

EXHIBIT I

SUMMARY OF PLANNING COMMISSION COMMENTS 08/02/12

Commissioner Northrup – Commissioner Northrup supported the change in land use and can support the project, but with modifications. The General Plan has goals for multi-family development, but this project should also consider and be modified per the General Plan goals for good architecture, sensitive site planning, modulation of building mass, and amenities for its residents. The increase in front yard setback is not sufficient to offset the reduction in open space allowed by the variance. The building colors should be compatible with the surrounding area, to include earth tones. The open space at the street corner is not usable so it should not count as open space. In general, more group open space is needed. Deciduous trees do not provide screening year-round. She supports the wall height variance and oak tree permit. The project does not necessarily have to consider reducing the number of units, but should consider reducing size of the buildings through further modulation of the buildings (e.g., offsetting balconies) and reducing building height. She cited the importance of good building architecture in creating neighborhood transition.

Vice Chair Justice – Vice Chair Justice indicated that he supports the landscape berm at the street corner and the additional reduction in the building height as agreed to by the applicant at the meeting. He supports the hip roof option to further lower the appearance of building height. Reducing the height too much will not be consistent with the existing roof height of the existing office building to the south. He supports deciduous trees along the perimeter as an effective screen since deciduous trees grow faster than evergreen trees, but the application should consider combining deciduous trees with evergreen trees to create a veiled look. He supports the proposed reduction in group open space because of the increased street setback.

Planning Commissioner Zacuto – Commissioner Zacuto indicated that he supports the variance to reduce the group open space because the increased street setback creates more of a buffer to the community and reduces the looming effect of the buildings. Commissioner Zacuto noted that Old Agoura Park is nearby and available to families for recreation. He supports the Variance to increase the wall height of interior retaining walls because it is offset by the increase in setbacks. He supports the additional reduction in height as proposed by the applicant at the meeting and is opposed to the option of lowering the grades to accomplish reduction in height. Deciduous trees do not offer sufficient screening so he recommends that applicant work with staff and the City arborist to come up with a combination of deciduous and evergreens to better screen the property. He likes the idea of planting a new black walnut tree at the street corner. He recommends that the building design be improved and that building colors be re-examined, especially the blue shutters. He supports the density as proposed, as it is less than what is allowed, and because it is better than what was proposed previously.

Planning Commissioner Rishoff – Commissioner Rishoff supported the change in land use from commercial to residential. He noted that multi-family residential may be preferable to single-family as single-family zoning will result in more lot coverage. He supports the GPA/ZC because multi-family residential is a good transition from the existing community to the gas station to the south. Commissioner Rishoff likes that the applicant is proposing lower density than what is allowed. He likes the hip roof option because it provides a smoother transition within the community, and supports lowering the building height. He is opposed, however, to the option of lowering grade levels by 2 feet because it would require additional grading, resulting in more impacts to the community, and possible drainage and maintenance issues. He prefers that the project include the largest possible setback from Palo Comado so he supports the wall height variance. He found that increasing the setbacks benefits the community and therefore supports the variance for reduction in group open space. He echoed Commissioner Zacuto's comment that there are recreational amenities available at Old Agoura Park across the street. The applicant should explore changing deciduous trees and explore the possibility of planting a walnut tree at the corner of the lot. Lighting should be as low as possible. Finally, he prefers an earth tone color palette for the project, and does not support the blue color for the shutters.

Chair O'Meara – Chair O'Meara supports the General Plan Amendment/Zone Change to residential because without it, this or another applicant could apply for commercial development. He recommends that the building colors be changed to earth tones. Regarding density, he noted that the project already includes a transition in height that is created by having fewer units near the intersection, and more units closer to the commercial properties to the south. Chair O'Meara stated that while he preferred less units, the 18 unit development being proposed is acceptable because it is a considerable downgrade from the maximum allowable density of 23 units. The proposal by the applicant is a fair and flexible solution. The front unit at the street corner could be one story, but the applicant's solution is acceptable. He prefers the hip roof option and likes the applicant's solution of reducing the building heights by 2 feet. The proposed setbacks provide a benefit to the community and the variance for open space is okay given the significant setbacks. In addition, in order to comply with the ADA and pedestrian access requirements, as well as fire access and grading requirements, the retaining wall variance is needed. Chair O'Meara agreed that the applicant should consider planting a walnut tree.

EXHIBIT J



**DEPARTMENT OF PLANNING AND
COMMUNITY DEVELOPMENT**

ACTION DATE: August 2, 2012

TO: Planning Commission

APPLICANT: Aitan Hillel
164 W. Del Mar Avenue
Pasadena, CA 91105

CASE NOS.: 12-SPR-002; 12-OTP-005; 12-VAR-001 (A & B); 12-SP-011; 12-GPA-001; and 12-ZC-001

LOCATION: Southeast corner of Chesebro Road and Palo Comado Canyon Road/Driver Avenue (APN 2052-008-017 & 2052-008-018)

REQUEST: Request for the Planning Commission to recommend that the City Council approve a General Plan Amendment to change the land use designation of the property from CRS (Commercial Retail Service) to RHD (Residential High Density); an Ordinance for a Zone Change to change the zoning designation of the property from CRS-FC-OA (Commercial Retail Service – Freeway Corridor Overlay – Old Agoura Design Overlay) to RH-(25)-FC-OA (High Density Residential (maximum 25 units per acre) – Freeway Corridor Overlay – Old Agoura Design Overlay); a Site Plan/Architectural Review to construct an 18-unit townhome complex; an Oak Tree Permit to remove four (4) oak trees and encroach within the protected zone of six (6) oak trees for the proposed construction; a Variance from Zoning Ordinance Sections 9606.2(D) and 9273.7 to construct retaining walls in excess of six feet in height and to provide group open space areas of less than 300 square feet in size per residential unit; and a Sign Permit to install one monument sign; and to adopt a Mitigated Negative Declaration and Mitigation Monitoring Program.

ENVIRONMENTAL ANALYSIS: Mitigated Negative Declaration

RECOMMENDATION: Staff recommends that the Planning Commission adopt motions recommending that the City Council adopt the Final Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program prepared for the project; and approve General Plan Amendment Case No. 12-GPA-001; an Ordinance for Zone Change Case No. 12-ZC-001, subject to conditions; Variance Case No. 12-VAR-001 (A & B); Site Plan/Architectural Review Case No. 12-SPR-002; Oak Tree Permit Case No. 12-OTP-005; and Sign Permit Case No. 12-SP-011, based on the findings in the attached Draft Resolutions.

ZONING DESIGNATION: CRS-OA-FC (Commercial Retail Service – Freeway Corridor Overlay - Old Agoura Design Overlay)

GENERAL PLAN DESIGNATION: CRS (Commercial Retail Service)

I. BACKGROUND

Aitan Hillel owns the vacant, 41,039 square foot (0.94 acre) lot located on the southeast corner of Chesebro Road and Palo Comado Canyon Road/Driver Avenue, in the Old Agoura neighborhood. The property has a zoning designation of CRS-FC-OA (Commercial Retail Service – Freeway Corridor Overlay – Old Agoura Design Overlay). Surrounding land uses include low density, single-family and open space residential uses to the north; Old Agoura Park to the northwest; a pre-school, an apartment complex, and a senior assisted living facility to the west; a gas station to the southeast; and an office building to the south.

On March 15, 2007, the Planning Commission conducted a public hearing to consider the owner's request for a Site Plan/Architectural Review, Oak Tree Permit, and Sign Permit application to construct a car wash, lube, and detailing facility on his property. On a 4-0 vote (Commissioner O'Meara was absent), the Planning Commission denied the applicant's request. The Planning Commission's decision was appealed by the applicant to the City Council. The City Council considered the appeal in a public hearing held on July 11, 2007, and unanimously denied the project based findings of potential impacts generated from the project, including traffic, parking, noise, building design, and compatibility with neighboring uses. The property has remained vacant since that time.

