



DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

DATE: November 15, 2012

TO: Planning Commission

APPLICANT: Steven P. Dahl
1134 El Centro Street
South Pasadena, CA 91030

CASE NOS.: 12-SPR-006 and 12-VAR-004

LOCATION: 5017 Lewis Road
(2061-009-028 and 2061-009-062)

REQUEST: Request for approval of a Site Plan/Architectural Review to remodel an existing 5,267 square foot commercial building to accommodate medical/dental offices, and upgrade the existing parking lot and landscaping; and a request for a Variance from Zoning Ordinance Section 9654.6.B to reduce the required number of on-site parking spaces from 26 to 24.

ENVIRONMENTAL DETERMINATION: Exempt from CEQA per Section 15301 of the CEQA Guidelines.

RECOMMENDATION: Staff recommends the Planning Commission adopt a motion to approve Site Plan/Architectural Review Case No. 12-SPR-006 and Variance Case No. 12-VAR-004, subject to conditions, based on the findings of the attached draft Resolutions.

ZONE DESIGNATION: BP-OR-OA-FC (Business Park-Office-Retail-Old Agoura Design Overlay-Freeway Corridor Overlay) and CRS-FC-OA (Commercial Retail Service-Freeway Corridor Overlay-Old Agoura Design Overlay)

GENERAL PLAN DESIGNATION: BP-OR (Business Park-Office Retail) and CRS (Commercial Retail Service)

I. PROJECT BACKGROUND AND DESCRIPTION

The applicant, Steven P. Dahl, is requesting approval of a Site Plan/Architectural Review to remodel an existing 5,267 square foot vacant commercial/restaurant building to accommodate medical/dental offices and improvements to the parking lot and landscaping. The applicant is also requesting approval of a Variance to reduce the required number of on-site parking spaces from 26 to 24.

The 21,500 square foot lot was developed in 1988 with a 5,267 square foot restaurant with a second-story office. The building is currently vacant, but was most recently occupied by a restaurant with live entertainment known as “Blue.” The project site consists of two contiguous parcels located at 5017 Lewis Road. The southerly parcel of the project is zoned Business-Park-Office Retail-Freeway Corridor Design Overlay-Old Agoura Design Overlay (BP-OR-FC-OA) and the northerly parcel is zoned Commercial-Retail Service-Freeway Corridor Design Overlay-Old Agoura Design Overlay (CRS-FC-OA), which allows medical/dental use of the property. Adjacent property development includes the Zuma Ridge Trail and the Two Oaks Office Center to the north of the site; Lewis Road and Dorothy Drive to the east; Center Stage Theatre to the south; and the flood control channel to the west, which also runs under the existing parking lot and the Zuma Ridge Trail.

II. STAFF ANALYSIS

Site Plan

The building’s existing footprint is proposed to remain unchanged, with no additional square footage. The site can be accessed from Lewis Road. There would be two different proposed medical uses within the 5,267 square foot building with 2,195 square feet being occupied by a medical doctor, and 2,122 square feet of the space occupied by a pediatric dentist/orthodontist. The remaining 919 square feet of the building will make up common area including a staff break room on the lower floor, and an upper floor office and break room.

Along with the interior treatment areas a sheltered medical outdoor treatment/garden area is proposed on the front portion of the site, fronting Lewis Road. This area is currently vacant with no improvements. A covered patio and a children’s interactive garden area is also proposed east of the dental entrance of the building. The entrances to these areas would be upgraded with new security gates utilizing complimentary wrought iron frames and decorative accent features. Within the front garden area would be a 250 square foot greenhouse, trellis covers, a pond and bridge, as well as a fountain in the center of the garden to create a tranquil environment. The greenhouse is located within the side yard setback area, however, per the Old Agoura Design Overlay Zone, the Planning Commission has the discretion to allow such structures as part of this review. Staff finds

the location of the greenhouse to be appropriate and well integrated with the project site design, and the details of the greenhouse and other structures in the garden area can be reviewed by the Director as part of plan check.

Surrounding the newly renovated building would be a recycled weathered wood fence/wall with panels of green screen. The green screen will allow seasonal vines to be grown along this wall in specific areas, while allowing some privacy. Parking and circulation is to be provided on the north portion of the property. The existing parking lot area provides 26 non-conforming parking spaces (includes 1 handicap parking space) and drive aisle, and a pedestrian walkway to the public right-of-way. The project includes the reconfiguration and re-striping of the parking lot and landscaping improvements to address the parking needs and requirements for the medical facility (1 parking space for each 200 square feet of gross floor area).

Architectural Design

The proposed exterior building colors and materials would include smooth beige stucco with green accents on the facias, and under the roof overhang the exterior ceiling would be painted blue (not visible from the public right-of-way). The existing mansard roof would be removed and replaced with a new standing seam metal roof. The flat roof over the second floor will remain. New windows are proposed on the entire building and the window mullions would be a dark anodized color, blending with the new wall color. The windows will be increased in number, in order to capture more natural light and create a more attractive storefront appearance. Since the building would have extensive windows on the first and second floor levels, the window mullions would help minimize the buildings mass and would provide articulation to the building facades. Also, the windows have been positioned so that the patients can look out to the gardens. Transom windows are proposed to provide light into the public areas of both offices. Covered walkways are proposed to wrap around the east, north, and west elevations to provide cover to all entrances. Replacing the canvas structure, held up with metal supports, on the north side of the building would be a new patio cover (center open to below) that will be integrated with the new roof. The two-story building is 25'-9" in height. A new entry tower element is proposed to be added over the dental entrance of the building, and will not exceed the existing height of the building.

The City Architectural Review Panel (ARP) supports the proposed building design, colors and materials of the building, finding it to be compatible with the City's Architectural Design Standards and Guidelines and compatible with the neighborhood. The proposed remodel is in compliance with the development standards of the BP-OR and CRS zones relative to building height and will protect the existing views from neighboring properties and the adjacent right-of-way. In addition, the remodel enhances the architectural design of the existing building it serves and will be visually compatible with the neighboring office buildings in the surrounding neighborhood.

Oak Trees and Landscaping

There is one native coast live oak located on the adjacent property to the south and one native valley oak located on the property to the southwest. The coast live oak is located within fifteen feet of the property line at the southeasterly corner of the property. The canopy of the valley oak extends over the southwesterly corner of the existing building. Based on the City Oak Tree/Landscape consultant's analysis, she has concluded that the project can be accomplished as proposed with no direct impacts to the subject oak trees and no Oak Tree Permit is required for this project.

The site is currently landscaped, but the applicant desires to refurbish landscape areas in the front yard, along the perimeter of the property and within the existing parking lot. The proposed landscaping, both within the walled area and along the perimeter of the property, will include native, drought-resistant plants, which comply with the City's Landscape Design Guidelines. Trees are proposed around the property to provide shade and visual relief from the streets and parking to the north. The preliminary landscape plan that was submitted has been reviewed by the City's Landscape Consultant who finds it compatible with City Standards, subject to conditions of approval that are included within the attached draft Resolution.

Variance

As previously mentioned, the applicant is requesting a Variance from Zoning Ordinance Section 9654.6.B, to allow a reduction in the number of required parking spaces from 26 to 24 on-site parking spaces. The subject site's irregularly shaped parking lot has 26 existing non-conforming parking spaces. The medical/dental office use, which is allowed in the BP-OR zone, requires one on-site parking space for each 200 square feet of the building's gross floor area. Based on the 5,267 square foot size of the building, this equates to a total parking requirement of 26 spaces for the use. However, due to the existing non-conforming parking spaces and site constraints, the applicant is unable to reconfigure the parking area with 26 parking spaces to meet the parking requirements. Therefore, the applicant is seeking approval of a parking variance to reduce the required spaces from 26 to 24.

Based on the existing circumstances of the property and the zoning district, and the fact that the medical/dental use is allowed in the BP-OR zone, staff supports the applicant's parking variance application. Although the property was developed with 26 parking spaces, many of these are compact size spaces (no longer allowed without approval by the Planning Commission), and the existing parking area does not comply with the current off-street parking code. The proposed Variance will allow the number of parking spaces required to be reduced from 26 to 24, and with the Planning Commission's approval to allow 30 percent compact spaces (7 total), the applicant would be able to provide 24 fully compliant spaces and would meet the requirement of a 26 foot two-way drive aisle. The Planning Commission may allow no more than thirty (30) percent of the required number of parking spaces to be sized for compact vehicles in instances where

on-site design constraints, such as irregular shaped lot, necessitate the use of compact parking spaces.

In order to approve a variance application, the Planning Commission must find in favor of five required findings per the Zoning Ordinance. Below is a list of these required findings, and staff's analysis for each.

1. Finding

Because of special circumstances applicable to the subject property, including size, shape, topography, location or surroundings, the strict application of this article deprives such property of privileges enjoyed by other property owners in the vicinity and under identical zoning classification.

Staff Analysis

A medical/dental use is allowed in the BP-OR and CRS zones. A medical facility, such as the one proposed, requires a parking ratio of 1 space for each 200 square feet of gross floor area. Although the property was developed with 26 non-conforming parking spaces, improving the parking lot to meet current zoning requirements will create a shortage of two parking spaces on the property for this medical/dental facility. The site constraints (inadequate aisle width and irregular parking spaces), make parking spaces difficult to layout.

2. Finding

The granting of the Variance will not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which the subject property is situated.

Staff Analysis

A medical/dental use is allowed in the BP-OR, CRS and Old Agoura Design Overlay zones. Most existing properties in the BP-OR and CRS zone were developed with a parking ratio of approximately 1 space for each 250 square feet of gross floor area or 1 space for each 300 square feet of gross floor. A medical/dental facility, such as the one proposed, however, requires a parking ratio of 1 space for each 200 square feet of gross floor area. Therefore, there would be a shortage of available parking for any medical use wishing to locate on this property.

3. Finding

The strict interpretation and enforcement of the provisions of this article would result in practical difficulty or unnecessary hardship inconsistent with the objectives of the Zoning Ordinance.

