



**DEPARTMENT OF PLANNING AND
COMMUNITY DEVELOPMENT**

ACTION DATE: March, 16, 2006

TO: Planning Commission

APPLICANT: HQ Development, LLC
4641 Leahy Avenue
Culver City, CA 90232

CASE NOS.: 05-SPR-010, 05-OTP-010 & 05-SP-006

LOCATION: 29621 Agoura Road (A.P.N. 2061-013-027)

REQUEST: Request for approval of a Site Plan/Architectural Review to allow the development of a 94,000 square foot, two-story, office building; a request for an Oak Tree Permit to encroach into the protected zone of one (1) off-site and two (2) on-site oak trees during construction and remove four (4) off-site and two (2) on-site oak trees for the proposed development; and a request for approval of a Sign Permit.

ENVIRONMENTAL DETERMINATION: Mitigated Negative Declaration

RECOMMENDATION: Staff recommends approval of Site Plan/Architectural Review Case No. 05-SPR-010; Oak Tree Permit No. 05-OTP-010, and Sign Permit Case No. 05-SP-006, subject to Conditions of the Draft Resolution.

ZONING DESIGNATION: BP-M-FC (Business Park –Manufacturing- Freeway Corridor Overlay District)

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

I. BACKGROUND AND PROJECT DESCRIPTION

Site Plan/Architectural Review Case No. 05-SPR-010 is a request to develop an in-fill lot with a 94,000 square foot speculative, two-story office building. The vacant 5.17- acre site is located at 29621 Agoura Road between the 101 Freeway and Agoura Road. The building and the parking would be built around a heritage Oak Tree which would serve as the focal point of the project. The oak tree and the principal entry would be seen from the eastbound traffic on the 101 freeway. Other amenities include parking, decorative paving, walkways, public gathering area and trellised pedestrian access from Agoura Road to the building and bike racks. An oak tree permit has also been filed to permit encroachment into the protected zone of two (2) on-site oak trees. The oak tree permit would also address the removal of two (2) on-site oak tree required for the development of the parking lot. The widening of Agoura Road would also occur as part of the development which would require the removal of four (4) oak trees and the encroachment into one (1) oak tree. The applicant is also interested in providing signage on the site and has requested the review of a sign program.

The proposed project is located in the Business Park Manufacturing-Freeway Corridor Overlay (BP-M-FC) zone in which office is permitted. Adjacent property uses include professional offices to the west, the Los Angeles County Animal Control parcel to the east and the Gateway Foursquare Church to the south. The following is a summary of the proposed development relative to the City Code requirements.

Pertinent Data for the Proposal:

	<u>Existing</u>	<u>Proposed</u>	<u>Required in Freeway Corridor</u>
1. <u>Lot Area</u>	5.17 acres	5.17 acres	1 acre
2. <u>Building Size</u>			
i. First Floor	N/A	47,619 sq.ft.	N/A
ii. Second Floor	N/A	46,331 sq.ft.	N/A
iii. Lobby 1 st Floor	N/A	2,121 sq.ft.	N/A
iv. Lobby 2 nd Floor	N/A	<u>950 sq.ft.</u>	N/A
Total	N/A	93,950 sq.ft.	N/A
3. <u>Bldg. Heights</u>	N/A	34 feet	35 feet
4. <u>Lot Coverage</u>	N/A	20%	30%
5. <u>Bldg. Setbacks</u>			
Front (South):	N/A	140 feet	20 feet

	<u>Existing</u>	<u>Proposed</u>	<u>Required in Freeway Corridor</u>
5. <u>Bldg. Setbacks</u> (Cont.'d)			
Side (East):	N/A	44 feet	70 combined, 15 ft. min.
Side (West):	N/A	57 feet	70 combined, 15 ft. min.
Rear (North):	N/A	135 feet	48 ft to Freeway R-O-W
6. <u>Parking</u>			
Above Ground	N/A	308 spaces	305 spaces
7. <u>Landscape Coverage</u>			
Overall	N/A	20 %	20 %
Parking Only	N/A	22%	15 %
8. <u>No. of Oak Trees on-site</u>	5 on-site	Remove 2	Replant min. of 4
9. <u>No. of Oak Trees off-site Under review:</u>	6 off-site	Remove 3	In-lieu fee
10. <u>No. of Street Trees</u>	6 Trees	No Change	No Change

