

REPORT TO PLANNING COMMISSION

DATE: JANUARY 20, 2022

TO: HONORABLE CHAIR AND MEMBERS OF THE PLANNING COMMISSION

FROM: DENICE THOMAS, COMMUNITY DEVELOPMENT DIRECT

BY: VALERIE DARBOUZE, ASSOCIATE PLANNER

REQUEST: 1) APPROVAL OF A CONDITIONAL USE PERMIT TO SELL ELECTRIC VEHICLES AT AN EXISTING INDUSTRIAL BUILDING, AND 2) TO MAKE A FINDING OF EXEMPTION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

APPLICANT: Tesla, Inc.

CASE NO: CUP-2021-0006

LOCATION: 28721 Canwood Street Building A (AIN 2048-012-026)

ENVIRONMENTAL DETERMINATION: Exempt from the California Environmental Quality Act (CEQA) per §15061(b)(3) and 15301 of the CEQA Guidelines.

ZONING DESIGNATION: BP-M-FC (Business Park Manufacturing and Freeway Corridor Overlay Districts)

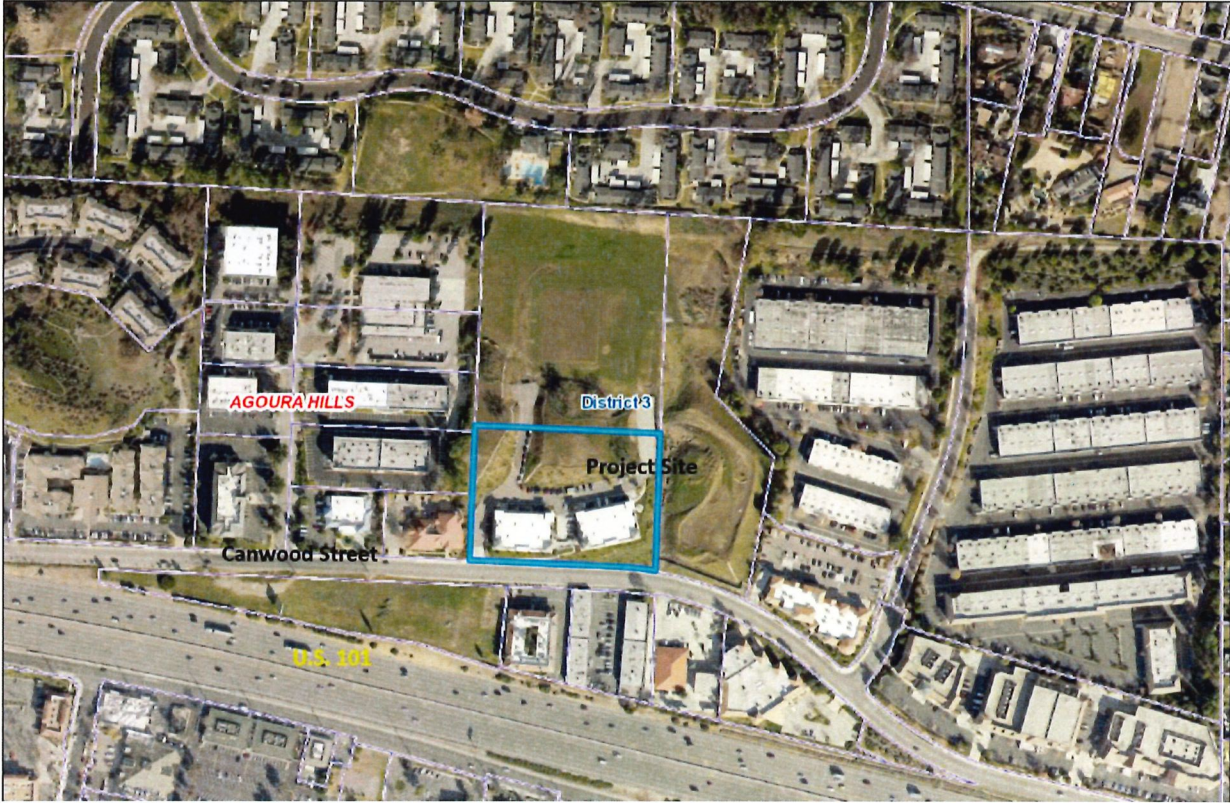
GENERAL PLAN DESIGNATION: BP-M (Business Park Manufacturing)

RECOMMENDATION: Staff recommends the Planning Commission approve Conditional Use Permit Case No. 2021-0006, subject to Conditions of Approval, based on the findings of the attached Draft Resolution.

I. PROJECT BACKGROUND AND DESCRIPTION

Tesla, the Applicant, has submitted a Conditional Use Permit (CUP) application, Case No. CUP-2021-0006, to sell new electric vehicles from an existing industrial building located at 28721 Canwood Street, Building A. Tesla currently operates a Minor Auto Repair/Service department at that location to serve a regional demand for repair of the electric vehicles. Tesla does not operate a conventional car dealership with a large showroom, and parking lot footprint, but rather uses *galleries*¹ and *stores*² to educate and assist customers with their purchase online. The sales activities would take place in an existing office space or *store* inside the industrial building, but separated from the service department’s activities already operating at this location. The office would be manned by three qualified, sales representatives who would be available between the hours of 10:00 am and 6:00 pm, seven days a week. Also, included in the CUP application, is a request to store four vehicles on-site for customers to test-drive.

Figure 1 (Vicinity Map)



Los Angeles County GIS

¹ Tesla refers to galleries as a place to display a vehicle and educate the public on the new technologies. Galleries are located in shopping malls where there is a lot of foot traffic.
² Tesla refers to stores as a location to assist customers in buying a vehicle online.

The property is located in the Business Park Manufacturing and Freeway Corridor District (BP-M-FC). The property is north of Canwood Street and separated from US 101 Freeway by office development. The property is bordered by a two-story office building currently occupied by a furniture store and yoga studio to the west and vacant land to the east. The property is currently developed with two of the seven buildings approved under CUP No. 06-CUP-003 for an industrial business park. Access to the site is through a two-way driveway along the west side of the property leading to the rear of the buildings where the main entrances are located.

The proposed scope of work is as follows:

- Existing Conditions:
 - Project site: Approximately 3.85 acres of the total lot size (10.13 acres)
 - Building A: 13,142 square feet of gross floor area with 10,298 square feet of service area, 2,844 square feet of office and other spaces
 - Surface parking and landscaping completed to serve existing buildings

Legislative Review

In the Agoura Hills Municipal Code (AHMC) §9673 (*Conditional Use Permit*) and AHMC §9312.2 (*Land Use Table*), specific uses, such as auto sales, are permitted with the approval of a CUP. Specific and reasonable conditions can be imposed in consideration of the effects of the use on surrounding properties. Additionally, pursuant to AHMC §9673.5 (*Use permit to run with the land*), a CUP shall run with the land and shall continue to be valid upon a change of ownership of the site or structure.

