REPORT TO CITY COUNCIL

DATE:

AUGUST 14, 2019

TO:

HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM:

GREG RAMIREZ, CITY MANAGER

BY:

NATHAN HAMBURGER, ASSISTANT CITY MANAGER

DOUG HOOPER, PLANNING DIRECTOR Off.

SUBJECT:

CONTINUED OPEN DE NOVO PUBLIC HEARING - REVIEW OF THE AGOURA HILLS PLANNING COMMISSION'S APPROVAL OF THE SITE PLAN/ARCHITECTURAL REVIEW CASE NO. SPR-01504-2018 FOR 28500 DRIVER AVENUE (APN 2055-004-040); A REQUEST TO CONSTRUCT A TWO-STORY, SINGLE-FAMILY RESIDENCE AND AN

ATTACHED GARAGE (MANISH DRONA, APPLICANT)

This continued open de novo public hearing item is regarding the City Council's election to review a decision made by the Planning Commission per Division 7, Section 9807 of the Agoura Hills Municipal Code. By way of background, on May 2, 2019, the new single-family residential project at 28500 Driver Avenue (A.P.N. 2055-004-040) was brought before the Planning Commission for consideration at a regularly scheduled hearing. The Planning Commission voted to approve the project with a vote of 4-0-1 (Commissioner Wolf was absent), with additional conditions. Specifically, the project consisted of a new two-story, 4,917 square-foot residence, attached 695 square-foot garage, and an 840 square-foot swimming pool on a 21,781 square-foot site on Driver Avenue. The site is zoned Residential Low Density (20,000 square-foot minimum lot size)-Old Agoura Design Overlay-Equestrian Overlay Zone (RL-20,000-OA-EQ).

The City Council action, at its meeting on May 14, 2019, was to consider whether the City Council should elect to review the project and direct staff to set a de novo hearing at a future City Council meeting, or decline to review the project. The City Council voted 4-1 (Councilmember Weber opposed) to review the project at a future City Council meeting.

On June 26, 2019, the City Council conducted a de novo public hearing to review Site Plan/Architectural Review (SPR) Case No. SPR-01504-2018, and either: (1) uphold the Planning Commission's original decision and uphold the project, as conditioned; (2) approve the project as recently modified; (3) modify the Planning Commission's decision by amending the project's conditions or modifying the project's site plan and architecture; or (4) overturn the Planning Commission's decision and deny the project. Upon considering evidence, both written and oral, including the staff report and supporting documentation, the City Council continued the open de novo public hearing to August 14, 2019, and provided direction to the applicant to modify the project plans to: (1) reduced

the size of the residence to no more than 4,106 square feet, per the Old Agoura Design Guidelines; (2) address additional articulation on the east and west building elevations; (3) replace the solid driveway gate with a gate that is lower the height and more open in appearance; and (4) ensure that any additional trees planted for additional screening, if proposed, are native species.

The applicant has since modified the project plans to reduce the overall size of the residence to 4,105 square feet, which is within the Old Agoura Design Guidelines maximum 4,106 square-foot recommended residential size for this lot. This was accomplished by reducing the size of the second floor by 781 square feet. In order to achieve the reduced floor area and to enhance the proposed Craftsman architectural style, the specific changes made to the plans since the June 26, 2019, City Council meeting include the following:

Building Materials/Colors

 As requested by the Old Agoura Home Owners Planning and Zoning Committee, the dark brown hardie board lap siding material was replaced with a lighter, tan colored siding to eliminate stark contrast with the proposed light brown colored stucco

Front (North) Building Elevation (Plan Sheet A5.0)

- The height of the stone base materials was raised to the window sill
- Siding material was added east of the entry porch
- The length of the second floor balcony was extended
- The second floor window was replaced with a door to access the balcony
- A single-door at the front entry was replaced with a double-door

East Side Building Elevation (Plan Sheet A5.0)

- Stone base materials were added and increased in height
- Siding material was added to portions of the first and second floors
- Shed roofs ("eyebrows") were added between the first and second floors
- The number of windows on the second floor, above the garage doors, were reduced
- The chimney was slightly reconfigured

Rear (South) Building Elevation (Plan Sheet A5.1)

- Two separate balconies were replaced with a single, larger balcony
- The windows on the second floor were reconfigured
- Siding material was added on the first and second floors
- Stone base materials were added on the east end (right side) of this building elevation

West Side Building Elevation (Plan Sheet A5.1)

- Siding material was added to portions of the first and second floors
- A shed roof ("eyebrow") was added between the first and second floors

- Two windows were removed from the second floor
- Two windows on the second floor were reconfigured

Roof Plan (Plan Sheet A4.0)

• A mansard roof was replaced with a full, hip roof, which raised the overall height of the roof by one-foot, three inches (26'3" to the ridgeline)

First Floor Plan (Plan Sheet A2.0)

- A single-door at the front entry was replaced with a double-door
- The size of the garage was reduced by five square feet (now 690 sq. ft. in size)

Second Floor (Plan Sheet A3.0)

- The overall size of the second floor was reduced by 781 square feet
- A fourth bedroom (Bedroom No. 4) was eliminated
- The size of the master bedroom, bathroom and closet was reduced
- The size of the Great Room was reduced
- Bedroom No. 3 was reconfigured
- Two separate balconies on the rear (south) building elevation were replaced with a single, larger balcony

Front Yard Gate/Fence (Plan Sheet A4.0)

- The solid wood gate was replaced with an open wood rail gate
- The plaster base of the wood fence was eliminated, with pilasters remaining
- The gate and fence were reduced in height, from six feet (6') to four feet (4')

The applicant also submitted revised renderings showing the plan revisions (Attachment 1). The footprint of the residence remains as originally planned, and no revisions to the landscape plan are proposed. Should additional tree screening be proposed later, Condition No. 69 of the attached draft Resolution (Attachment 4) ensures the plant material be native. This condition states:

"Invasive non-native plants that can threaten the local wildland ecosystems are not permitted. These plants are listed in the California Invasive Plant Inventory published by the California Invasive Plant Council."

Through coordinated meetings and correspondence by staff and the applicant, the Old Agoura Home Owners Planning Committee ("Committee") reviewed the revised project plans and building colors and materials. In their attached letter dated July 27, 2019 (Attachment 3), the Committee concluded: "The project as presented works nicely with Old Agoura's Design Standards and Overlay. We suggest approval of the project as presented."

With the design changes made by the applicant since the June 26, 2019, City Council meeting, staff recommends the City Council consider approving the project, finding it to be in compliance with the Old Agoura Design Guidelines; to meet the requirements set forth in the Agoura Hills Municipal Code; and to be consistent with the General Plan. A

draft Resolution and conditions of approval are provided in Attachment 4 for City Council's consideration for adoption.

Also attached for reference are the June 26, 2019, City Council Meeting Minutes (Attachment 5), and the June 26, 2019, City Council staff report (Attachment 6).

RECOMMENDATION

Staff respectfully recommends the City Council conduct a de novo hearing and adopt Resolution No. 19-1909, approving Site Plan/Architectural Review Case No. SPR-01504-2018, as proposed by the applicant in the plans date stamped July 31, 2019, subject to conditions of approval.

Attachments:

- 1. Revised project renderings (date stamped July 31, 2019)
- 2. Revised project plans (date stamped July 31, 2019)
- 3. Letter from Old Agoura Home Owners Planning and Zoning Committee dated July 27, 2019
- 4. Resolution of Approval with conditions
- 5. City Council Meeting Minutes June 26, 2019 (ref. Agenda Item 16)
- 6. City Council staff report June 26, 2019

ATTACHMENT 1

Revised Project Renderings

















ATTACHMENT 2

Revised Project Plans

28500 DRIVER AVENUE

AGOURA HILLS, CA 91301

APN: 2055-004-040

VICINITY MAP





PROJECT CONTACTS

160 PORRESTER CT, SIMI VALLEY, CA 93065 805-233-2366 MARISHDROHARSGMAIL COM

DESIGNER VALLECIÓS DESIGN STUDIO

LOS ANGELES | VENTURA | SANTA BARBARA 818 554 8831 VALLECIOS (SGMAIL COM

LANDSCAPE ARCHITECT
MARSH SANDERS | DESIGN CONCEPTS LANDSCAPE ARCHITECTURE
SSG OTERO CT. CANARLLO, CA 95010
805 522-1266 MARSH SANDERS/8YAHOO COM

CIVIL ENGINEER RAHDY CHAPMAN | CCE DESIGN AND ASSOCIATES 450 ROSEWOOD AVE #202, CANARILLO, CA 93010 805-738-5434 RAIDY@CCEDESIGNASSOICATES COM

SHEET INDEX

ARCHITECTURAL

COVER SHEET AND INDEX
SITE FLAN AND TOPOGRAPHIC MAP
FIRST FLOOR FLAN
SECOND FLOOR FLAN
ROOF FLAN AND WALL ELEVATIONS
ELEVATIONS - NORTH AND EAST
ELEVATIONS - SOUTH AND WEST
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A0 0 A1 0 A2 0 A3 0 A4 0 A5 0

A5 1 A5 2 A5 3 AC 0 ELEVATIONS - COLOR DOOR AND WINDOW SCHEDULE SECTIONS

CIVIL

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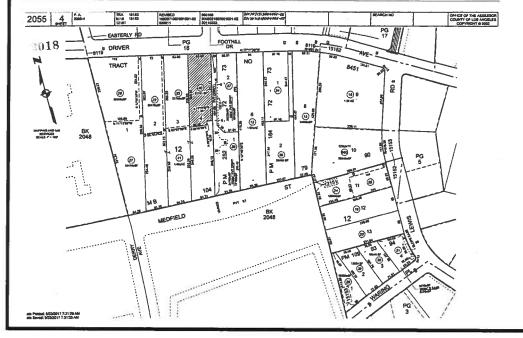
INDEX SHEET GRADING PLAN EROSION CONTROL PLAN DETAILS AND SECTIONS

LANDSCAPE

SITE PLAN AND POOL SECTIONS

MAXIMUM ALLOWANCE WATER APPLIED

ASSESSOR'S PARCEL MAP



SITE INFORMATION

28500 DRIVER AVE. AGOURA HILLS, CA 91301 2055-004-040 FORTION OF LOT 4 ADDRESS APN LOT HO TRACT NO

| BUCK | 12 | 17.51 SF | (0.50 ACRES) | 201816 | R. 120,000-0A-EQ (RESIDENTIAL LOW DENSITY) | BUILDING MEIGHT | 26.3" (MAXIMUM ALLOWED 30:0")

SCOPE OF WORK

(II) 2.STORY SINGLE FAMILY OWELLING, SPRINKLERED V.B. CONSTRUCTION

TOTAL 4.105 5 F. (SQUARE FOOTAGE)

GARAGE COV PORCH BALCOHIES CHIMNEY 690 5 f 328 5 f 650 5 f 31 5 f

LOT COVERAGE

	TOTAL	5,740 (26,35% OF LOT
BRO		50
CONCEPTUAL BARN:		144
POOL EGUIP.I	GD	
MOOL DECK:	991	
POOL	540	
HAKDSCAPE		1,900
ENTRY STEPS		74
EALCONIES .		50
SINGLE PAMILY DWELLIN	G POOTMUNT	3,542

SETBACKS

COMPLIANCE

THIS PROJECT IS TO BE IN COMPLIANCE WITH:

201G CAUFORNA RESIDENTIAL BUILDING CODE 201G CAUFORNA SEREN CODE 201G CAUFORNA FILE TOÇAL CODE 201G CAUFORNA FILE CODE 201G CAUFORNA MECHANICA CODE 201G CAUFORNA MECHANICA CODE 201G CAUFORNA MECHANICA CODE 2017 DES MICHES COUNTY FILE CODE 2017 DES MICHES COUNTY FILE CODE YER FINGE TRIAND SERVICITY ZONE

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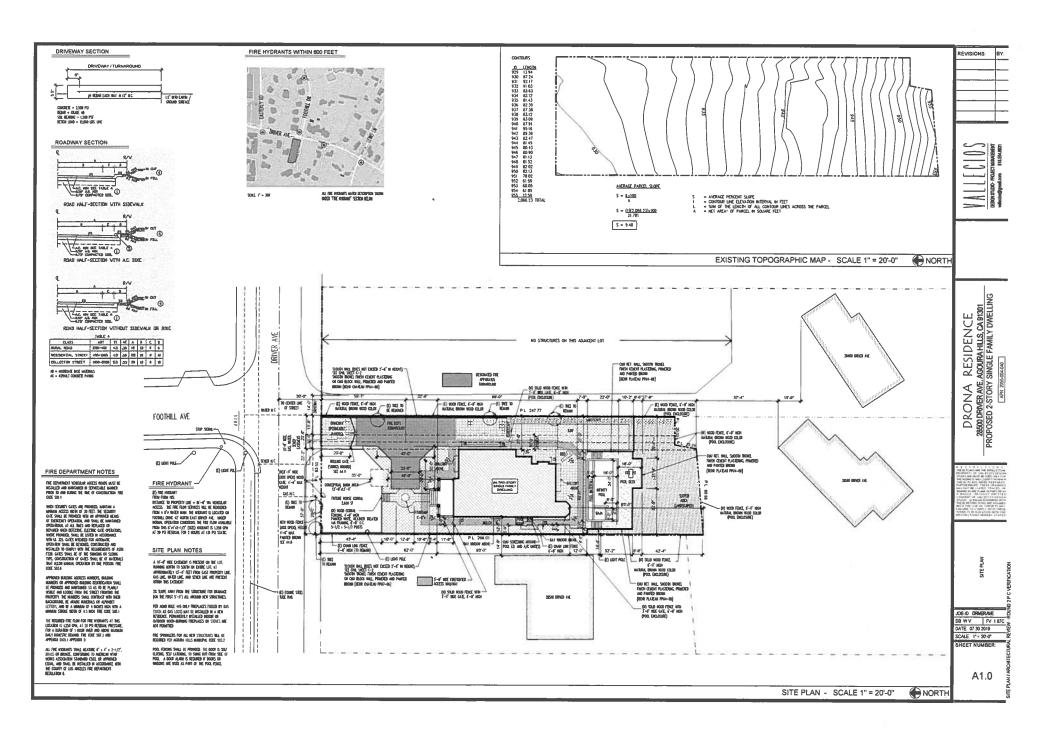
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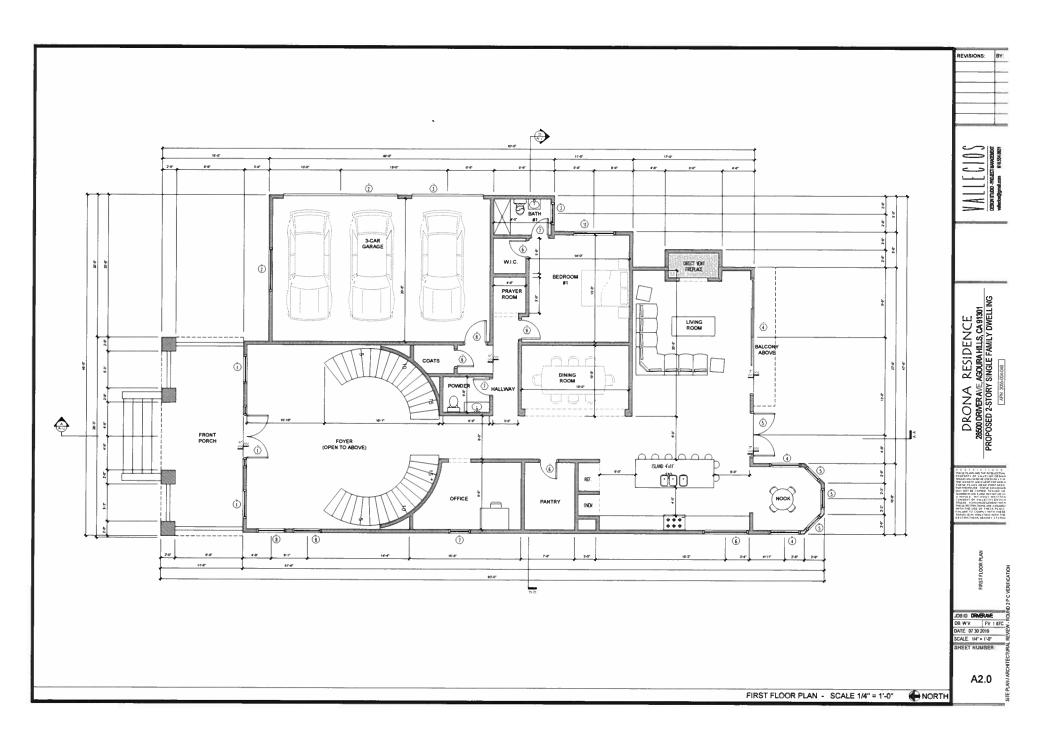
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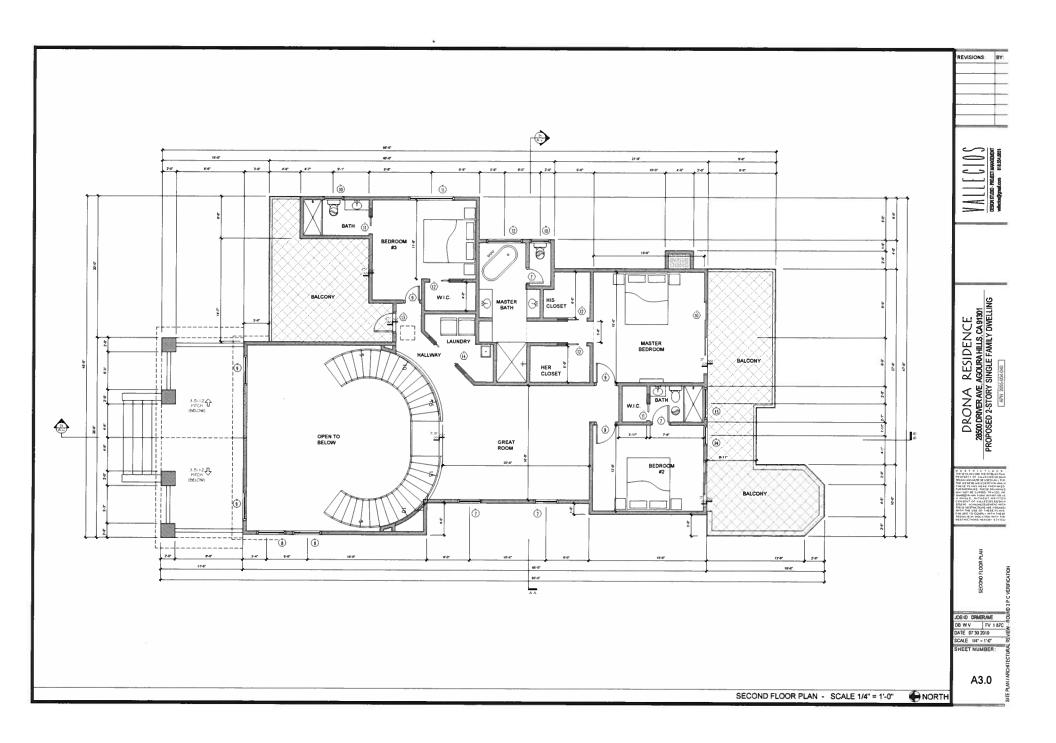
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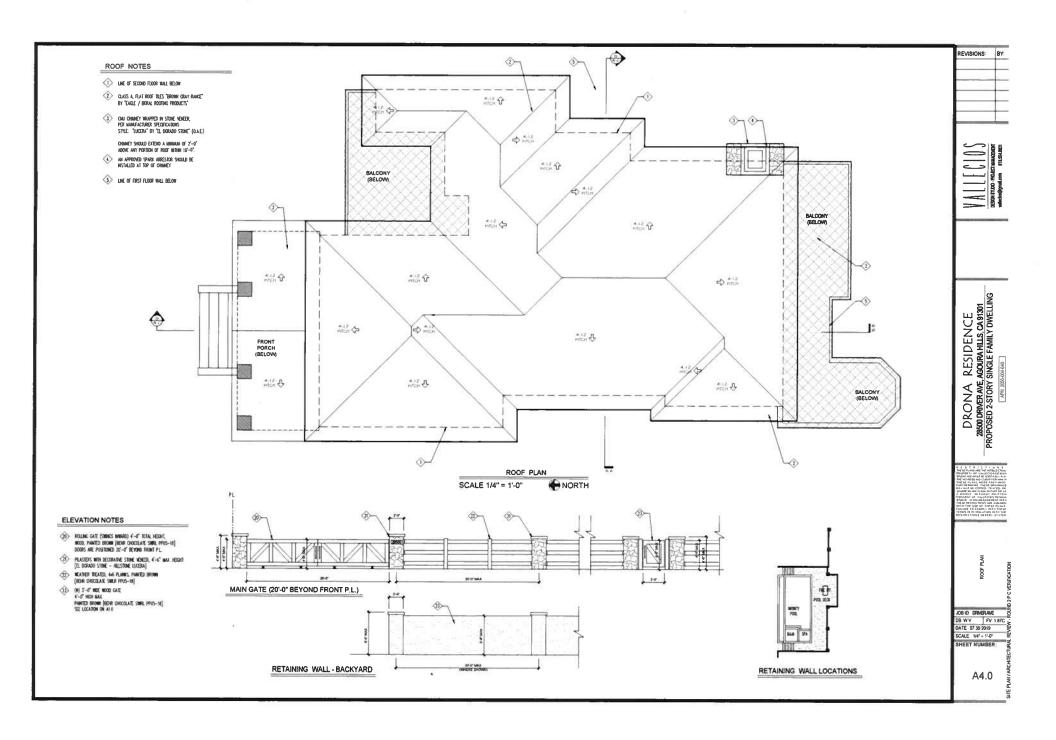
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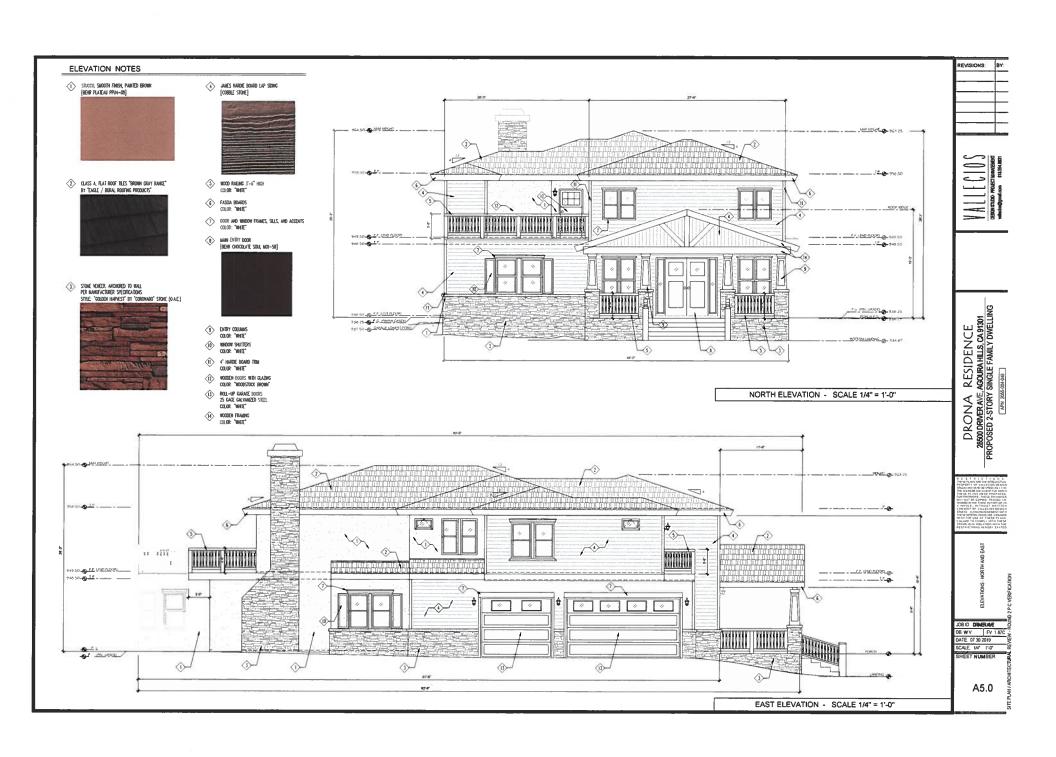
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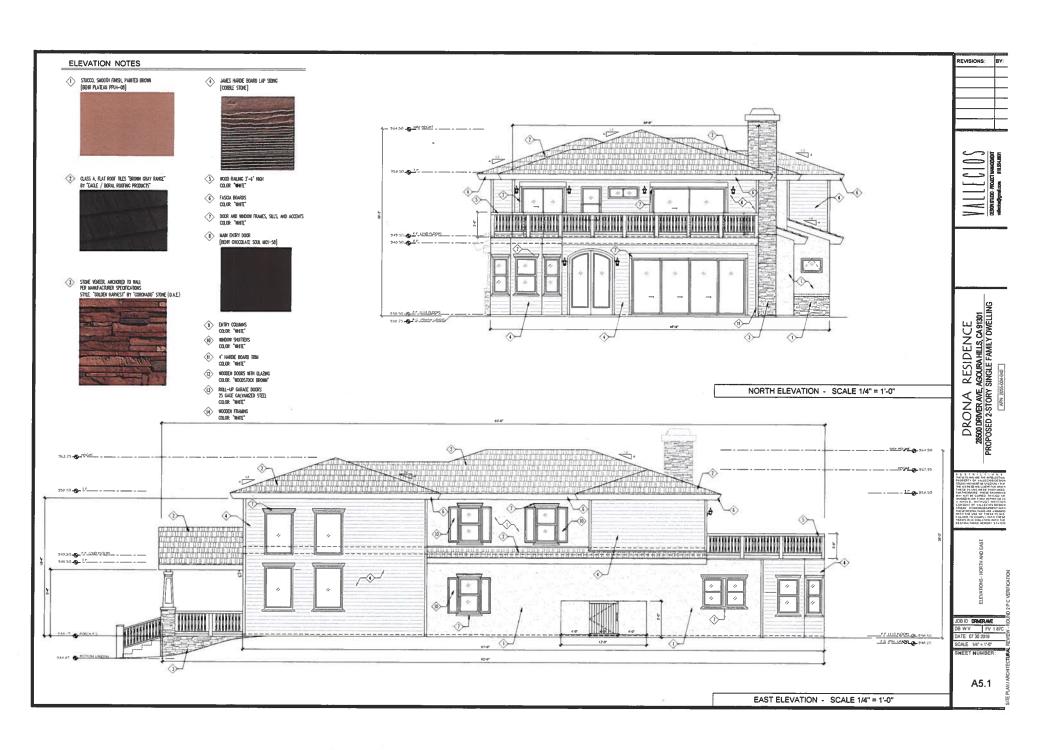










