

## REPORT TO CITY COUNCIL

**DATE:** APRIL 27, 2011

**TO:** HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

**FROM:** GREG RAMIREZ, CITY MANAGER

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

**SUBJECT:** APPROVE SELECTION OF FEDERAL ADA/STATE ACCESSIBILITY OPTION AND ADOPTION OF ORDINANCE NO. 10-377, REGARDING A SPECIFIC PLAN AMENDMENT RELATIVE TO BUILDING SIZE, DEVELOPABLE PAD SIZE, AND TRAFFIC BUDGET FOR A PROPOSED 12,700 SQUARE FOOT OFFICE BUILDING LOCATED AT 29760 AGOURA ROAD (CASE NO. 07-SPA-001, APPLICANT: VINOD GUPTA)

---

At the June 23, 2010, City Council meeting, the Council, on a 4-0 vote (Councilmember Weber absent), introduced, read by title only, and waived further reading of Ordinance No. 10-377 to amend the Ladyface Specific Plan (Case No. 07-SPA-001) to increase the maximum allowable building size, the developable pad size, and the project traffic budget for one specific parcel in the Specific Plan located at 29760 Agoura Road. In conjunction with the Specific Plan Amendment, the Council also approved Conditional Use Permit Case No. 07-CUP-009 and Oak Tree Permit Case No. 07-OTP-012 for the construction of a 12,700 sq. ft. office building and for the removal and encroachment of oak trees.

Also, at the June 23, 2010, City Council meeting, given the topographical conditions of the Agoura Road frontage, the Council requested to review several access options to meet federal Americans with Disabilities Act (ADA) and State accessibility requirements to weigh the visual impacts and feasibility. Thus, the role of the City Council, at this time, is to review the access options analyzed by staff and to select a preferred option. Staff also respectfully requests that the City Council, at this time, adopt Ordinance No. 10-377, regarding the Specific Plan Amendments, which the Council introduced on January 23, 2010.

Staff met with the applicant on several occasions and reviewed four different accessibility alternatives. These options are summarized as follows:

Option #1 – A motorized wheel chair lift in the slope from the street to the building. The lift will be attached to the handrail of a new staircase;

Option #2 – A multiple switchback path in the slope from the street to the building;

Option #3 – A public sidewalk from the project site, approximately 175 feet on Agoura Road up Ladyface Court. The sidewalk would connect with a new private walkway at the property line and would extend along the rear of the existing building of the adjacent property and to the front of the proposed building; and

Option #4 – A handicap accessible vehicle, such as a van, to be kept on-site and a parking space carved into the slope near the street, with a call box.

Upon review of the above option, staff has concluded that Option #4, the on-call handicap accessible vehicle option, would not be feasible for public safety reasons. The applicant was then informed that Options #1, #2, and #3 could be considered and that those options would be submitted to the Council for review. The plans for these options are attached as exhibits to this report.

The applicant desires to pursue either Options #1 (lift and staircase) or #2 (switchback path), with Option #2 being his preferred option. Staff has reviewed the designs submitted by the applicant and finds that these two options are feasible and can be built. Staff prepared plans illustrating Option #3 (Ladyface route) to assess feasibility and compliance with federal ADA/state accessibility requirements and City codes, as Council Members expressed interest in exploring this option. All three options are further discussed below.

#### Option #1:

Lift and Staircase – The first option consists of building a staircase at grade from a new public sidewalk at the front property line on Agoura Road to the first floor of the building. A wheelchair lift would be attached to the staircase handrail which would ascend and descend the staircase as needed. The controls would be accessible both at the street level and at the top of the stairs near the building. The lift would consist of a platform which would fold up and could be stored at the top of the stairs, when not in use, to minimize visibility. Protective railing would be provided on both sides of the staircase. The staircase would connect to an accessible path along the west side of the building to the south side of the building, where the front door is located. This path needs to be designed with an 8.33% slope, thereby requiring a handrail, with segments of the path built at grade and others above grade which would be supported by retaining walls.

Staff has determined that the lift alone, as originally proposed by the applicant, is not a feasible alternative, and that the staircase is a necessary functional accessory to the lift to meet federal ADA/state accessibility and building code requirements. A side benefit of this option is that the staircase would be available to ambulatory users as well. Therefore, pedestrian access to and from the proposed building to the new sidewalk on Agoura Road would become available. While not as direct, the same pedestrian access to and from the existing building to the west would also become available, as the accessible walkway will extend between the buildings. The landscape plan presented to the City Council at the June 23 hearing, which was for the lift without the staircase, would still apply and the City's landscape consultant has indicated that only minor changes are necessary to the landscape plan to accommodate the lift-staircase option.

### Option #2:

Switchback Path – The second option consists of constructing a concrete path, approximately 200 feet in length, on the slope between the new public sidewalk on Agoura Road and the first floor of the building. In order to provide a path on the slope without handrails to minimize visual impacts, a maximum slope percentage of less than 5% would have to be maintained. The applicant proposes a path with three switchbacks to connect to a landing at the pad of the building. Within a segment of path on the slope would be a small exposed retaining wall ranging in height up to about 3 feet and approximately 30 feet in length. At the top of the 2:1 slope, the path would extend around the north and west elevations of the building to the front building entrance, similar to Option #1. As with Option #1, Option #2 also provides access to ambulatory users to and from the Agoura Road to the buildings. Given the changes to grading of the front slope facing Agoura Road, a new landscape plan was prepared to help screen the retaining wall, and is included as an attachment to this report.

### Option #3:

Ladyface Route – The third option was designed because it was proposed as a possible feasible alternative and was discussed by the City Council at the public hearing on June 23, 2010. This option is to extend the public sidewalk from Agoura Road, approximately 175 feet up Ladyface Court. The sidewalk would connect with a new walkway extending along the south side of the existing building and to the front entrance of the proposed building. In order for the sidewalk on Ladyface Court to meet the ADA maximum allowable slope requirements, it will range in slope gradient from 5% to 8.33% and will be configured in a curvilinear fashion and will be on both private and public property. The existing landscaping would be affected to accommodate the new sidewalk. The new walkway will be approximately 220 feet in length from the new sidewalk on Ladyface Court, traversing across the adjacent lot and extending to the front entrance of the proposed building. This new walkway will also provide an accessible path to the existing building on the adjacent property which currently does not exist. Although this option was found to be feasible, the applicant has indicated that he does not favor this option for various reasons, including the site disruptions and the permanent dedication of portions of the adjacent parcel, which he also owns, as well as the construction of a new sidewalk on Ladyface Court which requires additional right-of-way dedication or easement.

In further exploring the feasibility of all possible access options, staff has determined that Options #1, #2, and #3 are feasible and Option #4, the on-call handicap vehicle option, is not feasible for safety reasons. Staff also has found that Option #3, the Ladyface Route, is not practical for a number of reasons. Option #3 requires accessibility improvements and easements off site on the adjacent parcel and on the public right-of-way. The proposed disruptions to the adjacent site to construct these improvements include additional grading, retaining walls, removal of on-site landscaping, and the possible relocation of parking lot light fixture and impacts to oak trees. Impacts to the public right-of-way would include construction of a new sidewalk on Ladyface Court and associated dedications and easements. On the other hand, Option #1 (lift and staircase) and Option #2 (switchback path) can be provided completely on site without encumbering the adjacent property or impacting the public right-of-way and is less

circuitous than Option #3. For these reasons, staff recommends that the City Council select between Option #1 (lift and staircase) and Option #2 (switchback path).

Staff favors Option #1, which is the lift and staircase option as there would be less hardscape and, generally, less disruption to the slope than Option #2, the switchback path option. Option #2 would also be more visible until the landscaping in the slope is fully grown. Option #1 also provides more direct access to Agoura Road for ambulatory persons than the multiple switchbacks in Option #2.

