

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

ACTION DATE:

June 19, 2008

TO:

Planning Commission

APPLICANT:

Gregory Alekian

Komar Investments, LLC 23 Corporate Plaza, Suite 247 Newport Beach, CA 92260

CASE NOS.:

06-CUP-003; 06-OTP-005; and PM 65503

LOCATION:

28701 Canwood Street (A.P.N. 2048-012-026)

REQUESTS:

A request for approval of a Conditional Use Permit to construct seven (7), one-story, light industrial buildings totaling 103,070 square feet; a request for an Oak Tree Permit to remove one (1) oak tree and encroach within the protected zone of one (1) oak tree for the proposed construction; a request for approval of a Tentative Parcel to subdivide the 10-acre parcel commercial/industrial condominium units; and a request for adoption of a Mitigated Negative Declaration and Mitigation Monitoring Program.

ENVIRONMENTAL DETERMINATION:

Mitigated Negative Declaration

RECOMMENDATION:

Staff recommends approval of Conditional Use Permit Case No. 06-CUP-003; Oak Tree Permit Case No. 06-OTP-005; and Tentative Parcel Map No. 65503, subject to conditions. Staff also recommends adoption of the Mitigated Negative

Declaration and Mitigation Monitoring Program.

ZONING DESIGNATION:

BP-M-FC (Business Park-Manufacturing - Freeway Corridor

Overlay)

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

I. BACKGROUND AND PROJECT DESCRIPTION

The subject property is a vacant 10-acre infill lot located on the northside of Canwood Street, between Clareton Drive and Derry Avenue, at 28701 Canwood Street. The applicant, Gregory Alekian of Komar Investments, LLC, is seeking approval of a Conditional Use Permit to construct 103,070 square foot light industrial complex. The project consists of seven (7) separate, single-story buildings intended to accommodate 25 individual units. The Zoning Ordinance requires the Planning Commission's consideration of Conditional Use Permit since the 14.8% average slope of the property exceeds the City's 10% threshold for requirement of a Conditional Use Permit. Although the property has an average topographic slope of more than 10%, the property is an infill lot that has been pregraded and is not at the base of a hill or mountain. As such, the Director of Planning and Community Development determined, as allowed per previous Planning Commission direction, that the lot is not subject to the City hillside development standards. The development proposal includes a request for a Parcel Map to subdivide the project for condominium purposes. The applicant is also seeking approval of an Oak Tree Permit to remove one (1) Oak tree and encroach within the protected zone of one (1) Oak tree for the proposed construction.

The topography of the lot undulates, but rises from Canwood Street to the north, and is relatively flat at the northern, back portion of the lot. The property is located in the BP-M (Business Park-Manufacturing) and FC (Freeway Corridor Overlay) zones. A light industrial complex is a permitted use within these zones. The project meets the development standards relative to building height, lot coverage, and required parking. Adjacent property uses include a vacant parcel and an industrial/warehouse complex to the east, and the Annandale Condominium units to the north. To the south of the project site is Canwood Street, a light industrial/retail complex and an office building. To the east are a furniture center, an industrial/warehouse complex, and the U.S. Post Office.

The following is a summary of the proposed development relative to the City Code requirements.

Pertinent Data for the Proposal

		Existing	Proposed	Allowed/ Required
1.	Lot Area	10 acres	10 acres	3 acres min.
2.	Lot Width	491 feet	491 feet	N/A
3.	Lot Depth	920 feet	920 feet	N/A

Pertinent	Data	for	the	Proposal

<u>Perti</u>	nent Data for the Proposal			
				Allowed/
		Existing	<u>Proposed</u>	<u>Required</u>
4.	Building Size			
	Building 1:	N/A	13,140 sq. ft.	N/A
	Building 2:	N/A	13,140 sq. ft.	N/A
	Building 3:	N/A	24,140 sq. ft.	N/A
	Building 4:	N/A	12,000 sq. ft.	N/A
	Building 5:	N/A	9,000 sq. ft.	N/A
	Building 6:	N/A	15,000 sq. ft.	N/A
	Building 7:	<u>N/A</u>	16,650 sq. ft.	<u>N/A</u>
	Total	N/A	103,070 sq. ft.	N/A
5.	Bldg. Height			
	Building 1:	N/A	28.5 feet	35 feet max.
	Building 2:	N/A	28.5 feet	35 feet max.
	Building 3:	N/A	29 feet	35 feet max.
	Building 4:	N/A	25 feet	35 feet max.
	Building 5:	N/A	25 feet	35 feet max.
	Building 6:	N/A	25 feet	35 feet max.
	Building 7:	N/A	27 feet	35 feet max.
6.	Total Bldg. Lot Coverage	N/A	23.6%	30% max.
7.	Bldg. Setbacks			
	Front (south)			
	Building 1:	N/A	43 feet	28.5 feet min.
	Building 2:	N/A	50 feet.	28.5 feet min.
	Building 3:	N/A	534 feet	29 feet min.
	Building 4:	N/A	580 feet	25 feet min.
	Building 5:	N/A	814 feet	25 feet min.
	Building 6:	N/A	789 feet	25 feet min.
	Building 7:	N/A	489 feet	27 feet min.

Pertinent Data for the Proposal

<u>ertır</u>	nent Data for the Proposal			
				Allowed/
		<u>Existing</u>	<u>Proposed</u>	<u>Required</u>
	Rear (north)			
	Building 1:	N/A	785 feet	28.5 feet min.
	Building 2:	N/A	741 feet	28.5 feet min.
	Building 3:	N/A	210 feet	29 feet min.
	Building 4:	N/A	178 feet	25 feet min.
	Building 5:	N/A	26 feet	25 feet min.
	Building 6:	N/A	47.3 feet	25 feet min.
	Building 7:	N/A	205 feet	27 feet min.
	West Side			
	Building 1:	N/A	70 feet	15 ft. min.,
	8			70 ft. combin.
	Building 2:	N/A	281 feet	15 ft. min.,
	Z .			70 ft. combin.
	Building 3:	N/A	170 feet	15 ft. min.,
	Ç			70 ft. combin.
	Building 4:	N/A	15.6 feet	15 ft. min.,
	_			70 ft. combin.
	Building 5:	N/A	64 feet	15 ft. min.,
				70 ft. combin.
	Building 6:	N/A	203 feet	15 ft. min.,
				70 ft. combin.
	Building 7:	N/A	331 feet	15 ft. min.,
				70 ft. combin.
	East Side			
	Building 1:	N/A	272 feet	15 ft. min.,
				70 ft. combin.
	Building 2:	N/A	45 feet	15 ft. min.,
				70 ft. combin.
	Building 3:	N/A	177 feet	15 ft. min.,
				70 ft. combin.
	Building 4:	N/A	398 feet	15 ft. min.,
				70 ft. combin.
	Building 5:	N/A	305 feet	15 ft. min.,
		3711	0.5.0	70 ft. combin.
	Building 6:	N/A	86 feet	15 ft. min.,
				70 ft. combin.

Pertinent Data for the Proposal

	-	Existing	Proposed	Allowed/ Required
	Building 7:	N/A	83 feet	15 ft. min., 70 ft. combin.
8.	Parking	N/A	217 spaces	208 spaces minimum
9.	Landscape Coverage	N/A	22.4% (38% including undisturbed areas)	20% min.
10.	No. of Oak Trees	20 in vicinity	19 to be retained	N/A

II. STAFF ANALYSIS

Site Plan

Due to the existing topography of the site and the applicant's desire to retain the natural knoll and its Oak habitat located in the center of the lot, five of the seven proposed buildings are proposed in the rear portion of the lot, and two buildings are proposed near the Canwood Street frontage to the south. One driveway on Canwood Street will serve as the sole point of access to the site, but driveways on the east and west side of the property will provide for interior access to the buildings and their adjacent parking spaces.

At the request of the Public Works Department, the westerly end of Canwood Street, along the property's frontage, will be required to be lowered by approximately 5 feet in order to minimize the existing topographic differential along this portion of Canwood Street. This change in topography will result in the finished floor elevations of Buildings 1 and 2 to be situated 15 feet and 24 feet respectively above the street. The remaining five buildings will have finished floor elevations situated 28 to 33 feet above Canwood Street. However, the highest point of the undisturbed knoll is 22 feet to 29 feet above the proposed finished floors of these five buildings.

Buildings 5 and 6 are proposed at the north end of the site, near the Annandale Condominium complex. The condominium complex's swimming pool and club house is located north of Building 5. Building 5 would be located 70 feet from the swimming pool and its highest roof element would be 12 feet above the pool deck. Building 6 would be located 72 feet from the closest residential units. The highest roof elements of Building 6 would be 12 feet above the

Case Nos. 06-CUP-003; 06-OTP-005; PM 65503

Planning Commission Page 6

finished floor of these residential units. A security and fire access pedestrian path is proposed along the north ends of Buildings 5 and 6. No access door for any of the industrial units is oriented toward an adjacent developed parcel or street.

Outdoor seating areas for employees of the complex are proposed on the south end of Building 4 and the east end of Building 2. Staff recommends that the furniture within the seating areas be subject to staff's review and approval with the final landscape plan. The applicant will also be required to provide for public art within the project, or pay an in-lieu fee.

Architectural Design

The applicant is proposing to use a tilt-up concrete construction method for each building. While such construction methods are discouraged in the City's Architectural Design Standards and Guidelines, the Architectural Review Panel (ARP) understood the practicality of tilt-up concrete methods of an industrial complex. Thus, the ARP reviewed several iterations of the project and provided recommendations to the applicant for an improved design, which have been incorporated into the project plans, that includes the use natural materials of ledgestone veneer and standing seam metal roofs, and colors of tan, brown, olive green, beige and off-white incorporated into the building designs. Other design components that were applied to the building designs include varied roof elements and heights, trellis and corbel elements, and shed roofs over the garage doors. Clear window glazing is also proposed.

Approximately 20% of each of the proposed units is allocated for office use. As previously noted, no garage or entry door would be oriented to an existing developed parcel or street. Although the buildings are single-story in height and less than the maximum height allowed for the zone, the ARP's recommendations were intended to keep the project in a pedestrian scale, while acknowledging the need for the high ceiling space required for the use. The ARP finds the proposed design to be in keeping with the intent of the Architectural Design Standards and Guidelines. Staff would note that the most recently constructed industrial complex in the City, located in the Dale Poe industrial center on the east side Derry Avenue and north of the new Agoura Design Center, consists of tilt-up concrete with brick columns.

While tenant signage locations are shown above the office entries on the building elevation plans, they are simply conceptual in location and scale. A detailed sign program has not been submitted and staff is recommending that the applicant be conditioned to submit a sign program for the complex for the Planning Commission's review and approval at a later date.

The applicant has submitted a photometric plan for review, however staff would like additional time to review the proposed light fixture details for the project, prior to the consideration by the Planning Commission. Thus, staff is recommending that that prior to the issuance of a building permit the applicant be required to submit a detailed lighting plan for review and approval by the Planning Commission. The plan will be required to comply with the adopted lighting standards

Planning Commission
Page 7

contained within the City Architectural Design Guidelines and Standards. The lighting plan would also be subject to review by the Architectural Review Panel prior to review by the Planning Commission.

Of particular concern is that all lighting within the project, especially in the light sources that are visible from neighboring residential properties, be downcast and be shielded and oriented in a manner that will prevent spillage or glare. Staff is also concerned with the potential visibility of the parking lot light fixtures as seen from Canwood Street and the 101 Freeway. Wall-mounted light fixtures would be at the discretion of the Planning Commission.

Photo simulations of the project are provided as exhibits in the Mitigated Negative Declaration. Story-poles showing variations in building elevation heights have also been erected on the site for the Planning Commission's reference.

Noise

Finally, project noise has always been a concern of the adjacent residential community. To address this issue, a Noise Impact Analysis was prepared for the project and is included in the project Mitigated Negative Declaration. The analysis found that light industrial manufacturing activities could involve the use of noise-generating equipment or processes, which could be audible at Annandale Condominium complex to the north of the project site. Buildings 5 and 6, located closest to the residential complex, have no vehicular access or regular door openings along the rear of these two buildings. Project traffic noise would be shielded by Buildings 5 and 6 with only a narrow gap between the buildings housing the trash enclosure. Any open doors during works days would face away from the adjacent residential development. Indoor noise levels would be reduced through normal structural attenuation with closed doors and the buildings' distances from neighboring properties. Impacts associated with interior activities were found not to be significant.

The use of roof-mounted mechanical equipment, as well as some light industrial operations that could include the use of air compressors and sprayers, could exceed noise impact thresholds. To reduce these impacts to less than significant levels, the following mitigation measures are included in the draft Mitigation Monitoring Program:

- 1. Light industrial equipment such as compressors, sprayers or power tools shall not operate outside of, or within open doors, at any light industrial unit.
- 2. Roof-top heating, ventilation or air conditioning (HVAC) equipment in Buildings 5 and 6 shall not operate between the hours of 10:00 p.m. and 7 a.m. unless it is demonstrated by noise measurement that the noise level from such operation does not exceed 50 dBA at the closest residential property line.
- 3. Mechanical equipment (HVAC) equipment operating outdoors shall be selected based upon attainment of a lowest reasonable noise level, and the equipment shall be shielded in order to not have a direct line of sight to any residential bedroom window.

City Engineer / Public Works Department

The City Engineer reviewed the project plans for required improvements within the public right-ofway. Based on his review, the City Engineer recommends that the applicant:

- Provide for a curb, gutter and meandering sidewalk along Canwood Street
- Underground overhead utilities
- Lower and repair Canwood Street along the project frontage
- Install street lights
- Pay the City Traffic Improvement Fee of \$4.183/square foot. The estimated fee for this 103,070 square foot project is \$431,141.

Oak Trees and Landscaping

An Oak Tree Report was prepared for the project which evaluated 20 Oak trees located in the vicinity of the project. The applicant is requesting approval of an Oak Tree permit to remove one (1) Oak tree and encroach within the protected zone of one (1) Oak tree for the proposed construction. The Oak tree proposed for removal (No. 14) is a multi-trunk Valley Oak tree with truck diameters of 3.5 inches and 2.5 inches. The tree is approximately 9 feet in height, with average health and appearance. The tree is proposed to be removed to enable construction of the parking lot behind, and north of, Building 2. Even if additional retaining walls were added between the tree and the parking lot, the City Oak Tree Consultant finds the impacts would be substantial within the protected zone and the tree would not likely survive. The City Oak Tree Consultant supports the request to remove the tree with the requirement that 4 Valley Oak trees be planted in the same vicinity of the removal. It is recommended the replacement Valley Oak trees consist of two (2) thirty-six inch (36") box size trees, one (1) twenty-four inch (24") box size tree and one (1) fifteen (15) gallon container size tree.

Oak Tree Number 12 is proposed to be encroached upon. This is 40-foot high Valley Oak tree has a trunk diameter of thirty-five inches (35") and is of average health and appearance. The construction of the easterly driveway to the rear of the site requires a retaining that will be placed on the easterly dripline of the tree. The encroachment affects less than 10% of the protected zone and if carefully performed, can be accomplished without significant long-term detrimental impacts to the health of the tree. The Oak Tree Consultant supports the encroachment request and preservation measures are included within the conditions of approval to promote the survival of the tree. The 18 other Oak trees evaluated in the Oak Tree Report will remain undisturbed.