Staff Analysis

The Zoning Ordinance states that the purpose of the BP-OR zone is “to provide for smaller planned developments, including offices and incidental related retail commercial uses that are harmonious with the adjacent commercial or residential development.” The proposed medical/dental facility is allowed in the zones, although there is a parking deficiency. The proposed floor plan for the medical/dental facility requires a large facility for the services they provide, and is conducive for the building on the property. The existing parking requirement for such a use would result in practical difficulty in locating such a permitted use on this lot, given the size of the existing parking lot.

4. Finding

The granting of the Variance will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements of the aesthetic value in the vicinity.

Staff Analysis

The required parking for the proposed use on the property will not impact adjacent uses or the surrounding neighborhood in that customers will likely park on-site due to the lack of available off-site parking. The proposed parking reconfiguration results in conforming parking spaces and back out areas and is an improvement of the safety conditions of the existing parking configuration, which consists of non-conforming parking stall sizes and back out areas.

5. The granting of the Variance will be consistent with the character of the surrounding area.

Staff Analysis

The proposed project is a permitted use in the BP-OR and CRS zones. The existing parking lot or building will not be expanded. The parking lot will be improved with new landscaping and will help enhance the character of the surrounding area.

Engineering

The Engineering Department has reviewed and conditionally approved the project plans, and is requiring the applicant to install site drainage improvements, including a proper filter pack to the existing catch basin located within the west end of the parking lot. Also, the owner is required to prepare and record a Best Management Practices (BMP) covenant with the Los Angeles County Recorder’s Office for continued maintenance of the BMP. No grading or street improvements are required.

Summary

Staff finds the proposed project to be a significant improvement to an otherwise vacant commercial building, and finds it compatible with surrounding uses and building design. Staff also finds the proposed remodel to the existing commercial building to be Categorically Exempt from the California Environmental Quality Act (CEQA) per Section 15301 of the CEQA guidelines (Existing Facilities).

III. RECOMMENDATIONS

Based on the foregoing analysis, staff recommends that the Planning Commission adopt a motion to approve Site Plan/Architectural Review Case No. 12-SPR-006 and Variance Case No. 12-VAR-004, subject to Conditions, based on the findings of the attached draft Resolutions.

IV. ATTACHMENTS

- Exhibit A: Draft Sign Plan/Architectural Review Resolution and Conditions of Approval
- Exhibit B: Draft Variance Resolution and Conditions of Approval
- Exhibit C: Photograph of the Existing Building and Rendering of the Proposed Building
- Exhibit D: Colors and Material Board
- Exhibit E: Reduced Plans
- Exhibit F: Vicinity Map

Case Planner: Renee Madrigal, Associate Planner

EXHIBIT A

DRAFT RESOLUTION NO. _____

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF AGOURA HILLS
APPROVING SITE PLAN/ARCHITECTURAL REVIEW CASE NO. 12-SPR-006

THE PLANNING COMMISSION OF THE CITY OF AGOURA HILLS DOES
HEREBY RESOLVE, FIND, DETERMINE, AND ORDER AS FOLLOWS:

Section 1. An application was duly filed by Steven P. Dahl with respect to the real property located at 5017 Lewis Road, (Assessor's Parcel Nos. 2061-009-028 and 2061-009-062), requesting the approval of a Site Plan/Architectural Review (Case No. 12-SPR-006) to improve the exterior of an existing 5,267 square foot building to accommodate medical/dental offices, and site improvements to parking lot and landscaping. A public hearing was duly held on November 15, 2012, at 6:30 p.m. in the Council Chambers of City Hall, 30001 Ladyface Court, Agoura Hills, California; and that notice of the time, date, and place and purpose of the aforesaid was duly given.

Section 2. Evidence, both written and oral, was duly presented to and considered by the Planning Commission at the aforesaid public hearing.

Section 3. The Planning Commission finds, pursuant to Agoura Hills Municipal Code Section 9677.5, that:

A. The proposed use, as conditioned, is consistent with the objectives and provisions of the Zoning Ordinance and the purposes of the land use district in which the use is located. The proposed medical/dental office use is permitted in the Business Park-Office Retail-Old Agoura Design Overlay and Freeway Corridor Overlay (BP-OR-OA-FC) and Commercial Retail Service-Freeway Corridor-Old Agoura Design Overlay (CRS-FC-OA) district.

B. The proposed use and the manner in which it will be operated or maintained will not be detrimental to the public health, safety, or general welfare. The property will be improved and maintained according to the City standards. The renovations to the existing building and the site improvements to the parking lot will be constructed to comply with the most recent Building Code. Access to the property will continue to be provided via Lewis Road.

C. The proposed use, as conditioned, will not conflict with the character and design of the buildings and open space in the surrounding area. The design, colors and materials to be used on the building, as well as the refurbishing of the landscaping in the parking lot and front yard area, as conditioned, will be compatible with the Freeway Corridor Overlay zone and the Old Agoura Design Overlay zone and will upgrade the surrounding commercial neighborhood.

D. The proposed use, as conditioned, will comply with each of the applicable provisions of the Zoning Ordinance, except for an approved parking variance. The project complies with the provisions of the Business Park-Office Retail zone and Commercial Retail zone.

E. The proposed use, as conditioned, is consistent with the City's General Plan. The project conforms to Policy 16.2 by providing modulation of bulk, mass, heights and elevation, and articulation of building elevations, and Policy 16.3 by providing generous landscaping between the open space parcels, the public right-of-way.

F. The proposed use, as conditioned, preserves and enhances the particular character and assets of the surrounding area and its harmonious development. The proposed project will be a significant improvement to a vacant commercial building and will provide additional landscaping.

G. That there are on-site design constraints associated with the location and configuration of the existing parking lot landscape planters and walkways that warrants the use of compact parking spaces. Additional landscape area of over 4,000 square feet is proposed as part of this project.

Section 4. The Planning Commission finds, pursuant to Agoura Hills Zoning Municipal Code Section 9677.7(G), that:

A. The proposed use, as conditioned, is consistent with the General Plan, and design standards adopted by the City Council. The project conforms to Policy 16.2 by providing modulation of bulk, mass, heights and elevation, and articulation of building elevations, and Policy 16.3 by providing generous landscaping between the open space parcels, the public right-of-way.

B. As conditioned, the design and location of the proposed development and its relationship to existing developments and traffic in the vicinity thereof is such that it will increase the desirability of investment or occupation in the neighborhood. The proposed project will not unreasonably interfere with the use and enjoyment of existing or proposed commercial developments in the vicinity, and will not create traffic hazards or congestion. Access to the property will continue to be via Lewis Road.

C. The proposed use, as conditioned, is in keeping with the character of the surrounding neighborhood, and is not detrimental to the harmonious, orderly, and attractive development contemplated by the Zoning Ordinance and the General Plan of the City. The remodel of the building and site improvements will be compatible with the surrounding neighborhood, and enhance the appearance of the area.

D. The design of the proposed development, as conditioned, provides a desirable environment for its occupants, as well as for the project's neighbors, and is aesthetically of good composition, materials, textures, and colors. The proposed exterior building materials and colors are compatible with the variety of colors and architectural

styles in the neighborhood and with the City Architectural Design Standards and Guidelines.

E. The proposed use, as conditioned, with exception of parking, complies with all applicable requirements of the district in which it is located and all other applicable requirements. The parking reduction is addressed in the Variance, which is part of this project. Medical/dental office uses are permitted in the BP-OR and CRS zones. The parking of the vehicles will be contained on site and screened with new landscaping.

F. The overall development of the subject property is designed to ensure the protection of the public health, safety, and general welfare. The improvements to the existing building will be constructed to comply with the most recent Building Code requirements.

Section 5. The project has been determined to be Categorically Exempt from the California Environmental Quality Act (CEQA), per Section 15301 of the CEQA Guidelines (Existing Facilities). The exemption includes the renovation of an existing building and site improvements to the parking lot and landscaping. No negative declaration or environmental impact report is required.

Section 6. Based on the aforementioned findings, the Planning Commission hereby approves Site Plan/Architectural Review Case No. 12-SPR-006, subject to the attached Conditions, with respect to the property described in Section 1 hereof.

PASSED, APPROVED, and ADOPTED this 15th day of November, 2012, by the following vote to wit:

AYES: (0)
NOES: (0)
ABSENT: (0)
ABSTAIN: (0)

John O'Meara, Chairperson

Mike Kamino, Secretary

CONDITIONS OF APPROVAL (Case No. 12-SPR-006)

STANDARD CONDITIONS

1. This decision, or any aspect of this decision, can be appealed to the City Council within fifteen (15) days from the date of Planning Commission action, subject to filing the appropriate forms and related fees.
2. This action shall not be effective for any purpose until the applicant has agreed in writing that the applicant is aware of, and accepts all Conditions of Approval of this Permit with the Department of Planning and Community Development.
3. Except as modified herein, the approval of this action is limited to and requires complete conformation to the labeled exhibits approved by the Planning Commission: Site Plan, Building Elevation Plans, Floor Plans, Roof Plan, and Landscape Plan.
4. All exterior colors and materials used in this project shall be in conformance with the colors and materials samples submitted as a part of this application.
5. It is hereby declared to be the intent that if any provision of this Permit is held or declared to be invalid, the Permit shall be void and the privileges granted hereunder shall lapse.
6. It is further declared and made a Condition of this action that if any Condition herein is violated, the Permit shall be suspended and the privileges granted hereunder shall lapse; provided that the applicant has been given written notice to cease such violation and has failed to do so for a period of thirty (30) days.
7. All requirements of the Zoning Ordinance and of the specific zoning designation of the subject property must be complied with unless set forth in the Permit or on the approved Site Plan.
8. No occupancy shall be granted for any new building until all Conditions of Approval have been complied with as determined by the Director of Planning and Community Development.
9. All structures shall conform with the requirements of the Division of Building and Safety of the City of Agoura Hills.
10. The applicant shall comply with the requirements of the Los Angeles County Fire Department prior to the issuance of Building or Grading Permits. The Forester and Fire Warden shall be consulted to ascertain the required fire flows and fire hydrants to accommodate the proposed development.

