

surrounding built and natural setting, with respect to architectural design and on-site pedestrian and vehicular circulation.

3. 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 and the development standards of the AVSP. Street parking and on-site circulation, including pedestrian and vehicular circulation, and designated walkways will be provided to create an efficient and safe use of the property. The access in and out of the site is designed to maximize safety in the right-of-way and for quick and safe exit. The Project will be constructed to comply with geotechnical requirements and recommendations of the project geotechnical report and of the City's Geotechnical Consultant. The Project will connect to the existing sewer system and the storm water flows will be detained in an on-site facility before discharging into the existing storm drain system.
4. The proposed use, as conditioned, will comply with each of the applicable provisions of the Zoning Ordinance. As stated above, the Project lies within the boundaries of the AVSP and, according to the requirements of the PD zone, the permitted uses, development standards, and regulations for the site are set forth in the Specific Plan. The use is permitted in the PD zoning district because it is allowed in the AVSP. All development standards, including the allowable building site coverage and residential density is met. The on-site and street parking layout is evenly distributed to serve all ingress points into the building and provide easy circulation throughout. The Project is consistent with the zoning and AVSP standards for parking, access, circulation, lot size, amenities, landscaping, and the tree canopy coverage. Finally, the Project would be consistent with all zoning and AVSP requirements regarding building height.
5. The distance from other similar and like uses is sufficient to maintain the diversity of the community. There are currently three adjacent retail centers from the Project site, however the nearest mixed-use project that includes multi-family housing is located approximately 1000 feet north of the Project site, north of U.S. Highway 101. There are vacant parcels in the AVSP area that have not been developed that allow for new, mixed-use development of this type.
6. The proposed use is consistent with the goals, objectives and policies of the General Plan. The Project complies with Goal LU-2 and its policies in that the variety of new commercial uses offered within the Project provide for new and diversified employment opportunities. The Project complies with Goal LU-4 and its policies in that the buildings are sited to conform to existing topography, with each building connected with pedestrian paths and on-site circulation. The mix of uses reduces automobile dependency and offers residential and variety of commercial, opportunities. The buildings are appropriately articulated on all sides, with an emphasis in enhancing the streetscape for public engagement. The buildings exhibit well-articulated architecture, modulating the mass through design features, such as steel awnings and balconies. The buildings do not exceed the maximum

height allowed, and reflect natural materials and colors. The Project complies with Goal LU-26 and its policies by developing a vacant site with a vertical mix of uses for the public, as called for in the AVSP, including a mix of multi-family residential, retail, restaurant and office uses. The Project will be developed with pedestrian-oriented amenities along street-fronts and in the parking areas within unifying paving, furniture and lighting. Street and on-site shared parking is incorporated into the Project design.

- B. The development complies with the provision of Section 9498 of the Zoning Ordinance pertaining to development standards and regulations permitted within the PD zone. Section 9498 requires that develop conform to the development standards and regulations and nay other provisions of the applicable specific plan for the property upon which such uses and development are located. As stated above, the Project lies within the boundaries of the AVSP and, according to the requirements of the PD zone, the permitted uses, development standards, and regulations for the site are set forth in the Specific Plan. The proposed Project is in compliance with the development standards and regulations of the PD zone and AVSP, including building heights of 35-45 feet, a floor area ratio of 0.25, landscaping and open space areas comprising 46 percent of Lot 1. The uses on-site are consistent with the PD zone and the AVSP, and create an attractive, mixed-use development for patrons, and the Project includes pedestrian-oriented features with outdoor dining areas, plazas, and enhanced pedestrian paths.
- C. Adequate evidence and guarantees have been provided to indicate that all other provisions of the PD zone can be satisfied. The applicant has designed a Project for the site that is permitted by the AVSP and works with the existing topographic constraints of the property. Creative design techniques have been incorporated into the project that provide pedestrian walkways and connections to link the buildings and parking areas. The Project incorporates natural buildings materials and colors that are compatible with neighboring properties and the surrounding area.

Section 15. Open Space-Restricted Zone. Based upon the evidence presented at the hearing, including the staff report and oral and written testimony, the City Council finds, pursuant to Section 9489.2 of the Agoura Hills Zoning Ordinance, that:

- A. The Project is located and designed so as to protect the safety of the current and future community residents, and will not create significant threats to life and or/property due to the presence of geologic, seismic, slope instability, fire, flood, mud flow, erosion hazards, or other hazards. The Project plans and geotechnical and geological reports have been reviewed and approved by the City geotechnical consultant for safety purposes. The Project will be subject to compliance with local and state building code requirements, including grading standards, and environmental mitigation measures, to protect the safety of the property and future community residents.

- B. The Project is compatible with the natural, biotic, cultural, scenic and open space resources of the area by situating the proposed development within the developable area of Subarea E of the AVSP. Approximately 24 percent of the property will be retained as open space, thereby protecting the most sensitive natural resources on the property.
- C. The Project can be provided with essential public services and is consistent with the objectives and policies of the General Plan. Utilities are available in the adjacent street to accommodate for the services required for the project. Safety services will also be provided by the County Fire Department and Sheriff's Department.
- D. The development will complement the community character and benefit current and future community residents. The project density, building heights, floor area ratios, landscape coverage, mix of uses and architectural detailing are compliant with the Agoura Village Specific Plan and the urban environment envisioned for the Village area.
- E. The Project is designed to be highly compatible with the biotic resources present, including the setting aside of appropriate and sufficient undisturbed areas. The proposed development is situated within the developable area of Subarea E of the AVSP. Approximately 24 percent of the site will be retained as open space, thereby protecting the most sensitive natural resources on the property. The developed areas are situated in close proximity to the roadways to retain biotic resources located further south of the property.
- F. The Project is designed to maintain water bodies, watercourses, and their tributaries in a natural state. The project will not alter the course of any stream nor impacts any water bodies.
- G. The Project is designed so that wildlife movement corridors (migratory paths) are left in an undisturbed and natural state. There are no migratory paths within the property boundaries.
- H. The Project retains sufficient natural vegetative cover and/or open spaces to buffer critical resource areas from the project. The dedicated open space and placement of the buildings at lower elevations will retain vegetative resources on-site.
- I. Where necessary, fences or walls that are to be provided on the south and eastern portions of Lot 1, above and/or adjacent to retaining walls, are provided to buffer important habitat areas from development, but will not impede access to adjacent natural areas.
- J. The roads and utilities serving the project are located and designed so as not to conflict with critical resources, habitat areas or migratory paths. The on-site driveway and utility easements will provide access through the site, but are located as such to avoid impacts to critical biological resources.

- K. No buildings or structures are proposed within the Open Space-Restricted (OS-R) zoning designation of the project site.

Section 16. Hillside Ordinance. Based upon the evidence presented at the hearing, including the staff report and oral and written testimony, the City Council finds, pursuant to Sections 9652.15.A and 9652.18.A of the Agoura Hills Municipal Code, that:

- A. The Project is located and designed so as to protect the safety of current and future community residents, and will not create significant threats to life and/or property due to the presence of geological, seismic, -slope instability, fire, flood, mud flow, erosion hazards, or other hazards. The Project will be subject to compliance with local and state building code requirements, including grading standards, and environmental mitigation measures, to protect the safety of the property and future community residents.
- B. The Project is compatible with the natural, biotic, cultural, scenic, and open space resources of the area. The Project includes 24 percent of the site to be retained as open space. The developed areas are situated in close proximity to the roadways to retain biotic resources located further south of the property. The dedicated open space and placement of the buildings at lower elevations will retain vegetative resources on-site.
- C. The Project can be provided with essential public services and is consistent with the objectives and policies of the General Plan. Utilities are available in the adjacent street to accommodate for the services required for the project. Safety services will also be provided by the County Fire Department and Sheriff's Department.
- D. The proposed development will complement the community character and benefit current and future community residents. The project density, building heights, floor area ratios, landscape coverage, mix of uses and architectural detailing are compliant with the Agoura Village Specific Plan and the urban environment envisioned for the Village area.
- E. The proposed development is consistent with the general design and construction standards provided in the Hillside Ordinance. The buildings will be constructed to comply with the most recent Building Code requirements and the development standards of the AVSP. The Project will be constructed to geotechnical requirements and recommendations of the project geotechnical report and of the City's Geotechnical Consultant. The Project will connect to the existing sewer system and the storm water flows will be detained in an on-site facility before discharging into the existing storm drain system.

Section 17. Significant Ecological Area (SEA). Based upon the evidence presented at the hearing, including the staff report and oral and written testimony, the City Council finds, pursuant to Sections 9652.15.B and 9652.18.B of the Agoura Hills Zoning Ordinance, that:

- A. The Project is designed to be highly compatible with the biotic resources present, including the setting aside of appropriate undisturbed areas. No building structures are proposed within the two existing parcels located within the SEA of the site.
- B. The Project is designed to maintain water bodies, watercourses, and their tributaries in a natural state, with the exception of a portion of a required fire-access driveway located on the western boundary of the SEA, the materials of which are conditioned to be of a pervious material. Off-site drainage will be captured on-site and filtered before being discharged to the street drainage system.
- C. The Project is designed so that wildlife movement corridors (migratory paths) are left in an undisturbed and natural state. No building construction is proposed within the SEA portion of the site and wildlife movement within the SEA site will not be impeded by project improvements.
- D. The project retains sufficient natural vegetation cover and/or open spaces to buffer critical resource areas from such project. A majority of the scrub oak habitat within the SEA is being retained in its natural state.
- E. Where necessary, fences or walls are provided to buffer important habitat areas from development. Walls and fences are proposed on the periphery of the eastern commercial building and southern residential building on the lot, but will not be placed in the SEA.
- F. The roads and utilities serving the proposed project are located and designed so as not to conflict with critical resources, habitat areas or migratory paths. With the exception of a portion of a required fire-access driveway located on the western boundary of the SEA, no roads or utilities serving the proposed project are located within the SEA.

Section 18. Agoura Village Development Permit. Based upon the evidence presented at the hearing, including the staff report and oral testimony, the City Council, pursuant to Chapter 9 of the AVSP, finds that:

- A. The proposed Project complies with relevant provisions of the adopted Specific Plan, including the incorporation of the following: 1) pedestrian paths that link individual buildings and neighboring properties; 2) significant buildings with prominent architectural features located near, and oriented toward, corners and intersections; 3) small plazas and focal points; dispersed and shared parking; and a vertical mix of commercial and residential uses.
- B. The proposed Project incorporates design measures to ensure maximum compatibility with the vision of the AVSP. The project incorporates the following elements: 1) detailing and architectural features on building facades, such as awnings and trellises; 2) recessed entries; 3) multi-formed roof combinations and building height; 4) outdoor dining areas; 4) residential use; and 5) a variety of ground level commercial uses;

- C. The proposed Project incorporates architectural and landscaping elements that enhance the area. A mix of building colors, materials, and heights are included in the project design, along with a prominent landscape entry feature at the street intersection and two upper level, over-look plaza areas.
- D. The Project's vehicular access and parking plan minimizes conflicts and promotes efficient internal circulation and shared use of facilities wherever feasible. The sole driveway serving the site is located away from the street intersection to provide for safe ingress and egress. Shared and dispersed parking for each building is provided on-site, as well as within Agoura Road and Cornell Road.

Section 19. Oak Tree Permit. Based upon the evidence presented at the hearing, including the staff report and oral and written testimony, the City Council finds, pursuant to Section 9657.5.C of the Agoura Hills Zoning Ordinance, that:

- A. The removal of 29 oak trees and 21,271 square feet of scrub oak habitat, and encroachment into the protected zone of six (6) other oak trees, is required because otherwise the oak trees and scrub oaks would prevent the development of the subject property within the development standards of the AVSP.
- B. The proposed construction or proposed use will be accomplished without endangering the health of the remaining trees on the subject property. Protective measures for the remaining trees are incorporated as conditions of approval for this Project.
- C. The removal of the oak trees and scrub oak habitat will not result in soil erosion through the diversion or increased flow of surface waters which cannot be satisfactorily mitigated. Protective measures to prevent increased surface waters are incorporated in the approved grading plan and the conditions of approval for this Project.
- D. The removal of the 29 oak trees and scrub oak habitat, and encroachment of the other six (6) oak trees is necessary because their continued existence, under current condition, precludes the reasonable and efficient use of the property for a use otherwise authorized on that parcel and to the permitted density. The removal of the oak trees and scrub oak habitat will be mitigated by the planting of additional oak trees on-site and off-site as feasible. The extent of encroachment into the six (6) other oak trees is considered minor so as not to necessitate mitigation for the encroachments. The trees to be encroached upon and the remaining oak trees on site will be protected per the requirements of the City Oak Tree Preservation Guidelines, Appendix A. Additional oak trees are proposed on site, and will help preserve the natural character of the community.

Section 20. Based on the aforementioned findings, the City Council hereby approves Agoura Village Development Permit Case No. 07-AVDP-002, including a Conditional Use Permit for hillside development and an Oak Tree Permit to remove 29 oak

trees and 21, 2271 square feet for scrub oak habitat, and encroach within the protected zone of six (6) oak trees, subject to conditions attached as Exhibit A, and incorporated herein by this reference as though set forth in full, with respect to the property described in Section I hereof.

Section 21. The City Clerk shall certify to the passage, approval, and adoption of this resolution.