II. STAFF ANALYSIS

Project History

The vacant parcel was part of a 21.1 acre parcel developed by Litton Data System approved by the Los Angeles County Regional Planning Commission in 1979 under Case No. CUP-1265 along with a Tract Map and Zone Change Case No. 6324. The project included the construction of 12 buildings to be built in 3 phases. The project approved 841 parking spaces. Three of these buildings have been built to date on separate parcels. The remaining portion of the original parcel, referred to as the “baseball field”, was developed into a recreational component of the office park. The ownership since changed and the ball field parcel was sold to be developed separately. Amenities exist on the lot which include a dugout, fencing, barbecue pit and irrigation system. The site is also known for its large and fairly old Heritage Oak located in the center of the parcel.

Planning Review

Site Plan

The office building was designed to wrap around the oak tree on two sides of the Oak tree with some parking in the front and rear of the building and along the western property line. All the parking is

proposed to be at grade. In addition to the drive aisles to allow vehicles to maneuver around the office park, the project has been designed to accommodate pedestrian circulation on three sides of the building. These paths connect to outdoor amenities with various pad elevations. The applicant has incorporated individual benches, clustered picnic tables, seat-walls that are protected from the element by a trellis structure. A pedestrian plaza feature surrounds the large Oak tree at the center of the site. These pedestrian zones are enhanced by decorative planters, boulders and multiple types of walking surfaces. The applicant has also provided textured walkways within the parking area. These pedestrian walkways are meant to help reduce the mass of the parking lot and create a more pedestrian-oriented development. However, with the exception of one walkway which connects the building to the street side walk and is covered by trellises, all others encroach onto parking spaces and are not allowed. Staff has discussed this matter with the applicant and he is agreeable to a condition to provide alternative pedestrian-oriented amenities that would not result in the loss of parking spaces. The applicant has designed the building to enclose the trash enclosure and a loading zone area to avoid visibility from the parking area, the freeway and Agoura Road.

The building is centrally located on the parcel with a setback distance of 140 feet from the front property line and 135 feet from the rear property line. The side yard setbacks comply with the Zoning Ordinance and exceed the requirement combined setback (70 feet) by 30 feet as well as the minimum required (15 feet) on any one side. The L-shaped building opens up to the freeway corridor and the office building on the adjacent property. The parking lot was broken up into three general areas, the front, rear and side which minimizes walking distance to furthest corners of the parcel.

Architectural Design

One of the intended purposes of the City Design Guidelines is to preserve the surrounding semi-rural character of the community. The Freeway Corridor standards are intended to promote the City's image and preserve the City's naturalistic environment. The applicant has attempted to meet these standards through the use of appropriate building forms, colors, materials and detailing through the use of natural materials and natural color tones.

As a part of the City's design review process, the Architectural Review Panel suggested that the applicant redesign the buildings to provide more articulation and variation in design on all four sides of the building and to utilize more natural materials to be more compatible with the surrounding semi-rural residential and commercial neighborhoods.

In response to the Architectural Review Panel's comments, the applicant revised the elevations of the building to minimize the amount of glass on all elevations. The applicant reduced the height of the entry feature on the north side to stay within the height limitation and to match the roof line. Stone was added to the screen wall around the utility area. The building is inspired by a Craftsman-like architectural style. Spandrel glass was used at the top of every window pane. Metal outriggers painted brown connect the overhangs to the columns. Stone was applied all around the base of the building. The stone was also applied to the wall and parapet walls. The applicant has designed the building to reduce its appearance of vertical mass by breaking up the vertical building dimensions

with a 5-foot high solid, stuccoed band as a separation between the first and second floor. The technique was used for the horizontal dimension of the building by incorporating 12 to 14-foot wide, solid stone walls and supporting columns and roof elements at midpoint of the elevations. The second floor is also proposed to be setback slightly from the first floor to help further offset the vertical building mass. The transition between construction materials is significant which helps create shadow effect on the building.

