# LIBERTY CANYON OFFICE EXPANSION PROJECT

# Addendum to the Liberty Canyon Office Expansion Project Mitigated Negative Declaration

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# **Liberty Canyon Office Expansion Project**

# Addendum to the Liberty Canyon Office Expansion Final Initial Study/Mitigated Negative Declaration

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#### INTRODUCTION

The City of Agoura Hills, as the lead agency under the California Environmental Quality Act (CEQA), prepared a Final Mitigated Negative Declaration (hereafter referred to as the "2008 MND") to evaluate the potential environmental impacts associated with the implementation of the Liberty Canyon Office Expansion Project. The Planning Commission adopted the MND at its regular meeting on May 1, 2008, through adoption of Resolution No. 08-1493. A project was approved by the Planning Commission on May 1, 2008. The decision was appealed and the City Council approved the project with minor revisions on August 13, 2008. The project involved the merger of six parcels and the construction of a two-story office building (Building B) totaling 9,658 square feet (sf) and a two-story medical office building (Building C) totaling 20,002 sf, as well as reconfiguring parking lots and the addition of a new parking lot, just west of the project site. The project was amended in 2012, to allow for time extension and minor architectural changes. The City prepared and considered an MND Addendum (hereafter referred to as the "2012 Addendum") in conjunction with this amendment. While the parcel merger has been completed, construction has not yet begun on Building B, Building C, or the associated parking.

The project proponent (APB Properties, LLC) is now seeking a lot division to separate the single parcel into three separate parcels. Each parcel would contain one building and associated parking spaces. Entitlements associated with the application are Case No. PMAP-01271-2016 and variance Case No. VAR-01302-2016. The variance requests a reduction of parking for two of the three parcels.

The purpose of this Addendum is to address whether the parcel division would result in any impacts beyond those identified in the previous MND or Addendum. This Addendum includes a description of the currently proposed project modification and a comparison of the impacts of the proposed modification to the impacts identified in the 2008 MND and 2012 Addendum.

#### ADDENDUM APPLICABILITY

According to Section 15164 of the California Environmental Quality Act (CEQA) Guidelines, an addendum to a previously adopted MND is the appropriate environmental document in instances when "only minor technical changes or additions are necessary" and when the new information does not involve new significant environmental effects beyond those identified in an adopted IS/MND. The change being contemplated involves a minor revision to the approved Liberty Canyon Office Expansion Project. In addition, as discussed below, the proposed revision would have no new significant environmental effects. As such, the addendum is the appropriate environmental document under CEQA.

# PROJECT DESCRIPTION

The project approved in 2008 merged six separate lots bordered by the 101 Freeway Corridor to the north, the Santa Monica Mountain Conservancy owned land to the west, multi-family residential units to the south (Rondell Condominium) and Liberty Canyon Road to the east, and preserved the slopes along the northern portion of the parcel to be dedicated to a wildlife corridor extending from Liberty Canyon Road to the west end of the project boundary. The



proposed development involved construction of a two-story office building (Building B) totaling 9,658 sf and two-story medical office building (Building C) totaling 20,002 sf, reconfiguration of parking lots, and addition of a new parking lot just west of the project site. The existing two-story office building on the project site (Building A) was to remain and be remodeled.

The applicant is currently requesting to divide the site into three lots, one for each building (see attached vesting tentative parcel map 74295). No physical change to the approved development is proposed. However, although the lot sizes resulting from this subdivision would comply with the 20,000-square-foot minimum lot size for the BP-OR zone, the new lots would not provide the required number of parking space serving each building. While the total number of parking spaces would remain the same as the approved plans, the parking would not meet the individual requirements on each parcel. However, the total number of parking spaces would be available for the use of all three office buildings and would be adequate to serve each of the three office buildings. As a result, the applicant has applied for a Variance to reduce the parking (Case No. VAR-01302-2016).

The project is under construction. To date, the remodel of the 24,540 square-foot office building (Building A), at the northwest portion of this site, and the wildlife corridor restoration, is complete with the exception of the east end of the corridor. The remainder of the site is being graded according to the already approved plans so that all three buildings are connected by driveways, stairs and ramps and uninterrupted landscaping in a campus-like layout. Retaining walls have been built with the exception of the one bordering the wildlife corridor at the northeast corner of the parcel, and foundation trenches for Building B and C have been excavated.

