

PLANNING DEPARTMENT

ACTION DATE:

July 28, 2016

TO:

Planning Commission

APPLICANT:

Johnathan Razbannia for Mage Investments LLC

15760 Ventura Boulevard, Suite 700

Encino, CA 91436

CASE NO .:

PMAP-01229-2016

LOCATION:

28348 Roadside Drive (APN 2061-009-0441)

REOUEST:

Request for approval of a Vesting Tentative Parcel Map (VTPM 74092) for a one-parcel subdivision to convert existing office suites into office condominium units, with no changes to the existing building or site; and to make a finding of exemption under the California Environmental

Quality Act.

ENVIRONMENTAL

DETERMINATION:

Exempt from the California Environmental Quality Act (CEQA) per Sections 15301(k) and 15315 of the CEOA

Guidelines.

RECOMMENDATION:

Staff recommends the Planning Commission approve Vesting Tentative Parcel Map No. 74092 (Case No. PMAP-01229-2016), subject to conditions, based on the findings of

the attached Draft Resolution.

ZONING DESIGNATION:

Commercial Retail Service, Freeway Corridor Overlay, Old

Agoura Design Overlay (CRS-FC-OA)

GENERAL PLAN

DESIGNATION:

Commercial Retail Service (CRS)

I. PROJECT BACKGROUND AND DESCRIPTION

In 2001, the City of Agoura Hills reviewed and approved a Site Plan Review application (Case No. 01-SPR-019) for the construction of a 20,030 square-foot, two-story office building with parking. Construction of the office building began in 2004, with the final Certificate of Occupancy issued on October 12, 2005. The building, referred to as "The Atrium," is comprised of eleven (11) office units, which are currently being leased to tenants. Access to the site is provided directly from Roadside Drive, via a shared driveway with the adjacent property at 28350 Roadside Drive ("Leader Carpet"). A reciprocal access agreement between the two property owners is currently in place and will remain in place as part of the proposed project.

The 31,934 square-foot project site is located at 28348 Roadside Drive, on the south side of Roadside Drive, east of the Roadside Drive/Lewis Road intersection (see Attachment 2, Vicinity Map), within the Commercial Retail Service, Freeway Corridor Overlay, Old Agoura Design Overlay District. The site is relatively flat. The building complies with all relevant development and building standards of the zoning district.

The applicant is seeking the Planning Commission's approval of a Vesting Tentative Parcel Map for a one-parcel subdivision of the existing building for office condominium units. If approved, the Final Map would be prepared by the applicant and submitted to the City Council for approval.

II. STAFF ANALYSIS

The Subdivision Map Act and Municipal Code (Article X – Subdivisions) require subdivision maps for office condominium subdivisions. The Planning Commission has approved such requests in the past, including for the Alesco office complex at the northeast corner of Agoura Road and Chesebro Road, the Center Court Plaza office building on Canwood Street, and The Ridge office complex at 30200 and 30300 Agoura Road.

The applicant intends to subdivide the existing office building at 28348 Roadside Drive for a total of eleven (11) office condominium units, which can be sold for individual private ownership.

No subdivision is proposed on the land itself, and the office condominiums would be entirely within the building. The existing building has not changed from its original approval, and all previously approved conditions of approval would remain valid.

A. Public Works/Engineering Department

The City Engineer has reviewed the Vesting Tentative Parcel Map and finds it to be compliant with the State Subdivision Map Act. The project site is adequately served by the necessary public service facilities, including water, sewer, and storm drain systems,

which are adequate to accommodate the project. No site improvements are required to accommodate the proposed condominium conversion. Draft conditions of approval for the Vesting Tentative Parcel Map are included in the draft Resolution.

B. County Fire Department

The County of Los Angeles Fire Department reviewed the proposed project and determined that the access shown on the plans, along with the existing reciprocal access agreement, is sufficient for access to the site. An existing fire hydrant is identified on the plans and the fire flow provided by that hydrant is adequate. A condition of approval will be placed on the Vesting Tentative Parcel Map to ensure that all Fire Department requirements are met (Attachment 1, Exhibit A, Condition 8).

