



Los Angeles County Department of Regional Planning
 320 West Temple Street, Los Angeles, California 90012
 Telephone (213) 974-6443

PROJECT No. 98-062-(3)
CONDITIONAL USE PERMIT

RPC CONSENT DATE 6/28/06	CONTINUE TO
AGENDA ITEM 5	
PUBLIC HEARING DATE March 24, 2003, May 7, 2003, and May 25, 2005, June 15, 2005, and September 7, 2005	

APPLICANT Rick Wentz, Abraham Joshua Heschel Day School West	OWNER Rick Wentz, Abraham Joshua Heschel Day School West	REPRESENTATIVE Roger Van Wert Van Wert, Inc.
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REQUEST
 Conditional Use Permit: To authorize the construction, operation and maintenance of a private religious preschool, elementary and middle school for up to 750 students (pre-kindergarten through eighth grade) and 97 staff in the A-1-5 (Light Agricultural-Five Acres Minimum Required Area) zone.

LOCATION/ADDRESS East of Palo Comado Canyon Road and Cheeseboro Canyon Road	ZONED DISTRICT The Malibu
ACCESS Via Palo Comado Canyon Road to the west	COMMUNITY Agoura
SIZE 73 acres	EXISTING LAND USE vacant
SHAPE Irregular	TOPOGRAPHY Level to sloping
EXISTING ZONING A-1-5 (Light Agricultural-Five Acres Minimum Required Area)	

SURROUNDING LAND USES & ZONING North: Santa Monica Mountains National Recreation Area, single-family residences; O-S (Open Space)	East: Vacant; O-S
South: Commercial, vacant, Ventura Freeway (101); U. S. Highway ROW and the City of Agoura Hills	West: Single-family residences, commercial, vacant; City of Agoura Hills: CRS-FC-OA (Commercial Retail Service-Freeway Corridor-Old Agoura), RL-20,000 (Low Density Residential-20,000 s.f. lots)

GENERAL PLAN	DESIGNATION	MAXIMUM DENSITY	CONSISTENCY
Countywide	_____	_____	_____
Santa Monica Mountains North Area Plan	N-5 (Mountain Lands 5)	_____	See Staff Analysis

ENVIRONMENTAL STATUS
 Environmental Impact Report

DESCRIPTION OF SITE PLAN
 The applicant's site plan depicts the subject property developed with the proposed school. A total of nine, one- and two-story buildings are planned, totaling approximately 166,450 square feet of floor space on 20.7 acres of the 73 acre site. A sanctuary is depicted in the center of the subject property. Middle school buildings and library are placed to the southwest of the sanctuary. Elementary school buildings and library are located northwest of the sanctuary. A multipurpose room/cafeteria, an auditorium, kindergarten facility, a preschool, and offices are also depicted to the west of center. 223 on-site parking spaces have been provided. An athletic field, paved playground area, a pool, and a gymnasium are depicted at the east end of the subject property. Approximately 45 acres are proposed for preservation of open space including a proposed 29-acre conservation easement. Access to the site is via Palo Comado Canyon Road at Canwood Street at the southwest corner of the property.

- KEY ISSUES**
- Satisfaction of Section 22.56.040, Title 22 of the Los Angeles County Code conditional use permit burden of proof requirements.
 - Consistency with the Santa Monica Mountains North Area Plan
 - Compliance with the Santa Monica Mountains North Area Community Standards District Development Standards

TO BE COMPLETED ONLY ON CASES TO BE HEARD BY THE BOARD OF SUPERVISORS

STAFF CONTACT PERSON: Kim K. Szalay, MPL, AICP			
RPC HEARING DATE(S): 3/24/03, 5/07/03, 5/25/05, 6/15/05, 9/07/05	RPC ACTION DATE: June 28, 2006	RPC RECOMMENDATION: Approval	
MEMBERS VOTING AYE: 4	MEMBERS VOTING NO: 0	MEMBERS ABSTAINING: 0 Members Absent: 1	
STAFF RECOMMENDATION (PRIOR TO HEARING): Approval			
SPEAKERS* (O) 78	PETITIONS (O) 3 (27, 21, 259 signatures)	LETTERS (O) 158	(F) 485 (incl. form letters)

*(O) = Opponents (F) = In Favor



Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



James E. Hartl AICP
Director of Planning

July 6, 2006

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Abraham Joshua Heschel Day School West
C/O: Roger Van Wert
515 South Figueroa Street, Seventh Floor
Los Angeles, CA 90071

RE: PROJECT NO. 98-062-(3)
CONDITIONAL USE PERMIT NO. 98-062-(3)

Dear Applicant:

The Regional Planning Commission, by its action of June 28, 2006, **APPROVED** the above described conditional use permit.

The applicant or **ANY OTHER INTERESTED PERSON** may **APPEAL** the Regional Planning Commission's decision to the Board of Supervisors through the office of Violet Varona-Lukens, Executive Officer, Room 383, Kenneth Hahn Hall of Administration, 500 West Temple Street, Los Angeles, California 90012. Contact the Executive Office for the necessary forms and the amount of the appeal fee at (213) 974-1426. The appeal must be postmarked or delivered in person within 15 days after this notice is received by the applicant.

If no appeal is made during this 15-day period, the Regional Planning Commission action is final. Upon completion of the 15-day appeal period, please notarize the attached acceptance form and **hand deliver** this form and any other required fees or material to the planner assigned to your case. It is advisable that you **make an appointment** with the case planner to assure that processing will be completed expeditiously. If you have any questions regarding this matter, please contact the Zoning Permits Section at (213) 974-6443.

Very truly yours,

DEPARTMENT OF REGIONAL PLANNING
James E. Hartl, AICP, Acting Director of Planning


Samuel Dea
Acting Supervising Regional Planner
Zoning Permits I Section

Enclosures: Findings and Conditions, Affidavit (Permittee's Completion).

c: Board of Supervisors; Department of Public Works (Building and Safety); Department of Public Works (Subdivision Mapping); Zoning Enforcement; Testifiers

SD:KKS

PROJECT NO. 98-062-(3)
CONDITIONAL USE PERMIT NO. 98-062-(3)

FINDINGS AND ORDER OF THE REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES

REGIONAL PLANNING COMMISSION HEARING DATES: December 18, 2002, March 24, 2003, May 7, 2003, May 25, 2005, June 15, 2005, September 7, 2005

SYNOPSIS: The applicant, Rick Wentz, Abraham Joshua Heschel Day School West, is requesting a conditional use permit to authorize construction, operation and maintenance of a private religious elementary and middle school (pre-kindergarten through eighth grade) for up to 750 students. The subject property is located northeasterly of Palo Comado Canyon Road and east of Cheseboro Road adjacent to the City of Agoura Hills. A total of nine one- and two-story buildings are proposed, totaling approximately 166,450 square feet of floor space. The buildings include an elementary school building, a middle school building, multipurpose room, auditorium, two libraries, gymnasium and a sanctuary. A preschool building is also included with its own drop-off and parking area. The proposal also includes paved playground areas and an athletic field. The project is proposed to be constructed in six (6) phases within an approximately 13-year time period.

The school presently operates out of leased space located at 27400 Canwood Street, Agoura, approximately one mile east of the project site and currently has an enrollment of approximately 210 students and 36 staff. It is anticipated that the existing students and staff would transfer to the new site upon completion.

Grading will be required to establish the building pads and to create the access road. Most of the grading activity will occur within the interior of the project site, while preserving the major ridgeline and steep slopes found on the property. Project site grading will require the movement of approximately 173,000 cubic yards of earth; grading would be balanced on site.

The applicant is proposing to construct a private, educational institution to accommodate the growing demand for a Jewish educational, cultural, and recreational facility. The applicant chose the subject property for the school location in order to site the facility in the demographic center of the existing school population and the center of the Jewish population in order to minimize travel times and maximize access to the facility. The applicant intends to promote learning by providing a quiet educational experience and promoting school security by locating the school on a secluded site with controlled access.

The subject property falls within the Santa Monica Mountains North Area Plan and the Santa Monica Mountains North Area Community Standards District (CSD).

Prior to the adoption of the North Area Plan the subject property was zoned C-2 and R-1-30,000; with the adoption of the North Area Plan the zoning on the subject property was changed to A-1-5 (Light Agriculture, five acre minimum required area).

A conditional use permit is required to establish a school in the A-1-5 zone.

PROCEEDINGS BEFORE THE COMMISSION:

December 18, 2002 Public Hearing

A public hearing scheduled for December 18, 2002 before the Regional Planning Commission was cancelled due to inadequate posting of hearing notices. The Commission unanimously voted to reschedule the public hearing to April 2, 2003. The hearing was later rescheduled to March 24, 2003.

March 24, 2003 Public Hearing

A duly noticed public hearing was held at the March 24, 2003 meeting of the Regional Planning Commission. Commissioners Rew, Helsley, Valadez, and Bellamy were present. Commissioner Modugno was absent. The meeting was held near the subject community at the Las Virgenes Municipal Water District building in Calabasas. Twenty-six persons testified about the project. The Commission continued the hearing to May 7, 2003 to allow public testimony to resume.

May 7, 2003 Public Hearing

At the May 7, 2003 public hearing, Commissioners Bellamy, Valadez, Helsley, and Modugno were present. Commissioner Rew was absent. Thirty-five persons testified about the project. The Commission indicated that public testimony was not complete and that a rebuttal period by the applicant would not be in order until testimony was completed at a future hearing date. The Commission summarized comments by indicating the need by the applicant to reduce the project footprint, increase open space, reduce grading by approximately 25%, establish a mandatory 25-30% carpooling plan, establish a clear phasing timeline for completion of the project, consider dedication of open space to an appropriate conservation agency, devise an access signalization design through an interface with the City of Agoura Hills and Caltrans, establish a landscaping implementation plan, adequately include in the EIR, design criteria from the Santa Monica Mountains North Area Plan, provide a revised EIR to include adequate treatment of noise, traffic, phasing, visual and natural disaster impacts, and provide a thorough presentation of interim uses prior to build out. The Commission unanimously voted to continue the public hearing to September 10, 2003. Subsequent to the hearing, the applicant indicated more time would be needed to complete preparation of all the items required by the Commission. The case was taken off the Commission agenda and eventually rescheduled for a new public hearing on May 25, 2005.

May 25, 2005 Public Hearing

A duly noticed public hearing was held on May 25, 2005 before the Regional Planning Commission. Commissioners Rew, Modugno, Bellamy, Helsley and Valadez were present. Thirty-three persons testified about the project. The Commission required the applicant to further coordinate with the City of Agoura Hills and County staff regarding all traffic mitigation measures; this would include the roundabout option proposed for U.S. Highway 101 westbound ramps at Palo Comado Canyon Road and Canwood Street intersection.

Also requested was proof of ownership of a small western portion of the project area depicted on the vicinity map as part of the subject site or as an access easement; clarification is required. The Commission directed the applicant to provide specific carpool plans including drop off and pick up locations and traffic circulation patterns. Naming of the conservation agency receiving the proposed conservation easement was required. The Commission further requested that the applicant consider staggering of school hours and provide greater clarification for the necessity of 24 evening events and four major events per year, and how these events would be managed. The Commission suggested that staff make further inquiry with the applicant regarding the applicant's willingness to propose additional land dedications to the west of the proposed developed area. The Commission further instructed the applicant and staff to investigate the Health Risk Assessment documentation pertaining to the nearby Calabasas Land Fill and potential regional water and air quality concerns. Finally, the Commission requested the applicant provide greater detail regarding the financial feasibility of completing the project and providing specific assurances toward the phasing timeline of the project. Staff was directed to revisit the issue of whether or not the project proposed is truly in the spirit of the Santa Monica Mountains North Area Plan.

At the conclusion of the May 25, 2005 hearing, the Commission made the above recommendations and continued the hearing to June 15, 2005. Additional time for additional public testimony was required and pending issues remained to be addressed.

June 15, 2005 Public Hearing

At the June 15, 2005 public hearing Commissioners Rew, Modugno, Bellamy, Helsley and Valadez were present. Twenty persons testified about the project. At the conclusion of the June 15, 2005 hearing, the Commission made recommendations and continued the hearing to September 7, 2005. Testimony only on new information would be accepted by the Commission at the continued hearing along with discussion of project conditions. Staff and the applicant were directed to report back on issues including the following priorities:

- Coordinate with the City of Agoura Hills regarding an expanded investigation into the feasibility and acceptability of two primary access options, specifically the roundabout option located at the freeway westbound on and off ramps at Canwood Street / Palo Comado Canyon Road intersection, and the Mid-Palo Comado Canyon Road and Canwood Street re-alignment option.
- Coordinate with the City of Agoura Hills regarding expanded conditions recommended by the City pertaining to the construction, operation and maintenance of the project and consideration of DEIR revisions prior to the final EIR document certification.
- Provide further definition to the Traffic Demand Management (TDM) carpooling plan, emergency evacuation plan and site access to residents, large event traffic and parking management, and timely project execution through phasing and financing assurances.
- Coordinate with the Calabasas Landfill staff, public advocates and the applicant regarding expanded investigation into the impacts of the Calabasas Landfill and hazardous wastes on the Heschel site.
- Further define protection measures for the proposed buffer area located within 100 feet of the western boundary and verify receiving agency for conservation land dedications.

September 7, 2005 Public Hearing

At the September 7, 2005 public hearing Commissioners Rew, Modugno, Bellamy, Helsley and Valadez were present. The Commission directed testifiers to speak only on new information along with discussion of project conditions. Eight persons testified about the project. There being no further testimony, the Regional Planning Commission closed the public hearing, indicated its intent to approve the permit, and directed staff to prepare the final environmental documentation and findings and conditions for approval, including changes to the conditions as discussed and as agreed to by the applicant. The Commission made comments to staff and the applicant requiring the addition of the following items and/or conditions prior to final action on the case:

- Provide the most recent Calabasas Landfill Health Risk Assessment report.
- Limit the traffic mitigation measures at the intersection of U.S. 101 westbound off and on ramps at Palo Comado Canyon Road and Canwood Street to the roundabout option to the satisfaction of Caltrans in coordination with the City of Agoura Hills and removal of the signalization option from the project's Mitigation Measures and Monitoring Program. Only the roundabout option was approved by the Commission. Any alternatives to the roundabout for said intersection will require a new conditional use permit.
- Depict landscaping detail.
- Enforce inspections every two years for the first eight years.
- Depict land dedications accurately on the site plan.
- Avoid a construction haul program on Cheseboro Road.
- Limit the project to elementary and middle school use only. Any future intent to establish a high school would require an amended conditional use permit and a new public hearing.

Findings

1. The applicant is requesting a conditional use permit to authorize the construction, operation and maintenance of a private religious preschool, elementary and middle school for up to 750 students (pre-kindergarten through eighth grade) and 97 staff in the A-1-5 (Light Agricultural-Five Acres Minimum Required Area) zone.
2. Pursuant to Section 22.24.100 A. of the County Code, an accredited school, through grade 12, including appurtenant facilities, which offer instruction required to be taught in the public schools by the Education Code of the state of California in which no pupil is physically restrained but excluding trade or commercial schools is permitted in the A-1 zone, provided a conditional use permit has first been obtained.
3. The subject property is located just north of the Ventura Freeway (U.S. Highway 101) and northeasterly of Palo Comado Canyon Road and east of Cheseboro Road, adjacent to the eastern boundary of the City of Agoura Hills, and in the Malibu Zoned District. A driveway will provide access to the site from Canwood Street, in the southwest corner of the proposed development.

4. The subject property is an approximately 73-acre irregular-shaped parcel. The developed project would occupy a 20-acre portion of the property; with the remainder of the site remaining as play fields, natural open space and landscaped areas. The developable area is mildly sloping terrain. The structures are proposed in an area that is surrounded by ridgelines to the north, east and south. Section 3.0 of the DEIR further describes the environmental setting of the subject property.
5. Zoning on the subject property is A-1-5 (Light Agricultural-Five Acres Minimum Required Area). The property was previously split-zoned, C-2 (Neighborhood Business) and R-1-30,000 (Single-Family Residence-30,000 Square Feet Minimum Required Area). With the zoning consistency program implemented pursuant to the adoption of the Santa Monica Mountains North Area Plan in October of 2000, the zoning on the subject property was changed to A-1-5.
6. Surrounding zoning consists of O-S (Open Space) to the north and east, and the City of Agoura Hills to the west and south.
7. The subject property is currently vacant and in an undeveloped natural condition with the exception of several dirt roads using access from Cheseboro Road at the northwesterly portion of the site located within unincorporated Los Angeles County.
8. Surrounding land uses consist of the Santa Monica Mountains National Recreation Area and single-family residences to the north, the Ventura Freeway (U.S. 101), commercial uses and vacant land to the south, vacant land to the east, single-family residences, commercial uses and vacant land to the west.
9. Although there has been a number of project applications, there are no previous approved zoning permit cases noted on the subject property. Plot Plan No. 45816 was approved on the subject property in 1998 and in February of 2002. The Plot Plan was a request to develop a school on the portion of the subject property that was previously zoned R-1-30,000. This use was never established.
10. The project is consistent with the Santa Monica Mountains North Area Plan. The subject property is classified as N5 (Mountain Lands 5) within the Santa Monica Mountains North Area Plan. This classification allows a maximum residential density of one dwelling unit per five acres. Lands designated Mountain Lands within the Santa Monica Mountains North Area Plan consist of those rolling hillside areas, steep slopes, and isolated remote mountain lands with difficult or no access. Mountainous Lands also include areas served by winding mountain roads that cannot accommodate substantial increases in traffic from new development.
11. Permitted uses from the Plan include low density single family housing, agriculture, equestrian uses, retreats, monasteries, private campgrounds, bed-and-breakfast lodging, low intensity conference centers, public and private schools, water tanks, telecommunications facilities and other local serving commercial and public facilities. Clustering of uses may be beneficial in helping to reduce disturbances to the topographic, vegetative and biological settings.

The proposed private school can be found consistent with the Mountain Lands 5 land use classification. Pages 3.0-11 through 3.0-32, of the DEIR, further analyses the project proposal in relation to the Santa Monica Mountains North Area Plan. The proposed development is an extension and completion of existing development in the disturbed and relatively flat portion of the applicant's property contiguous to a residentially and commercially developed portion of the City of Agoura Hills.

12. Page II-10 of the North Area Plan states the overall goal of the Plan as follows: "The overall goal of the North Area Plan is to maximize preservation of the area's natural environment, recognize the opportunities and constraints that the land imposes, accommodate new uses that minimize impacts on the natural environment, and ensure that new development is compatible with and enhances the quality of existing communities, and provide for a wide range of public and private recreational opportunities." The project accomplishes the overall goal of the Plan by permanently preserving significant areas within the natural environment, limits impacts on the geographical setting of the project, accommodates a new use compatible with and enhancing the Conejo Valley community while providing private educational and recreational opportunities.
13. The applicant's site plan depicts the subject property developed with the proposed school. A total of nine one- and two-story buildings are planned, totaling approximately 166,450 square feet of floor space on 20.7 acres of the 73 acre site. A sanctuary is depicted in the center of the subject property. Middle school buildings and library are placed to the southwest of the sanctuary. Elementary school buildings and library are located northwest of the sanctuary. A multipurpose room/cafeteria, an auditorium, kindergarten facility, a preschool, and offices are also depicted to the west of center. 223 on-site parking spaces are proposed. An athletic field, paved playground area, a pool, and a gymnasium are depicted at the east end of the subject property. Project site grading will be balanced and require the movement of approximately 173,000 cubic yards of earth. Approximately 45 acres are proposed for preservation of open space including a proposed 29-acre conservation easement. Access to the site is via Palo Comado Canyon Road at Canwood Street at the southwest corner of the property.
14. The building exteriors utilize a combination of wood siding and plaster. The roof material is shown as concrete (shake) tile. The elevations depict a variety of window shapes and sizes and a variety of roof pitches and heights. Building heights range from 24'0" above finished grade to 42'7" above grade.
15. The subject property complies with the requirements of the Santa Monica Mountains North Area Community Standards District. The Santa Monica Mountains North Area CSD was established to implement the goals and policies of the Santa Monica Mountains North Area Plan in a manner that protects the health, safety, and welfare of the community, especially the surrounding natural environment. The CSD provides Community-Wide Development Standards included in the Los Angeles County Zoning Code as follows:

- A. Section 22.44.133.D.2: Exterior lighting shall be low intensity, directional and/or screened to prevent glare or direct off-site illumination. Street lighting shall be permitted only where required by the Department of Public Works or Caltrans for public safety. The applicant is required to submit a lighting plan to the Department of Regional Planning ("Department") that depicts the lighting placement, orientation and design in order to meet the intent of these criteria. The Department of Public Works is not requiring street lighting at this time.
 - B. Section 22.44.133.D.3: Outdoor advertising signs shall be prohibited. The applicant is not proposing any outdoor advertising signs on the subject property.
 - C. Section 22.44.133.D.5: A conditional use permit shall be required for all schools otherwise permitted in the basic zone, through grade 12, accredited, including appurtenant facilities, which offer instruction required to be taught in the public schools by the Education Code of the State of California, in which no pupil is physically restrained, but excluding trade or commercial schools. The zoning on the subject property, A-1-5, requires a conditional use permit be obtained to operate a school in this zone. The applicant is to be limited to grades pre-kindergarten through eighth grade.
16. The proposed private school complies with the applicable development standards of the A-1 zone pursuant to Section 22.24.110 of the County Zoning Code. Minor changes in setbacks, building footprints, structures, and parking lots will be addressed at the building permit stage of development.
- A. The applicant will be required to provide the following items prior to issuance of building and/or grading permits as indicated:
 - i. A landscape plan and table, including two percent of each parking lot landscaped according to the requirements of Section 22.52.1060.E.2 of the Los Angeles County Zoning Code prior to issuance of grading permit.
 - ii. A signage plan and elevations including requirements not to exceed 12 square feet in area for any one sign and in compliance with Section 22.52 Part 10 of the County Code prior to issuance of building permits.
 - iii. A lighting plan in compliance with Section 22.52.1060.F of the County Code and in accordance with the conditions of approval and all applicable lighted signage requirements of Section 22.52 Part 10 of the County Code prior to issuance of building permits.
 - iv. A comprehensive evacuation plan to be reviewed and approved by the County Fire Department and a copy supplied to the Department prior to issuance of building permits.
 - B. Section 22.24.110.A: The subject property shall be subject to the yard requirements as follows:

- i. Each lot or parcel of land shall have a front yard of not less than 20 feet in depth.
- ii. Each lot or parcel of land shall have interior side yards of not less than five feet.
- iii. Each lot or parcel of land shall have a rear yard of not less than 15 feet in depth.

The proposed preschool is the closest structure to the front property line; it is set back approximately 280 feet. Side yard setbacks are depicted at approximately 320 feet on the north side and approximately 560 feet on the south side. The site plan depicts a rear yard setback of approximately 600 feet. The applicant's site plan complies with the setback standards of the A-1 zone.

- C. Section 22.52.1200.A: Every building used in whole or in part for an elementary school having no grade above the sixth, shall have, within 500 feet thereof, one automobile space for each classroom. The applicant's site plan depicts the preschool building separated from the other classroom uses on the site; this building will require parking spaces within 500 feet of the preschool building. The applicant's plans depict nine rooms within the building, requiring nine (9) parking spaces. The applicant's site plan depicts a parking lot adjacent to and directly in front of the preschool building with 10 parking spaces located in the section of the lot nearest the facility. The elementary school building contains 12 classrooms, requiring 12 parking spaces, and 14 parking spaces are provided within 40 feet of the facility. The project complies with preschool and elementary school parking requirements.
- D. Section 22.52.1200.B: Every other building used as a school auditorium of a school in which any pupil is in a grade higher than the sixth shall have, within 500 feet thereof, one automobile parking space for each five persons, based on the occupant load of the largest auditorium or room used for public assembly, as determined by the County Engineer. The County Engineer has determined an occupant load of 747 persons. 149 parking spaces are required (747/5). The site plan depicts 223 regular spaces and 177 special occasion spaces for a total of 400 parking spaces. The project complies with parking requirements.
- E. Parking calculations are based on the parking requirements when the campus is completed and all six phases have been constructed. Interim phases with differing parking layouts will need to be approved via a Revised Exhibit "A" that meets the requirements of that phase and all preceding phases.
- F. Section 22.52.1060.E: At least two percent of the gross area of the parking lot shall be landscaped. The conditions of approval require the applicant to provide a detailed landscaping plan and landscaping table prior to issuance of a grading permit.

- G. Section 22.52.860.A: In zone A-1, one business sign, not to exceed 12 square feet in sign area, shall be permitted per lot or parcel of land. The conditions of approval require the applicant to provide sign plans and elevations for any proposed signs prior to issuance of building permits.
17. The DEIR was modified prior to the May 25, 2005 public hearing to incorporate project changes and additional alternative measures. Site plans were modified accordingly as applicable and as follows:
- A. The visibility of the completed project is reduced, particularly from Cheseboro Road, by reducing the elevation of the building pads by an average of 5.5 feet and by reducing the size of the development envelope by approximately two acres, from 23 acres to 20.7 acres.
 - B. Increased preservation and protection of internal ridgelines and increased open space viewshed is depicted in the eastern portion of the project site by lowering the main athletic field and reducing site grading requirements from 235,315 cubic yards to 173,000 cubic yards for a total reduction of 62,315 cubic yards (approximately 26 percent reduction).
 - C. The layout of the first phase (mostly temporary structures) is revised to more readily integrate with later phases of school development. A separate Phase I site plan depicts revisions including grading for the fill slope to be completed at grade and depiction of single-story modular units.
 - D. Project revisions include an increase in the number of phases over a slightly longer time period: from five phases in 10 years to six phases in 13 years. Phase I will be completed within one year and the remaining phases are to be completed within 12 years of the completion of Phase I.
 - E. Traffic mitigation measures proposed regarding the westbound off and on ramps of U.S. Highway 101 and Palo Comado Canyon Road at Canwood Street, and provision of secondary emergency access, is proposed for completion prior to school occupancy during Phase I of the project.
 - F. Additional traffic mitigation measures are required to be met prior to the issuance of building permits for construction of Phase II.
 - G. A carpooling plan mandating at least 25 percent participation by the student population as an additional traffic mitigation measure has been provided in the Final EIR.

H. Phases I – VI Development Timeline:

- i. Phase I involves development of the temporary school within the development footprint of the completed project. The initial phase would consist of 12 modular school buildings with wood siding and perimeter skirting to be earth tone in color and to be fully landscaped with natural vegetation typical of the surrounding area. Two 1,500 square-foot portions of the multi-purpose building are proposed to provide permanent shelter-in-place. The majority of project grading, including the entire fill slope to be completed at grade for the building pad, would be done at this time. Permanent landscaping, installed along the westerly boundary of the campus, is to be constructed as a buffer. Phase I student capacity is anticipated to be 350 to 390 students and would be completed over a one-year period.
 - ii. Phase II would bring enrollment to the maximum of 750 students. The second phase would include remaining finish grading mostly occurring along the eastern perimeter of the project to enable construction of elementary, administration, elementary school library, and teacher's resources room. Construction would commence within five years of the date of completion of Phase I.
 - iii. Phase III would include construction of middle school buildings, middle school library and resource rooms, and would occur approximately eight years from the date Phase I is completed.
 - iv. Phase IV involves construction of a nursery building and play yard. This phase would begin within approximately 10 years from the date Phase I is completed.
 - v. Phase V and VI would involve construction of the remaining portions of the permanent cafeteria/expanded multi-purpose room, auditorium, sanctuary, and gymnasium, and would be accomplished within 12 years of the completion of Phase I.
- I. The integrity of Liberty Canyon wildlife movement corridor would be maintained by proposing to offer a 29-acre conservation easement as part of 45 acres of total open space preserved.
 - J. The applicant provided documentation indicating the Santa Monica Mountains Conservancy's intent to receive the applicant's voluntary offer of an approximately 29-acre conservation easement and wildlife corridor as depicted on a Revised Exhibit "A".
 - K. The applicant voluntarily offers to record an easement to the County of Los Angeles to preserve the western buffer area as preserved open space as depicted on a Revised Exhibit "A" and described in the conditions of approval.

- L. The applicant voluntarily offers to record a land dedication of the area northwest of Cheseboro Road along Cheseboro Creek as depicted on a revised Exhibit "A" in favor of the National Park Service.
 - M. A secondary access driveway is included for Fire Department and other emergency use. An expanded Fire/Vegetation Management Plan and Evacuation Plan are to be provided to the Fire Department for review and approval as mitigation measures for the project.
 - N. Alternative primary access points at Palo Comado Canyon Road or Cheseboro Road are included in the Final Environmental Impact Report for consideration.
 - O. Expanded traffic and road improvement alternatives include a roundabout intersection at Palo Comado Canyon Road / Canwood Street and U.S. 101 Freeway westbound off ramp and on ramp or a signaling approach as detailed in Section 4.2 of the DEIR. The analysis includes a supplemental analysis not previously included indicating measurements of impact with mitigation measures "in place" (Table 4.2-15, page 4.2-47 of the DEIR). Caltrans has provided a letter indicating its response to the proposal for construction of these improvements. Caltrans favors the roundabout option. The signalization option has been determined unfavorable by Caltrans, the Department of Public Works, and the City of Agoura Hills. The Commission concurred that the signalization option should not be pursued.
 - P. Permits from the City of Agoura Hills will be required for other traffic and road improvement measures proposed, as those measures are located within the City's jurisdiction.
 - Q. An updated air quality study using updated air quality standards is included in the DEIR.
 - R. An updated hydrology plan and water quality analysis is present in the DEIR.
 - S. Project alternatives were modified from four to five alternatives. The off-site alternative was taken out of the DEIR and a subdivision alternative and alternative means of access were added.
 - T. An expanded analysis of North Area Plan goals and policies are indicated on pages 3.0-11 through 3.0-32 in the revised DEIR.
18. On December 7, 2004, the Los Angeles County Board of Supervisors adopted the Grading and Ridgeline Ordinance effective January 6, 2005. The project proposes an access driveway which traverses one of the newly adopted ridgelines. The ridgeline ordinance requirements of Section 22.44.133.D.5 of the Los Angeles County Zoning Code do not apply to this project as the project filing was complete prior to adoption of the ordinance. Exemption from the Grading and Ridgeline Ordinance applies according to Section 22.44.133.G.1.a of the County Code:

"The provisions of subsections D.4.b, D.4.c, D.4.d, and D.5 shall not apply to a new development project where, as of the effective date of the ordinance adding those subsections, any of the following has occurred related to such project: A complete application has been submitted for any subdivision, permit, variance or site plan review." The application for the subject request was complete prior to adoption of the Ordinance.

19. While not subject to the City of Agoura development standards, the project has been designed to be consistent with the intent of the Old Agoura Overlay District development standards as indicated on page 3.0-34 of the DEIR.
20. The Bureau of Jewish Education of Greater Los Angeles and the California Association of Independent Schools accredit the current Heschel School location. In addition, the School is a member of the National Association of Independent Schools and the California Association of Independent Schools. Accreditation of the new location will be required as a condition of approval of this grant. The applicant is proposing to construct a private educational institution to accommodate the growing demand for a Jewish educational, cultural, and recreational facility. The applicant chose the subject property for the school location in order to site the facility in the demographic center of the existing and projected school population in order to minimize travel times and maximize access to the facility. The applicant intends to promote learning by providing a quiet educational experience and promoting school security by locating the school on a secluded and spacious site with controlled access.
21. During the months of September through June, daytime events would not exceed the maximum school population. Evening special events may occur on an occasional basis, with an estimated evening attendance generally less than 150 persons at campus buildout. Periodic evening events, defined as attracting more than 150 persons, will be limited to 24 occurrences per calendar year with those evening events planned for outdoors usually to occur during daylight hours.
22. Up to four special events per calendar year, such as graduation or Sukkot family picnic, would be scheduled on weekends and in no case would they exceed a maximum of 1,500 persons per event. In addition, the school anticipates that the athletic field will be available for organized events during daytime hours; no nighttime field lighting is proposed.
23. The applicant and staff were determined to not have had sufficient time to address all of the directives of the Regional Planning Commission or other issues brought up at the conclusion of the May 25, 2005 public hearing. Issues to be further addressed by the applicant were as follows:
 - A. Further coordination with the City of Agoura Hills and the County of Los Angeles regarding feasibility and evaluation of a mid-Palo Comado Canyon Road access including a re-alignment of east and west bound Canwood Street.

- B. Further coordination with the City of Agoura Hills and the County of Los Angeles regarding "hard" conditions proposed by the City of Agoura Hills and not addressed in the current proposal.
 - C. Provision of documentation indicating the obtaining of easements from the owners of two adjacent parcels pertaining to the mid-Palo Comado Canyon Road alternative access.
 - D. Documentation of an appropriate conservation agency willing to receive the offering of a conservation easement and wildlife corridor dedication as stated in the DEIR.
 - E. Provision of further detail regarding necessity for and management of proposed four major events and 24 evening events per year.
 - F. Consultation with the National Park Service and Santa Monica Mountains Conservancy regarding acceptable fencing design adjacent to lands located in their jurisdiction and provide elevations and depictions to the Director of Planning.
 - G. Provision of substantial evidence indicating the ability of the applicant to complete the project according to the proposed timeline and development schedule.
 - H. Provision of a detailed explanation of how residents located north of the project site on Chesebro Road, or other community residents, would be able to use the project's emergency access in the event of a disaster limiting use of Chesebro Road to the southwest of the site.
24. At the conclusion of the May 25, 2005 public hearing, the Commission directed staff to work with the applicant and other agencies to address certain unresolved issues. The issues were addressed at the June 15, 2005 public hearing as follows:
- A. Staff attended both the May 31, 2005 technical meeting and the June 8, 2005 City Council meeting hosted by the City of Agoura Hills. All parties have indicated that progress is being made and a dialogue has been adequately re-established between agencies and the applicant. More resolution is needed regarding traffic mitigation measures acceptable to the City.
 - B. Attending the May 31, 2005 technical meeting were six city staff, five representatives of the applicant, two representatives from the Department of Public Works, Traffic and Lighting Division, and one representative from the Department . The meeting focused on traffic analysis and mitigation measures located in the City of Agoura Hills as presented in the DEIR, by the applicant's traffic consultant, Crain and Associates, and as reviewed by County Traffic and Lighting staff.

After much discussion on the details of key intersections, city staff advised that the city preferred a primary access point located approximately mid-way on Palo Comado Canyon Road between Highway 101 westbound ramps and Chesebro Road including a re-alignment of east and west bound Canwood Street to make the intersection work properly. The DEIR evaluated an option using this primary access point (Alternative No. 5), but it did not include the east and west bound Canwood Street re-alignment.

- C. At the City of Agoura Hills City Council Meeting on June 8, 2005, the City completed proponent and opponent testimony and Council discussions regarding the project. The City Council stated its intent to issue a position statement regarding the proposal. A representative from the Department of Public Works, Traffic and Lighting and a representative of the Department attended the meeting and met with the applicant's consultants after the Council deliberations. Fifteen minutes each were allowed for proponent and opponent testimony followed by a five minute proponent rebuttal/summary. After testimony was heard, each councilmember presented their position in some detail. Three motions were proposed to conclude the meeting. The City Council unanimously approved all three motions.
- i. The first motion indicated the Council's intent to direct the City Manager to request the Regional Planning Commission continue the Public Hearing in order to resolve key issues with the City.
 - ii. The second motion indicated the Council's intent to direct the City Manager to inform the Regional Planning Commission that the Council is opposed to the project as it is currently presented.
 - iii. The third motion indicated the Council's intent to direct the City Manager to inform the Regional Planning Commission that the letter dated May 18, 2005 submitted by the City Attorney, and the letter dated May 16, 2005 submitted by the Director of Planning shall be endorsed by the City Council as representing the Council as signed by the Mayor.
- D. The City of Agoura Hills expressed an unfavorable view of both the roundabout and signaling options at the westbound ramps of Highway 101 at Palo Comado Canyon Road and Canwood Street intersection. In lieu of the Canwood Street access, the City expressed a favorable view toward an approximately mid-Palo Comado Canyon Road access with a re-alignment of east and west bound Canwood Street as depicted in a sketch by the applicant's traffic consultant. This option would require a conditional use permit be filed by the applicant with the City for the necessary grading and other encroachments required. The re-alignment of east and west bound Canwood Street will require amendments to the traffic study. Staff recommends an adequate evaluation of the re-alignment by the applicant in coordination with the City traffic staff. County traffic staff is willing to participate in the process.

It should be noted that the proposed Chesebro Road secondary access is the only access road to the property within County jurisdiction.

- E. At the conclusion of the June 8, 2005 City of Agoura Hills Council meeting, each of the council members summarized their views toward the project. In addition to the traffic issues, emphasis was focused on the adequacy of the Draft Environmental Impact Report and the perceived lack of adequate County responses to City Planning staff and City Attorney comments provided in their respective comment letters. County staff has considered these comments and has determined that the DEIR is of sufficient detail to be determined adequate. Staff is also of the opinion that further dialogue with City staff is necessary to address City concerns addressed in the City comment letters and public forum. Furthermore, the mid-Palo Comado Canyon Road alternative access and Canwood Street re-alignment preferred by the City will require further analysis and documentation by all relevant parties.
- F. Documentation has not been provided by the applicant regarding the easement and ownership of parcels pertaining to the western alternative access at mid-Palo Comado Canyon Road. The applicant has indicated that the easement has been obtained from two owners of the two adjacent parcels. The applicant does not own either parcel.
- G. The applicant provided a conceptual Transportation Demand Management Plan including carpooling.
- H. The applicant had not provided documentation at the time of the May 25, 2005 hearing indicating the naming of a conservation agency pertaining to the applicant's conservation land offerings.
- I. The applicant offered to coordinate the school hours with the hours of nearby Agoura Hills High School.
- J. The applicant had not provided further detail explaining the necessity and logistics of 24 evening events and four major events other than that provided in the DEIR. Staff proposed a condition requiring the applicant to obtain a Temporary Use Permit for any event requiring parking in excess of the 223 parking spaces depicted on the site plan.
- K. The applicant has not proposed and therefore is not required to identify fencing preferences by the National Park Service to the north or the Santa Monica Mountains Conservancy to the east.
- L. The applicant indicated that the applicant is not intending to make further land dedications other than those already proposed to the east and northeast of the site. The applicant had expressed a desire to preserve the western buffer area as open space without additional land dedication instruments.

M. The Calabasas landfill features subsurface "damming" of three local drainages, one of which, a tributary of Chesebro Creek, flows in the direction of the proposed school site. Only the extreme northwest corner of the school property contains Chesebro Creek and this is on the north side of Chesebro Road. No development is proposed in that location. There is no direct drainage connection between the landfill and the proposed school location which is buffered from the landfill by a ridgeline separating Liberty Canyon from Chesebro Creek. The proposed school location is 0.75 miles from the landfill, about one and a half times greater than the distance that the existing Heschel school in the Lost Hills area of Calabasas is located from the landfill. The proposed location may be found to be an improvement over the existing site. A description of the landfill monitoring and confinement program for groundwater contamination is described in the DEIR on pages 4.4-4 to 4.4-6. The drainage to Chesebro Creek has a subsurface barrier system that is used to protect groundwater from contamination. Three barriers are located in the Chesebro Creek watershed.

N. On June 9, 2005, staff contacted Ethan Laden, Site Engineer for the Calabasas Landfill regarding current status of water and air quality monitoring and safety procedures. Mr. Laden reported that the landfill is required to produce quarterly water quality reports for certain landfill testing locations, including the subject western portion nearest the proposed Heschel site. Any alarming indicators are reported to the responsible agency and acted upon by the operators of the landfill. Groundwater has been determined to not affect surface water in this area. Impacts of surface runoff from the landfill have impacted groundwater. None of the subject groundwater is used for human consumption.

As part of a Corrective Action plan initiated in 1998, new extraction systems including new wells and pumps have been installed in 2004 to continue treatment and elimination of water collecting within the existing system of barriers and liners. Mr. Laden reported that the Landfill is required to produce monthly air quality reports for certain gas probe sites located within the perimeter of the landfill. Quarterly air quality reports are also required for a serpentine array of various monitoring sites within the landfill. Excess gases are processed through an elaborate collection and flare burn-off system.

O. In 2003 the National Park System initiated an updated Environmental Assessment of Landfill impacts using current and existing data collected up until that date.

P. Mr. Laden reported that a draft "Human Health and Ecological Risk Assessment" using 2004 data is currently in process by the Los Angeles County Sanitation District pertaining to the Calabasas Landfill. The draft document indicates that no negative effect on humans is present due to contamination from the Calabasas Landfill. The final draft was projected to be completed within a few weeks of the May 25, 2005 hearing. The applicant had not addressed this concern further at the time of the May 25, 2005 hearing.

Q. A comprehensive evacuation plan is to be submitted by the applicant for review and approval to the County Fire Department and a copy supplied to the Department. This Plan is to include community access for Chesebro residents located north of the site, through the project's emergency access road in the event Chesebro Road is blocked to the south of the site.

25. At the conclusion of the June 15, 2005 public hearing, the Commission directed staff to work with the applicant and other agencies to further address remaining issues. The issues were addressed at the September 7, 2005 public hearing as follows:

A. Following the June 15, 2005 public hearing, staff attended five additional meetings in collaboration with the City of Agoura Hills. The meetings resulted in refined mutual understanding of two primary access options acceptable to the City, County, and the applicant. The applicant, the City of Agoura Hills staff, Caltrans, and staff of the County Department of Public Works, Traffic and Lighting Division, and County Regional Planning concur that the roundabout option is the preferred means of mitigating the intersection for primary access. The Commission approves only the roundabout option for recommendation to Caltrans as the preferred means of intersection mitigation near the primary access.

- i. The roundabout intersection option, rather than signalization, is preferred to provide for primary access off of Canwood Street at the U.S. 101 westbound off and on ramps and Palo Comado Canyon Road. Signalization was not considered an acceptable option by the City of Agoura Hills due to negative problems with a similar intersection at Kanan Road and the 101 freeway. The Commission concurred with the City and rejected the signalization option for said intersection. County Traffic and Lighting staff and California Department of Transportation staff found signalization to be a feasible traffic mitigation measure, but less desirable than the roundabout option. The Commission approved only the roundabout option for recommendation to Caltrans.
- ii. In the August 24, 2005 City of Agoura Hills City Council Meeting attended by County Regional Planning and Traffic and Lighting staff, the roundabout option was highlighted in a presentation by Mr. Leif Ourston, a roundabout expert hired by the City. Mr. Ourston indicated in his presentation that the applicant's single-lane roundabout design with modifications he depicted, was a feasible traffic mitigation measure for the site; this design proposed would not require further right-of-way expansion or land acquisition.
- iii. Mr. Ourston outlined three contingencies which could cause the design to become increasingly costly or complicated pending required Caltrans review:

- 1) The Palo Comado Canyon Road bridge could require modification at the northeast corner for accommodating proper line of site for northbound traffic;
 - 2) Current year 2010 Caltrans standards for needed traffic volume capacity would require updating to Caltrans year 2025 standards for needed traffic volume capacity – this could affect capacity requirements of the roundabout design; and
 - 3) An exception for maximum truck-size capacity would have to be filed with Caltrans to enable a feasible one-lane roundabout.
- iv. A Mid-Palo Comado Canyon Road with Canwood Street re-alignment access option was considered less desirable for providing primary access off of Palo Comado Canyon Road, midway between the westbound U.S. 101 off and on ramps and the intersection of Canwood Street-Cheseboro Road and Driver Avenue. This option was considered viable by the City when accompanied by a re-alignment of Canwood Street. It would enable removal of a four-way intersection, reducing it to a preferred “T” intersection and creation of a four-way intersection at the project access point. This option would likely require land acquisition for the re-alignment of Canwood Street, use of a residential easement for the project access road, and a conditional use permit for hillside grading from the City of Agoura Hills. This was not considered a favorable option for nearby homeowners as indicated by testimony from a representative of the Old Agoura Homeowners Association.
- v. The roundabout option could incur unpredictably high costs to the applicant in both financial resources and regarding an uncertain timeline for completion pending various planning and construction variables in the Caltrans approval process. The applicant is fully aware of these implications. Alternative access options have potentially similar complications without providing the advantages of a roundabout.
- B. The City of Agoura Hills staff provided letters dated August 9, 2005 (conditional use permit conditions) and August 11, 2005 (Public Works conditions). Regional Planning staff incorporated the City’s recommendations as appropriate for the respective governmental jurisdictions, resulting in inclusion of the majority of the City’s recommended conditional use permit conditions. Written feedback by the applicant from the applicant’s letter dated August 30, 2005, were also considered by Regional Planning staff. In it’s letter dated August 31, 2005 the Department of Public Works responded to the City’s August 11, 2005 Public Works letter by addressing each condition the City provided.

