


REPORT TO CITY COUNCIL

DATE: APRIL 25, 2007

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: GREG RAMIREZ, CITY MANAGER 

BY: MIKE KAMINO, DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT *mk*

SUBJECT: PRE-SCREEN REVIEW OF A PROPOSED SPECIFIC PLAN AMENDMENT TO ACCOMMODATE A 15,900 SQUARE FOOT OFFICE DEVELOPMENT AT 29760 AGOURA ROAD (A.P.N. 2061-033-015) – DR. VINOD K. GUPTA, APPLICANT (CASE NO. 07-PSR-001)

Dr. Vinod K. Gupta is requesting direction from the City Council on whether he should proceed with a proposed amendment to the Ladyface Mountain Specific Plan to develop a 15,900 square foot office building on his vacant land located at 29760 Agoura Road (A.P.N. 2061-033-015). The purpose of the pre-screen review is to receive non-binding comments from the City Council. This is consistent with the City's policy of conducting pre-screen reviews of requests that require legislative changes. Based on the City Council's conceptual comments on the pre-screen review, the applicant will decide whether to make a formal application for the Specific Plan Amendment. As the pre-screen review is an informal process, the applicant is required only to submit concept plans. Consequently, staff's comments are general in nature because we did not have the benefit of reviewing all of the technical reports and plans, including environmental documents, which are typically submitted with development applications.

The 1.65 acre parcel is located on the south side of Agoura Road, east of Ladyface Court, between the Gateway Four Square Church site and the Agoura Hills Business Center. In January of 1990, the previous owner of the property, John Miller, received the Planning Commission's approval of a Conditional Use Permit to construct a 28,000 square foot, two-story office building with partially subterranean parking on the lot. At that time, development standards of the Business Park-Office Retail (BP-OR) zone were applied to the project. The Planning Commission's unanimous decision included approval of a Variance request to: 1) increase the building height from the 35-foot maximum to 40 feet; 2) decrease the required side yard setbacks from 70 feet combined to 24 feet on the east side and 4 feet on the west side of the property; and 3) decrease the minimum separation distance between adjacent buildings from 70 feet to 22 feet. The Planning Commission also approved an Oak Tree Permit to remove three (3) oak trees to accommodate the proposed construction.

The project approvals were valid for a two-year period. An additional one-year extension was granted by the Director of Planning and Community Development. However, project plans were never submitted for a building permit and the project has since expired without entitlement being used. Meanwhile, in September of 1991, the City Council adopted the Ladyface Mountain Specific Plan, which limited the amount of building area on this parcel to 7,000 square feet in Scenario 1-A. The property owner may request, in connection with a Conditional Use Permit application, that the maximum building area be increased provided that certain findings listed in the Specific Plan are met. The maximum building size increase allowed, per Scenario 2-A of the Specific Plan, for this parcel is 8,000 square feet. Therefore, the theoretical maximum allowable building area, as prescribed in the Specific Plan, on this parcel is between 7,000 and 8,000 square feet. Any development beyond this range of building area would require a Specific Plan Amendment.

On June 25, 2003, the City Council considered a pre-screen review application for the site. Mr. Miller requested direction on whether he could proceed with a Specific Plan Amendment to develop the property with a new office building designed by the same project architect, Neal Scribner. The building was proposed to be of the same 28,000 square foot size as previously approved, and within the same building envelope that was approved in 1990. The Council expressed their willingness to consider a Specific Plan Amendment to accommodate a building size larger than the 8,000 square foot maximum. However, based on the design plans submitted by the owner, the Council did not support development of a building as large as 28,000 square feet. The Council expressed a desire to: 1) minimize the prominence of the building from Agoura Road; 2) preserve view sheds of the neighboring property to the west; and 3) screen the parking areas as viewed from Agoura Road. A preferred building size was not given by the City Council.

On March 23, 2005, the City Council considered a different proposal by RWR Homes for a pre-screen review application for the site. A new project architect, Behr-Browers Architects, was retained for RWR Homes' request to the City Council on whether they could proceed with a Specific Plan Amendment to develop the project with a building area of 17,000 square feet. Although the Council appreciated the quality of the building design, a majority of the Council did not support development of building as large as 17,000 square feet and expressed a concern with the precedent that such a Specific Plan Amendment may set.