II. PROJECT DESCRIPTION

To address issues raised during the course of the previous public hearings regarding the need for greater land use compatibility with any development of the site, the property owner has filed applications to change the general plan land use designation from CRS (Commercial Retail Service) to RHD (Residential High Density), and to develop an 18-unit townhome complex. The specific development applications being presented to the Planning Commission include a Site Plan/Architectural Review for construction on this vacant land which has an average slope of less than 10%; an Oak Tree Permit to remove four (4) oak trees and encroach within the protected zone of six (6) oak trees for the proposed construction; a Variance to construct retaining walls in excess of six feet in height and to provide group open space areas of less than 300 square feet in size per residential unit; a Sign Permit to install one monument sign; a General Plan Amendment to change the land use designation of the property from CRS (Commercial Retail Service) to RHD (High Density Residential); and a Zone Change to change the zoning designation of the property from CRS-FC-OA (Commercial Retail Service – Freeway Corridor Overlay – Old Agoura Design Overlay) to RH-(25)-FC-OA (High Density Residential (maximum 25 units per acre) – Freeway Corridor Overlay – Old Agoura Design Overlay). The Planning Commission's role for this proposed project is to provide a recommendation to the City Council for final action. Draft Resolutions are attached for the Planning Commission's review and consideration for adoption, and any additional comments provided by the Planning Commission will be forwarded to the City Council, who will conduct a new and separate public hearing for the project.

The property is triangular in shape. Its topography is generally flat, but it rises at its eastern end, resulting in an average topographic slope of approximately 7%. A total of eight (8) buildings with attached 2-3 units are proposed that will cover 11,592 square feet, or 28.2% of the parcel. Four different models are proposed within the complex. A total of eleven (11) proposed Type "A" units include 1,364 square feet of living space and a 651 square foot garage and storage space. Two (2) proposed Type "B" units include 1,345 living space and 630 sq. ft. of garage and storage space. One (1) proposed Type "C" unit includes 1,257 square feet of living space and 651 square feet of garage and storage space. Four (4) Type "D" units include 1,289 square feet of living space and 630 square feet of garage and storage space. All units include three (3) bedrooms, with the exception of unit Type "C" which includes two bedrooms. All of the unit types and locations are noted on the Site Plan and all have their own interior stairwell. Entry into the units can be taken from the individual garages or from a shared exterior stairwell serving the first floor of the units, above the garages.

With a change of zoning designation to RH-(25), the proposed townhomes project would be a permitted use on the property. The applicant intends to rent all of the units at market rate.

The following is a summary of the proposed development relative to the Zoning Ordinance development standards of the RH zone:

Pertinent Data

	<u>Proposed</u>	<u>Required/Allowed</u>
A. Lot Size	41,039 sq. ft.	17,500 sq. ft. min.
B. Lot Width	150 feet	100 feet min.
C. Lot Depth	300 feet	100 feet min.
D. Building Height	34'11" (2 stories)	35 feet max (2 stories max., excluding the garages)
E. Unit Sizes		
1. Living Space		
Unit A (11 units)	1,364 sq. ft.	N/A
Unit B (2 units)	1,345 sq. ft.	N/A
Unit C (1 unit)	1,257 sq. ft.	N/A
Unit D (4 units)	1,289 sq. ft.	N/A
2. Garages & Storage		
Units A & C	651 sq. ft.	N/A
Unit B & D	630 sq. ft.	N/A
3. Totals For All Units		
Living Space	24,107 sq. ft.	N/A
Garages & Storage	11,592 sq. ft.	N/A
F. Building Setbacks		
Front (west)	36 feet	15 feet min.
Rear (east)	60 feet	10 feet min.
Side (north)	11.18 feet	7 feet min.
Side (south)	7 feet	7 feet min.

G. Bldg. Lot Coverage	28.2% (11,592 sq. ft.)	50% max. (20,519 sq. ft.)
H. Group Open Space	4,562 sq. ft. (253 sq. ft./unit)	5,400 sq. ft. min. (300 sq. ft./unit)
I. Parking	2 covered per unit plus 9 visitor parking spaces	2 covered per unit plus 9 minimum visitor parking spaces
J. Landscaping		No minimum requirement
On-site	5,776 sq. ft. (14%)	No minimum requirement
On-site and Off-site	9,372 sq. ft.	No minimum requirement
K. Oak Trees	6 of 10 oak trees to remain	10 oak trees in vicinity

III. STAFF ANALYSIS

A. General Plan Amendment and Zone Change Request

The property currently has a general plan land use designation of CRS (Commercial Retail Service), similar to the neighboring properties to the south on Chesebro Road and Palo Comado Canyon Road, and the properties to the southeast on Canwood Street. Residential use of the property is prohibited in the CRS land use district. As such, the applicant is requesting to amend the General Plan from CRS to Residential High Density (RHD) and the zoning designations of the property from CRS to RH-(25) (High Density Residential – maximum 25 units per acre). Currently, the RH-(25) zone extends from both sides of Colodny Drive eastward to the west side of Chesebro Road, and includes the apartment complex and senior assisted living facility located across the street from the applicant's parcel.

Requests for General Plan amendments and zone changes occur infrequently. However, in this instance, the change of land use from commercial to multi-family residential would relieve some of the impacts to neighboring properties, especially residential properties to the north, that are typically associated with commercial uses, including noise, traffic, and parking issues. The proposed townhomes would comply with the General Plan, which calls for opportunities for a full range of housing types, locations, and densities to address the community's fair share of regional housing needs. In addition, the proposed general plan amendment and the townhome

development would generate new housing and provide market support to sustain commercial land uses in the City.

Overall, staff supports the General Plan amendment and zone change requests given the low impacts associated with the proposed use of the property, and the fact that a RH-(25) land use designation for the property would be a logical extension of the same land use designation applied to the multi-family residential properties to the west. In addition, staff finds the RH-(25) designation to be a compatible transitional land use between the commercial properties to the south and the residential properties to the north.

The General Plan amendment and zone change requests require legislative approval by the City Council, who will consider the recommendation given by the Planning Commission. The zone change requires the City Council's adoption of an ordinance (a draft version is attached for the Planning Commission review), while the General Plan amendment can be adopted by resolution. The proposed townhomes project cannot be approved without the General Plan amendment and zone change requests also being approved, as the residential use would be inconsistent with the current commercial zoning designation of the property. If approved, the General Plan amendment and Zone Change to RH-(25) will remain with the property, regardless of whether this particular project proceeds to completion.

B. Site Plan

The site planning of the project was dictated, to a large extent, by the accessibility requirements of the Los Angeles County Fire Department. The two proposed driveways serve to allow for required on-site turn-around for the Fire Department trucks. Additionally, the Fire Department requires "clear to the sky" accessibility, thereby precluding any portion of the buildings building from extending within their accessibility area. In addition, driveway access is needed for each unit within the project. Therefore, the buildings are located in large part on the perimeter of the property and the proposed density is the result of the placement of the buildings within these parameters and the development standards of the zone. Access to the site is to be taken from Chesebro Road. Guest parking spaces are dispersed near both of the driveway entrances, while group open space areas are located on the north and east portions of the property.

The applicant originally proposed a 22-unit complex, but through staff's suggestions and recommendations of the Architectural Review Panel, the density was reduced and greater separation was provided between buildings, with a two-plex and tri-plex design used to break the massing of the buildings and to allow for more group open space areas. The applicant also lowered the finished grade of the buildings and provided for extensive landscaping along the roadways to help screen the buildings as viewed from the adjacent roads, as discussed further in this report. In addition, the buildings would be setback 42 feet to 52 feet from the Chesebro Road street pavement, and 35 feet to 70 feet from the Palo Comado Road street pavement. The

table under the "Project Description" section of this report shows the proposed and required setbacks of the RH zone. For further comparison purposes, staff notes that the current CRS building setback requirements from the property lines are as follows:

Front (west):	Height of the building (20 feet minimum)
Rear (east):	Height of the building (20 feet minimum)
Street Side (north):	10 feet minimum
Side (south):	No minimum distance

The two-story office building to the south is located 47 feet from the applicant's south property line (separated by a parking lot), and 54 feet from the nearest proposed townhome building.

C. Density

The maximum density allowed in the RH-(25) zone is 25 units per acre. Based on the project being 0.94 acres in size, a maximum of 23 units could be developed on this property. However, the applicant is proposing to develop 18 units on the property, which is equivalent to a density of 19 units per acre.

Excluding the assisted care facility on the west side of Chesebro Road, south of Driver Avenue, the only multi-family residential complex on this same street is the 24-unit apartment complex located directly across from the applicant's property, on the west side of Chesebro Road. This two-story complex with detached garages was approved by Los Angeles County, prior to the City's incorporation, with a density of 27 units per acre.