#### **ENVIRONMENTAL IMPACTS**

This section addresses each of the environmental issues studied in the 2008 MND, comparing the effects of the proposed project modification to the effects of the approved Liberty Canyon Office Expansion Project plans that were subject of the 2008 MND and 2012 Addendum.

# **Aesthetics**

The aesthetic impacts of the proposed project modification would be identical to those described in the 2008 MND and 2012 Addendum. The 2008 MND concludes that the approved project would be compatible with surrounding uses and the design standards for the Business Park-Office Retail-Freeway Corridor (BP-OR-FC) zone. Additionally, the approved project was found not to disrupt a scenic vista or damage scenic resources in a state scenic highway. The 2008 MND and 2012 Addendum conclude that the project would create light and glare at the project site and thus require implementation of mitigation measures AES-1 and AES-2. However, the proposed modification would not alter the location, architecture, density of development, or amount of light created by the project and mitigation measures (AES-1 and AES-2) found in the aesthetic section identified in the IS/MND would continue to apply to the project. The proposed modification would simply subdivide the project site into three parcels. Therefore, it would have no impact beyond that identified in the 2008 MND and 2012 Addendum.



#### **Agricultural Resources**

Similar to the approved project, the proposed project modification would be located on land that is not zoned or used for agricultural production, nor is it adjacent to such land. The project site is disturbed and partially developed. The proposed modification would not alter the location of the project. Therefore, similar to the approved project, the proposed modification would have no impact to agriculture or forest resources.

# **Air Quality**

The 2008 MND concludes that the approved project would be consistent with the South Coast Air Quality Management District's (SCAQMD's) Air Quality Management Plan (AQMP) and would not contribute to an exceedance of the City's projected population growth forecast. Air pollutant emissions associated with the approved project were found not to exceed thresholds established by the South Coast Air Quality Management District (SCAQMD). The proposed modification would subdivide the project site into three parcels, but would not alter the size, configuration, or use of on-site development. As such, the project would remain consistent with the AQMP and emissions would not change from what was considered in the 2008 MND. Additionally, Mitigation Measure AQ-1, requiring implementation of dust minimization would continue to apply throughout the construction. Therefore, no impact beyond that identified in the 2008 MND and 2012 Addendum would occur.

# **Biological Resources**

#### Sensitive Species

The 2008 MND concludes that there is the potential for special status plant species, including southern California black walnut, round-leaved filaree, slender mariposa-lilly, and Plummer's mariposa-lily to occur on-site. A site visit performed on December 19, 2011 determined that site conditions remained similar to those in 2008. The site remains in similar condition, though construction has begun and the site is almost entirely graded. Mitigation Measures BIO-1, 6, 7, 8 and 9 from the 2008 MND would remain applicable, but the proposed modification would have no impact beyond that identified in the 2008 MND or Addendum.

#### Sensitive Habitat and Oak Tree Ordinance

As described in the 2008 MND and 2012 Addendum, Valley Oak Woodlands is a sensitive habitat that was observed on the project site. In addition, oak trees are protected in the City of Agoura Hills by the City's Oak Tree Ordinance (City Council Resolution No. 374). With the proposed modification to subdivide the project site into three parcels, the project would have the same impacts to Valley Oak Woodland and individual oak trees as the approved project. The 2008 MND requires implementation of Mitigation Measures BIO-8 and BIO-9 to reduce impacts to oak trees and Valley Oak Woodland, and these measures continue to apply. With these measures, the proposed modification would have no impact beyond that identified in the 2008 MND and 2012 Addendum.

#### Riparian Habitat

As described in the 2008 MND, an ephemeral drainage extends north-south through the site within a concrete channel and meanders off-site into the adjacent restoration area to the west. While construction activity would not occur within the on-site drainage, the 2008 MND includes Mitigation Measures BIO-3, BIO-4, and BIO-5 requiring a creek protection program, jurisdictional delineation, and a Habitat Mitigation Plan and Monitoring Program to ensure that impacts to an offsite natural drainage would be less than significant. While the offsite work has been completed, these measures continue to apply, and with these measures the proposed modification would not have any impact beyond that identified in the 2008 MND and 2012 Addendum.

