



**DEPARTMENT OF PLANNING AND
COMMUNITY DEVELOPMENT**

ACTION DATE: January 5, 2006

TO: Planning Commission

APPLICANT: Richard Doss for Rick Principe
30141 Agoura Road
Agoura Hills, CA 91301

CASE NOS.: 00-SPR-001 (Amendment) and 00-OTP-001 (Amendment)

LOCATION: 30101 Agoura Road
(A.P.N. 2061-005-042)

REQUEST: Request for approval of a one-year time extension for a previously approved Site Plan/Architectural Review, which allowed for the construction of a 31,160 square foot, two-story office building; and a request for a one-year time extension for an approved Oak Tree Permit which allowed for encroachment within the protected zone of eight (8) oak trees and removal of seven (7) oak trees for the approved construction.

**ENVIRONMENTAL
DETERMINATION:** The proposed project is consistent with the Mitigated Negative Declaration on December 19, 2002 by Planning Commission Resolution No. 726.

RECOMMENDATION: Staff recommends the Planning Commission adopt a motion to approve Site Plan/Architectural Review Case No. 00-SPR-001 (Amendment) and 00-OTP-001 (Amendment), subject to conditions, based on the findings of the attached Draft Resolutions.

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

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

I. PROJECT DESCRIPTION

On December 19, 2002, the Planning Commission reviewed a Site Plan/Architectural Review application (Case No. 00-SPR-001) for a proposed office building to be located at 30101 Agoura Court, on the north side of Agoura Road/Agoura Court intersection. The project consisted of a 31,160 square-foot, two-story building located 130 feet (east) of the existing building on site, at the Agoura Court cul-de-sac. Also requested for construction of the building was an Oak Tree Permit to encroach within the protected zone of eight (8) Oak trees and removal of seven (7) oak trees. The Planning Commission unanimously approved the Site Plan/Architectural Review and Oak Tree Permit.

Pursuant to the provisions in the Zoning Ordinance and the project conditions of approval, the Site Plan/Architectural Review and Oak Tree Permit were valid for an initial two (2) year period (to December 19, 2004). As allowed by the Zoning Ordinance and the conditions of approval, the applicant requested and received a one (1) year administrative extension of the Site Plan/Architectural Review and Oak Tree Permit to December 19, 2005. Prior to the expiration of the permits, the applicant submitted plans into plan check for a building permit. The project plans remain in plan check. The applicant has applied for an amendment to the Site/Plan Architectural Review and Oak Tree Permit, although this request is essentially for an extension of the previously approved permits. Specifically, the request is for a one year extension to December 19, 2006. The Zoning Ordinance allows the Planning Commission to consider this extension request for Site Plan/Architectural Review applications in a public hearing. If granted, the applicant would be required to complete foundation inspections prior to December 19, 2006, in order to retain their entitlement.

II. STAFF ANALYSIS

To date, the project has not substantially changed from its original approval, although exterior design alterations have been reviewed and approved by the Director of Planning and Community Development since the project was approved by the Planning Commission. All conditions of approval would remain valid, with the exception of the City Oak Tree Consultant and City Engineer's conditions that include recommended amendments noted in the attached draft resolution. A copy of the original staff report and adopted Resolution and conditions of approval are attached for reference. Grading permits were issued in December and it is feasible that the applicant can obtain building permits and begin construction within the next 12 months.

The City Oak Tree Consultant has reviewed the original conditions of approval and has found the project to be in keeping with the original scope of approved work. Some of the oak tree encroachments have changed slightly, but the same trees will be preserved as was originally approved. The City Oak Tree Consultant feels that no additional conditions are needed and supports the request for the time extension.

The City Engineer has also reviewed the request and the previously approved conditions of approval and supports the time extension, with amended conditions included in the draft Resolution. While the Sleep Shoppe furniture store was recently completed and there have been other projects approved and constructed in the area since the project was approved in December of 2002, the City Engineer finds that the original conditions regarding traffic impact mitigations and fees are still valid.

The City Environmental Analyst has reviewed the request to extend the Site Plan/Architectural Review and Oak Tree Permit and finds it to be consistent with the project described in the Mitigated Negative Declaration (MND) adopted pursuant to the California Environmental Quality Act (CEQA). Upon review of the attached mitigation measures included in the adopted MND, the City Environmental Analyst has determined that impacts would still be reduced to less than significant levels. Therefore, no further review under CEQA is required.

III. RECOMMENDATION

Based on the foregoing review and analysis, staff believes that the Site Plan/Architectural Review and Oak Tree Permit requests are acceptable as there are no significant changes that are proposed to the project to date, and that there are no significant changes to the site, to the surrounding area, nor the regulations that affect the site. Therefore, staff finds the previous findings of approval made the Site Plan/Architectural Review and Oak Tree Permit are still valid. Staff recommends that the Planning Commission adopt a motion to approve an amendment to Site Plan/Architectural Review Case No. 00-SPR-001 and Oak Tree Permit Case No. 00-OTP-001, granting a new, one (1)-year entitlement that would expire on December 5, 2006, subject to conditions, based on the findings of the attached draft Resolution.

IV. ATTACHMENTS

- Exhibit A: Draft Resolution and Conditions of Approval
- Exhibit B: Approved Resolution No. 726 and Conditions of Approval
- Exhibit C: Reduced Photocopies of Project Plans
- Exhibit D: December 19, 2002 Planning Commission Meeting Minutes
- Exhibit E: December 19, 2002 Staff Report
- Exhibit F: Mitigation Monitoring Plan

Case Planner: Renee Madrigal, Assistant Planner