The Planning Commission expressed concerns about an accessible lift in the slope during its review of the initial CUP application, and requested that the Council review all feasible access options. Upon a thorough review and analysis of four options, staff is recommending that the City Council select Option #1 for the aforementioned reasons. Also, during staff's review of feasibility of each of the options, it was determined that the lift also needs to be supported by a staircase, which has the side benefit of providing pedestrian access to ambulatory users. For either Options #1 or #2, however, staff recommends that the staircase (including the treads and the rails) or the walkway consists of a color treatment to minimize visual impacts.

There are two actions requested of the City Council at this time in the following order. The first is related to the CUP and is to select a preference of the access option. Staff recommends Option #1, the lift and staircase option.

The second action relates to the final adoption of Ordinance No. 10-377, regarding the Specific Plan Amendment relative to the building size, developable pad size, and traffic budget for the project. The Council introduced, read by title only, and waived further reading of Ordinance No. 10-377 at the June 23, 2010, public hearing. Adoption of the ordinance would complete the City Council's action on the Specific Plan Amendment.

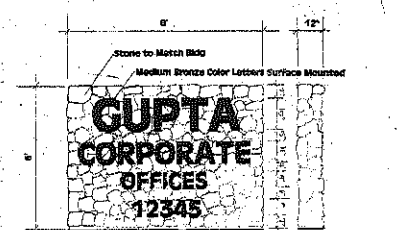
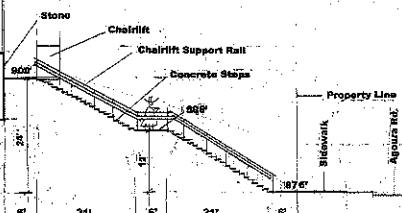
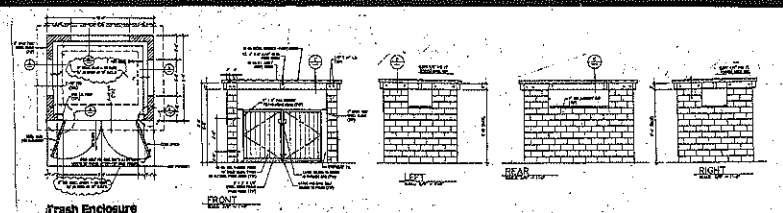
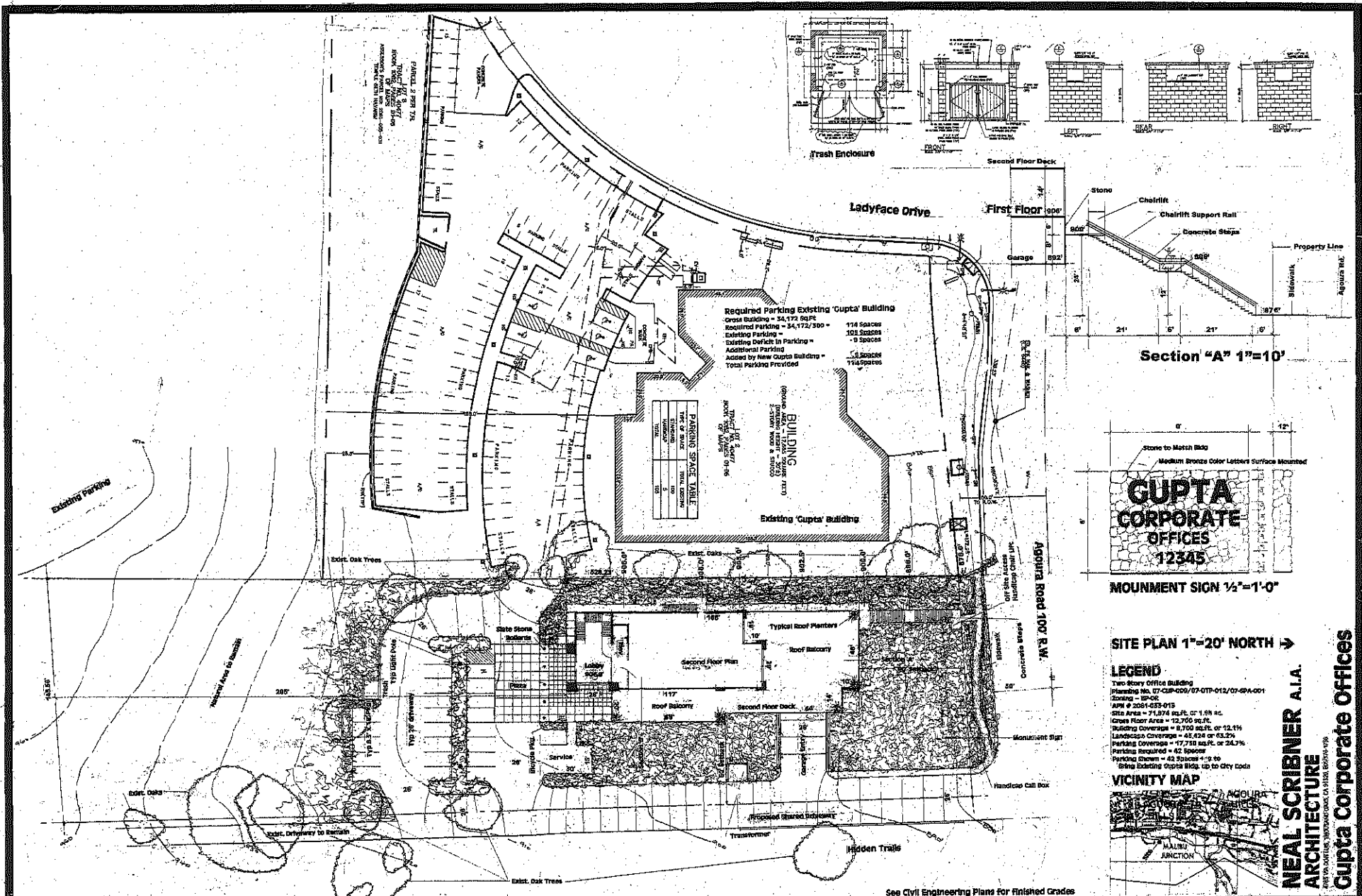
## **RECOMMENDATION**

Staff recommends that the City Council:

1. Adopt a minute motion indicating a preference for one of the accessible access options. Staff recommends Option #1, the lift and staircase option, with the condition that staircase and rail consist of earth tone colors to minimize visual impacts; and
2. Adopt Ordinance No. 10-377, regarding amendments to the Ladyface Mountain Specific Plan relative to building size, developable pad area, and traffic budget for the project.

Attachments: Exhibit A - ADA Access Options  
Exhibit B - Ordinance No. 10-377  
Exhibit C - Minutes of the June 23, 2010, City Council Meeting  
Exhibit D - Report to City Council – June 23, 2010

# ADA ACCESS OPTIONS



SITE PLAN 1"=20' NORTH →

**LEGEND**  
 Two Story Office Building  
 Planning No. 07-CUP-000/07-01P-012/07-02A-001  
 Zoning - GP-CR  
 App. # 2004-025-013  
 Site Area = 71,874 sq. ft. or 1.63 ac.  
 Gross Floor Area = 12,700 sq. ft.  
 Building Coverage = 8,700 sq. ft. or 12.1%  
 Landscape Coverage = 41,426 sq. ft. or 63.2%  
 Parking Coverage = 17,730 sq. ft. or 24.7%  
 Parking Required = 42 Spaces  
 Parking Provided = 42 Spaces ± 0 to  
 Bring Existing Gupta Bldg. up to city code



**NEAL SCRIBNER A.I.A. ARCHITECTURE**

See Civil Engineering Plans for Finished Grades

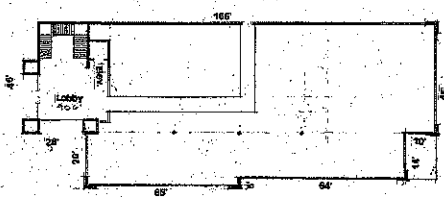
**APPLICANT**  
 Dr. Vinod K. Gupta (818)879-0111x16  
 12345 La Soya Dr.  
 Westlake Village, CA 91380

