



**DEPARTMENT OF PLANNING AND  
COMMUNITY DEVELOPMENT**

**To: Planning Commission**

**From: Planning Staff**

**Subject: Conditional Use Permit Case No. 06-CUP-007 and Sign Permit Case No. 06-SP-037 (Danari Oak Creek, LLC)**

**Date: February 21, 2008**

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**I. BACKGROUND**

On December 6, 2007, the Planning Commission held a public hearing to consider Danari Oak Creek, LLC's request for a Conditional Use Permit to construct five (5) detached buildings totaling 33,680 square feet in size for retail and restaurant use (Shops at Oak Creek) (Case No. 06-CUP-007). The applicant also requested approval of a Sign Permit for approval of the project's sign program (Case No. 06-SP-037). The project site is located on 5.7 acres on the north side of Canwood Street, east of Kanan Road and west of Clareton Drive, at 28941-29145 Canwood Street.

Upon receiving written and oral testimony from staff and the applicant, the Planning Commission continued the hearing to February 7, 2008, to allow the applicant an opportunity to submit design revisions recommend by the Planning Commission. At the request of the applicant, the Planning Commission approved a request to again continue the hearing to the February 21, 2008 Planning Commission meeting.

Staff had provided several recommendations regarding the project design for the Planning Commission to consider in their review of the project. Among the recommendations listed in the December 6, 2007 staff report were: 1) Add more trellises along the parking lot walkway between the apartments and Building A; 2) Provide landscaping in lieu of the 4 parking space island located northwest of Building A; 3) Reconfigure Building A in an "L-Shape" configuration, which would allow a more private outdoor seating courtyard for the small restaurants and break the linear mass of the building; 4) Provide more outdoor searing on the east end of Building A and on the north end of Building B-2, which would have views of the adjacent Oak tree, which is also planned to be up-lit in the evening; 5) Re-angle the driveway between Buildings A and B-1 to provide a direct view of the Oak tree as motorists enter the site; 6) Eliminate the 6 parking stalls located east of Building B-1, adjacent to Canwood Street, to provide more landscape features near the pedestrian courtyard that is adjacent to the creek; 7) Provide greater pedestrian amenities to interact

with the creek in addition to the walkways. Such amenities can include covered trellises, more benches and more enhanced railing; and 8) Incorporate a key and safe pedestrian linkage to connect the east and west sides of the creek that would provide strong interest for the pedestrians to interact with the creek.

Based on their review of the project and in addition to considering staff recommendations, the Planning Commission offered the following recommendations concerning the project design and proposed use for the applicant to consider incorporating into revised plans.

#### Site Plan and Landscape Plan

- The creek should be better utilized in the project design.
- Provide a strong pedestrian connection between the properties on the east and west sides of Medea Creek. Consider providing a pedestrian bridge over the creek to accomplish this connection.
- Provide a wider landscape buffer along the creek.
- Add more landscaping within the project, including the provision of more Sycamore and Oak trees.
- Provide more decorative paving within the project.
- Provide a pedestrian connection from the northwest corner of the parking lot to the adjacent sidewalk on Canwood Street.
- Center the footprint of Building B-1.
- The footprint of Building A appears too linear and should be modified to reduce its visual mass.
- Eliminate the parking spaces adjacent to the creek.
- Consider providing subterranean parking for the project to allow for more restaurant uses.

#### Architectural Design

- Modify the design of Building A to reduce its linear appearance.
- Reconsider the orientation of Buildings A and B-1 to reduce their massive appearance as viewed from Canwood Street.
- Provide an alternate parking lot fixture that is more in keeping with the building architecture. The light fixtures should include LED illumination and be shielded.

#### Retail/Restaurant Uses

- Consider uses within Building A other than quick-serve restaurants.
- Consider providing two restaurant uses within Building C-1.

## II. STAFF ANALYSIS

In an effort to address the recommendations of the Planning Commission, the applicant has submitted revised plans for the Planning Commission's review. Based on changes being proposed, the applicant is requesting direction from the Planning Commission on whether to proceed in finalizing the project design, including the submittal of revised grading plans that, to date, have not been revised since the December 6, 2007, public hearing. A list of the design changes being proposed by the applicant include the following:

1. The number of parking stalls on the west side of Medea Creek has been reduced by 21 stalls in order to increase public open space and landscaping. This was accomplished by reducing the ratio of expected restaurant seating area for the restaurants from 60% to 45% of the gross square footage. Although reconfigured, the total size of the outdoor seating area in front of Building A remains approximately the same as the previous scheme reviewed by the Planning Commission. In order to provide additional landscape area, the total number of parking spaces on the west side of the creek has been reduced to 197, which is one more than the City's minimum requirement for the proposed uses. However, the Zoning Ordinance allows for shared parking within shopping centers, which includes a reduction in the required number of parking stalls for restaurant uses that exceed 10% of the gross floor area of the shopping center. In this instance, the proposed restaurant space accounts for 60% of the gross floor area. The portions which exceed 10% of the gross floor area require one (1) parking stall per 100 square feet of floor area, instead of 15 stalls per 1,000 square feet of seating and waiting area. This calculation, based on the estimated restaurant seating area proposed by the applicant, results in an approximate surplus of 38 parking stalls within the project site.
2. Building A has been moved 3 feet further north, back from Canwood Street. The proposed building setback now ranges from a minimum of 23 feet to 37 feet from the property line. Tenant space A-1, within Building A, was moved 10 feet further north in order to reduce the building mass as viewed from Canwood Street and to provide additional separation between the patio/dining area and the parking lot to the west.
3. The pedestrian patio area on the north side of Building A has been increased by 12-28 feet, resulting in a proposed depth that ranges from 18 feet to 52 feet. This patio area is intended to incorporate seating areas, trellises, public art and extensive use of pavers in lieu of concrete walks.
4. The parking lot landscaping has been increased, particularly in the parking aisles in front of Building A. Also, one (1) parking stall has been removed from the triangular shaped landscape planter located in the parking lot, northwest of Building A.