The applicant has submitted a preliminary landscape plan that has been reviewed and preliminarily approved by the City Landscape Consultant, subject to conditions. While the overall required shade coverage for the site will be met with the proposed landscape plan, the landscape plan does not provide for the 50% minimum shade coverage required for the parking areas. Rather, the applicant

is proposing 46% shade coverage. The City Landscape Consultant found that the site is somewhat constrained in that by fully protecting the oaks in the central part of the site, there is no opportunity to place additional trees to create canopy coverage in the parking areas. It is the opinion of the City Landscape Consultant and staff that the proposed landscape plan meets the intent of the shade requirement. If the Planning Commission agrees with staff, staff will review the final landscape plan to insure that appropriate shade trees are included to the greatest extent possible to provide the maximum benefit that can be obtained.

Traffic and Parking

The City Traffic Engineer has reviewed the traffic report prepared by Associated Traffic Engineers for the proposed industrial park. For the purposes of the traffic report, a total project size of 103,070 square feet, 19,950 square feet of which would be dedicated for office space. The traffic report forecasts that the project would generate 718 vehicle trips (entering or exiting the site) per day, with 95 trips in the morning peak hour, and 101 trips in the afternoon peak hour.

Nine (9) key intersections were analyzed for changes in traffic operations as a result of this project. Five (5) of these intersections are located on Kanan Road, two (2) are located on Palo Comado Canyon Road, one (1) is located on Chesebro Road and the other one (1) is located on Dorothy Drive. The traffic report estimates that 511 (71%) percent of the project's peak morning and afternoon traffic will occur west of the project site, on Canwood Street. The remaining 207 (29%) traffic trips will occur east of the project site, on Canwood Street. The traffic report concluded that the project would incrementally increase traffic at each of the nine analyzed intersections. However, in all cases, the increase in traffic would be less than 2%. No exceedance of City thresholds would occur at any intersection and impacts would be less than significant. Thus, no mitigation measures were required or recommended.

The City Engineering Department, however, is recommending the project be conditioned for the improvements on Canwood Street along the property frontage, including the lowering of the street by approximately 5 feet at the west end of the site, and providing a curb, gutter and meandering sidewalk. The Los Angeles County Fire District has reviewed the project plans and finds the site plan, as proposed, to be sufficient for their access purposes.

A total of 217 parking spaces are proposed to accommodate the project. The Zoning Ordinance requires a minimum of 103 parking spaces be provided for industrial component of the project (103,070 square feet), plus 80 parking spaces for the office component (19,950 square feet), and 25 spaces for company vehicles (one (1) per business), for a total of 208 minimum number of required parking spaces. Thus, a surplus of 9 parking spaces is provided on-site.

Planning Commission Page 10

Geological and Geotechnical Review

The site was pre-graded prior to City incorporation and has since been disturbed for brush clearance purposes. Most of the site slopes downward from the north end of the property to the south at Canwood Street. The proposed locations of the buildings and the preservation of the centrally located knoll on the site requiring grading quantities of 59,990 cubic yards of cut and 83,750 cubic yards of fill of which 30,760 cubic yards of soil will be imported. The proposed grading will not result in any cut/fill slopes that exceed the permitted 2:1 slope gradient.

An extensive retaining wall system is required for access to the rear of the property and to retain the upper and lower portions of the graded slopes on the perimeter of the property. Retaining walls are proposed at the perimeter of the knoll, along both sides of the east and west drive aisles, behind the two northerly buildings (Buildings 5 and 6). The sloped front yard area of the project, adjacent to Canwood Street, will also include a retaining wall system for the upper and lower portions of the 2:1 slope, and a handicap access ramp. No wall is proposed to exceed 6 feet in height. A retaining wall that varies in height of 1-6 feet is proposed adjacent to the meandering street sidewalk, at the bottom of the slope, which can be screened with landscaping.

The preliminary geotechnical and geological report prepared by the J. Byer Group, Inc. evaluated the feasibility of the proposed construction. The report concludes that no landslides or adverse seismic features are present on the property and no fault traces trend across the development area. The City Geotechnical Consultant has reviewed the report and recommends the project be approved from a geotechnical perspective at this planning review stage. Geotechnical conditions of approval are included to ensure that recommendations contained in the report are incorporated into the grading plan and are adhered to during construction.

Tentative Parcel Map

The applicant is requesting approval of a Tentative Parcel Map for the purpose of subdividing the buildings into 25 industrial/office condominium units. The proposed sizes of the condominium units are as follows:

```
3,000 sq. ft. (12 units)
3,330 sq. ft. (5 units)
6,035 sq. ft. (4 units)
6,570 sq. ft. (4 units)
```

Approval of the proposed subdivision will allow the property owner to sell the units individually. All areas of the property exclusive of the buildings would be maintained through common ownership and required Conditions, Covenants and Restrictions (CC&Rs). Staff finds that with multiple owners within the complex, the buildings and common area are more conducive for higher maintenance standards than industrial parks that are leased by one owner.

Planning Commission Page 11

The City Engineer has reviewed the Tentative Parcel Map and finds that the proposed subdivision to be compliant with the Subdivision Map Act. If the Tentative Parcel Map is approved by the Planning Commission, the Final Parcel Map will be subject to City Council Approval prior to recordation.

Environmental Review/ Mitigated Negative Declaration

An Initial Study was prepared in accordance with the requirements of the California Environmental Quality Act (CEQA) to analyze the potential environmental consequences of the proposed project. The purposes of an Initial Study are:

- A. To provide the Lead Agency (City of Agoura Hills) with the necessary information to decide whether to prepare an Environmental Impact Report (EIR) or a Mitigated Negative Declaration;
- B. To enable the Lead Agency to modify a project, mitigating adverse impacts thus avoiding the need to prepare an EIR;
- C. To provide sufficient technical analysis of the environmental effects of a project to permit a judgment based on the record as a whole, that the environmental effects of a project have been adequately mitigated.

In the case of the proposed project, staff found that it would not result in any significant effects on the environment that cannot be mitigated to less than significant levels, and therefore prepared a Draft Mitigated Negative Declaration (MND) for review and adoption by the Planning Commission.

The primary issues of concern for the subject site included aesthetics, biological resources, cultural resources, noise, and geology/soils. To adequately address these potentially significant concerns, technical reports prepared by qualified professionals and field surveys were completed as part of this analysis. Mitigation measures were developed based on the degree of perceived significance related to these issues.

The City Environmental Analyst found that the project would not result in any significant effects on the environment that could not be mitigated to less than significant levels. The Draft MND circulated for a 30-day review period, which ends on May 19, 2008. The Final MND, which incorporates written responses to the comments received and includes a Mitigation Reporting and Monitoring Program, is presented for approval.

IV. RECOMMENDATION

Based on the forgoing review and analysis, it is recommended that the Planning Commission adopt a motion to approve Conditional Use Permit Case No. 06-CUP-003; Oak Tree Permit Case No. 06-OTP-005; and Tentative Parcel Map No. 65503, subject to conditions. It is also recommended that the Planning Commission approve the Final Mitigated Negative Declaration and Mitigation Monitoring Program.

V. ATTACHMENTS

- Draft Resolution and Conditions for Conditional Use Permit and Oak Tree Permit
- Draft Resolution and Conditions for Tentative Parcel Map
- Reduced Photocopies of the Plans
- Vicinity Map

Case Planner: Doug Hooper, Assistant Director of Community Development

	·		•	
		-		
				•

DRAFT RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF AGOURA HILLS APPROVING CONDITIONAL USE PERMIT CASE NO. 06-CUP-003 AND OAK TREE PERMIT CASE NO. 06-OTP-005

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

Section I. An application was duly filed by Gregory Alekian of Komar Investments, LLC, with respect to the real property located at 28701 Canwood Street (Assessor's Parcel No. 2048-012-026), requesting approval of a Conditional Use Permit to construct seven (7), one-story, light industrial buildings totaling 103,070 square feet; and requesting an Oak Tree Permit to remove one (1) oak tree and encroach within the protected zone of one (1) oak tree for the proposed construction. A Public Hearing was duly held on June 19, 2008, at 6:30 p.m. in the City Council Chambers, City Hall, 30001 Ladyface Court, Agoura Hills, California. Notice of the time, date, place and purpose of the aforesaid hearing was duly given.

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

Section III. Pursuant to Section 9673.2.E of the Agoura Hills Zoning Ordinance, the Planning Commission finds that:

- 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 property zoning designation and General Plan Land Use designation allows for development industrial buildings. The proposal meets the development standards for the BP-M-FC (Business Park-Manufacturing Freeway Corridor Overlay) zones relative to building height, lot coverage, and setbacks from property lines. The project also meets the stated purpose of the Business Park-Manufacturing zone, which is "to provide areas for larger scale businesses involved in light manufacturing, research and development, assembly, distribution or services requiring larger facilities in integrated developments compatible with adjacent commercial and residential development."
- B. The proposed use, as conditioned, is compatible with the surrounding properties. The proposed industrial park is allowed use within the Business Park-Manufacturing zone. The single-story building design which incorporates earthtone colors and natural materials are compatible with the surrounding commercial and residential development. The service doors for each proposed unit is oriented inward to site, thereby minimizing potential noise and visual impacts to adjacent residential and commercial properties.

- C. The proposed use and the conditions in which it will be operated or maintained, will not be detrimental to the public health, safety, or general welfare. Access to the property will be one driveway located on Canwood Street, and two main driveways within the site. Sufficient on-site parking will be provided for the use. The varied roof lines of the buildings and its proximity to neighboring properties will preserve the light, air, privacy and open space to the surrounding neighboring parcels. The project meets the maximum building coverage standards for the Business Park-Manufacturing zone.
- D. The proposed use, as conditioned, will comply with each of the applicable provisions of the Zoning Ordinance. The single buildings are less than the 35-foot building height limitation for structures within the zone. Building lot coverage is below the maximum allowed for the zone and setbacks from property lines exceed the minimum distance required of the zone.
- E. The distance from other similar and like uses is sufficient to maintain the diversity of the community. Although existing light industrial uses are located on Derry Avenue and Clareton Street in close proximity to the project site, the proposed industrial park will contribute to a mix of land uses which meet the diverse needs of Agoura Hills residents, offer a variety of employment opportunities, and allow for capture of regional growth, as called for Goal No. 1 of the General Plan Land Use Element. The project also meets the implementation measures of the General Plan Economic Element by encouraging the location and development of services that will support the industrial and commercial office base.
- Section V. The removal of one (1) oak tree and the encroachment within the protected zone of one (1) oak tree, as conditioned, are needed for access within the site. Measures will be implemented to mitigate the loss of oak trees through the requirement to provide for at least four (4) new oak trees on the site.
- Section VI. In accordance with the California Environmental Quality Act, the City has provided public notice of the intent to adopt a Mitigated Negative Declaration for this project. Based upon the initial study, public comments and the record before the Planning Commission, the Planning Commission finds that the Mitigated Negative Declaration identifies potentially significant environmental effects for which feasible mitigation measures have been identified which will avoid or substantially lessen such effects. The Planning Commission has reviewed the information contained in the Mitigated Negative Declaration in considering the application and finds that the Mitigated Negative Declaration was prepared pursuant to the California Environmental Quality Act. The Planning Commission hereby adopts the attached Mitigated Negative Declaration and Mitigation Monitoring Plan.

Draft Resolution No	•
Page 3	
Section VII. Based on the aforementione approves Conditional Use Permit Case No. 06-CUI 005, subject to the attached conditions, with respect	
PASSED, APPROVED, and ADOPTED this 19 th wit:	day of June, 2008, by the following vote to
AYES:	
NOES:	
ABSTAIN:	
ABSENT:	
	John O'Meara, Chairperson
ATTEST:	
Doug Hooper, Secretary	

CONDITIONS OF APPROVAL (Case Nos. 06-CUP-003 and 06-OTP-005)

STANDARD CONDITIONS

- 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 appropriate forms and related fees.
- 2. This action 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 Approval of this Permit with the Department of Planning and Community Development. Any conditions on such acceptance or challenges, including the filing of legal action, relating to the permit or the conditions, shall be treated as a failure to meet this Condition and shall nullify and void this permit.
- 3. Except as modified herein, the approval of this action is limited to and requires complete conformation to the labeled exhibits approved by the Planning Commission: Site Plan, Building Elevation Plans, Floor Plans, Roof Plans, Grading Plans and Landscape Plans.
- 4. It is hereby declared to be the intent that if any provision of this Permit is held or declared to be invalid, the Permit shall be void and the privileges granted hereunder shall lapse.
- 5. It is further declared and made a Condition of this action that 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 of the property must be complied with unless set forth in the Conditional Use Permit.
- 7. No occupancy shall be granted for any new building until all Conditions of Approval have been complied with as determined by the Director of Planning and Community Development.
- 8. Unless waived by the Director of Planning and Community Development, all utilities existing and proposed shall be placed underground. If overhead utilities of 66 KV or greater exist on or about the subject property, the applicant shall file an agreement to join any Assessment District subsequently created to underground said lines.
- 9. If required, the applicant shall provide road markers opposite the existing or proposed fire hydrants serving the property to the satisfaction of the City Engineer.

- 10. A minimum of two hundred and seventeen (217) parking spaces shall be provided on the subject property, at nine (9) of which shall be designated for handicap parking. All parking spaces shall include wheel stops and the spaces shall be of standard size and pinstriped, in conformance with the City Parking Ordinance.
- 11. The applicant shall comply with all applicable Public Health Statutes, Ordinances and Regulations related to the disposal of sewage.
- 12. All structures shall conform to the requirements of the Division of Building and Safety of the City of Agoura Hills.
- 13. The applicant shall comply with the requirements of the Los Angeles County Fire Department prior to the issuance of Building or Grading Permits. The Forester and Fire Warden shall be consulted to ascertain the required fire flows and fire hydrants to accommodate the proposed development.
- 14. Unless Conditional Use Permit Case No. 06-CUP-003 and Oak Tree Permit Case No. 06-OTP-005 are used within two (2) years from the date of City approval, the permit will expire. A written request for a one-year extension may be considered prior to the expiration date.
- 15. The applicant shall provide a paved all-weather access from the parking area to the street, as required by the City Engineer.
- 16. Prior to the issuance of a Building Permit, the applicant shall comply with the school impact fee requirements of the Las Virgenes Unified School District. The current fee is \$0.47/gross square foot for commercial/industrial construction. Actual fees will be determined at the time of building permit issuance.
- 17. The applicant shall pay to the City the applicable Fire District Developer Fee prior to the issuance of Building Permits. The current fee is \$0.9223/gross square foot for commercial construction. Actual fees will be determined at the time of building permit issuance.
- 18. The applicant shall pay to the City the applicable General Plan Update Recovery Fee prior to the issuance of a Building Permit. The current fee is \$1.41/\$1,000 of building valuation. Actual fees will be determined at the time of Building Permit issuance.