PASSED, APPROVED, AND ADOPTED this 8th day of March, 2017, by the following vote to wit:

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

Denis Weber, Mayor

ATTEST:

Kimberly M. Rodrigues, MMC, City Clerk

EXHIBIT A

**CONDITIONS OF APPROVAL
(AGOURA VILLAGE DEVELOPMENT PERMIT CASE NO. 07-AVDP-002)**

Exhibit A
CONDITIONS OF APPROVAL
AGOURA VILLAGE DEVELOPMENT PERMIT
Case No. 07-AVDP-002

PLANNING DEPARTMENT

1. The approval of these permits and entitlements shall not be effective for any purpose until the applicant has agreed in writing that they are aware of, and accept, all conditions of these permits and entitlements with the Planning Department.
2. Except as modified herein, the approval of this action is limited to and requires complete conformation to the labeled exhibits: Site Plans, Building Elevation Plans, Floor Plans, Roof Plans, Grading/Civil Plans, Landscape Plans, Plaza Plans, and Lighting Plans.
3. All exterior materials used in this project shall be in conformance with the materials samples submitted as a part of this application.
4. It is hereby declared to be the intent that if any provision of these permits and entitlements is held or declared invalid, the permits and entitlements 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 permits 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 designation of the subject property must be complied with unless set forth in these permits or on the approved Site Plan.
7. No occupancy shall be granted for any new building until all conditions of approval have been complied with as determined by the Director of Planning.
8. All structures shall conform to the requirements of the Division of Building and Safety of the City of Agoura Hills.
9. The applicant shall comply with the requirements of the Los Angeles County Fire Department prior to the issuance of Building or Grading Permits. The Forester and Fire Warden shall be consulted to ascertain the required fire flows and fire hydrants to accommodate the proposed development.
10. Unless these permits are used within two (2) years from the date of City approval, Agoura Village Development Permit Case No. 07-AVDP-002 will expire. A written request for a one (1) year extension may be considered prior to the expiration date.

11. 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.
12. The applicant shall comply with the school impact fee requirements of the Las Virgenes Unified School District. The current fee is \$0.56 per square foot for commercial construction, and \$3.48 per square foot for residential construction.
13. All outstanding fees owed to the City, if any, shall be paid by the applicant within thirty (30) days from the date of this approval.
14. Final Fuel Modification Plan approval by the County Fire Department Fuel Modification Unit is required prior to issuance of a Building Permit.
15. It is the responsibility of the applicant and/or his or her representatives to report to the City any changes related to any aspects of the construction prior to undertaking the changes.
16. A pre-construction conference shall be held prior to the issuance of a Grading Permit, with all construction personnel involved with the grading operations.
17. If substantial changes are made to the approved Preliminary Landscape Plan, as determined by the Planning Director, the revised Landscape Plan shall be subject to approval by the Planning Commission.
18. 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.
19. 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.
20. Prior to 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.

21. All proposed retaining walls shall be a maximum of six (6) feet high and consist of decorative materials and/or vegetative screening subject to review and approval by the Planning Director. Wall and fencing materials shall also be subject to review and approval by the Planning Director.
22. Vehicle routes and access to the property for construction purposes shall be subject to review and approval by the City Engineer.
23. 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.
24. 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.
25. A final detailed Lighting and Photometric Plan shall be submitted for review and approval by the Planning Director, prior to issuance of a Building Permit. Light fixtures "J" and "S" on the draft Lighting and Photometric Plan shall be replaced in the Final Lighting and Photometric Plan with lantern-style, frosted glass fixtures that match the lantern-style street light fixtures located on Agoura Road, west of Cornell Road. The Lighting and Photometric Plan shall demonstrate a reduction in lumens to reduce glare.
26. A copy of all communications between the City and the applicant pertaining to the approved plans shall be kept at the construction site at all times.
27. Inspections shall be scheduled by the applicant as required by the Building and Safety Department and coordinated with the Engineering and Planning Departments.
28. All transformers, other equipment, and refuse containers shall be screened from view. A plan demonstrating compliance with condition shall be reviewed and approved by the Planning Director.
29. All roof-mounted equipment shall be architecturally screened from public view in a manner approved by the Planning Director.
30. All parking stalls shall be pinstriped. A minimum of 301 parking spaces shall be provided for the Project as indicated on the project parking plans, as approved by the City Traffic Engineer, Public Works Director, and Planning Director. The Project shall incorporate all recommendations of the Project Shared Parking Analysis and Parking Demand Study dated August 14, 2014, by Walker Parking Consultants, incorporated herein by this reference. The applicant shall participate in the formation

of a parking assessment district or fee for the Agoura Village Specific Plan area, if one is created.

31. The Project shall provide one (1) bicycle rack space for every 25 parking spaces provided on site, with a minimum of twelve (12) bicycle rack spaces. The style and locations of the bike racks shall be subject to approval by the Planning Director.
32. In the event that the plan check process causes substantial changes to the Project design plans as determined by the Planning Director, the Project will be subject to additional review and approval by the Planning Commission
33. Pursuant to Municipal Code Section 9659, prior to the issuance of a Building Permit, the applicant shall submit an arts plan for the buildings that meets the requirements set forth by the City Council, for review and approval by the Planning Director. Prior to the issuance of a certificate of occupancy for the first 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 may be subject to prosecution to the extent permitted by law.
34. The 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 building, fire hydrant location and water availability for the site, and other items as required by the Fire Department prior to issuance of any Grading or Building Permit.
35. The applicant shall comply with each mitigation measure listed in the Final Initial Study/Mitigated Negative Declaration and outlined in the Mitigation Monitoring Program for the Project. The Mitigation Monitoring Program is hereby attached to these Conditions of Approval and incorporated herein.
36. The applicant shall comply with each mitigation measure listed in the Mitigation Monitoring and Reporting Program adopted in conjunction with the Final EIR for the AVSP, incorporated herein by reference. Such mitigation measures include a requirement that the applicant demonstrate a means for disposal of the excess earth materials within 12.5 miles of the project site, prior to grading permit issuance and blasting mitigation.
37. A list of all Project conditions of approval and mitigation measures found in the Initial Study/Mitigated Negative Declaration shall be included, along with a signed copy of the Resolution for Case No. 07-AVDP-002, on the construction plans submitted prior to issuance of a Grading or Building Permit.

38. SCAQMD air quality measures (Rule 403) shall be adhered to and copied onto the cover sheets of the Grading Plans. They include:
- A. **Minimization of Disturbance.** Construction contractors should minimize the area disturbed by clearing, grading, earth moving, or excavation operations to prevent excessive amounts of dust.
 - B. **Soil Treatment.** Construction contractors should treat all graded and excavated material, exposed soil areas, and active portions of the construction site, including unpaved onsite roadways to minimize fugitive dust. Treatment shall include, but not necessarily be limited to, periodic watering, application of environmentally safe soil stabilization materials, and/or roll compaction as appropriate. Watering shall be done as often as necessary, and at least twice daily, preferably in the late morning and after work is done for the day.
 - C. **Soil Stabilization.** Construction contractors should monitor all graded and/or excavated inactive areas of the construction site at least weekly for dust stabilization. Soil stabilization methods, such as water and roll compaction, and environmentally safe dust control materials, shall be applied to portions of the construction site that are inactive for over four days. If no further grading or excavation operations are planned for the area, the area shall be seeded and watered until landscape growth is evident, or periodically treated with environmentally safe dust suppressants, to prevent excessive fugitive dust.
 - D. **No Grading During High Winds.** Construction contractors should stop all clearing, grading, earth moving, and excavation operations during periods of high winds (20 miles per hour or greater, as measured continuously over a one-hour period).
 - E. **Street Sweeping.** Construction contractors should sweep all onsite driveways and adjacent streets and roads at least once per day, preferably at the end of the day, if visible soil material is carried over to adjacent streets and roads.
39. Per Agoura Hills Municipal Code Section 9474.4, the applicant shall pay the Agoura Village Cost Recovery Fee at the rate in effect at the time of Building Permit issuance. The current required fee rate is \$0.5882 per square foot of building area.
40. Prior to the issuance of Building Permits, the applicant shall provide Project Conditions, Covenants and Restrictions (CC&Rs) for review and approval by the City Engineer, Planning Director and City Attorney. The CC&Rs shall be recorded prior to occupancy of the project.
41. Prior to occupancy of the project, the applicant shall obtain the Planning Commission's approval of a sign program for the project. The applicant shall file the sign permit application with the Planning Department.

42. Final detailing for outdoor commercial and residential amenities, including craftsman style furnishings, and retaining walls and fencing shall be subject to review and approval by the Planning Director. The applicant shall provide a final color palate for the buildings to lessen the visual impacts, for review and approval by the Planning Director.
43. The applicant shall obtain a Building Permit for the entire project at one time. Phased development of the project is prohibited.
44. The surface material of the portion of the on-site driveway located southeast of the Building 6 driveway shall be of a pervious material acceptable to the Los Angeles County Fire Department and the City Engineer.
45. The applicant shall comply with all recommendations of the geotechnical reports prepared for the Project incorporated herein by this reference.

BUILDING AND SAFETY DEPARTMENT

46. This project shall be subject to the new adopted 2016 California Codes as adopted by City of Agoura Hills.
47. A soils report will be required for this project at the time of submittal for a grading and building permit.
48. 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 the 2016 California Building Code.
49. All new windows shall be tempered on at least one side of the dual pane, or a 20 minute rated, or glass block per Section 704A.3.2.2 of the 2016 California Building Code.
50. Los Angeles County Health Department review and approval will be required for this project prior to issuance of a building permit
51. Los Angeles County Fire Department review and approval will be required for this project prior to issuance of a building permit.
52. Fire sprinklers will be required for this project per Section 903.2, Article VIII of Agoura Hills Municipal Code.
53. As part of the permitting process and prior to permit issuance, two (2) full sets of construction plans including, structural and energy calculations needs to be submitted to Building and Safety Department for plan review and approval.

54. Prior to issuance of a building permit, the applicant shall identify and show locations of all accessible/adaptable residential units and provide floor plans for those units so it can be reviewed for compliance with State and Federal accessibility regulations.
55. Prior to issuance of a building permit, the applicant shall provide and show location of all accessible parking stall loading aisles and if there is a curb ramp in front of them to access the walking pathway.
56. Prior to issuance of a building permit, the applicant shall identify the location of an accessible path of travel from public right of way to all common areas, shops, restaurants, residential units, sitting/walking areas.

PUBLIC WORKS/ENGINEERING DEPARTMENT

57. Prior to issuance of building permit, applicant shall record Parcel Map No. 70559 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.
58. Prior to final map recordation, the applicant shall vacate varying portions of public right-of-way along Agoura Road and Cornell Road per Tentative Parcel Map No. 70559. Limits of said dedications shall be reviewed and approved by the Director of Public Works.
59. 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, prior to issuance of a grading permit.
60. The applicant shall provide a preliminary title report not older than 30 days.
61. Applicant shall preserve all public utility easements and maintain public access within vacated portions of Agoura Road and Cornell Road.
62. Applicant shall record an easement for public parking purposes and pedestrian access for portions of diagonal parking and sidewalk within property boundaries fronting Agoura Road and Cornell Road.
63. Final Parcel Map No. 70559 shall re-align private road easement for Cleveland Drive within applicant's property. Limits of said easement shall be reviewed and approved by the Director of Public Works.
64. 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.

65. For all work within a 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 Las Virgenes Municipal Water District 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 Public Works/Engineering Department. Forms are available for download from the City's website at www.ci.agoura-hills.ca.us.
66. Prior to the issuance of a grading permit, applicant shall pay all applicable Transportation Impact Fees (TIF) to the Building and Safety Department. The current TIF is \$6.002 per 1,000 square feet of gross floor area.
67. Prior to issuance of a building permit, the applicant shall submit a supplemental traffic study for review and approval by the Director of Public Works/City Engineer. The supplemental analysis shall consider the public improvements outlined in the Agoura Village Specific Plan (AVSP) Final Environmental Impact Report (FEIR) Mitigation Measures, to determine the project's fair share contribution for such public improvements that have yet to be constructed in the AVSP area at the time of building permit issuance. Any mitigation measures covered by the Transportation Impact Fee (TIF) shall be excluded from the calculation of the fair share contribution.
68. 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 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.
69. 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 Public Works/Engineering Department until this detailed utility information is included on the plans.
70. 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 Oak Tree conditions of approval.
71. 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.

72. 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 as part of the plan check submittal.
73. Prior to issuance of permits from the Public Works/Engineering Department, this project will require a permit from the following agencies:
 - Los Angeles County Flood Control District (LACFCD)
 - Las Virgenes Municipal Water District
74. Building Permits shall not be issued until graded building pad(s) have been certified for compaction and elevation to the City's satisfaction. Contact Public Works/Engineering Department @ 818.597.7322 for approved City certification forms.
75. Applicant shall provide written permission from affected property owner prior to 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 prior to issuance of a grading permit.
76. 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.
77. Applicant shall meet all requirements as outlined in the Agoura Village Specific Plan related to public improvements. This shall include, but not limited to, entering into an agreement to participate in the formation of a future parking assessment district or fee.
78. The applicant shall design and construct road improvements along the project fronting Agoura Road, Cornell Road, and 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 all roadway improvements shall be in conformance with the Agoura Village Specific Plan and engineering safety standards; subject to review and approval by the Director of Public Works. In addition, applicant shall pay a fair share toward construction of street improvements at Kanan Road and Roadside Drive.
79. The property owner shall record a covenant for road and sidewalk maintenance for portions of diagonal parking and sidewalk within property boundaries fronting Agoura Road and Cornell Road. Said maintenance shall include, but not limited to, asphalt concrete, curb, gutter, sidewalk, street lights, and all pavement markings.