5. Nine (9) parking stalls were removed from the northwest corner of project, west of Medea Creek. Four (4) parking stalls were moved an additional 18 feet from the creek. This allows for a landscape area of 33 feet to 44 feet in depth. This landscape area was previously proposed with a depth of approximately 12 feet. More benches were added to the pedestrian path along the creek.
6. The trash enclosure serving Building B-2 has been moved away from the creek, allowing for more landscaping between the enclosure and the creek walk.
7. The building elevations and roof plan for Building A have been changed due to the proposed modifications on the building's footprint.
8. The trellis elements on the north side of Building A have been redesigned to allow trees to be interspersed with the trellises in the newly deepened patio area.
9. The Landscape Plan calculation has been modified to meet the parking lot tree shade requirements.
10. A new parking lot light fixture has been selected that is intended to be more in keeping with the building design (reference colored fixture specifications within the revised Lighting Fixture Schedule). The lighting plans and calculations have been revised to match the new west side of the parking lot design as well.
11. The proposed sign plans have been coordinated with the new west side layout and Building A elevation changes. As was noted in the December 6, 2007 staff report, the applicant has stated that the Sign Program provided for consideration is intended to present sign design guidelines that address size, scale, location, methods of fabrication and illumination for future commercial tenants. Since the specific tenant signs are subject to change at this time, each tenant will be required to receive the Planning Commission's approval of a Sign Permit when such specific signage is proposed.

The Planning Commission had requested staff to report back on the feasibility of the applicant providing a pedestrian bridge that could span across Medea Creek, in order to provide a key pedestrian linkage between both sides of the project. The applicant estimates a 240-foot clear span bridge over Medea Creek to cost approximately \$800,000 to construct. The City Engineer agrees with this estimate, which is based on a 163-foot pedestrian bridge in Calabasas that will cost \$712,000 to construct. Staff also agrees with the applicant who estimates that required permits from the Army Corp of Engineers and the State Fish and Game Department for construction of a bridge over Medea Creek could take up to two years to obtain. The Planning Commission has discretion on whether the requirement to construct such a bridge is appropriate for the project and whether the construction of the bridge could be deferred with a bond to allow the applicant time to obtain the necessary permits. However, staff recommends that the applicant be required to provide a key and safe



pedestrian linkage between both sides of the creek, whether it is by construction of a new bridge or another method which the applicant has not brought forth to date.

Since the applicant has not submitted a complete set of revised plans, the Planning Commission cannot take final action on the project. If the Planning Commission finds the current site plan to be acceptable (including the configuration and siting of the buildings, parking lot and landscaping), the Commission can give direction to the applicant to proceed with completing the revisions and to continue the matter for consideration of a resolution of approval at the next appropriate Planning Commission meeting. In that case, the Planning Commission may wish to consider some additional features below to help further enhance the pedestrian experience and creek orientation:

- Additional coverage of the pedestrian plaza area at Building A with trellises, including a wrap-around trellis at the west side of the building.
- The use of enhanced pavement at parking lot driveway north of Building A for traffic calming.
- Enhanced connectivity between the buildings through interior walkways so that pedestrians would not have to go onto sidewalk on Canwood Street.
- More trellises within the parking and adjacent to the creek to enhance the pedestrian experience and to reduce the visual mass of the parking lot.
- Stronger demarcation of sidewalk connections at both ends of the creek to help invite people to walk across the bridge instead of driving from one side to the other. Also, design enhancements to the existing north side of the Canwood Street bridge, such improvements to the railing or pavement surface.

Staff recommends the Planning Commission provide direction to the applicant on the latest project design and direct staff to return with the appropriate Resolution and final set of plans for adoption.

### **III. RECOMMENDATION**

Based on the forgoing review and analysis, it is recommended that the Planning Commission direct staff to return with the appropriate Resolution and final set of plans for adoption.

### **IV. ATTACHMENTS**

- Letter from David and Jennifer Lebowitz
- Minutes of the December 6, 2007 Planning Commission Meeting
- Reduced Photocopies of Revised Project Plans
- December 6, 2007 Staff Report

Letter from  
David and Jennifer  
Lebowitz

## Doug Hooper

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**From:** Jcl523@aol.com  
**Sent:** Wednesday, January 02, 2008 9:29 AM  
**To:** Doug Hooper  
**Subject:** Shops at Oak Creek - for Planning Commission

David and Jennifer Lebowitz

29421 Promontory Place

Agoura Hills, CA 91301

818 597-2674

[JCL523@aol.com](mailto:JCL523@aol.com)

Attention Planning Commission:

My husband and I just stopped by the planning office to take a look at the plans for "The Shops at Oak Creek." I'm sorry to say that we were very disappointed. It looks like more of the same suburban sprawl that we were hoping to get away from... complete with a sea of parking. We were sincerely hoping that it would be more of a "new urbanist" plan like the Agoura Village plan. Other than the architecture and landscaping it is just like the current strip malls scattered around the Conejo Valley. Since mixed use is not likely to be an option in this area, the very least would be a lovely gathering place like they have at the Malibu Country Mart. How will this current plan for "The Shops at Oak Creek" make Agoura Hills a special place? If this were more like the Malibu Country Mart it would definitely be a special place for Agoura Hills!

We thank you for your time and attention. Please feel free to call or e-mail.

Sincerely,

Jennifer and David Lebowitz

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See AOL's [top rated recipes and easy ways to stay in shape for winter.](#)

Minutes of the  
December 6, 2007  
Planning Commission  
Meeting



**DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT**

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**MINUTES OF THE REGULAR SCHEDULED MEETING OF  
THE PLANNING COMMISSION  
December 6, 2007**

1. CALL TO ORDER: Vice Chair Zacuto called the meeting to order at 6:43 p.m.
2. FLAG SALUTE: Commissioner O'Meara
3. ROLL CALL: Commissioner Illece Buckley Weber, Commissioner John O'Meara, Vice Chair Zacuto, and Chair Steve Rishoff.

