

REPORT TO CITY COUNCIL

DATE: JANUARY 27, 2016

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: GREG RAMIREZ, CITY MANAGER

BY: NATHAN HAMBURGER, ASSISTANT CITY MANAGER *hnt*
DOUG HOOPER, PLANNING DIRECTOR *dh*
ALLISON COOK, ASSISTANT PLANNING DIRECTOR *ac*

SUBJECT: APPEAL OF THE CITY PLANNING COMMISSION'S APPROVAL OF SITE PLAN/ARCHITECTURAL REVIEW CASE NO. 14-SPR-003, OAK TREE PERMIT CASE NO. 14-OTP-016, VARIANCE CASE NO. 14-VAR-003(A), AND VESTING TENTATIVE PARCEL MAP CASE NO. VTPM 73266, AND DENIAL OF SIGN PERMIT CASE NO. 14-SP-040 AND VARIANCE CASE NO. 14-VAR-003(B), WHICH ARE REQUESTS TO CONSTRUCT A 45,000 SQUARE-FOOT FITNESS FACILITY AND 4,000 SQUARE-FOOT RETAIL/FAST SERVICE RESTAURANT BUILDING AS PART OF THE AGOURA PARK PROJECT AT 29431 AND 29439 AGOURA ROAD (CITY COUNCIL, APPELLANT/ROSENHEIM AND ASSOCIATES, INC. FOR SELLECK DEVELOPMENT GROUP, INC., APPLICANT)

The request before the City Council is to conduct a public hearing to consider an appeal by the City Council of the Planning Commission's: (1) approval of Site Plan/Architectural Review Case No. 14-SPR-003, Oak Tree Permit Case No. 14-OTP-016, Variance Case No. 14-VAR-003(A), and Vesting Tentative Parcel Map Case No. VTPM 73266; and (2) denial of Sign Permit Case No. 14-SP-040 and Variance Case No. 14-VAR-003(B). The application for appeal is included as Attachment 1. Rosenheim and Associates, Inc. is the applicant for Selleck Development Group, Inc. On December 3, 2015, the Selleck Development Group, Inc.'s Agoura Park Project at 29431 and 29439 Agoura Road (APNs 2061-004-015, -035 and -036) was brought before the Planning Commission for consideration at a regularly scheduled hearing. The Planning Commission voted to approve the project with additional conditions, with the exception of the proposed signage. At its meeting on December 9, 2015, the City Council voted to appeal the decision of the Planning Commission with a vote of 3-1-1 (Councilmember Koehler abstaining and Mayor Pro Tem Weber absent). The purpose of this report is to briefly describe the Planning Commission's actions and the project for consideration by the City Council.

The project consists of a fitness building (Building A - L.A. Fitness), a retail/fast service restaurant building (Building B), and surface lot and street parking on a 3.95-acre site

on Agoura Road, adjacent to Roadside Road and Roadside Drive. Building A is proposed at the northern end of the site, adjacent to U.S. Highway 101, while Building B would be located at the southeast corner of the site, at the northwest quadrant of the intersection of Agoura Road and Roadside Road. In between the two buildings would be a surface parking lot with landscaping and pedestrian pathways and amenities, such as a landscaped trellis walkway. The site is zoned Planned Office Manufacturing-Freeway Corridor Overlay Zone (POM-FC).

The Planning Commission considered the following discretionary actions:

Site Plan/Architectural Review (Case No. 14-SPR-003) for a 49,000 square-foot fitness facility with a gym, aerobics studio, swimming pool, basketball court and racquetball courts (Building A), as well as a 4,000 square-foot building for retail/fast service restaurants (Building B), a surface parking lot with 200 spaces, and 19 on-street parking spaces along the west side of Roadside Road.

Oak Tree Permit (Case No. 14-OTP-016) to encroach within the protected zone of three (3) oak trees. While not proposed for removal as part of the project, encroachment into the protected zone of two of the oak trees (one onsite in the northern area of the parcel and one off-site to the west) would be substantial enough such that the trees would be considered eventual losses and mitigation would be required. Encroachment into the third oak, off-site to the north, is not expected to result in a loss of the tree.

Vesting Tentative Parcel Map (VTPM 73266) to merge two parcels, convey a small piece of land that is a remnant of another parcel across Roadside Road, severed when Roadside Road was constructed several years ago, and incorporate the Roadside Drive terminus (a public road to be vacated by the City), to form the project site.

Variance A (Case No. 14-VAR-003) for a rear yard setback along the freeway in the FC Overlay Zone of 35 feet at its closest point and 55 feet at its furthest point, compared to the required minimum 76 feet (a reduction in required setback of between 21 and 41 feet) (AHMC Section 9544.1); 38 feet building height of Building A (fitness facility), compared to the required 35 feet maximum (AHMC Section 9389.3); and encroachment of parking spaces and a public sidewalk in the required 20-foot (which can be reduced to 10 (ten) feet by the Planning Commission) landscaped setback along a public street (Roadside Road) by four (4) feet from the reduced ten (10) feet requirement, resulting in a six (6)-foot wide landscaped/sidewalk area (AHMC Section 9654.5).

Sign Permit (Case No. 14-SP-040) and Variance B (Case No. 14-VAR-003) to allow for a sign program consisting of two signs on Building A and two monument signs on the property. Signage for Building B would be considered at a later date, under separate permit, as a tenant has not yet been selected. The variance request is for an increased size in the allowed building signage on Building A from two signs – one on the primary/south elevation totaling 147.5 square feet as compared with the maximum allowed 70 square feet, and one on the secondary/north elevation totaling 200 square feet as compared to the maximum allowed 25 square feet (AHMC Section 9655.8).

Attachment 2 of this report consists of the Planning Commission staff report. The staff report contains a detailed description of the proposed project, and analysis of the requested permits, including variances. Attachment 3 contains the final Planning Commission Resolutions. Resolution No. 15-1144 pertains to the California Environmental Quality Act (CEQA) findings for the Initial Study/Mitigated Negative Declaration (IS/MND) and Mitigation Monitoring and Reporting Program (MMRP) prepared for the project, while Resolution No. 15-1145 pertains to the Vesting Tentative Parcel Map. Resolution No. 15-1146 is the variance request (Variance A) for the rear yard setback, Building A height, and reduction in the landscape planter size along Roadside Road. Lastly, Resolution No. 15-1147 is for approval of the Site Plan/Architectural Review and the Oak Tree Permit. The findings for the approved discretionary permits and variances are found within these Resolutions. Since the Planning Commission did not approve the Sign Permit or Sign Permit variance, there is no Resolution for those items.

Please refer to Attachment 2 for a full project description contained in the Planning Commission staff report, and to Attachment 4 for a set of project plans. The project that is the subject of this report is the same as that presented to the Planning Commission on December 3, 2015. Recently, the applicant, Dan Selleck for Selleck Development Group, Inc., has indicated that he is considering changes to the project in response to concerns and comments raised at the Planning Commission hearing. However, staff has not yet been provided with revised plans showing an alternative design. Any plan changes will be distributed and made available for public review when received.

Attachment 5 consists of the draft Planning Commission minutes from December 3, 2015. On a 3-1 vote (Commissioner Anstead opposing), the Planning Commission approved the following: Resolution No. 15-1144 regarding the CEQA items; Resolution No. 15-1146 for the variances pertaining to building height and setback and the encroachment into the landscaped planter along Roadside Road; and Resolution No. 15-1147 for the Site Plan/Architectural Review Permit and the Oak Tree Permit. On a 4-0 vote, the Planning Commission approved Resolution No. 15-1145 for the Vesting Tentative Parcel Map. The Commission considered the signage for Building A to be too large, and so did not approve the Sign Permit or the variance in sign size. Consequently, there were no final Planning Commission Resolutions regarding these items.

Although the Commission approved the project (with the exception of the signage), Commissioners expressed concern about the additional height of Building A, and the reduced setback from Building A to the freeway, in particular. The Commission indicated a desire to moderate the stature and appearance of Building A from the freeway. Commissioners expressed concern with the potential visual impacts of Building A as viewed from the freeway with regard to height and proximity to the freeway. They suggested that additional design considerations be applied to the rear (freeway facing) elevation, such as additional landscaping and methods to soften the appearance of height. As such, as part of the approval of Resolution No. 15-1147, the Planning Commission approved two additional project conditions:

“128. The Landscape Plan shall be revised to incorporate additional green screens on the north elevation of Building A and to incorporate additional landscaping material between the building and the access road adjacent to the freeway, with the intent to screen the building as viewed from the freeway corridor. These revisions shall be subject to approval by the Planning Director.

129. The applicant shall camouflage the roof elements above 35 feet. The revised colors on that portion of the building shall be subject to approval by the Planning Director.”

With regard to the rear yard setback of Building A, the POM district requires a 20-foot rear yard setback (AHMC Section 9389.4). This is measured from the building to the rear property line. For development adjacent to the freeway, the FC Overlay district requires a setback of structures from the freeway right-of-way of two (2) feet per one (1) foot of building height for any building taller than twenty (20) feet (AHMC Section 9544.1). “Adjacent to the freeway” means there is no other parcel or public road in between the subject building and the freeway.

Currently, the project site is bordered on the north by a public road, Roadside Drive. The applicant has requested that the City vacate this road. Given that the road is not needed for public purposes, staff and the Planning Commission supported the vacation. The applicant proposes to maintain the road as a private driveway with access continuing to the parcel immediately west of the proposed site. This continued access has been made a project condition of approval.

If the City were not to vacate the road, the FC Overlay rear setback requirement of double the height of the building would not apply, as the building would be adjacent to a public road, not the freeway. In this circumstance, only the POM 20-foot rear yard setback would apply, and the rear setback for Building A would be calculated from the rear edge of the building to the public road (including sidewalk) edge. Assuming the location of the public road edge would be the same as the private driveway proposed and shown on the grading plan (see Attachment 3, Sheet “Grading and Drainage Plan,” Sheet 2 of 3), the rear setback provided would be five (5) feet at its narrowest and 25 feet at its widest (calculated from the northernmost building column to the sidewalk of the road). At its narrowest point, the setback falls short of the required 20 feet by 15 feet, and so would still require a variance, yet the setback would be met or exceeded along approximately one-third the length of the building frontage. This is compared to the proposed variance of 21-41 feet reduction in setback (76 feet required, with a setback distance of 35-55 feet proposed).

The proposed variance of 21-41 feet for the rear yard setback is being requested, since with the public road being vacated, Building A would then be adjacent to the freeway, and the FC Overlay rear setback would apply. The table below illustrates the differences in the rear setback between the POM and FC Overlay districts.

REAR YARD SETBACK (FT.)

	With public road in FC (POM zone dictates)	Without public road in FC (FC zone dictates)
Required	20 from building to Roadside Dr. ¹	76 from building to fwy ROW
Proposed	5-25 from building to Roadside Dr.	35-55 from building to fwy ROW

¹This would result in a building to freeway right of way (ROW) setback of 55 feet.

With regard to the proposed Building A height of 38 feet at its highest points, which exceeds the 35-foot maximum allowed height, it may be helpful to consider that the building pad and entire parcel are located several feet below the freeway grade. The finished floor elevation of the building is proposed at 863 feet. North of the building, the land slopes up to the freeway, with the freeway at an elevation of 877 feet. This results in a grade difference of 14 feet. Given that the building is set this amount below the freeway grade, only about two-thirds of the upper portion of the building (approximately 24 feet) is expected to be visible from freeway passersby. The appearance of height for Building A is less noticeable from the south (Agoura Road facing) elevation, where the building is set back about 500 feet from the Agoura Road right-of-way. Also, the height of Agoura Road ranges from 866-870 feet above the building's finished floor elevation of 863 feet, and so the building would be set down below this roadway as well by three to seven feet, which may reduce the appearance of height.

RECOMMENDATION

Staff respectfully recommends the City Council conduct an appeal hearing and provide direction to staff to return with appropriate resolutions to uphold or overturn the decision of the Planning Commission for Case Nos. Site Plan/Architectural Review Case No. 14-SPR-003; Oak Tree Permit Case No. 14-OTP-016; Sign Permit Case No. 14-SP-040; Variance Case No. 14-VAR-003 (A&B); Vesting Tentative Parcel Map Case No. VTPM 73266; and the Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the Agoura Park Project.

Attachments:

1. Application for appeal
2. Planning Commission staff report dated December 3, 2015, with select attachments
3. Final Planning Commission Resolution Nos. 15-1144, 15-1145, 15-1146 and 15-1147
4. Project plans
5. Draft Planning Commission minutes of December 3, 2015

ATTACHMENT 1

APPLICATION FOR APPEAL

CITY OF AGOURA HILLS

DEC 18 AM 8:00

CITY CLERK

NAME: Agoura Hills City Council
ADDRESS: 30001 Ladyface Court, Agoura Hills, CA 91301
PHONE NO.: (818) 597-7300
CASE NO.: Case No. 14-SPR-003; Oak Tree Permit Case No. 14-OTP-016,
Sign Permit Case No. 14-SP-040; Variance Case No. 14-VAR-003
(A&B); and Vesting Tentative Parcel Map Case No. 73266

Appeal to (circle one): Planning Commission
City Council

In the following space, please briefly indicate the reasons for the appeal.

On December 9, 2015, at the regular City Council meeting, the City Council on a 3-0 vote, with Mayor Schwarz and Councilmembers Buckley Weber and Northrup in favor, (with Councilmember Koehler abstaining and Mayor Pro Tem Weber absent), approved a motion to appeal the December 3, 2015, decision of the Agoura Hills Planning Commission in its entirety to allow the City Council the opportunity to hear the item de novo and review and consider this item at a scheduled public hearing.

Kumar for the Agoura Hills City Council
Signature of Applicant

Note: Applications for appeals must be filed within fifteen (15) days of the date of the decision. The application, along with the appropriate filing fee*, should be submitted to the Director of Planning. As part of the appeal, applicants should be prepared to provide the Planning Department with additional sets of project plans and other pertinent materials.

*Pursuant to AHMC 9804.6, no filing fee is required.

ATTACHMENT 2



DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

ACTION DATE: December 3, 2015

TO: Planning Commission

APPLICANT: Rosenheim & Associates for:
Selleck Development Group, Inc.
21550 Oxnard Street, Suite 780
Woodland Hills, CA 91367

CASE NOS.: 14-SPR-003, 14-OTP-016, 14-VAR-003(A&B), 14-SP-040 and
VTPM 73266

LOCATION: 29431 & 29439 Agoura Road
(A.P.Ns. 2061-004-015, 035 & 036)

REQUEST: Request for the Planning Commission to conduct a public hearing to approve: 1) the merger of two parcels by way of a Vesting Tentative Parcel Map; 2) a Site Plan/Architectural Review to construct a new 45,000 square-foot, two-story fitness facility building and a 4,000 square-foot, single-story retail/fast service restaurant building on a vacant site; 3) an Oak Tree Permit to remove two (2) oak trees and encroach into the protected zone of one (1) other oak tree for the proposed construction; 4) a Sign Permit to allow for a sign program; 5) Variances to exceed the maximum allowable height of the fitness building from 35 to 38 feet; to exceed the maximum allowable signage on the primary and secondary elevations of the fitness building; to reduce the required Freeway Corridor Overlay District rear yard setback from 76 to 35 feet, to allow the encroachment of parking spaces, a public sidewalk, and other amenities within the required twenty-foot wide landscape planter required along one street frontage; and 6) the adoption of a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program.

ENVIRONMENTAL DETERMINATION: Mitigated Negative Declaration, per the California Environmental Quality Act

RECOMMENDATION: Staff recommends the Planning Commission approve Site Plan/Architectural Review Case No. 14-SPR-003; Oak Tree Permit Case No. 14-OTP-016, Sign Permit Case No. 14-SP-040, Variance Case No. 14-VAR-003 (A&B), and Vesting Tentative Parcel Map

Case No. 73266, subject to Conditions, based on the findings of the Draft Resolutions.

ZONING DESIGNATION: POM-FC (Planned Office and Manufacturing - Freeway Corridor Overlay District)

GENERAL PLAN
DESIGNATION: Planned Office and Manufacturing (POM)

I. PROJECT DESCRIPTION AND BACKGROUND

The applicant, Rosenheim and Associates for Selleck Development Group, Inc., has submitted a Site Plan/Architectural Review application (Case No. 14-SPR-003) for the Agoura Park Project to build a 38-foot high, two-story 45,000 square-foot fitness facility (gym, pool and basketball court) (Building A) and a 25-foot high, one-story, 4,000 square-foot retail/fast service restaurant (Building B) on opposite ends of two adjacent parcels currently owned by Selleck Development Group. Surface parking would be provided between the two buildings. The site is zoned Planned Office and Manufacturing (POM) and Freeway Corridor Overlay (FC), which allows a fitness facility and restaurant uses. The site, (29431 and 29439 Agoura Road) consists of two separate parcels (A.P.Ns. 2061-004-015 and 035), which are bordered to the north by the terminus of Roadside Drive, and U.S. Highway 101; to the east by Roadside Road, beyond which are the Fence Factory's site and a Dog Care facility; to the west by a vacant parcel on which an application has been submitted to construct a hotel; and to the south by Agoura Road, beyond which is vacant land in the Agoura Village Specific Plan area. The site can be accessed from both Agoura Road and Roadside Road.

The fitness facility would operate between the hours of 5:00 a.m. and 11:00 p.m. Monday through Thursday and 5:00 a.m. and 10:00 p.m. on Friday, and on Saturday and Sundays from 8:00 a.m. to 8:00 p.m. The hours of the other retail/fast service restaurant building have not yet been determined.

The parcels were previously occupied by an equipment rental company with offices, equipment repairs facilities, and underground tanks. The parcels have been vacated since 2004 and all the structures have been removed with the exception of a flat concrete paved area, concrete retaining walls, and a small wooden shed. There is some scattered, mostly vegetation, including oak trees, on the site and a drainage area on the north. The drainage area contains about 0.02-acre of wetland habitat. The vegetation and wetland would be removed as part of the project. Oak trees are discussed further below in this report.

The parcels are proposed to be merged by way of a Vesting Tentative Parcel Map (Case No. VTPM 73266). The ultimate property size, 3.95 acres, would include the two lots, the Roadside Drive terminus to the north that is being vacated by the City, and a narrow piece of land that is a remnant of the APN 2061-004-036 that was severed when Roadside Road was constructed several years ago. The applicant is also requesting to install new building and ground-mounted signs, which require the review and approval of a Sign Permit (Case No. 14-SP-040); to remove one on-site and one off-site oak tree, and to encroach in the protected zone of one off-site oak tree (Case No. 14-OTP-016); and the approval of the following Variances (Case No. 14-VAR-003) from the Zoning Ordinance:

- Section 9544.1: Relation to the Freeway (FC Overlay District) to reduce the rear yard setback from 76 feet to 35 feet;
- Section 9389.3: Building Height (POM District) to exceed the 35-foot maximum allowable height of the fitness facility by three (3) feet for a total building height of 38 feet;
- Section 9655.8.B.1.a and 9655.8.1.k.: Sign Ordinance to exceed the maximum allowable sign size for the primary (front) and secondary (rear) elevations by 207 percent and 777 percent for a total of 147.5 square feet and 200 square feet respectively.
- Section 9654.5: Parking Lot Landscaping to encroach 14 feet into the 20-foot wide landscape planter required along the street frontage of Roadside Road whereas a maximum ten-foot encroachment is allowed.

II. STAFF ANALYSIS

Zoning Standards

The POM District was adopted by the City Council in 2014 as an implementation measure of the General Plan 2015, replacing the previous Business Park-Manufacturing District in this area. The proposed project is the first to be considered in the POM District. As shown in the table below, the project complies with the POM District standards with the exception of the building height and rear yard setback. Both the POM and FC allow a maximum building height of 35 feet, while Building A's height is 38 feet. The POM rear yard setback is a minimum 20 feet. However, the FC rear yard setback requirement is twice the height of the building when no public road exists between a parcel and the freeway corridor. In this case, Building A's height was established at 38 feet, therefore the setback should be 76 feet; however, a setback of 35 feet is provided. Therefore, Building A does not meet the maximum rear yard setback for the FC Overlay District.

The following is a summary comparison of the project and the relevant zoning development standards:

	<u>Existing</u>	<u>Proposed</u>	<u>POM</u>	<u>FC Requirements</u>
1. <u>Lot Area</u>				
Parcel 1:	1.69 ac.	1.58 ac.	20,000 ac.	N/A
Parcel 2:	1.74 ac.	1.74 ac.	20,000 ac.	N/A
Parcel 3 (portion):	0.14 ac.	0.12 ac.	20,000 ac.	N/A
Total:	3.69 ac.	3.44 ac.		
Roadside				
Terminus	0.51 ac.	0.51 ac.		N/A
Total:		3.95 ac.	20,000 ac.	
2. <u>Building Size</u>				
Building A:	N/A	45,000 sq.ft.	N/A	N/A
Building B:	N/A	4,000 sq.ft.	N/A	N/A
Total	N/A	49,000 sq.ft.	N/A	
3. <u>Bldg. Heights</u>				
Building A:	N/A	38 ft.	35 ft. max.	N/A
Building B:	N/A	25.3 ft.	35 ft. max.	N/A

	<u>Existing</u>	<u>Proposed</u>	<u>POM</u>	<u>FC Requirements</u>
4. <u>Lot Coverage</u>	N/A	30%	60% max.	N/A
5. <u>Bldg. Setbacks</u>				
<u>Building A:</u>				
Front (South):	N/A	487ft.	20 ft.	N/A
Side (East):	N/A	10 ft.	10 ft.	N/A
Side (West):	N/A	58 ft.	10 ft.	N/A
Rear (North):	N/A	35 ft.	20 ft.	2x Bldg Height
<u>Building B:</u>				
Front (South):	N/A	25ft.	20 ft.	N/A
Side (East):	N/A	15ft.	10 ft.	N/A
Side (West):	N/A	110 ft.	10 ft.	N/A
Rear (North):	N/A	625 ft.	20 ft.	2x Bldg Height
6. <u>Parking</u>				
Building A:	N/A		176 spaces	N/A
Building B:	N/A		30 spaces	N/A
Total:	N/A	219 spaces¹	206 spaces	
7. <u>Landscape Coverage</u>				
Overall	N/A	23%	15% min.	N/A
8. <u>Oak Trees</u>	1	4 for new projects	4	N/A
		8 mitigation trees	8	
Total:		12 minimum	12 minimum	

In addition, the project does not comply with the parking lot landscaping standards of the maximum allowed encroachment into the street side landscape plan. The Zoning Ordinance requires that a 20-foot landscape planter be provided along street frontages where parking is provided. Ten feet of encroachment can be considered for parking spaces, along 50 percent of the frontage. While the parking encroachment does not exceed 50 percent of the length of the side property line, the applicant is proposing to encroach 14 feet into the depth of the landscape planter which exceeds the 10-foot maximum allowance.