Within the immediate neighborhood, most other condominium complexes are located on both sides of Colodny Drive, and on Driver Avenue, and most were approved by Los Angeles County. On average, those properties were granted greater density allowances than what the City Zoning Ordinance currently allows. Examples of these existing townhomes and their densities include:

- 5275 Colodny Drive (21 units): 26 units/acre
- 5291 Colodny Drive (27 units): 26 units/acre
- 5321 Colodny Drive (14 units): 42 units/acre
- 5320 Colodny Drive (18 units): 22 units/acre
- 28142 Driver Avenue (18 units): 22 units/acre
- 5249-5263 Colodny Drive (46 units): 24 units/acre

In 2002, the Planning Commission approved a 19-unit townhome complex at 5241 Colodny Drive, which includes two-story units situated above private garages. The density approved for that project, which is in the RH-(25) zone, was 21 units per acre. As previously stated, the applicant is proposing to build at a density of only 19 units per acre, which would result in the

construction of only 18 units, even though a maximum of 23 units would otherwise be allowed on that property under the RH-(25) zoning.

D. Group Open Space Variance

Municipal Code Section 9273.7 requires that developments in the RH zone provide 300 square feet of group usable, outdoor recreational open space per dwelling unit. In this instance, 5,400 square feet of group usable recreation space is required for the 18-unit complex. However, the applicant is requesting a Variance to allow for a total of 4,562 square feet of recreational space, which equates to 253 square feet per unit (a 15.5% decrease from what is required).

The Zoning Ordinance does not specify the type of open space and the City has discretion with respect to the specific amenities to be required – such amenities are reviewed on a case-by-case basis. Staff supports this Variance request since the amenities and spaces being provided are sufficient for the number of residential units, are logically dispersed within the complex, are accessible to disabled persons, and would meet the needs of the residents for outdoor recreational opportunities. Also, there are logical connections proposed between the group open space areas and the units through pedestrian pathways. The proposed amenities, which are located on the north side of the complex and in the southeast corner of the complex, include a spa, two barbecue areas, and seating areas under wooden trellises. A common area is also proposed at the northwest corner of the property, near the street intersection.

Specific findings for approval of the Variance are included in the attached draft Resolution for the Planning Commission's consideration. Staff notes that the complex would be in close proximity to Old Agoura Park, located across the street from the project site, and its recreational opportunities.

E. Architectural Review

The fact that the multi-family use of the site would be transitional from the commercial areas to the south, and the single-family residential uses to the north, was taken into consideration in the design of the buildings. Staff and the Architectural Review Panel met several times with the applicant and his architect to achieve building designs that are compatible with the surrounding uses and this key intersection in the Old Agoura neighborhood.

The sizes of the units are standard for townhomes, with two-story living spaces varying from 1,257 square feet to 1,364 square feet in sizes. In order to create a townhouse atmosphere, the applicant desired to have attached garages for each unit, resulting in the proposed 34'11" height of the buildings. A two-story height limit is required of the RH zone, however, the Zoning Ordinance allows for garages to be excluded from being considered a story when it is used primarily for parking and storage purposes. Thus, the proposed project complies with the height requirements for the zone. This same exclusion was approved by the Planning Commission in

2002 for a 19-unit condominium project at 5241 Colodny Drive. The gable roof designs, though, off-sets the building height as only the center portion of the building is at the full height of 34'11". The corners of the buildings are six feet lower, at a height of 28'11".

The building designs incorporate craftsman-like features with elements of the office building to the south and the senior assisted living facility to the west. The inclusion of building line off-sets, balconies, and gable roofs of multi-colored concrete tiles, are compatible with the colors on the building, exposed rafter tails, multi-colored stone veneer of earthtone colors, beige colored siding, white stucco, dark brown colored wood trim, and light blue colored window shutters. This detailing fits within the architectural fabric established in this transitional area. Also, the project would be compatible in scale with the other developments in the area, including the single-family residences to the north, a two-story commercial office building to the south, a gas station to the southeast, and a single-story pre-school, a two-story apartment complex and two-story senior assisted living facility to the west. Visual simulations are included in the Mitigated Negative Declaration prepared for this project.

Lighting within the driveway and guest parking areas is proposed, as well as decorative lighting on the buildings. Mission-style, bell-shaped light fixtures with flat lens design (similar to the style of fixtures used in the City Hall parking lot) are proposed for use within the driveway areas. Sconce lighting with a clear glass is proposed on each building for security purposes, and down-lit fixtures are proposed to be attached to the top of the visitor parking space trellises. The photometric plan notes that the illumination produced by the proposed exterior lighting will be less than one foot-candle measured at the property lines, as called for in the City Lighting Standards and Guidelines.

The Architectural Review Panel and staff support the design of the project, finding it to be compatible with the City's Architectural Design Standards and Guidelines, and the high quality of design expected throughout the City, including the Old Agoura neighborhood with the incorporation of natural materials.

F. Grading and Retaining Wall Variance

The site rises approximately 18 feet in elevation from the Chesebro Road/Driver Avenue intersection to the southeast corner of the property, near the Chevron Gas Station property. The site has been disked and one walnut tree was removed in 2008, as allowed for the non-protected tree. Otherwise, the property has remained undisturbed.

At the request of staff to reduce the visual height of the buildings as viewed from the adjacent streets, the applicant has designed the project to be situated at the lowest possible elevation while still allowing for needed on-site and off-site drainage. To accomplish this, building pads are proposed at a 908-foot and 909-foot elevation closest to Chesebro Road, and a 910-foot elevation

at the rear of the property. Chesebro Road has an average street elevation in front of this parcel of 908 feet. The site is proposed to sheet flow east to west. Trench drains are proposed at both on-site driveways to assist in capturing on-site drainage run-off.

Palo Comado Canyon Road rises steadily from the corner of Chesebro Road at elevation 912, going southeasterly to elevation 930 at the southeast corner of the property. The proposed building pad elevations require the use of retaining walls along the north, east and south property lines as the finished grade of the site will be below Palo Comado Canyon Road. An 8-foot retaining wall of approximately 300 feet in length is proposed along the north and east property lines, and approximately 75% of the length of this wall will be located entirely below the street grade of Palo Comado Canyon Road. Another retaining wall of approximately 180 feet in length is proposed along the south property line, 70 feet of which will be no higher than 6 feet. The remaining length of this wall varies from 7 feet in height to 12 feet in height. The portions of the southerly retaining wall that exceeds 6 feet in height will be located at least 155 feet east of the front property line at Chesebro Road. Staff would note that walls of up to 8 feet in height are allowed inside and rear yards in residentially zoned parcels that are adjacent to commercially zoned property. In this instance, the project site is adjacent to a commercial office building to the south.

An additional retaining wall that varies in height from 1-foot to 8 feet is proposed along the rear of the property. Thus, two retaining walls are proposed at the rear of the property and are separated by a 5-foot landscape planter, in the vicinity where the existing topography of the property rises substantially. This double-wall system is needed to lower the existing grade by 18-20 feet in order accommodate required pedestrian access to the proposed group open space areas at the rear of the complex, and was preferred over the use of a single retaining wall of 18-20 feet in height. This retaining wall system will also provide for vehicle access to the units located at the east end of the property. Staff would note that the applicant had considered situating the group open space area located at the southeast corner of the property at a higher elevation in order to reduce the amount of grading, but pedestrian and ADA accessibility requirements to this group open space area dictated the lowering of the grade in this area.

Since portions of the proposed retaining walls for this project exceed the maximum 6-foot height requirement, the applicant has filed a Variance application for the Planning Commission's consideration. Staff has reviewed the request and supports the increase in wall height in these areas as they will assist in lowering the height of the buildings as viewed from the roadway and will allow for vehicular and pedestrian access throughout the property. Excluding portions of the south retaining wall, the walls would be visible only from within the project, and not from the street. The Planning Commission has approved a number of retaining wall height variances in the past, particularly if the views of the wall are screened from public view or only visible internally. Staff has included a condition of approval in the draft Variance that would require the applicant to construct a decorative retaining wall. The applicant is agreeable to this condition and will consider using a soil-nail wall, similar to what was approved at the Oak Creek Apartments, located northeast

corner of Kanan Road and Canwood Street. Specific findings for approval of the Variance are included in the attached draft Resolution for the Planning Commission's consideration.

A total of 5,800 cubic yards of cut, and 150 cubic yards of fill soil will be required for grading of the site. The City's Geotechnical Consultant has reviewed the project soils report and grading plan and supports approval of both at this design review phase.

