

REPORT TO CITY COUNCIL

DATE: JUNE 23, 2010

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: GREG RAMIREZ, CITY MANAGER *GR*

BY: MIKE KAMINO, DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT *M/K*

SUBJECT: CONDUCT A PUBLIC HEARING AND INTRODUCE ORDINANCE NO. 10-377 AND RESOLUTION NOS. 10-1593 and 10-1594 FOR AN AMENDMENT TO THE LADYFACE MOUNTAIN SPECIFIC PLAN TO INCREASE THE MAXIMUM ALLOWABLE BUILDING SIZE, THE DEVELOPABLE PAD SIZE, AND THE TRAFFIC BUDGET FOR THE DEVELOPMENT OF AN OFFICE BUILDING (CASE NO. 07-SPA-001); A CONDITIONAL USE PERMIT TO CONSTRUCT A 12,700 SQUARE FOOT OFFICE BUILDING (CASE NO. 07-CUP-009); AN OAK TREE PERMIT TO ENCROACH IN THE PROTECTED ZONE OF 10 OAK TREES AND REMOVE 5 OAK TREES (CASE NO. 07-OTP-012); A VARIANCE FROM THE LADYFACE MOUNTAIN SPECIFIC PLAN SECTION IV.A.6. TO REDUCE THE MINIMUM REQUIRED FRONT YARD FROM 70 TO 60 FEET, AND THE MINIMUM WEST SIDE YARD FROM 35 TO 20 FEET (CASE NO. 10-VAR-001); AND THE ADOPTION OF A MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING PROGRAM. THE PROPERTY IS LOCATED AT 29760 AGOURA ROAD. (VINOD GUPTA, APPLICANT)

The purpose of this item is for the City Council to conduct a public hearing on a request by Dr. Vinod Gupta to amend the Ladyface Mountain Specific Plan to increase the maximum allowable office building size from 8,000 square feet to 12,700 square feet, the maximum allowable developable pad from 0.74 acre to 1 acre, and the maximum traffic budget from 25 PM peak hour trips to 41 PM peak hour trips for the property located at 29760 Agoura Road, east of Ladyface Court. The request for entitlements (Conditional Use Permit, Oak Tree Permit, and Variance) connected with the Specific Plan Amendment is also included as reference in the public hearing, as the project cannot be built without the Amendment.

In 2005 and 2007, the City Council considered two different Pre-screen Review of Specific Plan Amendment requests to increase the maximum allowable building area from 8,000 square feet to 17,000 square feet and to 15,900 square feet, respectively. (The 2007 request was from this applicant, Dr. Vinod Gupta.) Both of these requests also included corresponding increases in maximum allowable pad area and traffic budget. The Council's comments were mixed, with most expressing concerns with the increase, but supportive of some increase. The applicant has subsequently submitted a formal project application for a 12,700 square-foot office building.

On May 20, 2010, the Planning Commission reviewed the project. The Planning Commission's role was to provide recommendations to the City Council regarding this project. On a 4-1 vote (Commissioner Buckley Weber opposed), the Planning Commission recommended approval of the applications, which included the Specific Plan Amendment, as well as a Conditional Use Permit for construction, and an Oak Tree Permit to encroach in the protected zone of 10 oak trees and remove 5 oak trees for the proposed construction. The Variance request for reduced front and side yard setbacks was recommended for approval on a 5-0 vote of the Planning Commission. A copy of the Planning Commission Meeting minutes, staff report and resolutions are attached.

The Council is primarily being asked to approve a Specific Plan Amendment which would adopt an Ordinance to change the text of the Ladyface Mountain Specific Plan, specifically Table IV-1 Maximum Development Potential and Table IV-2 Scenario 2-A, solely for this property. Unlike other parts of the City, the Ladyface Mountain Specific Plan dictates the size of the development and other development standards for each individual parcel, in addition to other standards applicable to all parcels within the Specific Plan. In the event that an applicant is interested in changing these standards, a Specific Plan Amendment is required. Furthermore, the project could not be built unless these legislative land use changes are approved.

The pre-graded pad on the site is believed to have been established when the office building to the west was constructed. The 1.65-acre parcel is one of a dozen parcels included in the Ladyface Mountain Specific Plan and the smallest of all. The project departs from the Specific Plan scenario in that the building is larger than what is currently allowed (12,700 square feet instead of 8,000 square feet), and the developable pad size is larger than what is allowed for the site (1 acre instead of .74 acres), but still coincides with the size of the existing graded pad on the site. The applicant is also proposing to increase the allowable maximum PM vehicle trips allocated for the site from 25 trips to 41 trips. The increase in vehicle trips is not significant enough to require additional off-site improvements to the City's transportation system, but the applicant will be required to pay the City's Traffic Impact Fee (TIF). The Planning Commission accepted the findings for all three Specific Plan Amendment requests given the existing conditions of the site and its surroundings, and based on the fact that the traffic budget was established 20 years ago and significant improvements to the transportation system near the project have been made since the adoption of the Specific Plan. Further description and analysis of the Specific Plan Amendment request are included in the attached Planning Commission Staff Report.

As the City Council is aware, development entitlements are typically not reviewed by the City Council. However, in this particular case, because the development is contingent upon approval of the Specific Plan Amendment, the development entitlement requests associated with the project (Conditional Use Permit, Oak Tree Permit, and Variance) are included in this public hearing as reference. A description and analysis of each of these development requests are included in the attached Planning Commission staff report.

Regarding the Conditional Use Permit request, the proposed building will be erected on an existing pre-graded pad to accommodate a two-story building, and subterranean and surface

parking. The proposed grading will require 1,800 cubic yards of export soil and 1,800 cubic yards of import soil for a balanced grading, as recommended by the Municipal Code. The proposed finished pad elevation will be approximately the elevation of the pre-existing pre-graded pad. Access to the site is to be provided by one existing driveway, shared with the Gateway Church on Agoura Road, and one new secondary driveway, shared with the developed parcel to the west. The Oak Tree Permit would allow for the removal of 5 oak trees and to encroach in the protected zone of 10 others which is necessary for the construction of a sidewalk, retaining walls, and vehicular and pedestrian access.

The Planning Commission expressed concern about a proposed chair lift to be built on the front of the property to provide handicap accessibility from the street up to the building. A request to find an alternative solution was added as a recommendation to all three resolutions for the Council's consideration. The applicant is currently exploring alternatives to the lift. These alternatives include a series of switchback ramps from the sidewalk to the building pad above or a concrete parking pad at the bottom of the driveway for pick-up and transport to the building entrance by an on-site golf cart. Another alternative being explored involves extending a ramp south along Ladyface Court to connect with the existing building. The ADA ramp would then continue across the property line to connect with the proposed building. A final resolution of the ADA access issue is still pending, however, the Council may wish to indicate a preference on the alternatives.

The architectural style of the building is intended to blend with the mix of architectural styles of the commercial area, including the adjacent building, business park building across the street, the civic center, a retail shopping center and a temple/school. This building design includes a combination of stucco, stone veneer, and concrete tiles within a building footprint that is setback 60 feet from the road and a second story stepped back an additional 50 feet. The Architectural Review Panel recommended changes to the entry way, which is located at the rear of the building, and to the windows by reducing the height of the entry and breaking up the glazing into individual windows. The project architect, however, has chosen to maintain the design as proposed. The Planning Commission found the building design, its proposed earthtone colors and clay tile roof, as well as the building's location at the front of the property to screen the parking lot, to be compatible with the City's Architectural Design Standards and Guidelines. The Planning Commission also found the project met the intent of the Ladyface Mountain Specific Plan, in that the terraced design was an adequate solution to minimize the impacts of the reduced front yard setback. The height of the building varies from 18 to 35 feet, which is within the maximum allowable height. The project exceeds all minimum rear and east side yard setback areas and provides a surplus of 9 parking spaces for general office uses. A total of 51 parking spaces are proposed, with 28 underground and 23 on surface. Access to the site would be provided via a 26-foot wide driveway that it shares with the Gateway Church site to the east. A common driveway is proposed with the existing 34,000 square-foot office building to the west which is also owned by the applicant. The aforementioned surplus parking on the proposed site will help offset the parking deficit at the existing building.

In addition, the project requires the approval of a Variance request to provide a 60-foot front yard setback instead of the required 70 feet, and a 20-foot west side yard setback instead of 35 feet. In this case, the Specific Plan requires the building footprint to be located a distance of

twice the building height from the front property line (or 70 feet) whereas the proposed setback is 60 feet and at least a distance of the height of the building from the west property line, (or 35 feet) whereas the proposed setback is 20 feet. A separation of 40 feet would still exist between the existing and proposed structures. The east side yard is 50 feet, which complies with the Specific Plan. The Planning Commission supported the Variance request, finding it reasonable given that the second story is setback further than the footprint of the first floor and the 60-foot setback of the first floor is much greater than the 33.4-foot front yard setback of the existing two-story building to the west.

A Draft Mitigated Negative Declaration (MND) was prepared for this project. The MND concluded that, although potentially significant impacts to biology, cultural resources, and geology, may occur, these impacts would be reduced to a level of less than significant with incorporation of the mitigation measures outlined in the MND. The Draft MND was circulated for public review from March 30, 2010, to April 30, 2010. Comments received during that public review period were responded to, and the Final MND (with the Responses to Comments and Mitigation Monitoring Program) was prepared and presented to the Planning Commission on May 20, 2010. At the hearing, the Planning Commission recommended adoption of the MND.

RECOMMENDATION

It is the Planning Commission recommendation that the City Council introduce, read by title only, and waive further reading of Ordinance No. 10-377, amending the Ladyface Mountain Specific Plan by revising Table IV-1 Maximum Development Potential and Table IV-2 Scenario 2-A.

It is also recommended that the City Council, adopt Resolution Nos. 10-1593 and 10-1594 approving Conditional Use Permit Case No. 07-CUP-009 with Oak Tree Permit Case No. 07-OTP-012, and Variance Case No. 10-VAR-001, subject to the Conditions attached to these resolutions and adopting a Mitigated Negative Declaration and Mitigation Monitoring Program.

Attachments: Ordinance No. 10-377 for SPA
Council Resolution Nos. 10-1593 and 10-1594 for the CUP/OTP, and VAR with Conditions of Approval
Rendering and Reduced Copies of Project Plans
Vicinity/Zoning Map
Planning Commission Resolution Nos. 1007, 1008, and 1009 and Conditions of Approval approved on May 20, 2010
May 20, 2010, Planning Commission Meeting Minutes
May 20, 2010, Planning Commission Meeting Staff Report

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**OFFICE DEVELOPMENT
FOR THE PROPERTY LOCATED
AT 29760 AGOURA ROAD,
AGOURA HILLS**

**Specific Plan Amendment Case No. 07-SPA-001,
Conditional Use Permit Case No. 07-CUP-009,
Oak Tree Permit Case No. 07-OTP-012 and
Variance Case No. 10-VAR-001**

**City Council Ordinance
and
Resolutions and Conditions of Approval**

ORDINANCE NO. 10-377

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, AMENDING THE AGOURA HILLS LADYFACE MOUNTAIN SPECIFIC PLAN (CASE NO. 07-SPA-001)

THE CITY COUNCIL OF THE CITY OF AGOURA HILLS DOES ORDAIN AS FOLLOWS:

SECTION 1. The Agoura Hills Ladyface Mountain Specific Plan is amended to change the following language in CHAPTER IV, DEVELOPMENT REGULATIONS AND REQUIREMENTS Section A.1.:

TABLE IV – 1
MAXIMUM DEVELOPMENT POTENTIAL – Scenario 1-A

Parcel No.	2061-033-015
Total Acreage of Parcel	1.65
Average % Slope (1)	15.2%
% Development Area Allowed (acres) Under Hillside Guidelines (2)	67.5%
% Open Space Under Hillside Guidelines (2)	32.5%
Total Developable Pad Area 30.18 AC 30.44 AC	.74 AC <u>1 AC</u>
Land Use & Developable Building Square Footage Business Park Retail Commercial	7,000
Traffic Budget (PM Peak Hour Trips) 1315/1005 (5)	20

TABLE IV – 2
Scenario 2-A

Assessor's Parcel #	Permitted Land Use	Maximum Bldg. Area	Traffic Budget
2061-033-015	Bus. Park	8,000 s.f. <u>12,700 s.f.</u>	25 <u>41</u>

SECTION 2. Notwithstanding any provision of the Agoura Hills Municipal Code and Ladyface Mountain Specific Plan, or any other ordinance of the City, this Ordinance shall apply specifically to Parcel Number 2061-033-015 upon approval of the project and becomes null and void in the event the project is not approved or expires.

SECTION 3. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid or unconstitutional by any court of competent jurisdiction, such invalidity or unconstitutionality shall not affect any other provision or application, and to this end, the provisions of this ordinance are declared to be severable. The City Council declares that it would have adopted this ordinance and each section, subsection, sentence, clause, phrase, part or portion thereof, even if one or more sections, subsections, sentences, clauses, phrases, parts or portions thereof is declared invalid or unconstitutional.

SECTION 4. In accordance with the California Environmental Quality Act, the City has prepared a Mitigated Negative Declaration for this project. Based upon the findings, public comments and the record before the City Council, the City Council finds the Mitigated Negative Declaration does not worsen the potentially significant environmental effects for which feasible mitigation measures have been identified which will avoid or substantially lessen such effects. The City Council has reviewed the information contained in the Mitigated Negative Declaration in considering the application and finds that it was prepared pursuant to the California Environmental Quality Act. The City Council hereby adopts the Mitigated Negative Declaration and the Mitigation Monitoring Program.

SECTION 5. The City Clerk shall publish and cause notice of this ordinance to be given according to law.

PASSED, APPROVED, AND ADOPTED this _____, by the following vote to wit:

AYES: ()
NOES: ()
ABSENT: ()
ABSTAIN: ()

William D. Koehler, Mayor

ATTEST:

Kimberly M. Rodrigues, City Clerk

APPROVED AS TO FORM:

Craig A. Steele, City Attorney

RESOLUTION NO. 10-1593

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT, CASE NO. 07-CUP-009, OAK TREE PERMIT CASE NO. 07-OTP-012 AND ADOPTING THE PROJECT MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING PROGRAM

THE CITY COUNCIL OF THE CITY OF AGOURA HILLS DOES HEREBY RESOLVE, FIND, DETERMINE, AND ORDER AS FOLLOWS:

Section I. An application was duly filed by Vinod Gupta with respect with the property located 29760 Agoura Road (A.P.N. 2061-033-015), requesting the approval of a Conditional Use Permit (Case No. 07-CUP-009) to allow the construction of a 12,700 square-foot office building, and an Oak Tree Permit (Case No. 07-OTP-012) to encroach in the protected zone of 10 oak trees and to remove 5 oak trees. A public hearing was duly held on May 20, 2010, at 6:30 p.m. in the Council Chambers of City Hall, 30001 Ladyface Court, Agoura Hills, California. Notice of the time, date, place, and purpose of the aforesaid hearing was duly given. Evidence, both written and oral, was duly presented to and considered by the Planning Commission at the aforesaid public hearing on May 20, 2010. The Planning Commission recommended the City Council approve Conditional Use Permit Case No. 07-CUP-009, Oak Tree Permit Case No. 07-OTP-012 and adopt the Mitigated Negative Declaration and Mitigation Monitoring Program on a 4-1 vote (Commissioner Buckley Weber opposed), per Resolution No. 1008.

Section II. A public hearing was duly held by the City Council on June 23, 2010, at 7:00 p.m. in the City Hall 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. Evidence, both written and oral, was duly presented to, and considered by, the City Council at the aforesaid public hearing on June 23, 2010.

Section III. Evidence, both written and oral, was presented to and was considered by the City Council at the aforesaid public meeting.

Section IV. Pursuant to the Agoura Hills Zoning Ordinance and the Ladyface Mountain Specific Plan, the City Council finds that:

- A. The proposed use, as conditioned, is consistent with the objectives of the Zoning Ordinance and the Ladyface Mountain Specific Plan and the purposes of the zoning district in which the use is located. The project provides for business park development as called for this parcel within the Specific Plan.
- B. The proposed use, as conditioned, is compatible with surrounding properties. The parcel is adjacent to similar uses including large financial and research and development employers. The use is expected to operate within typical business hours and all activities are to be conducted within an enclosed building. The proposed site layout uses the

parcel's topography efficiently while protecting the open space areas that expand into the parcel.

- C. The proposed use, as conditioned, and the condition in which it will be maintained will not be detrimental to the public health, safety, or general welfare. The project will be developed in full compliance with all Building Code and measures identified in the Mitigation Monitoring Program, which was developed as part of the project Mitigated Negative Declaration which are made conditions of approval for the project.
- D. The proposed use, as conditioned, will comply with each of the applicable provisions of the Zoning Ordinance and the Ladyface Mountain Specific Plan except for approved variances. The project meets the development standards relative to required rear yard area, building height, lot coverage, parking, and landscape coverage. The level of service at nearby intersections will not worsen as the local circulation system has been improved since the adoption of the Specific Plan.
- E. The distance from other similar and like uses is sufficient to maintain the diversity of the community. Parcels north and south of Agoura road, west of Kanan Road, have developed into a primarily office use zone. The Ladyface Mountain Specific Plan in which this project is located calls for low impact development which this office complies with. Although the projects are similar, the buildings can accommodate a variety of uses to provide diversity.
- F. The proposed uses, as conditioned, are consistent with the goals and policies of the General Plan or the Specific Plan. As called for in the General Plan Land Use and Community Form for the Planned Development District (Ladyface Mountain Specific Plan -West End), the project is designed to be economically viable and scaled to reflect its natural setting at the base of Ladyface Mountain. The development of the project will be done with minimal recontouring of the land and the introduced landscaping will connect with the existing natural open spaces providing a total coverage that exceeds the minimum landscape requirement. The natural slopes will be preserved by way of a conservation easement that bars future expansion of the development.
- G. The proposed use will not mar the property's unique natural elements and will have a positive relationship to the character of Ladyface Mountain. Although the building is visible from the street and the freeway corridor, the project will provide a large amount of landscaping along the front of the property and the west side between buildings. The pad elevation which is maintained below any protected ridge line combined with the architectural style and colors of the building and the terraced design element will reduce the visual impact to the Agoura Road corridor. The location and configuration of the building are intended to screen views of the parking lot where most of the parcel's physical changes would occur.
- H. Adequate evidence and guarantees have been provided to indicate that all provisions of the Specific Plan have been satisfied by protecting sensitive areas on and off-site and mitigating impacts by reducing them to a less significant level including the biology,

cultural resources, and existing geotechnical and geological conditions, maintaining manufactured slopes to a ratio of less or equal to 2:1, by screening retaining walls, and providing more landscaping than the minimum requirement.

- I. The removal of five Oak Trees is required to complete the access driveway from Agoura Road to the parking lot and the parking lot of the adjacent property, building out the right-of-way as well as for the construction of retaining walls necessary to retain the hillside. The trees to be removed are less than 12 inches in diameter and were assigned an *average* rating for health/aesthetic value. The loss of trees is mitigated in kind and with an in-lieu fee.

Section V. In accordance with the California Environmental Quality Act, the City has prepared a Mitigated Negative Declaration for this project. Based upon the findings, public comments and the record before the City Council, the City Council finds the Mitigated Negative Declaration does not worsen the potentially significant environmental effects for which feasible mitigation measures have been identified which will avoid or substantially lessen such effects. The City Council has reviewed the information contained in the Mitigated Negative Declaration in considering the application and finds that it was prepared pursuant to the California Environmental Quality Act. The City Council hereby adopts the Mitigated Negative Declaration and the Mitigation Monitoring Program.

Section VI. Based on the aforementioned findings, the City Council approves with respect to the property described in Section I herein, Conditional Use Permit No. 07-CUP-009 and Oak Tree Permit Case No. 07-OTP-012, subject to the attached Conditions,

PASSED, APPROVED, and ADOPTED this _____, by the following vote to wit:

AYES: (0)
NOES: (0)
ABSENT: (0)
ABSTAIN: (0)

William D. Koehler, Mayor

ATTEST:

Kimberly M. Rodrigues, City Clerk

**CONDITIONS OF APPROVAL
CASE NOS. 07-CUP-009 & 07-OTP-012**

STANDARD CONDITIONS

Entitlement Requirements

1. 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 these Permits with the Department of Planning and Community Development.
2. Except as modified herein, the approval of this action is limited to, and requires complete conformation to, the approved labeled exhibits: Site Plan; Elevation Plans; Floor Plans, Roof Plan, Landscape Plan and Grading Plan.
3. All exterior materials used in this project shall be in conformance with the materials samples submitted as a part of this application.
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 filed to do so for a period of thirty (30) days.
6. All requirements of the Zoning Ordinance and of the specific zoning designation of the subject property must be complied with unless set forth in the Permit or on the approved Site Plan.
7. No occupancy shall be granted for any building until all Conditions of Approval have been complied with as determined by the Director of Planning and Community Development.
8. Unless this permit is used within two (2) years from the date of City approval, Case Nos. 07-CUP-009 and 07-OTP-012 will expire. A written request for a one (1) year extension may be considered prior to the expiration date.
9. 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.
10. The applicant shall comply with all applicable Public Health Statutes, Ordinances, and Regulations related to the disposal of sewage.

Conditions of Approval

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11. The Forester and Fire Warden shall be consulted to ascertain the required fire flows and fire hydrants to accommodate the proposed development.
12. The applicant shall comply with the school impact fee requirements of the Las Virgenes Unified School District that is currently established at \$0.47 per square-foot of new floor area.
13. Prior to the issuance of a Building Permit, the applicant shall pay the Fire District Development Fee, at the rate in effect at the time of Building Permit issuance. The current rate is \$ 0.9296 per square-foot of new floor area.
14. Prior to 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 the City's Environmental Planner is notified and 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.
15. The approved grading plan and construction plans, resolution, conditions of approval, the mitigated negative declaration and the mitigation monitoring and reporting program and a color and material board shall be on site at all time during the construction of the project.
16. 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.

Construction Requirements

17. 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.
18. All proposed retaining walls shall consist of materials subject to review and approval by the Director of Planning and Community Development.
19. The applicant and delegated contractors shall participate with City staff in a pre-construction meeting prior to issuance of a grading permit. Any change in the construction team shall be reported to the Building and Safety Department in a timely manner.

20. A copy of all communications between the City and the applicant pertaining to the approved plans shall be kept on-site at all times.
21. It is the responsibility of the applicant and/or his or her representatives to report to the City any changes related to any aspects of the construction prior to undertaking the changes.
22. Intermittent inspections shall be scheduled by the applicant as required by the Building and Safety Department and coordinated with the Engineering and Planning Departments.

SOLID WASTE MANAGEMENT CONDITIONS

23. 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.
24. 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, or final inspection if issuance of a certificate of occupancy is not applicable.
25. 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.

ENVIRONMENTAL CONDITIONS

26. The applicant shall comply with each mitigation measure listed in the Final Mitigated Negative Declaration and outlined in the adopted Mitigation Monitoring Program for the project, as well as the conditions of approval applicable.
27. Air quality measures (Rule 403) shall be copied onto the cover sheets of the Grading Plans.

OAK TREE/LANDSCAPING CONDITIONS

Oak trees

28. The applicant is permitted to remove the following five (5) oak trees: Trees GOT-1, GOT-9, GOT-10, GOT-13, and GOT-17 to construct the approved project. The total diameter to be removed is eighty-one inches (81”).
29. The applicant is permitted to encroach within the protected zone of the following ten (10) oak trees to construct the approved project as shown in the above Grading Plans: Trees GOT-2, GOT-3, GOT-4, GOT-6, GOT-7, GOT-8, GOT-16, GOT-18, GOT-19, and GOT-20.
30. No activities are permitted within the protected zones of the remaining five (5) oak trees, Trees GOT-5, GOT-12, GOT-14, GOT-15, and GOT-22. They are to be preserved in place.
31. To mitigate the loss of Trees GOT-1, GOT-9, GOT-10, GOT-13, and GOT-17, the landscape plan shall include eighty-one inches (81”) of diameter of oak trees. The applicant shall plant at least twenty (20) oak trees within the site, to include the following fifteen (15) trees:
 - a. Ten (10) twenty-four inch (24”) box-size oak trees
 - b. Five (5) thirty-six inch (36”) box-size oak trees
32. The proposed Oak Tree Mitigation Plan provides twenty-five (25) new oak trees, having a total diameter of seventy-eight inches (78”). If the site will not accommodate additional trees to meet the mitigation requirement, the applicant shall pay a fee in the amount of \$1,208.00 (as calculated on the attached tables) into the City Oak Tree Mitigation Fund for the deficit of three (3) inches. This amount shall be adjusted as required based upon the final Landscape Plan.
33. Trees GOT-7 and GOT-8 may require pruning to allow for vehicular clearance beneath the dripline. All pruning shall be subject to the review and approval of the City Oak Tree Consultant.
34. The planting locations, species and quality of all mitigation oak trees are subject to the approval of the City Oak Tree Consultant.