Chair Rishoff stated Commissioner Ramuno was absent, having received an excused absence from this meeting on October 18, 2007.

Also present were Director of Planning and Community Development Mike Kamino, Assistant Community Development Director Doug Hooper, City Engineer Ramiro Adeva, Senior Civil Engineer Jay Patel, Senior Planner Allison Cook, Planning Technician Britteny Tang and Recording Secretary Sheila Keckhut.

4. APPROVAL OF MINUTES: November 11, 2007 (Planning Commission Special Meeting- Field Trip)

On a motion by Commissioner Buckley Weber, seconded by Vice Chair Zacuto the Planning Commission moved to approve the Minutes of the November 11, 2007 Planning Commission Meeting-Field Trip. Motion carried 4-0. Commissioner Ramuno was absent.

November 15, 2007 (Planning Commission Regular Meeting)

On a motion by Commissioner Buckley Weber, seconded by Commissioner O'Meara, the Planning Commission moved to approve the Minutes of the November 15, 2007 Planning Commission Meeting. Motion carried 3-0-1. Vice Chair Zacuto abstained. Commissioner Ramuno was absent.

5. COMMENTS FROM THE PUBLIC ON ITEMS NOT LISTED ON THE AGENDA:

None

6. CONSENT ITEMS:

None

AGENDA ITEM #7 MOVED TO THE END OF THE AGENDA, AFTER ITEM #8

7. NEW PUBLIC HEARING:

APPLICANT:

Danari Oak Creek, LLC  
c/o Adler Realty Investments, Inc.  
20950 Warner Center Drive, Suite C  
Woodland hills, CA 91367

CASE NOS.:

06-CUP-007 and 06-SP-037

LOCATION:

28941-29145 Canwood Street  
(A.P.N. 2048-011-(049-053) and 2048-011-061)

REQUEST:

A request for approval of a Conditional Use Permit to construct five (5) detached buildings totaling 33,680 square feet in size for retail and restaurant use (Shops at Oak Creek); and a request for a Sign Permit for approval of the project's proposed sign program.

ENVIRONMENTAL  
DETERMINATION:

Compliant with the Certified Environmental Impact Report for the Tract

RECOMMENDATION: Staff recommended that if the Planning Commission wished to approve Conditional Use Permit Case No. 06-CUP-007 and Sign Permit Case No. 06-SP-037, staff would return with a Resolution and conditions approval for adoption.

PUBLIC COMMENTS: Chair Rishoff opened the Public Hearing

The following persons spoke in favor of the project.

Dennis Reitz, SKA Design representing the applicant

Michael Adler, Adler Realty Investments

Ken Soudani, VTBS Architects, applicant's architect

The following persons spoke in opposition of the project.

Robert Evren, Old Agoura HOA, Agoura Hills

Ed Corridori, Agoura Hills

RECESS: Chair Rishoff called for a recess at 8:42 p.m.

RECONVENE: Chair Rishoff reconvened the meeting at 9:00 p.m.

REBUTTAL: Michael Adler, Adler Realty Investments gave rebuttal regarding the project and answered additional questions of the Planning Commission.

ACTION: On a motion by Vice Chair Zacuto, seconded by Commissioner Buckley Weber, the Planning Commission moved to continue Conditional Use Permit Case No. 06-CUP-007 and Sign Permit Case No. 06-SP-037 to the February 7, 2008 Planning Commission meeting. Motion carried 4-0. Commissioner Ramuno was absent.