This is not a Medical Office Building

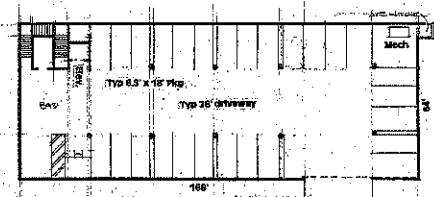
**SCHEME "A" OFF SITE ACCESS**

**NEAL SCRIBNER A.I.A. ARCHITECTURE**  
 12345 La Soya Dr. Westlake Village, CA 91380  
**Gupta Corporate Offices**

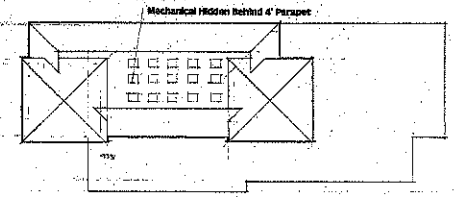
OPTION 1



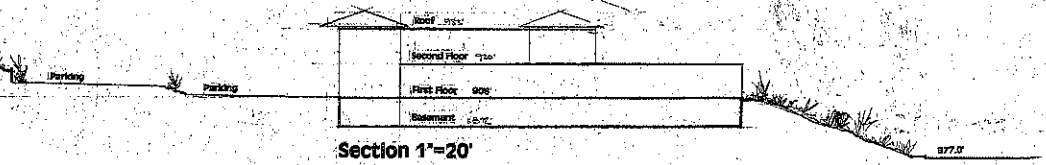
First Floor Plan 1"=20'



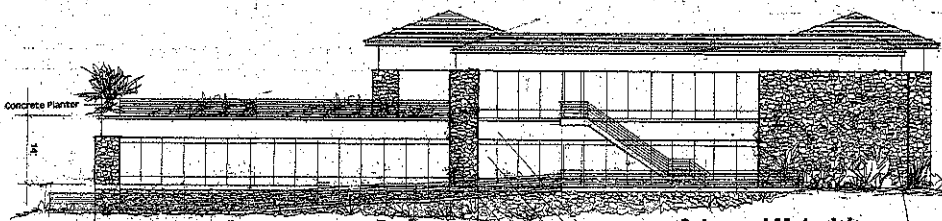
Basement Parking Plan 1"=20'



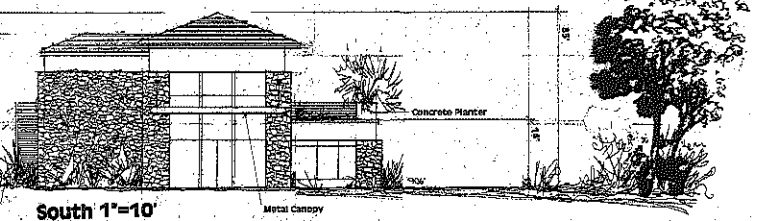
Roof Plan 1"=20'



Section 1"=20'

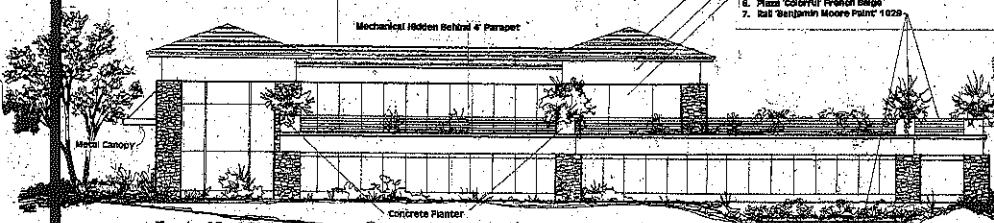


West 1"=10'

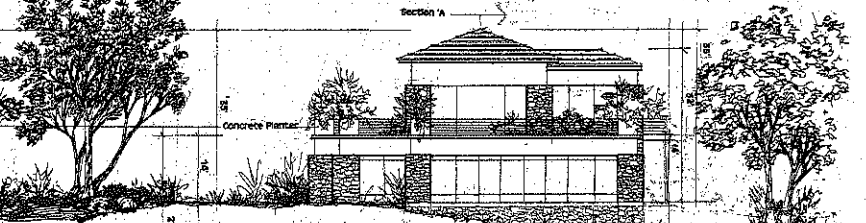


South 1"=10'

- Color and Materials:**
1. Roof Tile 'Tangle' Glass Stone
  2. Cultured Stone 'Villa de Largo Crossed Fieldstone'
  3. Stucco 'Benjamin Moore Paint' 1067
  4. Stucco 'Benjamin Moore Paint' 700
  5. Glass 'Evergreen'
  6. Glass 'Colorful' French Beige
  7. Rail 'Benjamin Moore Paint' 1029



East 1"=10'



North 1"=10'

**NEAL SCRIBNER A.I.A.**  
**ARCHITECTURE**

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

**SCHEME "A" OFF SITE ACCESS**  
**BUILDING ELEVATIONS 1"=10'**

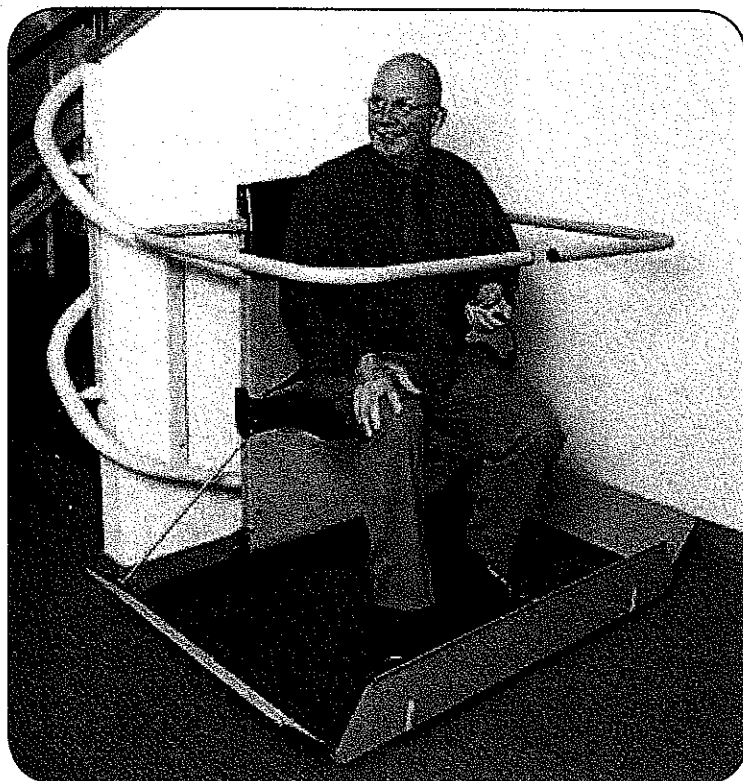
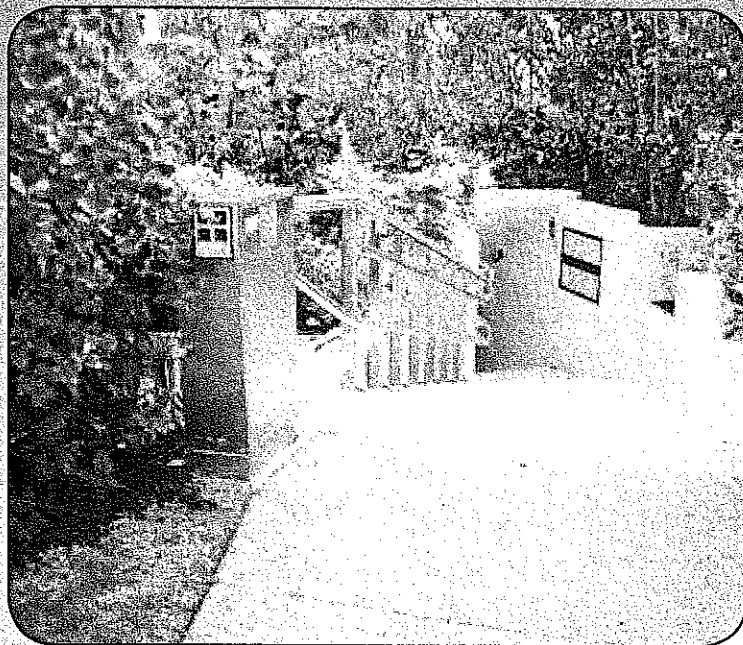
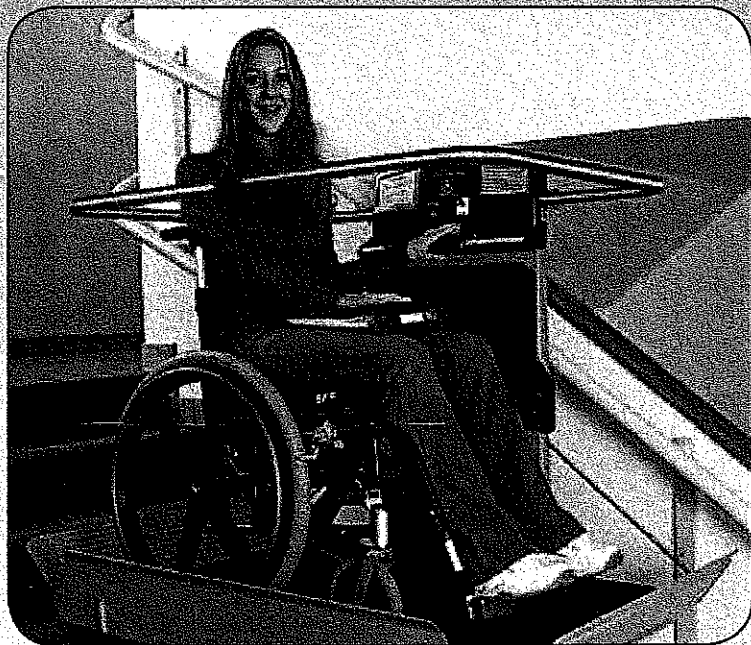
OPTION 1