G. Oak Trees and Landscaping

An Oak Tree Report was prepared by Richard A. Campbell to determine potential impacts of the project on protected Oak trees located on-site and in the vicinity of the project, near the southeast corner of the property. A total of 10 trees were surveyed and evaluated from the present condition and potential impacts from the proposed site clearing, grading, and construction activities. Based on this independent evaluation, a total of four (4) Oak trees are recommended for removal (Oak Tree Nos. 3, 8, 9, and 10). These trees, each of which is located on the applicant's parcel, have trunk sizes of 3"-8"; 4"-5"; 2.5"; and 2.5" respectively. Detailed descriptions of each tree can be found in the Oak Tree Report included in the Mitigated Negative Declaration.

The six (6) other Oak trees (Oak Tree Nos. 1, 2, 4, 5, 6, and 7) would have encroachment due to the proposed construction. The impacts range from 12% to 28%. However, clearance pruning will only be needed for Oak Tree No. 1 and because of their small sizes and the distance of the grading from their trees may be able to sustain this level of impact, unless roots of a significant number or size are encountered. Mitigation measures, included in the Oak Tree Permit draft resolution, are recommended by staff in the event this is the case.

The City Oak Tree Consultant has reviewed the Oak Tree Report and supports its analysis and conclusions. Staff's recommended mitigation measures require that at least 16 oak trees with a minimum of 26-inches of trunk diameter be incorporated within the landscape. The proposed landscape plan provides 5 new 60-inch box-size Coast Live Oak trees having a total trunk diameter of 25-inches. Given the geographic constraints of the site, it may not be possible for the applicant to plant the total number of required mitigation oak trees on site. If the site will not accommodate additional trees to meet the mitigation requirement, equivalent alternative mitigation would be required through the establishment of an equivalent in-lieu fee. This fee would be paid by the applicant into the City Oak Tree Mitigation Fund.

There is no minimum requirement for landscape coverage in the RH zone. However, the applicant is proposing on-site landscape coverage of 14%, with landscape areas dispersed primarily along the west, north, and east ends of the property for screening purposes, and the guest parking areas include trellises over each space to meet the City's parking lot shading requirements. Fifteen-foot wide landscape planters are proposed along Chesebro Road, adjacent

to the trellis covered guest parking spaces. Landscaping along Palo Comado Canyon Road is to include landscape planters of 30 feet to 38 feet in width, located on-site and within the public right-of-way, to assist in screening the buildings as viewed from the roadway. A 6-foot high rustic, three-rail wood fence is also proposed along the perimeter of the project.

As shown on the photo simulations, the above-mentioned design features help in reducing the visual massing of the buildings as viewed from Palo Comado Canyon Road and from Chesebro Road, and is intended to create a more natural look. In addition, the City's landscape/oak tree consultant is recommending a condition of approval that the final landscape plan be revised to provide greater detail to show more natural undulating berming along the project perimeter, with the final landscape plan subject to review and approval by the Director of Planning and Community Development.

Also, at the request of the Old Agoura Homeowners Association, extensive attention has been given to the landscaping of the northwest corner of the property, adjacent to the street intersection. From the roadway, this corner open space area measures 50 feet by 45 feet (2,250 square feet). Proposed landscape detailing includes a 6-foot high berm, boulders, hedges, an Oak tree, and Sycamore trees. Staff is recommending as a condition of approval that this corner be even further developed to create a more dramatic entry statement of Old Agoura, to the satisfaction of the Planning Director, prior to building permit issuance.

H. Traffic, Parking, and Street Improvements

The traffic trip generation for the proposed project was estimated using trip generation rates from the Institute of Transportation Engineers' *Trip Generation, 8th Edition (2008)*. The project's anticipated number of vehicle trips was generated using ITE Land Use Code 224- Rental Townhouse. Using this trip generation factor, the City Traffic Engineer determined the proposed 18-unit project would generate 130 daily vehicle trips, including 13 weekday AM peak hour trips and 13 weekday PM peak hour trips.

A traffic impact analysis is generally needed if a project would generate 50 or more peak hour trips (AM or PM) or there are critical intersections that are operating close to, at, or worse than the acceptable Level of Service (LOS) in the vicinity of the proposed project. The proposed project would generate substantially less than 50 AM or PM peak hour trips. Therefore, a traffic report was not required for the project. The project-related traffic was assigned to the two proposed driveways serving the complex along Chesebro Road, as well as the study area roadways, and study area intersections which include the Chesebro road / Driver Avenue / Palo Comado Canyon Road intersection and the US-101 northbound ramps at Palo Comado Canyon Road. Based upon the trip generation and trip distribution analysis conducted by the City Traffic Engineer, the project is expected to add 13 AM and 13 PM trips to the study area intersections. Because of the low number of project trips that would be added to the adjacent intersections, the

LOS at these intersections is not expected to degrade because of the proposed project. For comparative purposes, the City Traffic Engineer prepared the following table to show the difference in trip generation between the proposed project and a 20,000 square foot retail project that would be an allowable use within the current CRS zoning designation.

Trip Generation for Proposed 18-Unit Townhouse Development

Trip Generation	Land-Use	Units	Project Generated Trips						
			Total Daily Trips	AM Peak			PM Peak		
				In	Out	Total	In	Out	Total
ITE	224 (Rental Townhouse)	18	130*	4	9	13	7	6	13
ITE	820 (Shopping Center)	20 ksf**	860	12	8	20	37	38	75
Difference			-730	-8	1	-7	-30	-32	-62

Source: ITE Trip Generation Manual (8th Edition); Kimley-Horn and Associates, Inc. 2012

*Estimated based upon 5 times the AM and PM peak trips combined

** Assumes a conservative scenario of 20ksf of commercial retail area

This table indicates that the proposed townhouses project would generate approximately 7 fewer AM peak hour trips, 62 fewer PM peak hour trips, and 730 fewer daily trips compared to a large (20,000 square foot) commercial retail project as allowed by the current General Plan.

Further traffic analysis was not required for the proposed townhomes project. However, the City Traffic Engineer is recommending that because of the proximity of the project's north driveway on Chesebro Road to the Chesebro Road / Driver Avenue / Palo Comado Canyon Road intersection, this driveway be restricted to right-turn-in and right-turn-out movements with appropriate on-street striping and signage. This recommendation is included as a mitigation measure in the Mitigated Negative Declaration that was prepared for the project. The south driveway serving the project can remain a full access driveway.

The project meets the minimum parking requirements of providing 2 covered parking spaces for each unit, and 0.5 guest parking space for each unit. Each unit allows for the parking of two vehicles in the individual garages. A total of nine guest parking spaces are provided on-site, and are dispersed near both driveway entrances. As mentioned above, the guest parking spaces will

include a wooden, covered trellis to not only serve as an architectural element, but also to screen the parking spaces and provide required shade coverage within these spaces.

The Public Works/Engineering Department will not be requiring the widening or re-striping of Chesebro Road or Palo Comado Canyon Road for this project, nor is it required to be provided along the street frontage. The applicant will be required, however, to provide sidewalk, curb, and gutter improvements along Chesebro Road. A required sidewalk along Palo Comado Canyon Road will be of meandering design and of an earth-tone color, as requested by the Old Agoura Homeowners Association. Placement of the this sidewalk will account for the future improvements that may occur along Palo Comado Canyon Road as a result of future improvements to the adjacent freeway over-pass. The applicant will also be required to provide for and maintain landscaping within the adjacent right-of-way to his project site, and pay required Traffic Impact Fees of \$1,516 per unit (\$27,288 total).

I. Signage

The applicant is requesting approval of a Sign Permit to erect one monument sign for identification of the complex. The sign is proposed to be located near the southwest corner of the site, near the southerly driveway entrance on Chesebro Road, five feet from the front property line/sidewalk.

Per the City's Sign Ordinance, the applicant would be entitled to one, maximum 48 square foot monument sign per street frontage. Although two monument signs would be allowed for this corner parcel, the applicant is proposing one, 6' x 6' double-faced sign, identifying the name of the project, description ("an 18 unit family community"), and a contact phone number for rental purposes.

The base of the sign, which is 1'7" in height and 6' in length, includes a rock veneer to match the buildings. The sign faces are 3'7" x 6' in size and are shown of laminated wood with routed letters to be painted with contrasting brown and other earthtone colors. An LED exterior down-facing lighting fixture is proposed to be attached to the top of the sign.

