

DRAFT RESOLUTION NO. __

A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF AGOURA HILLS
APPROVING AN AMENDMENT TO SITE PLAN/ARCHITECTURAL REVIEW CASE
NO. 06-SPR-006 AND OAK TREE PERMIT CASE NO. 06-OTP-024

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

Section 1. An application was duly filed by BBA Properties, LLC with respect to the property located at 28371 Agoura Road (Assessor's Parcel Numbers 2061-009-041, 042, 045, 047 and 049) requesting approval of a one-year Time Extension of Site Plan/Architectural Review Case No. 06-SPR-006 and Oak Tree Permit Case No. 06-OTP-024, to allow the development of a 9,440 square-foot, two-story office building and to allow the encroachment within the protected zone of one (1) oak tree and the removal of four (4) oak trees. A public meeting was duly held on September 6, 2007 at 6:30 p.m. in the Council Chambers of City Hall, 30001 Ladyface Court, Agoura Hills, California; and that notice of time, date and place and purpose of the aforesaid was duly given.

Section 2. Evidence, both written and oral, was duly presented to and considered by the Planning Commission at the aforesaid Public Meeting.

Section 3. The Planning Commission finds that the request for a time extension is acceptable given that there are no substantial changes that are proposed to the project and that there are no significant changes to the site, to the surrounding area and to the regulations that affect the site. The Planning Commission, pursuant to the Agoura Hills Zoning Ordinance, finds that the findings contained in Planning Commission Resolution No. 885 approved on September 7, 2006 are still valid and state as follows:

- A. The proposed use, as conditioned, 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 proposed building will provide tenant office space that can accommodate business office uses. This use is consistent with the use permitted in the Old Agoura Design Overlay District. Also, the project meets the height, lot coverage, parking and landscape requirements as specified in the City Zoning Ordinance.
- B. The proposed use and the manner, in which it will be operated or maintained, will not be detrimental to the public health, safety, or general welfare. Access to the site would be via two driveways off of Agoura Road. The placement of the building is adjacent to the street and will preserve light, air and privacy of the surrounding properties, in turn protecting the general welfare of the neighboring community. In addition, the project complies with the maximum allowable building coverage and the height limitations for commercial development in the BP-OR-OA-FC zone.

- C. The proposed use, as conditioned, will not conflict with the character and design of the buildings and open space in the surrounding area. The low-scale, one-story appearance along Agoura road and the natural color tones in the materials will be compatible with the semi-rural theme of the surrounding neighborhood of the Old Agoura Design Overlay District.
- D. The proposed use, as conditioned, will comply with each of the applicable provisions of the Zoning Ordinance. The project complies with the provisions of the Business Park-Office Retail-Old Agoura Design Overlay and Freeway Corridor Overlay Districts in regards to parking, lot coverage, building height and compatible use.
- E. The proposed use, as conditioned, is consistent with the City's General Plan. The proposed materials and design of the project will support the character of Old Agoura by the use of natural color tones within the materials of the building described in Policy No. 6.1 of the General Plan, Development Character in Old Agoura.
- F. The proposed use, as conditioned, preserves and enhances the particular character and assets of the surrounding area and its harmonious development. The contemporary building design is not incompatible with the eclectic mixture of architecture in the area. The proposed commercial office use is consistent with the surrounding office related uses on the same street. The project is compatible with the City's semi-rural character and does not overwhelm the City's low intensity development style. The proposed building meets the height and lot coverage requirements of the Zoning Code.
- G. The proposed use, as conditioned, is consistent with the applicable provisions of the Zoning Ordinance as it relates to the reduced front yard setback within the Old Agoura Design Overlay District in that the yards are determined as a part of the discretionary review and may not be required at all. In this case, the project utilizes an angled roof design with windows only on the first floor creating a one-story appearance along Agoura Road. This design alternative adds to the reduction in the massing appearance as well as creating a more pedestrian atmosphere. Additionally, other projects along Agoura Road have a variety of setback distances to the property line and in some case none. The project benefits from a 32-foot wide landscape buffer between the building and the paved road, therefore a reduced 1-foot, 11-inch front yard setback as proposed is in keeping with the surrounding development.

Section 4. The removal of the four (4) oak trees will be mitigated by the addition of eight (8) oak trees per the requirements of the City of Agoura Hills, Oak Tree Preservation Guidelines, Appendix A. One (1) heritage oak tree will be retained, which when combined with the eight (8) oak trees, will help preserve the semi-rural character of the area.

Section 5. The time extension is not considered a project pursuant to the California Environmental Quality Act.

Section 6. Based on the aforementioned findings, the Planning Commission hereby approves Site Plan/Architectural Review Case No. 06-SPR-006 and Oak Tree Permit Case No. 06-OTP-024, subject to attached Conditions, with respect to the property described in Section 1 hereof.

PASSED, APPROVED and ADOPTED this 6th day of September, 2007, by the following vote to wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

Steve Rishoff, Chairperson

ATTEST:

Doug Hooper, Secretary