The goal of the POM District is to allow a mix of land uses that are cohesive and reflect a distinct district identity. Projects must provide a site layout that encourages pedestrian activities by facilitating access into the site by foot, and by bicycle, and by providing outdoor amenities that are both aesthetically pleasing and useful to customers. The POM District also requires that individually owned parcels be connected to each other by way of driveways and pedestrian paths in addition to providing the traditional egress and ingress on the primary frontage. Access drives are required to be easily identifiable and designed with decorative paving and special landscaping and architectural features. Shared parking between adjacent uses is encouraged. The POM District

¹ The total parking includes street parking as encouraged by the POM district.

abuts the POM-MXD District (Planned Office and Manufacturing-Mixed Use), further east, which has similar design requirements in addition to allowing for multi-family housing units. The POM District is considered an enclave that is within walking distance from the Agoura Village Specific Plan area, and helps expand and support the variety of services to the local region.

The project supports the purpose of the POM in that it contains attractive walking paths, with landscaping and trellis features through the surface parking lot between the two buildings, and contains a west-east aligned driveway with a pedestrian path in the parking lot that connects to the vacant site to the west (proposed for a hotel use) and Roadside Road to the east. The driveway will be a shared access for the proposed project as well as future development of the parcel to the west, (proposed for a hotel use) reducing the demand for ingress/egress on Agoura Road. There will be a sidewalk on the north/south sides of the property to connect to the vacant parcel to the west. A sidewalk will also be located on Roadside Road. Outdoor seating/gathering areas are provided near Building B, proposed for retail/restaurant use. The project is consistent with the POM District by articulating entry drives on Agoura Road and Roadside Road with special paving and landscaping features. The inclusion of on-street parking spaces on the western side of Roadside Road, as discussed further below, adds to the pedestrian aspect sought in the POM District.

The purpose of the FC Overlay is to recognize the importance of the land use, architectural design, and appearance of development within the freeway corridor to the City's image. Projects in the FC are to incorporate naturalistic and native landscaping, particularly oaks; preserve key vistas to the Santa Monica Mountains; screen unsightly uses; and use compatible colors and materials to preserve and enhance the scenic quality of the freeway corridor. The project includes oak trees in the plant palette but is deficient on native landscaping; as such, the project is conditioned to provide more native plant material to blend more with its natural environment. Both buildings are placed below the rights-of-way elevation and are built with natural material, thereby minimizing the visual impacts on the freeway and the hillsides south of Agoura Road.

Architectural Design Review

Each proposed building on the property has a distinct architectural identity to match its use and specific location on the site. On the south end of the parcel, the retail/restaurant facility is a one-story building with a smaller scale as seen from Agoura Road, and, on the north end, the two-story fitness facility is a more prominent structure closest to the edges of the commercial corridor where larger commercial development exists. The buildings were designed with different styles of architecture to fit their uses but share some common features to provide cohesiveness for the project, such as the application of stone veneer and rafter tails application and beige color. These details help maintain a more rustic appearance of a commercial development and integrate in its naturalistic environment. The project was reviewed by the City Architectural Review Panel (ARP) on September 9, 2015. The ARP recommended changes to Building A specifically to vary the height of the architectural features on the front elevation with the intent to add interest to the building. The applicant responded by increasing the height of the entry feature to give the building design better proportions. The ARP accepted the change and found that both styles and color palettes were in keeping with the POM District and the City's goal for the freeway corridor development. No changes were recommended for Building B. The ARP was supportive of its design, finding it had appropriate proportions, and it included an original choice of colors and materials.

The project is subject to the Art in Public Places requirement because it exceeds 30,000 square feet in size, and was conditioned accordingly. A location has yet to be determined. The applicant will be working with the City Cultural Art Council for the selection of an artist as well as an art piece.

Lighting

The applicant has selected bell-shaped parking lot luminaries for the project. Twenty (20) 10-foot tall single-fixture light poles are proposed to be installed on the perimeter of the parking lot along pedestrian paths and ten (10) additional 16-foot tall double-fixture poles are proposed in the center of the parking lot. Including the base, the maximum allowable height is 16 feet which this proposal meets. The fixture specifications are attached to the plans for the Commission's review. Building mounted light fixtures are subject to the Planning Director's review and approval prior to installation and will be reviewed during the plan check process. The photometric plan submitted by the applicant indicates that the project does not meet the City Guideline of no more than one foot-candle of illumination at the property line, but the project is conditioned for the submittal of a revised lighting plan to address the requirement for review by the Planning Director.

Signage

The Sign Ordinance requires that new commercial projects design and implement a Sign Program for the entire site. The intent of the requirement is to incorporate the signage into the proposed architectural design. As such, the applicant has submitted concept signage plans for the retail/fast service restaurant building indicating three potential locations for tenants' identification names. The sign plans are incorporated in the Architectural Plans. Once the tenants have been selected, further review will be required to determine the primary frontage from the secondary frontage and their respective signage. The applicant would be required to return to the Planning Commission for approval of these signs and the project is conditioned accordingly (see conditions of approval attached to the Sign Permit draft resolution). The tenant for the fitness facility has been identified as LA Fitness and as such, more detailed sign plans have been provided. The plans for LA Fitness indicate two identification signs, one on each the north and south elevations. One 147.5 square-foot sign on the front elevation (interior) and one 200 square-foot sign on the rear elevation (freeway facing side) are proposed. AHMC Section 9655.8.B.1.a and 9655.8.1.k. allows for a 70-square foot sign on the primary elevation if the building is located more than 100 feet from the front property line, and a 25 square-foot secondary sign on the secondary elevation (facing the freeway). The applicant has submitted a Variance request to exceed the requirements by 207 percent for the front elevation (or a little over twice the maximum allowable size) and 777 percent for the rear elevation (or eight times the maximum allowable size). The dimensions of the letters of the 147.5 square-foot sign on the front elevation are four feet tall by 36.75 feet long and the dimensions of the letter of the 200 square-foot sign on the rear elevation are 4.6 feet tall by 42.5 feet long. The sign calls out the name of the tenant with no descriptive. The signs are made of internally-lit channel letters with a white Plexiglas face. The only graphic enhancement to the sign is a vertical line separates the word "LA" from the word "Fitness". The construction of this sign is permitted by the Sign Ordinance. Findings for the Variance requests are provided below for the Commission's review.

One 13.5 square-foot monument sign is proposed on the east and south sides of the project site, whereas a 48-square foot sign is allowed. The sign is a masonry structure clad with stone veneer on each side and a stone cap. Only the name of the major tenant, LA Fitness, is identified at this

time and only on one side of the structure. The letters are pin-mounted to the sign and illuminated by an external light source. The Planning Commission has the ability to recommend changes on size, location, design and illumination on all the proposed signage.

Oak Tree/ Landscape Review

The applicant has applied for an Oak Tree Permit to remove one on-site oak tree (Oak Tree No. 194) in order to build one of the buildings, and to encroach in the protected zone of one off-site oak (Oak Tree No. 193) in excess of the allowable percentage of 10 percent. Although the applicant is not requesting to remove the off-site oak tree, the City Oak Tree Consultant has determined that the construction will cause a rapid decline and ultimate loss of the tree. As such, the applicant will be required to mitigate for the loss of both oak trees and, therefore, plant at least eight (8) oak trees on the site. With respect to the encroachment on the second off-site oak tree (Oak Tree No. 195), the City Oak Tree Consultant finds the encroachment would not adversely affect the tree, and so no mitigation is necessary. However, the Oak Tree Consultant recommends protective measures that are part of the project's conditions of approval attached to the draft resolution for the SPR and OTP applications, to ensure protection of the life of the tree through the construction phase and beyond.

The project layout offers opportunities to landscape the parcel evenly. Landscaping is proposed around the buildings, along the property lines and throughout the parking lot. Based on the square footage proposed on the site (49,000 square feet), four new oak trees must be included in the planting palette at a minimum, per the Zoning Ordinance requirement of one new oak tree for every 15,000 square feet of new floor area. This requirement is in addition to the mitigation oak trees. In addition to the planting, outdoor amenities are provided such as a trellis-covered walkway in a north-south direction linking Building A to B and outdoor seating near Building B. The pavement is textured in strategic locations to indicate pedestrian crossings in the drive-aisle and at the entrance of both driveways. The Preliminary Landscape Plan was reviewed by the City Landscape Consultant and finds it generally compatible with city guidelines. The City Landscape Consultant required that the Final Landscape Plan must incorporate more drought tolerant plants and more native plants and the project has been conditioned accordingly. The Landscape Plan shall also be subject to approval by the Fuel Modification Unit at the County of Los Angeles Fire Department prior to the issuance of building permits. The project is conditioned accordingly (see the conditions of approval attached to the SPR and OTP draft resolution).

Public Works/Engineering

The site is somewhat concave and currently is nine feet below Agoura Road and twenty seven feet below the freeway corridor. The grading plan indicates that the proposed development will require 1,270 cubic yards of cut and 38,575 cubic yards of fill for a net import of 37,305 cubic yards. The proposed finished floor elevation for Building A is 863 feet, which is fourteen feet below the freeway corridor travel lane which means that the roof line will only be 23 feet above the corridor. The finished floor elevation for Building B will be 859.80 feet which is seven feet below Agoura Road after the Agoura Road Widening project is complete which means that the roof line will only be 18 feet above Agoura Road. Retaining walls are proposed to retain slopes along the north and south sides of the parcel. The walls will be below Agoura Road and below the Roadside Drive Terminus and will not exceed feet in height.

The City is undertaking the widening of Agoura Road and included in the scope of work are improvements along the frontage of the site. The improvements will include grading Agoura Road to create two full size travel lanes in each direction with a bike lane, a meandering parkway, curb and gutter and striping. A center median is also included with a left turning pocket to access Roadside Road, thus allowing for safe and convenient access to and from the project site.

Currently, the parcels are traversed by utility lines that will be relocated in the Roadside Road right-of-way and undergrounded wherever possible. Also, an electrical distribution line that originates north of the freeway, connects to a pole on the north side of the site and crosses the parcel diagonally is proposed to be realigned in order to comply with the Los Angeles County Fire Department requirements. The applicant is working with Southern California Edison to finalize the design and the alignment of the over-head lines.

The Los Angeles County Flood Control District maintains an underground concrete storm drain channel that crosses the parcel under the proposed west-east aligned parking lot driveway. On-site drainage would be connected to this underground culvert. The applicant would be required to obtain approvals from the Flood Control District for work in this area.

The City Geotechnical Consultant has reviewed the geotechnical report, prepared by AGS Consultants. The Consultant concurs with the report. The recommendations/requirements of the geotechnical report have been included in the project conditions of approval to ensure they are incorporated into the final project plans before a Grading Permit is issued.

Parking

The Zoning Ordinance requires fitness clubs provide parking at one space for every 220 square feet of activity area and other space in the fitness club according to its use. For the activity area of 33,219 square feet, there would be a demand of 151 parking spaces. Other uses include office (requiring one space for every 300 square feet of gross floor area) and retail (requiring one space for every 250 square feet of gross floor area) uses. The office area totals 6,524 square feet, and the retail area 570 square feet, resulting in a demand of 25 parking spaces. For the retail/fast service restaurant, the parking requirement or restaurant uses was applied, which is one space for every 15,000 square feet of eating and waiting area. The proposed seating and waiting area totals 2,000 square feet, which requires 30 parking spaces. Therefore, the grand total project demand is for 206 parking spaces. Note that in the event that Building B is occupied by retail, not restaurant uses, the demand would be 15 spaces instead, which is less than that of a restaurant. The applicant proposes 200 on-site and 19 off-site parking along the western side of Roadside Road. Street parking, in the case of the POM District, can be counted toward the demand. The project is able to exceed the parking requirement with a combination of on-site and off-site spaces. The City Traffic Consultant has reviewed the location of the proposed street parking spaces and finds the design acceptable.

Traffic/Circulation/Street Improvements

As mentioned above, the City of Agoura Hills is currently undertaking the widening of Agoura Road between the westerly City limits and Cornell Road. The improvements along the frontage of the project site include grading to create two full size travel lanes in each direction with a bike lane, a meandering parkway, and sidewalk, curb and gutter and striping. A center median is being added with a left turn pocket to access Roadside Road to the west. The applicant will be responsible for the

street improvements on Roadside Road and the terminus of Roadside Drive. They include sidewalk, curb and gutter, utility conduits, striping and parking spaces.

The project would be accessed via a driveway on Agoura Road and a driveway on Roadside Road. Access to the site via two driveways helps divide the traffic into two egress/ingress points limiting impact of the added traffic on existing arterials traffic levels nearby. Street improvements have been incorporated into the project to accommodate the increased traffic and maintain safety at the less traveled intersection. Roadside Drive provides sufficient space to allow northbound traffic to by-pass traffic entering the site.

Furthermore, the driveway on Roadside Road would bisect the site west-east and continue to provide connection to the vacant site to the west, once that site is developed. The circulation connectivity is called for in the POM District. In the mean time, the driveway would terminate at the project site's westerly boundary. Currently, five parking spaces are shown on the project plans in this alignment. The project is being conditioned to remove the parking spaces upon development of the parcel to the west. A condition of approval attached to the draft resolution for the SPR and OTP applications was included to ensure that the access remains unencumbered for the future development of the adjacent site. A reciprocal access easement would be recorded to ensure this driveway would be shared between the two parcels. Removal of the five spaces would result in a total of 214 parking spaces for the project, which is still in excess of the required 206 spaces.

In further keeping with the intent of the POM District, Roadside Drive on the north of the site, which runs parallel to U.S. Highway 101, would be retained as a driveway to continue to provide access along the northern side of the proposed project and to the vacant parcel neighboring the project site to the west. The City is proposing to abandon and vacate this right-of-way. Therefore the maintenance of the vacated property will become the responsibility of the property owner. A reciprocal access easement would be recorded to ensure that the access drive remains open for use by the westerly vacant parcel.

The project will be required to pay a "fair share" fee toward adding a southbound left-turn lane at the Roadside Road and Agoura Road intersection so that traffic leaving the project site on Roadside Road and turning east onto Agoura Road has a designated left turn lane onto Agoura Road. The fee would be paid to the City prior to issuance of a Building Permit.

Vesting Tentative Parcel Map

The applicant is requesting the approval of a Vesting Tentative Parcel Map. The map merges two lots (APNs 2061-004-015 and 035), incorporates the Roadside Drive terminus, incorporates the narrow piece of land along Roadside Road that is a remnant from another parcel (a portion of APN 2061-004-036), and adjusts the property boundary along Roadside Road by dedicating some land to the City right-of-way. Once merged, the parcel will exceed the 20,000 square-foot minimum lot area specifications of the POM District with 172,933 square feet. Additionally, the parcel will be longer and wider than the POM District 125-foot minimum depth and 100-foot minimum width with a 712-foot depth and a 217-foot width. The map identifies the right-of-way improvements and future location of utility lines.

III. GENERAL PLAN CONSISTENCY

The project would be consistent with the following applicable General Plan goals and policies:

Goal LU-12: Diverse District and Corridors

A diversity of vital and active commercial districts providing a choice of uses and activities for Agoura Hills' residents and visitors.

- *Policy LU-12-2: Freeway Corridor.* Accommodate the development of commercial centers within the freeway corridor to provide a strong fiscal base for the City. Facilitate the development of vacant and underutilized freeway parcels with commercial uses that capitalize on their freeway access and visibility in an aesthetically pleasing manner.

The project complies with Goal LU-12 by providing a choice of uses to satisfy a local and regional demand. The project merges two vacated parcels to accommodate a larger business that requires high visibility from the freeway corridor and smaller size retail businesses near Agoura Road that will support each other and provide a variety of services.

Goal LU-13: Well-Designed and Attractive Districts

Retail centers and corridors that are well-designed and attractive, providing a positive experience for visitors and community residents, and fostering business activity.

- *Policy LU-13-1 Enhanced Design Character.* Encourage renovation, infill, and redevelopment of existing commercial centers and corridors to improve architectural design (e.g., façade improvements), reduce the visual prominence of parking lots, make centers, more pedestrian friendly reduce visual clutter associated with signage, and enhance the definition and character of the street frontage and associated streetscape. (Imp LU-20, LU-30)
- *Policy LU-13-2 Architecture and Site Design.* Ensure that new development and the renovation, addition, or remodel of existing buildings in existing commercial centers and corridors complement existing uses and exhibit a high level of architectural and site design quality in consideration of the following principles:
 - Seamless connections and transitions with existing buildings, in terms of building scale, elevations, and materials.
 - Incorporation of signage that is integrated with the buildings' architectural character and provides meaningful identification
 - Landscaping contributing to the appearance and quality, and reducing the heat-island effect, of development
 - Clearly delineated pedestrian connections between business areas, parking areas, and to adjoining neighborhoods and districts by such elements as paving treatment, pedestrian paths through parking lots, landscape way-finding signage.

The project complies with Goal LU-13 in that the project redevelops a vacated parcel. The project parking lot will be screened from the freeway corridor by a larger building and well delineated

pedestrian paths are provided on and off-site. The architectural style of each building is unique and yet the project is compatible through the use of similar exterior materials and colors. Building signage was kept to a minimum and designed to be in proportion with the building architectural features. Pavers are used at the entrance of the driveways and in drive-aisles to delineate the pedestrian connections.

Goal LU-24: Mixed-Use Center. Cohesive and integrated redevelopment of the properties as a center of community commerce and living with a distinct community identity that transitions from and complements the uses and development character of Agoura Village.

- *Policy LU-24-1 Development Transformation.* Allow for a mix of uses and development densities that provide economic value, inducing the re-use and transformation of the existing fragmented uses and buildings into a well-planned and designed center.
- *Policy LU-24-3 Internal Street Network.* Consider the development of an internal street and sidewalk network that breaks up the block into smaller street grid, promoting pedestrian activity.
- *Policy LU-24-4 Site Development.* Promote the development of shared parking facilities and a network of attractively landscaped internal walkways with public amenities, to the extent feasible, in consideration of parcel configuration and the street network.
- *Policy LU-24.5 Connectivity.* Require that new buildings, pedestrian walkways, and open spaces be located and designed to promote connectivity internally and with adjoining land uses, including Agoura Village.

The project complies with Goal LU-24 in that the project provides a potential for a variety of uses that would be ultimately compatible with surrounding properties and the parcels are linked by pedestrian and vehicular driveways facilitating travel between uses. The pedestrian oriented development complements Agoura Village to the east and south by providing services in walking distance to the future residential development in the south and southeast.

IV. ENVIRONMENTAL REVIEW

A Draft Initial Study/Mitigated Negative Declaration (IS/MND) was prepared for this project, in compliance with the California Environmental Quality Act (CEQA) (PRC Division 13) and Guidelines (Government Code §15000-15387), as well as the City's CEQA Guidelines. The IS/MND concluded that although potentially significant impacts to biological resources, cultural resources, geology and seismicity, and transportation/traffic may occur, these impacts would be reduced to a level of less than significant with incorporation of the mitigation measures outlined in the MND. The table below summarizes the impacts and mitigation measures.

Issue Area	Impact	Mitigation
Biological Resources	Alteration of a drainage feature with potential wetland habitat	A permit from Fish and Wildlife may be required with in-lieu fee

		Nesting bird survey and possible creation of construction activities avoidance zone
	Oak tree removal and protected zone encroachment	Oak tree replacement and preservation program
Cultural Resources	<ul style="list-style-type: none"> • Potential for archeological or paleontological resources • Human Remains 	<ul style="list-style-type: none"> • A monitor is required during grading phase • Consultation with County Coroner
Geology and Soils	Potential for expansive soils	Soil composition to include larger particulate material
Transportation/Traffic	Traffic level increased	Pay a fair share fee toward a southbound left-turn lane at the Roadside Drive/Agoura Road intersection

The Draft IS/MND was circulated for public review from September 17 to October 19, 2015. The notice of Availability and Notice of Intent to Adopt the MND (NOA/NOI) was published in the Acorn newspaper on September 17, and posted at City Hall, the Agoura Hills Library, and at the City Recreation Center, as well as on the City's website. The NOA/NOI was also mailed to public and regulatory agencies and interest groups that typically receive CEQA document notices. A hard copy of the IS/MND was made available for public review at the Planning Counter at City Hall and at the Agoura Hills Library, and the document was posted on the City's website.

The three comments received during the public review period were addressed in writing as part of the Responses to Comments section of the IS/MND (refer to Section 3.0 of the Final IS/MND). None of the comments warranted changes to the IS/MND. The Final IS/MND includes the Responses to Comments and the Mitigation Monitoring and Reporting Program (refer to Section 4.0 of the Final IS/MND which outlines when each mitigation measure will be implemented and what entity is responsible for ensuring it is implemented. The Final IS/MDN is included as Exhibit A.

A copy of the Final MND has been posted on the City's website, and a notice of the Planning Commission hearing to consider adoption of the Final MND and the availability of the Final MND has been sent to the entities on the CEQA document mailing list. All commenters on the Draft MND have been provided with a notice of the public hearing and a copy of the Responses to Comments.

A Draft Resolution adopting the Final IS/MDN for the project is attached to the staff report, making the environmental findings pursuant to the California Environmental Quality Act (CEQA) and adopting a Mitigation Monitoring and Reporting Program (MMRP).

V. FINDINGS

Specific findings for approval of the Site Plan/Architectural Review, Oak Tree Permit, Variance, Vesting Tentative Parcel Map and Initial Study/Mitigated Negative Declaration are made in the attached Draft Resolutions. The following is a summary of the findings.

Site Plan/Architectural Review Findings

A summary of the findings pursuant to AHMC Section 9677.5 and Section 9677.7.G for the Site Plan and Architectural Review are provided below.