80. Applicant shall overlay Agoura Road and Cornell 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.
81. A trunk sewer line is available for connection by this project in Agoura Road (Ref. Sewer Plan Dwg #T98). Applicant shall use existing laterals, whenever provided, for connection to the public sewer system.
82. This property is within the LVMWD service area. Applicant shall make arrangements with LVMWD for those services and provide the City with written proof that all LVMWD fees have been paid at the time of building permit issuance.
83. All water facilities shall be designed to comply with all LVMWD requirements. Final plans must be reviewed and approved by LVMWD and City.
84. 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 prior to the issuance of a grading permit. Additional drainage facilities or portions of the site/grading plan may need to be altered as a result of the findings of this study.
85. 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:
 - Sediments generated on the project site shall be retained using adequate Treatment Control or Structural BMPs;
 - 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;
 - Non-storm water runoff from equipment and vehicle washing and any other activity shall be contained at the project site;
 - 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.
86. 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).
87. Applicant shall 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 Public Works/Engineering Department.
88. SWPPP Plan – Applicant shall 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.
89. Said SWPPP shall, among other things, ensure that the following minimum requirements are effectively implemented at all construction sites:
- Sediments generated on the project site shall be retained using adequate Treatment Control or Structural BMPs;
 - 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;
 - Non-storm water runoff from equipment and vehicle washing and any other activity shall be contained at the project site;

- 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.
90. Prior to certificate of occupancy, all remaining fees/ deposits required by the Public Works/Engineering Department shall be paid in full.
 91. 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.
 92. 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.
 93. The applicant shall record a covenant for continued stormwater maintenance, using City-approved forms. An electronic copy of this document is available on the City's website: www.agoura-hills.ca.us.
 94. All monuments shall be set in accordance with the final map, and all centerline ties shall be submitted to the Public Works/Engineering Department. Any monuments damaged as a result of construction shall be reset to the City's satisfaction.
 95. 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.
 96. The applicant shall comply with all the items in the City Geotechnical Consultant's (GeoDynamics, Inc.) review memorandum (September 3, 2015), which is incorporated herein by this reference. Applicant shall obtain geotechnical approval prior to issuance of grading permit.
 97. Prior to occupancy, the applicant shall underground all new and existing electrical distribution lines, telephone, cable television, similar service wires or cables, and any other related appurtenances which are adjacent to and/or provides service to the applicant's property pursuant to Article IX, Chapter 6-Division 3, of the Agoura Hills Municipal Code. The applicant shall be responsible for all plans,

documentation, and fees to Southern California Edison for the construction and inspection associated with the undergrounding.

OAK TREES

98. The tree number, exact trunk location, canopy and protected zone of all oak trees as shown on the landscape plan must be shown on all plans, including the architectural site plan and grading plan.
99. The applicant is permitted to remove the following 29 oak trees in order to complete the approved site development program: Oak Trees 6 through 16, 20, 27, 28, 29, 31, 32, 37 through 41, 43 through 46, 48, 61, and 267.
100. To mitigate the removal of the 29 oak trees listed above, the landscape plan shall include at least 487 inches of caliper 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 116 oak trees within the site, to include the following 116 trees:
 - a. Fifty-eight 36-inch box size trees
 - b. Fifty-eight 24-inch box size trees
101. In addition to the 116 oak trees required for mitigation purposes above, the landscape plan shall include two additional 36-inch box size oak trees to mitigate for the two dead oak trees. The exact species, planting size and planting location shall be subject to review and approval by the City Oak Tree Consultant.
102. The applicant is permitted to remove 21,271 square feet of scrub oak habitat referenced in the project February 28, 2014, Biological Resources Inventory and Impact Analysis by Envicom Corporation.
103. To mitigate the removal of the 21,271 square feet of scrub oak habitat listed above, the landscape plan shall include at least 213 five-gallon scrub oak trees planted at ten feet on center.
104. Should the 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 for the valley oaks and coast live oak trees shall be based upon tree appraisal standards contained in the 9th Edition of the Guide for Plant Appraisal.
105. The amount of the in-lieu fee for scrub oaks shall be based on the cost of the purchase, installation and maintenance for a period of three years of one 24-inch box size coast live oak tree each for every five remaining scrub oaks required to be planted.

106. 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.
107. The planting locations, species and quality of all mitigation oak trees are subject to the approval of the City Oak Tree Consultant.
108. The applicant is permitted to encroach within the protected zone of the following six oak trees in order to complete the approved site development program: Oak Trees 17, 18, 25, 30, 34, and 47.
109. All excavation within the protected zone of Oak Trees Number 17, 18, 25, 30, 34, and 47 shall be performed using only hand tools under the direct observation of the applicant's oak tree consultant.
110. No activities are permitted within the protected zone of the remaining 24 oak trees. They are to be preserved in place with no direct impacts.
111. No activities are permitted within the protected zone of the remaining 40,574 square feet of scrub oak habitat referenced in the project February 28, 2014, Biological Resources Inventory and Impact Analysis by Envicom Corporation. This area is to be preserved in place with no direct impacts.
112. The project shall be subject to periodic inspections by the City of Agoura Hills Landscape and Oak Tree Consultant. The number and timing of the inspections shall be determined by the Director and the City Landscape and Oak Tree Consultant to ensure compliance by the applicant.
113. The applicant shall provide 48-hour notice prior to the start of any approved work within the protected zone of any oak tree.
114. No planting or irrigation is permitted within the protected zone of an existing oak tree without approval from the City of Agoura Hills Landscape and Oak Tree Consultant.
115. Prior to the start of any mobilization or construction activities on the site, oak trees to be retained shall be fenced at the edge of the protected zone 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. The fencing may be temporarily opened to allow the approved work to proceed within the protected zone of the six trees approved for encroachment. All such work shall be performed under the direct observation of the applicant's oak tree consultant unless otherwise allowed by the City Oak Tree Consultant.

116. 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.
117. 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 arborist 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.
118. Prior to issuance of the first certificate of 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.
119. 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 subject oak tree at that time.

LANDSCAPING

120. The landscape plans shall substantially conform to the Landscape Plan prepared by James Dean, ASLA, dated January 15, 2014, as approved by the City of Agoura Hills Planning Commission with the exceptions noted below.
121. Agoura Village is envisioned as an area that fits into the natural landscape by, among other things, planting native landscaping. Native, drought resistant plants shall be utilized extensively adjacent to the natural areas and along the street frontages in order to be more reflective of the Agoura Village Specific Plan. The applicant and his landscape architect shall continue to work with the City Landscape Consultant to ensure this requirement is met.
122. The pedestrian aspect of the project should be very strong, in keeping with the intent of the Agoura Village Specific Plan. Additional landscaping shall be included in the area between the four eastern-most building facades and the angled parking on Agoura Road as wide hardscape areas may appear barren and uninviting to pedestrians and passing motorists. The applicant and his landscape architect shall continue to work with the City Landscape Consultant to ensure this requirement is met.
123. The applicant's landscape architect shall select a street tree from the street tree palette contained in the Agoura Village Specific Plan in lieu of the proposed Aristocrat flowering pear (*Pyrus calleryana* 'Aristocrat') trees. The wide sidewalks

and angled parking on Agoura and Cornell Roads provide the opportunity to utilize a larger tree which will provide more benefits in these areas.

124. Tree wells shall be enlarged to sustain healthy tree growth of the selected street trees. The City Landscape Consultant shall approve the final tree well size.
125. 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.
126. 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
127. Prior to the approval of a grading permit, the applicant shall submit three (3) sets of Final Landscape and Irrigation Plans for review by the City Landscape Consultant and approval by the Planning Director. A California – licensed Landscape Architect shall prepare, stamp and sign the plans. The Plans shall be submitted with a copy of the following approved plans: Architectural Site Plan, Building Elevations and Final Grading Plan. Conditions of Approval shall also be submitted with the Landscape and Irrigation Plans. The Landscape and Irrigation Plan shall meet the requirements of the State Model Water Efficient Landscape Ordinance and Division 8, Chapter 6, Article IX of the Agoura Hills Municipal Code. The landscape and irrigation plans shall also meet 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, rock outcroppings
- h. The Planting Plans shall indicate the botanical name, the plant container sizes and spacing. The minimum size of trees shall be 24" box size. The minimum size of shrubs shall be five (5) gallon except shrubs planted as groundcovers and/or as accent planting, which may be one (1) gallon size. Plant symbols shall depict 75 percent of the size of the plant at maturity. Palm trees are not permitted in the City of Agoura Hills. All plant material shall be compatible with Sunset's Climate Zone 18.
- i. 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.
 - iv. The project Landscape Architect shall inspect and certify in writing that the landscape installation is in conformance with the approved Landscape Plans".
 - v. Identification of the total square footage of the landscape area within the project.
- j. The Irrigation Plan shall be provided separate from but utilizing the same format as the Planting Plan.
- k. 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.
- l. The Final Irrigation Plans shall include calculations that demonstrate the irrigation design hydraulically works given the static and working design pressure of the system. The Irrigation Plan shall be provided separate from, but utilizing the same format as, the Planting Plans. 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
128. All landscaping shall be irrigated and maintained in perpetuity in a healthy state in accordance with the approved Landscape Plan. Plants that die and plants that are damaged shall be immediately replaced with originally specified material.
 129. 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.
 130. 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.
 131. 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, or that can threaten the local wildland ecosystems. These plants are listed in the California Invasive Plant Inventory published by the California Invasive Plant Council.
 132. The landscape plan shall include one 24- inch box size oak tree per 15,000 gross square feet of building area. According to the plans provided, eight such trees will be required. This requirement is in addition to any mitigation required for removal of existing oak trees.
 133. All finger planters shall be at least eight feet wide and a minimum of one tree for every four parking stalls shall be provided.
 134. Planters shall have a minimum width of four feet, including curbs.
 135. No other usage or storage shall be permitted within any required yard, including transformers and trash enclosures.
 136. Any unsightly uses, including trash enclosure and transformers shall be screened with berms, decorative walls or landscaping.
 137. 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.
 138. At the time of the Final Landscape Plans submittal, the project Landscape Architect shall provide the City with written confirmation that the Landscape Plan is not in conflict with any requirements of the National Pollutant Discharge Elimination System (NPDES) or Low Impact Development Standards (LID) as shown on the Civil Engineers Drawings.

139. Planting Plans shall indicate the botanical name, the plant container sizes and spacing. Except as approved for oak tree mitigation, the minimum size of trees shall be 24" box size. The minimum size of shrubs shall be five (5) gallon except shrubs planted as groundcovers and/or as accent planting, which may be one (1) gallon size. Plant symbols shall depict 75 percent of the size of the plant at maturity. Palm trees are not permitted in the City of Agoura Hills. All plant material shall be compatible with Sunset's Climate Zone 18.
140. With the Final Landscape Plans, three (3) copies of planting and irrigation details and specifications shall be provided, addressing but not limited to, planting, soil preparation, tree staking, guying, instillation details and post installation maintenance.
141. Landscaping and irrigation installation shall be subject to inspection and approval by the Planning Department prior to final Building Permit inspection.

SOLID WASTE MANAGEMENT

142. 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 Planning Department 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.
143. The Project shall comply with the City's Waste Reduction & Recycling 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 to and approved prior to issuance of a certificate of occupancy, or final inspection if issuance of a certificate of occupancy is not applicable.
144. 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.

SPECIAL CONDITION

145. The applicant shall work with staff to provide enhanced pedestrian circulation for the project.

END

ATTACHMENT 4

(Resolution for Approval
Of Tentative Parcel Map
And Conditions of Approval)

RESOLUTION NO. 17-1839

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, APPROVING TENTATIVE PARCEL MAP NO. 70559 FOR THE CORNERSTONE MIXED-USE PROJECT LOCATED AT THE SOUTHEAST CORNER OF AGOURA ROAD AND CORNELL ROAD

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

Section 1. An application was duly filed by Doron Gelfand with respect to the real property located at the southeast corner of Agoura Road/Cornell Road (Assessor Parcel Nos. 2061-029-(008-017); 2061-029-029; and 2061-030-(001-013), requesting approval of Tentative Parcel Map No. 70559 to subdivide the property into two parcels, as part of the Cornerstone Mixed-Use Project (including an Agoura Village Development Permit (Case No. 07-AVDP-002, with consideration of an Oak Tree Permit and Conditional Use Permit) and Initial Study/Mitigated Negative Declaration, collectively the "Project").

Section 2. The Project was processed including, but not limited to a public notice, in the time and manner prescribed by State and local law, including the California Environmental Quality Act.

Section 3. An Initial Study/Mitigated Negative Declaration ("IS/MND") and Mitigation Monitoring and Reporting Program, were prepared for the Project in accordance with the California Environmental Quality Act and the California Environmental Quality Act Guidelines ("CEQA"). Thereafter, a Notice of Availability/Notice of Intent (NOA/NOI) to adopt the IS/MND was circulated for a public review from July 8, 2016 to August 8, 2016, 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 and Event 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.

Section 4. The Planning Commission of the City of Agoura Hills considered the applications for the Project including the Tentative Parcel Map, at a duly noticed public hearing held on January 5, 2017, at 6:30 p.m., at which time the city staff and interested persons had an opportunity to, and did testify either in support of or in opposition to this matter, 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 and published as required by state law.

Section 5. 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 6. Following consideration of the entire record of information received at the public hearing, the Planning Commission adopted Resolution No. 17-1178, adopting the Initial Study and Negative Declaration and a Mitigation Monitoring and Reporting Program for the Project.

Section 7. Following consideration of the entire record of information received at the public hearings and due consideration of the proposed Project, the Planning Commission adopted Resolution No. 17-1180, A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF AGOURA HILLS, CALIFORNIA, APPROVING TENTATIVE PARCEL MAP NO. 70559 FOR THE CORNERSTONE MIZED USE PROJECT LOCATED AT THE SOUTHEAST CORNER OF AGOURA ROAD AND CORNELL ROAD.