Conditions of Approval

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35. The mitigation oak trees shall be maintained in perpetuity. Should any of the mitigation oak trees decline or die, they shall be replaced in accordance with the provisions of the Oak Tree Preservation and Protection Guidelines.
36. All excavation within the protected zone of Oak Trees GOT-2, GOT-3, GOT-4, GOT-6, GOT-7, GOT-8, GOT-16, GOT-18, GOT-19, and GOT-20 shall be performed using only hand tools under the direct supervision of the applicant's oak tree consultant.
37. No planting or irrigation is permitted within the protected zone of an existing oak tree without approval from the City of Agoura Hills Landscape and Oak Tree Consultant. Planting within the protected zones of Trees GOT-2 through GOT-5 where the slope is to be repaired shall be drought tolerant plants, suitable for planting under oak trees. Selection of plants shall be subject to the review and approval of the City Oak Tree Consultant. Irrigation within the protected zone shall be on a separate valve that can be disconnected when plants have become established.
38. Prior to the start of any mobilization or construction activities on the site, Oak Trees shall be fenced at the edge of the protected zone in strict accordance with Article IX, Appendix A, Section V.C.1.1 of the City of Agoura Hills Oak Tree Preservation and Protection Guidelines. The City Oak Tree Consultant shall approve the fencing location subsequent to installation and prior to the start of any mobilization or work on the site.
39. 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.
40. Prior to occupancy, each existing and new oak tree shall be mulched throughout the dripline with three inches (3") of approved organic mulch as needed to supplement natural leaf litter.
41. No pruning of live wood shall be permitted unless specifically authorized by the City Oak Tree Consultant. Any authorized pruning shall be performed by a qualified arborist under the direct supervision of the applicant's oak tree consultant. All pruning operations shall be consistent with The Pruning Standards of the Western Chapter of the International Society of Arboriculture.
42. The applicant shall provide forty-eight (48) hour notice prior to the start of any approved work within the protected zone of any oak tree.
43. Within ten (10) calendar days of the completion of work and prior to removal of the protective fencing, the applicant shall contact the City Oak Tree Consultant to perform a final inspection. The applicant shall proceed with any remedial measures the City Oak Tree Consultant deems necessary to protect or preserve the health of the subject oak tree at that time.

Landscape:

44. The landscape plan shall substantially conform to the Landscape Concept Plan, prepared by Richard W. Campbell, ASLA as received by the City of Agoura Hills June 12, 2009.
45. 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
46. Prior to the approval of building permits, the applicant shall submit three (3) sets of landscape plans meeting the following requirements:
 - 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.
 - 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, rights-of-way, 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.

- i. Plant container sizes and/or spacing shall be provided. Minimum sizes shall be acceptable to the City Landscape Consultant and the Director.
 - j. Plant symbols shall depict the size of the plants at maturity.
 - k. The landscape plans shall prominently display the following notes:
 - i. All plant material shall conform to the most recent edition of ANSI Z60.1 - American Standard for Nursery Stock.
 - ii. All trees shall also conform to the California Department of Forestry and Fire Protection "Standards for Purchasing Container-Grown Landscape Trees".
 - iii. 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.
 - l. The Irrigation Plan shall be provided separate from but utilizing the same format as the Planting Plan.
 - m. 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.
 - n. The Irrigation Plan shall be concise and accurate and shall include the manufacturer, model, size, demand, radius, and location of the following, as appropriate:
 - Design and static pressures
 - Point of connection
 - Backflow protection
 - Valves, piping, controllers, heads, quick couplers
 - Gallon requirements for each valve
 - o. 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.
47. All landscaping shall be irrigated and maintained in perpetuity in accordance with the approved Landscape Plan.
48. The Landscape Plan must be approved by the Fuel Modification Unit at the County of Los Angeles Fire Department.
49. Shade trees shall be provided such that fifty percent (50%) of the parking lot, including driveways and aisles, shall be covered by tree canopies within fifteen (15)

- years after installation. The applicant has demonstrated that this condition has been met and will work with staff during the County of Los Angeles Fire Department Fuel Modification approval process to ensure the proposed design meets the highest percentage of canopy coverage that can be achieved.
50. A complete Landscape Documentation package shall be provided 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.
 51. The Landscape Plan shall not include any non-native plants considered invasive in the Santa Monica Mountains by the California Native Plant Society or the California Exotic Pest Plant Council.
 52. The final plans shall not include any palm species.
 53. All plant material shall be considered compatible with Sunset Zone 18.
 54. The proposed driveway connection between the subject site and the parcel to the west shall be consistent on all project plans and shall meet all minimum dimension requirements. Discrepancies between the landscape plan and other project plans as to the exact configuration of this connection shall be resolved prior to grading permit approval.
 55. A minimum of twenty percent (20%) of the total lot shall be landscaped.
 56. A minimum of fifteen percent (15%) of the parking lot, including driveways and aisles, shall be landscaped, distributed evenly throughout the parking lot.
 57. A minimum of twenty-five feet (25') of landscaping shall be provided along Agoura Road.
 58. 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. According to the plans provided, one (1) such tree will be required. This requirement is in addition to any mitigation required for removal of existing oak trees.
 59. All finger planters shall be at least eight feet (8') wide and spaced no more than ten (10) stalls apart.
 60. Parking lot planters shall have a minimum width of six feet (6') when parking abuts one side and eight feet (8') when parking abuts on both sides.
 61. Planters shall have a minimum width of four feet (4').
 62. 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.

63. No other usage or storage shall be permitted within any required yard, including transformers and trash enclosures.
64. Any unsightly uses, including trash enclosure and transformers shall be screened with berms, decorative walls or landscaping.
65. Special paving material and streetscape planting shall be provided at project entries in accord with the Ladyface Mountain Specific Plan.
66. 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.
67. 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.

ENGINEERING CONDITIONS

68. PRIOR TO PERMITTING (GRADING, BUILDING, ENCROACHMENT, ETC)

A. General

- 2.01 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.
- 2.02 The applicant shall provide a copy of proposed Covenants, Conditions and Restrictions (CC&R's), as applicable to the project, to the City Engineer 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.
- 2.03 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.
- 2.04 Applicant shall pay all applicable Transportation Impact Fees (TIF) to the Building and Safety Department.

- 2.05 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.
- 2.06 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.
- 2.07 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.
- 2.08 The applicant shall submit electronic files (i.e., CAD file, on disc) of project-related off-site 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.
- 2.09 The applicant shall 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. The report shall be reviewed and approved by the City Geotechnical/Geological Consultant.
- 2.10 Prior to issuance of permits from the Engineering Department, the applicant shall obtain a permit from the Las Virgenes Municipal Water District.
- 2.11 Building Permits shall not be issued until graded building pad(s) have been certified for compaction and elevation to the City's satisfaction. The applicant may contact Engineering Department at (818) 597-7322 for approved City certification forms.
- 2.12 The applicant shall provide a plan and profile of the main entry driveway with notation of vertical curves for smooth riding characteristics. It is required to flatten driveway slope in front of subterranean entry driveway. This will lower the entire building by at least one foot. The inlet curb near driveway entry shall provide for a sloping apron and extended sidewalk connection to work around the drain box.

B. Public Improvements

2.20 The applicant shall 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:

IMPROVEMENT ITEMS	ROADWAY: AGOURA ROAD
Inverted Shoulder and Rolled Curb	<input checked="" type="checkbox"/> New: to line up with existing on upstream end <input type="checkbox"/> Replace Damaged <input type="checkbox"/> Remove existing & Relocate
AC Pavement	<input checked="" type="checkbox"/> Replace all damaged during construction <input checked="" type="checkbox"/> Widen: Agoura Road at driveway entrance to provide 20' turning radius and concrete curb
PCC Drive Approach	<input type="checkbox"/> New with rolled curb <input checked="" type="checkbox"/> Replacement with variable height concrete curb
Sidewalk	<input checked="" type="checkbox"/> New -- meandering 5' wide walk linkage <input type="checkbox"/> Replacement
ADA Access Ramp	<input checked="" type="checkbox"/> New -- at main driveway crossing with truncated domes per ADA regulations <input type="checkbox"/> Replacement
Parkway	<input checked="" type="checkbox"/> Trees <input checked="" type="checkbox"/> Landscaping (with irrigation)
Street Lights	<input checked="" type="checkbox"/> New -- One new street light closer to the main driveway entrance <input type="checkbox"/> Relocation
Sewer Service	<input type="checkbox"/> Main <input checked="" type="checkbox"/> Lateral
All water appurtances are per LVMWD standards	<input checked="" type="checkbox"/> Yes -- per intended commercial use
Storm Drain	<input type="checkbox"/> Remove, repair or realign <input checked="" type="checkbox"/> Inlets and storm drain pipe per approved plans
Traffic Signing and Striping	<input type="checkbox"/> New <input checked="" type="checkbox"/> Modification -- per Traffic Engineer

IMPROVEMENT ITEMS	ROADWAY: AGOURA ROAD
Other Requirements	Install 2" PVC conduit with rope and necessary pull boxes from Ladyface Court to east side of the driveway as shown on the approved grading plans.

- 2.21 The following existing streets being cut for new services may require tee cap of rubberized asphalt concrete overlay: Agoura Road
- 2.22 This property is within the Las Virgenes Municipal Water District (LVMWD) service area. The applicant shall make arrangements with LVMWD for those services and provide the City with proof that all LVMWD fees have been paid.
- 2.23 Other conditions: Slough and/or retaining walls shall be built on private property and are prohibited from being constructed in the public Right-of-way.

C. Sewer

- 2.30 The applicant shall connect to an 8-inch sewer line is available for connection by this project on Agoura Road.
- 2.31 Applicant shall use existing laterals, whenever provided, for connection to the public system.

D. Water

- 2.40 All water facilities shall be designed to comply with all LVMWD requirements. Final plans must be reviewed and approved by LVMWD and the City.

E. Drainage/Hydrology

- 2.50 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.

F. Stormwater (NPDES)

- 2.60 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:

- Sediments generated on the project site shall be retained using adequate Treatment Control or Structural BMPs;
- 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;
- Non-storm water runoff from equipment and vehicle washing and any other activity shall be contained at the project site;
- 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.

2.61 Prior to the approval of the Grading Plan and issuance of Grading Permits, a completed Urban Stormwater Mitigation Plan (USMP) shall be submitted to and approved by, the Engineering Department. The USMP 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.

2.62 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.

2.63 Other Conditions: A Best Management Practice (B.M.P.) Covenant and Deed Restriction shall be prepared and recorded with the Los Angeles

County Recorder's office by the applicant prior to issuance of a Certificate of Occupancy.

69. PRIOR TO CERTIFICATE OF OCCUPANCY

- 3.01 All remaining fees/deposits required by the Engineering Department must be paid in full.
- 3.02 All requirements including construction of improvements covered in Section 2 must be completed to the satisfaction of the City Engineer.
- 3.03 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.*
- 3.04 The applicant shall *record a covenant for continued stormwater maintenance, using City-approved forms*, with the Los Angeles County. An electronic copy of this document is available on the City's website: www.agoura-hills.ca.us.

BUILDING AND SAFETY DEPARTMENT CONDITIONS

Standard Conditions

70. The applicant shall provide a soils report for this project.
71. Per Section 903.2 of Chapter 1, Title VIII of Agoura Hills Municipal Code (AHMC), all new structures are required to be fire sprinklered. Plans for the required fire sprinkler system shall be submitted and approved by the Fire Department prior to the issuance of Building Permits.
72. All exterior materials used for eaves, sidings, porch, patio, carport and other similar structures need to meet the Very High Fire Hazard Severity Zone (VHFHSZ) as outlined in Chapter 2 of Article VIII in the AHMC.
73. Dual pane windows shall be utilized as required for VHFHSZ compliance.
74. As part of the permitting process and prior to permit issuance, two (2) full sets of construction plans including, Structural calculations needs to be submitted to Building and Safety Department for plan review and approval. Please be advised

that this is a preliminary review and does not constitute a final Building and Safety approval.

Special Conditions

75. If using a call box system for pick up and drop off disabled individuals and to access the site as a shuttle service, the applicant shall provide the information on the type of vehicle, the location the vehicle parks for pick up and drop off; flat landing location for this purpose and the business operation hours of this service.
76. All plans that are to be submitted to the Building and Safety Department shall comply with the most recently adopted codes and standards.

PLANNING CONDITIONS

77. On-site decorative paving shall be provided at the driveway entrance serving the site and the walking pathway around the proposed buildings. The color, materials and length of the decorative paving shall be subject to review and approval by the Director of Planning and Community Development prior to the issuance of a grading permit.
78. All transformers, other equipment, and refuse containers shall be screened from view. A plan showing this shall be reviewed and approved by the Director of Planning and Community Development prior to the issuance of a grading permit.
79. All parking stalls shall be pinstriped. A minimum of 51 parking spaces shall be provided for the project per the approved Site Plan.
80. In the event, that revisions to the plans required during the Plan Check process cause substantial changes to the project design as determined by the Director of Planning and Community Development, the project will be subject to additional review and approval by the Planning Commission.
81. No signs for the project and the building are approved with this permit. A sign program may be considered by the Director of Planning and Community Development.
82. A detailed Lighting and Photometric Plan shall be submitted for review and approval by the Director of Planning and Community Development, prior to issuance of a Building Permit.
83. A Conservation Easement required by the Santa Monica Mountain Conservation for the southern portion of the parcel must be secured before the issuance of a grading permit.

END

RESOLUTION NO. 10-1594

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, APPROVING VARIANCE CASE NO. 10-VAR-001

THE CITY COUNCIL OF THE CITY OF AGOURA HILLS DOES HEREBY RESOLVE, FIND, DETERMINE, AND ORDER AS FOLLOWS:

Section I. An application was duly filed by Vinod Gupta with respect with the property located 29760 Agoura Road (A.P.N. 2061-033-015), requesting a recommendation of approval of a Variance Case No. 10-VAR-001 from the Ladyface Mountain Specific Plan Section IV.A.6. to reduce the minimum required front yard from 70 to 60 feet, and the minimum west side yard from 35 to 20 feet. This application for the Variance was considered in conjunction with Conditional Use Permit Case No. 07-CUP-009 and Oak Tree Permit Case No. 07-OTP-012. A public hearing was duly held on May 20, 2010 at 6:30 p.m. in the City Hall Council Chambers, City Hall, 30001 Ladyface Court, Agoura Hills, California on the appeal. Notice of the time, date, place and purpose of the aforesaid hearing was duly given. Evidence, both written and oral, was duly presented to, and considered by, the Planning Commission at the aforesaid public hearing on May 20, 2010. The Planning Commission recommended the City Council approve Variance Case No. 10-VAR-001 on a 5-0 vote per Resolution No. 1009.

Section II. A public hearing was duly held by the City Council on June 23, 2010, at 7:00 p.m. in the City Hall 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. Evidence, both written and oral, was duly presented to, and considered by, the City Council at the aforesaid public hearing on June 23, 2010.

Section III. Evidence, both written and oral, was presented to and was considered by the City Council at the aforesaid public meeting.

Section IV. Pursuant to the Agoura Hills Zoning Ordinance and the Ladyface Mountain Specific Plan, the City Council finds that:

- A. Because of special circumstances applicable to the subject property, including size, shape, topography, location or surroundings, the strict application of the Ladyface Mountain Specific Plan would deprive such property of privileges enjoyed by other property in the vicinity and under identical zoning classification. The parcel is unusually small by comparison to the other parcels in the Specific Plan. The proposed front and side setbacks would comply with the development standards of the BP-OR zone which is a zone intended primarily for office uses.
- B. The granting of the Variance will not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which the subject property is situated. The parcel is the smallest parcel in the Ladyface Mountain Specific Plan and unlike many other parcels in the Specific Plan Area that are natural and ungraded, this property was graded some time ago. The landscaping within the front slope area helps reduce the visual prominence of the building potentially caused by the reduced setback.

- C. The strict interpretation and enforcement of the provisions of the Zoning Ordinance would result in impractical difficulty or unnecessary hardship inconsistent with the objectives of the Zoning Ordinance. The lot is impacted by its size. The Specific Plan requirements were meant for all parcels regardless of their size. The location of the building on this lot will be compatible with neighboring properties and uses.

- D. The granting of the Variance will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements of the aesthetic value in the vicinity. The lot was pre-graded and the project is designed for minimal grading work, and the preservation of the oak tree resources to the extent possible. The location of the building will not negatively impact light and air of the adjacent parcels as the buildings would be separated by 40 feet. The buildings will be constructed per City Building Code standards and the City Geotechnical Consultant's recommendations.

- E. The granting of the Variance will be consistent with the character of the surrounding area. By screening most of the parking from street views, with a terraced, two-story building and the project remains compatible with the development style in the area. The proposed front yard setback of 60 feet is greater than the setback of the existing building to the west which is setback 33.4 feet from the front property line. Also, the project proposes to setback the second floor an additional 55 feet from the front building wall thereby reducing the vertical mass as viewed from the front. In regard to the side yard setback, the offset second floor results in the first 55 feet with a one story element, thereby reducing the visual impact of the requested site yard reduction as seen from the street.

Section V. In accordance with the California Environmental Quality Act, the City has prepared a Mitigated Negative Declaration for this project. Based upon the findings, public comments and the record before the City Council, the City Council finds the Mitigated Negative Declaration does not worsen the potentially significant environmental effects for which feasible mitigation measures have been identified which will avoid or substantially lessen such effects. The City Council has reviewed the information contained in the Mitigated Negative Declaration in considering the application and finds that it was prepared pursuant to the California Environmental Quality Act. The City Council hereby adopts the Mitigated Negative Declaration and the Mitigation Monitoring Program.

Section V. Based on the aforementioned findings, the City Council hereby approves Variance Case No. 10-VAR-001, with respect to the property described in Section I hereof, subject to the attached Conditions.

PASSED, APPROVED, and ADOPTED this _____, by the following vote to wit:

AYES: (0)
NOES: (0)
ABSTAIN: (0)
ABSENT: (0)

William D. Koehler, Mayor

ATTEST:

Kimberly M. Rodrigues, City Clerk

CONDITIONS OF APPROVAL (Case No. 10-VAR-001)

STANDARD CONDITIONS

1. 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 this Permit with the Department of Planning and Community Development.
2. Except as modified herein, the approval of this action is limited to and requires complete conformation to the approved labeled exhibits (Site Plan; Elevation Plans; Floor Plans, Roof Plan, and Grading Plan).
3. 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.
4. 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.
5. Unless the approval is used within two (2) years from the date of City approval, Case No. 10-VAR-001 will expire. A written request for a one (1) year extension may be considered prior to the expiration date.
6. The Variance Case No. 10-VAR-001 is valid only in conjunction with the Ladyface Mountain Specific Plan Amendment, Case No. 07-SPA-001, Conditional Use Permit, Case No. 07-CUP-009, and Oak Tree Permit, Case No. 07-OTP-012 and the approved Conditions of approval therein.

END



**OFFICE DEVELOPMENT
FOR THE PROPERTY LOCATED
AT 29760 AGOURA ROAD,
AGOURA HILLS**

**Specific Plan Amendment Case No. 07-SPA-001,
Conditional Use Permit Case No. 07-CUP-009,
Oak Tree Permit Case No. 07-OTP-012 and
Variance Case No. 10-VAR-001**

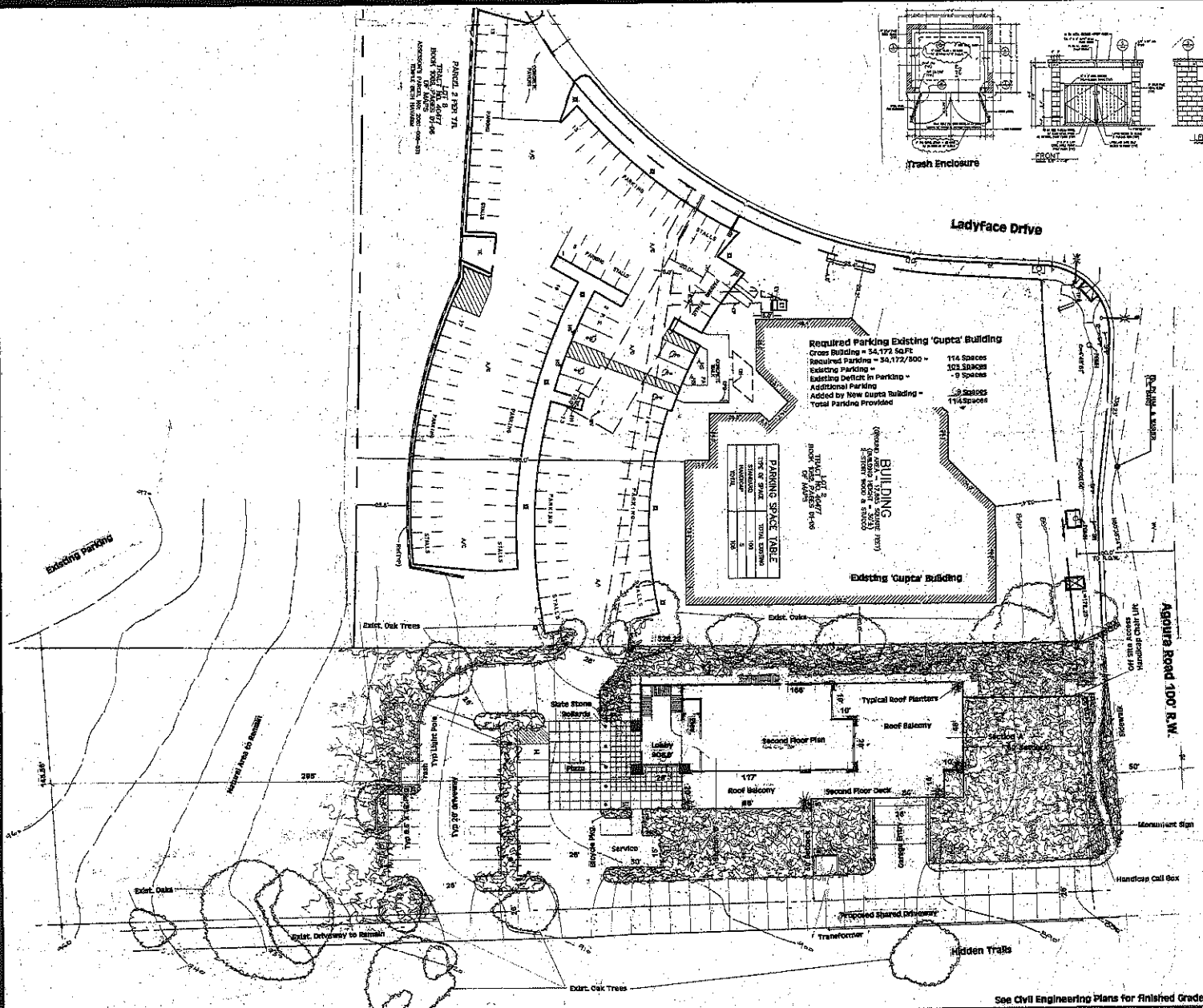
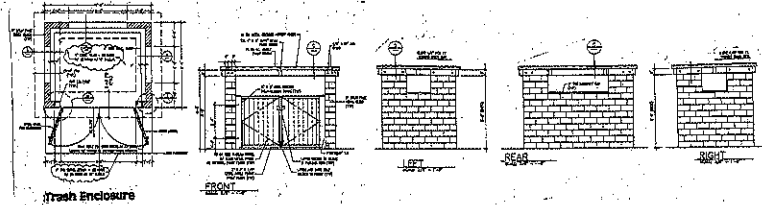
**Rendering
and
Reduced Copies of Project Plans**



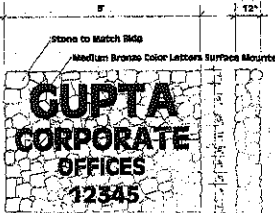
RENDERINGS AND ANIMATIONS
805.494.0163

Gupta Corporate Center

Neal Scribner Architectur
Neal @NScribner.com



Required Parking Existing 'Gupta' Building
 Gross Building = 54,172 Sq.Ft.
 Required Parking = 34,172/800 = 42.715
 Existing Parking = 114 Spaces
 Existing Deficit in Parking = 9 Spaces
 Additional Parking Added by New Gupta Building = 9 Spaces
 Total Parking Provided = 123 Spaces

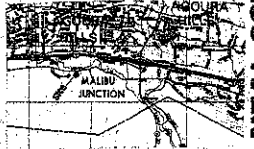


MOUND SIGN 1/2"=1'-0"

SITE PLAN 1"=20' NORTH

LEGEND
 Two Story Office Building
 Planning No. 07-CUP-008/07-OTD-012/07-SPA-001
 Zoning - SPOC
 APN # 2061-035-015
 Site Area = 21,874 sq.Ft. @ .468 ac.
 Gross Floor Area = 12,700 sq.Ft.
 Building Coverage = 6,700 sq.Ft. or 30.6%
 Landscape Coverage = 41,424 or 19.2%
 Parking Coverage = 17,710 sq.Ft. or 80.7%
 Parking Required = 42 Spaces
 Parking Shown = 42 Spaces + 9 to bring Electric Cables into City Code

VICINITY MAP

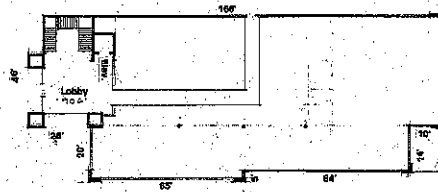


NEAL SCRIBNER A.I.A. ARCHITECTURE

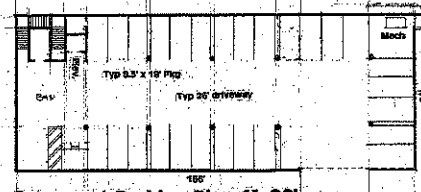
APPLICANT
 Dr. Vinod K. Gupta (818)679-0111x16
 31228 La Brea Dr.
 Westlake Village, CA 91362