The parcel was since sold to Dr. Gupta, who also owns the adjacent Agoura Hills Business Center office building immediately to the west and located on the southeast corner of Agoura Road and Ladyface Court. At this time, Dr. Gupta is seeking direction from the City Council on whether he should proceed with a proposed amendment to the Ladyface Mountain Specific Plan to develop a 15,900 square foot office building on the site. His project architect, Neal Scribner, has prepared preliminary plans for the concept proposal. A copy of the site plan is attached.

The Specific Plan provides the City with a comprehensive set of plans, policies, regulations and conditions for guiding and ensuring the orderly development of

properties located along the foothills of Ladyface Mountain. The City's decision to prepare a Specific Plan for Ladyface Mountain was with the recognition that this area was a unique asset to the community, that there are numerous environmental resources that need to be protected, and that any future development must be compatible with and sensitive to the unique qualities of the area and coordinated with infrastructure. With those purposes in mind, development caps were established for each parcel to ensure that any individual development would not exceed the carrying capacity for that parcel and that the cumulative buildout would not overburden the carrying capacity of the entire specific plan area.

In considering any plans for development within the Ladyface Mt. Specific Plan area, the City must consider the following:

1. Maximum Allowable Building Area:

As stated earlier, the Specific Plan has established a maximum allowable building area ranging from 7,000 to 8,000 square feet and the applicant is requesting an increase to 15,900 square feet. Therefore, the applicant, Dr. Gupta, is requesting a Specific Plan Amendment to approximately double the maximum allowable building area over what is currently allowed. The 7,000 to 8,000 square foot office building envisioned for this parcel was dictated, in part, on the inherent constraints of the property. The lot width of 133 feet is relatively narrow and the preliminary project plans would require a Variance to allow for a 55-foot combined side yard setback distance between the side property lines and the building, instead of providing at least 70 feet of combined side yard setbacks. Access would be provided with a shared driveway serving this lot and the Gateway Four Square Church parcel to the east.

The building is proposed to be situated perpendicular to Agoura Road. Based on the size of the building, a total of 53 parking spaces are required, but 48 are proposed. Approximately one-half of the parking spaces are to be located within a subterranean parking garage. The remaining parking is proposed on surface, behind the building. As he owns both parcels, the applicant is proposing to provide on-site access between the proposed project and the adjacent Agoura Hills Business Center property to the west. As the adjacent property is non-conforming in regard to parking, a mutual access arrangement could result in parking conflicts unless sufficient parking is provided for both sites. The applicant also proposes to re-landscape the Agoura Hills Business Center property to be compatible with the proposed project site.

The existing Agoura Hills Business Center office building located is 35,500 square feet in area on a 2.2-acre site. The Agoura Hills Business Center was constructed prior to adoption of the Ladyface Mountain Specific Plan and is considered to be non-conforming in a number of ways, including parking and setbacks.

2. Maximum Allowable Pad Area:

The Specific Plan prescribes maximum allowable pad areas for each parcel. The pad areas include the graded areas necessary to accommodate the building and surface parking areas. The maximum allowable pad area established for this particular parcel is 0.74 acres. In reviewing the site plan submitted by the applicant, it appears that the proposed pad area is approximately 0.90 acres in size. Therefore, a Specific Plan Amendment would be required to increase the maximum allowable pad area. Approximately 50% of the property is proposed as undisturbed open space or landscaping.

As stated earlier, the majority of the City Council did not support the 17,000 square foot building considered under the previous pre-screen review in 2005. The current request for pre-screen review is for a building that is 1,100 square feet less than what was previously considered.