II. STAFF ANALYSIS

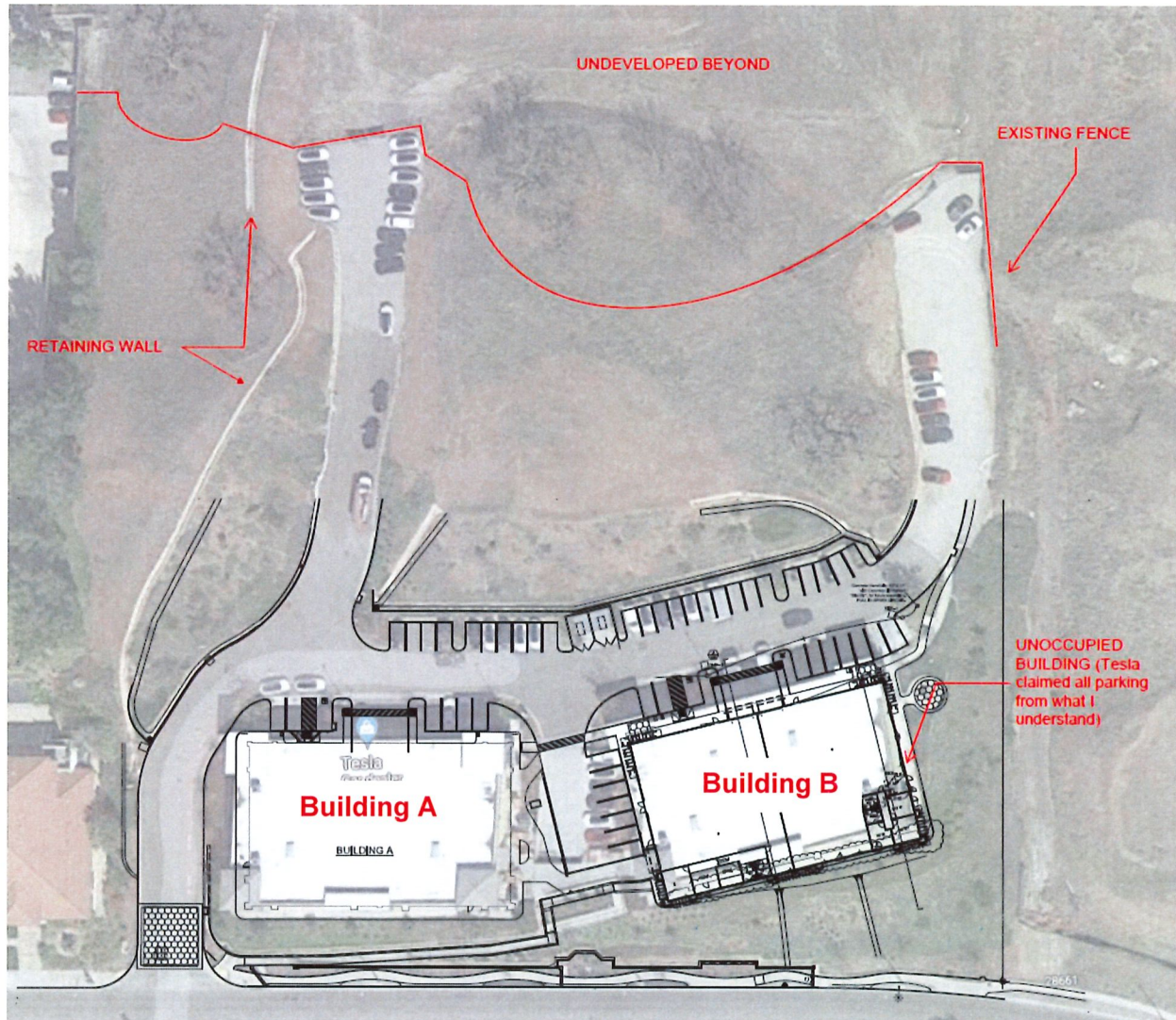
Site Plan and Building

The facility consists of a 13,142-square-foot building with access to 53 parking spaces. The facility occupies one of the two buildings already constructed that are served by surface parking at the rear of the buildings. An unfinished driveway extends beyond the open space to the north and will be an access way for future development on the lot (Figure 2 Site Plan).

A business license was issued to Tesla (the occupant of the building since August of 2017) for very minor repair services. The license was converted to an auto repair facility in January of 2019. A CUP was not required to operate this auto repair facility on the site because it is a permitted use in the zone. The facility can, unlike typical auto repair centers for combustion vehicles, operate the vehicles inside the building without noise or air pollution. The service department operates between the hours of 8:00 am and 6:00 pm, Monday through Friday and 8:00 am to 5:00 pm on Saturday. The sales department will continue operating through Sunday from 10:00 am to 6:00 pm. A business license was issued to a furniture warehouse occupying Building B, which supplies the furniture

for a retail store located in the Agoura Design Center to the east of the project site. Both uses share 53 parking spaces.

Figure 2 (Site Plan)



Applicant's Site Plan

Conditional Use Permit (CUP)

The sale of cars is permitted in the BP-M district and in the FC Overlay District with a CUP. The use is compatible with commercial surrounding uses, in that it will not conflict with the operating hours of the businesses and there are no sensitive uses within a 500-foot radius of the building. The use is not expected to be detrimental to public health, safety, or welfare as the use consists of assisting customers with their online purchase, an activity that is contained within a building. The CUP will allow Tesla to keep four (4) cars on-site for test drives. The building design will not change due to the sales activity. Three employees are anticipated to occupy the existing office within the facility to meet

with potential car buyers. Unlike traditional car dealerships, the proposed use does not require an inventory of vehicles to be stored on-site as the vehicles are ordered online after the request is placed by the customer. The Applicant has requested to store four vehicles, with various features, on site that the customers can test-drive. That function is intended to assist customers in deciding what features to add to the car before the order is placed online. If the vehicle is already manufactured with the desired features, the vehicle will be picked up from a location outside of the City and delivered to the customers' preferred location. If the vehicle is not available, the order will be placed with the manufacturing branch of Tesla, and the vehicle will be delivered to the customer at a later date.

Tesla does not rely on traditional dealerships to sell the vehicles, but rather sells directly to the consumer. The use of galleries to display electric vehicles in malls is intended to raise awareness and educate the public about the fairly new technology, but not for the purpose of selling the vehicles. In this instance, the facility is referred to as a store, but without an inventory to assist customers in the process of purchasing a vehicle including the financing aspect of the purchase. The Tesla operational model is such that the sales of vehicles can be done without the visual and footprint impacts of a standard car dealership. There are currently 51 stores and galleries, including service centers in California; Agoura Hills will make the 52nd location.³

Freeway Corridor (FC) Overlay District

The purpose of the Freeway Corridor (FC) Overlay District is to recognize the importance of the land use, architectural design, and appearance of development within the freeway corridor. Projects in the FC are required to incorporate naturalistic and native landscaping, particularly oaks; preserve key vistas to the Santa Monica Mountains; screen unsightly uses; exhibit a low-intensity development style; convey a high-quality image; minimize impacts to sensitive and endangered species, and; use compatible colors and materials to preserve and enhance the scenic quality of the freeway corridor. The proposed use will take place in an industrial building permitted by CUP No. 06-CUP-003, which addressed all the requirements of the freeway corridor. The proposed use will not modify the structure or require exterior improvements. Additionally, because no exterior changes to the existing building will occur, the proposed use will not impede the views of the Santa Monica Mountains or diminish the scenic quality of the freeway corridor.

Traffic/Parking

The previously approved CUP (CUP No. 06-CUP-003) approved 217 parking spaces to be shared by seven buildings, whereas 125 parking spaces were required. Building A consists of 10,298 square feet of warehouse space used for minor auto repair activities, and 2,844 square feet for general office/other uses. The adjacent building (Building B) has a similar breakdown of space. Each building will require 18 parking spaces.

³ Tesla. Com Website

Currently, there are 53 parking spaces striped and available to the two buildings. The 35 extra spaces can support four cars stored in those spaces for test-driving. AHMC §9654.6 (Parking Allocation) requires one parking space for every 1,000 square feet of outdoor sales and display area. Under the subject application, no interior or exterior display area is requested, so the requirement does not apply.

III. FINDINGS

A. *General Plan Consistency*

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

Goal LU-2: City of Diverse Uses. 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.

Goal LU-12: Diverse District and Corridors. A diversity of vital and active commercial districts providing a choice of uses and activities for Agoura Hills' residents and visitors.

- Policy LU-12.2: Freeway Corridor. Accommodate the development of commercial centers within the freeway corridor to provide a strong fiscal base for the City. Facilitate the development of vacant and underutilized freeway parcels with commercial uses that capitalize on their freeway access and visibility in an aesthetically pleasing manner.

Analysis: The CUP will allow for the sale of electric vehicles within the City, which are becoming a widely used type of personal vehicle. The project expands services provided in the area and in the region. It contributes to the expansion of employment opportunities for the residents. The project complies with Goal LU-12 by providing a retail service and contributes to the development of a vital, active commercial district. The company is a reputable brand that will attract regional and local customers. The sales activities are contained within the building and no modifications are proposed. The parking lot is screened from the public right-of-way by the building to maintain the commercial appearance of the project. The use and its ancillary services provide additional services for the City residents and electric vehicle owners outside the City boundaries.

B. Conditional Use Permit. AHMC §9673.2(E)

Finding 1. That the proposed use is consistent with the objectives of this article and the purposes of the district in which the use is located.

Analysis: The use is a permitted use in the BP-M zone with the approval of a CUP. The use is fully contained within an existing building and does not require exterior modifications. The parking lot, where the vehicles used for test-driving will be kept, will be screened from view by the building and accessible by a two-way driveway. Parking is

available for the existing uses and the newly proposed use. **The project complies with the finding.**

Finding 2. That the proposed use is compatible with the surrounding properties.

Analysis: The project site is within an existing industrial building in an approved industrial development. The properties surrounding the project site include a vacant lot on the east side and commercial uses on the west side and across the building on the south side of Canwood Street. Immediately north of the building is an undeveloped hill intended to remain permanent undeveloped open space, which separates the use from a residential development located at the rear of the parcel. The building and parking lot are bordered by existing structures and landscaping, which will serve to minimize visual impacts from the rights-of-way and surrounding uses. The existing two-way driveway provides adequate ingress and egress to serve the existing buildings and future development. **The project complies with the finding.**

Finding 3. That the proposed use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare.

Analysis: The project is conditioned to operate within specific business hours and parking restrictions have been implemented to avoid vehicles queueing in the driveway and blocking access to the property. The vehicles do not cause pollution and generate very low noise levels when moving, therefore, they will not cause noise impacts to the residential development at the rear of the parcel. **The project complies with the finding.**

Finding 4. That the proposed use will comply with each of the applicable provisions of the zoning ordinance, except for approved variances or modifications.