11. Unless this permit is used within two (2) years from the date of City approval, this permit will expire. A written request for a one-year extension may be considered prior to the expiration date.
12. Prior to the issuance of a Building Permit, the applicant shall pay the Fire District Development Fee, at the rate in effect at the time of Building Permit issuance. The current rate is \$ 0.9296 per square foot of new floor area.
13. All outstanding fees owed to the City, if any, shall be paid by the applicant within thirty (30) days from the date of this approval.
14. It is the responsibility of the applicant and/or his or her representatives to report to the City any changes related to any aspects of the construction prior to undertaking the changes.

SOLID WASTE MANAGEMENT STANDARD CONDITIONS

15. To ensure that solid waste generated by the project is diverted from the landfill and reduced, reused, or recycled, the applicant shall submit a "Waste Reduction & Recycling Plan" to the City for review and approval. The plan shall provide for at least 50% of the waste generated on the project to be diverted from the landfill. Plans shall include the entire project area, even if tenants are pursuing or will pursue independent programs. The plan shall be submitted to and approved by the Department of Planning and Community Development prior to issuance of a building permit. The plan shall include the following information: material type to be recycled, reused, salvaged, or disposed; estimated quantities to be processed, management method used, and destination of material including the hauler name and facility.
16. The project shall comply with the plan and provide for the collection, recycling, and/or reuse of materials (i.e. concrete, wood, metal, cardboard, green waste, etc.) and document results during demolition and/or construction of the proposed project. After completion of demolition and/or construction, the applicant shall complete a Waste Reduction & Recycling Summary Report and provide legible copies of weight tickets, receipts, invoices or letters of verification for materials sent to disposal or reuse/recycling facilities. For other discarded or salvaged materials, the applicant shall provide documentation, on the disposal facility's letterhead, identifying where the materials were taken, type of materials, and tons or cubic yards disposed, recycled or reused and the project generating the discarded materials. The Waste Reduction & Recycling Summary Report shall be submitted and approved prior to issuance of a certificate of occupancy, or final inspection if issuance of a certificate of occupancy is not applicable.
17. The applicant shall arrange for materials collection during construction, demolition, and occupancy with a City permitted hauling company, or shall arrange for self-hauling to an authorized facility.

BUILDING AND SAFETY CONDITIONS

18. Common areas including all public access areas need to meet accessibility requirements, including the outdoor areas, tooth brushing station, reception areas, Kitchen/lunch rooms, etc.
19. All exterior materials used for eaves, sidings, porch, patio, carport and other similar structures need to meet the Very High Fire Hazard Severity Zone (VHFHSZ) as outlined in Chapter 2 of Article VIII in the Agoura Hills Municipal Code (AHMC).
20. As part of the permitting process and prior to permit issuance, two (2) full sets of construction plans including, Architectural, Electrical, Plumbing, Mechanical, Green Building, Title 24 Energy Calculations, Structural plans and calculations needs to be submitted to Building and Safety Department for plan review and approval. Please be advised that this is a preliminary review and does not constitute a final Building and Safety approval.

ENGINEERING/PUBLIC WORKS DEPARTMENT CONDITIONS

21. Prior to the approval of the Grading Plan and issuance of Grading Permits, an Erosion and Sediment Control Plan (ESCP) shall be submitted to and approved by the Engineering Department. The Erosion and Sediment Control Plan shall specifically identify the Best Management Practices (BMPs) that will be implemented on this project, during construction, to reduce the discharge of sediment and other pollutants into the City's storm drain system. Said plan shall ensure, among other things, that the following minimum requirements are effectively implemented at all construction sites:
 - A. Sediments generated on the project site shall be retained using adequate Treatment Control or Structural BMPs;
 - B. Construction-related materials, wastes, spills, or residues shall be retained at the project site to avoid discharge to the streets, drainage facilities, receiving waters, or adjacent properties by wind or runoff;
 - C. Non-storm water runoff from equipment and vehicle washing and any other activity shall be contained at the project site; and
 - D. Erosion from slopes and channels shall be controlled by implementing an effective combination of BMPs such as the limiting of grading scheduled during the wet season; inspecting graded areas during rain events; planting and maintenance of vegetation on slopes; and covering erosion susceptible slopes.

22. The existing catch basin in the west end of the parking lot shall be outfitted with the proper filter pack, and the property owner shall record a storm water BMP Covenant and Deed Restriction for the property's permanent BMP;s with the Los Angeles County Recorder's Office upon completion of the work. The Engineering Department can provide a copy of the covenant form.

OAK TREE CONDITIONS

23. The following notes shall be placed on all project plans, including but not limited to site, demolition and landscape plans.
 - a. Prior to the mobilization, delivery of materials or the start of any work on the site, temporary chain link fencing shall be placed along the northerly and easterly edges of the coast live oak's protected zone in accordance with Appendix A, Section V.C.1.1 of the Zoning Code. The City Oak Tree Consultant shall approve the fencing location and installation prior to the start of any work. The purpose of the fencing is to prevent any encroachment within the protected zone of the oak tree located near the southeasterly corner of the site.
 - b. No work is permitted within the fenced area. The fencing shall remain in place until permission to remove it is granted by the City Oak Tree Consultant.
 - c. No materials, equipment, vehicles, spoils, debris, etc. shall be placed or stored within the fenced area at any time. The existing paved driveway may be utilized for access and lay down space unless otherwise prohibited as long as these activities do not cause any harm to the subject oak trees.
 - d. No pruning of live wood shall be permitted unless specifically authorized by the City Oak Tree Consultant. All pruning operations shall be consistent with ANSI A300 Standards – Part 1 Pruning and the most recent edition of the International Society of Arboriculture Best Management Practices for Tree Pruning.
 - e. No herbicides shall be used within one hundred feet (100') of the dripline of any oak tree unless the program is first reviewed and endorsed by the City Oak Tree Consultant.

LANDSCAPE CONDITIONS

24. The final landscape plan shall generally conform to the approved preliminary landscape plan, as prepared by Elemental Landscapes, dated September 12, 2012.
25. Prior to the approval of building permits, the applicant shall submit three (3) sets of landscape plans meeting the following requirements:

- a. A California-licensed landscape architect shall prepare, stamp and sign the plans.
 - b. All plans shall be legible and clearly drawn.
 - c. Plans shall not exceed thirty inches (30") by forty-two inches (42") in size. Plans shall be a minimum of twenty-two inches (22") by thirty-six inches (36") in size.
 - d. A true north arrow and plan scale shall be noted. The scale shall be no smaller than one inch equals twenty feet (1"=20'), unless approved by the City Landscape Consultant.
 - e. A title block shall be provided, indicating the names, addresses and telephone numbers of the applicant and landscape architect.
 - f. The project identification number shall be shown on each sheet.
 - g. The plans shall accurately and clearly depict the following existing and proposed features:
 - Landscape trees, shrubs, ground cover and any other landscaping materials
 - Property lines
 - Streets, street names, right-of-ways, easements, driveways, walkways, bicycle paths, and any other paved areas
 - Buildings and structures
 - Parking areas, including lighting, striping and wheel stops
 - General contour lines
 - Grading areas, including tops and toes of slopes
 - Utilities, including street lighting and fire hydrants
 - Natural features, including watercourses, rock outcroppings
 - h. The Planting Plan shall indicate the botanical name, common name, and size of each plant.
26. Plant symbols shall depict the size of the plants at maturity, and be drawn to scale. Spacing of trees and shrubs shall be adjusted to allow for optimum growth of each species.
27. The final plans shall not include any palm species.
28. Proposed plant material shall not be considered invasive in the Santa Monica Mountains. Lists of exotic material can be obtained from the California Native Plant Society and/or the California Exotic Pest Plant Council.
29. Plant container sizes and/or spacing shall be provided. Minimum sizes shall be acceptable to the City Landscape Consultant and the Director.

30. Parking areas shall be screened from the streets by a combination of mounding and landscaping, subject to review and approval of landscape plans by the City Landscape Consultant and the Director
31. The landscape plans shall prominently display the following notes:
 - a. All plant material shall conform to the most recent edition of ANSI Z60.1 - American Standard for Nursery Stock.
 - b. All trees shall also conform to the California Department of Forestry and Fire Protection "Standards for Purchasing Container-Grown Landscape Trees".
 - c. Prior to scheduling an inspection of the landscape installation with the City, the applicant's landscape architect shall certify in writing that the installation is in conformance with the approved landscape plans.
32. The Irrigation Plan shall be provided separate from but utilizing the same format as the Planting Plan.
33. The irrigation design shall provide adequate coverage and sufficient water for the continued healthy growth of all proposed plantings with a minimum of waste and over spray on adjoining areas.
34. The Irrigation Plan shall be concise and accurate and shall include the manufacturer, model, size, demand, radius, and location of the following, as appropriate:
 - a. Design and static pressures
 - b. Point of connection
 - c. Backflow protection
 - d. Valves, piping, controllers, heads, quick couplers
 - e. Gallon requirements for each valve
35. Three (3) copies of details and specifications shall be provided, addressing but not limited to, planting, soil preparation, tree staking, guying, installation details, and post installation maintenance.
36. One copy of each of the following approved plans shall be submitted with the initial landscape plan check:
 - Site Plan
 - Elevations
 - Grading Plan
 - Conditions Of Approval

37. A complete Landscape Documentation package is required at the time of initial plan check submittal, prepared in accordance with Article IX, Section 9658.6 – Water Efficient Landscaping, contained in the Zoning Code.
38. The landscape plan must be approved by the Fuel Modification Unit at the County of Los Angeles Fire Department prior to the issuance of Building permits.
39. In accordance with the Freeway Corridor Overlay District, the final plant palette and arrangement shall utilize naturalistic and native landscaping, particularly native oaks.
40. Proposed light standard locations shall be depicted on the planting plan. Any conflicts between light standard and tree locations shall be resolved to the satisfaction of the City Landscape Consultant.
41. Any unsightly uses shall be screened with berms, decorative walls or landscaping. Any trash enclosures and transformers must be screened.
42. All plant material within the public right-of-way shall reach a mature height of no more than three feet (3’).
43. All plant material must be considered compatible with Sunset Zone 18, subject to discretion of the City Landscape Consultant.
44. All landscaping shall be irrigated and maintained in perpetuity in accordance with the approved Landscape Plan.
45. Poor landscape practices such as topping, hedging and “lollipoping” shall not be permitted and may require that plant materials be replaced with like size materials at the discretion of the City Landscape consultant.