### Migratory Birds/Wildlife Corridors

As described in the 2008 MND, the project site is located in the vicinity of the Liberty Canyon Wildlife Corridor. While no mammals were identified on the project site during the 2008 or 2011 site visits, the significance of the Liberty Canyon Wildlife Corridor is recognized. The Liberty Canyon underpass, adjacent to the project site, is a designated Wildlife Migration Choke Point, which links the open space north of U.S. 101 to the open space parcels south of U.S. 101 via the wildlife movement corridor along the northern side of the project site and Vendell Road. Special status wildlife species with the potential to occur onsite include Santa Monica grasshopper, coast (San Diego) horned lizard, two-striped garter snake, Cooper's hawk, western mastiff bat, western red bat, and mountain lion. The 2008 MND identifies development of the project site as cumulatively contributing to the degradation of the wildlife corridor, through increased noise and lighting and altering the conditions of the site. Mitigation Measures BIO-2, BIO-6, and BIO-7 from the 2008 MND would reduce impacts to migratory birds and wildlife corridors. BIO-2 requires the removal of trees to be conducted outside the typical breeding season, BIO-6 requires the use of Best Management Practices (BMPs) during construction in order to protect the wildlife corridor, and BIO-7 requires the applicant to prepare a wildlife corridor maintenance and monitoring plan for a minimum of three years for the proposed corridor and "transition area" restoration plantings. With these measures, impacts would be less than significant and no impact beyond that identified in the 2008 MND and 2012 Addendum would occur as a result of this new request.

# **Cultural Resources**

The 2008 MND and 2012 Addendum conclude that while no archaeological resources, paleontological resources, or human remains are known to be present on-site, there is the potential to disturb as yet undiscovered cultural resources during grading. Mitigation Measure CR-1 from the 2008 MND requires a qualified archaeologist to monitor any grading, trenching, excavation, or other subsurface work that occurs in undisturbed soil. If any artifacts are discovered, Mitigation Measure CR-2 from the 2008 MND requires the developer to notify the City of Agoura Hills Environmental Analyst and cessation of construction activities until the archaeologist has documented and recovered the resource. The subdivision of the property into three parcels would not alter the grading plan of the project and mitigation included in the 2008 MND would still be required. Grading at the project site has been completed with no significant cultural resources reported. Impacts would be less than significant and no impact beyond that identified in the 2008 MND and 2012 Addendum would occur.



# **Geology and Soils**

Geological conditions at the project site are the same as those identified in the 2008 MND and 2012 Addendum. The project site would not be significantly impacted by rupture due to an earthquake, strong seismic ground shaking, seismic related ground failure, erosion or loss of topsoil, landslide, subsidence, liquefaction, or collapse. Additionally, neither the original project nor the current project would utilize a septic tank or alternative wastewater disposal system. The project site has already been graded and building pads have been created. The on-site analysis performed by GCI (2006) identified surface and near-surface souls at the project site to have a medium to high expansion potential. The 2008 MND includes Mitigation Measure GEO-1, requiring the implementation of recommendations included in the GCI report. This measure would continue to apply and would reduce impacts to a less than significant level. The proposed modification would have no geologic impact beyond that identified in the 2008 MND and 2012 Addendum.

#### **Greenhouse Gas Emissions**

The 2008 MND does not discuss impacts related to greenhouse gas (GHG) emissions, but a discussion was included in the 2012 Addendum. The 2012 Addendum concludes that the combined annual emissions from construction of the project, operation of the project, and mobile sources would be less than significant. The proposed modification would allow for the subdivision of the project site into three parcels, but would not alter construction or operational characteristics or otherwise alter GHG emissions. Therefore, the proposed modification would have no impact beyond that identified in the 2012 Addendum.

#### Hazards and Hazardous Materials

The 2008 MND concludes that project implementation would not have significant impacts related to hazards or hazardous material. The use and location of the proposed on-site development would not change from the approved project. Therefore, the proposed modification would have no significant impact and no impact beyond that identified in the 2008 MND and 2012 Addendum.

#### Hydrology and Water Quality

The 2008 MND concludes that the approved project's hydrology and water quality impacts would be less than significant. Construction has begun on the project site and the proposed modification would not alter the grading required for construction, potential for erosion, use of groundwater, or drainage plan of the proposed on-site development; therefore, the analysis for hydrology and water quality is still applicable. As such, impacts related to hydrology and water quality would be the same as identified in the 2008 MND. The proposed modification would have no impact beyond that identified in the 2008 MND and 2012 Addendum.