Conditions of Approval (Case Nos. 06-CUP-003 and 06-OTP-005) Page 3

19. Prior to the issuance of a Building Permit, the applicant shall submit a letter to the Director of Planning and Community Development agreeing to suspend construction in the vicinity of a cultural resource encountered during development of the site, and leave the resource in place until a qualified archaeologist can examine them and determine appropriate mitigation measures. All fees and expenses for the retaining of a qualified archaeologist shall be paid by the applicant and shall not be at City expense. The applicant shall agree to comply with mitigation measures recommended by the archaeologist and approved by the Director of Planning and Community Development.

OAK TREE AND LANDSCAPING CONDITIONS

Oak Trees

- 20. The applicant is permitted to remove Oak Tree Number 14 to construct the project as approved. Four (4) replacement oak trees shall be planted to mitigate the removal. The replacement trees shall consist of two (2) thirty-six inch (36") box size trees, one (1) twenty-four inch (24") box size tree and one (1) fifteen (15) gallon container size tree. The species shall be *Quercus lobata* (Valley Oak) and the trees shall be located in the same vicinity as the original tree location. The City Oak Tree Consultant shall approve the final mitigation program.
- 21. The applicant is permitted to encroach within the protected zone of Oak Tree Number 12 to construct the project as approved.
- 22. The applicant shall provide a forty-eight (48) hour notice to the City and the applicant's oak tree consultant prior to the start of any approved work within the protected zone of any oak tree.
- 23. Prior to the start of any work or mobilization at the site, each oak tree to be preserved shall be fenced with temporary chain link fencing at the edge of the protected zone or at the approved work limits, in accordance with Article IX, Appendix A, Section V.C.1.1. The City Oak Tree Consultant shall approve the fencing locations.
- 24. No vehicles, equipment, materials, spoil or other items shall be used or placed within the protected zone of any oak tree at any time, except as specifically required to complete the approved work.
- 25. Pruning of live branches is not authorized unless specifically approved by the City Oak Tree Consultant.

- 26. All approved excavation performed within the protected zone of any oak tree shall be performed with hand tools under the direct supervision of the applicant's oak tree consultant or the City Oak Tree Consultant.
- 27. No vehicles, equipment, materials, spoil or other items shall be used or placed within the protected zone of any oak tree at any time, except as specifically required to complete the approved work.
- 28. No irrigation or planting shall be installed within the drip line of any oak tree unless specifically approved by the City Oak Tree Consultant and the Director.
- 29. Natural oak leaf litter shall be preserved within the dripline of each oak tree. At the completion of construction, the applicant shall place three inches (3") of an approved mulch throughout the dripline of each oak tree if required to supplement natural leaf litter.
- 30. Within ten (10) days of the completion of work, the applicant's oak tree consultant shall submit written certification to the City. The certification shall describe all work performed and whether such work was performed in accordance with the above permit conditions.
- 31. Prior to the issuance of grading permits, the applicant shall submit an objectively observable maintenance and care program to insure the health and care of all oak trees within the property. Both existing trees and trees to be planted shall be addressed.

Landscaping

- 31. Prior to the approval of building permits, the applicant shall submit three (3) sets of landscape plans meeting the following requirements, subject to review by the City Landscape Consultant and approval by the Director of Planning and Community Development:
 - a. A California-licensed landscape architect shall prepare, stamp and sign the plans.
 - b. All plans shall be legible and clearly drawn.
 - c. Plans shall not exceed thirty inches (30") by forty-two inches (42") in size. Plans shall be a minimum of twenty-two inches (22") by thirty-six inches (36") in size.
 - d. A true north arrow and plan scale shall be noted. The scale shall be no smaller than one inch equals twenty feet (1"=20"), unless approved by the City Landscape Consultant.
 - e. A title block shall be provided, indicating the names, addresses and telephone numbers of the applicant and landscape architect.

Conditions of Approval (Case Nos. 06-CUP-003 and 06-OTP-005) Page 5

- f. The project identification number shall be shown on each sheet.
- g. The plans shall accurately and clearly depict the following existing and proposed features:
 - Landscape trees, shrubs, ground cover and any other landscaping materials
 - Property lines
 - Streets, street names, right-of-ways, easements, driveways, walkways, bicycle paths, and any other paved areas
 - Buildings and structures
 - Parking areas, including lighting, striping and wheel stops
 - General contour lines
 - Grading areas, including tops and toes of slopes
 - Utilities, including street lighting and fire hydrants
 - Natural features, including watercourses, rock outcroppings
- h. The Planting Plan shall indicate the botanical name and size of each plant.
- 32. Plant symbols shall depict the size of the plants at maturity. Tree spacing specifically shall be adjusted to allow for optimum growth of each tree species.
- 33. The final plans shall not include any palm species.
- 34. All finger planters shall be at least eight feet (8') wide and spaced no more than ten (10) stalls apart.
- 35. Plant container sizes and/or spacing shall be provided. Minimum sizes shall be acceptable to the City Landscape Consultant and the Director.
- 36. In addition to any oak trees required for mitigation purposes, the landscape plan shall include one (1) twenty-four inch (24") box size oak tree per fifteen thousand (15,000) gross square feet of building area. It is expected that eight (8) such oak trees will be required to meet this requirement.

- 37. The landscape plans shall prominently display the following notes:
 - a. All plant material shall conform to the most recent edition of ANSI Z60.1 American Standard for Nursery Stock.
 - b. All trees planted on the site shall meet minimum nursery stock standards as developed by the California Department of Forestry and Fire Protection.
 - c. Prior to scheduling an inspection of the landscape installation with the City, the applicant's landscape architect shall certify in writing that the installation is in conformance with the approved landscape plans.
- 38. Proposed light standard locations shall be depicted on the planting plan. Any conflicts between light standard and tree locations shall be resolved to the satisfaction of the City Landscape Consultant.
- 39. The Irrigation Plan shall be provided separate from but utilizing the same format as the Planting Plan.
- 40. The irrigation design shall provide adequate coverage and sufficient water for the continued healthy growth of all proposed plantings with a minimum of waste and over spray on adjoining areas.
- 41. The Irrigation Plan shall be concise and accurate and shall include the manufacturer, model, size, demand, radius, and location of the following, as appropriate:
 - a. Design and static pressures
 - b. Point of connection
 - c. Backflow protection
 - d. Valves, piping, controllers, heads, quick couplers
 - e. Gallon requirements for each valve
- 42. Three (3) copies of details and specifications shall be provided, addressing but not limited to, planting, soil preparation, tree staking, guying, installation details, and post installation maintenance.

- 43. One copy of each of the following approved plans shall be submitted with the initial landscape plan check:
 - Site Plan
 - Elevations
 - Grading Plan
 - Conditions Of Approval
- 44. A complete Landscape Documentation package is required at the time of initial plan check submittal, prepared in accordance with Article IX, Section 9658.6 Water Efficient Landscaping, contained in the Zoning Code.
- 45. A minimum of twenty percent (20%) of the total lot shall be landscaped.
- 46. A minimum of fifteen percent (15%) of the parking lot, including driveways and aisles, shall be landscaped, distributed evenly throughout the parking lot.
- 47. To the extent feasible, shade trees shall be provided such that fifty percent (50%) of the parking lot, including driveways and aisles, shall by covered by tree canopies within fifteen (15) years after installation.
- 48. In accordance with the Freeway Corridor Overlay District, the final plant palette and arrangement shall provide more naturalistic and native theme, emphasizing native oak trees, throughout the development.
- 49. All plant material must be considered compatible with Sunset Zone 18.
- 50. All landscaping shall be irrigated and maintained in perpetuity in accordance with the approved Landscape Plan.
- 51. Poor landscape practices such as topping, hedging and "lollipopping" shall not be permitted and may require that plant materials be replaced with like size materials at the discretion of the City Landscape consultant.
- 52. Any new perimeter walls shall be decorative with a height of six feet (6'), subject to review and approval by the City Landscape Consultant and the Director.

Conditions of Approval (Case Nos. 06-CUP-003 and 06-OTP-005) Page 8

PUBLIC WORKS/ENGINEERING DEPARTMENT CONDITIONS

PRIOR TO PERMITTING (GRADING, BUILDING ENCORACHMENT, ETC.)

General

- 53. Record Parcel/Tract No. 65503 pursuant to the Subdivision Map Act and in accordance with City Code. Provide a duplicate photo mylar of the recorded map to the City Engineer.
- 54. Record Parcel/Tract No. 65503 pursuant to the Subdivision Map Act and in accordance with City Code. Provide a duplicate photo mylar of the recorded map to the City Engineer.
- 55. All required plans and studies shall be prepared by a Registered Professional Engineer in the State of California, and submitted to the City Engineer for review and approval.
- 56. For all work within public right-of-way, the applicant shall obtain an Encroachment Permit. Prior to issuance of this permit, all public improvement plans, which include but are not limited to, street, water, sewer, storm drain, lighting, signing and striping, etc shall be reviewed and approved by the City Engineer. Water plans shall be designed to meet LVMWD standards and contain a signature block for the City Engineer. All associated fees and securities shall be based upon completed Engineering Cost Estimate forms, approved by the Engineering Department. Forms are available for download from the City's website at www.ci.agoura-hills.ca.us.
- 57. Applicant shall pay all applicable Transportation Impact Fees (TIF) to the Building and Safety Department. The current fee is \$4.183 per square foot of gross building area.
- 58. All existing street and property monuments within or abutting this project site shall be preserved consistent with AB1414. If during construction of onsite or offsite improvements monuments are damaged or destroyed, the applicant shall retain a licensed land surveyor or civil engineer to reset those monuments per City's Standards and file the necessary information with the County Recorder's office.
- 59. Detailed on-site utility information shall be shown on the grading plan, which includes, but is not limited to, backflow prevention devices, exact location of laterals water meter size and location, invert elevations and grades for all gravity lines. The grading plan will not be approved by the Engineering Department until this detailed utility information is included on the plans.

- 60. Grading Plan shall show location(s) of all Oak trees within the vicinity of the site. Applicant shall adhere to all requirements pertaining to Oak trees as outlined in the City's Oak Tree Consultant's Conditions of Approval.
- 61. The applicant shall submit electronic files (i.e., CAD file, on disc) of project-related offsite improvement plans as deemed necessary by the City Engineer. These electronic files shall accompany original mylars of improvement plans to be approved/signed by the City Engineer. Improvement plans will not be approved by the City Engineer if not accompanied by CAD files.
- 62. Submit a soils/geology report to the project engineer for review and approval in accordance with Government Code, Section 66434.5 as required by the City Engineer.
- 63. Prior to issuance of permits from the Engineering Department, this project will require a permit from the following agencies: Las Virgenes Municipal Water District (prior to water and sewer connections).
- 64. Building Permits shall not be issued until graded building pad(s) have been certified for compaction and elevation to the City's satisfaction. Contact Engineering Department @ 818.597.7322 for approved City certification forms.

Public Improvements

65. Design full public improvements in accordance with City Code, Specifications, approved specific plan, and/or approved Conditions of Approval for the area. Such public improvements may include, but not be limited to, the following:

Conditions of Approval (Case Nos. 06-CUP-003 and 06-OTP-005) Page $10\,$

Improvement Item	CANWOOD STREET
Curb & Gutter	New; 23~ ft from C/L
	Replace Damaged
	Remove existing & Relocate improvements
AC Pavement	⊠ Remove and reconstruct as approved
	Grind and modify as shown on plans
PCC Drive Approach	⊠ New
	Replacement on south side
Sidewalk	⊠ New
Sidewalk	☑ New
ADA Access Ramp	⊠ New
	N -
Parkway	☑ Trees ☑ Landscaping (with irrigation)
Raised Median	Trees
	Landscaping (with irrigation)
	Hard Landscaping
Street Lights	New
	☑ Relocation – on south side, if any
Sewer Service	☑ Main – show accurately on plan & profile and
(See sec. 2C)	modify, if necessary due to
	grade adjustment.
All water appearances are per LVMWD	☑ Lateral ☑ Yes
standards (see Section 2D)	ZZ 163
Storm Drain	⊠ Main
(See sec. 2E)	Catch Basin
Traffic	☐ New
Signal Facilities	☐ Modification
(See sec. 2G)	Relocation
Traffic Signing and	New
Striping (See sec. 2G)	☑ Modification
Bus Stop and/or	□New
Turn-out	Modification
(See Sec. 2G)	
Underground	Yes – as determined during final plan check process
Overhead Utilities Removal of	Roadway bed and affected driveways and parking surface on
	(existing) private parking areas on south side of Canwood
	Street.
Other required improvements	
Same required amprovements	See Specific Note hereunder

SPECIFIC NOTES FOR IMPROVEMENTS LISTED ABOVE: With existing operational businesses on both sides, traffic phasing during construction must be reviewed and approved by City Traffic Engineer and the City Engineer, prior to issuance of Encroachment Permit.

- 66. The following existing streets being cut for new services or being finished with curb and gutter may require an asphalt concrete overlay: Canwood Street
- 67. This property is within the LVMWD service area. Applicant shall make arrangements with LVMWD for those services and provide the City with proof that all LVMWD fees have been paid.

Sewer

- 8-inch sewer line is available for connection by this project in Canwood Street [Ref. Sewer Plan Dwg # CO2-0190-01, -02 and CO2-0201-01, -02, and -03.]
- 69. Due to vertical grade adjustment of roadway, potential sewer relocation may be required as determined by City Engineer. All costs associated with any relocation shall be sole responsibility of applicant.

Water

- 70. All water facilities shall be designed to comply with all LVMWD requirements. Final plans must be reviewed and approved by LVMWD and City.
- 71. Due to vertical grade adjustment of roadway, potential water relocation may be required as determined by City Engineer. All costs associated with any relocation shall be sole responsibility of applicant.

Drainage/Hydrology

72. A hydrology study and drainage analysis, prepared and signed by a Civil Engineer registered in the State of California, in accordance with the Los Angeles County Hydrology Manual is required. Additional drainage facilities or portions of the site/grading plan may need to be altered as a result of the findings of this study. Applicant's engineer shall design any proposed main lines and obtain review and approval of the City Engineer.

Conditions of Approval (Case Nos. 06-CUP-003 and 06-OTP-005) Page 12

Stormwater Quality (NPDES)

- 73. Prior to the approval of the Grading Plan and issuance of Grading Permits, an Erosion and Sediment Control Plan (ESCP) shall be submitted to and approved by the Engineering Department. The Erosion and Sediment Control Plan shall specifically identify the Best Management Practices (BMPs) that will be implemented on this project, during construction, to reduce the discharge of sediment and other pollutants into the City's storm drain system. Said plan shall ensure, among other things, that the following minimum requirements are effectively implemented at all construction sites:
 - A. Sediments generated on the project site shall be retained using adequate Treatment Control or Structural BMPs;
 - B. Construction-related materials, wastes, spills, or residues shall be retained at the project site to avoid discharge to the streets, drainage facilities, receiving waters, or adjacent properties by wind or runoff;
 - C. Non-storm water runoff from equipment and vehicle washing and any other activity shall be contained at the project site;
 - D. Erosion from slopes and channels shall be controlled by implementing an effective combination of BMPs such as the limiting of grading scheduled during the wet season; inspecting graded areas during rain events; planting and maintenance of vegetation on slopes; and covering erosion susceptible slopes.
- 74. Prior to the approval of the Grading Plan and issuance of Grading Permits, a completed Standard Urban Stormwater Mitigation Plan (SUSMP) shall be submitted to and approved by the Engineering Department. The SUSMP shall be prepared per the Los Angeles County Standard Urban Stormwater Mitigation Plan (SUSMP) design guidelines. SUSMP shall identify, among other things, all Post-Construction, Site Design, Source Control and Treatment Control Best Management Practices (BMPs) that will be incorporated into the development project in order to minimize the adverse effects on receiving waters.
- 75. All projects that develop one (1) acre or more of total land area, or which are part of a larger phased development that will disturb at least one acre of land, are required to obtain coverage under the State Water Resources Control Board's General Permit For Storm Water Discharges Associated With Construction Activity. Proof of filing a Notice of Intent (NOI) with the State for coverage under this permit is required prior to approval of the grading plan and issuance of grading permits. The applicant shall submit a copy of the Waste Dischargers Identification Number (WDID) for coverage under the General Construction Permit to the Engineering Department.

