



## **The Commons Lane Story Pole Feasibility**

### **Introduction**

On May 1, 2023, The Commons at Calabasas, LLC (“Applicant”) filed an entitlement application to improve a portion of The Commons at Calabasas (“The Commons”), located at 4799 Commons Way (“Project Site”) within the City of Calabasas (“City”) with the construction of two, new mixed-use buildings (“Project”). The Project’s new mixed-use buildings (referred to herein and on the plans as Buildings A and B) contain 210,921 square feet of total new floor area with up to 119 residential units, including 12 affordable units, and up to 24,163 square feet of neighborhood-serving commercial uses. To accommodate the Project, the existing theater building will be removed, along with a portion of the existing surface parking lot and associated landscaping.

The Project Site is comprised of five adjacent parcels that contain approximately 839,902 square feet of net lot area (19.3 acres) and is bordered by Park Sorrento and the Calabasas Civic Center to the west, Calabasas Road to the north, and Park Granada to the east and south. The Project Site is currently improved with a shopping center that contains a variety of retail and restaurant uses, distributed throughout multiple buildings, including an approximately 52,000 square-foot grocery store (Ralphs), an approximately 17,000 square-foot pharmacy (Rite Aid), an approximately 33,000 square-foot theater (currently occupied by Regency Theatres on a short-term interim basis), an approximately 30,000 square-foot bookstore (Barnes and Noble), and a mix of community-serving retail and restaurant uses. The Commons also contains landscaping and water features throughout the Project Site.

### **Story Pole Procedures**

The purpose of the City’s Story Pole Procedures is to help decision makers, staff, neighbors, and other interested parties visualize the location, mass and/or height of a proposed building(s), as part of the review of the Project’s relationship to its surroundings. The Story Pole Procedures require the installation of story poles for the Project, unless the City determines that it is infeasible based on factors set forth in the Story Pole Procedures.

If required, the story poles must be erected at least four weeks prior to any public hearing the Planning Commission holds to consider the Project and shall remain in place until such time the Planning Commission has rendered a final decision on the Project, including during the appeal period and the appeal process, if applicable. In addition to story poles, the City may also require other visual aids,

such as photo simulations, models, or renderings, to assist in illustrating the proposed final Project.

The Applicant submitted a story pole exhibit that depicts the potential impact to The Commons' existing buildings and businesses, outdoor dining areas, pedestrian sidewalks, drive aisles, fire lanes, and parking spaces if story poles were required for the Project.

As shown on the exhibit, story poles for the proposed buildings would require placement of story poles at 67 points supported by guy wires that would need to be secured by 201 anchors for the Project. For proposed Building A, 31 story poles would need to be tethered by 93 "dead man" anchors, three-foot by three-foot concrete blocks that weigh 900 pounds apiece. The majority of these "dead man" anchors would need to be anchored to the roofs of the existing buildings that are occupied by the theater and several retail and restaurant businesses. This would significantly increase the structural load of the buildings and potentially compromise their integrity and create an unsafe situation. The remaining "dead man" anchors would need to be located within the existing pedestrian sidewalks on the north and south sides of the existing buildings, within the outdoor dining area that serves Marmalade restaurant on its westerly side, at offsite locations to the west approximate to the City's Library, and at several locations within a recorded easement between the City and the Applicant, which reserves the area for reciprocal fire access for the City Hall, the Library, Senior Center, and The Commons buildings, and also serves as a loading area for the City's Civic Center buildings.

Building B would require 36 story poles supported by 108 "dead man" anchors, which would be located within the existing surface parking area, within the central two-way vehicular access drive that provides the primary entrance to The Commons from Calabasas Road, and within the drive aisle and fire lane on the south side of the proposed building. This would result in displacement of approximately 160 parking spaces that serve the existing businesses in The Commons, closure of the main vehicular drive aisle, and reduction of the drive aisle and fire lane width on the south side of the proposed building.

### **Story Pole Feasibility Determination**

Based on the above and as set forth in the findings below, it is infeasible to erect story poles for the Project.