SPECIAL CONDITIONS

46. All parking stalls shall be pinstriped. All compact parking spaces shall be properly marked. A minimum of 24 parking spaces on the parcel shall be provided for the project per Variance Case No. 12-VAR-004.
47. Any proposed exterior lighting shall be subject to review and approval by the Director of Planning and Community Development.
48. Any proposed signage shall be subject to review and approval by the Director of Planning and Community Development.

49. Any proposed accessory structures, including the greenhouse and other structures in the garden area, shall be subject to review and approval by the Director of Planning and Community Development.

END

EXHIBIT B

DRAFT RESOLUTION NO. _____

A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF AGOURA HILLS
APPROVING VARIANCE NO. 12-VAR-004

THE PLANNING COMMISSION OF THE CITY OF AGOURA HILLS HEREBY
FINDS, RESOLVES, AND ORDERS AS FOLLOWS:

Section 1. An application was duly filed by Steven P. Dahl with respect to the real property located at 5017 Lewis Road (Assessor's Parcel Numbers 2061-009-028 and 2061-009-062), requesting approval of a Variance from Zoning Ordinance Section 9654.6.B. to reduce the required on-site parking spaces from 26 to 24 parking spaces. The request for the Variance was filed in conjunction with an application for a Site Plan/Architectural Review (Case No. 12-SPR-006) to improve the exterior of an existing 5,267 square foot building to accommodate medical/dental offices, and site improvements to parking lot and landscaping. A public hearing was duly held on November 15, 2012, at 6:30 p.m. in the Council Chambers of City Hall, 30001 Ladyface Court, Agoura Hills, California. Notice of the time, date, place and purpose of the aforesaid meeting was duly given and published as required by state law.

Section 2. Evidence, both written and oral, including the staff report and supporting documentation, was duly presented to and was considered by the Planning Commission at the aforesaid public hearing.

Section 3. Based on the evidence presented at the public hearing, including the staff report and oral and written testimony, the Planning Commission finds, pursuant to the Agoura Hills Zoning Ordinance Section No. 9676.2.E; that:

A. Because of special circumstances applicable to the subject property, including size, shape, topography, location or surroundings, the strict application of this article deprives such property of privileges enjoyed by other property owners in the vicinity and under identical zoning classification. A medical/dental use is allowed in the BP-OR and CRS zones. A medical facility, such as the one proposed, requires a parking ratio of 1 space for each 200 square feet of gross floor area. Although the property was developed with 26 non-conforming parking spaces, improving the parking lot to meet current zoning requirements will create a shortage of two parking spaces on the property for this medical/dental facility. The site constraints (inadequate aisle width and irregular parking spaces), make parking spaces difficult to layout.

B. The granting of the Variance will not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which the subject property is situated. A medical/dental use is allowed in the BP-OR, CRS and Old Agoura Design Overlay zones. Most existing properties in the BP-OR and CRS zone were developed with a parking ratio of approximately 1 space for each 250 square feet of gross floor area or 1 space for each 300 square feet of gross floor. A

medical/dental facility, such as the one proposed, however, requires a parking ratio of 1 space for each 200 square feet of gross floor area. Therefore, there would be a shortage of available parking for any medical use wishing to locate on this property.

C. The strict interpretation and enforcement of the provisions of this article would result in practical difficulty or unnecessary hardship inconsistent with the objectives of the Zoning Ordinance. The Zoning Ordinance states that the purpose of the BP-OR zone is “to provide for smaller planned developments, including offices and incidental related retail commercial uses that are harmonious with the adjacent commercial or residential development.” The proposed medical/dental facility is allowed in the zones, although there is a parking deficiency. The proposed floor plan for the medical/dental facility requires a large facility for the services they provide, and is conducive for the building on the property. The existing parking requirement for such a use would result in practical difficulty in locating such a permitted use on this lot, given the size of existing parking lot.

D. The granting of the Variance will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements of the aesthetic value in the vicinity. The required parking for the proposed use on the property will not impact adjacent uses or the surrounding neighborhood in that customers will likely park on-site due to the lack of available off-site parking. The proposed parking reconfiguration results in conforming parking spaces and back out areas and is an improvement of the safety conditions of the existing parking configuration, which consists of non-conforming parking stall sizes and back out areas.

E. The granting of the Variance will be consistent with the character of the surrounding area. The proposed project is a permitted use in the BP-OR and CRS zones. The existing parking lot or building will not be expanded. The parking lot will be improved with new landscaping and will help enhance the character of the surrounding area.

Section 4. The Planning Commission finds the proposed remodel to the existing commercial building to be Categorically Exempt from the California Environmental Quality Act (CEQA) per Section 15301 of the CEQA guidelines (Existing Structures).

Section 5. Based on the aforementioned findings, the Planning Commission hereby approves Variance Case No. 12-VAR-004, subject to the attached conditions, with respect to the property described in Section 1 hereof.

PASSED, APPROVED, and ADOPTED on this 15th day of November, 2012 by the following vote to wit:

AYES:
NOES:
ABSTAIN:
ABSENT:

John O'Meara, Chairperson

ATTEST:

Mike Kamino, Secretary

CONDITIONS OF APPROVAL
(Case No. 12-VAR-004)

STANDARD CONDITIONS

1. This decision, or any aspect of this decision, can be appealed to the City Council within fifteen (15) days from the date of Planning Commission action, subject to filing the appropriate forms and related fees.
2. Except as modified herein, the approval of this action is limited to and requires complete conformation to the approved labeled exhibits: Site Plan, Floor Plans, Elevation Plans, Roof Plan, and Landscaping Plan.
3. The approval of this permit shall not be effective for any purpose until the applicant and property owner have agreed in writing that they are aware of, and accept all Conditions of this permit with the Department of Planning and Community Development.
4. It is hereby declared to be the intent that if any provision of this Permit is held or declared to be invalid, the Permit shall be void and the privileges granted hereunder shall lapse.
5. It is further declared and made a Condition of this action that if any Condition herein is violated, the Permit shall be suspended and the privileges granted hereunder shall lapse; provided that the applicant has been given written notice to cease such violation and has failed to do so for a period of thirty (30) days.
6. Unless the approval is used within two (2) years from the date of City approval, Case No. 12-VAR-004 will expire. A written request for a one (1) year extension may be considered prior to the expiration date.

END

EXHIBIT C





5017 Lewis Rd.

LOOKING SOUTH/WEST.

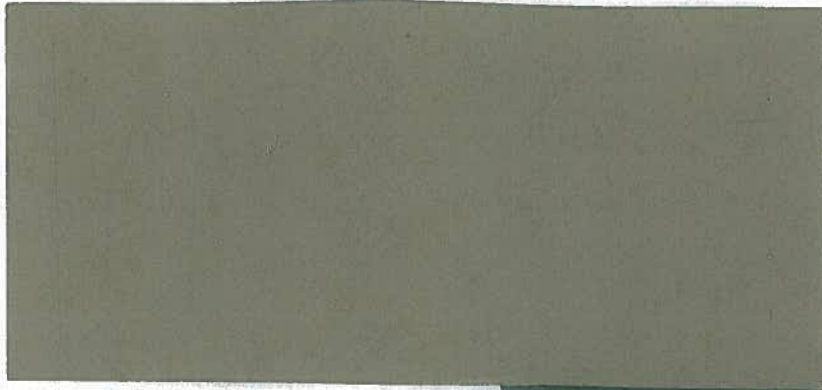
EXHIBIT D

Be Hive of Healing

Sept. 21, 2012

5017 Lewis Road

Colors and Materials:



MAIN BUILDING
COLOR: "BISON BEIGE"
BY DUNN EDWARDS.

TRIM COLOR: "BOX WOOD"
BY DUNN EDWARDS.

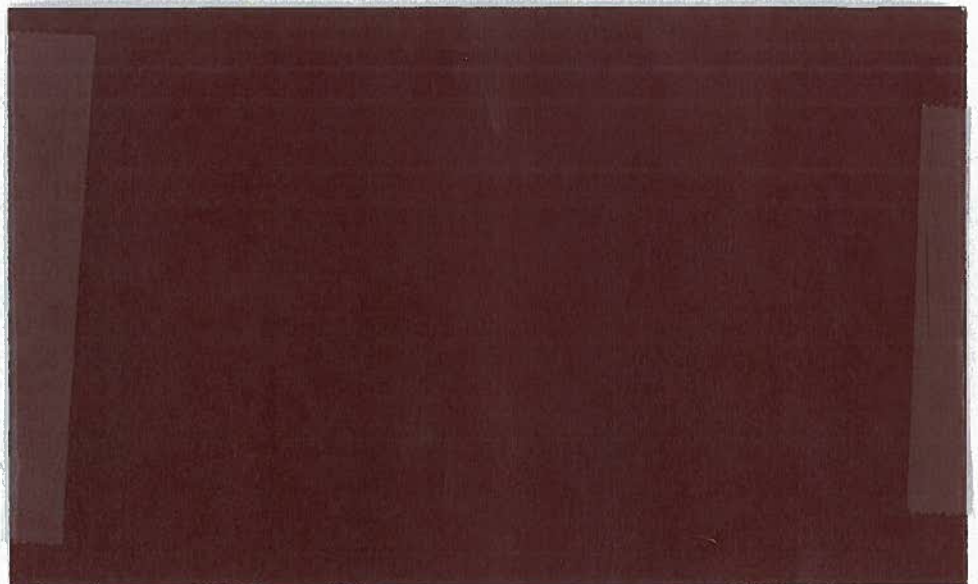


NOT SEEN FROM STREET:
"WILD BLUE YONDER" BY DUNN EDWARDS
TO BE UNDER THE INTERNAL ROOF
OVERHANGS FOR A LIGHT AIRY HAPPY FEELING.