76. SWPPP Plan – All projects that develop one (1) acre or more of total land area or which are part of a larger phased development that will disturb at least one acre of land, are required to prepare a Storm Water Pollution Prevention Plan (SWPPP), utilizing the model form in Appendix B of the 2003 CASQA Stormwater BMP Handbook for Construction at: www.cabmphandbooks.com and submit a copy of the plan to the City of Agoura Hills Engineering Department for review. A copy of the adopted SWPPP shall be maintained in the construction site office at all times during construction and the Site Superintendent shall use the plan to train all construction site contractors and supervisory personnel in construction site Best Management Practices, prior to starting work on the site.

Said plan shall, among other things, ensure that the following minimum requirements are effectively implemented at all construction sites:

- A. Sediments generated on the project site shall be retained using adequate Treatment Control or structural BMPs;
- B. Construction-related materials, wastes, spills, or residues shall be retained at the project site to avoid discharge to the streets, drainage facilities, receiving waters, or adjacent properties by wind or runoff;
- C. Non-storm water runoff from equipment and vehicle washing and any other activity shall be contained at the project site;
- D. Erosion from slopes and channels shall be controlled by implementing an effective combination of BMPs such as the limiting of grading scheduled during the wet season; inspecting graded areas during rain events; planting and maintenance of vegetation on slopes and covering erosion susceptible slopes.

Traffic/Transportation

- 77. The applicant is required to submit a focused traffic impact study. The study shall address any or all of the following issues as required by the City Engineer: parking, on- and off-site circulation, and/or build-out and future years traffic Level of Service (LOS) and impacts at intersections selected by the City.
- 78. All mitigation measures or requirements as identified in the Traffic Impact Study shall automatically become Conditions of Approval for this project.

Conditions of Approval (Case Nos. 06-CUP-003 and 06-OTP-005) Page 14

PRIOR TO CERTIFICATE OF OCCUPANCY

- 79. All remaining fees/ deposits required by the Engineering Department must be paid in full.
- 80. All requirements including construction of improvements covered in Section 2, must be completed to the satisfaction of the City Engineer.
- 81. The Applicant's Engineer shall submit a set of MYLAR, Record (as-built) Drawings, for off-site improvements, to accurately reflect the constructed improvements. This set of Record Drawings reflecting all change orders during construction, must be submitted to the City via City's inspection prior to scheduling of final inspection for acceptance of the improvements. Please note that no final inspection will be scheduled and subsequently no release of securities, posted for the project if any, will take place unless MYLAR, Record (As-built) Drawings, satisfactory to the City, are submitted.
- 82. The applicant shall record a covenant for continued stormwater maintenance, using Cityapproved forms, with the Los Angeles County. An electronic copy of this document is available on the City's website: www.agoura-hills.ca.us.
- 83. All monuments shall be set in accordance with the final map, and all centerline ties shall be submitted to the Engineering Department. Any monuments damaged as a result of construction, shall be reset to the City's satisfaction.

FIRE DEPARTMENT CONDITIONS

84. The applicant shall comply with all conditions of the Los Angeles County Fire Department prior to the issuance of a building permit.

SOLID WASTE MANAGEMENT CONDITIONS

85. To ensure that solid waste generated by the project is diverted from the landfill and reduced, reused, or recycled, the applicant shall submit a "Waste Reduction & Recycling Plan" to the City for review and approval. The plan shall provide for at least 50% of the waste generated on the project to be diverted from the landfill. Plans shall include the entire project area, even if tenants are pursuing or will pursue independent programs. The plan shall be submitted to and approved by the Department of Planning and Community Development prior to issuance of a building permit. The plan shall include the following information: material type to be recycled, reused, salvaged, or disposed; estimated quantities to be processed, management method used, and destination of material including the hauler name and facility location. The City's Waste Reduction & Recycling Plan form or a similar format shall be used.

Conditions of Approval (Case Nos. 06-CUP-003 and 06-OTP-005) Page 15

- 86. The project shall comply with the plan and provide for the collection, recycling, and/or reuse of materials (i.e. concrete, wood, metal, cardboard, green waste, etc.) and document results during demolition and/or construction of the proposed project. After completion of demolition and/or construction, the applicant shall complete a Waste Reduction & Recycling Summary Report and provide legible copies of weight tickets, receipts, invoices or letters of verification for materials sent to disposal or reuse/recycling facilities. For other discarded or salvaged materials, the applicant shall provide documentation, on the disposal facility's letterhead, identifying where the materials were taken, type of materials, and tons or cubic yards disposed, recycled or reused and the project generating the discarded materials. The Waste Reduction & Recycling Summary Report shall be submitted and approved prior to issuance of a certificate of occupancy.
- 87. The applicant shall arrange for materials collection during construction, demolition, and occupancy with a City permitted hauling company, or shall arrange for self-hauling to an authorized facility.

PLANNING DEPARTMENT/SPECIAL CONDITIONS

- 88. A pre-construction conference shall be held prior to the issuance of a grading permit with all construction personnel involved with the grading operations. A procedure shall be established to handle any complaints received from the surrounding property owners or residents of the City during the grading and construction operations. Applicant shall deposit funds with the City necessary to cover costs of the City hiring an environmental mitigation monitor.
- 89. Roof-mounted mechanical equipment shall be screened from public view and views from adjoining properties in a manner that is architecturally compatible with the buildings and subject to review and approval by the Director of Planning and Community Development.
- 90. Prior to the issuance of a building permit, the applicant shall submit a comprehensive sign program for the project for review and approval by the Planning Commission.
- 91. Prior to submitting plans into plan check for a building permit, and in addition to complying with the requirements of the adopted Mitigation and Monitoring Program for this project, the applicant shall provide an exterior lighting fixture detail plan and photometric plan for review and approval by the Planning Commission. The plan shall comply with the City's lighting design standards and guidelines. Roof-mounted lighting is prohibited and wall-mounted lights are discouraged but may be considered by the Planning Commission upon review of a lighting fixture detail plan and photometric plan. The light intensity of installed project light fixtures shall be subject to field review and approval by the Community Development Director. The lighting shall be of a low intensity that is compatible with the natural environment.

- 92. Pursuant to Municipal Code Section 9659, prior to the issuance of a Building Permit, the applicant shall submit a public art plan for the buildings which meets the requirements set forth by the City Council, for review and approval by the Director of Planning and Community Development. Prior to the issuance of occupancy for the buildings, the artwork shall be constructed and thereafter displayed for public view in a location approved by the Director of Planning and Community Development. If the approved art display is not maintained in good condition, or is altered without the permission of the Director of Planning and Community Development so that the improvements no longer conform to the approved arts plan, the certificate of occupancy may be revoked and the owner of the property on which the improvement is located shall be deemed to have committed a misdemeanor.
- 93. Enclosures required for solid waste and recyclable materials shall be constructed per the design requirements of Municipal Code Section 9606.5.
- 94. On-site decorative paving shall be provided at the driveway entrance serving the site and on the pedestrian pathways located between the buildings within the parking areas. The color, materials, length and location of the decorative paving shall be subject to review and approval by the Director of Planning and Community Development.
- 95. Prior to the submittal of plans into plan check for a Grading Permit or Building Permit, the applicant shall comply with the project recommendations of the City Geotechnical Consultant and the City Geological Consultant.
- 96. All outstanding fees owed to the City, if any, shall be paid by the applicant within thirty (30) days from the date of this approval.
- 97. The applicant shall comply with all building material samples approved by the Planning Commission. Prior to final painting and final application of stone veneer on the buildings, the applicant shall provide color samples on the building wall for review and approval by the Director of Planning and Community Development.
- 98. Location and design details for all proposed walls and fences shall be provided for review and approval by the Director of Planning and Community Development, prior to the issuance of a grading permit. Garden walls and retaining walls shall be decorative (such as split-face block).
- 99. The Grading Plan shall specify proposed paving materials and include a note that refers to the Landscape Plan for specific landscape materials shown on the Grading Plan.

- 100. Satellite dish antennas shall be screened from view from the parking lot and adjacent roadways, including the freeway. The location and screening methods proposed for installation of a satellite dish shall be subject to review and approval by the Director of Planning and Community Development.
- 101. Except as otherwise approved herein, the applicant shall comply with all conditions of approval for Tentative Parcel Map No. 65503.
- 102. The applicant shall comply with all mitigation measures within the Mitigation Monitoring Program prepared for the adopted Mitigated Negative Declaration adopted for the project. The applicant shall pay for all mitigation review and monitoring completed by outside consultants such as the City Arborist, City-approved biologist or other consultants needed to ensure compliance with the Mitigation Monitoring Plan as determined by the Director of Planning and Community Development.
- 103. Prior to the starting construction, the site shall be temporarily fenced and screened on all sides for the duration of the construction project. The height of the fence shall be six (6) feet and fence material shall be overlaid on the exterior with a dark, opaque vinyl screen, or other equivalent fencing and screening material as approved by the Director of Planning and Community Development. Temporary construction fencing and gates shall be maintained in good order at all times.
- 104. Furniture details for the outdoor eating areas shall be shown on the landscape plan and shall be subject to approval by the Director of Planning and Community Development.

END

			•	
		÷		
				:
				,
				;
				:
	7			

DRAFT RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF AGOURA HILLS APPROVING TENTATIVE PARCEL MAP NO. 65503

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

Section I. An application was duly filed by Gregory Alekian of Komar Investments, LLC, with respect to the real property located at 28701 Canwood Street (Assessor's Parcel No. 2048-012-026), requesting approval of a Tentative Parcel Map to subdivide a 10-acre parcel for 25 industrial/office condominiums. A Public Hearing was duly held on June 19, 2008, at 6:30 p.m. in the City Council Chambers, City Hall, 30001 Ladyface Court, Agoura Hills, California. Notice of the time, date, place and purpose of the aforesaid hearing was duly given.

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

Section III. The Planning Commission finds, pursuant to the Agoura Hills Zoning Ordinance and Subdivision Ordinance, that:

- A. The proposed Tentative Parcel Map, as conditioned, is consistent with the City's General Plan designation of BP-M (Business Park Manufacturing) in that the proposed Parcel Map will encourage the location and development of services that will support the industrial and commercial office base, as called for in the Land Use Element of the General Plan.
- B. The site is physically suitable for future development in that the parcels of the Tentative Parcel Map are within proposed buildings which meet the development standards of the BP-M-FC (Business Park-Manufacturing Freeway Corridor Overlay) zones relative to building locations, lot coverage, building height, and parking.
- C. The design of the Tentative Parcel Map and proposed improvements are not likely to cause substantial environmental damage or serious public health problems. Street improvements and on-site property improvements will be required upon development of the vacant parcels.
- D. The design of the Tentative Parcel Map or type of improvement will not conflict with easements acquired by the public at large for access through or use of property within the proposed development. Access to the parcels will be provided via Canwood Street.

Draft Resolution No Page 2	
Section IV. In accordance with the City has provided public notice of the intent to adeproject. Based upon the initial study, public conformal commission, the Planning Commission finds that potentially significant environmental effects for widentified which will avoid or substantially lessen reviewed the information contained in the Mitigate application and finds that the Mitigated Negative California Environmental Quality Act.	mments and the record before the Planning the Mitigated Negative Declaration identifies hich feasible mitigation measures have been such effects. The Planning Commission has ted Negative Declaration in considering the
Section V. Based on the aforement hereby approves Tentative Parcel Map No. 6550 respect to the property described in Section I hereof	
PASSED, APPROVED, and ADOPTED this 19 th wit:	day of June, 2008, by the following vote to
AYES: NOES: ABSTAIN: ABSENT:	
	John O'Meara, Chairperson
ATTEST:	

Doug Hooper, Secretary

CONDITIONS OF APPROVAL (Tentative Parcel Map No. 65503)

STANDARD CONDITIONS

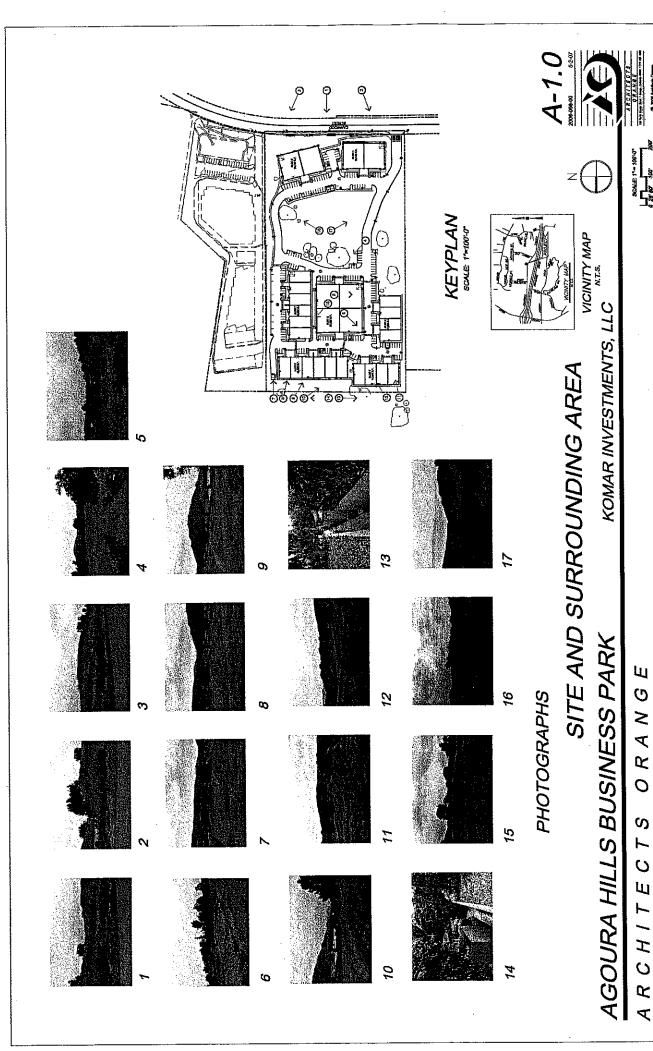
- 1. This decision, or any aspect of this decision, can be appealed to the City Council within fifteen (15) days from the date of Planning Commission action, subject to filing the appropriate forms and related fees.
- 2. This action shall not be effective for any purpose until the applicant has agreed in writing that the applicant is aware of, and accepts all Conditions of Approval of this Permit with the Department of Planning and Community Development. Any conditions on such acceptance or challenges, including the filing of legal action, relating to the permit or the conditions, shall be treated as a failure to meet this Condition and shall nullify and void this permit.
- 3. Except as modified herein, the approval of this action is limited to and requires complete conformation to the approved Tentative Parcel Map No. 65503.
- 4. It is hereby declared to be the intent that if any provision of this Permit is held or declared to be invalid, the Permit shall be void and the privileges granted hereunder shall lapse.
- 5. It is further declared and made a Condition of this action that 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 of the property must be complied with unless set forth on the approved Tentative Parcel Map.
- 7. The applicant must comply with all requirements of the City Subdivision Ordinance.
- 8. No occupancy shall be granted for any new building until all Conditions of Approval have been complied with as determined by the Director of Planning and Community Development.
- 9. Unless the Final Parcel Map is recorded, Tentative Parcel Map No. 65503 shall expire within two (2) years from the date of Planning Commission approval. A written request for a one-year extension may be considered prior to the expiration date.
- 10. Tentative Parcel Map No. 65503 shall only be valid with Conditional Use Permit 06-CUP-003.