The property designation allows for the development of a fitness facility and retail/fast service restaurant building and the proposal meets the development standards for the Planned Office and Manufacturing/Freeway Corridor Overlay district (POM-FC) relative to use, lot coverage, parking, access, circulation, amenities, and landscape and tree canopy coverage. The project's finish pad elevation below the adjacent freeway and Agoura Road will help screen the project from these roadways and travel lanes. The Agoura Road roadway was widened to improve traffic conditions and increase pedestrian accessibility to the site. The project design successfully incorporates the new structures with respect to architectural design, and on-site pedestrian and vehicular circulation. The project design combines contemporary and rustic features that comply with the desired image of freeway corridor development. The building coverage remains below the POM District requirements, which allows ample room for parking and landscaping. The on-site parking remains evenly distributed to serve each individual building adequately. The project complies with Goal LU-13 in that the project redevelops a vacated parcel. The parking lot is screened from the freeway corridor by a larger building and well delineated pedestrian paths are provided on and off-site. The pedestrian oriented development complements Agoura Village to the east and south. The design of the project is consistent with the Zoning District standards, particularly with regard to pedestrian and vehicular circulation creating a district identity.

Oak Tree Permit Findings

A summary of the findings pursuant to AHMC Section 9657.5.C in response to the impacts to oak trees are provided below:

The removal of the two trees is necessary because their continued existence precludes the reasonable and efficient use of the property for a use otherwise authorized on that parcel. The removal of the two oak trees will be mitigated by the addition of at least eight (8) new oak trees and the remaining will be protected per the requirements of the City of Agoura Hills, Oak Tree Preservation Guidelines.

Vesting Tentative Parcel Map Findings

The site is physically suitable for the proposed density of the development pursuant to the Subdivision Ordinance Chapter 4, Section 10414. The proposed size of the parcel will exceed the 20,000 square-foot minimum project size while maintaining a lower building square footage to the lot size ratio. Street improvements and on-site improvements will be required upon development of the site and the improvements will be designed per City standards and requirements.

Sign Permit Findings

A summary of the findings pursuant to AHMC Section 9655.8.B.1.a and Section 9655.8.1.k. are provided below. These findings address the signage for Building A and the monument sign only.

The applicant is required to obtain the Planning Commission's approval for Building B's signs before obtain Building Permits.

The proposed Sign Program is consistent with the General Plan and the provisions of the Zoning Ordinance. The building mounted signs are integrated with the building's architectural character and provide meaningful identification for the business, specifically, the fitness facility, as called for in Policy LU-13.2 of the General Plan as viewed from the freeway corridor, Agoura Road and Roadside Road. Building A's proposed signs and the monument signs will be built so as to identify the business clearly during the daytime and nighttime without impacting nearby properties. The building-mounted sign letters are internally lit and the font highly legible. The proposed signs are consistent with the sign standards of the Sign Design Guidelines in that the sign is monochrome and does not compete with the design of the building, and the illumination of the sign does not flood the building façade.

Variance

Provided below are proposed findings that are applicable to all four variance requests. The findings were separated into two draft resolutions, one draft resolution (Case No. 14-VAR-003(A)) addressing the variance requests of the development standards pertaining to the development of the site and the second one providing the findings for the Sign Permit application (Case No. 14-SP-040) along with the variance request (Case No. 14-VAR-003(B)) pertaining to the increased size of the on-building signage of Building A, the fitness facility.

- A. There are special circumstances applicable to the subject property, including size, shape, topography, location or surroundings, in which the strict application of the Zoning Ordinance would deprive such property of privileges enjoyed by other property in the vicinity and under identical zoning classification.

1. Rear Yard Setback: Building A, the fitness facility would be located 35 feet from the rear (north) property line at its closest point and 55 feet at its furthest point, whereas the Freeway Corridor Overlay development standards require a minimum distance that is twice the height of the building when no frontage road exists between the private property and the freeway corridor; this would make the setback a minimum of 76 feet. These particular lots are concave, whereas most lots along the corridor are even or above the elevation of the travel lanes therefore making the building appear smaller. Upon completion, the final finished pad elevation will remain below the elevation of the freeway corridor, Agoura Road and Roadside Road and as a result, only 23 feet of the 38-foot high façade would be visible above the travel lanes. This condition reduces the appearance of massing from the freeway and across the freeway, which a rear yard setback attempts to minimize. Furthermore, the building roof line is proposed at 35 feet high, with a second, taller roof line recessed from the building edge by approximately 8 feet, thereby minimizing the visual impact of the building mass.

2. Building Height: Building A, the fitness facility, provides indoor activities on two floors in order to limit the size of the footprint. The gymnasiums are proposed to be located on the second floor, which require high volume ceilings and as a result the roof element over those interior spaces is 38 feet high. Although the building is taller, the building pad is

lower than the freeway corridor, Roadside Road and Agoura Road such that the fitness building rises only 23 feet above the freeway, and the wall lines of the gymnasiums are setback from the edges of the building envelope thereby reducing the impacts of the mass as viewed from the freeway. Impacts are not expected from Agoura Road because the building is located at a considerable distance from the front property line. Tall trees will be provided wherever the slopes permit them between the freeway and the building to screen the structure.

3. Signage: Given the unusually long and narrow parcel, Building A's distance (487 feet) from Agoura Road and the distance from Roadside Road egress points, and the location and height of Building B potentially blocking views of Building A, Building A, the facility requires a primary sign that is visible to both east and westbound traffic on Agoura Road. Similarly, the larger internally illuminated sign proposed on the north (rear) will help maintain visibility from both the east and westbound travel lanes on the freeway given that the building is lower than the right-of-way. The building facades were designed such that the area where a sign could be installed permits a larger sign without impacting the architectural design of the building.

4. Landscape Planter: Encroachment in the front landscaping along Roadside Road is required to provide the required number of parking spaces on-site and accommodate for wider interior fire lanes required by the Los Angeles County Fire Department. The encroachment is less than 50% of the length of the property but is deeper than the maximum ten feet. The parking spaces exceed the maximum allowed encroachment by four feet. The encroachment also incorporates a public and accessible side walk which serves the property and the surrounding area. The boundaries of the encroachment are in line with the width of the surface parking lot where landscaping will be most visible from the right-of-way thereby reducing the visual impact of less landscaping along the property line.

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.

1. Rear Yard Setback: There are currently a variety of building setbacks in the Freeway Corridor as several of such buildings were developed prior to current City development standards. Building A is not unique within the freeway corridor.

2. Building Height: The property is below the adjacent right-of-ways and therefore the building height will not exceed the height of the buildings in proximity that are level with the right-of-ways. The requested added height contributes toward a smaller footprint. The building is lower than the adjacent, public right-of-way and the freeway travel lanes and is setback, on average, more than some of the commercial buildings on the south side of the corridor.

3. Signage: Because the building is placed lower on the parcel than other buildings along the corridor, a larger sign is required to be visible to the traffic traveling on surface streets north of the freeway corridor as well as from the freeway travel lanes and the Kanan

Interchange. Size and illumination will help regional users unfamiliar with the area to find the closest freeway exits.

4: Landscape Planter: This parcel is one of the few located north of Agoura Road that has two street frontages, and that also require a landscape buffer be provided along two sides of the site. Although encroachment into the required landscape planter for parking spaces is permitted, the project's parking need requires a greater encroachment. Additional landscaping was provided elsewhere on site to compensate for the loss of the planter area. The encroachment occurs on a secondary road, Roadside Road, which is less traveled than a major arterial street. The deficiency of landscaping is for the benefit of more pedestrian activities.

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

1. Rear Yard Setback: If the building was setback 76 feet from the rear property line, as required by the Freeway Corridor Overlay district, the project could not provide an efficient site design specifically for the parking lot, and would cause a loss of required parking spaces.

2. Building Height: The proposed roof height would be equal to the height of a full roof because full roofs are measured at the midpoint of the slope. The applicant has chosen to break up the roof into separate elements to minimize the visual impacts of one single, large, sloped roof element and meet the high volume ceilings requirements of gymnasiums. The taller roof elements are setback several feet from the building envelope providing more interest to the building facades as viewed from the public right-of-way.

3. Signage: There is no direct access from Kanan Road and therefore the sign should be visible from a further distance to serve as a way finding feature. The larger signs function as a way- finding mechanism for the POM District.

4: Landscape Planter: Pedestrian access to the site would be limited and the project could not provide for diagonal street parking in this area. This is the only one of two parcels that is bordered by two street frontages and which must maintain a greater level of pedestrian access per the POM district. Although development projects are subject to the zone standards, the intent of the POM district is to remain pedestrian friendly and reduce the distance between the accesses and the services provided on private property. Sufficient landscaping is provided elsewhere on the property, in excess of the minimum requirement of the POM District, to compensate for the loss of landscaping due to the encroachment.

- 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.

1. Rear Yard Setback: Wider drive aisles wider than called for in the Zoning Ordinance are provided per the Los Angeles County Fire Department, and the required circulation of the POM district is provided in and around the site despite the reduced setback. The building

location and its distance from on and off-site structures would still allow for required public access and emergency access to the buildings. Additionally, the project will not block views of adjoining properties given that the building pad is below the freeway, Roadside Road and Agoura Road elevations.

2. Building Height: The building height and building location will not block views of adjoining properties because the building was placed in the wider part of the lot, allowing greater separation between on and off-site structures. The project has provided additional pedestrian and vehicular access for emergency services as required by both the Building Code and Fire Code that would not be required for a 35-foot tall building.

3. Signage: Despite its additional square footage, the sign will comply with the City Building Code and will be compatible with the aesthetics of the site buildings.

4. Landscape Planter: The encroachment of parking stalls in the landscape planter along Roadside Road still preserves the pedestrian access all around the property as well as to the building. Landscaping provided on the site exceeds the Zoning Ordinance requirements. The Zoning Ordinance requires 15 percent on-site landscaping coverage and the project provides 23 percent.

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

1. Rear Yard Setback: Despite the reduced rear yard setback, circulation is maintained around the site and to adjoining properties, and the proposed site layout allows for organized development in a commercial neighborhood that is transitioning from industrial-oriented uses to more service-oriented uses. The visual appearance of the reduced setback is lessened by the building pad that is 23 feet lower than the freeway, so Building A is not as visually prominent.

2. Building Height: The topography along the south side of the freeway varies greatly between the western city limit and Kanan Road and as such buildings heights vary. Therefore, the character of the community would not be impacted by the increased height to Building A. The building would be a two-story structure like the other office buildings along the freeway corridor. The building pad, designed below the freeway, helps reduce the appearance of height from the freeway corridor. The distance of the building from Agoura Road also minimizes the appearance of height from this roadway.

3. Signage: Larger signs have been approved on the freeway facing facades. Both front and rear signs are the same color and the same design and similar to the sign across the freeway. No aspect of the sign is distracting to motorists and the sign represents only 2 percent of the total front elevation and 2.5 percent of the buildings rear elevation area. There is sufficient separation between the freeway facing sign and residential developments located north of the freeway so as to not cause light pollution onto those neighborhoods.

4. Landscape Planter: The view of this reduced size landscape planter along the Roadside Road frontage will be minimized, since the site as a whole exceeds the required landscape

coverage. This is only one of two parcels that are impacted by two street frontages. Therefore, the visual character of the neighborhood will be minimally impacted.

Staff is in support of the rear yard setback variance due to the fact that the FC overlay district which was adopted concurrently with the POM district imposes undue hardship on development. This was not the intent of the new zoning district whereby distances between buildings and building proximity to the right-of-ways was meant to be reduced to encourage pedestrian activity; therefore staff will be looking to amend the POM zoning designation to eliminate the FC development standards.

Environmental

According to the CEQA Guidelines (§15074), the decision-making body of the Lead Agency (Planning Commission) shall consider the proposed IS/MND together with any comments received during the public review process. The Planning Commission shall adopt the proposed IS/MND only if it finds on the basis of the whole record before it, that there is no substantial evidence that the project will have a significant effect on the environment, and that the IS/MND reflects the Planning Commission's independent judgment and analysis.

VI. RECOMMENDATION

Based on the foregoing review and analysis, staff recommends that the Planning Commission adopt a motion to approve Site Plan/Architectural Review Case No. 14-SPR-003, Oak Tree Permit Case No. 14-OTP-016, Sign Permit Case No. 14-SP-040, Variance Case No. 14-VAR-003(A&B) and Vesting Tentative Parcel Map Case No. VTPM 73266, subject to conditions, based on the findings of the attached draft Resolutions, and adopt the Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program.

VII. ATTACHMENTS

- Draft Resolution for the Site Plan Review/Architectural Review and Oak Tree Permit with Conditions of Approval
- Draft Resolution for Variance A with Conditions of Approval
- Draft Resolution for the Sign Program and Variance B with Conditions of Approval
- Draft Resolution for the Vesting Tentative Parcel Map with Conditions of Approval
- Draft Resolution for the IS/Mitigation Negative Declaration and Exhibit A: Final IS/Mitigation Negative Declaration and Mitigation and Monitoring Reporting Program Report
- Vicinity/Zoning Map
- Reduced Photocopies of Project Plans, Sign Program, Photo Simulations, Photos of the Site
- Color and Material Board

Case Planner: Valerie Darbouze, Associate Planner

project address

2401 S. 24TH AVENUE ROAD
 AGOURA HILLS, CA 91301
 MAP REFERENCE: NS 204-004-008

ACCESSORS ID NO.: 204-004-008 + 204-004-009

legal description

LS 8-4-1 MORE OR LESS SEE ACCESSORS MAPS PORTION OF LOT 3 AND
 LARGER SUBDIVISION MAP REF. NS 24-004-008, 009, 010, 011, 012, 013, 014, 015, 016, 017, 018, 019, 020, 021, 022, 023, 024, 025, 026, 027, 028, 029, 030, 031, 032, 033, 034, 035, 036, 037, 038, 039, 040, 041, 042, 043, 044, 045, 046, 047, 048, 049, 050, 051, 052, 053, 054, 055, 056, 057, 058, 059, 060, 061, 062, 063, 064, 065, 066, 067, 068, 069, 070, 071, 072, 073, 074, 075, 076, 077, 078, 079, 080, 081, 082, 083, 084, 085, 086, 087, 088, 089, 090, 091, 092, 093, 094, 095, 096, 097, 098, 099, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000

keynotes

- 1 TRAFFIC SIGN "RIGHT TURN ONLY"
- 2 RETAINING WALL
- 3 EXISTING STORM DRAIN AND DRAINAGE
- 4 CONCRETE CURB/RAIL AND SHIMMERED BITUMEN 9.5" OF CONCRETE FINISH WITH 1/4" SAND AND 1/4" GRANULAR FILL OVER 1/4" SAND. COLOR TO BE TERRAZZO/TERRAZZO
- 5 PARKING LOT LIGHT POLES - DARK BRONZE COLOR
- 6 HORIZONTAL SIGN
- 7 Pylon sign - REFER TO SHEET 903
- 8 TRASH ENCLOSURE - REFER TO SHEET 903 FOR DETAIL PLAN & ELEVATION
- 9 LANDSCAPE PLANTER
- 10 EXISTING TREE TO BE REMOVED
- 11 ELECTRICAL TRANSFORMER LOCATION
- 12 BICYCLE RACKS - REFER TO SHEET 903 FOR DETAIL
- 13 WYTHE ROAD-ABUT TO CONNECT WITH ADJACENT PROPERTY
- 14 SEATING AREA UNDER TRELLIS. REFER TO SHEET 903 FOR DETAIL
- 15 PROPOSED FIRE HYDRANT LOCATION
- 16 PROPOSED CONCRETE STAIRS

legend

- ██████████ WYTHE 8'-0" HIGH PERMANENT BUILDING ACCESS ALLOWAY CLEAR TO THE SKY AND DOES NOT EXCEED 100' AT ANY POINT.
- ██████████ FIRE ACCESS PATH 20'-0" WIDE

fire dept. notes

1. FIRE DEPARTMENT VEHICLE ACCESS RAMP(S) SHALL NOT EXCEED 10% GRADE. ALL RAMP(S) SHALL BE CONCRETE WITH CURB AND LANDSCAPE. ALL RAMP(S) ACCESS IN ACCORDANCE WITH THE ORDINANCES. ALL RAMP(S) ACCESS REQUIREMENTS PER CODE 203.3.1. SURFACE OF ACCESS RAMP TO BE 4" OF ASPHALT OVER 4" OF BASE.
2. ADJUTANT CHIEF SHALL NOT EXCEED THE MAXIMUM AREAS OF APPROACH AND DEPARTURE FOR FIRE APPARATUS. THE FRONT APPROACH SHALL NOT EXCEED 40' FROM THE POINT OF APPROACH-OVER PER CODE 203.3.1.
3. STRUCTURES AND OUTRIGGERS BEHIND STRUCTURES SHALL NOT EXCEED 10' FROM THE STRUCTURE. ALL STRUCTURES SHALL BE CONCRETE WITH LANDSCAPE. ALL AND COUNTY OF LOS ANGELES FIRE DEPARTMENT SHALL NOT EXCEED 100' FROM THE DEEP LAKE OF MAIN VULNERABLE TRANSMISSION LINES SHALL BE SUBJECT TO REVIEW BY THE FIRE DEPARTMENT.

site statistics

TOTAL SITE AREA APPROX. 12,500 S.F. OR 0.27 AC.
 BUILDING FLOOR AREA 45,000 S.F.
 SEATING AREA 25,000 S.F.
 RESTAURANT AREA 4,000 S.F.
 TOTAL BUILDING AREA 74,000 S.F.
 BUILDING FOOTPRINT COVERAGE 30%
 LANDSCAPE COVERAGE 31% S.F. = 20%
 PARKING LOT LANDSCAPE COVERAGE - 10%
 PARKING REQUIRED:
 BUILDING (1) 10,000 S.F.
 OFFICE AREA (1) 10,000 S.F. = 1200 S.F. = 18 STALLS
 OFFICE AREA (1) 10,000 S.F. = 1000 S.F. = 23 STALLS
 RESTAURANT AREA (1) 4,000 S.F. = 1200 S.F. = 8 STALLS
 SEATING AREA (1) 25,000 S.F. = 1800 S.F. = 27 STALLS
 TOTAL HEALTH CLUB PARKING REQUIRED 184 STALLS

BUILDING BY RESTAURANT (AS OCCUPANCY)
 SEATING AREA (1) 25,000 S.F. = 1800 S.F. = 27 STALLS
 TOTAL RESTAURANT PARKING REQUIRED 30 STALLS
 TOTAL PARKING REQUIRED 214 STALLS
 PARKING PROVIDED:
 STAMENHOF 232 PAV
 115M
 TOTAL PARKING PROVIDED 214 STALLS
 OVERALL PARKING RATIO 4.4 PER 1,000 S.F.
 BICYCLE PARKING 1 BICYCLE SPACE PER 25 PARKING STALLS
 BICYCLE SPACES PROVIDED

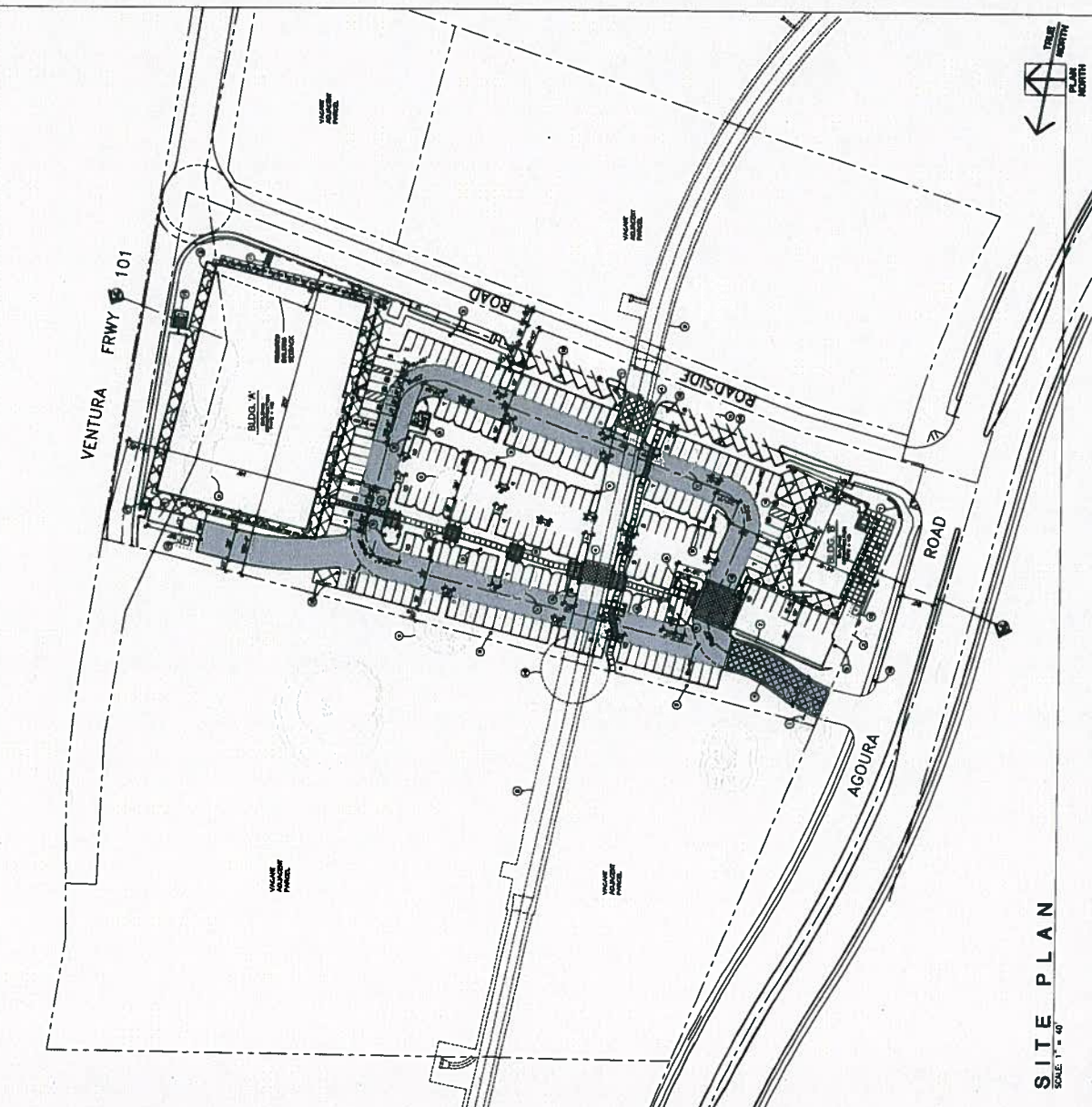
vicinity map



directory

OWNER
 SELLECK DEVELOPMENT GROUP
 2401 S. 24TH AVENUE ROAD
 AGOURA HILLS, CA 91301
 CONTACT: PHIL SELLECK
 1-800-762-0007