This is not a Medical Office Building

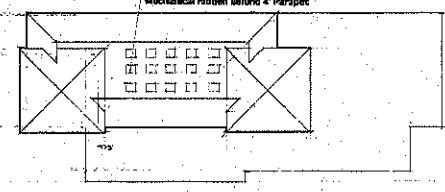
NEAL SCRIBNER A.I.A. ARCHITECTURE
Gupta Corporate Offices



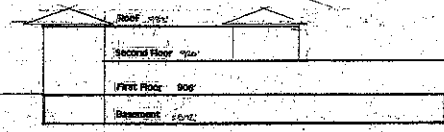
First Floor Plan 1"=20'



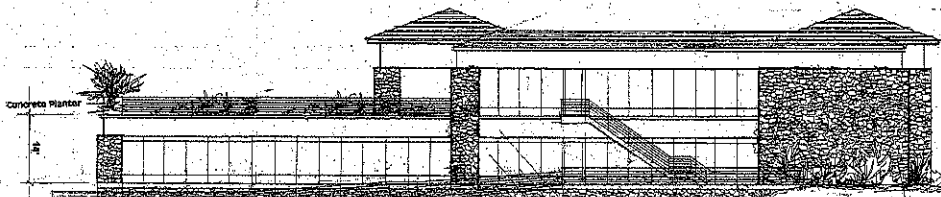
Basement Parking Plan 1"=20'



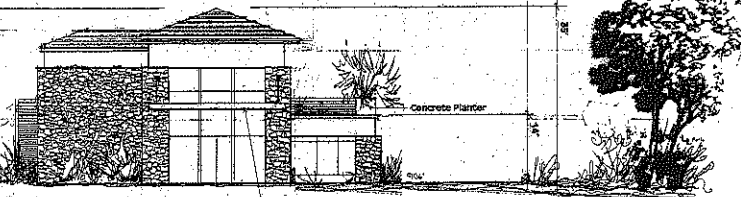
Roof Plan 1"=20'



Section 1"=20'



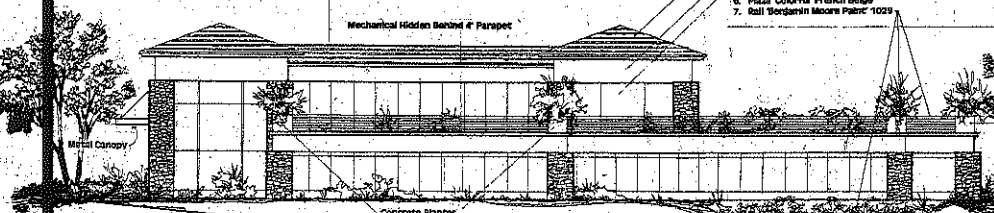
West 1"=10'



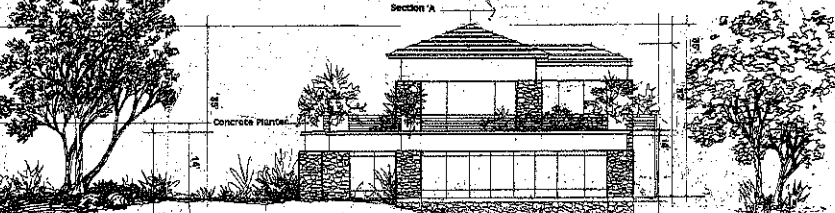
South 1"=10'

Color and Materials:

1. Roof 'The Eagle' 4249 Blend
2. 'Cultured Stone' Villa de Largo Dressed Fieldstone
3. Stucco 'Benjamin Moore Paint' 1027
4. Stucco 'Benjamin Moore Paint' 100
5. Glass 'Evergreen'
6. Pizza 'Colorful French Selva'
7. Cell 'Benjamin Moore Paint' 1029



East 1"=10'



North 1"=10'

NEAL SCRIBNER A.I.A.
ARCHITECTURE

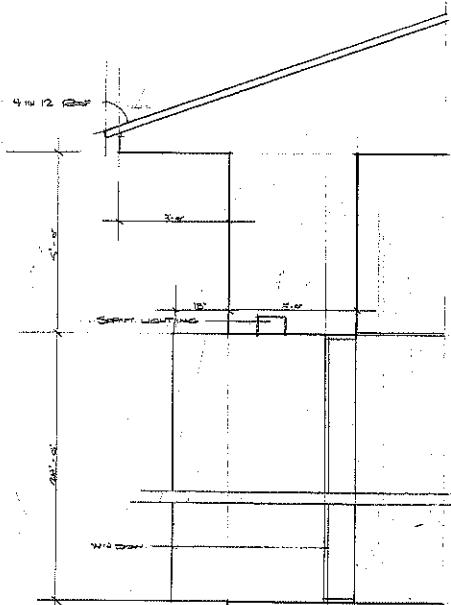
10000 Wilshire Blvd., Suite 1000, Los Angeles, CA 90024

NEAL SCRIBNER A.I.A.
ARCHITECTURE

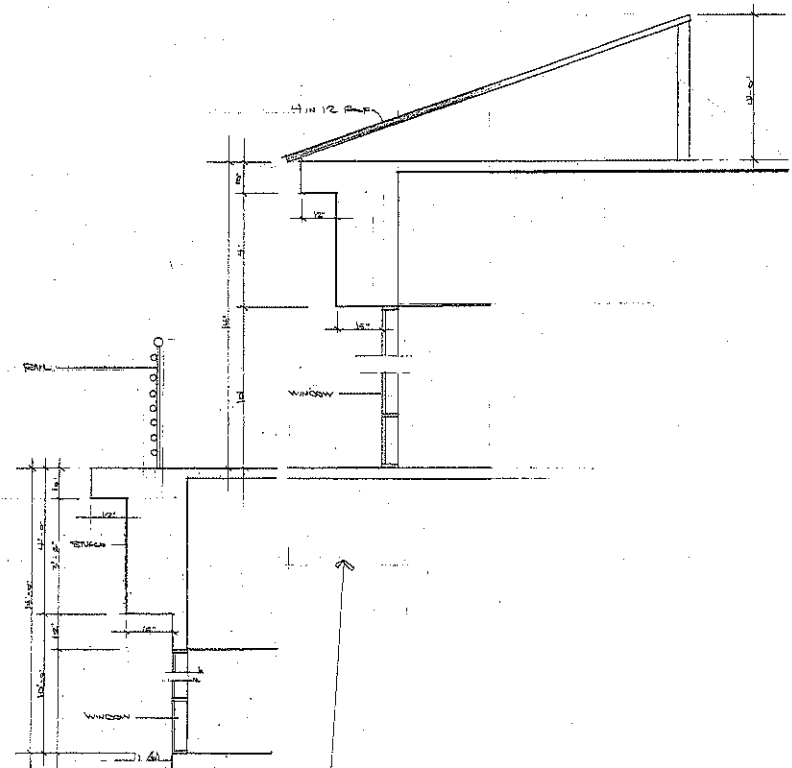
10000 Wilshire Blvd., Suite 1000, Los Angeles, CA 90024

2 Gupta Corporate Offices

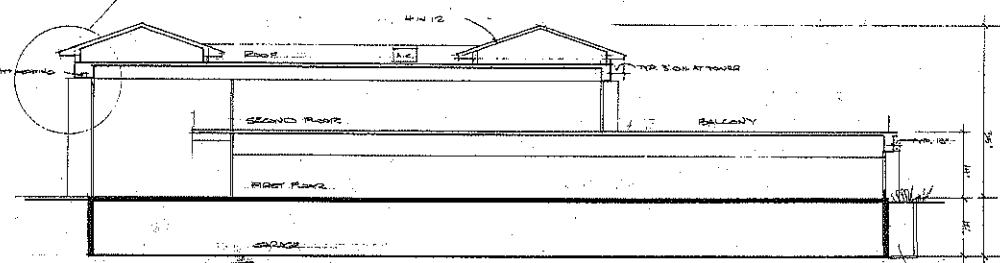
BUILDING ELEVATIONS 1"=10'



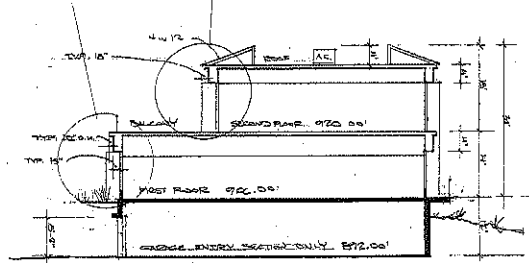
Section 3/4"-1'-0"



Section 3/4"-1'-0"



Section 'A' 1"-10'



Section 'B' 1"-10'

NEAL SCRIBNER A.I.A.
ARCHITECTURE

NEAL SCRIBNER A.I.A.
ARCHITECTURE

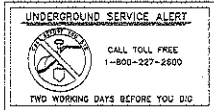
Gupta Corporate Offices

GRADING NOTES

- ALL GRADING SHALL BE IN ACCORDANCE WITH ARTICLE 8 OF THE AGOURA HILLS MUNICIPAL CODE.
- A PIPE CONSTRUCTION CONFORMANCE OF ALL INTERESTED PARTIES SHALL BE HELD PRIOR TO ANY CONSTRUCTION. THIS SHALL INCLUDE ALL APPROPRIATE CITY STAFF.
- ALL EXPORT MATERIAL SHALL BE DELIVERED TO A SITE APPROVED BY THE CITY.
- ALL GEOLOGICAL AND SOIL RECOMMENDATIONS IMPOSED BY THE CONSULTANT OR CONTAINED IN THE CONSULTANT SOILS AND GEOLOGIC REPORT ARE TO BE COMPLIED WITH AND ARE HEREBY MADE AN INTEGRAL PART OF THE GRADING SPECIFICATIONS AND NOTES.
- ANY CHANGES IN THE WORK HEREOF SHALL BE SUBJECT TO THE APPROVAL OF THE CITY ENGINEER.
- THE PERMITTEE SHALL EMPLOY A REGISTERED CIVIL ENGINEER TO PROVIDE CONSTANT ON-SITE GRADING SUPERVISION TO ACHIEVE COMPLIANCE WITH THE APPROVED PLANS AND A SOILS ENGINEER TO PROVIDE CONSTANT SOIL INSPECTION IN ACCORDANCE WITH THE AGOURA HILLS MUNICIPAL CODE.
- REPORTS REQUIRED:
 - ROUGH GRADING REPORT. PRIOR TO THE CONSTRUCTION OF ANY STRUCTURE, A ROUGH GRADING REPORT MUST BE SUBMITTED TO THE BUILDING OFFICIAL, STATING THAT ALL ROUGH GRADING HAS BEEN COMPLETED PER THE APPROVED GRADING PLANS.
 - FINAL GRADING REPORT. PRIOR TO THE FINALIZATION OF ANY GRADING PROJECT, A FINAL GRADING REPORT MUST BE SUBMITTED TO THE BUILDING OFFICIAL FOR APPROVAL. THE REPORT SHALL BE BY THE ENGINEER OF RECORD, STATING THAT ALL GRADINGS, LOT DRAINAGE AND DRAINAGE FACILITIES HAVE BEEN COMPLETED, AND THE SLOPE PLANTING AND DRAINAGE SYSTEMS HAVE BEEN INSTALLED IN COMPLIANCE WITH THE APPROVED PLANS AND REQUIREMENTS OF THE CITY OF AGOURA HILLS.
 - AN AS-BUILT SOILS REPORT SHALL BE SUBMITTED TO THE CITY FOR REVIEW. THIS REPORT, PREPARED BY THE GEOTECHNICAL CONSULTANT, MUST INCLUDE DOCUMENTATION OF ANY FOUNDATION INSPECTIONS, THE RESULTS OF ALL COMPACTION TESTS, AS WELL AS A MAP DEPICTING THE LIMITS OF FILL, LOCATIONS OF ALL DENSITY TESTS, OUTLINE AND ELEVATIONS OF ALL REMOVAL BOTTOMS, KEYWAY LOCATIONS AND BOTTOM ELEVATIONS, LOCATIONS OF ALL SUBDRAINAGE AND FLOWLINE ELEVATIONS, AND LOCATION AND ELEVATION OF ALL RETAINING WALL, BACKDRAINS AND OUTLETS. GEOLOGIC CONDITIONS EXPOSED DURING GRADING MUST BE DEPICTED ON AN AS-BUILT GEOLOGIC MAP.
 - TESTS SHALL BE PERFORMED PRIOR TO POURING FOOTINGS AND SLABS TO DETERMINE THE EXPANSION INDEX OF THE SUPPORTING SOILS. IF THE EXPANSION INDEX IS GREATER THAN 1%, FOUNDATION AND SLAB PLANS SHOULD BE REVISED ACCORDINGLY.
 - EXCAVATIONS SHALL BE MADE IN COMPLIANCE WITH CALIFORNIA REGULATIONS.
 - A COPY OF THE GRADING PERMIT AND GRADING PLANS SHALL BE AVAILABLE ON-SITE AT ALL TIMES.
 - ALL CONSTRUCTION ACTIVITY SHALL BE CONFINED TO THE HOURS OF 7:00 AM TO 7:00 PM, MONDAY THROUGH FRIDAY, UNLESS OTHERWISE APPROVED BY THE CITY ENGINEER. NO CONSTRUCTION SHALL BE PERMITTED ON GOVERNMENT OBSERVED HOLIDAYS.

PUBLIC UTILITIES / SERVICES

- WATER: LAS VIRGENES MUNICIPAL WATER DISTRICT
4221 LAS VIRGENES ROAD
CALABAS, CA 91302
(818) 885-4910
- ELECTRICAL: SOUTHERN CALIFORNIA EDISON
3800 FOOTHILL DRIVE
THOUSAND OAKS, CA 91321
(805) 494-7910
- TELEPHONE: SBC (PAC BELL)
1620 WARNER STREET, #118
VAN NUYS, CA 91406
(818) 373-6885
- GAS: SOUTHERN CALIFORNIA GAS
8400 GARFIELD AVENUE
CHATSWORTH, CA 91313
(818) 791-3224
- SEWER: LA COUNTY, DEPT. OF PUBLIC WORKS
SEWER MAINTENANCE DIVISION
1000 S. FARMHOUT AVENUE, BLDG. 40 EAST
ALHAMBRA, CA 91803
(626) 306-3436
- CABLE: TIME WARNER CABLE
721 MAULHARDT AVENUE
OXNARD, CA. 93030
- CABLE: CHARTER COMMUNICATIONS
3065 CROSSCREEK ROAD
MILLBURN, CA 95836
(916) 486-8016
- CALTRANS: CALTRANS
880 HEREDIA BOULEVARD
TARCANA, CA 91366
(818) 388-1428



SPECIAL NOTES:

- This Grading Plan includes the limits and depths of over excavation of the building pad and flatwork areas as recommended by the Consultant.
- Tests shall be performed prior to pouring footings and slabs to determine the expansion index of the supporting soils, and foundation and slab plans should be reviewed by the Geotechnical Consultant and revised, if necessary, accordingly.
- Excavations shall be made in compliance with CALIFORNIA Regulations.
- Drainage plans depicting all surface and subsurface non-erect drainage devices, flow lines, and catch basins shall be included on the building plans.
- Final grading, drainage, and foundation plans shall be reviewed, signed, and wet stamped by the consultant.
- An As-Built report shall be submitted to the City for review. This report prepared by the Geotechnical Consultant must include the results of all compaction tests as well as a map depicting the limits of fill, locations of all density tests, outline and elevations of all removal bottoms, keyway locations and bottom elevations, locations of all sub-drains and flow line elevations, and location and elevation of all retaining wall back-drains and outlets. Geologic conditions exposed during grading must be depicted on an As-Built Geologic Map.

ENGINEER'S DISCLOSURE:

- This firm does not practice or consult in the field of safety engineering. We do not direct the contractor's operations, and we are not responsible for other than our personnel on the site. Therefore the safety of others is the responsibility of the contractor. The contractor should notify the owner if he considers any of the recommended actions presented herein to be unsafe.
- The engineer shall not have control over or charge of and shall not be responsible for construction means, methods, sequences, procedures or for safety precautions and programs in connection with the work, since these are solely the contractor's responsibility under the contract for construction. The engineer shall not be responsible for the contractor's schedules or failure to carry out the work in accordance with the contractor's documents. The engineer shall not have control over or charge of acts or omissions of the contractor, subcontractor or their agents or employees, or any of the persons performing portions of the work.

INSPECTION NOTES

THE PERMITTEE OR HIS AGENT SHALL NOTIFY THE BUILDING AND SAFETY DEPARTMENT AT LEAST TWO WORKING DAYS IN ADVANCE OF REQUIRED INSPECTIONS.

ABBREVIATIONS

- | | |
|------------------------|---------------------------|
| AC - ASPHALT CONCRETE | NG - NATURAL GROUND |
| BF - BOTTOM OF FOOTING | NTS - NOT TO SCALE |
| CB - CATCH BASIN | PL - PROPERTY LINE |
| CF - CURB FACE | PBS - POINT OF BEGINNING |
| E - CENTERLINE | SMH - STORM DRAIN MANHOLE |
| CLF - CHAIN LINK FENCE | SMH - SEWER MANHOLE |
| CO - CLEAN OUT | SS - SANITARY SEWER |
| DB - DEBRIS BASIN | TB - TOP OF BERM |
| DL - DAYLIGHT | TB - TOP OF CURB |
| EQ - EDGE OF CUTTER | TF - TOP OF FOOTING |
| EP - EDGE OF PAVEMENT | TG - TOP OF GRATE |
| FF - FINISHED FLOOR | TT - TOP OF WALL |
| FG - FINISHED GRADE | TTP - TYPICAL |
| FH - FIRE HYDRANT | WW - WATER WETER |
| FL - FLOWLINE | WV - WATER VALVE |
| FS - FINISH SURFACE | |
| HOBSP - HANDICAP RAMP | |
| HP - HIGH POINT | |
| INV - INVERT | |

LEGEND AND SYMBOLS

- | | |
|---------------------------|--------|
| PROJECT BOUNDARY | 1100 |
| EXISTING GRADE CONTOUR | 1100 |
| PROPOSED GRADE CONTOUR | X 1100 |
| SPOT ELEVATION | |
| PROPOSED SLOPE PER PLAN | |
| RETAINING WALL | |
| DAYLIGHT CUT/FILL LINE | |
| DIRECTION OF FLOW (SLOPE) | |
| CONSTRUCTION NOTE NUMBER | |

STORMWATER POLLUTION NOTES

- APPLICANT IS RESPONSIBLE FOR SUBMITTING A SITE-SPECIFIC "STORM WATER POLLUTION PREVENTION PLAN" (SWPPP) AS OUTLINED BY THE MODEL PROGRAM FOR STORMWATER MANAGEMENT WITHIN THE COUNTY OF LOS ANGELES. THE SWPPP SHALL BE SIGNED AND STAMPED BY A STATE-LICENSED CIVIL ENGINEER. THE SWPPP SHALL OUTLINE "BEST MANAGEMENT PRACTICES" (BMP) PROCEDURES TO BE USED IN ORDER TO PREVENT THE TRANSPORT OF ON-SITE POLLUTANTS TO OFF-SITE LOCATIONS DURING AND AFTER CONSTRUCTION.
- A SITE-SPECIFIC "WET-WEATHER EROSION CONTROL PLAN" SHALL BE PREPARED IN CONJUNCTION WITH THE SWPPP, AND SHALL DISCLOSE BMPs TO BE USED DURING CONSTRUCTION IN THE RAINY SEASON AND DEPICT THEIR LOCATIONS RELATIVE TO THE SITE. THE PLAN MUST BE AVAILABLE ON-SITE BY OCTOBER 1ST, AND IMPLEMENTED FROM OCTOBER 1ST THROUGH APRIL 15TH.
- IT IS THE PROPERTY OWNER'S RESPONSIBILITY TO MAINTAIN ALL ON-SITE DRAINAGE STRUCTURES UNLESS OTHERWISE APPROVED BY THE CITY. CATCH BASIN FILTER INSETS SHALL BE CLEANED OUT A MINIMUM OF TWICE PER YEAR, ONCE BEFORE THE RAINY SEASON, AND AGAIN AFTER THE RAINY SEASON, UNLESS OTHERWISE DIRECTED BY THE CITY ENGINEER.

OAK TREE NOTES

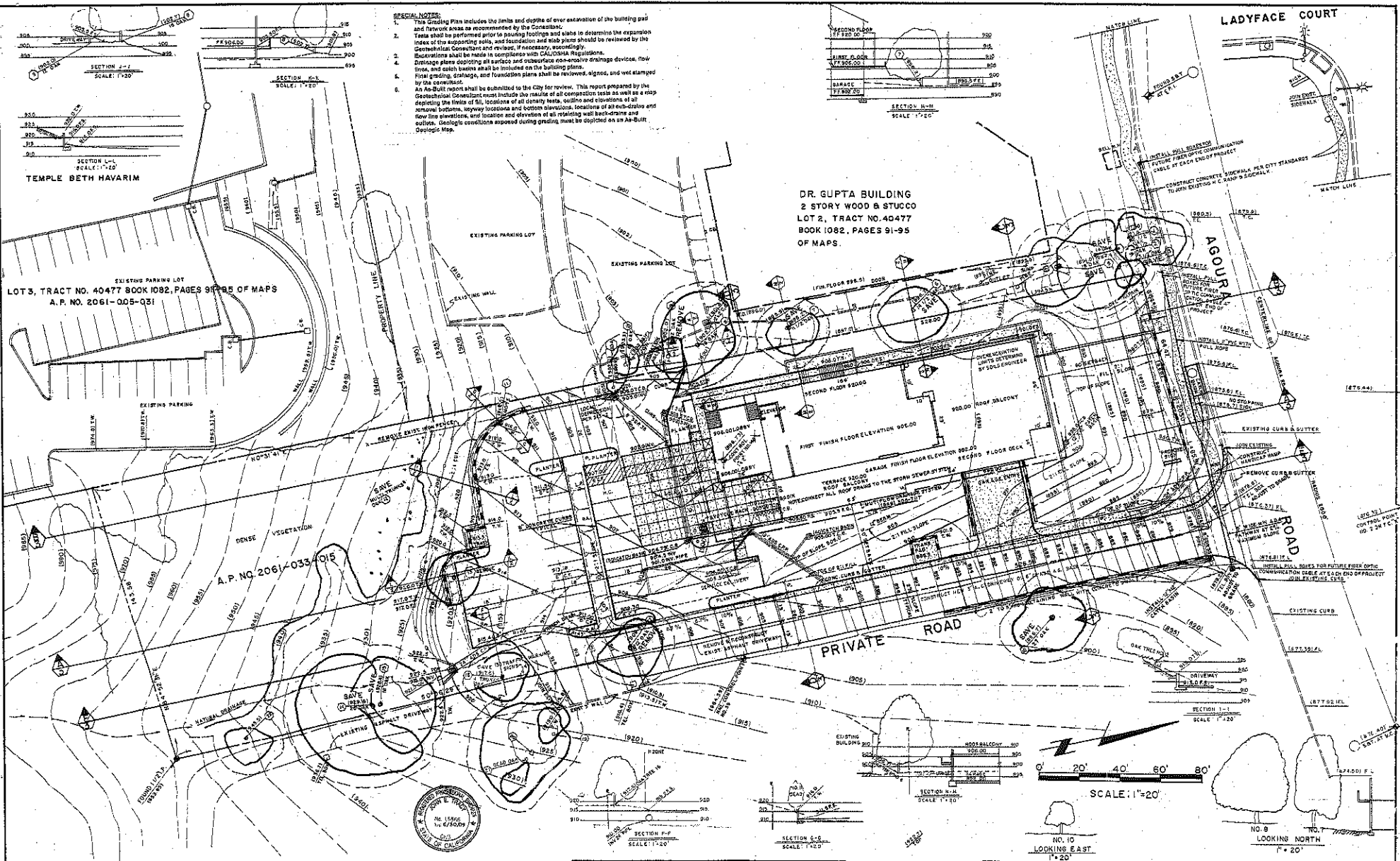
- APPLICANT MUST CONTACT CITY OAK TREE CONSULTANT, (818) 997-7850, TO OBTAIN PROJECT SPECIFIC OAK TREE NOTES.