The roof design on each individual building carries varied roof styles, such as mansard, full hip, gable and parapet roof elements creating greater design style and interest. Each of the differing roof elements has overhangs that are 2.5 feet in depth and include metal outriggers. Mid-level roof elements also are added to the buildings to create a terrace element distinguishing the first floor from the second floor. The applicant also incorporated a more contemporary roof line above the two principal entries. Instead of using the traditional a one-story, gabled covered entry, the applicant proposed a two-story high, semi-circular roof line supported by 8-foot tall outriggers and two 6-foot wide columns for a more dramatic effect. This entry style was used for the north, south and west elevations, most visible from the freeway corridor and Agoura Road.

The site plan does not show any proposed fencing. The existing fencing, at the exception of the Caltrans right-of-way fencing will be removed. Staff does not recommend the installation of new fencing as 1.) the project would more likely to be integrated into surrounding existing landscaping, 2.) unobstructed planters would allow for more landscaping and 3.) the risk of graffiti would be eliminated. In the event that the applicant requests the use of fencing, the design of the structure will be subject to review by the Director of Planning and Community Development. This recommendation is included as a draft condition of approval.

The Architectural Review Panel supports this latest project design, finding it to be compatible with the commercial development, and finding the design to be in conformance with the City's Architectural Design Guidelines and Standards.

Lighting

The applicant has provided a 16-foot high, bell-shaped light standard for the parking lot, bollard light standards and stair lights built in the walls for the pathway and stair case. The lighting standard and a final photometric plan must meet the limitation of a maximum of one foot candle of light at the property line and the intent of the recently adopted lighting guidelines. The Landscape Plan shows thirty two (32) single-fixture light poles installed on the perimeter of the parking lot and drive aisles and twelve (12) double-fixture light poles in the center of the parking lot. The Plan further indicates the location of eleven (11) bollard light fixtures placed on both sides of the walkway at the southwest corner of the building and two (2) wall built-in lights for the stair cases. The applicant, in an attempt to emphasize the presence of the heritage oak tree, is proposing four (4) tree up-lights at the perimeter of the canopy.

Additionally, the light impacts from vehicle headlights parked along the western, eastern and southern property lines will be screened by the addition of shrubs placed between the vehicles and

the property lines.

Signage:

The Sign Ordinance requires that new commercial project design and implement a sign program for the entire site. The intent of the requirement is to incorporate the signage into the proposed architecture. As such, the applicant has submitted plans which indicate two on-building signs. One 48 square-foot area has been identified on the west corner of the south elevation. This sign would be considered a primary sign and would be consistent with the Sign Ordinance which allows for a 50 square-foot sign. The second sign proposal is a 24 square-foot area that would be placed at the corner closest to the freeway on the west elevation. One wall-mounted sign is intended to be viewed from the freeway. The Sign Ordinance allows for a 25 square-foot secondary sign. Details of the signs such as material and illumination will be submitted for final Planning Commission review and approval. The applicant is also interested in constructing a monument sign at the driveway entry not to exceed 48 square feet. The structure would be placed at an angle with Agoura Road and externally illuminated. Details of the monument light are included in the photometric and landscape plans. The Planning Commission has the ability to recommend changes on size, location, design and illumination.

Oak Tree Review

The applicant has applied for an Oak Tree Permit to allow encroachment into the protected zone of two (2) Oak Trees (#100 *Quercus Lobata* and #86 *Quercus Agrifolia*) in the center of the parcel for the purpose of grading and adding retaining walls and pedestrian walkways. Oak Tree #100, which is the most dominant oak, is 49" in diameter and Oak Tree #86 is 3" in diameter; both have been ranked with a health rating of "A" and an appearance rating of "A" and therefore should be preserved and maintained in perpetuity per the Zoning Ordinance Oak Tree Preservation Guidelines. Oak Tree #85, also a *Quercus Agrifolia* with a 2" diameter caliper, is currently located on the perimeter of Oak Tree #100 protected zone and was ranked with a health rating of "A" and an appearance rating of "B". The applicant is requesting that Oak Tree #85 be removed or transplanted as it would sustain impacts from the construction.