- C. In the letters dated July 14, 2005 and August 8, 2005 the City of Agoura Hills staff provided responses and counter responses to the applicant's analysis of the City's original DEIR questions. As Regional Planning, Impact Analysis staff, do not provide written comments on the DEIR until after a project is recommended for approval and in the final EIR stage of review, the applicant voluntarily addressed the City's DEIR questions.
- D. Regional Planning Impact Analysis staff will consider all comments and responses to comments in its final EIR review process. Though the existing document is adequate by the requirements of the California Environmental Quality Act standards, County staff concurred that corrections could be made to the DEIR in the event of project approval. These DEIR corrections were not determined to require recirculation of the DEIR according to County staff.
- E. Prior to the June 15, 2005 public hearing, the applicant provided a conceptual Transportation Demand Management Plan including carpooling. Department of Public Works, Traffic and Lighting staff provided revised guidelines dated August 31, 2005; these guidelines cover carpooling monitoring and management program and to insure adequate performance in implementing the Plan. The applicant provided a revised Carpooling statement dated August 30, 2005 for consideration by Traffic staff.
- F. The applicant incorporated the County Traffic and Lighting guidelines into their carpooling plan. The applicant noted that traffic mitigation measures proposed fully mitigate traffic impacts according to the applicant's traffic study, without a formal carpooling plan, as confirmed by County Traffic and Lighting staff in their two letters, both dated August 31, 2005. Staff notes that the Commission has discretionary authority to require (or not require) a fully monitored and enforced carpooling plan as a condition of project approval. The applicant has voluntarily offered the carpooling plan as submitted.
- G. In their letter dated August 30, 2005, the applicant provided a general framework for offering neighboring residents along Cheseboro Road emergency access through the Heschel site in the event of fire or other disaster requiring evacuation from the neighborhood. In the event of project approval, a final detailed evacuation plan is required by the conditions of approval within 60 days of the final approval date. In an e-mail dated August 31, 2005, the applicant indicated that Heschel West is not prepared to provide accommodation for horse evacuation procedures other than motor vehicle and trailer emergency access through the site as referenced above.
- H. The revised draft conditions of approval provide guidelines for managing traffic and parking for four major events per year and 24 after-school events per year. The revised conditions include a sample listing of major and after school events provided by the applicant.

- I. The applicant provided additional information addressing assurances toward the ability of the project to finance and accomplish project phasing goals. In its e-mail dated August 31, 2005, the applicant provided a statement of assurance toward financial capability, citing the applicant's most recent school fundraising balance.
- J. The report titled "*Human Health and Ecological Risk Assessment*" referred to previously, had not been completed by the staff of the County Sanitation District at the time of the final hearing. According to Sanitation District staff, the revised report will include the most current data available, not included in earlier drafts.

In their letter and aerial map attachment dated August 30, 2005, Sanitation District staff, referring to the updated draft health risk assessment report, determined the Landfill to have no impact on biological and human health in proximity to the Landfill. Documentation provided indicates the nearest impacted monitoring well (P64S) to the Heschel site, containing trace amounts of Volatile Organic Compounds (VOC's), is approximately 0.5 mile from the Heschel site. No other hazardous impacts were identified below the P64S test well, including in Cheseboro Creek which runs near the northern tip of the project site.

- K. The applicant had not provided final documentation verifying an agreement with a conservation agency pertaining to the applicant's conservation land offerings. The applicant referenced conversations with the Mountains and Recreation Conservation Authority, a joint powers authority of the Santa Monica Mountains Conservancy, indicating the agency's willingness to receive the deed-restricted offering. The applicant offers to permanently dedicate a small portion of the applicant's property located northwest of Cheseboro Road near Cheseboro Creek, to the National Park Service as an additional conservation land offering to be depicted on a revised Exhibit "A". No documentation of the Park Service response had been provided at this writing.
 - L. The applicant has offered to record an easement to the County of Los Angeles limiting the 100-foot residential buffer located near the westerly boundary and depicted on a revised Exhibit "A" to open space uses prohibiting construction of any structural improvements for the life of the permit.
26. An Initial Study and environmental analysis was conducted for the subject site. Based upon this analysis, the Department determined that an Environmental Impact Report (EIR) is the appropriate environmental documentation under California Environmental Quality Act (CEQA) reporting requirements. The EIR in this case does not qualify for a De Minimus Finding of Impact and is not exempt from Fish and Game fees.

27. A Draft Environmental Impact Report (DEIR) was prepared for the proposed project. After the mandatory 45-day public review period and a comment period for County departments, the DEIR concluded that potentially significant impacts to visual qualities, traffic and access, noise, biota, fire protection, air quality, hydrology and water quality can be mitigated by the measures presented in the DEIR to a less than significant level.
28. The DEIR indicated that no significant impacts to human health, geotechnical, cultural resources, sewage disposal, education, Sheriff services, utilities, land use, and population/housing/employment/recreation are generated by the project proposed.
29. The DEIR concluded that the impacts from the proposed project would combine with the impacts of other on-going development activities to result in significantly unavoidable cumulative visual impacts to the area associated with increased light and glare and loss of open space. In addition, cumulative impacts to biological resources would remain significant since there are no known mitigation measures available to reduce the level of cumulative impact to insignificance. A Statement of Overriding Considerations must be adopted in order to approve the proposed project. The applicant has provided a draft of the Statement of Overriding Considerations for this project.
30. Staff received letters regarding the Notice of Preparation for the DEIR from the State of California Department of Transportation, Las Virgenes Municipal Water District, The Old Agoura Rangers, the City of Agoura Hills, Old Agoura Homeowners Association, United States Department of the Interior National Park Service, State of California Department of Fish and Game. These letters have been included in the DEIR.
31. Staff received letters regarding the DEIR from the City of Agoura Hills, the City of Calabasas, P & D Environmental, Resource Systems Engineering, the County of Los Angeles Fire Department, the California Department of Transportation, the Department of the Army, the County of Los Angeles Parks and Recreation Department, and Land Protection Partners. Staff also received a letter from Supervisor Yaroslavsky requesting the comment period for the Draft Environmental Impact Report remain open as long as the public hearing is kept open.
32. Compliance with the Mitigation Monitoring Program in Table ES-1 of the DEIR shall be required as a condition of approval for the subject conditional use permit.
33. Environmental findings are required in order to certify the Final EIR.
34. The Department of Public Works has provided comments and conditions in their letters dated July 8, 2002, April 6, 2005, May 19, 2005, August 31, 2005 (2), and September 1, 2005, and an e-mail dated April 12, 2006.

35. The Fire Department has provided comments and conditions in their letter dated January 21, 2005.
36. The State Department of Transportation (Caltrans) has provided comments in a letter dated May 18, 2005.
37. The National Park Service has provided comments in a letter dated May 17, 2005.
38. The City of Agoura Hills provided comments in letters dated May 16, 2005, May 18, 2005, June 21, 2005, July 13, 2005, July 14, 2005, August 8, 2005, August 9, 2005, August 11, 2005, August 29, 2005, September 2, 2005, and September 19, 2005.
39. According to the Commission's directive, Regional Planning and other County staff and/or the applicant coordinated with the City of Agoura Hills staff in a series of meetings summarized as follows:
 - A. March 24, 2003: Regional Planning staff attended a community meeting at Agoura Hills (the meeting was not specifically with the City staff).
 - B. December, 2004: The applicant met with City staff at Agoura Hills regarding the DEIR to be circulated in the Spring of 2005.
 - C. May 2, 2005: The applicant met with City staff at Agoura Hills regarding the DEIR circulated in April, 2005.
 - D. May 18, 2005: The applicant met with the City of Agoura Hills City Council and staff at Agoura Hills to discuss site access and other issues.
 - E. May 25, 2005: The City of Agoura Hills staff attended and testified at the Regional Planning Commission hearing.
 - F. May 31, 2005: Regional Planning and Public Works, Traffic and Lighting staff met with the City of Agoura Hills staff and the applicant at Agoura Hills regarding primary access and other traffic issues.
 - G. June 8, 2005: The applicant met with the City of Agoura Hills staff and representatives of the Old Agoura Home Owners Association prior to the City Council Meeting.
 - H. June 8, 2005: Regional Planning and Public Works, Traffic and Lighting staff and the applicant attended the City of Agoura Hills City Council meeting which included discussion and creation of a preliminary statement by the Council toward the Heschel project.
 - I. June 15, 2005: The City of Agoura Hills' mayor and planning staff attended and testified at the Regional Planning Commission hearing.

- J. June 29, 2005: Regional Planning and Public Works, Traffic and Lighting staff met with the City of Agoura Hills staff and the applicant at Agoura Hills regarding pending traffic issues and responses to the City's planning staff letters related to the DEIR.
 - K. July 13, 2005: Regional Planning staff met with the City of Agoura Hills staff and the applicant at Agoura Hills regarding the city attorney's continuing issues with DEIR adequacy.
 - L. July 21, 2005: Regional Planning staff, Public Works staff, the applicant, and City of Agoura Hills staff met with the Third District, Board of Supervisor's deputy at the Board office to inform the deputy of project access issues pertaining to the site.
 - M. August 11, 2005: Regional Planning staff met with Public Works Staff, County Counsel, Third District, Board of Supervisor's deputy, and the City of Agoura Hills staff at Regional Planning, to discuss continuing site access, traffic mitigation measures, and DEIR issues.
 - N. August 24, 2005: Regional Planning staff, Public Works, Traffic and Lighting staff, and the applicant attended the City of Agoura Hills City Council Meeting which included discussion and creation of a position statement by the Council toward the Heschel project. In its letter dated August 29, 2005, the Council resolved to reaffirm the previous actions taken by the Council at its regular meeting of June 8, 2005 as presented by the Mayor, Ed Corridori to the Planning Commission at the June 15 public hearing and to amplify its position as follows: by seeking to coordinate a mutually agreeable configuration of the project with the applicant and the County of Los Angeles, and, to incorporate three objectives into the project if it is approved. The three objectives are: 1) insure effective mitigation of traffic problems resulting from the project, 2) insure an adequate buffer between the school and its residential neighbors, and 3) establish a permanent restriction on the frequency, number attending, and level of noise generated by special events on the site.
40. Hearing notices were mailed to the applicant and to 82 neighbors within a 500-foot radius of the project site and 36 other citizens, and required case materials to the Las Virgenes, Malibu, and Westlake Village Libraries on October 24, 2002; and to 56 neighbors within a 500-foot radius of the project site, 37 other citizens, and required case materials to the Las Virgenes, Malibu, and Westlake Village Libraries on February 4, 2003, February 20, 2003, and August 11, 2003. Newspaper advertisements were published in LA Opinion and The Daily News on October 25, 2002, February 7, 2003, and February 22, 2003. The hearing notice was not properly posted for the December 18, 2002 public hearing. According to the applicant's signed affidavit, hearing notices were posted at the site on February 21, 2003.

41. The case was taken off of the Regional Planning Commission's calendar on August 5, 2003.
42. Hearing notices for the May 25, 2005 public hearing were mailed to the applicant and to 57 neighbors within a 500-foot radius of the project site and 40 other citizens, and required case materials to the Las Virgenes, Malibu, and Westlake Village Libraries on March 31, 2005. Newspaper advertisements were published in LA Opinion and The Daily News on April 2, 2005. According to the applicant's signed affidavit, hearing notices were posted at the site on April 15, 2005.
43. Staff received a total of 489 letters, including form letters, in support of this request. Staff received a total of 125 letters and two petitions, one with 259 signatures and one with 27 signatures, in opposition to this request.
44. Those writing in support are members of the local community and from the surrounding vicinity including school-aged children, residents, business, education, other non-profit and government persons. The letters generally reflect the positive benefits expected from the project including quality education, environmental preservation and awareness, community service, cultural enrichment, increased quality of life for the area, and preparation for good citizenship and enterprise.
45. Those writing in opposition are community members including residents, business persons, and representatives of non-profit organizations with concerns including traffic impacts, destruction of landscape, the effect on the wildlife and vegetation in the area, safety regarding limited access and wildfires, concerns about potential impacts of hazardous materials from the Calabasas Landfill on the Heschel site, prolonged construction phasing timeline and related disturbances, noise and air pollution, excessive density, inconsistency with North Area Plan, and ability of government agencies to enforce conditions and requirements.
46. The environment within the vicinity of the project represents a blend of urbanization and natural undisturbed areas. Development in the City of Calabasas to the east of the subject site, current and proposed developments within the City of Agoura Hills to the west and south of the project, and open space and wildlife movement corridors in between the two cities east and north of the project site, present a context conducive to preservation and development.
47. The applicant proposes a project adjacent to a developing transportation corridor and an equestrian neighborhood. The project contributes to environmental preservation while maintaining sensitivity to the needs of the local neighborhood. The applicant seeks to provide access to high-quality educational services in a location central to the applicant's constituency within the Conejo Valley.

48. The City Attorney of the City of Agoura Hills requested an additional voluntary permanent land dedication regarding the proposed open space to the west of the project between residents and the school. The applicant made a voluntary offer to place a condition on the existing proposal prohibiting the future filing of a Revised Exhibit "A" during the life of the conditional use permit, for the building of structures anywhere within the open space area northwest, west, and southwest of the building footprint as depicted on a final Exhibit "A". The applicant made an additional offering to place a deed restriction in favor of the County of Los Angeles on said land.
49. The project protects adjacent hillsides and open spaces while providing no significant environmental impacts when in compliance with the Mitigation Monitoring Program and all of the conditions of approval with the exception of cumulative impacts to visual and biological resources, which would remain significant since there are no known mitigation measures available to reduce cumulative impacts to a level of insignificance.
50. The applicant and staff have addressed the directives of the Regional Planning Commission or other issues brought up at the conclusion of the public hearings. Substantial communication and coordination has taken place between County staff, City of Agoura Hills staff, and the applicant. The City of Agoura Hills has indicated its intent to continue working closely with the applicant and the County of Los Angeles while protecting its legal, environmental, and fiscal interests.
51. A proposed roundabout for the intersection facilitating the primary site access must be approved by Caltrans prior to issuance of a grading permit and completed prior to occupancy of the school to the satisfaction of Caltrans in consultation with the City of Agoura Hills. The Commission recommends only the roundabout option to Caltrans as the preferred means of intersection mitigation near the primary access. Should Caltrans require an alternative to the roundabout as mitigation for said intersection, then a public hearing, only regarding primary access and related intersections, must be held before the Planning Commission to consider said alternative.
52. A thirty (30) year term is established for the requested conditional use permit. This is based on the need to reevaluate the future compatibility of the project with the surrounding community.
53. An Environmental Impact Report was required. Processing fees of \$875.00 related to filing and posting of a Notice of Determination with the County Clerk in compliance with Section 21152 of the Public Resources Code and Fish and Game fees in compliance with Section 711.4 of the Fish and Game Code are required. The fees will be required within five (5) business days of the effective date of the permit.

54. A cost recovery deposit of \$1,050 is required to cover the costs of seven (7) zoning enforcement inspections, one every other year for the first fifteen (15) years of occupancy of the project in order to monitor phasing progress and to insure the applicant's compliance with the conditions of approval. Additional funds would be required if violations are found on the property.
55. A mitigation monitoring fee of \$3,000 is required to cover the costs for review and evaluation of the mandatory mitigation monitoring program.

BASED ON THE FOREGOING, THE REGIONAL PLANNING COMMISSION CONCLUDES REGARDING THE CONDITIONAL USE PERMIT BURDEN OF PROOF REQUIREMENTS:

- A. That the proposed use is consistent with the adopted general plan for the area;
- B. That the requested use at the location proposed: will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area; will not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site; and will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare;
- C. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area;
- D. That the proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate; and
- E. That the proposed site is adequately served by other public or private service facilities as are required.

AND, THEREFORE, the information submitted by the applicant and presented at the hearing substantiates the required burden of proof for a conditional use permit as set forth in Section 22.56.090 Title 22, of the Los Angeles County Zoning Code.

REGIONAL PLANNING COMMISSION ACTION:

1. After review and consideration of the Final Environmental Impact Report, the Regional Planning Commission certifies that the Final Environmental Impact Report has been completed in compliance with the California Environmental Quality Act and the State and County guidelines related thereto, and that the document reflects the independent judgment and analysis of the Commission, and determines that the significant adverse effects of the project, as described in the Final Environmental Impact Report, have either been reduced to an acceptable level or are outweighed by specific social, economic, legal, technological or other considerations of the project as stated in the attached Findings of Fact and Statement of Overriding Considerations for the project, which findings and statement are incorporated herein by reference.
2. The Mitigation Monitoring Program for the proposed project incorporated in the Final EIR, is approved and adopted and, pursuant to Section 21081.6 of the Public Resources Code, the Commission finds that the Mitigation Monitoring Program is adequately designed to ensure compliance with the mitigation measures during project implementation.
3. In view of the findings of fact and conclusions presented above, Conditional Use Permit Case No. 98-062-(3) is **APPROVED** subject to the conditions of approval.

VOTE: 4-0

Concurring: Helsley, Valadez, Rew, and Bellamy

Dissenting: None

Abstaining: None

Absent: Modugno

Action Date: June 28, 2006

**SD:KKS
7/05/06**

EXHIBIT 1
FINDINGS OF FACT AND REGARDING THE FINAL ENVIRONMENTAL IMPACT REPORT AND
STATEMENT OF OVERRIDING CONSIDERATIONS FOR HESCHEL WEST SCHOOL
County Project No. 98-062
Conditional Use Permit No. 98-062

Section I
Introduction

The following findings of fact are based on the information contained in the Final Environmental Impact Report for the Heschel West School and additional facts found in the complete record of proceedings.

As defined by Section 15050 of the California Environmental Quality Act (CEQA) Guidelines (State CEQA Guidelines), the County of Los Angeles is serving as "Lead Agency" and is therefore responsible for preparing the EIR for the proposed project. In accordance with the requirements of the California Environmental Quality Act (CEQA), the County of Los Angeles conducted a preliminary review of the application for the proposed Heschel West School Project. As a result, a Notice of Preparation (NOP) was prepared and circulated by the County of Los Angeles in October 1998 for the required 30-day review period. The County's Initial Study was also circulated with this NOP to provide additional information on the project to public agencies and other parties reviewing the NOP.

The original Draft EIR was made available on October 28, 2002 through December 11, 2002 for a 45-day public review and comment period as mandated by CEQA. During the public review period, interested public agencies and private parties submitted written comments concerning the adequacy of the document to the County of Los Angeles, Department of Regional Planning.

Two public hearings, at which time public testimony was heard, were held before the Los Angeles County Regional Planning Commission (RPC) in March and May 2003 to consider the proposed project, the requested entitlements, and the adequacy of the original Draft EIR. At the conclusion of these public hearings, the RPC requested that issues raised by that testimony be addressed in a revised and recirculated EIR consistent with the procedural requirements of Section 15088.5 of the State CEQA Guidelines.

A Revised Draft EIR (RDEIR) was subsequently circulated in March 2005 for a 45-day public review and comment period.

The topics evaluated in the RDEIR were based on the County's initial study review of the project, considerations of responses to the NOP prepared for the proposed project, and the concerns raised in the 2003 public hearings. Given those considerations, the RDEIR considered the following environmental topics:

- Visual Resources
- Transportation and Access
- Noise
- Human Health
- Biological Resources
- Geotechnical Hazards
- Fire Services and Hazards
- Air Quality
- Hydrology and Water Quality

The RDEIR evaluated the environmental impacts of the proposed Heschel West School project and the related discretionary actions by the County of Los Angeles. As described in Section 2.0, Project Description, of the RDEIR, the applicant requested a Conditional Use Permit (CUP) to authorize the phased construction, operation, and maintenance of a private preschool, elementary, and middle school (grades pre-K through 9) for up to 750 students in the A-1-5 Zone. The requested CUP would also authorize a grading permit to be issued for the amount of earthwork necessary to develop the property as proposed, consistent with the definition of a grading project under Section 22.08.070 of the Los Angeles County Planning and Zoning Code. Table 1 provides a summary of the Heschel West School proposed project building characteristics.

**Table 1
Project Characteristics**

Building Reference	Type of Use	Number of Stories	Size/ Floor Area
A	Auditorium	One Story	14,295 sq. ft.
B	Cafeteria/Multi-Purpose	One Story	14,410 sq. ft.
C	Library/Multi-Media/Administration	Two Story	16,320 sq. ft.
D	Classrooms	Two Story	35,730 sq. ft.
E	Sanctuary	One Story	8,000 sq. ft.
F	Gymnasium/PE Lockers	Two Story	26,095 sq. ft.
G	Classrooms	Two Story	32,680 sq. ft.
H	Library/Storage/Teacher Lounge	Two Story	11,470 sq. ft.
I	Preschool	One Story	7,450 sq. ft.
Total Building Area			166,450 sq. ft.

Source: Jack Hollander & Associates, Inc., May 2003 and 2005 RDEIR.

The County of Los Angeles, serving as Lead Agency, prepared this RDEIR to serve as the environmental review document for Responsible Agencies, as defined by the State CEQA Guidelines. As described on page 2.0-1 of the RDEIR, Responsible Agencies for this project will likely include the South Coast Air Quality Management District (SCAQMD), United States Army Corps of Engineers (ACOE), California Department of Fish and Game (CDFG), Regional Water Quality Control Board (RWQCB), Caltrans, and the City of Agoura Hills.

Following the close of the public review period by the RPC on September 7, 2005, the County of Los Angeles prepared responses to all written and oral comments made during the public review period and during the three RPC Hearings (May 25, June 15, and September 7, 2005), consistent with the requirements of Section 15088 of the State CEQA Guidelines. Pursuant to Sections 15081 and 15132 of the State CEQA Guidelines, the County of Los Angeles has prepared a Final EIR for the project consisting of the RDEIR, revisions to the RDEIR found in the Final EIR document, all comments received on the RDEIR, responses to those comments, and the mitigation monitoring program (hereinafter "EIR"). Responses to comments received on the original 2002 Draft EIR have not been prepared in accordance with Section 15088.5(f)(1) of the State CEQA Guidelines.

Section II

Summary of Findings Regarding the Potentially Significant Environmental Effects of the Proposed Project

A. Environmental Effects Found to be Less than Significant

1. Human Health

Facts in Support of Findings

The EIR fully evaluated potential impacts related to human health on pages 4.4-1 through 4.4-21. This section of the EIR addresses potential impact related to the Calabasas Landfill and its proximity to the proposed site for the Heschel West School.

The Heschel West School project site is located approximately 0.75 mile southwest of the Calabasas Landfill. The County of Los Angeles has issued Conditional Use Permit No. 5022-5 for operation of the landfill. The Calabasas Landfill complies with all federal, state, and local regulations governing the operations of landfills.

Federal regulations regarding solid waste include the Resource Conservation and Recovery Act of 1976 (RCRA), the Solid Waste Disposal Amendments of 1980, and the Hazardous and Solid Waste Amendment of 1984. Federal regulations regarding water quality include Part 258 of Title 40, Code of Federal Regulations and the Clean Water Act. State regulations covering water quality requirements for landfills are contained in Division 2 of Title 27,

California Code of Regulations. Regulations pertaining to public health and safety include those governing handling of hazardous waste, landfill gas migration, vector control, and site security are found in Sections 20870, 29019.5, 20810, and 20530 of Title 27, California Code of Regulations. The Los Angeles County Department of Health Services, which is the Local Enforcement Agency (LEA) for the California Integrated Waste Management Board, oversees Solid Waste Facilities Permit No. 19-AA-0056.

These permits regulate all aspects of landfill operation and closure including: design of the facility, the nature and type of waste accepted, the amount of waste accepted, the type of cover material applied to the landfill cells and when it is applied, the configuration of landfill cells (i.e., height, width, compaction) water quality and air quality monitoring. For example, a drainage network has been implemented at the landfill to control runoff and prevent ponding on the landfill deck. This will reduce the amount of water that percolates into the landfill and the amount of storm water runoff from entering Chesebro Creek. It is highly unlikely that construction workers, students, or faculty of the proposed school would be exposed to contaminants contained in surface water at any appreciable level. This is based on the fact that no uses are proposed near the creek, the limited periods of time when surface water flow occurs in the unnamed drainage, and the small contribution of this flow relative to the overall volume of runoff that enters into Chesebro Creek from the larger watershed. Additionally, the subwatershed of the project site is disjunct from that of the landfill providing a physical and elevational separation. (See, for example, RDEIR pages 4.4-11 through 4.4-18.)

Groundwater protection measures are also implemented at the landfill to prevent leachate from polluting the groundwater table. A subsurface barrier system was constructed to prevent contaminants from percolating below the landfill. The subsurface barrier system also includes extraction wells and groundwater monitoring wells. There are also seven liner systems at the landfill to impede the migration of groundwater off the landfill site. While not all portions of the landfill are constructed with the liner system, all future areas of the landfill will be excavated prior to refuse placement to construct a liner system. The County Sanitation Districts compares down-gradient water quality to historic background water quality to assess any changes in groundwater quality conditions. Future samples will also be compared to the data on file to determine if the landfill is affecting groundwater quality. Although groundwater monitoring has detected contaminants in local groundwater down gradient of barriers #2 and #5, the project site is sufficiently far away from the landfill to avoid contamination. Moreover, the detected levels have shown a statistically significant decreasing or neutral trend in concentrations down-gradient of the landfill, which indicates natural attenuation is occurring. Students and faculty would not be exposed to contaminants because the drinking and irrigation water used on site would be supplied by the Las Virgenes Municipal Water District.

Correspondence from the Sanitation Districts of Los Angeles County (dated August 20, 2002) indicates that the Calabasas Landfill has never accepted non-regulated nuclear waste from Rocketdyne labs and the landfill is not permitted to receive any radioactive waste. The landfill has operated detectors at each weigh scale since 1983 to detect the presence of radioactive materials and ensure such waste is not accepted. Furthermore, the presence of soil serves as a barrier to alpha and beta particles emitted by naturally decaying isotopes. Consequently, students and faculty members would not be subject to a significant health risk as a result of exposure to any naturally occurring radionuclide that might be present in groundwater in the vicinity of the property. In the event dewatering is necessary during construction of Phase 1, the applicant would obtain a separate National Pollutant Discharge Elimination System (NPDES) Permit for groundwater discharge from the Regional Water Quality Control Board (RWQCB). Conditions on the permit include water quality sampling and appropriate means of treatment, if necessary.

The ambient air quality around the landfill site is within the background ranges experienced in the South Coast Air Basin. This suggests that the landfill is not directly affecting air quality in the area. The flare station and microturbines on the landfill are designed to operate and meet all pertinent air quality regulations established by the South Coast Air Quality Management District (SCAQMD) and testing of the flare station indicates that this facility is operating within the permit limits. To control dust resulting from landfill activities, the Sanitation Districts have prepared a dust emissions plan approved by the SCAQMD. Dust is minimized through the continuous use of water trucks and the construction of barriers near active landfill cells and revegetation is also used on areas of the landfill that are no longer active.

The evaluation of human health risk associated with the proximity of the project site to the Calabasas Landfill, and not associated with air quality, is a site-specific issue that is not influenced by other development projects. As such, there are no cumulative impacts to human health.

Findings

The Regional Planning Commission finds that the project will not have a significant adverse impact on human health.

The project site is approximately 0.75 mile from the Calabasas Landfill. The landfill design contains a variety of physical measures that limit potential environmental effects associated with operation of this facility, including surface water controls, groundwater protection mechanisms, landfill gas collection systems, and fugitive dust management programs. These systems have proven effective in limiting the risks to human health and the environment associated with operation of this facility. Due to the presence of these mechanisms and the distance of the project site from this facility, no significant human health risk is anticipated.

The risk assessment prepared by the Sanitation Districts of Los Angeles County (dated August 2005) evaluated potential risks to both human and ecologic receptors from groundwater contamination, including contamination that may volatilize to the soil and/or air from landfill operation. The preliminary findings of this risk assessment indicate that there are no risks to human health or the environment in the study area.

B. Environmental Effects Discussed in the EIR Which Can Be Avoided or Substantially Lessened to Less Than Significant Levels

2. Traffic and Access

Facts in Support of Findings

An evaluation of the traffic impacts of the proposed project is found on pages 4.2-1 through 4.2-48 of the EIR. The comprehensive traffic impact analysis completed for the project is found in Appendix 4.2 of the EIR. The methodologies used in this study for the analysis and evaluation of traffic operations at each study intersection are based on Traffic Impact Analysis Report Guidelines issued by the Los Angeles County Department of Public Works dated January 1997. Using the Critical Movement Analysis (CMA) methodology and other methodologies, the analysis incorporated a detailed evaluation of traffic conditions at five intersections in terms of Level of Service (LOS).

The uses associated with the proposed Heschel West School would generate approximately 2,638 daily trips, of which 720 would occur in the A.M. peak hour, 508 would occur in the school P.M. peak hour, and 79 would occur during the normal P.M. peak hour. This level of trip generation is expected to significantly impact three of the study intersections during one or more of the peak periods under consideration, prior to mitigation. These intersections are as follows: (1) Canwood Street and Chesebro Road at Driver Avenue and Palo Comado Canyon Road; (2) Palo Comado Canyon Road at U.S. 101 westbound ramps; and (3) Chesebro Road and U.S. 101 eastbound ramps at Dorothy Drive. No significant impacts are anticipated to occur on any of the nearby neighborhood streets or to any of the Los Angeles County Congestion Management Program (CMP) monitoring intersections or freeway segments. In addition, no roadway segment impacts will occur as a result of the project. With implementation of recommended mitigation measures, all project-related impacts will be reduced to less than significant levels.

Introduction of traffic generated by cumulative development in the project vicinity will result in significant impacts at all five of the studied locations prior to mitigation. These intersections are as follows: (1) Canwood Street and Chesebro Road at Driver Avenue and Palo Comado Canyon Road; (2) Palo Comado Canyon Road at U.S. 101 westbound ramps; (3) Chesebro Road and U.S. 101 eastbound ramps at Dorothy Drive; (4) Chesebro Road and Palo Comado Canyon Road at Chesebro Road; and (5) Chesebro Road and Laura La Plante Drive at Agoura Road. These significant cumulative impacts can be mitigated to less than significant levels through implementation of the recommended improvements, funded in part by the applicant's payment of a "fair share" contribution towards the cost of additional long-term intersection and freeway ramp improvements, some of which are currently proposed by

the City of Agoura Hills. (See RDEIR page 4.2-46, referencing the EIR prepared in connection with the City of Agoura Hills General Plan Update.)

The “fair share” payment for mitigation of project contributions to cumulative traffic impacts at area intersections will be determined through a cooperative effort between the County Department of Public Works and City of Agoura Hills. Payment of the agreed-upon fees will be made to the City of Agoura Hills as required by Condition 22 of Conditional Use Permit No. 98-062-(3). The school must also install various traffic mitigation measures at the school's sole expense.

While most of the study intersections are under the jurisdiction of the City of Agoura Hills, the intersection of Palo Comado Canyon Road/U.S. 101 northbound ramps/Canwood Street is under the jurisdiction of the California Department of Transportation (Caltrans). While the City of Agoura Hills and the County of Los Angeles Department of Public Works will be consulted during the final design process for any intersection improvements approved for this location, Caltrans has the ultimate authority with regard to design and implementation of such improvements. Condition 30a of Conditional Use Permit No. 98-062-(3) provides for the City of Agoura Hills participation in the approval process for the improvements at this location.

The school would also schedule weekend special events that could draw as many as 1,500 persons. A weekend special event analysis indicates that these events could result in a total of approximately 600 vehicles arriving or departing the project site. This could create significant impacts on Saturdays at the project access location of Palo Comado Canyon Road and the westbound U.S. 101 ramps/Canwood Street under the “arrival” traffic scenario, and significant impacts on Saturdays and Sundays for the “departure” traffic scenario. However, the magnitudes of these weekend impacts are substantially less than the magnitudes of typical weekday peak-hour impacts. Moreover, Conditions 30k through n of Conditional Use Permit No. 98-062-(3) place restrictions on the number and timing of special events. Included is a requirement to prepare a special event management plan and obtain a Temporary Use Permit when an event is predicted to generate the need for more than the 400 parking spaces that will be available on the project site. These requirements are intended to mitigate circulation and parking management issues associated with special events.

Additional facts to support the findings below are found in the record of proceedings for the project.

Findings

Pursuant to Public Resources Code Section 21081(a)(1) and State CEQA *Guidelines* Section 15091, the Regional Planning Commission finds that the project’s incorporation of the following mitigation measures, which are discussed in the RDEIR at pages 4.2-34 through 4.2-36, and 4.2-44 through 4.2-46, will avoid or reduce the transportation and circulation impacts to a less than significant level.

Canwood Street and Chesebro Road at Driver Avenue and Palo Comado Canyon Road (Project-Specific Impacts)

4.2-1 This unsignalized intersection currently meets the County’s warrant for traffic signal installation, indicating that a traffic signal is necessary at this location to accommodate existing traffic volumes. Therefore, the project should contribute its fair share toward installation of a signal. However, the intersection is under the jurisdiction of the City of Agoura Hills. Should the City of Agoura Hills determine that a traffic signal is unacceptable, the following alternative “non-signalized” improvement is recommended:

- Improve the eastbound and westbound approaches of this intersection (Driver Avenue, and Palo Comado Canyon Road, respectively) to install an exclusive left-turn lane, in addition to a shared through/right-turn lane, in both directions. Some minor roadway widening on both approaches within the existing rights-of-way will be required in order to implement this improvement. The intersection will remain four-way stop-sign controlled.
- To monitor the timing of implementation, the applicant shall prepare annual enrollment reports for submittal to the Los Angeles County Department of Public Works. This mitigation measure shall be

implemented before enrollment reaches 660 day school students and 20 percent of the total preschool enrollment.

Palo Comado Canyon Road at US 101 Westbound Ramps (Project-Specific Impacts)

4.2-2 Two alternative improvements were proposed for this location. Either of these recommended improvements could mitigate the project specific impacts anticipated from the establishment of the school. The mitigation measure for this intersection impact shall be implemented prior to initial occupancy of the school, and will provide appropriate traffic control for the intersection, and will accommodate the new project's Canwood Street access location as part of a revised intersection configuration.

- (a) Roundabout – Reconfigure the intersection, including all approaches, to install a new traffic roundabout, more commonly known as a “traffic circle.” As proposed, the recommended roundabout design would include an inner circle with a radius of approximately 50 feet and a single travel lane around the circle. The roundabout would control all approaches to this intersection, including both the northbound and southbound Palo Comado Canyon Road approaches, the westbound US 101 on/off ramps, and the Canwood Street approach. It is possible that some or all of these approaches would be “flared” to provide two storage lanes, and the minor approach from Canwood Street may also be “yield” sign controlled. The final design of the roundabout shall be reviewed and approved by Caltrans and the County Department of Public Works, and may require rights-of-way in excess of that currently available.
- (b) Traffic Signal – Reconfigure the intersection to include the Canwood Street approach as part of an overall intersection geometry, and install a new traffic signal at this intersection. Re-stripe the westbound Canwood Street approach to provide one shared left-turn/through lane and one exclusive right-turn lane. The southbound approach of Palo Comado Canyon Road would be re-stripped to provide one left-turn lane (to Canwood Street), one through lane, and one right-turn only lane. Widen and re-stripe the westbound US 101 off ramp to provide an additional right-turn only lane, to accommodate the project traffic U-turn movement directly onto Canwood Street.

The traffic signal will operate on a three-phase cycle, with the westbound approaches of the westbound US 101 off ramp and Canwood Street having separate phases. Special traffic signal heads will be installed to prevent confusion to drivers entering the intersection, and signal timing and phasing will be designed to prevent vehicles from becoming “trapped” within the intersection.

The “roundabout” alternative was suggested by Caltrans during preliminary reviews of the initial traffic study. Caltrans has recently been exploring the roundabout interchange design, and has installed roundabouts at several freeway ramp/surface street intersections throughout the State. Although the original “traffic signal” mitigation proposal was found feasible by Caltrans, the characteristics of this intersection prompted Caltrans to request analysis of a roundabout design.

The decision regarding the appropriate mitigation alternative to be installed at the Palo Comado and US-101 ramp/Canwood Street location ultimately rests with Caltrans. The Regional Planning Commission has rejected the traffic signal on testimony from the City of Agoura Hills. Although Canwood Street is within the City of Agoura Hills, Caltrans has jurisdiction over the intersection pursuant to access-control provisions of its freeway agreement with the City. However, Caltrans will not make a final decision without the direct input from the City of Agoura Hills. Current discussions with Caltrans indicate that the roundabout designs for the intersection mitigation could fully address the project's impacts and could be feasibly constructed within existing rights of way. However, it is Caltrans policy that no decision will be rendered until the project requiring the mitigation measure has been approved and an application for an encroachment permit to construct the proposed mitigation has been filed. At that time, Caltrans will conduct the necessary engineering studies to determine what intersection design to install.

Chesebro Road and US 101 Eastbound Ramps at Dorothy Drive (Project-Specific Impacts)

4.2-3 This unsignalized intersection currently meets the County's warrant for traffic signal installation, indicating that a traffic signal is necessary at this location to accommodate existing traffic volumes. Therefore, the

project shall contribute its fair share toward installation of a signal. However, if a traffic signal is found to unacceptable by the City of Agoura Hills, the following alternative “non-signalized” improvement is recommended:

- Re-stripe the northbound approach of this intersection to provide one shared left-turn/through lane, and one shared through/right-turn lane. Re-stripe the US 101 on ramp to provide two receiving lanes. The right lane of the on ramp should be striped as a “drop lane,” which merges with the left lane.

To monitor the timing of implementation, the applicant shall prepare annual enrollment reports for submittal to the Los Angeles County Department of Public Works. This mitigation measure shall be implemented before enrollment reaches 80 percent of the proposed total (approximately 531 of the 660 day school students).

Palo Comado Canyon Road Improvements (Project-Specific and Cumulative Impacts)

- 4.2-4 Prior to initial occupancy of the school, Palo Comado Canyon Road shall be improved along the west side to complete a 32-foot half roadway from Canwood Street/Chesebro Road to the westbound US 101 on-ramp.

Chesebro Road Overpass (Cumulative Impacts)

- 4.2-5 At the time a fee district for roadway improvements is established within the North Area Plan, the project applicant shall contribute a “fair share” amount, as determined by the fee structure established for the district, to fund widening of the Chesebro Road overpass and reconfiguration of the Kanan Road interchange consistent with the proposed circulation improvements identified in the Santa Monica Mountains North Area Plan.

Canwood Street and Chesebro Road at Driver Avenue and Palo Comado Canyon Road (Cumulative Impacts)

- 4.2-6 In addition to the traffic signal improvements described previously to address project-specific impacts, re-stripe the eastbound approach of this intersection (Driver Avenue) to install an exclusive left-turn lane, in addition to a shared through/right-turn lane, and restripe the southbound approach of the intersection (Chesebro Road) to provide an exclusive left-turn lane plus a shared through/right-turn lane. Some minor roadway widening within the existing right-of-way will be required in order to implement this improvement.

However, if the traffic signal is not acceptable, the following “non-signalized” improvement is recommended:

In addition to the installation of the eastbound left-turn lane to address project specific mitigation, further improve the eastbound approach of this intersection (Driver Avenue) to install an additional through lane, for a final approach configuration of one exclusive left-turn lane, one through lane, and one shared through/right-turn lane. It is likely that additional rights-of-way will be needed in order to accommodate the roadway widening necessary to implement this cumulative improvement, in which case the project would have to pay its "fair share" toward the cost (if any) of acquiring such rights-of-way. The intersection would retain the existing four-way, STOP-sign control.

Palo Comado Canyon Road at US 101 Westbound Ramps (Cumulative Impacts)

- 4.2-7 No additional improvements at this location are necessary under the “roundabout” alternative, as the proposed measure will be adequate to reduce cumulative impacts at this intersection to less than significant levels. However, if the traffic signal alternative is selected instead, an additional through lane should be installed for both the northbound and southbound approaches, in addition to a new northbound left-turn lane. The traffic signal alternative would result in a final intersection configuration of one left-turn lane, one through lane, and one shared through/right-turn lane for northbound traffic, and one left-turn lane, two

through lanes, and one right-turn lane for the southbound approach. The traffic signal alternative would also require the existing two-lane bridge crossing the US 101 to be widened, and the project would be required to contribute a "fair share" of the costs associated with this alternative improvement.

Chesebro Road and US 101 Eastbound Ramps at Dorothy Drive (Cumulative Impacts)

4.2-8 No additional improvements beyond the recommended project-specific improvement measure are necessary to address cumulative impacts, whether the traffic signal or "non-signalized" improvement is selected.

Chesebro Road and Palo Comado Canyon Road at Chesebro Road (Cumulative Impacts)

4.2-9 Pay a "fair share" of the costs associated with installing a traffic signal at this location, which is forecast to meet warrants under future 2010 ambient growth conditions. However, if a traffic signal is not acceptable, pay a "fair share" of the costs associated with the following measures: a) re-striping the intersection to provide one left-turn lane and one right-turn lane for the eastbound (Chesebro Road) approach; b) re-striping northbound Palo Comado Canyon Road to add an exclusive left-turn lane in addition to a single through lane; and c) re-striping the westbound direction of Chesebro Road west of Palo Comado Canyon Road to provide two "receiving" lanes (one each for the new northbound left-turn lane and for the existing southbound right-turn lane from Palo Comado Canyon Road).

Chesebro Road and Laura La Plante Drive at Agoura Road (Cumulative Impacts)

4.2-10 Pay a "fair share" of the costs associated with installing a traffic signal at this location, which is forecast to meet warrants under future 2010 ambient growth conditions. If a traffic signal is not acceptable, pay a "fair share" of the costs associated with re-striping this intersection to provide a left-turn only lane and one shared through/right-turn only lane for the eastbound approach, one shared left-turn/through lane plus a right-turn lane on the westbound approach, and one left-turn lane and one shared through/right-turn lane for the southbound approach.

3. Noise

Facts in Support of Findings

An evaluation of the potential noise impacts associated with this project is found on pages 4.3-1 through 4.3-26 of the EIR.

The proposed project would generate noise during both construction and operation. Noise levels generated during the construction stages would be temporary and would primarily affect adjacent sensitive uses. All construction activity must comply with construction noise restrictions imposed by Section 12.08 of the County Code. Project compliance with these Code provisions, along with implementation of mitigation measures outlined in the EIR, would reduce construction noise impacts to less than significant levels.

On an operational basis, roadway noise generated by project traffic is predicted to increase by approximately 0.5 dB(A). Noise generated by on-site activity such as children playing or school bells would be well below the requirements of the Los Angeles County Noise Ordinance for daytime conditions. Besides evening educational activities, nighttime events would consist of graduation night, or similar periodic events. No nighttime athletic events would occur, and restrictions on the use of bells or amplified sounds are provided in the EIR as mitigation. Consequently, project operation would not result in a significant point-source noise impact to adjacent land uses.

Finally, the EIR evaluated the cumulative impact of the project based on methodology outlined on RDEIR page 4.3-1 of the EIR, and the acoustical analysis contained in Appendix 4.3. As stated therein, the cumulative analysis is based upon either a list of past, present, and probable future projects or a summary of projections contained in the

County's *General Plan*. Development of the proposed project would not audibly increase noise levels along affected roadway segments. Consequently, the project would not contribute to any future increase in noise levels that may occur as a result of cumulative development. As such the noise level increase along studied roadway segments would not generate a significant cumulative impact. An approximation of the combined effect of stationary and point source project specific noise on a nearby receptor would exceed 45 dB(A) L_{eq} no longer than 30 minutes within any one-hour period. Consequently, no significant cumulative noise impacts are anticipated with school operation.

Additional facts to support the findings below are found in the record of proceedings for the project.

Findings

Pursuant to Public Resources Code Section 21081(a)(1) and CEQA Guidelines Section 15091, the Regional Planning Commission finds that the project's incorporation of the following mitigation measures, which are discussed in the EIR, will avoid or reduce impacts related to noise conditions to a less than significant level.