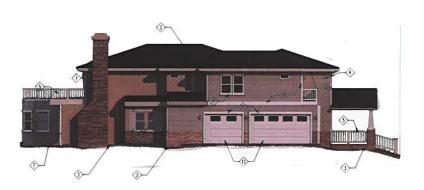


ELEVATION NOTES

- STUCCO, SMOOTH FINISK, PARTED GROWN (BEIR PLATEAU PPU4-06)
- (\$) CLASS A, FLAT ROOF TILES "BROWN GRAY RANCE" BY "EAGLE / BORAL ROOFING PRODUCTS"
- 3) STONE WENEER, ANCHORED TO THALL!
 PER MANUFACTURES SPECIFICATIONS
 STYLE: "COLDEN HARNEST" BY "CORDINADO" STONE (0 A.E.)
- (COBBLE STONE)

6 FASOIA BOARDS COLOR: "WHIE"

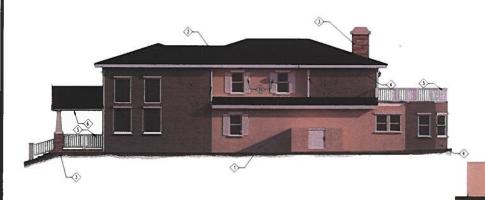
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- (2) MOOD SWITHC 1,-9, HIGH
- (3) COLOR: "WHIE" SHART, SILLS, AND ACCENTS
- 8 MAIN ENTRY DOOR [BEHR CHOCOLATE SOUL MOI-58]
- DALEA COLTUMAZ
 COTOS , AMERE,
- (10) WHOOM SHUTTERS COLOR. "WHITE"
- 4" HARDIE BOARD TRIM COLOR: "WHITE"
- WOODEN DOOR WITH GLAZING COLOR: "WOODSTOCK BROWN"
- (1) ROLL-UP GARACE DOORS
 25 GACE CAL WANGED STEEL
 COLOR "WHIE"
- (14) WOODEN FRAMENC COLOR: "WHITE"



EAST ELEVATION



NORTH ELEVATION



WEST ELEVATION





REVISIONS

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(2)	16"-0"x8"-0"	1	SECTIONAL ROLL-UP	STEEL (EXTERIOR)	N/A	GARAGE	H/A	CONTROL REMOTE OPERATED
(3)	10'-0"18'-0"	3	ECHONAL ROLL-UP	STEEL (EXTERIOR)	H/A	CARACE	H/A	CONTROL REMOTE OPERATED
4	16'-0's#'-0'	1	270MC	ACUMINUM & CLASS	DUAL	KITCHEN	YES	LOCKING HARDWARE FROM INTERIOR SIDE ONLY
(5)	6'-0"19'-0"	1	SWING	WOOD AND CLASS	DUAL	CONNC	YES	LOCK AND BOLT PER OWNER (ARCHED, SEE ELEVADON)
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ů	7-4"16"-8"	4	SWING	WOOD HOLLOW CORE	H/A	BEDROOM ENTRY	H/A	PRIVACY HARDWARE (ALL BEDROOMS)
(8)	3'-0'=5'-5'	1	SWING	WOOD HOLLOW CORE	N/A	GARACE	N/A	20-MINUTE FIRE RATED DOOR, PASSAGE HARDWARE
(9)	7-8'15'-8'	4	SMMC	WOOD HOLLOW CORE	N/A	BEDROOM ENTRY	H/A	PRYACY HARDWARE, ALL BEDROOMS
(10)	10'-0':8'-0"	1	SUDING	ALUMBRUM & GLASS	N/A	MASTER BEDROOM	YES	LOCKING HARDWARE FROM INTERIOR SIDE ONLY
Ü	7-4-16-8	2	POCKET	WOOD HOLLOW CORE	N/A	BEDROOM CLOSETS	N/A	BEDROOM #2 CLOSET & BATHROOM IN BEDROOM #3
(12)	7-8-5-8	3	POCKET	WOOD HOLLOW CORE	N/A	BEDROOM CLOSETS	H/A	BEDROOM 3 AND MASTER CLOSETS
(13)	J-0"16"-8"	1	STIDING	WOOD SOLID CORE	SMOLE	HALLWAY 200 FLOOR	TEMPERED	LOCKING HARDWARE FROM INTERIOR SIDE CINEY
Ü	6'-0"e5'-8"	1	BARN	WOOD HOLLOW CORE	H/A	LAUNDRY ROOM	N/A	PASSACE

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7-6"25'-0"	3	HUNG	With	6,-0,	DUAL	HOOK	но	
6'-0"x4'-0"	1	THIN HUNG	WITE	8-0"	DUAL	KITCHEN	YES	
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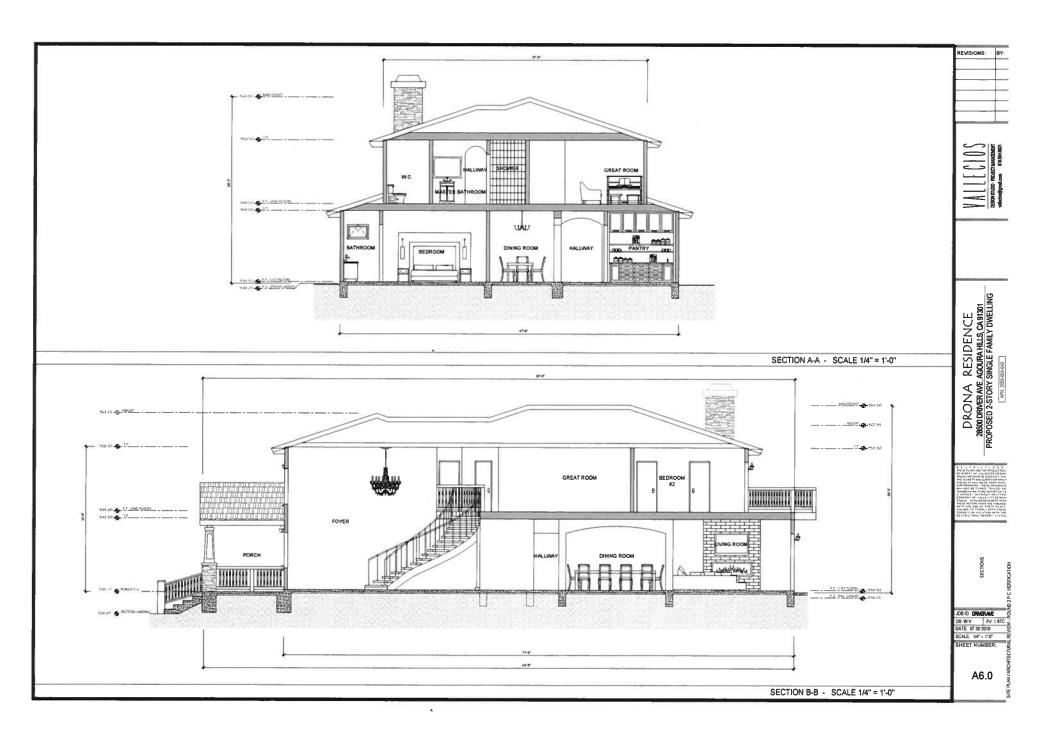
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GRADING NOTES

- 1. ALL GRADING SHALL BE IN ACCORDANCE WITH ARTICLE 9 OF THE ACCURA HELD HUMBER'S CODE.
- 3. ALL EXPORT MATERIAL BHALL ME DELIVERED TO A BITS APPROVED BY THE CITY.
- ALL GEOLOGIC AND SOIL RECONNEMBLATIONS INFORED BY THE CONSULTANT OR CONTAINED IN THE COMMULTANT BOLD AND RECOINCE REPORT AND TO BE COMPULED WITH AND AND HERIZEY HARDE AN INTERDAL, PART OF THE GRAZIONS OPECIFICATIONS AND NOTES.
- ANY CHANGES IN THE WORK HEREON SHALL BE SUBJECT TO THE APPROVAL OF THE CITY PROMISES.
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- AN AL-WAILT SCALE REPORT SHALL BE SAMETTED TO THE CITY FOR REVIEW. THE REPORT, PREPARED BY THE GROTTED-REAL, COMMA TANK, MAY TRAILED CONCENSIONANCE OF ANY PREMANDANCE MISCHART, CHIEF CREEK AND ALL COMPANIONE TO THE, AND MELL AS A REVIEW AS A CHARLEST OF THE CONCENSION OF A COMPANIONE TO THE ANY AND A SHARE OF A ALL RESPONSE RETURNED CONCENSION AND RETURNING AND ADVISOR OF ALL RETURNED AND ADVISOR OF A CHARLEST AND A MARKHAMER AND CONTINUES CONCENSIONS EXPONED DIMENS GRADING MIST SEE DESCRIBED AND ADMITTANCE OF A CONCENSION EXPONED DIMENS GRADING MIST SEE DESCRIBED AND ADMITTANCE OF A CONCENSION OF THE ADMITTANCE OF ALL RETURNS AND ADMITTANCE OF A CONCENSION OF A CONCENSI
- 18. EXCAVATIONS SHALL BE MADE IN COMPLIANCE WITH CALJOSHA RESULATIONS.
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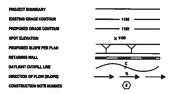
INSPECTION NOTES

THE PERMITTEE OR HE AGENT SHALL HOTTPY THE BUILDING AND EMPETY DEPARTMENT AT LEAST TWO WORKING DAYS IN ADVANCE OF REQUIRED HISPECTIONS.

ABBREVIATIONS

AC - ASPIMATIC CONCES BF - BOTTON OF POOTES CE - CATCH BY FACE CF - CHIST FACE CF - CHI

LEGEND AND SYMBOLS



PUBLIC UTILITIES / SERVICES

SOC PAC SELL) 16301 RAYMER STREET, 0116 VAM HUYE, CA 01406 (815) 573-6000

MALINU, CA 94386 (214) 488-6816



STORMWATER POLLUTION NOTES

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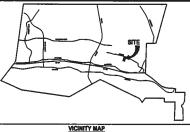
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ADDRESS: 100 PORSESTER CIRCLE, SIN VALLEY, CA 10005 REPRESENTATIVE: MANUEL ORGINA CIVIL ENGINEER ADDRESS: 400 ROSESTOCO AMENUS, SUITS 202, CAMARELLO, CA 80010 REPRESENTATIVE: RANCY CHAPMAN, P.E. TELEPHONE: 001,730,4434 GEOTECHNICAL ENGINEER NAME: USB ENGINEERING, INC. ACCRESS: 11623 SLAUSCH AVERUE, SUITE 4L SANTA FR SPRINGS, CA 96676 REPRESENTATIVE: ALLEN LES TELEPHONE: 842.660.6862

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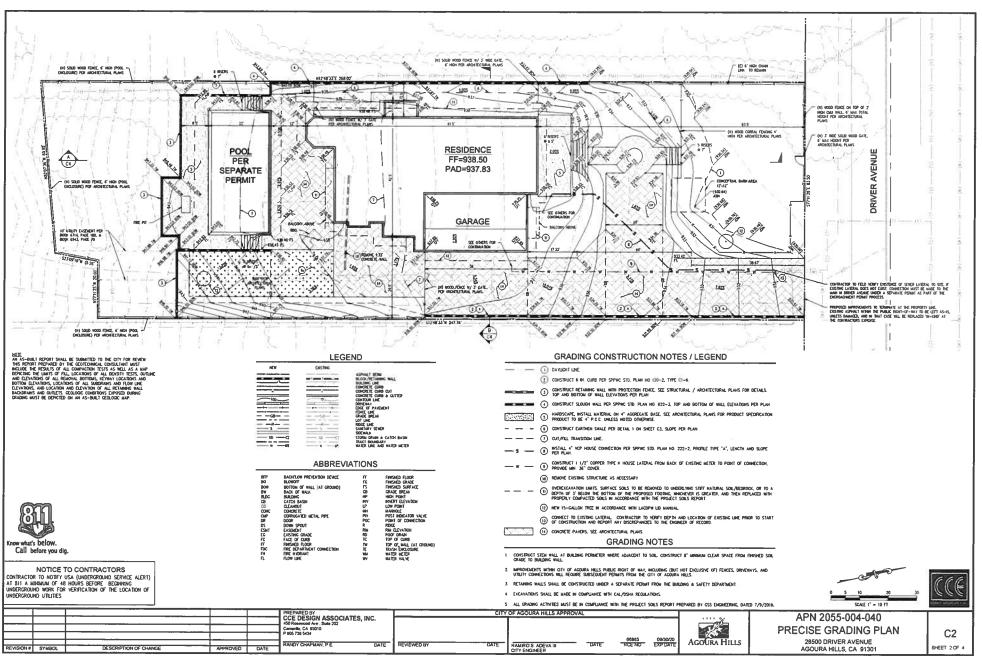
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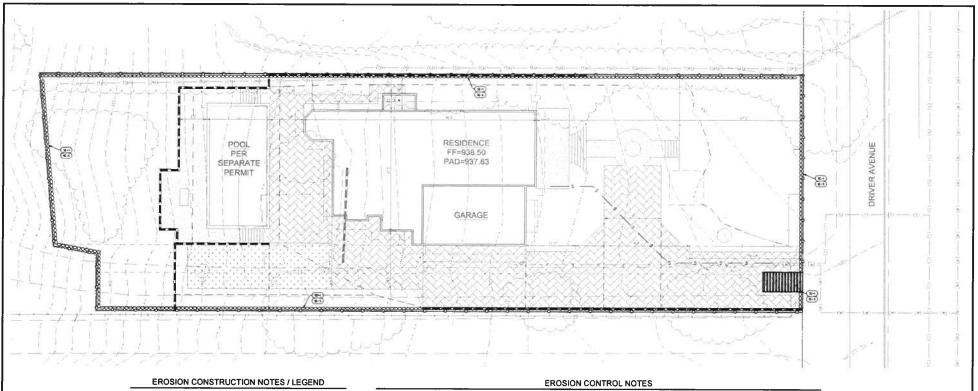
APN 2055-004-040 AGOURA HIILS **GRADING COVER SHEET** 28500 DRIVER AVENUE

AGOURA HILLS, CA 91301

C₁ SHEET 1 OF 4



CITY OF AGOURAHILLS DWG NO



- SE-1 SET FONCE PER CASOA BMP SE-1. SEE DETAIL 2 / SHEET C3
- -0000000 (SE-5) FIBER ROLLS PER CASOA BMP SE-5.
- TC-1 SIABILIZED CONSTRUCTION ENTRANCE / EXIT PER CASOA BUP TC-1 SEE DETAIL 3 /

THE FOLLOWING CASOA SIMPS ARE PART OF THE EROSION CONTROL PLAN. HOWEVER, ARE HOT LOCATION BASED AND CANNOT BE SHOWN HEREON.