Analysis: The use is permitted with the issuance of a CUP and conditioned to limit impacts to the surrounding properties. The development, including the use, provides sufficient parking to serve the expected parking demand of the business during daytime hours. The project does not require modifications or variances. **The project complies with the finding.**

Finding 5. That the distance from other similar and like uses is sufficient to maintain the diversity of the community

Analysis: No other retail electric vehicle sale facility operates in the City; therefore, the use does not contribute to the over-concentration of like and similar uses in the City and/or in the industrial zone. **The project complies with the finding.**

Finding 6. That the proposed use is consistent with the goals, objectives and policies of the general plan.

Analysis: The project is consistent with the Land Use and Community Form Goal LU-2 City of Diverse Uses and LU-12 Diverse District and Corridors. The use increases the diversity of uses in the BP-M zone by bringing specialized services not found in the region. The proposed use will provide a desirable, convenient location for the public to purchase electric vehicles. **The project complies with the finding.**

C. Freeway Corridor (FC) Overlay. AHMC § 9545.1

The purpose of the FC Overlay District is to recognize the importance of the land use, architectural design, and appearance of development within the freeway corridor to the City's image. Projects in the FC Overlay District are required to include naturalistic and native landscaping, particularly oaks; preserve key vistas to the Santa Monica Mountains; screen unsightly uses; exhibit a low-intensity and semi-rural development style; convey a high-quality image, and; use compatible colors and materials to preserve and enhance the scenic quality of the freeway corridor.

Finding 1. The project is compatible with the city's semi-rural character and does not overwhelm the city's low-intensity development style.

Analysis: The project is contained within an existing industrial building as a secondary activity to the minor auto repair use. Although the request increases the number of uses at that location, it does not increase the level of business activities significantly since it consists of employing specialized staff to assist the public in an existing office space inside the same building. As such, the request does not contribute to the expansion of the development. **The project complies with the finding.**

Finding 2. The project's features and space enhance the site so that the buildings are integral parts of the community fabric. To the maximum extent feasible, taking into consideration more than just economic feasibility, the project is situated on the site to maximize the views of the city's points of natural scenic beauty, such as Medea Creek, Ladyface Mountain or Strawberry Hill.

Analysis: The previously approved project preserves the views of Ladyface Mountain and the Santa Monica Mountains. The proposed project occupies a building that was approved by CUP No. 06-CUP-003. That approval took into consideration the topography of the site and maintains the natural grade differential between the building pad and both Canwood Street and the US 101 Freeway without the need for tall retaining walls as required by the FC Overlay District. The project will not modify the height of the building in a way that could cause visual impacts on the hillsides. The outdoor activities are limited to parking four electric vehicles in the parking lot that are placed behind the building and screened from view. **The project complies with the finding.**

Finding 3. Parking areas provide safe and convenient access. Parking areas are situated on the site and landscaped to avoid vast expanses of uninterrupted parking spaces. A parking study shall be prepared to determine parking adequacy.

Analysis: The approved parking is in close proximity to the buildings and limited to serving Buildings A and B. Additionally, the parking is bordered by a hillside and enhanced with landscaping. The project does not require a parking study. **The project complies with the finding.**

Finding 4. The site design works with the characteristics of the existing terrain and maximizes preservation of open space to the maximum extent feasible, taking into consideration more than just economic feasibility. The existing terrain and natural contours have been incorporated into the site plan design to maximum extent feasible, taking into consideration more than just economic feasibility. Where features of special interest such as hillsides, streams, or oak trees exist on the project site, they have been integrated into the design. The planning commission has the discretion to impose conditions as it may deem to be necessary to minimize and mitigate grading, the use of retaining walls, and the use of large flat pads.

Analysis: The site is sufficiently developed to accommodate the use both inside the existing building and outside for the parking area. No modification to the site is proposed. **The project complies with the finding.**

Finding 5. The project design avoids or mitigates significant impacts to sensitive or endangered plants and animals and sensitive plant communities such as oak woodlands or riparian habitat.

Analysis: The project does not cause the removal of any sensitive communities or oak woodland since the building is existing. **The project complies with the finding.**

Finding 6. The development design conveys the high quality image envisioned in the general plan. Views of the site from the freeway, city gateways, and abutting residential areas complement and enhance the city's low intensity and semi-rural character. Line of sight studies shall be prepared to determine the visual impacts of the project.

Analysis: The project is contained in an existing development that protects visual impacts and the parking lot is screened by the building and surrounding hilly topography, thereby preserving the high-quality image of the City. **The project complies with the finding.**

Finding 7. Building facades are articulated on all sides: There are no long, unbroken facades. The building facades are of natural, non-reflective or low-reflective materials such as wood, stone, brick, or textured concrete. The building's predominant colors are subtle, neutral, or earth tone. Variations in rooflines are used to add interest to and reduce the massive scale of large buildings. Roof features compliment the character of adjoining neighborhoods.

Analysis: The project is occupying an existing industrial building that was designed with high-quality aesthetics and the proposed use does not change those conditions. **The project complies with the finding.**

Finding 8. Landscaping compliments the natural setting of the region.

Analysis: Landscaping is provided in the front yard between Canwood Street and the building and in landscaped finger planters in the parking lot in the rear of the buildings. The project does not modify that improvement. **The project complies with the finding.**

Finding 9. Traffic, light, noise, and other environmental impacts shall be mitigated to the maximum extent feasible, taking into consideration more than just economic feasibility. A project shall not be approved if, after implementation of any required traffic mitigation measures, the project's traffic will significantly reduce the existing level of service on any local street in a residential neighborhood. A traffic study shall be prepared to determine impacts and identify mitigation measures.

Analysis: The Applicant anticipates having four electric vehicles available for test-drives that will be stored in the parking lot. The parking lot is screened by both the buildings as viewed from the street, and an undeveloped hill as viewed from the residential development to the north of the property that will be maintained as open space. The electric vehicles do not generate excessive noise levels and as such, no noise impact is expected on adjacent properties. The traffic increase from the employees and customers is considered minimal and no traffic study is required, or mitigation measure required as a result. **The project complies with the finding.**

Finding 10. If any point on any lot line of any parcel on which the development is proposed to be located is within five hundred (500) feet of any point on any lot line of any residentially zoned property (including property in any open space district in which residential uses are permitted or conditionally permitted), the project is compatible with residential uses. This finding is imposed in recognition of the impact of such developments on residential uses, including impacts on local street traffic, noise, light, security, view corridors, and other environmental impacts. The planning commission has the discretion to impose such conditions as it may deem to be necessary to ensure compatibility with residential uses, including but not limited to conditions relating to: (i) The size, scale and configuration of the development; (ii) Glare on residential properties from outdoor lighting; (iii) Noise from loading docks, parking areas, and other outdoor areas of the development; (iv) Security in the neighborhood; (v) Traffic and circulation in the neighborhood; (vi) Landscaping and other design features to buffer the aesthetic impacts on residential properties; and (vii) Other environmental impacts.

Analysis: Because the undeveloped hill that rises between the completed buildings and future buildings will remain, the visual impacts from the building massing and the uses operated in those buildings as viewed from the residential properties are minimized. **The project complies with the finding.**

IV. ENVIRONMENTAL REVIEW

The project has been reviewed pursuant to the California Environmental Quality Act (CEQA), and has been determined to be exempt from CEQA per §15061(b)(3) and §15301. The project does not have the potential for causing any significant effect on the environment, because it consists of selling cars online and test-driving a facility-owned, electric vehicle. The use is contained within an existing building, and the use does not modify the approved development or physical environment. No exception to this determination applies as set forth in §15300.2 of the CEQA Guidelines, including, but not limited to, subsection (c), which relates to unusual circumstances that could have a significant effect on the environment.

V. RECOMMENDATION

Based on the above analysis, staff recommends that the Planning Commission approve Conditional Use Permit, Case No. CUP-2021-0006, subject to attached Conditions of Approval, and based on the findings of the attached Draft Resolution.

VI. ATTACHMENTS

1. Draft Resolution for Conditional Use Permit, with Exhibit A Conditions of Approval
2. Vicinity Map
3. Reduced Copies of Project Plans
4. Photographs of the Site

Case Planner: Valerie Darbouze, Associate Planner

ATTACHMENT 1

**Draft Resolution for Conditional Use Permit
with Exhibit A - Conditions of Approval**

RESOLUTION NO. 22-_____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF AGOURA HILLS, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT CASE NO. CUP-2021-0006, TO ALLOW THE SALE OF ELECTRIC VEHICLES AT AN EXISTING INDUSTRIAL BUSINESS PARK LOCATED AT 28721 CANWOOD STREET; AND MAKING A FINDING OF EXEMPTION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

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

Section 1. An application was duly filed by Tesla, Inc., with respect to the property known as Agoura Business Center North located at 28721 Canwood Street (Assessor's Identification No. 2048-012-026), requesting approval of a Conditional Use Permit (Case No. CUP-2021-0006) to allow the sale of electric vehicles at an existing building in an industrial business park ("Project").