#### **a) Safety, such as the presence of power lines, public right of ways, pedestrians, vehicular access and other security and welfare concerns.**

Installation of story poles for the Project would create safety concerns due to the presence of existing buildings, tenant spaces, and vehicular drive aisles. Proposed

Building A is located primarily within the footprint of the existing theater building and another existing building, which is occupied by several retail and restaurant businesses in operation including Jeni's Ice Cream, Sephora, Fresh Brothers Pizza, Wink, and Marmalade Café. The restaurant spaces include outdoor eating areas for their customers. As shown on the Applicant's exhibit, story poles and supporting 900-pound "dead man" anchors and guy wires would need to be placed in front of the theater entrance within the pedestrian sidewalk, which would create a safety hazard for theater patrons entering and exiting the building and also for customers and employees of the adjoining businesses that utilize the sidewalk for access. "Dead man" anchors, guy wires, and story poles would also need to be placed within the outdoor eating area for Marmalade Café, which would create a safety hazard for restaurant customers and employees while reducing outdoor seating capacity, thereby creating an economic hardship for the café. On the southerly and westerly side of proposed Building A, "dead man" anchors, guy wires, and story poles would need to be placed within the rear vehicular drive aisle that is a recorded reciprocal fire lane and loading easement between the City and the Applicant. Placing story poles within this easement would preclude fire department access and create a safety issue in the event of an emergency. Story poles for proposed Building B would also need to be located within the main two-vehicular drive aisle (Commons Lane) accessed from Calabasas Road, which would require closure of this drive aisle and also preclude fire department access during an emergency.

**b) Stability, such as the structure height, materials, weather, anchoring or topographic conditions.**

As shown on the Applicant's story pole exhibit, the majority of the story poles for Building A would need to be placed on the roofs of existing buildings, which would significantly increase the structural load of the buildings, potentially compromising the integrity of the buildings, and creating an unsafe situation for businesses and patrons. In addition, given the height of the proposed story poles and ongoing operation of The Commons businesses, inclement weather and high winds could potentially create safety and liability concerns if any of the poles and supporting materials (netting and guy wires) break apart. This is less of a concern for story poles that depict proposed development on vacant land, but The Commons will remain in operation during the installation and viewing period, which could last several months per the Story Pole Procedures.

**c) Site constraints, such as roadway re-alignments, utilities, easements, and fire access requirements.**

As stated above, installation of story poles for Building A would be within existing pedestrian sidewalks, outdoor eating areas, and within the fire department easement to the rear of the building, which also is reserved as a loading area for the City's Civic Center buildings. Placement of story poles on top of existing

buildings attached to guy wires and 900-pound “dead man” anchors could affect the operation of The Commons businesses since several of the story poles would need to be placed near the existing roof edges which would be supported by lengthy guy wires (3-4 per pole) tethered to “dead man” anchors located on the sidewalk below in front of certain tenant spaces. In addition, placing story poles at the roof edges of the existing buildings could potentially create an occupational hazard for the installer and a liability issue for the Applicant with respect to OSHA safety compliance. With respect to Building B, the story poles would temporarily displace approximately 160 parking spaces, which provide code-required parking for The Commons and are prime spaces since they are located near the existing businesses. This would negatively impact existing businesses and create short-term lease problems between the Applicant and The Commons tenants. In addition, story poles would result in the closure of a section of Commons Lane, the main vehicular access drive that also provides secondary fire department emergency access.

**d) Potentially excessive cost or unreasonable financial impact of designing, installing and maintaining story poles for the subject project.**

As noted above, installation of story poles on top of proposed Building A would require heavy construction equipment in order to place 900-pound “dead man” anchors on the existing roofs. In addition, the story poles would potentially create a financial burden on the existing tenants by creating an unsafe and visually undesirable environment that could deter people from patronizing these businesses that need to remain in operation.

**Alternative Approach**

The Story Pole Procedures provide that other visual aids, such as photo simulations, models, or renderings, may be used to assist in illustrating the proposed final Project. In lieu of story poles, the Applicant would propose a technology-based simulation showing the proposed Project height and scale. This is an effective way to meet the spirit and intent of the Story Pole Procedures without the adverse impacts outline above.