Staff finds the proposed sign to comply with the City Sign Guidelines and Old Agoura Design Overlay in that the monument sign is constructed out of materials that compliment the building architecture and enhance the rural appearance of the neighborhood, and includes wood and stone materials that are called for in the Old Agoura Design Overlay zone.

Staff recommends the colors of the sign be subject to approval by the Director of Planning and Community Development, as the applicant has not chosen them yet. Overall, the sign complies with the standards of the Sign Ordinance in that its 36 square foot size is within the maximum 48 square foot size allowed for the use. Also, the design of the sign is not distracting to motorists, is

appropriately located on the site, is visually attractive, is externally illuminated as called for in the Old Agoura Design Overlay zone, and provides adequate identification for the complex. In addition, the monument sign is appropriate given the size of the property and staff supports the sign permit request.

J. Environmental Review

An Initial Study was prepared by Rincon Consultants, Inc., in accordance with the requirements of the California Environmental Quality Act (CEQA) to analyze the potential environmental consequences of the proposed project. The purposes of an Initial Study are:

- A. To provide the Lead Agency (City of Agoura Hills) with the necessary information to decide whether to prepare an Environmental Impact Report (EIR) or a Mitigated Negative Declaration;
- B. To enable the Lead Agency to modify a project, mitigating adverse impacts thus avoiding the need to prepare an EIR;
- C. To provide sufficient technical analysis of the environmental effects of a project to permit a judgment based on the record as a whole, that the environmental effects of a project have been adequately mitigated.

In the case of the proposed townhomes complex, it was found that it would not result in any significant effects on the environment that cannot be mitigated to less than significant levels and therefore, a Draft Mitigated Negative Declaration (MND) was prepared for review by the Planning Commission and for adoption by the City Council.

Staff found that impacts to transportation/traffic, biological resources, and cultural resources were potentially significant, but staff also found that these impacts could be lessened to a level of insignificance through incorporation of the proposed mitigation measures.

Overall, with the incorporation of the mitigation measures, staff found that the project would not result in any significant effects on the environment that could not be mitigated to less than significant levels. The Draft MND was circulated for a 32-day review period, which began on May 24, 2012, and ended on June 25, 2012. The Final MND is attached. Responses to nine (9) comment letters received regarding the Draft MND are also attached for reference and included in the Final MND. Staff recommends that the Planning Commission recommend that the City Council adopt the Mitigated Negative Declaration and Mitigation Monitoring Program, finding it to comply with the requirements of CEQA.

K. Summary

The applicant has worked with staff over the last year and half in designing this project. The project has evolved over time to address issues raised by the Fire Department, the City Development Review Committee, and the City's Architectural Review Panel. The project was also review by other City Departments and revised to comply with Public Works Department requirements regarding drainage and grading, and the Building and Safety Department regarding compliance with requirements of the Americans with Disabilities Act (ADA). The project was also reviewed by the City's landscape and oak tree consultant. Staff also met with representatives of the Old Agoura Homeowners Association on a number of occasions to review the project, and address their comments on and concerns regarding the project. This extensive review process has led to a series of project revisions resulting in the reduction in the number of units, and changes to the building elevations and materials, driveway configurations, layout of the site plan, grading, landscaping, and other project features.

Through this review process, staff has worked with the applicant to reduce the appearance of the visual mass of the buildings as viewed from the street. The solution was to lower the internal pad elevations as low as possible, and along the project perimeter to use a series of landscape berms, heavy landscaping, trees, and fencing to soften and screen the buildings to give an appearance of reduced building height as viewed from the street. Of note is the tall berming and landscaping at the street corner at the Old Agoura gateway sign. The proposed berming, fencing, and landscaping will also help with privacy and noise buffering for the residents of this development.

Staff has discussed with the applicant the possibility of further reducing the pad elevations in order to further reduce the visual mass of the buildings as viewed from the streets. Currently, the grading plans show the project's pad elevations to be relatively flat with finished surfaces of 908.10 to 909.00 at the units along Chesebro road rising slightly up to 910.18 for the units to the rear of the site. These grades allow for surface sheet flow towards Chesebro Road. It is, however, possible to drop the grades up to 2 more feet through the use of underground storm drain pipes that would connect with a catch basin further south on Chesebro Road. This option, which is not the applicant's preference, would consequently require additional grading and higher retaining walls. The Planning Commission, however, has the discretion to recommend this option to the City Council if it finds that additional mitigation of views of the buildings is necessary.

The applicant also has proposed other options that the Planning Commission could consider to help reduce the visual prominence of the project as viewed from the street. The current plans show a combination of gable and hip roofs for all buildings. One possible option is to use all hip roofs instead, which would reduce the vertical massing towards the top of the buildings. Also, since the zoning ordinance allows hip roofs to be measured to the mid-point, the building height, as defined by the zoning ordinance, would be reduced by approximately 3 feet. The Planning Commission has discretion to recommend this option to the City Council as well.

IV. RECOMMENDATION

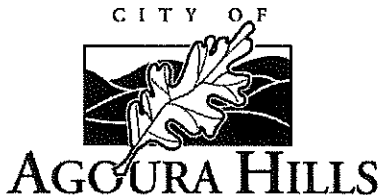
Based on our analysis of the project and the project's compliance with the developed standards of the proposed land use designation, staff recommends that the Planning Commission recommend that the City Council adopt the Final Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program prepared for the project, and approve General Plan Amendment Case No. 12-GPA-001; an Ordinance for Zone Change Case No. 12-ZC-001; Variance Case No. 12-VAR-001 (A & B); Site Plan/Architectural Review Case No. 12-SPR-002; Oak Tree Permit Case No. 12-OTP-005; and Sign Permit Case No. 12-SP-011. As the Planning Commission's role in this matter is advisory to the City Council, staff respectfully requests that the Commissioners, either individually or collectively, via a minute motion, provide any specific comments that they wish to convey to the City Council on the project. A separate public hearing will be scheduled with the City Council who will make the final decision.

V. ATTACHMENTS

- Exhibit A:** General Plan Amendment Draft Resolution
- Exhibit B:** Zone Change Draft Resolution and Draft Ordinance
- Exhibit C:** Site Plan/ Architectural Review Draft Resolution and Conditions
- Exhibit D:** Variance (A) (Retaining Walls) Draft Resolution and Conditions
- Exhibit E:** Variance (B) (Group Open Space) Draft Resolution and Conditions
- Exhibit F:** Oak Tree Permit Draft Resolution and Conditions
- Exhibit G:** Sign Permit Draft Resolution and Conditions
- Exhibit H:** MND and Mitigation Monitoring Program Draft Resolution
- Exhibit I:** Letter from the Applicant (Project Description)
- Exhibit J:** Letters / Emails from the Public
- Exhibit K:** Vicinity Map
- Exhibit L:** Reduced copies of project plans

Case Planner: Doug Hooper, Assistant Director of Community Development

EXHIBIT K



DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

MINUTES OF THE REGULAR SCHEDULED MEETING OF
THE PLANNING COMMISSION

August 2, 2012

CALL TO ORDER:

Chair O'Meara called the meeting to order at 6:35 p.m.

FLAG SALUTE:

Vice Chair Michael Justice

ROLL CALL:

Chair John O'Meara, Vice Chair Michael Justice, Commissioners Linda L. Northrup, Steve Rishoff and Curtis Zacuto.

Also present were Director of Planning and Community Development Mike Kamino, Assistant Director of Planning and Community Development Doug Hooper, Assistant City Attorney Diana Varat, Public Works Project Manager Kelly Fisher, Consultant Sri Chakravarthy with Kimley-Horn and Associates, Inc., Environmental Consultant Joe Power with Rincon Consultants Inc., Landscape Consultant Ann Burroughs, and Recording Secretary Sheila Keckhut.

APPROVAL OF AGENDA:

On a motion by Vice Chair Justice, seconded by Commissioner Zacuto, the Planning Commission moved to approve the August 2, 2012 Agenda. Motion carried 5-0.

PUBLIC COMMENTS:

There were no public comments.

APPROVAL OF MINUTES:

1. Minutes – July 19, 2012 Planning Commission Meeting

On a motion by Commissioner Rishoff, seconded by Commissioner Northrup, the Planning Commission moved to approve amended Minutes of the June 21, 2012 Planning Commission Meeting. Motion carried 5-0.