Section 2. The Project has been reviewed pursuant to the California Environmental Quality Act (CEQA), and has been determined to be exempt from CEQA per §15061(b)(3) and §15301. These sections address the use of the building having negligible, or no permanent effects on the environment, which would include periodic customer visits to an office and test-driving of electric vehicles. The use is contained within an existing industrial building, where safe and adequate circulation and access are provided. There will be no permanent changes to the site or environment. No exception to this determination applies as set forth in §15300.2 of the CEQA Guidelines, including, but not limited to, subsection (c), which relates to unusual circumstances that could have a significant effect on the environment.

Section 3. The Planning Commission of the City of Agoura Hills considered the Project application at a public hearing held on January 20, 2022 at 6:30 p.m. The public hearing was held in accordance with Assembly Bill 361 on an electronic platform that allowed for the applicant and members of the public to present statements and provide materials to the Commission. Notice of the time, date, means of participation in, and purpose of the aforesaid hearing was duly given and published as required by state law.

Section 4. Evidence, both written and oral, including the staff report and supporting documentation, was presented to and considered by the Planning Commission at the aforementioned public hearing.

Section 5. Conditional Use Permit (CUP). Based upon the evidence presented at the hearing, including the staff report and oral and written testimony, the Planning Commission finds for the CUP, pursuant to the Agoura Hills Municipal Code (AHMC) § 9673.2.E., that:

A. The Project is consistent with the objectives and provisions of the Zoning Ordinance and the purposes of the land use district in which the use is located. The use is a permitted use in the Business Park-Manufacturing zone (BP-M) zone with the approval of a CUP. The use is fully contained within a building of the existing development. The parking lot where the vehicles are used for test-driving will be kept screened from view by the building and accessible by a two-way driveway. Parking is available for the existing uses and the newly proposed use.

B. The Project is compatible with the surrounding properties. The Project site is within an existing industrial building in an approved industrial development. The Project site's surrounding properties consist of a vacant lot to the east of the parcel, and commercial uses to the west, and across the street from the parcel on the south side of Canwood Street. Immediately north of the building is an undeveloped hill intended to remain permanent developed open space, which separates the use from a residential development located at the rear of the parcel. The building and parking lot are bordered by existing structures and landscaping, which will serve to minimize visual impacts of the business related activities from the rights-of-way and surrounding uses. The existing two-way driveway provides adequate ingress and egress to serve the existing buildings and future development.

C. The Project and the conditions under which it will be operated or maintained will not be detrimental to public health, safety, or welfare. The Project is conditioned to operate within specific business hours and parking restrictions have been implemented to avoid vehicles queueing in the driveway blocking access to the property and traffic impacts on Canwood Street. The vehicles do not generate emissions and generate very low noise levels when moving, and therefore, will not cause noise impacts to the residential development at the rear of the parcel.

D. The Project will comply with each of the applicable provisions of the Zoning Ordinance, except for approved variances or modifications. The use is permitted with the issuance of a CUP and conditioned to limit impacts to the surrounding properties. The development, including the use, provides sufficient parking to serve the expected parking demand of the business during the daytime hours. The Project does not require modifications or variances.

E. The distance from other similar and like uses is sufficient to maintain the diversity of the community. No other retail electric vehicle sale facility operates in the City; therefore, the use does not contribute to the over-concentration of like and similar uses in the City and/or in the industrial zone.

F. The Project is consistent with the City's General Plan. The Project is consistent with the Land Use and Community Form Goal LU-2 City of Diverse Uses and LU-12 Diverse District and Corridors. The use increases the diversity of uses in the Business Park Manufacturing zone by bringing specialized services not found in the region. The proposed use will provide a desirable, convenient location for the public to purchase electric vehicles.

Section 6. Freeway Corridor. Based upon the evidence presented at the hearing, including the staff report and oral and written testimony, the Planning Commission finds for the CUP, pursuant to the Agoura Hills Municipal Code (AHMC) § 9545.1, that:

1. The Project is compatible with the city's semi-rural character and does not overwhelm the city's low-intensity development style. The Project is contained within an existing industrial building. Although the request increases the number of uses at that location, it does not increase the level of business activities significantly since it consists of employing specialized staff to assist the public in an existing office space inside the same building. As such, the request does not contribute to the expansion of the development.

2. The Project's features and space enhance the site so that the buildings are integral parts of the community fabric. To the maximum extent feasible, taking into consideration more than just economic feasibility, the Project is situated on the site to maximize the views of the city's points of natural scenic beauty, such as Medea Creek, Ladyface Mountain or Strawberry Hill. The Project preserves the views of Ladyface Mountain and the Santa Monica Mountains. The Project occupies a building that was approved by CUP No. 06-CUP-003, that took into consideration the topography of the site, and maintains the natural grade differential between the building pad and both Canwood Street and the freeway without the need for tall retaining walls as required by the FC Overlay District. The Project will not modify the height of the building that could cause visual impacts on the hillsides. The outdoor activities are limited to parking four (4) electric vehicles in the parking lot that are placed behind the building and screened from view.

3. Parking areas provide safe and convenient access. Parking areas are situated on the site and landscaped to avoid vast expanses of uninterrupted parking spaces. The previously approved parking is in close proximity to the buildings and enhanced with landscaping. The Project does not require a parking study since there will be over 90 surplus parking spaces when the Project will be completed.

4. The site design works with the characteristics of the existing terrain and maximizes preservation of open space to the extent feasible. The existing terrain and natural contours have been incorporated into the site plan design. Where features of special interest such as hillsides, streams, or oak trees exist on the project site, they have been integrated into the design. The Planning Commission has the discretion to impose conditions as it deems necessary to minimize and mitigate grading, the use of retaining walls, and the use of large flat pads. Currently, the site is sufficiently developed to accommodate the use both inside the existing building and outside for the parking area. No modification to the site is proposed.

5. The Project design avoids or mitigates significant impacts to sensitive or endangered plants and animals and sensitive plant communities such as oak woodlands or riparian habitat. The Project does not require the removal of any sensitive communities

or oak woodland since the building is constructed and finalized to allow the occupants to occupy the buildings and use of the parking lot by the City's Building Division.

6. The development design conveys the high quality image envisioned in the general plan. Views of the site from the freeway, city gateways, and abutting residential areas complement and enhance the city's low-intensity and semi-rural character. The Project is contained in an existing development that protects visual impacts and the parking lot is screened by the building and surrounding hilly topography thereby preserving the high quality image of the City.

7. Building facades are articulated on all sides: There are no long, unbroken facades. The building facades are of natural, non-reflective or low-reflective materials such as wood, stone, brick, or textured concrete. The building's predominant colors are subtle, neutral, or earth tone. Variations in rooflines are used to add interest to and reduce the massive scale of large buildings. Roof features compliment the character of adjoining neighborhoods. The Project is occupying an existing industrial building that was designed with high quality aesthetics in mind and the Project does not change those conditions.

8. Landscaping compliments the natural setting of the region. Landscaping is provided in the front yard between Canwood Street and the building and in landscaped finger planters in the parking lot in the rear of the buildings and the Project does not modify that improvement.

9. Traffic, light, noise, and other environmental impacts shall be mitigated to the maximum extent feasible, taking into consideration more than just economic feasibility. The Project anticipates having four (4) electric vehicles available for test-drives that will be stored in the parking lot. The parking lot is screened by both the buildings as viewed from the street and an undeveloped hill as viewed from the residential development to the north of the property that will be maintained as open space. The electric vehicles do not generate excessive noise levels and as such, no noise impact is expected on adjacent properties. The traffic increase from the employees and customers visiting the site is considered minimal and no traffic study is required or mitigation measure required as a result.

10. If any point on any lot line of any parcel on which the development is proposed to be located is within five hundred (500) feet of any point on any lot line of any residentially zoned property (including property in any open space district in which residential uses are permitted or conditionally permitted), the Project is compatible with residential uses. This finding is imposed in recognition of the impact of such developments on residential uses, including impacts on local street traffic, noise, light, security, view corridors, and other environmental impacts. The Planning Commission has the discretion to impose such conditions as it may deem to be necessary to ensure compatibility with residential uses, including but not limited to conditions relating to: (i) The size, scale and configuration of the development; (ii) Glare on residential properties from outdoor lighting; (iii) Noise from loading docks, parking areas, and other outdoor areas of the development; (iv) Security in the neighborhood; (v) Traffic and circulation in

the neighborhood; (vi) Landscaping and other design features to buffer the aesthetic impacts on residential properties; and (vii) Other environmental impacts. Because the undeveloped hill that rises between the completed buildings and future buildings will not be affected by this use because it is within an existing building, the visual impacts from the residential properties are not impacted.

Section 7. Based on the aforementioned findings, the Planning Commission hereby approves Case No. CUP-2021-0006, subject to the conditions attached hereto as Exhibit A, with respect to the property described in Section I hereof.