STUCCO FINISH
TO BE SANTA
BARBARA SMOOTH.

DUNN EDWARDS
PAINT:

BOXWOOD DEC778
BISON BEIGE DEC750
WILD BLUE YONDER
DE5855



FABRAL STANDING SEAM ROOF
COLOR: COLONIAL RED
FOR TOWER ROOF & ALL POP-UPS.

Be Hive of Healing

Sept. 21, 2012

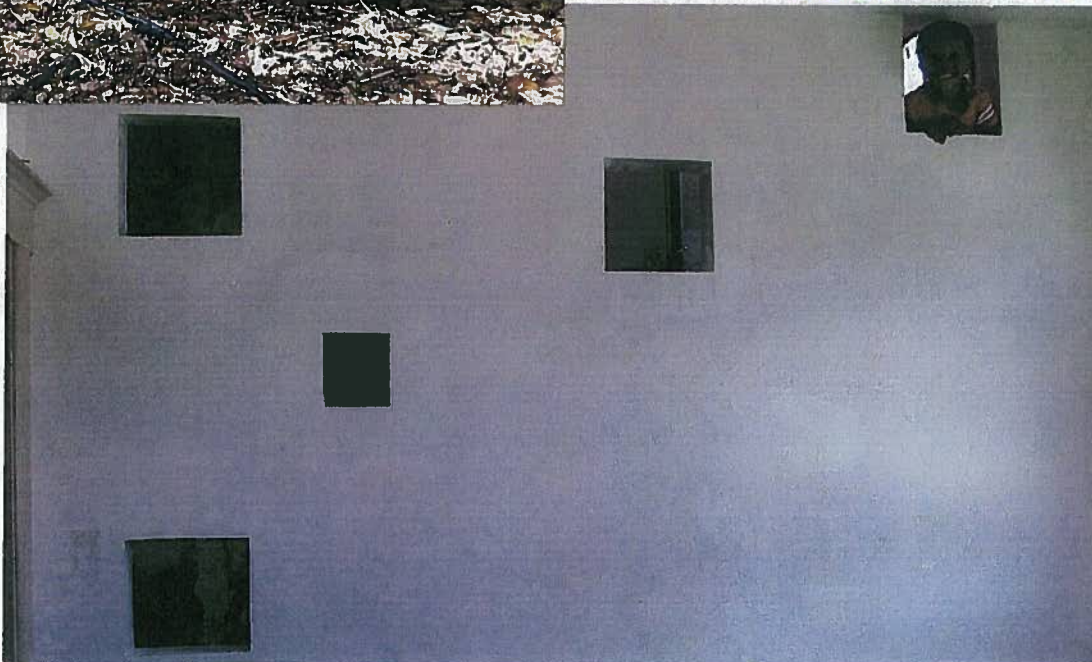
5017 Lewis Road

Colors and Materials:

EXTERIOR FENCING &
WALLS.



SCREEN FOR VINES TO GROW ON &
METAL I BEAMS TO HOLD GRAB STAKE
FENCE TO CREATE A WARM NATURAL
LOOK & FEEL



PEEK-A-BOO
OPENINGS IN
THE WALL TO
THE CHILDREN
DENTAL AREA
ADD AN
ELEMENT OF
WHIMSEY &
WARMTH.

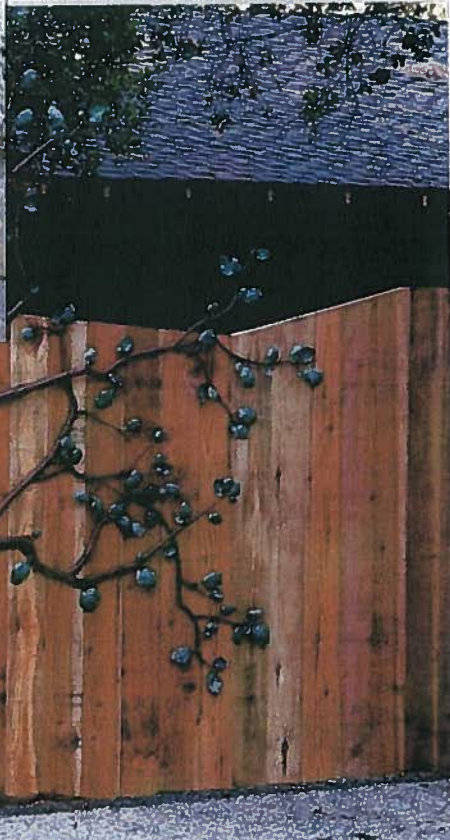
Be Hive of Healing

Sept. 21, 2012

5017 Lewis Road

Colors and Materials:

ENTRANCE GATES TO BOTH AREAS:



GATE POSSIBILITIES
HEATHER McLARTY
DESIGNED & BUILT
THESE SAMPLES OF
WHAT WE WISH TO
ACHIEVE AT THIS
LOCATION: NATURAL
INVITING & WARM.

Be Hive of Healing

Sept. 21, 2012

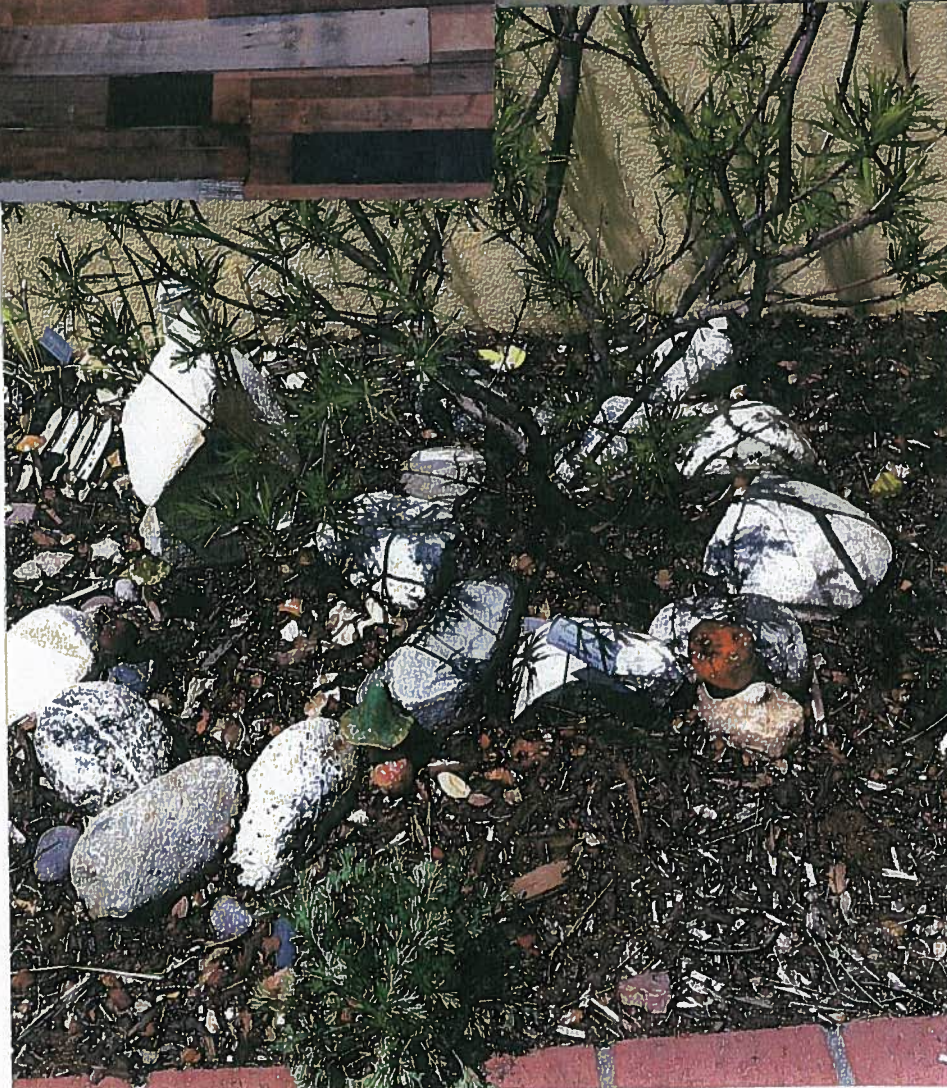
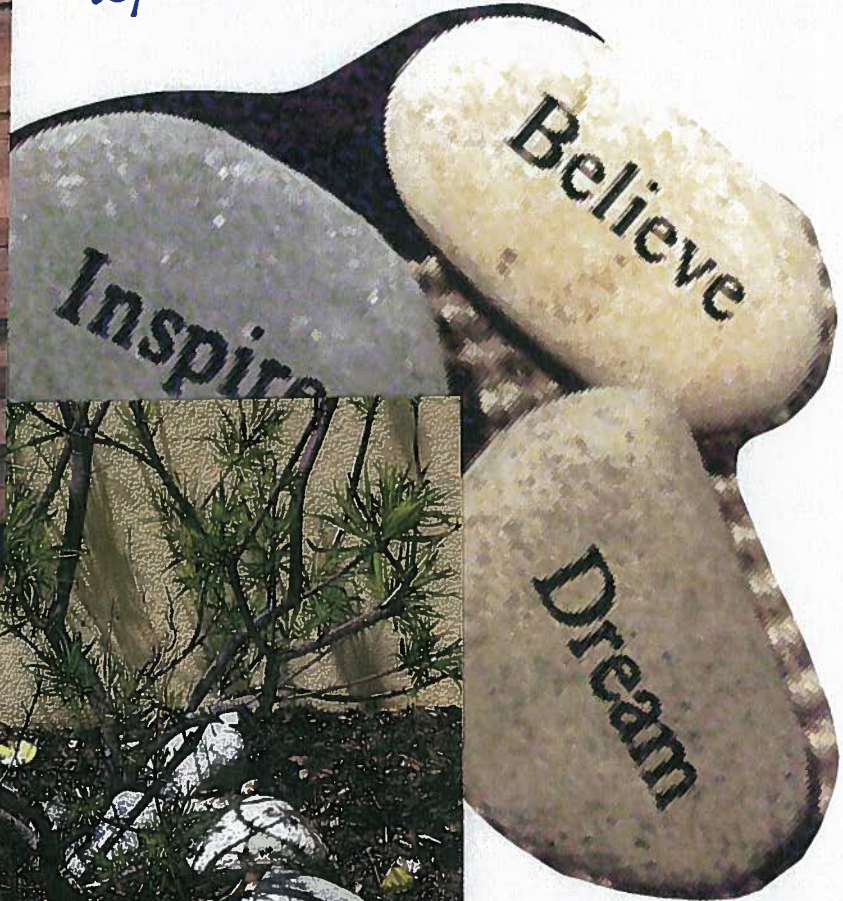
5017 Lewis Road