C. General Plan Consistency

Staff finds the project will be consistent with the following applicable General Plan goals and policies:

Goal LU-1: Growth and Change. Sustainable growth and change through orderly and well-planned development that provides for the needs of existing and future residents and businesses, ensures the effective and equitable provision of public services, and makes efficient use of land and infrastructure.

The proposed project involves a conversion of existing office suites into office condominium units. The existing building is designed in accordance with the Municipal Code and provides for office uses, and the Vesting Tentative Parcel Map has been prepared pursuant to the City's Subdivision Ordinance and state Subdivision Map Act. The proposed condominium conversion will maintain the same office use and will continue the intent of this General Plan Goal.

Goal LU-2: City of Diverse Uses. A mix of land uses that meets the diverse needs of Agoura Hills' residents, offers a variety of employment opportunities, and allows for the capture of regional population and employment growth.

 Policy LU-2.3: Employment Opportunities. Provide for a variety of commercial uses that offer job opportunities for Agoura Hills' residents, including retail, office, light industrial, and research and development.

The proposed project will convert existing office suites (for lease) into office condominium units (for sale). The use will not change, rather only the ownership status. The existing building will still provide office uses that offer job opportunities and contribute to the diverse mix of land uses within the City. The proposed condominium conversion will continue the intent of this General Plan Goal and Policy.

D. Environmental Review

The project has been reviewed pursuant to the California Environmental Quality Act (CEQA), and has been determined to be Categorically Exempt from the CEQA Guidelines per Sections 15301(k) and 15315. Section 15301(k) specifically exempts the subdivision of existing commercial buildings, where no physical changes occur which are not otherwise exempt. In this case, the project qualifies for this exemption because it is the subdivision of the units in an existing commercial building and no physical changes to the building are proposed. Section 15315 includes, but is not limited to, division of property in urbanized areas zoned for residential, commercial, or industrial use into four or fewer parcels when the division is in conformance with the General Plan and zoning, no variances or exceptions are required, all services and access to the proposed parcels to local standards are available, the parcel was not involved in a division of a larger parcel within the previous two years, and the parcel does not have an average slope greater than 20 percent. The project is considered a "one-parcel subdivision" for condominium conversion purposes. No significant environmental impacts are expected from development of this project.

III. RECOMMENDATION

Based on the foregoing analysis, staff recommends that the Planning Commission approve Vesting Tentative Parcel Map (VTPM 74092) to convert existing office suites into office condominium units, with no changes to the existing building or site, subject to the attached conditions, based on the findings of the attached Draft Resoultion; and make a finding of exemption under the California Environmental Quality Act.

IV. ATTACHMENTS

- 1. Draft Resolution and Conditions of Approval
- 2. Vicinity Map
- 3. Vesting Tentative Parcel Map No. 74092
- 4. Photo of Existing Building

Case Planner: Michelle D'Anna, Contract Planner

ATTACHMENT 1 DRAFT RESOLUTION AND CONDITIONS OF APPROVAL

DRAFT RESOLUTION NO. ___

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF AGOURA HILLS, CALIFORNIA, APPROVING VESTING TENTATIVE PARCEL MAP NO. 74092 (CASE NO. PMAP-01229-2016) FOR A ONE-PARCEL SUBDIVISION AT 28348 ROADSIDE DRIVE; AND MAKING A FINDING OF EXEMPTION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

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 Johnathan Razbannia on behalf of Mage Investments LLC, with respect to the real property located at 28348 Roadside Drive (Assessor's Parcel No. 2061-009-074), requesting approval of a Vesting Tentative Parcel Map (No. 74092) for a one-parcel subdivision, consisting of one existing 20,030 square-foot office building being subdivided into eleven (11) office condominium units (Case No. PMAP-01229-2016).

