deliveries, prohibiting walk-in trade, and limiting the sale to whole pizzas with no sale of individual slices. Also, electronic controlled games were prohibited.

Modification No. 2 to the development permit was the required six month review of the extended operating hours for Domino's. The review found that there were no complaints filed from the surrounding neighborhood over this time period concerning the extended operating hours. Therefore, the extended hours were approved and will expire upon termination of the pizza bakery use.

Modification No. 3 was approved by the Planning Commission on October 21, 1991 to further extend the operating hours of the pizza bakery to 11:00 a.m. to 1:00 a.m. Sunday through Thursday, and 11:00 a.m. to 2:00 a.m. Friday and Saturday and to allow customer carry-out services during these same hours. The permit maintained the restriction of take out only, with the prohibition of tables and chairs. The Commission granted the extension of operating hours with the finding that sufficient evidence was provided to indicate that the extended hours for take-out services would not adversely impact the surrounding neighborhood, including the high school. A

six (6) month review was also required with this approval.

Modification No. 4, approved in September, 1992, conducted the six (6) month review required by Modification No. 3. Staff again found that there were no complaints filed from the surrounding neighborhood or evidence of nuisance problems over this review period concerning the extended hours and customer carry-out services. Therefore, the extended hours were approved and will expire upon termination of the specific use.

Modification No. 5, approved by the Planning Commission and City Council in 1995, expanded the uses allowed by the deed restriction on the property. The modification request was filed by a new owner of the center. The basis for the request was that the owner was having trouble finding tenants for the center with the restrictions on uses established by the deed restriction.

ANALYSIS

Under the deed restriction and Modification No.5, the following uses are now permitted in the center:

- Antique stores
- Art studios
- Automotive parts - sales only
- Banks and similar businesses
- Bakeries
- Barber shops
- Beauty shops
- Book stores
- Copy shops
- Dressmaking shops
- Dry cleaners/laundry outlets
- Dry goods and notions stores
- Electrical appliance repair stores
- Floriculture and horticulture of all types
- Florist shops
- Hardware stores
- Ice Cream store with predominantly wholesale trade. If after six (6) months of operation there are no problems to the site and surrounding neighborhood resulting from the use, the use may be expanded to a retail store with the approval of the property owner and the Department of Community Development.
- Interior decorating establishments
- Jewelry stores
- Lighting supplies
- Mail and packaging operations
- Millinery shops

- Music, dancing, trade and training schools (only uses that have parking ratios of 1 space per 250 square feet due to on-site parking restrictions)
- Newsstands
- Offices, business
- Offices, professional excluding veterinary
- Pet and aquatic supply
- Photography sales
- Plumbing shops
- Radio and television retail sales and repair stores
- Stationary stores
- Shoe repair shops
- Tailor shops
- Taxidermists
- Telephone exchanges with no outdoor storage
- Wearing apparel stores

Recently the subject property was sold to a new owner. The new owner contacted staff in April to see if a pet grooming salon would be allowed in the center. Although pet grooming salons are not specifically listed as permitted uses in any of the commercial zones, they have historically been allowed in zones that allow "bird and pet shops," as a similar type of use. Although "bird and pet shops" are listed uses in the C-2 Zone, they were not included in the original uses listed in the deed restriction. In Modification No. 5, the applicant did request that "bird and pet shops" be added to the permitted list of uses of the deed restriction. However, when it approved Modification No. 5, the Planning Commission rejected this specific use, as there was concern of potential neighborhood noise impacts with animals left on site overnight.

In reviewing the current request in Modification No. 6, Staff believes that a pet grooming salon would not be detrimental to the surrounding neighborhood and would meet the intent of the deed restriction because pet grooming salons do not typically board animals overnight. In addition, the parking requirements for these facilities is the same as for other commercial uses and sufficient parking is provided on site. Therefore, staff supports the request to expand the deed restriction to include pet grooming salons as a permitted use for the center.

In addition to the pet grooming salon, the applicant is requesting that the following additional uses be included with the permitted uses:

- Cyclery
- Signs
- Beauty supply
- Floor and wall covering
- Juice store
- Restaurant - take out only

Staff has reviewed the requested additional uses and has determined that the "cyclery", "beauty supply", and "floor and wall covering" uses would meet the intent of the deed restriction and would not impose a detriment to the surrounding residential neighborhood.

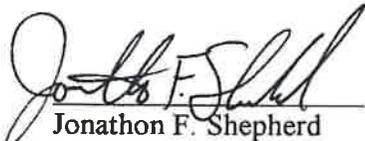
Staff has a concern with the requested "sign" use, as the C-2 zone allows limited manufacture of products that are an integral part of the retail business. A typical sign manufacturing business would not be consistent with the deed restriction due to potential noise impacts to the neighborhood. The applicant has advised staff that his intent was to allow a shop that would sell pre-made signs or add special lettering to signs, not a full scale sign manufacturing business. With a restriction to prevent manufacturing and fabrication of the signs on-site, it is staff's position that this use would meet the intent of the deed restriction as the restriction would prevent potential noise impacts to the neighboring residential neighborhood.

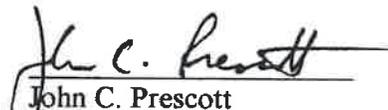
Staff has a greater concern with the "juice store" and the "take-out restaurant" proposals. These proposed uses have the potential to attract students from across the street, in conflict with the establishment of the deed restriction. Although Domino's Pizza is located in the center, there are restrictions in place, including selling individual slices of pizza, that have prevented conflicts from arising that would impact the residential neighborhood. Staff has not received any complaints about Domino's operation at this center. Similar restrictions would be difficult to impose on take-out only restaurants and juice stores in order to prevent potential loitering of students in the center, that may have a detrimental impact to the residential neighborhood.

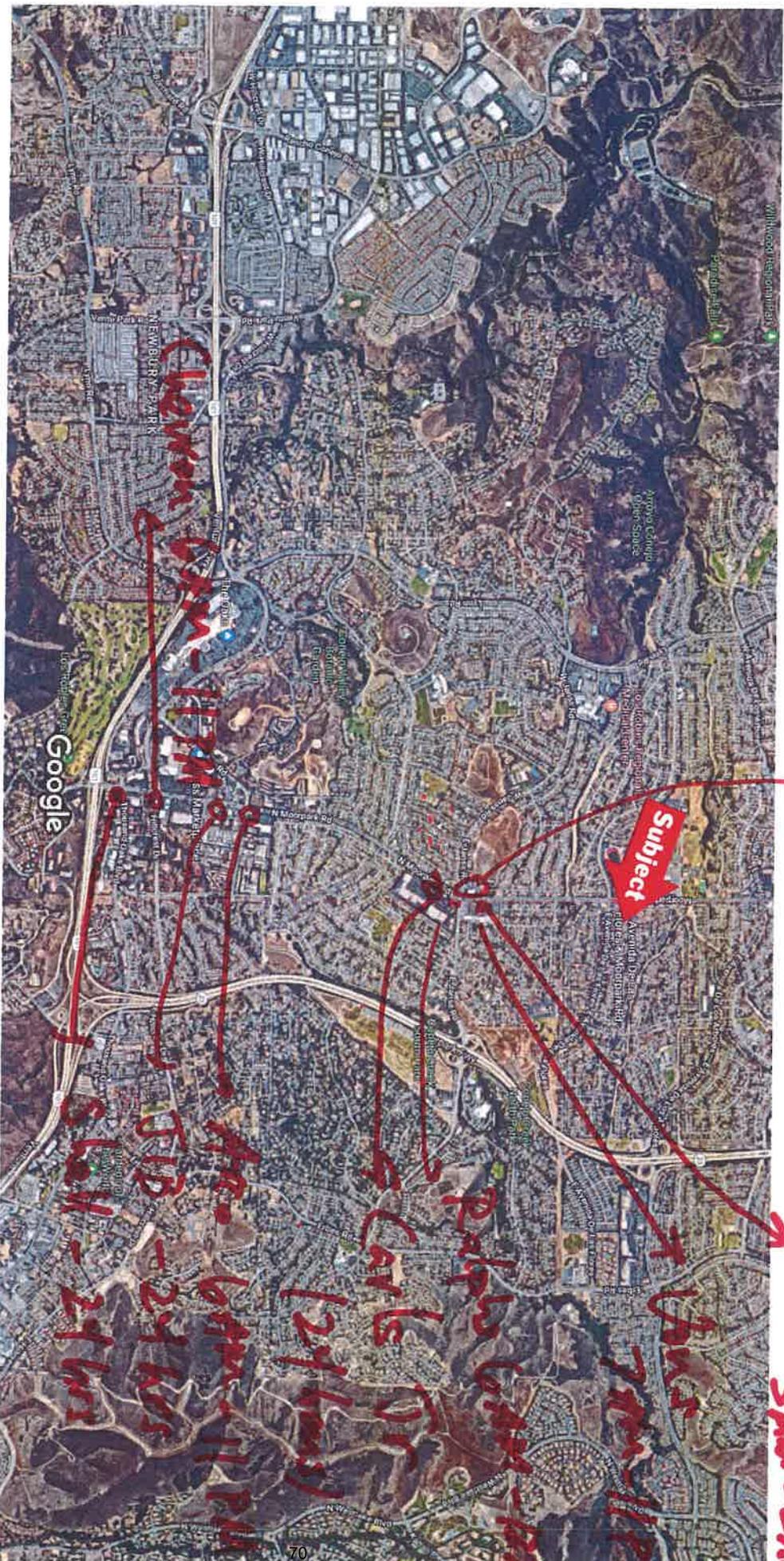
In light of these concerns, staff recommends that the modification to DP 86-608 be approved in part only to allow the deed restriction to be expanded to include only pet grooming salons, cyclery stores, sign shops restricting the manufacturing and fabrication of signs on-site, beauty supply and floor and wall covering stores, and not be expanded to permit juice stores and take-out only restaurants.

Prepared by,

Submitted by,


Jonathon F. Shepherd
Senior Planner

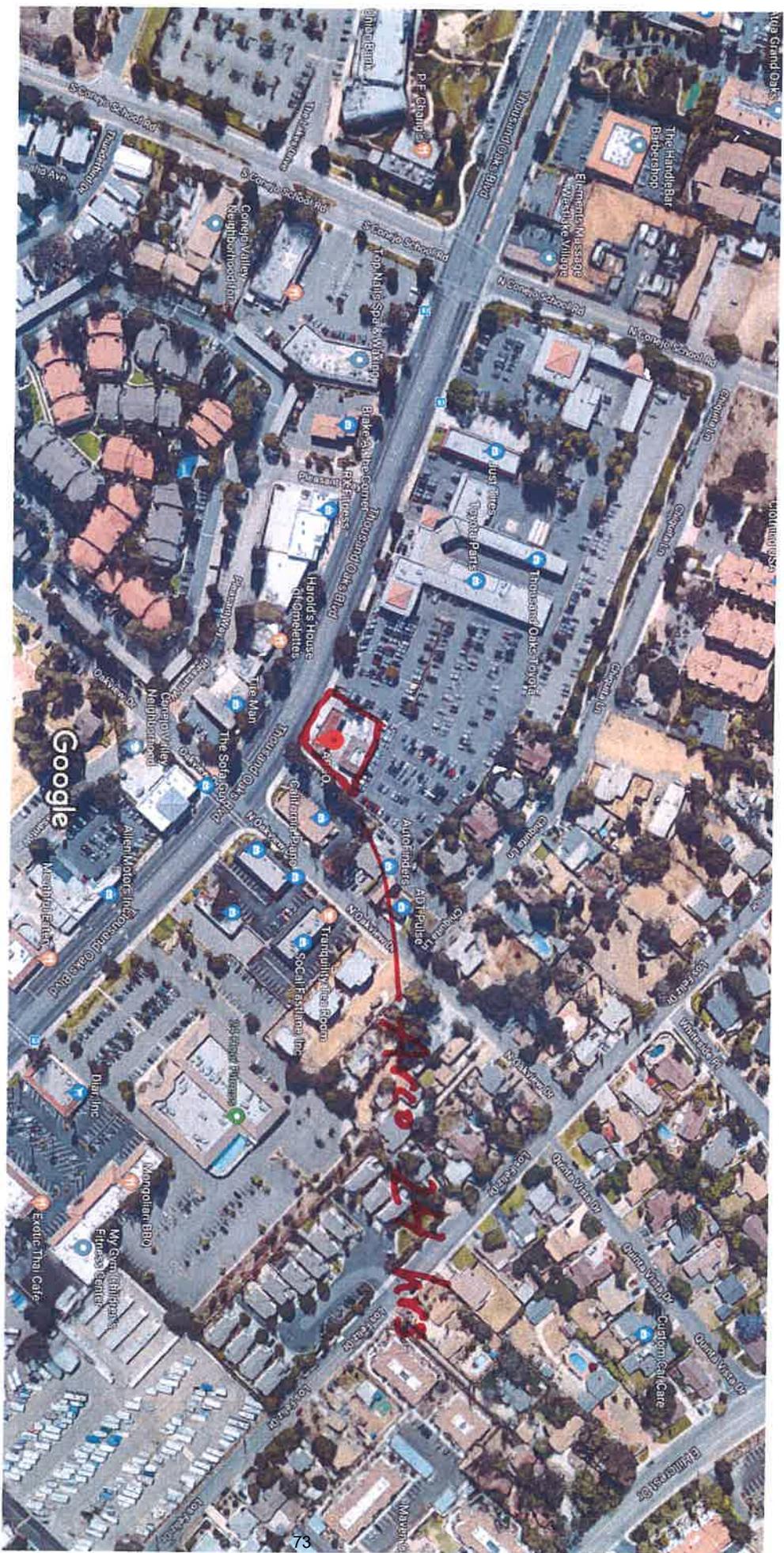

John C. Prescott
Division Manager





Imagery ©2019 Google, Map data ©2019 Google 100 ft





Imagery ©2019 Google; Map data ©2019 Google 100 ft

RESOLUTION NO. 72-337

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF THOUSAND OAKS AMENDING RESOLUTIONS 70-31, 67-133 and 69-338 ADOPTING REVISED STANDARDS AND DESIGN CRITERIA FOR AUTOMOBILE SERVICE STATION DEVELOPMENTS