DRAFT

NEW PUBLIC HEARING

2. REQUEST:

Request for the Planning Commission to recommend that the City Council approve a General Plan Amendment to change the land use designation of the property from CRS (Commercial Retail Service) to RHD (Residential High Density); an Ordinance for a Zone Change to change the zoning designation of the property from CRS-FC-OA (Commercial Retail Service – Freeway Corridor Overlay – Old Agoura Design Overlay) to RH-(25)-FC-OA (High Density Residential (maximum 25 units per acre) – Freeway Corridor Overlay – Old Agoura Design Overlay); a Site Plan/Architectural Review to construct an 18-unit townhome complex; an Oak Tree Permit to remove four (4) oak trees and encroach within the protected zone of six (6) oak trees for the proposed construction; a Variance from Zoning Ordinance Sections 9606.2(D) and 9273.7 to construct retaining walls in excess of six feet in height and to provide group open space areas of less than 300 square feet in size per residential unit; and a Sign Permit to install one monument sign; and to adopt a Mitigated Negative Declaration and Mitigation Monitoring Program.

DRAFT

APPLICANT:

Aitan Hillel
164 W. Del Mar Avenue
Pasadena, CA 91105

CASE NOS.:

12-SPR-002; 12-OTP-005; 12-VAR-001 (A & B); 12-SP-011; 12-GPA-001; and 12-ZC-001

LOCATION:

Southeast corner of Chesebro Road and Palo Comado Canyon Road/Driver Avenue (APN 2052-008-017 & 2052-008-018)

ENVIRONMENTAL ANALYSIS:

Mitigated Negative Declaration

RECOMMENDATION:

Staff recommended that the Planning Commission adopt motions recommending that the City Council adopt the Final Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program prepared for the project; and approve General Plan Amendment Case No. 12-GPA-001; an Ordinance for Zone Change Case No. 12-ZC-001, subject to conditions; Variance Case No. 12-VAR-001 (A & B); Site Plan/Architectural Review Case No. 12-SPR-002; Oak Tree Permit Case No. 12-OTP-005; and Sign

Permit Case No. 12-SP-011, based on the findings in the Draft Resolutions.

PUBLIC COMMENTS: Chair O'Meara opened the public hearing.

The following persons spoke on this project:

Aitan Hillel, Applicant

David Snider, Building Designer representing the applicant

Richard Campbell, Landscape Architect representing the applicant

RECESS: Chair O'Meara called for a recess at 7:29 p.m.

RECONVENE: Chair O'Meara reconvened the meeting at 7:34 p.m.

The following persons spoke on this project:

Dan Motta, Resident

Cyrena Nouzille, Resident

Jess Thomas, Old Agoura HOA

Sheldon Fried, Partners in Learning Pre-School

Robyn Britton, Old Agoura HOA

Phil Ramuno, Resident

Meril Platzner, Resident

June Slayton, Resident

Dieter Bruehl, Resident

Andrea Palella, Resident

Pat Colabella, Resident

Richard Watters, Resident

Lance Huffman, Resident

DRAFT

DRAFT

DRAFT

REBUTTAL:

Aitan Hillel, Applicant, gave rebuttal regarding the project and answered additional questions of the Planning Commission.

Chair O'Meara closed the public hearing.

ACTION:

On a motion by Vice Chair Justice, seconded by Commissioner Zacuto, the Planning Commission moved to adopt motions recommending that the City Council adopt: Resolution No. 12-1064 approving General Plan Amendment Case No. 12-GPA-001; Resolution No. 12-1065 approving an Ordinance for Zone Change Case No. 12-ZC-001, subject to conditions; Resolution No. 12-1066 approving Variance Case No. 12-VAR-001 (A); Resolution No. 12-1067 approving Variance Case No. 12-VAR-001 (B); Resolution No. 12-1068 approving Site Plan/Architectural Review Case No. 12-SPR-002; Resolution No. 12-1069 approving Oak Tree Permit Case No. 12-OTP-005; Resolution No. 12-1070 approving Sign Permit Case No. 12-SP-011; and Resolution No. 12-1071 adopting a Mitigated Negative Declaration and a Mitigation Monitoring and Reporting Program prepared for the project. Motion carried 5-0.

DRAFT

PLANNING COMMISSION/STAFF COMMENTS

None

ADJOURNMENT

At 9:05 p.m., on a motion by Commissioner Zacuto, seconded by Vice Chair Justice, the Planning Commission moved to adjourn the meeting to the next scheduled Planning Commission meeting on Thursday, August 16, 2012 at 6:30 p.m. Motion carried 5-0.

EXHIBIT L

To the honorable members of the Agoura Hills Commission:

Keeping in mind that our particular plot of land is a focal point to the city of Old Agoura and its residents, our design process was to execute with the utmost attention to detail. For the past year and a half we have worked with the city staff, maintaining communication on a weekly basis, to address any concerns from the community (as well as the building and safety department, fire department, etc.) in a timely and effective manner. Throughout our design process, we have made countless efforts to ensure that our project is compatible with the Old Agoura design guidelines.

When we began the design process for this project, our understanding of the preferences of both the city staff and design review panel was for us to develop a **high end** multi-unit project that would attract and fulfill the needs of families. In this respect, we believe that a town home project would be most appropriate. Subsequently, our initial direction was to build a project that simulated a garden community of single-family dwellings by creating a layout that was composed of smaller separated structures and to also reduce the mass of one bulk structure.

To address the issues that came up during the design process and by the residents we have done the following:

Project Appearance

Our current design has front setbacks of 35' and 45' from the property line rather than the required 15' and a side yard setback of 9'6" rather than the 7' required by the city. We also separated the buildings to allow for more interior landscape and reduce the mass of one bulk building while providing a garden like living atmosphere with more interior open space.

We included trellises over all balconies and all outside parking and recreational BBQ areas in our current plan. In an attempt to avoid the boxy appearance we provided gabled roofs (rather than hip roofs initially proposed) and roof overhangs with decorative supporting beams and building overhang to each building, exterior window shutters and veneer stone on garage walls.

Our design includes berms around the perimeter of the project to further soften the height appearance of the project. It also provides the residents with a buffer from traffic noise and offers a sense of privacy and security.

Density

We created interior spacious areas between buildings to break the mass of a one structured building. We also deleted the proposed recreation room to allow for more open space and vacate additional room for landscaping.

It is also important to note that our current project design calls for significantly less units than what is allowed by city code. Rather than developing the maximum permissible 24 units we are proposing only 18 units, this demonstrates a 25% density reduction.

Height

The proposed height of our building is 34'11".

The building will be setback 36' and 45' from the property line. These deep setbacks along with the berms are designated to reduce the height appearance.

Per city request we also reduced the natural grade of the property by an average of 5'-6' to reduce the appearance of the building height from the street view.

Please note that the height of the adjacent office building is 34' and its elevation is measured at 942.8 (per survey) our proposed building elevation is at 943 and gradually elevate to 945 at the interior of the property, and 943 - 944 along Chesebro Rd.

Retaining Walls

The consequence of fulfilling the above needs (grade reduction of 5'-6') is that we ended up with higher retaining walls and are forced to apply for a variance that will allow us to build these walls higher than 6'. These higher retaining walls will only be placed in certain interior areas of the project.

To improve the appearance of the retaining walls we offer the usage of a decorative soil nail blocks.

Open Space Requirement

We provided two separate recreational areas, the first is a BBQ and Jacuzzi area and the second is BBQ with family seating area, both have covered trellises with decorative beams. This will allow the residents to use both areas at the same time. Moreover in the interest of the safety of the residents we believe that the Jacuzzi and BBQ area cater more to adult use than it does to child use. We initially proposed a recreation room which was deleted to reduce the mass of the building and create more open space.

Due to our intention to create interior space between the buildings and provide more than the required setbacks we ended up with a shortage of the required open space and are forced to ask for a variance.

Driveway

Due to the fire department requirements and the interior space between the buildings we are forced to create a longer driveway. However, we are willing to replace the colored concrete with any form of desirable hardscaping.

Oak Trees

To mitigate the removal of the young oak trees we provided a forest like landscaping around the perimeter of the project with an abundance of trees and vegetation.

This will also help screen the appearance of the building from the street view and will help compensate for the removal of the existing oak trees.