Section 8. The Secretary of the Planning Commission shall certify to the passage, approval, and adoption of this resolution, and shall cause this resolution and its certification to be entered in the Book of Resolutions of the Planning Commission of the City.

PASSED, APPROVED, and ADOPTED this 20th day of January 2022, by the following vote to wit:

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

Murtaza Mogri, Chairperson

Denice Thomas, AICP, Secretary

Exhibit A
CONDITIONS OF APPROVAL
(Case No. CUP-2021-0006)

PLANNING DIVISION

1. This decision, or any aspect of this decision, can be appealed to the City Council within fifteen (15) days from the date of Planning Commission action, subject to filing the required forms and related fees with the City.
2. The approval of this permit shall not be effective for any purpose until the Applicant has agreed in writing that the Applicant is aware of, and accepts, all Conditions of this Permit with the Planning Division.
3. Except as modified herein, the approval of this action is limited to, and requires complete conformation to the approved labeled exhibits: Site Plan, and Floor Plan.
4. If any provision of these permits is held or declared invalid, the approval shall be void and the privileges granted hereunder shall lapse.
5. If any condition herein is violated, the permit shall be suspended and the privileges granted hereunder shall lapse; provided that the Applicant has been given written notice to cease such violation and has failed to do so for a period of thirty (30) days.
6. All requirements of the Zoning Ordinance and of the specific zoning designation of the subject property must be complied with unless set forth in this permit.
7. Unless this permit is used within two (2) years from the date of City approval, Conditional Use Permit Case No. CUP-2021-0006 will expire.
8. Operation of the use shall not be granted until all Conditions of Approval have been complied with as determined by the Planning Director.
9. The Applicant, and property owner(s), and their successors in interest, shall indemnify, defend and hold harmless the City, its officials, officers, agents and employees (collectively "Indemnitees") from and against any and all claims, actions, lawsuits, damages, losses and liabilities arising or resulting from the granting of this approval by the City or the exercise of the rights granted by this approval. This indemnification obligation shall include, but not be limited to, paying all fees and costs incurred by legal counsel of the City's choice in representing the Indemnitees in connection with any such claims, actions or lawsuits, any expert fees, and any award of damages, judgments, verdicts, court costs or attorneys' fees in any such claim, action or lawsuit. The City shall promptly notify Applicant and property owners of any claim, action, or proceeding and the City shall reasonably cooperate in the defense. In the event such a legal action is filed, the City shall estimate its expenses for litigation. Applicant or property owners shall deposit such amount with the City or enter into an agreement with the City to pay

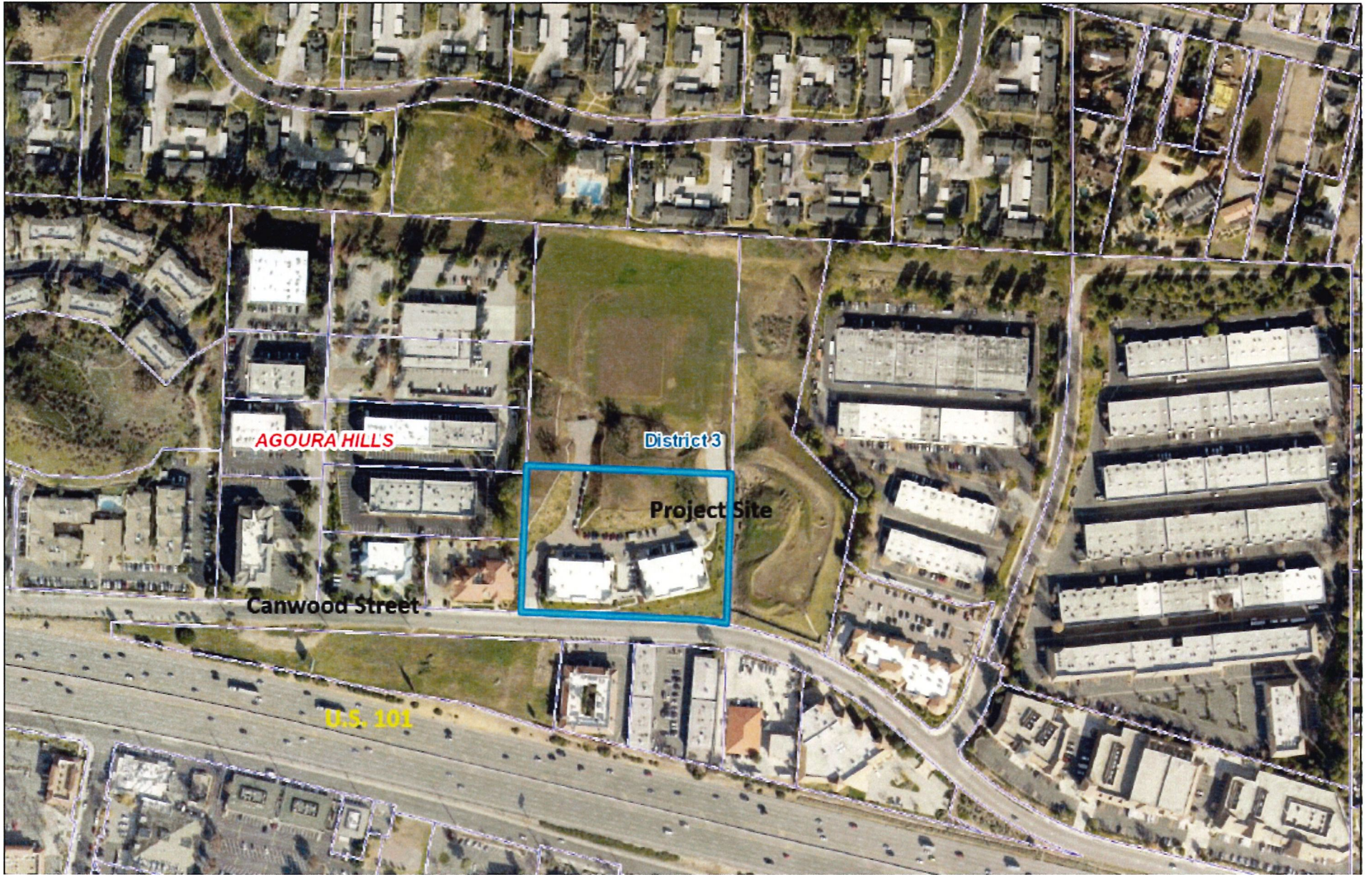
such expenses as they become due. Applicant and property owners shall reimburse the City, and each of the Indemnitees for any and all legal expenses and costs incurred by it in enforcing the indemnity herein provided. Although the Applicant is the real party in interest in an action, the City may, at its sole discretion, participate in the defense of the action, but such participation shall not relieve the Applicant of any obligation under this condition.

10. The approved hours of operation for the sales division shall be from 10:00 a.m. through 6:00 p.m. every day.
11. No storage of new vehicles intended for sale is allowed at this location, except that up to four vehicles intended for customer test drives may be stored at the location.
12. No vehicle shall be stored temporarily in the driveway and/or drive-aisles and cause to block the fire lane.
13. Vehicles used for test-driving shall be fully operational vehicles and licensed to operate on public streets.
14. Applicant shall obtain all required federal, state and local permits and licenses to operate the use at the subject location.
15. Per Section 9673.5 – Use Permit to run with the Land, the City of Agoura Hills shall be notified of any change of ownership within ninety (90) days of its occurrence.

END

ATTACHMENT 2

Vicinity Map



City of Agoura Hills
Community Development Department
Planning Division
Conditional Use Permit Case No. CUP-2021-0006

0 490 Ft

ATTACHMENT 3

Reduced Copies of the Project Plans



UNDEVELOPED BEYOND

EXISTING FENCE

RETAINING WALL

UNOCCUPIED BUILDING (Tesla claimed all parking from what I understand)

Tesla
Car dealer

28721

BUILDING A

28721
BUILDING B

28661

Canwood St

Canwood St

Canwood St

Canwood St

AGOURA HILLS - SERVICE CENTER - WARM CLIMATE

SITE PHOTOS
TRT ID - 3102

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PARKING CALCULATIONS

PER TOWNSHIP OF AGOURA HILL MUNICIPAL CODE AND 2016 IBC, CHAPTER 11 (TABLE 1106.1)

AUTOMOBILE & TRUCK SALES
 1 STALL PER 200 S.F. OF SHOWROOM, SALES, SHOP OR GARAGE AREA PLUS
 1 STALL FOR EACH EMPLOYEE ON THE MAXIMUM WORK SHIFT PLUS
 1 STALL FOR EVERY 2,000 S.F. OF OUTDOOR VEHICLE INVENTORY

**(ACCESSIBLE)
 (VAN ACCESSIBLE):**
 2 STALLS FOR 25-50 PROVIDED PARKING STALLS
 1 PARKING STALL PER 4 REQUIRED ACCESSIBLE PARKING STALLS