Another cluster of trees is located at the southwest corner of the parcel near Agoura Road where Oak Trees #83 and #84 both *Quercus Agrifolia* with a 7.6" and 1.45" caliper respectively; both have been ranked with a health rating of "B" and "A" and an appearance rating of "C" and "A" respectively. The Oak Tree Report requests the removal or transplant of one tree given the parking improvements required near that location.

The 6 trees identified earlier in the report under the development characteristics of the site are trees that were planted in the right-of-way when the sidewalk, curb and gutters were put in place at the time of the development on the adjacent parcel. Out of the 6 trees, 5 were tagged and evaluated for their health and appearance. Several mitigation measures have been outlined in the report to improve the health of each tree. One empty tree well in the sidewalk will be eliminated due to the construction of the entry driveway. One other tree well will be covered or replanted per the

Engineering Department's requirement.

To mitigate the trees loss, the applicant would be required by the Zoning Ordinance to replant at least two (2) 24"box and (1) 36"box on the parcel for a total of 8 trees. The quantity of trees is determined by a replacement ratio established by the Oak Tree Preservation Guidelines of the Zoning Ordinance in addition to the cumulative caliper dimensions of the removed trees. The removed on-site oak trees will be replanted on site; an in-lieu fee will be collected for the removed off-site trees as a mitigation measure (see the Street Improvement Section in this staff report). The attached Oak Tree Report has been reviewed by the City's Landscape/Oak Tree Consultant and is included in the staff report for the Commission' review.

Landscaping Review

The project is required to provide 20% landscaping for the total site and 15% for the parking area with 50% tree canopy coverage. These measures are intended to enhance the visual appearance of the project, promote public safety, moderate the temperature and reduce noise and glare.

Furthermore, the project is located in the Freeway Corridor Design Overlay District which has special landscape requirements. These include additional landscaping, berming or wall along the boundary between the freeway corridor and the private property. In this case, the finished grade elevation is lower than the freeway traveling lanes and as such the use of a wall or berming would not accomplish the necessary screening. The proposed row of trees would provide a softer landscape buffer from the freeway and would be consistent with the treatment on other parcels in the corridor.

The submitted Landscape Plans have incorporated a high level of native trees and plants such as California Black Walnut trees, California Sycamore trees and various types of Oak trees. The landscaped buffer zones along the front and rear property lines are substantial. Landscaped planters are provided all around the building and throughout the parking lot area. The statistical information provided by the applicant indicates 20% landscaping for the overall site, 22% for the parking area alone and enough planting area to accomplish the desired canopy coverage after 15 years. The lighting fixtures were strategically placed to avoid interfering with mature growth. The City Landscape consultant has reviewed the project and finds the landscaping coverage and planting palette to be in compliance with the Zoning Ordinance.

Transportation Demand Management

Per Section 9654.4 of the Zoning Ordinance, the applicant of a commercial project must put in place Transportation Demand and Trip Reduction measures to address the Congestion Management regulations established by the County of Los Angeles. These measures are based on the square footage of the development. The measures include providing a permanent display inside the building for employees addressing alternative ways of commuting to and from the work place. Secondly, not less than 15% of employee parking shall be reserved for potential

carpool and vanpool vehicles on site. These measures are conditions of the project and will be reviewed annually as part of the Congestion Management Implementation measures the City is responsible for submitting to the Metropolitan Transportation Agency.

Engineering Review

Grading

The project will generate an estimated cut of 59,300 cubic yards of soil, 55,890 cubic yards of fill and will export an estimated 3,410 cubic yards of soil from the site as a result of raising the pad and softening the contour lines in order to avoid retaining walls. An estimated 45,530 cubic yard of over-excavation is expected before recompaction in order to even out the sublayer conditions. The existing topographical map indicates various elevations from 877 feet above sea level at Agoura Road to 880 feet on the freeway travel lanes with high points of 865 feet and low points of 856 feet throughout the parcel. The building pad elevation is proposed to be at an elevation of 870 feet which is approximately 16 to 18 feet below the freeway right-of-way. Based on a 34 feet building height, only 18 to 16 feet of the building wall would be above the freeway elevation from west to east.