Throughout this step by step design process for the past 18 months, we have worked diligently with the city staff and the ARP to create an acceptable project to the city of Agoura Hills and its residents.

Thank you for your consideration,

Aitan Hillel

EXHIBIT M

Hillel Project:

CITY OF AGOURA HILLS

2012 AUG 15 AM 9:30

CITY CLERK

To Whom it May Concern:

As a resident of Old Agoura and neighbor within 300 feet of this project, I would like to express to you my support.

As we would all like to see the parcel stay open space in reality that is not an option.

Given those circumstances I believe this project although not perfect is a leap in the right direction to buffer the commercial from the semi-rural residential.

If the council adopts the more important Planning Commissions suggestions I think Old Agoura will benefit by approving this zoning change and multi-family complex.

My only recommendation, which Mr. Hillel has already has agreed to via a phone conversation, is to Plant a "Valley Oak" on the corner next to Old Agoura's entrance sign and to leave that area more natural in landscape treatment instead of the park setting in that area originally proposed.

Mr. Ramuno has suggested planting a Black Walnut, but black walnuts have a limited life span and are in no way as majestic as the Valley Oak.

The Valley Oak will live hundreds of years if undisturbed and compliment the Old Agoura entrance most appropriately for long after we are gone.

Although the City seems to have a habit of recommending the "Live Oak" because it is green year around, I think in this particular case, in this particular spot, a Valley Oak will grow larger, more majestic, as well as express the seasons.

Lastly I would like to thank Doug Hooper and Aitan Hillel for working so diligently to create a project that does the least by its design to negatively impact Old Agoura's Community Identity, as well as still keeping the focus for ingress from Palo Comado on the entrance sign and the equestrian park across the street.

Ron Troncatty

Dieter Bruehl, Ph.D. & Andrea Palella
21385 Summit Rd. Topanga, CA 90290
Phone 310 455 2746 Fax 818 301 2702

August 13, 2012

Regarding:

CITY OF AGOURA HILLS

18 unit proposed apartment/condo Project Chesebro Road
CASE NOS. 12-SPR-002; 12-OTP-005; 12-VAR-001; 12-SP-011;
12-GPA-001; and 12-ZC-001

Dear City Council and Planning Commission,

We are the Managing Members of the LLC that own the 24 unit apartment complex across the street from the proposed project (5245 Chesebro Road, Park Agoura Apts)

We attended the August 2nd along with the owners of the school across the street and the commercial building adjacent.

We all expressed the same concern which was pretty much ignored at the hearing. These neighborhood properties will be impacted by this project and I believe their issues should taken into consideration to the point where the developer and fire dept come up with a viable solution to placing 1 driveway vs 2 driveway entries in front of the subject property.

Yes, we know the fire truck needs to be able to get in and out. Well, how about reconfiguring the driveway on the interior to loop and connecting and exiting thru one common driveway.

This is only an 18 unit building and why should it take up 2 driveway entries on that side of the street in the neighborhood.

On August 2 ,we all stood up before you and the council expressing the concern of taking up so much of that curb space away for neighborhood parking.

Please forward this letter to the council members on our behalf.

We look forward to your responses and solutions to the immediate neighborhood concerns

Andrea Palella and Dieter Bruehl PhD

FROM THE DESK OF
ANDREA LUX

CITY OF AGOURA HILLS

2012 AUG -2 PM 5: 58

CITY CLERK

08/02/2012

City of Agoura Hills
Planning and Community Development Department
30001 Ladyface Court
Agoura Hills, CA 91301

RE: CASE NOS. 12-SPR-002 – Hillel 18 Unit Townhome Project

Dear Commissioners:

In lieu of speaking at tonight's public Hearing I would like to address the commission in writing in regards to the above referenced project. While not opposed to a townhome project in general at this site I would like to comment briefly on this project.

This project appears too dense at this site. The mass of this project is accentuated by its surroundings. For instance upon approaching this site from Driver Avenue there is a small one story ranch house across the street and a one story Pre-School and a Park on the other corners. Please consider reducing the scope of this project to be more compatible with the "more open" surroundings.

Commissioners I urge you to consider the comments and suggestions made by the Old Agoura Homeowners Association, I believe these are reasonable requests and I fully support their stand on this issue.

Thank you for your consideration,



Andrea Lux
28233 Balkins Dr.
Agoura Hills, CA 91301
Old Agoura Resident

Andrea Palella
21385 Summit Rd. Topanga, CA 90290
Phone 818 807 8320 Fax 818 301 2702
Palellaa@aol.com

July 30, 2012

Regarding:

CITY OF AGOURA HILLS
18 unit proposed apartment/condo Project Chesebro Road
CASE NOS. 12-SPR-002; 12-OTP-005; 12-VAR-001; 12-SP-011;
12-GPA-001; and 12-ZC-001

Dear Planning Commission,

We are the Managing Members of the LLC that own the 24 unit apartment complex across the street from the proposed project (5245 Chesebro Road, Park Agoura Apts)

We are as well as many of the residents are extremely concerned and upset about the pending loss of neighborhood and community street parking as a result of the proposed 18 unit project. The 2 driveways and possible fire hydrant along with red curbs designations along Chesebro Road are taking away from the neighborhood residents in order to benefit this new project. This seems unfair and not right.

Some possible corrections could include an additional neighborhood parking lot with a lifetime easement at the proposed subject property equal or greater to the approx 8 curb parking spots that will be lost as a result of this proposed project.

When 5245 Chesebro Road was built in 1979 the planning Dept didn't require additional parking. Since then, the home for the elderly along with red curb painting has decreased the neighborhood street parking.

We feel as though this issue has not fairly considered the impact on our business of providing rental housing for Agoura Hills. There are 24 families living directly across the street from this project which includes 60+ residents made up of 18 children and 48 adults.

We strongly object to this project unless this parking issue is addressed to allow for the existing number of street spaces to remain.

In addition. Our tenants have been asking questions regarding construction noise, hours and days of construction, when the project will begin and length of time until completion.

We request that this letter be submitted. Will these items be addressed at the meeting Aug 2 and must I attend and speak at that time.

Thank you in advance for your consideration

Andrea Palella and Dieter Bruehl

Doug Hooper

From: William Kaplan [roknk44@gmail.com]
Sent: Monday, June 25, 2012 10:15 PM
To: Doug Hooper
Subject: Hillel Townhomes

Mr. Hooper,

I am opposed to the townhouse project as described. This is the "gatehouse" to Old Agoura, just under the over street sign. We love our unique community and work hard to guard its unique charm. Exiting the freeway coming home, the first thing we will see is a highly concentrated situation stuffed at the very entrance to our community. The number of units designed is too high I feel it misrepresents the neighborhood. Because of its location, it appears to set the tone for the entire community, but it doesn't at all. That's the problem. It doesn't fit. Nothing else is that congested. It doesn't go with Old Agoura in any way and would feel totally out of place here. It might be expected at the edge of a college campus for student housing, but not at the entrance of Old Agoura. Please reconsider this development and the number of units proposed.

Thank you.

William B. Kaplan
28028 Balkins Dr.

Dear Agoura Hills Planning Commission,

I am writing this letter in response to the Agoura Hills Hillel Townhomes proposed project. I have several concerns regarding this project. First of all the size that is being proposed is too enormous for the lot that it would be on. It seems that 35 foot tall buildings on the corner welcoming people into Old Agoura is not what we want to be known for. Our rural area needs to be a continuation of the Santa Monica Mountains and all their beauty. The square footage and density being proposed is also too much, .92 acre of concrete is what will be on this property. I believe that the Hillel family needs a new architect that knows how to design condominiums that actually have some character to them. I would like to see some poles on the property to show everyone the height of the proposed buildings, and what we will have to live with. This project needs to have the same thoughtfulness in construction and design as the furniture buildings on Canwood. Earth tones, wood, and native landscape should be the only designs allowed to be considered. They have already vengefully destroyed a beautiful Black Walnut tree and now they want to ask for an Oak tree variance? In my opinion, they should keep the Oak trees and only be allowed to use California Native plants in their landscape. This property is the home of many species of plants and animals. Once construction begins, the ecosystem will be destroyed. So by planting natives, it may have a chance to bring back some of the life again.

I am not naïve to believe that this property should never be developed, but how about coming to the table with thought out, well designed buildings. In the long run they Hillel family will realize that they will make their money and the buildings will fit into the unique area of Old Agoura.