ARCHITECT
 PLANCHERRE
 1000 W. 10TH ST.
 ANAHEIM, CA 92801
 CONTACT: PHIL SELLECK
 714-951-1000
 WWW.PLANCHERRE.COM

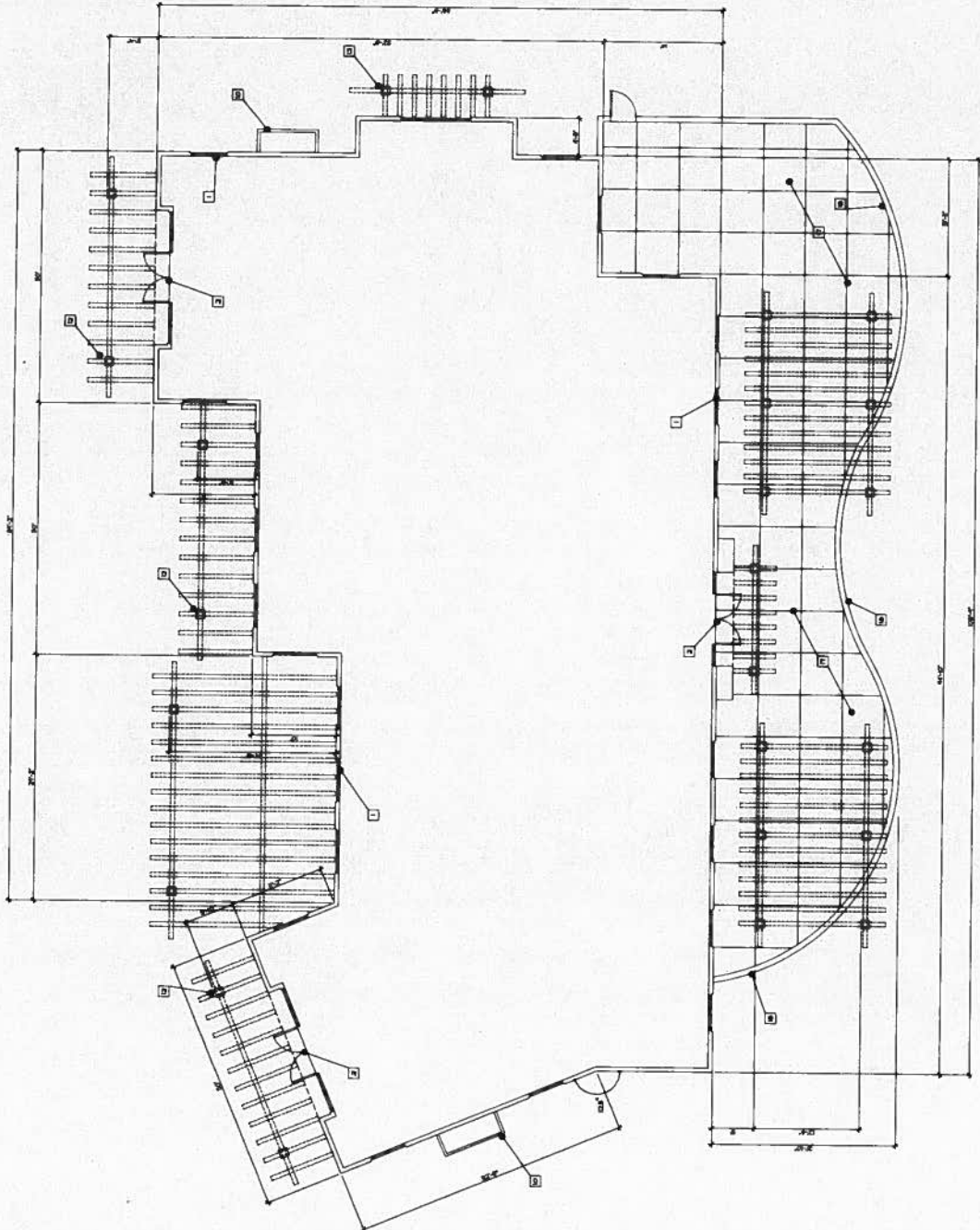


agoura park
AGOURA HILLS, CALIFORNIA 91301
29481 AGOURA ROAD
SELLECK DEVELOPMENT GROUP
APP: 2001-004-035

building b floor plan
scale: 3/16" = 1'-0"



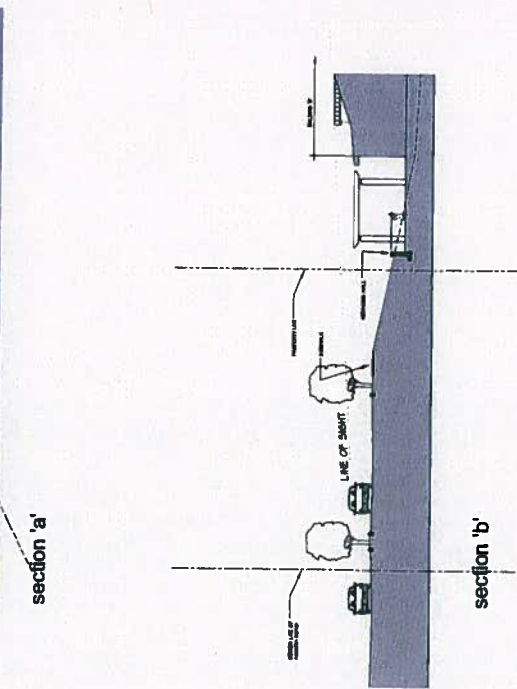
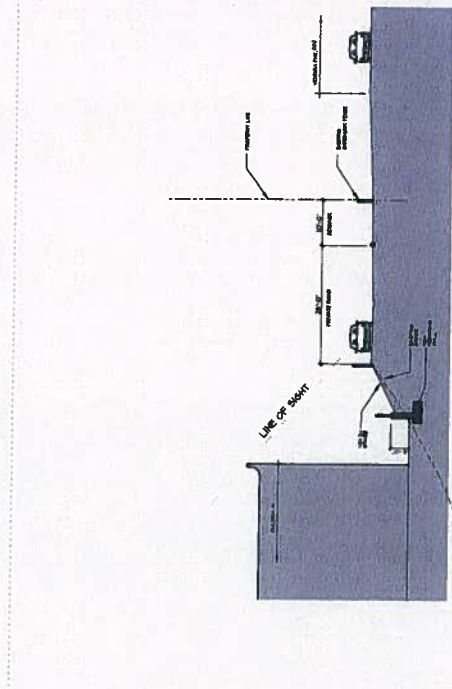
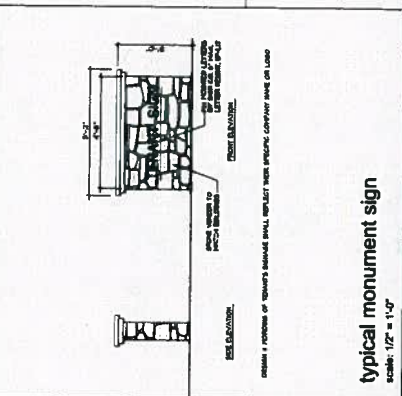
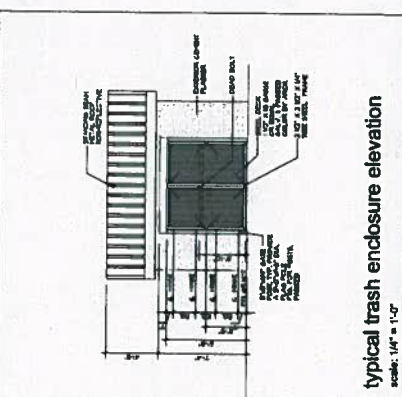
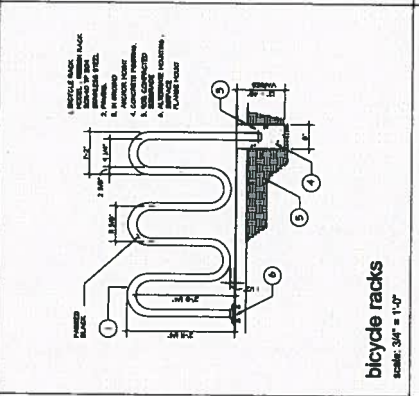
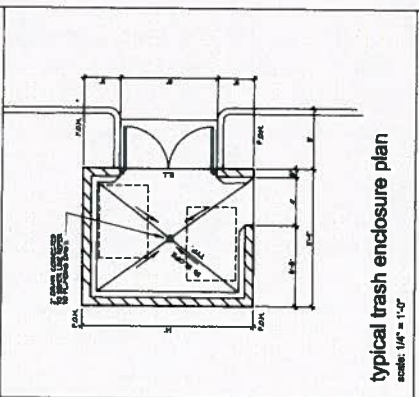
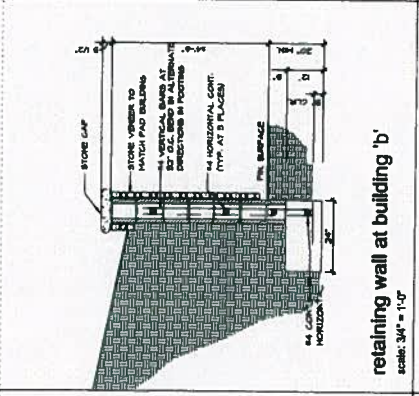
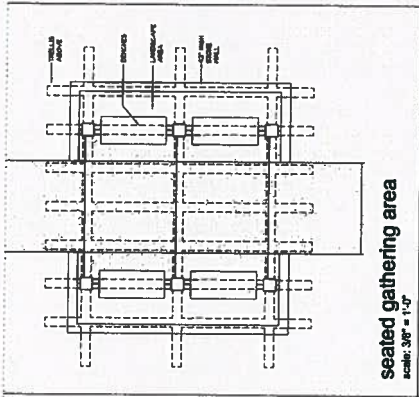
PLANNING DEPT. - 1/2001
1/2001



- [with legend & notes]
- 1. WALL, TYPE 1 (SEE SPEC)
 - 2. WALL, TYPE 2 (SEE SPEC)
 - 3. WALL, TYPE 3 (SEE SPEC)
 - 4. WALL, TYPE 4 (SEE SPEC)
 - 5. WALL, TYPE 5 (SEE SPEC)
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 - 94. WALL, TYPE 94 (SEE SPEC)
 - 95. WALL, TYPE 95 (SEE SPEC)
 - 96. WALL, TYPE 96 (SEE SPEC)
 - 97. WALL, TYPE 97 (SEE SPEC)
 - 98. WALL, TYPE 98 (SEE SPEC)
 - 99. WALL, TYPE 99 (SEE SPEC)
 - 100. WALL, TYPE 100 (SEE SPEC)

Finish Legend & Notes

- 1. 24" x 24" TYP. CONCRETE
- 2. 18" x 18" TYP. CONCRETE
- 3. 12" x 12" TYP. CONCRETE
- 4. 8" x 8" TYP. CONCRETE
- 5. 6" x 6" TYP. CONCRETE
- 6. 4" x 4" TYP. CONCRETE
- 7. 3" x 3" TYP. CONCRETE
- 8. 2" x 2" TYP. CONCRETE
- 9. 1" x 1" TYP. CONCRETE
- 10. 1/2" x 1/2" TYP. CONCRETE
- 11. 1/4" x 1/4" TYP. CONCRETE
- 12. 1/8" x 1/8" TYP. CONCRETE
- 13. 1/16" x 1/16" TYP. CONCRETE
- 14. 1/32" x 1/32" TYP. CONCRETE
- 15. 1/64" x 1/64" TYP. CONCRETE
- 16. 1/128" x 1/128" TYP. CONCRETE
- 17. 1/256" x 1/256" TYP. CONCRETE
- 18. 1/512" x 1/512" TYP. CONCRETE
- 19. 1/1024" x 1/1024" TYP. CONCRETE
- 20. 1/2048" x 1/2048" TYP. CONCRETE
- 21. 1/4096" x 1/4096" TYP. CONCRETE
- 22. 1/8192" x 1/8192" TYP. CONCRETE
- 23. 1/16384" x 1/16384" TYP. CONCRETE
- 24. 1/32768" x 1/32768" TYP. CONCRETE
- 25. 1/65536" x 1/65536" TYP. CONCRETE
- 26. 1/131072" x 1/131072" TYP. CONCRETE
- 27. 1/262144" x 1/262144" TYP. CONCRETE
- 28. 1/524288" x 1/524288" TYP. CONCRETE
- 29. 1/1048576" x 1/1048576" TYP. CONCRETE
- 30. 1/2097152" x 1/2097152" TYP. CONCRETE
- 31. 1/4194304" x 1/4194304" TYP. CONCRETE
- 32. 1/8388608" x 1/8388608" TYP. CONCRETE
- 33. 1/16777216" x 1/16777216" TYP. CONCRETE
- 34. 1/33554432" x 1/33554432" TYP. CONCRETE
- 35. 1/67108864" x 1/67108864" TYP. CONCRETE
- 36. 1/134217728" x 1/134217728" TYP. CONCRETE
- 37. 1/268435456" x 1/268435456" TYP. CONCRETE
- 38. 1/536870912" x 1/536870912" TYP. CONCRETE
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PLANNING DIVISION
 03/20/04

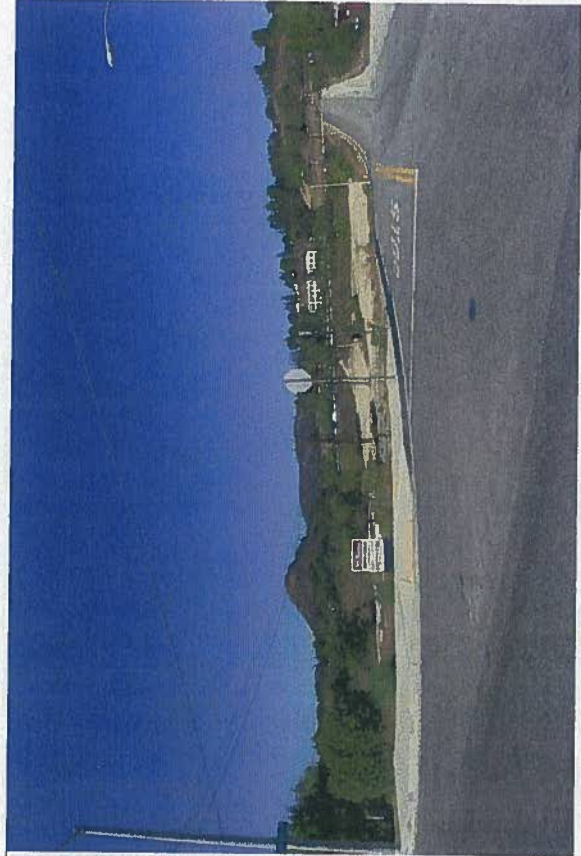
agoura park
AGOURA HILLS CALIFORNIA 91301
25491 AGOURA ROAD
SELLECK DEVELOPMENT GROUP
APN: 2061-004-005

photographs

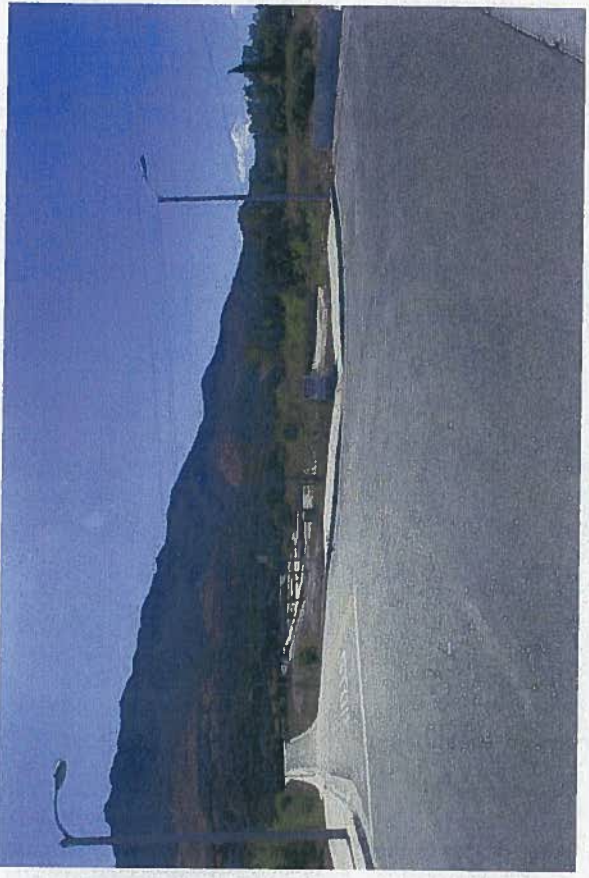


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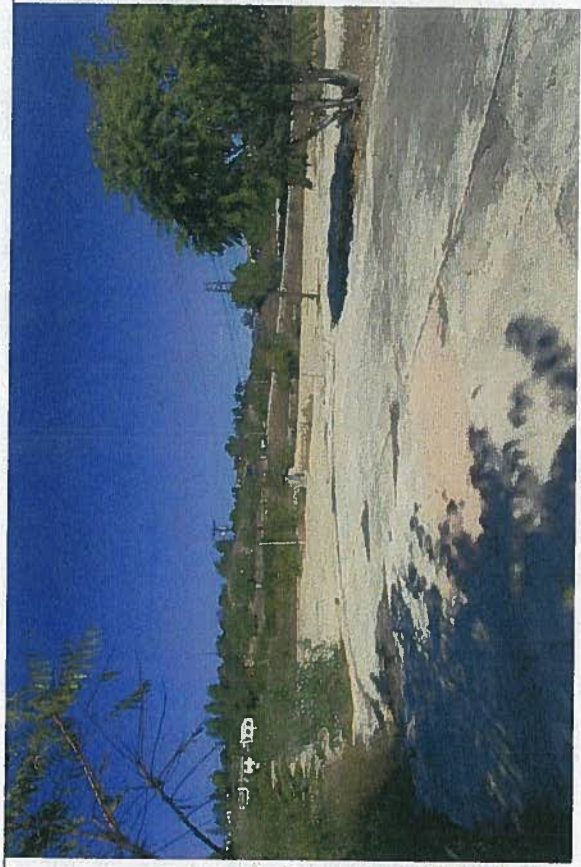
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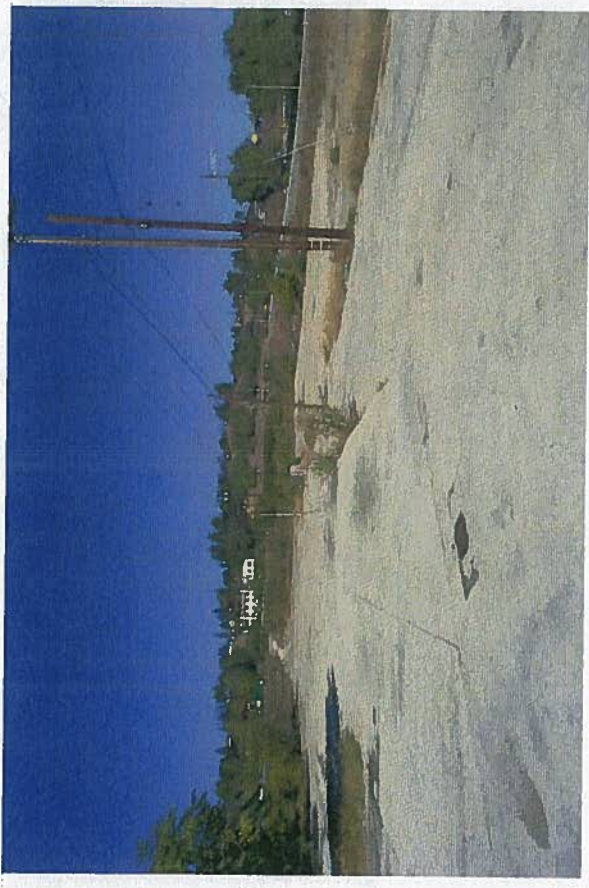
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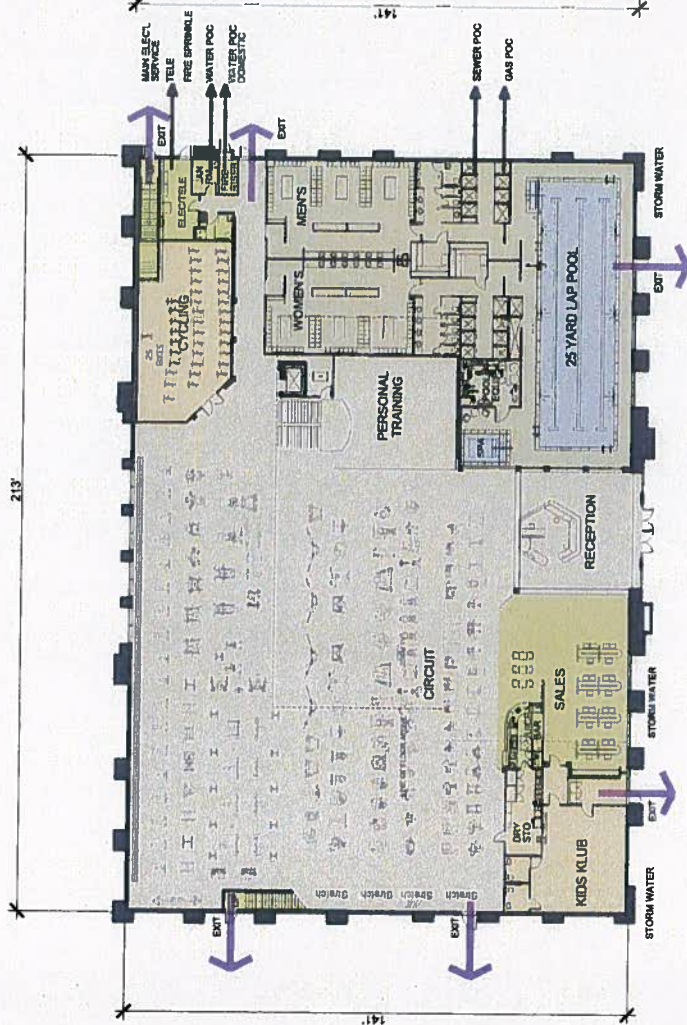
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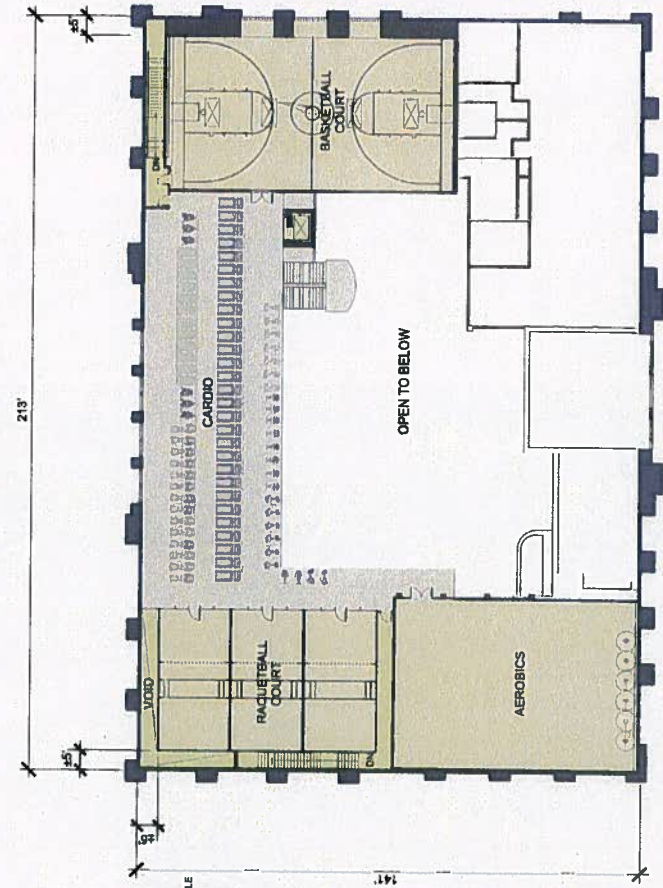
C



VENTURA FRWY 101



Ground Floor Plan



Second Floor Plan

Ground Floor - 30,033 S.F.
 Second Floor - 14,967 S.F.
TOTAL - 45,000 S.F.