In reviewing the current request, staff suggests that the City Council may wish to consider the following options in providing non-binding comments and direction to the applicant:

- 1) Suggest that the applicant design the project to meet the maximum allowable building area (8,000 square feet) and maximum allowable pad area (0.74 acres) requirements prescribed in the Ladyface Mountain Specific Plan.
- 2) Suggest that the applicant file a Specific Plan Amendment to increase the maximum allowable building area and pad area only if other development parameters in the Ladyface Mountain Specific Plan and Zoning Ordinance are met. These would include meeting the setback, parking and building height requirements, keeping within the maximum allowable floor area ratio, using innovative siting techniques, minimizing grading, preserving oak trees, and using quality architectural design techniques including stepped massing, incorporating full roof elements and using natural materials that are in keeping with the hillside environment. This would likely result in a building that is greater than 8,000 square feet but less than the 15,900 square feet requested by the applicant.
- 3) Suggest that the applicant file an application for a Specific Plan Amendment as requested to allow a 15,900 square foot building and 0.90 acre pad.

Preliminary project design plans are being distributed to the City Council for review with this Pre-Screen Review discussion.

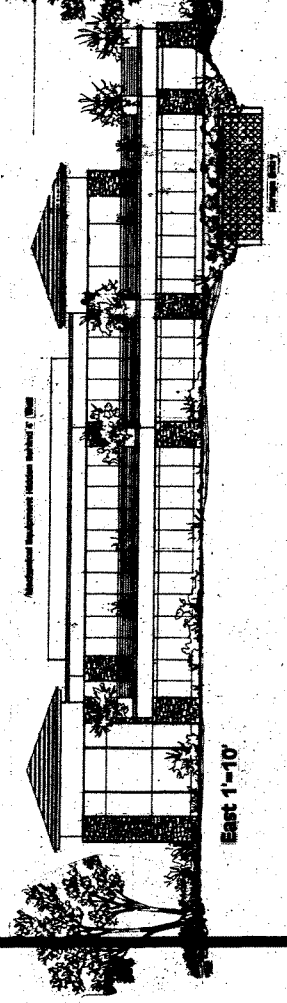
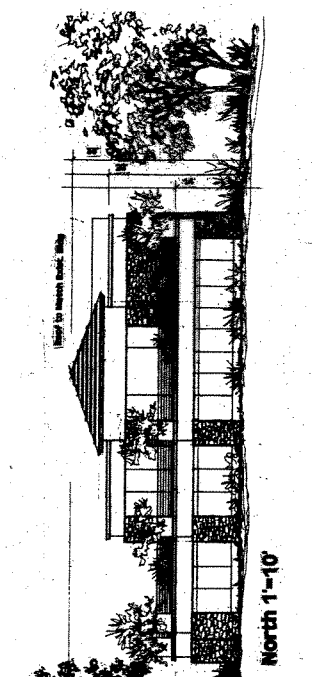
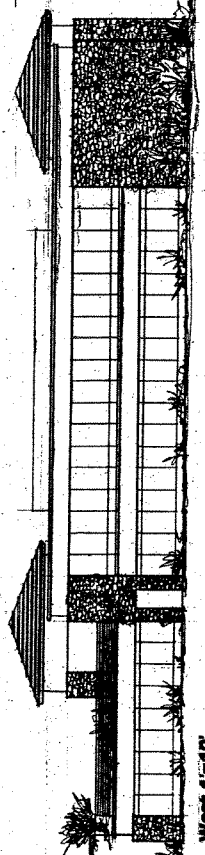
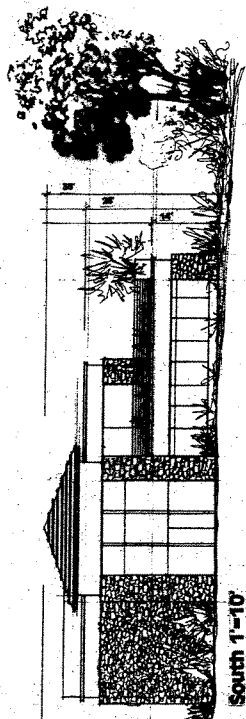
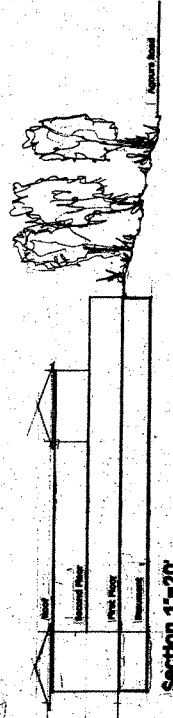
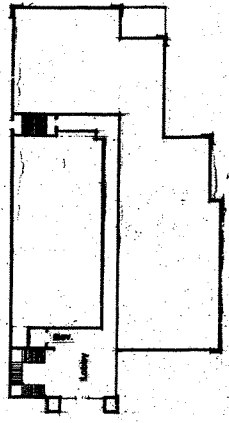
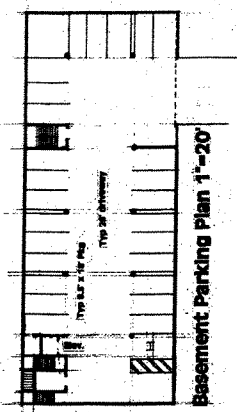
If the applicant proceeds with a Specific Plan Amendment, the request could be considered by the Planning Commission and City Council concurrently with the required Conditional Use Permit to develop on this parcel. The City Council would review the development proposal since legislative action is required for a Specific Plan Amendment.