Reduced Photocopies  
of Revised Project  
Plans















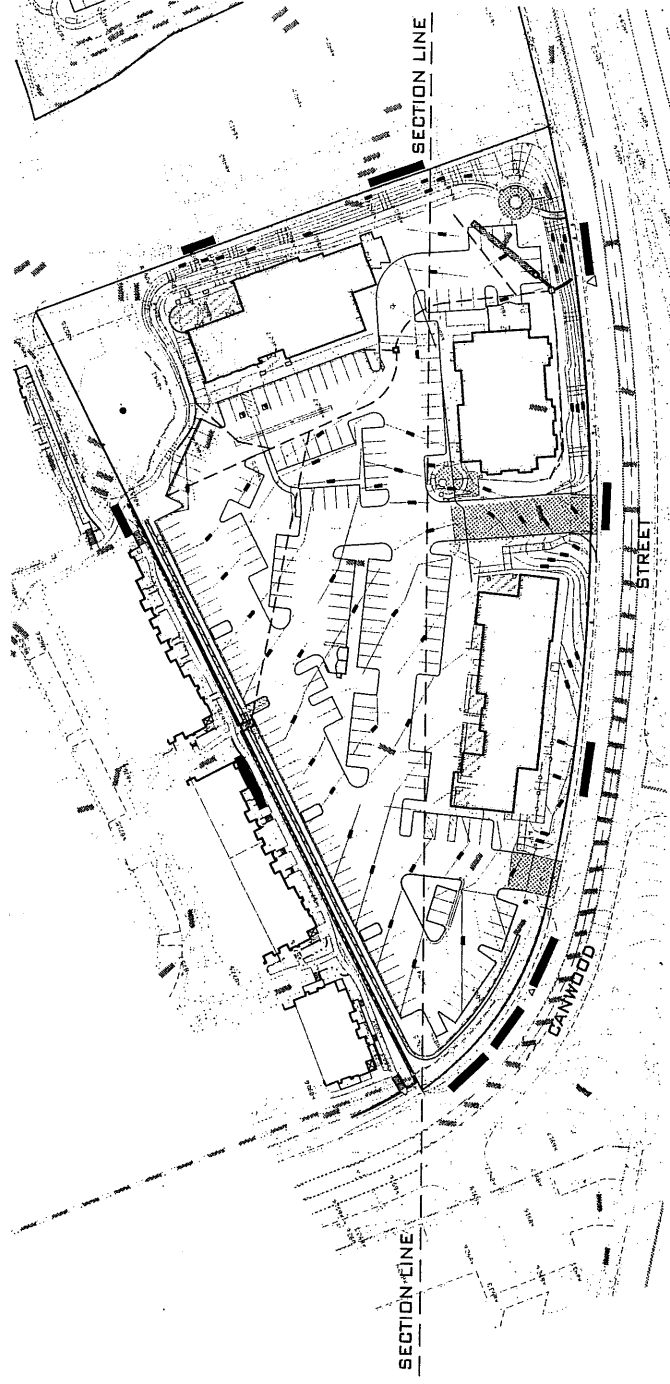
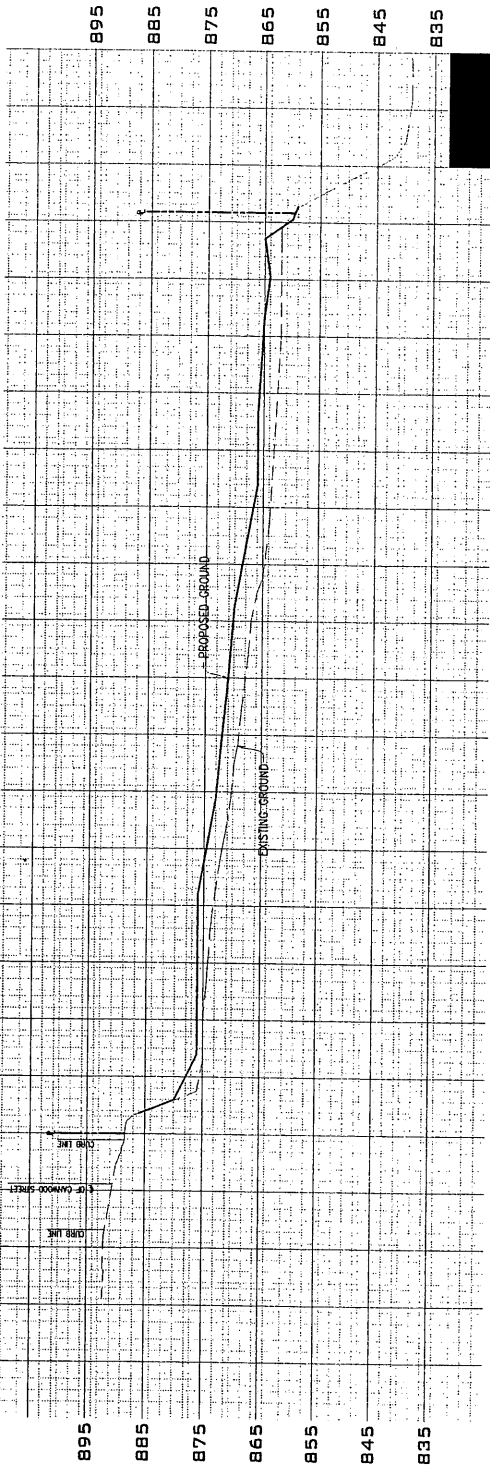