- EC-1 SCHEDULING PER CASQA BMP EC-1
- EC-4 HYDROSEEDING PER CASOA BMP EC-4
- ST-6 GRAVEL BAG BERM PER CASOA BMP SE-6 (ACCEPTABLE SUBSTITUTE FOR FIBER ROLLS)
- STREET SHEEPING AND VACUUMING PER CASQA BMP SE-7
- ME-1 MIND EROSION CONTROL PER CASOA BMP ME-1
- TC-3 ENTRANCE / OUTLET TIME WASH PER CASQA BMP 10-3
- MS-II ANY AND ALL APPLICABLE CASOA NON-STORMWATER BMPS (INCLUSIVE OF MS-1 THROUGH MS-16)
- $\stackrel{\text{\tiny MM-2}}{\text{\tiny MM-10}}$ and all applicable casqa waste management BMPs (inclusive of WM-1 through WM-10)

TEMPORARY EROSION CONTROL PRIOR TO COMPLETION OF FINAL IMPROVIDIENTS SHALL BE PERFORMED BY THE CONTRACTOR AS INDICATED BELOW

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- THE CONTRACTOR SHALL INSTALL ADDITIONAL EROSION CONTROL MEASURES DUE TO UNCOMPLETED GRADING OPERATIONS OR UNFORESEEN CIRCUMSTANCES WHICH MAY ARISE.
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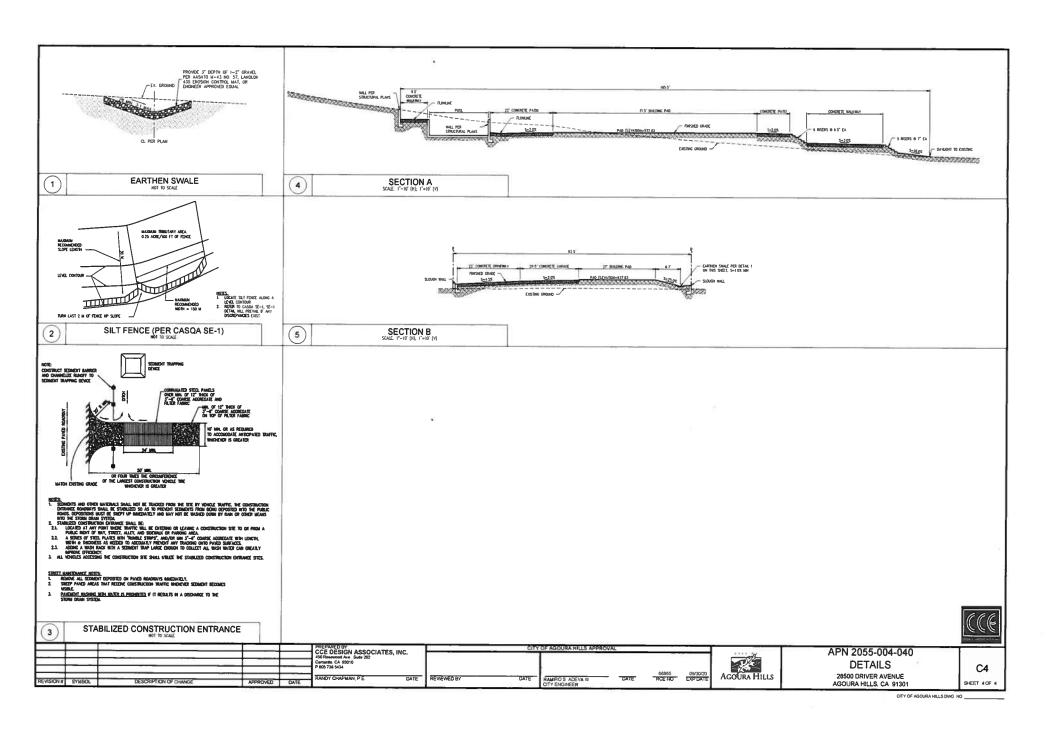
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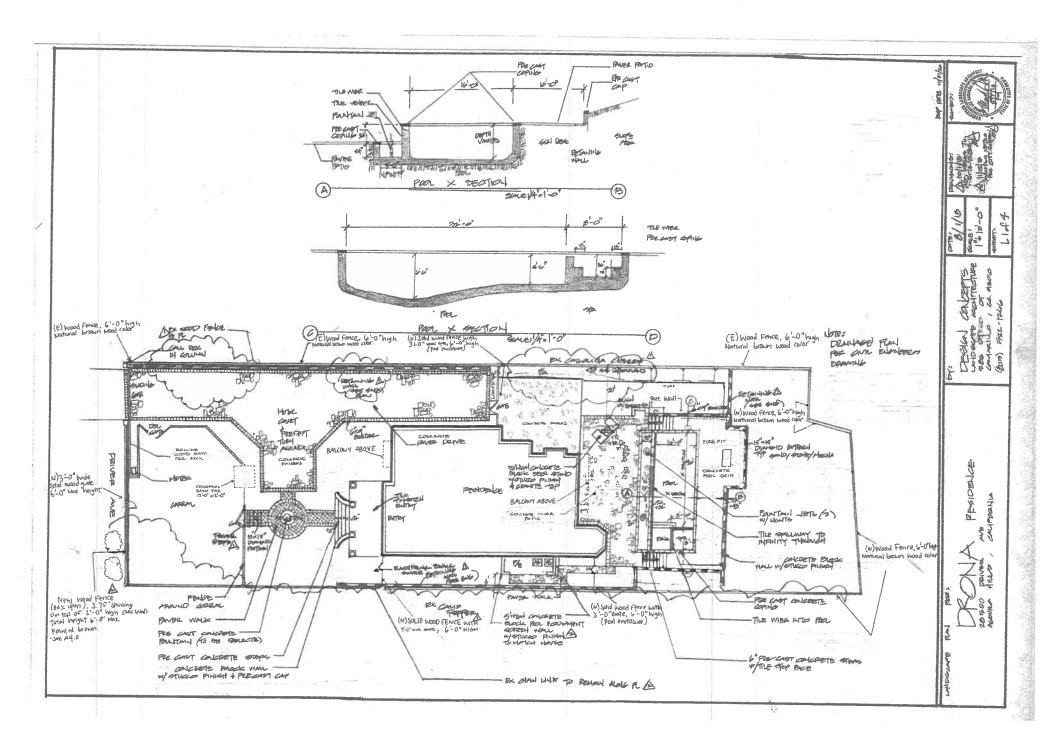
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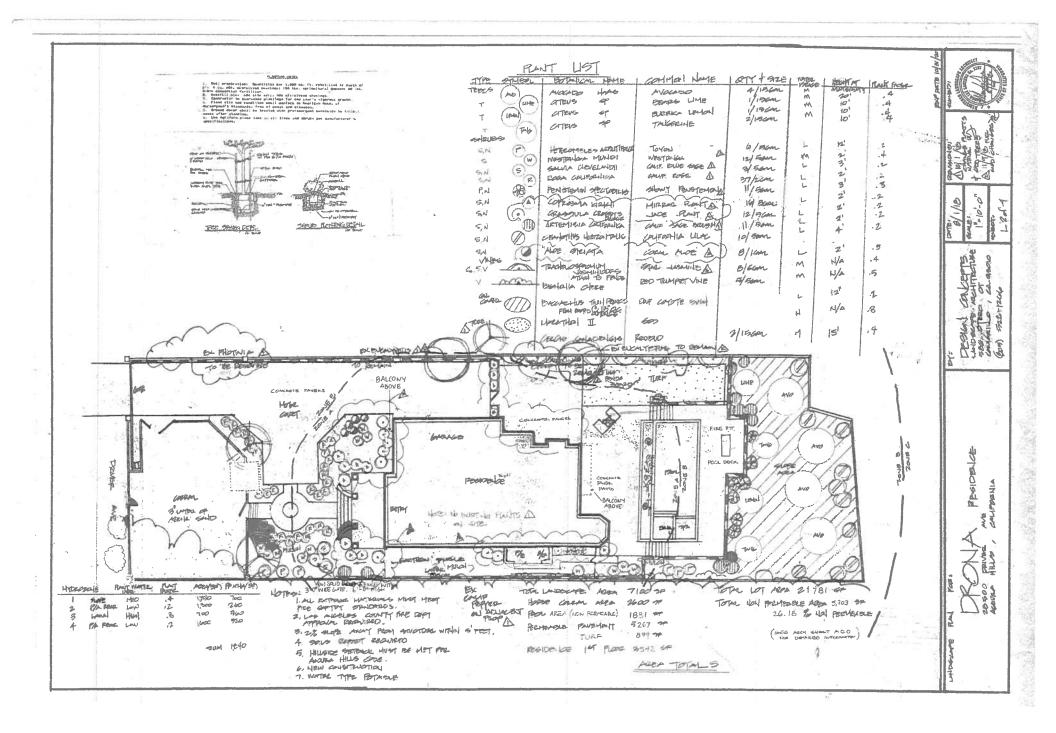
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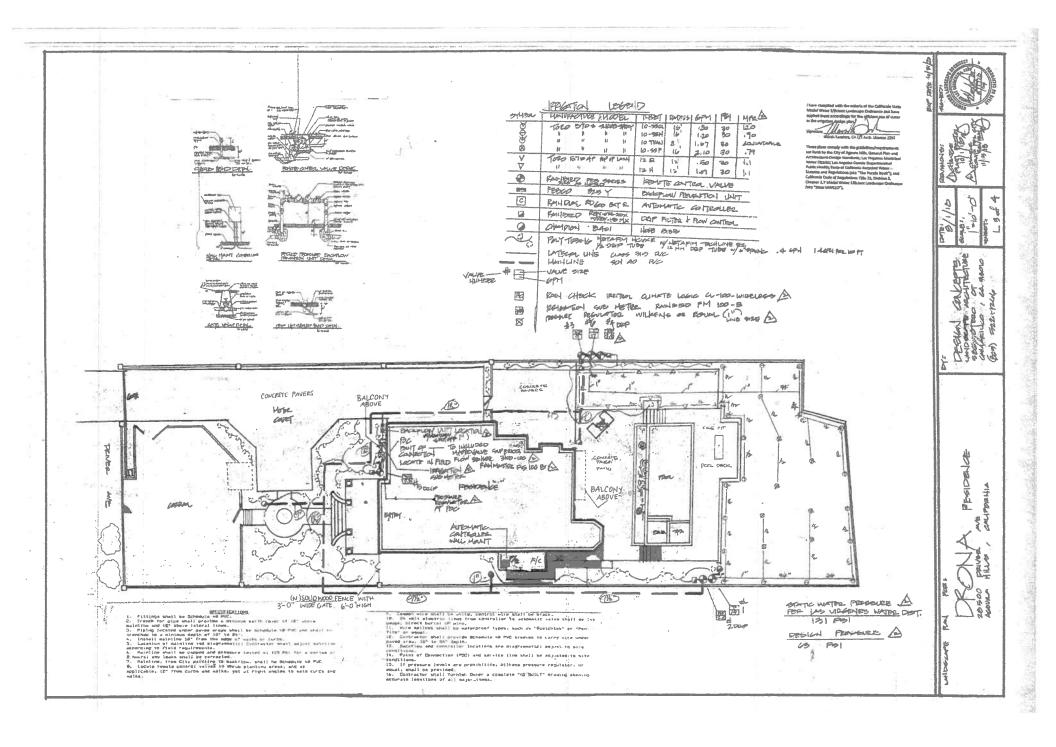
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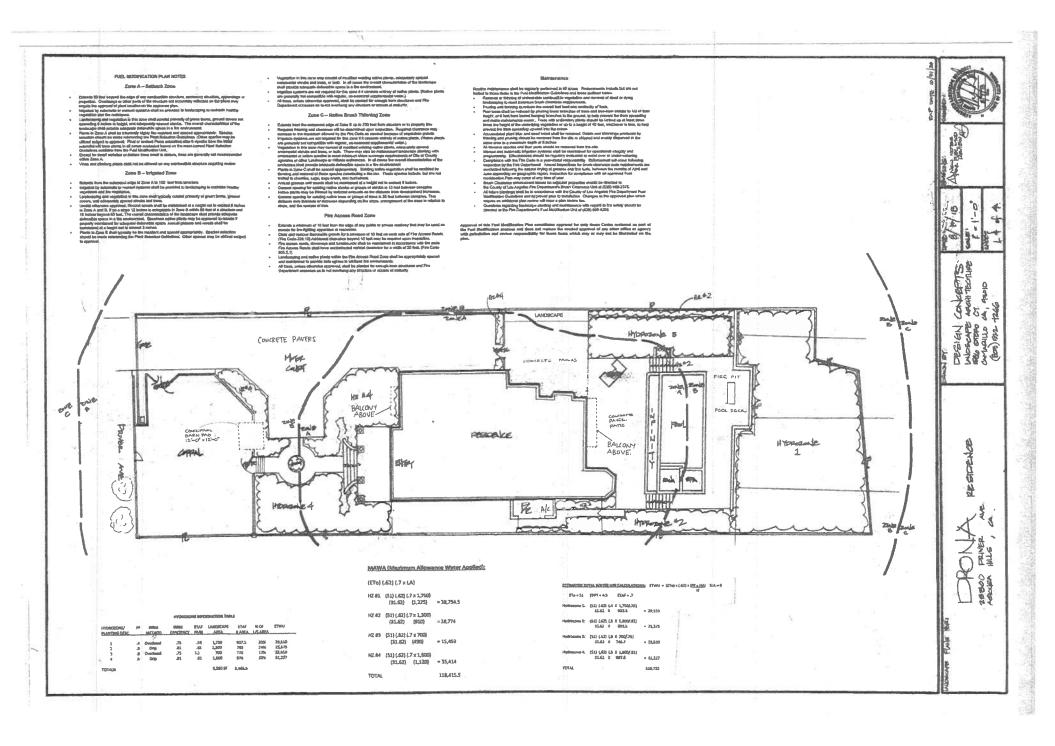
C3 SHEET 3 OF 4











ATTACHMENT 3

Letter for Old Agoura Home Owners Planning and Zoning Committee (July 27, 2019)

Old Agoura Home Owners Planning and Zoning Committee

July 27, 2019

Attn: City of Agoura Hills Planning Dept.

Re: 28500 Driver Ave.

The Old Agoura Homeowners group has reviewed the revised plans dated July 17, 2019.

The project as presented, will be 4,105 sf., the maximum size residential square footage recommended in our Design Standards and Guidelines. The lot coverage is stated as approximately 26%, under the 35% maximum allowed. The building height and setbacks comply, no variances are needed to construct the project as presented.

The Craftsman style architecture works well in with our design standards, and is consistent throughout all the elevations. The visual mass has been reduced by setting the second floor in from the first floor in various locations; allowing for roof "eyebrows" and decks on the second floor, with wood railings. Also, the trims around the doors and windows add a nice touch to the overall design and architecture of the house.

The exterior walls will be a combination of siding and stucco. The exterior siding will be Hardie board, Cobblestone color: described herewith as" beige or tan" The stucco will also be a light brown or tan color. The bottom of the house, on the south and east sides have a "stack-stone clad approximately 3-4' high. The trim color will be white, and the tile roof will be a dark brown. The color pallet works well with Old Agoura Overlay

The front fence, will be a 3 horizontal rail between stone pillars. The vehicle gate will be setback from the front property line approximately 20'; to allow safe passage of pedestrians, and cars when waiting for the gate to open. The gates will constructed as truss design, with approximately 70% of the area open or transparent. The fence and gates as presented, are indicative of our rural equestrian setting.

The property has an equestrian area set aside at the front, or south-west side, exceeding the minimum required 1,500 sf. Access to this equestrian area is good, allowing for feed and care of sick horses or large animals.

In conclusion, the project as presented works nicely with Old Agoura's Design Standards and Overlay. We suggest approval of the project as presented.

I would like to thank the Staff and all of our city officials for their support. Thank you for allowing Old Agoura Homeowners comment on the project.

Feel free to call me, if you have any questions or comments. I can be reached at 818-599-6842.

Daniel Farkash Mike Cobella Phil Ramuno.

ATTACHMENT 4

Resolution of Approval with Conditions

RESOLUTION NO. 19-1909

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, APPROVING REVISED PLAN/ARCHITECTURAL REVIEW CASE NO.SPR-01504-2018 FOR THE CONSTRUCTION OF A **NEW SINGLE-FAMILY RESIDENCE LOCATED AT 28500 MODIFYING** DRIVER **AVENUE:** THE **PLANNING** COMMISSION'S DECISION ACCORDINGLY: MAKING A FINDING OF EXEMPTION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, HEREBY FINDS, RESOLVES AND ORDERS AS FOLLOWS:

Section I. An application was duly filed by Wilmar Vallecios for Manish Drona with respect to the real property located at 28500 Driver Avenue, Assessor's Parcel Number 2055-004-040, requesting approval of Site Plan/Architectural Review Case No. SPR-01504-2018 to allow for the construction of a new 4,917 square-foot, two-story, single-family residence and a 695 square-foot, attached three-car garage on a vacant parcel (the "project"). Revised project plans to allow for the construction of a new 4,105 square-foot, two-story residence and a 690 square-foot, attached three-car garage the parcel were submitted on July 31, 2019.

Section II. The project is a request for construction of a new single-family residence and is exempt from the California Environmental Quality Act (CEQA), per CEQA Guidelines Section 15303 (New Construction or Conversions of Small Structures). The new single-family residence and related structures would not result in significant impacts to the environment. No exception to this categorical exemption applies, as set forth in Section 15300.2 of the CEQA Guidelines, including, but not limited to, Subsection (c), which relates to unusual circumstances. The City Council finds that no unusual circumstances exist because the proposed single-family home is a permitted use in the Low Density Residential and Old Agoura Design Overlay and Equestrian Overlay (RL-OA-EQ) district, is surrounded by other single family homes, complies with applicable provisions of the Zoning Ordinance, and is consistent with the goals and policies of the General Plan. The City Council further finds that the home's size and architectural character are not unusual circumstances that will have a significant effect on the environment.

Section III. The Planning Commission of the City of Agoura Hills considered the project and application at a public hearing held on May 2, 2019, at 6:30 p.m. in the City Council Chambers of City Hall, 30001 Ladyface Court, Agoura Hills, California. Notice of the time, date, place and purpose of the aforementioned hearing was duly given and published as required by state law.

<u>Section IV.</u> Evidence, both written and oral, including the staff report and supporting documentation, was duly presented to and considered by the Planning Commission at the aforementioned public meeting, and the Planning Commission approved the application 4-0 (with Commissioner Wolf absent), with conditions. The Planning Commission's adopted conditions included requirements to relocate the home's entry gate at least 19 feet further into the driveway and to modify the entryway to embrace a rural style, including the removal of the entryway's four columns.

Section V. The City Council of the City of Agoura Hills considered whether to elect to review the project at a special meeting on May 14, 2019, at 6:00 p.m. in the City Council Chambers of City Hall, 30001 Ladyface Court, Agoura Hills, California. The agenda of the special meeting was posted and distributed as required by state law.

<u>Section VI.</u> At the aforementioned meeting, the City Council of the City of Agoura Hills elected to review the project, and directed staff to set a de novo hearing for a future date by a vote of 4-1 (Weber opposing).

<u>Section VII.</u> The City Council of the City of Agoura Hills considered the project, the revised project, and the application at a public hearing on June 26, 2019, at 6:00 p.m. in the City Council Chambers of City Hall, 30001 Ladyface Court, Agoura Hills, California. Notice of the time, date, place and purpose of the aforementioned hearing was duly given and published as required by state law.

<u>Section XIII.</u> Evidence, both written and oral, including the staff report and supporting documentation, was duly presented to and considered by the City Council on June 26, 2019. Based upon the evidence presented at the public hearing, including oral and written testimony, the City Council continued the public hearing to August 14, 2019, with direction given to the applicant to revise the project plans.

Section IX. The City Council of the City of Agoura Hills considered the project and revised project plans that incorporate a reduced 4,105 square-foot size of the of the residence, and 690 square-foot attached garage, at the public hearing on August 14, 2019, at 6:00 p.m. in the City Council Chambers of City Hall, 30001 Ladyface Court, Agoura Hills, California. Notice of the time, date, place and purpose of the aforementioned hearing was duly given and published as required by state law.

<u>Section X.</u> Evidence, both written and oral, including the staff report and supporting documentation, was duly presented to and considered by the City Council on August 14, 2019.

Section XI. Site Plan. Based upon the evidence presented at the August 14, 2019, public hearing, including the staff report and oral and written testimony, including the revised plans, the City Council finds, pursuant to Zoning Ordinance Section 9677.5 of the Agoura Hills Municipal Code, that:

- A. The proposed use is consistent with the objectives and provisions of the Zoning Ordinance and the purposes of the land use district in which the use is located. The proposed project is located within the Low Density Residential and Old Agoura Design Overlay and Equestrian Overlay (RL-OA-EQ) district, which allows for the development of single-family residences. The project meets the City's minimum development standards for the zoning district with regard to lot coverage, lot size, building height, building setbacks, and all other applicable development standards. The project is also subject to the Old Agoura Design and Equestrian Overlay Districts. The revised project design embraces a rural style with Craftsman style architecture. The project accommodates an equestrian area large enough to build a corral, and a barn in compliance with the Equestrian Overlay District.
- B. The proposed use and the manner in which it will be operated or maintained will not be detrimental to the public health, safety, or general welfare. The design of the residence will ensure adequate light, air, privacy and open space to surrounding properties, as the project complies with the RL zone's height, setback, lot size and coverage requirements. Vehicular access to the property will be provided via Driver Avenue, and the driveway is designed in accordance with City and Fire Department standards. The revised driveway entry gate is of reduced height and is located further into the driveway and will provide additional assurance that vehicles entering the home will not queue on Driver Avenue. Geological, geotechnical, and drainage studies have been reviewed by the City Geotechnical Consultant from a geotechnical perspective, who, based on these studies, found the project to be in compliance with applicable codes, guidelines, and standards of practice. The site will be served by the public sewer system. The project will be in full compliance with the City's Building Code.
- C. The proposed use will not conflict with the character and design of the buildings and open space in the surrounding area. The proposed style of architecture and building materials of the residence includes light brown colored stuccoed walls, white trim, brown tile pitched roof, stone cladding, tan lap siding, wood railing painted white, and white window shutters. The project is in compliance with the City's Architectural Design Standards and Guidelines and Standards ("ADS&G") of the Old Agoura Design and Equestrian Overlay Districts by providing for structures compatible with the natural environment in terms of colors and materials, providing a side-facing garage, front porch and hip roof with a relatively steep pitch, and an area for horse-keeping. The ADS&G recommends a maximum of 4,106.8 square feet of development for this 21,781 square-foot lot, which is the usable square footage, excluding the majority of the garage and the front covered porch. The revised project includes 4,105 square feet of new usable space (excluding the 690 square-foot garage, 650 square-foot balconies, and the 328 square-foot front porch.
- D. The proposed use will comply with each of the applicable provisions of the Zoning Ordinance, except for approved variances or modifications. The project is consistent with the zoning district's requirements for setbacks, building height, building site coverage, lot size and retaining wall heights and all other applicable development standards, and no variances or modifications are requested. The project is also consistent with the Old Agoura Design and Equestrian Overlay districts, as conditioned, relative to the style of architecture with natural materials and colors, native and drought-tolerant landscaping, minimization of

grading, and sufficient area allotted for equestrian use. No variances or modifications are required.

- E. The proposed use is consistent with the City's General Plan. The project is consistent with Land Use and Community Form Goal LU-7 and LU-8 and Policy LU-7.1 Neighborhood Conservation, Policy LU-7.2 Housing Character and Design, Policy LU-8.1 Neighborhood Identity, Policy LU-8.2 Development Compatibility with Community Character, Policy LU-8.3 Integration of Development with Natural Setting, Policy LU-8.4 Property Setbacks, Policy LU-8.5 Building Materials and Colors, Policy LU-8.6 Landscaping, and Policy LU-8.7 Open Spaces. The project is consistent with neighboring properties in terms of height. The proposed single-family residence conforms to the required height and setbacks of the RL zone. The lot size is similar to others in the neighborhood. The architectural design is of high quality, as are the materials, which are natural and earth-tone colors, and integrate the project with the Old Agoura area natural setting. The residence is adequately articulated with varying architectural features and planes. The different building facade materials (wood, glass, and stone) and features, including porch, balconies, and bay windows, minimize the building mass. The plant palette incorporates native as well nonnative but natural-looking trees and plant species. The residence is set back over 80 feet from Driver Avenue. The proposed plans include a 2,600 square-foot equestrian area that is accessible from Driver Avenue. Therefore, the proposed project could support horses and other farm animals. The project complies with Goal LU-9 and Policy LU-9.1 Neighborhood Identity by remaining in scale with the other residences in the Old Agoura neighborhood in terms of the lot size and size of buildings.
- F. The proposed use preserves and enhances the particular character and assets of the surrounding area and its harmonious development. The project's gable and hip roof, natural material accents and earth tone colors reflect many of the residences in the area. The project meets the minimum yard setback requirements, height, lot coverage and lot size requirements of the Residential Low Density zone and will be placed 82 feet from Driver Avenue, a similar distance to the residence to the west of the site. Furthermore, the project is designed to provide sufficient space on the property to accommodate accessory structures and amenities in addition to the main residence, including a horse-keeping area.