- 4.3-1 All construction activity occurring on the project site shall adhere to the requirements of the County of Los Angeles Construction Equipment Noise Standards, , as set forth in Section 12.08.440 of the County Code, and as identified in **Table 4.3-3** of the EIR.
- 4.3-2 All construction equipment, fixed or mobile, shall be in proper operating condition and fitted with factory standard silencing features, including the muffling and shielding of intakes and exhausts.
- 4.3-3 All construction truck traffic shall avoid residential areas and other sensitive receptors to the extent feasible.
- 4.3-4 Construction equipment shall be turned off when not in direct use.
- 4.3-5 Sound blankets shall be used on all construction equipment for which use of sound blankets is technically feasible.
- 4.3-6 Portable acoustical barriers shall be placed along the project site's common boundary with adjacent residential uses during grading activity associated with Phase I and II of campus construction.
- 4.3-7 All stationary and point sources of noise (e.g., bells amplified sound, etc.) occurring on the project site shall adhere to the requirements of the County of Los Angeles Ordinance No. 11743, Section 12.08.390 as identified in **Table 4.3-2** of the EIR, **County of Los Angeles Exterior Noise Standards for Stationary and Point Noise Sources**.
- 4.3-8 No amplified sound shall be generated between the hours of 8:00 P.M. and 8:00 A.M. All school bells shall be oriented away from adjacent residential areas.

4. Geotechnical Hazards

Facts in Support of Findings

The EIR fully evaluated potential impact related to geotechnical hazards on pages 4.6-1 through 4.6-16. This section of the EIR addresses potential impacts related to the condition of on-site soils and the geology of the area in relation to potential seismic events. The proposed project would result in the construction and occupancy of school children and faculty, and therefore has the inherent potential to subject persons to ground shaking-related hazards. By incorporating recommendations of the geotechnical engineering study and complying with the Uniform Building code (UBC) and County of Los Angeles Building Standards, project impacts related to seismic hazards would be less than significant.

Finally, the EIR evaluated the cumulative impact of the project based on methodology outlined on pages 4.0-1 through 4.0-2. As stated therein, the cumulative analysis is based upon a list of past, present, and probable future projects. Geotechnical and soil resources are site-specific conditions that are not cumulative in nature. Because the development of each site in the project area within the County would have to be consistent with applicable County of Los Angeles requirements and the adopted Uniform Building Code as it pertains to protection against known geologic hazards, geological impacts of cumulative development would be less than significant.

Additional facts to support the finding below are found in the record of proceedings for the project.

Findings

Pursuant to Public Resources Code Section 21081(a)(1) and CEQA Guidelines Section 15091, the Regional Planning Commission finds that the project's incorporation of the following mitigation measures, which are discussed in the EIR, will avoid or reduce impacts related to soils and geologic conditions to a less than significant level.

General

- 4.6-1 The project design and construction shall incorporate and implement all of the recommendations in the Gorian geotechnical investigation dated May 1999, and all geotechnical recommendations developed as part of more detailed project design.

Grading-Related Impacts

- 4.6-2 All aspects of grading, including site preparation, grading, and fill placement, shall conform with relevant provisions of the County of Los Angeles Building Code.
- 4.6-3 Cut slopes may be constructed at a maximum gradient of 2:1. All cut slopes or backcuts for retaining walls must be observed by the project geotechnical consultant to verify absence of adverse geologic conditions. Where topsoil is present at the top of a cut slope, the top of the slope shall be "laid back" or rounded.
- 4.6-4 Fill slopes may be constructed at a maximum gradient of 2:1. Fill slopes shall be keyed and benched into firm in-place soil or bedrock. Fill slope keyways shall be a minimum of 15 feet wide and cut to a minimum depth of 2 feet at the toe into competent in-place materials. The keyway shall be tilted into the slope and shall be at least 3 feet deep at the heel (measured from below the slope toe elevation). The keyway shall be observed by the project geotechnical consultant prior to placing any fill.
- 4.6-5 All slopes shall be maintained so as to reduce the risk of erosion and degradation with time due to natural or man-made conditions. In particular, burrowing animals shall be controlled and brow ditches, drainage structures, and the slope vegetation shall be maintained in good condition.
- 4.6-6 All graded or exposed natural slopes shall be maintained with dense, deep rooting (minimum 2 feet deep), drought-resistant ground cover and shrubs or trees. A reliable irrigation system shall be installed on the slopes where necessary, adjusted so over-watering does not occur, and periodically checked for leakage. Care shall be taken to maintain a uniform, optimum moisture content in the slopes, and to avoid over drying, or excess irrigation. Excess watering of slopes shall be avoided to reduce the risk of erosion and surficial failures. Slopes shall not be watered before forecasted rain.
- 4.6-7 All drainage structures shall be kept in good condition and clean the entire length to the outlet. Final grading of the site shall provide positive drainage away from slopes, and water shall not be allowed to pond or gather in a slope area. Burrowing animals, particularly ground squirrels, can destroy slopes; therefore, where present, immediate measures shall be taken to evict them.

Differential Fill and Settlement/Landslides

- 4.6-8 On-site materials obtained from excavations may be used as fill soils. Fill soils shall be free of all deleterious materials including trash, debris, organic matter, and rocks larger than 6 inches. Fill soils shall be placed in thin uniform lifts not exceeding 10 inches of uncompacted thickness, brought to 2 percent over the optimum moisture content, and compacted to a minimum of 90 percent relative compaction. The need for import fill is not anticipated. However, if needed, sources of import fill shall be approved by the project geotechnical consultant prior to transport of materials to the site.
- 4.6-9 Remedial grading in the form of removals and recompaction is recommended to prepare all building pad areas and those locations where cut slopes are required near a landslide. Within areas of settlement sensitive structures and 5 feet beyond, removal operations must remove any highly compressible upper native soils. Where fill thickness varies significantly or a transition condition exists under a structure, additional removals as recommended in the Gorian geotechnical investigation shall be performed to reduce the potential for differential movement.

Seismic Hazards

- 4.6-10 Structures built as part of the project shall be designed in accordance with the seismic design factors in the latest version of the Uniform Building Code.

Expansive Soils

- 4.6-11 Expansion tests shall be performed at the finish grade upon conclusion of grading for each building pad area.
- 4.6-12 Positive drainage shall be consistently provided and maintained away from all structures. Drainage shall not be changed creating an adverse drainage condition.
- 4.6-13 Landscape watering shall be held to a minimum. Sprinkler systems shall be maintained and plumbing leaks shall be immediately repaired so the subgrade soils underlying or adjacent to the structures do not become saturated. Trees shall be spaced so that roots will not extend under foundations or slabs.
- 4.6-14 Water shall not be allowed to pond or accumulate around the any pool decking (which could otherwise allow water migration into the subgrade). All pool hardware fittings shall be adequately water tight, and caulking shall be maintained between hardscape joints.
- 4.6-15 Information regarding the care and maintenance of improvements located on expansive soils shall be passed on to any future owners of the property.

5. Fire Services and Hazards

Facts in Support of Findings

An evaluation of the Project's potential impacts on fire protection services is found on pages 4.7-1 through 4.7-23 of the EIR.

The County of Los Angeles Fire Department will be responsible for fire protection and emergency medical service to the project area. Adherence to applicable codes and requirements during construction would reduce the potential for fire hazards at the site during construction to below the threshold of significance. The potential for interference with emergency vehicles traveling through the area is considered small given the periodic and short-term nature of any construction-related traffic resulting from the development, and with the implementation of the required construction management plan. No significant impacts are expected with the use of flagmen and other standard construction traffic practices.

The site is located within an existing service area and the Department estimates the response time to the project at four minutes (for primary response). This equals the National Fire Protection Association (NFPA) Standard No. 1710's goal in response to a primary call for service. Paramedics should arrive within eight minutes per NFPA 1710. Based on the above, and with payment of the developer fee required as part of the Los Angeles County Fire Department Development Fee Program, the potential for impact on response times is considered to be less than significant.

The project is within a Very High Fire Hazard Severity Zone (VHFHSZ) under the requirements of California Government Code Section 51178. Because of the school's location, the applicant will prepare a fuel modification plan, landscape plan, and irrigation plan. The Fire/Vegetation Management Plan for the project was developed based upon the findings of a computer model used by the U.S. Forest Service to predict the rate of spread and direction of fire within the project area. This plan was developed to create a defensible space that would prevent a wildfire from burning the campus.

The applicant is also required to prepare an emergency plan that will outline procedures and responsibilities to ensure a safe and orderly response in the event of adequate warning of a fire or other emergency. Strategies for avoiding traffic congestion in an evacuation scenario will be included in the Emergency Plan. Protocols given to parents and training sessions will outline and emphasize safe and orderly entrance and exit strategies. Parents will be encouraged to use the Canwood Street access to the freeway and to avoid traveling through the intersection of Driver Avenue, Chesebro Road, Canwood Street, and Palo Comado Canyon Road.

In the event there is inadequate warning of a fire, the project incorporates a shelter-in-place facility constructed using two-hour fire-rated exterior walls from foundation to roof, and sized to house all students and staff at a minimum ratio of 7 square feet per occupant. This facility will provide enough breathing air for the expected occupant load for two hours. The shelter-in-place procedure is the preferred protective action when there is inadequate time to evacuate. Based on the above, and with implementation of the fuel modification plans and compliance with applicable requirements for construction, access, water mains, fire hydrants, fire flows, brush clearance and fuel modification plans, no significant impacts are anticipated.

The school's internal road structure would also provide an alternative evacuation route for residents up Chesebro Canyon, alleviating congestion at the intersection of Driver Avenue, Chesebro Road, Canwood Street, and Palo Comado Canyon Road. In addition to emergency access, the school's vegetation management, fire-retardant construction and separation from the intense flames and heat of the fire will create a wildland buffer that serves as a refuge for fleeing residents as well as a protective buffer between the wildland areas and adjacent residents. The school itself, with large open areas, can readily serve as a fire equipment staging area. Therefore, the Proposed Project could provide beneficial community impacts in case of an emergency.

Finally, the EIR evaluated the cumulative impact of the project based on methodology outlined on pages 4.0-1 through 4.0-2 of the EIR. As stated therein, the cumulative analysis is based upon either a list of past, present, and probable future projects or a summary of projections contained in the County's *General Plan*. Build-out of the land uses allowed by the *General Plan*, including the related projects known at this time, will increase demands on fire protection services. Continued implementation of the County Fire Department's proactive fire fighting plans and policies would ensure the continued ability of the Department to meet the cumulative demand for fire and emergency services and meet recommended national fire protection service standards. No significant cumulative impacts will result.

Findings

Pursuant to Public Resources Code Section 21081(a)(1) and State CEQA *Guidelines* Section 15091, the Regional Planning Commission finds that the project's adherence to the following mitigation measures from the EIR, which are incorporated into the project, will avoid or reduce the fire protection service impacts to a less than significant level.

- 4.7-1 Concurrent with the issuance of building permits, the applicant shall pay the Los Angeles County Fire Department Developer Fee in effect at that time based on actual building area.

- 4.7-2 The site plan for the proposed project shall provide sufficient capacity for fire flows of 5,000 gpm at 20 psi residual pressure for a five-hour duration for educational units and uses with a floor plan in excess of 35,000 square feet, or such other fire flow required by the County Fire Department.
- 4.7-3 Prior to framing, access, hydrants, and water supply shall be provided to comply with Section 902 of the Fire Code, which requires all-weather access.
- 4.7-4 Vehicular access must be provided and maintained serviceable to all required fire hydrants throughout construction.
- 4.7-5 Prior to issuance of occupancy permits, the development shall comply with County Building and Safety Code and Fire Code requirements associated with the provision of adequate site vehicular access (County Fire Code 10.207), and fire prevention and suppression.
- 4.7-6 Prior to issuance of building permits, the project shall satisfy all conditions of approval for vehicular and Fire Department access.
- 4.7-7 The applicant shall install Fire Department-approved street signs and building numbers prior to issuance of occupancy permits.
- 4.7-8 The Fire/Vegetation Management Plan prepared for the project shall be reviewed and approved by the Fire Department prior to issuance of building permits.

6. Air Quality

Facts in Support of Findings

An evaluation of the potential air quality impacts of the proposed Project is found on pages 4.8-1 through 4.8-31 of the EIR.

The project would generate both construction-related and operation-related pollutant emissions. Construction-related emissions would be generated by on-site stationary sources, heavy-duty construction vehicles, construction worker vehicles, and energy use. Operation-related emissions would be generated by on-site and off-site stationary sources and by mobile sources. The project is expected to be constructed in several phases within a 12-year time span. Grading and earthwork activities for the entire project would be undertaken during the first two phases of the project, with approximately 72 percent occurring in the first phase. Construction activity during Phase I would not generate emissions that exceed South Coast Air Quality Management District's (SCAQMD's) thresholds of significance, since the project would be subject to SCAQMD Rule 403 – Fugitive Dust. Further, combined construction and operational emissions resulting from operation of initial phases of the project, and construction of latter phases would not exceed SCAQMD's thresholds of significance. Operation of the proposed school would not generate a volume of air emissions that exceed the thresholds of significance and so would not result in significant air quality impacts.

Modeling was also used to determine if traffic generated by the project would result in significant increases in carbon monoxide levels at five intersections that will likely be impacted by the project. The analysis concluded that CO levels should be well below the stringent state standards. Thus, vehicle trips associated with the project would not cause a CO hotspot, and sensitive receptors within the proposed project and in the vicinity of the project site would not be exposed to a CO hotspot.

The California Air Resources Board has classified diesel exhaust as a toxic pollutant that may pose a threat to human health. The US 101 does not provide the connection between major ports, rail spurs, and airports, which generate heavy volumes of truck traffic. A health risk assessment prepared by the SCAQMD in order to identify areas eligible for funding under the Carl Moyer Program indicates that the project site is not located along a freeway corridor where there exists a cancer risk of one in one million or greater. Based on the above, sufficient evidence is

available to indicate that project operation at this location would not result in a significant health risk from exposure to diesel exhaust.

Finally, the EIR evaluated the cumulative impact of the project based on the methodology outline on pages 4.8-30 through 4.8-31 of the EIR recommended by the SCAQMD. The analysis of cumulative impacts focuses on determining whether the project is consistent with forecasted future regional growth. If all cumulative projects are individually consistent with the growth assumptions upon which the SCAQMD's Air Quality Management Plan (AQMP) is based, then future development would not impede the attainment of ambient air quality standards and significant cumulative air quality impacts would not occur. The proposed school is considered a conditionally permitted use within the Santa Monica Mountains North Area Plan, which is a subset of the County General Plan. The control strategy of the AQMP is based on projections contained in local general plans. For this reason, projects that are consistent with local general plans are considered consistent with air quality related regional plans, such as the AQMP. Based on the above, and that the project would not cause a significant project impact, the emissions generated by the project are not considered cumulative considerable.

Findings

Pursuant to Public Resources Code Section 21081(a)(1) and State CEQA *Guidelines* Section 15091, the Regional Planning Commission finds that the project's adherence to the mitigation measures discussed below, in addition to the design features which are incorporated directly into the project, will avoid or reduce impacts related to air quality to a less than significant level.

Each development project in the South Coast Air Basin (SCAB) is required to comply with standard construction emission control practices to minimize the amount of fugitive dust and construction equipment emissions generated during construction. The SCAQMD has prepared a list of measures to reduce the impacts of construction-related emissions to the greatest extent possible. Those that could be feasibly implemented during the development of the project, in addition to Rule 403 – Fugitive Dust, are as follows:

(Note: these mitigation measures are recommended to ensure that emissions from overlapping construction and operational activities, associated with the anticipated 12-year duration of the project's construction, are maintained at less than significant levels.)

- 4.8-1 Develop and implement a construction management plan, as approved by the County, which includes the following measures recommended by the SCAQMD, or equivalently effective measures approved by the SCAQMD:
- a. Configure construction parking to minimize traffic interference.
 - b. Provide temporary traffic controls during all phases of construction activities to maintain traffic flow (e.g., flag person).
 - c. Schedule construction activities that affect traffic flow on the arterial system to off-peak hours to the degree practicable.
 - d. Re-route construction trucks away from congested streets.
 - e. Consolidate truck deliveries when possible.
 - f. Provide dedicated turn lanes for movement of construction trucks and equipment on- and off-site.
 - g. Maintain equipment and vehicle engines in good condition and in proper tune as per manufacturers' specifications and per SCAQMD rules, to minimize exhaust emissions.
 - h. Suspend use of all construction equipment operations during second stage smog alerts. Contact the SCAQMD at 800/242-4022 for daily forecasts.

- i. Use electricity from power poles rather than temporary diesel- or gasoline-powered generators.
- j. If readily available at competitive prices, use methanol- or natural gas-powered mobile equipment and pile drivers instead of diesel.
- k. If readily available at competitive prices, use propane- or butane-powered on-site mobile equipment instead of gasoline.

4.8-2 Develop and implement a dust control plan, as approved by the County, which includes the following measures recommended by the SCAQMD, or equivalently effective measures approved by the SCAQMD:

- a. Apply approved non-toxic chemical soil stabilizers according to manufacturers' specification or other measures agreed to by the County to all inactive construction areas (previously graded areas inactive for four days or more).
- b. Replace ground cover in disturbed areas as quickly as possible.
- c. Enclose, cover, water twice daily, or apply approved soil binders to exposed piles (i.e., gravel, sand, dirt) according to manufacturers' specifications.
- d. Water active grading sites at least twice daily.
- e. Suspend all excavating and grading operations when wind speeds (as instantaneous gusts) exceed 25 miles per hour.
- f. Provide temporary wind fencing consisting of 3- to 5-foot barriers with 50 percent or less porosity along the perimeter of sites that have been cleared or are being graded, if necessary.
- g. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (i.e., minimum vertical distance between top of the load and the top of the trailer), in accordance with Section 23114 of the California Vehicle Code.
- h. Sweep streets at the end of the day if visible soil material is carried over to adjacent roads (recommend water sweepers using reclaimed water if readily available).
- i. Install wheel washers where vehicles enter and exit unpaved roads onto paved roads, or wash off trucks and any equipment leaving the site each trip.
- j. Apply water three times daily or chemical soil stabilizers according to manufacturers' specifications to all unpaved parking or staging areas or unpaved road surfaces.
- k. Enforce traffic speed limits of 15 miles per hour or less on all unpaved roads.
- l. Pave construction roads when the specific roadway path would be utilized for 120 days or more.

4.8-3 Painting contractors shall utilize low ROC content paints and solvents. The following SCAQMD website lists manufacturers who supply interior and exterior low or zero ROC paints: <http://www.aqmd.Gov/business/brochures/zerovoc.htm>

7. Hydrology and Water Quality

Facts in Support of Findings

An evaluation of the project's potential impacts on hydrology and water quality is found on pages 4.9-1 through 4.9-17 of the EIR.

Building of the Heschel West School would result in the construction of additional impervious surfaces that would reduce water absorption and increase surface runoff and velocities. The applicant has prepared a drainage concept that identifies the methods of capturing and controlling runoff during a design year storm event. The proposed drainage system is able to contain a design-year storm without causing flooding either on- or off-site. In fact, the project would have a beneficial impact on adjacent residences located along Chesebro Road, because the land area tributary to the rear of these homes will be reduced in the developed condition. Given that none of the proposed uses are within a 100-year flood hazard zone, and no downstream flooding is anticipated as a result of project build-out, no significant impact is anticipated.

With regards to water quality, construction and operation of proposed school is subject to the requirements of the National Pollutant Discharge Elimination System program. Use of the Best Management Practices as outline in the Storm Water Pollution Prevention Plan and Standard Urban Storm Water Mitigation Plan will reduce project related water quality impacts to less-than-significant levels.

Additional facts to support the findings below are found in the record of proceedings for the project.

Findings

Pursuant to Public Resources Code Section 21081(a)(1) and State CEQA *Guidelines* Section 15091, the Regional Planning Commission finds that the project's adherence to the following mitigation measures, in addition to the design features which are incorporated directly into the project, will avoid or reduce impacts related to hydrology and water quality to a less than significant level.

- 4.9-1 Final drainage plans shall be prepared to ensure that no significant flooding would occur during or after site development. These plans shall be prepared to the satisfaction of Los Angeles County Department of Public Works.
- 4.9-2 Final grading plans shall be prepared to ensure that no significant erosion or sedimentation would occur during or after site development. These plans shall be prepared to the satisfaction of the Los Angeles County Department of Public Works.
- 4.9-3 The applicant shall satisfy all applicable requirements of the NPDES program in effect at the time of project construction to the satisfaction of the Los Angeles County Department of Public Works. These requirements include preparation of a Standard Urban Storm Water Mitigation Plan containing structural treatment and source control measures appropriate and applicable to the project.

C. Environmental Effects of the Project Which are Considered Unavoidable Significant Impacts

8. Visual Qualities

Facts in Support of Findings

An evaluation of the potential visual resource impacts associated with this project is found on pages 4.1-1 through 4.1-35 of the EIR.

Development of any use on the property would be governed by a Conditional Use Permit, which will contain design guidelines and development standards for the project. These standards regulate building setbacks, building heights,

permitted density ranges, define roadway design and landscaping, parking requirements, and monumentation and signage. Each of the above has been carefully crafted to create the desired character and visual image of the project.

Site development would change the visual character of a portion of the site from vacant land to a developed or man-made condition. All phases of the project have been designed to cluster development within the flatter, lower lying portions of the property. An objective of the planning process was to preserve visually dominant landform features that characterize the site and surrounding viewsheds. Moreover, the project has been designed to minimize mass and bulk conflicts with adjacent residences, for example by setting school buildings back approximately 280 feet from the rear yards of such residences, and by using building architecture that is consistent with prevalent styles in the community of Old Agoura.

The project would also introduce new sources of light and glare that could spill over onto adjacent sensitive uses, including the adjacent wildlife corridor, if not properly designed and installed. Mitigation is provided to reduce this impact to a less than significant level.

On a cumulative basis, the US 101 corridor is experiencing a general trend towards urbanization. This cumulative development is contributing to the loss of open space and changing the visual character of the area to one that is more urban in character, which is considered a cumulatively significant visual impact.

Findings

The significant cumulative and project-specific visual impacts associated with the project have been reduced to the extent feasible through incorporation of the mitigation measures enumerated below. However, the Regional Planning Commission finds that development of the proposed project would result in the conversion of vacant land to developed use, which is considered a significant, unavoidable cumulative visual impact. The Regional Planning Commission also finds that the significant impact identified above is outweighed by project benefits as set forth in the Statement of Overriding Considerations.

- 4.1-1 Landscaping consisting of natural vegetation shall be placed along the southern perimeter of Chesebro Road, as defined on the site plan. The purpose of this vegetation is to screen vistas of the completed project from motorists, walkers, and riders. Installation of this vegetative screen shall occur prior to grading. Maintenance and monitoring reports shall be prepared annually for a minimum of three years to ensure the long-term completion of this mitigation measure.
- 4.1-2 A landscape/revegetation plan shall be prepared by a registered landscape architect for review and approval by the County of Los Angeles Department of Regional Planning and California Department of Fish and Game prior to the issuance of the grading permit. The landscape/revegetation plan shall utilize indigenous plants and shall avoid invasive, non-native ornamentals to the maximum degree feasible.
- 4.1-3 The applicant shall prepare a lighting plan that identifies the type, layout, and luminaire wattage. At a minimum the plan shall conform to the requirements defined below. The County of Los Angeles Department of Regional Planning shall approve final lighting orientation and design.
 - (1) Nuisance Prevention: All outdoor lighting fixtures shall be designed, located, installed and aimed downward or towards structures—if the light is effectively contained by the structure and no glare is visible off site—to prevent glare, light trespass and light pollution. No lights shall be directed towards nearby residences or open space.
 - (2) Lighting Levels: Outdoor lighting installations shall be designed to avoid harsh contrasts in lighting levels between the project site and the adjacent properties.
 - The illumination provided by parking lot lighting shall average no more than 0.05 watts/square foot, which equates to a lighting power density consistent with parking lots in Lighting Zone 2.
 - The illumination provided by on-site roadway lighting shall average no more than 0.03

watts/square foot, which equates to a lighting power density consistent with a two-lane roadway in Lighting Zone 2.

- The illumination provided by on-site walkway lighting shall average no more than 0.08 watts/square foot, which equates to a lighting power density consistent with walkways in Lighting Zone 2.

- (3) Lamp Types: Metal Halide or high-pressure sodium lamps should be used in all areas deemed as security risks. Low wattage incandescent or compact florescent lamps should be used in all other portions of the campus.
- (4) Fixture Types: All outdoor lighting shall use cut-off luminaries with the light source downcast and fully shielded with no light emitted above the horizontal plane.
- (5) Accent Lighting: Architectural features may be illuminated by uplighting provided that the light is effectively contained by the structures, the lamps are low intensity used only to provide subtle lighting effects and no glare or light trespass is produced.
- (6) Security Lighting: Security lighting should be activated with motion sensors to the extent feasible.

4.1-4 Project structures shall utilize non-reflective glass to avoid glare intruding onto adjacent residential properties.

9. *Biological Resources*

Facts in Support of Findings

An evaluation of the Project's potential impacts on biological resources is found on pages 4.5-1 through 4.5-54 of the EIR.

Implementation of the proposed project would permanently convert approximately 27 acres of the 73-acre property from a natural to a developed condition. In order to minimize disturbances associated with fuel modification, a Fire/Vegetation Management Plan has been prepared consistent with the County Fire Code(s). Compliance with the requirements of the Fire/Vegetation Management Plan will result in the disturbance of approximately 4.5 acres of natural areas (included in the 27 acres referenced above). Project construction would not directly impact special-status plant species found on site. However, there would be direct impacts to special-status communities' habitats including Valley needlegrass grassland and coastal sage scrub, which are considered special-status plant communities. To address project impacts, the applicant has committed to putting fully 40 percent of its site into a permanent conservation easement, and the School is conditioned to dedicate to the National Park Service the portion of the site north of Chesebro Road, in the vicinity of Chesebro Creek. Mitigation is also provided to compensate for the direct loss to special status habitat.

The loss of some wildlife habitat during construction and operation of the proposed project could directly disturb wildlife residing on the project site, and/or utilizing lands immediately adjacent to the project site. Project operation would result in indirect impacts associated with increased human presence, the introduction of artificial lighting or glare and stormwater runoff. Project operation would not have a significant impact on the adjacent Liberty Canyon wildlife corridor located east and adjacent to the proposed site. Implementation of recommended mitigation measures would reduce project-related impacts on common and special-status plants and wildlife, to a less than significant level.

Finally, the EIR evaluated the cumulative impact of the project based on methodology outlined on pages 4.0-1 through 4.0-2 of the EIR. As stated therein, the cumulative analysis was based upon a list of past, present, and probable future projects. Buildout of the North Area Plan would result in the incremental conversion of open space

to a "built environment." The cumulative loss of open space would reduce land available to meet various ecological requirements and this loss is considered to be cumulatively significant.

Findings

The project-specific biological resource impacts associated with the project have been reduced to the extent feasible through incorporation of the mitigation measures enumerated below. However, the Regional Planning Commission finds that development of the proposed project would result in the conversion of vacant land to developed use, which is considered a significant, unavoidable cumulative loss of open space. The Planning Commission also finds that the significant impact identified above is outweighed by project benefits as set forth in the Statement of Overriding Considerations.

- 4.5-1 As a means of special-status species protection, prior to any grading/construction activities, pre-grading surveys for the mariposa lily and morning glory shall be conducted by a qualified botanist. Pre-construction reports shall be provided to the County of Los Angeles Department of Regional Planning. The loss of any such species would be mitigated through on-site enhancement as articulated below under Mitigation Measure 4.5-6.
- 4.5-2 Prior to any grading/construction activities, the applicant shall install temporary fencing where site grading occurs adjacent to natural habitat to the north. Fencing shall be maintained and monitored by the applicant for the duration of the grading/construction period. Monthly reports shall be provided to the County of Los Angeles Department of Regional Planning.
- 4.5-3 No earlier than 20 days prior to any grading activity that would occur during the breeding season, pre-construction/grading survey of the entire area proposed for grading/construction activities for any special-status bird species shall be conducted by a qualified biologist. If nests of special-status or other protected migratory bird species are observed, construction within 100 feet shall be postponed or halted at the discretion of the biological monitor, until the nest site is vacated and juveniles have fledged, as determined by the biologist. Implementation of this measure would ensure that no loss of active nests of either species will occur and, therefore, will reduce impacts on nesting birds to a less than significant level. Pre-construction reports shall be provided to the County of Los Angeles Department of Regional Planning.
- 4.5-4 Bird nests, which are state and federally protected, will not be disturbed during and following construction activities. The nesting/breeding season of native bird species potentially nesting on the site is typically February through August. In order to determine if active nests of bird species protected by the Migratory Bird Treaty Act and/or the California Fish and Game Code are present in the construction zone or within 300 feet (500 feet for raptors) of the construction zone, the applicant shall have weekly field surveys conducted by a qualified biologist between 45 to 20 days (only) prior to construction activities. If active nests are found, a minimum 300-foot (this distance may be greater depending on the bird species and construction activity, as determined by the biologist) fence barrier shall be erected around the nest site and clearing and construction within the fenced area shall be postponed or halted, at the discretion of the biological monitor, until the nest is vacated and juveniles have fledged, as determined by the biologist, and there is no evidence of a second attempt at nesting. The biologist shall serve as a construction monitor during those periods when construction activities will occur near active nest areas to ensure that no inadvertent impacts on these nests will occur. In addition, fuel modification activities, including vegetation removal and pruning, will not be conducted during the nesting season (February through August).
- 4.5-5 Construction personnel shall be instructed on the sensitivity of the area. The project applicant or qualified biologist will record the results of the recommended protective measures described in order to document compliance.
- 4.5-6 A revegetation and maintenance plan shall be developed prior to the issuance of a grading permit by a qualified habitat restoration specialist acceptable to the Director of Planning, to be retained by the applicant, that describes the specific actions, tasks, and methodologies to address the revegetation, enhancement, and maintenance of revegetated or restored habitat areas. The plan would specify, at a

minimum, the following: (1) the location of revegetation and enhancement areas; (2) the quantity and species of plants to be planted as well as those to be removed; (3) planting procedures, including the use of soil preparation and irrigation; (4) a schedule and action plan to maintain and monitor the plantings for a minimum five-year period; and (5) a list of criteria (e.g., growth, native plant cover, survivorship) by which to measure success of the plantings, as well as contingency measures if the plantings are not successful. This plan shall be approved by the County DRP, National Park Service, and other appropriate resource agencies. At a minimum, the plan will provide for the following replacement ratios and monitoring requirements:

- The direct loss of needlegrass grassland community shall be replaced at a 2:1 ratio by revegetating land that currently supports California annual grassland vegetation. The mitigation area will be located on site or at an alternative site approved by the CDFG and the Department of Regional Planning (DRP). Because of the disturbed nature of the on-site California annual grassland community and because it does not support Rare, Threatened, or Endangered species, the replacement of portions of this non-native grassland community with a native grassland community will not result in additional significant impacts.
- The direct loss of purple sage-California sage brush vegetation shall be replaced at a 1:1 ratio by enhancing remaining on-site disturbed or degraded vegetation.
- CDFG, DRP and the selected biological monitor shall approve a monitoring plan. At a minimum, the plan shall include quarterly monitoring by a qualified biologist for the first three years, and on an annual basis for two following years. During each monitoring visit, hand removal of non-native vegetation will be conducted. Approved success criteria shall be based on an overall percentage of vegetation cover and percentage of non-native plant species consistent with on-site high quality purple sage-California sagebrush habitat.

4.5-7 The following measures will be required in order to comply with local, state, and federal regulations regarding impacts to ACOE, CDFG, NRCS, and RWQCB jurisdictional areas:

- (a) If determined practicable following review of the project plans by the Los Angeles County Fire Department, fuel modification zones shall not be closer than 75 feet to existing jurisdictional drainages.
- (b) Permitting as required by ACOE and RWQCB shall be executed pursuant to Section 404 of the federal Clean Water Act, for all impacts to waters of the US. All conditions of the permits and certifications from these agencies that are designed to minimize impacts to biological resources and all measures to mitigate for the loss of jurisdictional habitats shall be implemented. Prior to permitting, representatives of the ACOE must conduct a field verification, and subsequent certification, of the biological conditions, functions, (i.e., intermittent or ephemeral water flow) and extent of jurisdictional resources on the site.
- (c) If necessary, a Streambed Alteration Agreement shall be executed with CDFG pursuant to Section 1603 of the California Fish and Game Code. All conditions of that agreement designed to minimize impacts to biological resources, and all measures to mitigate for the loss of jurisdictional habitats, shall be implemented.

- 4.5-8 In order to protect the native plant communities that are located within the natural open space areas of the site, the plants listed in Table 4.5-5 in the EIR will not be planted. In addition, the landscaped areas and the fuel modification zone shall utilize locally indigenous plants to the greatest extent feasible. The landscaping plans for the project shall be reviewed by a qualified botanist and DRP for approval prior to grading permit who shall recommend appropriate provisions to prevent other invasive plant species from colonizing remaining natural areas.
- 4.5-9 The applicant will obtain a County-approved biological monitor to coordinate and periodically monitor construction activity to ensure that incidental construction impacts on biological resources are avoided or minimized. The monitor will be given authorization to stop specific construction activities if violations of mitigation measures or any local, state, or federal laws are suspected.

Responsibilities of the monitor include:

- Review/stake the construction limits in the field with the contractor and the County inspector in accordance with the final approved grading plan. The limits shall clearly delineate the location of Catalina mariposa lilies, California black walnuts, Valley oak tree, jurisdictional drainages, and the preserved natural open space areas on site.
 - Prepare an instruction sheet for all equipment operators who will work on the site. The instruction sheet shall include information that will be stated in the CDFG Streambed Alteration Agreement, including, but not limited to, nesting bird information, protection of the preserved jurisdictional areas from litter, contaminants, and debris. Each operator will be required to sign an acknowledgment that they are aware of these conditions and that their violation of such conditions may result in their termination of work on the site and financial responsibility for correction of damage.
 - The biological inspector shall conduct meetings with the contractor and other key construction personnel to describe the importance of restricting work to within the grading limit and outside of the preserved areas and to emphasize the sensitivity of nesting birds. The inspector should also discuss staging/storage areas for construction equipment and materials. The biological inspector shall investigate all on-site storage areas to minimize impacts to biological resources. Construction access, parking, storage of equipment and materials shall not occur within 25 feet of the drip-line of any California black walnut or Valley oak trees.
- 4.5-10 The construction contractor will ensure that temporary fencing is installed at the limit of grading near sensitive resources identified by the biological monitor. The fencing will remain in place until grading and excavation work is complete, and will be removed under the direction of the biological inspector. Prior to fence installation, the fencing contractor will be instructed to avoid driving on or immediately adjacent to sensitive biological resources, including remaining trees, remaining jurisdictional resources, and remaining natural habitats.
- 4.5-11 Where necessary, erosion control measures shall be constructed on the slopes below grading areas to prevent erosion and deposition of materials into areas with remaining California black walnut or Valley oak trees during grading and construction activities. These erosion control measures will also prevent silts from entering drainages.

Section III

Findings Regarding Considerations Which Make Certain Alternatives Analyzed in the EIR Infeasible

The Regional Planning Commission makes the following findings and statements of fact regarding project alternatives identified in the EIR pursuant to Section 15091(a)(3) of the State CEQA *Guidelines*.

The consideration of alternatives is an integral component of the CEQA process. The selection and evaluation of a reasonable range of alternatives provides the public and decision-makers with information on ways to avoid or lessen environmental impacts created by a proposed project. When selecting alternatives for evaluation, CEQA requires alternatives that meet most of the basic objectives of the project while avoiding or substantially lessening the significant effects.

The State CEQA *Guidelines* state that a suitable alternative, which should be considered for some projects, is an alternative location. The applicant considered over 18 separate sites during the search for a suitable campus location. However, there is no other site of suitable size, that could be acquired by the applicant, that was zoned or contained General Plan designations suitable for an education facility, and which would go as far towards feasibly meeting the following basic project objectives:

- Design the campus in a manner that preserves the area's natural terrain.
- Construct a "state-of-the-art" private, educational institution to accommodate the growing demand for a Jewish educational, cultural, and recreational facility in the Conejo Valley;
- Accommodate a student population of sufficient size to support community demand and the range of creative and physical education programs and facilities (auditorium, dedicated library, gymnasium, athletic fields) needed to promote the academic needs of current and future students, faculty, and staff;
- Site the facility in the demographic center of the existing school population and the Jewish population in order to minimize travel times and maximize access to the facility;
- Promote learning by providing a quiet educational experience;
- Provide opportunities for public and private youth oriented recreational activities, and a community meeting facility; and
- Promote school security by locating the school on a secluded site with controlled access.

Analysis of a range of alternatives has been performed to provide information on ways to lessen or avoid the impacts of the proposed Heschel West School Project. Five alternatives were analyzed in the EIR. These alternatives are summarized in the EIR and include: (1) the No Project/No Development Alternative; (2) the Subdivision Alternative; (3) the Modified Site Plan; (4) the Reduced Development Intensity; and (5) the Alternative Means of Access Alternative.

Of these alternatives, the No Project/No Development Alternative is considered the environmentally superior alternative, but it fails to meet any of the basic project objectives. Section 15326(d)(2) of the State *CEQA Guidelines* indicates that, if the No Project Alternative is the "environmentally superior" alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives.

In this instance, the Reduced Development Intensity Alternative is considered environmentally superior to the proposed project. However, social and other considerations make this alternative infeasible. Specifically, this alternative would not accommodate a student population of sufficient size to support community demand and the

range of creative and physical education programs and facilities need to promote the academic needs of current and future students, faculty, and staff.

The Subdivision Alternative is considered *inferior* to the proposed project with respect to impacts on visual qualities and biological resources; *superior* to the proposed project with respect to impacts on transportation/circulation and air quality, and *equivalent* to the proposed project with respect to noise impacts, impacts on human health, geology/geotechnical hazards, fire services, and hydrology/water quality. In sum, the Subdivision Alternative is not considered environmentally superior to the proposed project. The Subdivision Alternative would not meet any of the basic project objectives.

The Modified Site Plan Alternative is considered *inferior* to the proposed project with respect to noise impacts and impacts on visual qualities; *superior* to the proposed project with respect to impacts on biological resources; and functionally *equivalent* to the proposed project with respect to all other impacts. In sum, while it would meet many of the basic project objectives, the Modified Site Plan Alternative is not considered environmentally superior to the proposed project.

The Alternative Means of Access Alternative is considered *equivalent* to the proposed project with respect to all potential environmental impacts, except that a Palo Comado Road ("Mid-Block") Access Alternative is considered *inferior* to the proposed project with respect to noise impacts. Thus, while the Alternative Means of Access Alternative would meet all of the basic project objectives, it is not considered environmentally superior to the proposed project.

Section IV

Findings Regarding Growth Inducing Impacts

In general terms, a project may foster spatial, economic or population growth in a geographic area if it meets any one of the criteria that are identified below.

- The project removes an impediment to growth (e.g., the establishment of an essential public service, or the provision of new access to an area);
- The project results in the urbanization of land in a remote location (Leap-Frog Development);
- Economic expansion or growth occurs in an area in response to the project (e.g., changes in revenue base, employment expansion, etc.);
- The project establishes a precedent setting action (e.g., a change in zoning or general plan amendment approval).

The project site is located within the County of Los Angeles. The property is designated by the North Area Plan as N5 and is zoned A-1-5. A private school is a conditionally permitted use within the A-1-5 zone. The property can be afforded all necessary municipal services and supporting infrastructure without major expansions to existing systems. Given the above, the RPC finds that the project is not growth inducing.

Section V

Findings Regarding Significant Irreversible Environmental Changes

Uses of nonrenewable resources during the initial and continued phases of a proposed project may be irreversible if a large commitment of these resources makes their removal or non-use thereafter unlikely. According to Section 15126(f) of the State CEQA *Guidelines*, the irretrievable commitment of such resources should be evaluated to assure that their current consumption by a proposed project is justified. Here, the proposed Heschel West School Project will commit some presently undeveloped lands, to urban uses. The commitment of undeveloped land to urbanized uses is, essentially, and irreversible environmental change.

In addition, construction of the proposed land uses would contribute to the incremental depletion of resources, including renewable as well as slowly- or non-renewable resources. Resources, such as lumber and other forest

products, as well as water, are generally considered renewable resources. Such resources would likely be replenished during the time it takes for the project to become fully built out and occupied. For example, lumber supplies are increased as seedlings mature into trees, while water supplies are replenished as water is redistributed through the action of the hydrologic cycle. Given this, the development of the project would not result in the irreversible commitment of renewable resources, although there would be an incremental increase in the demand for them over its lifetime.

The demand for all such resources is expected to increase whether or not the proposed project is developed. The Department of Finance indicates that the population of southern California will increase 62 percent over the thirty-year period between 1990 and the year 2020. The resources consumed by the proposed project would be used to meet the need for a wide array of educational opportunities created by this growth. These resources would likely be committed to other projects in the region intended to meet this demand if the proposed project was not developed. Further, the investment of resources in the proposed project would be typical of the level of investment normally required for a community of this scale. Provided that all standard building codes, including energy conservation standards, are followed, no wasteful use of energy or construction resources is anticipated.

Section VI

Recirculation of the Draft EIR

Revisions to the EIR have been made as a result of the comments submitted on the RDEIR. These revisions only clarify, amplify, or make insignificant modifications to the conclusions reached in the RDEIR. None of these revisions represent significant new information that would result in the identification of a new significant impact or an increase in severity of such an impact, from either the projects or from a new mitigation measure proposed for implementation as part of the projects. Nor do these revisions include a new mitigation measure to reduce a significant impact that has been declined by the project applicant.

Therefore, the Regional Planning Commission finds that Section 15088.5 of the State CEQA *Guidelines* does not require recirculation of the RDEIR, as the revisions made to the RDEIR merely clarified or amplified information found in that document.

Section VII

Certification

The Regional Planning Commission certifies that:

- (1) The EIR has been completed in compliance with CEQA;
- (2) The EIR was reviewed and considered by the Regional Planning Commission prior to approving the project; and
- (3) The EIR reflects the independent judgment and analysis of the County of Los Angeles.

VIII. STATEMENT OF OVERRIDING CONSIDERATIONS

As set forth in the preceding sections, the implementation of the Project may result in significant adverse environmental impacts that cannot be avoided even with the adoption of all feasible mitigation measures. Despite the occurrence of these effects, however, the County chooses to approve the Project because, in its view, the economic, social, and other benefits of the Project would render such adverse impacts effects acceptable.

The following statements identify why, in the County's judgment, the benefits of the Project as approved outweigh its unavoidable significant effects. Any one of these reasons is sufficient to justify approval of the Project. Thus, even if every reason is not supported by substantial evidence, the County would stand by its determination and each individual reason is sufficient. The substantial evidence supporting the various benefits can be found in the preceding findings, which are incorporated by reference into this section, and into the documents found in the Record of Proceedings.

The County finds that the benefits of the Project would include the following:

Educational Facility

The proposed modern campus will help to meet the demand for high-quality educational, cultural, and recreational opportunities in the growing Conejo Valley. The facilities will accommodate a student population of sufficient size to provide the array of programs and amenities (including an auditorium, dedicated library, gymnasium, and athletic fields) that are highly important to the academic and personal success of current and future students, and to the training and retention of school faculty and staff.

Open Space Conservation

The proposed project will result in the protection of approximately 29 acres of open space, through a permanent conservation easement. The area to be preserved is located adjacent to Liberty Canyon, which is owned by the Santa Monica Mountains Conservancy, and which is regarded as one of the last viable wildlife movement corridors connecting the Santa Monica Mountains to the Angeles and Los Padres National Forests through the Simi Hills adjacent to the project site.

Safety and Security

The proposed project will promote public safety and security. Not only would the school be located on a secluded site with controlled access, but also the school's emergency access road would provide an alternative evacuation route for residents of Chesebro Canyon. This would alleviate emergency traffic congestion at the intersection of Driver Avenue, Chesebro Road, Canwood Street, and Palo Comado Canyon Roads. In addition, the school's vegetation management and fire-retardant construction would help to create a protective buffer between wildland areas and adjacent residences, and the campus could also serve as a refuge for nearby residents in the event of fire.

Community Meeting Facility

The proposed project will include a convenient meeting facility, which could provide opportunities for public and private youth-oriented recreational activity. Summertime and/or weekend daytime special events, educational and recreational programs and activities will occur on a periodic basis. These activities and events may include religious and cultural programs, graduations, seminars, adult education classes, board meetings, and recreational sports activities.