One 3-foot high by 43-foot long retaining wall will be required along the eastern property line and another 3 feet high by 60 feet long retaining wall would be built between the building and the rear parking lot. The east side yard would be graded down in order to create a 2:1 slope to transition with the adjacent parcel located below. Another short 2:1 slope is created the length of the rear property line. No grading is permitted in the Caltrans right-of-way which is immediately behind the rear property fence line however. Other retaining walls include a five to six feet high existing retaining wall around the Heritage Oak which will have to be replaced with a more environmentally friendly construction and a 4 feet high wall is also considered at the southwest corner of the parcel in order to preserve the oak trees. Prior to issuance of a Grading Permit or a Building Permit, the applicant would be required to obtain final clearance from the City's Geotechnical Consultant and the Public Works Department.

The off-site improvements require the widening of Agoura Road. The project will require the removal of 3,660 cubic yards of cut soil from a hill on the south side of the road in an existing roadway easement. The cut will occur over 440 feet of road frontage by 30 feet deep by approximately 20 feet high at the highest point. As a result, the slope will be redesigned at a 1.5:1 gradient. Once sufficient flat land is provided, a leveled travel lane, bike lane and two, raised medians would also be provided. The apron to the Gateway Foursquare Church parking lot driveway would also be regarded.

The parcel is encumbered with a storm drain easement owned by the Los Angeles County Flood Control District which runs east-west in the front yard area of the lot. As part of the grading the storm drain will require consolidation. The storm drain is a result of the encapsulation of the Lindero Creek during the construction of the freeway right-of-way. An exposed outlet exists at the southwest corner of the parcel which will be required to be modified per the Los Angeles County Flood Control District. The applicant is required to apply for a permit with the Flood Control District post Planning Commission review and approval. In the event that the agency's approval

requires modifications of the improvements the Site Plan layout, the project will require additional review and approval by the City. A letter of acknowledgement signed by the applicant is included in the report.

Geotechnical

The City Geotechnical Consultant has reviewed the geotechnical report, prepared by Gorian and Associates and all subsequent supplemental information, for this project and recommends approval based on Planning/Feasibility Issues as well as the Geotechnical supporting data.

Traffic

The City's Traffic Engineer reviewed the proposed project with respect to on-site circulation and potential traffic related issues and has found it acceptable. The City's Traffic Engineer found that parking circulation was designed adequately. The site will provide the required number of parking spaces per the Zoning Ordinance. Parking along Agoura Road is restricted at all times. In reviewing the project size, the City Engineer required a Traffic Impact analysis. The report, prepared by Overland Traffic Consultants, Inc. and dated February 2005 indicated that the project will generate 1,298 daily vehicular trips with 182 vehicular trips during the AM peak hour and 187 vehicular trips during the PM peak hour. Based on this information, the applicant's traffic consultant measured the impacts the new project combined with existing development, with expected growth of the existing development and with all known future developments. Since some impacts are expected at the nearby intersections, the consultant recommends widening Kanan Road, south of Agoura Road as a mitigation measure. The Municipal Code requires that a Transportation Improvement Funds be paid as apart of any commercial development. The fee is based on the square footage of the project and the funds are used by the City to improve the circulation system within city boundaries. The Traffic Consultant also measured the impacts of the added traffic onto the freeway system and found the increase is not enough to require the applicant to participate in a Congestion Management Program required by the County of Los Angeles Transportation Agency. All recommended conditions of the City Engineer for this project are included in the attached Draft Conditions of Approval and the Mitigated Negative Declaration.

Parking

The project proposes 308 parking spaces, 8 of which have to be designated as handicap spaces. A total of 305 parking spaces is required by the Zoning Ordinance. The Parking Ordinance also addresses parking for alternative forms of transportation such as bicycling. For every 25 parking spaces, a commercial project must provide 1 bicycle space. The applicant is required to provide 12 stalls, at a minimum, to accommodate the bicycles. The location is indicated on the landscape plan at the northwest and northeast corners of the lot.