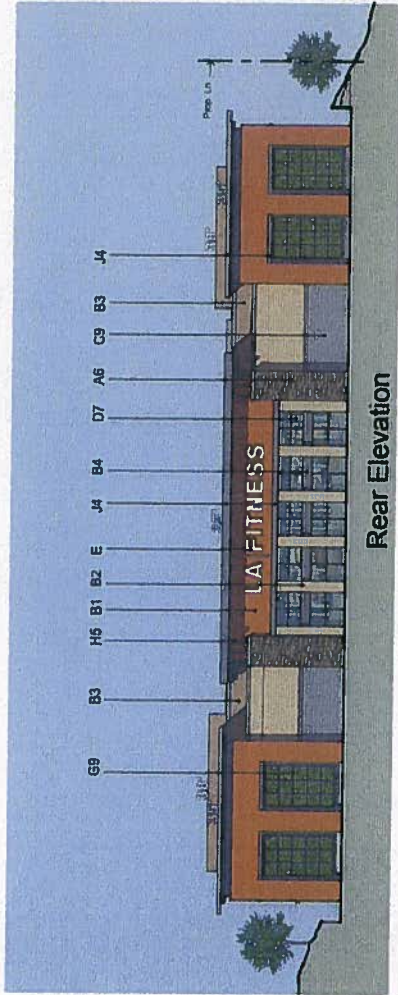
Concept Floor Plans



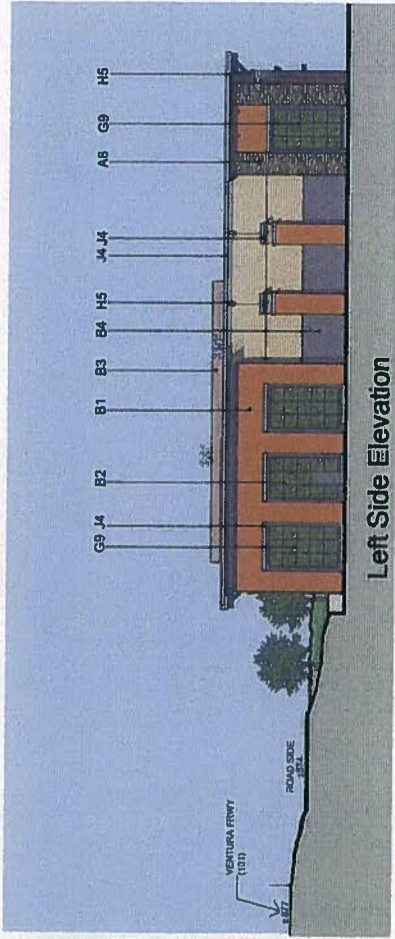
0 10' 20' 40'
 Architects Orange
 2014-06-09
 144 North Orange St. Orange, CA 92666 (714) 639 9860

Agoura Rd. Agoura, CA

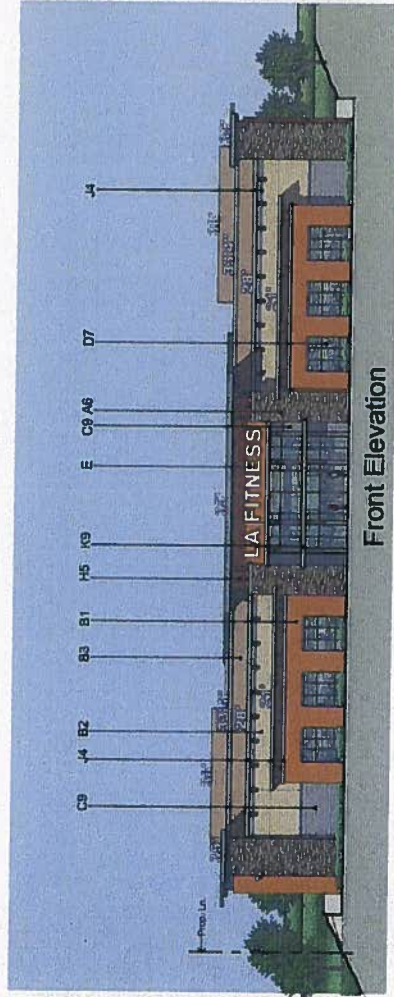
LA FITNESS
 3161 Michelson Dr. Ste 600 Irvine, CA 92612 (949) 255 7266



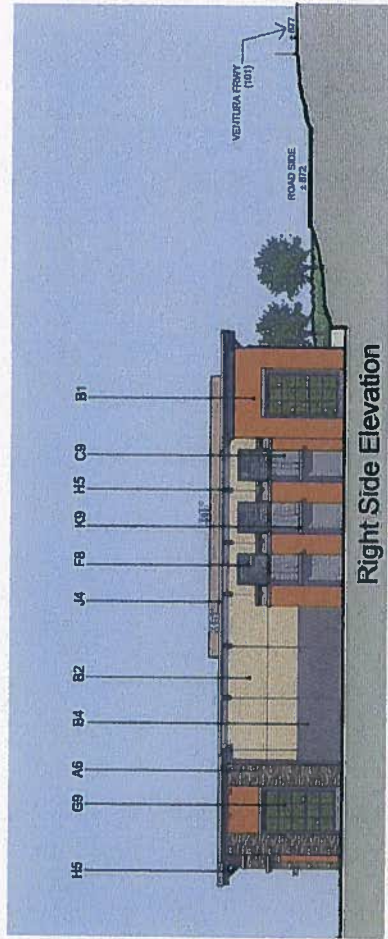
Rear Elevation



Left Side Elevation



Front Elevation



Right Side Elevation

MATERIAL:

- A. Stone Veneer Finish
- B. Textured Stucco Finish
- C. Comugated Metal Finish
- D. Aluminum w/ Clear Glazing
- E. Individual Letter Sign (Illuminated)
- (See Sht. 4 for Signage Dimensions)

COLOR:

- 1. A0560 - Spice Tea. By GLIDDEN - The Master Palette
- 2. A1768 - Highland plains. By GLIDDEN - The Master Palette
- 3. A0572 - Nubia. By GLIDDEN - The Master Palette
- 4. A1699 - Ominous. By GLIDDEN - The Master Palette
- 5. A1932 - Covered Bridge. By GLIDDEN - The Master Palette
- 6. Rocky Mountain Legestone - Sandy Peaks. By CORONADO.

- 7. Dark Medium Bronze AB-5. By Arcadia
- 8. Essex AA Pattern. By PITTSBURGH CORNING
- 9. Old Town Grey W25 - Kynar 500

- F. Glass Blocks
- G. Metal Grid
- H. Wood Bracket
- J. Foam Form Cornice & Trim
- K. Metal Canopy

Exterior Elevations



3161 Michelson Dr. Ste.600 Irvine, CA 92612 (949) 255 7296

Agoura Rd. Agoura, CA

0 10' 20' 40'

Architects: Orange

2014-06-09

144 North Orange St. Orange, CA 92666 (714) 639 9860



Rear Elevation

4'-7" x 42'-4 1/2" Signage (200 SF)



Left Side Elevation



Front Elevation

4'-0" x 36'-10 1/2" Signage (147.50 SF)



Right Side Elevation



Signage Studies

Individual Letter Sign (Illuminated)



Example Building Sign



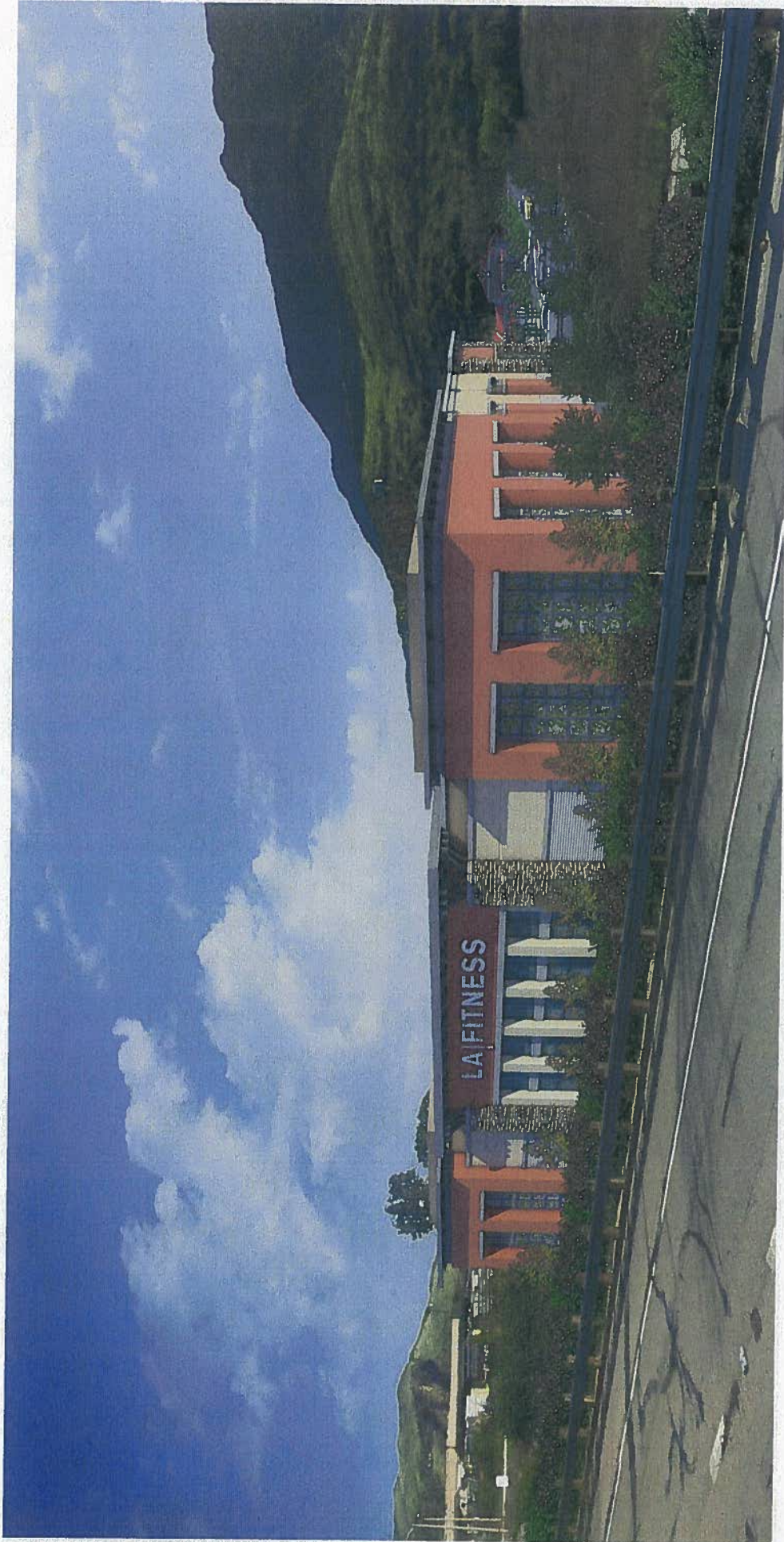


View From Parking

L.A. FITNESS.
3161 Michelson Dr. Ste. 600 Irvine, CA 92612 (949) 255 7296

Agoura Rd. Agoura, CA



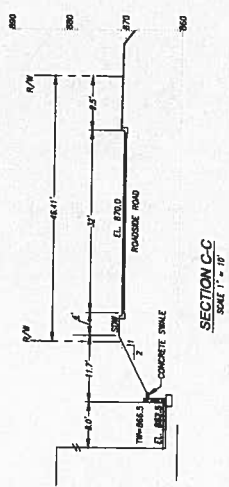
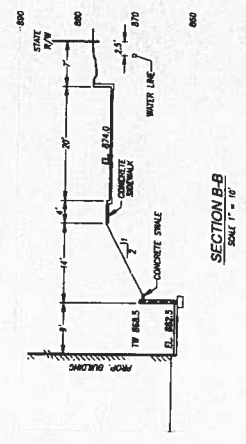
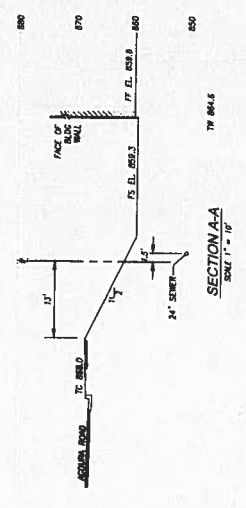
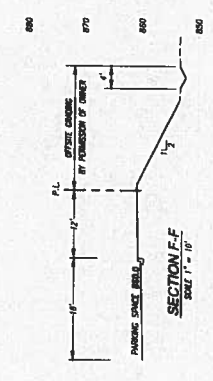
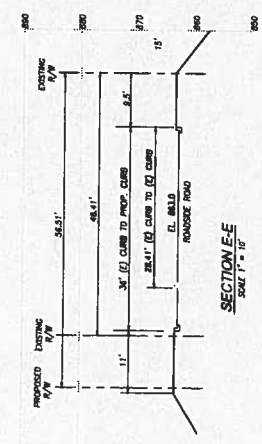
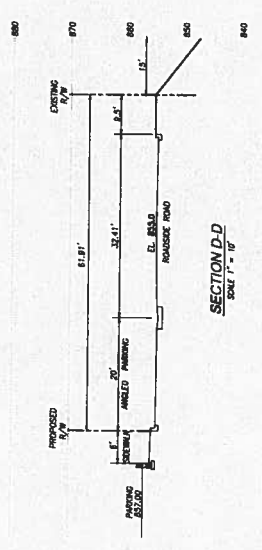


View From 101 Freeway

LA FITNESS.
3161 Michelson Dr. Ste. 600 Irvine, CA 92612 (949) 255 7296

Agoura Rd. Agoura, CA





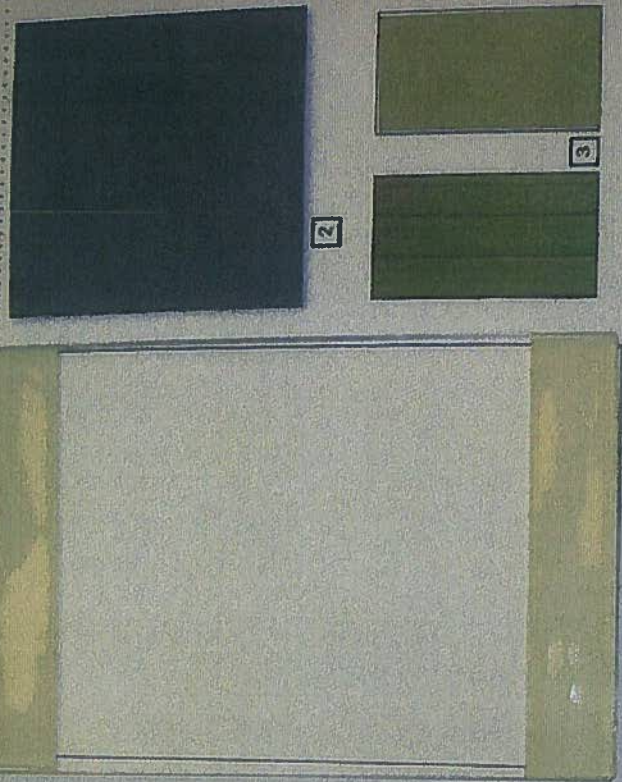
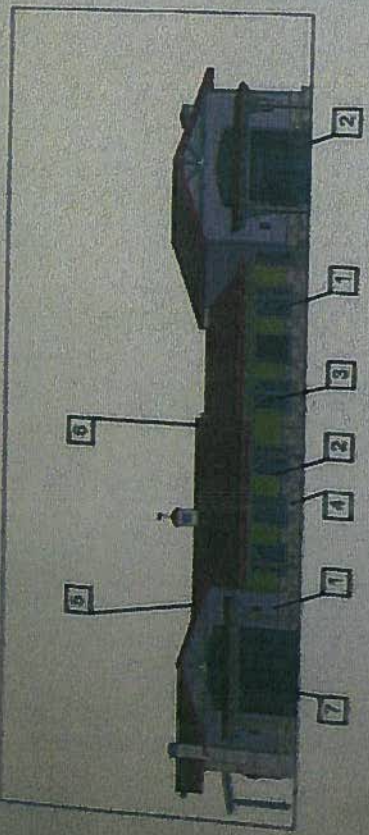
REVISION #	SYMBOL	DESCRIPTION OF CHANGE	APPROVED	DATE	REVIEWED BY	DATE	DATE	DATE	DATE

PREPARED BY: **HARDY**
 PROFESSIONAL ENGINEERING
 JAMES D. HARDY
 LICENSE NO. 10000
 STATE OF CALIFORNIA

CITY OF AGOURA HILLS APPROVAL
 REVIEWED BY: _____ DATE: _____
 APPROVED: _____ DATE: _____

GRADING AND DRAINAGE PLAN
 29431 AND 29439 AGOURA ROAD
 AGOURA HILLS, CA 91301
 SHEET 3 OF 3

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100



MATERIALS / COLOR SAMPLE BOARD LEGEND

- 1 PLANK - PKD SQUARE MAX 250 OVAL GLAZED
- 2 POLYURETHANE PAINT - LOW VOC (W/ GLASS)
- 3 POLYURETHANE PAINT - LOW VOC (W/ GLASS)
- 4 WOOD SIDING - STAIN BY WOOD PRIDE
- 5 BRUSHED BRASS - JUTY (R/17)
- 6 BRUSHED BRASS - JUTY (R/17)
- 7 METAL SIDING
- 8 BRANDING GRAY METAL ROOF
- 9 PAINTED ROOF
- 10 HEAVY WOOD TIMBER
- 11 WOOD EDGEMOST - STORE CRAFT - DR2022



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agoura park
 69481 AGOURA PARK
 AGOURA HILLS, CALIFORNIA 91301
 A Development Project of
 ALLIANCE REAL ESTATE GROUP

PHN: 805-404-0365



1. COLOR TO MATCH: A0552
Peach Plains. by GLIDDEN -
The Master Palette



2. COLOR TO MATCH: A1788
Highland Plains. by GLIDDEN -
The Master Palette



3. COLOR TO MATCH: A0572
Nuria. by GLIDDEN -
The Master Palette



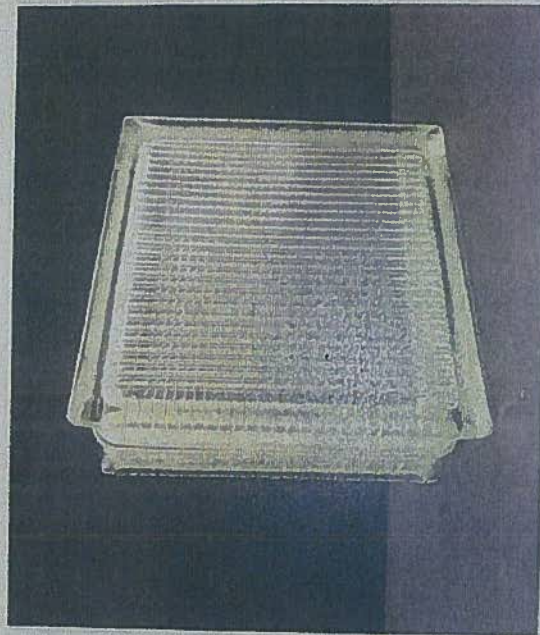
4. COLOR TO MATCH: A1699
Ominous. by GLIDDEN -
The Master Palette



5. COLOR TO MATCH: A1932
Covered Bridge. by GLIDDEN -
The Master Palette



6. STONE VENEER
Rocky Mountain Legends - Sandy Peak
by CORCHADO STONE



8. GLASS BLOCK.
Essex AA Pattern -
By PITTSBURGH CORNING



7. COLOR TO MATCH:
STD. Medium Bronze AB-5
By Arcadia



9. COLOR TO MATCH:
Old Town Grey - W25
By Kymor 500

ATTACHMENT 3

RESOLUTION NO. 15-1144

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF AGOURA HILLS, CALIFORNIA, ADOPTING THE INITIAL STUDY/MITIGATED NEGATIVE DECLARATION; MAKING ENVIRONMENTAL FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT; AND ADOPTING A MITIGATION MONITORING AND REPORTING PROGRAM FOR THE AGOURA PARK PROJECT AT 29431 AND 29439 AGOURA ROAD (CASE NOS. 14-SPR-003; 14-OTP-016; 14-VAR-003 A AND B; 14-SP-040 AND VTPM 73266).