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1. This grant authorizes the construction, operation and maintenance of a private preschool, elementary and middle school (K-8) for up to 750 students and 97 staff as depicted on the approved Revised Exhibit "A", and subject to all of the following conditions of approval.
2. Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation, or other entity making use of this grant.
3. This grant shall not be effective for any purpose until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Department of Regional Planning ("Department") their affidavit stating that they are aware of, and agree to accept all of the conditions of this grant, and that the conditions of the grant have been recorded as required by **Condition No. 8**, and until all required monies have been paid pursuant to **Condition Nos. 10, 11, and 12**.
4. The permittee shall defend, indemnify and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009. The County shall notify the permittee of any claim, action, or proceeding and the County shall reasonably cooperate in the defense.
5. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing pay the Department an initial deposit of \$5,000, from which actual costs shall be billed and deducted for the purpose of defraying the expenses involved in the department's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance to permittee or permittee's counsel. The permittee shall also pay the following supplemental deposits, from which actual costs shall be billed and deducted:
 - a. If during the litigation process, actual costs incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of the initial deposit. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.
 - b. At the sole discretion of the permittee, the amount of an initial or supplemental deposit may exceed the minimum amounts defined herein.

The cost for collection and duplication of records and other related documents will be paid by the permittee in accordance with Los Angeles County Code Section 2.170.010.

6. This grant will expire unless used within four years from the date of approval. A one year time extension may be requested, in writing and with the appropriate fee, six months before the expiration date.
7. If any material provision of this grant is held or declared to be invalid by a court, the permit may be voidable and the privileges granted hereunder may lapse.
8. Prior to the use of this grant, the property owner or permittee shall record the terms and conditions of the grant in the office of the County Recorder. In addition, upon any transfer or lease of the subject property during the term of this grant, the property owner shall promptly provide a copy of the grant and its terms and conditions to the transferee or lessee of the subject property. Upon recordation, an official copy of the recorded conditions shall be provided to the Director.
9. **This grant will terminate June 28, 2036.** Entitlement to the use of the property thereafter shall be subject to the regulations then in effect. At least six (6) months prior to the expiration of this permit and in the event that the permittee intends to continue operations after such date, a new conditional use permit application shall be filed with the Department. The application shall be a request for a continuance of the use permitted under this grant, whether including or not including modification to the use at that time.
10. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions. The permittee shall deposit with the County of Los Angeles the sum of **\$1,050**. The monies shall be placed in a performance fund, which shall be used exclusively to compensate the Department for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval. The fund provides for **seven (7) inspections, one every other year for the first fifteen (15) years of the project.** The inspections shall be unannounced.

If any inspection discloses that the subject property is being used in violation of any conditions of this grant, the permittee shall be financially responsible and shall reimburse the Department for all additional enforcement efforts necessary to bring the subject property into compliance.

Inspections shall be made to ensure compliance with the conditions of this grant as well as adherence to development in accordance with the approved Exhibit "A" on file. The amount charged for additional inspections shall be \$150 per inspection, or the current recovery cost, whichever is greater.

11. The permittee shall remit an \$850 Fish and Game fee and a \$25 document handling fee (total fees due: \$875) payable to the County of Los Angeles in connection with the filing and posting of a Notice of Determination in compliance with Section 21152 of the Public Resources Code. The said fees will be required within five (5) business days of the final approval date of the permit.
12. The permittee shall comply with all requirements of the Mitigation Monitoring Program approved for this project. Payment shall be made within 30 days of permit approval to the Department of Regional Planning the sum of \$3,000 in order to defray the cost of reviewing and verifying the information contained in the reports required by the Mitigation Monitoring Program.
13. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission or a hearing officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or hearing officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public's health or safety or so as to be a nuisance. In the event that the County deems it necessary to initiate such proceedings pursuant to Part 13 of Chapter 22.56 of the County Code, the applicant shall compensate the County for all costs incurred in such proceedings.
14. All requirements of the Zoning Ordinance and of the specific zoning of the subject property must be complied with unless specifically modified by this grant, as set forth in these conditions or shown on the approved plans.
15. Upon approval of this grant, the permittee shall contact the Fire Prevention Bureau of the Los Angeles County Forester and Fire Warden to determine what facilities may be necessary to protect the property from fire hazard. Any necessary facilities shall be provided as may be required by said department.
16. The subject property shall be developed and maintained in compliance with requirements of the County of Los Angeles Department of Health Services. Adequate water and sewage facilities shall be provided to the satisfaction of said department.
17. All structures shall comply with the requirements of the Department of Public Works, Building and Safety Division.
18. The permittee shall comply with all County of Los Angeles Department of Public Works requirements specified in its letters dated September 1, 2005, two letters dated August 31, 2005 including Carpooling Guidelines, May 19, 2005, April 6, 2005 and July 8, 2002, except as otherwise required by said department.

An e-mail from said Department dated April 12, 2006 summarized the most recent meeting held with Caltrans on April 12, 2006, regarding processing primary access related intersection mitigation measures through a Project Study Report (PSR) with Caltrans.

19. The permittee shall comply with all County of Los Angeles Fire Department requirements specified in its letter dated January 21, 2005, except as otherwise required by said department.
20. Permittee shall comply with all California Department of Transportation requirements specified in its letter dated May 18, 2005.
21. The permittee shall secure any necessary permits from all applicable agencies including, but not limited to the South Coast Air Quality Management District, California Department of Fish and Game, United States Department of the Army, Corps of Engineers, Regional Water Quality Control Board, Caltrans, and the City of Agoura Hills, and shall fully comply with the terms of applicable permits and make payment of all applicable fees to said agencies according to the requirements of the Mitigation Monitoring Program.
22. Traffic impact fees pertaining to required traffic mitigation measures located within the jurisdiction of the City of Agoura Hills, shall be calculated and payment shall be made according to the applicable regulations of the City of Agoura Hills.
23. In the event traffic impact fees are required pertaining to required traffic mitigation measures located within the jurisdiction of the State of California, said fees shall be calculated and payment shall be made according to the applicable regulations of the State of California, Department of Transportation.
24. All structures, walls, and fences open to public view shall remain free of extraneous markings, drawings, or signage. These shall include any of the above that do not provide pertinent information about said premises. In the event such extraneous markings occur, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces. The only exceptions shall be seasonal decorations.
25. Within sixty (60) days of the approval date of this grant, the permittee shall submit to the Director of the Department of Regional Planning ("Director") for approval three copies of revised plans, similar to Exhibit "A" as presented at the public hearing.

The Exhibit "A" shall include depiction of the northwesterly location of landscaping designed to screen the developed portion of the campus from offsite views and to be installed as part of Phase 1; depiction of the 100-foot landscaped buffer along Cheseboro Road; and, excepting the provision of detailed plan supplements until the time frames indicated in conditions 26-29, the following: 1) a landscaping table which lists the overall site area, parking lot area, and total landscaped area, 2) sign locations and dimensions, if any proposed, 3) outdoor wall, pole-mounted, or other outdoor lighting, and 4) general evacuation alternative routes. The property shall be maintained in substantial conformance with the approved Exhibit "A". In the event that subsequent revised plans are submitted, the permittee shall submit three copies of the proposed plans for approval to the Director. All revised plot plans must be accompanied by the written authorization of the property owner.

26. Prior to the issuance of grading permits, the permittee shall submit to the Director for review and approval three copies of a landscape plan, which may be incorporated into the revised Exhibit "A" described in Condition No. 25. The landscape plan shall show the size, type, and location of all plants, trees, and watering facilities. The landscape plan shall show a minimum of two percent of the parking lot areas landscaped.

The landscape plans submitted shall depict the westerly manufactured slope of the campus and appurtenant areas as well as the limited view corridor from Palo Comado Canyon along the westerly property boundary. Drought-tolerant native plants shall be used on the hillside viewshed westerly of the primary entrance rather than use of obtrusive "green zones". Plantings of shrubs and trees shall use clumping and variable methods rather than symmetrical rows. Landscaping of interior areas of the site shall be different from exterior-facing locations. Native acorns and oak trees shall be used on north-facing slopes. The landscape plan shall be prepared by a landscape architect or other qualified professional knowledgeable in the use of oak trees and other native species.

Additional building-specific visual screening of the development of each additional proposed project phase shall be installed prior to or at the same time as the completion of each particular phase. For the life of this grant the permittee shall maintain all landscaping in a neat, clean and healthful condition, including proper pruning, weeding, removal of litter, fertilizing and replacement of plants when necessary. Watering facilities, using reclaimed water where available, shall consist of a permanent water-efficient irrigation system, such as "bubblers" or drip irrigation, for irrigation of all landscaped areas except where there is turf, other ground cover, or native vegetation.

27. Prior to the issuance of building permits, the permittee shall submit to the Director for approval three copies of sign elevations and dimensions depicting any proposed signs on the subject property. Signs shall be in conformance with Section 22.52 Part 10 of the County Code.
28. Prior to the issuance of building permits, the permittee shall submit to the Director for approval three copies of an outdoor lighting plan depicting any proposed wall-mounted, pole-mounted, or other outdoor lighting on the subject property. Lighting shall be in conformance with **Condition 30.s** and standards indicated in the Mitigation Monitoring Program.
29. Prior to the issuance of building permits, the permittee shall submit to the Director for approval three copies of a comprehensive evacuation plan reviewed and approved by the County of Los Angeles Fire Department. Plan shall include the voluntary offering of the applicant for emergency access through the site by residents located on Cheseboro Road north of the school's emergency access driveway.
30. This grant allows for the construction, operation and maintenance of a private school (K-8) to be developed in accordance with the approved Exhibit "A", and further subject to the following conditions:
 - a. Traffic mitigation measures for the primary site access using only a roundabout at the intersection of the westbound off and on ramps of U.S. Highway 101 and Palo Comado Canyon Road at Canwood Street is authorized by this grant if approved by Caltrans in consultation with the City of Agoura Hills, prior to issuance of grading permits. Said intersection mitigation measures and access shall be completed prior to occupancy of the school. Should Caltrans require alternative mitigation measures to the roundabout for said intersection, a public hearing shall be held before the Regional Planning Commission regarding said alternative measures;
 - b. The emergency access located at Cheseboro Road as depicted on approved Exhibit "A" shall be used only for said purpose and shall not be used for daily operations, student access, or any general circulation purpose. The emergency access shall be gated along Cheseboro Road and at the campus boundary. The permittee voluntarily offers to provide an alternate evacuation route through this access to the freeway, or its "shelter in place" facilities if necessary, for residents of north Cheseboro Canyon in the event of a natural disaster causing impassable access to Cheseboro Road south of the emergency access;

- c. Permittee shall complete all remaining traffic mitigation measures required by this grant prior to the issuance of building permits for construction of Phase II of the project;
- d. Permittee shall provide a carpooling and monitoring plan prior to issuance of building permits, acceptable to the Department of Public Works, Traffic and Lighting Division, and which mandates a minimum of 25 percent participation of the student population. The carpooling and monitoring plan shall conform with guidelines provided by the Department of Public Works, Traffic and Lighting Division in an attachment to its letter dated August 31, 2005. The plan shall include an onsite transportation coordinator, maintaining a transportation information center, strictly enforcing the school's carpool program through use of carpool registration, driveway monitors, and penalties for non-compliance. Records of monitoring and management shall be available to zoning enforcement staff upon request during unannounced required inspections;
- e. Within 30 days of the first day of school each academic year, the permittee shall establish a schedule of morning drop-off and afternoon pick-up hours and hours of operation for the school. Permittee shall obtain a schedule of drop-off and pick-up hours from Agoura High School, and that schedule shall be used for coordinating the staggering of morning drop-off and afternoon pick-up hours and hours of operation with those of Agoura High School. The schedule for Agoura High School and the permittees schedule shall be made available to Zoning Enforcement inspectors upon request;
- f. The total number of students enrolled in the school shall not exceed 750 students (K-8), and the total number of staff members shall not exceed 97 staff members on the premises at any given time. School uses for grades 9-12 are not included in this grant;
- g. All students attending the school shall remain on campus during school hours, with the exception of students who arrive and depart the campus with a responsible person authorized by the school;
- h. The permittee shall maintain a minimum of 223 onsite automobile parking spaces including seven handicapped accessible parking spaces, of which one is to be van accessible; parking calculation is based on the parking requirements when the campus is completed and all six (6) phases have been constructed. Interim phases with differing parking layouts shall require a Revised Exhibit "A" that meets the requirements of that phase and all preceding phases.

Events requiring greater parking than the maximum parking available onsite at any given phase where less than build-out parking requirements are met (build-out maximum event parking = 223 regular spaces + 177 temporary supplementary spaces for a total of 400 parking spaces); said events shall require a Temporary Use Permit until such a time as build-out parking requirements are met;

- i. During school operating hours, all required parking shall be kept accessible for students, staff, guests authorized by the school, and for vehicles related to operation of the school. The required parking spaces shall be continuously available for vehicular parking only and shall not be used for storage, vehicle repair, or any other unauthorized uses. Required parking spaces shall be limited to functional vehicles only;
- j. Minimum parking requirements shall be determined by the occupant load of the auditorium or multi-purpose building with the largest occupancy capacity as calculated and determined by the County Engineer. If after inspections and/or complaints, the Director determines that the number of parking spaces provided onsite is insufficient to accommodate the actual number of vehicles visiting the site, the occupant load of the largest occupancy structure shall be reduced to a level consistent with the number of parking spaces provided;
- k. After school and evening use of the facility shall be restricted to a maximum of 24 after-school and evening events with anticipated attendance in excess of 150 persons including, but not limited to, PTA meetings, school plays, adult education courses, lectures, school board meetings, Jewish holiday workshops, holiday boutiques, book festivals, alumni events, model seders, back to school nights, and culmination ceremonies. Said events planned with anticipated attendance in excess of 150 persons shall not exceed the capacity of 223 regular onsite parking spaces or the number of spaces authorized by an Exhibit "A" for early phases of the project.

With the exception of special conditions for the four major events stated in **Condition No. 30.I** below, after school and evening events with anticipated attendance in excess of 150 persons requiring additional parking greater than the 223 regular onsite spaces and less than the maximum 400 parking spaces onsite, shall require the permittee to obtain a Temporary Use Permit from the Department of Regional Planning. The Director will consult with the City of Agoura Hills regarding potential impacts to the City prior to issuance of the permit;

- I. Regulations for four major events per year area as follows:
 - i. Four major events per year, defined as those events reaching a maximum of 1,500 persons (including, but not limited to, graduation ceremonies and religious holiday gatherings such as Hanukkah, Sukkot, and Purim), are permitted by this grant, and these events shall be scheduled during non-peak traffic periods. Of these events, those requiring additional parking beyond the 223 spaces provided by this grant shall be granted use of no more than 112 additional non-marked parking spaces located on the football field and no more than 65 spaces located along the internal driveway, for a total of 400 onsite spaces as depicted on the approved Exhibit "A";
 - ii. In the event that any of the four major events is anticipated to require greater than 400 onsite parking spaces, the permittee shall obtain a Temporary Use Permit from the Department of Regional Planning including provisions for additional offsite parking and circulation management and monitoring acceptable to the Director and the County Fire Department in consultation with the City of Agoura Hills regarding potential impacts to the City, prior to issuance of the temporary use permit;
 - iii. The permittee shall prominently advertise in the primary local Agoura Hills newspaper and notify the members of the Old Agoura Home Owners Association for each of the four proposed major events per year at least two weeks prior to the event;
- m. All parking spaces, excepting the 177 special use spaces, shall comply with the specifications of Section 22.52.1060 of the County Code;
- n. Summary of parking requirements (Condition Nos. 30.h-l):

Use	No. of Parking Spaces	TUP	Special Requirements
Pre build-out of project	<223 spaces provided	Possibly	Revised Exhibit "A" each phase
24 after school and evening events	>150 persons requiring ≤223 spaces	No	None
24 after school and evening events, excepting four major events	>223 and ≤400 spaces	Yes	Consultation w/ City of Agoura Hills
24 after school and evening events	>400 spaces - not permitted	NA	NA
Four major events	>223 and ≤400 spaces	No	HOA and newspaper notification
Four major events	>400 spaces and ≤1,500 persons	Yes	HOA and newspaper notification plus consultation w/ City of Agoura Hills

- o. Outdoor interscholastic athletic events are prohibited after dark at the school facility;
- p. Amplified sound and all stationary and point noise sources are subject to noise standards and conditions stated in the Mitigation Monitoring Program. School bells and chimes shall not sound on Saturdays, Sundays, holidays, and summer recess;
- q. The permittee shall comply with all applicable noise guidelines and standards of (1) the County of Los Angeles Noise Element of the General Plan; (2) the County of Los Angeles Noise Ordinance; and (3) the State of California, Department of Health Services, Environmental Health Division *Guidelines for Noise and Land Use Compatibility*;
- r. Permittee shall not trim, remove or destroy any oak tree, nor disturb the protected zone of any oak tree without first obtaining an Oak Tree Permit from the Department or the City of Agoura Hills depending on applicable jurisdiction;
- s. Permittee shall limit night lighting to the minimum necessary for security and safe onsite access. All exterior lighting shall be shielded and directed away from neighboring residences to prevent direct illumination and glare. Surface parking nearest the homes along Cheseboro Road, including the preschool parking and fire turn around area, shall be landscaped, including an opaque wall no more than 42-inches in height, to shield headlights from illumination or glare toward said homes. All lighting fixtures visible to the general public should be consistent with the overall architectural style of the project with respect to design, materials, and color. Motion sensor devices shall be installed on all security lighting. The permittee shall implement a light curfew between the hours of 10 p.m. and 6 a.m. where only the minimal lighting necessary to maintain security of structures is allowed according to the standards indicated in the Mitigation Monitoring Program. No lighting of monumentation signage, parking lots, or driveways shall occur during the curfew period; athletic field lighting is prohibited;
- t. Permittee shall provide the Department with a valid state license to operate the school facility, or proof of exemption from such;
- u. Permittee shall make available to members of the public upon request, and shall provide the Department with a copy of the accreditation documentation when such accreditation is obtained, and the school shall continue to be accredited and offer instruction required to be taught in the public schools by the Education Code of the State of California. This grant does not extend to trade or commercial schools;

- v. Permittee shall depict on the Exhibit "A" the permittee's voluntary offer to convey a deed restricted conservation easement and wildlife corridor or other permanent conveyance to an appropriate conservation agency as depicted on Exhibit "A". The permittee shall submit proof of recordation to the Department upon completion of the voluntary conservation easement and wildlife corridor offering prior to issuance of grading permit.
- w. The permittee voluntarily offers to preserve the western buffer area depicted on the Exhibit "A" as preserved open space. The permittee agrees to record an easement, in favor of the County of Los Angeles, for the life of the permit, providing for a 100-foot buffer between the rear property lines of home sites lining Cheseboro Road and any of the school development prior to issuance of a grading permit. Such easement shall not be construed to restrict access to the site, nor shall it be construed to make the subject land available for public use(s). The permittee shall not hold special outdoor activities or events within the buffer zone adjacent to the western boundary of the property, unless coordinated with the City of Agoura Hills. Building of structures shall be prohibited anywhere within the open space area northwest, west, and southwest of the building footprint as depicted on approved Exhibit "A" for the life of this permit;
- x. The permittee voluntarily dedicates the land area northwest of Cheseboro Road along Cheseboro Creek as depicted on the Exhibit "A". The permittee agrees to record a deed-restricted land dedication instrument joining the parcel to adjacent National Park Service land, in favor of the National Park Service, prior to issuance of a grading permit;
- y. Perimeter and open space area fencing is prohibited by this grant with the exception of decorative split-rail type fencing along Chesebro Road, subject to the approval of the Director, security gates along interior roadways, and retaining walls and decorative parking lot walls 42 inches in height as depicted on the approved Exhibit "A." Any other retaining walls or limited fencing proposed in the future, no more than 42 inches in height within five feet of a public roadway line or six feet in height five feet or more from a public roadway line, and within the graded pad area of the school campus, shall require approval of a Revised Exhibit "A" by the Director. Pursuant to Section 22.48.180 of the County Code, modification to yard regulations may be authorized by the Director of Planning or the County Engineer without notice or hearing;
- z. Prior to the construction of the primary access driveway, construction traffic required to construct the said driveway shall temporarily utilize Cheseboro Road to access the site at or in very close proximity to the proposed emergency access location.

The permittee shall inform the City of Agoura Hills of the timing and extent of construction traffic unavoidably required on Cheseboro Road. Construction traffic shall be prohibited on all other residential roads, unless approved by the City of Agoura Hills. Construction traffic shall utilize the primary site access driveway as soon as the route is improved;

- aa. The permittee shall maintain the property in a neat and orderly fashion and maintain free of litter all areas on the premises under which the permittee has control;
 - bb. All sound-producing and view-impacting outdoor equipment such as air-conditioners and other roof or ground-mounted operating equipment, shall be screened to minimize noise and viewshed impacts to adjacent properties. Coloring shall blend with the surrounding facilities;
 - cc. Outside display and storage of material on the property is prohibited;
 - dd. Permittee shall not store or use hazardous materials on the subject property other than those commonly used and found in households or schools;
 - ee. Upon obtaining a certificate of occupancy for buildings constructed in Phase IV (Phase IV as defined in the certified EIR) of permanent campus construction, the permittee shall remove all remaining modular structures from the campus. Mobile and impermanent modular structures shall be prohibited on the campus after completion of Phase IV. Only permanently constructed buildings are permitted after completion of Phase IV;
 - ff. In the event that the operation of any part of this facility should result in violations to these conditions, or create other nuisances not covered by these conditions, the Department may modify the above described conditions, if, after a duly noticed public hearing, such modification is deemed appropriate in order to eliminate or reduce said nuisances;
 - gg. Permittee shall maintain a current contact name, address, and phone number with the Department at all times; and
 - hh. No onsite residential units are permitted by this grant, with the exception of one onsite caretaker's residence located within the developable area of the school campus.
31. The construction of the proposed use shall be further subject to all of the following conditions:

- a. Project construction activity shall be limited to those hours between 7:00 a.m. and 6:00 p.m. Monday through Friday and 8:00 a.m. and 5:00 p.m. Saturday. No construction shall take place on Sundays. All stationary construction noise sources shall be sheltered or enclosed to minimize adverse effects on nearby offices, residences and neighborhoods. Generators and pneumatic compressors shall be noise protected in a manner that will minimize noise inconvenience to adjacent residences. Parking of construction worker vehicles shall be on-site and restricted to areas that do not adversely affect residences located adjacent to the subject property. During construction, the permittee and its contractor shall comply with Sections 12.12.010 – 12.12.100 of the Los Angeles County Code regarding building construction noise;
 - b. Additional grading requirements are as follows:
 - i. All topsoil graded shall be stockpiled and placed on the finished grade.
 - ii. All material graded shall be sufficiently watered to prevent excessive amounts of dust during the construction phase. Watering shall occur at least twice daily with complete coverage, preferably in the late morning and after work is done for the day. All clearing, grading, earth moving or excavation activities shall cease during periods of high winds (i.e. greater than 20 mph averaged over one hour) to prevent excessive amounts of dust. Any materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amounts of dust;
 - c. Limited outdoor storage during construction shall be permitted on the site in compliance with the requirements of Part 7 of Section 22.52 of the County Code;
 - d. All temporary signage shall comply with Part 10 of Section 22.52 of the County Code; and
 - e. Paved water collection ditches shall be of a color matching surrounding native soil.
32. The location of the documents and other materials constituting the record of proceedings upon which the Commission's decision is based in this matter is the Los Angeles County Department of Regional Planning, 13th floor, Hall of Records, 320 W. Temple Street, Los Angeles, CA 90012. The custodian of such documents and materials shall be the Section Head of the Zoning Permits I Section, Los Angeles County Department of Regional Planning.

**CONDITIONAL USE PERMIT CASE NO. 98-062-(3)
CONDITIONS**

Page 14 of 14

Attachments:

Department of Public Works letters dated July 8, 2002, April 6, 2005, May 19, 2005, August 31, 2005 (2), and September 1, 2005, and April 12, 2006 e-mail

Fire Department letter dated January 21, 2005

Caltrans letter dated May 18, 2005 and e-mail dated July 12, 2006

National Park Service letter dated May 17, 2005

Mitigation Monitoring Program

SD:KKS

7/12/06



COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS

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ALHAMBRA, CALIFORNIA 91802-1460

JAMES A. NOYES, Director

July 8, 2002

IN REPLY PLEASE
REFER TO FILE: LD-4

TO: James E. Hartl
Planning Director
Department of Regional Planning

Attention Frank Meneses

FROM: James A. Noyes *JAN*
Director of Public Works

HESCHEL CONDITIONAL USE PERMIT NO. ⁹08-062
WAIVER OF HIGHWAY DEDICATION FOR
DRIVER AVENUE AND PALO COMADO CANYON ROAD

In connection with the subject proposed Conditional Use Permit, we received a letter on behalf of the applicant from Van Wert, Inc. (copy attached), requesting that Public Works waive the requirement for the dedication of proposed rights of way for Driver Avenue and Palo Comado Canyon Road. Both of these routes are still depicted on the County Highway Plan but are expected to be recommended for deletion when the County General Plan is updated.

We agree with the arguments as set forth in the June 6, 2002, Van Wert, Inc., letter leading to the conclusion that neither of these proposed highways can ever be constructed as planned. Also, it should be noted that the City of Calabasas does not recognize Driver Avenue as a highway through the Saratago Hills area and has vacated the right of way previously acquired by the County.

Pursuant to Section 22.48.290 B4 of the Planning and Zoning Code, and under my authority as Road Commissioner, the applicant is relieved of the requirement to dedicate and construct Driver Avenue and Palo Comado Canyon Road in accordance with Secondary Highway Standards and the previously approved or proposed alignments. This does not relieve the applicant of any conditions to construct required local access roads, parts of which may coincide with the subject highways.

If you have any questions, please contact Mr. Barry Wiltler of our Land Development Division at (626) 458-4351.

BSW:jmw
LDPUB\TRANS\BARRY\CUP 98-062

Attach.



COUNTY OF LOS ANGELES

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ALHAMBRA, CALIFORNIA 91802-1460

IN REPLY PLEASE
REFER TO FILE: **T-4**

April 6, 2005

Mr. Ronald Hirsch
Crain and Associates
2007 Sawtelle Boulevard, Suite 4
Los Angeles, CA 90025

Dear Mr. Hirsch:

**HESCHEL SCHOOL
CONDITIONAL USE PERMIT 98062
ADMINISTRATIVE DRAFT TRAFFIC ANALYSIS (FEBRUARY 2005)
AGOURA HILLS AREA**

As requested, we have reviewed the above-mentioned document. The proposed project is located just east of Palo Comado Canyon Road between Chesebro Road and the Ventura (US-101) Freeway in the unincorporated County of Los Angeles area of Agoura Hills.

The proposed project includes a 164,850-square-foot school with a maximum enrollment of 660 K-8 students and 90 preschool students. The school will be staffed with approximately 97 teachers and administrators. The project is estimated to generate approximately 2,640 vehicle trips daily, with 720 and 79 vehicle trips during the a.m. and p.m. peak hours, respectively. The project is also expected to generate approximately 508 vehicle trips during the afternoon p.m. school peak hour.

The permanent buildings for the school will be developed in a series of phases over the course of approximately 12 years, with student enrollment growing accordingly based on the capacity of the completed campus during each phase. Phase I will be completed between 2006 and 2007 and will be able to accommodate approximately 390 students. Phase II should be completed by Year 2008 and will have an enrollment of approximately 670 students. Phase III is projected to be completed by 2010 and will allow for the full enrollment of 750 students. Phase IV will complete the development with the replacement of all the remaining temporary units. All project-related improvements shall be made a condition of approval to be in place prior to issuance of any building permits for Phase II.

FILE COPY

Mr. Ronald Hirsch
April 6, 2005
Page 2

We generally agree with the study that the traffic generated by the project alone will significantly impact the following City of Agoura Hills roadways and intersections. The following improvements shall be the sole responsibility of the project and shall be made a condition of approval to be in place prior to issuance of any building permits for Phase II.

Canwood Street and Chesebro Road at Driver Avenue and Palo Comado Canyon

This intersection currently meets the County's warrant for traffic signal installation. Therefore, the project should contribute its pro-rata share for the installation of a traffic signal and the ultimate configuration of this intersection as required by the City of Agoura Hills. However, if a traffic signal is not acceptable to the City of Agoura Hills as traffic impact mitigation, the following new lane configuration should be implemented to improve the intersection design capacity.

West approach: An exclusive left-turn lane and a shared through/right-turn lane instead of a shared left-turn/through/right-turn lane.

Palo Comado Canyon Road at US-101 Freeway Westbound Ramps

Either one of the following proposed improvements will provide appropriate traffic control for the intersection:

a) Roundabout

Reconstruct the intersection, including all approaches, to install a new traffic roundabout. The roundabout would control all approaches to this intersection, including the northbound and southbound Palo Comado Canyon Road approaches, the westbound US-101 on/off ramps, and the Canwood Street approach. The recommended roundabout shall be designed and constructed to the satisfaction of Caltrans and the City of Agoura Hills.

b) Traffic Signal

Reconfigure the intersection to include the Canwood Street approach as part of an overall intersection geometry and install a new traffic signal at this intersection. The new lane configuration for this intersection should be as follows:

East approach (US-101 Freeway westbound ramp): Widen and restripe of the westbound US-101 off-ramp to provide an additional right-turn only lane to accommodate the project traffic U-turn movement directly onto Canwood Street.

East approach (Canwood Street): One shared left-turn/through lane and one exclusive right-turn lane instead of an exclusive left-turn lane and a shared through/right-turn lane.

North approach (Palo Comado Canyon Road): One left-turn lane (to Canwood street), one through lane, and one right-turn only lane instead of one shared left-turn/through lane.

Either alternative should take place prior to the initial occupancy of the school.

Chesebro Road and US-101 Freeway Eastbound Ramps at Dorothy Drive

This intersection currently meets the County's warrant for a traffic signal installation, indicating that a traffic signal is necessary to accommodate existing traffic volumes. Therefore, the project should contribute its "fair share" to the installation of a signal and the ultimate configuration as required by the City of Agoura Hills and Caltrans. However, if a traffic signal is not acceptable to the City of Agoura Hills as traffic impact mitigation, the new lane configuration should be implemented to improve the intersection design capacity.

x South approach: One shared left-turn/through lane, and one shared through/right-turn lane instead of one shared left-turn/through/right-turn lane.

Eastbound on-ramp: Two entering lanes with the right lane merging with the left.

In addition, the project shall also implement the following roadway improvement to enhance travel in the vicinity:

Palo Comado Canyon Road Improvements

The project should improve Palo Comado Canyon Road along the west side to complete a 32-foot half roadway improvement from Canwood Street/Chesebro Road to the westbound US-101 on-ramp.

Mr. Ronald Hirsch
April 6, 2005
Page 4

Detailed striping and signal plans must be prepared and submitted to the City of Agoura Hills and Caltrans for review and approval.

We generally agree with the study that the cumulative traffic generated by the project and other related projects in the area will also have significant impacts to City of Agoura Hills and Caltrans roadways and intersections in the area. These cumulative traffic volume increases are expected to result in significant traffic impacts at all five of the study locations. The project shall pay its pro-rata share toward the required improvements for the following intersections:

Canwood Street and Chesebro Road at Driver Avenue and Palo Comado Canyon

This intersection currently meets the County's warrant for a traffic signal installation as noted above. However, if a traffic signal is not acceptable to the City of Agoura Hills as traffic impact mitigation, the new lane configuration should be implemented to improve the intersection design capacity:

West approach: An exclusive left-turn lane, one through lane, and one shared through/right-turn lane instead of one shared left-turn/through/right-turn lane.

North approach: An exclusive left-turn lane, one shared through/right-turn lane instead of one shared through/left-turn lane and a free right-turn lane.

The project shall pay its pro-rata share towards the cost of acquiring any necessary rights of way to accomplish the proposed mitigations.

Palo Comado Canyon Road at US-101 Freeway Westbound Ramps

No additional improvements are necessary under the roundabout alternative at this location to mitigate the cumulative impact. However, if the traffic signal alternative is selected, the following additional improvements are required.

North approach: One left-turn lane, two through lane, and one right-turn lane instead of one through lane and a free right-turn lane.

South approach: One left-turn lane, one through lane, and one shared through/right-turn lane instead of one shared left-turn/through lane.

This ultimate improvement would require the existing two-lane bridge crossing the US-101 to be widened to its full width and the project shall pay its pro-rata share toward the implementation of this regional transportation improvement.

Chesebro Road and US-101 Freeway Eastbound Ramps at Dorothy Drive

No additional improvements are necessary to address cumulative impacts. The mitigation for the project-specific impacts also mitigate the cumulative impacts.

Chesebro Road at Palo Comado Canyon Road

This intersection is forecasted to meet the warrants for traffic signal installation in 2010. Therefore, the project should contribute its "fair share" to the installation of a signal and the ultimate configuration as required by the City. However, if a traffic signal is not acceptable to the City of Agoura Hills as traffic impact mitigation, the following new lane configuration should be implemented to improve the intersection design capacity.

West approach: One left-turn lane and one right-turn lane instead of one shared left and right-turn lane.

South approach: One exclusive left-turn lane and one through lane instead of one shared left-turn/through lane.

Chesebro Road and Laura La Plante Drive at Agoura Road

This intersection is forecasted to meet the warrants for traffic signal installation in 2010. Therefore, the project should contribute its "fair share" to the installation of a signal and the ultimate configuration as required by the City. However, if a traffic signal is not acceptable to the City of Agoura Hills as traffic impact mitigation, the following new lane configuration should be implemented to improve the intersection design capacity.

North approach: one left-turn lane and one shared through/right-turn lane instead of one shared left-turn/through/right-turn lane.

West approach: One left-turn only lane, one shared through/right-turn lane, and a right-turn lane instead of one shared left-turn/through/right-turn lane.

East approach: One shared left-turn/through lane and one right-turn lane instead of one shared left-turn/through/right-turn lane.

Mr. Ronald Hirsch
April 6, 2005
Page 6

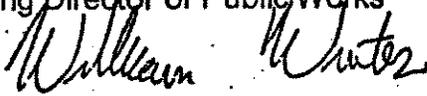
We also agree with the study that the project will not have any significant impact to the Congestion Management Program monitored locations.

In order to complete our review, a 40-foot-scale site plan showing site access locations in relationship to adjacent intersections and driveways, and driveways opposite project frontage, shall be prepared and submitted to the Land Development Review Section, Traffic and Lighting Division, for review and approval. Generally, site access should be designed to eliminate any potential conflicts between vehicles entering the site and parked vehicles on-site and/or on-site facilities, such as a trash pick-up area.

If you have any questions, please contact Ms. Marian Tadrous of our Traffic Studies Section, Traffic and Lighting Division, at (626) 300-4848.

Very truly yours,

DONALD L. WOLFE
Acting Director of Public Works



WILLIAM J. WINTER
Assistant Deputy Director
Traffic and Lighting Division

CN
M7:cn

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- cc: Supervisor Zev Yaroslavsky (Vivian Rescalvo)
Caltrans (Cheryl Powell)
City of Agoura Hills (Ed Cline)
Department of Regional Planning (Daryl Koutnik)
- bc: Land Development (Chong, Cruz, Witle)



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ALHAMBRA, CALIFORNIA 91802-1460

May 19, 2005

IN REPLY PLEASE
REFER TO FILE: T-4

Mr. Ronald Hirsch
Crain and Associates
2007 Sawtelle Boulevard, Suite 4
Los Angeles, CA 90025

Dear Mr. Hirsch:

**HESCHEL SCHOOL
CONDITIONAL USE PERMIT 98062
REQUEST FOR CORRECTION (APRIL 14, 2005)
AGOURA HILLS AREA**

As requested, the following corrections shall be made to our letter dated April 6, 2005, regarding our review of the Heschel School Traffic Impact Study:

- Page 4, the cumulative mitigation measure for the west approach of the following intersection shall read as follows:

Canwood Street and Chesebro Road at Driver Avenue and Palo Comado Canyon

The intersection is forecasted to meet the warrants for traffic signal installation. Therefore, the project should contribute its "fair share" to the installation of a signal and the ultimate configuration as required by the City. However, if in addition to a signal installation an interim mitigation is preferred by the City, the following lane configuration shall be implemented:

West approach: An exclusive left-turn lane and a shared through/right-turn lane instead of a shared left-turn/through/right-turn lane.

If a traffic signal is not acceptable to the City of Agoura Hills as traffic impact mitigation, the following alternative lane configuration should be implemented to improve the intersection design capacity while maintaining the four-way stop control system:

MT.

Mr. Ronald Hirsch
May 19, 2005
Page 2

West approach: An exclusive left-turn lane, one through lane, and one shared through/right-turn lane instead of one shared left-turn/through/right-turn lane.

- Page 5, the cumulative mitigation measure for the west approach of the following intersection shall read as follows:

Chesebro Road and Laura La Plante Drive at Agoura Road

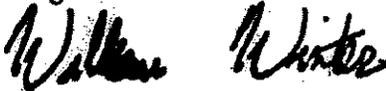
West approach: One left-turn only lane and one shared through/right-turn lane instead of one shared left-turn/through/right-turn lane.

All other mitigation measures shall remain as stated in our letter dated April 6, 2005.

If you have any questions, please contact Ms. Marian Tadrous of our Traffic and Lighting Division, Traffic Studies Section, at (626) 300-4848.

Very truly yours,

DONALD L. WOLFE
Acting Director of Public Works



WILLIAM J. WINTER
Assistant Deputy Director
Traffic and Lighting Division

MT:cn
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cc: Supervisor Zev Yaroslavsky (Vivian Rescalvo)
Caltrans (Cheryl Powell)
City of Agoura Hills (Ed Cline)
Department of Regional Planning (Daryl Koutrnik)

bc: Land Development (Chong, Wittler)



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DONALD L. WOLFE, Director

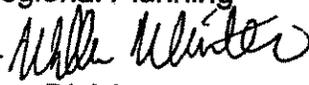
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ALHAMBRA, CALIFORNIA 91802-1460

August 31, 2005

IN REPLY PLEASE
REFER TO FILE: T-4

TO: Daryl Koutnik
Department of Regional Planning

FROM: William J. Winter 
Traffic and Lighting Division

**HESCHEL SCHOOL
CONDITIONAL USE PERMIT 98062
TRAFFIC IMPACT MITIGATION AND TRANSPORTATION DEMAND MANAGEMENT
AGOURA HILLS AREA**

This memo supercedes our previous letters dated April 6, 2005, and May 19, 2005, to Crain and Associates regarding the subject project. In addition, the following traffic impact mitigation measures shall supplement the street/traffic conditions recommended by the City of Agoura Hills as they were revised in our department's memo dated August 31, 2005. These referenced documents are attached herein.

For the cumulative traffic impact at the following intersection, the project shall pay its pro-rata share to the City of Agoura Hills towards the following:

Canwood Street and Chesebro Road at Driver Avenue and Palo Comado Canyon

This intersection currently meets the County's warrant for traffic signal installation. However, if a traffic signal is not acceptable to the City of Agoura Hills as traffic impact mitigation, the proposed lane configuration change may be substituted as alternative mitigation:

West approach: An exclusive left-turn lane, one through, and one shared through/right-turn lane instead of one shared left-turn/through/right-turn lane.

Mr. Daryl Koutnik
August 31, 2005
Page 2

The attached Transportation Demand Management Plan shall also be included as a condition of the project.

If you have any questions, please contact Ms. Lani Alfonso of our Traffic Studies Section, Traffic and Lighting Division, at (626) 300-4748.

LA:pc
P:\pub\WPFILES\FILES\STU\Lani\Heschel School - Conditions.doc

Attach.

DPW Guidelines Revised 8/31/05

Heschel School Carpooling and Monitoring Plan:

The Heschel School shall develop and administer a carpool program, with the intent of reducing peak period traffic volumes to and from the school. Although no trip reduction programs are necessary to mitigate the school's traffic impacts, the applicant has indicated that they consent to implementing a Transportation Demand Management (TDM) carpooling program with a minimum of 25 percent student participation. This will effectively reduce the number of school vehicle trips by 25 percent.

The TDM program is intended to consist of the following elements:

- The County (or a designated traffic consultant) shall conduct traffic counts and evaluate whether the school is in compliance with the specified 25 percent vehicle trip reduction.
- An annual school calendar must be submitted to the County indicating holidays and special events. The County shall select the count days without notice to the School.
- The traffic counts shall be compared to a baseline number of vehicle trips generated by the school. The baseline shall be 75 percent of the school's a.m. peak hour project vehicle trips as derived for the school in the project traffic study dated February 2005. The current student enrollment at the beginning of the school year will be used to calculate the school's a.m. peak hour project vehicle trips.
- The County (or a designated traffic consultant) shall conduct three traffic counts during each school year
- The traffic counts and monitoring will continue until two years after full build out of the school and complete occupancy of the final phase.
- A copy of all traffic counts and monitoring reports shall be sent to the school and the City of Agoura Hills. If the reported traffic count exceeds the baseline traffic count, a second traffic count shall be conducted within 30 days to verify the conditions. If this subsequent traffic count also exceeds the baseline traffic count, the school shall have 30 days to submit a remediation plan to the Department of Regional Planning and the Department of Public Works for review and approval. Upon failure by the school to remediate, the Department of Regional Planning may impose such further remediation measures as are warranted by the situation, including, without limitation, fines, enrollment limitations, or other measures deemed appropriate.
- The County's cost of monitoring and reporting as well as the cost of the traffic counts are the sole responsibility of the applicant.

Applicants Revised 8/30/05

Heschel School Carpooling and Monitoring Plan:

The Heschel School voluntarily agrees to develop and administer a carpool program for the school, with the intent of reducing peak period traffic volumes to and from the School. This program will be voluntary, as other conditions imposed on the School with regard to requirements for physical traffic mitigation improvements (roadway widenings, traffic signal improvements/installation, restriping, etc.) will fully mitigate both the project-specific and incremental cumulative traffic impacts of the full enrollment (750 students) at the School. No trip reduction programs are necessary in order to mitigate the School's traffic impacts, and therefore, no specific Transportation Demand Management (TDM) or carpooling program is specifically required.

However, notwithstanding that traffic reductions by the School are not necessary, the permittee, its staff, faculty, students, and parents shall voluntarily enter into and comply with, the following TDM program, which shall consist of the following elements:

- A. **Method.** For purposes of these conditions, "School Year" shall mean September 1 through June 30. The County shall conduct automated (i.e., with tubes or wires) traffic counts in accordance with generally accepted traffic counting procedures at the campus entrance on three consecutive days during weeks void of national or school holidays or scheduled student trips. An annual school calendar must be submitted to the County indicating holidays and special events. The County shall select the count days. The reported count shall be the average of the three (3) day count. No advance notice of any count will be given to the permittee. For comparison to the a.m. Baseline (defined below), future counts shall be the average total vehicle trip count over three consecutive days (Tuesday through Thursday).

- B. **Morning Counts.** The County shall conduct automated morning traffic counts at the beginning of each new School semester (or quarter, as applicable) within two (2) weeks of the beginning of the semester on three consecutive days during weeks void of national or school holidays or scheduled student trips. The a.m. peak hour vehicle trip counts shall be conducted during the hours of 7:00 a.m. to 9:00 a.m., with the "peak hour" traffic volume for each day identified as the one hour period (four consecutive 15-minute periods) within the count hours of 7:00 a.m. to 9:00 a.m. having the highest traffic volume. The official semester (or quarter, as applicable) traffic count used for comparison to the a.m. Baseline (defined below) shall be the average of the three daily a.m. peak hour maximum values.

The County shall communicate the results to the School within 10 days of completion of any count. If the reported morning count in a semester (or quarter) in any School Year exceeds the a.m. Baseline (defined below), a second count shall be conducted within one month to verify the conditions. If this subsequent count also exceeds the a.m. Baseline, the School shall have 30 days to submit a remediation plan to the Director of Planning for review and approval. Upon failure by the school to remediate, the Director of Planning may impose such further remediation measures as are warranted by the situation, including, without limitation, fines, enrollment limitations, or other measures deemed appropriate.

- C. Morning Peak Baseline. An average morning (a.m.) peak hour "inbound" trip limit, or "Baseline", shall be specified based on the current student enrollment at the time of each monitoring count, using the School-specific trip generation rates identified and approved in the project traffic study (February 2005).
- D. Count Results. A copy of all traffic counts and monitoring reports shall be delivered by the County to the School and the City Council.
- E. Carpooling Plan. The School shall coordinate between students a carpooling plan, with a voluntary target effectiveness of at least 20 percent of the student enrollment at the time of each count participating in the program. While student participation in the carpool program is an objective, the purpose of the TDM/Carpool Program shall be to ensure that traffic resulting from the School does not exceed that calculated in the project traffic study. The School shall submit to the County for review a copy of the TDM/Carpool Program being planned for implementation which will also be monitored by the County.
- F. Cost. The reporting review fee and cost of counts are the sole responsibility of the School.