WHEREAS, automobile service stations, because of their unique structural features and development characteristics, have been required to obtain special use permits prior to any construction; and

WHEREAS, said automobile service stations are sometimes not required to meet the standard requirements of limited access highways, commercial or industrial zones; and

WHEREAS, the Planning Commission in approving such special use permits is authorized to impose conditions:

1. To assure that the degree of compatibility of property uses which this resolution is intended to promote and preserve shall be maintained with respect to the particular use on the particular site and consideration of existing and potential uses of property within the zone and the general area in which use is proposed to be located;
2. To assure that the proper performance standards and conditions are, whenever necessary, imposed upon uses which are, or which reasonably may be expected to become, obnoxious, dangerous, offensive or injurious to the health, safety, or welfare of the public, or a portion thereof, by reason of the emission of noise, smoke, dust, fumes, vibration, odor, or other harmful or annoying substances;
3. To preserve the integrity and character of the zone in which the use will be located and the utility and value of property in the zone and in adjacent zones;

4. To assure that the use will not be or become detrimental to the public interest, health, safety, convenience, or the general welfare; and

WHEREAS, all special conditions for automotive service stations should be imposed in a uniform and standardized manner;

NOW, THEREFORE, BE IT RESOLVED that Resolutions 70-31, 69-338, 67-133 are hereby amended as follows:

In reviewing and considering all special use permits for automobile service stations, the Planning Commission of the City of Thousand Oaks shall apply any appropriate conditions and the following uniform standards to the approval of special use permits for automobile service stations and accessory uses:

I. Definition:

Automobile Service Station: A service station is a facility limited to retail sales to motorists, on the premises, of any of the following: gasoline, motor oil and lubricants (or grease), motor fuels, travel aids, automobile accessories, automobile service, general repairs and maintenance but not including collision services such as body, frame or fender straightening and/or repairs or painting of automobiles; or storage for boats, trailers, rental cars, trucks or other related vehicles.

II. Purpose and Intent: These automobile service station standards are established to allow the construction, operation and maintenance of service stations so as to be compatible with other permitted uses in the prescribed

locale. It is recognized that service stations warrant special consideration because of several prominent elements of design and operation that are unique and significant such as: Total dependence on vehicular traffic, distinctive physical appearance, unenclosed nature of activities, long hours of operation and storage of combustible materials. These standards are intended to augment some of the zoning district requirements that might otherwise create a hardship for a service station operation, and to minimize any adverse effect on neighboring uses by the application of standards for signs, screening, landscaping, parking, architectural appearance of the service buildings, the location and nature of operating activities.

III. Pre-Application Review: Each prospective applicant, assignee and/or successor shall confer with the Planning Department in connection with the preparation of a plan for a service station prior to the submittal of the plans and/or for the special use permit to the Planning Commission. The prime reason for this pre-application conference is to familiarize the prospective applicant with the current zoning requirements, interpretation and clarification before the prospective applicant incurs any substantial expenses in the preparation of the plans. Materials for the conference shall include, but not be limited to, the following items:

A. Site Plan:

A conceptual site plan shall be drawn to 1"=10'-0" and shall include all locational and descriptive dimensions, off-site parking, widths and center

lines for all right-of-ways, periphery walls, fences, property lines, driveways, location of service building, canopy areas, pump islands, method to channelize on-site traffic, existing uses and zones for the surrounding properties.

B. Architectural Features and Elevations:

A fully dimensioned elevation plan of the four sides of the service building and the canopy shall be drawn. All architectural elements shall be fully identified. Texture of materials, colors and sizes shall be identified.

IV. Supportive Materials to Substantiate the Need for a

Service Station: In order that the Planning Commission shall fully evaluate new applications for any additional service stations within the City's boundary to avoid an overconcentration of this land use; to diminish inherent danger within the service station and finally to promote economic stability, the Planning Commission finds it necessary to have supportive documentation from all applicants to justify the economic needs to grant the permit(s) within the City as well as the specific neighborhood. To fulfill this requirement, the items listed below are recommended as the basic contents of such evaluative documents; however, additional supportive data and analysis is encouraged to support all applications. The guidelines should include, but may not be limited to the following:

- A. Population composition, income levels and automobile ownership and/or registration within a two (2) mile radius of the selected site;
 - B. Traffic pattern: General origin and destination of traffic in relation to all through traffic; function and classification of all the street systems within a two (2) mile radius of the prospective locale;
 - C. Development trends with respect to residential, industrial and commercial growth;
 - D. Number of service stations within a two (2) mile radius of the prospective locale and their sphere of influence;
 - E. Anticipated gallonage sales; and
 - F. Specific retail activities, deemed incidental to the function of the service station, to be conducted simultaneously with the service station operation.
- V. Uses Permitted: An automobile service station shall be a retail place of business engaged solely in the sale of motor fuels and in supplying goods and services generally required in the operation and maintenance of automotive vehicles and fulfilling of motorist needs. These may include sale of petroleum products; sale and servicing of tires, batteries, automotive accessories and replacement of items; lubrication services; the performance of minor automotive maintenance and repair within an enclosed building; and the supplying of other incidental customer services and products. Major automotive painting, body and fender work are prohibited. Storage and rental automobiles, trucks, trailers and boats; retail sales of

Christmas trees and/or other household merchandise deemed contrary to those itemized under the definition and purpose sections of this resolution shall be prohibited on the premises of all service stations. All service stations shall be approved by the Planning Commission under Special Use Permit application and may be permitted only in C-1, C-2, C-3, C-4, M-1 and M-2 zones.

IV. Development Standards in all cases shall be as follows:

A. Architectural Features: The architectural theme for all proposed service stations shall be appropriately articulated to befit the physical and spatial setting of individual sites, and shall be so designed to integrate with all adjacent developments as well as the general residential and commercial atmosphere surrounding the site. To achieve the desired architecture, the use of ornamental stone, bricks and other masonry on the exterior elevations of the buildings shall be encouraged, as specified by the Precise Plan of Design: Article 18, Section 9-4.1803.

B. Location: All new service stations shall be limited to intersections of primary and secondary highways, controlled or free access or combination thereof, as per the adopted Master Plan of Highways; or at intersection of such highway with a freeway on- or off-ramp. At all times, only a maximum of two (2) locations at any of the above mentioned intersections shall be considered desirable for a service station and those locations would include freeway on- and off-ramp systems.

C. Development and Operational Standards: A lot size range of twenty thousand (20,000) square feet minimum and forty thousand (40,000) maximum shall be deemed adequate to accommodate and dispense the limited services and retails permitted on each service station site.

That all service stations constructed on property which is not a separate parcel from the surrounding property will be required to apply for a land division and record a parcel map separating the parcel. This shall apply even if the adjacent property is held in common ownership.

All activities and operations shall be conducted entirely within the enclosed service building, except that the following activities and operations shall additionally be permitted outside of a building:

1. Dispensing of gasoline, oil, air and water from pump islands and sale of related automotive items and services.
2. Sale of soft drinks, candy and cigarettes sold, via dispenser, to be located in a designated area.
3. A display of not more than ten (10) tires; not more than one (1) windshield wiper display rack, and not more than one (1) closable rack per pump island for additives, and canned lubricating oils.
4. Emergency service, but not to include major automobile repairs.
5. Public Telephones may be detached from the main

building and placed on the outer perimeter on the site adjacent to a parking area and shall be so designed to be in architectural conformity with the main building with a minimum height of six (6) feet and shall be located to gain exposure to the streets and shall be accessible on a twenty-four (24) hour basis.

D. Access: Driveways may be permitted at the intersection of primary and secondary highways controlled or free access or combination thereof to insure a safe and efficient movement of traffic on and off the site from the lane of traffic on and off the site from the lane of traffic nearest the curb, only according to the following provisions:

1. One (1) integrated driveway or two separate driveways may be permitted on each street with the approval of the Public Works Department. A raised median strip, not less than one hundred and seventy-five (175) feet in length and designed in accordance with the Public Works Department's standards, shall be constructed, or the alternative cash deposit shall be posted with the Public Works Department prior to final completion or occupancy, subject to the approval of the Director of Public Works.
2. The driveway entrance to the automobile service station shall not be within forty (40) feet from the projected intersection of the curb return and shall be a minimum of five (5) feet beyond the end of the curb return, i.e., curb radius plus five (5) feet. Specific location shall be

based on the traffic volume and traffic pattern of individual streets.

3. At all intersections, wherever possible, a common driveway for both a service station and a shopping center shall be designated and provided. A separate driveway shall be located at least twenty (20) feet from a property line common to the service station when adjacent to commercially or industrially zoned property having a street centerline requirement of at least forty (40) feet.
 4. The width of driveways other than a common driveway at the sidewalk may not exceed thirty (30) feet. The width of a common driveway may not exceed thirty-six (36) feet.
 5. The centerline of a driveway shall be perpendicular to the curb line.
 6. The distance between driveways shall be at least twenty-five (25) feet.
 7. The Public Works Department may require the service station to provide one-fourth (1/4) of the cost of any future traffic signal system at the intersection when deemed appropriate by the Public Works Director.
- E. Interior Circulation: Every possible effort should be made to channelize on-site traffic to and from service areas and/or to the pump islands to insure the safety of the motorists and pedestrians. Channelization method should clearly be delineated on the plot plan. This objective may be achieved

by the use of a properly organized layout of curbs and planters. A traffic flow chart shall be provided on the plot plan delineating on-site vehicular movement to all facilities.

- F. Building Coverage: The service building, canopy and other structures may not occupy more area than is permitted in the designated zones. The remaining area may be used for landscaping, pedestrian walks, automobile parking circulation, and such other uses are provided herein and shall be improved, surfaced and marked for the appropriately designated use. Hydraulic racks and service pits shall be located within the main service building.
- G. Setbacks: A building or structure shall conform to the required setbacks in the zone in which it is proposed or as specified in Section 9-4.2503 (f) of the Thousand Oaks Municipal Code. To provide adequate landscaping, pump islands shall be located not less than twenty (20) feet from a street property line. A canopy or roof structure over a pump island may, however, encroach up to ten (10) feet from the street property lines.
- H. Pump Islands: Up to four (4) pump islands with not more than four meter cabinets per island shall be allowed for each service bay. Two (2) fuel outlet hoses for each meter cabinet may be permitted. Sufficient space shall be allowed around the pump islands to insure efficient and safe maneuverability.

- I. Parking: Parking requirements shall be met in accordance with Section 9-4.2404 of the Thousand Oaks Municipal Code. All on-site parking spaces shall be not less than nine (9) feet by twenty (20) feet and shall be marked. No truck, trailer, boat or any other merchandise deemed prohibitable by the permitted uses section of this resolution may be parked or stored on the premises. No vehicle may be parked on the sidewalks, parkways, driveways, alleys or planting areas.
- J. Service Bays: Unless otherwise permitted by the Planning Commission, the following regulations shall apply to service bays: The entrance to the service bay shall not be open to the street but shall face the rear or interior property lines. A thirty-six (36) inch high raised planter of brick, stone, rock, or similar materials shall be installed along that portion of the service station structure which constitutes a vertical wall at the back end of the service bay entrance. The remaining height may be designed to match the overall theme and design of the facility. A pedestrian entrance in this wall may be permitted.
- K. Rest Room Screening: All rest room entrances shall be screened with not less than a five (5) foot high decorative masonry wall or with a combination of decorative masonry and landscaping conforming to the general design of the facility.
- L. Trash Area: Trash, discarded or stored objects of any type shall be stored in areas completely enclosed

on all sides in a masonry wall not less than five (5) feet high and shall contain a solid gated opening large enough to accommodate standard size commercial trash bins.

- M. Peripheral Wall: Whenever a service station abuts property in a residential zone, there shall be erected along the property line abutting the residential zone a decorative masonry wall not less than six (6) feet high. Materials, textures, colors and design of the wall and screening shall be compatible with the on-site development, the adjacent properties and the general neighborhood. However, the wall shall not exceed two and one-half (2½) feet high at a common right-of-way and property line and shall extend at such height to the setback line of the adjacent property. A wall constructed on the interior property lines shall contain tree wells or landscape planting areas not less than sixteen (16) square feet in area. When included as part of the wall, the wells or planting areas shall be spaced not less than eight (8) feet nor more than sixteen (16) feet apart. Continuous planter (s) of uneven length may satisfy this requirement if they are at least four (4) feet deep, extend at least one-third (1/3) of the length of the wall and include trees planted not more than sixteen (16) feet apart.
- N. On-Site Lighting: Lighting shall be designed, controlled and maintained so that no luminaire shall be higher than twenty (20) feet above finished grade.

All light sources, including canopy, perimeter and floor, if permitted, shall be hooded or shielded or recessed within the roof canopy so that the station shall be indirectly visible, or shall not be of such a high intensity as to cause a traffic hazard or shine directly onto adjacent properties.