LEGAL DESCRIPTION

PARCEL 1 ON PARCEL MAP NO. 761 IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 18, PAGE 96 OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

<p>INDEX OF DRAWINGS</p> <table border="1"> <tr><th>SHEET NO.</th><th>DESCRIPTION</th></tr> <tr><td>1</td><td>COVER SHEET</td></tr> <tr><td>2</td><td>GRADING PLAN</td></tr> <tr><td>3</td><td>SECTIONS</td></tr> <tr><td>4</td><td>DRAINAGE PLAN</td></tr> <tr><td>5</td><td>DRAINAGE DETAILS</td></tr> </table>		SHEET NO.	DESCRIPTION	1	COVER SHEET	2	GRADING PLAN	3	SECTIONS	4	DRAINAGE PLAN	5	DRAINAGE DETAILS	<p>OWNER NAME: Dr. Vinod K. Gupta CR Operation Co. ADDRESS: 2950 Agoura Rd. Ste. 105, AH, CA 91301 REPRESENTATIVE: Dr. Vinod K. Gupta TELEPHONE: (818) 878-0111 Ext. 16</p> <p>CIVIL ENGINEER NAME: CVE Engineering, Inc. ADDRESS: P.O. Box 7206, Thousand Oaks, CA 91320 REPRESENTATIVE: Frank R. Lussier, Sr. TELEPHONE: (805) 496-2282</p> <p>GEOTECHNICAL ENGINEER NAME: Gorlan & Associates ADDRESS: 3595 Old Conejo Rd., Thousand Oaks, CA 91320 REPRESENTATIVE: Jerome Blunk, P.E. TELEPHONE: (805) 375-8262</p>
SHEET NO.	DESCRIPTION													
1	COVER SHEET													
2	GRADING PLAN													
3	SECTIONS													
4	DRAINAGE PLAN													
5	DRAINAGE DETAILS													
<p>ESTIMATED EARTHWORK QUANTITIES</p> <table border="1"> <tr><td>ESTIMATED CUT:</td><td>1800 CY</td><td>ESTIMATED EXPORT:</td><td>0 CY</td></tr> <tr><td>ESTIMATED FILL:</td><td>1800 CY</td><td>ESTIMATED IMPORT:</td><td>0 CY</td></tr> <tr><td>ESTIMATED OVER-EXCAVATION:</td><td>750 CY</td><td></td><td></td></tr> </table>		ESTIMATED CUT:	1800 CY	ESTIMATED EXPORT:	0 CY	ESTIMATED FILL:	1800 CY	ESTIMATED IMPORT:	0 CY	ESTIMATED OVER-EXCAVATION:	750 CY			
ESTIMATED CUT:	1800 CY	ESTIMATED EXPORT:	0 CY											
ESTIMATED FILL:	1800 CY	ESTIMATED IMPORT:	0 CY											
ESTIMATED OVER-EXCAVATION:	750 CY													
<p>BENCHMARK:</p> <p>DESCRIPTION: BM NO. 3 BT AT E.S.C. ELEVATION: 878.40 SURVEY DATE: 10/20/07</p>		<p>VICINITY MAP</p>												
<p>RECORD DRAWING STATEMENT</p> <p>I, JOHN TRACY, HEREBY CERTIFY, BASED ON MY FIELD OBSERVATION AND INFORMATION PROVIDED BY THE OWNER AND GENERAL CONTRACTOR, THAT THE WORK ON SHEET NOS. 1 THROUGH 5, MARKED AS "RECORD DRAWING" HAS BEEN CONSTRUCTED IN SUBSTANTIAL COMPLIANCE WITH THESE PLANS, SPECIFICATIONS, REVISIONS, CHANGE ORDERS, AND FIELD CHANGES.</p> <table border="1"> <tr><td>REGISTERED CIVIL ENGINEER</td><td>DATE</td><td>ISSUE NO.</td><td>8/30/09</td></tr> <tr><td></td><td></td><td>RCE NO.</td><td>EXP. DATE</td></tr> </table>			REGISTERED CIVIL ENGINEER	DATE	ISSUE NO.	8/30/09			RCE NO.	EXP. DATE				
REGISTERED CIVIL ENGINEER	DATE	ISSUE NO.	8/30/09											
		RCE NO.	EXP. DATE											
<p>SOILS APPROVAL</p> <p>THIS PLAN HAS BEEN REVIEWED, AND IS IN COMPLIANCE WITH THE RECOMMENDATIONS IN OUR REPORT(S) DATED _____</p> <table border="1"> <tr><td>REGISTERED GEOLOGIST</td><td>DATE</td><td>NOTE NO.</td><td>EXP. DATE</td></tr> <tr><td>REGISTERED GEOTECHNICAL ENGINEER</td><td>DATE</td><td>NOTE NO.</td><td>EXP. DATE</td></tr> </table>		REGISTERED GEOLOGIST	DATE	NOTE NO.	EXP. DATE	REGISTERED GEOTECHNICAL ENGINEER	DATE	NOTE NO.	EXP. DATE					
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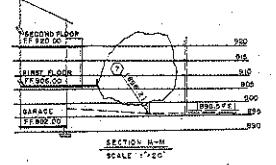
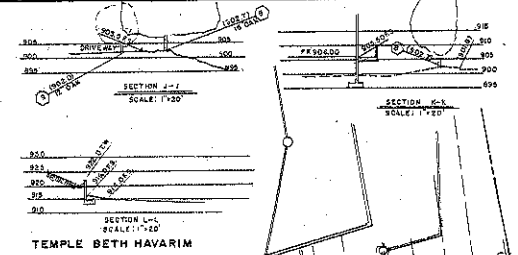
<p>PREPARED BY: CVE ENGINEERING INC. P.O. BOX 7206 THOUSAND OAKS CA 91320 10/15/07</p>		<p>CITY OF AGOURA HILLS APPROVAL</p>		<p>CITY OF AGOURA HILLS</p>		<p>FOR A TWO STORY OFFICE BUILDING ON APN NO. 2061-033-015 A PROFESSIONAL BUILDING FOR DR. GUPTA COVER SHEET</p>	
REV	SYMBOL	DESCRIPTION OF CHANGE	RCE	DATE	DATE	RCE NO.	EXP. DATE



SPECIAL NOTES:

- This Grading Plan includes the limits and depths of every excavation of the building pad and network areas as recommended by the Consultant.
- Tests shall be performed prior to pouring footings and slabs to determine the expansion loads of the supporting soils, and foundation and slab plans should be reviewed by the Geotechnical Consultant and revised, if necessary, accordingly.
- Excavations shall be made in compliance with CALIFORNIA Regulations.
- Drainage plans depicting all surface and subsurface non-erosive drainage devices, flow lines, and catch basins shall be included on the building plans.
- Final grading, drainage, and foundation plans shall be reviewed, signed, and wet stamped by the consultant.
- An As-Built report shall be submitted to the City for review. This report prepared by the Geotechnical Consultant must include the results of all compression tests as well as a step removal bottom, view of locations and bottom elevations, locations of all sub-drains and flow line elevations, and location and elevation of all retaining wall back-drains and outlets. Geologic conditions exposed during grading must be depicted on an As-Built Geologic Map.

DR. GUPTA BUILDING
2 STORY WOOD & STUCCO
LOT 2, TRACT NO. 40477
BOOK 1082, PAGES 91-95
OF MAPS.



EXISTING PARKING LOT
LOT 3, TRACT NO. 40477 BOOK 1082, PAGES 91-95 OF MAPS
A.P. NO. 2061-005-031

A.P. NO. 2061-033-015

PRIVATE ROAD

LADYFACE COURT

AGOUR ROAD

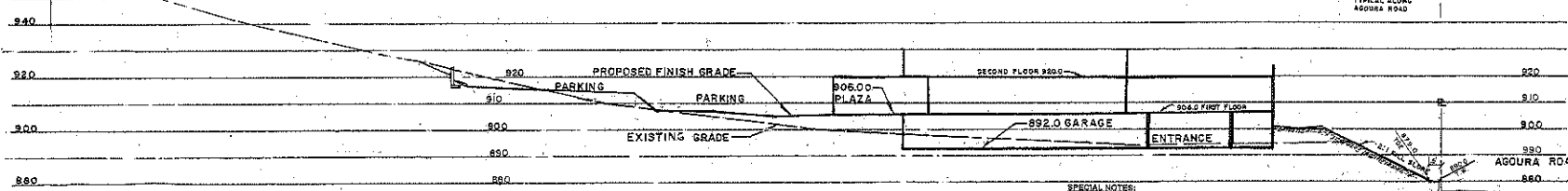
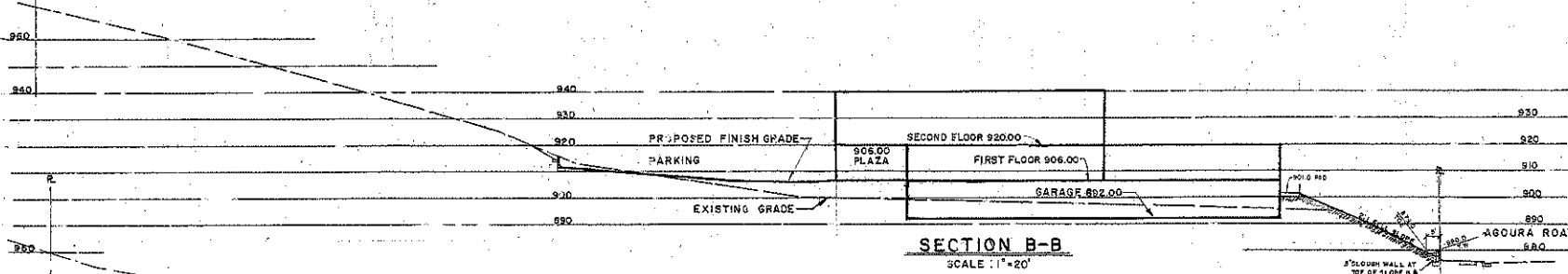
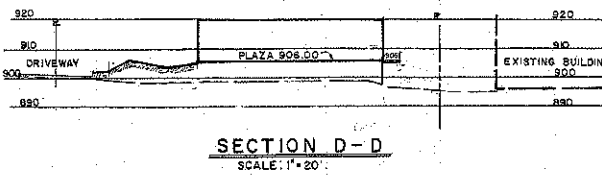
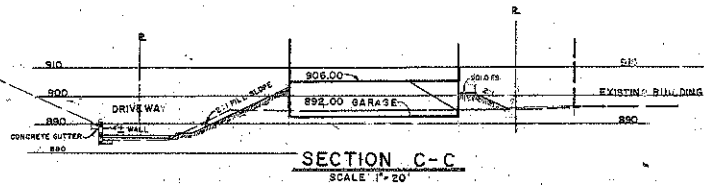
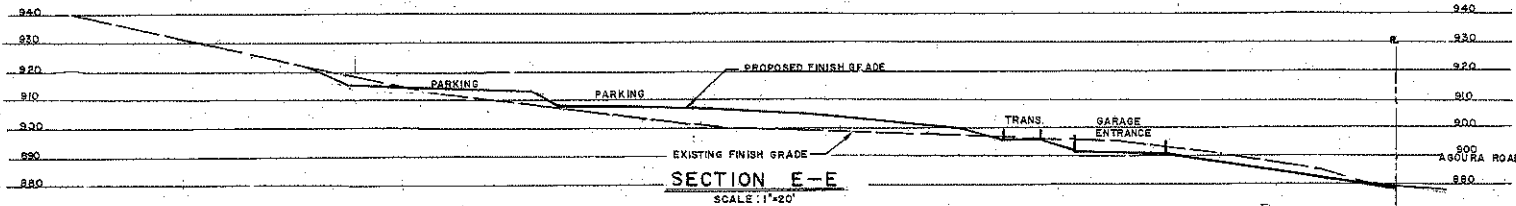
ROAD

SCALE: 1"=20'

NO. 10
LOOKING EAST

NO. 9
LOOKING NORTH

PREPARED BY: CVE ENGINEERING INC. W.O. 3128 P.O. BOX 7208 THOUSAND OAKS CA 91320 W.O. 3128 PROJECT ENGINEER: <i>John E. Tracy</i> 10/15/17 PROJECT ENGINEER: JOHN E. TRACY RCE 15566				CITY OF AGOURA HILLS APPROVAL RAMIRO S. ADEVA II CITY ENGINEER				CITY OF AGOURA HILLS FOR A TWO STORY OFFICE BUILDING ON APN NO. 2061-033-015 A PROFESSIONAL BUILDING FOR DR. GUPTA GRADING PLAN AGOURA HILLS, CALIFORNIA PROJECT NO. 17-CVE-008			
REV	SYMBOL	DESCRIPTION OF CHANGE	RCE	DATE	REVIEWED BY	DATE	NO. ENC.	EXP. DATE	SHEET 2 OF		



- SPECIAL NOTES:**
1. This Grading Plan includes the limits and depths of over excavation of the building pad and flatwork areas as recommended by the Consultant.
 2. Tests shall be performed prior to grading footings and slabs to determine the expansion index of the supporting soils, and foundation and slab plans should be reviewed by the Geotechnical Consultant and revised, if necessary, accordingly. Excavations shall be made in compliance with CALGCSMA Regulations.
 3. Final grading, drainage, and foundation plans shall be reviewed, signed, and wet stamped by the consultant.
 4. An As-Built report shall be submitted to the City for review. This report prepared by the Geotechnical Consultant must include the results of all compaction tests as well as a map depicting the limits of fill, locations of all density tests, outline and elevations of all removal bottoms, keyway locations and bottom elevations, locations of all sub-drains and flow line elevations, and location and elevation of all retaining wall back-drains and outlets. Geologic conditions exposed during grading must be depicted on an As-Built Geologic Map.



PREPARED BY:
JVE ENGINEERING INC.
 P.O. BOX 7208 THOUSAND OAKS CA 91320
 W.O. 5128
 PROJECT SIGNATURE: *John E. Tracy*
 DATE: 10/14/17
JOHN E. TRACY RCE15566

CITY OF AGOURA HILLS APPROVAL

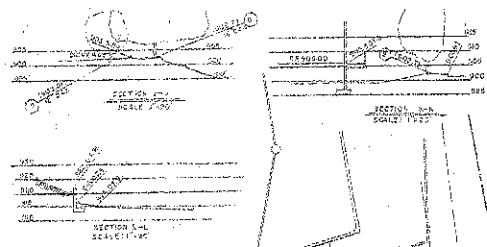
REVIEWED BY: _____ DATE: _____

RAMIRO S. ADEVA III
 CITY ENGINEER
 DATE: _____



FOR A TWO STORY OFFICE BUILDING ON APN NO. 2861-033-015
A PROFESSIONAL BUILDING FOR DR. GUPTA
SECTIONS
 AGOURA HILLS, CALIFORNIA
 PROJECT NO. 07-CJ/P-592
 SHEET 3 OF 3

REV	SYMBOL	DESCRIPTION OF CHANGE	RCB	DATE

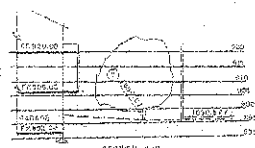


SPECIAL NOTES:

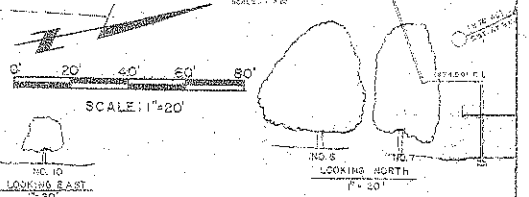
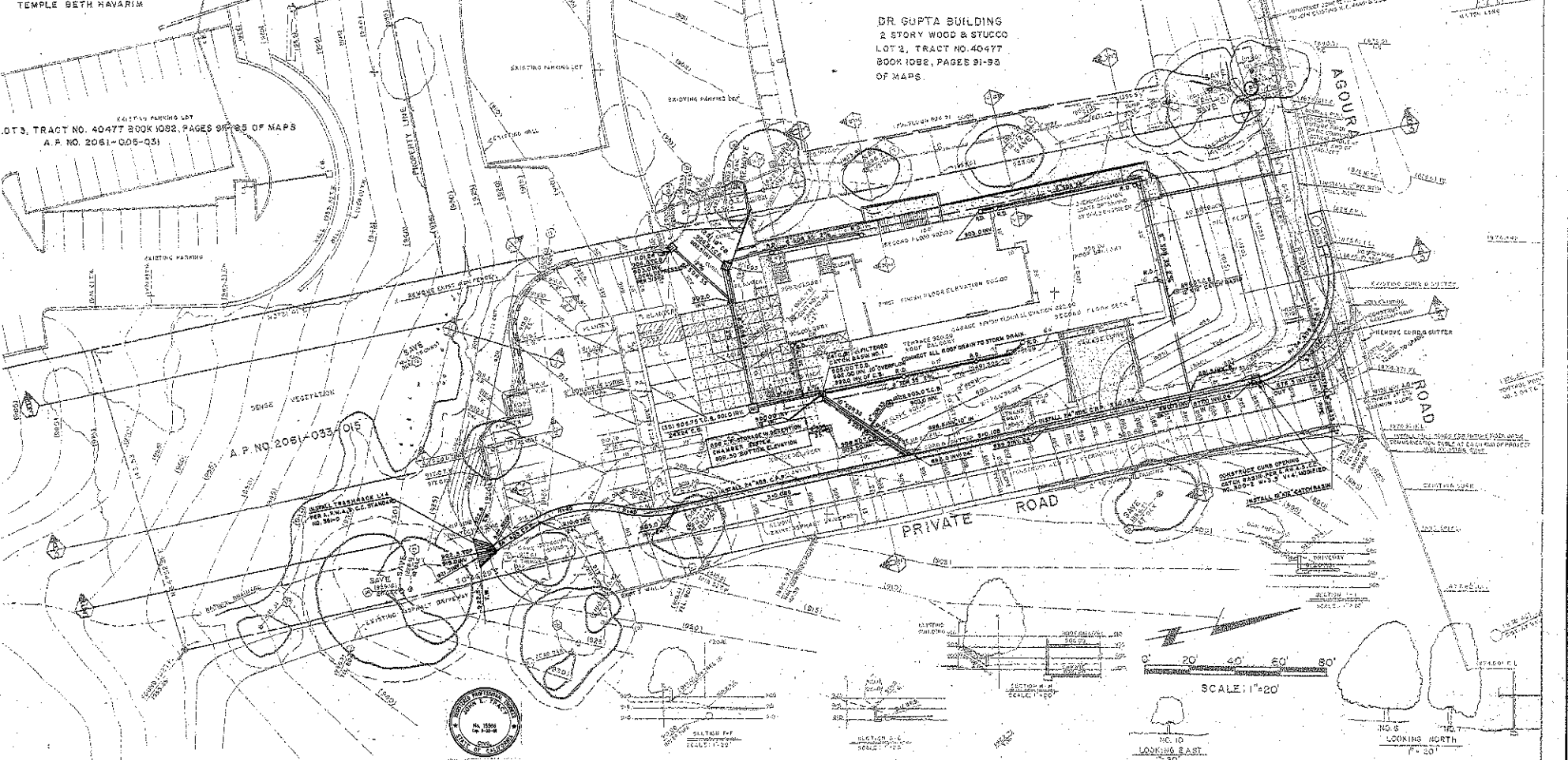
- The Grading Plan includes the limits and grades of cover excavation of the building pad and basement areas as recommended by the Geotechnical.
- Tests shall be performed prior to existing landscape and utilities to determine the expansion index of the supporting soils and foundations and soil shall be reviewed by the Geotechnical Consultant and reviewed, if necessary, accordingly.
- Excavations shall be made in accordance with CALIFORNIA Regulations.
- The final plan showing all utility and sewer lines, manholes, catch basins, flow facts, and catch basins shall be located on the Grading plan.
- Site grading, drainage, and foundation plans shall be reviewed, signed, and not stamped by the contractor.
- An As-Built report shall be submitted to the City for review. This report prepared by the Geotechnical Consultant shall include the records of all excavation work as well as a note including the location of all newly found utilities and manholes of all removal bottoms, sewer locations and depths, curbs, locations of all man-well and flow line elevations, and location and elevations of all existing wall foundations and outlets. Geologic conditions observed during grading must be detailed on an As-Built Geologic Map.

LEGEND:

- R.D. ROOF DRAIN
- F.D. FLOOR DRAIN
- ADD CORROGATED POLYPROPYLENE Catch Basin
- C.B. TOP OF CATCH BASIN
- INV. INVERT ELEVATION
- W.W. WASTE WATER
- V. VENT



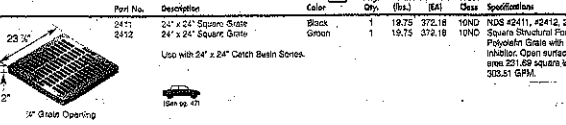
DR. GUPTA BUILDING
 2 STORY WOOD & STUCCO
 LOT 3, TRACT NO. 40477
 BOOK 1082, PAGES 91-98
 OF MAPS



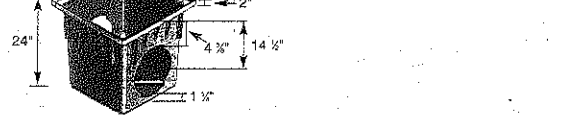
PREPARED BY: CVE Engineering, Inc. 11000 Wilshire Blvd., Suite 1000, Beverly Hills, CA 90210 (310) 980-2100		CITY OF AGOURA HILLS APPROVAL RAJRO S. ADEVA III CITY ENGINEER		FOR A TWO STORY OFFICE BUILDING ON APN NO. 2061-033-015 A PROFESSIONAL BUILDING FOR DR. GUPTA DRAINAGE PLAN AGOURA HILLS, CALIFORNIA PROJECT NO. 07-CLP-003	
REVISION # SYMBOL DESCRIPTION OF CHANGE APPROVED DATE	PROJECT ENGINEER: JOHN H. TRACY, P.E., C.E. 15348 3/14/09 DATE	REVIEWED BY DATE	RCE NO. EXP. DATE	SHEET 4 OF 4 CITY OF AGOURA HILLS DWG. NO.	

24" CATCH BASIN SERIES

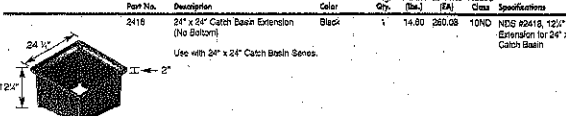
12" CATCH BASIN SERIES



Part No.	Description	Color	Pkg. Qty.	Wt. (Lbs.)	Use Price (\$A)	Product Class	Specifications
2411	24" x 24" Square Grate	Black	1	19.75	372.18	10ND	NDS #2411, #2412, 24" Square Structural Form Polystyrene Grate with LVW Inhibitor. Open surface area 251.69 square inches. 202.61 GPM.
2412	24" x 24" Square Grate	Green	1	19.75	372.18	10ND	



Part No.	Description	Color	Pkg. Qty.	Wt. (Lbs.)	Use Price (\$A)	Product Class	Specifications
2400	24" x 24" Catch Basin, 2 Openings	Black	1				
2404	24" x 24" Catch Basin, 4 Openings	Black	1				



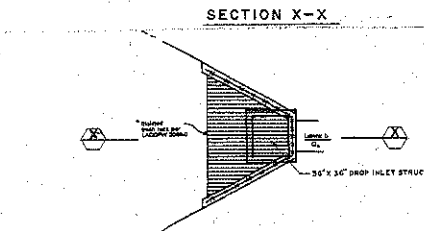
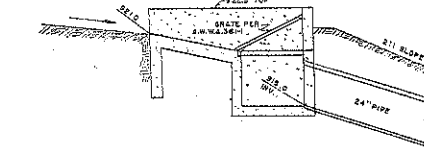
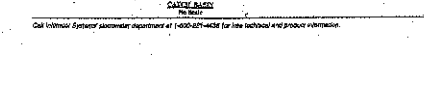
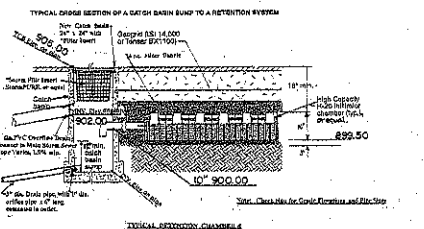
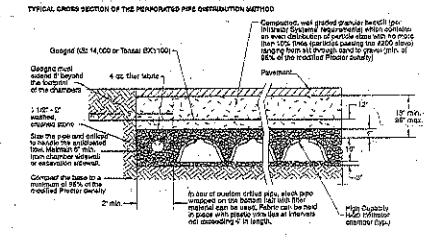
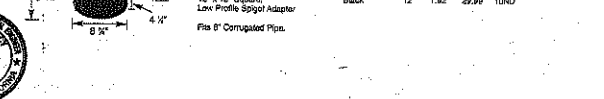
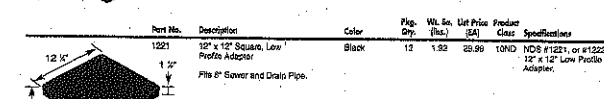
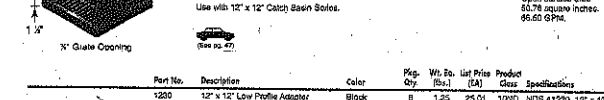
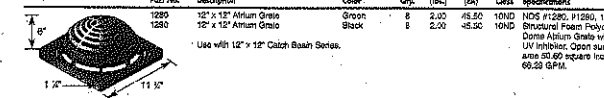
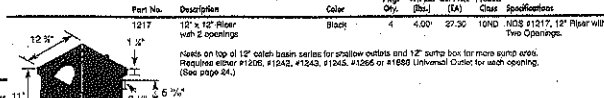
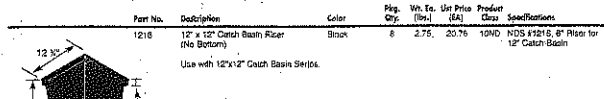
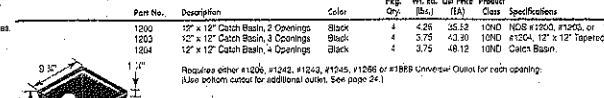
Part No.	Description	Color	Pkg. Qty.	Wt. (Lbs.)	Use Price (\$A)	Product Class	Specifications
1200	12" x 12" Catch Basin, 2 Openings	Black	4	4.28	35.12	10ND	NDS #1200, #1203, or #1204
1203	12" x 12" Catch Basin, 3 Openings	Black	4	5.73	43.30	10ND	#1204, 12" x 12" Tapered
1204	12" x 12" Catch Basin, 4 Openings	Black	4	7.89	68.12	10ND	Catch Basin.