DONALD L. WOLFE, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

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P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

August 31, 2005

IN REPLY PLEASE
REFER TO FILE: LD-0

TO: Kim Szalay
Department of Regional Planning

FROM: Rossana D'Antonio *RD*
Department of Public Works

**PROJECT NO. 98-062, CUP NO. 98-062
HESCHEL SCHOOL WEST PROJECT
COUNTY OF LOS ANGELES DEPARTMENT OF PUBLIC WORKS
RESPONSES TO AGOURA HILLS PUBLIC WORKS CONDITIONS**

General

1. *All improvement plans, including, but not limited to, street, drainage, signal, and striping/signage plans, for the entire project must be submitted as one package. This package must also include all supporting studies. All improvement plan sheets shall be 24" x 36" and must have the City's standard signature blocks and be legibly drawn to ensure proper reproduction and adequate record keeping. All lettering on plans shall be a minimum of 80 CL (.08 inch) in size to ensure proper reproduction and microfilming. All original plans shall be drawn in ink. All plans shall be prepared and signed by a California State Registered Civil Engineer.*
2. *For construction within public right-of-way, an encroachment permit is required in accordance with Agoura Hills Municipal Code. All required applicable fees, securities, and insurance must be posted prior to issuance of the encroachment permit.*
3. *The applicant shall obtain and pay all costs of acquiring any off-site real property and easements required in connection with this project prior to issuance of a grading permit.*
4. *The applicant shall enter into a construction agreement with the City, and shall post the necessary improvement securities for all construction work within the public right-of-way, public/utility easements, and for all on-site grading.*

5. *All Record Drawings ("As-Built" drawings) and supporting documentation shall be submitted to the Department of Public Works prior to scheduling the project's final inspection.*
6. *All block walls and retaining walls shall be limited to six feet in height.*

Response: We concur with Items 1 –6 only where it pertains to work within City jurisdiction. Otherwise, County of Los Angeles Department of Public Works requirements will be enforced.

Grading

7. *All grading shall conform to City's Grading Ordinance, Chapter 33 of the Uniform Building Code as modified.*
8. *A site paving/drainage/grading plan shall be submitted for review and acceptance by the City Engineer. The plans, among other details, shall show existing and proposed contours, proposed utilities, existing and proposed easements, storm water facilities and facilities for the handicapped. The grading plan shall be accompanied by a Soils Report prepared in accordance with the Agoura Hills Guidelines for geotechnical/geological reports. Prior to the issuance of a grading permit the following must be satisfied; the grading plan has been reviewed and accepted by the City Engineer, the applicable plan check, inspection and permit fees have been paid and the grading security has been posted.*
9. *For any grading operations during the period November 1 and April 1, of each year, the applicant shall submit a wet weather erosion control plan for review and acceptance by the City Engineer.*
10. *All off-site work shall require written permission from the affected property owner prior to beginning said work.*
11. *The applicant shall submit to the City Engineer for review and approval the haul route for fill/excavation material.*

Response: We concur with Items 7 –11 only where it pertains to work within City jurisdiction. Otherwise, County of Los Angeles Department of Public Works requirements will be enforced.

Drainage

12. *A drainage study shall be prepared by a California State Registered Civil Engineer for the review and acceptance by the City Engineer. Hydraulic design shall conform to the current Hydraulic Design Manual of Los Angeles County. Flows shall remain in their historical drainage pattern so as not to impact neighboring properties.*
13. *Drainage improvements on private property shall be continually maintained, repaired, and replaced by the property owner. The applicant shall obtain appropriate permits from regulating agencies prior to drainage improvements within any streambed.*
14. *All storm drain improvements within the City limits shall be reviewed and approved by the City Engineer and Los Angeles County Public Works. ~~Prior to acceptance of the improvements, the applicant shall transfer all storm drain maintenance responsibilities over to the Los Angeles County Public Works Department.~~*

Response: Los Angeles County Department of Public Works does not transfer drains prior to acceptance. Normal procedures consist of constructing a Miscellaneous Transfer Drain within City limits to the specifications of Los Angeles County Department of Public Works prior to acceptance and transfer to the Los Angeles County Flood Control District.

15. *Prior to the issuance of a grading permit, the applicant shall submit a Standard Urban Storm Water Mitigation Plan (SUSWMP) that shall be subject to approval by the City Engineer. The applicant shall incorporate the Standard Urban Storm Water Mitigation Plan for commercial projects as outlined in the Model Program for Stormwater Management Within the County of Los Angeles. This will require detention and treatment of the first 0.75 inches of surface runoff during a rainstorm.*
16. *The SUSWMP shall identify pollutant sources, and shall include design and recommend construction and implementation of stormwater pollution prevention measures in order to reduce pollutants and erosion in storm water discharges from the construction site during the construction period and after construction as required.*

Response: We concur with Items 12 – 16 only where it pertains to work within City jurisdiction. Otherwise, County of Los Angeles Department of Public Works requirements will be enforced.

Streets/Traffic

17. *Prior to issuance of any building permit, the applicant shall pay the full amount of the Arterial Street System Development Fee (TIF) specified in the City of Agoura Hills Municipal Code. The estimated fee of \$1,239,520 is based on 508 pm peak trips at a rate of \$2,440 per trip. Actual fees will be determined at the time of building permit issuance. The applicant is eligible to receive reimbursement of the TIF payment for all improvements that are on Palo Comado Canyon Road and at the interchange. The applicant shall submit all invoices paid demonstrating actual costs incurred to construct the improvements. The City Engineer shall review and approve all eligible reimbursement costs.*

Response: The applicant shall negotiate the amount of their contribution to the City's TIF and pay that amount to the City of Agoura Hills.

18. *The applicant shall design and construct the westerly one-half (32 feet) of Palo Comado Canyon Road improvements from the intersection of Chesebro Road/Driver Avenue to the existing improvements that abut the existing service station. The design shall be completed and accepted by the City of Agoura Hills prior to issuance of a grading permit. The construction improvements shall be completed and accepted prior to occupancy of any structure on the project site.*

Response: County of Los Angeles Department of Public Works concurs, and therefore, has no comment.

19. *Prior to issuance of a grading permit, the applicant shall design street improvements at the Canwood Street/Chesebro Road/Driver Avenue/Palo Comado Canyon Road Intersection. The street improvements shall include the construction of an eastbound and westbound exclusive left turn lane in addition to a shared through/right turn lane on Driver Avenue and Palo Comado Canyon Road. These improvements may require the road widening on the north side of Driver Avenue west of Chesebro Road. Said design shall be reviewed and approved by the City of Agoura Hills. Prior to occupancy of any structure on the project site, the applicant shall fully construct and have accepted by the City of Agoura Hills, said street improvements at Canwood Street/Chesebro Road/Driver Avenue/Palo Comado Canyon Road intersection.*

Response: The westbound left-turn lane has already been installed.

20. *Prior to issuance of a grading permit, the applicant shall design a roundabout at the intersection of the U.S. 101 northbound freeway ramp and Palo Comado Canyon Road/ Canwood Street. Said roundabout design shall be reviewed and approved by Caltrans and the City of Agoura Hills prior to issuance of said grading permit for the project. The applicant shall be solely responsible for acquiring any off-site right-of-way as necessary to construct the full improvements for the roundabout. The applicant shall dedicate to the appropriate agency (Caltrans or City of Agoura Hills) the right-of-way for roundabout. Prior to occupancy of any structure on the project site, the applicant shall fully construct and have accepted by Caltrans and the City of Agoura Hills the roundabout street improvements.*

Response: County of Los Angeles Department of Public Works concurs, and therefore, has no comment.

- ~~21. *In lieu of the three previous conditions (Conditions no. 18, 19, and 20) and prior to issuance of a grading permit for the site, the applicant shall:*~~

- ~~• *Design a new intersection (mid-block) on Palo Comado Road approximately 200 feet east of Chesebro Road...*~~
- ~~• *Design full width street improvements for Palo Comado Canyon Road from the existing intersection of Driver Avenue/Chesebro Road to the US 101 Freeway offramp...*~~
- ~~• *Design a traffic signal for both the new mid-block intersection and for the intersection of US101 westbound freeway ramp/Palo Comado Canyon Drive...*~~

Response: This condition is not applicable and should be removed. The applicant has indicated that the project will propose taking access off of Canwood Street with the installation of a roundabout at the intersection of Canwood Street, Palo Comado Canyon Road, and the US-101 West bound freeway ramps.

22. *The applicant shall design and construct a new signal at Chesebro Road and US 101 eastbound ramps at Dorothy Drive. The design shall be reviewed and approved by Caltrans and the City of Agoura Hills prior to issuance of a grading permit. The applicant shall fully construct the signal prior to occupancy of any Phase II structures on the project site.*

Response: We amend this condition to note that the applicant shall install the traffic signal prior to occupancy of Phase II structures on the project site.

23. *The applicant shall pay to the City of Agoura Hills a pro-rata fair share of a traffic signal for both the impacted intersections of Laura La Plante Drive/Agoura Road and also Chesebro Road/Palo Comado Canyon Road (south of the US101 freeway). Said pro-rata fee shall be based upon 25% of the cost of a signal as calculated by the City of Agoura Hills.*

Response: County of Los Angeles Department of Public Works concurs, and therefore, has no comment.

24. *All walls adjacent to public right-of-way shall be located entirely on private property.*

Response: County of Los Angeles Department of Public Works concurs, and therefore, has no comment.

Utilities

25. *The applicant shall underground all existing overhead utilities within the public right-of-way for those street areas that are reconstructed by this project. This shall include any utilities along the westerly half of Palo Comado and also any portion of the realigned Canwood Street south of Driver Avenue.*

Response: NA

26. *The applicant shall relocate those underground facilities such as water and sewer to coordinate and align with the construction of new street improvements to be constructed by the project. This shall include any utilities along the westerly half of Palo Comado and also any portion of the realigned Canwood Street south of Driver Avenue.*

Response: NA

RGD:jmw

P:\LDPUB\ADMIN\ROSSANA\PROJECT 98-062 CUP 98-062 HESCHEL SCHOOL WEST



COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

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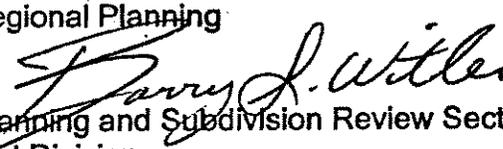
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ALHAMBRA, CALIFORNIA 91802-1460

September 1, 2005

IN REPLY PLEASE
REFER TO FILE: **LD-4**

TO: Russell Fricano
Zoning Permits Section I
Department of Regional Planning

FROM: Barry S. Wittler 
Transportation Planning and Subdivision Review Section
Land Development Division

CONDITIONAL USE PERMIT NO. 98-062

We have further reviewed the subject Permit in the unincorporated area east of Agoura Hills in the vicinity of Palo Comado Canyon Road, Chesebro Road, and the Ventura Freeway. This Permit is for the construction of a new primary school with appurtenant facilities. The following recommended conditions supersede our previous recommended conditions dated June 2, 2005.

If this Permit is approved, we recommend the following conditions:

1. Dedicate right of way 30 feet from centerline on each side of Canwood Street including sufficient right of way for a standard cul-de-sac (a turning radius of 32 feet) at the east end of Canwood Street to the satisfaction of Public Works.
2. Construct curb, gutter, pavement, and sidewalk on Canwood Street to the satisfaction of Public Works.
3. The applicant should contact the City of Agoura Hills for required improvements on the portion of Canwood Street within the City's jurisdiction.
4. Prior to the issuance of any building permit, the school pickup and drop-off circulation plan shall be prepared and submitted to the satisfaction of Public Works.

Russell Fricano
September 1, 2005
Page 2

5. Comply with the traffic mitigation measures identified in the attached August 31, 2005, letter from William J. Winter of our Traffic and Lighting Division to Daryl Koutnik of the Department of Regional Planning and the August 31, 2005, letter from Rossana D'Antonio of Public Works to Kim Szalay of the Department of Regional Planning to the satisfaction of Public Works. If you have any questions on this item, please contact Lani Alfonso of our Traffic and Lighting Division at (626) 300-4748.

If you have any questions regarding Comment No. 4, please contact Sam Richards at (626) 300-4842.

WH:ca
P:\LD\PUB\TRANS\CUPS\CUP 98-062 CONSTRUCTION OF PRIMARY SCHOOL

Attach.

cc: Traffic and Lighting (Chon)

Witler, Barry

From: Witler, Barry
Sent: Wednesday, April 12, 2006 5:47 PM
To: Hunter, Dennis; D'Antonio, Rossana; McNamara, Conal
Cc: Chon, James; Winter, Bill; 'kszalay@planning.co.la.ca.us'; Pachano, Fabrizio
Subject: Palo Comado/101 Freeway Roundabout – Condition of the Heschel School

Tracking: Recipient	Read
'kszalay@planning.co.la.ca.us'	
Hunter, Dennis	Read: 04/13/2006 6:59 AM
D'Antonio, Rossana	Read: 04/12/2006 5:48 PM
McNamara, Conal	Read: 04/12/2006 5:51 PM
Chon, James	Read: 04/17/2006 10:05 AM
Winter, Bill	Read: 04/12/2006 6:33 PM
'kszalay@planning.co.la.ca.us'	
Pachano, Fabrizio	Read: 04/12/2006 6:14 PM

Today, Kim Szalay of Regional Planning and I attended a meeting at Caltrans regarding the proposed roundabout at the subject location. Roger Van Wert and Dan Barnett (Crain & Assoc.) represented the Heschel school. Seven people attended from Caltrans including 3 from Sacramento and Albert Andreos who will oversee the preparation of a Project Study Report (PSR). A sign-in sheet attached.

This meeting was actually a kickoff to the PSR process. The idea of a permit project had already been rejected, although the applicant's representative had argued at the Commission hearing that the project would likely be approved through a permit process. At the time, I had explained to the Commission that this was unlikely. The PSR process is part of the Project Initiation Document (PID) process, requiring 2 lengthy and detailed documents that include analysis of alternatives, a detailed project layout with extensive design details, and the environmental document. The process could take 2 to 5 years or more. The southbound ramp improvements must also be included in the PID process as they are part of the same interchange.

I raised the issue of sponsorship, and Caltrans confirmed that the City of Agoura Hills must be a project sponsor.

The applicant presented new drawings of a single lane roundabout prepared by Crain & Assoc. It was designed to fit the existing right of way and had a number of problems that were immediately apparent to me and to some of the Caltrans engineers. These included unacceptable entry and exit geometry, closely spaced entries, and a substandard access into the gas station on the NW corner. The roundabout would not accommodate larger trucks and Caltrans would have to approve a design exception. The design was based on 2010 projections and Caltrans normally requires 20 years from the project construction date or about 2030. The applicant conceded that sometime before 2030 the roundabout would need to be expanded to 2 lanes.

Caltrans asked the applicant to do 2030 volume projections and prepare a layout for the ultimate interchange to go along with a revised layout of the single lane roundabout with additional backup analysis based on comments at the meeting. The applicant may consider a small right of way take from the gas station on the NW corner to improve the layout. Caltrans indicated that if they were the sponsors of a future project to expand the roundabout and reconstruct the overpass, they could condemn right of way.

Jerry Champa, Caltrans HQ, indicated that a roundabout lasting 10-15 years could be considered if Caltrans believes the interchange will need to be upgraded due to expansion of the 101 Freeway. Caltrans will consider

05/17/2006

that option. Ultimately a new overpass will have to be constructed to meet Caltrans height requirements and to accommodate future freeway lanes.

I also indicated (the applicant didn't like it) that long range projections had already been given to the City of Agoura Hills by the applicant and that the City had hired a consultant to evaluate the interchange based on those numbers. I said that County would need to approve any new volume projections. I also noted that the County's involvement was to ensure adequate mitigation for the school project, but that it was up to Caltrans and the City to approve the interchange improvements.

Dan Barnett of Crain & Assoc. gave me a copy of the roundabout design presented at the meeting. Roger Van Wert asked for it back, indicating that he did not want it to be part of the public record, so I returned it.

The applicant expects to take a couple of months to prepare the items requested by Caltrans to move forward with the PSR. Note that this may occur after the item goes to the Planning Commission for consent.

California Department of Transportation
DISTRICT 7

2nd Kick-off Meeting Attendance Record

File No.: 07-LA-101, EA 25720K, PM 33.5/34.0
Reference: Interchange Modification at Palo Comado Canyon Road OC

When: Wednesday 04/12/06, at 01:00 p.m.
Where: Conference Room 12.031, 12th Floor,
100 S. Main Street, LA, CA 90012

No.	Name (Please Print)	Phone Number	E-mail	Division/Office/Agency
1	ALBERT ANDREWS	813/897-4421		PLANNING/OPSS
2	HASSAN H ZADEH	213-897-4160	Hassan_H_Zadeh@dot.ca.gov	PLANNING/OPSS
3	RAMI GHATE	213-897-5593	Rami_Ghate@dot.ca.gov	Program/Proj Mgmt
4	Saleh Khibria	213-897-5328		Planning/OPSS
5	Roger Van Wert	310 850-5675	R.VANWERT@ALLENMARTINS.COM	HESHEL-CONSULTANT
6	Burty Wither	626 458-4351	bwither@ladpw.org	LACo DPW
7	Kim Szalay	(213) 974-6443	Kszalay@planning.co.la.ca.us	LAC DRP
8	Robert Chapman	(916) 653-0831	rchapman@dot.ca.gov	CT Hq. Design Rev.
9	Jim DeLuca	(213) 897-1912	jim.deluca@dot.ca.gov	CT Hq. Design
10	DAN BARNETT	(310) 473-6508	dbarnett@crainandassociates.com	CRAIN & ASSOCIATES
11	JERRY CHAMBERS	(916) 712-3881	jerry_chambers@dot.ca.gov	CT HQ TRAFFIC
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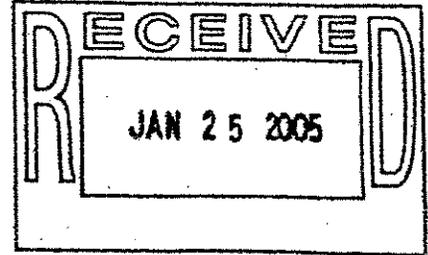


COUNTY OF LOS ANGELES

FIRE DEPARTMENT

1320 NORTH EASTERN AVENUE
LOS ANGELES, CALIFORNIA 90063-3294

(323) 890-4330



P. MICHAEL FREEMAN
FIRE CHIEF
FORESTER & FIRE WARDEN

January 21, 2005

Daryl Koutnik, Senior Biologist
Impact Analysis Section
County of Los Angeles
Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Dear Mr. Koutnik:

PRELIMINARY DRAFT ENVIRONMENTAL IMPACT REPORT AND REQUEST FOR COMMENTS PROJECT #98-062, HERSCHEL WEST SCHOOL PROJECT - AGOURA (EIR #2189/2004)

The Preliminary Draft Environmental Impact Report for the proposed project located in the Old Agoura area of Los Angeles County, east of Palo Comado and Chesebro Roads and north of US Highway 101.

PLANNING DIVISION:

We have a few comments on Section 4.7, Fire Services. With regard to the developer fee, the Summary states, "The current fee is \$0.1930 per square foot." The current rate is \$0.3716 per square foot, with a pending rate change by the City to \$0.3877.

Under the heading "Existing Conditions," the report states "The Fire Department provides services to the Agoura Hills area from four (4) fire stations." While our previous correspondence listed the four (4) closest stations, any County Fire Department station may respond to an incident anywhere within our territory depending on need and availability. In addition, the same paragraph refers to "Jurisdictional Fire Stations 144 and 125." Only one (1) station can be jurisdictional (i.e., the first-due). In this case, it is Station 65.

Under the heading "Level of Significance After Mitigation," the report assumes an average travel speed of 35 mph. This may be optimistic in view of the frequent traffic congestion along the Ventura Freeway corridor. However, application of the NFPA guideline of four (4) minutes travel time to areas not fully urbanized is impractical. The project site is located in a suburban area characterized by pockets of urban development amidst low-density rural areas and undeveloped land. The level of service is adequate for the character of the area.

The report is correct in concluding that with the proposed mitigation, the project will not have a significant impact on fire protection service.

SERVING THE UNINCORPORATED AREAS OF LOS ANGELES COUNTY AND THE CITIES OF:

AGOURA HILLS	BRADBURY	CUDAHY	HIDDEN HILLS	LANCASTER	PALMDALE	ROLLING HILLS ESTATES	TEMPLE CITY
ARTESIA	CALABASAS	DIAMOND BAR	HUNTINGTON PARK	LA PUENTE	PALOS VERDES ESTATES	ROSEMEAD	WALNUT
AZUSA	CARSON	DUARTE	INDUSTRY	LAWDALE	PARAMOUNT	SAN DIMAS	WEST HOLLYWOOD
BALDWIN PARK	CERRITOS	EL MONTE	IRVINDALE	LOMITA	PICO RIVERA	SANTA CLARITA	WESTLAKE VILLAGE
BELL	CLAREMONT	GLENDORA	LA CANADA FLINTRIDGE	MALISU	POMONA	SIGNAL HILL	WHITTIER
BELLFLOWER	COMMERCE	HAWAIIAN GARDENS	LAKEWOOD	MAYWOOD	RANCHO PALOS VERDES	SOUTH EL MONTE	
BELL GARDENS	COVINA	HAWTHORNE	LA MIRADA	NORWALK	ROLLING HILLS	SOUTH GATE	

LAND DEVELOPMENT UNIT/GENERAL REQUIREMENTS:

The following comments, regarding this project, supersede the conditions that were detailed in the letter dated August 2, 2002. (EIR #1422/2002):

The proposed development will necessitate multiple ingress/egress access for the circulation of traffic, and emergency response issues. Final access requirements will be determined in the Conditional Use Permit process. The development of this project must comply with all applicable code and ordinance requirements for construction, access, water mains, fire flows and fire hydrants.

This property is located within the area described by the Forester and Fire Warden as a Fire Zone 4, Very High Fire Hazard Severity Zone (VHFHSZ). All applicable fire code and ordinance requirements for construction, access, water mains, fire hydrants, fire flows, brush clearance and fuel modification plans must be met. Specific fire and life safety requirements for the construction phase will be addressed at the building fire plan check. There may be additional fire and life safety requirements during this time.

Every building constructed shall be accessible to Fire Department apparatus by way of access roadways, with an all-weather surface of not less than the prescribed width. The roadway shall be extended to within 150 feet of all portions of the exterior walls when measured by an unobstructed route around the exterior of the building.

Access roads shall be maintained with a minimum of ten (10) feet of brush clearance on each side. Fire access roads shall have an unobstructed vertical clearance clear-to-sky with the exception of protected tree species. Protected tree species overhanging fire access roads shall be maintained to provide a vertical clearance of thirteen (13) feet, six (6) inches.

The maximum allowable grade shall not exceed 15% except where topography makes it impractical to keep within such grade; in such cases, an absolute maximum of 20% will be allowed for up to 150 feet in distance. The average maximum allowed grade including topographical difficulties shall be no more than 17%. Grade breaks shall not exceed 10% in ten (10) feet.

When involved with a subdivision in a city contracting fire protection with the County of Los Angeles Fire Department, requirements for access, fire flows and hydrants are addressed during the subdivision tentative map stage.

Fire sprinkler systems are required in some residential and most commercial occupancies. For those occupancies not requiring fire sprinkler systems, it is strongly suggested that fire sprinkler systems be installed. This will reduce potential fire and life losses. Systems are now technically and economically feasible for residential use.

INSTITUTIONAL:

The development requires fire flows of 3,750 gallons per minute at 20 pounds per square inch residual pressure for a three-hour duration. Fire flows are based on the size of buildings, their relationship to other structures, property lines, and types of construction used. Fire hydrant spacing shall be 300 feet and shall meet the following requirements:

1. No portion of lot frontage shall be more than 200 feet via vehicular access from a public fire hydrant.
2. No portion of a building shall exceed 400 feet via vehicular access from a properly spaced public fire hydrant.
3. Additional hydrants will be required if hydrant spacing exceeds specified distances.

Turning radii shall not be less than 32 feet. This measurement shall be determined at the centerline of the road. A Fire Department approved turning area shall be provided for all driveways exceeding 150 feet in length. All on-site driveways/roadways shall provide a minimum unobstructed width of 28 feet, clear-to-sky. The on-site driveway is to be within 150 feet of all portions of the exterior walls of the first story of any building. The centerline of the access driveway shall be located parallel to, and within 30 feet of an exterior wall on one side of the proposed structure.

1. Any access way less than 34 feet in width shall be labeled "Fire Lane" on the final recording map, and final building plans.
2. The entrance to the street/driveway and intermittent spacing distances of 150 feet shall be posted with Fire Department approved signs stating "NO PARKING - FIRE LANE" in three-inch high letters. Driveway labeling is necessary to ensure access for Fire Department use.

LIMITED ACCESS DEVICES (GATES, ETC.):

All access devices and gates shall meet the following requirements:

1. Any single-gated opening used for ingress and egress shall be a minimum of 26 feet in width, clear-to-sky.
2. Any divided gate opening (when each gate is used for a single direction of travel - i.e., ingress or egress) shall be a minimum width of 20 feet clear-to-sky.
3. Gates and/or control devices shall be positioned a minimum of 50 feet from a public right-of-way, and shall be provided with a turnaround having a minimum of 32 feet of turning radius. If an intercom system is used, the 50 feet shall be measured from the right-of-way to the intercom control device.
4. All limited access devices shall be of a type approved by the Fire Department.
5. Gate plans shall be submitted to the Fire Department prior to installation. These plans shall show all locations, widths and details of the proposed gates.

TRAFFIC CALMING MEASURES:

All proposals for traffic calming measures (speed humps/bumps/cushions, traffic circles, roundabouts, etc.) shall be submitted to the Fire Department for review prior to implementation. Should any questions arise regarding design and construction, and/or water and access, please contact Inspector Marvin Dorsey at (323) 890-4243.

FORESTRY DIVISION:

The statutory responsibilities of the County of Los Angeles Fire Department, Forestry Division include erosion control, watershed management, rare and endangered species, vegetation, fuel modification for Very High Fire

Daryl Koutnik, Senior Biologist
January 21, 2005
Page 4

Hazard Severity Zones or Fire Zone 4, archeological and cultural resources, and the County Oak Tree Ordinance. The areas germane to the statutory responsibilities of the County of Los Angeles Fire Department have been addressed.

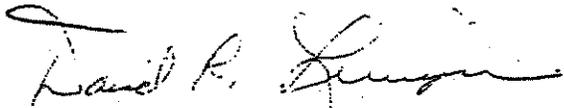
This property is located within the area described by the Forester and Fire Warden as a Very High Fire Hazard Severity Zone or Fire Zone 4. The development of this project must comply with all Very High Fire Hazard Severity Zone code and ordinance requirements for fuel modification.

As required by Section 1117.2.1 of the County of Los Angeles Fire Code, a fuel modification plan, a landscape plan, and an irrigation plan shall be submitted with any subdivision of land or prior to any new construction, remodeling, modification or reconstruction where such activities increase the square footage of the existing structure by at least 50% within a 12-month period and where said structure or subdivision is located within an area designated as a Very High Fire Hazard Severity Zone or within Fire Zone 4.

A fuel modification plan, a landscape plan, and an irrigation plan shall be developed and approved prior to construction. Said plans shall be reviewed and approved by the County of Los Angeles Fire Department, Forestry Division. Specific questions regarding fuel modification requirements should be directed to the Fuel Modification Office at (626) 969-5205.

If you have any additional questions, please contact this office at (323) 890-4330.

Very truly yours,



DAVID R. LEININGER, CHIEF, FORESTRY DIVISION
PREVENTION BUREAU

DRL:sc



*Flex your power!
Be energy efficient!*

DEPARTMENT OF TRANSPORTATION
DISTRICT 7
 111 MAIN STREET, Suite 100
 LOS ANGELES, CA 90012-3606
 ONE (213) 897-3747
 X (213) 897-1337
 Y (213) 897-4937

May 18, 2005

IGR/CEQA cs/050410 – Revised DEIR
 County of Los Angeles
 Heschel Day School West
 US-101/ Palo Comado Canyon Rd.
 Vic. LA-101-33.7; SCH # 1998101060

Daryl Koutnik
 County of Los Angeles
 Department of Regional Planning
 West Temple St.
 Los Angeles, California 90012

Mr. Koutnik:

Thank you for including the California Department of Transportation in the environmental review process for the above-mentioned project. Based on the information received, we have the following traffic/circulation comments:

Palo Comado Canyon Road at US-101 Freeway Westbound Ramps
 Proposed improvements to above location include:

Roundabout

Reconstruct the intersection including on/off ramps and local streets to install a traffic circle/roundabout. The roundabout would control all approaches to this intersection, including the northbound and southbound Palo Comado Canyon Road approaches, the westbound US-101 on/off ramps, and the Canwood Street approach. The recommended roundabout shall be designed and constructed to the satisfaction of Caltrans and the City of Agoura Hills. The roundabout is Caltrans preferred alternative due to geometric considerations.

Traffic Signal – Proposed Improvement

Reconfigure the intersection to include the Canwood Street approach as part of an overall intersection geometry and install a new traffic signal at this intersection. The new lane configuration for this intersection is as follows:
 East approach (US-101 Freeway westbound ramp): Widen and restripe of the westbound US-101 off-ramp to provide an additional right-turn only lane to accommodate the project traffic U-turn movement directly onto Canwood Street.
 East approach (Canwood Street): One shared left-turn/through lane and one exclusive right-turn lane instead of an exclusive left-turn lane and a shared through/right-turn lane.
 North approach (Palo Comado Canyon Road): One left-turn lane (to Canwood street); one through lane, and one right-turn only lane instead of one shared left-turn/through lane.

Szalay, Kim

From: Hassan H Zadeh [hassan_h_zadeh@dot.ca.gov]
Sent: Wednesday, July 12, 2006 10:04 AM
To: Ravi Ghatе; Jim Deluca; Jerry Champa; Bob Chapman; bwitler@ladpw.org; Adam Thurtell; dbarnett@crainandassociates.com; David Cordova; Szalay, Kim
Cc: Albert A Andraos; Saleh M Kibria; Keith Hong
Subject: Interchange Modification at Palo Comado Canyon OC, EA 25720K, PM 33.5/34.0



2nd Kickoff
Meeting Notes 4-12

Attached is the final text of the 2nd Kick-off Meeting Notes held on April 12, 2006.

(See attached file: 2nd Kickoff Meeting Notes 4-12-06.doc) (See attached file: 2nd Kickoff Meeting Notes 4-12-06.doc)

**2nd KICK-OFF MEETING NOTES
HESCHEL SCHOOL PROJECT
INTERCHAGE MODIFICATION AT PALO COMADO CANYON ROAD**

Date: April 12, 2006
Time: 1:00 p.m.

File: 07-LA-101, EA 25720K,
PM 33.5/34.0, Interchange Modification at
Palo Comado Canyon Road OC.

The second kick-off meeting was held at Caltrans District 7 to discuss the proposed traffic improvement project. This project entails the design of a roundabout (or appropriate alternative) at the Palo Comado Canyon Road/Canwood Street interchange with the Northbound US-101 (Ventura) Freeway On/Off-Ramps as part of the required mitigation for the recently approved Abraham Joshua Heschel Day School development near the City of Agoura Hills.

Mr. Albert Andraos, Office of Project Studies, presided. Mr. Andraos is the contact person at Caltrans for this project. All communications from Heschel shall go through Mr. Andraos' office. Meeting attendees (Refer to attached sign-in sheet) included representatives of Caltrans District 7, Headquarters Design Division, Headquarters Traffic Division and Los Angeles County, as well as the planning and traffic design consultants for the Heschel School.

Mr. Roger Van Wert, a consultant to Heschel, opened the discussion by reviewing the status of the entitlements for the Heschel School project. The Los Angeles County Regional Planning Commission (LACRPC) on September 7, 2005 declared its intent to approve the Heschel Project and for the staff to prepare approval documents and the FEIR to be approved at a consent hearing. One of the conditions of approval requires the mitigation of traffic impacts at the subject intersection with roadway improvements to the satisfaction of Caltrans. Mr. Dan Barnett of Crain & Associates, the traffic design consultant to Heschel, presented two schemes (a roundabout design and signalization alternative) for the mitigation of Heschel impacts. The purpose of these conceptual plans was to confirm the protocols to be used for the submittal PSR. It was stated that at this stage of review, the roundabout concept is the preferred alternative for the LACRPC. Mr. Barnett explained how the roundabout design that was presented is consistent with the standards of the Caltrans "Design Information Bulletin" and the FHWA publication entitled "Roundabouts: An Informational Guide." A "hybrid" design was presented to facilitate a future conversion from the proposed one-lane roundabout to a two-lane configuration within the same footprint.

Mr. Albert Andraos stated that PSR process required examining all viable alternatives including the signalize interchange.

Mr. Kim K Szalay the LACRPC representative comments on the 2nd Kick-off Meeting Notes are as follows:

1. Discussion of project planning documentation, analyses and findings, resulting in proposed traffic improvements to mitigate impacts, including improvements to the south side ramps (101 eastbound ramps) and adjacent roadways.
2. Truck traffic counts and related materials.
3. Current Year and projected Year 2030 traffic volumes.
4. Document accident history at these ramp locations and discuss expected improvements that would be expected with the proposed improvements.
5. Supply three separate roundabout designs.
 - a) The "Hybrid" roundabout design convertible from one to two lanes.
 - b) A smaller optimized one lane design to work with the existing bridge configuration.
 - c) An optimized two lane design integrated with a four lane full width bridge, with a critical design issue being the vertical clearance of the bridge above the freeway travel lanes.
6. Path-of-travel and path overlap information for the roundabouts.
7. Show how bicycle travel will be handled on the freeway over crossing and along the roundabout.
8. Develop cost estimates for implementation of the proposed improvements.
9. The PSR should include 11" by 17" map exhibits.

In summary, Heschel (the "Sponsor" of this project) should schedule the submittal of the Project Study Report and include the required "Sponsor" letter indicating that Heschel intends to pay for the required improvements. Heschel shall provide copies of submittal materials to the City of Agoura Hills and the City will be invited to attend the next meeting reviewing the PSR.

Summary of Action Items

No.	Action Items	Responsible Party	Date Due
1-A	Providing Caltrans with the Sponsor letter with respect to costs of the improvement.	Heschel/Crain	As soon as possible
1-B	Prepare PSR and submit to Caltrans	Heschel/Crain	When PSR is complete
2	Contact the City of Agoura Hills	Heschel	When draft PSR is available
3	Andraos to provide Crain details regarding the number of copies required for submittal	Caltrans	Prior to submittal of PSR
4	Andraos to schedule team review meeting of PSR	Caltrans	As appropriate

The RPC approved only the roundabout recommendation to Caltrans, acknowledging that Caltrans has jurisdiction over the subject intersection options; also acknowledging that the PSR process will require evaluation of all relevant intersection options determined by Caltrans pertaining to the subject location and Heschel project. In the event Caltrans should require an access different than the roundabout option, then the access options must come back to the RPC for re-consideration through an additional public hearing for modifying the Conditional Use Permit.

The discussion that ensued raised the following design considerations:

1. It was noted that a two-lane roundabout may require expansion of the Palo Comado bridge overpass from the current two lane configuration to a full width four-lane (two lanes in each direction) facility.
2. The location of the pedestrian crossings is a potential concern in part because of limited closing distance for those vehicles exiting the roundabout, particularly those vehicles accessing the gas station on the west side of Palo Comado Canyon Road.
3. The westbound 101 exit ramp slip lane to Canwood Street, for Heschel traffic, was considered a key to the proper functioning of the roundabout but the potential conflict with eastbound Canwood traffic needs further review.
4. Access to the adjacent gas stations also requires further review. Consideration should be given to relocating the west side gas station driveway northerly to the property line to align with the driveway on the east side of Palo Comado. In addition, the median channelization for left turn movements into the gas stations requires further review, with particular regard to potential vehicular and pedestrian conflicts.
5. The separation along the roundabout from the 101 freeway northbound off-ramp to Canwood may be inadequate.
6. The Headquarters' representatives indicated that it would be more appropriate to develop a smaller, more standard roundabout to serve existing and near-term future traffic demands, given the uncertainty of future freeway improvements in this area, including the expansion of the Palo Comado over crossing. It was stated that the overall R/W "footprint" for the initial construction (and, in fact the circulatory roadway diameter) should be set for the ultimate (20-year after the construction) design however initial construction of the circulatory roadway width and entry widths could, perhaps, be built as single lanes which could easily be expanded in the future (with no additional R/W takes needed). In addition, Prior to PSR approval, roundabout concept approval is needed to study a roundabout as an alternative. The statement that the roundabout concept is the preferred alternative is premature, at least within Caltrans right of way. The roundabout design should be consistent with the standards of Caltrans DIB and the FHWA Roundabout Guide.

The Project Study Report will require at least two Project Design Team meetings with two PSR drafts plus a final review. The initial PSR submittal should include:

1. Discussion of project planning documentation, analyses and findings, resulting in proposed traffic improvements to mitigate impacts, including improvements to the south side ramps (101 eastbound ramps) and adjacent roadways.
2. Truck traffic counts and related materials.
3. Current Year and projected Year 2030 traffic volumes.
4. Document accident history at these ramp locations and discuss expected improvements that would be expected with the proposed improvements.
5. Supply three separate roundabout designs.
 - a) The "Hybrid" roundabout design convertible from one to two lanes.
 - b) A smaller optimized one lane design to work with the existing bridge configuration.
 - c) An optimized two lane design integrated with a four lane full width bridge, with a critical design issue being the vertical clearance of the bridge above the freeway travel lanes.
6. Path-of-travel and path overlap information for the roundabouts.
7. Show how bicycle travel will be handled on the freeway over crossing and along the roundabout.
8. Develop cost estimates for implementation of the proposed improvements.
9. The PSR should include 11" by 17" map exhibits.

In summary, Heschel (the "Sponsor" of this project) should schedule the submittal of the Project Study Report and include the required "Sponsor" letter indicating that Heschel intends to pay for the required improvements. Heschel shall provide copies of submittal materials to the City of Agoura Hills and the City will be invited to attend the next meeting reviewing the PSR.

Summary of Action Items

No.	Action Items	Responsible Party	Date Due
1-A	Providing Caltrans with the Sponsor letter with respect to costs of the improvement.	Heschel/Crain	As soon as possible
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2	Contact the City of Agoura Hills	Heschel	When draft PSR is available
3	Andraos to provide Crain details regarding the number of copies required for submittal	Caltrans	Prior to submittal of PSR
4	Andraos to schedule team review meeting of PSR	Caltrans	As appropriate

Daryl Koutnik
18, 2005
Three

Either of the previously mentioned alternatives should take place prior to the initial occupancy of the school.

Chesebro Road and US-101 Freeway Eastbound Ramps at Dorothy Drive

This intersection currently meets the County's warrant for a traffic signal installation, indicating that a traffic signal is necessary to accommodate existing traffic volumes. Therefore, the project should contribute its "fair share" to the installation of a signal and the ultimate configuration as required by the City of Agoura Hills and Caltrans. However, if a traffic signal is not acceptable to the City of Agoura Hills as traffic impact mitigation, the new lane configuration should be implemented to improve the intersection design capacity.

Proposed restriping of South approach: One shared left-turn/through lane, and one shared through/right-turn lane instead of one shared left-turn/through/right-turn lane.

Proposed modification of Eastbound on-ramp: Two entering lanes with the right lane merging with the left.

Caltrans recommends combining the traffic signal alternative with a restriping and on-ramp widening alternative.

Widening of the Chesebro Rd. Overcrossing

Based on our review, a fair-share contribution will need to be made by the project applicant to conform with the provisions of the local agency involved in the future bridge widening project.

Caltrans Encroachment Permits

Any work to be performed within the State Right-of-way including installation of a round-about and traffic signals, restriping of lanes, ramp modifications, etc. will need a Caltrans Encroachment Permit. A standard Caltrans Encroachment Permit application along with 6 set of engineering plans will be needed for Caltrans review and approval. A Construction Transportation Management Plan will be needed for any lane closures, detours, parking restrictions, etc.

Traffic Analysis Mainline Freeway/Fair Share Funding of Traffic Mitigation Measures

The applicant will need to participate in fair-share funding on a pro rata basis on the project's percentage increase in AM/PM peak hour trips on the mainline US-101 Ventura Freeway. Based on Caltrans Traffic Impact Study Guide, traffic analysis of our mainline freeway may be needed. We recommend that the project consultant contact Caltrans staff to discuss this further.

Project Related Transportation Safety Measures

All applicable transportation related safety measures will need to be implemented. We also recommend the use of multi-passenger vehicles as well as participating in a rideshare program.

ryl Koutnik
8, 2005
Three

Construction Truck Trips

We recommend that construction related truck trips on State highways be limited to off-peak commute periods. Transport of over-size or over-weight vehicles on State highways will need a Caltrans Transportation Permit.

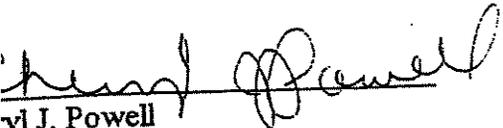
The contractor should agree to avoid excessive or poorly timed truck platooning (caravans of trucks) to minimize transportation related operational conflicts, minimize air quality impacts, and maximize safety concerns.

Stormwater Runoff

The proposed project will need to conform with the National Pollution Discharge Elimination System (NPDES) requirements relating to construction activities and Post-Construction Storm Water Management. To the maximum extent practicable, Best Management Practices will need to be implemented to address storm water runoff from new development. The responsible water quality control agencies will need to review storm water runoff facilities and drainage plans.

If you have any questions regarding our comments, please refer to our IGR/CEQA Record number cs/050410 and do not hesitate to contact me at (213) 897-3747.

Sincerely,


Cheryl J. Powell
CEQA Program Manager

Scott Morgan, State Clearinghouse



United States Department of the Interior

NATIONAL PARK SERVICE
Santa Monica Mountains National Recreation Area
401 West Hillcrest Drive
Thousand Oaks, California 91360-4207

In reply refer to:
L76 (SAMO/Heschel School)

May 17, 2005

Dr. Daryl Koutnik, Impact Analysis Section
Los Angeles County Department of Regional Planning
320 W. Temple St., Room 1348
Los Angeles, CA 90012

Dear Dr. Koutnik:

The National Park Service has reviewed the revised draft Environmental Impact Report (RDEIR) for the proposed Heschel West School Project, Project No. 98-062. The project proposes to construct a 750-student private, religious elementary and middle school on a 73-acre site. The proposed school would be located in the Old Agoura area just east of Chesebro Road and south and west of state-owned, but federally managed, parkland in lower Cheeseboro and Liberty Canyons.

The National Park Service appreciates the opportunity to participate in the public review process for Heschel West School. We provide comments on the effects of private and public land development in the Santa Monica Mountains at the invitation of state and local units of government with authority to prevent or minimize adverse uses. We respect the rights of land owners to develop their properties consistent with federal, state, and local laws. In providing comments, we assume a neutral position and do not support or oppose land development. To this end, we offer the following comments on the RDEIR.

The proposed project is located outside the federal boundary for Santa Monica Mountains National Recreation Area (SMMNRA). The site, however, is located within a sensitive wildlife corridor area and has potential to affect natural resource values within the SMMNRA. The corridor comprises a thin ribbon of open space near Liberty Canyon and is the last suitable connection between the Santa Monica Mountains and Simi Hills capable of supporting wildlife movement. Its protection is of highest importance to the conservation of biological diversity in the Santa Monica Mountains. Reducing the footprint of the corridor by introducing new development has the potential to affect corridor function. Open space protection of the land surrounding the Liberty Canyon wildlife corridor has been a priority among the regional park agencies as well as the local community, as reflected in the Santa Monica Mountains North Area Plan (Appendix A, Habitat Linkages). Additionally, the National Park Service's General Management Plan (GMP) places the surrounding parkland

National Park Service

Daryl Kounnik, L.A. Co. Dept. of Regional Planning, Heschel West School RDEIR

Page 2
May 17, 2005

into a "low-intensity" management zone to protect resources in the corridor from impacts of visitors and facility development (Pg. 53, SMMNRA GMP, 2002). Overall, we find the RDEIR has reduced project impacts to the wildlife corridor, as well as other park natural resources. We appreciate the applicant's actions to reduce effects and your careful review to help preserve the corridor's viability.

Biological Resources

Liberty Canyon Wildlife Corridor

A ridgeline runs roughly north-south in the eastern portion of the project site. The ridgeline provides a natural, topographic boundary at the western edge of the Liberty Canyon wildlife corridor. We appreciate the applicant's decision to relocate the large playfield downslope to the west, off the ridgeline. The relocation removes the significant direct impacts of ridgeline grading and placing a human construct in visible proximity to the wildlife corridor. Additionally, the sights and sounds of human activity at the playfield are now buffered by the intervening ridgeline.