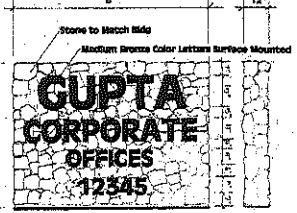
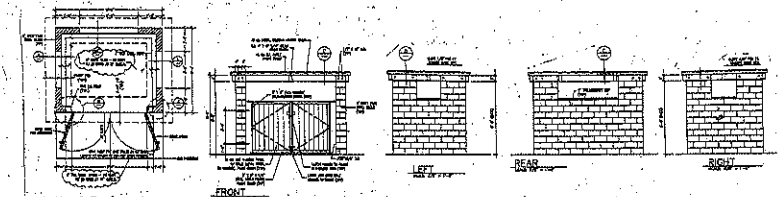
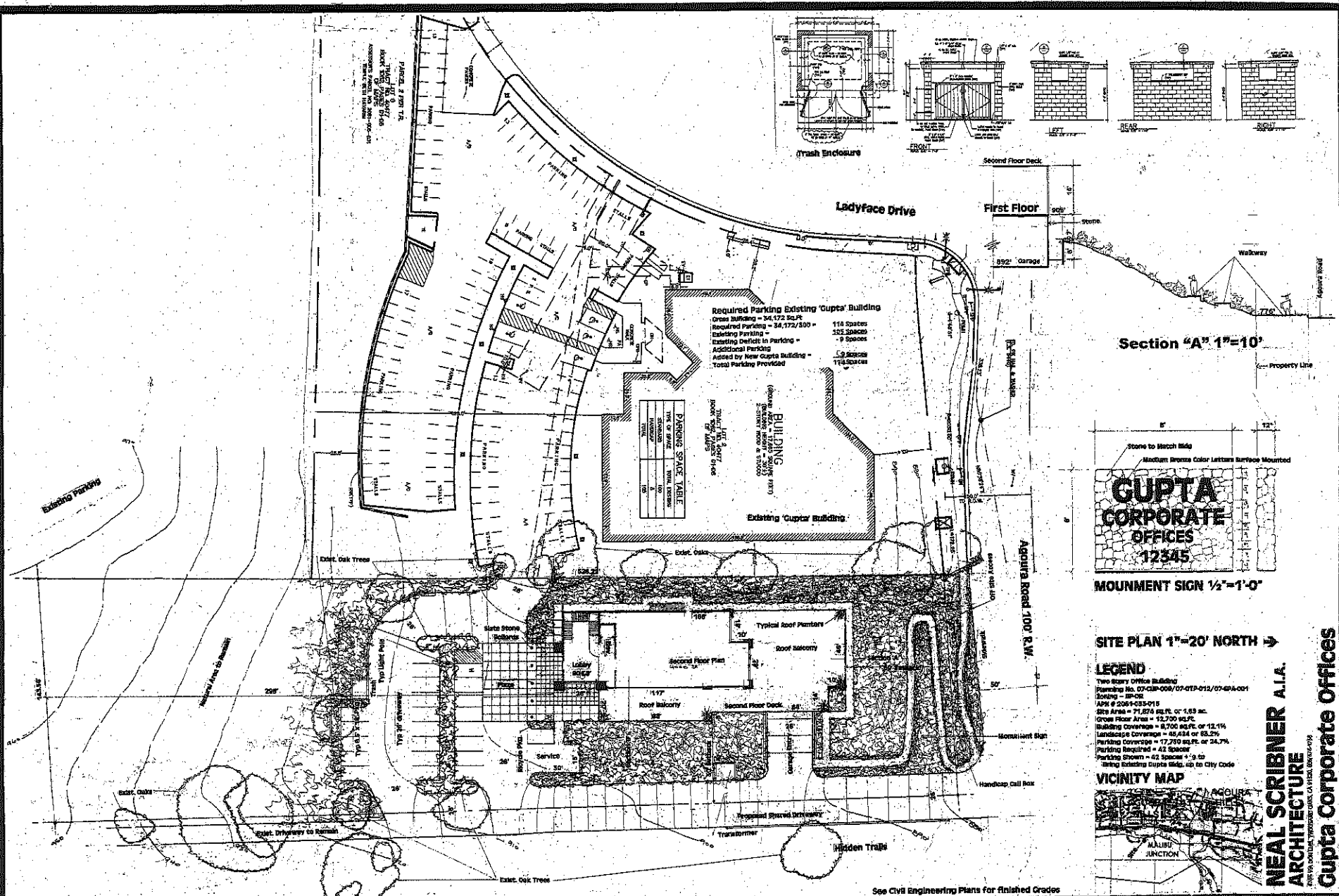




## ARTIRA DESIGN AND PLANNING GUIDE

Inclined platform lifts for straight and turning stairways





**SITE PLAN 1"=20' NORTH**

**LEGEND**

Two Story Office Building  
 Planning No. 07-CIP-008/07-OTF-012/07-GR-001  
 Zoning = M-28  
 APN # 206-1-033-015  
 Site Area = 71,874 sq.ft. or 1.63 ac.  
 Gross Floor Area = 12,700 sq.ft.  
 Building Coverage = 8,700 sq.ft. or 12.1%  
 Landscape Coverage = 45,434 or 63.2%  
 Parking Coverage = 17,200 sq.ft. or 24.3%  
 Parking Required = 42 Spaces  
 Parking Shown = 42 Spaces + 9 (3) Existing Existing Gupta Bldg. (4) to City Code