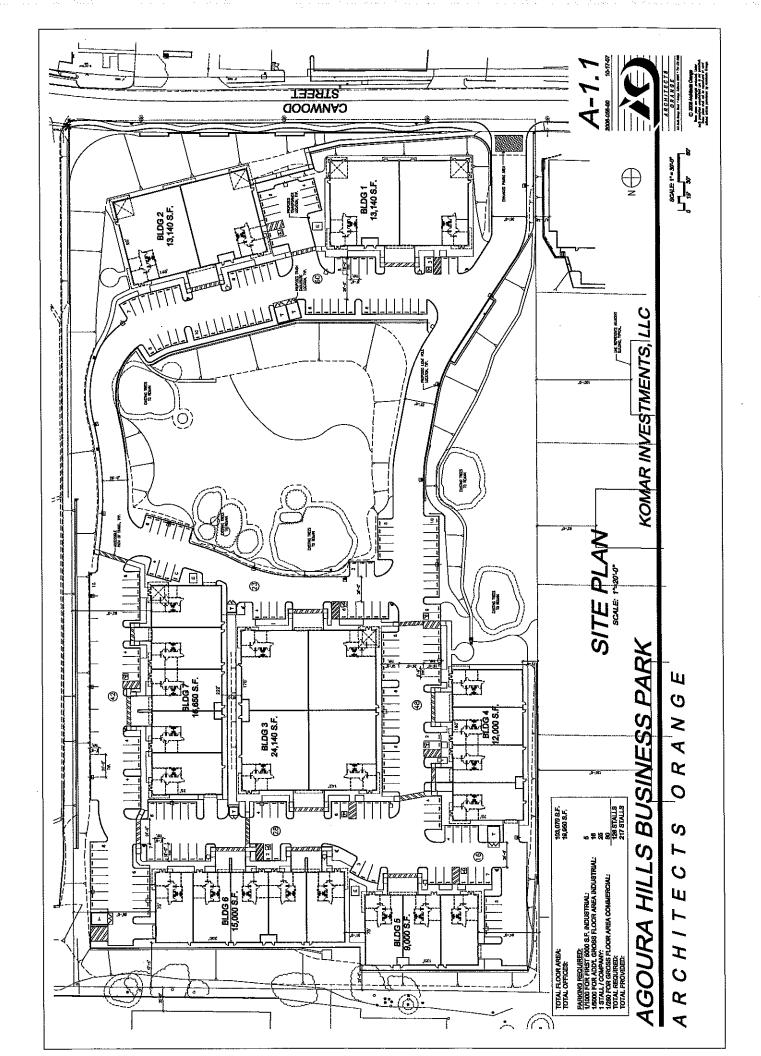
ENGINEERING DEPARTMENT CONDITIONS

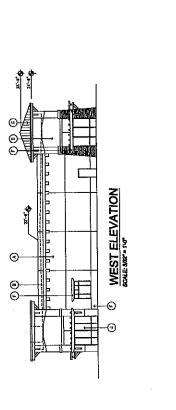
Prior to Final Map Recordation

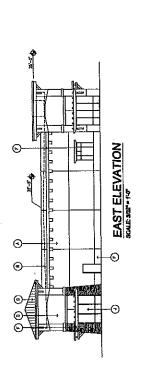
- 11. Dedicate the following right-of-way in the following locations: 13 feet on Canwood Street for total of one-half street ROW = 33 feet
- 12. Restrict vehicular access as follows: Only to those driveway locations shown on approved TPM.
- 13. Provide and record a reciprocal use agreement to assure common ingress and egress and joint maintenance of all common access parking areas and drives.
- 14. Provide a copy of proposed Covenants, Conditions and Restrictions (CC&Rs), as applicable to the project, to the City Engineer and Director of Planning and Community Development for review and approval of the City Attorney. These CC& R's shall ensure, among other things, common ingress and egress, joint maintenance of all common access parking areas, utilities and drives as applicable to the project. The CC&Rs shall be recorded prior to the issuance of a Building Permit.
- 15. Prepare a fully executed Subdivision Agreement (on City approved format and forms) with accompanying security as required, or complete all public improvements.
- 16. Provide a Monumentation bond (i.e. cash deposit) in an amount calculated by the Engineering Department or as specified in writing by the applicant's Registered Engineer or Licensed Land Surveyor of Record and approved by the City Engineer, whichever is greater.
- 17. Provide a preliminary title report not older than 30 days.
- 18. Show a key map clearly showing all parcels listed on the Tentative Parcel Map No. 65503 and all existing and proposed easements.
- 19. Record Parcel/Tract No. 65503 pursuant to the Subdivision Map Act and in accordance with City Code. Provide a duplicate photo mylar of the recorded map to the City Engineer.

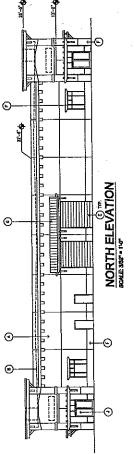
					•	

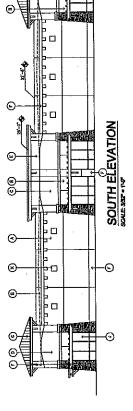












FLOOR PLAN

1

ŒS

CEG

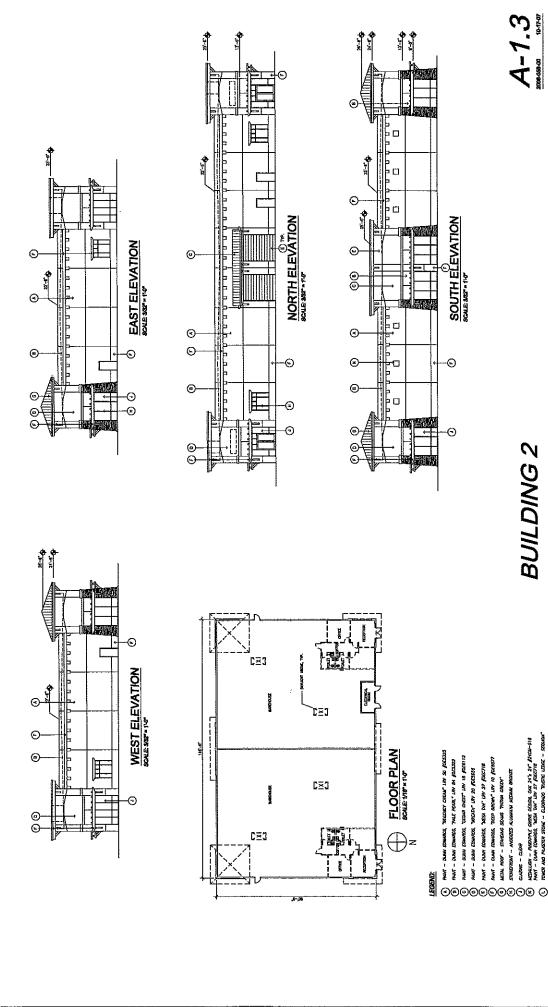
BUILDING 1

KOMAR INVESTMENTS, LLC



AGOURA HILLS BUSINESS PARK ARCHITECTS

ORANGE



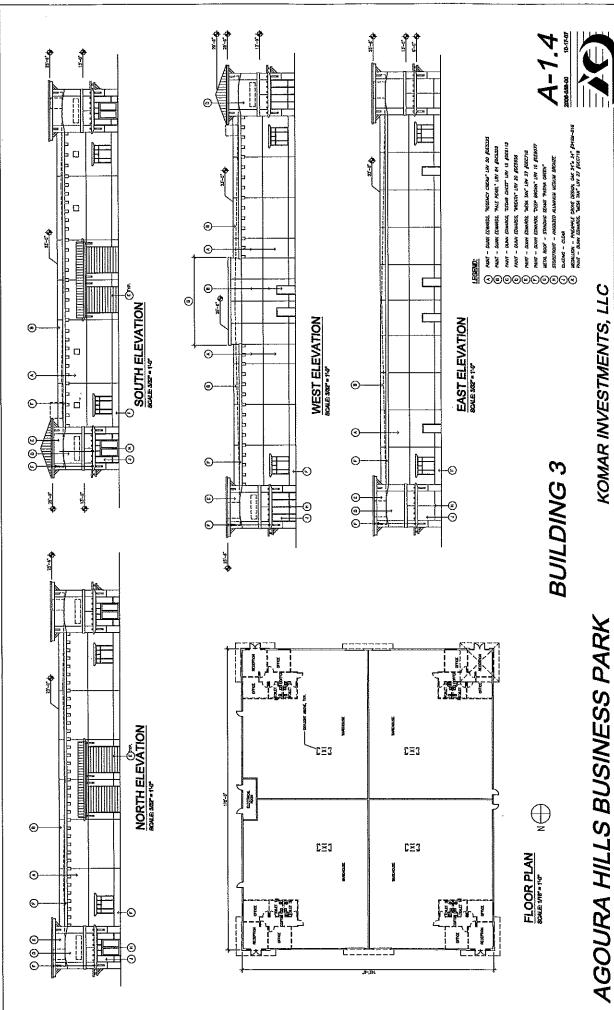
BUILDING 2

KOMAR INVESTMENTS, LLC



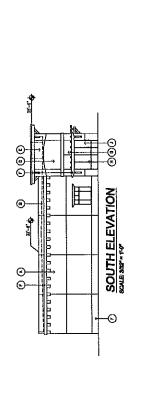
ORANGE ARCHITECTS

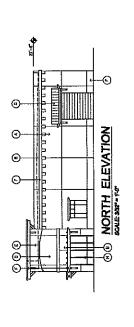
AGOURA HILLS BUSINESS PARK

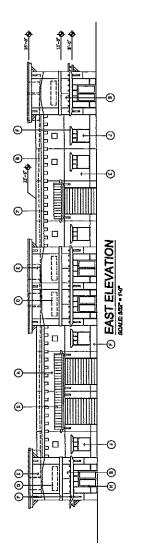


KOMAR INVESTMENTS, LLC

ORANGE CHITECTS AR







EE3

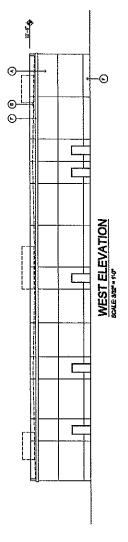
ŒJ

South Tr. 19

[E]

 $\bigoplus_{\mathbf{N}}$

FLOOR PLAN



BUILDING 4



ORANGE ARCHITECTS

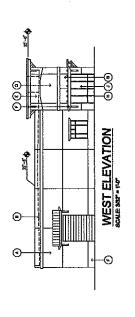
AGOURA HILLS BUSINESS PARK

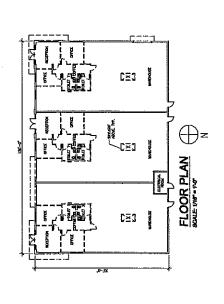
GLADNS — CLEUR HEDULLON — PHENPPLE GROVE DUXSON, CHY 24'2 24' \$46511—GTB PHENP — CHENPPLE GROVE DUXSON, CHY 24'2 24' \$46511—GTB