<u>Section XII.</u> Architectural Review. Based upon the evidence presented at the public hearing, including the revised plans, staff report and oral and written testimony, the City Council finds, pursuant to Zoning Ordinance Section 9677.7.G of the Agoura Hills Municipal Code, that:

A. The proposed development and revised architecture is consistent with the General Plan, and design standards adopted by the City Council. The project complies with the City General Plan Goals LU-7, LU-8, and LU-9 and Policies LU-7.1, LU-7.2, LU-8.1 through LU-87, and LU-9.1 by being consistent with neighboring properties in terms of architecture, height and density. One single-family residence is proposed for the lot and it conforms to the required height and setbacks of the RL zone. The lot size is similar to other area properties. The architectural design and material are of high quality. The plant palette incorporates native as well non-native trees and plant species. The residence is set back

over 80 feet from the street. The project provides an equestrian area that is accessible from the street. The architectural design is of high quality, as are the materials, which are natural and earth-tone colors, and integrate the project with the Old Agoura area natural setting.

- B. The design and location of the proposed development and revised architecture and its relationship to existing or proposed developments and traffic in the vicinity thereof is such that it will not impair the desirability of investment or occupation in the neighborhood. The proposed development will not interfere with the use and enjoyment of existing or proposed residential developments in the vicinity because the project meets all requirements of the Zoning Ordinance, especially height, setbacks, lot coverage and lot size. The building design reflects natural colors and materials compatible with the surrounding area. It will not create traffic hazards or congestion as the use is a single-family residence with minimal expected traffic trips generated. Access to the site is readily available via Driver Avenue. The driveway location will not interfere with neighboring developments or create traffic hazards, and the driveway and access meets City and Los Angeles County Fire Department Standards.
- C. The design of the proposed development and revised architecture is in keeping with the character of the surrounding neighborhood, and is not detrimental to the harmonious, orderly, and attractive development contemplated by the Zoning Ordinance and the General Plan of the City. The residence includes design features and materials and colors compatible with style of homes in the surrounding Old Agoura neighborhood. The architectural design is of high quality, as are the materials, which are natural and earth-tone colors, and integrate the project with the Old Agoura area natural setting. The revised project design embraces a rural, Craftsman style in keeping with the Old Agoura neighborhood. The project meets or exceeds the minimum development standards established by the Zoning Ordinance with regard to lot coverage, lot size, building height, and building setbacks. The single-family residence is a permitted use in the RL zone. Grading has been minimized by locating the residence on the flatter area of the lot.
- D. The design of the proposed development and revised architecture provides a desirable environment for its occupants, as well as for neighbors, and is aesthetically of good composition, materials, textures, and colors. The building design is compatible with the variety of architectural styles in the neighborhood. The materials include stone and wood and the colors reflect earth tones, consistent with the community. The design includes articulation on all elevations, including a front porch, bay windows, lap siding, windows with shutters, and a relatively steeply pitched hip roof, all of which is reflective of the Old Agoura community. The distance between structures meets or exceeds all minimum setback requirements. The two-story design of the house will not significantly impact view-sheds of surrounding properties. The southerly portion of the lot that is an ascending slope will be landscaped with shrubs and trees that would offer privacy.
- E. The proposed use complies with all applicable requirements of the district in which it is located and all other applicable requirements. Single-family residential uses are allowed in the RL-OA-EQ zone. Minimum development standards have been met with regard to building setback, height, site coverage, and equestrian use.

Resolution No. 19-1909 Page 6

F. The overall development of the subject property is designed to ensure the protection of the public health, safety, and general welfare. The design of the residence with revised architecture will ensure adequate light, air, privacy and open space to surrounding properties, as the project complies with the RL zone height, setback and lot size and coverage requirements. Vehicular access to the property will be provided via Driver Avenue, and the driveway is designed in accordance with City and Fire Department standards. Geological, geotechnical, and drainage studies have been reviewed and approved by the City's consultants. The site will be served by the public sewer system. The project will be in full compliance with the City's Building Code.

Section XIII. Based on the aforementioned findings and all evidence in the record, the City Council hereby modifies the Planning Commission decision and approves Site Plan/Architectural Review Case No. SPR-01504-2018, as proposed in the revised plans submitted to the City on July 31, 2019, subject to the conditions attached hereto as Exhibit A, with respect to the property described in Section I hereof.

<u>Section XIV</u>. Certification. The City Clerk shall certify to the adoption of this resolution and shall cause a certified resolution to be filed in the book of original resolutions.

PASSED, APPROVED, AND ADOPTED this 14th day of August 2019, by the following vote to wit:

AYES: () NOES: () ABSTAIN: () ABSENT: ()	
ATTEST:	Linda L. Northrup, Mayor
Kimberly M. Rodrigues, MMC, City Clerk	
APPROVED AS TO FORM:	
Candice K. Lee, City Attorney	

EXHIBIT A CONDITIONS OF APPROVAL (Case No. SPR-01504-2018)

PLANNING DEPARTMENT

- 1. The approval of this permit shall not be effective for any purpose until the applicant has agreed in writing that they are aware of, and accept, all conditions of this permit with the Planning Department.
- 2. Except as modified herein, the approval of this action is limited to, and requires complete conformation to the labeled exhibits approved by the City Council on August 14, 2019: Site Plan, Building Elevation Plans, Floor Plans, Roof Plan, Grading Plan, and Landscape Plan.
- 3. All exterior materials used in this project shall be in conformance with the materials samples submitted as a part of this application.
- 4. It is hereby declared to be the intent that if any provision of this permit is held or declared invalid, the permit shall be void and the privileges granted hereunder shall lapse.
- 5. It is further declared and made a condition of this action that if any condition herein is violated, the permit shall be suspended and the privileges granted hereunder shall lapse; provided that the applicant has been given written notice to cease such violation and has failed to do so for a period of thirty (30) days.
- 6. All requirements of the Zoning Ordinance and of the specific zoning designation of the subject property must be complied with unless set forth in this permit or on the approved Site Plan.
- 7. No occupancy shall be granted for any new building until all conditions of approval have been complied with as determined by the Director of Planning.
- 8. A minimum of two (2) enclosed parking spaces shall be provided on the subject property, in conformance with the City Parking Ordinance. A minimum interior clear space of 20 feet by 20 feet must be maintained within the garage.
- 9. All structures shall conform to the requirements of the Division of Building and Safety of the City of Agoura Hills.
- 10. The applicant shall comply with the requirements of the Los Angeles County Fire Department prior to the issuance of Building or Grading Permits. The Forester and Fire Warden shall be consulted to ascertain the required fire flows and fire hydrants to accommodate the proposed development.

- 11. Unless this permit is used within two (2) years from the date of City approval, Site Plan/Architectural Review Case No. SPR-01504-2018 will expire. A written request for a one (1) year extension may be considered prior to the expiration date.
- 12. The applicant shall pay to the City the applicable General Plan Update Recovery Fee prior to the issuance of a Building Permit. The current fee is \$1.41/\$1,000 of building valuation. Actual fees will be determined at the time of building permit issuance.
- 13. The applicant shall comply with the school impact fee requirements of the Las Virgenes Unified School District. The current fee is \$3.79 per square foot for residential construction.
- 14. All outstanding fees owed to the City, if any, shall be paid by the applicant within thirty (30) days from the date of this approval.
- 15. No roof-mounted equipment, other than attic ventilation systems and solar panels, as allowed by the Municipal Code, shall be permitted.
- 16. Retaining walls shall not be built with an exposed face greater than six (6) feet tall.
- 17. In the event archaeological resources are encountered during ground-disturbing activities, the City Planning Department shall be notified immediately, and work shall stop within a 100-foot radius until a qualified archaeologist approved by the City Planning Department, and retained and paid for by the developer/applicant, has assessed the nature, extent, and potential significance of any remains. In the event such resources are determined to be significant, appropriate actions are to be determined by the archaeologist consistent with the City General Plan, in consultation with the City Planning Department.
- 18. If human remains are unearthed during ground disturbing activities, State Health and Safety Code Section 7050.5 requires that no further disturbances shall occur until the County Coroner has made the necessary findings regarding origin and disposition pursuant to the Public Resources Code Section 5097.98. If human remains are unearthed, the developer/contractor shall contact the City Planning Department and County Coroner immediately. If the remains are determined to be of Native American descent, the Coroner has 24 hours to notify the Native American Heritage Commission (NAHC). The NAHC will then identify the person(s) thought to be the Most Likely Descendent (MLD) of the deceased Native American, who will then help determine what course of action should be taken in dealing with the remains. If an archaeologist and/or a Native American representative is needed to assess the remains and determine a course of action, all such fees and expenses shall be the responsibility of the developer/contractor and not the City.
- 19. Final Fuel Modification Plan approval by the County Fire Department Fuel Modification Unit is required prior to issuance of a Building Permit.

- 20. It is the responsibility of the applicant and/or his or her representatives to report to the City any changes related to any aspects of the construction prior to undertaking the changes.
- 21. A pre-construction conference shall be held prior to the issuance of a Grading Permit, with all construction personnel involved with the grading operations.
- 22. No construction work or repair shall be performed outside the hours of 7:00 a.m. to 7:00 p.m. or any Sunday or Holiday.
- 23. All retaining walls and CMU walls shall either be decorative stone or be smooth trowel cement plastering and painted light brown to match the color scheme of the house, and subject to the approval of the Planning Director.
- The Applicant, and property owner(s), and their successors in interest, shall indemnify, defend and hold harmless the City, its officials, officers, agents and employees (collectively "Indemnitees") from and against any and all claims, actions, lawsuits, damages, losses and liabilities arising or resulting from the granting of this approval by the City or the exercise of the rights granted by this approval. This indemnification obligation shall include, but not be limited to, paying all fees and costs incurred by legal counsel of the City's choice in representing the Indemnitees in connection with any such claims, actions or lawsuits, any expert fees, and any award of damages, judgments, verdicts, court costs or attorneys' fees in any such claim, action or lawsuit. The City shall promptly notify Applicant and property owners of any claim, action, or proceeding and the City shall reasonably cooperate in the defense. In the event such a legal action is filed, the City shall estimate its expenses for litigation. Applicant or property owners shall deposit such amount with the City or enter into an agreement with the City to pay such expenses as they become due. Applicant and property owners shall reimburse the City, and each of the Indemnitees for any and all legal expenses and costs incurred by it in enforcing the indemnity herein provided. Although the Applicant is the real party in interest in an action, the City may, at its sole discretion, participate in the defense of the action, but such participation shall not relieve the applicant of any obligation under this condition.

BUILDING AND SAFETY DEPARTMENT

- 25. A building permit is required for this project.
- 26. This project shall be subject to the 2016 California Residential, Building, Mechanical, Plumbing, Electrical, Energy, Green Building Codes, and 2017 Los Angeles County Fire and Agoura Hills Municipal Code.
- 27. All exterior materials used for eaves, sidings, porch, patio, decks, canopies, carport and other similar structures need to meet the Very High Fire Hazard Severity Zone as outlined in Chapter 2 of Article VIII in the Agoura Hills Municipal Code and 2017 Los Angeles County Fire Code.

- 28. The applicant shall note on the plans that all new or replaced windows will be tempered on at least one side of the dual pane, or a 20 minute rated window or glass blocks per Section 704A.3.2.2 of the 2016 California Building Code and 2017 Los Angeles County Fire Code.
- 29. Fire Sprinklers will be required for all new structures per Section 903.2, Article VIII of the Agoura Hills Municipal Code 903.2.
- 30. A soils report will be required for the project as part of the applicant's building permit plan check submittal.
- 31. Handrails shall be required for exterior stairs with four (4) or more risers per Section 311.7.8 of the 2016 California Building Code.
- 32. Los Angeles County Fire Department review and final approval will be required for all new structures as part of Building plan check.
- 33. Las Virgenes Municipal Water District final approval will be required as part of the applicant's building permit.
- 34. As part of the permitting process and prior to permit issuance, two (2) complete sets of construction plans, <u>including</u> Structural, Floor Plan, Mechanical, Electrical, Plumbing, Energy Plans, Title 24 plans shall be submitted to Building and Safety Department for plan review and approval.

PUBLIC WORKS/ENGINEERING DEPARTMENT

- 35. A grading permit shall be obtained for this project.
- 36. Prior to permitting, all required plans and studies shall be prepared by a Registered Professional Engineer in the State of California, and submitted to the City Engineer for review and approval.
- 37. For all work within the public right-of-way, the applicant shall obtain an Encroachment Permit. Prior to issuance of any permits, all improvement plans, which include, but are not limited to, street, water, sewer, storm drain, lighting, signing and striping, etc. shall be reviewed and approved by the City Engineer. Water plans shall be designed to meet Las Virgenes Municipal Water District standards and contain a signature block for the City Engineer. All associated fees and securities shall be based upon completed Engineering Cost Estimate forms, approved by the Engineering Department.
- 38. Prior to grading permit, the applicant shall pay the applicable Transportation Impact Fee (TIF) to the Building and Safety Department.

- 39. All existing street and property monuments within or abutting this project site shall be preserved consistent with AB1414. If during construction of onsite or offsite improvements monuments are damaged or destroyed, the applicant shall retain a licensed land surveyor or civil engineer to reset those monuments per City's Standards and file the necessary information with the County Recorder's office.
- 40. Detailed on-site utility information shall be shown on the grading plan, which includes, but is not limited to, backflow prevention devices, exact location of laterals water meter size and location, invert elevations and grades for all gravity lines. The grading plan will not be approved by the Engineering Department until this detailed utility information is included on the plans.
- 41. The grading plan shall show location(s) of all oak trees, if any, within the vicinity of the site. The applicant shall adhere to all requirements pertaining to oak trees as outlined in the City's Oak Tree Consultant's Conditions of Approval, if any.
- 42. Prior to permitting, the applicant shall submit a soils/geology report to the project engineer for review and approval in accordance with Government Code, Section 66434.5 as required by the City Engineer.
- 43. Prior to grading permit, the project shall obtain a permit from the Los Angeles County Fire Department, and from Las Virgenes Municipal Water District.
- 44. Building Permits shall not be issued until graded building pad(s) have been certified for compaction and elevation to the City's satisfaction. The applicant shall contact the Engineering Department at 818.597.7322 for approved City certification forms.
- 45. Prior to permitting, all public improvements shall be designed in accordance with City Code, Specifications, approved Specific Plan, and/or approved Conditions of Approval for the area. The project is required to repair the Asphalt Concrete Inverted Shoulder along the property frontage, construct a new Asphalt Concrete driveway approach, install a new 6-Inch sewer lateral, connect to the 8-Inch sewer main in Driver Avenue, and all water appurtenances shall be per Las Virgenes Municipal Water District's standards.
- 46. This property is within the Las Virgenes Municipal Water District service area. The applicant shall make arrangements with Las Virgenes Municipal Water District for those services and provide the City with proof that all Las Virgenes Municipal Water District fees have been paid prior to permitting.
- 47. This project shall connect to the 8-Inch sewer main line in Driver Avenue (Reference Sewer Plan # E-117).
- 48. This project shall use existing laterals, whenever provided, for connection to the public sewer system.

- 49. All water facilities shall be designed to comply with all Las Virgenes Municipal Water District requirements. Final plans must be reviewed and approved by Las Virgenes Municipal Water District and City.
- 50. The applicant shall submit a hydrology study and drainage analysis, prepared and signed by a Civil Engineer registered in the State of California, in accordance with the Los Angeles County Hydrology Manual. Additional drainage facilities or portions of the site/grading plan may need to be altered as a result of the findings of this study.
- 51. Prior to the approval of the Grading Plan and issuance of Grading Permits, an Erosion and Sediment Control Plan (ESCP) shall be submitted to and approved by the Engineering Department. The Erosion and Sediment Control Plan shall specifically identify the Best Management Practices (BMPs) that will be implemented on this project, during construction, to reduce the discharge of sediment and other pollutants into the City's storm drain system. Said plan shall ensure, among other things, that the following minimum requirements are effectively implemented at all construction sites:
 - a. Sediments generated on the project site shall be retained using adequate Treatment Control or Structural BMPs;
 - b. Construction-related materials, wastes, spills, or residues shall be retained at the project site to avoid discharge to the streets, drainage facilities, receiving waters, or adjacent properties by wind or runoff;
 - c. Non-storm water runoff from equipment and vehicle washing and any other activity shall be contained at the project site;
 - d. Erosion from slopes and channels shall be controlled by implementing an effective combination of BMPs such as the limiting of grading scheduled during the wet season; inspecting graded areas during rain events; planting and maintenance of vegetation on slopes and covering erosion susceptible slopes.
- 52. Prior to the approval of the Grading Plan and issuance of Grading Permit, a completed Low Impact Development (LID) Plan shall be submitted to and approved by the Engineering Department. The LID Plan shall comply with the requirements of the LID Ordinance and Los Angeles County LID Standards Manual. The LID Plan shall include the following information:
 - Identification of whether the proposed project is a Designated or Non-Designated Project.
 - If the proposed project is a Designated Project, identification of the project category.
 - Feasibility of infiltration including a percolation report as part of a geotechnical report prepared by a geotechnical engineer.
 - Source control measure(s) proposed to be implemented
 - Calculation of the SWQDv.
 - Discussion on whether stormwater runoff harvest and use is feasible.

- Stormwater quality control measure(s) proposed to be implemented.
- Discussion of how the applicable water quality standards and total maximum daily loads (TMDLs) will be addressed (off-site mitigation projects only).
- Proposed hydromodification controls and calculations (if necessary).
- Proposed maintenance plan (if necessary).
- 53. Prior to issuance of Certificate of Occupancy, all remaining fees/ deposits required by the Engineering Department must be paid in full.
- 54. Prior to issuance of Certificate of Occupancy, all requirements including construction of improvements covered in condition number 46 must be completed to the satisfaction of the City Engineer.
- 55. Prior to issuance of Certificate of Occupancy, the applicant's Engineer shall submit a set of MYLAR, Record (as-built) Drawings, for off-site improvements, to accurately reflect the constructed improvements. This set of Record Drawings reflecting all change orders during construction, must be submitted to the City via City's inspection prior to scheduling of final inspection for acceptance of the improvements. No final inspection will be scheduled and subsequently no release of securities, posted for the project if any, will take place unless MYLAR, Record (As-built) Drawings, satisfactory to the City, are submitted.
- 56. Prior to issuance of Certificate of Occupancy, the applicant shall record a covenant for continued storm water maintenance with the Los Angeles County using Cityapproved forms.
- 57. All monuments shall be set in accordance with the final map, and all centerline ties shall be submitted to the Engineering Department. Any monuments damaged as a result of construction, shall be reset to the City's satisfaction.
- 58. Upon receiving the Title Report, if conflicts/issues arise regarding recorded documents over property, applicant shall take all measures necessary, as directed by the City Engineer, to resolve said conflicts/issues. All conditions are to be complied with to the satisfaction of the City Engineer in accordance with the applicable provisions of the Agoura Hills Municipal Code.

GEOTECHNICAL

59. The applicant shall comply with all the City Geological/Geotechnical Consultant's (GeoDynamics, Inc.) Conditions of Approval letter dated November 20, 2018.

LANDSCAPING

60. Final Landscape Plans shall substantially conform to the Landscape Preliminary Plan prepared by Design Concepts dated November 15, 2018, as approved by the City Council.

- 61. Location and material of paved surfaces, accessory structures, walls and fences, landscape features and other site improvements shown approved plans shall conform to approved plans.
- 62. Prior to the approval of a grading permit, the applicant shall submit three (3) sets of Final Landscape Plans for review by the City Landscape Consultant and approval by the Planning Director. A California Landscape Architect with current license shall prepare, stamp and sign the plans. The Plans shall be submitted with a copy of the following approved plans: Architectural Site Plan, Building Elevations and Final Grading Plan. Conditions of Approval shall also be submitted with the Landscape and Irrigation Plans. The Planting and Irrigation Plans shall meet the requirements of the State Model Water Efficient Landscape Ordinance and Division 8, Chapter 6, Article IX of the Agoura Hills Municipal Code.
- 63. At the time of the Final Landscape Plans submittal, the project Landscape Architect shall provide the City with written confirmation that the civil engineering drawings have been reviewed and that the Landscape Plan is not in conflict with the requirements of the National Pollutant Discharge Elimination System (NPDES) or Low Impact Development Standards (LID).
- 64. The Final Planting Plan shall indicate the botanical name, the plant container sizes and spacing. The minimum size of trees shall be fifteen (15) gallon. The minimum size of shrubs shall be five (5) gallon except shrubs planted as groundcovers and/or as accent planting, which may be one (1) gallon size. Plant sizes may be increased on some projects at the discretion of the Planning Director. (*If necessary specify required plant sizes*). Plant symbols shall depict 75 percent of the size of the plant at maturity. Palm trees are not permitted in the City of Agoura Hills. All plant material shall be compatible with Sunset's Climate Zone 18.
- 65. The Final Landscape Plans shall include the following notes:
 - a. The Landscape Architect shall inspect and certify in writing that the landscape installation is in conformance with the approved Landscape Plans prior to final city inspection.
 - b. Identification of the total square footage of the landscape area within the project.
- 66. The Final Irrigation Plans shall be provided separate from, but utilizing the same format as, the Planting Plans. The Final Irrigation Plans shall include calculations that demonstrate the irrigation design hydraulically works given the static and working design pressure of the system.
- 67. With the Final Landscape Plans, three (3) copies of plans, details, and specifications shall be provided, addressing but not limited to, layout, planting, soil preparation, tree staking, guying, installation details and post installation maintenance.