- O. Drainage Control: A grading and drainage plan showing existing and proposed slope elevations and drainage structures shall be submitted prior to the issuance of a building permit. Drainage shall be collected on-site and directed into a positive storm drainag system by way of two (2) foot wide concrete gutters or as approved by the Public Works Director. Drainage shall not be discharged across adjacent public or private properties or across sidewalks and driveways and shall meet all Public Works Department specifications, standards of the Regional Water Quality Control Board and all other provisions of law.
- P. Utilities: All on-site and adjacent off-site public utility services shall be installed underground in accordance with Chapter 5, Article 2 of the Thousand Oaks Municipal Code. All discharges into the public sewer system shall conform to the limitations and regulations of the Utilities Department. An inspection test box, manhole or similar approved structure shall be provided in a location approved by the Utilities Director for sampling purposes.

Q. Landscaping: A detailed landscape plan, which shall meet the approval of the landscape supervisor, shall be submitted showing location, size and species of all plant materials before the issuance of the special use permit. Landscaping shall comprise a minimum of five (5) percent of the net site area unless parking spaces exceeding twenty-one (21) stalls or more are provided in which ten (10) percent landscaping shall be required, including all peripheral landscaping adjacent to interior property lines provided the paved areas are effectively broken up with planters. A ten (10) foot wide raised planter shall be provided along all street property lines and an additional four (4) foot wide raised planter shall be executed at the interior property lines, when the service station abuts and/or is an integral part of a commercial, industrial or residential development. The landscaping in these areas shall be so designed as not to obstruct necessary sight distance and traffic flow but shall offer adjacent residential, industrial and commercial properties a degree of visual and audio screening and shall be of such quality as to enhance the site, and to maintain the character and the integrity of the neighborhood. The service building, office, restrooms, parking areas, and portions of the bay areas shall be landscaped so as to achieve the efficient traffic channelization. Landscaped areas along all streets shall be limited

to a height not more than thirty (30) inches within twenty (20) feet of the point of intersection. All landscaped areas shall be enclosed within a brick or masonry planter box or concrete curb not less than six (6) inches high. All planting other than trees shall be of a variety that shall not be thorny or spiked, and shall not extend over the sidewalk. All landscaped areas shall be provided with automatic sprinkler systems. Median Islands (required in VI(C) (1) above) shall be landscaped when the Planning Commission considers such landscaping appropriate. Landscape and sprinkler plans shall be designed to the satisfaction of the Director of Public Works.

R. Trees: Trees, approved as to number and type by the City Landscape supervisor, shall be planted in the parkway areas between the curbs and sidewalks and in approved tree wells.

S. Signs: Signs shall be permitted as provided in Article 23 of the Thousand Oaks Municipal Code, which contains the following provisions:

1. One (1) freestanding monument sign and building sign shall be allowed. Maximum height of the freestanding monument sign shall not exceed 8'0" with an area not to exceed fifty (50) square feet. The sign shall be installed in a location to provide a minimum of 275 feet of sight visibility in all directions along the street frontages.

Building signs shall not exceed one (1) square foot of area for each one (1) linear

foot of the linear footage of the exterior elevation. No roof signs shall be permitted under any circumstances. Lighting source for signs shall be obscured, indirect and non-glaring.

2. Banners, pennants, flags, streamers, flashing lights, captive balloons, displays or other advertising appurtenances are not permitted.
 3. Portable, movable or temporary signs are not permitted. The Planning Director may permit two (2) changeable copy poster signs of special feature signs not exceeding twelve (12) square feet each only when permanently affixed to a building or canopy and designed as an integral part of said structures. Said signs shall provide a combined list of all credit cards, premium stamps, special services, etc. The freestanding sign may also be designed to include a list of the above mentioned items. All such signs shall be included in the computation of the total allowable freestanding sign area.
 4. Signs may be illuminated but shall not be flashing, animated or rotating.
 5. No part of a sign shall project over a public street or adjacent properties.
- T. Public Address System: No public address system or speakers may be located outside of the structure or which is audible outside.

- U. Merchandising: All new and used merchandise shall be stored and displayed within the service station building or be screened from general public view, except tires, batteries, accessories and lubrication items which are maintained in movable or enclosable cabinets shall be included in the computation of the total allowable building sign area.
- V. Parts and Equipment: No used or discarded automotive parts or equipment or permanently disabled, junked or wrecked vehicles may be located outside the service station building except within an enclosed trash storage area meeting the requirements of Item No. "L" of this resolution.
- W. Rental and Sale of Equipment: The rental of heavy equipment and, except as allowed under Section "V" above, the sale and rental of any type of merchandise not related to the motoring public is prohibited.
- X. Special Events: A special promotion program may be permitted twice each year subject to the prior approval by the Planning Director.
- Y. Hours of Operation: Often disturbing and detrimental noise is commonly produced by service stations, particularly during automotive repair operations which are often allowed in close proximity to residential areas. In the light of these nuisances, it is found mandatory to limit the hours of operation that will normally be imposed in connection with special use permits for sites in close proximity to residential areas.

The Planning Commission shall weigh the following guidelines on the merits of each individual application. If a special use permit is approved for a service station located in the commercial zones and within two-hundred (200) feet of residential property, a condition may be imposed stating that the station shall not conduct operations between

elective; not required

the hours of 11:00 p.m. and 6:00 a.m. The conditions may further stipulate that all business activities except supply vehicles with gasoline and oil and emergency repair shall be confined to hours between 7:00 a.m. and 9:00 p.m. on weekdays and 10:00 a.m. and 8:00 p.m. on Sundays.

See legislative history; intended for very loud auxiliary businesses (oil, lube, mechanics, car repair, etc...)

Z. Abatement of Nuisances: Notwithstanding any of the provisions of this chapter to the contrary, gasoline service stations are hereby declared to be a special class of land use:

1. Any change from the intended use, even though such use is permitted in the zone, shall be unlawful, and the buildings and structures which are the subject to such change shall be, and are hereby declared to be, a public nuisance
2. When the intended use of any service station is discontinued and such use is not reestablished within ninety (90) days, any special use permit or variance shall immediately become null and void, and the buildings and structures shall be, and are hereby declared to be, a public nuisance and shall be abated following notice

and hearing by the Commission. If, after notice and hearing as herein provided, the Commission declares that the buildings and structures are public nuisances, the burden of proof shall be upon the applicant to show that the ninety (90) day abatement requirement will cause irreparable and unnecessary hardship.

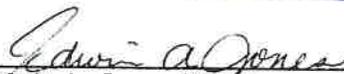
If the owner submits facts sufficient to convince the Commission that a hardship as described in this section exists, then the Commission may, at its discretion, grant one ninety (90) day continuance for abatement.

3. All special use permits for service stations issued after April 8, 1971, shall contain in bold-face type a summary of the provisions of this section.
4. In issuing a special use permit to a service station, the Commission shall require the posting of security with the City by the permittee consisting of a cash deposit, certificate of deposit or penal bond in the amount of \$5,000 to insure compliance with the provision of this section and the applicant shall sign an agreement granting the right of entry to the subject property by City personnel to enforce this section.
5. Remedies Nonexclusive: This procedure provided in this Section 9-4.3006 of the Municipal Code shall be in addition to any other remedies provided elsewhere by law.

FURTHERMORE, BE IT RESOLVED that the Planning Commission of the City of Thousand Oaks may waive or modify any of the above mentioned standards that are not required by specific provisions of the Municipal Code if the applicant for a special use permit for an automobile service station produces sufficient proof that the deletion or modification of the standards will not be injurious or detrimental to the public health, safety or welfare and said deletion or modification is necessary for the owner to make reasonable use of the property. All conditions and the above standards imposed on said special use permit may be appealed to the City Council in accordance with Section 9-4.2707 of the Municipal Code.

* * * * *

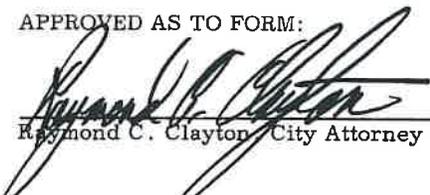
PASSED AND ADOPTED this 31st day of October, 1972.


Edwin A. Jones, Mayor
City of Thousand Oaks, California

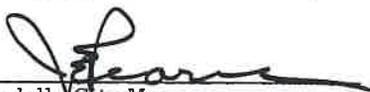
ATTEST:


Velma S. Quinn, City Clerk
City of Thousand Oaks, California

APPROVED AS TO FORM:


Raymond C. Clayton, City Attorney

APPROVED AS TO ADMINISTRATION:


Glenn Kendall, City Manager
By: J. E. Pearce, Ass't City Manager

I, VELMA S. QUINN, DO HEREBY CERTIFY that the above and foregoing Resolution No. 72-337 was duly passed and adopted by the City Council of the City of Thousand Oaks at a regular adjourned meeting, thereof, held on the 31st day of October, 1972, by the following vote, to wit:

AYES: Grattan, Irwin, Bowen, Fiore, Jones

NOES: None

ABSENT: None


Velma S. Quinn, City Clerk
City of Thousand Oaks, California

I HEREBY FURTHER CERTIFY that said resolution was readopted at a regular meeting of the City Council of the City of Thousand Oaks on the 21st day of November, 1972, by the following vote to wit:

AYES: Grattan, Irwin, Bowen, Fiore, Jones

NOES: None

ABSENT: None


Velma S. Quinn, City Clerk
City of Thousand Oaks, California

**TITLE 9. PLANNING AND ZONING / CHAPTER 4. ZONING / Article 12.
Neighborhood Shopping Center Zones (C-1)***

Article 12. Neighborhood Shopping Center Zones (C-1)*

* *The title of Article 12, formerly entitled "Neighborhood Commercial Zones," amended by Section I, Ordinance No. 173-NS, effective November 5, 1970.*

**TITLE 9. PLANNING AND ZONING / CHAPTER 4. ZONING / Article 12.
Neighborhood Shopping Center Zones (C-1)* / Sec. 9-4.1200. Purpose (C-1).**

Sec. 9-4.1200. Purpose (C-1).

The C-1 or Neighborhood Shopping Center Zone is intended for planned neighborhood shopping centers where the land and compatible retail stores and associated facilities are designed and developed together as an integrated unit using modern site planning techniques. The primary tenant will usually be a supermarket or drugstore, and the center will serve only the convenience needs, such as food, drugs, hardware, and personal services, of a residential area. Such centers are required to fit into the residential pattern of development and not create either architectural or traffic conflicts.

(§ II, Ord. 173-NS, eff. November 5, 1970)

**TITLE 9. PLANNING AND ZONING / CHAPTER 4. ZONING / Article 12.
Neighborhood Shopping Center Zones (C-1)* / Sec. 9-4.1201. Uses requiring development permits (C-1).**

Sec. 9-4.1201. Uses requiring development permits (C-1).

The following uses only shall be permitted in Neighborhood Shopping Center (C-1) Zones, subject to the requirements and conditions of a development permit granted in the manner provided in Article 28 of this chapter:

(a) Agricultural uses subject to the following conditions and limitations:

(1) Land within C-1 Zones may be used for growing agricultural crops and uses accessory thereto, but no poultry or animals shall be raised or kept in such zones except as are otherwise permitted by the provisions of this article;

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- (b) Antique stores;
- (c) Art studios;
- (d) Bakeries which do not employ more than five (5) persons in the permitted manufacturing, processing, or treating of the products involved;
- (e) Banks and similar businesses;
- (f) Barbershops;
- (g) Beauty shops;
- (h) Bird and pet shops;
- (i) Bookstores;
- (j) Religious facilities;
- (k) Clubs and lodges, private;
- (l) Confectionery stores;
- (m) Delicatessens;
- (n) Dressmaking shops which do not employ more than five (5) persons in the permitted manufacturing, processing, or treating of the products involved;
- (o) Drugstores;
- (p) Dry goods and notions stores;
- (q) Dwelling units above stores if the ground floor is devoted entirely to retail stores or businesses permitted in C-1 Zones, such dwelling units to be occupied only by the proprietors of the stores or businesses;
- (r) Electrical appliance repair stores;
- (s) Floriculture and horticulture of all types;
- (t) Florist shops;
- (u) Fruit and vegetable stores;
- (v) Furniture stores;
- (w) Grocery stores and small variety stores, but not major department or discount stores;

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- (x) Hardware stores;
- (y) Interior decorating establishments;
- (z) Jewelry stores;
- (aa) Laundry and dry cleaning establishments which do not employ more than five (5) persons in the permitted manufacturing, processing, or treating of the products involved;
- (ab) Liquor stores;
- (ac) Meat markets;
- (ad) Medical laboratories;
- (ae) Millinery shops which do not employ more than five (5) persons in the permitted manufacturing, processing, or treating of the products involved;
- (af) Music and dancing schools;
- (ag) Garden centers;
- (ah) Offices, business;
- (ai) Offices, professional, excluding veterinary;
- (aj) Radio and television retail sales and repair stores;
- (ak) Restaurants and cafes which do not serve alcoholic beverages such as liquor, spirits, wine, or beer, which beverage contains greater than one-half of one (0.5%) percent of alcohol by volume;
- (al) Retail stores which do not involve any kind of manufacturing, processing, or treating of products other than that which is clearly incidental to the retail business conducted on the premises;
- (am) Shoe repair shops;
- (an) Signs only as set forth in Article 23 of this chapter;
- (ao) Repealed;
- (ap) Stationery stores;
- (aq) Tailor shops;
- (ar) Telephone exchanges with no outside storage;

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(as) Variety stores;

(at) Wearing apparel stores;

(au) Water supply. The provisions of this article shall not be construed to prohibit the drilling of water wells for the production of water on any lot or parcel of land in the C-1 Zone if water from such wells is used only upon the lot or parcel upon which the well is located;

(av) Uses and structures which are incidental or accessory to any of the uses permitted in the C-1 Zone;

(aw) The Community Development Director may authorize a temporary carnival, fair, rodeo, gymkhana, and any other similar temporary recreational and amusement type enterprise whenever the duration of the enterprise is for not more than seven (7) consecutive days within any sixty (60) day period of time. At the time of authorization, the Community Development Director may impose conditions regarding the hours of operation, access, parking, fencing, and surface treatment to inhibit dust emanation;

(ax) Repealed;

(ay) Resource collection receptacles;

(az) Branch libraries operated by a public agency; and

(ba) Outdoor barbecues, when conducted on a regular or recurring basis at a specific location in conjunction with a permitted and related commercial operation (e.g., meat markets, restaurants);

(bb) Wireless communications facility;

(bc) Martial arts studios (e.g., karate, judo and similar self-defense schools).