Part No.	Description	Color	Pkg. Qty.	Wt. (Lbs.)	Use Price (\$A)	Product Class	Specifications
1218	12" x 12" Catch Basin Riser (No Bottom)	Black	8	2.75	20.76	10ND	NDS #1218, 8" Rise for 12" Catch Basin.

Part No.	Description	Color	Pkg. Qty.	Wt. (Lbs.)	Use Price (\$A)	Product Class	Specifications
1217	12" x 12" Riser with 2 Openings	Black	4	4.00	27.50	10ND	NDS #1217, 12" Riser with Two Openings.

Part No.	Description	Color	Pkg. Qty.	Wt. (Lbs.)	Use Price (\$A)	Product Class	Specifications
1219	12" x 12" Square Grate	Green	8	2.00	16.50	10ND	NDS #1219, 12" x 12" Square
1220	12" x 12" Square Grate	Black	8	2.00	16.50	10ND	
1212S	12" x 12" Square Grate	Sand	8	2.00	16.50	10ND	Open surface area 80.78 square inches. 86.60 GPM.

Part No.	Description	Color	Pkg. Qty.	Wt. (Lbs.)	Use Price (\$A)	Product Class	Specifications
1230	12" x 12" Low Profile Adapter	Black	8	1.25	25.01	10ND	NDS #1230, 12" x 12" Low Profile Adapter with 6" Sewer and Drain or Corrugated Pipe.
1221	12" x 12" Square, Low Profile Adapter	Black	12	1.92	28.99	10ND	NDS #1221, or #1222, 12" x 12" Low Profile Adapter.
1222	12" x 12" Square, Low Profile 360° Adapter	Black	12	1.82	28.99	10ND	



All dimensions are nominal. All weights are for shipping purposes only. Final cut, tolerance and availability are subject to change. For customer service, please send your fax to 1-800-736-1999 or call 1-800-736-1994.

LOAD RECOMMENDATION GUIDE

Class A
1. Load of 100 psf
2. Recommended for sidewalks, drives and other open areas.

Class B
1. Load of 80 psf
2. Recommended for most residential lawns, patios and light traffic at sports lawns 100 psf.

Class C
1. Load of 120 psf
2. Recommended for heavy-duty pavement, the traffic and minor vehicles at areas less than 20 mph.

Class D
1. Load of 200 psf
2. Recommended for heavy-duty pavement at areas less than 20 mph.

REV	SYMBOL	DESCRIPTION OF CHANGE	RCE	DATE

PREPARED BY: **CVE ENGINEERING INC. W.O. 3128**
P.O. BOX 7804 THOUSAND OAKS, CA 91320
TEL: 805.313.9

PROJECT ENGINEER: **JOHN E. TRACY RCE 1566**

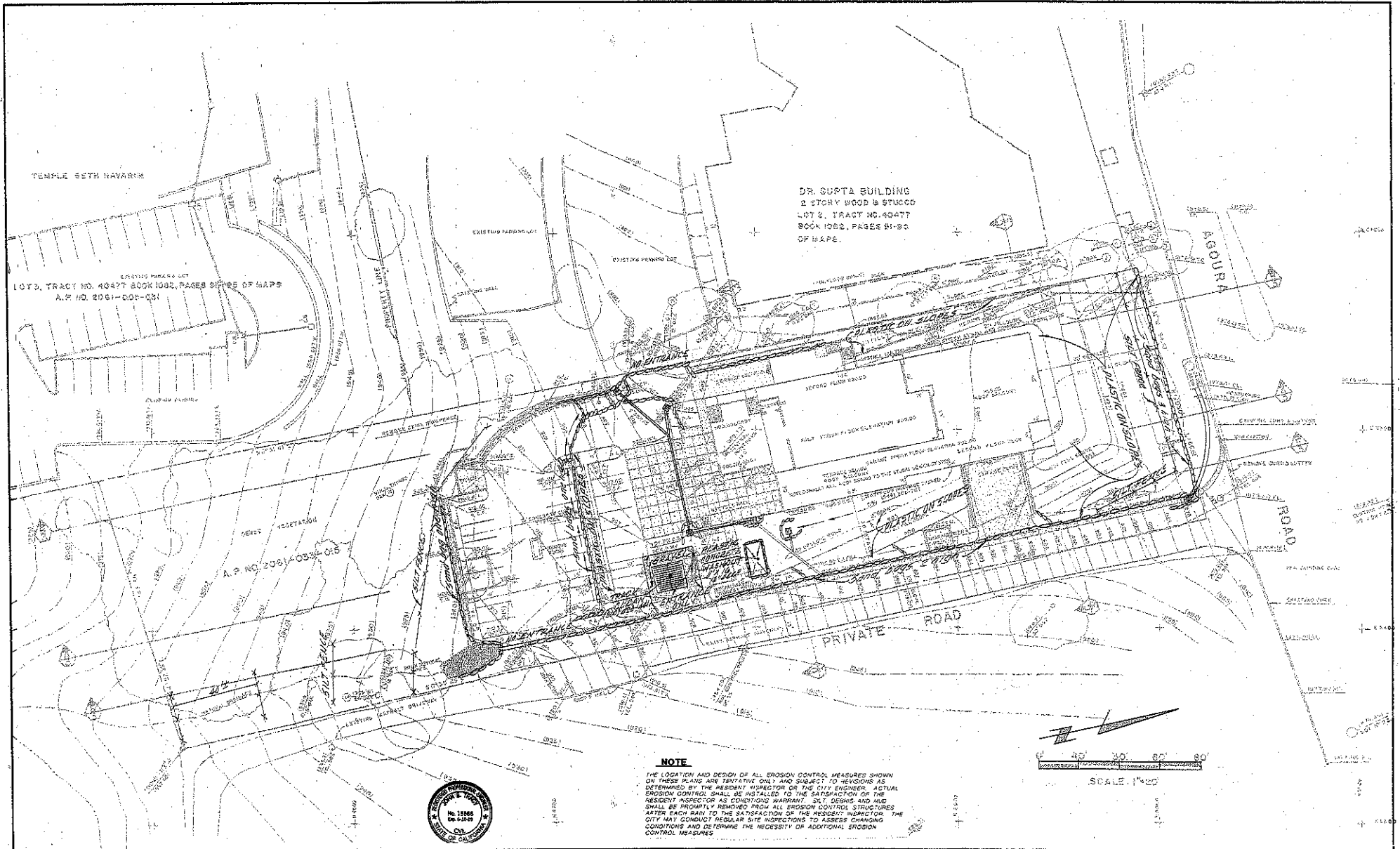
CITY OF AGOURA HILLS APPROVAL

FOR A TWO STORY OFFICE BUILDING ON APN NO. 2061-033-015
A PROFESSIONAL BUILDING FOR DR. GUPTA
DETAILS

AGOURA HILLS, CALIFORNIA
PROJECT NO. GZ-CR-002

SHEET 5 OF 6

CITY OF AGOURA HILLS DWG. NO.



NOTE

THE LOCATION AND DESIGN OF ALL EROSION CONTROL MEASURES SHOWN ON THESE PLANS ARE TENTATIVE ONLY AND SUBJECT TO REVISIONS AS DETERMINED BY THE RESIDENT INSPECTOR OF THE CITY ENGINEER. ACTUAL EROSION CONTROL SHALL BE INSTALLED TO THE SATISFACTION OF THE RESIDENT INSPECTOR AS CONDITIONAL WARRANTY. SILT DEWAS AND MATS SHALL BE PROMPTLY REMOVED FROM ALL EROSION CONTROL STRUCTURES AFTER EACH RAIN TO THE SATISFACTION OF THE RESIDENT INSPECTOR. THE CITY MAY CONDUCT REGULAR SITE INSPECTIONS TO ASSESS CHANGING CONDITIONS AND DETERMINE THE NECESSITY OF ADDITIONAL EROSION CONTROL MEASURES.



PREPARED BY: _____ PROJECT ENGINEER _____ DATE _____				CITY OF AGOURA HILLS APPROVAL REVIEWED BY: _____ DATE _____ RAMRO S. ADEVA III CITY ENGINEER						FOR A TWO STORY OFFICE BUILDING ON APN NO. 2061-033-015 A PROFESSIONAL BUILDING FOR DR. GUPTA GRADING PLAN AGOURA HILLS, CALIFORNIA PROJECT NO. 20610208		SHEET 1 OF 2	
REV	SYMBOL	DESCRIPTION OF CHANGE	RCE	DATE	PROJECT ENGINEER	DATE	REVIEWED BY	DATE	RCE NO.	EXP'D BY	CITY OF AGOURA HILLS DWG. NO. _____		

EROSION CONTROL PLAN NOTES

IN CASE OF EMERGENCY, CALL DR. VINOD K. GUPTA AT (916) 879-0111 EXT. 1181W.

A STANDBY CREW FOR EMERGENCY WORK SHALL BE AVAILABLE AT ALL TIMES DURING THE WINTER SEASON FROM 1 TO APRIL 15. NECESSARY MATERIALS SHALL BE AVAILABLE ON SITE STOCKPILED AT CONVENIENT LOCATIONS TO FACILITATE RAPID CONSTRUCTION OF EMERGENCY DEVICES WHEN RAIN IS HANDICAPED.

EROSION CONTROL DEVICES SHOWN ON THIS PLAN MAY BE RELOCATED WHEN APPROVED BY THE GRADING INSPECTOR IF THE GRADING OPERATION HAS MOVED UNDESIRABLY TO THE POINT WHERE THEY ARE NO LONGER REQUIRED.

GRADED AREAS ADJACENT TO TILL SLOPES LOCATED AT THE SITE PERMITTER MUST DRAIN AWAY FROM THE TOP OF SLOPE AT THE CONCLUSION OF EACH WORKING DAY.

ALL SILT AND DEBRIS SHALL BE REMOVED FROM ALL DEVICES WITHIN 24 HOURS AFTER EACH RAINFALL AND DISPOSED PROPERLY.

A CURB SHALL BE INSTALLED ON THE SITE WHENEVER THE DEPTH OF WATER IN ANY DEVICE EXCEEDS TWO FEET. THE CURB SHALL BE DRAINED OR PUMPED OUT WITHIN 24 HOURS AFTER EACH RAINFALL.

EXCEPT AS OTHERWISE APPROVED BY THE GRADING INSPECTOR, ALL REMOVED DEVICES SHALL BE REINSTALLED BY THE END OF EACH WORKING DAY OR WEEKENDS WHEN THE 5 DAY RAIN PROBABILITY FORECAST EXCEEDS 40%.

ALL LOOSE SOIL AND DEBRIS WHICH MAY CREATE A POTENTIAL HAZARD TO OFF-ROAD PROPERTY SHALL BE REMOVED FROM THE SITE AS DIRECTED BY THE GRADING INSPECTOR.

THE PLACEMENT OF ADDITIONAL DEVICES TO AVOID EROSION DAMAGE WITHIN THE SITE IS LEFT TO THE DISCRETION OF THE GRADING INSPECTOR.

SEDIMENT BASINS MAY NOT BE RELOCATED OR MADE INOPERABLE BETWEEN NOV. 1 AND APRIL 15 OF THE FOLLOWING YEAR WITHOUT THE APPROVAL OF THE GRADING INSPECTOR.

EROSION CONTROL DEVICES WILL BE MODIFIED AS NEEDED AS THE PROJECT PROGRESSES, AND PLANS OF THESE CHANGES SUBMITTED FOR APPROVAL AS REQUIRED.

SEE THE FOLLOWING NOTES (OR SIMILAR) TO THE PLANS TO DEFINE THE CURRENT STATE OF CONSTRUCTION.

- STORM DRAINS AND CHAIN BASINS ARE (NOT) CONSTRUCTED.
- STREETS ARE (NOT) PAVED, EXCEPT AS NOTED ON THE EROSION CONTROL PLANS.
- DRAINAGE DEVICES ARE (NOT) CONSTRUCTED, EXCEPT AS NOTED ON PLANS.

STORMWATER POLLUTION PREVENTION MEASURES WILL BE INTEGRATED INTO EROSION CONTROL PLANS PER TITLE 26, SECTION 7010 OF THE COUNTY CODE FOR ANY CONSTRUCTION BETWEEN OCTOBER 1 AND APRIL 15.

THE FOLLOWING NOTES AND IMPA AS OUTLINED IN, BUT NOT LIMITED TO, THE BEST MANAGEMENT PRACTICES HANDBOOK, CALIFORNIA STORMWATER QUALITY TREATMENT TECHNOLOGY CHECKLIST OR THE LOCAL REGULATORY AGENCIES, MAY APPLY DURING THE CONSTRUCTION OF THIS PROJECT. ADDITIONAL MEASURES MAY BE REQUIRED IF IDENTIFIED THROUGH INSPECTIONS.

- EMERGED SEDIMENTATION AND OTHER POLLUTANTS MUST BE RETURNED ON SITE AND MAY NOT BE TRANSPORTED FROM THE SITE VIA SHEETPILE, SWALE, OR ANY OTHER MEANS OF CONVEYANCE.
- STOOPEDS OF EARTH AND OTHER CONSTRUCTION MATERIALS MUST BE PROTECTED FROM BEING TRANSPORTED FROM THE SITE BY THE FORCES OF WIND OR WATER.
- FUELS, OILS, SOLVENTS, AND OTHER TOXIC MATERIALS MUST BE STORED IN ACCORDANCE WITH THEIR LABELS AND ARE NOT CONTAINING THE SOIL AND SURFACE MATERIALS. ALL APPLICABLE STORAGE CONTAINERS ARE TO BE PROTECTED FROM THE WEATHER. SPILLS MUST BE CLEANED UP IMMEDIATELY AND DISPOSED OF IN A PROPER MANNER. SPILLS MAY NOT BE WASHED INTO DRAINAGE SYSTEMS.
- EXCESS OR WASTE CONCRETE MAY NOT BE WASHED INTO THE PUBLIC WAY OR ANY OTHER DRAINAGE SYSTEM. PROVISIONS SHALL BE MADE TO RETAIN CONCRETE WASTES ON SITE UNTIL THEY CAN BE DISPOSED OF AS SOLID WASTE.
- TRASH AND CONSTRUCTION RELATED SOLID WASTES MUST BE DEPOSITED INTO A CONTAINER RESTRICTED TO PREVENT CONTAMINATION OF RUNWATER AND DISPENSAL BY WIND.
- SEDIMENT AND OTHER MATERIALS MAY NOT BE TRACKED FROM THE SITE BY VEHICLE TRAFFIC. THE CONSTRUCTION ENTRANCE ROADWAYS MUST BE STABILIZED SO AS TO INHIBIT SEDIMENT FROM BEING DEPOSITED INTO THE PUBLIC WAY. ACCIDENTAL DEPOSITIONS MUST BE SWEEP UP IMMEDIATELY AND MAY NOT BE WASHED DOWN BY RAIN OR OTHER MEANS.
- ANY SLOPES WITH DISTURBED SOILS OR EXPOSURE OF VEGETATION MUST BE STABILIZED SO AS TO INHIBIT EROSION BY WIND AND WATER.

CA001 - SEWERING OPERATIONS
 CA002 - DRIVING OPERATIONS
 CA003 - STRUCTURE CONSTRUCTION AND PAINTING
 CA010 - MATERIAL DELIVERY AND STORAGE
 CA011 - MATERIAL USE
 CA012 - SPILL PREVENTION AND CLEANUP
 CA019 - SOILS WASTE MANAGEMENT
 CA021 - HAZARDOUS WASTE MANAGEMENT
 CA022 - CONTAMINATED SOIL MANAGEMENT
 CA023 - CONTAMINATED WATER MANAGEMENT
 CA030 - VEHICLE AND EQUIPMENT CLEANING
 CA031 - VEHICLE AND EQUIPMENT FUELING
 CA035 - VEHICLE AND EQUIPMENT MAINTENANCE
 CA040 - EMPLOYER/REGULATORY TRAINING
 ESC01 - DEMOLITION
 ESC02 - REMEDIATION OF DISTURBED VEGETATION
 ESC03 - REVEGETATION
 ESC11 - MULCHING
 ESC20 - EROSION CONTROL MATS
 ESC21 - EARTH COVERING
 ESC22 - TEMPORARY STREAM CROSSINGS
 ESC23 - TEMPORARY STREAM CONDUITS
 ESC24 - STABILIZED CONSTRUCTION ENTRANCE
 ESC25 - TEMPORARY DRAINS AND SWALES
 ESC26 - SLOPE PROTECTION
 ESC27 - SLOPE PROTECTION
 ESC28 - SLOPE PROTECTION
 ESC29 - SLOPE PROTECTION
 ESC30 - SLOPE PROTECTION
 ESC31 - SLOPE PROTECTION
 ESC32 - SLOPE PROTECTION
 ESC33 - SLOPE PROTECTION
 ESC34 - SLOPE PROTECTION
 ESC35 - SLOPE PROTECTION
 ESC36 - SLOPE PROTECTION

ADDITIONAL GENERAL NOTES

- TEMPORARY EROSION CONTROL DEVICES SHOWN ON THE GRADING PLAN WHICH INTERFERE WITH THE WORK SHALL BE RELOCATED OR MODIFIED AS AND WHEN THE INSPECTOR SO DIRECTS AS THE WORK PROGRESSES.
- ALL LOOSE SOIL AND DEBRIS SHALL BE REMOVED FROM THE STREET AREAS UPON STARTING OPERATIONS AND PERIODICALLY THEREAFTER AS DIRECTED BY THE INSPECTOR.
- WHEN THE INSPECTOR SO DIRECTS, A 12-INCH BURN SHALL BE MAINTAINED ALONG THE TOP OF THE SLOPE OF THOSE FILLS ON WHICH DRAINING IS NOT IN PROGRESS.
- VELOCITY CHECK DAMS SHALL BE PROVIDED ACROSS THE OUTLETS OF ALL LOTS DRAINING INTO STREET.
- ALL FILLS SHALL BE GRADED TO PROMOTE DRAINAGE AWAY FROM THE EDGE OF THE FILL.
- STANDBY CREWS SHALL BE ALERTED BY THE PERMITTEE OR CONTRACTOR FOR EMERGENCY WORK DURING RAINFALL.
- ALL UTILITY TRENCHES SHALL BE BLOCKED AT THE PRESCRIBED INTERVALS FROM BOTTOM TO TOP WITH A DOUBLE ROW OF SANDBAGS EXTENDING TO BACKFILL. SEWER TRENCHES SHALL BE BLOCKED AT THE PRESCRIBED INTERVALS WITH A DOUBLE ROW OF SANDBAGS EXTENDING DOWNWARD. TWO SANDBAGS FROM THE GRADED SURFACE OF THE STREET. SANDBAGS ARE TO BE PLACED UPON ALTERNATE SIDES AND SPREADER FORWARDS. THE INTERVALS PRESCRIBED BETWEEN SANDBAGS BLOCKING SHALL DEPEND ON THE SLOPE OF THE STREET SURFACE, BUT NOT EXCEED THE FOLLOWING:

GRADE OF THE STREET	INTERVAL
LESS THAN 2% OR 2% TO 4%	45 FEET
4% TO 10%	30 FEET
OVER 10%	25 FEET

- VELOCITY CHECK DAMS SHALL BE PROVIDED IN ALL UNPAVED STREET AREAS AT THE INTERVALS INDICATED ABOVE. VELOCITY CHECK DAMS MAY BE CONSTRUCTED OF SANDBAGS, TRENCH OR UNDER EROSION RESISTANT MATERIALS APPROVED BY INSPECTOR, AND SHALL CROSS COMPLETELY ACROSS THE STREET OR CHANNEL AT RIGHT ANGLES TO THE CENTERLINE. EXCEPT DAMS NOT BE USED AS VELOCITY CHECK DAMS.
- VELOCITY CHECK DAMS SHALL BE PROVIDED IN ALL UNPAVED CHANNELS AT THE INTERVALS INDICATED BELOW.

GRADE OF CHANNEL	INTERVALS BETWEEN CHECK DAMS
LESS THAN 2% OR 2% TO 3%	100 FEET
3% TO 5%	50 FEET
OVER 5%	25 FEET

- AFTER SEWER AND UTILITY TRENCHES ARE BACK FILLED AND COMPACTED, THE SURFACE OVER SUCH TRENCHES SHALL BE POLISHED SLIGHTLY TO PREVENT EROSION AND SHALL BE MAINTAINED AS SUCH DAMS SHALL BE CONSTRUCTED TO PROMOTE FUR CROSS FLOW AT PRODUCTIONS. BURNING TRENCHES ARE NOT TO BE CONSIDERED AS CHANNELS.
- EXCEPT WHEN THE INSPECTOR DIRECTS OTHERWISE, ALL DEVICES SHOWN SHALL BE IN PLACE AT THE END OF EACH WORKING DAY WHEN RAIN FROM NOVEMBER 1 TO APRIL 15.
- ALL BURNING AND CHECK DAMS SHALL HAVE THE DEBRIS AND SILT REMOVED AFTER EACH STORM TO RESTORE THEIR CAPACITY.
- SANDBAGS SHALL BE STOCKPILED IN THE RAINWAY READY TO BE PLACED IN POSITION WHEN RAIN IS FORECAST OR WHEN INSPECTOR SO DIRECTS.
- BURNING AND CHECK DAMS MAY NOT BE RELOCATED MORE THAN 10 FEET ABOVE FILLS BETWEEN DECEMBER 1 AND APRIL 15.
- ALL OUT AT FULL SLOPES SHALL BE COVERED WITH 10 MIL PLASTIC SHEETING TO BE HELD IN PLACE WITH SANDBAGS (UNLESS PLANTED OR HYDROSEDED).

CONSTRUCTION DUST CONTROL

DUST CONTROL MEASURES ARE USED TO MINIMIZE SOIL FROM WIND EROSION, AND TO REDUCE DUST GENERATED BY CONSTRUCTION ACTIVITIES.

AVOID OVER WATERSHED WHEN WATER IS USED FOR DUST CONTROL. OVER WATERSHED MAY CAUSE EROSION.

CONTACT THE LOCAL AGENCY FOR APPROVAL WHEN USING DUST CONTROL MEASURES OTHER THAN WATER.

MINIMIZE THE IMPACT OF DUST BY AMPLIFYING THE DIRECTION OF PREVAILING WINDS AND PROVIDE COVERS FOR ROAD TRUCKS TRANSPORTING MATERIALS THAT CONTRIBUTE TO THE DUST.

CONTROL DUST FROM MAIN ROADS, PARKING AND GRADING AREAS. REDUCE SPEED AND TIRE PRESSURE ON UNPAVED ROADS.

ASPHALT AND BITUMINOUS PRODUCTS

PREVENT OR REDUCE THE DISCHARGE OF POLLUTANTS FROM ASPHALT AND BITUMINOUS OPERATIONS, BY PREVENTING RUN-ON AND RUN-OFF DURING THE OPERATION, PROPERLY DISPOSING OF WASTES, AND TRAINING EMPLOYEES AND SUBCONTRACTORS.

AVOID PRIME OR TACK COATING DURING WET WEATHER.

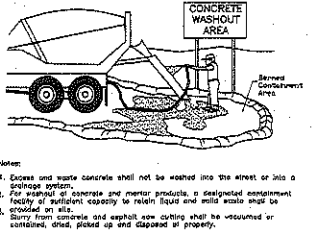
STORE MATERIALS AWAY FROM DRAINAGE COURSES TO PREVENT MATERIAL FROM ENTERING THE RUNWAY.

COVER CATCH BASINS AND MANHOLES WHEN APPLYING SEAL COAT, TACK COAT, SLURRY SEAL, POG SEAL, ETC.

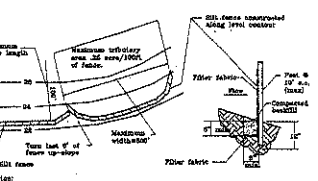
MAKE SURE SAND OR GRAVEL PLACED OVER HOT ASPHALT DOESN'T WASH INTO STORM DRAINS, STREETS, OR GREENS.

DISPOSE OF OLD ASPHALT PROPERLY. COLLECT AND REMOVE ALL BROKEN ASPHALT FROM THE SITE AND RECYCLE WHENEVER POSSIBLE. DO NOT DISPOSE OF ASPHALT PRODUCTS INTO WATERSHEDS.

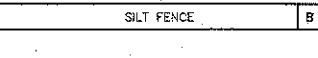
FOLLOW THE STORM WATER PERMITTING REQUIREMENTS FOR INDUSTRIAL ACTIVITIES IF PAVING INVOLVES AN ON-SITE MIXING PLANT.