Section II. The project is a request for a one-parcel subdivision for condominium purposes, and is exempt from the California Environmental Quality Act (CEQA), per CEQA Guidelines Sections 15301(k) and 15315. No significant environmental impacts are expected from the project.

Section III. The Planning Commission of the City of Agoura Hills considered the application at a public hearing held on July 28, 2016, at 6:30 p.m. in the City 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 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. Vesting Tentative Parcel Map. 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 10414, Article X, Subdivisions, of the Municipal Code, that:

A. The proposed Vesting Tentative Parcel Map, as conditioned, is consistent with the City's General Plan in that the proposed Vesting Tentative Parcel Map will continue to provide for high quality jobs and a diversity of uses, as called for in Goal LU-2, and will ensure orderly and well-planned development providing for the needs of business uses consistent with Goal LU-1.

Draft Resc	lution N	0.
Page 2		

- B. The office condominiums will be contained entirely within the existing building, consistent with the standards of the Commercial Retail Service, Freeway Corridor Overlay, Old Agoura Design Overlay District, and no new development on the site is proposed.
- C. The design of the Vesting Tentative Parcel Map will not cause environmental damage or public health issues. The building is already constructed and the Final Certificate of Occupancy was issued on October 12, 2005. No changes to the existing building or physical site are proposed as part of the Vesting Tentative Parcel Map.
- D. The design of the Vesting Tentative Parcel Map will not conflict with easements acquired by the public at large for access through or use of property within the development. Access to the building site will continue to be provided via Roadside Drive and an on-site driveway. The on-site driveway will continue to be subject to a reciprocal access agreement between the property owners of the subject property and the adjacent property to the west.
- E. None of the conditions set forth in Sub-Sections 10414(a) through (g) exist and therefore the Planning Commission is not required to deny the Vesting Tentative Parcel Map.

Section VI. Based on the aforementioned findings, the Planning Commission hereby approves Vesting Tentative Parcel Map No. 74092 (Case No. PMAP-01229-2016), subject to Conditions of Approval, attached herein as Exhibit A, with respect to the property described in Section I hereof.

PASSED, APPROVED, and ADOPTED this 28th day of July, 2016, by the following vote to wit:

AYES:	(0)		
NOES:	(0)		
ABSTAIN:	(0)		
ABSENT:	(0)		
		John O'Meara, Chairperson	

Allison Cook, Secretary

ATTEST:

EXHIBIT A

CONDITIONS OF APPROVAL

(Case No. PMAP-01229-2016)

PLANNING DEPARTMENT

- 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. The approval of this entitlement shall not be effective for any purpose until the applicant has 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 complete conformation to, the approved Vesting Tentative Parcel Map No. 74092.
- 4. It is hereby declared to be the intent that if any provision of this entitlement is held or declared to be invalid, the map 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 entitlement 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. All requirements of the Zoning Ordinance and of the specific zoning of the property must be complied with unless set forth on the approved Vesting Tentative Parcel Map.
- 7. The applicant must comply with all requirements of the City Subdivision Ordinance, Title X of the Municipal Code.
- 8. The applicant shall comply with the requirements of the Los Angeles County Fire Department prior to approval of the final map. The final map shall incorporate all items and conditions as required by the Fire Department.
- 9. Unless the Final Parcel Map is recorded, Vesting Tentative Parcel Map No. 74092 shall expire within two (2) years from the date of Planning Commission approval. A written request for a one-year extension may be considered prior to the expiration date.

- 10. 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.
- 11. The applicant shall reimburse the City for any court and attorney's fees which the City may be required to pay as a result of any claim or action brought up against the City because of the approval of this application. Although the applicant is the real party in interest in an action, the City may, at its sole discretion, participate in the defense of the action, but such participation shall not relieve the applicant of any obligation under this condition.
- 12. The applicant shall defend, indemnify, and hold harmless the City, its agents, officers, and employees from an against any claim, action or proceeding against the City or its agents, officers, or employees to attack, set aside, void, or annul any approval or condition of approval. The City shall notify the applicant of any claim, action or proceeding and the City shall cooperate in the defense. The City reserves the right, at its own option, to choose its own attorney to represent the City, its officers, employees, and agents in the defense of the matter at applicant's expense.