The RDEIR states the "athletic field does not contain lights that could disturb nighttime wildlife movement in the area" (Pg. 4.5-43), although a specific illumination plan will only be defined after the project is approved (Pg. 4.5-49, Mitigation Measure 4.1-3). We recommend events at the playfield be limited to daylight and evening hours to eliminate or reduce night lighting spillage into the adjacent wildlife habitat.

The RDEIR states the applicant is willing to place a 29-acre conservation easement over the eastern edge of the property (Pg. 1.0-7). The terms of the conservation easement should dictate the land remain open space in perpetuity, as well as minimize human access to the area. The proposed conservation easement, written appropriately, would provide additional protection of the wildlife corridor.

Mitigation Measures - Sensitive Plant Communities

Figure 4.5.1, illustrating plant communities and special status plant locations, would be more useful if contour lines were added as a feature. It is difficult to assess where the proposed restoration areas in Figure 4.5-4 are in relation to the existing communities. Also, it would be helpful to have both Figures 4.5.1 and 4.5-4 in either landscape or portrait orientation.

Mitigation Measure 4.5-6 recommends replacing the direct loss of 0.5 acres of Valley needlegrass grassland at a 2:1 ratio on site or at an alternative site. Figure 4.5-4 illustrates one location for native grassland revegetation as the graded, manufactured slopes along the entrance road. In our experience with native grassland restoration, it may be difficult to successfully implement the proposed revegetation. Disadvantageous conditions in combination with performance criteria for success may result in an expensive, futile attempt to accomplish the 2:1 replacement ratio. For this area, we suggest considering a comparable areal in-lieu fee for the 2:1 replacement ratio for lost native grassland.

National Park Service

Daryl Koutnik, L.A. Co. Dept. of Regional Planning, Heschel West School RDEIR

Page 3

May 17, 2005

Mitigation Measure 4.5-6 also recommends replacing lost coastal sage scrub habitat at a 1:1 ratio. Figure 4.5-4 illustrates native grassland restoration along the entrance road and along the southerly margin of the development footprint. Figure 4.5.1 indicates the current condition along the southerly margin is disturbed coastal sage scrub. The proposed entrance road and margin may be more successfully revegetated with coastal sage scrub and a potential understory of native grass, rather than just native grassland restoration.

Figure 4.5-4 illustrates a number of valley or coast live oak trees planted along the eastern perimeter of the property in the area of the conservation easement. Oak tree plantings should follow the pattern of oak tree persistence to the north in Cheeseboro Canyon. For example, oaks typically do not thrive on south and southwest-facing slopes. The proposed illustration presents an unrealistic effort to establish oaks in locations not propitious for oak survival and out of place in the natural landscape.

Figure 4.5-4 also illustrates oaks would be planted in the northern area around the secondary access road. The proposed location formerly hosted oaks. The site would be appropriate for oak savanna restoration. We recommend planting acorns from adjacent oaks on park property to the north. The monitoring period for the growing oaks should be at least ten years, to assure the trees are well-established and protected until large enough to survive herbivory, i.e. browsing by wildlife on the young saplings.

Mitigation Measure 4.5-6 states the monitoring plan would be approved by the County and appropriate resource agencies. Given the proximity of the site to state and federal parkland, we request the National Park Service be invited to review the proposed monitoring plan.

Indirect Impacts to Wildlife

We recommend the RDEIR assess how native and non-native rodent populations will be managed and prescribe mitigation measures that avoid the use of anticoagulant rodenticides. The National Park Service's wildlife studies in the national recreation area have shown that large mammals, including bobcats, coyotes, and mountain lions, are susceptible to secondary poisoning by ingesting anticoagulant rodenticides. We recommend the DEIR assess how native and non-native rodent populations will be managed, and that the DEIR prescribe mitigation measures that avoid the use of anticoagulant rodenticides.

Fuel Modification Impacts

The RDEIR states that a Fire/Vegetation Management Plan has been prepared that is consistent with County Fire Code. The plan was not available to review with the RDEIR. The Fire/Vegetation Management Plan and the proposed vegetation restoration plan (Mitigation Measure 4.5-6) should be coordinated so that fire hazard reduction requirements are met, but will not be inconsistent with proposed restoration plans. We hope the fire management plan includes provisions to minimize, if not completely avoid, removal of coastal sage scrub on the eastern edge of the development footprint, especially in the outer,

National Park Service

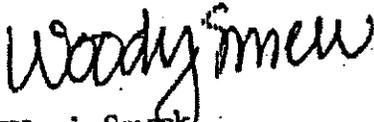
Daryl Koutnik, L.A. Co. Dept. of Regional Planning, Heschel West School RDEIR

Page 4
May 17, 2005

"thinning area" of the 200-foot fuel modification zone. Additionally, the proposed revegetation plan should be formulated in conjunction with the fire management plan to address non-native invasive plant species proliferation that, we find, inevitably occurs with repeated fuel modification activities.

Thank you for the opportunity to comment. If you have questions, please call Ray Sauvajot at (805)370-2339.

Sincerely,



Woody Smeek
Superintendent

cc: Joe Edmiston, Executive Director, Santa Monica Mountains Conservancy
Ron Schafer, Superintendent, Angeles District, State Department of Parks and Recreation
Dan Preece, District Manager, Resource Conservation District of the Santa Monica Mountains

MITIGATION MONITORING PROGRAM – Heschel School Project – 98-062

INTRODUCTION

The Mitigation Monitoring Program for the Heschel West School Project describes the procedures the applicant and others will use to implement the mitigation measures adopted in connection with the approval of the proposed project and the methods of monitoring such actions. A monitoring program is necessary only for impacts that would be significant if not mitigated. The following consists of a monitoring program table applicable to the Heschel West School Project, noting the responsible agency for mitigation monitoring, the schedule, and a list of all project-related mitigation measures.

PURPOSE

The Mitigation Monitoring Program (MMP) has been prepared in conformance with Section 21081.6 of the California Environmental Quality Act. It is the intent of this program to (1) verify satisfaction of the required mitigation measures of the EIR; (2) provide a methodology to document implementation of the required mitigation; (3) provide a record of the Monitoring Program; (4) identify monitoring responsibility; (5) establish administrative procedures for the clearance of mitigation measures; (6) establish the frequency and duration of monitoring; and (7) utilize existing review processes wherever feasible.

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency	2. Monitoring Agency	3. Monitoring Phase	Status
4.1 VISUAL RESOURCES						
4.1-1 Landscaping consisting of natural vegetation shall be placed along the southern perimeter of Chesebro Road, as defined on the site plan. The purpose of this vegetation is to screen vistas of the completed project from motorists, walkers, and riders. Installation of this vegetative screen shall occur prior to grading. Maintenance and monitoring reports shall be prepared annually for a minimum of three years to ensure the long-term completion of this mitigation measure.	Applicant (Project Landscape Architect)	Review of Landscape Plan and Field Verification	1. LA County Department of Regional Planning 2. LA County Department of Regional Planning 3. Prior to issuance of Grading Permits			
4.1-2 A landscape/revegetation plan shall be prepared by a registered landscape architect for review and approval by the County of Los Angeles Department of Regional Planning and California Department of Fish and Game (CDFG) prior to the issuance of the grading permit. The landscape/revegetation plan shall utilize indigenous plants and shall avoid invasive, non-native ornamentals to the maximum degree feasible.	Project Applicant	Review of Landscape Plan and Field Verification	1. LA County Department of Regional Planning 2. LA County Department of Regional Planning 3. Prior to Issuance of Grading Permits			

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	Enforcement Agency	Status
<p>4.1-3</p> <p>VISUAL RESOURCES (cont'd)</p> <p>The applicant shall prepare a lighting plan that identifies the type, layout, and luminaire wattage. At a minimum the plan shall conform to the requirements defined below. The County of Los Angeles Department of Regional Planning shall approve final lighting orientation and design.</p> <p>(1) Nuisance Prevention: All outdoor lighting fixtures shall be designed, located, installed and aimed downward or toward structures—if the light is effectively contained by the structure and no glare is visible off site—to prevent glare, light trespass and light pollution. No lights shall be directed toward nearby residences or open space.</p> <p>(2) Lighting Levels: Outdoor lighting installations shall be designed to avoid harsh contrasts in lighting levels between the project site and the adjacent properties.</p> <ul style="list-style-type: none"> The illumination provided by parking lot lighting shall average no more than 0.05 watts/square foot, which equates to a lighting power density consistent with parking lots in Lighting Zone 2. The illumination provided by on-site roadway lighting shall average no more than 0.03 watts/square foot, which equates to a lighting power density consistent with a two-lane roadway in Lighting Zone 2. The illumination provided by on-site walkway lighting shall average no more than 0.08 watts/square foot, which equates to a lighting power density consistent with walkways in Lighting Zone 2. 	Applicant	Review and Approve Final Lighting Plan and Field Verification	<ol style="list-style-type: none"> 1. LA County Department of Regional Planning 2. LA County Departments of Regional Planning and Public Works 3. Prior to Issuance of Building Permits 	<ol style="list-style-type: none"> 1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase

Mitigation Monitoring Program

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	Enforcement Agency	Status
4.1			1. Enforcement Agency	
4.1-3 (cont'd)			2. Monitoring Agency	
			3. Monitoring Phase	

VISUAL RESOURCES (cont'd)

(3) Lamp Types: Metal Halide of high-pressure sodium lamps should be used in all areas deemed as security risks. Low wattage incandescent or compact fluorescent lamps should be used in all other portions of the campus.

(4) Fixture Types: All outdoor lighting shall use cut-off luminaries with the light source downcast and fully shielded with no light emitted above the horizontal plane so that light sources are not visible to surroundings.

(5) Accent Lighting: Architectural features may be illuminated by uplighting provided that the light is effectively contained by the structures, the lamps are low intensity used only to provide subtle lighting effects and no glare or light trespass is produced.

(6) Security Lighting: Security lighting should be activated with motion sensors to the extent feasible.

4.1-4 Project structures shall utilize non-reflective glass to avoid glare intruding onto adjacent residential properties.

Project Applicant and Construction Contractor
 Review and Approval of Building Plans
 1. LA County Department of Regional Planning
 2. LA County Department of Regional Planning
 3. Prior to issuance of Building Permits

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	Enforcement Agency Monitoring Agency Monitoring Phase	Status
<p>4.2 TRANSPORTATION AND ACCESS 4.2-1 Canwood Street and Chesebro Road at Driver Avenue and Palo Comado Canyon Road - This unsignalized intersection currently meets the County's warrant for traffic signal installation, indicating that a traffic signal is necessary at this location to accommodate existing traffic volumes. Therefore, the project should contribute its fair share toward installation of a signal. However, the intersection is under the jurisdiction of the City of Agoura Hills. Should the City of Agoura Hills determine that a traffic signal is unacceptable, the following alternative "non-signalized" improvement is recommended:</p>	Project Applicant and Construction Contractor	Payment of Fair Share Amount to City of Agoura Hills with Funding Verification to LA County Departments of Regional Planning and Public Works Review and Approve annual enrollment reports Field Verification	1. LACDPW 2. LACDPW 3. Prior to issuance of Building Permits	

- Improve the eastbound and westbound approaches of this intersection (Driver Avenue, and Palo Comado Canyon Road, respectively) to install an exclusive left-turn lane, in addition to a shared through/right-turn lane, in both directions. Some minor roadway widening on both approaches within the existing rights-of-way will be required in order to implement this improvement. The intersection will remain four-way stop sign controlled.
- To monitor the timing of implementation, the applicant shall prepare annual enrollment reports for submittal to the Los Angeles County Department of Public Works. This mitigation measure shall be implemented before enrollment reaches 660 private school students and 20% of the total preschool enrollment.

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	Enforcement Agency	Status
			1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase	

4.2 TRANSPORTATION AND ACCESS (cont'd)

4.2-2 Palo Comado Canyon Road at US 101 Westbound Ramps - Two alternative improvements are proposed for this location. Either of these recommended improvements could mitigate project impacts but only the roundabout is authorized under CUP 98-062 to be implemented prior to initial occupancy of the school, and will provide appropriate traffic control for the intersection, and will accommodate the new project's Canwood Street access location as part of an expanded intersection configuration.

Project Applicant and Construction Contractor

Review and Approve Project Study Report for intersection improvements

1. LACDPW, Caltrans
2. LACDPW, Caltrans
3. Prior to issuance of Grading Permits

(a) Roundabout - Reconstruct the intersection, including all approaches, to install a new traffic roundabout, more commonly known as a "traffic circle." As proposed, the recommended roundabout design would include an approximately 45- to 50-foot radius inner circle, with a single travel lane around the circle. The roundabout would control all approaches to this intersection, including both the northbound and southbound Palo Comado Canyon Road approaches, the westbound US 101 on/off ramps, and the Canwood Street approach. It is possible that some or all of these approaches would be "flared" to provide two storage lanes, and the minor approach from Canwood Street may also be "yield" sign controlled. In consultation with the City of Agoura Hills, the final design of the roundabout shall be reviewed and approved by Caltrans and the County Department of Public Works, and may require rights-of-way in excess of that currently available.

Mitigation Measures/Conditions of Approval		Party Responsible for Implementing Mitigation	Monitoring Action	Enforcement Agency	Status
				1. Monitoring Agency	
				2. Monitoring Agency	
				3. Monitoring Phase	
4.2	TRANSPORTATION AND ACCESS (cont'd)				
4.2-3	<p><u>Chesebro Road and US 101 Eastbound Ramps at Dorothy Drive</u> - This unsignalized intersection currently meets the County's warrant for traffic signal installation, indicating that a traffic signal is necessary at this location to accommodate existing traffic volumes. Therefore, the project should contribute its fair share toward installation of a signal. However, if a traffic signal is found to unacceptable, the following alternative "non-signalized" improvement is recommended:</p> <ul style="list-style-type: none"> • Re-stripe the northbound approach of this intersection to provide one shared left-turn/through lane, and one shared through/right-turn lane. Re-stripe the US 101 on ramp to provide two receiving lanes. The right lane of the on ramp should be striped as a "drop lane," which merges with the left lane. • To monitor the timing of implementation, the applicant shall prepare annual enrollment reports for submittal to the Los Angeles County Department of Public Works. This mitigation measure shall be implemented before enrollment reaches 80% of the proposed total (approximately 531 of the 660 private school students). 	Project Applicant and Contractor	<p>Payment of Fair Share Amount to City of Agoura Hills with Funding Verification to LA County Departments of Regional Planning and Public Works</p> <p>Review and Approve annual enrollment reports</p> <p>Field Verification</p>	<ol style="list-style-type: none"> 1. LACDPW, Caltrans 2. LACDPW, Caltrans 3. Prior to enrollment reaching 531 students 	
4.2-4	<p><u>Palo Comado Canyon Road Improvements</u> - Prior to initial occupancy of the school, Palo Comado Canyon Road shall be improved along the west side to complete a 32-foot half roadway from Canwood Street/Chesebro Road to the westbound US 101 on ramp.</p>	Project Applicant and Contractor	<p>Field Verification</p> <p>Encroachment Permit from City of Agoura Hills</p>	<ol style="list-style-type: none"> 1. LACDPW 2. LACDPW 3. Prior to issuance of Building Permits 	

Mitigation Monitoring Program

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	Enforcement Agency Monitoring Agency Monitoring Phase	Status
<p>4.2 4.2-5 TRANSPORTATION AND ACCESS (cont'd) At the time a fee district for roadway improvements is established within the North Area Plan, the project applicant shall contribute a "fair share" amount, as determined by the fee structure established for the district, to fund widening of the Chesebro Road overpass and reconfiguration of the Kanan Road interchange consistent with the proposed circulation improvements identified in the Santa Monica Mountains North Area Plan.</p>	<p>Project Applicant</p>	<p>Payment of Fair Share Amount with Funding Verification to LA County Department of Regional Planning</p>	<p>1. LACDPW 2. LACDPW 3. At time of fee district establishment</p>	

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	Enforcement Agency	Status
<p>4.2 4.2-6 TRANSPORTATION AND ACCESS (cont'd) Canwood Street and Chesebro Road at Driver Avenue and Palo Comado Canyon Road – In addition to Mitigation Measure 4.2-1, re-stripe the eastbound approach of this intersection (Driver Avenue) to install an exclusive left-turn lane, in addition to a shared through/right-turn lane, and restripe the southbound approach of the intersection (Chesebro Road) to provide an exclusive left-turn lane plus a shared through/right-turn lane. Some minor roadway widening within the existing right-of-way will be required in order to implement this improvement.</p>	Project Applicant	Payment of Fair Share Amount to City of Agoura Hills with Funding Verification to LA County Department of Regional Planning and Public Works Field Verification	<ol style="list-style-type: none"> 1. LACDPW 2. LACDPW 3. Prior to issuance of Building Permits 	

However, if the traffic signal is not acceptable, the following "non-signalized" improvement is recommended:

- In addition to the installation of the eastbound left-turn lane to address project specific mitigation, further improve the eastbound approach of this intersection (Driver Avenue) to install an additional through lane, for a final approach configuration of one exclusive left-turn lane, one through lane, and one shared through/right-turn lane. It is likely that additional rights-of-way will be needed in order to accommodate the roadway widening necessary to implement this cumulative improvement, and the project shall pay its fair share toward the cost of acquiring any necessary rights-of-way. The intersection would retain the existing four-way, stop-sign control.

Mitigation Measures/Conditions of Approval		Party Responsible for Implementing Mitigation	Monitoring Action	Enforcement Agency Monitoring Agency	Status
4.2 4.2-7	<p>TRANSPORTATION AND ACCESS (cont'd)</p> <p><u>Palo Comado Canyon Road at US 101 Westbound Ramps</u> - No additional improvements are necessary under the "roundabout" alternative improvement at this location, as the proposed measure will be adequate to reduce cumulative impacts at this intersection to less than significant levels. However, if the traffic signal improvement alternative is implemented, an additional through lane should be installed for both the northbound and southbound approaches, in addition to a new northbound left-turn lane. The cumulative improvement will result in a final intersection configuration of one left-turn lane, one through lane, and one shared through/right-turn lane for northbound traffic, and one left-turn lane, two through lanes, and one right-turn lane for the southbound approach. This ultimate improvement would require the existing two-lane bridge crossing the US 101 to be widened to its full width. The project is required to contribute its fair share funding toward this improvement.</p>	Project Applicant and Contractor	Payment of Fair Share Amount to City of Agoura Hills with Funding Verification to LA County Departments of Regional Planning and Public Works Field Verification	<ol style="list-style-type: none"> 1. LACDPW 2. LACDPW 3. Prior to issuance of Building Permits if traffic signal alternative is implemented. 	
4.2-8	<p><u>Chesebro Road and US 101 Eastbound Ramps at Dorothy Drive</u> - No additional improvements beyond the recommended project-specific improvement measure are necessary to address cumulative impacts whether the traffic signal or "non-signalized" improvement is selected.</p>	See MM 4.2-3	See MM 4.2-3	See MM 4.2-3	

Mitigation Measures/Conditions of Approval		Party Responsible for Implementing Mitigation	Monitoring Action	Enforcement Agency	Status
4.2	TRANSPORTATION AND ACCESS (cont'd)				
4.2-9	Chesebro Road and Palo Comado Canyon Road at Chesebro Road - Install a traffic signal at this location, which is forecast to meet warrants under future 2010 ambient growth conditions. If a traffic signal is not acceptable, re-stripe the intersection to provide one left-turn lane and one right-turn lane for the eastbound (Chesebro Road) approach. Re-stripe northbound Palo Comado Canyon Road to add an exclusive left-turn lane in addition to a single through lane. Re-stripe the westbound direction of Chesebro Road west of Palo Comado Canyon Road to provide two "receiving" lanes (one each for the new northbound left-turn lane and for the existing southbound right-turn lane from Palo Comado Canyon Road.	Project Applicant and Contractor	Payment of Fair Share Amount to City of Agoura Hills with Funding Verification to LA County Departments of Regional Planning and Public Works Field Verification	<ol style="list-style-type: none"> 1. LACDPW 2. LACDPW 3. Prior to issuance of Building Permits 	
4.2-10	Chesebro Road and Laura La Plante Drive at Agoura Road - Install a traffic signal at this location, which is forecast to meet warrants under future 2010 ambient growth conditions. If a traffic signal is not acceptable, re-stripe this intersection to provide a left-turn only lane and one shared through/right-turn only lane for the eastbound approach, one shared left-turn/through lane plus a right-turn lane on the westbound approach, and one left-turn lane and one shared through/right-turn lane for the southbound approach.	Project Applicant and Contractor	Payment of Fair Share Amount to City of Agoura Hills with Funding Verification to LA County Department of Regional Planning and Public Works Field Verification	<ol style="list-style-type: none"> 1. LACDPW 2. LACDPW 3. Prior to issuance of Building Permits 	
4.3	NOISE				
4.3-1	All construction activity occurring on the project site shall adhere to the requirements of the County of Los Angeles Construction Equipment Noise Standards, County of Los Angeles Ordinance No. 11743, Section 12.08.440 as identified in Table 4.3-3 of the Draft EIR.	Project Applicant and Contractor	Field Verification	<ol style="list-style-type: none"> 1. LACDPW, Building and Safety Division 2. LACDPW, Building and Safety Division 3. During Grading and Construction 	
4.3-2	All construction equipment, fixed or mobile, shall be in proper operating condition and fitted with factory standard silencing features, including the muffling and shielding of intakes and exhausts.	Project Applicant and Contractor	Field Verification	<ol style="list-style-type: none"> 1. LACDPW, Building and Safety Division 2. LACDPW, Building and Safety Division 3. During Grading and Construction 	

Mitigation Monitoring Program

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	Enforcement Agency Monitoring Agency Monitoring Phase	Status
<p>4.3 NOISE (cont'd)</p> <p>4.3-3 All construction truck traffic shall avoid residential areas and other sensitive receptors.</p>	Project Applicant and Contractor	Field Verification	<ol style="list-style-type: none"> LACDPW, Building and Safety Division LACDPW, Building and Safety Division During Grading and Construction 	
4.3-4 Construction equipment shall be turned off when not in direct use.	Project Applicant and Contractor	Field Verification	<ol style="list-style-type: none"> LACDPW, Building and Safety Division LACDPW, Building and Safety Division During Grading and Construction 	
4.3-5 Sound blankets shall be used on all construction equipment for which use of sound blankets is technically feasible.	Project Applicant and Contractor	Field Verification	<ol style="list-style-type: none"> LACDPW, Building and Safety Division LACDPW, Building and Safety Division During Grading and Construction 	
4.3-6 Portable acoustical barriers shall be placed along the back property boundary of the adjacent residential uses during grading activity associated with Phase I and II of campus construction.	Project Applicant and Contractor	Field Verification	<ol style="list-style-type: none"> LACDPW, Building and Safety Division LACDPW, Building and Safety Division During Grading and Construction 	
4.3-7 All stationary and point sources of noise (e.g., bells amplified sound, etc.) occurring on the project site shall adhere to the requirements of the County of Los Angeles Ordinance No. 11743, Section 12.08.390 as identified in Table 4.3-2 of the Draft EIR, County of Los Angeles Exterior Noise Standards for Stationary and Point Noise Sources.	Applicant	Field Verification	<ol style="list-style-type: none"> LA County Department of Health Services LA County Department of Building and Safety During Life of Project 	
4.3-8 No amplified sound shall be generated between the hours of 8:00 P.M. and 8:00 A.M. All school bells shall be oriented away from adjacent residential areas.	Applicant	Field Verification	<ol style="list-style-type: none"> LA County Department of Regional Planning LA County Department of Regional Planning During Life of Project 	

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	Enforcement Agency Monitoring Agency Monitoring Phase	Status
<p>4.5 BIOLOGICAL RESOURCES</p> <p>4.5-1 As a means of special-status species protection, prior to any grading/construction activities, pre-grading surveys for the mariposa lily and morning glory shall be conducted by a qualified botanist. Pre construction reports shall be provided to the County of Los Angeles Department of Regional Planning. The loss of any such species would be mitigated through on-site enhancement as articulated below under MM 4.5-6.</p>	Applicant (Project Biologist)	Review of Pre Grading/Construction Survey Findings	<ol style="list-style-type: none"> 1. LA County Department of Regional Planning 2. LA County Department of Regional Planning 3. Prior to and during Grading and Construction activity 	
<p>4.5-2 Prior to any grading/construction activities, the County shall install temporary fencing where site grading occurs adjacent to natural habitat to the north. Fencing shall be maintained and monitored by the applicant for the duration of the grading/construction period. Monthly reports shall be provided to the County of Los Angeles Department of Regional Planning.</p>	Applicant (Project Biologist)	Field Verification And Review of Monthly Status Reports	<ol style="list-style-type: none"> 1. LA County Department of Regional Planning 2. LA County Department of Regional Planning 3. Prior to and during Grading and Construction activity 	
<p>4.5-3 No earlier than 20 days prior to any grading activity that would occur during the breeding season, pre-construction/grading survey of the entire area proposed for grading/construction activities for any special-status bird species shall be conducted by a qualified biologist. If nests of special-status or other protected migratory bird species are observed, construction within 100 feet shall be postponed or halted at the discretion of the biological monitor, until the nest site is vacated and juveniles have fledged, as determined by the biologist. Implementation of this measure would ensure that no loss of active nests of either species will occur and, therefore, will reduce impacts on nesting birds to a less than significant level. Pre construction reports shall be provided to the County of Los Angeles Department of Regional Planning.</p>	Applicant (Project Biologist)	Review of Pre-Construction Survey Results And Field Verification	<ol style="list-style-type: none"> 1. LA County Department of Regional Planning 2. LA County Department of Regional Planning 3. Prior to and during Grading and Construction activity 	

Mitigation Monitoring Program

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	Enforcement Agency Monitoring Agency Monitoring Phase	Status
<p>4.5 BIOLOGICAL RESOURCES (cont'd)</p> <p>4.5-4 Bird nests, which are state and federally protected, will not be disturbed during and following construction activities. The nesting/breeding season of native bird species potentially nesting on the site is typically February through August. In order to determine if active nests of bird species protected by the Migratory Bird Treaty Act and/or the California Fish and Game Code are present in the construction zone or within 300 feet (500 feet for raptors) of the construction zone, the applicant shall have weekly field surveys conducted by a qualified biologist between 45 to 20 days (only) prior to construction activities. If active nests are found, a minimum 300-foot (this distance may be greater depending on the bird species and construction activity, as determined by the biologist) fence barrier shall be erected around the nest site and clearing and construction within the fenced area shall be postponed or halted, at the discretion of the biological monitor, until the nest is vacated and juveniles have fledged, as determined by the biologist, and there is no evidence of a second attempt at nesting. The biologist shall serve as a construction monitor during those periods when construction activities will occur near active nest areas to ensure that no inadvertent impacts on these nests will occur. In addition, fuel modification activities, including vegetation removal and pruning, will not be conducted during the nesting season (February through August).</p>	Applicant (Project Biologist)	Review of Pre-Construction Survey Results And Field Verification	<ol style="list-style-type: none"> 1. LA County Department of Regional Planning, CDFG 2. LA County Department of Regional Planning, California Department of Fish and Game 3. Prior to and during Grading and Construction activity 	
<p>4.5-5 Construction personnel shall be instructed on the sensitivity of the area. The project applicant or qualified biologist will record the results of the recommended protective measures described in order to document compliance.</p>	Applicant (Project Biologist)	Review of Instructional Material on Protection Measures	<ol style="list-style-type: none"> 1. LA County Department of Regional Planning 2. LA County Department of Regional Planning 3. Prior to and during Grading and Construction activity 	

Mitigation Measures/Conditions of Approval		Party Responsible for Implementing Mitigation	Monitoring Action	Enforcement Agency	Status
4.5	BIOLOGICAL RESOURCES (cont'd)				
4.5-6	A revegetation and maintenance plan shall be developed prior to the issuance of a grading permit by a qualified habitat restoration specialist acceptable to the Director of Planning, to be retained by the applicant, that describes the specific actions, tasks, and methodologies to address the revegetation, enhancement, and maintenance of revegetated or restored habitat areas. The plan would specify, at a minimum, the following: (1) the location of revegetation and enhancement areas; (2) the quantity and species of plants to be planted as well as those to be removed; (3) planting procedures, including the use of soil preparation and irrigation; (4) a schedule and action plan to maintain and monitor the plantings for a minimum five-year period; and (5) a list of criteria (e.g., growth, native plant cover, survivorship) by which to measure success of the plantings, as well as contingency measures if the plantings are not successful. This plan shall be approved by the County LA County Department of Regional Planning, National Park Service, and other appropriate resource agencies. At a minimum, the plan will provide for the following replacement ratios and monitoring requirements:	Applicant (Project Biologist)	Review and Approve Revegetation and Maintenance Plan	<ol style="list-style-type: none"> 1. LA County Department of Regional Planning, National Park Service, California Department of Fish and Game 2. LA County Department of Regional Planning, National Park Service, California Department of Fish and Game 3. Prior to Issuance of Grading Permits 	

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	Enforcement Agency	Monitoring Agency	Monitoring Phase	Status
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4.5 BIOLOGICAL RESOURCES (cont'd)

4.5-6 (cont'd)

- The direct loss of needlegrass grassland community shall be replaced at a 2:1 ratio by revegetating land that currently supports California annual grassland vegetation. The mitigation area will be located on site or at an alternative site approved by the CDFG and the Department of Regional Planning (LA County Department of Regional Planning). Because of the disturbed nature of the on-site California annual grassland community and because it does not support Rare, Threatened, or Endangered species, the replacement of portions of this non-native grassland community with a native grassland community will not result in additional significant impacts.

- The direct loss of purple sage-California sagebrush vegetation shall be replaced at a 1:1 ratio by enhancing remaining on-site disturbed or degraded vegetation.

- CDFG, the County of Los Angeles and the selected biological monitor shall approve a monitoring plan. At a minimum, the plan shall include quarterly monitoring by a qualified biologist for the first three years, and on an annual basis for two following years. During each monitoring visit, hand removal of non-native vegetation will be conducted. Approved success criteria shall be based on an overall percentage of vegetation cover and percentage of non-native plant species consistent with on-site high-quality purple sage-California sagebrush habitat.

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	Enforcement Agency	Monitoring Agency	Monitoring Phase	Status
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4.5 BIOLOGICAL RESOURCES (cont'd)

4.5-7 The following measures will be required in order to comply with local, state, and federal regulations regarding impacts to ACOE, CDFG, NRCS, and RWQCB jurisdictional areas:

(a) If determined practicable following review of the project plans by the Los Angeles County Fire Department, fuel modification zones shall not be closer than 75 feet to existing jurisdictional drainages.

(b) Permitting as required by ACOE and RWQCB shall be executed pursuant to Section 404 of the federal Clean Water Act, for all impacts to "waters of the U.S." All conditions of the permits and certifications from these agencies that are designed to minimize impacts to biological resources and all measures to mitigate for the loss of jurisdictional habitats shall be implemented. Prior to permitting, representatives of the ACOE must conduct a field verification, and subsequent certification, of the biological conditions, functions, (i.e., intermittent or ephemeral water flow) and extent of jurisdictional resources on the site.

(c) If necessary, a Streambed Alteration Agreement shall be executed with CDFG under provisions of Section 1603 of the California Fish and Game Code. All conditions of that agreement designed to minimize impacts to biological resources and all measures to mitigate for the loss of jurisdictional habitats shall be implemented.

Project Applicant	Review and Approve Fire/Vegetation Management Plan And Review ACOE and CDGF Permits And Field Verification	1. Army Corps of Engineers, California Department of Fish and Game, and Regional Water Quality Control Board 2. LA County Department of Regional Planning 3. Prior to Issuance of Grading Permits			
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Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	Enforcement Agency Monitoring Agency Monitoring Phase	Status
<p>4.5 BIOLOGICAL RESOURCES (cont'd)</p> <p>4.5-8 In order to protect the native plant communities that are located within the natural open space areas of the site, the plants listed in Table 4.5-5 in the Draft EIR will not be planted. In addition, the landscaped areas and the fuel modification zone shall utilize locally indigenous plants to the greatest extent feasible. The landscaping plans for the project shall be reviewed by a qualified botanist and LA County Department of Regional Planning for approval prior to grading permit who shall recommend appropriate provisions to prevent other invasive plant species from colonizing remaining natural areas.</p>	Applicant (Project Biologist)	Review Landscaping Plans	<ol style="list-style-type: none"> 1. LA County Department of Regional Planning 2. LA County Department of Regional Planning 3. Prior to Issuance of Grading Permits 	
<p>4.5-9 The applicant will obtain a County-approved biological monitor to coordinate and periodically monitor construction activity to ensure that incidental construction impacts on biological resources are avoided or minimized. The monitor will be given authorization to stop specific construction activities if violations of mitigation measures or any local, state, or federal laws are suspected.</p> <p>Responsibilities of the monitor include:</p> <ul style="list-style-type: none"> • Review/stake the construction limits in the field with the contractor and the County inspector in accordance with the final approved grading plan. The limits shall clearly delineate the location of Catalina mariposa lilies, California black walnuts, Valley oak tree, jurisdictional drainages, and the preserved natural open space areas on site. 	Project Applicant	Field Verification	<ol style="list-style-type: none"> 1. LA County Department of Regional Planning 2. LA County Department of Regional Planning 3. Prior to and during Grading and Construction activity 	

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	Enforcement Agency	Monitoring Agency	Monitoring Phase	Status
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4.5 BIOLOGICAL RESOURCES (cont'd)

4.5-9 (cont'd)

- Prepare an instruction sheet for all equipment operators who will work on the site. The instruction sheet shall include information that will be stated in the CDFG Streambed Alteration Agreement, including, but not limited to, nesting bird information, protection of the preserved jurisdictional areas from litter, contaminants, and debris. Each operator will be required to sign an acknowledgment that they are aware of these conditions and that their violation of such conditions may result in their termination of work on the site and financial responsibility for correction of damage.

- The biological inspector shall conduct meetings with the contractor and other key construction personnel to describe the importance of restricting work to within the grading limit and outside of the preserved areas and to emphasize the sensitivity of nesting birds. The inspector should also discuss staging/storage areas for construction equipment and materials. The biological inspector shall investigate all on-site storage areas to minimize impacts to biological resources. Construction access, parking, storage of equipment and materials shall not occur within 25 feet of the dripline of any California black walnut or Valley oak trees.

Mitigation Measures/Conditions of Approval		Party Responsible for Implementing Mitigation	Monitoring Action	Enforcement Agency Monitoring Agency Monitoring Phase	Status
4.5	BIOLOGICAL RESOURCES (cont'd) The construction contractor will ensure that temporary chain-link fencing is installed at the limit of grading near sensitive resources identified by the biological monitor. The fencing will remain in place until grading and excavation work is complete, and will be removed under the direction of the biological inspector. Prior to fence installation, the fencing contractor will be instructed to avoid driving on or immediately adjacent to sensitive biological resources, including remaining trees, remaining jurisdictional resources, and remaining natural habitats.	Project Applicant and Contractor	Field Verification	1. LA County Department of Regional Planning 2. LA County Department of Regional Planning 3. Prior to and during Grading and Construction activity	
4.5-11	Where necessary, erosion control measures shall be constructed on the slopes below grading areas to prevent erosion and deposition of materials into areas with remaining California black walnut or Valley oak trees during grading and construction activities. These erosion control measures will also prevent silts from entering drainages.	Project Applicant and Contractor	Review of Stormwater Pollution Prevention Plan	1. LA County Department of Regional Planning 2. LA County Department of Regional Planning 3. Prior to and during Grading and Construction Activity	
4.6	GEOTECHNICAL HAZARDS				
4.6-1	The project design and construction shall incorporate and implement all of the recommendations in the Gorian geotechnical investigation dated May 1999, and all geotechnical recommendations developed as part of more detailed project design.	Applicant (Geotechnical Engineer, Engineering Geologist)	Grading Plan Check and Field Verification	1. LACDPW, Geology/ Soils Section, and Building and Safety 2. LACDPW, Geology/ Soils Section 3. Prior to Approval of Final Grading Plans	
4.6-2	All aspects of grading, including site preparation, grading, and fill placement, shall be per the County of Los Angeles Building Code.	Applicant (Geotechnical Engineer)	Grading Plan Check and Field Verification	1. LACDPW, Geology/ Soils Section 2. LACDPW, Geology/ Soils Section 3. Prior to Approval of Grading Permits and Verify During Grading	

Mitigation Monitoring Program

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	Enforcement Agency	Status
4.6			1. LACDPW, Geology/ Soils, Building and Safety Division 2. LACDPW, Geology/ Soils, Building and Safety Division 3. Prior to Issuance of Grading Permits and Verify During Grading	
4.6-3	Cut slopes may be constructed at a maximum gradient of 2:1. All cut slopes or backcuts for retaining walls must be observed by the project geotechnical consultant to verify absence of adverse geologic conditions. Where topsoil is present at the top of a cut slope, the top of the slope shall be "laid back" or rounded.	Applicant (Geotechnical Engineer)	Grading Plan check and Field Verification	
4.6-4	Fill slopes may be constructed at a maximum gradient of 2:1. Fill slopes shall be keyed and benched into firm in-place soil or bedrock. Fill slope keyways shall be a minimum of 15 feet wide and cut to a minimum depth of 2 feet at the toe into competent in-place materials. The keyway shall be tilted into the slope and shall be at least 3 feet deep at the heel (measured from below the slope toe elevation). The keyway shall be observed by the project geotechnical consultant prior to placing any fill.	Applicant (Geotechnical Engineer)	Grading Plan Check and Field Verification	
4.6-5	All slopes will require maintenance to reduce the risk of erosion and degradation with time due to natural or man-made conditions. Future performance of the slopes will depend on the control of the burrowing animals and maintenance of the brow ditches, drainage structures, and the slope vegetation as discussed below.	Applicant (Landscape Contractor)	Field Verification	
4.6-6	All graded or exposed natural slopes shall be maintained with dense, deep rooting (minimum 2 feet deep), drought resistant ground cover and shrubs or trees. A reliable irrigation system shall be installed on the slopes where necessary, adjusted so over watering does not occur, and periodically checked for leakage. Care shall be taken to maintain a uniform, near optimum moisture content in the slopes, and to avoid over drying, or excess irrigation. Excess watering of slopes shall be avoided to reduce the risk of erosion and surficial failures. Slopes shall not be watered before forecasted rain.	Applicant (Landscape Contractor)	Field Verification	

Mitigation Measures/Conditions of Approval		Party Responsible for Implementing Mitigation	Monitoring Action	Enforcement Agency	Status
4.6	GEOTECHNICAL HAZARDS (cont'd)			<ol style="list-style-type: none"> 1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase 	
4.6-7	All drainage structures shall be kept in good condition and clean the entire length to the outlet. Final grading of the site shall provide positive drainage away from slopes, and water shall not be allowed to pond or gather in a slope area. Burrowing animals, particularly ground squirrels, can destroy slopes; therefore, where present, immediate measures shall be taken to evict them.	Applicant (Geotechnical Engineer)	Grading Plan check and Field Verification	<ol style="list-style-type: none"> 1. LACDPW, Geology/ Soils, Building and Safety Division 2. LACDPW, Geology/ Soils, Building and Safety Division 3. During life of project 	
4.6-8	On-site materials obtained from excavations may be used as fill soils. Fill soils shall be free of all deleterious materials including trash, debris, organic matter, and rocks larger than 6 inches. Fill soils shall be placed in thin uniform lifts not exceeding 10 inches of uncompacted thickness, brought to 2% over the optimum moisture content, and compacted to a minimum of 90% relative compaction. The need for import fill is not anticipated. However, if needed, sources of import fill shall be approved by the project geotechnical consultant prior to transport of materials to the site.	Applicant (Geotechnical Engineer)	Field Verification	<ol style="list-style-type: none"> 1. LACDPW, Geology/ Soils, Building and Safety Division 2. LACDPW, Geology/ Soils, Building and Safety Division 3. Prior to and During Grading and Construction Activity 	
4.6-9	Remedial grading in the form of removals and recompaction is recommended to prepare all building pad areas and those locations where cut slopes are required near a landslide. Within areas of settlement sensitive structures and 5 feet beyond, removal operations must remove any highly compressible upper native soils. Where fill thickness varies significantly or a transition condition exists under a structure, additional removals as recommended in the Gorian geotechnical investigation shall be performed to reduce the potential for differential movement.	Applicant (Geotechnical Engineer)	Grading Plan check and Field Verification	<ol style="list-style-type: none"> 1. LACDPW, Geology/ Soils, Building and Safety Division 2. LACDPW, Geology/ Soils, Building and Safety Division 3. Prior to and During Grading and Construction Activity 	
4.6-10	Structures built as part of the project shall be designed in accordance with the seismic design factors in the latest version of the Uniform Building Code.	Project Applicant and Construction Contractor	Building Plan Check and Field Verification	<ol style="list-style-type: none"> 1. LACDPW, Building and Safety Division 2. LACDPW, Building and Safety Division 3. Prior to issuance of Building Permits 	

Mitigation Measures/Conditions of Approval		Party Responsible for Implementing Mitigation	Monitoring Action	1. Enforcement Agency	2. Monitoring Agency	3. Monitoring Phase	Status
4.6	GEOTECHNICAL HAZARDS (cont'd)						
4.6-11	Expansion tests shall be performed at the finish grade materials at the conclusion of grading for each building pad area.	Project Applicant and Contractor	Grading Plan check and Field Verification	1. LACDPW, Geology/ Soils, Building and Safety Division 2. LACDPW, Geology/ Soils, Building and Safety Division 3. Prior to Issuance of Grading Permits and Verify During Grading			
4.6-12	Positive drainage shall be consistently provided and maintained away from all structures. Drainage shall not be changed creating an adverse drainage condition.	Project Applicant and Contractor	Building Plan Check and Field Verification	1. LACDPW, Building and Safety Division 2. LACDPW, Building and Safety Division 3. During life of project			
4.6-13	Landscape watering shall be held to a minimum. Sprinkler systems shall be maintained and plumbing leaks shall be immediately repaired so the subgrade soils underlying or adjacent to the structures do not become saturated. Trees shall be spaced so that roots will not extend under foundations or slabs.	Project Applicant and Contractor	Building Plan Check and Field Verification	1. LACDPW, Building and Safety Division 2. LACDPW, Building and Safety Division 3. During life of project			
4.6-14	Water shall not be allowed to pond or accumulate around the pool decking allowing water migration into the subgrade. All pool hardware fittings shall be adequately water tight, and caulking shall be maintained between hardscape joints, and the interfaces between the hardscape and the adjoining house.	Project Applicant and Contractor	Building Plan Check and Field Verification	1. LACDPW, Building and Safety Division 2. LACDPW, Building and Safety Division 3. During life of project			
4.6-15	Information regarding the care and maintenance of improvements located on expansive soils shall be passed on to future owners of the property.	Project Applicant		1. LACDPW, Building and Safety Division 2. LACDPW, Building and Safety Division 3. During life of project			

Mitigation Monitoring Program

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	Enforcement Agency Monitoring Agency Monitoring Phase	Status
<p>4.7 FIRE SERVICES AND HAZARDS</p> <p>4.7-1 Concurrent with the issuance of building permits, the applicant shall pay the Los Angeles County Fire Department Developer Fee in effect at that time based on actual building area.</p>	Project Applicant	Submit Receipt to LA County DRP Verifying Fee Payment	<ol style="list-style-type: none"> 1. LA County Department of Regional Planning, LA County Fire Department 2. LA County Department of Regional Planning, 3. Prior to Issuance of Building Permits 	
<p>4.7-2 The site plan for the proposed project shall provide sufficient capacity for fire flows of 5,000 gallons per minute at 20 pounds per square inch residual pressure for a five-hour duration for educational units and uses with a floor plan in excess of 35,000 square feet, or such other fire flow required by the County fire department.</p>	Project Applicant	Verification of Required Fire Flows	<ol style="list-style-type: none"> 1. LA County Fire Department, LACDPW 2. LACDPW 3. Prior to Issuance of Occupancy Permits 	
<p>4.7-3 Prior to framing, access, hydrants, and water supply shall be provided to comply with Section 902 of the Fire Code, which requires all weather access.</p>	Project Applicant	Field Verification	<ol style="list-style-type: none"> 1. LA County Fire Department, LACDPW 2. LA County Fire Department, LACDPW 3. Prior to Issuance of Building Permits 	
<p>4.7-4 Vehicular access must be provided and maintained serviceable to all required fire hydrants throughout construction.</p>	Project Applicant	Field Verification	<ol style="list-style-type: none"> 1. LA County Fire Department, LACDPW 2. LA County Fire Department, LACDPW 3. Prior to Issuance of Building Permits 	
<p>4.7-5 Prior to issuance of occupancy permits, the development shall comply with County Building and Safety Code and Fire Code requirements associated with the provision of adequate site vehicular access (County Fire Code 10.207), and fire prevention and suppression.</p>	Project Applicant	Receipts of Wildfire Fuel Modification Plan and Field Verification	<ol style="list-style-type: none"> 1. LA County Fire Department, LACDPW 2. LA County Fire Department, LACDPW 3. Prior to Issuance of Occupancy Permits 	