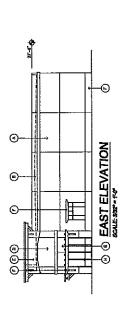


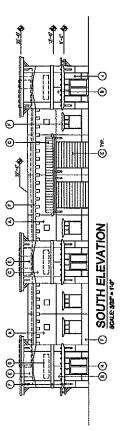
A-1.5

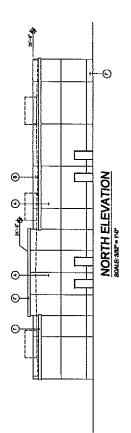




- <u>ବଳ୍ପତ୍ତଳ୍ପତ୍ତ</u>୍ରତ୍ର







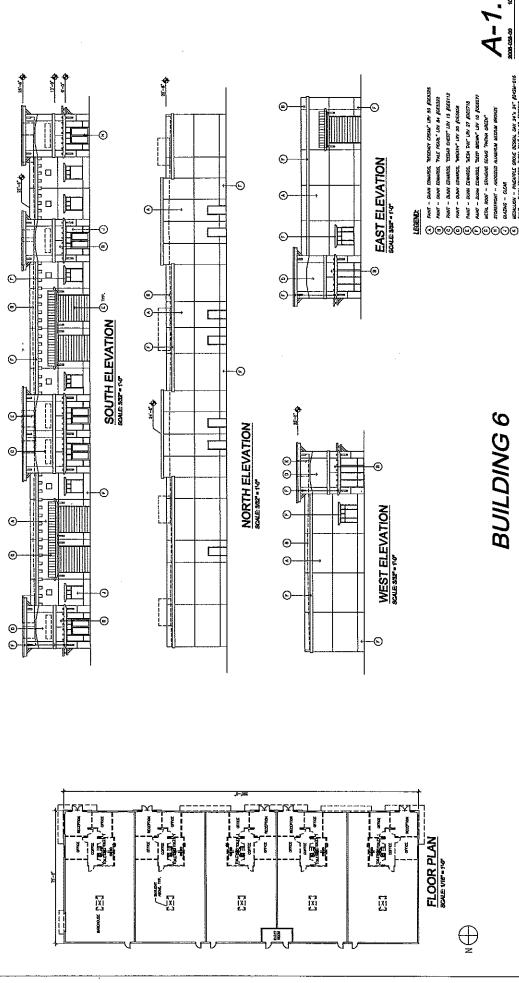
BUILDING 5

KOMAR INVESTMENTS, LLC

AGOURA HILLS BUSINESS PARK

ORANGE ARCHITECTS





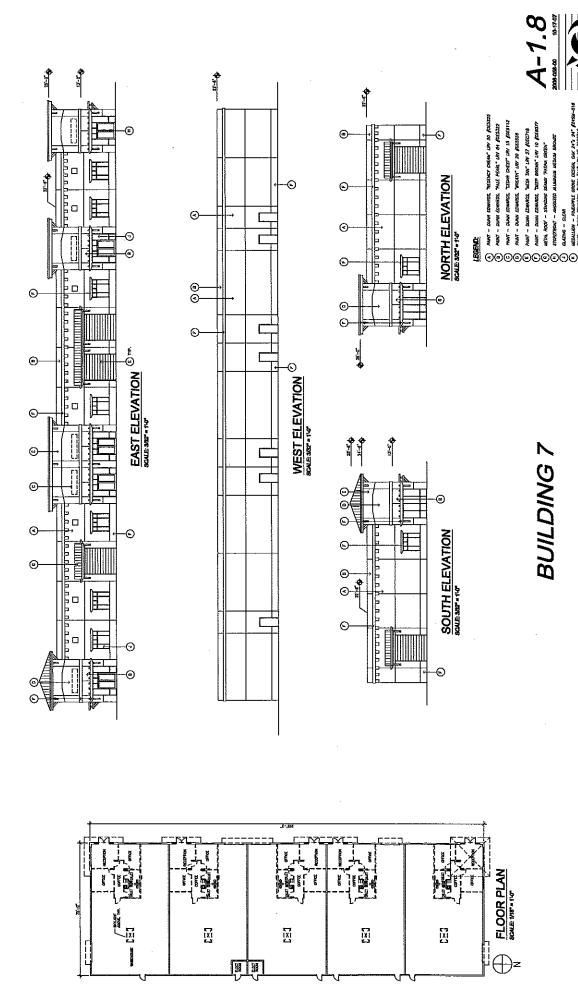
BUILDING 6

KOMAR INVESTMENTS, LLC

AGOURA HILLS BUSINESS PARK

ORANGE S ARCHITECT





KOMAR INVESTMENTS, LLC

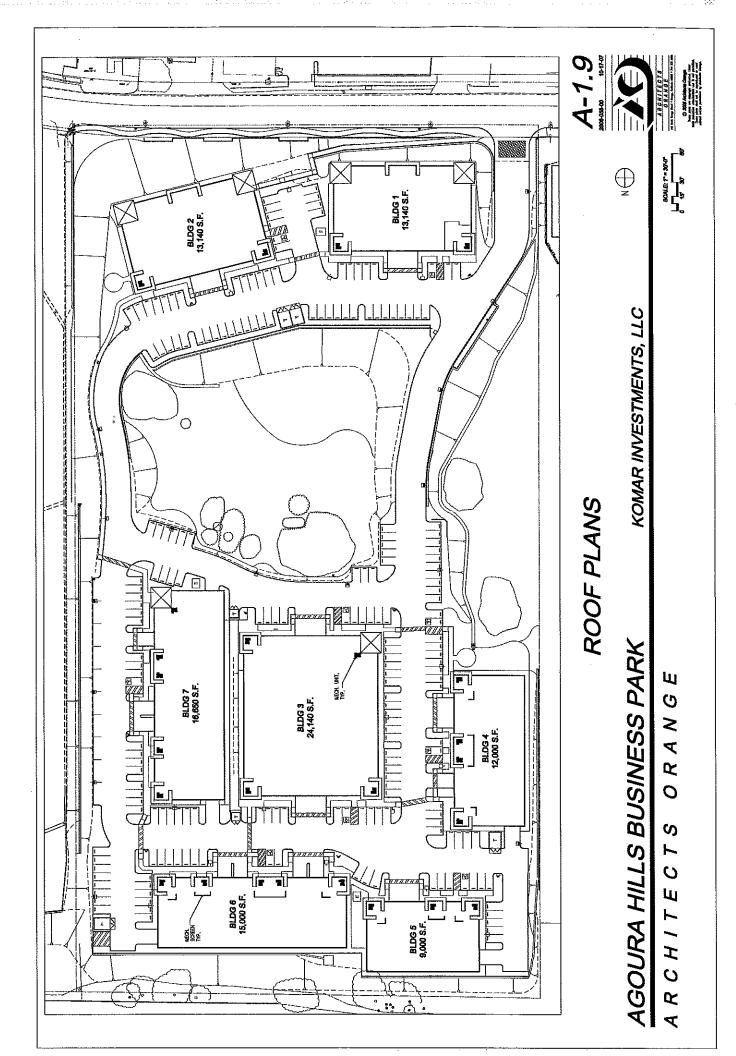
ORANGE ARCHITECTS

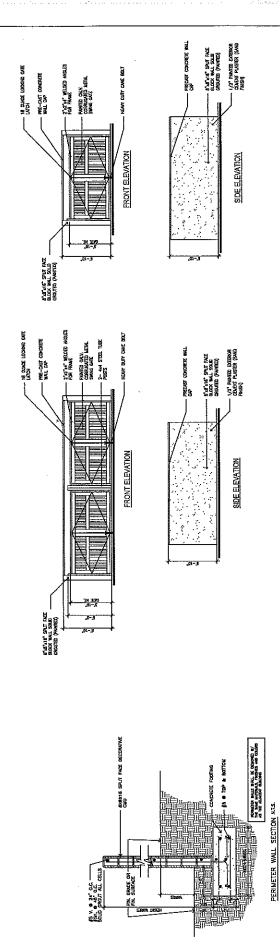
AGOURA HILLS BUSINESS PARK



OUN EDWARDS, "MESA TAN" UN 27 FOECTIS







WALL / TRASH ENCLOSURE DETAILS

KOMAR INVESTMENTS, LLC

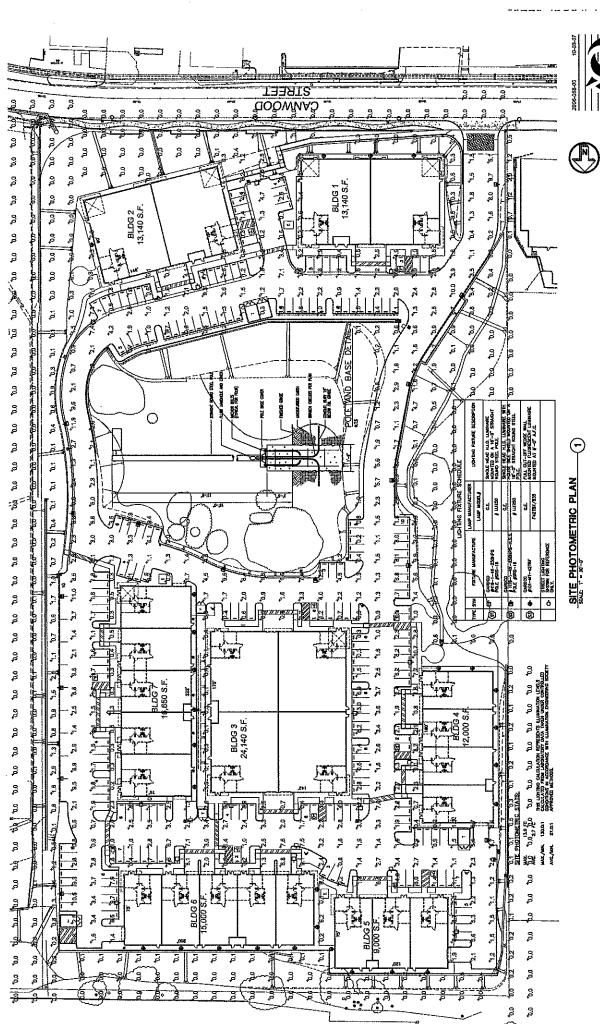
AGOURA HILLS BUSINESS PARK

ORANGE ARCHITECTS

A-2.0



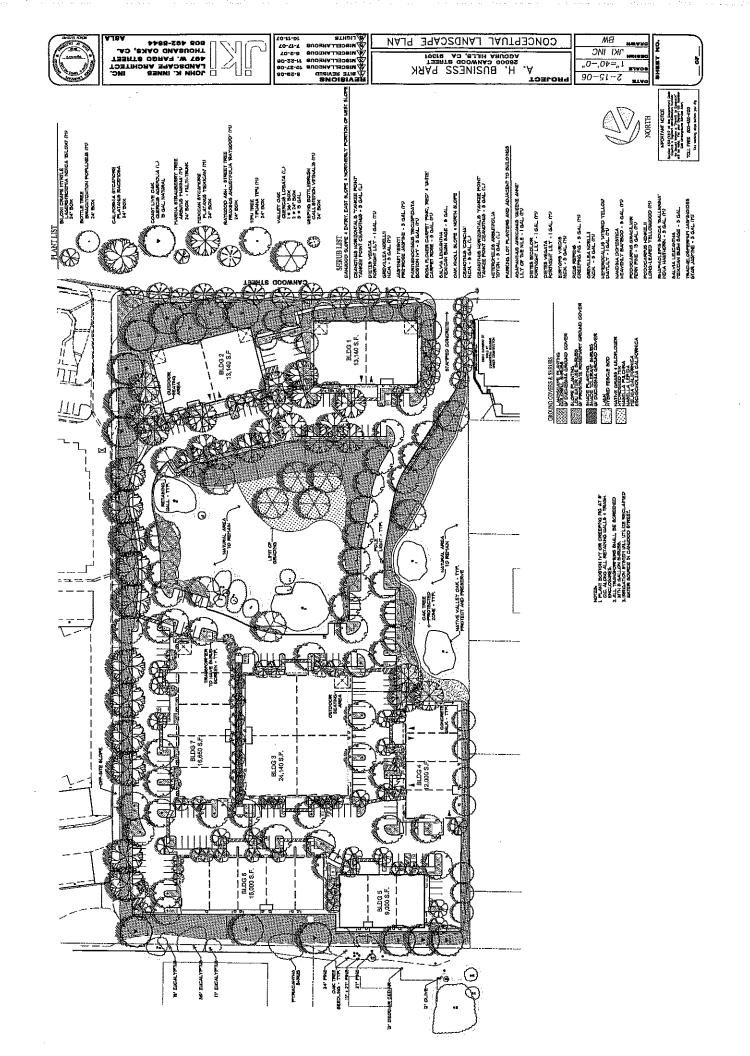
ARCHITEGTS ORANGE © 2009 Actionals Companies of the compan