Colors and Materials:

WOOD WALL BY LARGE ENTRANCE GATES:

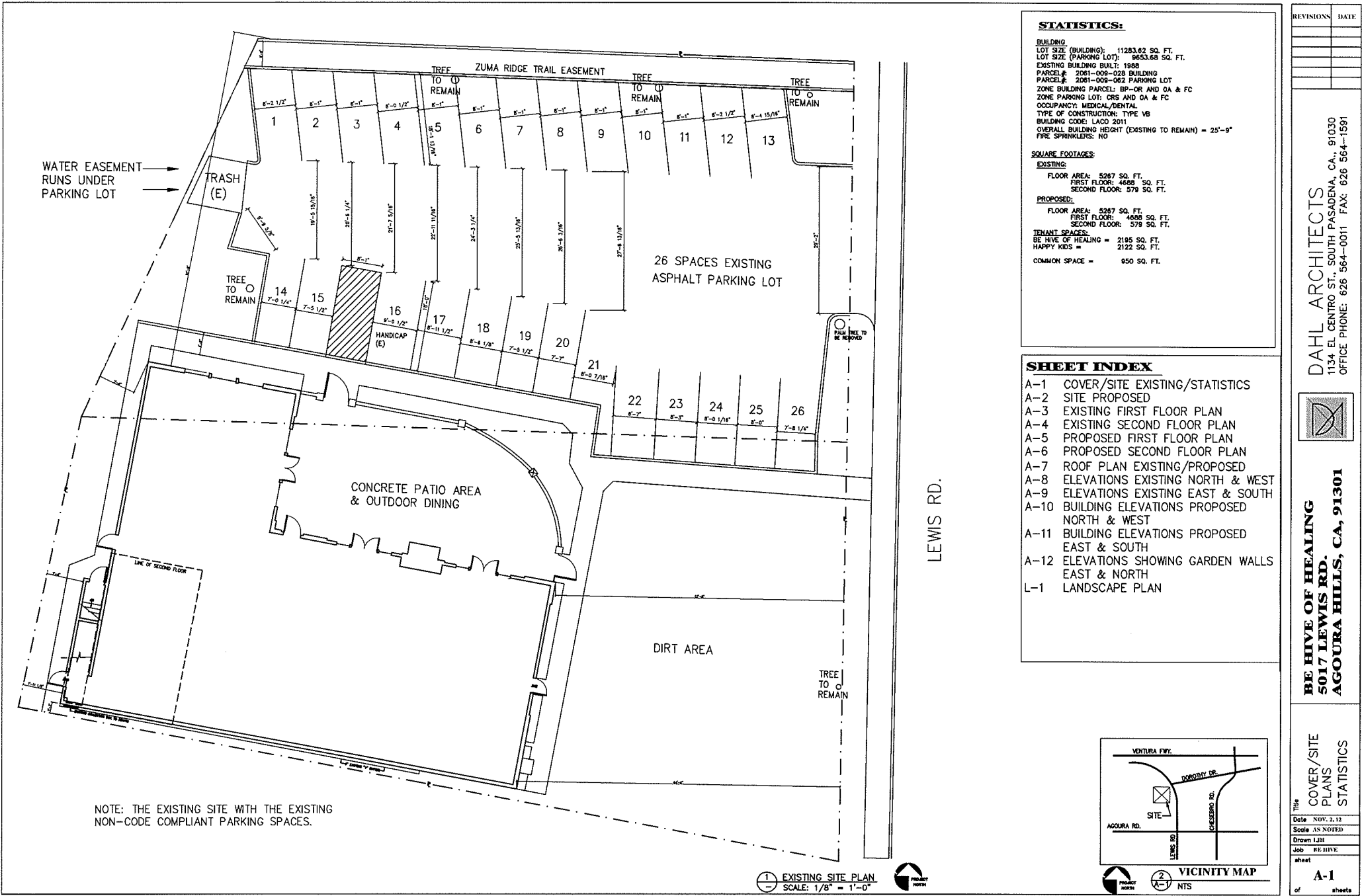


HORIZONTAL RECTANGLED WOOD
W/ LEDGES FOR POTTED PLANTS.



INSPIRATIONAL
STONES WILL
BE PLACED
AMONG THE
PLANTS.

EXHIBIT E



WATER EASEMENT
RUNS UNDER
PARKING LOT

TRASH
(E)

TREE
TO
REMAIN

HANDICAP
(E)

26 SPACES EXISTING
ASPHALT PARKING LOT

CONCRETE PATIO AREA
& OUTDOOR DINING

DIRT AREA

LEWIS RD.

STATISTICS:

BUILDING
 LOT SIZE (BUILDING): 11283.62 SQ. FT.
 LOT SIZE (PARKING LOT): 9653.68 SQ. FT.
 EXISTING BUILDING BUILT: 1988
 PARCEL #: 2061-006-028 BUILDING
 PARCEL #: 2061-006-062 PARKING LOT
 ZONE BUILDING PARCEL: BP-DR AND DA & FC
 ZONE PARKING LOT: ORS AND DA & FC
 OCCUPANCY: MEDICAL/DENTAL
 TYPE OF CONSTRUCTION: TYPE VB
 BUILDING CODE: LACD 2011
 OVERALL BUILDING HEIGHT (EXISTING TO REMAIN) = 25'-9"
 FIRE SPRINKLERS: NO

SQUARE FOOTAGES:

EXISTING:
 FLOOR AREA: 5267 SQ. FT.
 FIRST FLOOR: 4688 SQ. FT.
 SECOND FLOOR: 579 SQ. FT.

PROPOSED:
 FLOOR AREA: 5267 SQ. FT.
 FIRST FLOOR: 4688 SQ. FT.
 SECOND FLOOR: 579 SQ. FT.

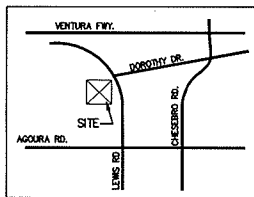
TENANT SPACES:
 BE HIVE OF HEALING = 2195 SQ. FT.
 HAPPY KIDS = 2122 SQ. FT.
 COMMON SPACE = 950 SQ. FT.

SHEET INDEX

- A-1 COVER/SITE EXISTING/STATISTICS
- A-2 SITE PROPOSED
- A-3 EXISTING FIRST FLOOR PLAN
- A-4 EXISTING SECOND FLOOR PLAN
- A-5 PROPOSED FIRST FLOOR PLAN
- A-6 PROPOSED SECOND FLOOR PLAN
- A-7 ROOF PLAN EXISTING/PROPOSED
- A-8 ELEVATIONS EXISTING NORTH & WEST
- A-9 ELEVATIONS EXISTING EAST & SOUTH
- A-10 BUILDING ELEVATIONS PROPOSED NORTH & WEST
- A-11 BUILDING ELEVATIONS PROPOSED EAST & SOUTH
- A-12 ELEVATIONS SHOWING GARDEN WALLS EAST & NORTH
- L-1 LANDSCAPE PLAN

NOTE: THE EXISTING SITE WITH THE EXISTING
NON-CODE COMPLIANT PARKING SPACES.

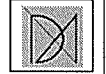
1 EXISTING SITE PLAN
SCALE: 1/8" = 1'-0"



2 VICINITY MAP
NTS

REVISIONS	DATE

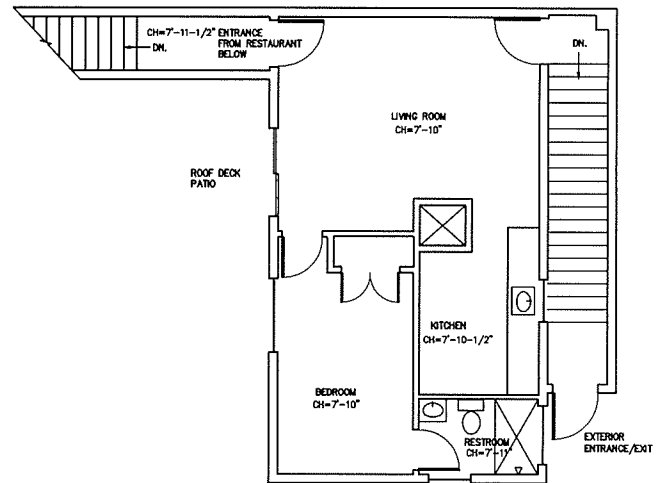
DAHL ARCHITECTS
 1134 EL CENTRO ST., SOUTH PASADENA, CA., 91030
 OFFICE PHONE: 626 564-0011 FAX: 626 564-1591



BE HIVE OF HEALING
 5017 LEWIS RD.
 AGOURA HILLS, CA, 91301

COVER/SITE
PLANS
STATISTICS

This sheet
 Date: NOV. 2, 12
 Scale: AS NOTED
 Drawn: LJB
 Job: BE HIVE
 sheet
 A-1
 of sheets



1 - EXISTING SECOND FLOOR PLAN
 SCALE: 1/4" = 1'-0"