(§ 8128, T.O.O.C., as amended by § 1, Ord. 55, § 7, Ord. 86, § 13, Ord. 95, § 3, Ord. 126, § 1, Ord. 211, § III, Ord. 173-NS, eff. August 19, 1971, § I, Ord. 563-NS, eff. March 18, 1976, § II, Ord. 661-NS, eff. January 12, 1978, § 2, Ord. 980-NS, eff. November 3, 1987, § 2, Ord. 1025-NS, eff. May 16, 1989, § 1, Ord. 1113-NS, eff. August 8, 1991, § 20, Ord. 1178-NS, eff. April 27, 1993, § 6, Ord. 1187-NS, eff. October 5, 1993, § 3, Ord. 1292-NS, eff. August 28, 1997, § 1, Ord. 1304-NS, eff. October 23, 1997, § 1, Ord. 1323-NS, eff. June 25, 1998, § 8, Ord. 1379-NS, eff. August 9, 2001, § 22, Ord. 1392-NS, eff. June 7, 2002, and § 2, Ord. 1485-NS, eff. October 11, 2007)

TITLE 9. PLANNING AND ZONING / CHAPTER 4. ZONING / Article 12.
Neighborhood Shopping Center Zones (C-1)* / Sec. 9-4.1202. Uses requiring special use permits (C-1).

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Sec. 9-4.1202. Uses requiring special use permits (C-1).

The following uses shall be permitted only if a special use permit is obtained in the manner set forth in Article 28 of this chapter:

- (a) Automobile service stations;
- (b) Natural resources, development of, including the necessary structures and appurtenances incidental thereto;
- (c) Veterinary offices provided such establishments shall be in a completely enclosed building and shall not board animals;
- (d) Notwithstanding any other provision to the contrary, any business wholly or incidentally engaged in the on-premises sale of alcoholic beverages;
- (e) Day nurseries;
- (f) Commercial recreational facilities limited to tennis, handball/racquetball, and tennis courts;
- (g) Junior department stores;
- (h) Trade and training schools;
- (i) Gymnasiums, health studios, exercise rooms, aerobics studios and similar-type uses;
- (j) Restaurants and cafes which serve alcoholic beverages, such as liquor, spirits, wine, or beer, which beverage contains greater than one-half of one (0.5%) percent of alcohol by volume;
- (k) Restaurants and cafes which have as an accessory use dancing or live entertainment;
- (l) Nightclubs and dancing establishments;
- (m) Live entertainment; and
- (n) A Special Use Permit may be granted for any property included within the Protected Ridgeline Overlay Zone to have certain PR Overlay development standards modified as may be deemed appropriate by the City Council upon recommendation of the Planning Commission. The criteria for the approval of this permit are those set forth in Section 9-4.3502(c) of this chapter.

(§ 8128.1, T.O.O.C., as amended by § 2, Ord. 55, § 8, Ord. 86, § 1, Ord. 119, § 3, Ord. 126, § IV,
American Legal Publishing Corp. 5

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Ord. 163-NS, eff. August 27, 1970, § IV, Ord. 173-NS, eff. November 5, 1970, § XVIII, Ord. 220-NS, eff. August 19, 1971, § IX, Ord. 312-NS, eff. November 2, 1972, § I, Ord. 557-NS, eff. February 19, 1976, § II, Ord. 563-NS, eff. March 18, 1976, § III, Ord. 661-NS, eff. January 12, 1978, § I, Ord. 871-NS, eff. October 2, 1984, § 7, Ord. 1187-NS, eff. October 5, 1993, § 10, Ord. 1273-NS, eff. January 8, 1997, § 1, Ord. 1393-NS, eff. June 7, 2002, § 11, Ord. 1555-NS, eff. May 13, 2011)

**TITLE 9. PLANNING AND ZONING / CHAPTER 4. ZONING / Article 12.
Neighborhood Shopping Center Zones (C-1)* / Sec. 9-4.1203. Development permits:
Conditions and limitations (C-1).**

Sec. 9-4.1203. Development permits: Conditions and limitations (C-1).

Unless otherwise stated in the development permit, such permit shall be subject to all the following conditions and limitations;

(a) The open storage of materials and equipment shall be permitted only when incidental to the permitted use of an office, store, or other building located on the front portion of the same lot provided, however, such storage area shall be approved and shown on the plot plan.

(b) Buildings and other structures shall not occupy more than twenty-five (25%) percent of the area for which the development permit is issued. The remaining area shall be used for automobile parking and circulation and shall be completely improved, surfaced, and marked for such purpose.

(c) Whenever the parking and circulation area abuts property in an R Zone, there shall be erected along the property line abutting the R Zone a solid fence or wall six (6') feet in height, or an evergreen hedge shall be planted and maintained at a height of six (6') feet.

(d) No structure shall be located less than one hundred (100') feet from the center line of any public road, street, or highway or less than within ten (10') feet of any boundary line of abutting R property except when the structure height exceeds twenty-five (25') feet, it shall be located not less than twenty (20') feet from any such boundary line.

(e) Structure heights within the C-1 Zone shall be as set forth in Section 9-4.2501 of Article 25 of this chapter.

(f) Ingress and egress roads leading onto a limited access highway shall be located at intervals not less than six hundred (600') feet apart. Ingress and egress roads leading onto any other public road, street, or highway shall be located at intervals not less than three hundred (300') feet apart, except when such road, street, or highway is designed as a service road for any adjacent commercial area, the ingress and egress roads shall be located at intervals not less than

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one hundred (100') feet apart.

(g) Frontage or interior service roads shall be provided to serve such C-1 area.

(h) Whenever the parking or circulation area abuts a public street and the property across such street is zoned for residential uses, there shall be provided along the C-1 area property lines adjacent to the street except within the approved exit and entrance ways a planting strip one and one-half (1-1/2') feet wide within which plantings shall be maintained at a minimum height of two and one-half (2-1/2') feet; provided, however, where sight distance may be impaired, the Community Development Director may permit a lesser height requirement. Appropriate wheel blocks shall be installed along the parking area sides of the planting strip.

(i) Trees, approved as to number and type by the Landscape Supervisor, shall be planted in the parkway area between the curbs and sidewalks.

(j) Every lot created on or after September 5, 1969, shall have a minimum street frontage of one hundred (100') feet and a minimum lot area of twenty thousand (20,000) square feet; provided, however, any lot having frontage on a limited or controlled access highway shall have a minimum street frontage of six hundred (600') feet unless:

(1) All access rights to such limited or controlled access highway have been dedicated to, and accepted by, the City subject to such driveways or common driveways as permitted in such acceptance of access rights dedication; or

(2) A special use permit for an automobile service station, including access thereto has been approved by the City.

(k) Every lot created on or after September 5, 1969, shall have a depth at least equal to the required street frontage of such lot (except the required frontage along limited or controlled access highways) and a depth not more than three (3) times the amount of the actual street frontage of such lot.

(l) Each neighborhood commercial shopping center site shall consist of a minimum of four (4) acres and up to a maximum of ten (10) acres. After a development permit for the center has been approved by the City, individual lots may be created so long as they comply with the provisions of subsections (j) or (k) of this section.

(m) The applicant shall submit a construction sequence for the land covered by the permit showing the order in which particular structures and facilities will be constructed, and, upon approval of the sequence, the applicant shall not deviate from such sequence without written approval by the Community Development Director.

(§ 8128.2, T.O.O.C., as amended by § 3, Ord. 126, § 1, Ord. 105-NS, eff. September 5, § IV, Ord. 173-NS, eff. November 5, 1970, and § VI, Ord. 495-NS, eff. October 10, 1974)

**TITLE 9. PLANNING AND ZONING / CHAPTER 4. ZONING / Article 12.
Neighborhood Shopping Center Zones (C-1)* / Sec. 9-4.1204. Development permits:
Issuance (C-1).**

Sec. 9-4.1204. Development permits: Issuance (C-1).

(§ 8128.8, T.O.O.C., as amended by § 3, Ord. 126 § 5, Ord. 142-NS, eff. March 26, 1970, and § VII, Ord. 162-NS, eff. August 27, 1970; repealed by § 21, Ord. 1178-NS, eff. April 27, 1993)

**TITLE 9. PLANNING AND ZONING / CHAPTER 4. ZONING / Article 12.
Neighborhood Shopping Center Zones (C-1)* / Sec. 9-4.1205. Nonresidential buildings in
redevelopment areas.**

Sec. 9-4.1205. Nonresidential buildings in redevelopment areas.

The conditions and limitations set forth in this article and in Article 28 may be waived or modified for nonresidential buildings or structures in approved redevelopment project areas as set forth in Section 9-4.2702.5.

(§ 3, Ord. 887-NS, eff. April 9, 1985)

**TITLE 9. PLANNING AND ZONING / CHAPTER 4. ZONING / Article 13. Highway
and Arterial Business Zones (C-2)***

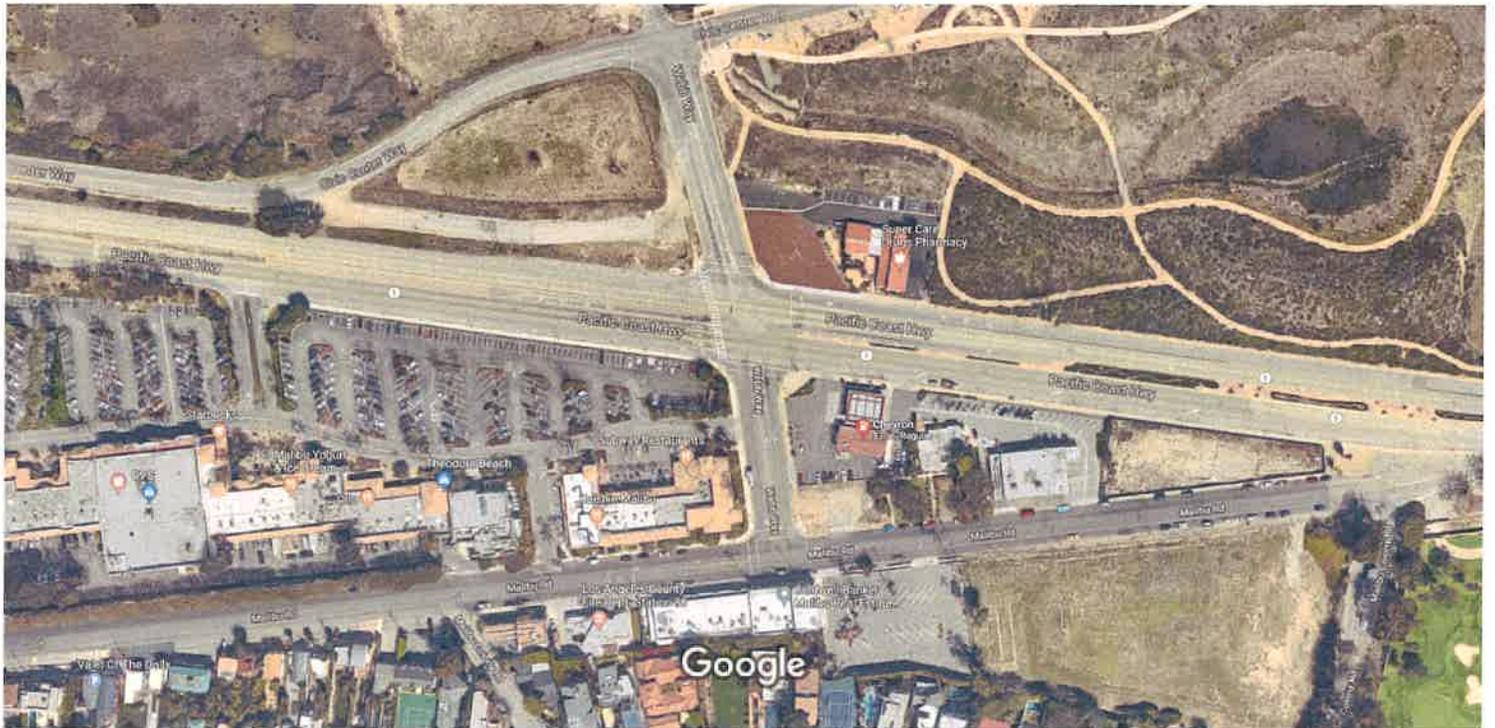
Article 13. Highway and Arterial Business Zones (C-2)*

* *The title of Article 13, formerly entitled "General Commercial Zones," amended by Section V, Ordinance No. 173-NS, effective November 5, 1970.*

**TITLE 9. PLANNING AND ZONING / CHAPTER 4. ZONING / Article 13. Highway
and Arterial Business Zones (C-2)* / Sec. 9-4.1300. Purpose (C-2).**

Sec. 9-4.1300. Purpose (C-2).