Section 8. On January 19, 2017, Snowy Dodson, of the Los Angeles/Santa Monica Mountains Chapter of the California Native Plant Society, appealed the Planning Commission approval of the Tentative Parcel Map, for the City Council's de novo review of the Project.

Section 9. The City Council of the City of Agoura Hills considered the application for the Tentative Parcel Map at a public hearing held on March 8, 2017, at 6:00 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 and published as required by state law.

Section 10. Evidence, both written and oral, including the staff report and supporting documentation, was presented to and considered by the City Council at the aforesaid public hearing.

Section 11. In accordance with the California Environmental Quality Act (CEQA), the City provided public notice of the intent to adopt an Initial Study/Mitigated Negative Declaration (IS/MND) and a Mitigation Monitoring and Reporting Program (MMRP) for this Project. On March 8, 2017, the City Council held a duly noticed public hearing, at which time all interested persons had an opportunity to and did testify either in support or in opposition to this matter. The City Council considered all the testimony and any comments received regarding the Project and the IS/MND and Mitigation Monitoring and Reporting Program, prior to and at the public hearing.

Section 12. Upon the close of the public hearing, the City Council approved Resolution No. 17-1837, adopting the IS/MND, making environmental findings pursuant to CEQA, and adopting the MMRP for the Project. Resolution No. 17-1837 and the findings therein are hereby incorporated by this reference as though set forth in full.

Section 13. All legal preconditions to the adoption of this resolution have occurred.

Section 14. Tentative Parcel Map. Based upon the evidence presented at the hearing, including the staff report and oral and written testimony, the City Council finds, pursuant to Section 10414 of the Agoura Hills Municipal Code, that:

- A. The proposed map is consistent with the General Plan of the City of Agoura Hills and the AVSP. The Tentative Parcel Map is consistent with the City's General Plan Goal LU-2, Policy LU-2.3, Goal LU-26, Policies LU-26.1, LU-26.2, LU-26.3 and LU-26.4 in that the proposed project, which includes proposed commercial/retail, office, and multi-family residential uses, provides a mix of land uses that meet the diverse needs of Agoura Hills' residents offers a variety of employment opportunities, and allows for the capture of regional population and employment growth. The project also contributes to the transformation AVSP area into a pedestrian-oriented village by include a mix of retail shops, restaurants and housing that will serve as destination for residents and visitors to Agoura Hills. In addition to providing a range of uses, the project contributes to creating a walkable, vibrant pedestrian-oriented district through locating buildings along the two street frontages, within parking located to the rear and in structures, with building heights transitioning to adjoining districts and open spaces. The project also incorporates the development of vertical mixed-use buildings along primary street frontages, as called for in General Plan Policy LU-26.2. Furthermore, the project includes shared parking facilities, a unified streetscape, pedestrian connectivity internally and with adjoining land uses. The development will be managed in accordance with the land use and development standards, design guidelines, public improvements and public infrastructure and service plans, and implementation processes specified by the Agoura Village Specific Plan.
- B. The site is physically suitable for the proposed density of the development in that it meets all required development and design standards of the Zoning Ordinance and Agoura Hills Specific Plan, and there are no physical features of the site that would render the site undevelopable as a multi-family and commercial mixed-use project. The site allows for proper access to the project; adequate site design and building arrangement; safe vehicular and pedestrian circulation; and sufficient landscaping to create an attractive and efficient mixed-use project.
- C. The design of the development is not likely to cause substantial environmental damage or to substantially fish or wildlife or their habitat because an IS/MND was prepared for the project that assessed potential impacts to biological resources and mitigation measures were incorporated in the document, and therefore the Project, to reduce environmental impacts to a less than significant level.
- D. The design of the development is not likely to cause serious public health problems. On-site improvements, such as circulation, storm water, sewer services, and fire access will be required upon development of the site, and the improvements will be designed per City and other applicable standards and requirements.

E. The design of the development will not conflict with easements, acquired by the public at large, for access through or use of the property within the proposed development. Vehicular access to the site will be provided.

Section 15. Based on the aforementioned findings, the City Council hereby approves Tentative Parcel Map No. 70559, subject to conditions attached as Exhibit A, and incorporated herein by this reference, with respect to the property described in Section 1 hereof.

Section 16. The City Clerk shall certify to the passage, approval, and adoption of this resolution.

PASSED, APPROVED, AND ADOPTED this 8th day of March, 2017, by the following vote to wit:

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

Denis Weber, Mayor

ATTEST:

Kimberly M. Rodrigues, MMC, City Clerk

EXHIBIT A
CONDITIONS OF APPROVAL
(TENTATIVE PARCEL MAP NO. 70559)

Exhibit A
CONDITIONS OF APPROVAL
TENTATIVE PARCEL MAP NO. 70559

PLANNING DEPARTMENT

1. The approval of this action 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 action with the Planning Department.
2. Except as modified herein, the approval of this action is limited to and requires the complete conformation to the approved Tentative Parcel Map reviewed and approved by the City Council on March 8, 2017.
3. It is hereby declared to be the intent that if any provision of this action is held or declared invalid, the approval shall be void and the privileges granted hereunder shall lapse.
4. It is further declared and made a condition of this action that if any condition herein is violated, the approval 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.
5. The approval of Tentative Parcel Map No. 70559 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.
6. All requirements of the City Zoning Ordinance and City Subdivision Ordinance must be met unless set forth in the approval or on the approved Tentative Parcel Map.
7. 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.
8. 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.

9. The area identified as Lot 2 of Tentative Parcel Map 70559 shall be preserved as open space. Prior to the issuance of a grading permit, the applicant shall record a development deed restriction for the prohibition of future development, except development related to public improvements required by these conditions of approval, on the area identified as Lot 2. The deed restriction shall be subject to review and approval by the City Engineer, Planning Director and City Attorney prior to recording.

PUBLIC WORKS/ENGINEERING DEPARTMENT

10. Prior to issuance of building permit, applicant shall record Parcel Map No. 70559 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.
11. Prior to final map recordation, the applicant shall vacate varying portions of public right-of-way along Agoura Road and Cornell Road per Tentative Parcel Map No. 70559. Limits of said dedications shall be reviewed and approved by the Director of Public Works.
12. 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.
13. The applicant shall provide a preliminary title report not older than 30 days at the time of plan check.
14. 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.
15. All monuments shall be set in accordance with the final map, and all centerline ties shall be submitted to the Public Works Department. Any monuments damaged as a result of construction, shall be reset to the City's satisfaction.
16. Upon receiving the Title Report, if conflicts/issues arise regarding recorded documents over property, the applicant shall take all measures necessary, as directed by the 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.
17. Applicant shall preserve all public utility easements and maintain public access within vacated portions of Agoura Road and Cornell Road.
18. Applicant shall record an easement for public parking purposes and pedestrian access for portions of diagonal parking and sidewalk within property boundaries fronting Agoura Road and Cornell Road.

19. Final Parcel Map No. 70559 shall re-align private road easement for Cleveland Drive within applicant's property. Limits of said easement shall be reviewed and approved by the Director of Public Works.
20. Prior to permitting, the applicant shall design full public improvements in accordance with City Code, City standards and specifications, approved specific plan, and/or approved Conditions of Approval for the area.
21. Applicant shall meet all requirements as outlined in the Agoura Village Specific Plan related to public improvements. This shall include, but not limited to, entering into an agreement to participate in the formation of a future parking assessment district or fee.
22. The applicant shall design and construct road improvements along the project fronting Agoura Road, Cornell Road, and 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 all roadway improvements shall be in conformance with the Agoura Village Specific Plan and engineering safety standards; subject to review and approval by the Director of Public Works. In addition, applicant shall pay a fair share toward construction of street improvements at Kanan Road and Roadside Drive.
23. The property owner shall record a covenant for road and sidewalk maintenance for portions of diagonal parking and sidewalk within property boundaries fronting Agoura Road and Cornell Road. Said maintenance shall include, but not limited to, asphalt concrete, curb, gutter, sidewalk, street lights, and all pavement markings.
24. The applicant shall overlay Agoura Road and Cornell Road with concrete asphalt for all new project related service cuts in the roadway. The extend of the repairs shall be at the discretion of the Director of Public Works.
25. Prior to occupancy, the applicant shall underground all new and existing electrical distribution lines, telephone, cable television, similar service wires or cables, and any other related appurtenances which are adjacent to and/or provides service to the applicant's property pursuant to Article IX, Chapter 6-Division 3, of the Agoura Hills Municipal Code. The applicant shall be responsible for all plans, documentation, and fees to Southern California Edison for the construction and inspection associated with the undergrounding.
26. 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:

- Sediments generated on the project site shall be retained using adequate Treatment Control or Structural BMPs;
 - 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;
 - Non-storm water runoff from equipment and vehicle washing and any other activity shall be contained at the project site;
 - 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.
27. 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).
28. Applicant shall 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 Public Works/Engineering Department.
29. SWPPP Plan – Applicant shall 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.

30. Said SWPPP shall, among other things, ensure that the following minimum requirements are effectively implemented at all construction sites:
- Sediments generated on the project site shall be retained using adequate Treatment Control or Structural BMPs;
 - 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;
 - Non-storm water runoff from equipment and vehicle washing and any other activity shall be contained at the project site;
 - 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.

END

ATTACHMENT 5

(Planning Commission Staff Report
January 5, 2017)



PLANNING DEPARTMENT

ACTION DATE: January 5, 2017

TO: Planning Commission

APPLICANT: Doron Gelfand
Agoura and Cornell Roads, LP
6200 Corbin Avenue
Tarzana, CA 91356

CASE NOS.: 07-AVDP-002 and TPM 70559

LOCATION: Southeast corner of Agoura Road/Cornell Road
(APNs: 2061-029-(008-017); 2061-029-029; and 2061-030-
(001-013))

REQUEST: Request for the Planning Commission to approve an Agoura Village Development Permit and a Tentative Parcel Map to construct a mixed-use commercial and multi-family residential project consisting of 35 residential apartment units comprising 47,858 square feet, and retail, restaurant and office space comprising 68,918 square feet, including a Conditional Use Permit for hillside development; a Tentative Parcel Map to subdivide the property into two parcels; and an Oak Tree Permit to remove twenty-nine (29) oak trees and 21,271 square feet of scrub oak habitat, and to encroach within the protected zone of six (6) oak trees, as part of the Cornerstone Mixed-Use Project; and to adopt an Initial Study/Mitigated Negative Declaration and Mitigation Monitoring Program pursuant to the California Environmental Quality Act.

ENVIRONMENTAL DETERMINATION: Initial Study/Mitigated Negative Declaration, pursuant to the California Environmental Quality Act (CEQA) and the CEQA Guidelines

RECOMMENDATION: Staff recommends the Planning Commission approve Agoura Village Development Permit Case No. 07-AVDP-002 and Tentative Parcel Map No. 70559, subject to conditions and based on the findings of the attached Draft Resolutions. Staff also recommends the Planning Commission adopt the

project's Initial Study/Mitigated Negative Declaration and Mitigation Monitoring Program.

ZONING DESIGNATION: Planned Development (PD - Agoura Village Specific Plan) and Open Space-Restricted (OS-R)

GENERAL PLAN DESIGNATION: Planned Development (PD - Agoura Village Specific Plan) and Open Space-Restricted (OS-R)

I. PROJECT BACKGROUND AND DESCRIPTION

A. Agoura Village Specific Plan

The proposed Cornerstone mixed-use project (the "project") is within the Agoura Village Specific Plan (AVSP) area. The AVSP, which was adopted by the City Council in 2008 after the City conducted several workshops and public meetings with community stakeholders, the Planning Commission and City Council, is the result of a long range planning effort intended to revitalize, appropriately use, and beautify of the Agoura Village area. The purpose of the AVSP is to clearly identify the vision for the planning area, articulate economic goals, and provide regulations and guidelines for new development and redevelopment, traffic, regulatory, and physical uses. The AVSP allows for more flexibility than what is presently allowed by underlying City zoning regulations and requires more unique developments than those anticipated under existing rules and procedures. It establishes appropriate land uses, urban design concepts, architectural guidelines, and sets into place regulations to implement the "vision" contemplated for the AVSP area.

The vision for Agoura Village, as stated in the AVSP, is as follows:

"Creating a welcoming pedestrian friendly atmosphere that captures the character of Agoura Hills. The Village will become a destination and not just a pass through area for highway users and visitors to the area. It will be shaped into an identifiable and inviting place with an intimate streetscape lined with unique storefronts and will become a comfortable place to gather, shop and stroll. To achieve this vision, the Village area will begin a transition from its current state toward a unique balance of land uses over time, including a mix of pedestrian activities along Agoura Road. This will improve the area for both visitors and residents, creating a unique destination in the City of Agoura Hills. In the Plan, there will need to be a balance of new residential units to provide support for the new retail development and Agoura Road will undergo a transformation to foster new development within the area."

The proposed mixed-use project represents extensive planning efforts intended to begin this development transformation of the Agoura Village vision. This report includes an analysis of the how the project meets the intent of the AVSP.

B. Project Description

The applicant, Doron Gelfand of Agoura and Cornell Roads, LP, is requesting approval of an Agoura Village Development Permit (AVDP) and Tentative Parcel Map to construct a mixed-use commercial and multi-family residential project consisting of 35 residential apartment units comprising 47,858 square feet; and retail, restaurant and office space comprising 68,918 square feet; including a Conditional Use Permit for hillside development; a Tentative Parcel Map (No. 70559) to subdivide the property into two parcels; and an Oak Tree Permit to remove 29 oak trees, encroach within the protected zone of 6 oak trees, and remove 21,271 square feet of scrub oak habitat, as part of the Comerstone Mixed-Use Project. The 8.2-acre hillside site is located on 24 parcels at the southeast corner of Agoura Road and Cornell Road, in the Planned Development (PD) (Agoura Village Specific Plan) and Open Space-Restricted (OS-R) zoning districts. Vacant public open space land is located to the southwest of the site. Vacant, private open-space land is located south and southeast of the site. Commercial retail centers are located to the west (Agoura Village Center), northwest (Regency Center), and north (Whizin Market Square) of the project site, with Cornell Road and Agoura Road also located adjacent to and abutting the project site to the west and north respectively. A single-family residence is located northeast of the project site.