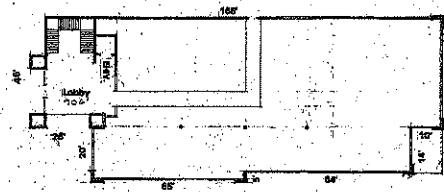
**NEAL SCRIBNER A.I.A. ARCHITECTURE**

**APPLICANT**  
 Dr. Vinod K. Gupta (818)879-0111x16  
 3123 La Brea Dr.  
 Westlake Village, CA 91361

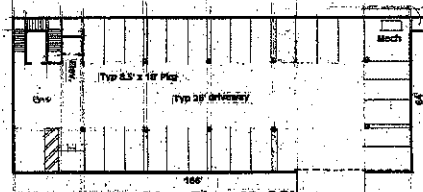
This is not a Medical Office Building

**SCHEME "B" OFF SITE ACCESS**

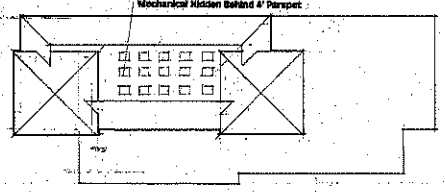
**NEAL SCRIBNER A.I.A. ARCHITECTURE**  
 1 Gupta Corporate Offices



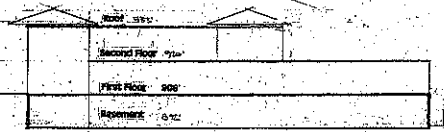
**First Floor Plan 1"=20'**



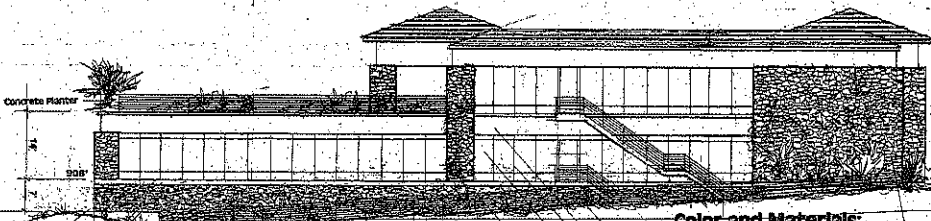
**Basement Parking Plan 1"=20'**



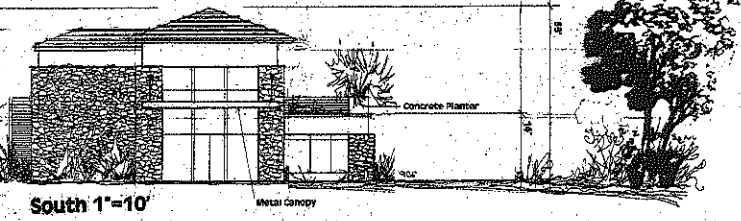
**Roof Plan 1"=20'**



**Section 1"=20'**



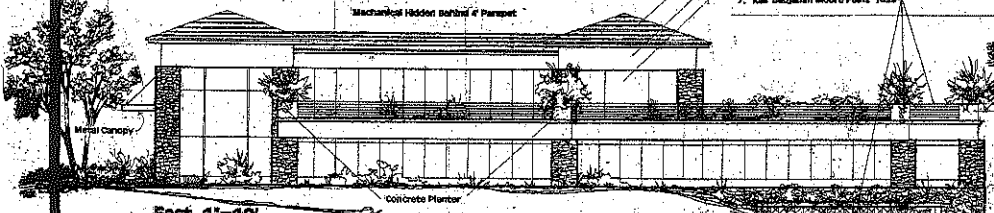
**West 1"=10'**



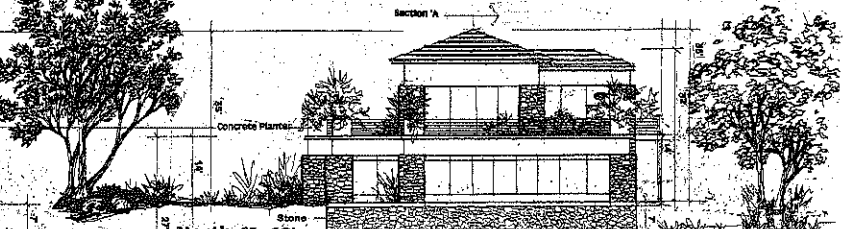
**South 1"=10'**

**Color and Materials:**

1. Roof 'The Eagle' 4848 Island
2. Cultured Stone/ Villa de Largo Dressed Fieldstone
3. Stone 'Bambino' Moore Paint' 1027
4. Mulhous 'Hershey Moore Paint' 700
5. Glass 'Evergreen'
6. Paint 'Coke/Pk' French Selig
7. Rail 'Bachman Moore Paint' 1029



**East 1"=10'**



**North 1"=10'**

**NEAL SCRIBNER A.I.A.**  
**ARCHITECTURE**

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

**SCHEME "B" OFF SITE ACCESS**  
**BUILDING ELEVATIONS 1"=10'**

OPTION 2

# LANDMARK DESIGN

## Landscape Architecture

275 E. HILLCREST DR. SUITE 170  
 THOUSAND OAKS, CA 91360  
 Ph 805.494.8155 Fx 805.494.9061  
 LICENSE NUMBER 2962  
 WWW.LANDMARKDESIGN.COM

STAMP



THIS DOCUMENT CONTAINS INFORMATION PROPRIETARY TO LANDMARK DESIGN AND IS FURNISHED FOR THE LIMITED PURPOSE OF EVALUATION, DESIGN OR REVIEW. THIS DOCUMENT OR ITS CONTENTS MAY NOT BE USED FOR ANY OTHER PURPOSES AND MAY NOT BE REPRODUCED OR DISCLOSED TO OTHERS WITHOUT THE PRIOR WRITTEN CONSENT OF LANDMARK DESIGN. ALL RIGHTS RESERVED. COPYRIGHT LANDMARK DESIGN

CLIENT

DR. VINOD K. GUPTA  
 CR OPERATION CO.  
 31225 LA BAYA DR.  
 WESTLAKE VILLAGE, CA 91362

PROJECT

GUPTA CORPORATE OFFICES  
 AGOURA ROAD  
 AGOURA HILLS, CA

PROJECT NUMBER

32501

DATE

11/12/10

REVISIONS

DRAWN . . . . . CHECKED . . . . .

SHEET TITLE

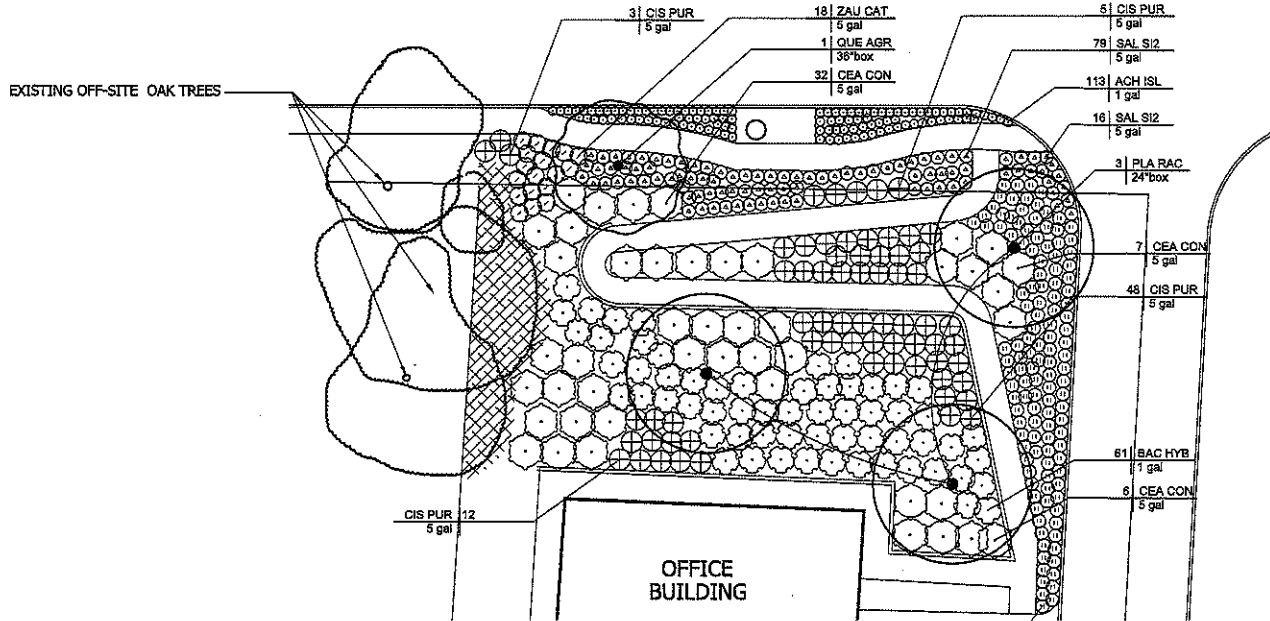
**SLOPE  
 PLANTING  
 PLAN**

SCALE

1"=16'-0"