THE PLANNING COMMISSION OF THE CITY OF AGOURA HILLS HEREBY RESOLVES AS FOLLOWS:

Section I. Procedural Findings. The Planning Commission of the City of Agoura Hills does hereby find, determine and declare that:

A. An application was duly filed by Rosenheim & Associates, with respect to the real property located at 29431 and 29439 Agoura Road (Assessor Parcel Nos. 2061-004-015, -035, and -036), requesting approval of a Site Plan/Architectural Review (Case No. 14-SPR-003); an Oak Tree Permit (Case No. 14-OTP-016); a Variance (Case No. 14-VAR-003 A and B); a Sign Program (Case No. 14-SP-040); and a Vesting Tentative Parcel Map (Case No. VTPM 73266) as part of the Agoura Park Project.

B. The above noted application requests have been processed, including, but not limited to, in the time and manner prescribed in state and local law, including the California Environmental Quality Act ("CEQA"), and, pursuant to CEQA, the City is the Lead Agency for the application.

C. In accordance with CEQA, the CEQA Guidelines, and the City's Local CEQA Guidelines, an Initial Study/Mitigated Negative Declaration (IS/MND) was prepared. The following environmental issue areas were addressed in the IS/MND: aesthetics; agriculture resources; air quality; biological resources; cultural resources; geology and soils; greenhouse gases; hazards and hazardous materials; hydrology and water quality; land use and planning; mineral resources; noise; population and housing; public services; recreation; transportation/traffic; and utilities and service systems. The following issue areas were found to have potentially significant impacts that can be reduced to a less than significant level with incorporation of mitigation measures identified in the IS/MND: biological resources; cultural resources; geology and soils; and transportation and traffic. All other issues areas had either no impacts or less than significant impacts.

D. Along with the Draft IS/MND, a Notice of Availability/Notice of Intent (NOA/NOI) to adopt the IS/MND was circulated for public review from September 17, 2015 to October 19, 2015, as required by law. The NOA/NOI, with the availability of the IS/MND for public review noted, was duly noticed in the local newspaper, and posted at City Hall, the City Recreation Center, and the Agoura Hills Library in accordance with state law. A copy of the IS/MND was made available for review on the City's website, at the Planning Counter at City Hall, and at the Agoura Hills Library. The IS/MND was circulated to the State Clearinghouse of the State of California's Office of Planning and Research.

E. The City accepted and responded in writing to comments on the IS/MND received during the public review period. Both the comments and the City's written responses thereto were incorporated in the Final IS/MND. No changes to the IS/MND were required as a result of the comments. The Final IS/MND consists of the IS/MND, comments and responses to the comments, and the Mitigation Monitoring and Reporting Program (MMRP), and is attached hereto as Exhibit A.

F. On December 3, 2015, the Planning Commission conducted a duly noticed public hearing to consider the Final IS/MND and the Agoura Park Project, during which opportunity was given to address the adequacy of the Final IS/MND. All comments regarding the Final IS/MND raised during the hearing were considered by the Planning Commission.

G. The Planning Commission finds that the IS/MND was completed in compliance with the provisions of the State CEQA and the CEQA Guidelines promulgated pursuant thereto, and the City's Local CEQA Guidelines, and is legally adequate. The Planning Commission has reviewed and considered the contents of the Final IS/MND, along with any comments received during the public comment period, prior to deciding whether to approve the application for the Agoura Park Project.

H. The Planning Commission finds, on the basis of the whole record before it, that there is no substantial evidence that the Agoura Park Project will have a significant effect on the environment. Feasible mitigation measures have been incorporated into the Agoura Park Project IS/MND that reduce potential impacts to a less than significant level.

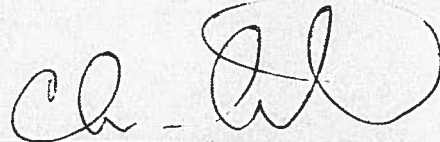
I. The Final IS/MND reflects the Planning Commission's independent judgment and analysis.

J. The Planning Department of the City of Agoura Hills is the custodian of records, and the documents and other materials that constitute the record of proceedings upon which this decision is based are located at City of Agoura Hills, 30001 Ladyface Court, Agoura Hills, CA 91301.

Section II. The Planning Commission of the City of Agoura Hills, California, exercising its independent judgment and analysis, and after considering the administrative record, hereby adopts the Final IS/MND and Mitigation Monitoring and Reporting Program for the Agoura Park Project.

PASSED, APPROVED AND ADOPTED this 3rd day of December, 2015, by the following vote to wit:

AYES:	(3)	O'Meara, Justice and Zacuto
NOES:	(1)	Anstead
ABSENT:	(0)	
ABSTAIN:	(0)	



Chris Anstead, Vice Chair

ATTEST:


Doug Hooper, Secretary

RESOLUTION NO. 15-1146

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF AGOURA HILLS APPROVING VARIANCE REQUEST CASE NO. 14-VAR-003(A) TO REDUCE THE REAR YARD SETBACK, INCREASE THE HEIGHT OF THE BUILDING AND REDUCE THE LANDSCAPE PLANTER SIZE FOR THE PROPERTY LOCATED AT 29431 AND 29439 AGOURA ROAD

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

Section I. An application was duly filed by Rosenheim & Associates for Selleck Development Group, Inc. with respect to the real property located at 29431 and 29439 Agoura Road, Assessor's Parcel Numbers 2061-004-015, 035, and 036 requesting approval of a Variance Case No. 14-VAR-003(A) to reduce the rear (north) yard setback, increase the height of the building and reduce the landscape planter size.

Section II. In accordance with the California Environmental Quality Act, the City provided public notice of the intent to adopt a Mitigated Negative Declaration and a Mitigation Monitoring and Reporting Program for this Project. On December 3, 2015, the Planning Commission held a public hearing to review the Mitigated Negative Declaration and a Mitigation Monitoring and Reporting Program. Upon the close of the public hearing, and based upon the initial study, public comments and the record before the Planning Commission, the Planning Commission adopted Resolution No. 15-1144, adopting the Initial Study/Mitigated Negative Declaration, making environmental findings pursuant to the California Environmental Quality Act, and adopting a Mitigation Monitoring and Reporting Program for the Project. Resolution No. 15-1144 and the findings therein are hereby incorporated by this reference as though set forth in full.

Section III. The Planning Commission of the City of Agoura Hills considered the applications at a public hearing held on December 3, 2015, at 6:30 p.m. in the Council Chambers, City Hall, at 30001 Ladyface Court, Agoura Hills, California. Notice of the time, date, place and purpose of the aforesaid hearing was duly given and published as required by state law.

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

Section V. Based on the evidence presented at the public hearing, including the staff report and oral and written testimony, the Planning Commission finds, pursuant to Section. 9676.2.E. of the Agoura Hills Municipal Code, that:

A. Rear Yard Setback:

1. 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 in the vicinity and under identical zoning classification. Building A, the fitness facility would be located 35 feet from the rear (north) property line at its closest point and 55 feet at its furthest point, whereas the Freeway Corridor Overlay development standards require a minimum distance that is twice the height of the building when no frontage road exists between the private property and the freeway corridor; this would make the setback a minimum of 76 feet. These particular lots are concave, whereas most lots along the corridor are even or above the elevation of the travel lanes therefore making the building appear smaller. Upon completion, the final finished pad elevation will remain below the elevation of the freeway corridor, Agoura Road and Roadside Road and as a result, only 23 feet of the 38-foot high façade would be visible above the travel lanes. This condition reduces the appearance of massing from the freeway and across the freeway, which a rear yard setback attempts to minimize. Furthermore, the building roof line is proposed at 35 feet high, with a second, taller roof line recessed from the building edge by approximately 8 feet, thereby minimizing the visual impact of the building mass.
2. 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. There are currently a variety of building setbacks in the Freeway Corridor as several of such buildings were developed prior to current City development standards. Building A is not unique within the freeway corridor.
3. The strict interpretation and enforcement of the provisions of the Zoning Ordinance would result in impractical difficulty or unnecessary hardship inconsistent with the objectives of the Zoning Ordinance. If the building was setback 76 feet from the rear property line, as required by the Freeway Corridor Overlay district, the project could not provide an efficient site design specifically for the parking lot, and would cause a loss of required parking spaces.
4. 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. Wider drive aisles wider than called for in the Zoning Ordinance are provided per the Los Angeles County Fire Department, and the required circulation of the POM district is provided in and around the site despite the reduced setback. The building location and its distance from on and off-site structures would still allow for required public access and emergency access to the buildings. Additionally, the project will not block views of adjoining properties given that the building pad is below the freeway, Roadside Road and Agoura Road elevations.
5. The granting of the Variance will be consistent with the character of the surrounding area. Despite the reduced rear yard setback, circulation is maintained around the site and to adjoining properties, and the proposed site layout allows for organized development in a commercial neighborhood that is transitioning from industrial-oriented uses to more service-oriented uses. The visual appearance of the reduced setback is lessened by the building pad that is 23 feet lower than the freeway, so Building A is not as visually prominent.

B. Building Height:

1. There are special circumstances applicable to the subject property, including size, shape, topography, location or surroundings, in which the strict application of the Zoning Ordinance would deprive such property of privileges enjoyed by other property in the vicinity and under identical zoning classification. Building A, the fitness facility, provides indoor activities on two floors in order to limit the size of the footprint. The gymnasiums are proposed to be located on the second floor, which require high volume ceilings and as a result the roof element over those interior spaces is 38 feet high. Although the building is taller, the building pad is lower than the freeway corridor, Roadside Road and Agoura Road such that the fitness building rises only 23 feet above the freeway, and the wall lines of the gymnasiums are setback from the edges of the building envelope thereby reducing the impacts of the mass as viewed from the freeway. Impacts are not expected from Agoura Road because the building is located at a considerable distance from the front property line. Tall trees will be provided wherever the slopes permit them between the freeway and the building to screen the structure.
2. 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. The property is below the adjacent right-of-ways and therefore the building height will not exceed the height of the buildings in proximity that are level with the right-of-ways. The requested added height contributes toward a smaller footprint. The building is lower than the adjacent, public right-of-way and the freeway travel lanes and is setback, on average, more than some of the commercial buildings on the south side of the corridor.
3. The strict interpretation and enforcement of the provisions of the Zoning Ordinance would result in practical difficulty or unnecessary hardship inconsistent with the objectives of the Zoning Ordinance. The proposed roof height would be equal to the height of a full roof because full roofs are measured at the midpoint of the slope. The applicant has chosen to break up the roof into separate elements to minimize the visual impacts of one single, large, sloped roof element and meet the high volume ceilings requirements of gymnasiums. The taller roof elements are setback several feet from the building envelope providing more interest to the building facades as viewed from the public right-of-way.
4. 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 building height and building location will not block views of adjoining properties because the building was placed in the wider part of the lot, allowing greater separation between on and off-site structures. The project has provided additional pedestrian and vehicular access for emergency services as required by both the Building Code and Fire Code that would not be required for a 35-foot tall building.
5. The granting of the Variance will be consistent with the character of the surrounding area. The topography along the south side of the freeway varies greatly between the western city limit and Kanan Road and as such buildings heights vary. Therefore, the character of the community would not be impacted by the increased height to Building A. The building would be a two-story structure like the other office buildings along the freeway corridor. The building pad,

designed below the freeway, helps reduce the appearance of height from the freeway corridor. The distance of the building from Agoura Road also minimizes the appearance of height from this roadway.

C. Landscape Planter:

1. There are special circumstances applicable to the subject property, including size, shape, topography, location or surroundings, in which the strict application of the Zoning Ordinance would deprive such property of privileges enjoyed by other property in the vicinity and under identical zoning classification. Encroachment in the front landscaping along Roadside Road is required to provide the required number of parking spaces on-site and accommodate for wider interior fire lanes required by the Los Angeles County Fire Department. The encroachment is less than 50% of the length of the property but is deeper than the maximum ten feet. The parking spaces exceed the maximum allowed encroachment by four feet. The encroachment also incorporates a public and accessible side walk which serves the property and the surrounding area. The boundaries of the encroachment are in line with the width of the surface parking lot where landscaping will be most visible from the right-of-way thereby reducing the visual impact of less landscaping along the property line.
2. 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. This parcel is one of the few located north of Agoura Road that has two street frontages, and that also require a landscape buffer be provided along two sides of the site. Although encroachment into the required landscape planter for parking spaces is permitted, the project's parking need requires a greater encroachment. Additional landscaping was provided elsewhere on site to compensate for the loss of the planter area. The encroachment occurs on a secondary road, Roadside Road, which is less traveled than a major arterial street. The deficiency of landscaping is for the benefit of more pedestrian activities.
3. The strict interpretation and enforcement of the provisions of the Zoning Ordinance would result in practical difficulty or unnecessary hardship inconsistent with the objectives of the Zoning Ordinance. Pedestrian access to the site would be limited and the project could not provide for diagonal street parking in this area. This is the only one of two parcels that is bordered by two street frontages and which must maintain a greater level of pedestrian access per the POM district. Although development projects are subject to the zone standards, the intent of the POM district is to remain pedestrian friendly and reduce the distance between the accesses and the services provided on private property. Sufficient landscaping is provided elsewhere on the property, in excess of the minimum requirement of the POM District, to compensate for the loss of landscaping due to the encroachment.
4. 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 encroachment of parking stalls in the landscape planter along Roadside Road still preserves the pedestrian access all around the property as well as to the building. Landscaping provided on the site exceeds the Zoning Ordinance requirements. The Zoning Ordinance requires 15 percent on-site landscaping coverage and the project provides 23 percent.

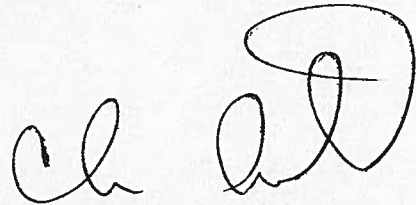
5. The granting of the Variance will be consistent with the character of the surrounding area. The view of this reduced size landscape planter along the Roadside Road frontage will be minimized, since the site as a whole exceeds the required landscape coverage. This is only one of two parcels that are impacted by two street frontages. Therefore, the visual character of the neighborhood will be minimally impacted.

Section VI. Based on the aforementioned findings, the Planning Commission hereby approves Variance Case No. 14-VAR-003(A) subject to the attached conditions, with respect to the property described in Section I hereof.


Section VII. The Secretary of the Planning Commission shall certify to the passage, approval, and adoption of this resolution, and shall cause this resolution and his certification to be entered in the Book of Resolutions of the Planning Commission of the City.

PASSED, APPROVED, and ADOPTED this 3rd day of December, 2015, by the following vote to wit:

AYES:	(3)	O'Meara, Justice and Zacuto
NOES:	(1)	Anstead
ABSENT:	(0)	
ABSTAIN:	(0)	



Chris Anstead, Vice Chair



Doug Hooper, Secretary

CONDITIONS OF APPROVAL
(Case No. 14-VAR-003(A))

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 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 Special Conditions stated below.
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. 14-VAR-003 will expire. A written request for a one (1) year extension may be considered prior to the expiration date.
7. The Variance Case No. 14-VAR-003 is valid only in conjunction with Case Nos. 14-SPR-003, 14-OTP-016, and VTPM. 73266, and the approved Conditions of approval therein.

END

RESOLUTION NO. 15-1145

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF AGOURA HILLS, CALIFORNIA APPROVING VESTING TENTATIVE PARCEL MAP NO. 73266 FOR THE AGOURA PARK PROJECT LOCATED AT 29431 AND 29439 AGOURA ROAD

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

Section I. An application was duly filed by Rosenheim & Associates, with respect to the real property located at 29431 and 29439 Agoura Road (Assessor's Parcel Nos. 2061-004-015, -035 and -036) requesting approval of a Vesting Tentative Parcel Map (Case No. VTPM 73266) to merge Parcel 1, Parcel 2, a portion of Parcel 3, and a vacated segment of Roadside Drive, and dedicate a portion of Parcel 2 and Parcel 3 to City right-of-way.

Section II. In accordance with the California Environmental Quality Act, the City provided public notice of the intent to adopt a Mitigated Negative Declaration and a Mitigation Monitoring and Reporting Program for this Project. On December 3, 2015, the Planning Commission held a public hearing to review the Mitigated Negative Declaration and a Mitigation Monitoring and Reporting Program. Upon the close of the public hearing, and based upon the initial study, public comments and the record before the Planning Commission, the Planning Commission adopted Resolution No. 15-1144, adopting the Initial Study/Mitigated Negative Declaration, making environmental findings pursuant to the California Environmental Quality Act, and adopting a Mitigation Monitoring and Reporting Program for the Project. Resolution No. 15-1144 and the findings therein are hereby incorporated by this reference as though set forth in full.

Section III. The Planning Commission of the City of Agoura Hills considered the application at a public meeting held on December 3, 2015 at 6:30 p.m. in the Council Chambers of City Hall, 30001 Ladyface Court, Agoura Hills, California. Notice of time, date and place and purpose of the aforesaid was duly given.

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

Section V. Based on the evidence presented at the hearing, including the staff report and oral and written testimony, the Planning Commission finds, pursuant to the Agoura Hills Zoning Ordinance and Subdivision Ordinance that:

- A. The proposed vesting tentative parcel map, as conditioned, is consistent with the City's General Plan Goal LU-1 and LU-2 in that it will allow for well-planned development that provides for the needs of existing and future residents and businesses, and assist in facilitating in-fill development within the Freeway Corridor Overlay District. The

merger of the parcels is required for the development of a use that will allow for the capture of regional population and employment growth.

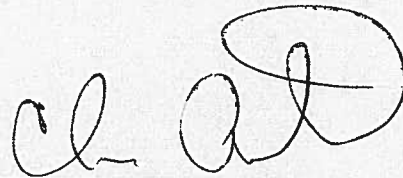
- B. The design or improvement of the proposed development is consistent with the General Plan Goal LU-24 in that the proposed uses act as a transition between the existing retail uses and the offices uses in the vicinity.
- C. The site is physically suitable for future development in that in combining two long and narrow parcels, it will allow for a variety of uses, better circulation throughout the site and the POM district, greater landscape coverage and more pedestrian amenities, and safer access between buildings, site lighting and street improvements specified in the Zoning Ordinance for the POM zone.
- D. The site is physically suitable for the proposed density of the development. The proposed size of the parcel will exceed the 20,000 square-foot minimum project size while maintaining a lower building square footage to the lot size ratio.
- E. The design of the development or the proposed developments is not likely to cause substantial environmental damage or substantial injure fish or wildlife or their habitat because an environmental document was prepared and mitigation measured incorporated in the approval to reduce environmental impacts to less than significant.
- F. The design of the Vesting Tentative Parcel Map or proposed improvements is not likely to cause serious public health problems. Street improvements and on-site improvements will be required upon development of the site and the improvements will be designed per City standards and requirements.
- F. The design of the Vesting Tentative Parcel Map or type of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed development. Access easements and street traffic are protected for users and nearby businesses.

Section VI. Based on the aforementioned findings, the Planning Commission hereby approves Vesting Tentative Parcel Map No. 73266, subject to attached Conditions, with respect to the property described in Section 1 hereof.

Section VII. The Secretary of the Planning Commission shall certify to the passage, approval, and adoption of this resolution, and shall cause this resolution and this certification to be entered in the Book of Resolutions of the Planning Commission of the City.

PASSED, APPROVED and ADOPTED this 3rd day of December, 2015, by the following vote to wit:

AYES: (4) Anstead, O'Meara, Justice, and Zacuto
NOES: (0)
ABSENT: (0)
ABSTAIN: (0)



Chris Anstead, Vice Chair

ATTEST:


Doug Hooper, Secretary

**CONDITIONS OF APPROVAL
(VESTING TENTATIVE PARCEL MAP CASE NO. VTPM 73266)**

STANDARD CONDITIONS

1. This decision for approval of the Vesting Tentative Parcel Map application, 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 required forms and related fees with the City.
2. 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 Planning Department.
3. Except as modified herein, the approval of this action is limited to and requires the complete conformation to the approved Vesting Tentative Parcel Map reviewed and approved by the Planning Commission on November 19, 2015.
4. It is hereby declared to be the intent that if any provision of this Permit is held or declared 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. The approval of Vesting Tentative Parcel Map No. 73266 shall expire in two (2) years from the date of the Planning Commission approval. A written request for a one (1) year extension may be considered by the City prior to the expiration date.
7. All requirements of the City Zoning Ordinance and City Subdivision Ordinance must be met unless set forth in the Permit or on the approved Vesting Tentative Parcel Map.

END

RESOLUTION NO. 15-1147

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF AGOURA HILLS, CALIFORNIA APPROVING SITE PLAN/ARCHITECTURAL REVIEW CASE NO. 14-SPR-003 AND OAK TREE PERMIT CASE NO. 14-OTP-016 FOR THE AGOURA PARK PROJECT LOCATED AT 29431 AND 29439 AGOURA ROAD

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

Section I. An application was duly filed by Rosenheim & Associates, with respect to the real property located at 29431 and 29439 Agoura Road (Assessor's Parcel Nos. 2061-004-015, -035 and -036) requesting approval of a Site Plan/Architectural Review to allow the construction of a new 45,000 square-foot, two-story fitness facility building and a 4,000 square-foot, one-story retail/fast service restaurant building on a vacant parcel; and a request for an Oak Tree Permit to remove two oak trees and encroach into the protected zone of one other oak tree.