Mitigation Monitoring Program

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	Enforcement Agency Monitoring Agency Monitoring Phase	Status
<p>4.7 FIRE SERVICES AND HAZARDS (cont'd)</p> <p>4.7-6 Prior to Issuance of Building Permits, the project shall satisfy all conditions of approval for vehicular and fire department access.</p>	Project Applicant	Field Verification	<ol style="list-style-type: none"> 1. LA County Fire Department, LACDPW 2. LA County Fire Department, LACDPW 3. Prior to Issuance of Building Permits 	
<p>4.7-7 The applicant shall install fire department approved street signs and building numbers prior to issuance of occupancy permits.</p>	Project Applicant	Field Verification	<ol style="list-style-type: none"> 1. LA County Fire Department, LACDPW 2. LA County Fire Department, LACDPW 3. Prior to Issuance of Occupancy Permits 	
<p>4.7-8 The Fire/Vegetation Management Plan prepared for the project shall be reviewed and approved by the fire department Prior to Issuance of Building Permits.</p>	Project Applicant	Review Fire/Vegetation Management Plan	<ol style="list-style-type: none"> 1. LA County Fire Department, LACDPW 2. LA County Fire Department, LACDPW 3. Prior to Issuance of Building Permits 	

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	Status
<p>4.8 AIR QUALITY 4.8-1 Develop and implement a construction management plan, as approved by the County, which includes the following measures recommended by the South Coast Air Quality Management District (SCAQMD), or equivalently effective measures approved by the SCAQMD:</p> <ul style="list-style-type: none"> a. Configure construction parking to minimize traffic interference. b. Provide temporary traffic controls during all phases of construction activities to maintain traffic flow (e.g., flag person). c. Schedule construction activities that affect traffic flow on the arterial system to off-peak hours to the degree practicable. d. Re-route construction trucks away from congested streets. e. Consolidate truck deliveries when possible. f. Provide dedicated turn lanes for movement of construction trucks and equipment on and off site. g. Maintain equipment and vehicle engines in good condition and in proper tune as per manufacturers' specifications and per SCAQMD rules, to minimize exhaust emissions. h. Suspend use of all construction equipment operations during second stage smog alerts. Contact the SCAQMD at 800/242-4022 for daily forecasts. i. Use electricity from power poles rather than temporary diesel- or gasoline-powered generators. 	Project Applicant	Plan Check	<ul style="list-style-type: none"> 1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase <ul style="list-style-type: none"> 1. LA County Department of Regional Planning 2. LA County Department of Regional Planning 3. During Grading and Construction

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	Enforcement Agency Monitoring Agency Monitoring Phase	Status
<p>4.8 AIR QUALITY (cont'd)</p> <p>4.8-1 j. Use methanol- or natural gas-powered mobile equipment and pile drivers instead of diesel if readily available at competitive prices.</p> <p>k. Use propane- or butane-powered on-site mobile equipment instead of gasoline if readily available at competitive prices.</p>				
<p>4.8-2 Develop and implement a dust control plan, as approved by the County, which includes the following measures recommended by the SCAQMD, or equivalently effective measures approved by the SCAQMD:</p> <p>a. Apply approved non-toxic chemical soil stabilizers according to manufacturers' specification or other measures agreed to by the City to all inactive construction areas (previously graded areas inactive for four days or more).</p> <p>b. Replace ground cover in disturbed areas as quickly as possible.</p> <p>c. Enclose, cover, water twice daily, or apply approved soil binders to exposed piles (i.e., gravel, sand, dirt) according to manufacturers' specifications.</p> <p>d. Water active grading sites at least twice daily.</p> <p>e. Suspend all excavating and grading operations when wind speeds (as instantaneous gusts) exceed 25 miles per hour.</p> <p>f. Provide temporary wind fencing consisting of 3- to 5-foot barriers with 50% or less porosity along the perimeter of sites that have been cleared or are being graded, if necessary.</p>	Project Applicant and Contractor	Review and Approval of Fugitive Dust Control Plan and Field Inspection	1. AQMD 2. AQMD 3. Prior to Issuance of Grading Permit	

Mitigation Monitoring Program

Mitigation Measures/Conditions of Approval	Party Responsible for Implementing Mitigation	Monitoring Action	Enforcement Agency	Monitoring Agency	Monitoring Phase	Status
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4.8 4.8-2 (cont'd)	AIR QUALITY (cont'd) g. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least 2 feet of freeboard (i.e., minimum vertical distance between top of the load and the top of the trailer), in accordance with Section 23114 of the California Vehicle Code.					
	h. Sweep streets at the end of the day if visible soil material is carried over to adjacent roads (recommend water sweepers using reclaimed water if readily available).					
	i. Install wheel washers where vehicles enter and exit unpaved roads onto paved roads, or wash off trucks and any equipment leaving the site each trip.					
	j. Apply water three times daily or chemical soil stabilizers according to manufacturers' specifications to all unpaved parking or staging areas or unpaved road surfaces.					
	k. Enforce traffic speed limits of 15 miles per hour or less on all unpaved roads.					
	l. Pave construction roads when the specific roadway path would be utilized for 120 days or more.					
4.8-3	Painting contractors shall utilize low VOC content paints and solvents. The following SCAQMD website lists manufacturers who supply interior and exterior low or zero VOC paints: http://www.aqmd.gov/business/brochures/zerovoc.htm .	Project Applicant			1. AQMD 2. AQMD 3. Prior to Issuance of Building Permits	

Mitigation Measures/Conditions of Approval		Party Responsible for Implementing Mitigation	Monitoring Action	Enforcement Agency		
HYDROLOGY AND WATER QUALITY				1. Enforcement Agency	2. Monitoring Agency	3. Monitoring Phase
4.9-1	Final drainage plans shall be prepared to ensure that no significant flooding would occur during or after site development. These plans shall be prepared to the satisfaction of the City of the Los Angeles County Department of Public Works.	Project Applicant	Approval of Drainage Plans and Field Verification	1. LACDPW, LACDFCD 2. LACDPW, LACDFCD 3. Prior to Issuance of Grading Permit		
4.9-2	Final grading plans shall be prepared to ensure that no significant erosion or sedimentation would occur during or after site development. These plans shall be prepared to the satisfaction of the Los Angeles County Department of Public Works.	Project Applicant	Review and Approval of Final Grading Plans and Field Verification	1. LACDPW, LACDFCD 2. LACDPW, LACDFCD 3. Prior to Issuance of Grading Permit		
4.9-3	The applicant shall satisfy all applicable requirements of the NPDES program in effect at the time of project construction to the satisfaction of the Los Angeles County Department of Public Works. These requirements include preparation of a Standard Urban Storm Water Mitigation Plan containing structural treatment and source control measures appropriate and applicable to the project.	Project Applicant	Review and Approval of Standard Urban Storm Water Mitigation Plan and Field Verification	1. LACDPW, LACDFCD 2. LACDPW, LACDFCD 3. Prior to Issuance of Grading Permit and During Life of Project		

STAFF ANALYSIS

PROJECT NUMBER

98-062-(3)

CASE NUMBER

Conditional Use Permit Case No. 98-062-(3)

OVERVIEW OF PROPOSED PROJECT

The applicant is requesting authorization to construct, operate and maintain a private religious elementary and middle school (pre-kindergarten through ninth grade) for up to 750 students. The subject property is located northeasterly of Palo Comado Canyon Road and east of Cheseboro Road in Agoura. A total of nine, one- and two-story buildings are proposed, totaling approximately 164,850 square feet of floor space. The buildings include an elementary school building, a middle school building, multipurpose room, auditorium, and a sanctuary. A preschool building is also included with its own drop-off and parking area. The proposal also includes paved playground areas and an athletic field. The project is proposed to be constructed in five (5) phases within a seven (7) to ten (10) year time period.

The school presently operates out of leased space located at 27400 Canwood Street, Agoura, approximately one mile east of the project site and currently has an enrollment of 210 students and 36 staff. It is anticipated that the existing students and staff would transfer to the new site upon completion.

Grading will be required to establish the building pads and to create the access road. Most of the grading activity will occur within the interior of the project site, while preserving the major ridgeline and steep slopes found on the property. Project site grading will require the movement of approximately 235,315 cubic yards of earth; grading would be balanced on site.

Per the applicant, they are proposing to construct a "state of the art" private, educational institution to accommodate the growing demand for a Jewish educational, cultural, and recreational facility. The applicant chose the subject property for the school location in order to site the facility in the demographic center of the existing school population and the center of the Jewish population in order to minimize travel times and maximize access to the facility. The applicant intends to promote learning by providing a quiet educational experience and promoting school security by locating the school on a secluded site with controlled access.

The subject property falls within the Santa Monica Mountains North Area Plan and the Santa Monica Mountains North Area Community Standards District (CSD). Prior to the adoption of the North Area Plan the subject property was zoned C-2 and R-1-30,000; with the adoption of the North Area Plan the zoning on the subject property was changed to A-1-5 (Light Agriculture, five acre minimum required area). A conditional use permit is required to establish a school in the A-1-5 zone.

DESCRIPTION OF SUBJECT PROPERTY

Location

The subject property is located northeasterly of Palo Comado Canyon Road and east of Cheseboro Road, Agoura, and in the Malibu Zoned District. The property is located just north of the Ventura Freeway (101) and adjacent the eastern boundary of the City of Agoura Hills. A driveway will provide access to the site from Canwood Street, in the southwest corner of the proposed development

Physical Features

The subject property is an approximate 73-acre irregular shaped parcel. The structures would occupy a 13-acre portion of the property; with the remainder of the site remaining as play fields, natural open space and landscaped areas. The property is level to sloping. The structures are proposed in a canyon that is formed by ridgelines to the north, east and south. Section 3.0 of the DEIR further describes the environmental setting of the subject property.

ENTITLEMENT REQUESTED

The applicant is requesting a Conditional Use Permit to authorize the construction, operation and maintenance of a private preschool, elementary and middle school for up to 750 students.

EXISTING ZONING

Subject Property

Zoning on the subject property is A-1-5 (Light Agriculture, five acre minimum required area). The property was previously split zoned, C-2 (Neighborhood Business) and R-1-30,000 (Single-Family Residential, 30,000 square foot minimum lot size). With the zoning consistency program implemented pursuant to the adoption of the Santa Monica Mountains North Area Plan in October of 2000, the zoning on the subject property was changed to A-1-5.

Surrounding Properties

Surrounding zoning consists of O-S (Open Space) to the north and east, and the City of Agoura Hills to the west and south.

EXISTING LAND USES

Subject Property

The subject property is currently vacant and in an undeveloped natural condition, with the exception of several dirt access roads.

Surrounding Properties

Surrounding land uses consist of the Santa Monica Mountains National Recreation Area and single-family residences to the north, the Ventura Freeway, commercial uses and vacant land to the south, vacant land to the east, single-family residences, commercial uses and vacant land to the west.

PREVIOUS CASES/ZONING HISTORY

Although there has been a number of applications, there are no previous approved zoning permit cases noted on the subject property. Plot Plan No. 45816 was approved on the subject property in 1998 and in February of 2002. The Plot Plan was a request to develop a school on the portion of the subject property that was previously zoned R-1-30,000. This use was never established.

SANTA MONICA MOUNTAINS NORTH AREA PLAN

The subject property is classified as N5 (Mountain Lands 5) within the Santa Monica Mountains North Area Plan. This classification allows a maximum residential density of one dwelling unit per 5 acres. Lands designated Mountain Lands within the Santa Monica Mountains North Area Plan consist of those rolling hillside areas, steep slopes, and isolated remote mountain lands with difficult or no access. Mountainous Lands also include areas served by winding mountain roads that cannot accommodate substantial increases in traffic from new development. Permitted uses include low density single family housing, agriculture, equestrian uses, retreats, monasteries, private campgrounds, bed-and-breakfast lodging, low intensity conference centers, public and private schools, water tanks, telecommunications facilities and other local serving commercial and public facilities. Clustering of uses may be beneficial in helping to reduce disturbances to the topographic, vegetative and biological settings. The proposed private school can be found consistent with the Mountain Lands 5 land use classification.

Pages 3.0-11 through 3.0-24 of the DEIR further analyses the project proposal in relation to the Santa Monica Mountains North Area Plan.

SANTA MONICA MOUNTAINS NORTH AREA COMMUNITY STANDARDS DISTRICT

The subject property falls within the Santa Monica Mountains North Area Community Standards District. The Santa Monica Mountains North Area CSD was established to implement the goals and policies of the Santa Monica Mountains North Area Plan in a manner that protects the health, safety, and welfare of the community, especially the surrounding natural environment. The CSD provides the following Community-Wide Development Standards.

- Pursuant to Section 22.44.133.D.2. of the County Code, exterior lighting shall be low intensity, directional and/or screened to prevent glare or direct off-site illumination. Street lighting shall be permitted only where required by the department of public works or Caltrans for public safety.

The applicant has not prepared a lighting plan for this proposal. The Department of Public Works is not requiring street lighting at this time. If the Commission approves this request, the applicant will be required to submit a lighting plan to the Department of Regional Planning that depicts the lighting placement, orientation and design in order to meet the intent of this criteria.

- Pursuant to Section 22.44.133.D.3. of the County Code, outdoor advertising signs shall be prohibited.
The applicant is not proposing any outdoor advertising signs on the subject property.
- Pursuant to Section 22.44.133.D.5. of the County Code, a conditional use permit shall be required for all schools otherwise permitted in the basic zone, through grade 12, accredited, including appurtenant facilities, which offer instruction required to be taught in the public schools by the Education Code of the State of California, in which no pupil is physically restrained, but excluding trade or commercial schools.
The zoning on the subject property, A-1-5, requires a conditional use permit be obtained to operate a school in this zone.

SITE PLAN

General Description

The applicant's site plan, marked Exhibit "A" page 1 of 4, depicts the subject property developed with the proposed school. A sanctuary is depicted in the center of the subject property; the middle school buildings are placed to the south of the sanctuary, the elementary school buildings are located north of the sanctuary. A multipurpose room/cafeteria, an auditorium, kindergarten units and a preschool are also depicted. 223 on-site parking spaces have been provided. An athletic field with stadium, paved playground area, a pool, and a gymnasium are depicted at the east end of the subject property. Access to the site is via Palo Comado Canyon Road to the west.

The applicant's elevations, marked Exhibit "A" page 2 of 4, depict the multipurpose room, school entrance, auditorium, elementary school, administration building, kindergarten building, preschool, and the middle school/library. The building exteriors utilize a combination of wood siding and plaster. The roof material is shown as concrete (shake) tile. The elevations depict a variety of window shapes and sizes and a variety of roof pitches and heights. Building heights range from 24'0" above finished grade to 42'7" above grade.

The applicant's floor plans, marked Exhibit "A" pages 3 of 4 and 4 of 4, depict the first and second floors of all the proposed structures.

Compliance with Applicable Zoning Standards

The proposed private school shall comply with the following required development standards of the A-1 zone pursuant to Section 22.24.110 of the County Code as follows:

- Pursuant to Section 22.24.110.A. of the County Code, the subject property shall be subject to the yard requirements as follows: 1) each lot or parcel of land shall have a front yard of not less than 20 feet in depth, 2) each lot or parcel of land shall have interior side yards of not less than five feet, and 3) each lot or parcel of land shall have a rear yard of not less than 15 feet in depth.

The proposed preschool is the closed structure to the front property line; it is set back approximately 313 feet. Side yard setbacks are depicted at approximately 380 feet on the north side and approximately 580 feet on the south side. The site plan depicts a rear yard setback of approximately 660 feet. The applicant's site plan is in compliance with the setback standards of the A-1 zone.

- Pursuant to Section 22.52.1200.A. of the County Code, every building used in whole or in part for an elementary school having no grade above the sixth, shall have, within 500 feet thereof, one automobile space for each classroom.
The applicant's site plan depicts the preschool building separated from the other uses on the site, this building will require parking spaces within 500 feet. The applicant's plans depict nine (9) classrooms within the building, requiring nine (9) parking spaces. The applicant's site plan depicts a parking lot adjacent the building with ten (10) parking spaces directly in front of the building. The applicant's site plan is in compliance with this parking requirement.
- Pursuant to Section 22.52.1200.B. of the County Code, every other building used as a school auditorium of a school in which any pupil is in a grade higher than the sixth shall have, within 500 feet thereof, one automobile parking space for each five persons, based on the occupancy load of the largest auditorium or room used for public assembly, as determined by the county engineer.
The applicant has indicated the largest assembly area will be the proposed 8,000 square foot sanctuary. Although the applicant has calculated the parking and provided 214 parking spaces (in addition to the 9 required for the preschool building), the applicant has not provided the occupancy load as determined by the county engineer. If the Commission approves this request, the applicant will be required to provide the occupant load and adjust the site plan accordingly, if required, prior to final approval of this request.

The above parking calculations are based on the parking requirements when the campus is completed and all five (5) phases have been constructed. Interim phases with differing parking layouts would need to be approved via a Revised Exhibit "A" that meets the requirements of that phase and all preceding phases.

- Pursuant to Section 22.52.1060.E. of the County Code, at least two percent of the gross area of the parking lot shall be landscaped.
The applicant has not provided a landscaping plan or landscaping table. If the Commission approves this request, the applicant will be required to provide a landscaping table with a minimum of two percent of the parking lots landscaped.
- Pursuant to Section 22.52.860.A. of the County Code, in zone A-1, one business sign, not to exceed 12 square feet in sign area, shall be permitted per lot or parcel of land.

The applicant has not provided any sign plans or elevations for any proposed signs. If the Commission approves this request, the applicant will be requested to submit sign plans and elevations for approval, with sign area not exceeding 12 square feet unless the Commission approves additional signage through the conditional use permit.

BURDEN OF PROOF

Burden of Proof per Code for Conditional Use Permits

Pursuant to Los Angeles County Code Section 22.56.040 the applicant must meet the burden of proof requirements for Conditional Use Permits.

1. That the requested use at the location proposed will not:
 - A. Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, or
 - B. Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or
 - C. Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.
2. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.
3. That the proposed site is adequately served:
 - A. By highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and
 - B. By other public or private service facilities as are required.

Applicant's Burden of Proof Responses

See Attached

ENVIRONMENTAL DOCUMENTATION

A Draft Environmental Impact Report (DEIR) was prepared for the proposed project. After the mandatory 45-day public review period and a comment period for County departments, the DEIR concluded that potentially significant impacts from transportation and access, noise, human health, geotechnical hazards, fire services and hazards can be mitigated by the measures presented in the DEIR to a less than significant level.

However, the DEIR concluded that the impacts from the proposed project would combine with the impacts of other on-going development activities to result in significantly unavoidable cumulative visual impacts to the area associated with increased light and glare and loss of open space. In addition, cumulative impacts to biological resources would remain significant since there are no known mitigation measures available to reduce the level of cumulative impact to insignificance.

A Statement of Overriding Considerations must be adopted in order to approve the proposed project. The applicant has provided a draft of the Statement of Overriding Considerations for this project, which has been included as an attachment to this document.

Compliance with the Mitigation Monitoring Program in Table ES-1 of the DEIR shall be required as a condition of approval for the subject conditional use permit.

Environmental findings are required in order to certify the Final EIR.

COUNTY DEPARTMENT COMMENTS

County of Los Angeles Department of Public Works

The Department of Public Works has provided comments dated August 13, 1998 regarding this request. Their recommendation is that the permit not be approved at this time and that a revised site plan is required showing the latest approved alignment of Palo Comado Canyon Road and Driver Avenue. The applicant has been working with the Department regarding this issue. The Department of Public Works has issued a letter dated July 8, 2002 in which they are waiving this requirement. These letters have been included as attachments to this document.

County of Los Angeles Fire Department

The Fire Department has provided comments dated August 20, 1998 that have been included as an attachment to this document.

OTHER AGENCY COMMENTS AND RECOMMENDATIONS

Staff received letters regarding the Notice of Preparation for the DEIR from the State of California Department of Transportation, Las Virgenes Municipal Water District, The Old Agoura Rangers, the City of Agoura Hills, Old Agoura Homeowners Association, United States Department of the Interior National Park Service, State of California Department of Fish and Game. These letters have been included in the DEIR.

Staff received letters regarding the DEIR from the City of Agoura Hills, the City of Calabasas, P & D Environmental, Resource Systems Engineering, the County of Los Angeles Fire Department, the California Department of Transportation, the Department of the Army, the County of Los Angeles Parks and Recreation Department, and Land Protection Partners. Staff also received a letter from Supervisor Yaroslavsky requesting the comment period for the Draft Environmental Impact Report remain open as long as the public hearing is kept open. This correspondence has been included with this transmittal.

PUBLIC COMMENTS

Staff has received ninety-two letters in support of this request at the time of this writing.

Staff has received thirty-six letters and a petition with twenty-seven signatures in opposition to this request at the time of this writing. The opposition letters are from local residents and the City of Calabasas who concerns include: the impacts on local traffic, noise and light coming from the proposed school, and the effect on the wildlife and vegetation in the area.

STAFF EVALUATION

Issues

Pursuant to Section 22.24.100 A. of the County Code, a school, through grade 12, accredited, including appurtenant facilities, which offer instruction required to be taught in the public schools by the Education Code of the state of California in which no pupil is physically restrained but excluding trade or commercial schools is permitted in the A-1 zone, provided a conditional use permit has first been obtained.

The proposed facility has been designed to accommodate a maximum of 750 students with a staff of 97. Of this total, 660 students would be enrolled in grades kindergarten through ninth, while 90 children would be enrolled in the preschool program.

The proposed hours of operation would generally be from 8:00 a.m. to 3:30 p.m. Monday through Friday. The school may implement a staggered arrival schedule with the middle school starting at 7:45 a.m., grades one through five starting at 8:15 a.m. and the preschool and kindergarten starting at 8:30 a.m. During the months of September through June, evening or weekend daytime special events may occur on a weekly basis, with an estimated attendance of 60 to 70 people in attendance. In addition, the school anticipates that the athletic field will be available for organized events during daytime hours; no nighttime field lighting is proposed. During summer months, when school is not in session, the campus may be used for special events such as day camp, fairs or festivals. In no case will special event attendance exceed the student population, with the possible exception of annual graduation ceremonies.

Children would not be bussed to the campus and would typically arrive by private automobile. The drop-off and pick-up of students would occur within the interior of the campus.

The applicant anticipates the attendance will increase gradually over time; therefore, the applicant intends to construct the school in phases. The initial phase involves development of a six (6) acre school within the development footprint of the proposed project. The initial phase, or interim school, would consist of modular administrative and elementary school buildings. Phase I student capacity is anticipated to be 450 to 500 students.

The middle school and library would be constructed in Phase II of the project. Phase II would bring enrollment to the maximum of 750 students. The cafeteria/multipurpose facility would be constructed in Phase III. The auditorium would be constructed in Phase IV. The sanctuary and gymnasium would be constructed in Phase V.

The size of the proposed structures are as follows: 1) a one-story 14,295 square foot auditorium, 2) a one-story 14,410 square foot cafeteria/multi-purpose room, 3) a two-story 16,320 square foot library/multi-media/administration building, 4) a two-story 35,730 square foot elementary classroom building, 5) a one-story 8,000 square foot sanctuary, 6) a two-story 26,095 square foot gymnasium with locker rooms, 7) a two-story 32,680 square foot middle school classroom building, 8) a two-story 11,470 square foot library/storage/teacher lounge, and 9) a one-story 7,450 square foot preschool.

The Bureau of Jewish Education of Greater Los Angeles and the California Association of Independent Schools accredit the current Heschel School location. In addition, the School is a member of the National Association of Independent Schools and the California Association of Independent Schools. Accreditation of the new location will be required as a condition of approval of this grant.

If approved, staff recommends a thirty (30) year term for the requested Conditional Use Permit. This is based on the need to reevaluate the compatibility of the project with the surrounding community. Staff also recommends that the project be inspected annually for compliance with the final conditions of approval.

FEES/DEPOSITS

If approved as recommended by staff, the following will apply:

Fish & Game:

1. An Environmental Impact Report was required. Therefore, an \$850 Fish and Game fee and a \$25 document handling fee must be paid. Total fees due: \$875.
The fees will be required prior to the final approval date of the permit.

Zoning Enforcement:

2. Cost recovery deposit of \$4,500.00 to cover the costs of the thirty (30) recommended annual zoning enforcement inspections. Additional funds would be required if violations are found on the property.

STAFF RECOMMENDATION

Prior to making a decision on this case, Staff recommends the Planning Commission consider the facts, analysis and correspondence contained in this report along with the oral testimony and/or written comments received during the public hearing.

Staff recommends the Commission also consider the following:

- Cumulative impacts to visual and biological resources would remain significant since there are no known mitigation measures available to reduce the level of cumulative impact to insignificance. A Statement of Overriding Considerations must be adopted in order to approve the proposed project.

Approval

If the Commission finds the applicant satisfies the conditional use permit burden of proof requirements for this request, and the basis for making a Statement of Overriding Considerations, than Staff recommends **Approval** of Conditional Use Permit No. 98-062-(3), subject to the attached draft conditions.

SUGGESTED APPROVAL MOTION

“I MOVE THE PUBLIC HEARING BE CLOSED AND THAT THE REGIONAL PLANNING COMMISSION INDICATE ITS INTENT TO APPROVE CONDITIONAL USE PERMIT CASE NO. 98-062-(3), AND INSTRUCT STAFF TO PREPARE THE FINAL ENVIRONMENTAL DOCUMENTATION AND FINDINGS AND CONDITIONS FOR APPROVAL.”

Report prepared by Karen Simmons, Senior Regional Planning Assistant
Reviewed by Frank Meneses, Supervising Regional Planner Zoning Permits Section I

Attachments:

Copy of Thomas Brothers Map
Burden of Proof Statement
Environmental Documentation (DEIR previously provided)
Draft Conditions
Draft Statement of Overriding Considerations
Correspondence
Site Plan, Elevations, Floor Plans
Land Use Map

FM:kms
12-11-02

March 20, 2003

TO: Harold V. Helsley, Chair
Leslie G. Bellamy, Vice-Chair
Wayne Rew, Commissioner
Pat Modugno, Commissioner
Esther L. Valadez, Commissioner

FROM: Russell J. Fricano, Ph.D., AICP
Zoning Permits Section I

**SUBJECT: MARCH 24, 2003 RPC MEETING
AGENDA ITEM NO. 6**

**CONDITIONAL USE PERMIT CASE NO. 98-062-(3)
HESCHEL WEST SCHOOL, AGOURA**

Conditional Use Permit No. 98-062-(3) is a request to authorize the construction, operation and maintenance of a private religious elementary and middle school (pre-kindergarten through ninth grade) for up to 750 students in the A-1-5 zone.

This case was originally scheduled to be heard before the Regional Planning Commission on December 18, 2003 but could not be heard as the site was not properly posted. Attached is the staff report that was issued prior to the December 18th hearing date. Also attached are comment letters received after the December 18th staff report was issued.

Attachments

RJF:KMS

May 1, 2003

TO: Harold V. Helsley, Chair
Leslie G. Bellamy, Vice-Chair
Wayne Rew, Commissioner
Pat Modugno, Commissioner
Esther L. Valadez, Commissioner

FROM: Russell J. Fricano, Ph.D., AICP
Zoning Permits Section I

**SUBJECT: MAY 7, 2003 RPC MEETING
AGENDA ITEM NO. 12**

**CONDITIONAL USE PERMIT CASE NO. 98-062-(3)
HESCHEL WEST SCHOOL, AGOURA**

Conditional Use Permit No. 98-062-(3) is a request to authorize the construction, operation and maintenance of a private religious elementary and middle school (pre-kindergarten through ninth grade) for up to 750 students in the A-1-5 zone.

This case was heard before the Regional Planning Commission on March 24, 2003. The public hearing was not closed and the Commission continued the hearing to May 7, 2003. Attached is the staff report which was issued prior to the March 24th public hearing. Also attached are comment letters received during or after the March 24th hearing. The applicant has also provided a booklet addressing some of the issues discussed by the opposition at the hearing.

Attachments

RJF:KMS

STAFF ANALYSIS

PROJECT NUMBER

98-062-(3)

CASE NUMBER

Conditional Use Permit Case No. 98-062-(3)

SUMMARY OF MAY 7, 2003 PUBLIC HEARING

A public hearing was held before the Regional Planning Commission on March 24, 2003 and continued to May 07, 2003. At the conclusion of the May 7, 2003 hearing, the Commission made recommendations and approved a motion to continue the hearing to September 10, 2003. The extent of the revisions to the project and Draft Environmental Impact Report was determined to require more preparation time than the September date would allow. The case was taken off the Commission's calendar on August 15, 2003.

The Commission's recommendations included reduction of total building area footprint and related grading by approximately 20% including a lowered overall building pad, increased open space, development of a carpooling plan which would provide 25-30% mandated carpooling, and provision of traffic mitigations coordinated with the County, Caltrans, and the City of Agoura Hills. Also requested was documentation of proposed open space dedication including a letter from the conservation agency willing to receive the offering, and depiction of at least 200-foot buffers from Conservancy lands in relation to the development footprint.

The Commission requested further definition of the phasing plan, including phases of grading and lengths of time between the construction of temporary modular campus and full build-out as depicted on a revised Exhibit "A". Renderings would be required depicting the appearance and scale of the temporary campus and where temporary structures are to be located. The DEIR was determined inadequate by the Commission, and the Commission requested further analysis of noise, traffic impacts, and visual impacts. A phasing timeline for traffic mitigations would also be required. Additionally, a natural disaster plan with greater definition was requested as part of the DEIR or other planning document processes. The necessity for further analysis of the Santa Monica Mountains North Area Plan as it interfaces with the project was emphasized by the Commission.

OVERVIEW OF PROPOSED PROJECT

The applicant is requesting authorization to construct, operate and maintain a private religious elementary and middle school (pre-kindergarten through eighth grade) for a maximum of 750 students and 97 staff. The subject property is located northeasterly of Palo Comado Canyon Road and east of Cheseboro Road in Agoura. A total of nine, one- and two-story buildings are proposed, totaling approximately 166,450 square feet of floor space. The buildings include auditorium/multi-purpose, cafeteria/multi-purpose, library/administration, elementary classrooms, middle school classrooms, sanctuary, gymnasium, library/storage/teacher lounge, and preschool. Three small parking lots and one large lot contain 223 parking spaces. The proposal also includes paved playground and court areas and an athletic field. The project is proposed to be constructed in six (6) phases within a 13-year time period.

Operating hours of the school will generally be from 8:00 a.m. to 3:30 p.m. with staggered arrival schedule between 7:30 and 8:30 a.m.

The school presently operates out of leased space located at 27400 Canwood Street, Agoura, approximately one mile east of the project site and currently has an enrollment of 187 students and 40 staff. It is anticipated that the existing students and staff would transfer to the new site upon completion.

Approximately 28 acres of the 73-acre site will be developed space for buildings (21 acres) and play fields, sports court and playground, walkways and landscaped areas (seven acres). The project preserves the remaining area as open space of approximately 45 acres. This includes the applicant's proposal to offer a 29-acre conservation easement as a permanently protected open space and wildlife corridor area.

Grading will be required to establish the building pads and to create access roads. Most of the grading activity will occur within the interior of the project site in the first phase of the project (approximately 73%), while preserving the major ridgeline and steep slopes found at the eastern side of the property. Project site grading will require the movement of approximately 173,000 cubic yards of earth; grading would be balanced on site.

The subject property falls within the Santa Monica Mountains North Area Plan and the Santa Monica Mountains North Area Community Standards District (CSD). Zoning on the subject property is A-1-5 (Light Agricultural-Five Acres Minimum Required Area). A conditional use permit is required to establish a school in the A-1-5 zone.

ENTITLEMENT REQUESTED

The applicant is requesting a Conditional Use Permit to authorize the construction, operation and maintenance of a private religious preschool, elementary and middle school for up to 750 students (pre-kindergarten through eighth grade) and 97 staff in the A-1-5 (Light Agricultural-Five Acres Minimum Required Area) zone.

EXISTING ZONING

Subject Property

Zoning on the subject property is A-1-5 (Light Agricultural-Five Acres Minimum Required Area). The property was previously split zoned, C-2 (Neighborhood Business) and R-1-30,000 (Single-Family Residence-30,000 Square Feet Minimum Lot Size). With the zoning consistency program implemented pursuant to the adoption of the Santa Monica Mountains North Area Plan in October of 2000, the zoning on the subject property was changed to A-1-5.

Surrounding Properties

Surrounding zoning consists of O-S (Open Space) to the north and east, U.S. Highway 101 right of way to the south, and the City of Agoura Hills RL-20,000 (Low Density Residential) and CRS-OA-FC (Retail Service Commercial-Open Area-Freeway Corridor) to the west.

EXISTING LAND USES

Subject Property

The subject property is currently vacant and in an undeveloped natural condition, with the exception of several dirt access roads and disturbed non-native grasslands in the primary development area.

Surrounding Properties

Surrounding land uses consist of the Santa Monica Mountains National Recreation Area and single-family residences to the north; the Ventura Freeway, commercial uses and vacant land to the south; vacant and Conservancy/State lands to the east; and single-family residences, commercial uses and vacant land to the west.

ENVIRONMENTAL DOCUMENTATION

A Draft Environmental Impact Report (DEIR) was prepared for the proposed project. After the mandatory 45-day public review period and a comment period for County departments, the DEIR concluded that potentially significant impacts from transportation and access, noise, human health, geotechnical hazards, fire services and hazards, air quality, and hydrology/water quality can be mitigated by the measures presented in the DEIR to a less than significant level.

However, the DEIR concluded that the impacts from the proposed project would combine with the impacts of other on-going development activities to result in significantly unavoidable cumulative visual impacts to the area associated with increased light and glare and loss of open space. In addition, cumulative impacts to biological resources would remain significant since there are no known mitigation measures available to reduce the level of cumulative impact to insignificance. A Statement of Overriding Considerations must be adopted in order to approve the proposed project.

Mitigation measures proposed include: landscape, lighting, and signage plans for mitigating visual impacts to the extent feasible; road, signal and access improvements to mitigate traffic impacts; construction and operation measures to reduce noise; construction measures to minimize construction impacts on biota; 15 geotechnical mitigation measures; Fire Department impact fees, fireflow requirements, and fire/vegetation management and evacuation plans approved for fire mitigation; construction mitigation measures for air quality; and measures to prevent flooding, erosion, and pollution impacts. Compliance with the Mitigation Monitoring Program as presented in draft form, Table ES-1, pages ES 5-24 of the DEIR, shall be required as a condition of approval for the subject conditional use permit. Environmental Findings and adoption of a Statement of Overriding Considerations are required in order to certify the Final EIR.

PROJECT CHANGES FROM PREVIOUS DRAFT ENVIRONMENTAL IMPACT REPORT

Previous public hearings were held in March and May of 2003. The original DEIR has been modified to incorporate the following project changes and additional alternative measures as indicated. Site plans have been modified accordingly as applicable.

Reduced Building Footprint

The visibility of the completed project is reduced, particularly from Cheseboro Road, by reducing the elevation of the building pads by an average of 5.5 feet and by reducing the size of the building envelope by approximately two acres, from 23 acres to 21 acres.

Increased Open Space Viewshed

Increased preservation and protection of internal ridgelines and increased open space viewshed is depicted in the eastern portion of the project site by lowering the main athletic field and reducing site grading requirements from 235,315 cubic yards to 173,000 cubic yards for a total reduction of 62,315 cubic yards (approximately 26% reduction).

Separate Phase I Site Plan

The layout of the first phase (mostly temporary structures) is revised to more readily integrate with later phases of school development. A separate Phase I site plan depicts revisions including grading for the fill slope to be completed at grade and depiction of single-story modular units.

Defined Phasing and Traffic Mitigation Timeline

Project revisions include an increase in the number of phases over a slightly longer time period: from five phases in 10 years to six phases in 13 years. Phase I will be completed within one year and the remaining phases are to be completed within 12 years of the completion of phase I.

Traffic Mitigation Measures

Traffic mitigation measures proposed regarding the westbound off and on ramps of U.S. Highway 101 and Palo Comado Canyon Road at Canwood Street, and provision of secondary emergency access, is proposed for completion prior to school occupancy during Phase I of the project.

Additional traffic mitigation measures are required to be met prior to the issuance of building permits for construction of Phase II.

A carpooling plan mandating at least 25% participation as an additional traffic mitigation measure has not been provided in the revised DEIR.

Phases I – VI Development Timeline

Phase I involves development of the temporary school within the development footprint of the completed project. The initial phase would consist of 12 modular school buildings with wood siding and perimeter skirting to be earth tone in color and to be fully landscaped with natural vegetation typical of the surrounding area. Two 1,500 square-foot portions of the multi-purpose building are proposed to provide permanent shelter-in-place. The majority of project grading, including the entire fill slope to be completed at grade for the building pad, would be done at this time. Permanent landscaping, installed along the westerly boundary of the campus, is to be constructed as a buffer. Phase I student capacity is anticipated to be 350 to 390 students and would be completed over a one-year period.

Phase II would bring enrollment to the maximum of 750 students. The second phase would include remaining finish grading mostly occurring along the eastern perimeter of the project to enable construction of elementary, administration, elementary school library, and teacher's resources room. Construction would commence within five years of the date of completion of Phase I.

Phase III would include construction of middle school buildings, middle school library and resource rooms, and would occur approximately eight years from the date Phase I is completed.

Phase IV involves construction of a nursery building and play yard. This phase would begin within approximately 10 years from the date Phase I is completed.

Phase V and VI would involve construction of the remaining portions of the permanent cafeteria/expanded multi-purpose room, auditorium, sanctuary, and gymnasium, and would be accomplished within 12 years of the completion of Phase I.

Wildlife Corridor / Conservation Easement Dedication

The integrity of Liberty Canyon wildlife movement corridor would be maintained by proposing to offer a 29-acre conservation easement as part of 45 acres of total open space preserved.

The applicant has not indicated to whom the conservation easement would be offered.

Emergency Access/Evacuation and Fire Fuel Modification

A secondary access driveway is included for Fire Department and other emergency use. An expanded Fire/Vegetation Management Plan and Evacuation Plan are to be provided to the Fire Department for review and approval as mitigation measures for the project.

Alternative Primary Access

Alternative primary access points at Palo Comado Canyon Road or Cheseboro Road are included in the DEIR for consideration.

Road Improvement Alternatives Increased

U.S. Highway 101, North Side

Expanded traffic and road improvement alternatives include a round-about intersection at Palo Comado Canyon Road / Canwood Street and U.S. 101 Freeway westbound off ramp and on ramp or a signaling approach as detailed in Section 4.2 of the DEIR. The analysis includes a supplemental analysis not previously included indicating measurements of impact with mitigation measures “in place” (Table 4.2-15, page 4.2-47 of the DEIR). Caltrans has provided a letter indicating its response to the proposal for construction of these improvements. Caltrans favors the round-about option.

Other Road and Signal Improvements

Permits from the City of Agoura Hills will be required for other traffic and road improvement measures proposed, as those measures are located within the City’s jurisdiction.

Air Quality Study Update

An updated air quality study using updated air quality standards is included in the DEIR.

Hydrology Plan Update

An updated hydrology plan and water quality analysis is present in the DEIR.

Project Alternatives Modified

Project alternatives were modified from four to five alternatives. The off-site alternative was taken out of the DEIR and a subdivision alternative and alternative means of access were added.

Additional Analysis of the Santa Monica Mountains North Area Plan

An expanded analysis of North Area Plan goals and policies are indicated on pages 3.0-11 through 3.0-32 in the revised DEIR.

SANTA MONICA MOUNTAINS NORTH AREA PLAN

The project is consistent with the Santa Monica Mountains North Area Plan.

The subject property is classified as N5 (Mountain Lands 5) within the Santa Monica Mountains North Area Plan. Pages 3.0-11 through 3.0-32 of the DEIR provide further analyses of the project proposal in relation to the Santa Monica Mountains North Area Plan.

Page II-10 of the North Area Plan states the overall goal of the Plan as follows: “The overall goal of the North Area Plan is to maximize preservation of the area’s natural environment, recognize the opportunities and constraints that the land imposes, accommodate new uses that minimize impacts on the natural environment, and ensure that new development is compatible with and enhances the quality of existing communities, and provide for a wide range of public and private recreational opportunities.”

The project accomplishes the overall goal of the Plan by permanently preserving significant areas within the natural environment, limits impacts on the geographical setting of the project, accommodates a new use compatible with and enhancing the Conejo Valley community while providing private educational and recreational opportunities.

SANTA MONICA MOUNTAINS NORTH AREA COMMUNITY STANDARDS DISTRICT

The project complies with the applicable requirements of the Santa Monica Mountains North Area Community Standards District.

The subject property falls within the Santa Monica Mountains North Area Community Standards District. The North Area CSD was established to implement the goals and policies of the Santa Monica Mountains North Area Plan in a manner that protects the health, safety, and welfare of the community, especially the surrounding natural environment. No new development in the North Area Community Standards District, not previously discussed in previous staff reports, is proposed in the applicant's request.

Effective December 7, 2005, the Los Angeles County Board of Supervisors adopted the Grading and Ridgeline Ordinance effective January 6, 2005. The project proposes an access driveway which traverses one of the newly adopted ridgelines. The ridgeline ordinance requirements of Section 22.44.133.D.5 of the Los Angeles County Zoning Code do not apply to this project as the project filing was complete prior to adoption of the ordinance.

Exemption from the Grading and Ridgeline Ordinance applies according to Section 22.44.133.G.1.a of the County Code: "The provisions of subsections D.4.b, D.4.c, D.4.d, and D.5 shall not apply to a new development project where, as of the effective date of the ordinance adding those subsections, any of the following has occurred related to such project: A complete application has been submitted for any subdivision, permit, variance or site plan review."

The application for the subject request was complete prior to adoption of the Ordinance.

COMPLIANCE WITH APPLICABLE ZONING STANDARDS

The proposed private school complies with the applicable development standards of the A-1 zone pursuant to Section 22.24.110 of the County Code as indicated in the previous staff report for the May 7, 2003 public hearing.

Minor changes in setbacks, building footprints, structures, and parking lots will be addressed at the building permit stage of development. In the event the project is approved, the applicant will be required to provide the following items prior to issuance of building and grading permits:

Landscape plan

A landscape plan and table, including 2% of each parking lot landscaped according to the requirements of Section 22.52.1060.E.2 of the Los Angeles County Zoning Code;

Signage Plan

A signage plan and elevations including requirements not to exceed 12 square feet in area for any one sign and in compliance with Section 22.52 Part 10 of the County Code;

Lighting plan

A lighting plan in compliance with Section 22.52.1060.F of the County Code and in accordance with the conditions of approval and all applicable lighted signage requirements of Section 22.52 Part 10 of the County Code; and

Evacuation Plan

A comprehensive evacuation plan to be reviewed and approved by the County Fire Department and a copy supplied to the Department of Regional Planning.

CITY OF AGOURA: OLD AGOURA OVERLAY DISTRICT DEVELOPMENT STANDARDS

While not subject to the City of Agoura development standards, the project has been designed to be consistent with the intent of the Old Agoura Overlay District development standards as indicated on page 3.0-34 of the DEIR.

PROPOSED OPERATION

The Bureau of Jewish Education of Greater Los Angeles and the California Association of Independent Schools accredit the current Heschel School location. In addition, the School is a member of the National Association of Independent Schools and the California Association of Independent Schools. Accreditation of the new location will be required as a condition of approval of this grant. The applicant is proposing to construct a “state of the art” private educational institution to accommodate the growing demand for a Jewish educational, cultural, and recreational facility. The applicant chose the subject property for the school location in order to site the facility in the demographic center of the existing and projected school population in order to minimize travel times and maximize access to the facility. The applicant intends to promote learning by providing a quiet educational experience and promoting school security by locating the school on a secluded and spacious site with controlled access.