The C-2 or Highway and Arterial Business Zone is intended for establishments offering accommodations, supplies, or services, especially to motorists, and for specialized automotive and related sales and service establishments which serve persons coming to them from large



Imagery ©2019 Google, Imagery ©2019 Maxar Technologies, U.S. Geological Survey, USDA Farm Service Agency, Map data ©2019 100 ft

Chevron

2.7 ★★☆☆ (13)

Gas station · 23670 Pacific Coast Hwy

🛢️ \$3.96 / Regular



Chevron

3.6 ★★★★★ (111)

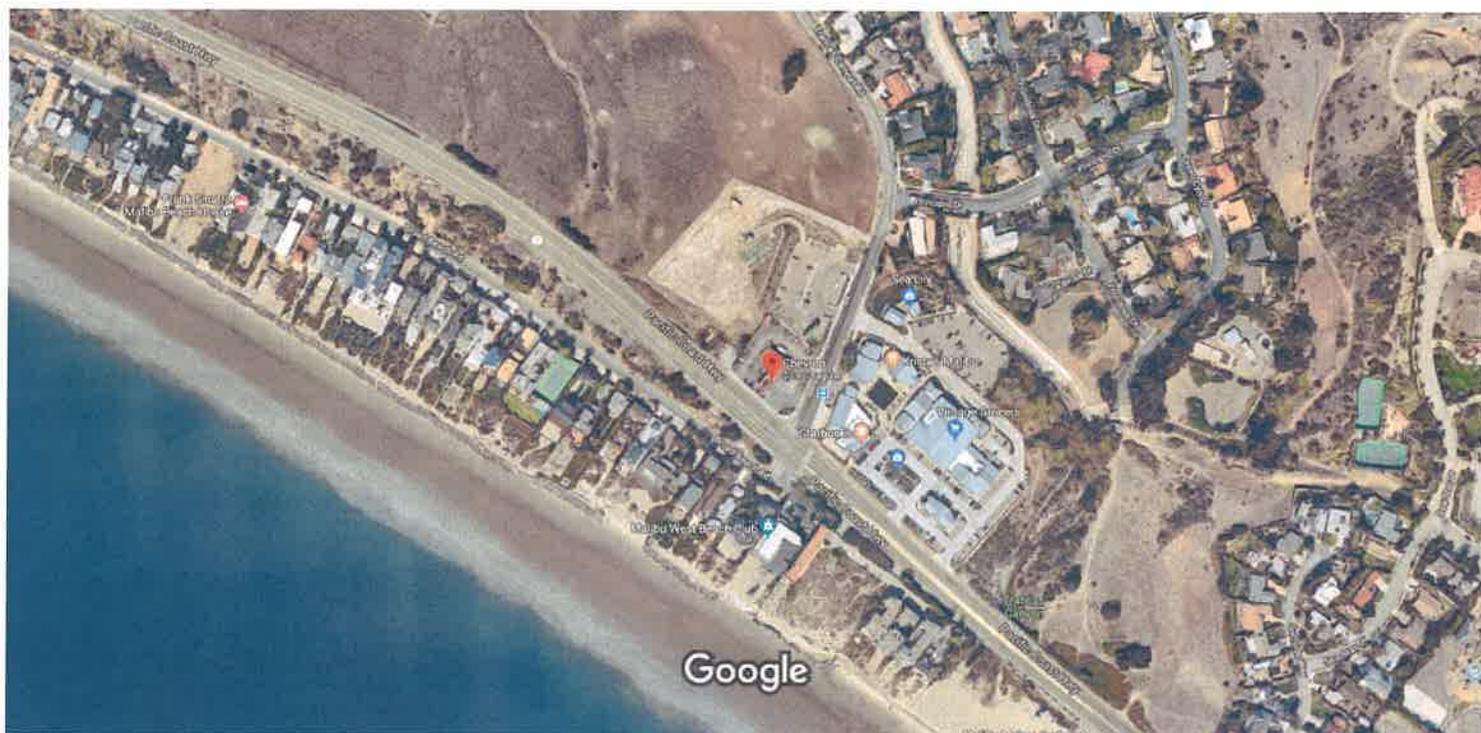
Gas station · 30811 Pacific Coast Hwy

🛢️ \$3.96 / Regular



Showing results 1 - 2





Imagery ©2019 Google, Imagery ©2019 Maxar Technologies, U.S. Geological Survey, USDA Farm Service Agency, Map data ©2019 200 ft



Chevron

3.6 ★★★★★ (111)

Gas station



Directions



Save



Nearby



Send to your phone



Share

Diesel

-

Regular

\$3.96

Midgrade

\$4.16

Premium

\$4.36

105

 30811 Pacific Coast Hwy, Malibu, CA 90265

 25J4+JF Malibu, California

 chevronwithtechron.com

 (310) 457-4659

Add missing information



Photos



Review summary



"Clean **place** with friendly **staff**"



"**Cashier** couldn't explain what kind of full **service** my **uncle** received :P"



"Good **people!** Clean and the **ice coffee** was fantabulous!"

All reviews





Cameron Webster
Local Guide · 78 reviews

★☆☆☆☆ 2 months ago

Avoid this gas station!

We paid for full service. No one came out to render the service. When we went in and asked for the service, Cesar (the manager) told us we have to ask for it before we start to pump and started rudely explaining ...

[More](#)



1



Share



durrell randle
Local Guide · 838 reviews

★☆☆☆☆ 2 months ago

Now one thing I can say is that the prices at this gas station are a little high but I did not get gas there I stopped by to get an energy drink And wanted things I noticed is that a few of the drinks that were there were all expired by a ...

[More](#)



1



Share



my htc

Local Guide · 34 reviews

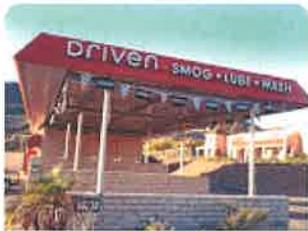
★☆☆☆☆ 4 months ago

Avoid unless tank is empty. June 2018, Rude staff stood around chatting in Spanish, watched me pump my own gas, then charged me full service price without doing any full service tasks like cleaning my windshield etc.

👍 1

🔗 Share

People also search for



Roadside Smog a...
5.0 ★★★★★
Auto repair shop



ARCO
3.9 ★★★★★
Gas station



76
3.6 ★★★★★
Gas station



Imagery ©2019 Google, Imagery ©2019 Maxar Technologies, U.S. Geological Survey, USDA Farm Service Agency, Map data ©2019 100 ft

Chevron

2.7 ★★☆☆ (13)

Gas station · 23670 Pacific Coast Hwy

🛢️ \$3.96 / Regular



Chevron

3.6 ★★★★★ (111)

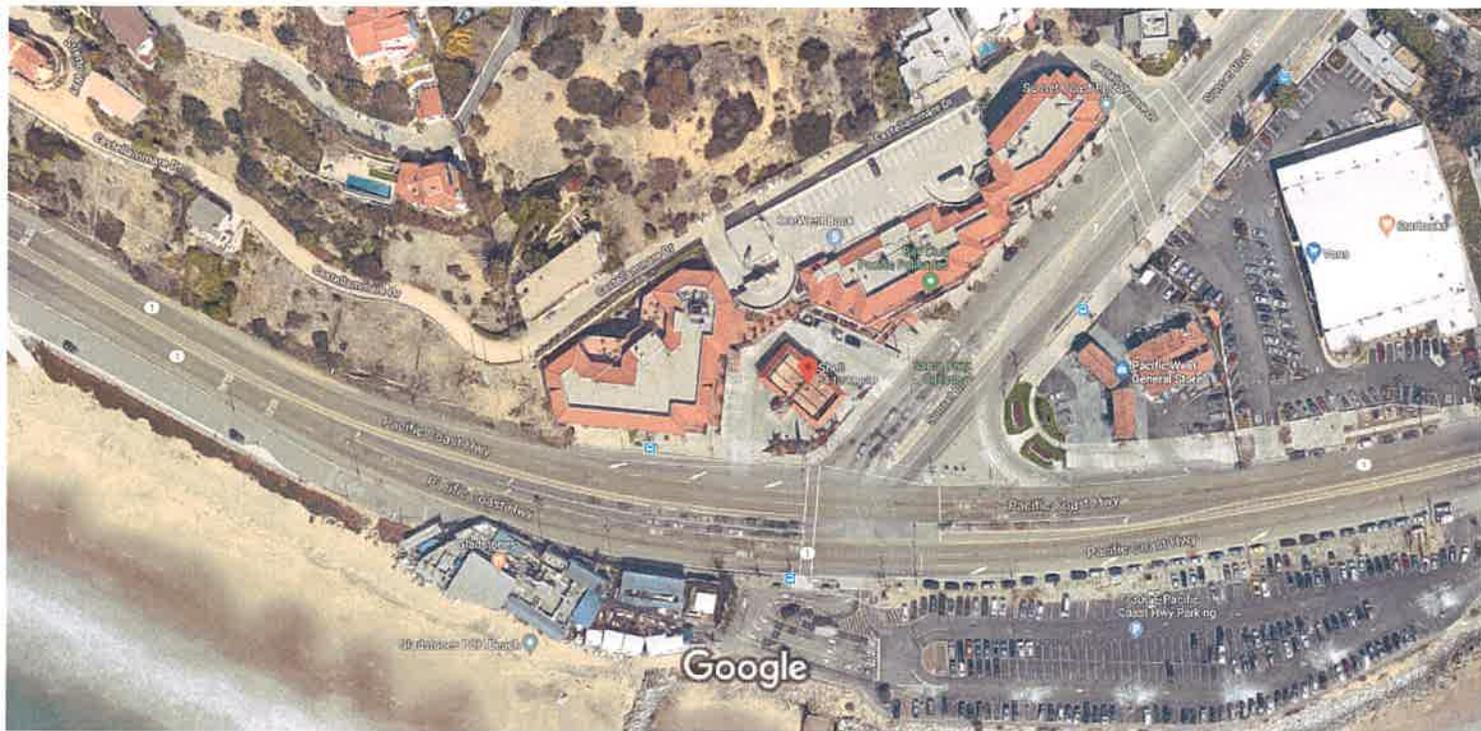
Gas station · 30811 Pacific Coast Hwy

🛢️ \$3.96 / Regular



Showing results 1 - 2





Imagery ©2019 Google, Imagery ©2019 Maxar Technologies, U.S. Geological Survey, Map data ©2019 50 ft



Shell

3.4 ★ ★ ★ ★ (31) · \$\$

Gas station



Directions



Save



Nearby



Send to your phone



Share

Diesel

-

Regular

\$4.10

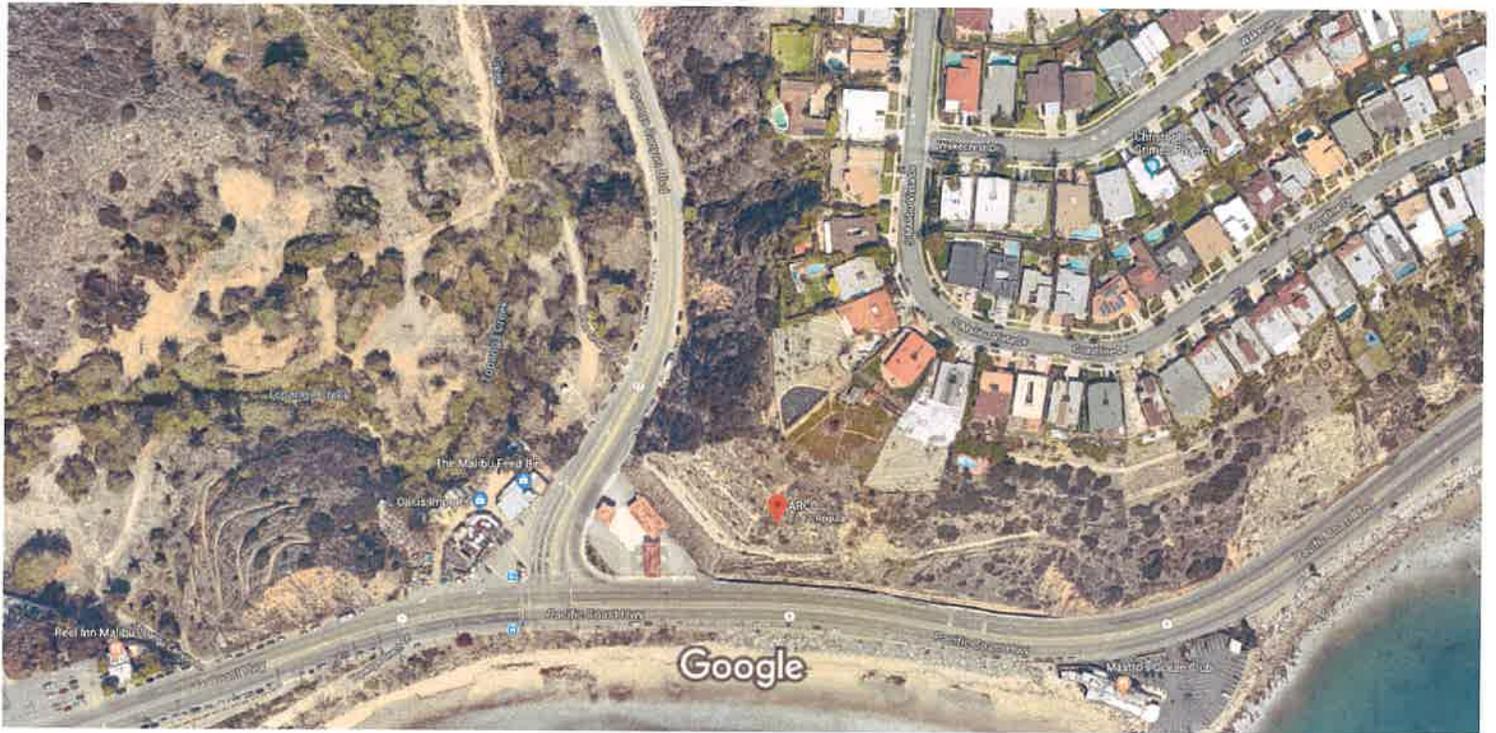
Midgrade

\$4.00

Premium

\$3.90

110



Imagery ©2019 Google, Imagery ©2019 Maxar Technologies, U.S. Geological Survey, USDA Farm Service Agency, Map data ©2019 100 ft