Section II. In accordance with the California Environmental Quality Act, the City provided public notice of the intent to adopt a Mitigated Negative Declaration and a Mitigation Monitoring and Reporting Program for this Project. On December 3, 2015, the Planning Commission held a public hearing to review the Mitigated Negative Declaration and a Mitigation Monitoring and Reporting Program. Upon the close of the public hearing, and based upon the initial study, public comments and the record before the Planning Commission, the Planning Commission adopted Resolution No. 15-1144, adopting the Initial Study/Mitigated Negative Declaration, making environmental findings pursuant to the California Environmental Quality Act, and adopting a Mitigation Monitoring and Reporting Program for the Project. Resolution No. 15-1144 and the findings therein are hereby incorporated by this reference as though set forth in full.

Section III. The Planning Commission of the City of Agoura Hills considered the applications at a public hearing held on December 3, 2015 at 6:30 p.m. in the City Hall Council Chambers, City Hall, 30001 Ladyface Court, Agoura Hills, California. Notice of the time, date, place and purpose of the aforesaid hearing was duly given.

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

Section V. Site Plan Review. Based upon the evidence presented at the hearing, including the staff report and oral and written testimony, the Planning Commission finds, pursuant to Section 9677.5 of the Agoura Hills Zoning Ordinance, 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, and will comply with each of the applicable provisions of the Zoning Ordinance. The property designation

allows for the development of a fitness facility and retail/fast service restaurant building and the proposal meets the development standards for the Planned Office and Manufacturing/Freeway Corridor Overlay district (POM-FC) relative to use, lot coverage, parking, access, circulation, amenities, and landscape and tree canopy coverage.

B. The proposed use, as conditioned, and the manner in which it will be operated or maintained, will not be detrimental to the public health, safety, or general welfare. The buildings will be constructed to comply with the most recent Building Code requirements. Building occupants are restricted to operating indoors only with the exception of outdoor eating, and are subject to the Zoning Ordinance standards with respect to noise, light, and operational standards. Controlled lighting and incorporation of more native landscaping will minimize the impacts on the undeveloped hillsides south of Agoura Road. The driveways and distribution of the parking were designed to limit conflicts between pedestrian and vehicles. The project's finish pad elevation below the adjacent freeway and Agoura Road will help screen the project from these roadways and travel lanes. The Agoura Road roadway was widened to improve traffic conditions. The access in and out of the site is designed to maximize safety in the right-of-way. The placement and design of the buildings will preserve the light, air, and privacy of the adjacent parcels by maximizing the side yard setback adjacent to privately owned properties.

C. The proposed use, as conditioned, will not conflict with the character and design of the buildings and surrounding area, and is compatible with the surrounding properties. The design of the proposed development will provide a desirable environment for its occupants, as well as for its neighbors. The project is aesthetically of good composition, materials, textures, and colors. The contemporary building design is compatible with the variety of architectural styles in the area. The pedestrian-oriented development increases compatibility with nearby properties. The fitness facility is designed to fit within the surrounding topography by screening roof equipment from the freeway corridor travel lanes. The taller building was placed below the adjacent grade to minimize visual impacts to motorists on the freeway and the residential development across the freeway. The project is compatible with the City's low intensity development style. The project design successfully incorporates the new structures with respect to architectural design, and on-site pedestrian and vehicular circulation. The project design combines contemporary and rustic features that comply with the desired image of freeway corridor development.

D. The proposed use will comply with each of the applicable provisions of the regulatory provisions of the Zoning Ordinance, except for approved variances or modifications. The future tenants of this property that are permitted in the POM zone will operate indoors. The building coverage remains within the POM District requirements, which allows ample room for parking and landscaping. Parking is provided on-site as well as in close proximity off-site for the overflow. The on-site parking remains evenly distributed to serve each individual building adequately.

E. The project complies with Goal LU-12 by providing a choice of uses to satisfy a local and regional demand. The project includes the merger of two vacant parcels to accommodate a large business that requires high visibility from the freeway corridor, and smaller size retail businesses near Agoura Road that will support each other and provide a variety of services. The project complies with Goal LU-13 in that the project redevelops a vacated parcel. The parking lot is

screened from the freeway corridor by a larger building and well delineated pedestrian paths are provided on and off-site. The architectural style of each building is unique but remains homogenous with the use of similar exterior materials and colors. The number of building signs are kept to a minimum and designed to be in proportion with the building architectural features. Pavers are used at the entrance of the driveways and in drive-aisles to mark clearly the pedestrian circulation and create safe zones. The project complies with General Plan Land Use and Community Form Element Goal LU-24 in that it provides a potential for a variety of uses that would be ultimately compatible with surrounding properties, and the parcels are linked by pedestrian and vehicular driveways facilitating travel between uses. The pedestrian oriented development complements Agoura Village to the east and south.

F. The proposed use preserves and enhances the particular character and assets of the surrounding area and its harmonious development. The development will improve the presently under-developed site and provide for an opportunity for additional landscaping and overall aesthetic improvement of the area. The design of the project is consistent with the Zoning District standards, particularly with regard to pedestrian and vehicular circulation creating a district identity.

Section VI. Architectural Review. Based upon the evidence presented at the hearing, including the staff report and oral and written testimony, the Planning Commission finds, pursuant to Section 9677.7.G. of the Agoura Hills Zoning Ordinance, that:

A. The proposed use, as conditioned, is consistent with the General Plan, any specific plans, and any design standards adopted by the City Council. The project complies with General Plan Land Use and Community Form Element Goal LU-12 by providing a choice of uses to satisfy a local and regional demand. The project merges two vacated parcels to accommodate a larger business that requires high visibility from the freeway corridor and smaller size retail businesses near Agoura Road that will support each other and provide a variety of services. The project complies with General Plan Land Use and Community Form Element Goal LU-13 in that the project redevelops a vacated parcel. The parking lot is screened from the freeway corridor by a larger building and well delineated pedestrian paths are provided on and off-site. The architectural style of each building is unique but remains homogenous with the use of similar exterior materials and colors. The number of building signs was kept to a minimum and designed to be in proportion with the building architectural features. Pavers are used at the entrance of the driveways and in drive-aisles to mark clearly the pedestrian circulation and create safe zones. The project complies with General Plan Land Use and Community Form Element Goal LU-24 in that the project provides a potential for a variety of uses that would be ultimately compatible with surrounding properties and the parcels are linked by pedestrian and vehicular driveways facilitating travel between uses. The pedestrian-oriented development complements the Agoura Village Specific Plan to the east and south by serving the future residential uses.

B. Because of the high quality design and choice of construction materials, the proposed development and its relationship to existing developments will increase the desirability of investment or occupation in the neighborhood. The proposed development will not interfere with the use and enjoyment of existing developments in the area. The project provides two access points that will be used at completion of the project and one additional access point when the property to the west will be developed. The project is in close distance from the 101 Freeway/Kanan

Interchange, which will disperse traffic efficiently away from the development without affecting nearby commercial and institutional development.

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. As conditioned, the design of the new buildings blends in with the surrounding structures. Access to the site via two driveways helps divide the traffic into two egress/ingress points limiting impact of the added traffic on existing arterials traffic levels nearby. Street improvements have been incorporated into the project to accommodate the increased traffic and maintain safety at the less traveled intersection. The development will improve the previously unused parcels and provide an opportunity for additional landscaping and buffering from freeway noise.

D. The design of the proposed development, as conditioned, provides a desirable environment for its occupants, as well as for the project's neighbors, because the project is aesthetically of good composition, materials, textures, and colors. The contemporary building design of the fitness facility and the rustic design of the retail/fast service building help diversify the architectural style of the zone. The pedestrian-oriented development increases compatibility with nearby uses and promotes walking. The project is compatible with the City's low-intensity development style with a low building coverage. The project combines contemporary and rustic features that comply with the desired image of freeway corridor development.

E. The proposed use complies with all applicable requirements of the district in which it is located and all other applicable requirements as fitness facilities and retail/fast service restaurant uses are permitted uses in the POM-FC zone. The parking associated with the uses is mostly contained on the property but also in close proximity along the street for the overflow and the parking remains evenly distributed on the site to serve each individual building based on its parking ratio requirement.

F. The overall development of the subject property is designed to ensure the protection of the public health, safety, and general welfare. The buildings will be constructed to comply with the most recent Building Code requirements. Building occupants are restricted to operating indoors only and are subject to the Zoning Ordinance standards with respect to noise, light, and operation. Controlled lighting and native landscaping will prevent disturbance of undeveloped hillside south of Agoura Road. The driveway and distribution of the parking were designed to limit conflicts between pedestrian and vehicles. The roadway was widened to improve traffic conditions. The access in and out of the site is conditioned to maximize safety in the right-of-way. The placement and design of the buildings will preserve the light, air, and privacy of the adjacent parcels.

Section VII. Oak Tree Permit Review. In regards to the oak trees, the Planning Commission finds pursuant to Section 9657.5.C. that the removal of two oak trees is required because their continued existence would prevent the development of the subject property by incorporating protection measures. The proposed use will not endanger the health of the remaining trees on the subject property and the removal of the trees will not result in soil erosion through the diversion or increased flow of surface waters which cannot be satisfactorily mitigated. The removal of the two trees is necessary because their continued existence precludes the reasonable and efficient

use of the property for a use otherwise authorized on that parcel. The removal of the two oak trees will be mitigated by the addition of at least eight (8) new oak trees and the remaining will be protected per the requirements of the City of Agoura Hills, Oak Tree Preservation Guidelines, Appendix A. New oak trees are required on site, and will help preserve the rustic character of the community.

Section VIII. Based on the aforementioned findings, the Planning Commission hereby approves Site Plan/Architectural Review Case No. 14-SPR-003 and Oak Tree Permit Case No. 14-OTP-016, subject to the attached conditions, with respect to the property described in Section I hereof.

Section IX. The Secretary of the Planning Commission shall certify to the passage, approval, and adoption of this resolution, and shall cause this resolution and this certification to be entered in the Book of Resolutions of the Planning Commission of the City.

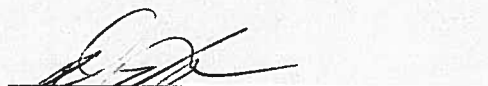
PASSED, APPROVED, and ADOPTED this 3rd day of December, 2015, by the following vote to wit:

AYES: (3) O'Meara, Justice, and Zacuto
NOES: (1) Anstead
ABSENT: (0)
ABSTAIN: (0)



Chris Anstead, Vice Chair

ATTEST


Doug Hooper, Secretary

**CONDITIONS OF APPROVAL
(CASE NOS. 14-SPR-003, 14-OTP-016)**

PLANNING

Entitlement Requirements

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 these Permits with the Department of Planning.
3. Except as modified herein, the approval of this action is limited to, and requires complete conformation to the Zoning Ordinance and substantial conformance to the labeled exhibits: Site Plan; Elevation Plans; Floor Plans, Roof Plan, Landscape Plan and Grading Plan.
4. All exterior materials used in this project shall be in substantial conformance with the 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 filed 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 building until all Conditions of Approval have been complied with as determined by the Planning Director.
9. Unless this permit is used within two (2) years from the date of City approval, Case Nos. 14-SPR-003 and 14-OTP-016 will expire. A written request for a one (1) year extension may be considered prior to the expiration date.
10. The applicant shall pay to the City the applicable General Plan Update Recovery Fee prior to the issuance of a Building Permit. The current fee is \$1.41/\$1,000 of building valuation. Actual fees will be determined at the time of building permit issuance.

11. The applicant shall comply with all applicable Public Health Statutes, Ordinances, and Regulations related to the disposal of sewage.
12. The Forester and Fire Warden shall be consulted to ascertain the required fire flows and fire hydrants to accommodate the proposed development.
13. The applicant shall comply with the school impact fee requirements of the Las Virgenes Unified School District that is currently established at \$0.54 per square-foot of new floor area.
14. 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.
15. Prior to issuance of a Building Permit, the applicant shall submit a letter to the Planning Director agreeing to suspend construction in the vicinity of a cultural resource encountered during development of the site, and leave the resource in place until the Planning Director is notified and a qualified archaeologist can examine them and determine appropriate mitigation measures. All fees and expenses for the retaining of a qualified archaeologist shall be paid by the applicant and shall not be at City expense. The applicant shall agree to comply with mitigation measures recommended by the archaeologist and approved by the Planning Director.
16. The approved grading plan and construction plans, resolution, conditions of approval, the mitigated negative declaration and the mitigation monitoring and reporting program and a color and material board shall be on site at all time during the construction of the project.
17. 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.
18. The applicants and property owners, and their successors in interest ("Property Owners"), shall indemnify, defend, and hold harmless the City of Agoura Hills and its elected and appointed officials, officers, employees and agents from and against any and all claims, actions, proceedings, liabilities and costs brought against the City and its elected and appointed officials, officers, employees and agents relating to the City's actions regarding this project, including but not limited to any proceeding under CEQA. This indemnification shall include (without limitation) damages, fees, and/or costs awarded against the City, costs of suit, attorney's fees, and any award of litigation expenses in favor of any person or entity who seeks to challenge the validity of any of the City's actions or decisions in connection with this project. The City shall have the sole right to choose its counsel and the Property Owners shall reimburse the City's expenses incurred in its defense of any lawsuit challenging the City's actions concerning this project and the City's costs, fees, and damages that it incurs in enforcing the indemnification provisions set forth in this section.

Construction Requirements

19. Prior to the starting construction, the site shall be temporarily fenced and screened on all sides for the duration of the construction project. The height of the fence shall be six (6) feet and fence material shall be overlaid on the exterior with a dark, opaque vinyl screen, or other equivalent fencing and screening material as approved by the Planning Director. Temporary construction fencing and gates shall be maintained in good order at all times.
20. All proposed retaining walls shall consist of materials subject to review and approval by the Planning Director.
21. Vehicle routes and access to the property for construction purposes shall be subject to review and approval by the City Engineer.
22. No construction work or repair work shall be performed between the hours of 7:00 p.m. to 7:00 a.m., or any Sunday or holiday.
23. The applicant and delegated contractors shall participate with City staff in a pre-construction meeting prior to issuance of a grading permit. Any change in the construction team shall be reported to the Building and Safety Department in a timely manner.
24. A detailed Lighting and Photometric Plan shall be submitted for review and approval by the Planning Director, prior to issuance of a Building Permit.
25. A copy of all communications between the City and the applicant pertaining to the approved plans shall be kept on-site at all times.
26. It is the responsibility of the applicant and/or his or her representatives to report to the City Planning Department any changes related to any aspects of the construction prior to undertaking the changes.
27. Inspections shall be scheduled by the applicant as required by the Building and Safety Department and coordinated with the Engineering and Planning Departments.

SOLID WASTE MANAGEMENT

28. 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 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 location. The City's Waste Reduction & Recycling Plan form or a similar format shall be used.

29. 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.
30. 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.

ENVIRONMENTAL /CEQA

31. The applicant shall comply with the Final Initial Study/Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program for the project approved on December 3rd, 2015

OAK TREES

32. All plans, including the Landscape, Grading and Architectural Site Plans, must be amended to indicate the tag number, trunk location, canopy and protected zone of all oak trees located within and immediately adjacent to the subject property as shown on the Oak Tree Location Map.
33. The applicant is permitted to remove Oak Tree Number 194 in order to complete the approved site development program.
34. To mitigate the removal of the Tree 194 and the likely decline and early death of Tree 193, the landscape plan shall include at least eight inches of trunk diameter of new oak trees within the landscape. The exact species, planting sizes and planting locations shall be subject to review and approval by the City Oak Tree Consultant. The applicant shall plant at least eight oak trees within the site, to include the following six trees, which shall be shown in the Final Landscape Plans.
 - a. Two 36-inch box size trees
 - b. Four 24-inch box size trees

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35. The applicant is permitted to encroach within the protected zones of Oak Trees Number 193 and 195 in order to complete the approved site development program.
36. Should the Planning Director and the City Oak Tree Consultant determine that the required number of oak trees cannot be planted on the subject site in a practical fashion, equivalent alternative mitigation shall be established through the establishment of an equivalent in-lieu fee which the applicant shall pay into the City Oak Tree Mitigation Fund for the deficit. The amount of the in-lieu fee shall be based upon tree appraisal standards contained in the 9th Edition of the Guide for Plant Appraisal.
37. The planting locations, species and quality of all mitigation oak trees are subject to the approval of the City Oak Tree Consultant.
38. The mitigation oak trees shall be maintained in perpetuity. Should any of the mitigation oak trees decline or die, they shall be replaced in accordance with the provisions of the Oak Tree Preservation and Protection Guidelines.
39. All excavation within the protected zone of Oak Trees Number 193 and 195 shall be performed using only hand tools under the direct observation of the applicant's oak tree consultant. Light construction equipment may be utilized with prior approval of the City Oak Tree Consultant.
40. Prior to the start of any mobilization or construction activities on the site, Oak Trees Number 193 and 195 shall be fenced at the edge of the approved limits of work in strict accordance with Article IX, Appendix A, Section V.C.1.1 of the City of Agoura Hills Oak Tree Preservation and Protection Guidelines. The City Oak Tree Consultant shall approve the fencing location subsequent to installation and prior to the start of any mobilization or work on the site.
41. The applicant shall provide 48 hour notice prior to the start of any approved work within the protected zone of any oak tree.
42. No planting or irrigation is permitted within the protected zone of an existing oak tree without approval from the City Landscape Consultant and Oak Tree Consultant.
43. No vehicles, equipment, materials, spoil or other items shall be used or placed within the protected zone of any oak tree at any time, except as specifically required to complete the approved work.
44. No pruning of live wood shall be permitted unless specifically authorized by the City Oak Tree Consultant. Any authorized pruning shall be performed by a qualified tree trimmer under the direct observation of the applicant's 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.

45. Prior to occupancy, each existing and new oak tree shall be mulched throughout the dripline with three inches of approved organic mulch as needed to supplement natural leaf litter.
46. Within ten calendar days of the completion of work and prior to removal of the protective fencing, the applicant shall contact the City Oak Tree Consultant to perform a final inspection. The applicant shall proceed with any remedial measures the City Oak Tree Consultant deems necessary to protect or preserve the health of the oak trees at that time.
47. The project oak tree consultant shall submit certification letters for all work completed within the protected zones of the oak trees within ten working days of the completion of said work. The letters shall describe all work performed, methods utilized, monitoring performed and shall state whether such work was completed in accordance with the above conditions of approval.

LANDSCAPING

48. The landscape plans shall substantially conform to the Landscape Concept Plan prepared by Wynn Landscape Architects, Inc. undated and received by the City of Agoura Hills October 30, 2014 unless otherwise noted below:
49. 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
50. Prior to the approval of building permits, the applicant shall submit three 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 30 inches by 42 inches in size. Plans shall be a minimum of 22 inches by 36 inches in size.
 - d. A true north arrow and plan scale shall be noted. The scale shall be no smaller than one inch equals 20 feet, 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, rights-of-way, 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 and rock outcroppings
- h. The Planting Plan shall indicate the botanical name and size of each plant.
- i. Plant container sizes and/or spacing shall be provided. Minimum sizes shall be acceptable to the City Landscape Consultant and the Planning Director.
- j. Plant symbols shall depict the size of the plants at maturity.
- k. The landscape plans shall prominently display the following notes:
 - i. All plant material shall conform to the most recent edition of ANSI Z60.1 - American Standard for Nursery Stock.
 - ii. All trees shall also conform to the California Department of Forestry and Fire Protection "Standards for Purchasing Container-Grown Landscape Trees".
 - iii. 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.
- l. The Irrigation Plan shall be provided separate from but utilizing the same format as the Planting Plan.
- m. 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.
- n. The Irrigation Plan shall be concise and accurate and shall include the manufacturer, model, size, demand, radius, and location of the following, as appropriate:

- Design and static pressures
 - Point of connection
 - Backflow protection
 - Valves, piping, controllers, heads, quick couplers
 - Gallon requirements for each valve
51. All landscaping shall be irrigated and maintained in perpetuity in accordance with the approved Landscape Plan unless otherwise approved by the Planning Director.
 52. A complete Landscape Documentation package shall be provided 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.
 53. Three 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.
 54. In addition to any oak trees required for mitigation purposes, the landscape plan shall include four 24-inch box-size oak trees to be shown in the Final Landscape Plans. The species and planting location shall be subject to review and approval of the City Landscape Consultant.
 55. The Freeway Corridor overlay district requires locally native, low water use landscape plantings with a naturalistic appearance, particularly native oaks throughout the development. The applicant and his landscape architect shall continue to work with the City Landscape Consultant to ensure this requirement is met on the Final Landscape Plans.
 56. A minimum of 15 percent of the total lot shall be landscaped. A final exhibit demonstrating coverage provided shall be submitted at the time of initial plan check.
 57. A minimum of 15 percent of the parking lot, including driveways and drive aisles, shall be landscaped. A final exhibit demonstrating coverage provided shall be submitted at the time of initial plan check.
 58. Unless otherwise approved by variance, a 20-foot deep landscape planter shall be provided along the right-of-way. No other use or storage may be placed within this area, including transformers and trash enclosures.
 59. Any unsightly uses, including trash enclosure and transformers shall be screened with berms, decorative walls or landscaping to the satisfaction of the Planning Director.

60. Parking lot landscaping shall include shade trees, placed so as to cover 50 percent of the total parking area with tree canopies within 15 years after the issuance of the building permit per City of Agoura Hills Municipal Code Section 9654.5.C. A final exhibit demonstrating coverage provided shall be submitted at the time of initial plan check.
61. 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.
62. No other usage or storage shall be permitted within any required yard, including transformers and trash enclosures.
63. The Landscape Plan shall not include any non-native plants considered invasive in the Santa Monica Mountains by the California Native Plant Society or the California Exotic Pest Plant Council.
64. The Final Landscape Plans shall not include any palm species.
65. All plant material shall be considered compatible with Sunset Zone 18.
66. Poor landscape practices, such as topping, hedging and "lollipopping" shall not be permitted, and may require that plant materials be replaced with like size materials at the discretion of the City Landscape Consultant.
67. Any tree of heaven (*Ailanthus altissima*) shall be permanently eradicated. The landscape plans shall contain a note to this effect and specify the method of eradication which must be approved by the City of Agoura Hills Oak Tree Consultant.
68. The Landscape Plan shall be approved by the Fuel Modification Unit at the County of Los Angeles Fire Department prior to the issuance of building permits.