#### **Land Use and Planning**

As discussed in the 2008 MND, the approved project would provide infill development on a commercial site. The project's commercial use is consistent with the General Plan Designation and existing zoning and no community would be divided by the development. The proposed



modification would involve the subdivision of the project site into three parcels, which is permitted by the BP-OR-FC zone. The zoning of the parcels and the development on those parcels would not change. Each parcel would continue to have a General Plan designation of Business Park-Office Retail (BP-OR) and be zoned BP-OR-FC. While each parcel would contain one commercial office building and associated parking, the location of each building would remain the same and no community would be divided.

Although the request to subdivide the parcel is being reviewed with a variance request (Case No. VAR-01302-2016) for a reduction in parking, the subdivision would not reduce the number of parking spaces proposed as part of the approved application. Per the Zoning Ordinance, each parcel must provide the required number of parking spaces to serve each individual building. Two of the three parcels would provide less than the required number of parking spaces on-site as determined by the size and use of the buildings. The project was approved with a remedy to provide tenant/building owners access in perpetuity to an adjacent parking lot specifically developed for that purpose. Therefore, the number of parking spaces provided for the commercial project as a whole would not change. Both the subdivision and the variance requests will not change the location, intensity, land use, or design of the project, and as such, neither request would cause significant impacts to the project beyond the mitigation measures identified in the 2008 MND and the 2012 Addendum for the same project.

#### **Mineral Resources**

As discussed in the 2008 MND, while areas of Liberty Canyon are classified as MRZ-3 (areas containing mineral deposits) by the City of Agoura Hills General Plan, impacts to mineral resources would be less than significant since the project site is surrounded by development and the conversion of the site to mining is unlikely. The proposed modification would not alter the location or commercial use of the project site; therefore, the request would have no significant impact and no impact beyond that identified in the 2008 MND and 2012 Addendum.

#### Noise

#### Construction Noise

The 2008 MND concludes that construction of the approved project would generate temporary noise increases that could adversely affect sensitive receptors, including the residences to the south of the project site. To reduce this impact to a less than significant level, the 2008 MND includes Mitigation Measure N-1, requiring construction activity involving the use of equipment or machinery that generates noise levels in excess of 60 decibels (dBA) to be limited to between the hours of 7:00 AM and 7:00 PM Monday through Saturday, prohibiting activity generating noise in excess of 50 dBA between the hours of 7:00 PM and 7:00 AM, and prohibiting construction activity on Sundays and legal holidays. The proposed modification would not alter the magnitude or duration of construction activity, and Mitigation Measure N-1 would still be required. Consequently, the request would have no impact beyond that identified in the 2008 MND and Addendum.

#### **Operational Noise**

The proposed project modification would not alter the proposed use of the project. The project site would continue to be for commercial office space and the number of vehicle trips generated



would remain the same as what was considered in the 2008 MND. As such, the proposed modification would not have significant operational noise impacts and would have no impact with respect to operational noise beyond that identified in the 2008 MND and Addendum.

# **Population and Housing**

The 2008 MND concludes that the approved project would not result in a significant impact related to population growth because it would not create significant housing demand and the number of jobs created would be within the Southern California Association of Governments (SCAG) forecasts. Additionally, the project would not result in the displacement of existing housing. The proposed modification, being a lot division, would not alter the number of job opportunities or otherwise have population or housing impacts; therefore, it would have no significant impact and no impact beyond that identified in the 2008 MND and 2012 Addendum.

#### **Public Services**

As discussed in the 2008 MND, the project site is served by the Los Angeles County Fire Department (LACFD) and Los Angeles County Sheriff's Department (LACSD) and no new or expanded facilities would be needed to serve on-site development. The approved project would not have a significant impact on schools since the applicant would be required to a fair share of pay state-mandated school impact fees to Las Virgenes School District (LVSD). Additionally, the approved project was found to have no impact to parks or other public facilities since it would be constructed on a site where a two-story office building already exists and no new residential or population generating use would be introduced.

The proposed modification would subdivide the project site into three parcels, but all three parcels would remain within the service areas of the same agencies, the LACFD and LACSD. The proposed modification would not generate students for the LVSD or demand for parks within the City. Consequently, it would not have significant public service impacts and would have no impact beyond that identified in the 2008 MND and 2012 Addendum.