The applicant is proposing to subdivide the property into two parcels. Lot 1 would include the area in Subarea E of the AVSP and would be approximately 6.23 acres in size. Lot 1 also includes two existing parcels of approximately 1.16 acres in size (not proposed for development) that are in the OS-R zoning district and Significant Ecological Area. Lot 2 would include the area in Zone G of the AVSP, and the south end of the property, and would be approximately 1.98 acres in size. All development would occur in on Lot 1. Lot 2 would be reserved for open space in accordance with the AVSP. If the Planning Commission approves the Tentative Parcel Map, the applicant would then prepare a Final Map to be considered by the City Council.

The project includes seven (7) buildings comprising 35 residential apartment units totaling 47,858 square feet and 68,918 square feet of commercial (retail, restaurant and office) space. As shown on the project site plan, Buildings 1 and 2 would be located along Cornell Road. Building 3 would be located on Agoura Road. Buildings 4-A, 4-B, 5 and 6 would be located upslope, behind the three buildings fronting Cornell and Agoura Roads. The 7 buildings consist of the following components:

Building 1:

Height: 3 stories - 45 feet max.
1st floor: 7,485 sq. ft. - retail/restaurant
2nd floor: 6,103 sq. ft. - office/retail
3rd floor: 5,905 sq. ft. - 4 loft apartment units
Total size: 19,493 sq. ft.

Building 2:

Height: 3 stories - 45 feet max.
1st floor: 5,379 sq. ft. - retail/restaurant
2nd floor: 4,148 sq. ft. - office/retail
3rd floor: 4,369 sq. ft. - 4 loft apartment units
Total size: 13,896 sq. ft.

Building 3:

Height: 3 stories - 45 feet max.
1st floor: 10,733 sq. ft. - retail/restaurant
2nd floor: 10,572 sq. ft. - office
3rd floor: 8,944 sq. ft. - 7 loft apartment units
Total size: 30,249 sq. ft.

Building 4-A:

Height: 2 stories - 35 feet max. above a partial subterranean parking garage
1st floor: 9,503 sq. ft. - office
2nd floor: 9,172 sq. ft. - 8 two-bedroom apartment units
Total size: 18,675 sq. ft.

Building 4-B

Height: 2 stories - 35 feet max. above a subterranean parking garage
1st floor: 7,538 sq. ft. - office
2nd floor: 7,447 sq. ft. - office
Total size: 14,985 sq. ft.

Building 5

Height: 2 stories - 35 feet max. above a subterranean parking garage
1st floor: 4,345 sq. ft. – 3 two-bedroom apartment units
2nd floor: 5,108 sq. ft. – 3 two-bedroom apartment units
Addition: 556 sq. ft.
Total size: 10,015 sq. ft.

Building 6

Height: 2 stories - 35 feet max. above a subterranean parking garage
1st floor: 4,353 sq. ft. – 3 two-bedroom apartment units
2nd floor: 5,106 sq. ft. – 3 two-bedroom apartment units
Total size: 9,459 sq. ft.

The proposed mixed-use project is allowed on this site, in compliance with the AVSP. The 116,776 square feet of development covers 22 percent of the lot (Lot 1). Landscaping and open space areas comprise 46 percent of Lot 1, and hardscape (paving, driveways, sidewalks and plazas) comprise 32 percent of Lot 1. Although a Floor Area Ratio (FAR) of up to 0.35 of the lot is allowed by the AVSP for the commercial components of the project, the proposed project includes a commercial FAR of 0.25, within the requirements of the AVSP. Also, the proposed 68,918 square feet of retail, restaurant and office space is within the 112,000 square-foot limitation for development within Subarea E of the AVSP. The largest proposed building, Building 3, is 30,249 square feet in size. The AVSP calls for buildings not to exceed 30,000 square feet in size so as to promote buildings in a scale appropriate for the Village. However, as part of the Planning Commission's review of an AVDP application, and with the recommendation of the Planning Director, the Planning Commission may allow buildings to exceed the 30,000 square foot threshold, so long as the total size of the building does not exceed 60,000 square feet (ref. AVSP page 4-42). In this instance, Building 3 exceeds the 30,000 square foot threshold by 249 square feet, or 0.008 percent, and staff does not find the additional 249 square feet to negatively impact the scale of the building. Rather, the scale of the building is in keeping with the intent of the AVSP.

The proposed residential density of 35 multi-family units is also within the AVSP allowance. A maximum of 15 units may be located over street-fronting retail uses. A maximum of 20 attached, non-street fronting units are also allowed. The project meets this density allowance by providing for 15 apartment units dispersed on the third floors of Buildings 1, 2 and 3, adjacent to Cornell and Agoura Roads. Twenty (20) apartment units are dispersed in Building 4-A (on the second floor), and in the two floors of Buildings 5 and 6.

While the project does not exceed the 35-unit threshold, it would effectively prevent further residential development in Subarea E absent an amendment to the AVSP to increase the permitted number of residential units. This is an issue because Subarea E includes additional non-developed parcels to the east of the project site. Thus, if this project is approved, future mixed-use developments within Subarea E would require a specific plan amendment for additional housing allowances. However, staff finds the project's proposed 35-unit density to be justified because it is the first new development project in the AVSP area and the AVSP calls for "a balance of new residential units to provide support for the new retail development." The proposed residential units would also provide support for existing businesses in the vicinity of the project site. Even if this project included fewer than 35 residential units, staff believes that a future development project in Subarea E would nevertheless seek to increase the density in the AVSP based on staff's review of other concept development projects for other parcels in Subarea E.

The project includes roadway improvements to the sections of Agoura Road and Cornell Road adjacent to the site. Cornell Road would be improved to accommodate new sidewalks, curb and gutter, and the addition of on-street parking spaces along the east and west sides of the roadway. Agoura Road would be improved to include a new sidewalk, curb, and gutter improvements, on-street bike lanes, and angled parking spaces on the south side of the street.

On-site vehicular access would be provided by one driveway on Agoura Road, located east of the Agoura Road/Cornell Road intersection. Required parking spaces would be dispersed on the street, and on-site in surface parking areas and subterranean garages.

Construction is expected to occur over 24 to 28 months and include six (6) months of grading and 18-22 months of building construction. The applicant has not informed staff when construction would commence.

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

	PROPOSED	REQUIRED
LOT AREA		
Lot 1	6.23 acres	N/A
Lot 2	1.98 acres	N/A
Total	8.21 acres	N/A
BUILDING SIZES		
Building 1	19,493 sq. ft.	30,000 sq. ft. max
Building 2	13,896 sq. ft.	30,000 sq. ft. max
Building 3	30,249 sq. ft.	30,000 sq. ft. max
Building 4-A	18,675 sq. ft.	30,000 sq. ft. max
Building 4-B	14,985 sq. ft.	30,000 sq. ft. max
Building 5	9,453 sq. ft.	30,000 sq. ft. max
Building 6	10,015 sq. ft.	30,000 sq. ft. max
TOTAL	116,776 sq. ft.	N/A
BUILDING HEIGHTS		
Building 1	3 stories - 45 feet max.	3 stories - 45 feet max.
Building 2	3 stories - 45 feet max.	3 stories - 45 feet max.
Building 3	3 stories - 45 feet max.	3 stories - 45 feet max.
Building 4-A	2 stories - 35 feet max.	2 stories - 35 feet max.
Building 4-B	2 stories - 35 feet max.	2 stories - 35 feet max.
Building 5	2 stories - 35 feet max.	2 stories - 35 feet max.
Building 6	2 stories - 35 feet max.	2 stories - 35 feet max.
BLDG. SITE COVERAGE	22% of Lot 1	60% max.
BUILDING FAR	25% commercial	35% max. for comm.
LANDSCAPE & O.S. COVERAGE	46%	15% landscape coverage min.
PARKING	301 spaces	299 spaces min.

II. STAFF ANALYSIS

A. Site Plan

The site is on a hillside with steep slopes and elevations ranging from 800 to 1,050 feet above sea level. The vacant site is mostly covered with grasses and has scattered oak trees. An unimproved private road (Cleveland Drive) traverses the site and curves from the west to the south and then to the north and northeast. The site is irregular in shape and ascends from both Agoura Road and Cornell Road. The proposed site plan allows for vertical and horizontal mixed-use development, as allowed in the AVSP.

As noted above and shown on the project site plan, Buildings 1 and 2 would be located along Cornell Road. Building 3 would be located on Agoura Road. Buildings 4-A, 4-B, 5 and 6 would be located upslope, behind the three buildings fronting Cornell and Agoura Roads. On-site vehicular access would be provided by one driveway on Agoura Road, located east of the Agoura Road/Cornell Road intersection. Required parking spaces would be dispersed on the street, and on-site in surface parking areas and subterranean garages located under Buildings 4-A, 4-B, 5 and 6. The project includes roadway improvements to the sections of Agoura Road and Cornell Road adjacent to the site. As proposed, Cornell Road would be improved to accommodate new sidewalks, curb and gutter, and the addition of on-street parking spaces along the east and west sides of the roadway. Agoura Road would be improved to include a new sidewalk, curb, and gutter improvements, on-street bike lanes, and angled parking spaces on the south side of the street. The final design of all roadway improvements are required through conditions of project approval to be in conformance with the Agoura Village Specific Plan and engineering standards, subject to review and approval by the Director of Public Works.

The project includes textured paving on the street sidewalks, the driveway entrance, and on pedestrian paths within the site. The proposed building site coverage is proposed to be 22 percent. Landscaping and open space areas comprise 46 percent of the lot, and hardscape (paving, driveways, sidewalks and plazas comprise 32% of the lot). On-site amenities include an outdoor plaza "look-out" area between Buildings 2 and 3 at the top of the stair access, with amenities including a fountain, benches and decorative paving, and situated above the featured oak trees. A trellis covered "look-out" area is also proposed on the parking lot level between Buildings 1 and 2, and between large oak tree planters. Outdoor seating areas are provided on the west sides of residential Buildings 5 and 6, and include landscaping, patio paving, seating areas and a barbecue. The final designs of all outdoor amenity areas would be subject to final approval by the Planning Director. Also, there is ample landscaping within the project site and several oak trees are being preserved as focal points of the project.

For the three buildings located along the street frontage, the AVSP calls for setbacks of 5-15 feet from the right-of-way line, with consideration of a sidewalk between the right-of-way line and the street parking. In this instance, the site plan includes varying building footprints and setbacks from the new proposed right-of-way line to be located behind proposed diagonal street parking spaces. The required 5-15 - foot setback between the buildings and future right-of-way lines will be met and sidewalks and ample, decorative sidewalks of 10-35 feet in width are provided in front of the three buildings fronting Agoura and Cornell Roads. The AVSP encourages enlarged sidewalks so people feel safe and comfortable walking. The sidewalks and diagonal street parking spaces are to be within the private property.

As noted above, the street right-of-way lines will shift to behind the diagonal parking spaces along Agoura and Cornell Roads. Building 1 provides for setback distances of 8'1"-24' from the *existing* Cornell Road right-of-way line, with a distance of 10'4" at the midpoint of the building. The larger setback area is situated at the south end of the building and will accommodate for a stairway leading from the street to the upper floor areas, street furnishings, landscaping and a back-flow preventer. Thus, this additional space is in keeping with the AVSP.

Building 2 has a street frontage setback distance ranging from 5'-22'8" from the *existing* Cornell Road right-of-way line, with a distance of 8'2" at the midpoint of the building. The larger setback area is situated at the north end of the building and is intended to accommodate outdoor dining, in keeping with the AVSP. Building 3 has street frontage setback distance ranging from 9'6" to 16' from the *existing* Agoura Road right-of-way line, with the distance of 14'10" at the midpoint of the building. Similar to the setback areas proposed for Building 2, outdoor dining areas are proposed in front of Building 3, in keeping with the AVSP.

Building setback distances from the east property line include: Building 2: 66'10"; Building 4-A: 60'; Building 4-B: 26'6"-35'5"; Building 5: 160'; and Building 6: 260'. Building setbacks from the south property line of Lot 1 include: Building 1: 39'; Building 5: 39'; and Building 4-B: 220'. Building setbacks from the *existing* west property line include: Building 5: 132'; and Building 6: 87'.

The site plan conforms to the AVSP guidelines (noted in italics) in the following areas:

- *Pedestrian paths are provided to link individual buildings and neighboring properties.* Pedestrians could access the interior portions of the site from both Cornell and Agoura Roads, via stair cases located on the south side of Building 1; between Buildings 2 and 3, near the street intersection; and on the east side of Building 3. Pedestrian paths are provided along the perimeter of the interior parking, and pedestrians would have access to adjacent properties to the south

and southeast of the site via the on-site driveway that extends to the southeast corner of the site.