PUBLIC WORKS/ENGINEERING DEPARTMENT

- 13. The Final Map, unless otherwise authorized in writing by the Director of Public Works/City Engineer, shall be based on a field survey, and be prepared in accordance with Article X, of the City's Municipal Code and the State of California Subdivision Map Act.
- 14. Pursuant to Article X, Subdivisions, of the City's Municipal Code, the Final Map shall be submitted to the City, along with all necessary supporting documents including title reports, guarantees, and applicable fees, for review and acceptance by the Director of Public Works/City Engineer.
- 15. Applicant shall provide a copy of proposed Covenants, Conditions and Restrictions (CC&R's) to the Director of Public Works/City Engineer for review and approval by the City Attorney. These CC&R's shall ensure, among other things, common ingress and egress, joint maintenance of all common access parking areas, utilities, and drives as applicable to the project.
- 16. All existing and proposed easements shall be shown on the Final Map. All existing public easements shall be reserved. Access easements, if applicable, shall be of adequate width, as approved by the Director of Public Works/City Engineer.

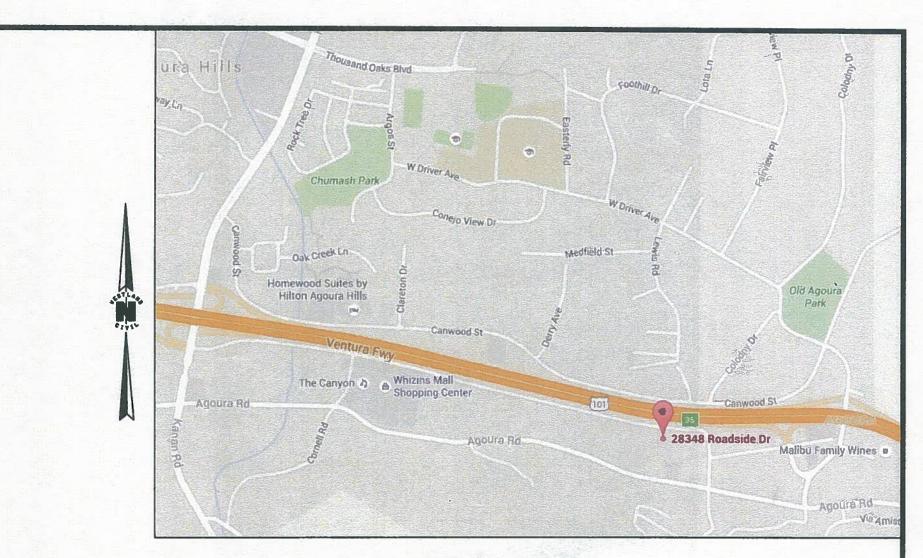
- 17. Applicant shall provide a Monumentation bond (i.e. cash deposit) in an amount calculated by the Engineering Department or as specified in writing by the applicant's Registered Engineer or Licensed Land Surveyor of Record and approved by the City Engineer, whichever is greater.
- 18. For all work within public right-of-way, the applicant shall obtain an Encroachment Permit.
- 19. Applicant shall provide a preliminary title report not older than 30 days.
- 20. All required boundary monuments shall be installed prior to the recordation of Final Map.
- 21. Signature of record fee title interest holders shall appear on the Final Map.

BUILDING DEPARTMENT

- 22. This project shall be subject to the 2013 California Building Codes and Agoura Hills Municipal Code.
- 23. Applicant shall comply with fire rating requirements of the walls that lie on the property lines per 2013 California Building Code.