RECOMMENDATION

Staff respectfully requests the City Council provide non-binding comments and direction to the property owner regarding this request for a pre-screen review.

Attachments: Reduced Copy of Design Plans
 Vicinity Map

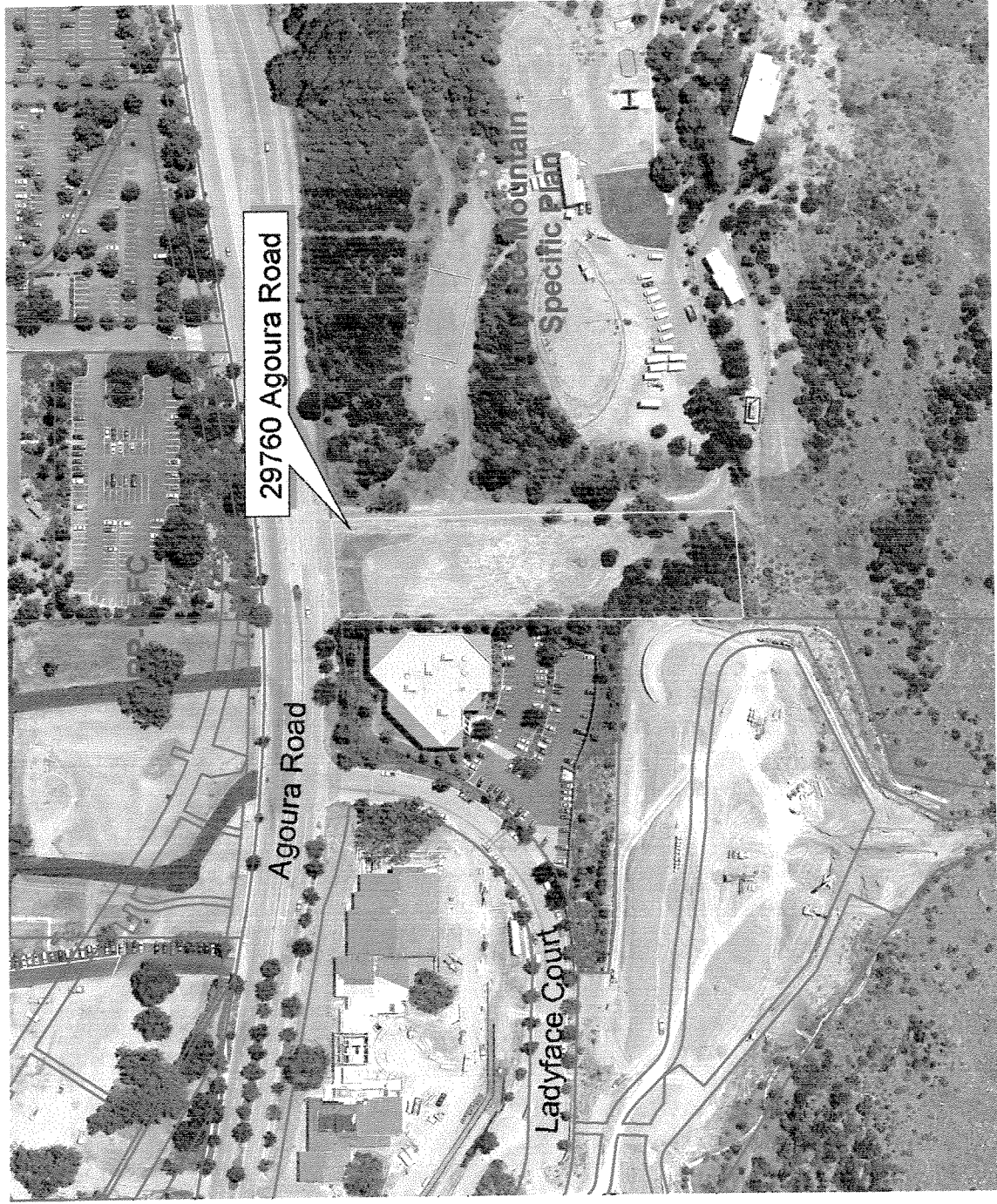
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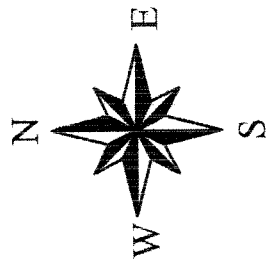
NEAL SCRIBNER A.I.A.
ARCHITECTURE
Gupta Corporate Offices