- 68. The approved landscape shall be continually maintained in a healthy state. Plants that die and plants that are damaged shall be immediately replaced with originally specified material.
- 69. Invasive non-native plants that can threaten the local wildland ecosystems are not permitted. These plants are listed in the California Invasive Plant Inventory published by the California Invasive Plant Council.
- 70. All planting areas shall receive a three (3) inch layer of coniferous bark mulch. Mulch to be kept away from tree and shrub crowns. Mulch areas to be dressed to present a clean uniform appearance when complete
- 71. Landscape improvements, planting, and irrigation installation shall be subject to inspection and approval by the Planning Department prior to final building permit inspection.

SOLID WASTE MANAGEMENT

- 72. To ensure that solid waste generated by the project is diverted from the landfill and reduced, reused, or recycled, the applicant shall submit a "Waste Reduction & Recycling Plan" to the City for review and approval. The plan shall provide for a percent of the waste generated on the project to be diverted from the landfill, at the rate currently required by California Department of Resources Recycling and Recovery. Plans shall include the entire project area, even if tenants are pursuing or will pursue independent programs. The plan shall be submitted to and approved by the Planning Department prior to issuance of a Building Permit. The plan shall include the following information: material type to be recycled, reused, salvaged, or disposed; estimated quantities to be processed, management method used, and destination of material including the hauler name and facility location. The City's Waste Reduction & Recycling Plan form or a similar format shall be used.
- 73. The project shall comply with the City's Waste Reduction & Recycling Plan and provide for the collection, recycling, and/or reuse of materials (i.e. concrete, wood, metal, cardboard, green waste, etc.) and document results during demolition and/or construction of the proposed project. After completion of demolition and/or construction, the applicant shall complete a Waste Reduction & Recycling Summary Report and provide legible copies of weight tickets, receipts, invoices or letters of verification for materials sent to disposal or reuse/recycling facilities. For other discarded or salvaged materials, the applicant shall provide documentation, on the disposal facility's letterhead, identifying where the materials were taken, type of materials, and tons or cubic yards disposed, recycled or reused and the project generating the discarded materials. The Waste Reduction & Recycling Summary Report shall be submitted to and approved prior to issuance of a certificate of occupancy, or final inspection if issuance of a certificate of occupancy is not applicable.

74. The applicant shall arrange for materials collection during construction, demolition, and occupancy with a City permitted hauling company, or shall arrange for self-hauling to an authorized facility.

END

ATTACHMENT 5

City Council Meeting Minutes (June 26, 2019)

MINUTES REGULAR MEETING OF THE AGOURA HILLS CITY COUNCIL

Civic Center – Council Chambers 30001 Ladyface Court, Agoura Hills, California 91301 Wednesday, June 26, 2019 6:00 P.M.

The City Council meeting was called to order at 6:00 p.m. by Mayor Northrup.

The Pledge of Allegiance was led by Girl Scout Troop 306.

Present were:

Mayor Linda L. Northrup, Mayor Pro Tem Illece Buckley Weber,

Councilmember Chris Anstead, Councilmember Deborah Klein

Lopez, and Councilmember Denis Weber.

Also Present were:

City Manager Greg Ramirez, City Attorney Candice K. Lee, Assistant City Manager Nathan Hamburger, Deputy City Manager Louis Celaya, Community Development Director Dave Ward, Planning Director Doug Hooper, Associate Planner Renee Madrigal, Public Works Director/City Engineer Ramiro Adeva, Building Official Building Official Amir Hamidzadeh, Director of Community Services Amy Brink, Finance Manager

Melinda Brodsly, and City Clerk Kimberly M. Rodrigues.

REPORT OF CLOSED SESSION

No Closed Session was held.

APPROVAL OF AGENDA

ACTION:

Councilmember Weber moved to approve the Agenda, as presented.

Councilmember Lopez seconded. The motion carried 5-0, by the

following voice vote:

AYES:

Mayor Northrup, Mayor Pro Tem Buckley Weber, and

Councilmembers Anstead, Lopez, and Weber.

NOES:

None.

ABSENT:

None.

PRESENTATIONS

Mayor Northrup presented a Proclamation, to Rabbi Moshe Bryski, recognizing the Chabad of the Conejo on their 40th Anniversary.

City Council Regular Meeting Minutes June 26, 2019 Page 2

Mayor Northrup presented a Proclamation, to Library Manager Nina Hull, acknowledging the Agoura Hills Library on the Los Angeles County Library's Gale/Library Journal 2019 Library of the Year award.

INTERGOVERNMENTAL, SPECIAL PURPOSE COMMITTEE, & DEPARTMENTAL REPORTS

Greater Conejo Valley Chamber of Commerce Government Affairs and Tourism Coordinator Dan Garcia provided a Chamber update.

PUBLIC COMMENTS

The following person(s) spoke:

Sheridan Koch and Sydney Shoemaker, representing Imagine Fest (submitted flyer)
Brant Turner, Agoura Hills
Jason Aiken, Agoura Hills

<u>CONSENT CALENDAR ITEM – SEPARATE ACTION</u>

Mayor Northrup pulled Item No. 5 and deferred to Councilmember Lopez.

At 6:27 p.m., Councilmember Lopez recused herself from participation on this item, as it related to pavement improvements on a street that she lives on, and exited the Council Chamber.

5. Approve Award of Contract, with Pavement Coatings, Inc., for the Fiscal Year 2019-20 Pavement Rehabilitation (Slurry Seal) Project; NIB 19-01

There were no public speakers for Item No. 5.

ACTION:

Mayor Pro Tem Buckley Weber moved to approve Consent Calendar Item No. 5. Councilmember Weber seconded. The motion carried 4-0, by the following voice vote:

AYES:

Mayor Northrup, Mayor Pro Tem Buckley Weber, and

Councilmembers Anstead and Weber

NOES:

None.

ABSENT:

None.

ABSTAIN:

Councilmember Lopez.

At 6:28 p.m., Councilmember Lopez returned to her seat at the Council dais.

CONSENT CALENDAR

Item No. 5 was pulled and discussed under separate action prior to the Consent Calendar.

There were no public speakers.

ACTION: Councilmember Anstead moved to approve Consent Calendar Item

Nos. 1-4 and 6-15. Mayor Pro Tem Buckley Weber seconded. The

motion carried 5-0, by the following voice vote:

AYES: Mayor Northrup, Mayor Pro Tem Buckley Weber, and

Councilmembers Anstead, Lopez, and Weber.

NOES: None.

ABSENT: None.

1. Approve Minutes of the Special City Council Budget Workshop of June 12, 2019

- 2. Approve Minutes of the Regular City Council Meeting of June 12, 2019
- 3. Approve Demand Warrant Register No. 813
- 4. Approve Treasurer's Report for May 2019
- 5. Item pulled and discussed prior to the Consent Calendar.
- 6. Approve First Amendment to Agreement for Contractor Services, with Athens Services, for Street Sweeping Services
- 7. Approve First Amendment to Agreement for Professional Consultant Services, with Larry Walker Associates, Related to the Malibu Creek Watershed Coordinated Integrated Monitoring Program
- 8. Approve First Amendment to Agreement for Contractor Services, with West Coast Arborists, Inc., for Tree Maintenance Services
- 9. Approve Second Amendment to Agreement for Contractor Services, with All City Management Services, Inc., for Crossing Guard Services
- 10. Approve Professional Services Agreement, with Baron & Budd, P. C., for Woolsey Fire Legal Representation
- 11. Approve Consultant Services Agreement, with Dapeer, Rosenblit & Litvak, LLP, for City Prosecuting Services for Fiscal Year 2019-2020
- 12. Approve the Designation of Subrecipient's Agent Resolution for Hazard Mitigation Grant Program and Pre-Disaster Mitigation Program Designating the City Manager

- or Assistant City Manager, Deputy City Manager, Director of Public Works or Director of Finance as Authorized Agents for the City of Agoura Hills California Office of Emergency Services (CAL OES)
- 13. Adopt Resolution No. 19-1898; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH THE COUNTY OF LOS ANGELES FOR LAW ENFORCEMENT SERVICES
- 14. Adopt <u>Resolution No. 19-1899</u>; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, ADOPTING THE ANNUAL INVESTMENT POLICY FOR FISCAL YEAR 2019-20 AND DELEGATING AUTHORITY TO THE CITY TREASURER TO INVEST AND REINVEST CITY FUNDS
- 15. Approve the Amended and Restated Tax-Advantaged Bonds Post-Issuance Compliance Procedures and the Amended and Restated Municipal Securities Post-Issuance Disclosure Policy, and Adopt Resolution No. 19-1900; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, ADOPTING AN UPDATED LOCAL DEBT POLICY

PUBLIC HEARING / ACTION

16. Conduct a De Novo Public Hearing to Review the Agoura Hills Planning Commission's Approval of the Site Plan/Architectural Review Case No. SPR-01504-2018 for 28500 Driver Avenue (APN 2055-004-40); a Request to Construct a 4,917 Square-Foot, Two-Story, Single-Family Residence and a 695 Square-Foot Attached Garage (Manish Drona, Applicant)

Mayor Northrup opened the Public Hearing at 6:28 p.m. and deferred to City Attorney Lee.

City Attorney Lee made the following announcement: "Yes, thank you, Madam Mayor. I thought it would be helpful to the City Council, and to the public as well, to just give a summary of the proceedings this evening so that everyone can get an idea of what to expect. So, first, as the Mayor noted, the Council will hold a de novo public hearing on the 28500 Driver Avenue project. In the City of Agoura Hills, all of the Planning Commission decisions that are called up for review by the City Council are heard De Novo, in other words, "anew", so that the Council has an opportunity to take a fresh look at the project. It is a completely brand new public hearing. The Council need not give any weight or deference to the Planning Commission's decision. It may, certainly, consider what the Planning Commissioners had to say, but it is not bound to follow the Planning Commission's decision. Next, I'd like to summarize the order of the proceedings for the hearing this evening. First, the Mayor opened the public hearing, thank you. Next, we will have a staff report and then time for the City Council to ask questions of staff. During Council questions, the Council should avoid commenting on the project, avoid providing

opinions on the project — it really should just be questions of staff on the project. After that, we will have Council disclosure of ex parte communications. Because this is a quasi-judicial hearing, if Councilmembers have received any relevant information or testimony about the project, whether it be from the Applicant or members of the public, they should publicly announce the information they learned during the public hearing and before testimony begins. Next, we will move to the Applicant's presentation, which will be fifteen (15) minutes. Then we will move to the public comment portion of the Public Hearing and each speaker will be allotted three (3) minutes to provide their comments, after which Council can ask questions of anyone in the public. We will then follow that time for Applicant to respond to any concerns or questions brought up during the hearing, during public comment, which will be about five (5) minutes for the Applicant. Then, we will turn to last call for Council questions. Council must conclude all questions before we close the public hearing and before the Council goes into deliberation. Then, the Mayor will close the public hearing. The Council will enter into the deliberations phase of the proceedings. And that concludes my comments, Madam Mayor, thank you."

Following presentation of the staff report and a question and answer period of staff, Mayor Northrup announced this was the time for the City Councilmembers to disclose any exparte communications with the public and the Applicant.

- Mayor Northrup disclosed that she had received a telephone call last week from a representative of the Dronas who wanted to discuss details and to set up a meeting and, since she was about to leave town on a family vacation, she did not have time to set up a meeting. She reported they did not discuss substance, other than that the Applicant informed her that he very much wanted a favorable ruling and had done his best to try to address the concerns of Old Agoura. She also reported that she had received several emails from the Applicant, all of which she forwarded to Community Development Director Ward and asked that they be provided to Council, and a copy was on the dais for all the Councilmembers, and were part of the public record and available to anybody that would like to see them. In addition, she reported that she had also talked to Mr. Farkash who informed her of the concerns of Old Agoura, with respect to the continued size of the project. This outlined all the communications she had with any of the folks that are involved in this discussion.
- Councilmember Lopez disclosed that she had met with Mr. Farkash before the Planning Commission meeting to discuss the Old Agoura overlay, in general, and talked about things like the driveway turnaround and compared what Agoura Hills had, or did not have, compared to Los Angeles County. She reported that they had not spoken on the project, specifically, in any substantive way; only that he was alerting to her that it was coming to the Planning Commission. She also had exchanged some electronic communications with the Dronas; both just very short messages on social media messaging and also had received a similar email from the Dronas, which she had forwarded to Mr. Ward, that was the presentation in advance of what would be presented at the meeting. Also, she reported that she had received a request for a meeting, but was not able to meet, and had run into

them (Dronas) the day before in front of City Hall, and they had a nice discussion, but, again, nothing of substantive conversation.

- Councilmember Weber disclosed he had received the email from Mr. Ward. He
 reported another email came to the Council last week that caused him to have a
 discussion with Mr. Drona and they spent about an hour together to go over what
 was sent and received his view on the ARP (Architectural Review Panel) and the
 Planning Commission and nothing really substantive happened about that; they
 just said they would see each other at the meeting.
- Councilmember Anstead disclosed that he also received the emails from the Dronas and did not respond. He reported he had reviewed the emails and that was the only interaction he had with anyone on the case.
- Mayor Pro Tem Buckley Weber disclosed that she had received the email package from Mr. Ward and, unfortunately, did not have time to review it before the meeting, but it was her understanding that the Dronas would be presenting that evidence at the hearing. She reported receiving an email on Monday from Mr. Drona asking if she would be able to meet with him, 15 minutes before the Council meeting, and, unfortunately, she was unable to meet with him. She also reported that she had met with Mr. Farkash, back in February or March, prior to the Planning Commission meeting and had discussed the Agoura overlay, in general, and he had discussed with her the Drona home and another home, and had shown her renderings of two homes. He had told her the Drona home was coming to the Planning Commission and they discussed the pillars in the front of the home and the side entrance either the gate or the turnaround, she did not quite recall. She reported she had received an email from Mr. Troncatty, regarding reaching out to people in Old Agoura to come to the Council meeting.

The following person(s) spoke on behalf of the Applicant:

Manish Drona, Applicant
Prinaka Drona, representing Applicant
Willmar Vallecios, representing Applicant

Following a question and answer period of the Applicant, Mayor Northrup opened the floor for Public Comments.

The following person(s) submitted documents (by email) prior to the City Council meeting. Copies were placed at the dais for City Council consideration:

Manish Drona, Agoura Hills, Applicant (included copy of PowerPoint presentation)

The following person(s) submitted written comments in opposition to the project:

Mike Trocino, Agoura Hills Tony Dellosso, Agoura Hills

The Mayor elected to allow speakers who filled out a speaker card, and were present at the meeting, to defer their allotted three minutes to another person, up to a maximum of 15 minutes deferred to any one person.

The following person(s) spoke in opposition to the project:

Marianne Perls, Agoura Hills Kathi Colman, Agoura Hills (donated her time to Daniel Farkash) George Colman, Agoura Hills Richard Burke (donated his time to Ron Troncatty) Ron Troncatty (submitted a photograph) Jess Thomas, representing Old Agoura Homeowners Kenneth Slee, Agoura Hills (donated his time to Daniel Farkash) Daniel Farkash, Agoura Hills, representing Old Agoura Karen Albaum Tara Farkash, Agoura Hills Susan Nims, Agoura Hills Tina Barns, Agoura Hills, representing Old Agoura Homeowners Julie Thornbury, Agoura Hills Patrick Rolve, Agoura Hills Cyrena Nouzille, Agoura Hills Adina Hazan, Agoura Hills

THE CITY COUNCIL RECESSED AT 8:10 P.M. AND RECONVENED AT 8:20 P.M.

There being no further public testimony, Mayor Northrup invited the Applicant to present their rebuttal.

Response by the Applicant:

Manish Drona, Applicant

Following a question and answer period between the City Council and the Applicant, Mayor Northrup asked if there were any further questions.

There being no further questions, Mayor Northrup closed the Public Hearing at 8:20 p.m.

Following City Council discussion and deliberations, City Attorney Lee offered a recommended motion.

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ACTION:

Mayor Pro Tem Buckley Weber moved to approve the recommended motion: "to modify the Planning Commission's decision by directing the Applicant and staff to return with the revised plans based on Council comments on the size of the house, the gate, the architecture, and the side articulation, and if the Applicant chooses to screen, to use native trees, and to reopen and continue the Public Hearing to the August 14, 2019 Regular City Council Meeting." Councilmember Anstead seconded. The motion carried 5-0, by the following roll call vote:

AYES:

Mayor Northrup, Mayor Pro Tem Buckley Weber, and

Councilmembers Anstead, Lopez, and Weber.

NOES:

None.

ABSENT:

None.

At 9:18 p.m., Mayor Northrup reopened and continued the Public Hearing to August 14, 2019.

City Attorney Lee recommended that since the Public Hearing had been opened and continued, the City Council was strongly encouraged not to engage in any ex parte communications on this item between now and the next public hearing. She stated that members of the public could submit their comments to staff.

DISCUSSION / ACTION

17. Discussion to Consider the Adoption of: Resolution No. 19-1902; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS. CALIFORNIA, ESTABLISHING FISCAL YEAR 2019-20 APPROPRIATIONS LIMITATIONS; Resolution No. 19-1903; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, ADOPTING THE ANNUAL BUDGET FOR FISCAL YEAR 2019-20, INCLUDING FISCAL YEAR 2019-20 APPROPRIATIONS AND APPROVING THE ANNUAL BUDGET FOR FISCAL YEAR 2020-21 AND AUTHORIZING AMENDMENTS TO THE FISCAL YEAR 2018-2019 ANNUAL BUDGET; Resolution No. 19-1904; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS. CALIFORNIA. AMENDING THE COMPENSATION PLAN BY SETTING SALARY RANGES FOR CITY FULL-TIME EMPLOYEES TO INCLUDE A 3.9% COST OF LIVING ADJUSTMENT; AMENDING THE RANGE FOR THE POSITIONS OF COMMUNITY DEVELOPMENT DIRECTOR, COMMUNITY **SERVICES** DIRECTOR AND DIRECTOR OF PUBLIC WORKS/CITY **ENGINEER:** INCREASE THE EMPLOYER CONTRIBUTION TO HEALTHCARE PREMIUMS FOR FULL-TIME EMPLOYEES; INCREASE THE CITY'S MATCHING CONTRIBUTION TO THE DEFERRED COMPENSATION PLAN TO A DOLLAR-FOR-DOLLAR MATCH NOT TO EXCEED EIGHTY (\$80.00) DOLLARS PER PAY PERIOD AND ESTABLISH THE PART-TIME POSITION OF LAND USE TECHNICIAN; Resolution No. 19-1905; A RESOLUTION OF THE CITY

COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, INCREASING THE EMPLOYER CONTRIBUTION TO HEALTHCARE PREMIUMS FOR CITY COUNCILMEMBERS; AND Resolution No. 19-1906; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, APPROVING AMENDMENT NO. 14 TO THE CITY MANAGER'S EMPLOYMENT AGREEMENT

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

ACTION: Councilmember Weber moved to adopt Resolution Nos. 19-1902,

19-1903, 19-1904, 19-1905, and 19-1906, as presented. Councilmember Lopez seconded. The motion carried 5-0, by the

following roll call vote:

AYES: Mayor Northrup, Mayor Pro Tem Buckley Weber, and

Councilmembers Anstead, Lopez, and Weber.

NOES: None.

ABSENT: None.

CITY COUNCIL, STAFF COMMENTS

Councilmember Weber spoke about America's birthday and wished everyone a safe and happy fourth of July.

Mayor Northrup spoke about the upcoming Concert in the Park on July 7, 2019, and invited everyone to attend the inauguration of the City's first laser show at Chumash Park and the annual City Walk, which will include discussion about upcoming projects regarding potential parks in the City.

<u>ADJOURNMENT</u>

Mayor Northrup announced the next Regular Meeting of the City Council would be held at 6:00 p.m., Wednesday, July 10, 2019, in the Council Chambers of the Civic Center, with a Closed Session at 5:00 p.m. The Civic Center is located at 30001 Ladyface Court, Agoura Hills, California.

ACTION: At 9:32 p.m., Councilmember Lopez moved to adjourn the meeting.

Councilmember Weber seconded. The motion carried 5-0, by the

following voice vote:

AYES: Mayor Northrup, Mayor Pro Tem Buckley Weber, and

Councilmembers Anstead, Lopez, and Weber.

NOES: None.

ABSENT: None.

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Kimberly M. Rodrigues, MPPA, MMC City Clerk

ATTACHMENT 6

City Council Staff Report (June 26, 2019)

REPORT TO CITY COUNCIL

DATE:

JUNE 26, 2019

TO:

HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM:

GREG RAMIREZ, CITY MANAGER

BY:

NATHAN HAMBURGER, ASSISTANT CITY MANAGER MANAGER DAVE WARD, COMMUNITY DEVELOPMENT DIRECTOR

SUBJECT: CONDUCT A PUBLIC HEARING TO REVIEW THE AGOURA HILLS PLANNING COMMISSION'S APPROVAL OF THE PLAN/ARCHITECTURAL REVIEW CASE NO. SPR-01504-2018 FOR 28500 DRIVER AVENUE (APN 2055-004-40); A REQUEST TO CONSTRUCT A 4,917 SQUARE-FOOT, TWO-STORY, SINGLE-FAMILY RESIDENCE AND A 695 SQUARE-FOOT ATTACHED GARAGE

(MANISH DRONA, APPLICANT)

The City Council has elected to review a decision made by the Planning Commission per Division 7, Section 9807 of the Agoura Hills Municipal Code. Staff recommends that the City Council conduct a de novo public hearing, review Site Plan/Architectural Review (SPR) Case No. SPR-01504-2018, and either (1) uphold the Planning Commission's original decision and uphold the project, as conditioned; (2) approve the project as recently modified; (3) modify the Planning Commission's decision by amending the project's conditions or modifying the project's site plan and architecture; or (4) overturn the Planning Commission's decision and deny the project.

On May 2, 2019, the new single-family residence project at 28500 Driver Avenue (A.P.N. 2055-004-040) was brought before the Planning Commission for consideration at a regularly scheduled hearing. The Planning Commission voted to approve the project with a vote of 4-0-1 (Commissioner Wolf was absent), with additional conditions.

The City Council action at its meeting on May 14, 2019 was to consider whether the City Council should elect to review the project and direct staff to set a de novo hearing at a future City Council meeting, or decline to review the project. The City Council voted 4-1 (Weber opposed) to review the project at a future City Council meeting.