CA 23 WASHOUT CONTAINMENT AREA



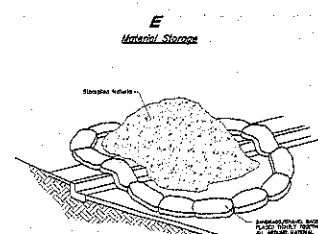
SCE 50 SILT FENCE



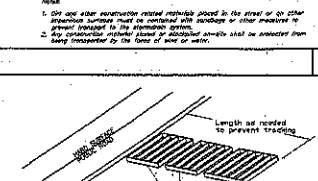
ESC 24 STABILIZED CONSTRUCTION ENTRANCE



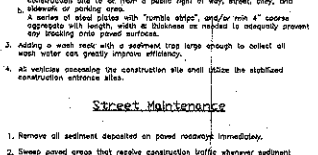
SCE 52 SAND BAG BARRIER



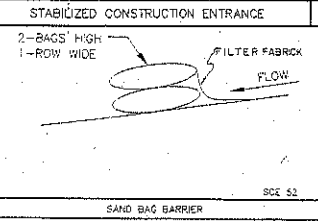
E Material Storage



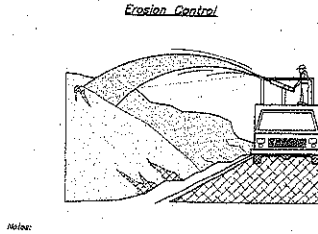
E Street Maintenance



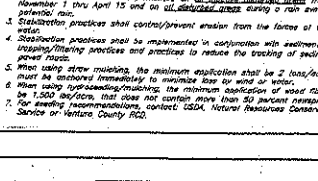
ESC 24 STABILIZED CONSTRUCTION ENTRANCE



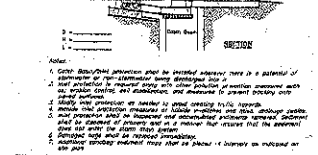
SCE 52 SAND BAG BARRIER



E Erosion Control



A Catch Basin Protection



G VEHICLE/EQUIPMENT FUELING

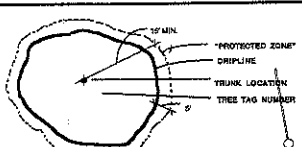
REV	SYMBOL	DESCRIPTION OF CHANGE	RCE	DATE	REVIEWED BY	DATE	DATE	DATE	DATE	DATE

PREPARED BY: CVE ENGINEERING INC. 70. 803 7228 THOUSAND OAKS CA 91360
 John E. Tracy, R.C.E. 1956
 Exp. 08 30 07

CITY OF AGOURA HILLS APPROVAL
 RAMIRO S. ADEVA III
 CITY ENGINEER

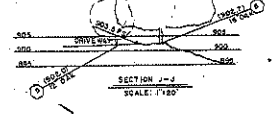
CITY OF AGOURA HILLS
 FOR A TWO STORY OFFICE BUILDING ON APN NO.2061-933-015
 A PROFESSIONAL BUILDING FOR DR. GUPTA
 GRADING PLAN
 AGOURA HILLS, CALIFORNIA
 PROJECT NO. 07-CUP-206

SHEET 1 OF 2
 CITY OF AGOURA HILLS DWS, NO.



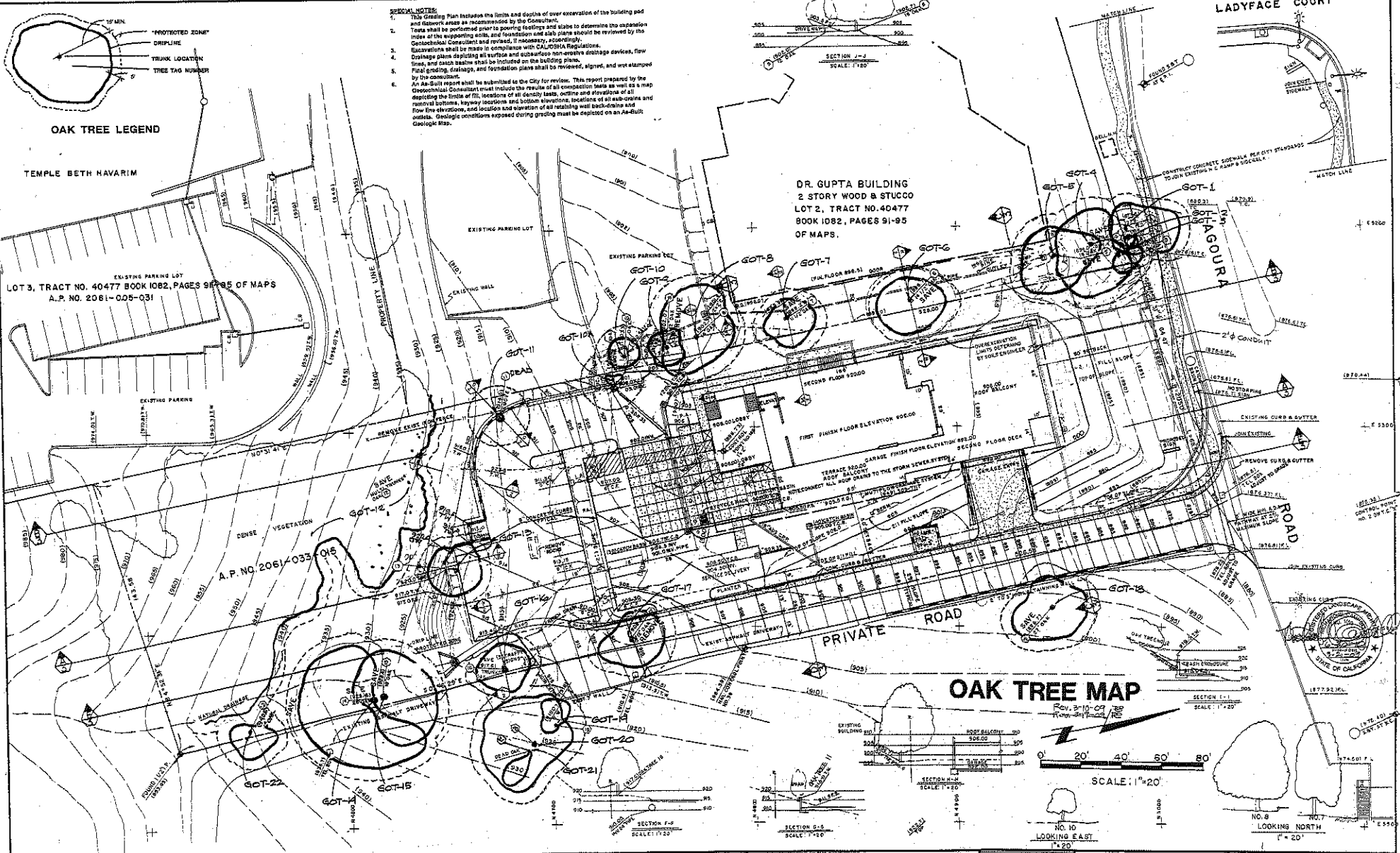
OAK TREE LEGEND

- SPECIAL NOTES:**
- This Grading Plan includes the limits and depths of over excavation of the building pad and lot/lot area as recommended by the Consultant.
 - Tests shall be performed prior to pouring footings and slabs to determine the maximum size of the supporting soils, and foundation and slab plans should be reviewed by the Geotechnical Consultant and revised, if necessary, accordingly.
 - Drainage plans depicting all surface and subsurface non-erect drainage devices, flow lines, and catch basins shall be included on the building plans.
 - Final grading, drainage, and foundation plans shall be reviewed, signed, and wet stamped by the consultant.
 - An As-Built report shall be submitted to the City for review. This report prepared by the Geotechnical Consultant must include the results of all completion tests as well as a map depicting the final fill, locations of all density tests, outline and elevations of all removal bottoms, keyway locations and bottom elevations, locations of all sub-drains and flow line elevations, and location and elevation of all retaining wall foundations and details. Geologic conditions exposed during grading must be depicted on an As-Built Geologic Map.

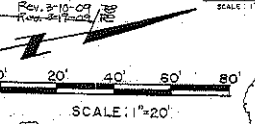


DR. GUPTA BUILDING
2 STORY WOOD & STUCCO
LOT 2, TRACT NO. 40477
BOOK 1082, PAGES 91-95
OF MAPS.

TEMPLE BETH HAVARIM
EXISTING PARKING LOT
LOT 3, TRACT NO. 40477 BOOK 1082, PAGES 91-95 OF MAPS
A.P. NO. 2061-025-031



OAK TREE MAP



Rev. 2-10-09
Scale: 1"=20'

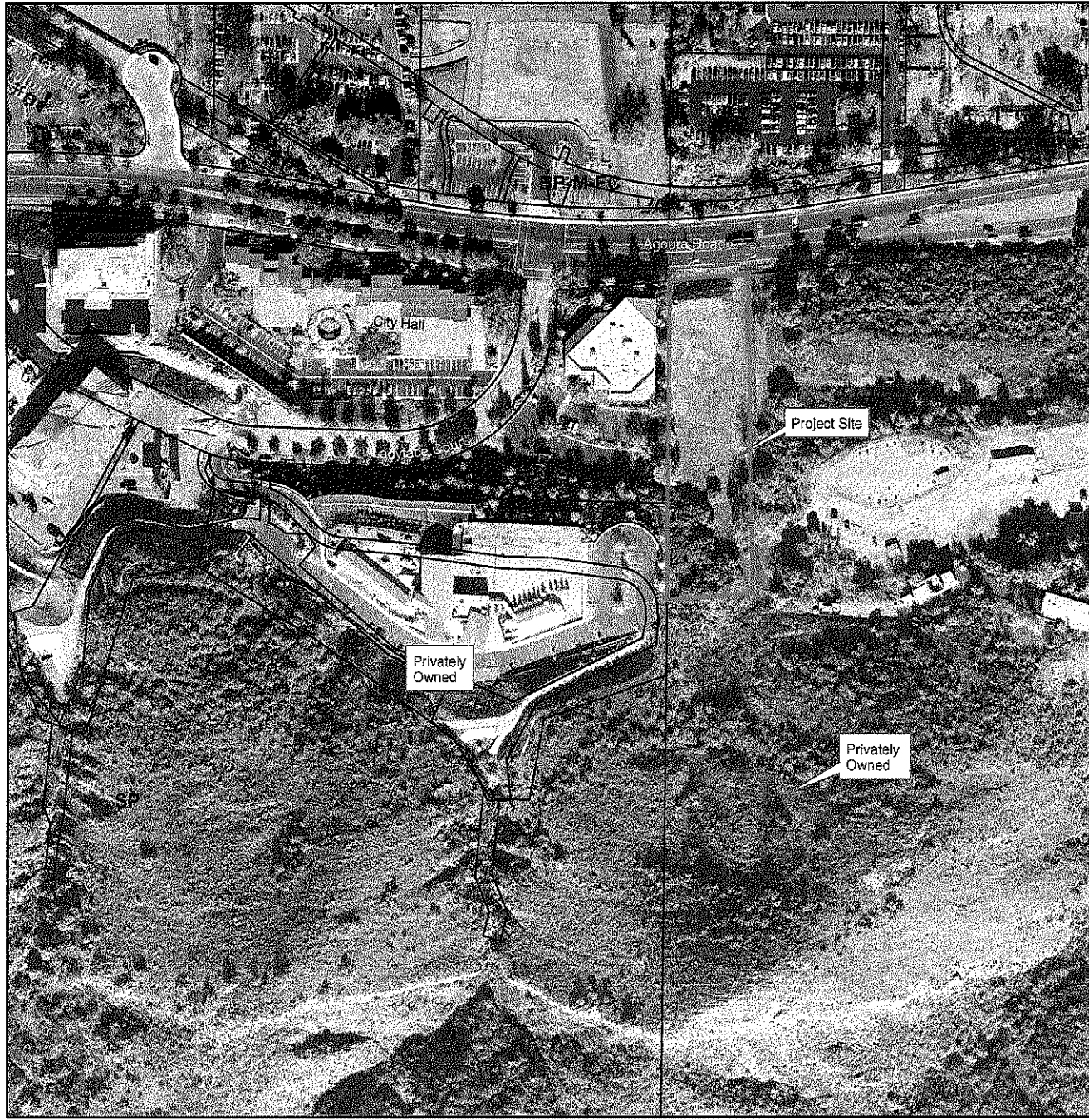
PREPARED BY:					CITY OF AGOURA HILLS APPROVAL						FOR A TWO STORY OFFICE BUILDING ON APN NO. 2061-033-015 A PROFESSIONAL BUILDING FOR DR. GUPTA OAK TREE MAP	AGOURA HILLS, CALIFORNIA PROJECT NO. 07-CUP-008	SHEET ____ OF ____	
REV	SYMBOL	DESCRIPTION OF CHANGE	RCE	DATE	PROJECT ENGINEER	DATE	REVIEWED BY	DATE	RAMD S. ADEVA III CITY ENGINEER					DATE



**OFFICE DEVELOPMENT
FOR THE PROPERTY LOCATED
AT 29760 AGOURA ROAD,
AGOURA HILLS**

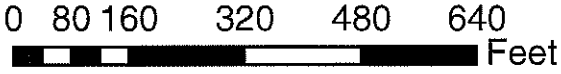
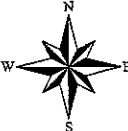
**Specific Plan Amendment Case No. 07-SPA-001,
Conditional Use Permit Case No. 07-CUP-009,
Oak Tree Permit Case No. 07-OTP-012 and
Variance Case No. 10-VAR-001**

Vicinity/Zoning Map



Vicinity/Zoning
Map

CONDITIONAL USE PERMIT -
CASE NO. 07-CUP-009
OAK TREE PERMIT -
CASE NO. 07-OTP-012
SPECIFIC PLAN AMENDMENT -
CASE NO. 07-SPA-001
VARIANCE REQUEST -
CASE NO. 10-VAR-001





**OFFICE DEVELOPMENT
FOR THE PROPERTY LOCATED
AT 29760 AGOURA ROAD,
AGOURA HILLS**

**Specific Plan Amendment Case No. 07-SPA-001,
Conditional Use Permit Case No. 07-CUP-009,
Oak Tree Permit Case No. 07-OTP-012 and
Variance Case No. 10-VAR-001**

**Planning Commission
Resolutions and Conditions of Approval**

RESOLUTION NO. 1007

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF AGOURA HILLS
RECOMMENDING THE CITY COUNCIL
APPROVE AN AMENDMENT TO THE LADYFACE MOUNTAIN SPECIFIC PLAN TO
INCREASE THE MAXIMUM ALLOWABLE BUILDING SIZE, THE DEVELOPABLE PAD
SIZE, AND THE TRAFFIC BUDGET FOR THE DEVELOPMENT OF AN OFFICE
BUILDING (CASE NO. 07-SPA-001)

THE PLANNING COMMISSION OF THE CITY OF AGOURA HILLS DOES HEREBY
RESOLVE, FIND, DETERMINE, AND ORDER AS FOLLOWS:

Section I. An application was duly filed by Vinod Gupta with respect to the property located at 29760 Agoura Road, (A.P.N. 2061-033-015), requesting a recommendation of approval to amend the Ladyface Mountain Specific Plan (Case No. 07-SPA-001) to increase the maximum allowable building size from 8,000 square feet to 12,700 square feet, the developable pad from 0.74 acres to 1 acre and the number of P.M. peak hour vehicular trips from 25 to 41. A public hearing was duly held on May 20, 2010, at 6:30 p.m. in the Council Chambers of City Hall, 30001 Ladyface Court, Agoura Hills, California. Notice of the time, date, place and purpose of the aforesaid meeting was duly given.

Section II. Evidence, both written and oral, was presented to and was considered by the Planning Commission at the aforesaid public meeting.

Section III. The Planning Commission finds, pursuant to the Agoura Hills Zoning Ordinance and the Ladyface Mountain Specific Plan, that:

- A. The amendment is consistent with the General Plan and in keeping with the Ladyface Mountain Specific Plan concept. The proposed office use is a permitted use in the BP sub-area of the Specific Plan and is consistent with the surrounding uses. This is the smallest parcel in the Ladyface Mountain Specific Plan and is located adjacent to existing development to the west and the proposed building pad location is similar to the existing development to the west. The perpendicular orientation of the building to Agoura Road and the stepped massing of the building design helps minimize vertical building mass. Most of the parking spaces are located underground and over 60% of the site is landscaped. Views from the freeway and adjacent parcels along Agoura Road would not be negatively impacted by the construction of the two-story building, as it would not exceed the allowable height and the height of the existing buildings on adjacent parcels.
- B. The amendments preserve the intent and purpose of the Ladyface Mountain Specific Plan; this parcel is non-conforming in size and was pre-graded prior to City incorporation. The building pad area and the surface parking area will not extend beyond the pre-graded pad and the south portion of the lot will remain undisturbed. Unlike many other parcels, in the Ladyface Mountain Specific Plan that are natural and ungraded, this parcel was graded some time ago. This particular parcel has an average slope of 15% and would not exceed

the maximum allowable floor area ratio (FAR) for parcels with 15% slope. In this case, the proposed FAR is .17 and the building to the west is .35 whereas the maximum FAR permitted is .25. The proposed setback from Agoura Road is similar to the existing building setback of the building immediately to the west and Library/City Hall further west. The building and parking layout of those existing development are similar to the proposed project in that the building is in the front with parking behind and/or underground.

- C. The amendment is sensitive to the maintenance and protection of the natural terrain and environment. The applicant is proposing a development with a balanced grading and is using the existing pad design. Retaining walls do not exceed 6 feet in height. The project will provide an opportunity to landscape the unused areas of the parcel with native plant material in order to blend into the hillside. A Mitigated Negative Declaration was prepared and all mitigation measures will be incorporated into the project.
- D. Although the number of budgeted PM peak hour trips exceeds the number specified in the Specific Plan, the level of service at nearby intersections will not worsen as a result of the increase. Many nearby intersections including Ladyface Court and Agoura Road and Reyes Adobe and Agoura Road have been improved since the Specific Plan was adopted.
- E. The circulation along Agoura Road will be maintained. The main access is through a common driveway shared with the neighboring Gateway church site to the east. There is also proposed a common driveway with the building to the west which provides shared parking opportunities between the two buildings.
- F. Public services and utilities will adequately serve the parcel. This is a pre-graded site in proximity to existing infrastructure and no new significant water, sewer, drainage, and roadway improvement are required. The project will comply with all public works conditions.

Section IV. In accordance with the California Environmental Quality Act, the City has prepared a Mitigated Negative Declaration for this project. Based upon the findings, public comments and the record before the Planning Commission, the Planning Commission finds the Mitigated Negative Declaration does not worsen the 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 it was prepared pursuant to the California Environmental Quality Act. The Planning Commission hereby recommends the City Council adopt the Mitigated Negative Declaration and the Mitigation Monitoring Program.

Section V. Based on the aforementioned findings, the Planning Commission hereby recommends, with respect to the property described in Section I herein, that the City Council approve the attached Ordinance and Specific Plan Amendment Case No. 07-SPA-001, subject to the attached Conditions, with the additional recommendation that in complying with the requirements of ADA that there shall not be a lift between Agoura Road and the building.

PASSED, APPROVED, and ADOPTED this 20th day of May, 2010, by the following vote to wit:

AYES: (4) Rishoff, O'Meara, Justice, and Moses
NOES: (1) Buckley Weber
ABSENT: (0)
ABSTAIN: (0)

Steve Rishoff, Chairperson

ATTEST:



Mike Kamino, Secretary

RESOLUTION NO. 1008

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF AGOURA HILLS
RECOMMENDING APPROVAL OF
A CONDITIONAL USE PERMIT CASE NO. 07-CUP-009,
AN OAK TREE PERMIT CASE NO. 07-OTP-012
AND ADOPTING A MITIGATED NEGATIVE DECLARATION

THE PLANNING COMMISSION OF THE CITY OF AGOURA HILLS DOES HEREBY RESOLVE, FIND, DETERMINE, AND ORDER AS FOLLOWS:

Section I. An application was duly filed by Vinod Gupta with respect with the property located 29760 Agoura Road (A.P.N. 2061-033-015), requesting a recommendation of approval of a Conditional Use Permit (Case No. 07-CUP-009) to allow the construction of a 12,700 square-foot office building, and an Oak Tree Permit (Case No. 07-OTP-012) to encroach in the protected zone of 10 oak trees and to remove 5 oak trees. A public hearing was duly held on May 20, 2010, at 6:30 p.m. in the Council Chambers of City Hall, 30001 Ladyface Court, Agoura Hills, California. Notice of the time, date, place and purpose of the aforesaid meeting was duly given.

Section II. Evidence, both written and oral, was presented to and was considered by the Planning Commission at the aforesaid public meeting.

Section III. The Planning Commission finds, pursuant to the Agoura Hills Zoning Ordinance and the Ladyface Mountain Specific Plan, that:

- A. The proposed use, as conditioned, is consistent with the objectives of the Zoning Ordinance and the Ladyface Mountain Specific Plan and the purposes of the zoning district in which the use is located. The project provides for business park development as called for this parcel within the Specific Plan.
- B. The proposed use, as conditioned, is compatible with surrounding properties. The parcel is adjacent to similar uses including large financial and research and development employers. The use is expected to operate within typical business hours and all activities are to be conducted within an enclosed building. The proposed site layout uses the parcel's topography efficiently while protecting the open space areas that expand into the parcel.
- C. The proposed use, as conditioned, and the condition in which it will be maintained will not be detrimental to the public health, safety, or general welfare. The project will be developed in full compliance with all Building Code and measures identified in the Mitigation Monitoring Program, which was developed as part of the project Mitigated Negative Declaration which are made conditions of approval for the project.

- D. The proposed use, as conditioned, will comply with each of the applicable provisions of the Zoning Ordinance and the Ladyface Mountain Specific Plan except for approved variances. The project meets the development standards relative to required rear yard area, building height, lot coverage, parking, and landscape coverage. The level of service at nearby intersections will not worsen as the local circulation system has been improved since the adoption of the Specific Plan.
- E. The distance from other similar and like uses is sufficient to maintain the diversity of the community. Parcels north and south of Agoura road, west of Kanan Road, have developed into a primarily office use zone. The Ladyface Mountain Specific Plan in which this project is located calls for low impact development which this office complies with. Although the projects are similar, the buildings can accommodate a variety of uses to provide diversity.
- F. The proposed uses, as conditioned, are consistent with the goals and policies of the General Plan or the Specific Plan. As called for in the General Plan Land Use and Community Form for the Planned Development District (Ladyface Mountain Specific Plan -West End), the project is designed to be economically viable and scaled to reflect its natural setting at the base of Ladyface Mountain. The development of the project will be done with minimal recontouring of the land and the introduced landscaping will connect with the existing natural open spaces providing a total coverage that exceeds the minimum landscape requirement. The natural slopes will be preserved by way of a conservation easement that bars future expansion of the development.
- G. The proposed use will not mar the property's unique natural elements and will have a positive relationship to the character of Ladyface Mountain. Although the building is visible from the street and the freeway corridor, the project will provide a large amount of landscaping along the front of the property and the west side between buildings. The pad elevation which is maintained below any protected ridge line combined with the architectural style and colors of the building and the terraced design element will reduce the visual impact to the Agoura Road corridor. The location and configuration of the building are intended to screen views of the parking lot where most of the parcel's physical changes would occur.
- H. Adequate evidence and guarantees have been provided to indicate that all provisions of the Specific Plan have been satisfied by protecting sensitive areas on and off-site and mitigating impacts by reducing them to a less significant level including the biology, cultural resources, and existing geotechnical and geological conditions, maintaining manufactured slopes to a ratio of less or equal to 2:1, by screening retaining walls, and providing more landscaping than the minimum requirement.
- I. The removal of five Oak Trees is required to complete the access driveway from Agoura Road to the parking lot and the parking lot of the adjacent property, building out the right-of-way as well as for the construction of retaining walls necessary to retain the hillside. The trees to be removed are less than 12 inches in diameter and

were assigned an *average* rating for health/aesthetic value. The loss of trees is mitigated in kind and with an in-lieu fee.

Section IV. In accordance with the California Environmental Quality Act, the City has prepared a Mitigated Negative Declaration for this project. Based upon the findings, public comments and the record before the Planning Commission, the Planning Commission finds the Mitigated Negative Declaration does not worsen the 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 it was prepared pursuant to the California Environmental Quality Act. The Planning Commission hereby recommends the City Council adopt the Mitigated Negative Declaration and the Mitigation Monitoring Program.

Section V. Based on the aforementioned findings, the Planning Commission hereby recommends, with respect to the property described in Section I herein, that the City Council approve Conditional Use Permit No. 07-CUP-009 and Oak Tree Permit Case No. 07-OTP-012, subject to the attached Conditions, with the additional recommendation that in complying with the requirements of ADA that there shall not be a lift between Agoura Road and the building.