SHEET NUMBER



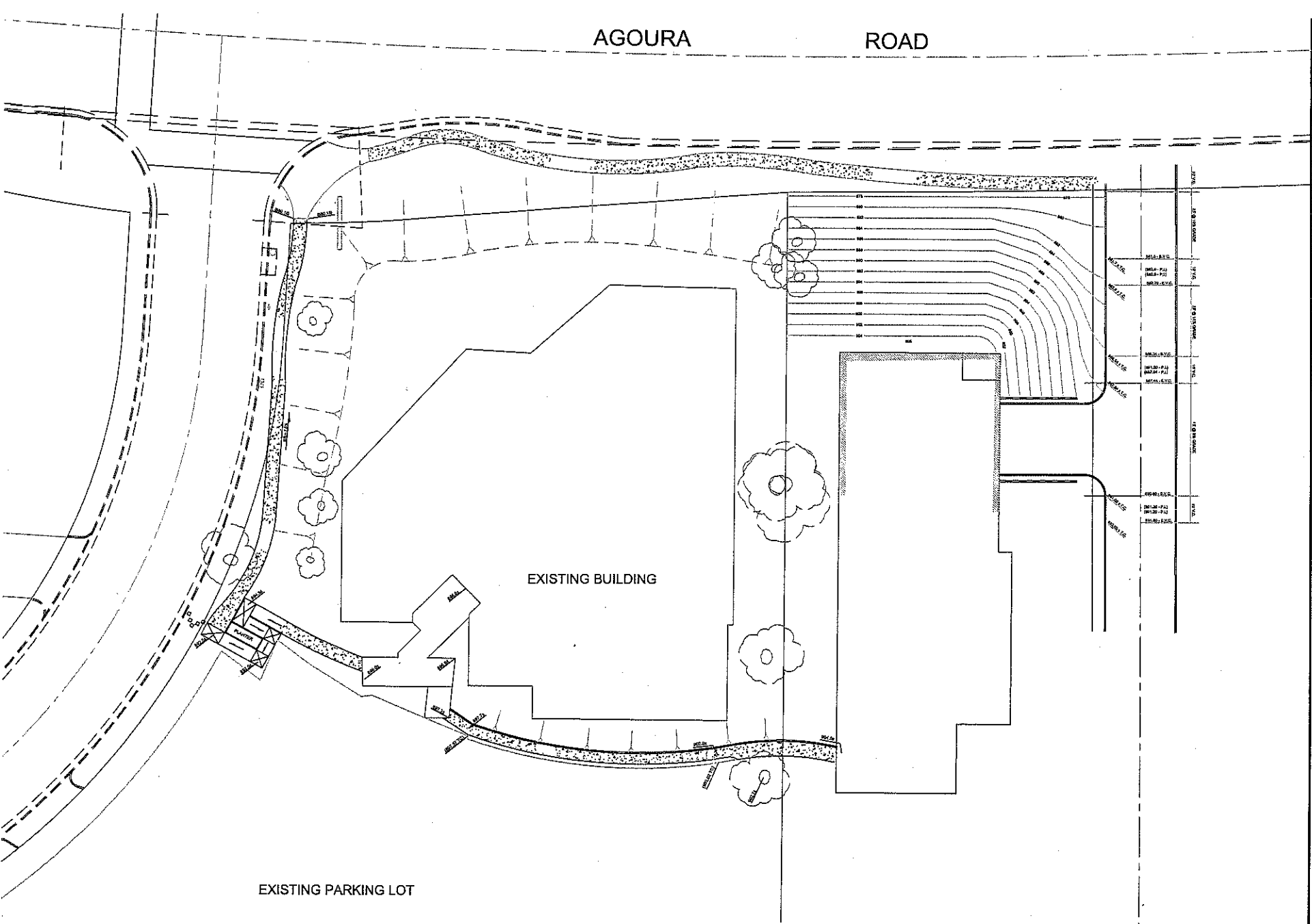
### PLANT SCHEDULE

TREES	CODE	BOTANICAL NAME / COMMON NAME	SIZE	SPECS	QTY
	PLA RAC	PLATANUS RACEMOSA / CALIFORNIA SYCAMORE	24"BOX	10-12' X4-5"	3
	QUE AGR	QUERCUS AGRIFOLIA / COAST LIVE OAK	36"BOX	12-14' X 6-7"	1
SHRUBS	CODE	BOTANICAL NAME / COMMON NAME	SIZE	QTY	
	ACH ISL	ACHILLEA MILLEFOLIUM 'ISLAND PINK' / COMMON YARROW	1 GAL	113	
	BAC HYB	BACCHARIS X 'STARN' / STARN COYOTE BRUSH	1 GAL	61	
	CEA CON	CEANOTHUS X 'CONCHA' / CALIFORNIA LILAC	5 GAL	45	
	CIS PUR	CISTUS X PURPUREUS / ORCHID ROCKROSE	5 GAL	68	
	GAL FIR	GALVEZIA SPECIOSA 'FIRECRACKER' / BUSH SNAPDRAGON	1 GAL	126	
	SAL SI2	SALVIA GREGGII 'SIERRA SAN ANTONIO' / AUTUMN SAGE	5 GAL	95	
	ZAU CAT	ZAUSCHNERIA CALIFORNICA 'CATALINA' / CALIFORNIA FUCHSIA	5 GAL	18	
GROUND COVERS	CODE	BOTANICAL NAME / COMMON NAME	QTY		
	MUL MUL	MULCH MULCH / 3" DEEP PINE MULCH	589 SF		

OPTION 2 **L-1**

AGOURA

ROAD



OPTION 3

ORDINANCE NO. 10-377

**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

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

\_\_\_\_\_  
Harry Schwarz, Mayor

ATTEST:

\_\_\_\_\_  
Kimberly M. Rodrigues, City Clerk



APPROVED AS TO FORM:

---

Craig A. Steele, City Attorney

CITY COUNCIL MEETING MINUTES OF  
JUNE 23, 2010

**MINUTES**  
**REGULAR MEETING OF THE**  
**AGOURA HILLS CITY COUNCIL, THE**  
**AGOURA HILLS FINANCING AUTHORITY, AND THE**  
**AGOURA HILLS REDEVELOPMENT AGENCY**  
**Civic Center – Council Chambers**  
**30001 Ladyface Court, Agoura Hills, California 91301**  
**June 23, 2010 at 7:00 p.m.**

The meeting was called to order at 7:00 p.m. by Mayor Koehler.

The flag salute was led by Councilmember Kuperberg.

Present were: Mayor William D. Koehler, Mayor Pro Tem Harry Schwarz, Councilmember John M. Edelston, and Councilmember Dan Kuperberg..

Councilmember Denis Weber was absent.