- *Easily identifiable pedestrian access from the street to key areas within the site are provided.* The most prominent and key pedestrian access point is located adjacent to the Agoura/Cornell Road intersection. Two staircases are situated around existing oak trees and serve as a key focal point of the project.
- *Significant buildings with prominent architectural features located near corners and intersections are provided.* Two of the three street-facing buildings are situated adjacent to the street intersection, with two staircases situated around existing oak trees and a plaza area above, serving as a key focal point of the project.
- *Buildings are sited close to and oriented toward the street.* With the exception of the prominent landscape entry feature adjacent to the street intersection, as well as between Buildings 1 and 2, three buildings occupy the remaining street frontage of the project site.
- *Small plazas are provided.* Plaza look-out areas are provided on the upper, parking level of the project site, between Buildings 1 and 2, and Building 2 and 3. Wide sidewalks along both street frontages also would serve as small plazas, allowing for outdoor dining.
- *Focal points are provided.* In addition to the plaza areas noted above, the prominent circular landscape pedestrian staircase/entry-feature near adjacent to the street intersection serves as prominent focal point of the project. New structures are clustered.
- *The site layout takes advantage of the natural terrain.* Three of the seven buildings (representing 54% of the total building area) are situated at the base of the property, along the street frontage. The interior portion of the site is to be graded to allow for on-site access and subterranean parking garages below the other four buildings. Although the seven buildings are 35-45 feet in height, the finished elevations at the tops of each building will be approximately 15 feet above the existing grades. Also, the buildings are clustered for access purposes, but are also dispersed on-site for conformity with the existing topography.

All commercial projects are required to provide an art piece, that is commensurate with a percentage (1.25 percent) of the building valuation as calculated per the International Conference of Building Officials (ICBO). The art piece should be placed in public view for the benefit of the public. It is anticipated that the art piece(s) would be placed in plaza areas located between Buildings 1, 2 and 3. The applicant will work with the City Cultural Arts

Council to commission a local artist to develop a piece for the project if and when the project is approved, and prior to building permit issuance.

B. Architectural and AVSP Design Principles

The AVSP notes that “a cornerstone of the AVSP is achieving diversity and character through a mixed-use Village environment. Mixed land uses are critical to achieving great places in which people can, live, work and play. A mixing of uses helps to add variety and vitality to commercial centers, neighborhoods and streets. It also makes a place more attractive and interesting, contributing to a balance of different types of activities and creates a place that does not become deserted after work hours. Both vertical and horizontal mix of uses will help achieve the vision for a dynamic center. A horizontally mixed-use project will incorporate stand-alone residential uses next to stand-alone commercial, office and entertainment uses, while a vertical mix of uses will contain residential and/or office located above retail or commercial within the same building.” This project incorporates both types of mixed-use (vertical and horizontal) in its design.

The project was reviewed by the Architectural Review Panel and Agoura Village Policy Committee. Based on the feedback received, and review of the AVSP requirements, staff finds the project includes the following “urban design” principles that are included in the AVSP to help define the vision for a mixed-use pedestrian village:

- Provide a design that reflects the unique character of Agoura Hills and quality of life – not to replicate similar pedestrian-oriented centers in the region.
- Develop Agoura Road as a “Main Street” for the area. Buildings located adjacent to Agoura Road should be oriented towards the street.
- Site storefronts close to the street to better define the street edge. A continuous storefront experience and attractive walkways will maximize the quality of the pedestrian experience.
- Allow for outdoor dining in front setbacks.
- Provide uses that enhance/attract pedestrian activity.
- Provide for community-serving retail and related uses.
- Add detailing and architectural features on building facades, such as awnings or trellises, to create a human scale and pedestrian-friendly environment.
- Provide recessed entries and covered walkways.
- Promote a diverse mix of uses that maintains activity throughout the entire week, not just weekend nights.
- Terrace buildings located along the hillsides to complement the natural terrain.
- Multi-form roof combinations are encouraged to create an interesting and varying roof form that will lessen the mass of the buildings and add visual appeal.
- Roof lines should be varied in height.

- Focus a greater amount of residential development in the core of the Village than in the peripheral areas to support a mixed-use village environment.
- Provide housing above ground level commercial uses.
- Provide stand-alone residential use with the intent of supporting the primary commercial and retail uses.

Each of these design features has been included in the project plan. The project includes variation in architectural materials, including variegated stone veneer; multi-colored colored stucco colors of tan, brown, rust, aqua blue, off-white color tones; awning colors of gold, tan, rust, red, and blue; and variegated tile roofs of gray and tan tones. The project also includes terraced building level facades for each of the seven buildings, especially along the street frontage, provide visual interest for pedestrians and visitors of the site. The streetscape detailing will serve as an attraction in the Village and the mix of uses will create a synergy within the eastern end of AVSP area.

The project also proposes lighting throughout the outdoor areas. The applicant is proposing a variety of fixtures for architectural and pedestrian interest. The fixtures include: ground-mounted bollards; pole-mounted, cut-off bell-style fixtures; and s-style (goose-neck) building-mounted fixtures. These fixtures are noted on Plan Sheets E.1.1–E.4. Pole and building mounted acorn-style lamp fixtures are also proposed. The AVSP allows for parking lot lighting, as well as accent lighting for walkways, entries, and specimen trees, in contemporary styles. However, measures are called for to reduce glare and spillover, as well as for compatibility with street lighting. While illuminated architectural and pedestrian interest within the project site is encouraged during the evening hours, there are areas of the photometric plan that exceed 1.0 foot-candle of illumination at street level. Staff recommends consistency with the approved sidewalk pedestrian lighting in the Village and recommends the applicant be required to switch the acorn-style lamp fixtures (Fixtures J and S on the plans), to the lantern style, frosted glass fixtures as were approved for the pedestrian lighting. The conditions of approval include a requirement for the Planning Director to approve the final lighting and photometric plan, for compliance with the Zoning Ordinance and AVSP, and in context with the approved AVSP sidewalk pedestrian light fixtures. In addition, the applicant is required to comply with Mitigation Measure AES-4 of the AVSP Final Environmental Impact Report to further reduce exterior light glare.

As noted above, staff finds the project design to meet the intent to the AVSP. However, the Planning Commission has the discretion if deemed necessary to include additional project design features or amenities, as conditions of approval, to further meet the intent of the AVSP.

C. Signage

A Sign Permit is not before the Planning Commission at this time as the project's commercial tenants are still to be determined. Instead, the applicant will be required to submit a Sign Permit for the project's sign program prior to building permit issuance. The sign program will be subject to approval by the Planning Commission. Some elements of the sign program that are encouraged in the AVSP include:

- Variation and designs that reflect the types of business
- Compatibility with the building architecture
- External lighting that is directed at the signs without glare
- Consistent alignment with other signs
- Well-articulated monument signs that are accented with the landscaping and incorporate complementary colors, materials and fonts

Staff finds the site layout and building architectural design will allow for a Sign Program that meets the intent of the AVSP. Specific details of the proposed sign styles, materials, illumination methods and locations will be included in the sign program.

D. Housing

As previously mentioned, the proposed residential density of 35 multi-family units is within the AVSP allowance. The 15 loft apartment units vary in size from 1,403-1,702 square feet in size. The 20 two-bedroom units average approximately 1,100 square feet size in Building 4-A, and 1,500 square feet in Buildings 5 and 6.

This density provides commercial service support on-site, as well as live-work opportunities for the residents and employees, as called for in the AVSP. As equally important, the proposed housing units provide a synergy for surrounding commercial uses. The mixed-use development allows for additional daytime and evening activity in the east end of the Village area. The dispersed residential units within 6 of the 7 buildings contributes to the true mix of uses envisioned for the Agoura Village area. As such, staff supports the proposed density. Also a maximum of 15 units are allowed to be located over street-fronting retail uses. A maximum of 20 attached, non-street fronting units are also allowed. The project meets this density allowance by providing for 15 apartment units dispersed on the third floors of Buildings 1, 2 and 3, adjacent to Cornell and Agoura Roads. Twenty (20) apartment units are dispersed in Building 4-A (on the second floor), and in the two floors of Buildings 5 and 6. Also, the overall size of the apartment unit buildings (47,858 square feet) would remain less than the 68,918 square feet of commercial area within the project.

As noted in the Project Description Section above, although the project does not exceed the 35-unit threshold, it would effectively prevent further residential development in Subarea E

absent an amendment to the AVSP to increase the permitted number of residential units. This is an issue because Subarea E includes additional non-developed parcels to the east of the project site. Thus, if this project is approved, future mixed-use developments within Subarea E would require a specific plan amendment for additional housing allowances. However, staff finds the project's proposed 35-unit density to be justified because it is the first new development project in the AVSP area and the AVSP calls for "a balance of new residential units to provide support for the new retail development." The proposed residential-units would also provide support for existing businesses in the vicinity of the project site. Even if this project included fewer than 35 residential units, staff believes that a future development project in Subarea E would nevertheless seek to increase the density in the AVSP based on staff's review of other concept development projects for other parcels in Subarea E.

E. Traffic/Circulation

Associated Transportation Engineers (ATE) prepared a Traffic Impact Analysis (TIA) traffic and circulation study for this project, that was reviewed and approved by the City Traffic Engineer. The project is estimated to generate 3,035 new daily trips, including 220 new trips during the AM peak hour, and 242 new trips during the PM peak hour. However, 8 percent of the estimated trips are "internal capture" trips that are made between land uses in the project site (e.g. people working in the office space that would also patronize onsite commercial uses) and would not affect the offsite street network. The remaining 92 percent of the trips would be considered "primary trips," resulting in 2,792 new trips, including 220 AM peak hour trips, and 223 new trips during the PM peak hour.

The TIA, which is included as Appendix E in the project IS/MND, analyzed how the additional trips would impact several intersections in the City in the near term, and long term (City build-out at 2035). The TIA found that all study area intersections would continue to operate at level of service (LOS) B or better with existing plus project conditions. The proposed project would not generate project-specific significant level of service traffic impacts as compared to existing conditions, based on City thresholds. The only significant cumulative traffic impact forecasted as a result of the project, based on City thresholds, is an increase to the volume/capacity (V/C) ratio at the US Highway 101 Southbound / Roadside Drive/ Kanan Road intersection by 0.02 during the afternoon peak hour.

The *Traffic and Circulation Section* of the AVSP FEIR includes mitigation measure T-2(g) to address cumulative impacts for the intersection of US Highway 101 Southbound Off-Ramp / Roadside Drive / Kanan Road. The identified improvements include restriping the southbound approach to provide a second left-turn lane on Kanan Road. In addition, the east leg of the intersection (Roadside Drive) would be widened to the south to provide two receiving lanes. The project applicant would be required to pay a pro-rata share of

the costs (6.2%) of this improvement to mitigate its cumulative impacts. This project requirement is included in Mitigation Measure CS-T-1 of the project IS/MND.

The applicant is also required to pay the required to pay the project's Traffic Improvement Fee (TIF) for this project, and the City Engineer is requiring the submittal of a supplemental traffic study prior to issuance of a building permit, to consider the public improvements outlined in the Agoura Village Specific Plan (AVSP) Final Environmental Impact Report (FEIR) Mitigation Measures. The purpose of this analysis would be to determine the project's fair share contribution for such public improvements that have yet to be constructed in the AVSP area at the time of building permit issuance. Any mitigation measures covered by the Transportation Impact Fee (TIF) would be excluded from the calculation of the fair share contribution.

F. Parking

As required for this project, Walker Parking Consultants prepared the attached Shared Parking Analysis and Parking Demand Study (Study) that was reviewed and approved by the City Traffic Engineer. The Study identified the total project parking demand as follows:

Retail:	92 spaces
Restaurant:	99 spaces
Office:	116 spaces
Residential	
- Studio Lofts (15 units):	15 spaces
- 2-Bedroom Apts. (20 units):	40 spaces
- Guests (35 units):	18 spaces
Total:	380 spaces

The AVSP states that when a project contains a vertical mix of uses composed of retail commercial or offices uses with a residential and/or office use above in the same building, the non-residential portion of the mixed-use building may be eligible to receive a reduction in the parking requirements established by the AVSP of up to 25 percent, subject to the preparation of a parking demand study, and agreement to participate in a future parking assessment district/fee, and approval of an AVDP by the Planning Commission.

The total number of parking spaces available for reduction, excluding the 55 spaces designated for use by the project residents, is 325 spaces. When a 25% reduction is applied to the 325 spaces, the parking demand for non-residential uses is 244 spaces. Thus, the 25% reduction allows for a total project demand of 299 spaces total spaces for all uses.

The project provides for 301 total parking spaces, thus meeting the allowable requirement. The parking supply consists of enclosed (subterranean) parking, surface parking, and on-street parking. The on-site enclosed parking includes 183 spaces. Spaces set aside for residents will be signed and controlled as required within the AVSP. The on-site surface parking consists of 67 spaces. A total of 51 street parking will be added along Agoura Road and Cornell Road, along the property frontage and the west side of Cornell Road. The street parking spaces along the property frontage will be situated on private property and will be installed by the project applicant, and can be used to off-set the parking demand of the project. In fact, the AVSP states that one of the principle parking objectives toward realizing the vision for Agoura Village is to provide diagonal parking on Agoura Road and Cornell Road to accommodate short-term parking needs for the area and reduce crossing distances for pedestrians. As noted above, the final design of all roadway improvements are required through conditions of Project approval to be in conformance with the Agoura Village Specific Plan and engineering standards, subject to review and approval by the Director of Public Works.

The AVSP states the importance of on-site parking to be placed out of sight as much as possible and that no large parking lots dominate the visual realm. Subterranean parking for both commercial and residential development is highly encouraged so that the Village will not be visually dominated by surface parking lots and the associated imagery. The project, as designed, meets this intent. Also, as called for in the AVSP, the project provides for 1) parking areas that are dispersed in a series of connected smaller parking areas; 2) a driveway located far from street intersection; 3) enhanced driveway entry paving; and 4) the avoidance of long rows of parking spaces.