PASSED, APPROVED, and ADOPTED this 20th day of May, 2010, by the following vote to wit:

AYES: (4) Rishoff, O'Meara, Moses and Justice
NOES: (1) Buckley Weber
ABSENT: (0)
ABSTAIN: (0)

Steve Rishoff, Chairperson

ATTEST:



Mike Kamino, Secretary

**CONDITIONS OF APPROVAL
CASE NOS. 07-CUP-009 & 07-OTP-012**

STANDARD CONDITIONS

Entitlement Requirements

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 these Permits with the Department of Planning and Community Development.
3. Except as modified herein, the approval of this action is limited to, and requires complete conformation to, the approved labeled exhibits: Site Plan; Elevation Plans; Floor Plans, Roof Plan, Landscape Plan and Grading Plan.
4. All exterior materials used in this project shall be in conformance with the materials samples submitted as a part of this application.
5. 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.
6. 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 filed to do so for a period of thirty (30) days.
7. All requirements of the Zoning Ordinance and of the specific zoning designation of the subject property must be complied with unless set forth in the Permit or on the approved Site Plan.
8. No occupancy shall be granted for any building until all Conditions of Approval have been complied with as determined by the Director of Planning and Community Development.
9. Unless this permit is used within two (2) years from the date of City approval, Case Nos. 07-CUP-009 and 07-OTP-012 will expire. A written request for a one (1) year extension may be considered prior to the expiration date.
10. 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

Page 2 of 15

11. The applicant shall comply with all applicable Public Health Statutes, Ordinances, and Regulations related to the disposal of sewage.
12. The Forester and Fire Warden shall be consulted to ascertain the required fire flows and fire hydrants to accommodate the proposed development.
13. The applicant shall comply with the school impact fee requirements of the Las Virgenes Unified School District that is currently established at \$0.47 per square-foot of new floor area.
14. Prior to the issuance of a Building Permit, the applicant shall pay the Fire District Development Fee, at the rate in effect at the time of Building Permit issuance. The current rate is \$ 0.9296 per square-foot of new floor area.
15. Prior to 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 the City's Environmental Planner is notified and 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.
16. The approved grading plan and construction plans, resolution, conditions of approval, the mitigated negative declaration and the mitigation monitoring and reporting program and a color and material board shall be on site at all time during the construction of the project.
17. 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.

Construction Requirements

18. 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.
19. All proposed retaining walls shall consist of materials subject to review and approval by the Director of Planning and Community Development.
20. The applicant and delegated contractors shall participate with City staff in a pre-construction meeting prior to issuance of a grading permit. Any change in the

- construction team shall be reported to the Building and Safety Department in a timely manner.
21. A copy of all communications between the City and the applicant pertaining to the approved plans shall be kept on-site at all times.
 22. It is the responsibility of the applicant and/or his or her representatives to report to the City any changes related to any aspects of the construction prior to undertaking the changes.
 23. Intermittent inspections shall be scheduled by the applicant as required by the Building and Safety Department and coordinated with the Engineering and Planning Departments.

SOLID WASTE MANAGEMENT CONDITIONS

24. 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.
25. 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, or final inspection if issuance of a certificate of occupancy is not applicable.
26. 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.

ENVIRONMENTAL CONDITIONS

27. The applicant shall comply with each mitigation measure listed in the Final Mitigated Negative Declaration and outlined in the adopted Mitigation Monitoring Program for the project, as well as the conditions of approval applicable.
28. Air quality measures (Rule 403) shall be copied onto the cover sheets of the Grading Plans.

OAK TREE/LANDSCAPING CONDITIONS

Oak trees

29. The applicant is permitted to remove the following five (5) oak trees: Trees GOT-1, GOT-9, GOT-10, GOT-13, and GOT-17 to construct the approved project. The total diameter to be removed is eighty-one inches (81”).
30. The applicant is permitted to encroach within the protected zone of the following ten (10) oak trees to construct the approved project as shown in the above Grading Plans: Trees GOT-2, GOT-3, GOT-4, GOT-6, GOT-7, GOT-8, GOT-16, GOT-18, GOT-19, and GOT-20.
31. No activities are permitted within the protected zones of the remaining five (5) oak trees, Trees GOT-5, GOT-12, GOT-14, GOT-15, and GOT-22. They are to be preserved in place.
32. To mitigate the loss of Trees GOT-1, GOT-9, GOT-10, GOT-13, and GOT-17, the landscape plan shall include eighty-one inches (81”) of diameter of oak trees. The applicant shall plant at least twenty (20) oak trees within the site, to include the following fifteen (15) trees:
 - a. Ten (10) twenty-four inch (24”) box-size oak trees
 - b. Five (5) thirty-six inch (36”) box-size oak trees
33. The proposed Oak Tree Mitigation Plan provides twenty-five (25) new oak trees, having a total diameter of seventy-eight inches (78”). If the site will not accommodate additional trees to meet the mitigation requirement, the applicant shall pay a fee in the amount of \$1,208.00 (as calculated on the attached tables) into the City Oak Tree Mitigation Fund for the deficit of three (3) inches. This amount shall be adjusted as required based upon the final Landscape Plan.
34. Trees GOT-7 and GOT-8 may require pruning to allow for vehicular clearance beneath the dripline. All pruning shall be subject to the review and approval of the City Oak Tree Consultant.
35. The planting locations, species and quality of all mitigation oak trees are subject to the approval of the City Oak Tree Consultant.

Conditions of Approval

Page 5 of 15

36. The mitigation oak trees shall be maintained in perpetuity. Should any of the mitigation oak trees decline or die, they shall be replaced in accordance with the provisions of the Oak Tree Preservation and Protection Guidelines.
37. All excavation within the protected zone of Oak Trees GOT-2, GOT-3, GOT-4, GOT-6, GOT-7, GOT-8, GOT-16, GOT-18, GOT-19, and GOT-20 shall be performed using only hand tools under the direct supervision of the applicant's oak tree consultant.
38. No planting or irrigation is permitted within the protected zone of an existing oak tree without approval from the City of Agoura Hills Landscape and Oak Tree Consultant. Planting within the protected zones of Trees GOT-2 through GOT-5 where the slope is to be repaired shall be drought tolerant plants, suitable for planting under oak trees. Selection of plants shall be subject to the review and approval of the City Oak Tree Consultant. Irrigation within the protected zone shall be on a separate valve that can be disconnected when plants have become established.
39. Prior to the start of any mobilization or construction activities on the site, Oak Trees shall be fenced at the edge of the protected zone in strict accordance with Article IX, Appendix A, Section V.C.1.1 of the City of Agoura Hills Oak Tree Preservation and Protection Guidelines. The City Oak Tree Consultant shall approve the fencing location subsequent to installation and prior to the start of any mobilization or work on the site.
40. 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.
41. Prior to occupancy, each existing and new oak tree shall be mulched throughout the dripline with three inches (3") of approved organic mulch as needed to supplement natural leaf litter.
42. No pruning of live wood shall be permitted unless specifically authorized by the City Oak Tree Consultant. Any authorized pruning shall be performed by a qualified arborist under the direct supervision of the applicant's oak tree consultant. All pruning operations shall be consistent with The Pruning Standards of the Western Chapter of the International Society of Arboriculture.
43. The applicant shall provide forty-eight (48) hour notice prior to the start of any approved work within the protected zone of any oak tree.
44. Within ten (10) calendar days of the completion of work and prior to removal of the protective fencing, the applicant shall contact the City Oak Tree Consultant to perform a final inspection. The applicant shall proceed with any remedial measures the City Oak Tree Consultant deems necessary to protect or preserve the health of the subject oak tree at that time.

Landscape:

45. The landscape plan shall substantially conform to the Landscape Concept Plan, prepared by Richard W. Campbell, ASLA as received by the City of Agoura Hills June 12, 2009.
46. 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
47. Prior to the approval of building permits, the applicant shall submit three (3) sets of landscape plans meeting the following requirements:
 - 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.
 - 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, rights-of-way, 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.

- i. Plant container sizes and/or spacing shall be provided. Minimum sizes shall be acceptable to the City Landscape Consultant and the Director.
 - j. Plant symbols shall depict the size of the plants at maturity.
 - k. The landscape plans shall prominently display the following notes:
 - i. All plant material shall conform to the most recent edition of ANSI Z60.1 - American Standard for Nursery Stock.
 - ii. All trees shall also conform to the California Department of Forestry and Fire Protection "Standards for Purchasing Container-Grown Landscape Trees".
 - iii. 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.
 - l. The Irrigation Plan shall be provided separate from but utilizing the same format as the Planting Plan.
 - m. 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.
 - n. The Irrigation Plan shall be concise and accurate and shall include the manufacturer, model, size, demand, radius, and location of the following, as appropriate:
 - Design and static pressures
 - Point of connection
 - Backflow protection
 - Valves, piping, controllers, heads, quick couplers
 - Gallon requirements for each valve
 - o. 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.
48. All landscaping shall be irrigated and maintained in perpetuity in accordance with the approved Landscape Plan.
49. The Landscape Plan must be approved by the Fuel Modification Unit at the County of Los Angeles Fire Department.
50. Shade trees shall be provided such that fifty percent (50%) of the parking lot, including driveways and aisles, shall be covered by tree canopies within fifteen (15)

- years after installation. The applicant has demonstrated that this condition has been met and will work with staff during the County of Los Angeles Fire Department Fuel Modification approval process to ensure the proposed design meets the highest percentage of canopy coverage that can be achieved.
51. A complete Landscape Documentation package shall be provided 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.
 52. The Landscape Plan shall not include any non-native plants considered invasive in the Santa Monica Mountains by the California Native Plant Society or the California Exotic Pest Plant Council.
 53. The final plans shall not include any palm species.
 54. All plant material shall be considered compatible with Sunset Zone 18.
 55. The proposed driveway connection between the subject site and the parcel to the west shall be consistent on all project plans and shall meet all minimum dimension requirements. Discrepancies between the landscape plan and other project plans as to the exact configuration of this connection shall be resolved prior to grading permit approval.
 56. A minimum of twenty percent (20%) of the total lot shall be landscaped.
 57. A minimum of fifteen percent (15%) of the parking lot, including driveways and aisles, shall be landscaped, distributed evenly throughout the parking lot.
 58. A minimum of twenty-five feet (25') of landscaping shall be provided along Agoura Road.
 59. 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. According to the plans provided, one (1) such tree will be required. This requirement is in addition to any mitigation required for removal of existing oak trees.
 60. All finger planters shall be at least eight feet (8') wide and spaced no more than ten (10) stalls apart.
 61. Parking lot planters shall have a minimum width of six feet (6') when parking abuts one side and eight feet (8') when parking abuts on both sides.
 62. Planters shall have a minimum width of four feet (4').
 63. 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.

64. No other usage or storage shall be permitted within any required yard, including transformers and trash enclosures.
65. Any unsightly uses, including trash enclosure and transformers shall be screened with berms, decorative walls or landscaping.
66. Special paving material and streetscape planting shall be provided at project entries in accord with the Ladyface Mountain Specific Plan.
67. 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.
68. 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.

ENGINEERING CONDITIONS

69. PRIOR TO PERMITTING (GRADING, BUILDING, ENCROACHMENT, ETC)

A. General

- 2.01 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.
- 2.02 The applicant shall provide a copy of proposed Covenants, Conditions and Restrictions (CC&R's), as applicable to the project, to the City Engineer 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.
- 2.03 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.
- 2.04 Applicant shall pay all applicable Transportation Impact Fees (TIF) to the Building and Safety Department.

- 2.05 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.
- 2.06 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.
- 2.07 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.
- 2.08 The applicant shall submit electronic files (i.e., CAD file, on disc) of project-related off-site 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.
- 2.09 The applicant shall 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. The report shall be reviewed and approved by the City Geotechnical/Geological Consultant.
- 2.10 Prior to issuance of permits from the Engineering Department, the applicant shall obtain a permit from the Las Virgenes Municipal Water District.
- 2.11 Building Permits shall not be issued until graded building pad(s) have been certified for compaction and elevation to the City's satisfaction. The applicant may contact Engineering Department at (818) 597-7322 for approved City certification forms.
- 2.12 The applicant shall provide a plan and profile of the main entry driveway with notation of vertical curves for smooth riding characteristics. It is required to flatten driveway slope in front of subterranean entry driveway. This will lower the entire building by at least one foot. The inlet curb near driveway entry shall provide for a sloping apron and extended sidewalk connection to work around the drain box.

B. Public Improvements

2.20 The applicant shall 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:

IMPROVEMENT ITEMS	ROADWAY: AGOURA ROAD
Inverted Shoulder and Rolled Curb	<input checked="" type="checkbox"/> New: to line up with existing on upstream end <input type="checkbox"/> Replace Damaged <input type="checkbox"/> Remove existing & Relocate
AC Pavement	<input checked="" type="checkbox"/> Replace all damaged during construction <input checked="" type="checkbox"/> Widen: Agoura Road at driveway entrance to provide 20' turning radius and concrete curb
PCC Drive Approach	<input type="checkbox"/> New with rolled curb <input checked="" type="checkbox"/> Replacement with variable height concrete curb
Sidewalk	<input checked="" type="checkbox"/> New – meandering 5' wide walk linkage <input type="checkbox"/> Replacement
ADA Access Ramp	<input checked="" type="checkbox"/> New – at main driveway crossing with truncated domes per ADA regulations <input type="checkbox"/> Replacement
Parkway	<input checked="" type="checkbox"/> Trees <input checked="" type="checkbox"/> Landscaping (with irrigation)
Street Lights	<input checked="" type="checkbox"/> New – One new street light closer to the main driveway entrance <input type="checkbox"/> Relocation
Sewer Service	<input type="checkbox"/> Main <input checked="" type="checkbox"/> Lateral
All water appurtances are per LVMWD standards	<input checked="" type="checkbox"/> Yes – per intended commercial use
Storm Drain	<input type="checkbox"/> Remove, repair or realign. <input checked="" type="checkbox"/> Inlets and storm drain pipe per approved plans
Traffic Signing and Striping	<input type="checkbox"/> New <input checked="" type="checkbox"/> Modification – per Traffic Engineer

IMPROVEMENT ITEMS	ROADWAY: AGOURA ROAD
Other Requirements	Install 2" PVC conduit with rope and necessary pull boxes from Ladyface Court to east side of the driveway as shown on the approved grading plans.

- 2.21 The following existing streets being cut for new services may require tee cap of rubberized asphalt concrete overlay: Agoura Road
- 2.22 This property is within the Las Virgenes Municipal Water District (LVMWD) service area. The applicant shall make arrangements with LVMWD for those services and provide the City with proof that all LVMWD fees have been paid.
- 2.23 Other conditions: Slough and/or retaining walls shall be built on private property and are prohibited from being constructed in the public Right-of-way.

C. Sewer

- 2.30 The applicant shall connect to an 8-inch sewer line is available for connection by this project on Agoura Road.
- 2.31 Applicant shall use existing laterals, whenever provided, for connection to the public system.

D. Water

- 2.40 All water facilities shall be designed to comply with all LVMWD requirements. Final plans must be reviewed and approved by LVMWD and the City.

E. Drainage/Hydrology

- 2.50 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.

F. Stormwater (NPDES)

- 2.60 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:

- Sediments generated on the project site shall be retained using adequate Treatment Control or Structural BMPs;
- 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;
- Non-storm water runoff from equipment and vehicle washing and any other activity shall be contained at the project site;
- 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.

2.61 Prior to the approval of the Grading Plan and issuance of Grading Permits, a completed Urban Stormwater Mitigation Plan (USMP) shall be submitted to and approved by, the Engineering Department. The USMP 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.

2.62 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.

2.63 Other Conditions: A Best Management Practice (B.M.P.) Covenant and Deed Restriction shall be prepared and recorded with the Los Angeles

County Recorder's office by the applicant prior to issuance of a Certificate of Occupancy.

70. PRIOR TO CERTIFICATE OF OCCUPANCY

- 3.01 All remaining fees/deposits required by the Engineering Department must be paid in full.
- 3.02 All requirements including construction of improvements covered in Section 2 must be completed to the satisfaction of the City Engineer.
- 3.03 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.*
- 3.04 The applicant shall *record a covenant for continued stormwater maintenance, using City-approved forms*, with the Los Angeles County. An electronic copy of this document is available on the City's website: www.agoura-hills.ca.us.

BUILDING AND SAFETY DEPARTMENT CONDITIONS

Standard Conditions

71. The applicant shall provide a soils report for this project.
72. Per Section 903.2 of Chapter 1, Title VIII of Agoura Hills Municipal Code (AHMC), all new structures are required to be fire sprinklered. Plans for the required fire sprinkler system shall be submitted and approved by the Fire Department prior to the issuance of Building Permits.
73. All exterior materials used for eaves, sidings, porch, patio, carport and other similar structures need to meet the Very High Fire Hazard Severity Zone (VHFHSZ) as outlined in Chapter 2 of Article VIII in the AHMC.
74. Dual pane windows shall be utilized as required for VHFHSZ compliance.
75. As part of the permitting process and prior to permit issuance, two (2) full sets of construction plans including, Structural calculations needs to be submitted to Building and Safety Department for plan review and approval. Please be advised

that this is a preliminary review and does not constitute a final Building and Safety approval.

Special Conditions

76. If using a call box system for pick up and drop off disabled individuals and to access the site as a shuttle service, the applicant shall provide the information on the type of vehicle, the location the vehicle parks for pick up and drop off; flat landing location for this purpose and the business operation hours of this service.
77. All plans that are to be submitted to the Building and Safety Department shall comply with the most recently adopted codes and standards.

PLANNING CONDITIONS

78. On-site decorative paving shall be provided at the driveway entrance serving the site and the walking pathway around the proposed buildings. The color, materials and length of the decorative paving shall be subject to review and approval by the Director of Planning and Community Development prior to the issuance of a grading permit.
79. All transformers, other equipment, and refuse containers shall be screened from view. A plan showing this shall be reviewed and approved by the Director of Planning and Community Development prior to the issuance of a grading permit.
80. All parking stalls shall be pinstriped. A minimum of 51 parking spaces shall be provided for the project per the approved Site Plan.
81. In the event, that revisions to the plans required during the Plan Check process cause substantial changes to the project design as determined by the Director of Planning and Community Development, the project will be subject to additional review and approval by the Planning Commission.
82. No signs for the project and the building are approved with this permit. A sign program may be considered by the Director of Planning and Community Development.
83. A detailed Lighting and Photometric Plan shall be submitted for review and approval by the Director of Planning and Community Development, prior to issuance of a Building Permit.
84. A Conservation Easement required by the Santa Monica Mountain Conservation for the southern portion of the parcel must be secured before the issuance of a grading permit.

END

RESOLUTION NO. 1009

A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF AGOURA HILLS
RECOMMENDING APPROVAL OF VARIANCE CASE NO. 10-VAR-001

Section I. An application was duly filed by Vinod Gupta with respect with the property located 29760 Agoura Road (A.P.N. 2061-033-015), requesting a recommendation of approval of a Variance Case No. 10-VAR-001 from the Ladyface Mountain Specific Plan Section IV.A.6. to reduce the minimum required front yard from 70 to 60 feet, and the minimum west side yard from 35 to 20 feet. This application for the Variance was considered in conjunction with Conditional Use Permit Case No. 07-CUP-009 and Oak Tree Permit Case No. 07-OTP-012. A public hearing was duly held on May 20, 2010 at 6:30 p.m. in the City Hall Council Chambers, City Hall, 30001 Ladyface Court, Agoura Hills, California on the appeal. 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 hearing.

Section III. Pursuant to the Ladyface Mountain Specific Plan, the Planning Commission finds that:

- A. Because of special circumstances applicable to the subject property, including size, shape, topography, location or surroundings, the strict application of the Ladyface Mountain Specific Plan would deprive such property of privileges enjoyed by other property in the vicinity and under identical zoning classification. The parcel is unusually small by comparison to the other parcels in the Specific Plan. The proposed front and side setbacks would comply with the development standards of the BP-OR zone which is a zone intended primarily for office uses.
- B. The granting of the Variance will not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which the subject property is situated. The parcel is the smallest parcel in the Ladyface Mountain Specific Plan and unlike many other parcels in the Specific Plan Area that are natural and ungraded, this property was graded some time ago. The landscaping within the front slope area helps reduce the visual prominence of the building potentially caused by the reduced setback.
- C. The strict interpretation and enforcement of the provisions of the Zoning Ordinance would result in impractical difficulty or unnecessary hardship inconsistent with the objectives of the Zoning Ordinance. The lot is impacted by its size. The Specific Plan requirements were meant for all parcels regardless of their size. The location of the building on this lot will be compatible with neighboring properties and uses.
- D. The granting of the Variance will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements of the aesthetic value in the vicinity. The lot was pre-graded and the project is designed for minimal grading work,

and the preservation of the oak tree resources to the extent possible. The location of the building will not negatively impact light and air of the adjacent parcels as the buildings would be separated by 40 feet. The buildings will be constructed per City Building Code standards and the City Geotechnical Consultant's recommendations.

- E. The granting of the Variance will be consistent with the character of the surrounding area. By screening most of the parking from street views, with a terraced, two-story building and the project remains compatible with the development style in the area. The proposed front yard setback of 60 feet is greater than the setback of the existing building to the west which is setback 33.4 feet from the front property line. Also, the project proposes to setback the second floor an additional 55 feet from the front building wall thereby reducing the vertical mass as viewed from the front. In regard to the side yard setback, the offset second floor results in the first 55 feet with a one story element, thereby reducing the visual impact of the requested site yard reduction as seen from the street.

Section IV. In accordance with the California Environmental Quality Act, the City has prepared a Mitigated Negative Declaration for this project. Based upon the findings, public comments and the record before the Planning Commission, the Planning Commission finds that the Mitigated Negative Declaration does not worsen the 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 Mitigation Negative Declaration in considering the application and finds that it was prepared pursuant to the California Environmental Quality Act. The Planning Commission hereby recommends the City Council adopt the Mitigated Negative Declaration and the Mitigation Monitoring Program.

Section V. Based on the aforementioned findings, the Planning Commission hereby recommends, with respect to the property described in Section I herein, that the City Council approve Variance Case No. 10-VAR-001, subject to the attached Conditions, with the additional recommendation that in complying with the requirements of ADA that there shall not be a lift between Agoura Road and the building..

PASSED, APPROVED, and ADOPTED this 20th day of May, 2010, by the following vote to wit:

AYES:	(5)	Rishoff, O'Meara, Buckley Weber, Moses, and Justice
NOES:	(0)	
ABSTAIN:	(0)	
ABSENT:	(0)	


Mike Kamino, Secretary

Steve Rishoff, Chairperson

CONDITIONS OF APPROVAL (Case No. 10-VAR-001)

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 this Permit with the Department of Planning and Community Development.
3. Except as modified herein, the approval of this action is limited to and requires complete conformation to the approved labeled exhibits (Site Plan; Elevation Plans; Floor Plans, Roof Plan, and Grading Plan) approved on May 20, 2010.
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. Unless the approval is used within two (2) years from the date of City approval, Case No. 10-VAR-001 will expire. A written request for a one (1) year extension may be considered prior to the expiration date.
7. The Variance Case No. 10-VAR-001 is valid only in conjunction with the Ladyface Mountain Specific Plan Amendment, Case No. 07-SPA-001, Conditional Use Permit, Case No. 07-CUP-009, and Oak Tree Permit, Case No. 07-OTP-012 and the approved Conditions of approval therein.

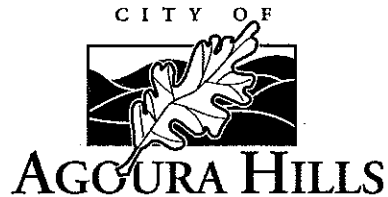
END



**OFFICE DEVELOPMENT
FOR THE PROPERTY LOCATED
AT 29760 AGOURA ROAD,
AGOURA HILLS**

**Specific Plan Amendment Case No. 07-SPA-001,
Conditional Use Permit Case No. 07-CUP-009,
Oak Tree Permit Case No. 07-OTP-012 and
Variance Case No. 10-VAR-001**

**Planning Commission
Meeting Minutes**



DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

**MINUTES OF THE REGULAR SCHEDULED MEETING OF
THE PLANNING COMMISSION
May 20, 2010**

CALL TO ORDER: Chair Rishoff called the meeting to order at 6:34 p.m.

FLAG SALUTE: Commissioner Justice

ROLL CALL: Chair Stephen Rishoff, Vice Chair John O'Meara, and Commissioners Illece Buckley Weber, Michael Justice, and Rick Moses were present.

Also present were Assistant City Attorney Candice Lee, Director of Planning and Community Development Mike Kamino, Assistant Community Development Director Doug Hooper, Principal Planner Allison Cook, Associate Planner Valerie Darbouze, Senior Civil Engineer Jay Patel, Landscape Consultant Ann Burroughs, Environmental Consultant Sean Wazlaw of Rincon Consultants, Inc., and Recording Secretary Sheila Keckhut.

APPROVAL OF AGENDA

Discussion Item No. 3 was moved to be heard before Public Hearing Item No. 2.

On a motion by Commissioner Justice, seconded by Commissioner Buckley Weber, the Planning Commission moved to approve the Agenda of the May 20, 2010 Planning Commission Meeting with the above referenced change. Motion carried 5-0.

APPROVAL OF MINUTES

1. Minutes – April 1, 2010 Planning Commission Meeting

On a motion by Vice Chair O'Meara, seconded by Commissioner Justice, the Planning Commission moved to approve the Minutes of the April 1, 2010 Planning Commission Meeting. Motion carried 5-0.

PUBLIC HEARING:

2. REQUEST: A request for a recommendation of approval to the City Council for a Specific Plan Amendment to the Ladyface Mountain Specific Plan to increase the maximum allowable developable building size from 8,000 to 12,700 square feet, to increase the maximum allowable developable pad area from 0.74 acres to 1 acre, and to increase the maximum allowable number of vehicular PM peak hour trips allocated for the parcel from 25 to 41; a Conditional Use Permit to build a 12,700 square-foot, two-story office building; a Variance from the Ladyface Mountain Specific Plan Section IV.A.6. to reduce the minimum required front yard from 70 to 60 feet, and the minimum west side yard from 35 to 20 feet; an Oak Tree Permit to encroach in the protected zone of 10 oak trees and to remove 5 other oak trees; and adoption of a Mitigated Negative Declaration and Mitigation Monitoring Program.