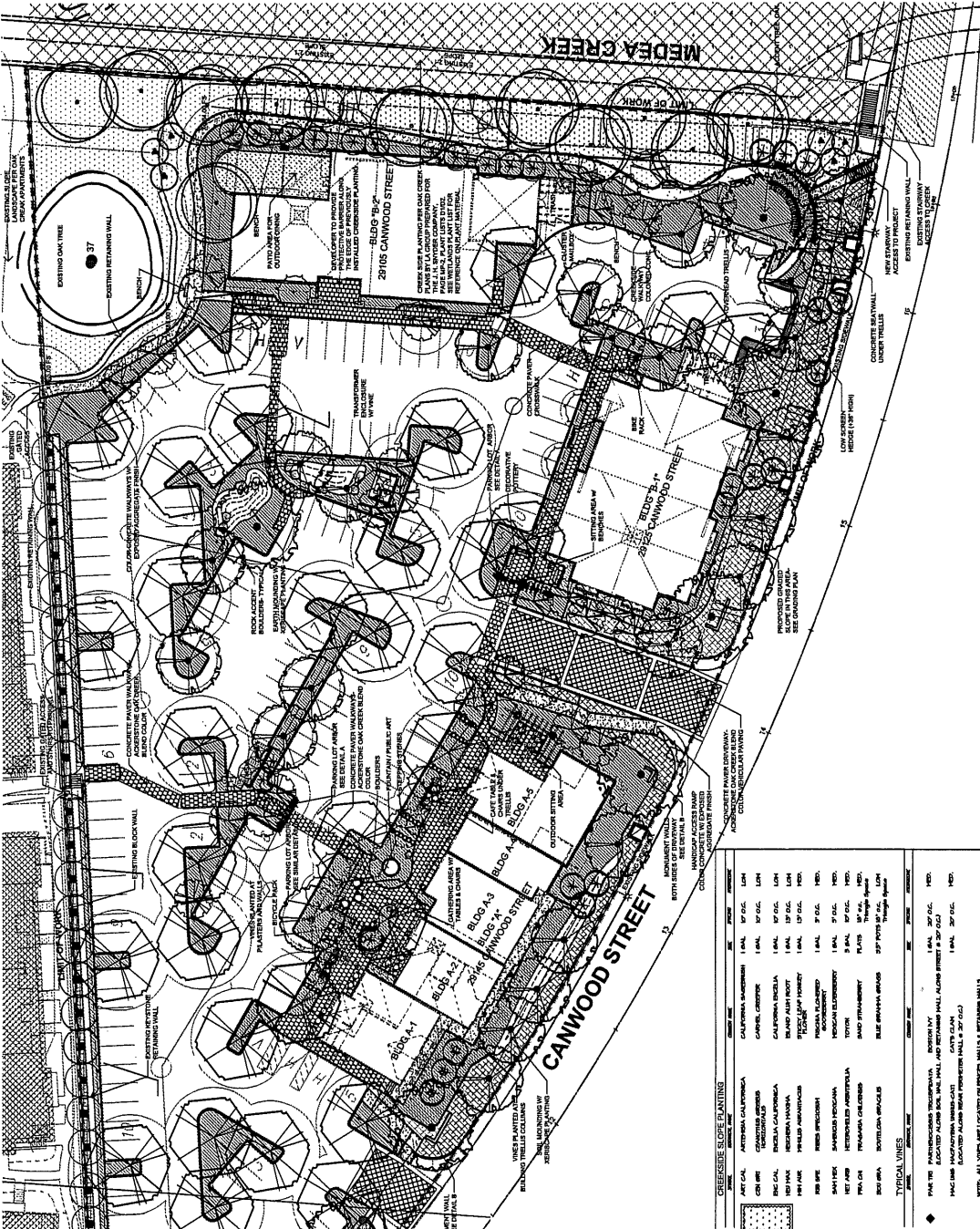




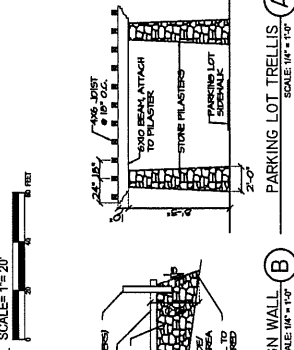
DATE	REVISIONS	 <p>WESTCON ENGINEERING, INC.          CIVIL, MECHANICAL, ELECTRICAL, AND SANITARY          455 FOREST HILLS CIRCLE, SUITE 200          WOODLAND HILLS, CA 91367          818-709-1100          15401 Wilshire Blvd., Suite 1000, Los Angeles, CA 90044</p>	<p>PREPARED FOR:  <b>ADLER REALTY</b>          21751 VENTURA BLVD., SUITE 300          WOODLAND HILLS, CA 91364</p>	<p>PROJECT:  <b>LINE OF SITE SECTION</b>          EAST AND WEST SIDE OF MEDIA CREEK</p>
				<p>W.D. 05-399          SCALE: 1"=40'          DATE: 02-11-08          SHEET 1 OF 1</p>

DATE	03/14/2007
DESIGNER	DAVID W. HALL
ARCHITECT	ADLER REALTY
PROJECT NO.	03-03-2007
SHEET NO.	03-03-2007
SHEET TITLE	PRELIMINARY LANDSCAPE PLAN
SCALE	1" = 20'

DATE: MARCH 14, 2007  
 DRAWN BY: DAVID W. HALL  
 CHECKED BY: ADLER REALTY  
**PRELIMINARY LANDSCAPE PLAN**  
**WEST PARCEL**  
 PARCEL: 2971  
 SHEET: L-1



**OAK CREEK WEST SITE PLAN**  
 SCALE: 1" = 20'



**NOTES**

- FINISH LINE INDICATES TO BE SHOWN ON WEST PROPERTY (P.L.C.)
- FINISH LINE INDICATES TO BE SHOWN ON WEST PROPERTY (P.L.C.)
- FINISH LINE INDICATES TO BE SHOWN ON WEST PROPERTY (P.L.C.)

**WEST LANDSCAPE REQUIREMENTS**

PARKING AREA LANDSCAPE & SHINE COVERAGE:  
 10% OF TOTAL PARKING AREA  
 10% OF TOTAL PARKING AREA  
 10% OF TOTAL PARKING AREA

REQUIRED SHADE COVERAGE IN PARKING AREA:  
 10% OF TOTAL PARKING AREA  
 10% OF TOTAL PARKING AREA  
 10% OF TOTAL PARKING AREA

**LANDSCAPE LEGEND**

CONCRETE MOUNTAIN WALL  
 CONCRETE MOUNTAIN WALL  
 CONCRETE MOUNTAIN WALL

CONCRETE MOUNTAIN WALL  
 CONCRETE MOUNTAIN WALL  
 CONCRETE MOUNTAIN WALL

**PRELIMINARY PLANT LEGEND**

**CANWOOD STREETSCAPE BUILDINGS & PARKING AREA TREES**

SYMBOL	PLANT NAME	HEIGHT	SPACING	NOTES
(Symbol)	FRANKLINIA ALBIDA	24' MAX	30'	INDOOR
(Symbol)	FRANKLINIA ALBIDA	24' MAX	30'	INDOOR
(Symbol)	FRANKLINIA ALBIDA	24' MAX	30'	INDOOR

**CANWOOD STREETSCAPE SHRUBS**

SYMBOL	PLANT NAME	HEIGHT	SPACING	NOTES
(Symbol)	FRANKLINIA ALBIDA	24' MAX	30'	INDOOR
(Symbol)	FRANKLINIA ALBIDA	24' MAX	30'	INDOOR
(Symbol)	FRANKLINIA ALBIDA	24' MAX	30'	INDOOR

**CREOSOTE SLOPE PLANTINGS**

SYMBOL	PLANT NAME	HEIGHT	SPACING	NOTES
(Symbol)	FRANKLINIA ALBIDA	24' MAX	30'	INDOOR
(Symbol)	FRANKLINIA ALBIDA	24' MAX	30'	INDOOR
(Symbol)	FRANKLINIA ALBIDA	24' MAX	30'	INDOOR

**TYPICAL VINES**

SYMBOL	PLANT NAME	HEIGHT	SPACING	NOTES
(Symbol)	FRANKLINIA ALBIDA	24' MAX	30'	INDOOR
(Symbol)	FRANKLINIA ALBIDA	24' MAX	30'	INDOOR
(Symbol)	FRANKLINIA ALBIDA	24' MAX	30'	INDOOR