ARCO

4.0 ★ ★ ★ ★ (100)

Gas station



Directions



Save



Nearby



Send to your
phone



Share

Diesel

-

Regular

\$3.42

Midgrade

\$3.62

Premium

\$3.72

111



18541 Pacific Coast Hwy, Malibu, CA 90265



2CRC+5Q Malibu, California



arco.com

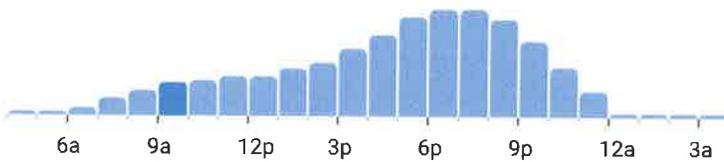


(424) 346-6700



Open now: Open 24 hours

Popular times Tuesdays



Photos



Review summary



4.0



100 reviews



"Cheapest gas prices in the **area**."



"The 2 stars are for the **people** who work in the **convenience store**."



"Fill up here before going north and you will save at least 30 **cents** per **gallon**."

All reviews



Laurel Montez
3 reviews



★★★★★ a month ago

This is my favorite station in all of the West Side...not only bc of the great things they always have in stock but due to the awesome people who work there. They are always very kind and helpful as well as outgoing and respectful of all ...

[More](#)

Like Share



Luis Angel Gutierrez
Local Guide · 90 reviews



★★★★☆ 4 days ago

Fast costumer service.

Like Share



Look out
Local Guide · 136 reviews



★★★★★ a month ago

Argo has the great coffee good coffee get coffee

1 Share

People also search for



Shell
3.9 ★★★★★
Gas station



Chevron
3.1 ★★★★★
Gas station



Gas Sta
3.4 ★★★★★
Gas stal



Thousand Oaks Chevron

4.3 ★★★★★ (3)

Gas station · 1201 Thousand Oaks Blvd

🛢️ \$3.86 / Regular



ARCO

4.2 ★★★★★ (119)

Gas station · 600 N Moorpark Rd

Open until 11:00 PM

🛢️ \$3.40 / Regular



Gas Station

2.9 ★★★★★ (18)

Gas station · 445 Ventu Park Rd



76

4.1 ★★★★★ (26)

\$\$ · Gas station · 293 S Moorpark Rd

Open until 11:00 PM



Shell

3.4 ★★★★★ (34)

Gas station · 56 Thousand Oaks Blvd

🛢️ \$3.86 / Regular



76

4.4 ★★★★★ (22)

Gas station · 420 Thousand Oaks Blvd

Open until 10:00 PM

🛢️ \$3.76 / Regular *



Mobil

4.3 ★★★★★ (13)

Gas station · 445 Ventu Park Rd



 \$4.00 / Regular



76

4.0  (44)

Gas station · 575 N Ventu Park Rd

 \$3.70 / Regular *



Chevron Thousand Oaks

4.3  (42)

Gas station · 172 N Moorpark Rd

 \$3.80 / Regular



ARCO

4.0  (56)

Gas station · 2473 Thousand Oaks Blvd



ARCO

3.7  (51)

Gas station · 2305 Borchard Rd

 \$3.44 / Regular



76

3.4  (10)

Gas station · 2861 Moorpark Rd

Open until 10:00 PM

 \$3.80 / Regular *



Chevron ExtraMileNewbury Park

2.9  (15)

Gas station · 2290 Borchard Rd

 \$3.90 / Regular



Chevron

3.4 ★★★★★ (9)

Gas station · 1152 E Avenida De Los Arboles

Open until 9:30 PM

🛢️ \$3.90 / Regular



Shell

3.9 ★★★★★ (15)

Gas station · 2689 N Moorpark Rd

🛢️ \$3.70 / Regular



USA

4.4 ★★★★★ (34)

Gas station · 518 Rancho Conejo Blvd

Open until 12:00 AM

🛢️ \$3.50 / Regular



USA GASOLINE

4.2 ★★★★★ (19)

Gas station · 1715 Thousand Oaks Blvd

🛢️ \$3.44 / Regular



USA Gasoline

4.2 ★★★★★ (75)

Gas station · 1640 N Moorpark Rd

🛢️ \$3.44 / Regular



T R Oil

3.0 ★★★★★ (2)

Gas station · 3050 Thousand Oaks Blvd

Open until 10:00 PM



7-Eleven

3.6 ★★★★★ (16)

Convenience store · 609 Rancho Conejo Blvd



Pit stop for snacks, drinks & sundries

 \$3.56 / Regular



Showing results 1 - 20

* Prices over 24h old





Community Development Department
MEMORANDUM

2100 Thousand Oaks Boulevard • Thousand Oaks, CA 91362
Phone 805/449.2500 • Fax 805/449.2575 • www.toaks.org

To: Andrew P. Powers, City Manager
From: Mark A. Towne, Community Development Director *MAT*
Date: September 10, 2019
Subject: **Supplemental Information – Correspondence Received for Appeal of SUP 2019-70299, Item 8C**

Attached is correspondence received for the subject item. Included are 10 emails/letters, 7 opposed and 3 in favor, an email to the Planning Commission from the applicant dated July 10, 2019, which includes the applicant's transcripts of portions of the April 1, 2019 and July 8, 2019 Planning Commission meetings, and an aerial photo submitted by the applicant depicting service station locations in the city with hours of operation for each.

Attachments

From: [Claudia Brock](#)
To: [Stephen Kearns](#)
Subject: 7/11
Date: Thursday, August 29, 2019 2:39:11 AM

Dear City Council

I live right down the street from the proposed site for the 7/11. I am very concerned about the impact that such a proposal would have in any form to my neighborhood. I myself was turned away years ago for a business that the city felt would become a hangout for the high schoolers. What is being proposed is far worse and I feel if this went through would negatively impact the children and property values. Please do not allow a 7/11, the mess at Arboles and Plantas are evidence enough of what will happen.

Thank you,
Claudia Brock

From: [Steve Woodward](#)
To: [Stephen Kearns](#)
Subject: 7-11 @ Flores/Moorpark
Date: Wednesday, August 28, 2019 5:55:56 PM

I live in Waverly Heights and am UTTERLY OPPOSED to allowing a 7-11 or any business that will be open later than 9 pm, or ANY business which will SIGNIFICANTLY increase traffic at this location.

An office building is acceptable as long as there is off-street parking for employees, but PLEASE no high traffic businesses inside a or immediately next to our neighborhood.

Thanks,

Steve Woodward
1888 Colgate Dr
Thousand Oaks, CA 91360

818-288-0803

August 30, 2019

Stephen Kearns
Community Development Dept.
Thousand Oaks City Council
2100 Thousand Oaks Blvd
Thousand Oaks, CA 91362

Dear Mr. Kearns,

Please relay my concerns to the Thousand Oaks City Council regarding the pending application (SUP 2019-70299) of the 7-11 convenience store and gasoline station.

I applaud their original decision to reject the original application. I am now concerned that the new application will be allowed. I am sure that when the Council denied the initial request that they took into consideration the ideas of increased traffic and noise pollution. I am wondering if they also considered the concept of "An Attractive Nuisance"?

A convenience store at that particular site would tend to draw an increased number of young people who would be easily distracted and would not be paying close attention to the increase of traffic. This "Attractive Nuisance" will surely cause accidents and result in maimed and/or dead children. I am wondering what role the City of Thousand Oaks will play in dealing with that eventuality? Who will be financially responsible? Have adequate plans been made to deal with that eventuality?

This area is already impacted with distracted parents attempting to be first in line to drop off or pick up their children. Adding an additional bottleneck will only increase traffic congestion.

Thanking you in advance for your attention to my concerns.

Sincerely,


Bob and Norma Privitt

2161 Ruskin Ave.
Thousand Oaks CA 91360
805-496-3878
bobprivitt@gmail.com

From: [Richard Preston](#)
To: [Stephen Kearns](#)
Subject: 711 at the corner on Moorpark and Los Flores
Date: Thursday, August 29, 2019 6:56:57 PM

Hi Steve, My name is Richard Preston and I live at 711 Calle Margarita. Just wanted to let you know how opposed to this proposal my family is.

Any business on this residential corner should close by 10:00 pm. We would welcome a neighborhood-friendly business that would not be bringing

all of the problems a 711 would. Trash, late night noise and traffic, tobacco and junk food are not welcome here.

We live only a few houses from this corner. What will do to our property values? I have put a lot of time and money into this property to make a safe

and beautiful home for my wife and children.

This corner does need something, but a late night gas station and market is the wrong solution. Late night food and gas is available less than a mile away on Janss

and Moorpark, and with it lots of crime.

Thank you,

Richard Preston

From: [Trisha Farrugia](#)
To: [Stephen Kearns](#)
Subject: Appeal of the 7-11 convenience store
Date: Thursday, August 29, 2019 7:40:11 PM

Dear Mr. Kearns,

Greetings. I am writing to you about the appeal that is taking place for the proposal of a 7-11 convenience store on Moorpark Road. Earlier this year, I sent out an email to several individuals--both elected government officials as well as school board members, when there was a meeting on the proposal for the 7-11 store. I do not believe you were included in that email, and you can view its contents below.

I believe, from what I am seeing on NextDoor, that a few citizens are sending you emails on this issue. Everyone has varying reasons and arguments for not wanting a 7-11 to be in that location. My concerns are all tied to the high school being so close. In the original email, academic articles were cited as to why having a convenience store close to a campus is not in the best interest of students (original email below).

Of course, there are the other community concerns such as increased traffic flow by the high school and the possibility of an increase in crime. I can spend time researching more studies but in 2017 it was found that "the number of robbery offenses at convenience stores rose the most in 2016" (NACS). These two variables could cause the value of the property and houses near that area to decrease. It is understandable why homeowners who live close by are concerned. I could delve further into this (I concentrated on these stores being close to schools when I researched the topic) but I don't want to take up more of your time unless that is desired. I am happy to research more if you wish.

Reference:

NACS (2017). FBI Releases 2016 Crime Statistics. Retrieved from <https://www.convenience.org/Media/Daily/ND0926175>

ORIGINAL EMAIL:

The proposed 7-11 establishment on Moorpark Road has been a lively issue and debate in our community over the past few months. There has been much dialog in person, in writing, in emails, and in online chats via social media platforms such as NextDoor. There is also an online petition to "keep 7-Eleven out of our neighborhood and away From TO High School" that over 760 people have signed to date. Most comments on NextDoor have expressed concern of having a 24-hour establishment across from the high school, and a few have expressed no concern stating it used to be a gas station. Some follow-up comments iterated the concern is that 7-11 is a 24-hour establishment, not that people can buy gas there. Posts have been made that include easy access for high school students to cigarettes and alcohol, links to common crimes committed at 7-11 stores and people camping out at these establishments, increased theft in the neighborhoods where 7-11s are, more work for police officers, increased traffic and safety issues by the high school where many students are pedestrians, and decreased property values. Another concern that was expressed was the "environmental problem that was left behind from it being a gas station" before. It was also pointed out that a

local owner is not who is proposing this. It is a millionaire who lives in Beverly Hills who has no interest in the community's wellbeing. The only interest is profit.

All of this is valid and important information to consider when deciding whether to approve this 7-11 location. There is another variable to take into consideration...that it is across from a high school and evidence-based studies have shown that convenience stores by school campuses can harm students.