The parking spaces are dispersed throughout the project to serve each building. The parking lot layout and street parking allow for safe and convenient access. The paved areas of the site are broken-up by buildings and landscaping. The Parking Ordinance also requires parking for alternative forms of transportation such as bicycling. For every 25 parking spaces, a commercial project must provide one (1) bicycle rack space. The applicant is required to provide twelve (12) bicycle rack spaces, at a minimum, to accommodate the bicycles. This requirement is included as a condition of approval (Condition No. 32 of the AVSP draft resolution).

The shared parking evaluation of the Study was based on the use of a single parking space to serve two or more individual land uses without conflict or encroachment. The ability to provide parking spaces is the result of two conditions:

1. Variation in the accumulation of vehicles by hour, by day, or by season at the individual land uses, and;

2. Relationships among the land uses that result in visiting multiple land uses on the same auto trip.

The key goal of a shared parking analysis is to quantify the number of parking spaces that is adequate to support a mix of land uses within a development from a commercial standpoint without requiring the wasteful construction of an excessive number of parking spaces, which may remain unused.

December Weekday Peak Demand

The Study analyzed peak weekday and weekend parking demand periods throughout the year and concluded the project provides for sufficient parking, with the exception of during the first three weeks of December. During this time, the Study found there would be a peak demand for 317 parking spaces at 11:00 a.m., 12:00 p.m. and 1:00 p.m. on weekdays. This would represent a shortfall of roughly 16 parking spaces during this period.

The Study includes options to help mitigate the possible parking shortfall during the peak parking periods in December, including: 1) stacking of vehicles under Buildings 4-A,B in drive-aisles through the use of valet or attendant-assisted parking, through a stacking plan approved by the City; 2) valet park up to 20 cars using resident parking spaces; or 3) off-site parking requirements for employees of the site. The applicant will be required to comply with the recommendations of the Study, subject to approval by the City.

Long-Term Users

The Study concludes the parking supply serving residents would be assigned accordingly for their sole use, in a protected area. Fifty-five (55) would be set aside for this user group at all times.

Office employees should be asked to park in the subterranean supply. This user group is projected to generate 108 vehicles. Retail and restaurant employees would be encouraged to park there as well, dependent upon availability. During the peak period this combined user group is projected to generate 25 vehicles.

The subterranean supply is less obvious to first-time visitors and therefore would be utilized by those who are most familiar with the site – employees and residents.

Short-term users

Surface parking and on-street parking, as noted in the Study, would be made available to visitors and guests to the extent possible. This will also create a livelier development as pedestrian activity will be visible within and surrounding the project.

Residential guests will be expected to park within the shared parking supply as well. Their parking activity levels throughout the day mirror residents, but at a much lower rate. This user group would likely utilize the underground parking vacated by the office employees, and would be encouraged to do so with signage or policies noted to residents. This would leave the rest of the parking supply available for other short-term users (specifically retail and restaurant patrons and office visitors).

Office visitors would be on-site during business hours only. Typically, the activity levels for this user group increases later than office employees, and would decrease earlier as well. The lunch period generally has a lull in activity for this user group because business meetings are generally not scheduled during this time. This user group would use surface parking and on-street parking.

Implementation

Recommended implementation parking measures identified within the Study include the use of signage and decals. Signage would be required to be placed within the project, suggesting a 3-4-hour time limit within the surface parking area to encourage turnover without being too restrictive in case of a meeting plus lunch scenario, etc. No such signage would exist in the subterranean parking supply because it is intended for long-term parkers. The intent is to keep residents and employees parked within supply that is appropriate for these long-term parkers and leaving surface spaces available for short-term users. These policies would be provided to residential tenants and employees to inform them of user restrictions.

Decals are recommended to be issued to the following user groups – each with their own color, residents, office employees, and retail/restaurant employees. The decals would be used to identify those parking in inappropriate areas, with penalties for repeat offenders of having their parking benefit suspended or their vehicle towed.

Under normal conditions the parking supply would be allocated as follows:

- The parking supply beneath Building 6 would accommodate the parking demand generated by those residential units and no more.

- The parking supply beneath Building 5 would accommodate the residential units contained in Building 5 as well as those from Building 1, with 26 stalls remaining to serve retail and restaurant employees.
- The parking supply beneath Buildings 4-A,B would accommodate the residential units in Building 4-A, Building 2, and Building 3, with 99 stalls remaining to serve office employees during the day and restaurant patrons at night.

The conditions of approval (Condition No. 31 of the AVSP draft resolution) require the applicant to comply with the recommendations of the Study, subject to review and approval by the City Traffic Engineer, the Public Works Director, and the Planning Director. The applicant is required, per Condition No. 78 of the AVSP draft resolution, to agree to participate in the formation of a future parking assessment district or fee for the Agoura Village Specific Plan area.

G. Geotechnical and Public Works/Engineering

Overall, the slope gradients ranges on the property from 1.5:1 (horizontal to vertical) in the southwestern portion of the site to about 4:1. Drainage generally occurs as sheet flow over the site in a northerly direction via existing natural contours. The hillside is composed of volcanic bedrock and this particular site has been disturbed by past scraping, disking and vehicular activity.

The geotechnical report prepared for the project by the applicant's consultant, Heathcote Geotechnical, contains recommendations and requirements for final design and construction, which have been reviewed and accepted by the City's Geotechnical Consultant and made conditions of approval included as Exhibit A of the Draft Resolution. Prior to issuance of a grading permit or a building permit, the applicant would be required to obtain final clearance from the City's Geotechnical Consultant, the Engineering Department, and the Building and Safety Department.

Grading and excavation for the project would include approximately 95,000 cubic yards of cut and 2,500 cubic yards of fill, for a net export of 92,500 cubic yards of earth material. Over the course of six months of grading and a six-day work week, this equates to approximately 40 round trip truck trips per day. The truck hauling routes will be subject to review and approval by the Public Works Department and per the AVSP FEIR, the project developer must demonstrate a means for disposal of the excess materials within 12.5 miles of the project site, prior to grading permit issuance.

The AVSP FEIR acknowledged the bedrock that underlies the AVSP area, including this project site, and the possible need for blasting of the bedrock. Blasting is discouraged, though, in the AVSP area and there has not been a need identified at this time to do so for

this project, however the possibility remains. Per the AVSP FEIR mitigation measures, the project is subject to compliance with blasting mitigation. If a new, site-specific geologic, geotechnical, or structural design study deems blasting necessary for grading and excavation on-site. The applicant must perform a test blast/vibration study to evaluate the vibratory ground motion on-site and off-site impacts. It must be shown that blasting can be done safely with respect to existing improvements. Per the AVSP FEIR mitigation measures, a blasting plan is subject to approval by the Planning Department, the Fire Marshall, and the City Council.

Retaining walls of six feet or less are proposed around the corner landscape entrance; the east and west sides of the entry driveway; around the oak tree planters between Buildings 1 and 2; south of Building 1 and along Cornell Road; along the pedestrian path behind Building 1; and on the south side of Building 6. For safety purposes, protective fencing/railing will be required on top of the retaining walls adjacent to slopes. No variance is required for retaining wall heights associated with this project. The final material finish of exposed retaining walls and fencing is conditioned to be subject to approval by the Planning Director.

The project would not alter the course of any stream, but the project, as with any development on the site, will alter the existing drainage patterns by reducing rainfall infiltration and altering flow paths. However, adherence to the City's urban runoff program and implementation of design features to capture and treat storm water runoff would reduce the quantity of runoff leaving the site.

The parcel is encumbered with a utility easement which runs east-west, south of Building 1 and between Buildings 5 and 6. No building is allowed to be constructed on top of the easement, thus requiring building separation in the easement area. An on-site driveway easement (Cleveland Road) would be vacated. The driveway through the property provides for access to each building, as well as access to the southeast corner of the property, as required by the Fire Department. A portion of the required on-site driveway is in the OS-R zoning district, however the driveway surface paving materials in the area southeast and beyond the driveway entrance to Building 6, are conditioned to be of a pervious material acceptable to the Fire Department and City Engineer.

Street improvements required for the project include new asphalt concrete, curb, gutter, sidewalk, street lights, all pavement markings, and street parking spaces. Utilities serving the site are available from Agoura Road.

H. Oak Trees

Certain on-site and off-site oak trees will be impacted as a result of the construction. All potential impacts to oak trees were identified in the Biological Resources Inventory Impact

Analysis prepared by Envicom Corporation, and an Oak Tree Report prepared by James Dean. Both documents were reviewed and accepted by the City Oak Tree Consultant.

There are a total of 59 protected Coast Live oak and Valley oak trees on the project site, and 61,845 square feet of scrub oak habitat. Construction of the project would result in the removal of 8 Coast live oak trees, and 21 Valley oak trees. The City Oak Tree Consultant has confirmed that several of the oak trees proposed for removal are in a state of decline, likely as a result of the drought. In addition, 6 oak trees would experience construction encroachment but are expected to survive. Thus, 30 of the 59 oak trees (51%) would be retained and protective measures have been incorporated into the project to ensure the preservation of the oak trees to remain on-site. Of the scrub oak habitat, 21,271 square feet would be removed, with 40,574 square feet (65.6%) being retained. Staff notes that Final IS/MND states on Page 10 that the oak tree permit includes a request to encroach within the protected zone of 30 oak trees. However, the Biological Resources Section correctly notes that 30 oak trees will be saved in place, with 6 oak trees proposed for encroachment.

Mitigation measure CS-BIO-9 of the project MND calls for replacement of the impacted oak habitat. Every attempt is to be made to mitigate the loss of oak habitat on-site. Four (4) oak trees are to be planted to replace each tree that is approved for removal as follows, per the Oak Tree Ordinance:

- a) Two (2) 24-inch box specimens;
- b) One (1) 36-inch box or 60-inch box as follows: in the case of landmark trees, (trees whose diameter exceeds 48 inches), the applicant shall obtain a nursery-grown oak tree of equivalent caliper to the tree removed or provide two (2) contain grown, 60-inch trees for each healthy landmark tree approved for removal, and;
- c) One (1) 15-gallon size oak tree.

The mitigation measures also note that for impacts involving greater than 10 percent removal resulting from grading and project development, the sum of the calipers of all oak trees planted must be at least equal to that removed. The locations of the replanted trees shall be indicated on the project plans submitted to the City for review by the City's oak tree consultant. Trees are to be planted so that mature trees will have a continuous canopy. Every attempt shall be made to plant oak trees according to species-specific habitat requirements: valley oaks at lower elevations in alluvial soils; and coast live oaks in mesic north-facing slop locations. Each oak tree removed by grading and project development would be replaced with two 36-inch box and two 24-inch box specimen oak trees of the same species as the tree that was removed. Additionally, all naturally occurring native vegetation in the areas proposed for oak tree mitigation is to be identified. This includes surveys for ephemeral plants and bulbs/Oak tree planting, which shall not cause the removal or destruction of existing native vegetation without replacement in the same locations.

Thus, per Condition No. 100 of the AVSP draft resolution, to mitigate the removal of the 29 oak trees, the landscape plan is to include 487 inches of caliper of new oak trees within the landscape. The applicant is required to plan at least 116 oak trees within the site, to include the following: 1) fifty-eight (58) 36-inch box size oak trees; and 2) fifty-eight (58) 24-inch box size oak trees. If additional oaks trees are needed to reach the 487 inches, the oak tree sizes referenced in Mitigation Measure CS-BIO-9 may be used. If it is determined that there is insufficient space available on-site for oak tree replacement, the City may consider payment of an in-lieu fee, in amount determined by International Society of Arboriculture (ISA) standards, to mitigate for the loss. The in-lieu fee could be used to acquire land with oak habitat and/or install oak trees on another site, preferably on open space land in close proximity to the project.

To mitigate for the removal of the scrub oak habitat, the final landscape plan is to include at least 213 five-gallon scrub oak trees. If staff determines the total required scrub oak trees cannot be planted on-site, equivalent alternative mitigation will be established through an in-lieu fee which the applicant shall pay the City for the deficit. The amount of the in-lieu fee would be based on ISA standards, including the cost of the purchase, installation and maintenance period of three years of one (1) 24-inch box size coast live oak tree for every five (5) remaining scrub oaks to be planted. This mitigation measure is taken from mitigation measures BIO-3(c) and BIO-3(d) of the AVSP FEIR.

Specific conditions of approval for the Oak Tree Permit are included in the draft AVSP resolution. Staff also notes that the project mitigation measures include the requirement for the applicant to prepare an oak tree preservation program for review and approval by staff.

I. Landscaping

The applicant has submitted a landscape plan for the project that includes the dispersed tree landscaping throughout the project. Overall, 18 percent of the site is to be landscaped, exceeding the minimum 15 percent coverage. The proposed tree canopy coverage and the underground parking within the project (which also mitigates the surface heat island effect) meets the 50 percent shade coverage requirement within the parking lots of the project.

The City Landscape Consultant found the plan to be in general conformance with the City Zoning Ordinance and AVSP requirements, subject to conditions included in the draft Resolution. Native, drought resistant plants are to be utilized extensively adjacent to the natural areas and along the street frontages in order to be more reflective of the AVSP. Also, in order to provide for a strong on-site pedestrian component, in keeping with the AVSP, additional landscaping is to be included adjacent to the angled parking on Agoura Road, as the wide hardscape areas may appear somewhat barren. The applicant is

conditioned to work with the City Landscape Consultant to ensure these requirements are reflected on the final landscape plan, prior to building permit issuance. Specific landscaping conditions of approval are included in the draft resolution, including required compliance with the City Water Efficient Landscape Ordinance.