NEAL SCRIBNER A.I.A.
ARCHITECTURE
ARCHITECTS • PLANNERS • INTERIORS

Pre-Screen Application Case No. 07-PSR-001



Vicinity/Zoning
Map



GEND

Story Office Building

ing No.

19 -

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Area = 69,153 sq.ft. or 1.588 ac.

s Floor Area = 15,900 sq.ft.

ing Coverage = 11,000 sq.ft. or 15.9%

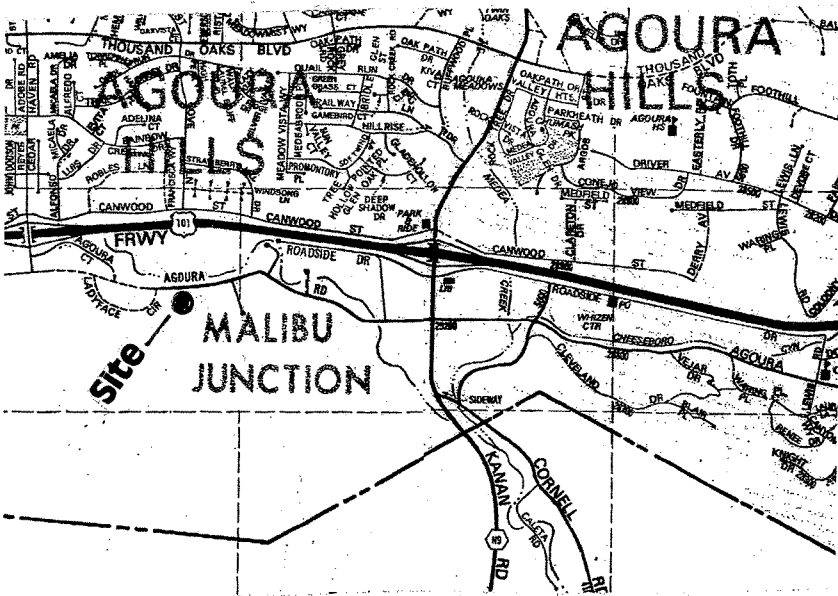
scape Coverage = 40,385.4 or 58.4%

ing Coverage = 17,750 sq.ft. or 25.7%

ing Required = 48 Spaces

ing Shown = 48 Spaces(26 in garage)

CINITY MAP



NEAL SCRIBNER A.I.A. ARCHITECTURE

4765 VIA DON LUIS, THOUSAND OAKS, CA 91320, 805/376-1756

Gupta Corporate Office

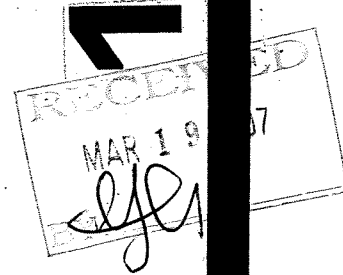
PLICANT

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MAR 19 2007

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