**GROUND COVERS - STREETSCAPE BUILDINGS & PARKING AREAS**

SYMBOL	PLANT NAME	HEIGHT	SPACING	NOTES
(Symbol)	FRANKLINIA ALBIDA	24' MAX	30'	INDOOR
(Symbol)	FRANKLINIA ALBIDA	24' MAX	30'	INDOOR
(Symbol)	FRANKLINIA ALBIDA	24' MAX	30'	INDOOR

**DIRTY WETLANDS (CONTINUED)**

SYMBOL	PLANT NAME	HEIGHT	SPACING	NOTES
(Symbol)	FRANKLINIA ALBIDA	24' MAX	30'	INDOOR
(Symbol)	FRANKLINIA ALBIDA	24' MAX	30'	INDOOR
(Symbol)	FRANKLINIA ALBIDA	24' MAX	30'	INDOOR







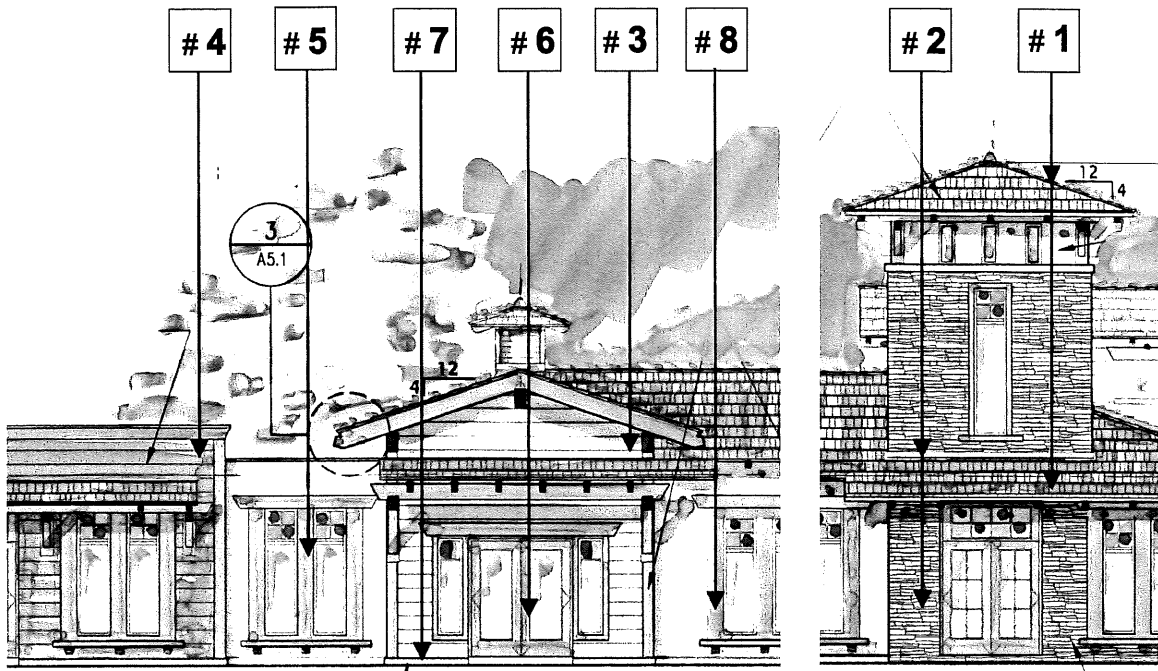




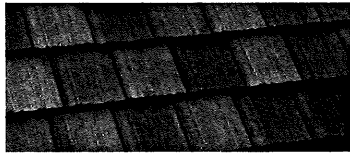








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**Cement Roof Shingle:**  
 Eagle Roofing  
**Ponderosa 5699**  
*Charcoal Range*

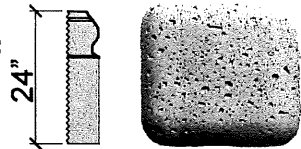


**# 6**  
**Windows and Doors:**  
 Kawneer North America  
 Commercial Aluminium Frame  
*Permadize Sterling Gray*

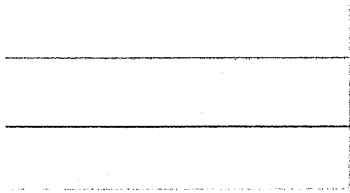
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**Stone Veneer:**  
 Cultured Stone  
**Pro-Fit Ledgestone**  
*Platinum PF-8017*



**# 7**  
**Concrete pre-cast molding:**  
 CDI Concrete Designs Inc.  
 Base Molding **M53**  
*Gray*



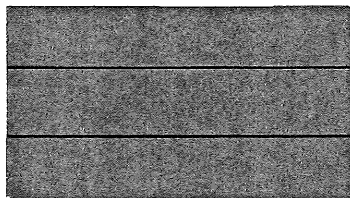
**# 3**  
**Hardiplank Lap Siding**  
 Smooth, 10 3/4" Exposure  
 Color to match:  
 Dunn Edwards **DE6232**  
*Abstract White*