REVISIONS	DATE

DAHL ARCHITECTS
 1134 EL CENTRO ST., SOUTH PASADENA, CA., 91030
 OFFICE PHONE: 626 564-0011 FAX: 626 564-1591

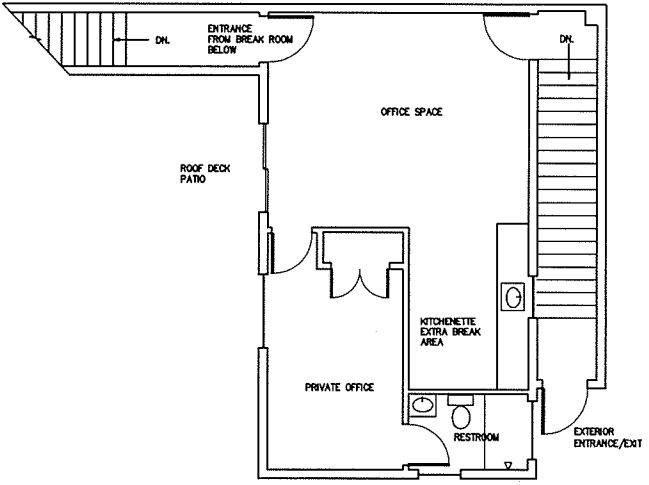


BE HIVE OF HEALING
5017 LEWIS RD.
AGOURA HILLS, CA, 91301

This
EXISTING SECOND FLOOR PLAN

Date	SEPT. 21, 2012
Scale	AS NOTED
Drawn	LJE
Chk	BE:JHE
sheet	

A-4
 of sheets



1 PROPOSED SECOND FLOOR PLAN
SCALE: 1/4" = 1'-0"



REVISIONS	DATE

DAHL ARCHITECTS
1134 EL CENTRO ST., SOUTH PASADENA, CA, 91030
OFFICE PHONE: 626 564-0011 FAX: 626 564-1581

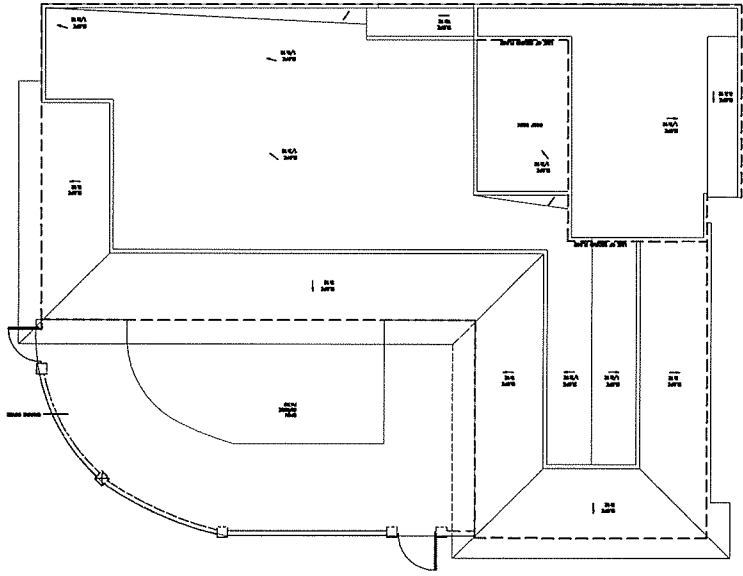


BE HIVE OF HEALING
5017 LEWIS RD.
AGOURA HILLS, CA, 91301

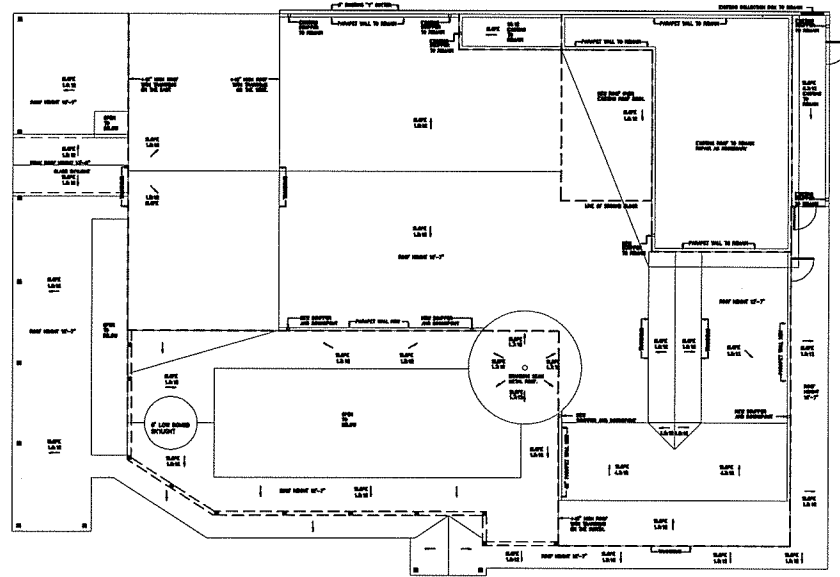
This
PROPOSED SECOND
FLOOR PLAN

Date: SEPT. 21, 2012
Scale: AS NOTED
Drawn: LJE
Job: BE HIVE

sheet
A-6
of sheets



2 EXISTING ROOF PLAN
SCALE: 1/8" = 1'-0"



2 PROPOSED ROOF PLAN
SCALE: 1/8" = 1'-0"



REVISIONS	DATE

DAHLE ARCHITECTS
1134 EL CENTRO ST., SOUTH PASADENA, CA., 91030
OFFICE PHONE: 626 564-0011 FAX: 626 564-1591

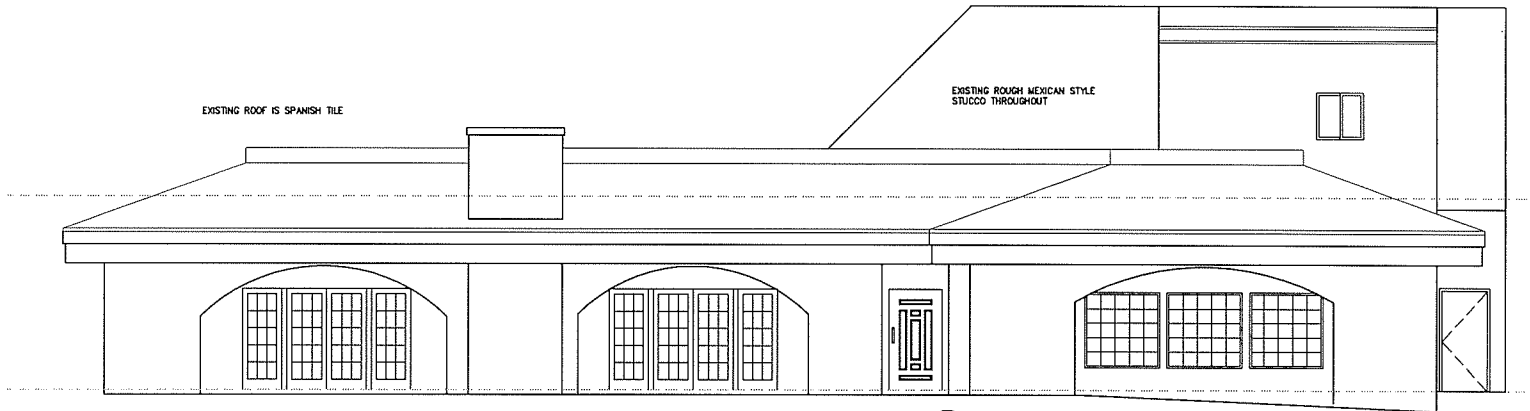


BE HIVE OF HEALING
5017 LEWIS RD.
AGOURA HILLS, CA, 91301

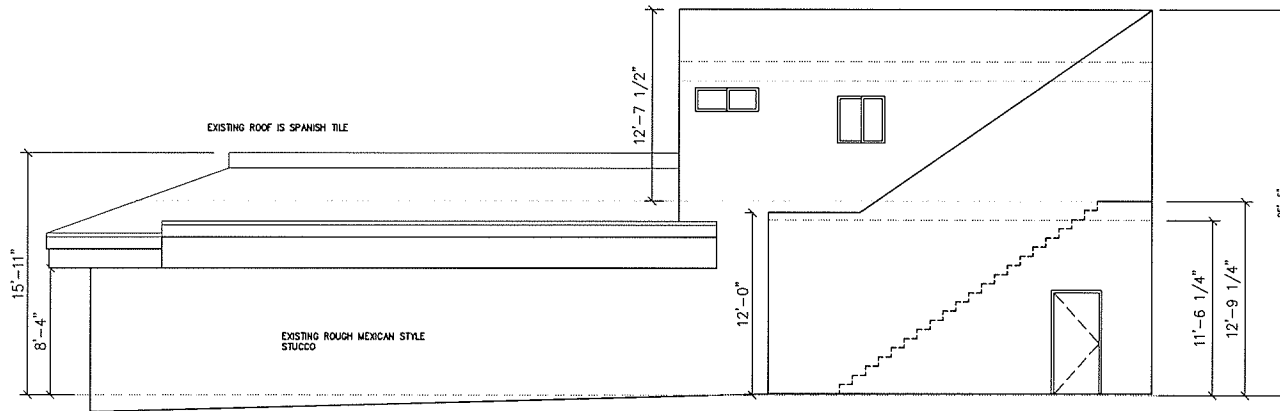
THIS
ROOF PLANS
EXISTING/NEW

Date NOV. 1, 12
Scale AS NOTED
Drawn LHH
Job BE HIVE

sheet
A-7
of sheets



1 NORTH ELEVATION (E)
SCALE: 1/4" = 1'-0"



1 WEST ELEVATION (E)
SCALE: 1/4" = 1'-0"

REVISIONS	DATE

DAHL ARCHITECTS
1134 EL CENTRO ST., SOUTH PASADENA, CA., 91030
OFFICE PHONE: 626 564-0011 FAX: 626 564-1591

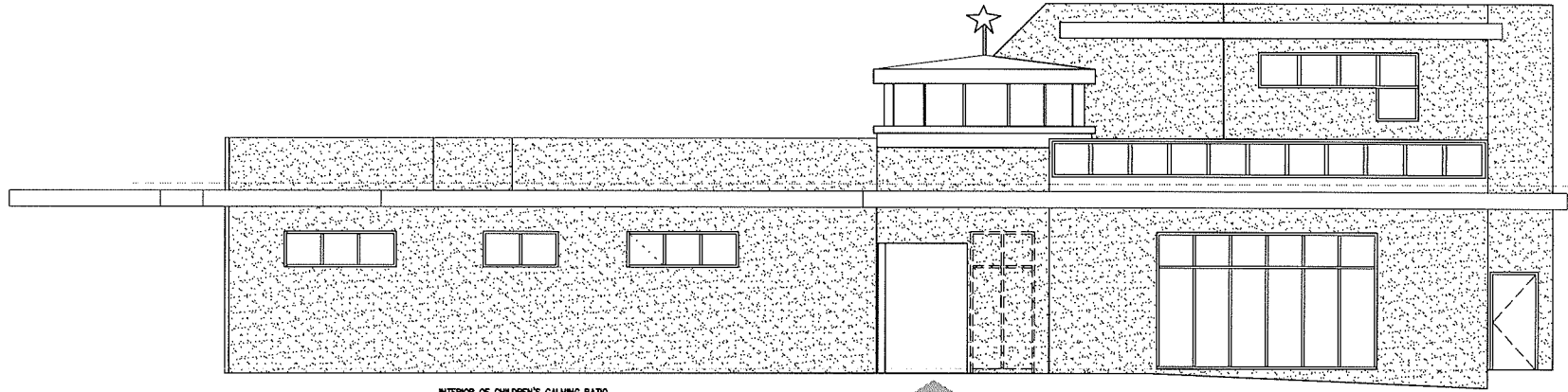


BE HIVE OF HEALING