The project consists of a new two-story, 4,917 square-foot residence, attached 695 square-foot garage, and an 840 square-foot swimming pool on a 21,781 square-foot site on Driver Avenue. The site is zoned Residential Low Density (20,000 square-foot minimum lot size)-Old Agoura Design Overlay-Equestrian Overlay Zone (RL-20,000-OA-EQ).

Attachment 1 of this report consists of the Planning Commission staff report, along with the full attachments, including project plans. The staff report contains a detailed description of the proposed project, and analysis of the requested application. Attachment 2 contains the Planning Commission Resolution approving the Site Plan/Architectural Review, along with the adopted conditions of approval. The Planning Commission minutes are provided in Attachment 3.

Staff recommended the Planning Commission approve the project because it found the project met the requirements set forth in the Agoura Hills Municipal Code, complied with the Old Agoura Design Guidelines, and was consistent with the General Plan. The Planning Commission considered the request, staff's analysis of the project and recommendation outlined in the staff report, along with all written and oral testimony presented at the public hearing. Although the Planning Commission approved the project, some Commissioners indicated concerns with the project, primarily in terms of its compatibility with the rural character of Old Agoura, the architectural design, and the proximity of the driveway gate to the street. As such, as part of the approval of Resolution No. 19-1223, the Planning Commission approved two additional project conditions:

- "76. The applicant shall move the location of the entry gate at least nineteen feet into the driveway beyond what is shown on the Site Plan."
- "77. The applicant shall modify the entryway to embrace a rural style consistent with the intent of the Old Agoura Design Guidelines and safe building principles, including, but not limited to, removing the four columns, to the satisfaction of the Planning Director and City Building Official."

In an effort to address the Planning Commission's conditions, as well as concerns and comments raised at the Planning Commission hearing, on May 2, 2019, the applicant submitted revised plans (Attachment 4). The driveway entry gate has been moved further into the driveway in accordance with Condition 76. The applicant also provided an outline of revisions to the building design since being presented to the Planning Commission that include the following:

- (1) The original round-profile, double-height entry columns have been replaced with five (5) feet high tapered columns (Craftsman style) sitting on a four (4) foot high base wrapped in stone veneer;
- (2) The original two-story high main entry gable roof has been replaced. The front porch is now covered with a 15-foot high gable roof with exposed heavy timber framing members. Above the porch area, the second story of the house has a hip roof. The angle of the hip roof further reduces the mass of the entry by sloping 25 feet of the otherwise full-height roof ridge; or
- (3) The arched 18-foot high double-door and transom entry on the front façade has been replaced with an eight (8) foot high rectangular, single-door with

sidelights. The two original tall arched windows at either side of the main entry door have been replaced with four (4) rectangular windows, two below the covered porch and two above the porch, all on the same wall;

- (4) The front entry wall will have hardy board as siding material instead of a stucco finish; and
- (5) The arched handrails at the front steps have been replaced with rectilinear handrails centered at each of the two (2) inner columns.

The applicant has also submitted revised renderings showing the revision (Attachment 5). The size and footprint of the residence remains as originally planned.

RECOMMENDATION

Staff respectfully recommends the City Council conduct a de novo hearing and consider any of the following options:

- 1. Uphold the Planning Commission's decision, including conditions added by the Planning Commission, to approve the project with conditions, and adopt a Resolution (Attachment 6); or
- 2. Approve the project as proposed by the applicant in the plans date stamped June 12, 2019 and adopt a Resolution (Attachment 7); or
- 3. Modify the Planning Commission's decision by adopting new conditions, changing conditions, or deleting conditions applicable to the project, provide further direction regarding the project's site plan and/or architecture and direct staff to return with revised plans, and/or make other modifications to the Planning Commission's decision; or
- 4. Overturn the Planning Commission's decision and deny Site Plan/Architectural Review Case No. SPR-01504-2018.

For City Council consideration, staff has prepared Resolutions for Options 1 and 2 which would allow the City Council to take a final action at the meeting. No resolution is prepared for Options 3 and 4, as the City Council would first need to provide direction to staff regarding its desired modifications to the Planning Commission's decision, or the basis for overturning the Commission's decision, and direct staff to prepare a resolution in accordance with the Council's direction and return with the resolution at a later meeting date.

Attachments:

- 1. Planning Commission staff report with project plans dated May 2, 2019
- 2. Planning Commission Resolution No. 19-1223
- 3. Planning Commission minutes of May 2, 2019
- 4. Revised Project Plans, date stamped June 12, 2019
- 5. Revised Project Renderings dated June 12, 2019 with previous project renderings dated May 2, 2019
- 6. Draft Resolution to uphold Planning Commission's decision and conditions
- 7. Draft Resolution to approve the applicant proposed revised project with conditions

	Attacker and A	
	Attachment 1	
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PLANNING DEPARTMENT

DATE:

May 2, 2019

TO:

Planning Commission

APPLICANT:

Wilmar Vallecios for Manish Drona

13852 Olive View Drive

Sylmar, CA 91342

CASE NO .:

SPR-01504-2018

LOCATION:

28500 Driver Avenue

(APN 2055-004-040)

REQUESTS:

Request for approval of a Site Plan/Architectural Review to construct a 4,917 square-foot, two-story, single-family residence and a 695 square-foot attached garage; and a request to make a finding of exemption under the California

Environmental Quality Act (CEQA).

ENVIRONMENTAL DETERMINATION:

Categorically Exempt per Section 15303 of the CEQA

Guidelines.

RECOMMENDATION:

Staff recommends the Planning Commission approve Site Plan/Architectural Review Case No. SPR-01504-2018, subject to conditions, based on the findings of the draft

resolutions.

ZONING DESIGNATION:

Residential Low Density (20,000 square-foot minimum lot

size)-Old Agoura Design Overlay-Equestrian Overlay

Districts (RL-20,000-OA-EQ)

GENERAL PLAN DESIGNATION:

RL (Residential Low Density)

I. PROJECT BACKGROUND AND DESCRIPTION

The applicant, Wilmar Vallecios from Vallecios Design Studio, representing the owner, Manish Drona, is requesting the approval of a Site Plan/Architectural Review (SPR) to construct a 4,917 square-foot, two-story, single-family residence and a 695 square-foot,

attached three-car garage at 28500 Driver Avenue. Other structures include an attached 328 square-foot covered front porch, 147 square feet of balconies, and an 840 square-foot swimming pool. The 21,781 square-foot vacant lot is located on the south side of Driver Avenue. The parcel is zoned Residential Low Density (20,000 square-foot minimum lot size)-Old Agoura Design Overlay-Equestrian Overlay (RL-20,000-OA-EQ).

The site consists of a near rectangle-shaped lot that rises approximately 26 feet in elevation from the street along the front property line (929 feet above mean sea level - MSL) to the rear of the lot (955 feet above MSL), with an average topographic slope of 9.48 percent. A ten (10)-foot wide easement for the purpose of public utilities is located on the easterly portion of the property, and a small concrete wall is located at the center of the property (to be removed). Access to the property will be provided from Driver Avenue. Existing single-family homes, both single- and two-story, are located on the adjacent properties to the east, west and south, as well as across the street to the north of the subject property. Immediately to the west and south are two-story residences, and to the east is a single-family home on a flag lot, beyond which is a vacant, residentially zoned lot.

New single-family homes are subject to review by the Planning Commission. Since the property has an average topographical slope that is less than 10 percent, the project is not subject to the City Hillside Ordinance or Conditional Use Permit and, therefore, can be reviewed as a Site Plan/Architectural Review application.

The following is a summary comparison of the project and the relevant zoning development standards.

Pertinent Data			
	Proposed	Allowed/Required	
Lot Size	21,781 sq. ft.	20,000 sq. ft. min.	
Lot Width	83.5 ft.	75 ft. min.	
Lot Depth	248 to 268 ft.	200 ft. min.	
Building Height	25 ft., 2 stories	30 ft., two stories max	
Building Square Footage			
Residence (First Floor)	2,488 sq. ft.		
Residence (Second Floor)	2,398 sq. ft.	Samuel Court	
Chimney	31 sq. ft.		
Total Residence	4,917 sq. ft.		
Attached Garage	695 sq. ft.	The second secon	
Covered Front Porch	328 sq. ft.		
Balconies	147 sq. ft.		
Total Other Structures	1,170 sq. ft.		

	Pertinent Data	ertinent Data		
	Proposed	Allowed/Required		
Lot Coverage				
Residence, Structures and Impermeable Surfaces	26.18%	35% max.		
Building Setbacks				
Front Yard (north)	82 ft.	1.25 ft. for each foot of building height with 25 ft. min. (31.25 ft. required)		
Rear Yard (south)	93.66 ft.	25 ft. min.		
Side Yard (east)	23.5 ft.	12 ft. min. or 0.5 feet for each foot of building height, whichever is greater (12.5 ft. required)		
Side Yard (west)	12.5 ft.	12 ft. min. or 0.5 feet for each foot of building height, whichever is greater (12.5 feet min.)		

II. STAFF ANALYSIS

A. Site Plan and Buildings

The proposed residence and attached garage, would be situated in the center portion of the parcel, with the garage doors facing east and not visible from Driver Avenue. The swimming pool is proposed at the rear of the residence. In order to comply with the Equestrian Overlay District requirements, a 2,600 square-foot viable horse-keeping area is identified in the front yard in the event future owners wish to maintain horses.

Access to the residence and attached three-car garage would be provided from Driver Avenue via a 23.5-foot wide, 130-foot long driveway of permeable pavers proposed along the easterly side of the property. A six (6) foot high, 20-foot wide wood rolling gate is proposed for the new driveway. A four (4)-foot high open wood fence on top of a two (2)-foot high, smooth trowel stucco block wall, along with decorative stone veneer pilasters of six (6) feet high and solid wood gate are proposed to extend across the front of the property. A six (6)-foot high wood fence is proposed along the south side perimeter, while the existing six (6)-foot high wood fence on the eastern perimeter would remain. On the west side, the existing six (6)-foot high chain link fence on the adjacent property would remain, with a new six (6)-foot high wood fence installed toward the rear yard.

The Los Angeles County Fire Department requirements for access are accommodated with a truck vehicle turn around ("hammerhead" shape) at the front of the house and

near the proposed fountain. The Los Angeles Fire Department has provided preliminary approval of the site plan for the required emergency access.

The proposed residence and attached garage, which would occupy 14.5 percent of the lot, are permitted uses in the Low Density Residential (RL) zone and would meet the required development standards, relative to setbacks, height, and lot coverage. The RL zone requires a minimum setback of 31.25 feet from the front property line, 25 feet from the rear property line and 12.5 feet from each side property line. In this case, the house is set back 82 feet from the front property line, 93.66 feet from the rear property line, and 23.5 feet (east) and 12.5 feet (west) from the sides. The proposed height of the residence is 25 feet, whereas the maximum height allowed for a residence is 30 feet with vertical height projections limited to 35 feet. Lot coverage calculations include the footprints of structures (residence, garage, porch), swimming pool in the rear yard, and non-permeable hardscape. The project lot coverage occupies a total of 5,703 square feet, which is 26.18 percent of the 21,781 square-foot lot, and under the maximum allowable 35 percent per the RL zone.

No variances from the required development standards are requested for this project. The City's Architectural Design Standards and Guidelines (ADS&G) have specific recommendations for the Old Agoura residential neighborhood. The Guidelines recommend a maximum total square footage for a dwelling unit, garage and other habitable structures in relation to the lot size so that a residence is in proportion with the size of the lot. The ADS&G recommend a maximum of 4,106.8 square feet of development for this 21,781 square-foot lot, which is the usable square footage, excluding the majority of the garage and the front covered porch. The project includes 4,917 square feet of new useable space (excluding 690 of the 695 square-foot garage and the 328 square-foot front porch, as allowed by the ADS&G). The Guidelines are advisory, and the Planning Commission has discretion to determine whether the project as proposed meets their intent and the required findings.

The minimum required size of an RL-zoned lot is 20,000 square feet. The lot is slightly over the minimum size allowed. Surrounding lots are about the same, less or greater in size than the subject site. The size of the RL-zoned lots on the north and south sides of Driver Avenue between Lewis Road and Easterly Road in the area of this site range from 19,680 square feet to 63,598 square feet, with a median size of 23,882 square feet. The residences range from 1,440 square feet to 5,268 square feet in size, with a median size of 2,130 square feet. The proposed residence is not the largest in the immediate neighborhood. Directly to the south of the residence is a 5,268 square-foot, two-story, single-family residence on a 1.46 acre parcel that was constructed in 1977.

B. Architectural Design

Zoning Ordinance Sections 9555.B.2 and 9555.C.1 require that projects proposed in Old Agoura embrace an eclectic, rural style that preserves the equestrian nature of the area, and that the design is in character with the existing development within the Old Agoura Overlay District. The ADS&G also provide general recommendations on how to maximize architectural compatibility of new dwelling units with existing residential development, including the height of the structure, the use of natural materials like wood

and stone, warm and rich colors, roof pitch, roof eaves and the preservation of privacy. The Guidelines also include recommended porches and balconies, rear or side facing garage doors, and front door visibility. The project incorporates all of these recommendations. The front porch entry and fountain provide welcoming elements along the street frontage, and the garage doors are side-loaded and not visible from the street. Design features, the porch, and the balconies break up the house's massing. The residence would be finished with smooth light brown stucco exterior walls with white trim, dark brown horizontal wood lap siding (above the front porch area and around the west elevation's bay windows) and a brown earth tone tile gable and hip roof with a relatively steep pitch. All of the windows and doors on the residence (except the front door) and the window shutters would be painted white. The front door would be a decorative wood door with glass. Some of the exterior building wall portions and other features of the residence, like the chimney and porch column bases, would be clad with stone veneer. All of the wood handrails on the residence would be painted white. The entry walkway, the driveway to access the attached three (3)-car garage, the fire apparatus turn around, and the patio at the rear of the residence, would consist of permeable concrete pavers. The project's gable and hip roof, natural material accents and earth-tone colors are compatible with other homes in the neighborhood. Similar porch columns were used for a home recently approved on Driver Avenue, to the west.

The proposed project would maintain privacy for existing development on adjacent lots. The southerly part of the rear yard would be a slope planted with native shrubs and fruit trees, which would provide a screening for the southerly neighbor. The existing vegetation and driveway along the edge of the western border serves as buffer and screen. On the lot on the easterly side of the property is a driveway and the lot beyond is not developed yet. Although second-story windows are proposed, the location of the home will exceed minimum yard requirements for the zoning district.

The Architectural Review Panel (ARP) reviewed the project and suggested revisions to the front elevation that included adding stone on the base of the exterior walls, columns and stairway; the use of wood handrails instead of wrought iron handrails; the use of a brown color palette instead of off-white and grey; and the use of lap siding at the front porch. The applicant made the requested revisions, which are demonstrated on the attached plans.

C. Equestrian Overlay District

The project site is within the Equestrian Overlay District (EQ), which requires that a horse-keeping area of at least 1,500 square-feet be identified on the property for equestrian purposes. Although the applicant is not interested in keeping horses on the property at this time, he has included an equestrian area on the plans. A 2,600 square-foot horse keeping area has been designated in the front of the property. At this time, the applicant proposes to construct wood corral fencing, with a potential future barn area identified. The proposed project could support horses and other farm animals and would comply with the minimum 35-foot required separation to on- and off-site habitable structures. Since the equestrian area would be adjacent to the street (Driver Avenue), vehicular access would be provided in and out of the property to support emergency services to the animals.

D. Old Agoura Design Overlay District

The purpose of the Old Agoura (OA) Design Overlay district, as stated in the Zoning Ordinance, is to preserve the unique character of Old Agoura through the establishment of special standards and design guidelines. The District calls for residential development to embrace an eclectic, rural style that preserves the equestrian nature of the area. The architectural styles of surrounding residences are varied. The building design incorporates wood and stone elements, relatively steeply pitched gable and hip roofs, and primarily earth tone colors, consistent with the neighboring Old Agoura residences. The project is consistent with the overlay district, as it includes the use of natural materials and colors, natural fences, a front porch, and all sides of the building complement one another and incorporate consistent design elements. provides a viable area for equestrian use. The project includes permeable pavers on the driveway and a portion of the patios and walkways. On-site grading is minimized with the building pad on the relatively flat area of the site. The Old Agoura Home Owners Planning and Zoning Committee has reviewed the project design. A copy of their letter, dated March 25, 2019, is included as Attachment 5. Attachment 6 is written public comments regarding this project that were submitted to staff.

E. Public Works/Engineering Department

The Public Works/Engineering Department has reviewed the civil engineering plans and requires that Driver Avenue be improved along the property street frontage. The street improvements include a new driveway approach extending twenty-three and one-half (23.5) feet wide along the property frontage, connection to the existing eight (8)-inch main sewer line in Driver Avenue in front of the subject parcel, and the installation of a six (6)-inch sewer lateral. The equestrian trail serving Driver Avenue is located on the north side of Driver Avenue, thus no trail improvements are required of this project.

Grading required for the proposed project is minimized since the building pad is located on the flatter portion, and would result in a finished grade of approximately 938 above mean sea level and net export of 25 cubic yards of soil, which is minor. New low slough walls no more than two and one-half (2.5) feet high would be located along the east and west sides of the property and stuccoed and painted brown. Retaining walls around the perimeter of the pool area are proposed at no more than five (5) feet high and would maintain the relatively steeper slope at the back of the site. Geotechnical, geological and drainage studies have been reviewed by the City Geotechnical Consultant from a geotechnical perspective, and found them to be in compliance with applicable codes, guidelines, and standards of practice. The applicant must submit a Final Grading Plan, Encroachment Permit, Erosion and Sediment Control Plan, and Standard Urban Stormwater Mitigation Plan to the City Engineer for review and approval prior to construction.

F. Landscaping

There are no oak trees located on-site or impacted by this project. The preliminary proposed landscape plan includes a combination of native and non-native, natural-appearing species, including trees, shrubs, vines and grass that were reviewed by staff and the City Landscape Consultant. There are several existing eucalyptus trees on-site, which are to remain. Based on the plant palette and plant placement, the Los Angeles County Fire Department's Fuel Modification Unit, which addresses potential vegetation wild fire hazards, has provided preliminary approval of the project.

G. General Plan Consistency

Staff finds the project will be consistent with the following applicable General Plan goals and policies:

Goal LU-7: Livable and Quality Neighborhoods. Neighborhoods that provide a variety of housing types, densities, and design, and a mix of uses and services that support the needs of their residents.

- Policy LU-7.1 Neighborhood Conservation. Maintain the uses, densities, character, amenities, and quality of Agoura Hills' residential neighborhoods, recognizing their contribution to the City's identity, economic value, and quality of life for residents.
- Policy LU-7.2 Housing Character and Design. Require that new and renovated housing within existing single- and multi-family neighborhoods be located and designed to maintain their distinguishing characteristics and qualities, including prevailing lot sizes; building form, scale, massing, and relationship to street frontages; architectural design; landscape; property setbacks; and comparable elements. Continue to implement the City's Architectural Design Standards and Guidelines to ensure that residential units are designed to sustain the high level of architectural design quality and the character of the existing land forms that characterize the Agoura Hills neighborhoods, in consideration of the following principles as identified in the City Architectural Design Standards and Guidelines:
 - Harmony with the natural land forms and native vegetation
 - Response to the local climate (through proper building orientation, appropriate glazing, use of overhangs, shading devices, native vegetation, etc.)
 - o Reflection of the highest standards of adjacent buildings and the neighborhood style[s], proportions, colors, and materials.

Goal LU-8 Residential Very Low— and Residential Low-Density Neighborhoods (Old Agoura). Residential neighborhoods containing very low—and low-density housing reflecting Agoura Hills' history and designed to respect their environmental setting.

- Policy LU-8.1 Neighborhood Identity. Promote and maintain the integrity of Old Agoura residential neighborhoods for their low-density large estates, rustic character, non-urban infrastructure, and keeping of horses and other farm animals.
- Policy LU-8.2 Development Compatibility with Community Character. Require
 that renovation of existing and construction of new housing and property
 improvements respect the characteristics that distinguish Old Agoura, including
 its topography, parcel sizes, housing scale and form, nonurban infrastructure and
 some streetscapes (no sidewalks, curbs and gutters, and street lighting), and
 equestrian trails.
- Policy LU-8.3 Integration of Development with Natural Setting. Require that buildings be located, scaled, and designed to reflect the existing terrain and minimize grading to the maximum extent possible. Structures shall be integrated into the hillsides, taking care to preserve the viewsheds and natural ridgelines.
- Policy LU-8.4 Property Setbacks. Encourage variable setbacks to enhance streetscape character and increase building separation.
- Policy LU-8.5 Building Materials and Colors. Limit exterior building materials to those that have the appearance of materials that are characteristic of rural environments.
- Policy LU-8.6 Landscaping. Require that on-site landscapes transition smoothly to the natural undeveloped open areas.
- Policy LU-8.7 Open Spaces. Encourage the provision of open space areas suitable for horses or other farm animals, thereby enhancing the equestrian and rural character of the area.

Goal LU-9 Single Family Neighborhoods. Maintenance of the identity, scale and character of the City's distinct residential neighborhoods.

 Policy LU-9.1 Neighborhood Identity. Maintain the distinguishing characteristics that differentiate by topography, parcel size, housing scale and form, and public streetscapes in Agoura Hills' single-family neighborhoods.

The project complies with Goals LU-7, LU-8 and LU-9 and their policies. The project would be consistent with neighboring properties in terms of height and massing, and would be lower in height than some residences in the neighborhood. The proposed single-family house conforms to the required height and setbacks of the RL zone. The lot size is similar to properties in the area. Site grading would be minimized by creating the building pad in the site's flatter portion, and cut and fill quantities would be comparable, resulting in a net export of only 25 cubic yards of soil. The relatively steep part of the site in the south would be maintained as open space with native shrubs and fruit trees providing privacy to the residence to the south. The driveway would be

located along the east side of the lot, providing a buffer to the adjacent lot's driveway and the potential future house on the vacant lot further east. Vegetation on the lot to the west serves as a buffer to the neighboring two-story house.