PUBLIC WORKS/ENGINEERING

69. Prior to final map recordation, the applicant shall dedicate varying portions of property along Roadside Road per Vesting Tentative Map No. 73266, to accommodate public street improvements. Limits of said dedications and improvements shall be reviewed and approved by the Director of Public Works.
70. Applicant shall grant/record a sidewalk easement for public purposes to the City of Agoura Hills for portions of sidewalk within property boundaries.
71. Applicant shall preserve all public utility easements within property boundaries.
72. Prior to permitting, the applicant's Registered Professional Engineer shall prepare all necessary documents to vacate the public right-of-way along Roadside Drive abutting

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- north side of property. In addition, road easement will be reestablished to provide a minimum of 32 feet to accommodate a 4-foot sidewalk, 20-foot street, and 7-foot buffer between Caltrans right-of-way and street. Said design shall be reviewed and approved by the Director of Public Works.
73. Applicant shall preserve all public utility easements and maintain public access within vacated portion of Roadside Drive.
 74. The applicant shall provide and record a reciprocal use agreement to assure common ingress and egress for parcel directly to the west (APN # 2061-004-030) in perpetuity.
 75. The applicant shall provide a Monumentation bond (i.e. cash deposit) in an amount calculated by the Engineering Department or as specified in writing by the applicant's Registered Engineer or Licensed Land Surveyor of Record and approved by the City Engineer, whichever is greater.
 76. The applicant shall provide a preliminary title report not older than 30 days.
 77. Prior to approval of Final Map No. 73266, applicant shall merge parcels 2061-004-015, 2061-004-035, and the portion of 2061-004-036 that is located west of Roadside Road.
 78. Prior to issuance of building permit, applicant shall record Parcel Map No. 73266 pursuant to the Subdivision Map Act and in accordance with City Code. A duplicate photo mylar of the recorded map shall be submitted to the Director of Public Works.
 79. All required plans and studies shall be prepared by a Registered Professional Engineer in the State of California, and submitted to the Director of Public Works for review and approval.
 80. For all work within public right-of-way, the applicant shall obtain an Encroachment Permit. Prior to issuance of this permit, all public improvement plans, which include but are not limited to, street, water, sewer, storm drain, lighting, signing and striping, etc shall be reviewed and approved by the City Engineer. Water plans shall be designed to meet LVMWD standards and contain a signature block for the City Engineer. All associated fees and securities shall be based upon completed Engineering Cost Estimate forms, approved by the Engineering Department. Forms are available for download from the City's website at www.ci.agoura-hills.ca.us
 81. Prior to the issuance of a grading permit, applicant shall pay all applicable Transportation Impact Fees (TIF) to the Building and Safety Department.
 82. All existing street and property monuments within or abutting this project site shall be preserved consistent with AB1414. If during construction of onsite or offsite improvements monuments are damaged or destroyed, the applicant shall retain a

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- licensed land surveyor or civil engineer to reset those monuments per City's Standards and file the necessary information with the County Recorder's office.
83. Detailed on-site utility information shall be shown on the grading plan, which includes, but is not limited to, backflow prevention devices, exact location of laterals water meter size and location, invert elevations and grades for all gravity lines. The grading plan will not be approved by the Engineering Department until this detailed utility information is included on the plans.
 84. Grading Plan shall show location(s) of all Oak trees within the vicinity of the site. Applicant shall adhere to all requirements pertaining to Oak trees as outlined in the City's Oak Tree Consultant's Conditions of Approval.
 85. The applicant shall submit electronic files (i.e., CAD file, on disc) of project-related off-site improvement plans as deemed necessary by the City Engineer. These electronic files shall accompany original mylars of improvement plans to be approved/signed by the City Engineer. Improvement plans will not be approved by the City Engineer if not accompanied by CAD files.
 86. Applicant shall submit a soils/geology report to the project engineer for review and approval in accordance with Government Code, Section 66434.5 as required by the City Engineer.
 87. Prior to issuance of permits from the Engineering Department, this project will require a permit from the following agencies:
 - Los Angeles County Health Department
 - Los Angeles County Flood Control District (LACFCD)
 - Las Virgenes Municipal Water District
 88. Applicant shall obtain written approval from the Los Angeles County Fire Department and Southern California Edison for electrical power lines over the northern building. In the event this cannot be obtained, applicant shall be responsible for all plans, construction, documentation, and fees related to the relocation of power lines and any other electrical appurtenances. Said relocation shall be reviewed and approved by the Los Angeles Fire Department, Southern California Edison, and Director of Public Works.
 89. Building Permits shall not be issued until graded building pad(s) have been certified for compaction and elevation to the City's satisfaction. Contact Engineering Department @ 818.597.7322 for approved City certification forms.
 90. Applicant shall provide written permission from affected property owner for any off-site construction. Grading plans shall clearly show all details associated with this work. Said design shall be reviewed and approved by the Director of Public Works.

91. Prior to permitting, the applicant shall design full public improvements in accordance with City Code, Specifications, approved specific plan, and/or approved Conditions of Approval for the area.
92. The applicant shall design and construct road improvements along the project fronting Roadside Road and any necessary transitions. Said improvements shall include, but not limited to, asphalt concrete, curb, gutter, sidewalk, street lights, and all pavement markings. The design shall include diagonal parking stalls along the property. The design of the roadway improvements shall be reviewed and approved by the Director of Public Works.
93. Applicant shall overlay Agoura Road with concrete asphalt for all new project related service cuts in the roadway. The extent of the repairs shall be at the discretion of the Director of Public Works Director, and incorporated as part of the conditions of approval.
94. The applicant shall design and construct road improvements along the project fronting Roadside Drive and any necessary transitions. Said improvements shall include, but not limited to, asphalt concrete, curb, gutter, sidewalk, conduit for future street lights, and all pavement markings. The design shall include a bulb at the intersection of Roadside Drive and Roadside Road. The design of the roadway improvements shall be reviewed and approved by the Director of Public Works.
95. Applicant shall connect to the 10-inch sewer line that is available for this project in Agoura Road. [Ref. Sewer Plan Dwg # T-104]
96. Applicant shall use existing laterals, whenever provided, for connection to the public sewer system.
97. This property is within the LVMWD service area. Applicant shall make arrangements with LVMWD for those services and provide the City with proof that all LVMWD fees have been paid.
98. All water facilities shall be designed to comply with all LVMWD requirements. Final plans must be reviewed and approved by LVMWD and City.
99. A hydrology study and drainage analysis, prepared and signed by a Civil Engineer registered in the State of California, in accordance with the Los Angeles County Hydrology Manual is required. Additional drainage facilities or portions of the site/grading plan may need to be altered as a result of the findings of this study.
100. 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.

1. Sediments generated on the project site shall be retained using adequate Treatment Control or Structural BMPs;
 2. 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;
 3. Non-storm water runoff from equipment and vehicle washing and any other activity shall be contained at the project site;
 4. 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.
101. Prior to the approval of the Grading Plan and issuance of Grading Permit, a completed Low Impact Development (LID) Plan shall be submitted to and approved by the Engineering Department. The LID Plan shall comply with the requirements of the LID Ordinance and Los Angeles County LID Standards Manual. The LID Plan shall include the following information:
- Identification of whether the proposed project is a Designated or Non-Designated Project.
 - If the proposed project is a Designated Project, identification of the project category.
 - Feasibility of infiltration including a percolation report as part of a geotechnical report prepared by a geotechnical engineer.
 - Source control measure(s) proposed to be implemented
 - Calculation of the SWQDv.
 - Discussion on whether stormwater runoff harvest and use is feasible.
 - Stormwater quality control measure(s) proposed to be implemented.
 - Discussion of how the applicable water quality standards and total maximum daily loads (TMDLs) will be addressed (off-site mitigation projects only).
 - Proposed hydromodification controls and calculations (if necessary).
 - Proposed maintenance plan (if necessary).
102. All projects that develop one (1) acre or more of total land area, or which are part of a larger phased development that will disturb at least one acre of land, are required to obtain coverage under the State Water Resources Control Board's General Permit For

Storm Water Discharges Associated With Construction Activity. Proof of filing a Notice of Intent (NOI) with the State for coverage under this permit is required prior to approval of the grading plan and issuance of grading permits. The applicant shall submit a copy of the Waste Dischargers Identification Number (WDID) for coverage under the General Construction Permit to the Engineering Department.

103. SWPPP Plan - All projects that develop one (1) acre or more of total land area or which are part of a larger phased development that will disturb at least one acre of land, are required to prepare a Storm Water Pollution Prevention Plan (SWPPP), utilizing the model form in Appendix B of the 2003 CASQA Stormwater BMP Handbook for Construction at: www.cabmphandbooks.com and submit a copy of the plan to the City of Agoura Hills Engineering Department for review. A copy of the adopted SWPPP shall be maintained in the construction site office at all times during construction and the Site Superintendent shall use the plan to train all construction site contractors and supervisory personnel in construction site Best Management Practices, prior to starting work on the site.

Said plan shall, among other things, ensure that the following minimum requirements are effectively implemented at all construction sites:

1. Sediments generated on the project site shall be retained using adequate Treatment Control or Structural BMPs;
 2. 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;
 3. Non-storm water runoff from equipment and vehicle washing and any other activity shall be contained at the project site;
 4. 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.
104. Prior to certificate of occupancy, all remaining fees/ deposits required by the Engineering Department shall be paid in full.
105. Prior to certificate of occupancy, all requirements including construction of improvements covered in Section 2, must be completed to the satisfaction of the City Engineer.
106. The Applicant's Engineer shall submit a set of **MYLAR**, Record (as-built) Drawings, for off-site improvements, to accurately reflect the constructed improvements. This set of Record Drawings reflecting all change orders during construction, must be submitted to the City via City's inspection prior to scheduling of final inspection for acceptance of the improvements. *Please note that no final inspection will be*

*scheduled and subsequently no release of securities, posted for the project if any, will take place unless **MYLAR**, Record (As-built) Drawings, satisfactory to the City, are submitted.*

107. The applicant shall *record a covenant for continued stormwater maintenance, using City-approved forms*, with the Los Angeles County. An electronic copy of this document is available on the City's website: www.agoura-hills.ca.us.
108. All monuments shall be set in accordance with the final map, and all centerline ties shall be submitted to the Engineering Department. Any monuments damaged as a result of construction, shall be reset to the City's satisfaction.
109. Upon receiving Title Report, if conflicts/issues arise regarding recorded documents over property, applicant shall take all measures necessary, as directed by City Engineer, to resolve said conflicts/issues. All items listed are to be complied with to the satisfaction of the City Engineer in accordance with the applicable provisions of the Agoura Hills Municipal Code.

BUILDING AND SAFETY

110. Soils report will be required for this project.
111. All exterior materials used for eaves, sidings, porch, patio, carport and other similar structures shall meet the Very High Fire Hazard Severity Zone (VHFHSZ) as outlined in Chapter 7A of the 2013 California Building Code and Section 8200, Chapter 2, Article VIII of Agoura Hills Municipal Code (AHMC).
112. As part of the permitting process and prior to permit issuance, two (2) full sets of construction plans including, architectural, electrical, mechanical, plumbing, green building, structural and energy calculations needs to be submitted to Building and Safety Department for plan review and approval.
113. Fire sprinkler will be required for this project per Section 903.2, Chapter 2, Article VIII of AHMC.
114. Los Angeles County Fire Department review and approval will be required for this project.
115. Los Angeles County Health Department review and approval will be required for this Project.
116. Building "A" must comply with the general building height and area as identified in Chapter 5 of 2013 California Building Code.

SPECIAL CONDITIONS

117. On-site decorative paving shall be provided at the driveway entrances serving the site and the walking pathway around the proposed buildings. The color, materials and length of the decorative paving shall be subject to review and approval by the Planning Director.
118. All transformers, other equipment, and refuse containers shall be screened from view. A plan showing this shall be reviewed and approved by the Planning Director.
119. All parking stalls shall be pinstriped. A minimum of 206 parking spaces shall be provided for the project.
120. In the event, that revisions to the plans required during the Plan Check process cause substantial changes to the project design as determined by the Planning Director, the project will be subject to additional review and approval by the Planning Commission.
121. Pursuant to Code Section 9659, prior to the issuance of a Building Permit, the applicant shall submit an arts plan for the building which meets the requirements set forth by the City Council, for review and approval by the Planning Director. Prior to the issuance of occupancy for the building, the art shall be constructed and thereafter displayed for view by the public in a location approved by the Planning Director. If the approved art display is not maintained in good condition, or is altered without the permission of the Planning Director so that the improvements no longer conform to the approved arts plan, the certificate of occupancy may be revoked and the owner of the property on which the improvement is located shall be deemed to have committed a misdemeanor.
122. The Variance Case No.14-VAR-003 is valid only in conjunction with Case Nos. 14-SPR-003, 14-OTP-016, 14-SP-040 and VTPM 73266, and the approved Conditions of approval therein.
123. Building A, the fitness building, shall be setback a minimum 10 feet from the eastern side property line and 35 feet from the northern ultimate property line as determined by the Vesting Tentative Parcel Map No. 73266. Exterior architectural features shall be counted toward the building envelope.
124. No retaining and non-retaining walls proposed on the property shall exceed 6 feet in height.
125. Prior to issuance of a Grading Permit for development on the off-site parcel, immediately to the west of the subject site, the parking spaces in the alignment of the west-east driveway bisecting the subject site and connecting to the off-site

western parcel shall be removed to allow for vehicular and pedestrian access between the two sites.

126. Both driveways connecting the subject site to the adjacent property to the west shall be maintained in perpetuity. Appropriate easements shall be incorporated in the final Vesting Parcel Map 73266 to the satisfaction of the Planning Director and Public Works Director.
127. Applicant shall obtain final approval from the Los Angeles County Fire Department Land Development Unit – Fire Prevention Division with respect to on-site emergency pedestrian access around the buildings, vehicular access to the buildings, the overhead power lines in the vicinity of the parcel, fire hydrant location and water availability for the site, and other items as required by the Fire Department prior to issuance of any permit.
128. The Landscape Plan shall be revised to incorporate additional green screens on the north elevation of Building A and to incorporate additional landscaping material between the building and the access road adjacent to the freeway, with the intent to screen the building as viewed from the freeway corridor. These revisions shall be subject to approval by the Planning Director.
129. The applicant shall camouflage the roof elements above 35 feet. The revised colors on that portion of the building shall be subject to approval by the Planning Director.

END

ATTACHMENT 4

Project Plans

*(This document is available for review in the
Office of the City Clerk
30001 Ladyface Court, Agoura Hills, CA)*

ATTACHMENT 5



DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

**MINUTES OF THE REGULAR SCHEDULED MEETING OF
THE PLANNING COMMISSION
December 3, 2015**

CALL TO ORDER:

Vice Chair Anstead called the meeting to order at 6:30 p.m.

FLAG SALUTE:

Commissioner O'Meara

ROLL CALL:

Vice Chair Chris Anstead, Commissioners Michael Justice, John O'Meara, and Curtis Zacuto

Also present were Assistant City Manager Nathan Hamburger, Planning Director Doug Hooper, City Attorney Candice Lee, Assistant Planning Director Allison Cook, Director of Public Works/City Engineer Ramiro Adeva, Associate Planner Valerie Darbouze, Public Works Project Manager Kelly Fisher, Planning Consultant Michelle D'Anna, Traffic Consultant Carlie Campuzano, Joe Power of Rincon Consultants, Inc., and Recording Secretary Sheila Keckhut.

APPROVAL OF AGENDA:

Commissioner O'Meara recommended that Agenda Item 3 (Case No. ZOA-01176-2015) be moved to Item 2 on the Agenda.

On a motion by Commissioner O'Meara, seconded by Commissioner Justice, the Planning Commission approved the December 3, 2015 Meeting Agenda, with the recommended item change. Motion carried 4-0.

PUBLIC COMMENTS

None

APPROVAL OF MINUTES

1. Minutes – November 5, 2015 Planning Commission Meeting

On a motion by Commissioner O'Meara, seconded by Commissioner Justice, the Planning Commission moved to approve the revised Minutes of the November 5, 2015, Planning Commission Meeting. Motion carried 3-0-1. Commissioner Zacuto abstained.

NEW PUBLIC HEARING

2. REQUEST: Request for the Planning Commission to adopt a Resolution recommending that the City Council adopt an Ordinance revising regulations applicable to massage services, and amending Article IX (Zoning Ordinance) of the City of Agoura Hills Municipal Code, specifically paragraph L of Section 9312.3 of Part 2 of Chapter 3, and Division 12 of Part 2 of Chapter 6; and make a finding of exemption under the California Environmental Quality Act.

APPLICANT: City of Agoura Hills
30001 Ladyface Court
Agoura Hills, CA 91301

CASE NO.: ZOA-01176-2015

LOCATION: Citywide

ENVIRONMENTAL DETERMINATION: Exempt from the California Environmental Quality Act (CEQA) per Section 15061(b)(3) of the CEQA Guidelines.

RECOMMENDATION: Staff recommended that the Planning Commission adopt a Resolution recommending that the City Council adopt an Ordinance revising regulations applicable to massage services.

PUBLIC COMMENTS: Vice Chair Anstead opened the public hearing.

Dylan Donate, Massage Envy

Glennda Donate, Massage Envy

Vice Chair Anstead closed the public hearing.

ACTION: On a motion by Commissioner O'Meara, seconded by Commissioner Justice, the Planning Commission moved to recommend the City Council not adopt an Ordinance revising regulations applicable to massage services; and to re-evaluate the existing massage ordinance. Motion carried 4-0.

CONTINUED PUBLIC HEARING

3. **REQUESTS:** Request for the Planning Commission to approve: 1) the merger of two parcels by way of a Vesting Tentative Parcel Map; 2) a Site Plan/Architectural Review to construct a new 45,000 square-foot, two-story fitness facility building and a 4,000 square-foot, single-story retail/fast service restaurant building on a vacant site; 3) an Oak Tree Permit to remove two (2) oak trees and encroach into the protected zone of one (1) other oak tree for the proposed construction; 4) a Sign Permit to allow for a sign program; 5) Variances to exceed the maximum allowable height of the fitness building from 35 to 38 feet; to exceed the maximum allowable signage on the primary and secondary elevations of the fitness building; to reduce the required Freeway Corridor Overlay District rear yard setback from 76 to 35 feet; and to allow the encroachment of parking spaces, a public sidewalk, and other amenities within the required twenty-foot wide landscape planter required along one street frontage; and 6) the adoption of an Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program.

APPLICANT: Rosenheim & Associates for:
Selleck Development Group, Inc.
21550 Oxnard Street, Suite 780
Woodland Hills, CA 91367

CASE NOS.: 14-SPR-003, 14-OTP-016, 14-VAR-003(A&B), 14-SP-040
and VTPM 73266

LOCATION: 29431 & 29439 Agoura Road
(A.P.Ns. 2061-004-015, 035 & 036)

ENVIRONMENTAL DETERMINATION: Initial Study/Mitigated Negative Declaration, per the California Environmental Quality Act.

RECOMMENDATION: Staff recommended the Planning Commission approve Site Plan/Architectural Review Case No. 14-SPR-003; Oak Tree Permit Case No. 14-OTP-016, Sign Permit Case No. 14-SP-040; Variance Case No. 14-VAR-003 (A&B); and Vesting Tentative Parcel Map Case No. 73266, subject to Conditions, based on the findings of the Draft Resolutions.

PUBLIC COMMENTS: Vice Chair Anstead opened the public hearing.

Brad Rosenheim, Rosenheim & Associates, Inc., representing applicant.

Brian Poliquin, PK Architecture, representing the applicant.

Greg Gill, Architect representing LA Fitness.

Vice Chair Anstead closed the public hearing.

RECESS: Vice Chair Anstead called for a recess at 8:48 p.m.

RECONVENE: Vice Chair Anstead reconvened the meeting at 9:02 p.m.

Vice Chair Anstead reopened the public hearing.

Mark Hardy, Civil Engineer representing LA Fitness.

Dan Selleck, Selleck Development Group, Inc., applicant

Phil Ramuno, Old Agoura Home Owners Association

Ed Corridori, resident

Cyrena Nouzille, resident

Mike Tingus, representing applicant

REBUTTAL: Brad Rosenheim, Rosenheim & Associates, Inc. gave rebuttal regarding the project and answered additional questions of the Planning Commission.

Ken Smith, LA Fitness, Brian Poliquin, PK Architecture, and Dan Selleck, Selleck Development Group, Inc., answered additional questions of the Planning Commission.

Vice Chair Anstead closed the public hearing.

Vice Chair Anstead reopened and closed the public hearing to ask applicant Dan Selleck, Selleck Development Group, Inc., additional questions.

ACTION:

On a motion by Commissioner O'Meara, seconded by Commissioner Zacuto, the Planning Commission moved to adopt Resolution No. 15-1144 for approval of the Initial Study/Mitigated Negative Declaration. Motion carried 3-1. Vice Chair Anstead opposed.

On a motion by Commissioner O'Meara, seconded by Commissioner Justice, the Planning Commission moved to adopt Resolution No. 15-1145 for approval of the Vesting Tentative Parcel Map Case No. 73266. Motion carried 4-0.

On a motion by Commissioner O'Meara, seconded by Commissioner Justice, the Planning Commission moved to adopt Resolution No. 15-1146 for approval of the Variance Case No. 14-VAR-003(A). Motion carried 3-1. Vice Chair Anstead opposed.

On a motion by Commissioner O'Meara, seconded by Commissioner Justice, the Planning Commission moved to adopt Resolution No. 15-1147 for approval of Oak Tree Permit Case No. 14-OTP-016. Motion carried 3-1. Vice Chair Anstead opposed.

On a motion by Commissioner O'Meara, seconded by Commissioner Zacuto, the Planning Commission moved to adopt Resolution No. 15-1147 for approval of Site Plan/Architectural Review Case No. 14-SPR-003, subject to amended conditions. Motion carried 3-1. Vice Chair Anstead opposed.

On a motion by Commissioner O'Meara, seconded by Commissioner Justice, the Planning Commission moved to approve Sign Permit Case No. 14-SP-040 and Variance Case No. 14-VAR-003(B). Motion failed 2-2. Vice Chair Anstead and Commissioner Zacuto opposed.

PLANNING COMMISSION/STAFF COMMENTS

None

ADJOURNMENT

At 11:53 p.m., on a motion by Commissioner Zacuto, seconded by Commissioner Justice, the Planning Commission adjourned the meeting to the next scheduled Planning Commission meeting on December 17, 2015. Motion carried 4-0.