#### Recreation

As discussed in the 2008 MND, the construction of approximately 30,000 sf of office space would not directly affect any existing park or recreational facility and would not substantially increase demand for parks or recreational facilities. The proposed project modification would not alter the location, size, or use of the proposed development. Therefore, the proposed modification would not result in significant impacts to recreation and would have no impact beyond that identified in the 2008 MND and 2012 Addendum.

# Transportation/Circulation

Traffic Increase

The 2008 MND concludes that the project would have a less than significant impact on the circulation system. While the project would generate trips that utilize nearby roadways, the increase in vehicular traffic was found not to result in a significant impact at nearby intersections or roadway segments. The proposed modification would subdivide the project site



into three parcels, but the use and intensity of on-site development, and thus the number of vehicular trips generated by on-site development, would not change. As such, the proposed modification would not have significant traffic impacts and would have no impact beyond that identified in the 2008 MND and 2012 Addendum.

#### Congestion Management Program

The 2008 MND concludes that the approved project would not conflict with the Los Angeles County Congestion Management Program (CMP) since it would generate fewer than 50 vehicle trips at all of the CMP monitoring stations. Because the proposed project modification would not alter the use or intensity of on-site development, no additional vehicular trips would be generated and project-related traffic from all three parcels would remain under 50 vehicle trips at all CMP monitoring stations. Therefore, the proposed modification would have no significant CMP impacts and no impact beyond that identified in the 2008 MND and 2012 Addendum.

# Air Traffic

The project site is not located in the vicinity of an airport or airstrip and the 2008 MND concludes that no impact to air traffic patterns would occur. The proposed modification would not alter the location of the project and thus would have no impact beyond that identified in the 2008 MND and 2012 Addendum.

# Hazardous Design

The 2008 MND concludes that the approved project would have a less than significant impact with respect to emergency access and hazardous design since on-site development is required to comply with Fire Code and LACFD standards. The proposed modification would subdivide the site into three parcels, but the intensity of use and design of on-site development would not change. The circulation throughout the site and ingress/egress points would be maintained. No impact beyond that identified in the 2008 MND and 2012 Addendum would occur.

#### **Tribal and Cultural Resources**

Section V – Cultural Resources of the 2008 MND discussed cultural resources and specifically addressed the monitoring of grading, trenching, excavation, or other subsurface work in subsurface soil. As of September 2016, the CEQA Guidelines have been updated to reflect new projects' review processes related to Tribal and Cultural Resources. The proposed modification would subdivide the project site into three parcels. This modification would not result in an increase in grading or earthwork that would impact tribal or cultural resources. Although the CEQA Guidelines pertaining to Tribal and Cultural Resources have been updated since the analysis in Section V – Cultural Resources of the 2008 MND was completed, the request would not require further coordination with tribes, nor would it require further analysis or monitoring of the project site since the project site has already been graded and building pads have been created. Therefore, the proposed modification would have no impact beyond that identified in the 2008 MND and 2012 Addendum.

# **Utilities and Service Systems**

The 2008 MND concludes that the approved project would have a less than significant impact on wastewater systems, storm water drainage facilities, water supplies, and solid waste disposal. Because the proposed modification would not alter the location, the design, or the intensity of on-site development, it would not increase water demand or wastewater or solid waste generation as compared to the approved project. Consequently, it would not have significant impacts to utilities and service systems, and would have no impact beyond that identified in the 2008 MND and 2012 Addendum.

# **Mandatory Findings of Significance**

As discussed in the 2008 MND, implementation of the approved project would not result in significant impacts that cannot be reduced to a less than significant level, nor would it substantially contribute to any significant cumulative impacts. The proposed modification would not alter the location, use, design, or intensity of use of on-site development and, as such, would not create impacts to biological or cultural resources, cumulative impacts, or impacts to human beings beyond those identified in the 2008 MND and 2012 Addendum. Mitigation measures from the 2008 MND for biological and cultural resources would continue to apply and would reduce such impacts to a less than significant level.

#### **CONCLUSIONS**

As discussed above, the proposed minor modification to the approved Liberty Canyon Office Expansion Project would not result in any physical changes from the approved project and, as such, would not result in any significant environmental impacts beyond those identified in the 2008 MND and 2012 Addendum for the project. Therefore, an Addendum is the appropriate environmental document for the proposed modification under CEQA.

# LIST OF REFERENCES

Agoura Hills, City of. *Addendum to the Final Mitigated Negative Declaration for the Liberty Canyon Office Expansion Project*. February 2012.

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