Street Improvements

As part of the development, the Public Works Department has required the widening of Agoura Road. The General Plan identifies Agoura Road with an optimum width of 100 feet. The current road width is 45 feet. As such, the Public Works Department has requested that an interim road widening be undertaken by the project applicant as a condition of approval. The Public Works Department has requested the submittal of street improvements plans that reflect

an acceptable level of road improvement for Agoura Road, at this time, to sustain current traffic conditions. These improvements consist of realigning the south side of Agoura Road to accommodate a 2-lane westbound and a 1-lane eastbound roadway, 12 feet in width with a 5-foot wide bike lane on the north and south side of the road. Sidewalks, curb and gutter already exist on the north side. Curb and gutter alone will be required on the south side outside the bike lane. The finished roadway width will be 75 feet, curb to curb. In order to provide the width, the applicant will be grading into an existing City right-of-way easement. A man-made slope that is 440 lineal feet will be recut at a gradient of 1.5:1. Such a gradient exceeds the maximum gradient allowed by the Ladyface Mountain Specific Plan and by the City's policy. According to the Public Works Department and the City Geotechnical Consultant, a 1.5:1 cut is feasible without the use retaining walls.

The Ladyface Specific Plan calls for manufactured slopes not to exceed 25 feet in height and for cut slopes not to exceed a gradient of 2:1. In this case, the top of the slope will be 20 feet in height but will exceed the 2:1 gradient. Pursuant to the General Plan Circulation Element, street widening improvements to Agoura Road would eventually be required regardless of this project. This improvement is required to improve the line-of-sight of east and westbound traffic and to respond to traffic conditions. The interim improvements would have required additional grading (in excess of 3,700 cubic yards of soil) would a 2:1 slope design have been selected and the existing oak trees would have sustained additional impacts.

Moreover, in 1986, the City Council adopted a Resolution (Resolution No. 329) limiting the height of manufactured slopes to 25 feet with a 2:1 maximum gradient along scenic roadways. This was intended to maintain consistency with the General Plan Scenic Highway Element which imposed the same limitation provided that it can be adequately demonstrated that the slope would not be visible from a major street or highway or any existing view corridor. This requirement was later incorporated in the Ladyface Mountain Specific Plan as well in which the easement is located.

The existing slope is not a natural slope but rather a man-made slope that was created when Agoura Road was developed. The existing slope is already in excess of a 2:1 gradient as would the proposed one be. The location and the height of the cut are such that it would not be visible from major vistas or the freeway corridor. The impacts of the new slope can be mitigated to be reduced to less than significant impact by the implementation of a naturalistic landscaping and the softening of the top of the slope to imitate an eroded finish. The City Building Code gives the Planning Commission the discretion to consider approving cut slopes steeper than 2:1 on a case-by-case basis.

An additional mitigation measure should be considered as a result of the grading for the road improvement which is the impacts to the Oak trees located in the right-of-way easement. The cut will require the removal of up to 4 oak trees. Since the work is being conducted off-site, it is a City policy to collect an in-lieu fee instead of requiring the planting of replacement trees.

Bike Lane:

The General Plan Circulation Element identifies a Class II bikeway (striped lane for one-way bike travel) along the north and south side of Agoura Road. The City recently completed the improvement of the bikeway on the south side of Agoura Road between the west end of the City and Kanan Road. Included in the road widening is a requirement to realign the bikeway with the new right-of-way width.

Utilities

Existing utilities include major underground water, reclaimed water, natural gas and power lines along the right-of-way. These conduits will not be required to be updated or modified. In addition, the Title Report indicates a sewer line running along the east property line and connecting the sewer system between the lines north of the freeway and south the freeway.

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, the City Environmental Analyst found that although the proposed project could have a significant effect on the environment, there would not be a significant effect in this case because revisions to the project have been made by or agreed to by the applicant and therefore a Draft Mitigated Negative Declaration (MND) was prepared for review and adoption by the Planning Commission.

The following matrix briefly identifies the environmental issue areas addressed in the MND that were found to have potentially significant impacts, and identifies the recommended mitigation measures. All impacts were found to be mitigable to a less than significant level upon implementation of the measures.