	REQUIRED	PROVIDED
AUTO SALES/ SERVICE		45
ACCESSIBLE		5
VAN ACCESSIBLE		3
TOTAL		53

GENERAL ACCESSIBLE NOTES

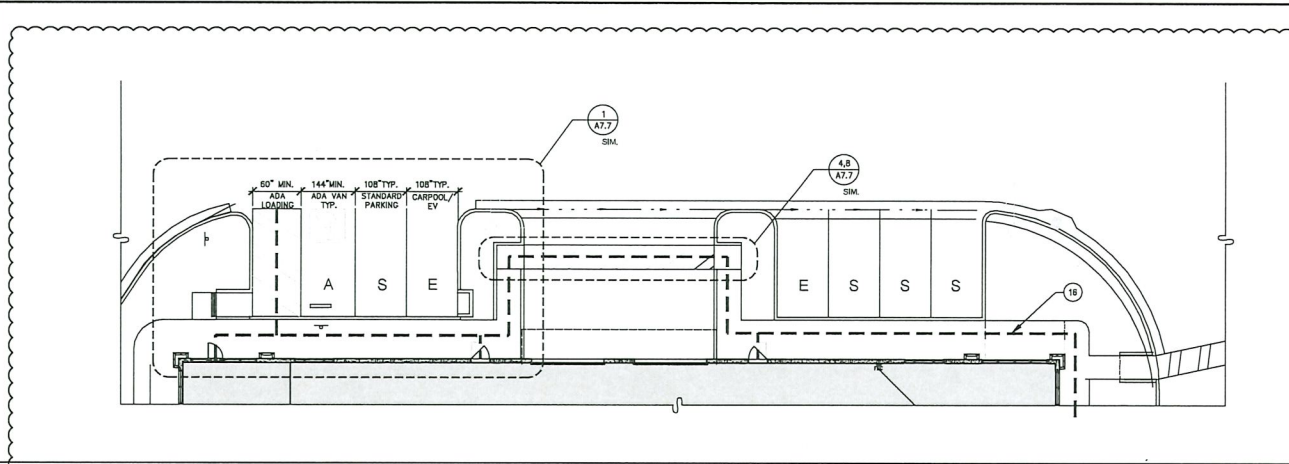
- EXISTING BUILDING TO FULLY COMPLY WITH CBC 11B-202.1

LEGEND

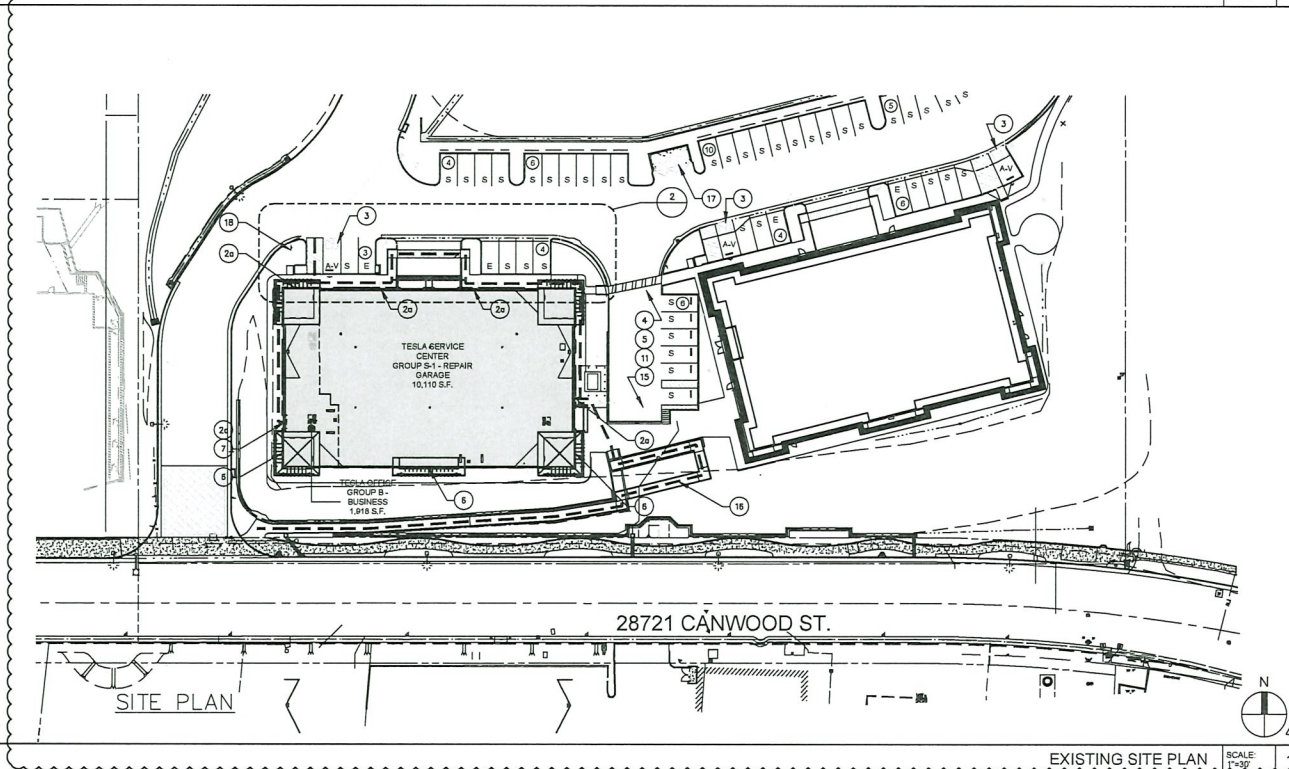
- PROPERTY LINE
- - - - PROPERTY SET BACK
- - - - ACCESSIBLE PATH OF TRAVEL
- ▨ 350 SF AREA OF DISPERSAL WITH 4'-0" WIDE ACCESSIBLE PATH, SEE CIVIL DRAWINGS.
- HIGH POWER CONNECTOR (HPC) AND DISCONNECT, SEE DETAIL 11A7.7 & ELECTRICAL DRAWINGS. SEE CIVIL DRAWINGS.
- S STANDARD PARKING STALL
- E ELECTRIC CAR CHARGING STALL
- A ACCESSIBLE PARKING STALL
- A-V ACCESSIBLE VAN PARKING STALL

KEY NOTES

- PROPERTY LINE
- EGRESS DOOR, SEE 3/A2.2. (2a) EXISTING EGRESS DOOR, SEE 12/7.7
- (B) VAN ACCESSIBLE PARKING WITH SIGNAGE. SEE CIVIL DRAWINGS.
- (B) TRANSFORMER
- (E) GAS METER
- INTERNALLY ILLUMINATED MONUMENT SIGN, NEW MONUMENT SIGN WILL BE BY SIGN VENDOR. PROVIDE ELECTRICAL CONDUIT FOR SIGN ILLUMINATION. SEE ELECTRICAL DRAWINGS.
- SELF-CONTAINED NIGHT DROP BOX, WALL MOUNTED, TOP EDGE OF UNIT AT 4'-0" A.F.F. VERIFY LOCATION WITH TESLA PM
- POST-MOUNTED HIGH POWER CHARGER (HPC), SEE ELECTRICAL DRAWINGS, INSTALL PER MANUFACTURER'S RECOMMENDATIONS. SEE DETAIL 11A7.7
- GC TO REMOVE EXISTING SIGNS AND FOOTING(S).
- (E) EGRESS RAMP, SEE CIVIL DRAWINGS.
- (B) TRANSFORMER, SEE ELECTRICAL DRAWINGS.
- (E) SITE BOLLARDS AT BUILDING CORNERS. SEE CIVIL DRAWINGS.
- (E) PORTION OF FENCE. SEE CIVIL DRAWINGS.
- (E) PARKING STRIPING, PER CITY STANDARDS. SEE CIVIL DRAWINGS.
- (B) TRASH ENCLOSURE. SEE CIVIL DRAWINGS.
- ACCESSIBLE ROUTE OF TRAVEL TO STREET PUBLIC RIGHT OF WAY.
- EXISTING TRASH ENCLOSURE TO PROVIDE RECYCLING AREA PER CBC05 410.1
- UNAUTHORIZED VEHICLES SIGN TO BE PROVIDED, PER CBC 11B-902.8, SEE DETAIL 12A7.7



ENLARGED EXISTING SITE PLAN SCALE: 1"=15' 2



EXISTING SITE PLAN SCALE: 1"=30' 1



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 AGOURA HILLS
 REPAIR / SERVICE
 CENTER
 28721 CANWOOD
 STREET - BLDG. A
 AGOURA HILLS,
 CA 91301