J. Conditional Use Permit and Open Space-Restricted Property

The proposed development for this hillside property is compatible with the standards for a Conditional Use Permit and the City Hillside Ordinance. The mixed-use project use is consistent with the objectives and provisions of the Zoning Ordinance and the purposes of the PD zoning district, and will comply with each of the applicable provisions of the Zoning Ordinance. The project is in compliance with the maximum building coverage, building height requirements and all setbacks from property lines for development in the Planned Development (PD) zone and the Agoura Village Specific Plan (AVSP).

The project is also compatible with the surrounding properties. The project includes a mix of commercial, office and residential uses, and provides for sufficient on-site parking without impacting neighboring development, and is compatible with other uses in the AVSP area in terms of the uses. The proposed buildings will be integrated with the contours of the property and include a variety of earthtone colors and materials, consistent with the varied architectural styles of surrounding developed properties and the architectural design standards of the PD zone, and AVSP. The project works with the existing topographic constraints of the property. Creative design techniques have been incorporated into the project that provide pedestrian walkways and connections to link the buildings and parking areas. The project incorporates natural buildings materials and colors that are compatible with neighboring properties and the surrounding area.

Also, the project will not be detrimental to the public health, safety, or general welfare. Street parking and on-site circulation, including pedestrian and vehicular circulation, and designated walkways will be provided to create a more efficient and safe use of the property. The access in and out of the site is designed to maximize safety in the right-of-way and for quick and safe exit. The project will be constructed to geotechnical requirements and recommendations of the project geotechnical report and of the City's Geotechnical Consultant. The project will connect to the existing sewer system and the storm water flows will be detained in an on-site facility before discharging into the existing storm drain system.

Requirements of the Open Space-Restricted (OS-R) zone are also being met with this project. The project is located and designed so as to protect the safety of the current and future community residents, as potential geologic, seismic, slope instability, fire, flood, mud flow, erosion hazards, or other hazards have been analyzed and determined to be less than significant. The project is compatible natural, biotic, cultural, scenic and open space resources of the area as 24% of the site would be retained as open space and biological

impacts can be fully mitigated. No wildlife movement corridors would be impacted by the project.

The project will also complement the community character envisioned in the AVSP and will benefit current and future community residents. The project applicant has not requested the transfer of development rights for this project, for the property in the OS-R zoning designation and, therefore, would not be approved with this permit.

K. Tentative Parcel Map

The applicant has applied for a Tentative Parcel Map (No. 70559) to subdivide (reconfigure) the 24 parcels on the project site into 2 parcels. The on-site development is proposed within Lot 1 of the map, which is 6.23 acres in size. The map would not result in the subdivision of the individual buildings.

Lot 2, which is 1.98 acres in size (24.1 percent of the overall site) and located south of the project site, would be retained as private open space. The applicant has informed staff that he is agreeable to Condition No. 10 of the Tentative Parcel Map draft resolution, requiring the applicant to record a deed restriction on Lot 2 to preclude future development of that parcel.

The Tentative Parcel Map also includes an on-site driveway easement to the City. The driveway extends to the southeast corner of the project boundary as requested by the Fire Department. In addition, the map provides for street vacations and right-of-way dedications along the Agoura Road and Cornell Road street frontages, which will allow for the street improvements included with this project. The City Engineer has reviewed the Tentative Parcel Map and supports the request, with conditions included in the draft Resolution.

L. General Plan Consistency

The project is consistent with the following applicable General Plan goals and policies.

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, industrial, and research development.

The project complies with Goal LU-2 and Policy LU-2.3 in that the variety of new commercial uses offered within the project provide for new and diversified employment opportunities.

Goal LU-4. City Form and Structure. Structure and form of development that respects Agoura Hills' natural setting; maintains distinct and interconnected places for residents to live, shop, work, and play' and is more compact to reduce automobile dependence.

- **Policy LU-Building Relationship to the Public Places.** Require buildings to be oriented to and actively engage the public realm through such features as location, incorporation of windows, avoidance of blank walls, and articulation of building elevations fronting sidewalks and public spaces, and location of parking to the rear of side.

The project complies with Goal LU-4 and Policy LU-2.3 in that the buildings are sited to conform to existing topography, with each building connected with pedestrian paths and on-site circulation. The mix of uses reduces automobile dependency and offers of residential, and variety of commercial, opportunities. The buildings are appropriately articulated on all sides, with an emphasis in enhancing the streetscape for public engagement. The buildings exhibit well-articulated architecture, modulating the mass through design features, such as steel awnings and balconies. The buildings do not exceed the maximum height allowed, and reflect natural materials and colors.

Goal LU-26. Pedestrian-Oriented Mixed-Use Village. Transformation into a pedestrian-oriented village containing a mix of retail shops, restaurants, theaters, entertainment, and housing that serves as a destination for residents and visitors to Agoura Hills.

- **Policy LU-26.1. Diversity of Uses.** Accommodate a range of uses, including community-serving retail, entertainment, office, public and quasi-public, visitor-serving hotel, housing, and complementary uses.
- **Policy LU-26.2. Site Development and Design.** Create a walkable, vibrant pedestrian-oriented district through such techniques as:
 - Breaking of the superblocks into a smaller grid of streets and sidewalks.
 - Location of buildings along street frontages, with parking located to the rear or in structures, with building heights transitioning to adjoining districts and open spaces.
 - Targeting the development of vertical mixed-use building along primary street frontages.
 - Development of a unified streetscape and pedestrian-oriented sidewalk improvements along Agoura Road and intersecting streets.
 - Development of shared parking facilities.

The project complies with Goal LU-26 and Policy LU-26.2 by developing a vacant site with a vertical mix of uses for the public, as called for in the AVSP, including a mix of multi-family residential, retail, restaurant and office uses. The project will be developed with pedestrian-oriented amenities along street-fronts and in the parking areas within unifying paving, furniture and lighting. Street and on-site shared parking is incorporated into the project design. Buildings along the street frontages incorporate vertical mixed-use and shared parking is provided throughout the project.

M. Environmental Review

A Program Environmental Impact Report (EIR) was prepared by Rincon Consultants for the AVSP in order to evaluate environmental impacts of future development in the Specific Plan area, and to mitigate the impacts of development. The AVSP Program Final EIR (FEIR) was reviewed by the Planning Commission, and adopted by the City Council in 2008 with the adoption of the AVSP. The adopted AVSP FEIR Mitigation Monitoring and Reporting Program is included as an appendix in the AVSP.

In addition, the AVSP requires environmental analysis be conducted for individual development project with the Specific Plan area. A Draft Initial Study/Mitigated Negative Declaration (IS/MND) was prepared for this project, in compliance with the California Environmental Quality Act (CEQA). The IS/MND concluded that, although potentially significant impacts were identified for aesthetics, air quality; biological resources; cultural resources; geology and soils; greenhouse gas emissions; hydrology and water quality; noise; public services, and transportation and traffic, the implementation of mitigation measures would reduce these impacts to a less than significant level. These mitigation measures are discussed in the IS/MND and are also attached as Exhibit A to the draft IS/MND resolution.

The IS/MND concluded all other issues areas, including agriculture resources, hazards and hazardous materials, land use and planning, mineral resources, population and housing, recreation, and utilities and service systems, and were determined to have either no impacts or less than significant impacts.

The Draft IS/MND was circulated for public review from July 8, 2016 to August 8, 2016. The Notice of Availability and Notice of Intent to Adopt the MND (NOA/NOI) was published in the Acorn newspaper on July 7, 2016, 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 City received twelve (12) comment letters on the Draft IS/MND. Comments received during the public review period, and through October 26, 2016, and

each comment letter was addressed in writing as part of the Response to Comments section of the Final IS/MND (refer to Final IS/MND Appendix I). As noted above, the Final IS/MND also includes the Mitigation Monitoring Program (refer to Appendix H in the Final IS/MND), which outlines when each mitigation measure will be implemented, the action required, and the entities responsible for ensuring the mitigation measures are implemented.

Staff notes that Final IS/MND states on Page 10 that the oak tree permit includes a request to encroach within the protected zone of 30 oak trees. However, the Biological Resources Section correctly notes that 30 oak trees will be saved in place, with 6 oak trees proposed for encroachment.

A copy of the Final IS/MND has been posted on the City's website. A notice of the availability of the Final IS/MND and the Planning Commission hearing to consider adoption of the Final IS/MND has been published in the Acorn and sent to the entities on the CEQA document mailing list. All persons and entities that provided comments on the Draft IS/MND have been provided with a notice of the public hearing and a copy of the Responses to Comments. Staff received the attached IS/MND amended comment letter dated November 8, 2016, from the Los Angeles Sheriff's Department after the responses were prepared. The Sheriff's Department provided comments earlier and were included in the Final IS/MND, but the more current letter is attached for the Planning Commission's reference and it does not change the conclusions of the Final IS/MND.

Pursuant to CEQA, to adopt the IS/MND, the Planning Commission must find that it independently reviewed the IS/MND and all comments received regarding the document, and based on the whole record before it, finds that: (1) the IS/MND was prepared in compliance with CEQA and the City's local CEQA Guidelines; (2) there is no substantial evidence that the Project will have a significant effect on the environment; and (3) the IS/MND reflects the independent judgment and analysis of the Planning Commission. These findings are outlined in the Draft Resolution for adoption of the IS/MND (Attachment 1).

III. RECOMMENDATION

Based on the foregoing analysis, staff finds the project meets the intent and vision of the Agoura Village Specific Plan and the goals of the General Plan, and recommends approval of the project. Attached for the Planning Commission's review and approval is a draft resolution for adoption of the Initial Study/Mitigated Negative Declaration, a draft resolution and conditions of approval for the Agoura Village Development Permit, and a draft resolution and conditions of approval for the Tentative Parcel Map.

IV. ATTACHMENTS

1. Draft Resolution for the Initial Study/Mitigated Negative Declaration, with Exhibit A (Final IS/MND and Mitigation Monitoring Program)
2. Draft Resolution for the Agoura Village Development Permit, with Exhibit A for the Conditions of Approval and the Mitigation Monitoring & Reporting Program
3. Draft Resolution for the Tentative Parcel Map, with Exhibit A for the Conditions of Approval
4. IS/MND Amended Comment Letter from Los Angeles County Sheriff's Department dated November 8, 2016
5. Shared Parking Analysis and Parking Demand Study (Walker Parking Consultants – August 14, 2014)
6. Site Location Map
7. Reduced Photocopies of the Plans with Color Renderings
8. Final IS/MND-November 2016 (Separate Attachment)

Case Planner: Doug Hooper, Planning Director

ATTACHMENT 6

**(Planning Commission Meeting Minutes
January 5, 2017)**

MINUTES
REGULAR MEETING OF THE
AGOURA HILLS PLANNING COMMISSION
Civic Center – Council Chambers
30001 Ladyface Court, Agoura Hills, California 91301
Thursday, January 5, 2017
6:30 P.M.

The Planning Commission meeting was called to order at 6:30 p.m. by Chair O'Meara.

The Pledge of Allegiance was led by Commissioner Asuncion.

Present were: Chair John O'Meara, Vice Chair Curtis Zacuto, and Commissioners Kate Anderson, John Asuncion, and Michael Justice.

Also Present were: Planning Director Doug Hooper, Assistant City Attorney Nicholas Ghirelli, Assistant Planning Director Allison Cook, Assistant City Manager, Public Works Director/City Engineer Ramiro Adeva, Public Works Project Manager Kelly Fisher, Traffic Engineer Carlie Campuzano, Oak Tree Consultant Greg Ainsworth, Environmental Consultant Joe Power, and City Clerk/Recording Secretary Kimberly M. Rodrigues.

APPROVAL OF AGENDA

ACTION: Vice Chair Zacuto moved to approve the Agenda, as presented. Commissioner Justice seconded. The motion carried 5-0, by the following voice vote:

AYES: Chair O'Meara, Vice Chair Zacuto, and Commissioners Anderson, Asuncion, and Justice

NOES: None.

ABSENT: None.

PUBLIC COMMENTS

The following person(s) spoke:

Ruth Gerson, Agoura

APPROVAL OF MINUTES

There were no public speakers.

1. Minutes – December 15, 2016 Planning Commission Meeting

ACTION: Commissioner Justice moved to approve Item No. 1, as presented. Commissioner Asuncion seconded. The motion carried 5-0, by the following voice vote:

AYES: Chair O'Meara, Vice Chair Zacuto. And Commissioners Anderson, Asuncion, and Justice.

NOES: None.

ABSENT: None.

NEW PUBLIC HEARING

2. REQUEST: Request for the Planning Commission to approve an Agoura Village Development Permit and a Tentative Parcel Map to construct a mixed-use commercial and multi-family residential project consisting of 35 residential apartment units comprising 47,858 square feet, and retail, restaurant and office space comprising 68,918 square feet, including a Conditional Use Permit for hillside development; a Tentative Parcel Map to subdivide the property into two parcels; and an Oak Tree Permit to remove twenty-nine (29) oak trees and 21,271 square feet of scrub oak habitat, and to encroach within the protected zone of six (6) oak trees, as part of the "Cornerstone Mixed-Use Project"; and to adopt an Initial Study/Mitigated Negative Declaration and Mitigation Monitoring Program pursuant to the California Environmental Quality Act.

APPLICANT: Doron Gelfand
Agoura and Cornell Roads, LP
6200 Corbin Avenue
Tarzana, CA 91356

CASE NOS.: 07-AVDP-002 and TPM 70559

LOCATION: Southeast corner of Agoura Road/Cornell Road
(APNs: 2061-029-(008-017); 2061-029-029; and 2061-030-(001-013))

ENVIRONMENTAL DETERMINATION: Initial Study/Mitigated Negative Declaration, pursuant to the California Environmental Quality Act (CEQA) and the CEQA Guidelines

ZONING DESIGNATION: Planned Development (PD - Agoura Village Specific Plan) and Open Space-Restricted (OS-R)