The architectural design is of high quality, as are the materials, which is natural and earth-tone colors, and integrate the project with the Old Agoura area natural setting. The residence is adequately articulated on all sides with varying architectural features and planes. The different building façade materials (stucco, wood, and stone) and features, including front porch, balconies, and bay windows, minimize the building mass. The plant palette incorporates native as well non-native but natural-looking trees and plant species. The residence is less than the maximum allowed height and is set back over 80 feet from the street. The project includes a 2,600 square-foot designated equestrian area in the front of the property that is both visible and accessible from Driver Avenue. Its location emphasizes the semi-rural character of the neighborhood and provides open space between the house and public right-of-way. The proposed project could support horses and other farm animals.

H. Environmental Review

The project has been reviewed pursuant to the California Environmental Quality Act (CEQA), and has been determined to be Categorically Exempt from the CEQA Guidelines per Section 15303. This exemption includes, but is not limited to, the construction of a single-family residence and accessory structures. No significant environmental impacts are expected from development of this project. No exception to this categorical exemption applies as set forth in Section 15300.2 of the CEQA Guidelines, including, but not limited to, subsection (c) which relates to unusual circumstances that could have a significant effect on the environment.

III. RECOMMENDATION

Based on the foregoing analysis, staff recommends that the Planning Commission approve Site Plan/Architectural Review Case No. CUP-01504-2018, subject to attached conditions and based on the findings of the attached draft resolution.

IV. ATTACHMENTS

Exhibit A. Draft Resolution for Site Plan/Architectural Review and Conditions of Approval

Exhibit B. Vicinity Map

Exhibit C. Project Renderings

Exhibit D. Reduced Copies of Project Plans

Exhibit E. Color and Materials Board

Exhibit F. Letter from the Old Agoura Home Owners Planning and Zoning Committee, dated March 25, 2019

Exhibit G. Written Public Comments

Exhibit H. Photographs of Property and Surrounding Properties

Case Planner: Renee Madrigal, Associate Planner

Exhibit A

DRAFT RESOLUTION NO. ____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF AGOURA HILLS, CALIFORNIA, APPROVING SITE PLAN/ARCHITECTURAL REVIEW CASE NO. SPR-01504-2018 FOR THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE LOCATED AT 28500 DRIVER AVENUE; AND MAKING A FINDING OF EXEMPTION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

THE PLANNING COMMISSION OF THE CITY OF AGOURA HILLS, CALIFORNIA, HEREBY FINDS, RESOLVES AND ORDERS AS FOLLOWS:

Section I. An application was duly filed by Wilmar Vallecios with respect to the real property located at 28500 Driver Avenue, Assessor's Parcel Number 2055-004-040, requesting approval of Site Plan/Architectural Review Case No. SPR-01504-2018 to allow the construction of a new 4,917 square-foot, two-story, single-family residence and a 695 square-foot, attached three-car garage on a vacant parcel.

Section II. The project is a request for construction of a new single-family residence and is exempt from the California Environmental Quality Act (CEQA), per CEQA Guidelines Section 15303 (New Construction or Conversions of Small Structures). The new single-family residence and related structures would not result in significant impacts to the environment. No exception to this categorical exemption applies, as set forth in Section 15300.2 of the CEQA Guidelines, including but not limited to, Subsection (c), which relates to unusual circumstances.

Section III. The Planning Commission of the City of Agoura Hills considered the project and application at a public hearing held on May 2, 2019, at 6:30 p.m. in the City Council Chambers of City Hall, 30001 Ladyface Court, Agoura Hills, California. Notice of the time, date, place and purpose of the aforementioned hearing was duly given and published as required by state law.

<u>Section IV.</u> Evidence, both written and oral, including the staff report and supporting documentation, was duly presented to and considered by the Planning Commission at the aforementioned public meeting.

<u>Section V.</u> Site Plan. Based upon the evidence presented at the public hearing, including the staff report and oral and written testimony, the Planning Commission finds, pursuant to Zoning Ordinance Section 9677.5 of the Agoura Hills Municipal Code, that:

A. The proposed use is consistent with the objectives and provisions of the Zoning Ordinance and the purposes of the land use district in which the use is located.

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The proposed project is located within the Low Density Residential and Old Agoura Design Overlay and Equestrian Overlay (RL-OA-EQ) district, which allows for the development of single-family residences. The project meets the City's minimum development standards for the zoning district with regard to lot coverage, lot size, building height, building setbacks, and all other applicable development standards. The project is also subject to the Old Agoura Design and Equestrian Overlay Districts. The project accommodates an equestrian area large enough to build a corral, and a barn in compliance with the Equestrian Overlay District.

- B. The proposed use and the manner in which it will be operated or maintained will not be detrimental to the public health, safety, or general welfare. The design of the residence will ensure adequate light, air, privacy and open space to surrounding properties, as the project complies with the RL zone height, setback, lot size and coverage requirements. Vehicular access to the property will be provided via Driver Avenue, and the driveway is designed in accordance with City and Fire Department standards. Geological, geotechnical, and drainage studies have been reviewed by the City Geotechnical Consultant from a geotechnical perspective, and found them to be in compliance with applicable codes, guidelines, and standards of practice. They recommend the Planning Commission consider approval of the project. The site will be served by the public sewer system. The project will be in full compliance with the City's Building Code.
- C. The proposed use will not conflict with the character and design of the buildings and open space in the surrounding area. The proposed style of architecture and building materials of the residence, includes light brown colored stuccoed walls, white trim, brown tile pitched roof, stone cladding, dark brown lap siding, wood railing painted white, and white window shutters. The project is in compliance with the City's Architectural Design Standards and Guidelines and standards of the Old Agoura Design and Equestrian Overlay Districts by providing for structures compatible with the natural environment in terms of colors and materials, providing a side facing garage, front porch and gable and hip roof with a relatively steep pitch, and an area for horse-keeping.
- D. The proposed use will comply with each of the applicable provisions of the Zoning Ordinance except for approved variances or modifications. The project is consistent with the zoning district's requirements for setbacks, building height, building site coverage, lot size and retaining wall heights and all other applicable development standards. The project is also consistent with the Old Agoura Design and Equestrian Overlay districts relative to the style of architecture with natural materials and colors, native and drought-tolerant landscaping, minimization of grading, and sufficient area allotted for equestrian use. No variances or modifications are required.
- E. The proposed use is consistent with the City's General Plan. The project is consistent with Land Use and Community Form Goal LU-7 and LU-8 and Policy LU-7.1 Neighborhood Conservation, Policy LU-7.2 Housing Character and Design, Policy LU-8.1 Neighborhood Identity, Policy LU-8.2 Development Compatibility with Community Character, Policy LU-8.3 Integration of Development with Natural Setting, Policy LU-8.4

Property Setbacks, Policy LU-8.5 Building Materials and Colors, Policy LU-8.6 Landscaping, and Policy LU-8.7 Open Spaces. The project is consistent with neighboring properties in terms of height and density. The proposed single-family residence conforms to the required height and setbacks of the RL zone. The lot size is similar to others in the neighborood. The architectural design is of high quality, as are the materials, which are natural and earth-tone colors, integrate the project with the Old Agoura area natural setting. The residence is adequately articulated with varying architectural features and planes. The different building façade materials (wood, glass, and stone) and features, including porch, balconies, and bay windows, minimize the building mass. The plant palette incorporates native as well non-native but natural-looking trees and plant species. The residence is set back over 80 feet from Driver Avenue. The proposed plans include a 2,600 square-foot equestrian area that is accessible from Driver Avenue. Therefore, the proposed project could support horses and other farm animals. The project complies with Goal LU-9 and Policy LU-9.1 Neighborhood Identity by remaining in scale with the other residences in the neighborhood in terms of the lot size. Given the large front yard setback, the development would not be readily visible from passers-by.

F. The proposed use preserves and enhances the particular character and assets of the surrounding area and its harmonious development. The project's gable and hip roof, natural material accents and earth tone colors reflect many of the residences in the area. The project meets the minimum yard setback requirements, height, lot coverage and lot size requirements of the Residential Low Density zone and will be placed 82 feet from Driver Avenue, a similar distance to the residence to the west of the site. Furthermore, the project is designed to provide sufficient space on the property to accommodate accessory structures and amenities in addition to the main residence, including a horse-keeping area.

<u>Section VI.</u> Architectural Review. Based upon the evidence presented at the public hearing, including the staff report and oral and written testimony, the Planning Commission finds, pursuant to Zoning Ordinance Section 9677.7.G of the Agoura Hills Municipal Code, that:

- A. The proposed development is consistent with the General Plan, and design standards adopted by the City Council. The project complies with the City General Plan Goals LU-7, LU-8, and LU-9 and Policies LU-7.1, LU-7.2, LU-8.1 through LU-87, and LU-9.1 by being consistent with neighboring properties in terms of architecture, height and density. One single-family residence is proposed for the lot and it conforms to the required height and setbacks of the RL zone. The lot size is similar to other area properties. The architectural design and material are of high quality. The plant palette incorporates native as well non-native trees and plant species. The residence is set back over 80 feet from the street. The project provides an equestrian area that is accessible from the street. The residence will be in scale with the other residences in the neighborhood and would not be readily visible from passers-by due to the distance from the street.
- B. The design and location of the proposed development and its relationship to existing or proposed developments and traffic in the vicinity thereof is such that it will not

impair the desirability of investment or occupation in the neighborhood. The proposed development will not interfere with the use and enjoyment of existing or proposed residential developments in the vicinity because the project meets all requirements of the Zoning Ordinance, especially height, setbacks, lot coverage and lot size. The building design reflects natural colors and materials compatible with the surrounding area. It will not create traffic hazards or congestion as the use is a single-family residence with minimal expected traffic trips generated. Access to the site is readily available via Driver Avenue. The driveway location will not interfere with neighboring developments or create traffic hazards, and the driveway and access meets City and Los Angeles County Fire Department Standards.

- C. The design of the proposed development is in keeping with the character of the surrounding neighborhood, and is not detrimental to the harmonious, orderly, and attractive development contemplated by the Zoning Ordinance and the General Plan of the City. The residence includes design features and materials and colors compatible with style of homes in the surrounding Old Agoura neighborhood, and the project meets or exceeds the minimum development standards established by the Zoning Ordinance with regard to lot coverage, lot size, building height, and building setbacks. The single-family residence is a permitted use in the RL zone. Grading has been minimized by locating the residence on the flatter area of the lot.
- D. The design of the proposed development provides a desirable environment for its occupants, as well as for neighbors, and is aesthetically of good composition, materials, textures, and colors. The building design is compatible with the variety of architectural styles in the neighborhood. The materials include stone and wood and the colors reflect earth tones, consistent with the community. The design includes articulation on all elevations, including a front porch, bay windows, windows with shutters, and a relatively steeply pitched gable and hip roof, all of which is reflective of the Old Agoura community. The distance between structures meets or exceeds all minimum setback requirements. The two-story design of the house will not significantly impact view-sheds of surrounding properties. The southerly portion of the lot that is an ascending slope will be landscaped with shrubs and trees that would offer privacy.
- E. The proposed use complies with all applicable requirements of the district in which it is located and all other applicable requirements. Single-family residential uses are allowed in the RL-OA-EQ zone. Minimum development standards have been met with regard to building setback, height, site coverage, and equestrian use.
- F. The overall development of the subject property is designed to ensure the protection of the public health, safety, and general welfare. The design of the residence will ensure adequate light, air, privacy and open space to surrounding properties, as the project complies with the RL zone height, setback and lot size and coverage requirements. Vehicular access to the property will be provided via Driver Avenue, and the driveway is designed in accordance with City and Fire Department standards. Geological, geotechnical, and drainage studies have been reviewed and approved by the City's

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consultants. The site will be served by the public sewer system. The project will be in full compliance with the City's Building Code.
Section VII. Based on the aforementioned findings, the Planning Commission hereby approves Site Plan/Architectural Review Case No. SPR-01504-2018, subject to the conditions attached hereto as Exhibit A, with respect to the property described in Section I hereof.
Section VIII. The Secretary of the Planning Commission shall certify to the passage, approval, and adoption of this resolution, and shall cause this resolution and this certification to be entered in the Book of Resolutions of the Planning Commission of the City.
PASSED, APPROVED, and ADOPTED this $2^{\rm nd}$ day of May, 2019, by the following vote to wit:
AYES: (0) NOES: (0) ABSTAIN: (0) ABSENT: (0)
John Asuncion, Chairperson
Doug Hooper, Secretary

EXHIBIT A CONDITIONS OF APPROVAL (Case No. SPR-01504-2018)

PLANNING DEPARTMENT

- 1. This decision, or any aspect of this decision, can be appealed to the City Council within fifteen (15) days from the date of the Planning Commission's action, subject to filing the appropriate forms and related fees.
- 2. The approval of this permit shall not be effective for any purpose until the applicant has agreed in writing that they are aware of, and accept, all conditions of this permit with the Planning Department.
- 3. Except as modified herein, the approval of this action is limited to, and requires complete conformation to, the labeled exhibits: Site Plan, Building Elevation Plans, Floor Plans, Roof Plan, Grading Plan, and Landscape Plan.
- 4. All exterior materials used in this project shall be in conformance with the materials samples submitted as a part of this application.
- 5. It is hereby declared to be the intent that if any provision of this permit is held or declared invalid, the permit shall be void and the privileges granted hereunder shall lapse.
- 6. It is further declared and made a condition of this action that if any condition herein is violated, the permit shall be suspended and the privileges granted hereunder shall lapse; provided that the applicant has been given written notice to cease such violation and has failed to do so for a period of thirty (30) days.
- 7. All requirements of the Zoning Ordinance and of the specific zoning designation of the subject property must be complied with unless set forth in this permit or on the approved Site Plan.
- 8. No occupancy shall be granted for any new building until all conditions of approval have been complied with as determined by the Director of Planning.
- 9. A minimum of two (2) enclosed parking spaces shall be provided on the subject property, in conformance with the City Parking Ordinance. A minimum interior clear space of 20 feet by 20 feet must be maintained within the garage.
- 10. All structures shall conform to the requirements of the Division of Building and Safety of the City of Agoura Hills.

- 11. The applicant shall comply with the requirements of the Los Angeles County Fire Department prior to the issuance of Building or Grading Permits. The Forester and Fire Warden shall be consulted to ascertain the required fire flows and fire hydrants to accommodate the proposed development.
- 12. Unless this permit is used within two (2) years from the date of City approval, Site Plan/Architectural Review Case No. SPR-01504-2018 will expire. A written request for a one (1) year extension may be considered prior to the expiration date.
- 13. The applicant shall pay to the City the applicable General Plan Update Recovery Fee prior to the issuance of a Building Permit. The current fee is \$1.41/\$1,000 of building valuation. Actual fees will be determined at the time of building permit issuance.
- 14. The applicant shall comply with the school impact fee requirements of the Las Virgenes Unified School District. The current fee is \$3.79 per square foot for residential construction.
- 15. All outstanding fees owed to the City, if any, shall be paid by the applicant within thirty (30) days from the date of this approval.
- 16. No roof-mounted equipment, other than attic ventilation systems and solar panels, as allowed by the Municipal Code, shall be permitted.
- 17. Retaining walls shall not be built with an exposed face greater than six (6) feet tall.
- 18. In the event archaeological resources are encountered during ground-disturbing activities, the City Planning Department shall be notified immediately, and work shall stop within a 100-foot radius until a qualified archaeologist approved by the City Planning Department, and retained and paid for by the developer/applicant, has assessed the nature, extent, and potential significance of any remains. In the event such resources are determined to be significant, appropriate actions are to be determined by the archaeologist consistent with the City General Plan, in consultation with the City Planning Department.
- 19. If human remains are unearthed during ground disturbing activities, State Health and Safety Code Section 7050.5 requires that no further disturbances shall occur until the County Coroner has made the necessary findings regarding origin and disposition pursuant to the Public Resources Code Section 5097.98. If human remains are unearthed, the developer/contractor shall contact the City Planning Department and County Coroner immediately. If the remains are determined to be of Native American descent, the Coroner has 24 hours to notify the Native American Heritage Commission (NAHC). The NAHC will then identify the person(s) though to be the Most Likely Descendent (MLD) of the deceased Native American, who will then help determine what course of action should be taken in dealing with the remains. If an archaeologist and/or a Native American representative is needed to assessed the remains and determine a course of action, all such fees and expenses shall be the responsibility of the developer/contractor and not the City.

- 20. Final Fuel Modification Plan approval by the County Fire Department Fuel Modification Unit is required prior to issuance of a Building Permit.
- 21. It is the responsibility of the applicant and/or his or her representatives to report to the City any changes related to any aspects of the construction prior to undertaking the changes.
- 22. A pre-construction conference shall be held prior to the issuance of a Grading Permit, with all construction personnel involved with the grading operations.
- 23. No construction work or repair shall be performed outside the hours of 7:00 a.m. to 7:00 p.m. or any Sunday or Holiday.
- 24. All retaining walls and CMU walls shall either be decorative stone or be smooth trowel cement plastering and painted light brown to match the color scheme of the house, and subject to the approval of the Planning Director.
- 25. The Applicant, and property owner(s), and their successors in interest, shall indemnify, defend and hold harmless the City, its officials, officers, agents and employees (collectively "Indemnitees") from and against any and all claims, actions, lawsuits, damages, losses and liabilities arising or resulting from the granting of this approval by the City or the exercise of the rights granted by this approval. This indemnification obligation shall include, but not be limited to, paying all fees and costs incurred by legal counsel of the City's choice in representing the Indemnitees in connection with any such claims, actions or lawsuits, any expert fees, and any award of damages, judgments, verdicts, court costs or attorneys' fees in any such claim, action or lawsuit. The City shall promptly notify Applicant and property owners of any claim, action, or proceeding and the City shall reasonably cooperate in the defense. In the event such a legal action is filed, the City shall estimate its expenses for litigation. Applicant or property owners shall deposit such amount with the City or enter into an agreement with the City to pay such expenses as they become due. Applicant and property owners shall reimburse the City, and each of the Indemnitees for any and all legal expenses and costs incurred by it in enforcing the indemnity herein provided. Although the Applicant is the real party in interest in an action, the City may, at its sole discretion, participate in the defense of the action, but such participation shall not relieve the applicant of any obligation under this condition.

BUILDING AND SAFETY DEPARTMENT

- 26. A building permit is required for this project.
- 27. This project shall be subject to the 2016 California Residential, Building, Mechanical, Plumbing, Electrical, Energy, Green Building Codes, and 2017 Los Angeles County Fire and Agoura Hills Municipal Code.

- 28. All exterior materials used for eaves, sidings, porch, patio, decks, canopies, carport and other similar structures need to meet the Very High Fire Hazard Severity Zone as outlined in Chapter 2 of Article VIII in the Agoura Hills Municipal Code and 2017 Los Angeles County Fire Code.
- 29. The applicant shall note on the plans that all new or replaced windows will be tempered on at least one side of the dual pane, or a 20 minute rated window or glass blocks per Section 704A.3.2.2 of the 2016 California Building Code and 2017 Los Angeles County Fire Code.
- 30. Fire Sprinklers will be required for all new structures per Section 903.2, Article VIII of the Agoura Hills Municipal Code 903.2.
- 31. A soils report will be required for the project as part of the applicant's building permit plan check submittal.
- 32. Handrails shall be required for exterior stairs with four (4) or more risers per Section 311.7.8 of the 2016 California Building Code.
- 33. Los Angeles County Fire Department review and final approval will be required for all new structures as part of Building plan check.
- 34. Las Virgenes Municipal Water District final approval will be required as part of the applicant's building permit.
- 35. As part of the permitting process and prior to permit issuance, two (2) complete sets of construction plans, including Structural, Floor Plan, Mechanical, Electrical, Plumbing, Energy Plans, Title 24 plans shall be submitted to Building and Safety Department for plan review and approval.

PUBLIC WORKS/ENGINEERING DEPARTMENT

- 36. A grading permit shall be obtained for this project.
- 37. Prior to permitting, all required plans and studies shall be prepared by a Registered Professional Engineer in the State of California, and submitted to the City Engineer for review and approval.
- 38. For all work within the public right-of-way, the applicant shall obtain an Encroachment Permit. Prior to issuance of any permits, all improvement plans, which include, but are not limited to, street, water, sewer, storm drain, lighting, signing and striping, etc. shall be reviewed and approved by the City Engineer. Water plans shall be designed to meet Las Virgenes Municipal Water District standards and contain a signature block for the City Engineer. All associated fees

- and securities shall be based upon completed Engineering Cost Estimate forms, approved by the Engineering Department.
- 39. Prior to grading permit, the applicant shall pay the applicable Transportation Impact Fee (TIF) to the Building and Safety Department.
- 40. All existing street and property monuments within or abutting this project site shall be preserved consistent with AB1414. If during construction of onsite or offsite improvements monuments are damaged or destroyed, the applicant shall retain a licensed land surveyor or civil engineer to reset those monuments per City's Standards and file the necessary information with the County Recorder's office.
- 41. Detailed on-site utility information shall be shown on the grading plan, which includes, but is not limited to, backflow prevention devices, exact location of laterals water meter size and location, invert elevations and grades for all gravity lines. The grading plan will not be approved by the Engineering Department until this detailed utility information is included on the plans.
- 42. The grading plan shall show location(s) of all oak trees, if any, within the vicinity of the site. The applicant shall adhere to all requirements pertaining to oak trees as outlined in the City's Oak Tree Consultant's Conditions of Approval, if any.
- 43. Prior to permitting, the applicant shall submit a soils/geology report to the project engineer for review and approval in accordance with Government Code, Section 66434.5 as required by the City Engineer.
- 44. Prior to grading permit, the project shall obtain a permit from the Los Angeles County Fire Department, and from Las Virgenes Municipal Water District.
- 45. Building Permits shall not be issued until graded building pad(s) have been certified for compaction and elevation to the City's satisfaction. The applicant shall contact the Engineering Department at 818.597.7322 for approved City certification forms.
- 46. Prior to permitting, all public improvements shall be designed in accordance with City Code, Specifications, approved Specific Plan, and/or approved Conditions of Approval for the area. The project is required to repair the Asphalt Concrete Inverted Shoulder along the property frontage, construct a new Asphalt Concrete driveway approach, install a new 6-Inch sewer lateral, connect to the 8-Inch sewer main in Driver Avenue, and all water appurtenances shall be per Las Virgenes Municipal Water District's standards.
- 47. This property is within the Las Virgenes Municipal Water District service area. The applicant shall make arrangements with Las Virgenes Municipal Water District for those services and provide the City with proof that all Las Virgenes Municipal Water District fees have been paid prior to permitting.