Tara Farkash

28442 Driver Ave.

Agoura Hills, Ca

Doug Hooper

From: Chris Nitz [cnitz@wcis-ins.com]
Sent: Friday, June 22, 2012 2:11 PM
To: Mike Kamino
Subject: construction on palo camado and canwood

Follow Up Flag: Follow up
Flag Status: Flagged

I am a Old Agoura resident (6040 Chesebro Road) and I am in agreement with the Old Agoura Homeowners Association in regards to the issues they have raised in regards to the condo project at the above mentioned site. The project does not fit in the community for the reasons previously listed by the OAHA. Please take this into consideration. I appreciate your time and please call me at the number below if you have any questions. Thank you.

Chris Nitz
818-632-6415

Doug Hooper

From: Norman Jung [njjung@yahoo.com]
Sent: Tuesday, June 19, 2012 8:09 PM
To: Mike Kamino
Subject: I agree with the Old Agoura Homeowners

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Mike.

I agree with the old Agoura Homeowners on the proposed construction 18 unit townhouses. They are:

- **Too dense.** Fewer units.
- **Too high.** 34' 11" (twice as high as the Old Agoura sign). The surrounding neighbors are a park, a single story home, a single story preschool, a two story apartment building, and a two story office building. Nothing should be higher than the office building.
- **Too vertical.** They're just square boxes. Buildings need to be better broken up.
- **Too much concrete.** Better interior landscaping and green belt connectivity, especially for the residents' common area.
- **Too many retaining walls.** Respect the natural lay of the land and terrace the hill, not cut into it with over-height retaining walls (they're proposing two 9 foot stacked retaining walls which give the appearance of an 18 foot wall).
- **Story poles!** Ask the Planning Commissioners to have the applicant put of story poles. The visual simulations they're using do not show what the buildings will look like from the street. Show the neighbors what they'll be seeing.
- **Natural colors** not white stucco and bright blue shutters.

Sincerely,
Norman Jung

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Doug Hooper

From: Gary Gallinot [ggallinot@hotmail.com]
Sent: Monday, June 18, 2012 5:55 PM
To: Mike Kamino
Subject: Palo Camado and Canwood Project

18 unit townhouse complex that is being proposed at the corner of Palo Comado and Canwood Street in the City of Agoura Hills, Old Agoura area.

concerns:

- **Too dense.** Fewer units.
- **Too high.** 34' 11" (twice as high as the Old Agoura sign). The surrounding neighbors are a park, a single story home, a single story preschool, a two story apartment building, and a two story office building. Nothing should be higher than the office building.
- **Too vertical.** They're just square boxes. Buildings need to be better broken up.
- **Too much concrete.** Better interior landscaping and green belt connectivity, especially for the residents' common area.
- **Too many retaining walls.** Respect the natural lay of the land and terrace the hill, not cut into it with over-height retaining walls (they're proposing two 9 foot stacked retaining walls which give the appearance of an 18 foot wall).
- **Story poles!** Please ask the Planning Commissioners to have the applicant put of story poles. The visual simulations they're using do not show what the buildings will look like from the street. Show the neighbors what they'll be seeing.
- **Natural colors** not white stucco and bright blue shutters.

The project would be a nice compliment to the area with the above concerns being addressed.

Thank You,

Gary Gallinot
Dr. Debbie Gallinot

6014 Fairview Place
Agoura Hills, CA 91301

Member Old Agoura homeowners Association

Doug Hooper

From: Lisa Schneider [honeybear3371@adelphia.net]
Sent: Monday, June 18, 2012 3:44 PM
To: Mike Kamino
Subject: Proposed development at Palo Comado & Canwood

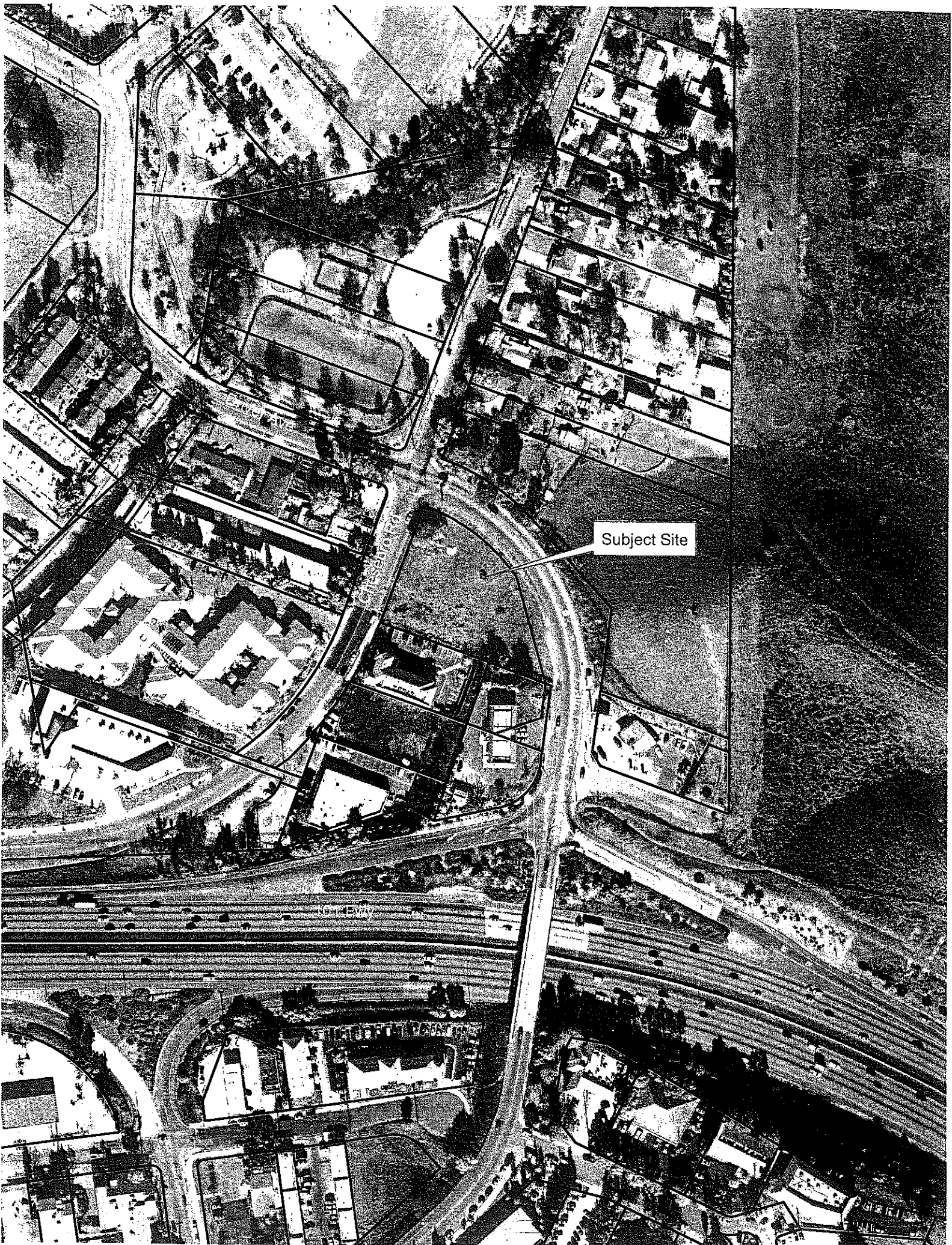
Dear Mr. Kamino,

We are writing to protest the proposed 18-unit townhouse project at the corner of Palo Comado and Canwood Streets for several reasons:

1. **Too dense.** Fewer units would look better and be less traffic at this busy intersection.
2. **Too high.** Nothing should be higher than the adjacent office building. We would like to see the Old Agoura sign, not the townhome buildings.
3. **Too vertical.** They look like square boxes. It can't be that difficult to break up the buildings in a better way.
4. **Too much concrete.** Better interior landscaping and green belt connectivity, especially for the residents' common area.
5. **Too many retaining walls.** Respect the natural lay of the land and terrace the hill, not cut into it with over-height retaining walls.
6. **Story poles.** Show what the buildings will look like from the street – we want to know what we'll be seeing.
7. **Natural colors** not white stucco and bright blue shutters. Natural colors will be in keeping with the area.

Respectfully submitted,
Lisa & Shel Schneider
6018 Chesebro Rd.
Agoura

EXHIBIT N



Subject Site