**# 8**  
**Wood details**  
 Color to match:  
 Dunn Edwards **DE5711**  
*Up North*

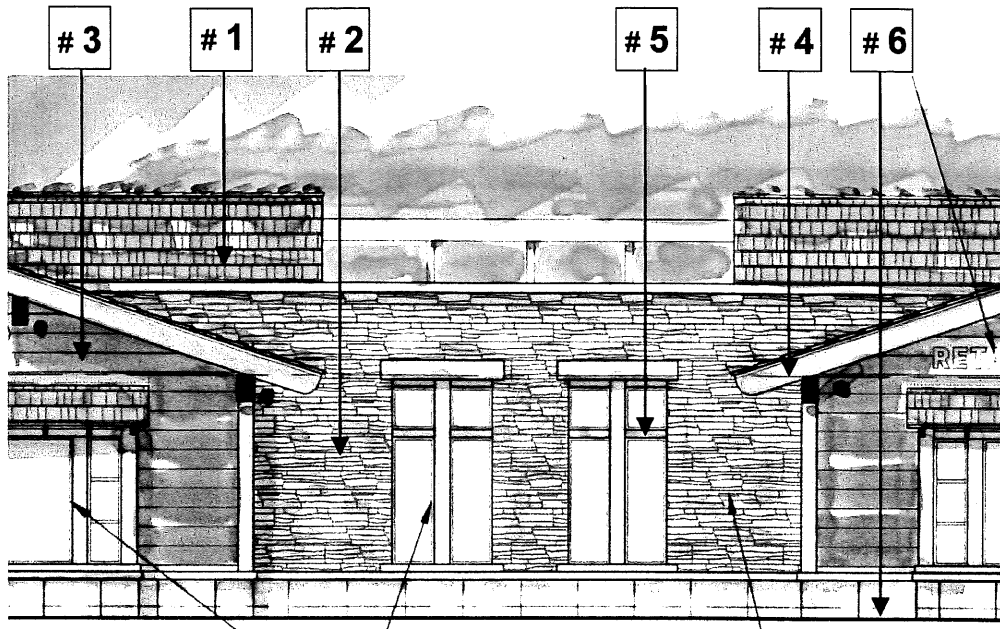


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*Northgate Green*

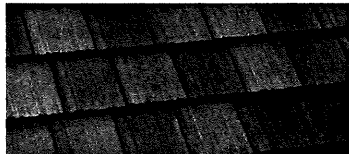


**# 5**  
**Stucco**  
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# COLOR SCHEME BLDG A



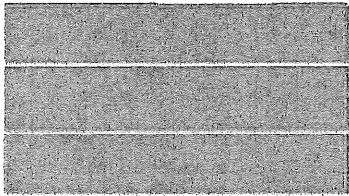
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**Cement Roof Shingle:**  
 Eagle Roofing  
**Ponderosa 5699**  
*Charcoal Range*



**# 2**  
**Stone Veneer:**  
 Cultured Stone  
**Country Ledgestone**  
*White Oak CSV-20046*



**# 3**  
**Hardiplank Lap Siding**  
 Smooth, 10 3/4" Exposure  
 Color to match:  
 Dunn Edwards **DEC714**  
*Friar Tuck*

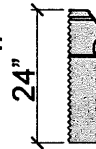


**# 4**  
**Wood details**  
 Color to match:  
 Dunn Edwards **DE5711**  
*Up North*



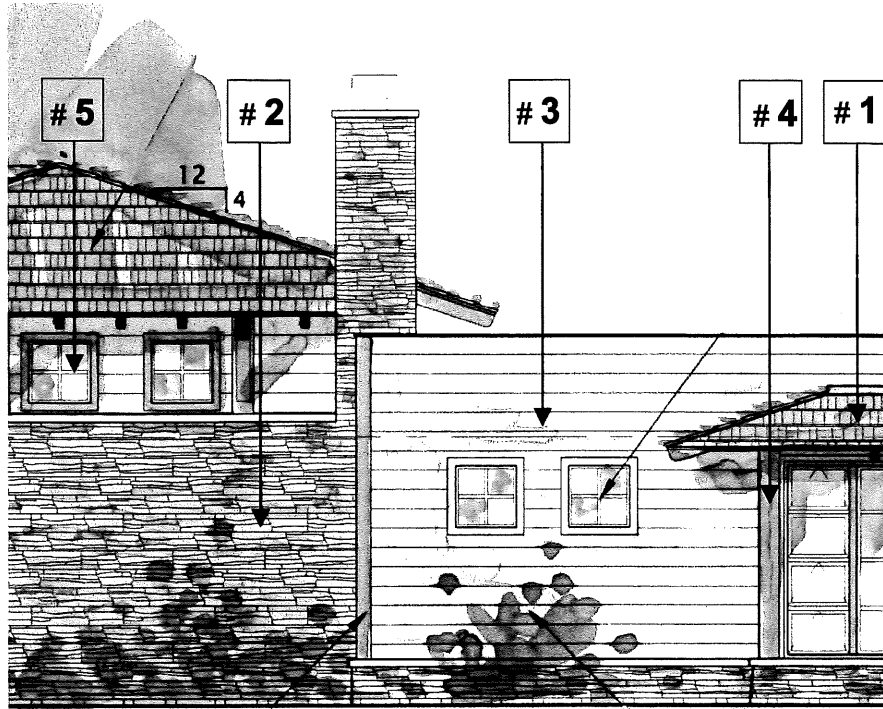
**# 5**  
**Windows and Doors:**  
 Kawneer North America  
 Commercial Aluminium Frame  
*Permadize Sterling Gray*

**# 6**  
**Concrete pre-cast molding:**  
 CDI Concrete Designs Inc.  
 Base Molding **M53**  
*Gray*

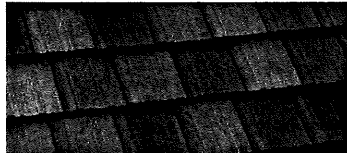


# COLOR SCHEME BLDG **B-1**

SHOPS at OAK CREEK  
 CITY OF AGOURA HILLS  
 FOR ADLER Realty Investment, Inc.