END

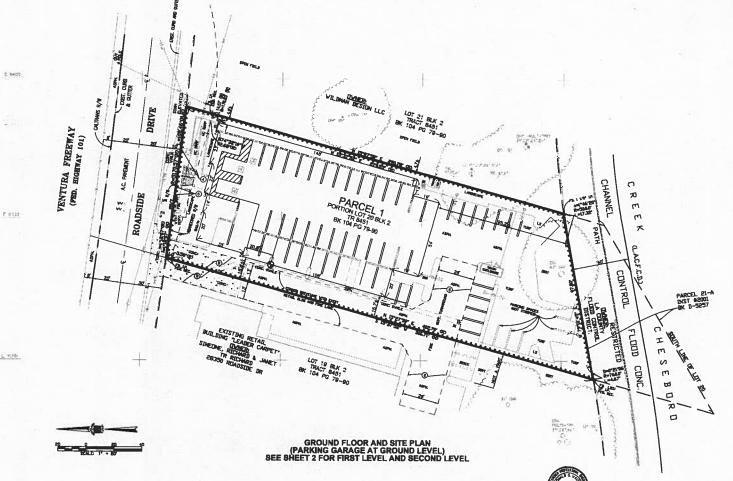
ATTACHMENT 2 VICINITY MAP

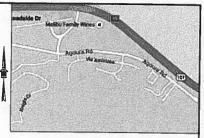


VICINITY MAP

ATTACHMENT 3 VESTING TENTATIVE PARCEL MAP NO. 74092

VESTING TENTATIVE PARCEL MAP NO. 74092 FOR OFFICE CONDOMINIUM CONVERSION PURPOSES





YICINITY MAP

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NOTES:

- DITES!

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- 8. TOTAL NUMBER PARKING SPACES:

HC PARKING - 3 SPACES REGULAR - 65 SPACES

- 7. TOTAL AREA OF PARCEL: 31934 SQFT, OR 0.733 AC.
- APPROX. ELEVATIONS OF BUILDING REAR PARKING LOT:

LEGEND

BOUNDANT OF LAND STREET, ALE PAR

MACE INVESTMENTS, LLC 28348 ROADSIDE DR STE# 205 AGOURA HILLS, CA 91301 DESCRIPTION OF CHANGE





VESTING TENTATIVE PARCEL MAP NO. 74092 ONE PARCEL SUBDIVISION

28348 ROADSIDE DRIVE CITY OF AGOURA HILLS

SHEET 1 OF 2

VESTING TENTATIVE PARCEL MAP NO. 74092 FOR OFFICE CONDOMINIUM CONVERSION PURPOSES

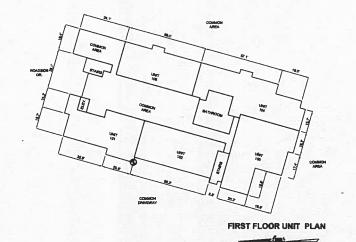
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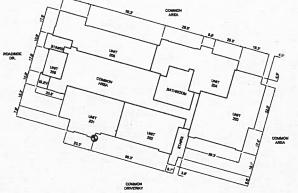
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MBOL	DESCRIPTION OF CHANGE	RCE	DATE	ATTN: MOSHE LEVY TEL. (818) 889-8048		AGOURA HILLS	CITY OF AGOURA H



PARCEL MAP BDIVISION

SHEET 2 OF 2

ATTACHMENT 4 PHOTO OF EXISTING BUILDING

28348 Roadside Dr

28348 Roadside Dr, Agoura Hills, CA 91301

2,413 sf

Office for Lease 564 - 1,849 sf \$1.59 - \$1.60 per sf/mo Modified Gross



3 offices, 1 storage/office and reception.

For Lease

	Suite	Avail SF	Asking Rate	Available	Space Type
0	101A	1,053	\$1.59 per sf/mo Modified Gross		Office
0	101B	796	\$1.59 per sf/mo Modified		Office