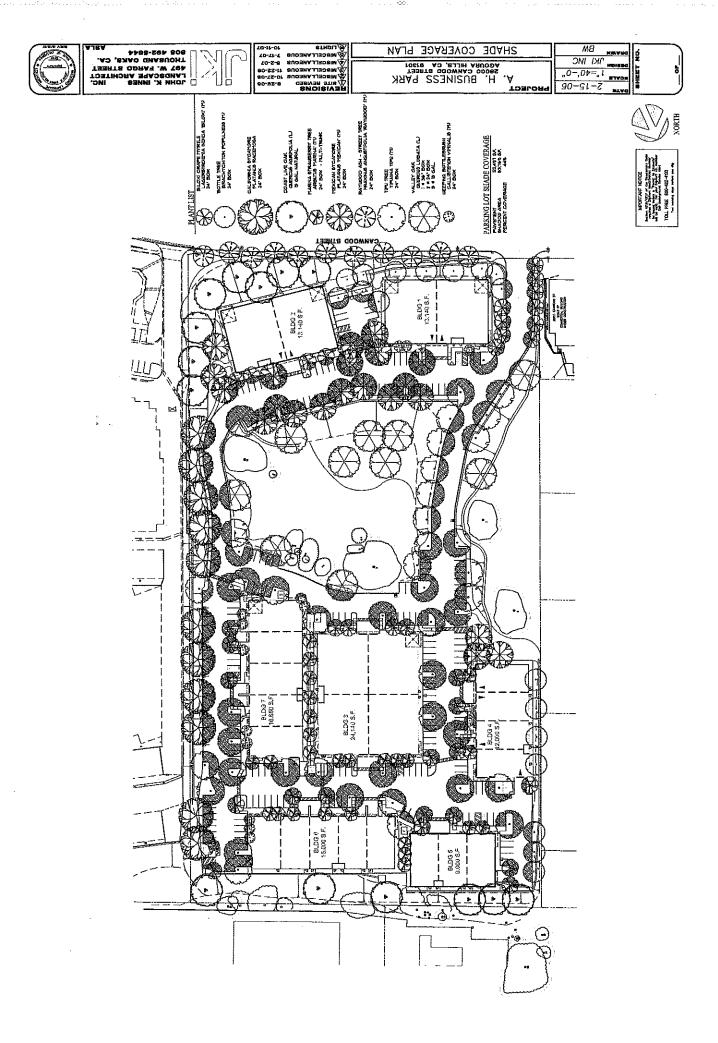


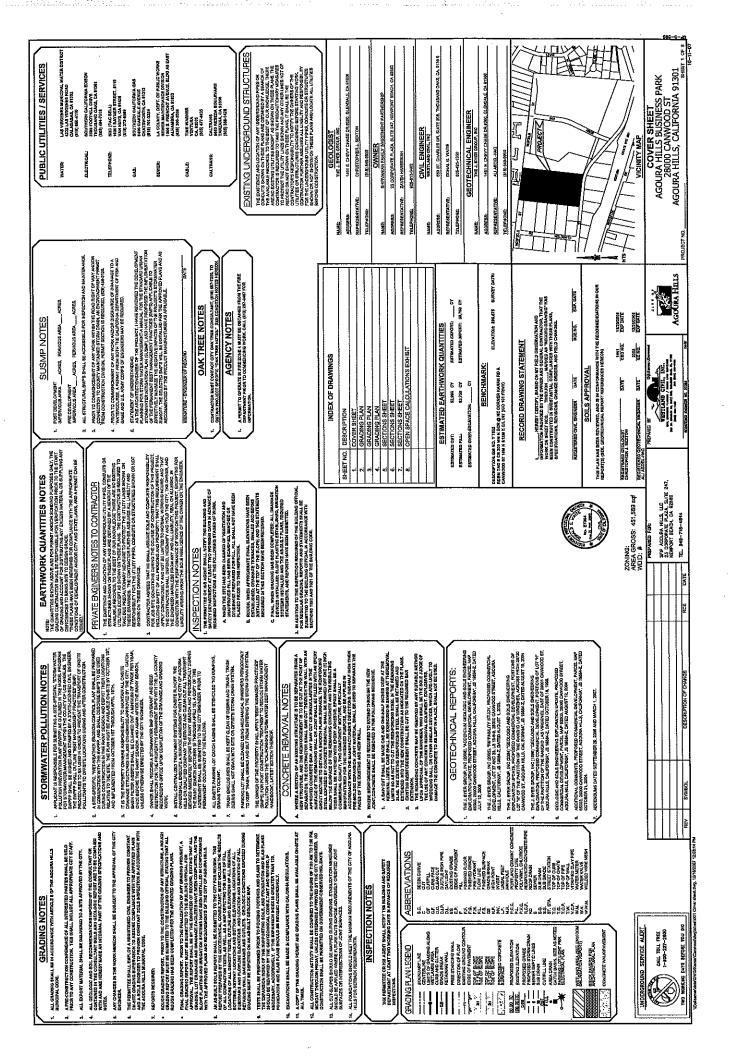
KOMAR INVESTMENTS, LLC

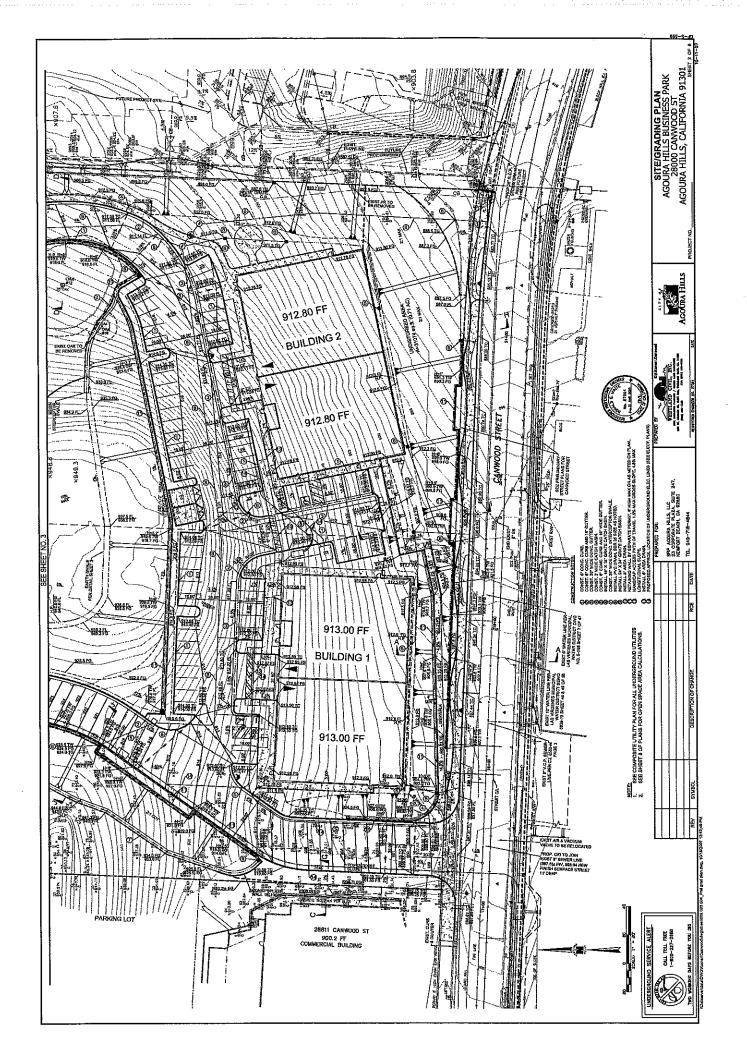
AGOURA HILLS BUSINESS PARK

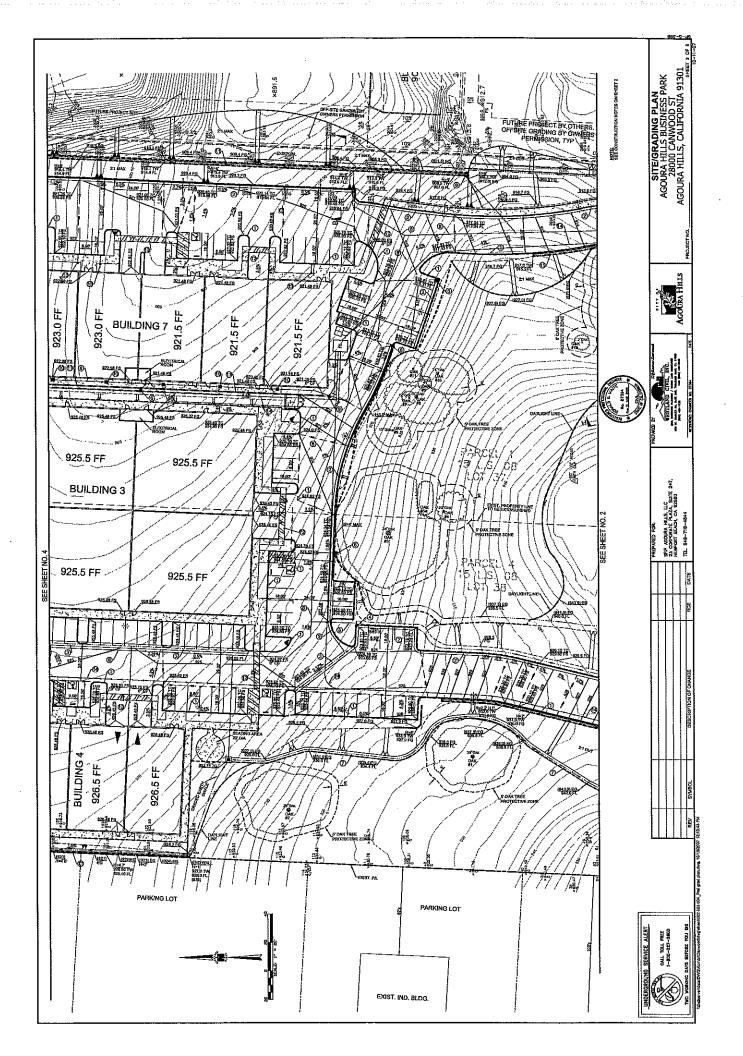
ARCHITECTS ORANGE

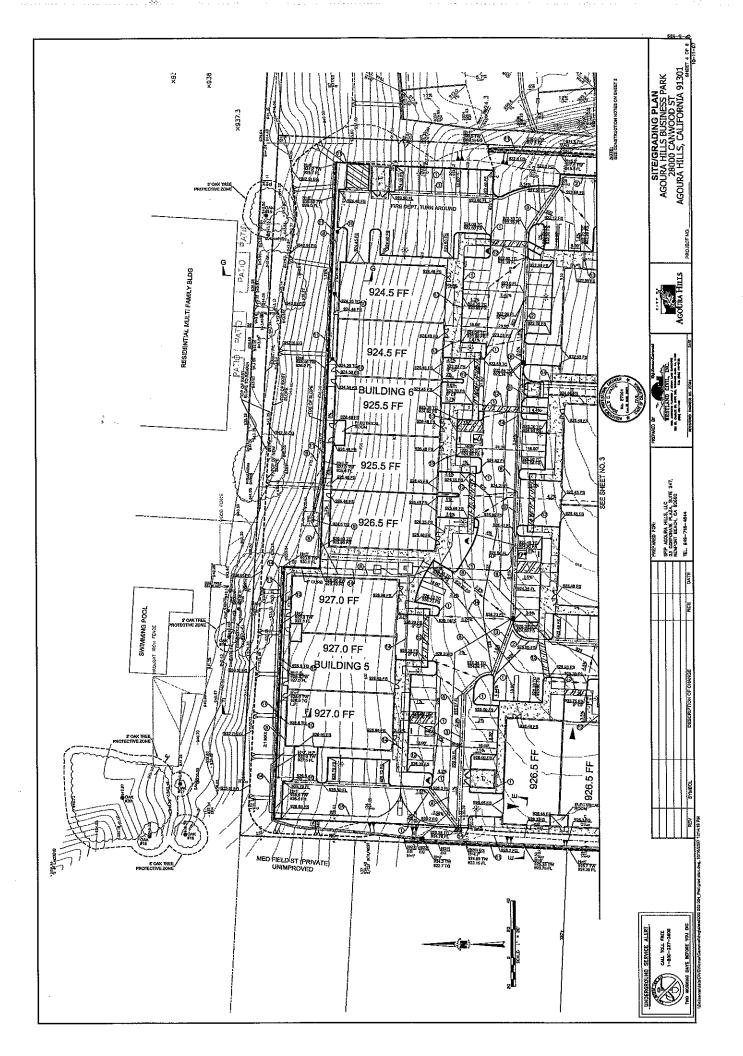


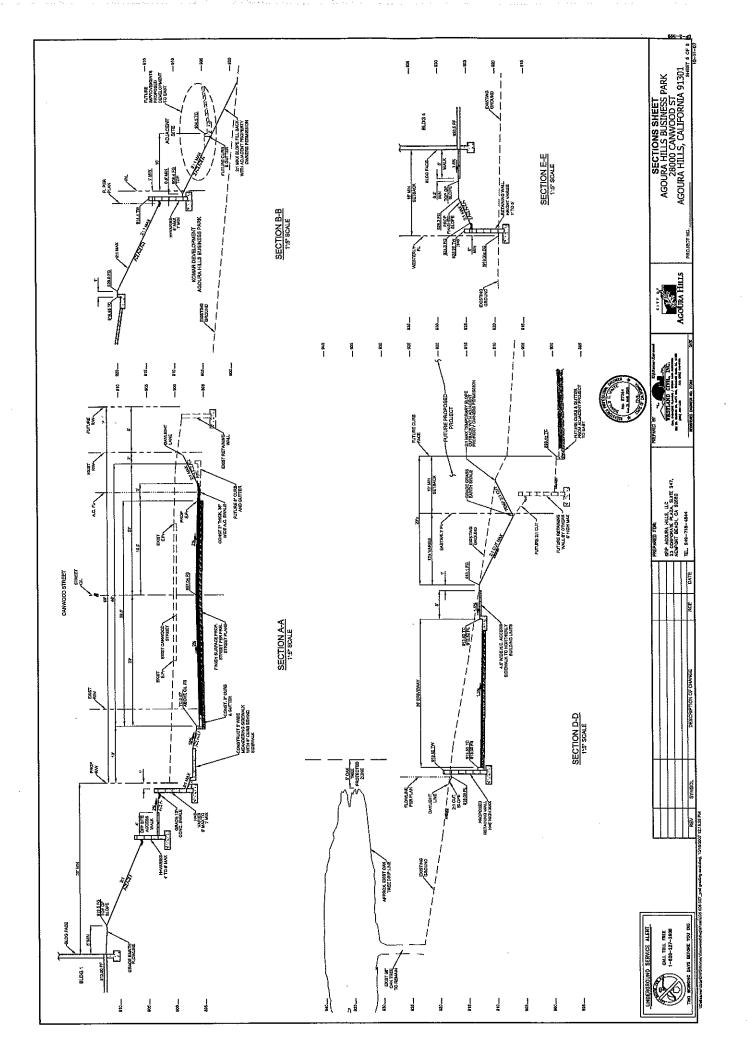