ISSUE / REVISION	DATE	DESCRIPTION
04.19.2017	BUILDING SUBMITTAL	
05.12.2017	BID SET	
06.02.2017	DELTA 1	

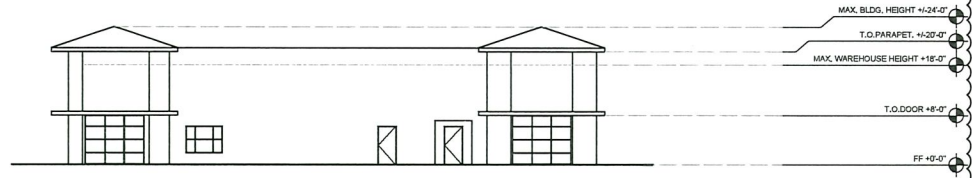
DRAWING TITLE

EXISTING
 SITE PLAN

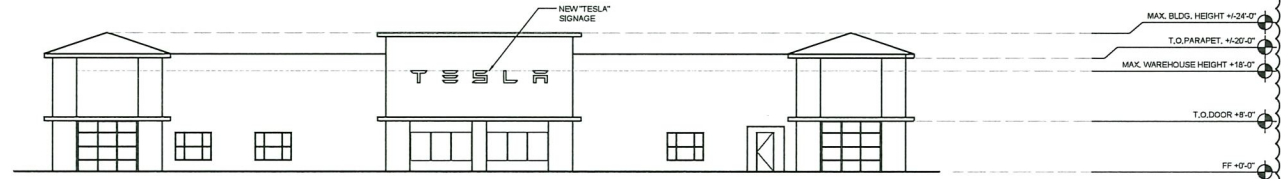
SCALE:
 PROJECT NUMBER: SNR17-6044-00

SHEET NUMBER

A1.1



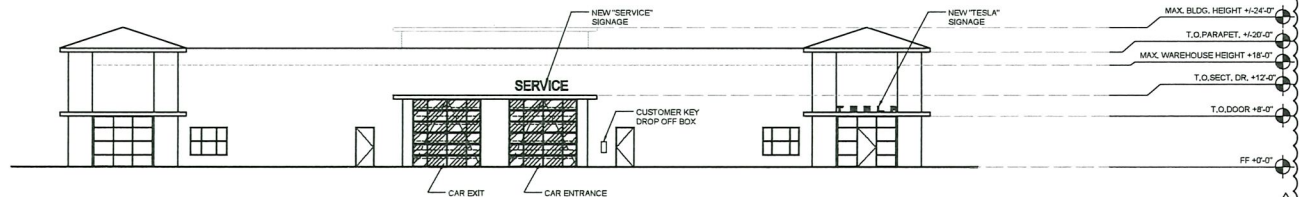
WEST EXTERIOR ELEVATION SCALE: 3/32" = 1'-0" 4



SOUTH EXTERIOR ELEVATION SCALE: 3/32" = 1'-0" 3



EAST EXTERIOR ELEVATION SCALE: 3/32" = 1'-0" 2



NORTH EXTERIOR ELEVATION SCALE: 3/32" = 1'-0" 1



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ENGINEER'S
 COMPANY LOGO
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ISSUE / REVISION	BUILDING SUBMITTAL
04.19.2017	BUILDING SUBMITTAL
05.12.2017	BID SET
06.02.2017	DELTA 1

DRAWING TITLE

EXTERIOR
 ELEVATIONS

SCALE:
 PROJECT NUMBER: SNR17-8044-00

SHEET NUMBER

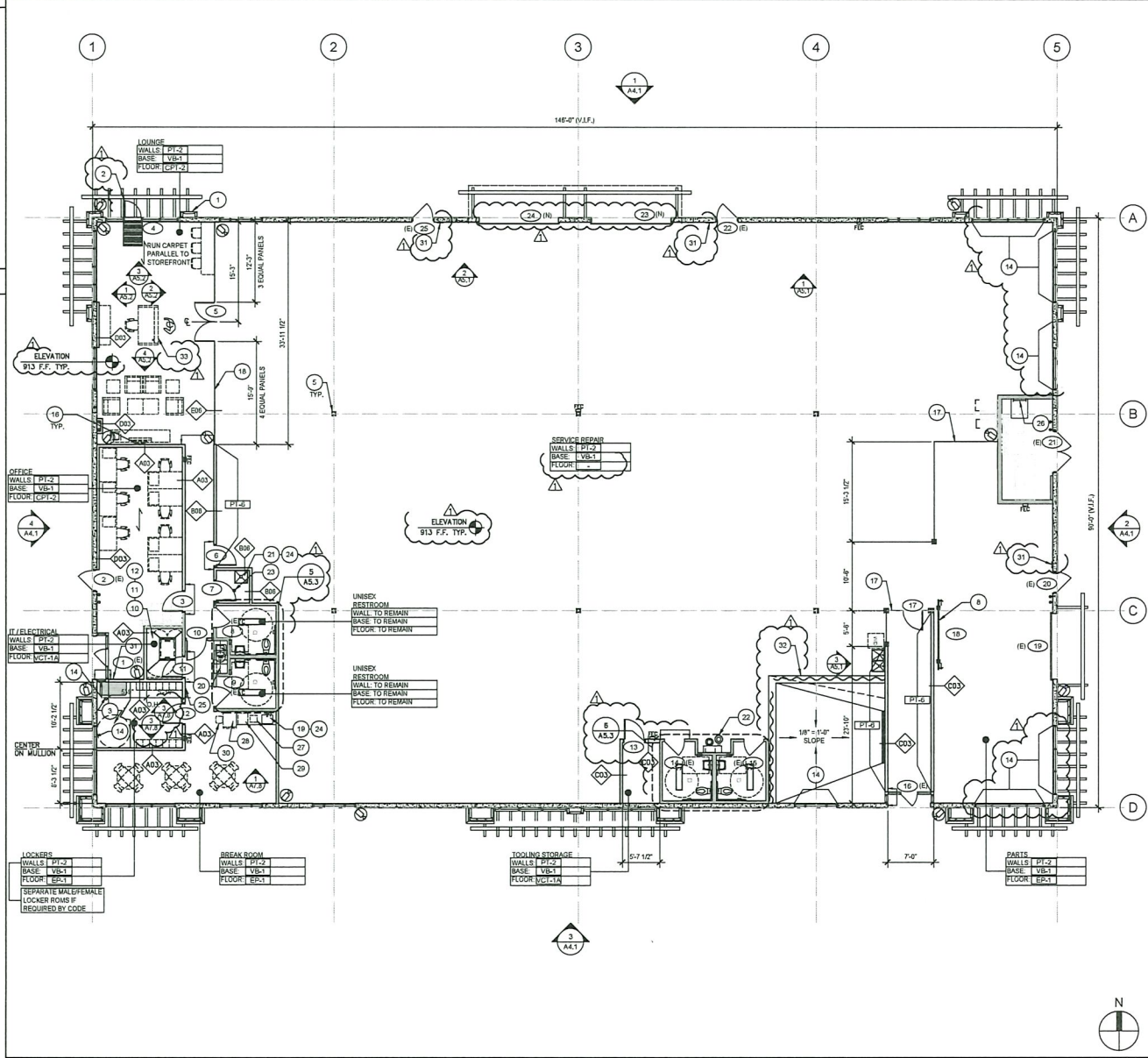
A4.1

LEGEND

- (E) CONSTRUCTION TO REMAIN, G.C. TO PATCH AND REPAIR AS REQUIRED TO "LIKE-NEW" CONDITION.
- (N) PARTITION
- DOOR NUMBER, SEE SHEET (A) FOR DOOR SCHEDULE
- FINISH, SEE SHEET (A) FOR FINISH SCHEDULE
- PARTITION TYPE, SEE SHEET (A) & ELECTRICAL DRAWINGS
- 1450 RECEPTACLE, SEE DETAIL (A) & ELECTRICAL DRAWINGS
- HIGH POWER CONNECTOR (HPC) AND DISCONNECT, V.I.F. EXACT LOCATIONS WITH TEST, A, SEE DETAIL (A) & ELECTRICAL DRAWINGS
- C.G. L' 1" x 1" METAL CORNER GUARD TYP @ ALL OUTSIDE CORNERS IN SERVICE
- H.B. I HOSE BIBB, SEE PLUMBING DRAWINGS