In 2013 a study done on the availability of convenience stores near schools found that "the greater availability of convenience stores near a school is associated with an increased risk of alcohol use among adolescents over the previous 6 months" (Wang, et al.). Another 2013 study found in regards to smoking, the "factors found to be significantly associated with smoking included having a smoker in the family, experience with drinking alcohol, and using convenience store daily" (Watanabe, et al). A 2011 study titled "Convenience Stores Surrounding Urban Schools: An Assessment of Healthy Food Availability, Advertising, and Product Placement" focused on obesity. "Recent evidence has linked neighborhood food environments to health and nutrition status, with easier access to convenience stores being associated with increased risk for obesity" (Gebauer & Laska). In 2011 it was reported that having a convenience store close to a school may lead to students who are more overweight. A study funded by Michigan State University and published in BMC Public Health concluded that the presence of a convenience store within a 10-minute walking distance of a school was associated with a higher rate of overweight students. On the other hand, nearby fast-food restaurants and supermarkets were not associated with school rates of overweight students." In 2012, Choi, et al., (p. 103) wrote that "school neighborhood environments are crucial for the dietary behavior, physical activity, and weight status of children. (And) previous studies have found that the school neighborhood food environment was significantly related to children's overweight and obesity." In our state, in 2011 an ecological study reported that "public health researchers and policy-makers interested in the food environments outside schools should expand their recent focus on nearby fast food restaurants to include convenience stores, which may also be important sources of low-nutrient, energy-dense foods for students" (Howard, et al.) to address the obesity trend that is occurring. Why, in 2018, is a convenience store across from a high school even being considered? It needs to be. In 2012 it was reported that "the prevalence of U.S. childhood obesity has increased by more than three times during the past 30 years" (Choi, p. 102). You have the power now to help interrupt this trend, not contribute to it. Let me remind you that obesity costs society...even if you ONLY count the number of obese individuals who collect SSDI, can't work and thus are not contributing tax income, and receive Medicare.

So, to break it down, a 24-hour 7-11 store on Moorpark across from the high school has the potential to be a profitable business and bring in sales-tax dollars the city. The owner would be living far away and we'd likely not see him nor would his income-taxes contribute to our community; crime rates could raise; traffic and safety issues could intensify on a street where hundreds of high school students walk; easy access to cigarettes and alcohol (I'd include vapers here); local residents could see a decrease in their property values; and convenience stores near schools have been shown in evidence-based studies to be a contributing factor in the obesity epidemic.

According to one post on NextDoor, the police are not in favor of this 7-11 being built, even though the developer claims that they are. "The developers have also exaggerated the position of the Thousand Oaks Police Department, saying they support it which is also not true." Another person posted "I am the wife of a police officer for VCSO and that letter was a LIE.

Just for the record, the police and fire respond to the 7-11 on Wilbur, and the crime rate surrounding it, on a daily” basis. The letter is referring to a letter sent out by the developer saying police support the 7-11 being built there.

As far as the principal of the high school, he has not publicly voiced an opinion one way or another, but one post said the developer claimed at the December 20 community outreach meeting that he got the principal’s approval. “It was disturbing to hear from the developer that the Principle (sic) for TO High School has allegedly given his approve (sic) to the developer.” Another post said “what the developer is stating is not true. The president of the TOHS PFA has written a letter opposing a 7-Eleven opening in this location. As far as I know the principal is trying to stay out of it, so the developers are taking that as approval which is not the case.” It would be nice to get an official stance of the high school, especially given what the studies have yielded.

I look forward to hearing all of your responses to the information provided in this letter.

Sincerely,

Patricia Farrugia

References:

Choi, Jin Young & Pate, D. (2012). The School Neighborhood Environment for Childhood Obesity in a Rural Texas Community. *Journal of Rural Social Sciences*, 27(3), 102–117.
Retrieved from Convenience Stores near Schools Raise Concerns. (2011). *American School & University*, 83(6), 10.

Gebauer, H., & Laska, M. N. (2011). Convenience Stores Surrounding Urban Schools: An Assessment of Healthy Food Availability, Advertising, and Product Placement. *Journal of Urban Health*, (4), 616.

Howard, P. H., Fitzpatrick, M., & Fulfroost, B. (2011). Proximity of food retailers to schools and rates of overweight ninth grade students: an ecological study in California. *BMC Public Health*, 11(1), 68–75.

Wang, S. H., Lin, I. C., Chen, C. Y., Chen, D. R., Chan, T. C., & Chen, W. J. (2013). Availability of convenience stores and adolescent alcohol use in Taiwan: a multi-level analysis of national surveys. *ADDICTION -ABINGDON-*, (12), 2081.

Watanabe, I., Shigeta, M., Inoue, K., Matsui, D., Ozaki, E., Kuriyama, N., ... Watanabe, Y. (2013). Personal Factors Associated with Smoking Among Marginalized and Disadvantaged Youth in Japan: A Strong Relationship Between Smoking and Convenience Store Use. *International Journal of Behavioral Medicine*, 20(4), 504–513.

From: [Leila Mack](#)
To: [Stephen Kearns](#)
Cc: claudia4slowgrowth@roadrunner.com; [Bob Engler](#); [Ed Jones](#)
Subject: Appeal on 7-11
Date: Thursday, August 29, 2019 8:39:17 AM

Dear Mr. Kearns , Ms. Bill-de la Peña, Mr. Engler, and Mr. Jones,

I am writing to support staff's recommendation to deny the appeal regarding the 7-11 on Moorpark and Avenida De Las Flores. As residents have discussed at previous meetings, there are several reasons to not approve this project. I will focus on two very important ones:

1. The tax paying, home owning, residents of this Thousand Oaks neighborhood do not want it here. As presented at a City Planning meeting, we currently have a petition with over 1000 signatures at <https://www.thepetitionsite.com/758/655/381/to-not-allow-the-construction-of-a-24-hour-7-eleven-gas-station-on-moorpark-rd-amp-flores/>

It makes absolutely no sense that Thousand Oaks City Planning or Thousand Oaks City Council would approve a development so controversial to it's own residents.

2. The CVUSD school board has stated that they have several concerns about the proposal. Any development on that corner, across from TOHS, sets a tone for the neighborhood and our wonderful, award-winning high school. As residents and parents of students, we need to assess whether the development would add value to the community - for the students, parents, and residents.

It is abundantly clear that a 7-11 Convenience store and gas station would not add value. It would create student pedestrian safety concerns, health concerns - as the developer has stated that they would be selling tobacco products at that location, traffic concerns, and concerns for the residents living in the immediate area of the development.

That lot doesn't have to and shouldn't stay empty forever. There are other options. Let's work as a community to focus on finding an option that would be a safer and better fit for that intersection.

Thanks so much,
Leila Mack

From: [lisa harrikua](#)
To: [Al Adam](#); [Rob McCoy](#); [Bob Engler](#); [Ed Jones](#); [Stephen Kearns](#)
Subject: 7-Eleven - Please Allow This Project
Date: Thursday, September 5, 2019 11:51:58 AM

City Council of Thousand Oaks - my friends and I are writing to ask that you build the 7-Eleven on Moorpark across the street from TOHS. Last year, I was on campus late and tripped, scraping my entire knee badly. The school was closed and we couldn't find an emergency kit. My friends drove all the way to the Vons on Janss to get band-aids and antiseptic spray.

If we had a 7-Eleven across the street, it would have been so much easier. We need this store for food, refreshments, and medicine in case of emergencies.

It has been an empty lot since I have been on campus. Please approve this project

Zack

From: [Patrick Hehir](#)
To: [Stephen Kearns](#)
Subject: FW: Disappointing to say the least...
Date: Wednesday, September 4, 2019 1:31:29 PM
Attachments: [TO Planning Commission Transcripts.docx](#)
[ATT00001.htm](#)

Here is the one that was sent to me. Kelvin was copied.

From: Don Lanson <dlanson@manfredilevine.com>
Sent: Wednesday, July 10, 2019 4:36 PM
To: Kelvin Parker <KParker@toaks.org>; Patrick Hehir <PHehir@toaks.org>
Subject: Fwd: Disappointing to say the least...

I wanted to forward the communication I just received.

ManfrediLevine

Don E. Lanson

Partner

[3262 East Thousand Oaks Blvd., Suite 200](#)

[Westlake Village, CA 91362](#)

[\(805\) 379-1919](#) Voice

[\(805\) 379-3819](#) Fax

dlanson@manfredilevine.com

www.manfredilevine.com

Begin forwarded message:

From: Taylor Megdal <tmegdal@elliotmegdal.com>
Date: July 10, 2019 at 4:31:06 PM PDT
To: <dnewman@potrzebie.org>, <mcmahonre@gmail.com>, <dlanson@manfredilevine.com>, Nelson Buss <NelsonBussRE@gmail.com>, "Kohan, Kevin" <Kevin.Kohan@stantec.com>
Subject: Disappointing to say the least...

David and Sharon,

I have attached the relevant transcript sections from April 1st and July 8th in the attached MS Word document. In pertinent part, during the April 1st. hearing, David proposed a 2:00 AM trial closing time comparable to the Dominoes (**underlined in bold**)

in the document). Minutes later, Sharon endorsed a 5:00 AM open-time for the benefit of commuters (**underlined in bold** in the document) given the recent citizen preference to have Starbucks open an hour earlier.

We studied this transcript line-by-line while preparing our second application, exacting it to your recommendations. Obviously then, it was shocking to have you both flip on your own prior guidance on hours of operations with zero explanation and no new public or staff testimony. In my entire 15 year career, I have never had commissioners throw us to the chopping block as we dutifully conformed to their specific requests. I have waited a couple days to write this email so I'm not emotional. However, I have to be authentic and genuine to myself and tell you that I have never felt more disrespected and unfairly treated by any public official - of any level!

This treatment is more confounding when you recall that both of you (along with the other commissioners and most disturbingly, the Assistant City Attorney as well) compromised our first hearing by focusing on cigarette policy, which was neither legal nor appropriate grounds to discuss, let alone justify (even partly) your denial with. I would have hoped this mishap, which you correctly clarified Monday and the additional \$15k application fee to see you again (the continuance would have saved us that money btw), would have afforded us a higher level of courtesy and consideration this time around.

Worst of all, you were empowered, though admittedly not required to, approve our project with conditions that were acceptable to you. That could have meant 11-6 Hours of Operation, a non-metal roof, and any other requirement you saw fit (save tobacco, which legally was beyond your authority). At least then, 7-Eleven could have made a business decision about whether they could have lived with it or not.

For the sake of the City of Thousand Oaks, I sincerely hope I am the anomaly to how you treat applicants trying to bring business, commerce, jobs, and taxes to your city.

Sincerely,

Taylor Megdal, Esq.
(310) 601-6600

Official Transcript Sections – April 1st. 2019

<https://www.youtube.com/watch?v=s07urrE5Fg>

Commissioner Newman:

it's true there are some other 24-hour
77:38
service stations in the city um it's
77:41
also true as commissioner bus pointed
77:43
out they they the the ones that are 24
77:47
hours are farther away from residences
77:50
would the application would you as the
77:53
representative of the applicant be
77:55
willing to accept a condition that has
77:58
the same hours restriction of hours as
78:01
surrounding commercial properties so
78:03
yeah yeah yeah I'm so from a practical
78:08
standpoint what we've noticed even with
78:11
7-eleven stores in Thousand Oaks already
78:13
is the night business is actually not
78:16
that ferocious or lucrative right it is
78:19
us you know kind of younger going to bed
78:22
town
78:22
so the reason we have applied for 24
78:26
hours is more for a safety and security
78:28
question because if we you know close up
78:32
shop at 11 or 12 at midnight I

78:35
understand why why I understand the
78:37
arguments for 28 and I've read the
78:41
principles letter to that effect um what
78:44
I'm asking is that your the question
78:45
though okay which is whether the
78:48
applicant yourself the application yep
78:51
as a plane that role would accept hours
78:56
that are shorter than 24 hours what what
78:58

what I would like to do is actually

79:00

propose a middle ground which would be

79:02

the Domino's Pizza application had

79:05

requested a six-month trial of their

79:07

extended hours which are to 2:00 a.m.

79:10

now so what I would offer the Commission

Commission McMahon:

thing I will say although the 24 hours

193:12

is a no-go for me I recognize the point

193:16

that people might need to get there

193:19

early to fill up so I could go with a 5

193:22

a.m. open time I could not go with the

193:26

24 hours that's that's no no go for B

193:30

and I think I agree with everyone else

193:32

about what has been said so far that
193:38
just quickly on the 5 a.m. point um we
193:42
earlier had an application for another
193:45
for a Starbucks at a different location
193:47
not a drive-through but they wanted to
193:49
change their hours to open it 5 a.m.