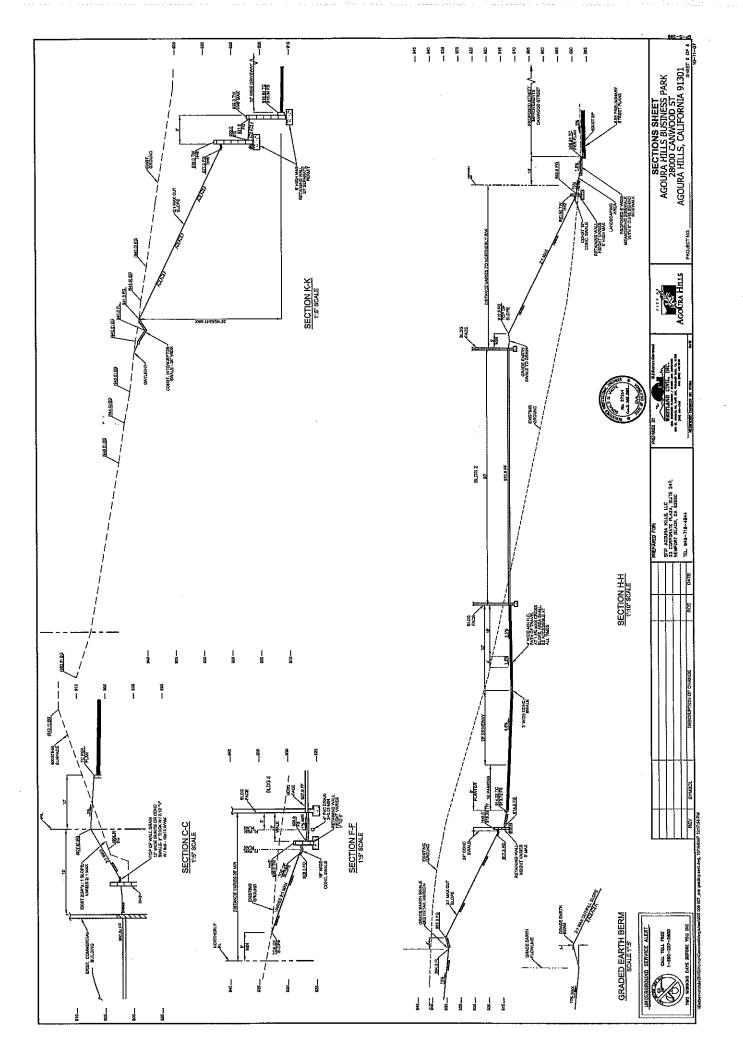


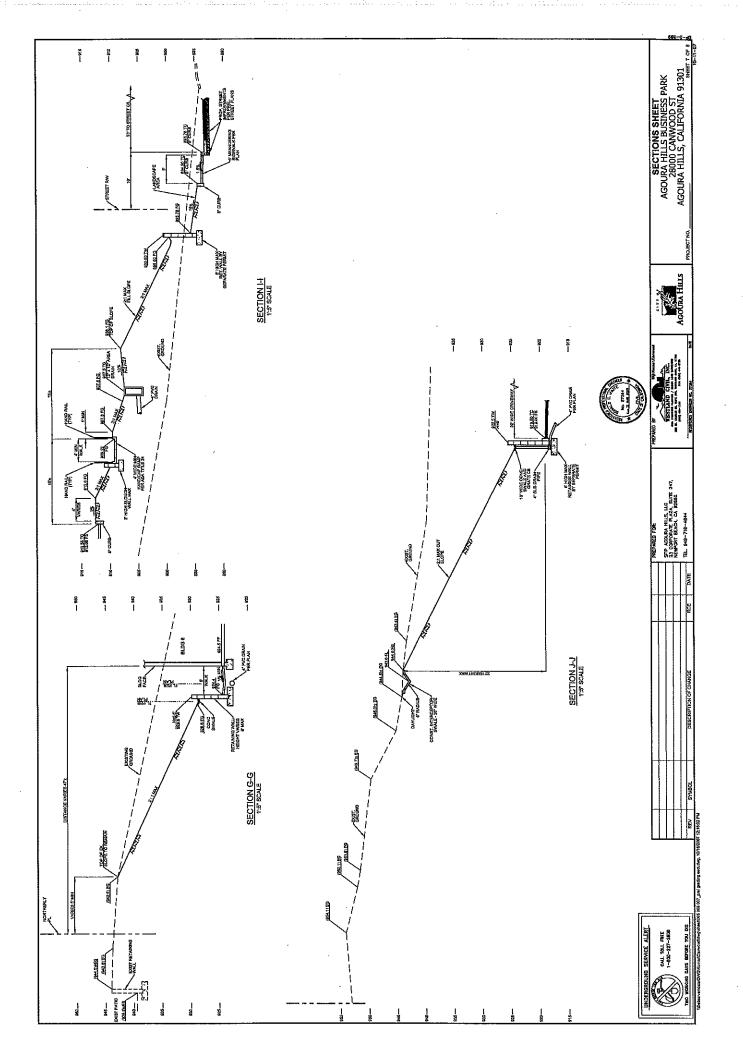


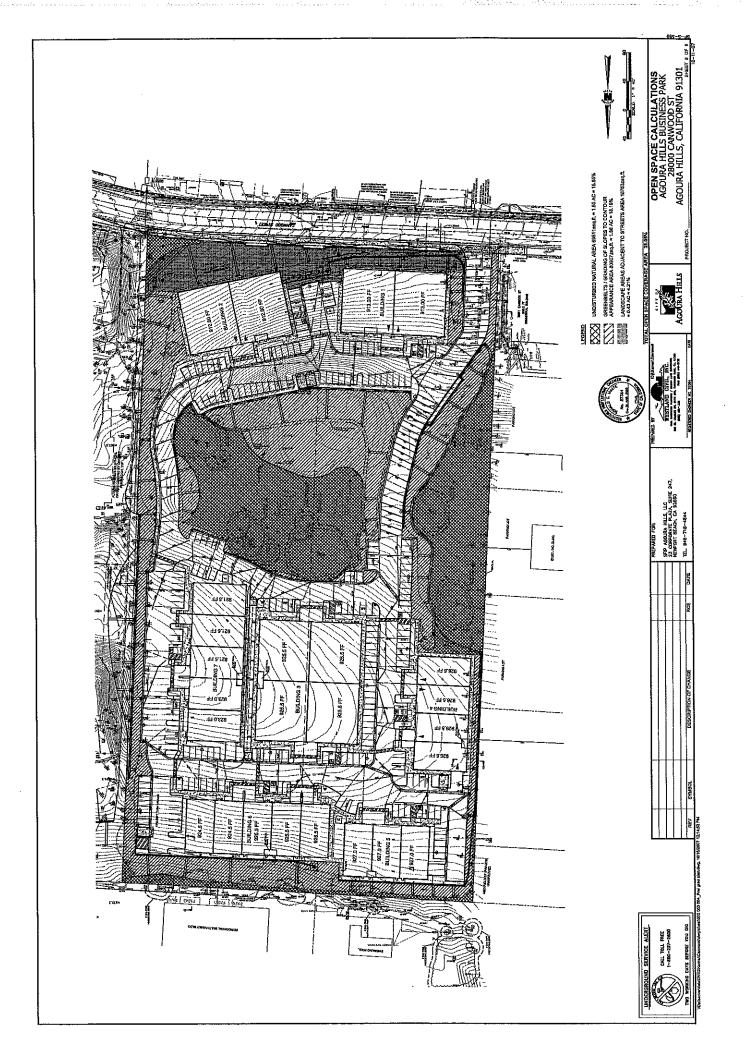


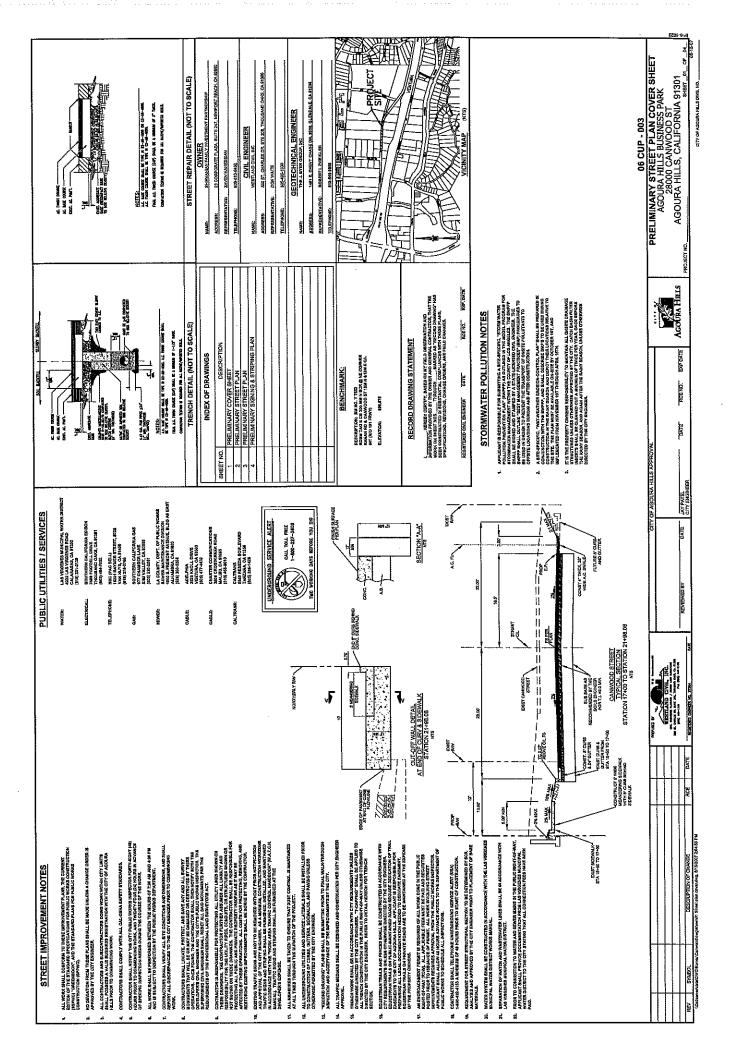


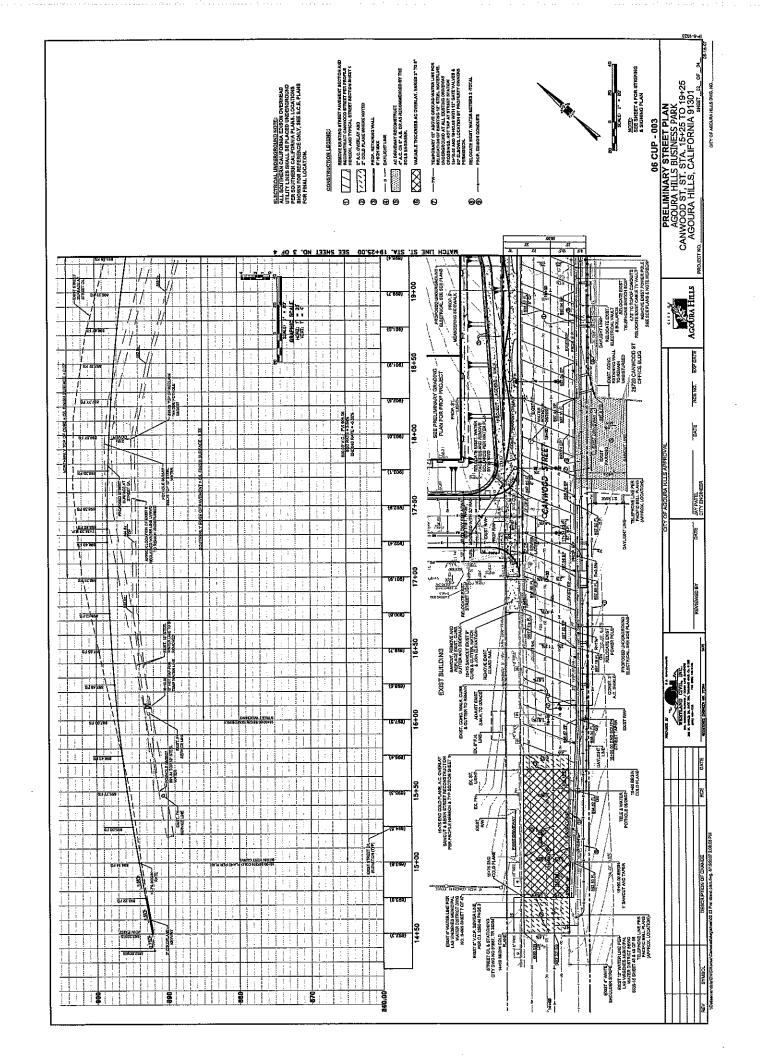


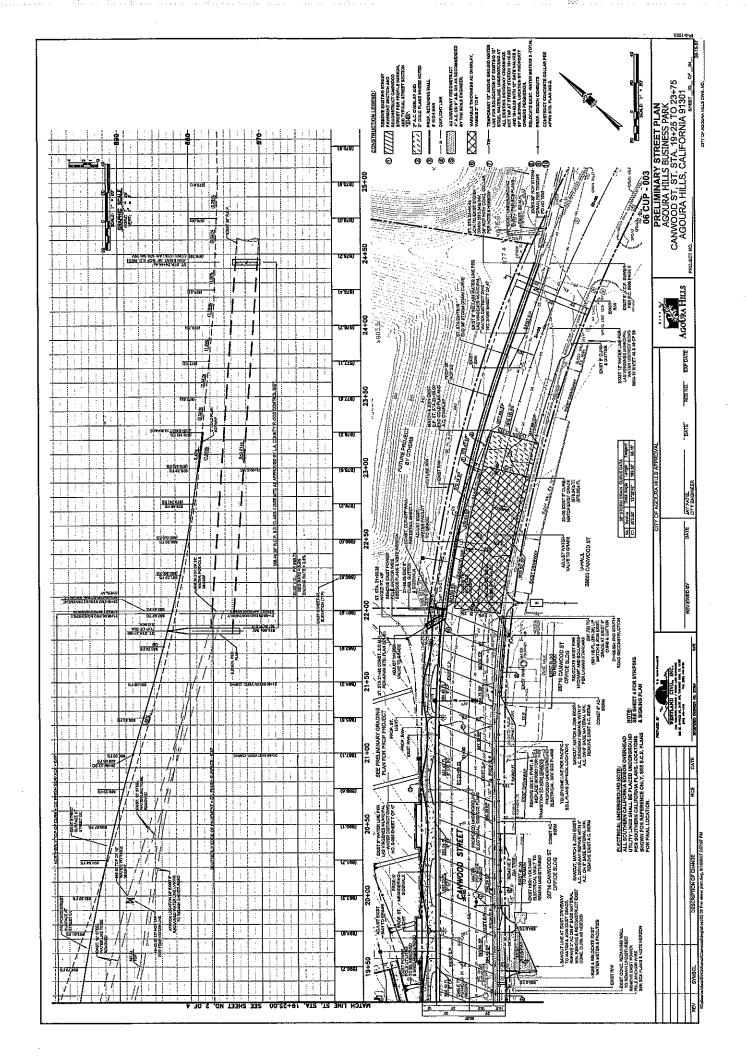


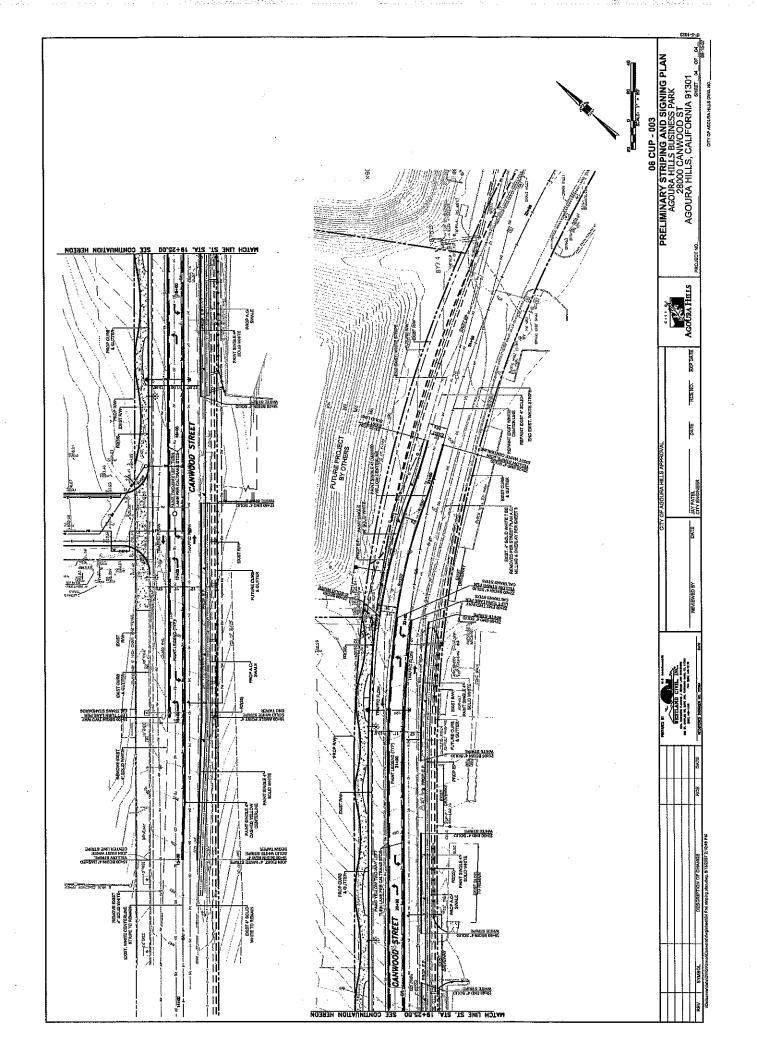


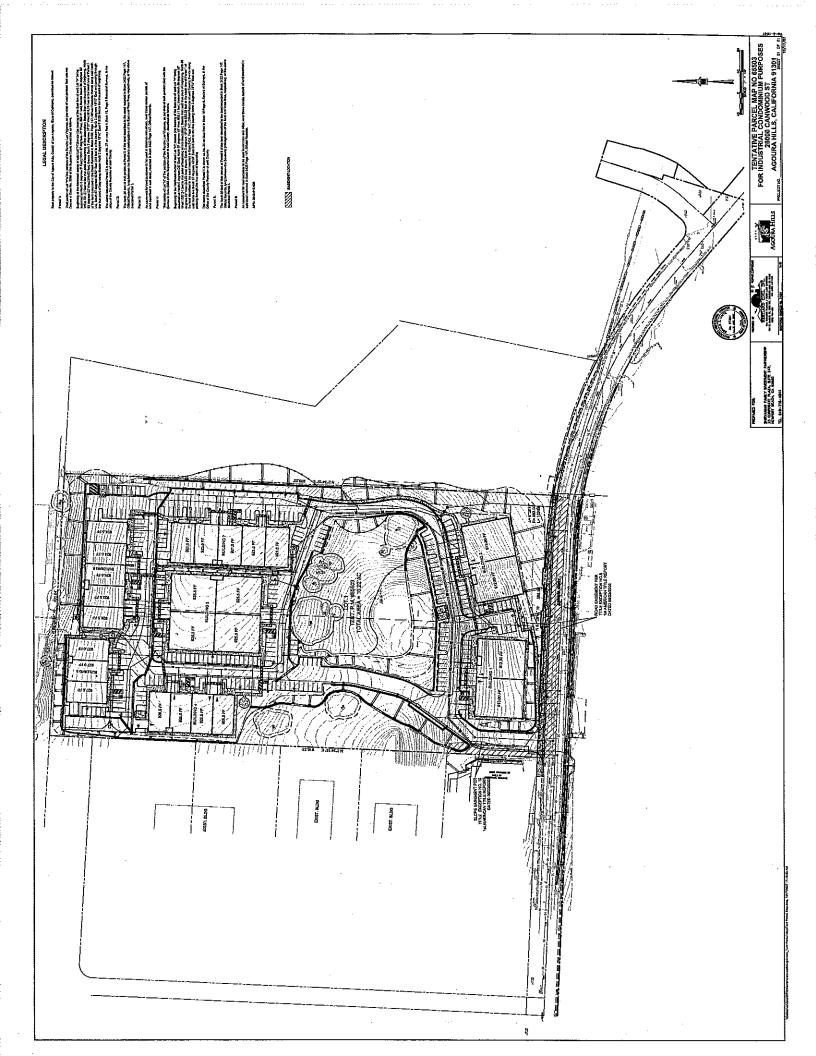












		·	
·			