KEY NOTES

- 1 'NO SMOKING WITHIN 25 FEET OF BUILDING ENTRANCE' SIGN, SEE DETAIL (A)
- 2 EXTERIOR GLAZED DOOR SHALL BE MULTIPAN GLAZING WITH A MINIMUM OF ONE TEMPERED PANE. GLASS BLOCK UNIT, WITH A FIRE RESISTANCE RATING OF 20 MINUTES WHEN TESTED IN ACCORDANCE WITH NFPA 257 OR MEET THE REQUIREMENTS OF SFM 13-7A-2, CBC 708.2.1
- 3 WHERE COAT HOOKS OR SHELVES ARE PROVIDED IN LOCKER ROOM, WITH OR WITHOUT INDIVIDUAL COMPARTMENTS, AT LEAST ONE SHALL COMPLY PER CBC 11B-222 AND SECTION 11B 803.5. WHERE MIRRORS ARE PROVIDED IN LOCKER ROOM, WITH OR WITHOUT INDIVIDUAL COMPARTMENTS, AT LEAST ONE SHALL COMPLY PER CBC 11B-222.3 AND SECTION 11B 803.8
- 4 NOT REQUIRED.
- 5 (E) STRUCTURAL COLUMNS IN SERVICE AREA TO BE PAINTED (A). PROVIDE 6'-0" TALL, 2" THICK COLUMN PADDING TO MATCH (A).
- 6 NOT REQUIRED.
- 7 NOT REQUIRED.
- 8 (N) 8'-0" CHAIN LINK GATE, PRIOR TO CONSTRUCTION & ORDER OF CHAIN LINK GATE, G.C. TO FIELD VERIFY CONDITIONS, NOTIFY TESLA'S PM IF THERE ARE DIMENSIONAL ISSUES, SEE (A)
- 9 NOT REQUIRED.
- 10 (N) I.T. RACK, SEE ELECTRICAL DRAWINGS.
- 11 (N) TELEPHONE BOARD, SEE ELECTRICAL DRAWINGS.
- 12 (N) ELECTRICAL PANEL, SEE ELECTRICAL DRAWINGS.
- 13 NOT REQUIRED.
- 14 PROVIDE WINDOW FILM AT ALL WINDOWS IN SERVICE AREA, SPEC TBD. APPLY FILM TO INTERIOR SIDE OF GLAZING.
- 15 NOT REQUIRED.
- 16 PROVIDE BACKING IN WALL FOR VENDOR EQUIPMENT, SEE DETAIL (A) (NEED TO VERIFY WEIGHT OF EQUIP.)
- 17 NEW CHAIN LINK FENCE WITH POSTS, SURFACE MOUNTED TO CONCRETE FLOOR.
- 18 NEW FULL HEIGHT, 3/8" THICK, TEMPERED BUTT-JOINTED GLASS PANELS IN U-CHEMEL FRAME, SEE ELEVATIONS FOR ADDITIONAL INFORMATION.
- 19 NEW LOWER CABINETRY WITH DRAWERS, BACK SPLASH AND SINGLE-BASIN STAINLESS STEEL SINK WITH FAUCET, PROVIDE GARBAGE DISPOSAL AND INSTA-HOT.
- 20 EXISTING MILLWORK AND SINK TO REMAIN. PATCH & REPAIR AS REQUIRED FOR 'LIKE NEW' CONDITION.
- 21 NEW MOP SINK.
- 22 NEW H&O DRINKING FOUNTAIN.
- 23 NEW FLOOR DRAIN.
- 24 SAW-CUT EXISTING CONCRETE THIS AREA AS REQUIRED FOR NEW PLUMBING.
- 25 NEW WALL-MOUNTED FIRE EXTINGUISHER, #3005 BY POTTER-ROEVER, 2A-10B-C, WITH WALL BRACKET.
- 26 ROOF ACCESS LADDER TO REMAIN.
- 27 NEW COFFEE MAKER TO BE PROVIDED AND INSTALLED BY TENANT. PROVIDE RECESSED WATER LINE FOR ICE MAKER.
- 28 NEW REFRIGERATOR TO BE PROVIDED AND INSTALLED BY TENANT. PROVIDE RECESSED WATER LINE FOR ICE MAKER.
- 29 NEW MICROWAVE TO BE PROVIDED AND INSTALLED BY TENANT.
- 30 NEW WATER COOLER.
- 31 TACTILE EXIT SIGN TO BE PROVIDED, SEE DETAIL (A)
- 32 2" x 4" SPEED BUMP, SLOPE TO NEW CAR DETAIL FLOOR DRAIN.
- 33 AT LEAST ONE ACCESSIBLE COUNTER TO BE PROVIDED IN COMPLIANCE PER CBC 11B-804.4. COUNTER SHALL BE 36" WIDE MIN. WITH A HEIGHT OF 35" MIN. AND 34" MAX. ABOVE THE FINISH FLOOR. THE ACCESSIBLE PORTION OF THE COUNTER TOP SHALL EXTEND THE SAME DEPTH AS THE SALES OR SERVICE COUNTER TOP.



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ISSUE / REVISION	DATE	DESCRIPTION
04.19.2017	BUILDING SUBMITTAL	
05.12.2017	BID SET	
05.02.2017	DELTA 1	

DRAWING TITLE

**CONSTRUCTION
 FLOOR PLAN**
 INITIAL
 CONSTRUCTION
 COMPLETED FOR
 SERVICE LOCATION

SCALE:
 PROJECT NUMBER: SNR17-6044-00
 SHEET NUMBER

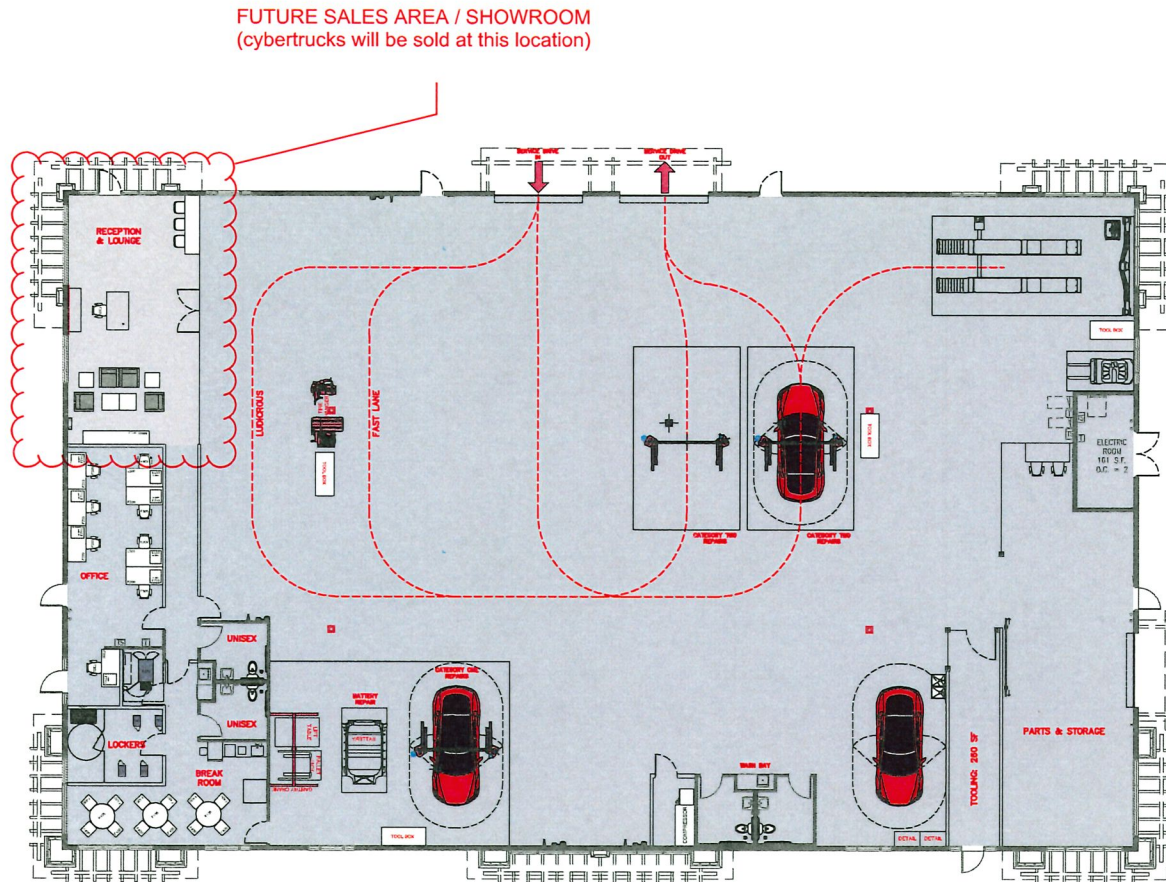
CONSTRUCTION FLOOR PLAN SCALE: 1/8" = 1'-0" 1

A2.1

AGOURA HILLS - SERVICE CENTER - WARM CLIMATE

PLAN OF RECORD
TRT ID - 3102

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AREA BREAKDOWN (SF):

GROSS TOTAL:	13,142	SF
FIRST FLOOR:	13,142	SF
SECOND FLOOR:	N/A	SF
NET TOTAL:	12,829	SF
SERVICE SHOP:	10298	SF
PARTS AND STORAGE:	533	SF
LOUNGE:	610	SF
BOH:	1,388	SF
SHOWROOM:	N/A	SF
DELIVERY:	N/A	SF
UNBUILT/OTHER:	N/A	SF



SCALE: 1/16" = 1'-0"

TESLA JUNE 18, 2020

SOUTHERN CALIFORNIA | 28721 CANWOOD STREET
BLDG A AGOURA HILLS, CA 91301 | USA

ATTACHMENT 4

Photographs of the Property

AGOURA HILLS - SERVICE CENTER - WARM CLIMATE

SITE PHOTOS
TRT ID - 3102

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