Commissioner Newman: - July 8th, 2019

<https://www.youtube.com/watch?v=8GbqvdcYQQ>

the application is out of spec these
186:39
have to do with the metal roof hours of
186:43
operation that are outside the city's
186:45
guidelines for gas stations a proposed
186:49
driveway on Calle Jasmine that would
186:52
have that would raise traffic concerns
186:53
in proximity to residential and other
186:57
sensitive uses all those were identified
187:02
by city staff as issues of concern the
187:10
specific the specific areas where
187:14
there's a variance and as a matter of
187:16
either law or guidelines
187:19
our gas stations hours of operations and
187:27

Commented [T1]: David – you were confused here. There is an existing curb-cut on Calle Jazmin. We weren't required to, but in order to shield the residential neighborhood, we voluntarily offered to close it.

there's a lot there's a variance from
187:29
the city's architectural guidelines in
187:31
terms of the design and materials used
187:34
in the roofing structure of the building
187:42
that's unusual to have that many
187:45
different variations it's not just that
187:48
an applicant comes to us and says we'd
187:51
like this waiver that waiver
187:52
it's the preponderance of the number of
187:55
waivers in total that we look at as part
187:59
of this application before that reason I
188:01
cannot support this application is
188:04
currently considered so I'm gonna go
188:07
ahead and make a motion to side with
188:11
staff that we deny especially used
188:13
at 20 1979 nine based on the findings
188:18
contained in the resolution but again I
188:21
want to make clear that we really would
188:25
like to see something done here we asked
188:29
you to come back to do something that
188:33
would get this application to be in
188:36
Sabac and a three-hour difference in the
188:40
number of hours isn't really a
188:42

substantial change and so because this

188:44

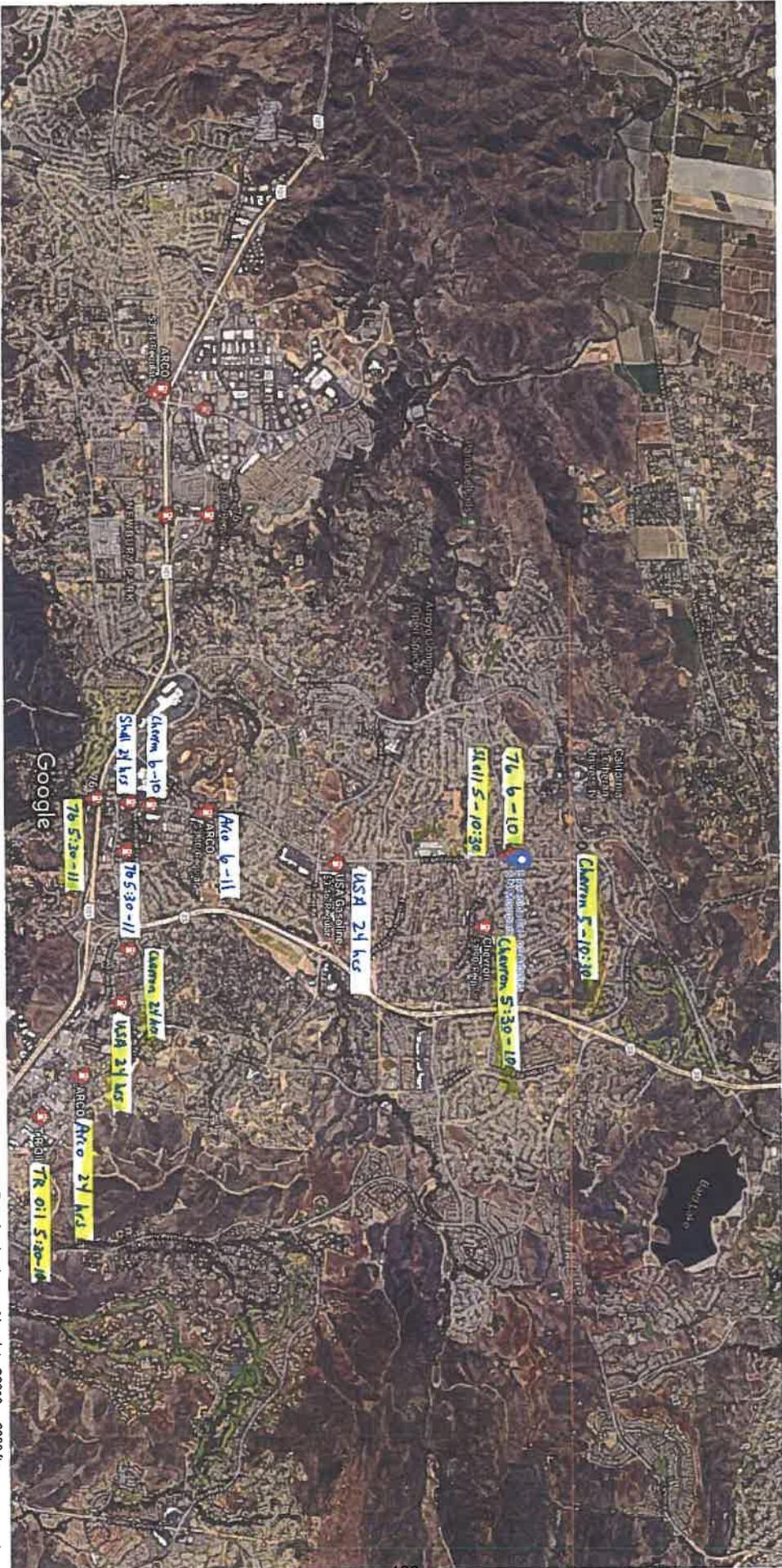
application is not inspect I'm gonna go

188:48

ahead and move that we deny the

188:49

application as currently constituted



ARCO

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4.2 ★★★★★+ (119)
Gas station 600 N Moorpark Rd
Open until 11:00 PM
🛢️ \$3.40 / Regular



Thousand Oaks Chevron
4.3 ★★★★★ (3)
Gas station 1201 Thousand Oaks Blvd
🛢️ \$3.80 / Regular



Gas Station
2.9 ★★★★★ (13)
Gas station 445 Ventu Park Rd



76
4.1 ★★★★★ (26)
\$\$ · Gas station 293 S Moorpark Rd
Open until 11:00 PM



Shell
3.4 ★★★★★ (34)
Gas station · 56 Thousand Oaks Blvd
🛢️ \$3.80 / Regular



76
4.4 ★★★★★ (22)
Gas station · 420 Thousand Oaks Blvd
Open until 10:00 PM
🛢️ \$3.76 / Regular *



Mobil
4.3 ★★★★★ (13)
Gas station 445 Ventu Park Rd
🛢️ \$4.00 / Regular



Chevron Thousand Oaks

4.3 ★★★★★ (43)

Gas station · 172 N Moorpark Rd

🛢️ \$3.80 / Regular



ARCO

4.0 ★★★★★ (40)

Gas station · 2473 Thousand Oaks Blvd



ARCO

3.7 ★★★★★ (51)

Gas station · 2305 Borchard Rd

🛢️ \$3.44 / Regular



76

3.4 ★★★★★ (10)

Gas station · 2861 Moorpark Rd

Open until 10:00 PM

🛢️ \$3.80 / Regular +



76

4.0 ★★★★★ (11)

Gas station · 575 N Ventu Park Rd

🛢️ \$3.70 / Regular



USA

4.4 ★★★★★ (24)

Gas station · 518 Rancho Conejo Blvd

Open until 12:00 AM

🛢️ \$3.50 / Regular



Chevron ExtraMileNewbury Park



2.9 ★★★★★ (15)
Gas station · 2290 Borchard Rd
📍 \$3.90 / Regular



Shell
3.9 ★★★★★ (15)
Gas station · 2689 N Moorpark Rd
📍 \$3.70 / Regular



Chevron
3.4 ★★★★★ (13)
Gas station · 1152 E Avenida De Los Arboles
Open until 9:30 PM
📍 \$3.90 / Regular



USA GASOLINE
4.2 ★★★★★ (19)
Gas station · 1715 Thousand Oaks Blvd
📍 \$3.46 / Regular



USA Gasoline
4.2 ★★★★★ (7)
Gas station · 1640 N Moorpark Rd
📍 \$3.46 / Regular



T R Oil
3.0 ★★★★★ (13)
Gas station · 3050 Thousand Oaks Blvd
Open until 10:00 PM



Oaks Center Oil Inc
Gas station · 56 Thousand Oaks Blvd



Showing results 1 - 20
+ Prices over 24h old



From: [Steven Boychuck](#)
To: [Stephen Kearns](#)
Subject: Fwd: Opposed to the 7-11 project at Flores and Moorpark...
Date: Thursday, August 29, 2019 7:19:42 AM

Please see email listed below against the 7-11 project, that was sent out on August 23rd.

I just learned that you are the Planning contact, and wanted to ensure you received a copy of this email against the project.

Thank you...

Steven Boychuck
805.279.4177

Begin forwarded message:

From: Steven Boychuck <sboychuck@me.com>
Date: August 23, 2019 at 14:43:10 PDT
To: rmccoy@toaks.org, aadam@toaks.org,
claudia4slowgrowth@roadrunner.com, Bob Engler <bengler@toaks.org>,
ejones@toaks.org, Andrew Powers <apowers@toaks.org>, Tracy Noonan
<tnoonan@toaks.org>, crodriguez@toaks.org,
communitydevelopment@toaks.org, kparker@toaks.org
Subject: Opposed to the 7-11 project at Flores and Moorpark...

Good afternoon,

Well, the developer is not getting the hint, that the residents who live in the neighborhood, and the Planning Commission, have said no. So, he is bringing it to our City Council. There may be residents who do not live in the neighborhood, or who drive thru the neighborhood, who want the 7-11. The priority is to listen to the actual residents and the Planning Commission, who say no.

As a resident of Ventura County for 53 years, and specifically Thousand Oaks for 17 years (Wildwood area for nine years), I am very concerned about the proposal to build a 21-hour (basically 24-hours) convenience store and gas station at this intersection, directly across from Thousand Oaks High School, and we will vigorously oppose it, along with thousands of my fellow residents of this great family-friendly city. Since it got rejected at 24-hours, now they think they can make it a 21-hour convenience store from 5am to 2am. They are now appealing to the City Council to approve the project. Bad idea, and this make the residents even more upset. We are not going to stand for these games!

There are gas stations with mini-markets along Moorpark Road at both Arboles and Janss, that can service customers, along with other businesses that operate during normal business hours. There once was a gas station at this site, that has been closed for several years. It was never a high volume station, which led to its demise. I know this as I have worked at all three Chevron stations in the area back in the mid 1980's and 1990's, (when they were actual

“service” stations) when they were owned by Robert Brothers. That would be the old Wildwood Chevron at Arboles and Keats, the station at Olson and Moorpark, and Arboles and Plantas. I know for a fact this was a low volume station at Moorpark and Flores.

The only way a gas station can survive at this corner is to have a mini-market that sells highly profitable items such as; alcoholic beverages, tobacco products, and junk food. Why would the city leaders even consider the sale of these items directly across from our high school? As a comparison, some cities in Ventura County do not even allow ice cream sales from vendors within several hundred feet of a school, but it will be ok to sell alcoholic beverages, tobacco products, and junk food? Good grief! If they do not sell these items, a convenience store will never survive. So, if they start-up without those sales, they will eventually apply for a minor-mod of their SUP, to allow those sales. This makes no sense.

This corner is better suited for possibly a doctors office with multiple doctors (Family Practice or Specialist), or maybe even a 24-hour Urgent Care. Maybe a small healthy alternative fast food restaurant that closes by 11pm? These choices would benefit the students at the high school and the surrounding neighborhoods. We would rather see this as vacant land, than to build a problematic convenience store and gas station. Building a 7-11 would also reduce the property values in the immediate neighborhood, and bring visual blight to the area.

This concern has sparked several threads on NextDoor.com, and will carry on as long as this project remains on the books. One thread has over 500 responses! There is an online petition that has 1006 people against this project from moving forward in any form. <https://www.thepetitionsite.com/758/655/381/to-not-allow-the-construction-of-a-24-hour-7-eleven-gas-station-on-moorpark-rd-amp-flores/>

I just drove by the 7-11 just east of Moorpark Road at Wilbur, and saw three subjects loitering, drinking beer and smoking cigarettes on the east side (Pennsfield Place) of the building. Does the SUP for this 7-11 allow that? No it does not! So, where is the enforcement of the SUP? Enforcement does not happen, even if it is written into the SUP, especially at night! The store employees and the franchisee could care less! This is exactly the problem that these projects create. I drove back by 30-minutes later and same concerns, loitering, drinking and smoking. Again, the store clerk could care less, and same thing for the franchisee. These people came in and bought items from the store (profit), and now think they can loiter and enjoy them on site.

While 7-11 will say how great of a corporate neighbor they will be in the beginning, their franchisee will just be flat out lazy, and not care about the neighborhood or the visual blight they are creating, as long as they are making money, and living far away in their multi-million dollar homes.

Those of us opposed to this project will not stand for it. There were several items the Planning Commission rejected this project for last time. It cannot and should not ever be allowed. This project needs to stop at the council. The residents of this neighborhood do not want or need this project, and I am standing tall with them. No on 7-11 at this site.

In closing, we do not want/need Moorpark Road and Thousand Oaks Blvd. to look like the main streets do in the San Fernando Valley, and we are ready to fight for it, as needed.

Respectfully submitted,

Steven Boychuck
704 Wildcreek Circle
Thousand Oaks, CA 91360
805.279.4177 cell

From: [Carlos Guierro](#)
To: [Rob McCoy](#); [Al Adam](#); [Bob Engler](#); [Ed Jones](#); [Stephen Kearns](#)
Subject: Joining my friends to support 7-Eleven
Date: Thursday, September 5, 2019 12:41:04 PM

It is so important to all us, students and teachers (and visitors to my football games) to have a convenient place to pick up food, coffee, or a drink.

My dad told me that the houses next door want a park there instead. Why would we need a park there? We have the community center right on the other side of our campus. We really really really need this 7-Eleven here.

Please help us

From: [Derek O'mally](#)
To: claudia4slowgrowth@roadrunner.com; [Ed Jones](#); [Bob Engler](#); [Rob McCoy](#); [Al Adam](#); [Stephen Kearns](#)
Subject: We Want 7-Eleven!!!!
Date: Thursday, September 5, 2019 12:14:29 PM

Mr. Adams, Mr. Mccoy, Mr. Bengler, Mr. Jones, and Ms. Bill-de la Pena,

All us students and all the teachers I have want this 7-Eleven. Westlake High is super close to the Promenade. They have a short walk to all these coffee shops and restaurants plus all the other businesses on T.O. Blvd. We have nothing! In order to get any food besides Dominoes we need to walk miles to Olsen or Janns. Its not fair to us, especially those that stay on campus late with practice and games.

My mom tells me that when she was a student at TOHS it was a Mobil and the students loved using it to get a snack or soda.

Please allow them to build this store. Our campus desperately needs it!

Chris (my parents don't want me to use my last name)