Issue Area	Impact	Mitigation
<i>Aesthetics</i>	View Alteration	Construction Screening
		Landscaping of off-site improvements
		Contour grading of cut slope on Agoura Road
<i>Biological Resources</i>	Potential distance to nesting birds	Survey for nests prior to construction and avoid work until nests have vacated
	Loss of wetlands and riparian area	In-lieu fees
	Loss of 2 on-site and 4 off-site oak trees	Stake limits of work area; mitigate at 4:1 for on-site removed trees and in-lieu fee for off-site removed trees
<i>Cultural Resources</i>	Unexpected discovery of archaeological or paleontological resources or human remains	Monitor construction if discovery of a resource. Work to cease and the appropriate officials contacted and find assessed; mitigation work as necessary
<i>Hydrology/Water Quality</i>	Reduced water absorption rate due to development	Drainage plan and study to be approved by the City Engineering Department
<i>Noise</i>	Interior working conditions due to proximity to the freeway traffic	Install windows with minimum Standard Transmission Class of 33
	Construction noise	Limited work hours from 7:00 am to 7:00 pm.
<i>Air Quality</i>	Construction equipment pollution and dirt	Standard dust control measures during construction
<i>Geology and Soils</i>	Soil expansion, inadequate soils in some areas	Comply with all measures in the geotechnical report
	During construction soil erosion	AQMD Rule 403 and SPPP implementation required
	Post Construction soil erosion	Additional paving and strategically placed landscaping
<i>Transportation/Traffic</i>	Traffic level increased	Widen west side of Kanan Road and south side of Agoura Road

In the case of the proposed project, the Draft MND is currently circulating for a 30-day review period, ending on March 17, 2006. The applicant has accepted the proposed mitigation measures which reduce the impacts associated with all environmental concerns to less than significant levels. For these reasons, staff finds the use of a Mitigated Negative Declaration for CEQA processing of this application to be appropriate.

If the Planning Commission votes to deny the project, no action on the Draft MND is required. If the Planning Commission's desire is to approve the application, it must continue this hearing to the meeting of April 20, 2006 which is the next meeting date after the Draft MND public hearing period is completed. The Planning Commission is also required by CEQA to also adopt a "reporting and mitigation monitoring" (MMRP) to ensure compliance during project implementation. The mitigation monitoring program will be prepared for the proposed project after the circulation period for the MND closes for consideration and adoption at the April 20, 2006 Planning Commission meeting.

V. RECOMMENDATION

Based on the foregoing analysis, staff recommends approval of the project. Attached for the Planning Commission's information, are draft resolution and conditions of approval for Site Plan/Architectural Review Case No. 05-SPR-010, Oak Tree Permit No. 05-OTP-010 and Sign Permit Case No. 05-SP-006. If the Planning Commission desires to approve the project, it is recommended that the Commission direct staff to finalize the draft resolution and conditions of approval. This matter must then be continued to the Planning Commission meeting of April 20, 2006 in order to finalize the Negative Declaration, and incorporate the comments addressed at the public hearing final as well as the Mitigation Monitoring and Reporting Program.

VI. ATTACHMENTS

- Draft Resolution and Conditions of Approval
- **Exhibit A: Vicinity/Zoning Map**
- **Exhibit B: Reduced Photocopies of the Plans**

Architectural Plans:

A.0 + DD-1.1 through 6.1

DD-4-1 shows the location of the on-building signs

Grading Plans:

1 through 7

Alta Survey:

1 through 2

Landscape Plans: (included are the Hardscape Exhibit and Photometric Plan)

L-1.1 through L-5.1

L4-1 shows the proposed monument signs

Street Improvements Plan:

Miscellaneous Pages

Color Rendering (11"x17")

- **Exhibit C: Photo simulations of the Agoura Road improvements**
- **Exhibit D: HQ Letter RE LAC Flood Control District**
- **Exhibit E: The Cornell Preservation Organization Letter**
- **Exhibit F: Photograph of the Color and Material Board**
- **Exhibit G: Draft Mitigated Negative Declaration**

CASE PLANNER: Valerie Darbouze, Associate Planner