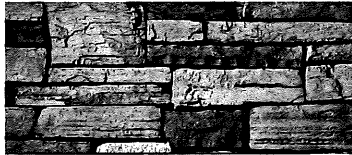


**# 1**  
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 Eagle Roofing  
**Ponderosa 5699**  
*Charcoal Range*

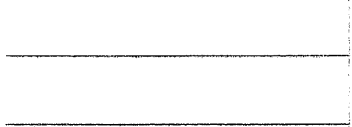


**# 5**  
**Windows and Doors:**  
**Kawneer North America**  
 Commercial Aluminium Frame  
*Permadize Sterling Gray*

**# 2**  
**Stone Veneer:**  
 Cultured Stone  
**Country Ledgestone**  
*Caramel CSV-20007*



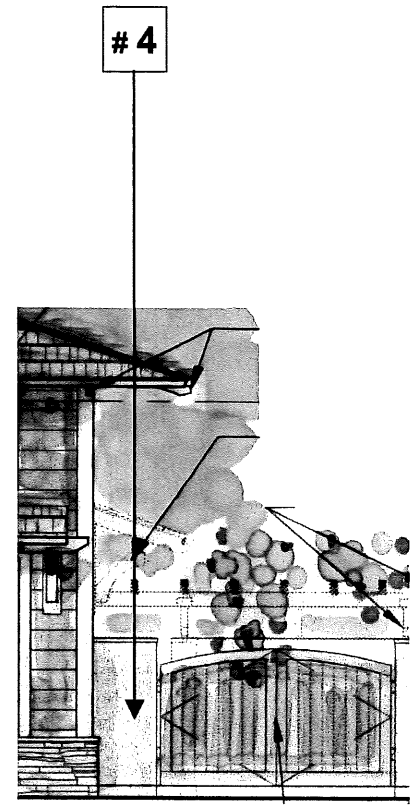
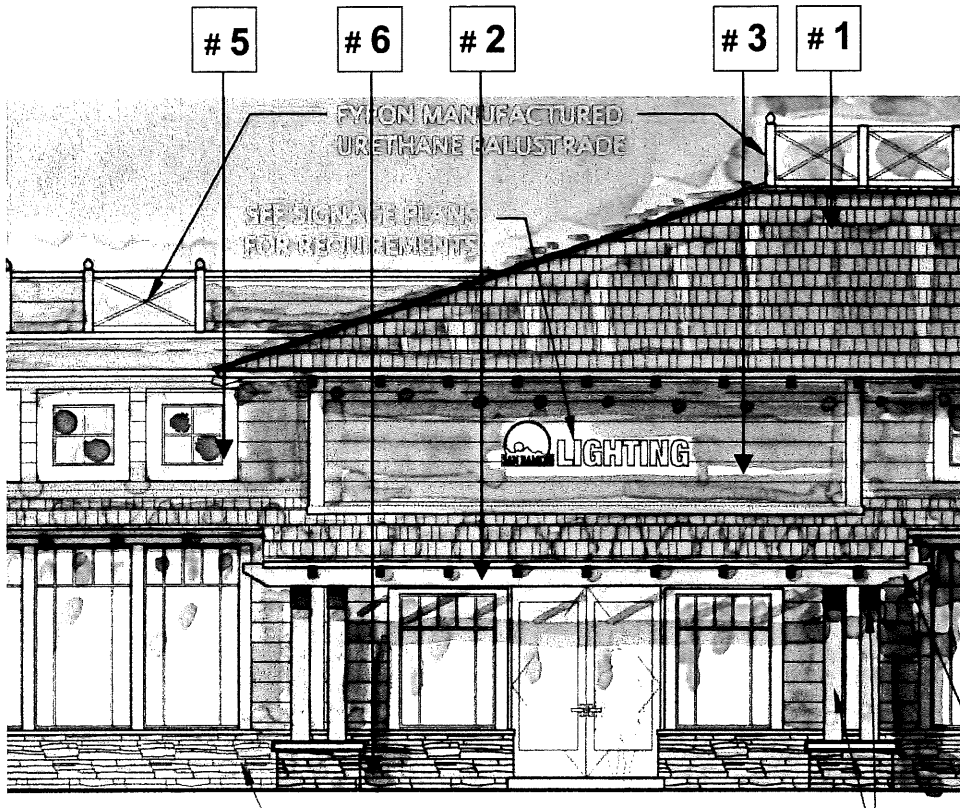
**# 3**  
**Hardiplank Lap Siding**  
 Smooth, 10 3/4" Exposure  
 Color to match:  
 Dunn Edwards **DE6372**  
*Lace Veil*



**# 4**  
**Wood details**  
 Color to match:  
 Dunn Edwards **DE5711**  
*Up North*

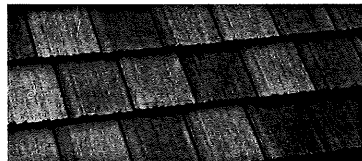


# COLOR SCHEME BLDG B-2



**# 1**

**Cement Roof Shingle:**  
Eagle Roofing  
**Ponderosa 5699**  
*Charcoal Range*



**# 5**

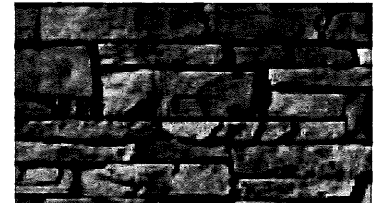
**Windows and Doors:**  
Kawneer North America  
Commercial Aluminium Frame  
*Permadize® Sterling Gray*

**# 2**

**Wood details**  
Color to match:  
Dunn Edwards **DE6232**  
*Abstract White*

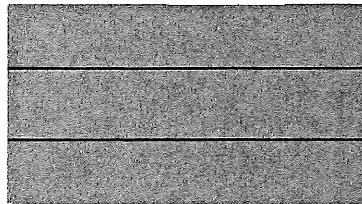
**# 6**

**Stone Veneer:**  
Country LedgeStone  
*Aspen CSV-20008*



**# 3**

**Hardiplank Lap Siding**  
Smooth, 10 3/4" Exposure  
Color to match:  
Dunn Edwards **DE6235**  
*Northgate Green*



**# 4**

**Stucco, Light Sand Finish**  
Color to match:  
Dunn Edwards **DE6232**  
*Abstract White*

# COLOR SCHEME BLGD C-2

SHOPS at OAK CREEK  
CITY OF AGOURA HILLS  
FOR ADLER Realty Investment, Inc.



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