Also Present were: City Manager Greg Ramirez, City Attorney Craig Steele, Assistant City Manager Nathan Hamburger, Assistant to the City Manager Louis Celaya, Administrative Analyst Chris Dodd, Director of Planning and Community Development Mike Kamino, Assistant Director of Planning and Community Development Doug Hooper, Associate Planner Valerie Darbouze, Oak Tree Consultant Ann Burroughs, Planning Consultant Sean Waslow, Director of Finance Christy Pinuelas, Director of Community Services Amy Brink, City Engineer Ramiro Adeva, Building Official Amir Hamidzadeh, and City Clerk Kimberly Rodrigues.

**REPORT OF CLOSED SESSION**

City Attorney Steele reported on the City Council Closed Session item pursuant to Government Code Section 54956.8. Direction was given to staff and no reportable action was taken.

**APPROVAL OF AGENDA**

On a motion by Mayor Pro Tem Schwarz, second by Councilmember Kuperberg, with Councilmember Weber absent, the Agenda was approved without objection.

**PUBLIC COMMENTS**

There were no Public Comments.

**PRESENTATIONS**

There were no presentations.

**INTERGOVERNMENTAL, SPECIAL PURPOSE COMMITTEE, & DEPARTMENTAL REPORTS**

Director of Community Services Amy Brink provided an update on the 2010 Summer Recreation Programs offered by the Community Services Department.

Councilmember Kuperberg noted that the School District had announced that school would begin one week later this year and inquired if the Summer Recreation Programs would be extended during this time. Ms. Brink confirmed that the programs would run one week longer.

**CITY COUNCIL CONSENT CALENDAR**

There were no public speakers.

On a motion by Councilmember Edelston, second by Mayor Pro Tem Schwarz, the Consent Calendar was unanimously approved 4-0, with Councilmember Weber absent.

1. Approve Minutes of the Special City Council and Redevelopment Agency FY 2010-11 Budget Workshop of June 9, 2010

ACTION: Approved 4-0, Weber absent

2. Approve Minutes of the Regular City Council Meeting of June 9, 2010

ACTION: Approved 4-0, Weber absent

3. Approve Demand Warrant Register No. 630

ACTION: Approved 4-0, Weber absent

4. Approve Treasurer's Investment Report for May 2010

ACTION: Approved 4-0, Weber absent

5. Approve Extension to Consultant Services Agreement with AECOM (Formerly Boyle Engineering Corporation) to Design the Roundabout at the Intersection of Kanan Road and Agoura Road

ACTION: Approved 4-0, Weber absent

6. Approve Annual Contractor Services Agreement with CleanStreet for Citywide Street Sweeping Services

ACTION: Approved 4-0, Weber absent

7. Approve Consultant Services Agreement with Dapeer, Rosenblit & Litvak, LLP, for City Prosecuting Services for FY 2010-11

ACTION: Approved 4-0, Weber absent

8. Approve Amendment to Consultant Services Agreement with HdL Companies Relating to Property Tax Management and Audit Services

ACTION: Approved 4-0, Weber absent

9. Approve Amendment to Consultant Services Agreement with Kimley-Horn and Associates, Inc., Relating to the Completion of the Project Report and Environmental Documents for the U.S. 101/Palo Comado Canyon Road Interchange Project

ACTION: Approved 4-0, Weber absent

10. Approve First Amendment to Consultant Services Agreement with Neocomp Systems, Inc., Relating to Information Technology Management Services

ACTION: Approved 4-0, Weber absent

11. Approve Extension to Consultant Services Agreement with PMC for Updating the City's Arterial Street System Development Fee, More Commonly Known as the Traffic Impact Fee (TIF), and Establish a Separate Fee to be Known as the Parking Improvement Fee (PIF) for the Agoura Village Specific Plan Area

ACTION: Approved 4-0, Weber absent

12. Approve Extension to Consultant Services Agreement with STV Incorporated for Construction Engineering Services Related to the U.S. 101/Reyes Adobe Road Interchange Project

ACTION: Approved 4-0, Weber absent

13. Approve Request for Approval of Memorandums of Understanding with the Los Angeles County Metropolitan Transportation Authority (MTA) for Measure R Funding

ACTION: Approved 4-0, Weber absent

14. Approve Request to Purchase Hardware/Software for Information Technology and to Transfer Monies Between Public Works and Automated Office Systems Divisions

ACTION: Approved 4-0, Weber absent

15. Adopt **Resolution No. 10-1585**; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, AMENDING THE COMPENSATION PLAN BY INCREASING THE EMPLOYER CONTRIBUTION TO HEALTH CARE AND VISION PREMIUMS, SETTING THE SALARY RANGES FOR CITY EMPLOYEES TO INCLUDE A COLA RATE INCREASE IN THE SECOND YEAR; INTRODUCING THE IMPROVED DELTA DENTAL BENEFIT; AND ELIMINATING THE POSITION OF ACCOUNTING SPECIALIST III, ESTABLISHING THE POSITION OF ACCOUNTANT, APPROVING THE CLASSIFICATION SPECIFICATION, AND SETTING THE SALARY RANGE, AND Adopt **Resolution No. 10-1586**; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, ESTABLISHING A HEALTH CARE SPENDING ACCOUNT AND A DEPENDENT CARE SPENDING ACCOUNT

ACTION: Approved 4-0, Weber absent

16. Adopt **Resolution No. 10-1587**; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, AMENDING RULE VI, SECTION 4(B) OF THE PERSONNEL RULES

ACTION: Approved 4-0, Weber absent

17. Adopt **Resolution No. 10-1588**; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, ADOPTING THE EMERGENCY EVACUATION PLAN AND THE FIRE/SMOKE PROCEDURES AS PART OF THE NEW SAFETY MANUAL, AND THE SIDEWALK PROTECTION PROGRAM

ACTION: Approved 4-0, Weber absent

18. Adopt **Resolution No. 10-1589**; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, REDESIGNATING THE LOS ANGELES COUNTY DEPARTMENT OF PUBLIC HEALTH, ENVIRONMENTAL HEALTH, SOLID WASTE MANAGEMENT PROGRAM AS THE LOCAL ENFORCEMENT AGENCY RESPONSIBLE FOR ENFORCING ALL LAWS AND REGULATIONS PERTAINING TO THE MANAGEMENT OF SOLID WASTE WITHIN THE CITY OF AGOURA HILLS

ACTION: Approved 4-0, Weber absent

19. Adopt **Resolution No. 10-1590**; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, ORDERING THE TRANSFER OF UNCLAIMED MONEY TO THE GENERAL FUND

ACTION: Approved 4-0, Weber absent

**Convene the Agoura Hills Financing Authority (FA) Meeting  
Without Adjourning the Agoura Hills City Council Meeting**

The meeting was called to order at 7:13 p.m. by Authority Chairman Koehler.

Present were: Chairman William D. Koehler, Vice Chairman Harry Schwarz,  
Director John M. Edelston, and Director Dan Kuperberg.

Director Denis Weber was absent.

Also Present were: Authority Executive Director Greg Ramirez, Authority Counsel  
Craig Steele, Authority Assistant Director Nathan Hamburger,  
Assistant to the City Manager Louis Celaya, Administrative Analyst  
Chris Dodd, Director of Planning and Community Development  
Mike Kamino, Assistant Director of Planning and Community  
Development Doug Hooper, Associate Planner Valerie Darbouze,  
Oak Tree Consultant Ann Burroughs, Planning Consultant Sean  
Waslow, Director of Finance Christy Pinuelas, Director of  
Community Services Amy Brink, City Engineer Ramiro Adeva,  
Building Official Amir Hamidzadeh, and Authority Secretary  
Kimberly Rodrigues.

**FA APPROVAL OF AGENDA**

On a motion by Director Kuperberg, second by Director Edelston, with Director Weber absent,  
the Agenda was approved without objection.

**FA PUBLIC COMMENTS**

There were no public speakers.