During the months of September through June, daytime events would not exceed the maximum school population. Evening special events may occur on an occasional basis, with an estimated evening attendance generally less than 150 persons at campus buildout. Periodic evening events, defined as attracting more than 150 persons, will be limited to 24 occurrences per calendar year with those evening events planned for outdoors usually to occur during daylight hours.

Up to four special events per calendar year, such as graduation or Sukkot family picnic, would be scheduled on weekends and in no case exceed a maximum of 1,500 persons per event. In addition, the school anticipates that the athletic field will be available for organized events during daytime hours; no nighttime field lighting is proposed.

BURDEN OF PROOF

Burden of Proof per Code for Conditional Use Permits

Pursuant to Los Angeles County Code Section 22.56.040 the applicant must meet the burden of proof requirements for Conditional Use Permits.

1. That the requested use at the location proposed will not:
 - A. Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, or
 - B. Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or
 - C. Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.
2. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.
3. That the proposed site is adequately served:
 - A. By highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and
 - B. By other public or private service facilities as are required.

Applicant's Burden of Proof Responses

See Attached

COUNTY DEPARTMENT COMMENTS

County of Los Angeles Department of Public Works

The Department of Public Works has provided comments and conditions in letters dated May 19, 2005, April 6, 2005 and July 8, 2002 regarding this request.

Public Works recommended that all project-related improvements listed in the May 19, 2005 letter shall be completed prior to initial occupancy of the school, and the requirements of the April 6, 2005 letter with the exception of the U.S. 101 intersection mentioned below, shall be completed prior to issuance of building permits for Phase II development. The intersection of Palo Comado Canyon Road / Canwood Street at U.S. 101 Freeway westbound ramps is required to be completed prior to occupancy of the school.

In its letter dated July 8, 2002, the Department of Public Works agreed to waive the requirement for dedication of right of way extensions proposed for Driver Avenue and Palo Comado Canyon Road. The Department determined these extensions are no longer necessary.

County of Los Angeles Fire Department

The Fire Department has provided comments and conditions in a letter dated January 21, 2005 delineating requirements for developer fees, access, fire flow, and fuel modification.

OTHER AGENCY COMMENTS AND RECOMMENDATIONS

The California Department of Transportation (Caltrans) provided comments in a letter dated May 18, 2005 pertaining to traffic mitigation measures proposed for the U.S. 101 Freeway westbound off and on ramps at Palo Comado Canyon Road / Canwood Street intersection and included its preference for the round-about traffic mitigation measure. Caltrans also commented on the Cheseboro Road and U.S. 101 Freeway eastbound ramps at Dorothy Drive. Widening of the Cheseboro Road overpass was addressed. These improvements and increased Mainline Freeway pro-rata use due to the project would require fair-share payment by the applicant.

The City of Agoura Hills Planning Department provided a comment letter dated May 16, 2005. The City's analysis conducted by its Planning Department listed 52 general and specific comments pertaining to most sections of the revised Draft Environmental Impact Report. Utility hook-ups and right-of-way improvements located in the City of Agoura Hills would require City of Agoura Hills permits. The Attorney serving as City Attorney for the City of Agoura Hills provided a comment letter dated May 18, 2005. The attorney restated comments from a letter written for the previous public hearings which contended that the majority of comments made from former public hearings remained unanswered by the current revised DEIR. Additional new comments were also included in the attached letter. The comments included a request by the City to the applicant regarding consideration of a conservation easement or deed restriction pertaining to undesignated open space on the Westside of the site between the building footprint and residents.

The City of Calabasas in its letter dated May 5, 2005, the City of Westlake Village in its letter dated December 16, 2004, and the City of Hidden Hills in its letter dated March 8, 2005 indicated their support for the project (City of Hidden Hills and City of Westlake Village letters are included in the "Support Book" provided by the applicant).

The United States Department of Interior, National Park Service provided a letter dated May 17, 2005. The NPS did not take a position on the project. Comments included recommendations regarding impacts to wildlife, sensitive plant communities, and fuel modification areas.

LEGAL NOTIFICATION/COMMUNITY OUTREACH

Hearing notices were mailed to the applicant and to 93 neighbors within a 500-foot radius of the project site on March 31, 2005. Required case materials were mailed to the Westlake Village, Malibu, and Agoura Hills libraries on April 1, 2005. Newspaper advertisements were published in LA Opinion and The Daily News on April 2, 2005. According to the applicant, hearing notices were posted at the site on April 15, 2005.

PUBLIC COMMENTS

Staff has received 360 letters in support of this request at the time of this report. Those writing in support are members of the local community and from the surrounding vicinity including school-aged children, residents, business, education, other non-profit and government persons. The letters generally reflect the positive benefits expected from the project including quality education, environmental preservation and awareness, community service, cultural enrichment, and preparation for good citizenship and enterprise.

Staff has received 44 letters in opposition to this request at the time of this report. The opposition letters are from community members, business persons, and representatives of non-profit organizations with concerns including traffic impacts, destruction of landscape, safety regarding limited access and wildfires, prolonged construction phasing timeline and related disturbances, noise and air pollution, excessive density, inconsistency with North Area Plan, and ability of government agencies to enforce conditions and requirements. Included is a noise and air quality study provided by the opposition.

STAFF EVALUATION

Pursuant to Section 22.24.100.A of the Los Angeles County Zoning County Code, a school, through grade 12, accredited, including appurtenant facilities, which offer instruction required to be taught in the public schools by the Education Code of the State of California in which no pupil is physically restrained but excluding trade or commercial schools is permitted in the A-1 zone, provided a conditional use permit has first been obtained.

Issues

Development in the City of Calabasas to the east of the subject site, a palette of current and proposed developments within the City of Agoura Hills to the west and south of the project, and open space and wildlife movement corridors in between the two cities present a context conducive to both preservation and development.

The applicant proposes a project adjacent to a developing transportation corridor and an equestrian neighborhood. The project contributes to environmental preservation while maintaining sensitivity to the needs of the local neighborhood. The applicant seeks to provide high-quality educational services in a location central to the applicant's constituency within the Conejo Valley.

The request is consistent with the Santa Monica Mountains North Area Plan and complies with the Santa Monica Mountains North Area Community Standards District and A-1 Zone development standards.

The applicant addressed all but three recommendations summarized by the Regional Planning Commission at the conclusion of the May 7, 2003 public hearing. Staff recommends that certain issues be further addressed. The three items not addressed and included in the attached draft conditions of approval are:

- 1) Provision of a carpooling plan mandating a minimum of 25-30 percent participation;
- 2) Documentation of an appropriate conservation agency willing to receive the offering of a conservation easement and wildlife corridor dedication as stated in the DEIR; and
- 3) Coordination with the City of Agoura Hills regarding proposed traffic mitigations and other necessary permits.

In addition to the three items requested by the Commission, but not addressed, Staff recommends additional conditions of approval for the following items:

24 Evening Events

The proposal to allow up to 24 evening events per year with greater than 150 persons attending requires further definition. The draft conditions address the maximum allowable number of persons attending said events in consideration of parking, traffic, noise, and other potential neighborhood impacts related to the number attending. Additional conditions may be required to be met for conducting these events.

Four Major Events per Year

The proposal to allow up to four major events per year with a maximum attendance of 1,500 persons attending per event will require the applicant to obtain a temporary use permit from the Department of Regional Planning for evaluation of parking requirements, traffic impacts, and other significant neighborhood impacts pertaining to those events, and shall require specific conditions to be met for conducting these events.

Coordinate Staggering of School Hours

A condition of approval requires refined staggering of school hours to include consideration of Agoura High School operating hours to enable minimum traffic conflicts.

The City Attorney of the City of Agoura Hills requested an additional voluntary permanent land dedication regarding the proposed open space to the west of the project between residents and the school. The applicant offered to place a condition on the existing proposal prohibiting the future filing of a Revised Exhibit "A" during the life of the Conditional Use Permit, for the building of structures anywhere within the open space area northwest, west, and southwest of the building footprint as depicted on a final Exhibit "A".

If approved, staff recommends a thirty (30) year term for the requested Conditional Use Permit. This is based on the need to reevaluate the compatibility of the project with the surrounding community. Staff also recommends that the project be inspected annually for compliance with the final conditions of approval.

FEES/DEPOSITS

If approved as recommended by staff, the following will apply:

1. An Environmental Impact Report was required, therefore, a Fish and Game fee of \$850 and a \$25 document handling fee for the posting of a Notice of Determination must be paid for a total of \$875. The fees will be required within fifteen (15) days of the final approval date of the permit.
2. A cost recovery deposit of \$4,500 to cover the costs of the thirty (30) recommended annual zoning enforcement inspections. The payment will be required within thirty (30) days of the final approval date of the permit. Additional funds would be required if violations are found on the property requiring additional inspections at a cost of \$150 per inspection.
3. A Mitigation Monitoring Program deposit of \$3,000 will be required within thirty (30) days of the final approval date of the permit.

STAFF RECOMMENDATION

Prior to making a decision on this case, Staff recommends the Planning Commission consider the following:

- Consider all the facts, analysis and correspondence contained in this report along with hearing the oral testimony and reading the written comments received during the public hearing.
- Consider whether mitigation measures proposed are adequate.

Cumulative impacts to visual and biological resources would remain significant since there are no known mitigation measures available to reduce cumulative impacts to a level of insignificance. A Statement of Overriding Considerations must be adopted in order to approve the proposed project.

Approval

If the Commission finds the applicant satisfies the conditional use permit burden of proof requirements for this request and the basis for making a Statement of Overriding Considerations, then staff recommends **Approval** of Conditional Use Permit No. 98-062-(3), subject to the attached draft conditions.

SUGGESTED APPROVAL MOTION

“I MOVE THE PUBLIC HEARING BE CLOSED AND THAT THE REGIONAL PLANNING COMMISSION INDICATE ITS INTENT TO APPROVE CONDITIONAL USE PERMIT CASE NO. 98-062-(3), AND INSTRUCT STAFF TO PREPARE THE FINAL ENVIRONMENTAL DOCUMENTATION AND FINDINGS AND CONDITIONS FOR APPROVAL.”

Should the Commission decide to continue the public hearing, the following motion is recommended:

SUGGESTED CONTINUATION MOTION

“IN ORDER TO ADDRESS CONCERNS RAISED AT THIS HEARING, I MOVE THAT THE REGIONAL PLANNING COMMISSION HEARING BE CONTINUED TO JUNE 15, 2005 TO BE HELD IN THE REGIONAL PLANNING COMMISSION HEARING ROOM AT 320 WEST TEMPLE STREET IN DOWNTOWN LOS ANGELES AND FOR STAFF AND THE APPLICANT TO REPORT BACK ON ISSUES AS REQUESTED BY THE COMMISSION.”

Report prepared by Kim K. Szalay, MPL, Regional Planning Assistant II
Reviewed by Russell J. Fricano, PhD, AICP, Supervising Regional Planner, Zoning Permits I Section

Attachments:

Factual

Burden of Proof Statement

(Revised DEIR, Phase I Site Plan and Final Site plan Previously Provided)

Draft Summary of Project Impacts and Mitigation Measures for MMP

Draft Conditions and Agency Comments and Conditions

Correspondence

Land Use Map

Aerial with Development Context

RJF:KKS

5/19/05

PROJECT NUMBER

98-062-(3)

CASE NUMBER

Conditional Use Permit Case No. 98-062-(3)

ENTITLEMENT REQUESTED

The applicant is requesting a Conditional Use Permit to authorize the construction, operation and maintenance of a private religious preschool, elementary and middle school for up to 750 students (pre-kindergarten through eighth grade) and 97 staff in the A-1-5 (Light Agricultural-Five Acres Minimum Required Area) zone.

SUMMARY OF MAY 25, 2005 PUBLIC HEARING

A public hearing was held before the Regional Planning Commission on May 25, 2005. At the conclusion of the May 25, 2005 hearing, the Commission made recommendations and continued the hearing to June 15, 2005. Additional time for additional public testimony was required and certain pending issues remained to be addressed.

The Commission requested that further coordination with the City of Agoura Hills would be required of the applicant and the County regarding all traffic mitigation measures including the round-about option proposed for State Highway 101 westbound offramps at Palo Comado Canyon Road and Canwood Street intersection. Also requested was proof of ownership of a small western portion of the project area depicted on the vicinity map as part of the subject site or as an access easement. Clarification is required. The Commission also directed the applicant to provide a specific carpool drop off and pick up plan including traffic circulation patterns. Naming of the conservation agency receiving the proposed conservation easement was requested. The Commission requested the applicant consider staggering of school hours and provide greater clarification for the necessity of 24 evening events and four major events per year and how these events are to be managed.

Clarification of fencing requirements on the north and east side of the site was requested, including further consultation with the National Park Service and Santa Monica Mountains Conservancy regarding fencing materials proposed. Any fencing proposed should be as close to the project as possible and as far as possible from the nearby National Park and Conservation lands. The Commission suggested that staff make further inquiry with the applicant regarding the applicant's willingness to propose additional land dedications to the West of the proposed developed area.

The Commission asked the applicant and staff to further investigate the age of the Health Risk Assessment documentation pertaining to the nearby Calabasas Land Fill and potential regional water and air quality concerns.

The Commission requested the applicant provide greater detail regarding the financial feasibility of completing the project and providing specific assurances toward the phasing timeline of the project. Staff was directed to revisit the issue of whether or not the project proposed is truly in the spirit of the Santa Monica Mountains North Area Plan.

SUMMARY OF MAY 31, 2005 MEETING WITH THE CITY OF AGOURA HILLS

Attending the meeting were six City staff, five representatives of the applicant, two representatives from the Department of Public Works, Traffic and Lighting Division, and one representative from the Department of Regional Planning. The meeting focused on traffic analysis and mitigation measures located in the City of Agoura Hills as presented in the DEIR, by the applicant's traffic consultant, Crain and Associates, and as reviewed by County Traffic and Lighting staff.

After much discussion on the details of key intersections, city staff advised that the city preferred a primary access point located approximately mid-way on Palo Comado Canyon Road between Highway 101 westbound ramps and Chesebro Road including a re-alignment of east and west bound Canwood Street to make the intersection work well. The DEIR evaluated an option using this primary access point (Alternative No. 5), but it did not include the east and west bound Canwood Street re-alignment.

SUMMARY OF JUNE 8, 2005 CITY OF AGOURA HILLS CITY COUNCIL MEETING

The City of Agoura Hills held a meeting to complete proponent and opponent testimony and Council discussions regarding the project. The City Council stated its intent to issue a position statement regarding the proposal. A representative from the Department of Public Works, Traffic and Lighting and a representative of the Department of Regional Planning attended the meeting and met with the applicant's consultants after the Council deliberations. Fifteen minutes each were allowed for proponent and opponent testimony followed by a five minute proponent rebuttal/summary. After testimony was heard, each councilmember presented their position in some detail. Three motions were proposed to conclude the meeting. The City Council unanimously approved all three motions.

The first motion indicated the Council's intent to direct the City Manager to request the Regional Planning Commission continue the Public Hearing in order to resolve key issues with the City.

The second motion indicated the Council's intent to direct the City Manager to inform the Regional Planning Commission that the Council is opposed to the project as it is currently presented.

The third motion indicated the Council's intent to direct the City Manager to inform the Regional Planning Commission that the letter dated May 18, 2005 submitted by the City Attorney, and the letter dated May 16, 2005 submitted by the Director of Planning shall be endorsed by the City Council as representing the Council as signed by the Mayor. The letters from the City Attorney and Planning Director are attached for your reference.

RESPONSE TO REGIONAL PLANNING COMMISSION DIRECTIVES

At the conclusion of the May 25, 2005 public hearing, the Commission directed staff to work with the applicant and other agencies to address certain unresolved issues summarized above. Each issue is addressed as follows:

Coordination with the City of Agoura Hills

Staff attended both the May 31, 2005 technical meeting and the June 8, 2005 City Council meeting hosted by the City of Agoura Hills and summarized above. All parties have indicated that progress is being made and a dialogue has been adequately re-established between agencies and the applicant. More resolution is needed regarding traffic mitigation measures acceptable to the City.

The City expressed an unfavorable view of both the round-about and signaling options at the westbound ramps of Highway 101 at Palo Comado Canyon Road and Canwood Street intersection. In lieu of the Canwood Street access, the City expressed a favorable view toward an approximately mid-Palo Comado Canyon Road access with a re-alignment of east and west bound Canwood Street as depicted on the attached sketch by the applicant's traffic consultant. This option would require a Conditional Use Permit be filed by the applicant with the City for the necessary grading and other encroachments required. The re-alignment of east and west bound Canwood Street will require amendments to the traffic study. Staff recommends an adequate evaluation of the re-alignment by the applicant in coordination with the City traffic staff. County traffic staff is willing to participate in the process. It should be noted that the proposed Chesebro Road secondary access is the only access road to the property within County jurisdiction.

At the conclusion of the City Council meeting, each of the council members summarized their views toward the project. In addition to the traffic issues, emphasis was focused on the adequacy of the Draft Environmental Impact Report and the perceived lack of adequate County responses to City Planning staff and City Attorney comments provided in their respective comment letters. County staff has considered these comments and has determined that the DEIR is of sufficient detail to be determined adequate. Staff is also of the opinion that further dialogue with City staff is necessary to address City concerns addressed in the City comment letters and public forum. Furthermore, the mid-Palo Comado Canyon Road alternative access and Canwood Street re-alignment preferred by the City will require further analysis and documentation by all relevant parties.

Alternative Access Easement and Ownership Documentation

Documentation has not been provided by the applicant at the time of this report regarding the easement and ownership of parcels pertaining to the western alternative access at mid-Palo Comado Canyon Road. The applicant has indicated that the easement has been obtained from two owners of the two adjacent parcels. The applicant does not own either parcel.

Carpool Plan

The applicant provided a conceptual Transportation Demand Management Plan including carpooling per the enclosed attachment.

Naming of Conservation Agency for Land Dedication

At the time of this report the applicant has not provided documentation indicating the naming of a conservation agency pertaining to the applicant's conservation land offerings.

Staggering of School Hours

The applicant offered to coordinate the school hours with the hours of nearby Agoura Hills High School.

Four Major Events and 24 Evening Events

The applicant has not provided further detail explaining the necessity and logistics of 24 evening events and four major events other than that provided in the DEIR. Staff has proposed a condition requiring the applicant to obtain a Temporary Use Permit for any event requiring parking in excess of the 223 parking spaces depicted on the site plan.

North and East Development Fencing

At the time of this report, the applicant has not indicated fencing preferences by the National Park Service to the north or the Santa Monica Mountains Conservancy to the east.

Land Dedication Inquiry - Western Portion of Site

The applicant has indicated that the applicant is not intending to make further land dedications other than those already proposed to the east and northeast of the site. The applicant has expressed a desire to preserve the western buffer area as open space without additional land dedication instruments.

Calabasas Landfill - Status of Air and Water Quality Impacts

Calabasas landfill features subsurface "damming" of three local drainages, one of which, a tributary of Chesebro Creek, flows in the direction of the proposed school site. Only the extreme northwest corner of the school property contains Chesebro Creek and this is on the north side of Chesebro Road. No development is proposed in that location. There is no direct drainage connection between the landfill and the proposed school location which is buffered from the landfill by a ridgeline separating Liberty Canyon from Chesebro Creek.

The proposed school location is 0.75 miles from the landfill, about one and a half times greater than the distance that the existing Heschel school in the Lost Hills area of Calabasas is located from the landfill. The proposed location may be found to be an improvement over the existing site. A description of the landfill monitoring and confinement program for groundwater contamination is described in the DEIR on pages 4.4-4 to 4.4-6. The drainage to Chesebro Creek has a subsurface barrier system that is used to protect groundwater from contamination. Three barriers are located in the Chesebro Creek watershed.

On June 9, 2005, staff contacted Ethan Laden, Site Engineer for the Calabasas Landfill regarding current status of water and air quality monitoring and safety procedures.

Mr. Laden reported that the landfill is required to produce quarterly water quality reports for certain landfill testing locations, including the subject western portion nearest the proposed Heschel site. Any alarming indicators are reported to the responsible agency and acted upon by the operators of the landfill. Groundwater has been determined to not affect surface water in this area. Impacts of surface runoff from the landfill have impacted groundwater. None of the subject groundwater is used for human consumption.

As part of a Corrective Action plan initiated in 1998, new extraction systems including new wells and pumps have been installed in 2004 to continue treatment and elimination of water collecting within the existing system of barriers and liners.

Mr. Laden reported that the Landfill is required to produce monthly air quality reports for certain gas probe sites located within the perimeter of the landfill. Quarterly air quality reports are also required for a serpentine array of various monitoring sites within the landfill. Excess gases are processed through an elaborate collection and flare burn-off system.

In 2003 the National Park System initiated an updated Environmental Assessment of Landfill impacts using current and existing data collected up until that date.

Mr. Laden reported that a draft "Human Health and Ecological Risk Assessment" using 2004 data is currently in process by the Los Angeles County Sanitation District pertaining to the Calabasas Landfill. The draft document indicates that no negative effect on humans is present due to contamination from the Calabasas Landfill. The final draft is projected to be completed within a few weeks.

Assurance of Project Timeline Completion

The applicant has not addressed this concern further at the time of this report.

Santa Monica Mountains North Area Plan

Staff continues with the opinion that the project is consistent with the environmental and development goals and policies of the North Area Plan. In addition to the detailed policies addressed in the DEIR, staff views the proposed development as an extension and completion of existing development in the disturbed and relatively flat portion of the applicant's property contiguous to a residentially and commercially developed portion of the City of Agoura Hills. Undisturbed natural open space within the property is being preserved by the applicant's offer of a permanent 29-acre conservation easement to the east and a buffer zone, conditioned to not be subject to the construction of buildings, to the west. Additional open space and extensive landscaping is also proposed.

Evacuation Plan

A comprehensive evacuation plan is to be submitted by the applicant for review and approval to the County Fire Department and a copy supplied to the Department of Regional Planning. This Plan is to include community access for Chesebro residents located north of the site, through the project's emergency access road in the event Chesebro Road is blocked to the south of the site.

PUBLIC COMMENTS

Staff has received 32 additional letters in support of this request at the time of this report.

Staff has received 24 additional letters in opposition to this request at the time of this report.

STAFF EVALUATION

Issues

The applicant and staff have not had sufficient time to address all of the directives of the Regional Planning Commission or other issues brought up at the conclusion of the May 25, 2005 public hearing. Staff recommends that the following issues be further addressed by the applicant:

- 1) Further coordination with the City of Agoura Hills and the County of Los Angeles regarding feasibility and evaluation of a mid-Palo Comado Canyon Road access including a re-alignment of east and west bound Canwood Street;
- 2) Further coordination with the City of Agoura Hills and the County of Los Angeles regarding "hard" conditions proposed by the City of Agoura Hills and not addressed in the current proposal;
- 3) Provision of documentation indicating the obtaining of easements from the owners of two adjacent parcels pertaining to the mid-Palo Comado Canyon Road alternative access;
- 4) Documentation of an appropriate conservation agency willing to receive the offering of a conservation easement and wildlife corridor dedication as stated in the DEIR;
- 5) Provision of further detail regarding necessity for and management of proposed four major events and 24 evening events per year;
- 6) Consultation with the National Park Service and Santa Monica Mountains Conservancy regarding acceptable fencing design adjacent to lands located in their jurisdiction and provide elevations and depictions to the Director of Planning;
- 7) Provide substantial evidence indicating the ability of the applicant to complete the project according to the proposed timeline and development schedule; and
- 8) Provide a detailed explanation of how residents located north of the project site on Chesebro Road, or other community residents, would be able to use the project's emergency access in the event of a disaster limiting use of Chesebro Road to the southwest of the site.

STAFF RECOMMENDATION

Based on the necessity for additional time to address recommendations of the Commission and to address other outstanding issues, staff recommends **continuation** of Conditional Use Permit No. 98-062-(3) to September 7, 2005.

SUGGESTED CONTINUATION MOTION

“IN ORDER TO ADDRESS CONCERNS RAISED AT THIS HEARING, I MOVE THAT THE REGIONAL PLANNING COMMISSION HEARING BE CONTINUED TO SEPTEMBER 7, 2005 TO BE HELD IN THE REGIONAL PLANNING COMMISSION HEARING ROOM AT 320 WEST TEMPLE STREET IN DOWNTOWN LOS ANGELES AND FOR STAFF AND THE APPLICANT TO REPORT BACK ON ISSUES AS REQUESTED BY THE COMMISSION.”

Report prepared by Kim K. Szalay, MPL, Regional Planning Assistant II
Reviewed by Russell J. Fricano, PhD, AICP, Supervising Regional Planner, Zoning Permits I Section

Attachments:

Factual
Additional Agency Comments
Mid-Palo Comado Canyon Road Access Diagram
Applicant's Carpool Plan
City of Agoura Hills May 18, 2005 Meeting Minutes
Correspondence

RJF:KKS
6/09/05

PROJECT NUMBER

98-062-(3)

CASE NUMBER

Conditional Use Permit Case No. 98-062-(3)

ENTITLEMENT REQUESTED

The applicant is requesting a Conditional Use Permit to authorize the construction, operation and maintenance of a private religious preschool, elementary and middle school for up to 750 students (pre-kindergarten through eighth grade) and 97 staff in the A-1-5 (Light Agricultural-Five Acres Minimum Required Area) zone.

SUMMARY OF MAY 25, 2005 PUBLIC HEARING

A public hearing was held before the Regional Planning Commission on May 25, 2005. At the conclusion of the May 25, 2005 hearing, the Commission made recommendations and continued the hearing to June 15, 2005. Additional time for additional public testimony was required and certain pending issues remained to be addressed.

The Commission requested that further coordination with the City of Agoura Hills and the County regarding all traffic mitigation measures; this would include the roundabout option proposed for U.S. Highway 101 westbound ramps at Palo Comado Canyon Road and Canwood Street intersection. Also requested was proof of ownership of a small western portion of the project area depicted on the vicinity map as part of the subject site or as an access easement; clarification is required. The Commission also directed the applicant to provide a specific carpool drop off and pick up plan including traffic circulation patterns. Naming of the conservation agency receiving the proposed conservation easement was requested. The Commission further requested that the applicant consider staggering of school hours and provide greater clarification for the necessity of 24 evening events and four major events per year, and how these events would be managed.

Clarification of fencing requirements on the north and east side of the site was requested, including further consultation with the National Park Service and Santa Monica Mountains Conservancy regarding fencing materials proposed. Any fencing proposed should be as close to the project as possible and as far as possible from the nearby National Park and Conservation lands. The Commission suggested that staff make further inquiry with the applicant regarding the applicant's willingness to propose additional land dedications to the West of the proposed developed area.

The Commission further instructed the applicant and staff to investigate the Health Risk Assessment documentation pertaining to the nearby Calabasas Land Fill and potential regional water and air quality concerns. Finally, the Commission requested the applicant provide greater detail regarding the financial feasibility of completing the project and providing specific assurances toward the phasing timeline of the project. Staff was directed to revisit the issue of whether or not the project proposed is truly in the spirit of the Santa Monica Mountains North Area Plan.

SUMMARY OF JUNE 15, 2005 PUBLIC HEARING

A public hearing was held before the Regional Planning Commission on June 15, 2005. At the conclusion of the June 15, 2005 hearing, the Commission made recommendations and continued the hearing to September 7, 2005. Testimony only on new information would be accepted by the Commission at the continued hearing along with discussion of project conditions. Staff and the applicant were directed to report back on issues including the following priorities:

- 1) Coordinate with the City of Agoura Hills regarding an expanded investigation into the feasibility and acceptability of primary access options, specifically the freeway offramp and Canwood Street / Palo Comado Canyon Road intersection roundabout option, and the Mid-Palo Comado Canyon Road and Canwood Street re-alignment option.
- 2) Coordinate with the City of Agoura Hills regarding expanded conditions recommended by the City pertaining to the construction, operation and maintenance of the project and consideration of DEIR revisions prior to the final EIR document certification.
- 3) Provide further definition to Traffic Demand Management (TDM) carpooling plan, emergency evacuation plan and site access to residents, large event traffic and parking management, and timely project execution through phasing and financing assurances.
- 4) Coordinate with the Calabasas Landfill staff, public advocates and the applicant regarding expanded investigation into the impacts of the Calabasas Landfill and hazardous wastes on the Heschel site.
- 5) Further define protection measures for the proposed buffer area located within 100 feet of the western boundary and verify receiving agency for conservation land dedications.

CHRONOLOGY OF MEETINGS WITH THE CITY OF AGOURA HILLS

According to the Commission's request, Regional Planning and other County staff and/or the applicant coordinated with the City of Agoura Hills staff in a series of meetings as follows:

March 24, 2003: Regional Planning staff attended a community meeting at Agoura Hills (the meeting was not specifically with the City staff).

December, 2004: The applicant met with City staff at Agoura Hills regarding the DEIR to be circulated in the Spring of 2005.

May 2, 2005: The applicant met with City staff at Agoura Hills regarding the DEIR circulated in April, 2005.

May 18, 2005: The applicant met with the City of Agoura Hills City Council and staff at Agoura Hills to discuss site access and other issues.

May 25, 2005: The City of Agoura Hills staff attended and testified at the Regional Planning Commission hearing.

May 31, 2005: Regional Planning and Public Works, Traffic and Lighting staff met with the City of Agoura Hills staff and the applicant at Agoura Hills regarding primary access and other traffic issues.

June 8, 2004: The applicant met with the City of Agoura Hills staff and representatives of the Old Agoura Home Owners Association prior to the City Council Meeting.

June 8, 2005: Regional Planning and Public Works, Traffic and Lighting staff and the applicant attended the City of Agoura Hills City Council meeting which included discussion and creation of a preliminary statement by the Council toward the Heschel project.

June 15, 2005: The City of Agoura Hills' mayor and planning staff attended and testified at the Regional Planning Commission hearing.

June 29, 2005: Regional Planning and Public Works, Traffic and Lighting staff met with the City of Agoura Hills staff and the applicant at Agoura Hills regarding pending traffic issues and responses to the City's planning staff letters related to the DEIR.

July 13, 2005: Regional Planning staff met with the City of Agoura Hills staff and the applicant at Agoura Hills regarding the city attorney's continuing issues with DEIR adequacy.

July 21, 2005: Regional Planning staff, Public Works staff, the applicant, and City of Agoura Hills staff met with the Third District, Board of Supervisor's deputy at the Board office to inform the deputy of project access issues pertaining to the site.

August 11, 2005: Regional Planning staff met with Public Works Staff, County Counsel, Third District, Board of Supervisor's deputy, and the City of Agoura Hills staff at Regional Planning, to discuss continuing site access, traffic mitigation measures, and DEIR issues.

August 24, 2005: Regional Planning staff, Public Works, Traffic and Lighting staff, and the applicant attended the City of Agoura Hills City Council Meeting which included discussion and creation of a position statement by the Council toward the Heschel project. In its letter dated August 29, 2005, the Council resolved to reaffirm the previous actions taken by the Council at its regular meeting of June 8, 2005 as presented by the Mayor, Ed Corridori to the Planning Commission at the June 15 public hearing and to amplify its position as follows: by seeking to coordinate a mutually agreeable configuration of the project with the applicant and the County of Los Angeles, and, to incorporate three objectives into the project if it is approved. The three objectives are: 1) insure effective mitigation of traffic problems resulting from the project, 2) insure an adequate buffer between the school and its residential neighbors, and 3) establish a permanent restriction on the frequency, number attending, and level of noise generated by special events on the site.

RESPONSE TO REGIONAL PLANNING COMMISSION DIRECTIVES

At the conclusion of the June 15, 2005 public hearing, the Commission directed staff to work with the applicant and other agencies to address further the issues summarized above. Each issue is addressed as follows:

Coordination with the City of Agoura Hills Regarding Primary Site Access

Following the June 15, 2005 public hearing, staff attended five additional meetings in collaboration with the City of Agoura Hills. The meetings resulted in refined mutual understanding of two primary access options acceptable to the City, County, and the applicant. These options include the following:

Roundabout Access Option

Primary access off of Canwood Street at the U.S. 101 westbound off and on ramps and Palo Comado Canyon Road would be best served by using a roundabout rather than signalization. Signalization was not considered an option by the City due to negative problems with a similar intersection at Kanan Road and the 101 freeway. County Traffic and Lighting staff and California Department of Transportation staff found signalization to be feasible traffic mitigation, but less desirable than the roundabout option.

In the August 24, 2005 City of Agoura Hills City Council Meeting attended by County Regional Planning and Traffic and Lighting staff, the roundabout option was highlighted in a presentation by Leif Ourston, a roundabout expert hired by the City. Mr. Ourston indicated in his presentation that the applicant's single-lane roundabout design with modifications he depicted, was a feasible traffic mitigation measure for the site; this design proposed would not require further right of way expansion or land acquisition.

Mr. Ourston outlined three contingencies which could cause the design to become increasingly costly or complicated pending required Caltrans review : 1) The Palo Comado Canyon Road bridge could require modification at the northeast corner for accommodating proper line of site for northbound traffic; 2) Current year 2010 Caltrans standards for needed traffic volume capacity would require updating to Caltrans year 2025 standards for needed traffic volume capacity – this could affect capacity requirements of the roundabout design; and 3) An exception for maximum truck-size capacity would have to be filed with Caltrans to enable a feasible one-lane roundabout.

Mid-Palo Comado Canyon Road with Canwood Street Re-alignment Access Option

Primary access off of Palo Comado Canyon Road, midway between the westbound U.S. 101 off and on ramps and the intersection of Canwood Street-Cheseboro Road and Driver Avenue was considered a viable option by the City when accompanied by a re-alignment of Canwood Street. This option would enable removal of the aforementioned four-way intersection, reducing it to a preferred "T" intersection and creation of a four-way intersection at the project access point. This option would likely require land acquisition for the re-alignment of Canwood Street, use of a residential easement for the project access road, and a Conditional Use Permit for hillside grading from the City of Agoura Hills. This was not considered a favorable option for nearby homeowners as indicated by testimony from a representative of the Old

Agoura Homeowners Association.

Conclusion: Preferred Primary Access

Given the summary above, the applicant, the City of Agoura Hills staff, Caltrans, and staff of the County Department of Public Works, Traffic and Lighting Division, and County Regional Planning concur that the roundabout option is the preferred access. Staff notes the roundabout option could incur unpredictably high costs to the applicant in both financial resources and regarding an uncertain timeline for completion pending various planning and construction variables in the Caltrans approval process. The applicant is fully aware of these implications. Alternative access options have potentially similar complications without providing the advantages of a roundabout.

Coordination with the City of Agoura Hills Regarding Conditions of Approval

The City of Agoura Hills staff provided letters dated August 9, 2005 (Conditional Use Permit conditions) and August 11, 2005 (Public Works conditions). Regional Planning staff have incorporated the City's recommendations as appropriate for the respective governmental jurisdictions, resulting in inclusion of the majority of the City's recommended conditional use permit conditions (see attached draft conditions highlighted where City conditions have been incorporated). Written feedback by the applicant from the applicant's letter dated August 30, 2005, were also considered by Regional Planning staff. In its letter dated August 31, 2005 the Department of Public Works responded to the City's August 11, 2005 Public Works letter by addressing each condition the City provided (see attached letters referenced).

Coordination with the City of Agoura Hills Regarding DEIR Revisions

In the letters dated July 14, 2005 and August 8, 2005 the City of Agoura Hills staff provided responses and counter responses to the applicant's analysis of the City's original DEIR questions. As Regional Planning Impact Analysis staff do not provide written comments on the DEIR until after a project is recommended for approval and in the final EIR stage of review, the applicant voluntarily addressed the City's DEIR questions.

Regional Planning Impact Analysis staff will consider all comments and responses to comments in its final EIR review process. Though the existing document is adequate by the requirements of the California Environmental Quality Act standards, County staff concurred that corrections could be made to the DEIR in the event of project approval. These DEIR corrections were not determined to require recirculation of the DEIR according to County staff.

Applicant's Proposed Traffic Demand Management (TDM) Carpooling Plan

Prior to the June 15, 2005 public hearing, the applicant provided a conceptual Transportation Demand Management Plan including carpooling. Department of Public Works, Traffic and Lighting staff provided the attached revised guidelines dated August 31, 2005; these guidelines cover carpooling monitoring and management program and to insure adequate performance in implementing the Plan. The applicant provided a revised Carpooling statement dated August 30, 2005 for consideration by Traffic staff.

The applicant has incorporated the County Traffic and Lighting guidelines into their Plan. The applicant noted that traffic mitigation measures proposed fully mitigate traffic impacts according to the applicant's traffic study, without a formal carpooling plan, as confirmed by County Traffic and Lighting staff in their two letters dated August 31, 2005 (see attached letters referenced). Staff notes that the Commission has discretionary authority to require (or not require) a fully monitored and enforced carpooling plan as a condition of project approval. The applicant has voluntarily offered the carpooling plan as submitted.

Emergency Evacuation Protocol

In their letter dated August 30, 2005, the applicant provided a general framework for offering neighboring residents along Cheseboro Road emergency access through the Heschel site in the event of fire or other disaster requiring evacuation from the neighborhood. In the event of project approval, a final detailed evacuation plan is required by the conditions of approval within 60 days of the final approval date. In an e-mail dated August 31, 2005, the applicant indicated that Heschel West is not prepared to provide accommodation for horse evacuation procedures other than motor vehicle and trailer emergency access through the site as referenced above.

Parking for Four Proposed Major Events and 24 After-School Events

The revised draft conditions of approval provide guidelines for managing traffic and parking for four major events per year and 24 after-school events per year. The revised conditions include a sample listing of major and after school events provided by the applicant.

Assurances of Project Financing and Project Phasing Completion

The applicant provided additional information addressing assurances toward the ability of the project to finance and accomplish project phasing goals. In its e-mail dated August 31, 2005, the applicant provided a statement of assurance toward financial capability, citing the applicant's most recent school fundraising balance.

Calabasas Landfill and Health Risk Assessment Studies Near the Heschel Site

The report titled "*Human Health and Ecological Risk Assessment*" referred to in the previous staff report has not been completed by the staff of the County Sanitation District at the time of this report. According to Sanitation District staff, the revised report will include the most current data available, not included in earlier drafts. In their letter and aerial map attachment dated August 30, 2005, Sanitation District staff, referring to the updated draft health risk assessment report, determined the Landfill to have no impact on biological and human health in proximity to the Landfill. Documentation provided indicates the nearest impacted monitoring well (P64S) to the Heschel site, containing trace amounts of Volatile Organic Compounds (VOC's), is approximately .5 mile from the Heschel site (see attached report and aerial). No other hazardous impacts were identified below the P64S test well, including in Cheseboro Creek which runs near the northern tip of the project site.

Naming of Conservation Agencies for Land Dedications

At the time of this report the applicant has not provided final documentation verifying an agreement with a conservation agency pertaining to the applicant's conservation land offerings.

The applicant referenced conversations with the Mountains and Recreation Conservation Authority, a joint powers authority of the Santa Monica Mountains Conservancy, indicating the agency's willingness to receive the deed-restricted offering. The applicant offers to permanently dedicate a small portion of the applicant's property located northwest of Cheseboro Road near Cheseboro Creek to the National Park Service as an additional conservation land offering to be depicted on a revised Exhibit "A". No documentation of the Park Service response has been provided at this writing.

Protections for the Residential Buffer near the Western Property Boundary

The applicant has offered to record an easement to the County of Los Angeles limiting the 100-foot residential buffer located near the westerly boundary and depicted on a revised Exhibit "A" to open space uses prohibiting construction of any structural improvements in perpetuity.

PUBLIC COMMENTS

Staff has received one additional letter in support of this request at the time of this report. Comments included a statement of broader community benefit and an increased standard of living for residents nearby.

Staff has received eight additional letters in opposition to this request at the time of this report.

Comments included concerns about potential impacts of hazardous materials from the Calabasas Landfill on the Heschel site, fire hazard concerns, and terrorist security risks.

One member of the public requested environmental information about a previous project which included the Heschel site. Tract No. 49611 (Liberty Canyon Project) was filed in 1989 and case processing proceeded through the beginning of the Screencheck DEIR environmental process at which time action by the applicant ceased. On April 15, 2005 the project was denied due to inactivity. The site has remained vacant.

STAFF EVALUATION

Pursuant to Section 22.24.100.A of the Los Angeles County Zoning County Code, a school, through grade 12, accredited, including appurtenant facilities, which offer instruction required to be taught in the public schools by the Education Code of the State of California in which no pupil is physically restrained but excluding trade or commercial schools is permitted in the A-1 zone, provided a conditional use permit has first been obtained.

The project is consistent with the Santa Monica Mountains North Area Plan N5 (Mountain Lands 5) designation and complies with the Santa Monica Mountains North Area Community Standards District and A-1 Zone development standards.

The project protects adjacent hillsides and open spaces while providing no significant environmental impacts when in compliance with the Mitigation Monitoring Program and all of the conditions of approval with the exception of cumulative impacts to visual and biological resources, which would remain significant since there are no known mitigation measures available to reduce cumulative impacts to a level of insignificance.

The environment within the vicinity of the project represents a blend of urbanization and natural areas. The City of Calabasas is located to the east of the subject site. Current and proposed developments within the City of Agoura Hills are located to the west and south of the project. Open space and wildlife movement corridors in between the two cities, east and north of the project site, present a context conducive to preservation.

The applicant seeks to provide needed educational services in a location central to the applicant's constituency within the Conejo Valley. The applicant proposes a project adjacent to a developing transportation corridor and an equestrian neighborhood. The project contributes to environmental preservation while maintaining sensitivity to the needs of the local neighborhood.

The applicant and staff have addressed the directives of the Regional Planning Commission or other issues brought up at the conclusion of the June 15, 2005 public hearing to the best of their ability. Substantial communication and coordination has taken place between County staff, City of Agoura Hills staff, and the applicant. The City of Agoura Hills has indicated its intent to continue working closely with the applicant and the County of Los Angeles while protecting its legal, environmental, and fiscal interests.

A proposed roundabout for the intersection facilitating the primary site access must be approved prior to issuance of grading permits and completed prior to occupancy of the school to the satisfaction of Caltrans in coordination with the City of Agoura Hills.

FEES/DEPOSITS

If approved as recommended by staff, the following will apply:

1. An Environmental Impact Report was required, therefore, a Fish and Game fee of \$850 and a \$25 document handling fee for the posting of a Notice of Determination must be paid for a total of \$875. The fees will be required within fifteen (15) days of the final approval date of the permit.
2. A cost recovery deposit of \$4,500 to cover the costs of the thirty (30) recommended annual zoning enforcement inspections. The payment will be required within thirty (30) days of the final approval date of the permit. Additional funds would be required if violations are found on the property requiring additional inspections at a cost of \$150 per inspection.
3. A Mitigation Monitoring Program deposit of \$3,000 will be required within thirty (30) days of the final approval date of the permit.

STAFF RECOMMENDATION

Prior to making a decision on this case, Staff recommends the Planning Commission consider the following:

- Hear additional testimony on new issues not discussed in previous hearings.
- Consider whether all the facts, analysis and correspondence contained in this report along with hearing the oral testimony and reading the written comments received during the public hearing are sufficient.
- Consider whether mitigation measures proposed are adequate.

As cumulative impacts to visual and biological resources would remain significant since there are no known mitigation measures available to reduce cumulative impacts to a level of insignificance, a Statement of Overriding Considerations must be adopted in order to approve the proposed project.

Approval

The following recommendation is made prior to the public hearing and is subject to change based upon testimony and/or documentary evidence presented at the public hearing. If the Commission finds the applicant satisfies the conditional use permit burden of proof requirements for this request and the basis for making a Statement of Overriding Considerations, then staff recommends **APPROVAL** of Conditional Use Permit No. 98-062-(3), subject to the attached draft mitigation monitoring program and draft conditions.

SUGGESTED MOTION

“I MOVE THE PUBLIC HEARING BE CLOSED AND THAT THE REGIONAL PLANNING COMMISSION INDICATES ITS INTENT TO APPROVE CONDITIONAL USE PERMIT CASE NO. 98-062-(3) AND INSTRUCT STAFF TO PREPARE THE FINAL ENVIRONMENTAL DOCUMENTATION AND FINDINGS AND CONDITIONS FOR APPROVAL.”

Prepared by Kim K. Szalay, MPL, Zoning Permits I Section
Reviewed by Russell J. Fricano, PhD, AICP, Supervising Regional Planner,
Zoning Permits I Section

Attachments:

Factual

Thomas Bros. Guide Map

Agency Conditions and Comments

City of Agoura Hills Comments and Recommended Conditions

Applicant's Response to City's Conditions

Applicant's Burden of Proof Statements

Environmental Updates

New Correspondence

RJF:KKS

9/01/05