5017 LEWIS RD.
AGOURA HILLS, CA, 91301

THE
ELEVATIONS
EXISTING
NORTH WEST

Date	SEPT. 21, 2012
Scale	AS NOTED
Drawn	LHJ
Job	BEHIVE
Sheet	A-8

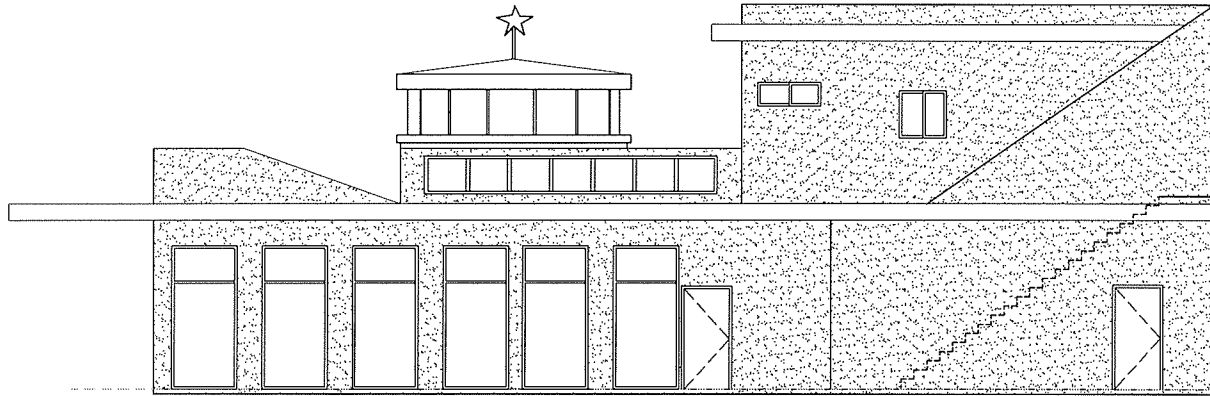
of sheets



INTERIOR OF CHILDREN'S CALLING PATIO

↑
DENTAL ENTRANCE
UNDER NEW TOWER
ELEMENT

① NORTH ELEVATION (N)
SCALE: 1/4" = 1'-0"



① WEST ELEVATION (N)
SCALE: 1/4" = 1'-0"

REVISIONS	DATE

DAHL ARCHITECTS
1134 EL CENTRO ST., SOUTH PASADENA, CA., 91030
OFFICE PHONE: 626 564-0011 FAX: 626 564-1591

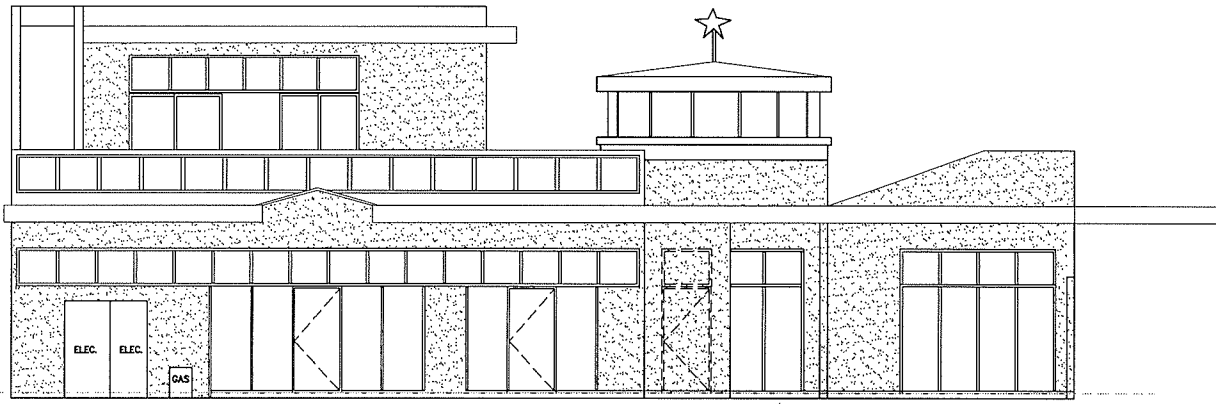


BE HIVE OF HEALING
5017 LEWIS RD.
AGOURA HILLS, CA, 91301

ELEVATIONS
PROPOSED
NORTH & WEST

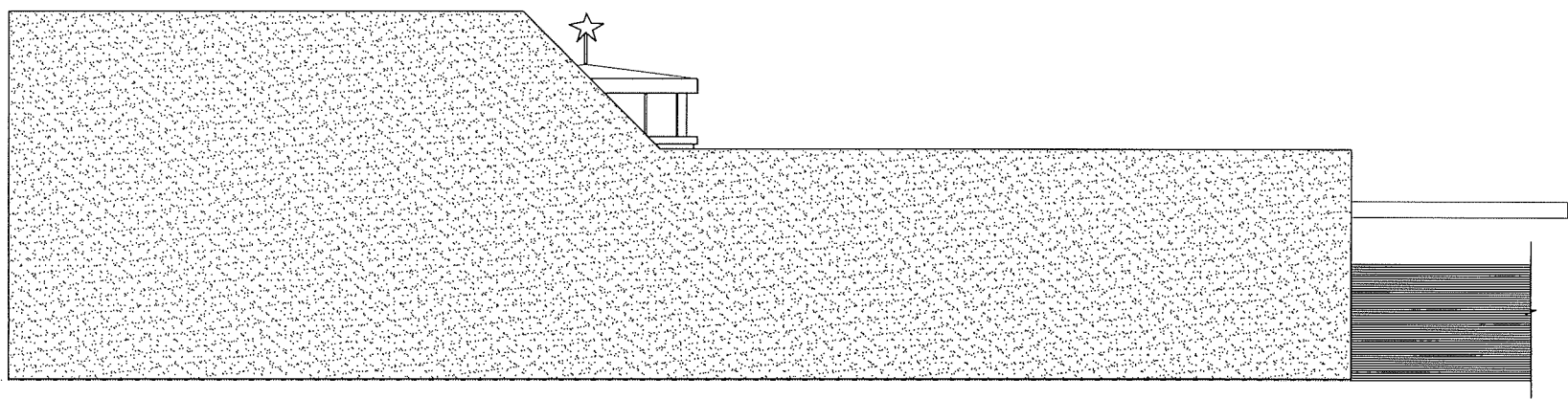
Title
Date SEPT. 21, 2011
Scale AS NOTED
Drawn LJJ
Job BEEHIVE
sheet

A-10
of sheets

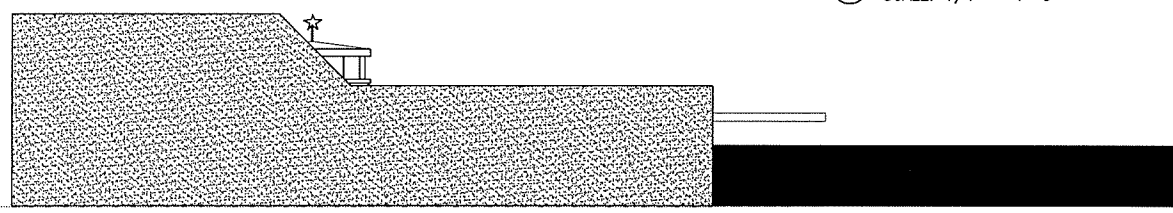


INTERIOR OF DOCTOR'S CALMING PATIO
 DOCTOR'S OFFICE MAIN ENTRY
 DENTAL ENTRANCE UNDER NEW TOWER ELEMENT
 INTERIOR OF CHILDREN'S CALMING PATIO

1 EAST ELEVATION (N)
 SCALE: 1/4" = 1'-0"



2 SOUTH ELEVATION (N)
 SCALE: 1/4" = 1'-0"



SOUTH ELEVATION PROPOSED

3 SOUTH ELEVATION SHOWING WALL (N)
 SCALE: 1/8" = 1'-0"

REVISIONS	DATE

DAHL ARCHITECTS
 1134 EL CENTRO ST., SOUTH PASADENA, CA, 91030
 OFFICE PHONE: 626 564-0011 FAX: 626 564-1591



BE HIVE OF HEALING
5017 LEWIS RD.
AGOURA HILLS, CA, 91301

ELEVATIONS
PROPOSED
EAST & SOUTH

Title
 Date SEPT. 21, 2011
 Scale AS NOTED
 Drawn LKH
 Job REFINE
 sheet
A-11
 of sheets

EXHIBIT F

Site Plan Architectural Review Case No 12-SPR-006
and Variance Case No. 12-VAR-004