**FA CONSENT CALENDAR**

There were no public speakers.

On a motion by Vice Chairman Schwarz, second by Director Kuperberg, with Director Weber  
absent, the Consent Calendar was approved 4-0.

FA1. Approve Minutes of the Regular City Council, Agoura Hills Financing Authority,  
and Agoura Hills Redevelopment Agency Meeting of June 24, 2009

ACTION: Approved 4-0, Weber absent

### **FA DISCUSSION/ACTION**

#### **FA2. Annual Business Meeting**

Following presentation of the staff report, Chairman Koehler opened the floor for public comment. There were no speakers.

No action was required.

At 7:14 p.m., on a motion by Director Edelston, second by Director Kuperberg, with Director Weber absent, the Financing Authority unanimously consented to adjourn the meeting.

**Adjourn the Agoura Hills Financing Authority Meeting and  
Convene the Agoura Hills Redevelopment Agency (RDA) Meeting  
Without Adjourning the Agoura Hills City Council Meeting**

The meeting was called to order at 7:15 p.m. by Agency Chair Schwarz.

Present were: Agency Chair Harry Schwarz, Agency Vice Chair Dan Kuperberg, Agency Member John M. Edelston, and Agency Member William D. Koehler.

Agency Member Denis Weber was absent.

Also Present were: Executive Director Greg Ramirez, Agency Counsel Craig Steele, Agency Assistant Executive Director Nathan Hamburger, Assistant to the City Manager Louis Celaya, Administrative Analyst Chris Dodd, Director of Planning and Community Development Mike Kamino, Assistant Director of Planning and Community Development Doug Hooper, Associate Planner Valerie Darbouze, Oak Tree Consultant Ann Burroughs, Planning Consultant Sean Waslow, Director of Finance Christy Pinuelas, Director of Community Services Amy Brink, City Engineer Ramiro Adeva, Building Official Amir Hamidzadeh, and Agency Secretary Kimberly Rodrigues.

### **RDA APPROVAL OF AGENDA**

On a motion by Agency Vice Chair Kuperberg, second by Agency Member Edelston, with Agency Member Weber absent, the Agenda was approved without objection.

### **RDA PUBLIC COMMENTS**

There were no public comments.



### **RDA CONSENT CALENDAR**

There were no public speakers.

On a motion by Agency Member Edelston, second by Agency Member Koehler, the Consent Calendar was approved 4-0 with Agency Member Weber absent.

RDA1. Approve Minutes of the Regular City Council and Redevelopment Agency Meeting of May 26, 2010

ACTION: Approved 4-0, Weber absent

RDA2. Approve Second Amendment to Consultant Services Agreement with Pacific Coast Civil, Inc., for Civil Engineering Consulting Services for the Gateway 1 and High School Affordable Housing Projects

ACTION: Approved 4-0, Weber absent

RDA3. Approve Consultant Services Agreement with RSG, Inc., for Consulting Services Related to the Implementation of the Redevelopment Agency's Affordable Housing Projects and Programs

ACTION: Approved 4-0, Weber absent

### **Convene Joint Meeting of the Agoura Hills City Council and the Agoura Hills Redevelopment Agency (RDA)**

### **JOINT CITY COUNCIL AND RDA/DISCUSSION ITEM**

20./RDA4. Consider the Adoption of **Resolution No. 10-1591**; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, ESTABLISHING FISCAL YEAR 2010-11 APPROPRIATIONS LIMITATIONS, **Resolution No. 10-1592**; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, ADOPTING THE ANNUAL BUDGET FOR FISCAL YEAR 2010-11; and **Resolution No. 10-52**; A RESOLUTION OF THE AGOURA HILLS REDEVELOPMENT AGENCY ADOPTING THE ANNUAL BUDGET FOR FISCAL YEAR 2010-11

Following presentation of the staff report, Mayor Koehler opened the Public Hearing.

There being no public speakers, Mayor Koehler closed the Public Hearing.

ACTION: Following discussion, the motion by Mayor Pro Tem Schwarz, to adopt **Resolution No. 10-1591**, was seconded by Councilmember Edelston, with Councilmember Weber absent, and approved on a roll call vote of 4-0.

ACTION: Following discussion, the motion by Councilmember Edelston, to adopt **Resolution No. 10-1592**, was seconded by Councilmember Kuperberg, with Councilmember Weber absent, and approved on a roll call vote of 4-0.

ACTION: Following discussion, the motion by Agency Member Edelston, to adopt Redevelopment Agency **Resolution No. 10-52**, was seconded by Agency Vice Chair Kuperberg, with Agency Member Weber absent, and approved on a roll call vote of 4-0.

At 7:20 p.m., on a motion by Agency Member Kuperberg, second by Agency Member Edelston, with Agency Member Weber absent, the Redevelopment Agency unanimously consented to adjourn the meeting.

**Adjourn the Agoura Hills Redevelopment Agency (RDA) Meeting  
Without Adjourning the Agoura Hills City Council Meeting**

**CITY COUNCIL PUBLIC HEARING/ACTION**

21. Conduct a Public Hearing, Introduce, Read by Title Only, and Waive Further Reading of **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) AND Adopt **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, AND Adopt **Resolution No. 10-1594**; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, APPROVING VARIANCE CASE NO. 10-VAR-001

Following presentation of the staff report, Mayor Koehler opened the Public Hearing.

The following person spoke on behalf of the applicant:

Neal Scribner, Architect

There being no further public speakers, Mayor Koehler closed the Public Hearing.

Mayor Koehler reopened the Public Hearing to allow additional comments by Mr. Scribner. There being no further public speakers, Mayor Koehler closed the Public Hearing.

MOTION: Following discussion and a question and answer period, the motion by Mayor Pro Tem Schwarz, to introduce, read by title only, waive further reading of **Ordinance No. 10-377** and adopt **Resolution No. 10-1593** and **Resolution No. 10-1594**, was seconded by Councilmember Edelston.

ACTION: Following further discussion, the motion by Councilmember Edelston, to include amendments to the conditions of approval regarding the design of the main driveway, shared access/parking, dual glazing, and alternatives for the ADA access, was seconded by Councilmember Kuperberg, and approved 4-0, with Councilmember Weber absent.

#### **CITY COUNCIL DISCUSSION/ACTION**

22. Consider the Adoption of **Resolution No. 10-1595**; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, TEMPORARILY ALLOWING, FOR BUSINESS PURPOSES, THE DISPLAY OF A MAXIMUM THIRTY-SQUARE-FOOT RETAIL BANNER ON PRIVATE PROPERTY THROUGH JUNE 23, 2011

Following presentation of the staff report, Mayor Koehler opened the floor for public comment.

There were no public speakers.

ACTION: Following discussion and a question and answer period, the motion by Councilmember Kuperberg, to direct staff to interact with the EDC and the Chamber of Commerce and bring back recommendations on the display of temporary banners, to the July 14, 2010, meeting, was seconded by Councilmember Edelston, and approved 4-0, with Councilmember Weber absent.

#### **CITY COUNCIL, STAFF COMMENTS**

Mayor Pro Tem Schwarz spoke about attending the concert last Sunday at Chumash Park and encouraged everyone to participate in the upcoming *Concerts in the Park* and *Movies in the Park* events.

**ADJOURNMENT**

At 9:35 p.m., on a motion by Councilmember Kuperberg, second by Councilmember Edelston, with Councilmember Weber absent, the City Council unanimously consented to adjourn the meeting to 7:00 p.m., Wednesday, July 14, 2010, for a Regular Meeting of the City Council in the Council Chambers of the Civic Center with a Closed Session at 6:00 p.m. The Civic Center is located at 30001 Ladyface Court, Agoura Hills, California.

Kimberly M. Rodrigues, MMC  
City Clerk/Authority Secretary/Agency Secretary

REPORT TO CITY COUNCIL  
JUNE 23, 2010

## 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

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