APPLICANT: Vinod Gupta
29800 Agoura Road
Agoura Hills, CA 91301

CASE NOS.: 07-SPA-001, 07-CUP-009, 07-OTP-012 and 10-VAR-001

LOCATION: 29760 Agoura Road, east of Ladyface Court
(A.P.N. 2061-033-015)

ENVIRONMENTAL ANALYSIS: Mitigated Negative Declaration

RECOMMENDATION: Staff recommended the Planning Commission recommend approval to City Council of Specific Plan Amendment Case No. 07-SPA-001, Conditional Use Permit Case No. 07-CUP-009, Oak Tree Permit Case No. 07-OTP-012, Variance Case No. 10-VAR-001, subject to conditions of the Resolutions.

PUBLIC COMMENTS: Chair Rishoff opened the Public Hearing.

The following persons spoke on this agenda item:

Neil Scribner, Architect representing the applicant.

Dr. Vinod Gupta, applicant.

Chair Rishoff closed the Public Hearing.

ACTION:

On a motion by Vice Chair O'Meara, seconded by Commissioner Justice, the Planning Commission moved to recommend that the City Council of the City of Agoura Hills approve Specific Plan Amendment Case No. 07-SPA-001 to the Ladyface Mountain Specific Plan. Motion carried 4-1. Commissioner Buckley Weber opposed.

On a motion by Vice Chair O'Meara, seconded by Commissioner Justice, the Planning Commission moved to recommend that the City Council of the City of Agoura Hills approve Conditional Use Permit No. 07-CUP-009, Oak Tree Permit Case No. 07-OTP-012, and adopt a Mitigation Negative Declaration and Mitigation Monitoring Report. Motion carried 4-1. Commissioner Buckley Weber opposed.

On a motion by Vice Chair O'Meara, seconded by Commissioner Moses, the Planning Commission moved to recommend that the City Council of the City of Agoura Hills approve Variance Case No. 10-VAR-001. Motion carried 5-0.

DISCUSSION ITEM:

3. Conditional Use Permit six-month compliance monitoring report on the operation of the Lavaggio automotive detail facility located at 30205 Canwood Street.

ACTION:

On a motion by Commissioner Buckley Weber, seconded by Commissioner Justice, the Planning Commission moved to receive, review and file the six-month monitoring report. Motion carried 5-0.

INFORMATION ITEM:

4. 2009 Housing Element Annual Program Report

The Planning Commission received and filed the 2009 Housing Element Annual Program Report. No other action of the Planning Commission was required.

PLANNING COMMISSION/STAFF COMMENTS

None

ADJOURNMENT

At 8:09 p.m., on a motion by Vice Chair O'Meara, seconded by Commissioner Justice, the Planning Commission adjourned the meeting to the next scheduled Planning Commission meeting on Thursday, June 3, 2010, at 6:30 p.m. Motion carried 5-0.



**OFFICE DEVELOPMENT
FOR THE PROPERTY LOCATED
AT 29760 AGOURA ROAD,
AGOURA HILLS**

**Specific Plan Amendment Case No. 07-SPA-001,
Conditional Use Permit Case No. 07-CUP-009,
Oak Tree Permit Case No. 07-OTP-012 and
Variance Case No. 10-VAR-001**

**Planning Commission
Meeting Staff Report**



**DEPARTMENT OF PLANNING AND
COMMUNITY DEVELOPMENT**

ACTION DATE: May 20, 2010

TO: Planning Commission

APPLICANT: Vinod Gupta
29800 Agoura Road
Agoura Hills, CA 91301

CASE NOS.: 07-SPA-001, 07-CUP-009, 07-OTP-012 and 10-VAR-001

LOCATION: 29760 Agoura Road, East of Ladyface Court
(A.P.N. 2061-033-015)

REQUEST: A request for a recommendation of approval to the City Council for a Specific Plan Amendment to the Ladyface Mountain Specific Plan to increase the maximum allowable developable building size from 8,000 to 12,700 square feet, to increase the maximum allowable developable pad area from 0.74 acres to 1 acre, and to increase the maximum allowable number of vehicular PM peak hour trips allocated for the parcel from 25 to 41; a Conditional Use Permit to build a 12,700 square-foot, two-story office building; a Variance from the Ladyface Mountain Specific Plan Section IV.A.6. to reduce the minimum required front yard from 70 to 60 feet, and the minimum west side yard from 35 to 20 feet; an Oak Tree Permit to encroach in the protected zone of 10 oak trees and to remove 5 other oak trees; and adoption of a Mitigated Negative Declaration and Mitigation Monitoring Program.

**ENVIRONMENTAL
DETERMINATION:** Mitigated Negative Declaration

RECOMMENDATION: Staff recommends the Planning Commission recommend approval to the City Council of Specific Plan Amendment, Case No. 07-SPA-001, Conditional Use Permit Case No. 07-CUP-009, Oak Tree Permit Case No. 07-OTP-012, Variance Case No. 10-VAR-001, subject to Conditions of the Draft Resolutions.

ZONING DESIGNATION: SP (Ladyface Mountain Specific Plan)

**GENERAL PLAN
DESIGNATION:** PD (Planned Development District)

I. BACKGROUND

As background, in 1990, a 28,000 sq. ft. office building was approved on this site. However, that entitlement expired 1993. In the meantime, in 1991, the City approved the Ladyface Mountain Specific Plan with a maximum allowable building area for this parcel of 8,000 square feet, the maximum allowable pad area of .74 acres, and a traffic budget of 25 p.m. peak hour trips. In 2003, that same applicant requested a Pre-screen Review by the City Council to amend the Ladyface Mountain Specific Plan to increase the maximum allowable building area from 8,000 square feet to the previously entitled (and expired) 28,000 square feet. The request also included corresponding increases in maximum allowable pad area and traffic budget to accommodate the larger building area. The majority of the Council's comments were not in favor of such an increase.

In 2005 and 2007, the City Council considered two different Pre-screen Review requests to increase the maximum allowable building area from 8,000 square feet to 17,000 square feet and to 15,900 square feet, respectively. (The 2007 request was from this applicant, Dr. Vinod Gupta.) Both of these requests also included corresponding increases in maximum allowable pad area and traffic budget. The Council's comments were mixed, with most expressing concerns with the increase, but supportive of slight to moderate increases.

The Specific Plan, which was adopted by the City Council in 1991, provides the City with a comprehensive set of plans, policies regulations and conditions for guiding and ensuring the orderly development of properties located at the foothills of Ladyface Mountain along Agoura Road, west of Kanan Road. The purpose of the Specific Plan, which supersedes the Zoning Ordinance, is three-fold:

1. To ensure that all development at the base of Ladyface Mountain is compatible with the unique nature of this natural asset of the community.
2. To encourage the coordinated development of a mixture of business park, commercial and limited residential uses within the study area.
3. To encourage developers to address compatibility of proposed projects with infrastructure capacity.

The predominant use allowed within the Specific Plan area is business park. Within the Specific Plan area, a maximum of 396,000 square feet has been allocated towards development of business park uses.

II. PROJECT DESCRIPTION

Conditional Use Permit Case No. 07-CUP-009 is a request of Vinod Gupta to construct a 12,700 square-foot, two-story office building on a pre-graded vacant parcel. The project site is located on the south side of Agoura Road, and east of Ladyface Court. The project is accessed via a single 26-foot wide driveway that it shares with the Gateway church property to the east. The project also shares a common driveway with the office building to the west. Surrounding uses include an office building to the west, also owned by the applicant, vacant open space to the south, and a church with ancillary facilities to the east. The parcel is located in the Ladyface Mountain Specific Plan area.

The Conditional Permit Use is a requirement of the Ladyface Mountain Specific Plan for any development project within the Specific Plan Area. The applicant is proposing a 12,700 square-foot, two-story building which is 4,700 square feet larger than the maximum 8,000 square-foot building size allowed in the Specific Plan for this particular parcel, and a building pad of 1 acre in size instead of the maximum 0.74 acre-size limit. As such, the review and approval of a Specific Plan Amendment is required. Furthermore, at the time of the Specific Plan adoption, a traffic study was prepared which established a maximum number of expected vehicular trips during the PM peak hour for each parcel. The project traffic study forecasted a greater number of PM trips generated by the proposed office use than is allowed for development of the parcel. As such, the traffic budget established for this parcel is also proposed to be amended.

The applicant is also requesting a Variance for reduced front and side yard setbacks, an Oak Tree Permit to encroach in the protected zone of 10 oak trees and to remove 5 oak trees. The proposed use as an office would be permitted in the Ladyface Mountain Specific Plan.

The following is a summary of the proposed development relative to the applicable development standards:

Pertinent Data for the Proposal:

	<u>Existing</u>	<u>Proposed</u>	<u>Required</u>
1. <u>Lot Area</u>	71,874 sq.ft. (1.65 acres)	71,874 sq.ft. (1.65 acres)	N/A
2. <u>Lot Dimensions</u>			
Width	132 feet	132 feet	N/A
Length	527 feet	527 feet	
3. <u>Building Size</u>	N/A	12,700 sq.ft.	8,000 sq.ft. max.
4. <u>Building Pad</u>	N/A	1 acre	0.74 acres
5. <u>Building Coverage</u>	N/A	12.1%	30% max.
6. <u>Bldg. Height</u>	N/A	35 feet	35 feet max.
7. <u>Bldg. Setbacks</u>			
• Front	N/A	60 feet	70 feet min.
• Rear	N/A	295 feet	70 feet min.
• Side (East)	N/A	50 feet	35 feet min.
• Side (West)	N/A	20 feet	35 feet min.
8. <u>Landscape Coverage</u>	N/A	62%	20%
9. <u>Parking</u>	N/A	51 spaces	42 spaces

III. STAFF ANALYSIS

The applicant proposes a development on a 1.65-acre, vacant parcel that was created in 1969. Approximately two-thirds of the parcel was disturbed by either brush clearance or grading. The pre-graded pad on the site is believed to have been graded while the office building to the west was constructed. The applicant is requesting an approval to build a 12,700 square-foot office building with surface and underground parking. General office is a permitted use for the "Business Park" sub-area of the Specific Plan.

The footprint would be located on the existing flat pad closer at the front of the parcel, similar to the adjacent office building to the west. The proposed location of the building was dictated by several constraints including the configuration of the graded pad, the proximity to the open space in the rear of the parcel (south-end), balanced cut and fill quantities of soil, and the elevation of the parking lot on the adjacent parcel to the west so as to provide access between both parcels for shared parking. The maximum allowable building size was a factor in proposing 50% of the parking to be located underground.

Based on the information provided on the architectural plans, the building setback would be less than what is required by the Specific Plan. The proposed front yard setback is 60 feet and the Specific Plan requires it to be 70 feet (twice the 35-foot height of the building).

The slope of the driveway exceeds the acceptable percentage for required American Disabilities Act (ADA) handicap access from the sidewalk to the building entrance, therefore the applicant proposes a chair lift on the slope in front yard that would provide access from the street to the lowest level of the office building on the west side.

Following is staff's analysis regarding the Specific Plan Amendment, architectural design, Landscape and Oak Tree Report, grading, traffic, parking and variance request.

Specific Plan Amendment

The Ladyface Mountain Specific Plan limits the amount of building area for all properties within the Specific Plan area. On this parcel, the maximum allowable building area is 7,000 square feet in Scenario 1-A. The property owner may request, in connection with a Conditional Use Permit application, that the maximum building area be increased provided that certain findings listed in the Specific Plan are met. The maximum building size increase allowed, per Scenario 2-A of the Specific Plan, for this parcel is 8,000 square feet. Therefore, the theoretical maximum allowable building area, as prescribed in the Specific Plan, on this parcel is between 7,000 and 8,000 square feet. Any development beyond this range of building area would require a Specific Plan Amendment. Maximum development pad areas and traffic budget were also established for this parcel based on the assumption of an 8,000 square foot building. Since the proposal is for a 12,700 square foot building, the specific plan amendments regarding maximum allowable pad area and traffic budget are collaterally required. Therefore, the proposed project requires amendments to the following criteria in the Ladyface Mountain Specific Plan:

1. Increase the maximum allowable building area from 8,000 square feet to 12,700 square feet.

2. Increase the maximum pad size from 0.74 acres to 1.0 acre.
3. Increase the traffic budget from 25 PM peak hour trips to 41 PM peak hour trips.

The project's discretionary permits which include the Conditional Use Permit, Oak Tree Permit, and Variance, cannot proceed without approval of the Specific Plan Amendment.

The Planning Commission's role is advisory to the City Council on amendments to the Specific Plan. The Specific Plan states that the Planning Commission and City Council must consider six specific factors in considering amendments to the Specific Plan. Below is staff's analysis of each of the six factors. If the Planning Commission's decision is to recommend approval of the Specific Plan Amendment, staff recommends that the findings in the resolution include language contained under each of the factors below.

1. The amendment is consistent with the General Plan and in keeping with the Ladyface Mountain Specific Plan concept. The proposed office use is a permitted use in the BP sub-area of the Specific Plan and is consistent with the surrounding uses. This is the smallest parcel in the Ladyface Mountain Specific Plan and is located adjacent to existing development to the west and the proposed building pad location is similar to the existing development to the west. The perpendicular orientation of the building to Agoura Road and the stepped massing of the building design helps minimize vertical building mass. Most of the parking spaces are located underground and over 60% of the site is landscaped. Views from the freeway and adjacent parcels along Agoura Road would not be negatively impacted by the construction of the two-story building, as it would not exceed the allowable height and the height of the existing buildings on adjacent parcels.
2. The amendments preserve the intent and purpose of the Ladyface Mountain Specific Plan; this parcel is non-conforming in size and was pre-graded prior to City incorporation. The building pad area and the surface parking area will not extend beyond the pre-graded pad and the south portion of the lot will remain undisturbed. Unlike many other parcels, in the Ladyface Mountain Specific Plan that are natural and ungraded, this parcel was graded some time ago. This particular parcel has an average slope of 15% and would not exceed the maximum allowable floor area ratio (FAR) for parcels with 15% slope. In this case, the proposed FAR is .17 and the building to the west is .35 whereas the maximum FAR permitted is .25. The proposed setback from Agoura Road is similar to the existing building setback of the building immediately to the west and Library/City Hall further west. The building and parking layout of those existing developments are similar to the proposed project in that the building is in the front with parking behind and/or underground.
3. The amendment is sensitive to the maintenance and protection of the natural terrain and environment. The applicant is proposing a development with a balanced grading and is using the existing pad design. Retaining walls do not exceed 6 feet in height. The project will provide an opportunity to landscape the unused areas of the parcel with native plant material in order to blend into the hillside. A Mitigated Negative Declaration was prepared and all mitigation measures will be incorporated into the project.

4. Although the number of budgeted PM peak hour trips exceeds the number specified in the Specific Plan, the level of service at nearby intersections will not worsen as a result of the increase. Many nearby intersections including Ladyface Court and Agoura Road and Reyes Adobe and Agoura Road have been improved since the Specific Plan was adopted.
5. The circulation along Agoura Road will be maintained. The main access is through a common driveway shared with the neighboring Gateway church site to the east. There is also proposed a common driveway with the building to the west which provides shared parking opportunities between the two buildings.
6. Public services and utilities will adequately serve the parcel. This is a pre-graded site in proximity to existing infrastructure and no new significant water, sewer, drainage, and roadway improvement are required. The project will comply with all public works conditions.

Architectural Design

In an effort to minimize the impacts of the mass of the structure and preserve the semi-rural character of the Specific Plan areas, and keep the building size as close to the maximum size provided in the Specific Plan as possible, the applicant has designed the second floor to be nearly half of the size of the first floor, and setback from the north and east sides of the building envelope. The remainder space is designed as a deck with large free-standing planters for added landscaping. The roof of the second story is designed with a flat roof and two hip-roofed towers.

The building design includes the use of a two-story entry way located at the rear of the building. The proposed glazed window panels are flanked by two stone-veneered, two-story tall columns and a metal canopy at midpoint. This would allow for internal views of the Ladyface Mountain immediately south of the parcel. Exterior finishing materials also include smooth stucco; the veneer would be applied to the corners of the building and on sections of the rear and west elevations as well. The roof would be clad with concrete tiles. The color scheme uses brown tones which help to blend the building with the surrounding natural environment. Based on a preliminary review of the building design, the Building Official expects the building to comply with the structural requirements dictated by the most recently adopted building code.

The project was presented to the Architectural Review Panel which recommended minor changes to the entry way and windows by reducing the height of the entry and breaking up the glazing into individual windows. The architect, however, has chosen to maintain the design as proposed.

Since minimal surface parking would be provided, only two light poles are proposed in the parking area, which are not expected to have negative visual impacts as they are shielded fixtures. The project, however, has been conditioned and is subject to the submittal of a detailed lighting and photometric plan for review by the Director of Planning and Community Development to verify compliance with the Zoning Ordinance; the City lighting guidelines recommend with restricted use of illumination near the property lines.

No signage is proposed on the building at this time, other than the address of the property. A monument sign is shown on the site plan at the street elevation to be externally illuminated.

However, the sign would be subject to a Sign Permit approval by the Director of Planning and Community Development at a later date.

Landscaping/Oak Tree Report Review

The applicant is required to provide for at least 25% landscape coverage for the total site, and at least 15% landscape coverage for the parking area. The applicant meets these requirements by providing over 60% landscape coverage which includes new landscaping and existing native landscaping at the south end of the parcel. Also, the project was conditioned to record a conservation easement to permanently preserve the rear of the parcel in its natural form because of its proximity to an undisturbed open space area per the Santa Monica Mountain Conservancy's request. The landscape plan includes native plants throughout to stabilize the newly graded slopes and a palette of trees with various heights on the front slope to help integrate the project in its surroundings. An Oak Tree will also be added to the landscaping in the right-of-way. A final landscape plan will be subject to approval by the Director of Planning and Community Development.

The applicant has submitted a required Oak Tree Report to evaluate the impacts of the project to the on and off-site oak trees. The report found, within the study boundary, 21 trees subject to review, including 7 trees on-site and 14 off-site (including one dead tree). It was determined that the project would require the removal of 5 other oak trees for the driveway and retaining wall construction (3 off-site and 2 on-site). All existing scrub oak on the hillside would remain undisturbed. Per the Zoning Ordinance, the removal requires a replacement ratio of 4:1 plus the total size of the caliper. Given the limited space on the site, the applicant may not be able to replant all mitigation trees on site and therefore would be required to pay an in-lieu fee prior to the City finalizing the construction for preservation of off-site oak habitat. Additionally, any new commercial project is required to plant one oak tree for every 15,000 square feet of gross floor area; in this case, the applicant will be required to plant 1, 24"-box tree to meet that requirement.

Grading

The project will generate an estimated cut of 1,800 cubic yards of soil, and 1,800 cubic yards of fill for a balanced grading. The elevation of the underground garage finished pad will be 892 feet above sea level or 15 feet above the street, 906 feet for the first floor (which is approximately the elevation of the existing pad) or 30 feet above the street and 920 feet for the second floor which equates to 43 feet above the street. The project will require retaining walls along the rear parking lot and along the east side of the common driveway and a slough wall along the front property wall. The applicant will be required to install a meandering sidewalk in front of the parcel along Agoura Road, and in front of the adjacent parcel to the west, to connect to the Ladyface Court-Agoura Road intersection.

Traffic/Circulation/Street Improvements

The Ladyface Mountain Specific Plan established a traffic budget of 25 PM peak hour trips based on an 8,000 square-foot office building. The traffic analysis submitted for this project forecasts 41 PM peak hour trips for the proposed 12,700 square foot building. A Specific Plan Amendment is necessary to exceed the traffic budget. The traffic analysis found that the proposed project, with the increase in building area, will not create significant impacts to the local circulation system. No

mitigation measures are recommended by the City Traffic Engineer given the level of improvement to the transportation system that has occurred in the vicinity of the project site since the Specific Plan was adopted. The applicant will be responsible instead for paying the City's Transportation Improvement Fund Fee which is required for any commercial development and is used by the City to improve the City's circulation system per the General Plan. 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

General office use requires one parking space for each 300 square feet of gross floor area, thus a total of 42 parking spaces are required for this development. The proposed project incorporates 51 parking spaces, 28 below ground and 23 at grade including 2 designated as handicap spaces. One reason why the applicant is providing additional parking spaces is to help alleviate the deficiency in parking on the adjacent site, which was built prior to the current development standards and is owned by the same applicant.

Variance

The applicant is requesting a Variance from the Ladyface Mountain Specific Plan Section IV.A.6. to reduce the minimum required front yard from 70 to 60 feet, and the minimum west side yard from 35 to 20 feet.

In order for the Planning Commission to grant approval of a Variance, each of the following five (5) findings must be made:

1. Required Finding:

Because of special circumstances applicable to the subject property, including size, shape, topography, location or surroundings, the strict application of the Ladyface Mountain Specific Plan would deprive such property of privileges enjoyed by other property in the vicinity and under identical zoning classification. The parcel is unusually small by comparison to the other parcels in the Specific Plan. The proposed front and side setbacks would comply with the development standards of the BP-OR zone which is a zone intended primarily for office uses.

2. Required Finding:

The granting of the Variance will not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which the subject property is situated. The parcel is the smallest parcel in the Ladyface Mountain Specific Plan and unlike many other parcels in the Specific Plan Area that are natural and ungraded, this property was graded some time ago. The landscaping within the front slope area helps reduce the visual prominence of the building potentially caused by the reduced setback.

3. Required Finding:

The strict interpretation and enforcement of the provisions of the Zoning Ordinance would result in impractical difficulty or unnecessary hardship inconsistent with the objectives of the Zoning Ordinance. The lot is impacted by its size. The Specific Plan requirements were

meant for all parcels regardless of their size. The location of the building on this lot will be compatible with neighboring properties and uses.

4. Required Finding:

The granting of the Variance will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements of the aesthetic value in the vicinity. The lot was pre-graded and the project is designed for minimal grading work, and the preservation of the oak tree resources to the extent possible. The location of the building will not negatively impact light and air of the adjacent parcels as the buildings would be separated by 40 feet. The buildings will be constructed per City Building Code standards and the City Geotechnical Consultant's recommendations.

5. Required Findings:

The granting of the Variance will be consistent with the character of the surrounding area. By screening most of the parking from street views, with a terraced, two-story building and the project remains compatible with the development style in the area. The proposed front yard setback of 60 feet is greater than the setback of the existing building to the west which is setback 33.4 feet from the front property line. Also, the project proposes to setback the second floor an additional 55 feet from the front building wall thereby reducing the vertical mass as viewed from the front. In regard to the side yard setback, the offset second floor results in the first 55 feet with a one story element, thereby reducing the visual impact of the requested site yard reduction as seen from the street.

IV. 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 or a Mitigated Negative Declaration;
- B. To enable the Lead Agency to modify a project, mitigate adverse impacts and avoid 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.

Staff found that although the proposed project could have potential significant effects on the environment, 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>Biological Resources</i>	Potential for Special Status Plant	Sensitive zone shall be fenced for the entire duration of the project and construction monitoring shall occur. Prior to grading, a focus survey shall be conducted; if a plant is identified, it shall be relocated and its growth monitored.
	Potential for Special Status Wildlife	Prior to grading, a focus survey shall be conducted; if special status wildlife is identified, it shall be relocated; if state or federal endangered or threatened species are identified, proper agencies shall be contacted and proper permits issued.
	Potential nesting birds within a regulated distance	Tree pruning shall occur outside of breeding season (September 15 to February 15). If within the specified season, a nesting survey shall be conducted weekly for 30 days prior to grading. If nesting is found, construction shall be postponed, proper agencies contacted and proper permits issued.
	Encroachment in the protected zone of an oak and removal of an oak tree	Replacement of oak tree resource to the full extent possible and/or payment of in-lieu fee.
Issue Area	Impact	Mitigation
<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.
Issue Area	Impact	Mitigation
<i>Geology and Soils</i>	Soil expansion	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

The Draft MND was circulated for a 30-day public review period, ending on April 30, 2010. Comments were received and a response incorporated in the final MND. 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.

The Planning Commission is asked to provide the City Council with a recommendation to adopt the final MND as well as a "mitigation monitoring program" (MMP) to ensure compliance during project construction and operation.

V. RECOMMENDATION

Based on staff's analysis, it is recommended the Planning Commission adopt the attached resolutions recommending that the City Council approve Specific Plan Amendment Case No. 07-SPA-001, Conditional Use Permit Case No. 07-CUP-009, Oak Tree Permit 07-OTP-01, and Variance Case No. 10-VAR-001 subject to conditions. In addition, staff recommends that the Planning Commission recommend the City Council adopt the Mitigated Negative Declaration and Mitigated Monitoring Program.

VI. ATTACHMENTS

- Ladyface Mountain Specific Plan Amendment Draft Resolution and Conditions of Approval and Draft Ordinance
- Conditional Use Permit and Oak Tree Permit Draft Resolution and Conditions of Approval
- Variance Request Draft Resolution and Conditions of Approval
 1. Photo-Simulation of the Project
 2. Photocopies of the Plans
 3. Vicinity/Zoning Map
 4. Photographs of the Site and Color and Material Board
 5. Final Mitigated Negative Declaration (Attached Report)

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