- 48. This project shall connect to the 8-Inch sewer main line in Driver Avenue (Reference Sewer Plan # E-117).
- 49. This project shall use existing laterals, whenever provided, for connection to the public sewer system.
- 50. All water facilities shall be designed to comply with all Las Virgenes Municipal Water District requirements. Final plans must be reviewed and approved by Las Virgenes Municipal Water District and City.
- 51. The applicant shall submit a hydrology study and drainage analysis, prepared and signed by a Civil Engineer registered in the State of California, in accordance with the Los Angeles County Hydrology Manual. Additional drainage facilities or portions of the site/grading plan may need to be altered as a result of the findings of this study.
- 52. Prior to the approval of the Grading Plan and issuance of Grading Permits, an Erosion and Sediment Control Plan (ESCP) shall be submitted to and approved by the Engineering Department. The Erosion and Sediment Control Plan shall specifically identify the Best Management Practices (BMPs) that will be implemented on this project, during construction, to reduce the discharge of sediment and other pollutants into the City's storm drain system. Said plan shall ensure, among other things, that the following minimum requirements are effectively implemented at all construction sites:
 - a. Sediments generated on the project site shall be retained using adequate Treatment Control or Structural BMPs;
 - b. Construction-related materials, wastes, spills, or residues shall be retained at the project site to avoid discharge to the streets, drainage facilities, receiving waters, or adjacent properties by wind or runoff;
 - c. Non-storm water runoff from equipment and vehicle washing and any other activity shall be contained at the project site;
 - d. Erosion from slopes and channels shall be controlled by implementing an effective combination of BMPs such as the limiting of grading scheduled during the wet season; inspecting graded areas during rain events; planting and maintenance of vegetation on slopes and covering erosion susceptible slopes.
- 53. Prior to the approval of the Grading Plan and issuance of Grading Permit, a completed Low Impact Development (LID) Plan shall be submitted to and approved by the Engineering Department. The LID Plan shall comply with the requirements of the LID Ordinance and Los Angeles County LID Standards Manual. The LID Plan shall include the following information:
 - Identification of whether the proposed project is a Designated or Non-Designated Project.

- If the proposed project is a Designated Project, identification of the project category.
- Feasibility of infiltration including a percolation report as part of a geotechnical report prepared by a geotechnical engineer.
- Source control measure(s) proposed to be implemented
- Calculation of the SWQDv.
- Discussion on whether stormwater runoff harvest and use is feasible.
- Stormwater quality control measure(s) proposed to be implemented.
- Discussion of how the applicable water quality standards and total maximum daily loads (TMDLs) will be addressed (off-site mitigation projects only).
- · Proposed hydromodification controls and calculations (if necessary).
- Proposed maintenance plan (if necessary).
- 54. Prior to issuance of Certificate of Occupancy, all remaining fees/ deposits required by the Engineering Department must be paid in full.
- 55. Prior to issuance of Certificate of Occupancy, all requirements including construction of improvements covered in condition number 44 must be completed to the satisfaction of the City Engineer.
- 56. Prior to issuance of Certificate of Occupancy, the applicant's Engineer shall submit a set of MYLAR, Record (as-built) Drawings, for off-site improvements, to accurately reflect the constructed improvements. This set of Record Drawings reflecting all change orders during construction, must be submitted to the City via City's inspection prior to scheduling of final inspection for acceptance of the improvements. No final inspection will be scheduled and subsequently no release of securities, posted for the project if any, will take place unless MYLAR, Record (As-built) Drawings, satisfactory to the City, are submitted.
- 57. Prior to issuance of Certificate of Occupancy, the applicant shall record a covenant for continued storm water maintenance with the Los Angeles County using Cityapproved forms.
- 58. All monuments shall be set in accordance with the final map, and all centerline ties shall be submitted to the Engineering Department. Any monuments damaged as a result of construction, shall be reset to the City's satisfaction.
- 59. Upon receiving the Title Report, if conflicts/issues arise regarding recorded documents over property, applicant shall take all measures necessary, as directed by the City Engineer, to resolve said conflicts/issues. All conditions are to be complied with to the satisfaction of the City Engineer in accordance with the applicable provisions of the Agoura Hills Municipal Code.

GEOTECHNICAL

60. The applicant shall comply with all the City Geological/Geotechnical Consultant's (GeoDynamics, Inc.) Conditions of Approval letter dated November 20, 2018.

LANDSCAPING

- 61. Final Landscape Plans shall substantially conform to the Landscape Preliminary Plan prepared by Design Concepts dated November 15, 2018, as approved by the City of Agoura Hills Planning Commission.
- 62. Location and material of paved surfaces, accessory structures, walls and fences, landscape features and other site improvements shown approved plans shall conform to approved plans.
- 63. Prior to the approval of a grading permit, the applicant shall submit three (3) sets of Final Landscape Plans for review by the City Landscape Consultant and approval by the Planning Director. A California Landscape Architect with current license shall prepare, stamp and sign the plans. The Plans shall be submitted with a copy of the following approved plans: Architectural Site Plan, Building Elevations and Final Grading Plan. Conditions of Approval shall also be submitted with the Landscape and Irrigation Plans. The Planting and Irrigation Plans shall meet the requirements of the State Model Water Efficient Landscape Ordinance and Division 8, Chapter 6, Article IX of the Agoura Hills Municipal Code.
- 64. At the time of the Final Landscape Plans submittal, the project Landscape Architect shall provide the City with written confirmation that the civil engineering drawings have been reviewed and that the Landscape Plan is not in conflict with the requirements of the National Pollutant Discharge Elimination System (NPDES) or Low Impact Development Standards (LID).
- 65. The Final Planting Plan shall indicate the botanical name, the plant container sizes and spacing. The minimum size of trees shall be fifteen (15) gallon. The minimum size of shrubs shall be five (5) gallon except shrubs planted as groundcovers and or as accent planting, which may be one (1) gallon size. Plant sizes may be increased on some projects at the discretion of the Planning Director. (If necessary specify required plant sizes). Plant symbols shall depict 75 percent of the size of the plant at maturity. Palm trees are not permitted in the City of Agoura Hills. All plant material shall be compatible with Sunset's Climate Zone 18.
- 66. The Final Landscape Plans shall include the following notes:
 - a. The Landscape Architect shall inspect and certify in writing that the landscape installation is in conformance with the approved Landscape Plans prior to final city inspection.

- b. Identification of the total square footage of the landscape area within the project.
- 67. The Final Irrigation Plans shall be provided separate from, but utilizing the same format as, the Planting Plans. The Final Irrigation Plans shall include calculations that demonstrate the irrigation design hydraulically works given the static and working design pressure of the system.
- 68. With the Final Landscape Plans, three (3) copies of plans, details, and specifications shall be provided, addressing but not limited to, layout, planting, soil preparation, tree staking, guying, installation details and post installation maintenance.
- 69. The approved landscape shall be continually maintained in a healthy state. Plants that die and plants that are damaged shall be immediately replaced with originally specified material.
- 70. Invasive non-native plants that can threaten the local wildland ecosystems are not permitted. These plants are listed in the California Invasive Plant Inventory published by the California Invasive Plant Council.
- 71. All planting areas shall receive a three (3) inch layer of coniferous bark mulch. Mulch to be kept away from tree and shrub crowns. Mulch areas to be dressed to present a clean uniform appearance when complete
- 72. Landscape improvements, planting, and irrigation installation shall be subject to inspection and approval by the Planning Department prior to final building permit inspection.

SOLID WASTE MANAGEMENT

- 73. To ensure that solid waste generated by the project is diverted from the landfill and reduced, reused, or recycled, the applicant shall submit a "Waste Reduction & Recycling Plan" to the City for review and approval. The plan shall provide for a percent of the waste generated on the project to be diverted from the landfill, at the rate currently required by California Department of Resources Recycling and Recovery. Plans shall include the entire project area, even if tenants are pursuing or will pursue independent programs. The plan shall be submitted to and approved by the Planning Department prior to issuance of a Building Permit. The plan shall include the following information: material type to be recycled, reused, salvaged, or disposed; estimated quantities to be processed, management method used, and destination of material including the hauler name and facility location. The City's Waste Reduction & Recycling Plan form or a similar format shall be used.
- 74. The project shall comply with the City's Waste Reduction & Recycling Plan and provide for the collection, recycling, and/or reuse of materials (i.e. concrete, wood, metal, cardboard, green waste, etc.) and document results during demolition and/or

construction of the proposed project. After completion of demolition and/or construction, the applicant shall complete a Waste Reduction & Recycling Summary Report and provide legible copies of weight tickets, receipts, invoices or letters of verification for materials sent to disposal or reuse/recycling facilities. For other discarded or salvaged materials, the applicant shall provide documentation, on the disposal facility's letterhead, identifying where the materials were taken, type of materials, and tons or cubic yards disposed, recycled or reused and the project generating the discarded materials. The Waste Reduction & Recycling Summary Report shall be submitted to and approved prior to issuance of a certificate of occupancy, or final inspection if issuance of a certificate of occupancy is not applicable.

75. The applicant shall arrange for materials collection during construction, demolition, and occupancy with a City permitted hauling company, or shall arrange for self-hauling to an authorized facility.

END



CASE NO. SPR-01504-2018 (Drona)

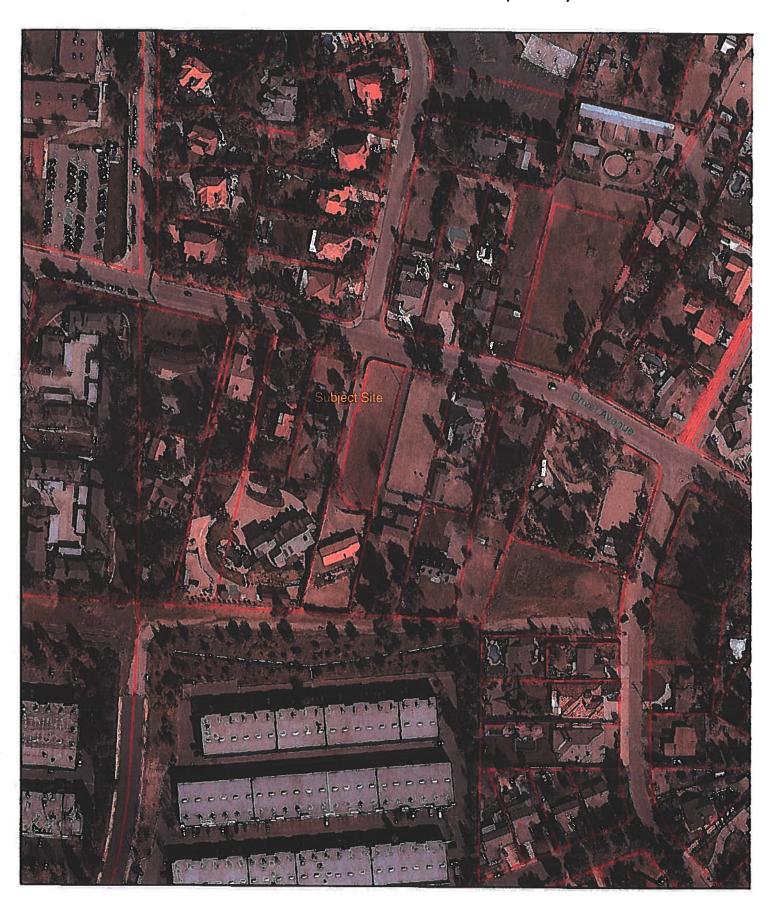


Exhibit C

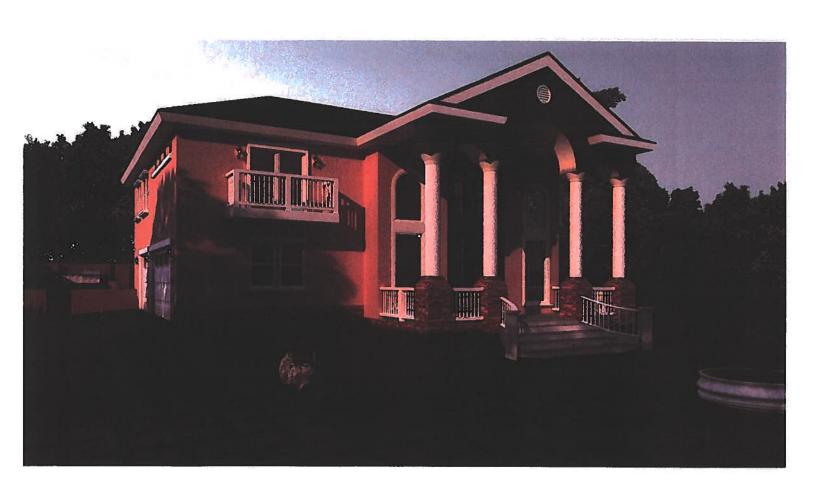
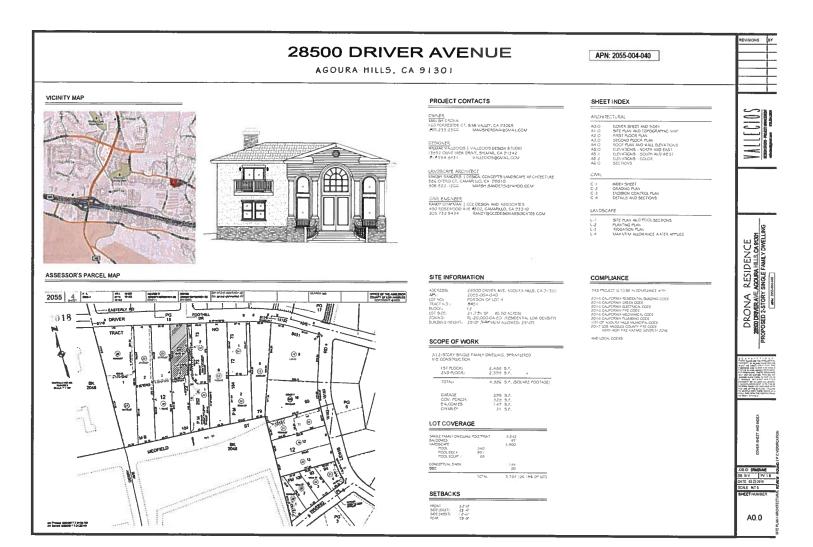




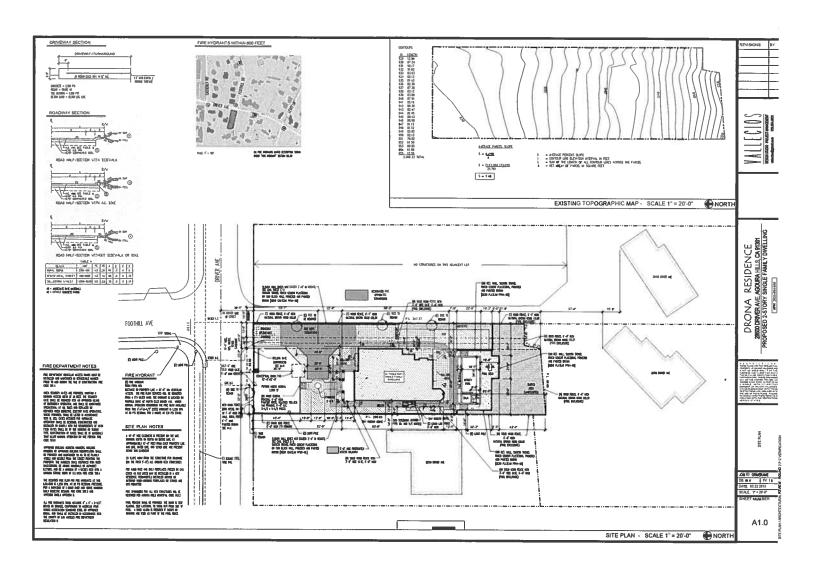


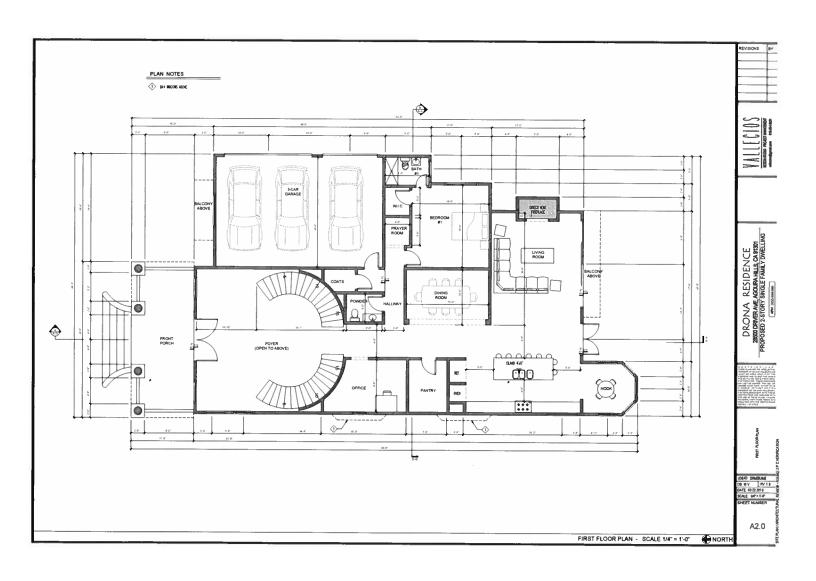


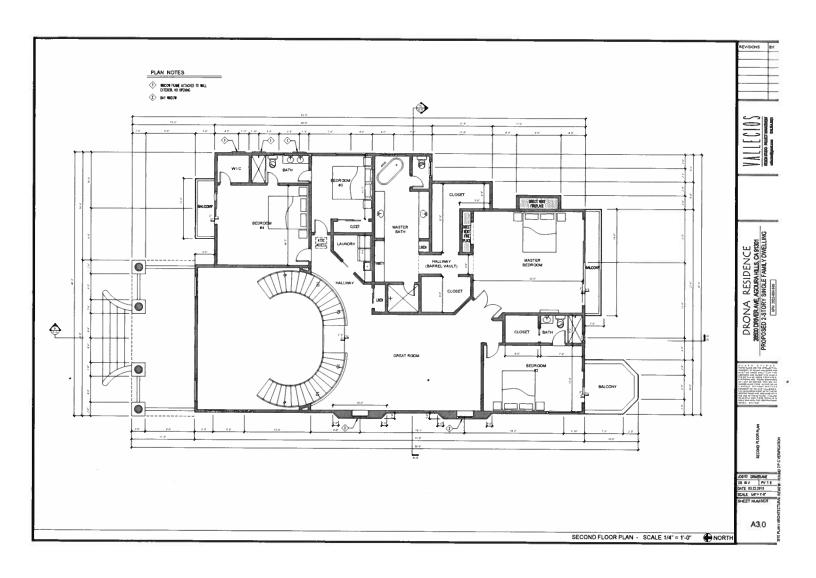
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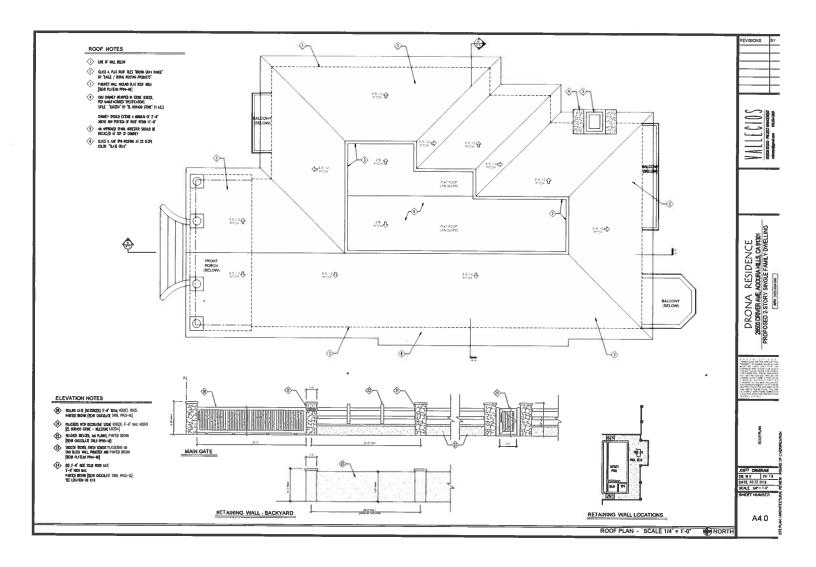


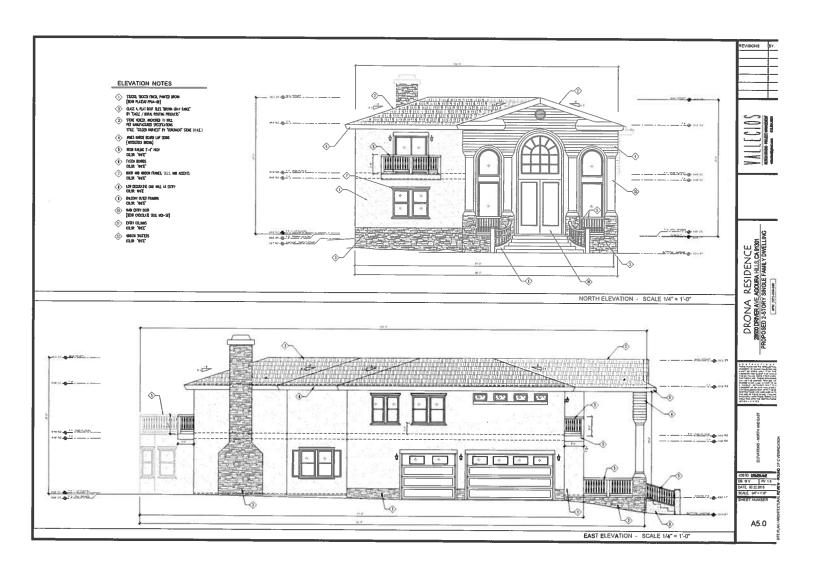
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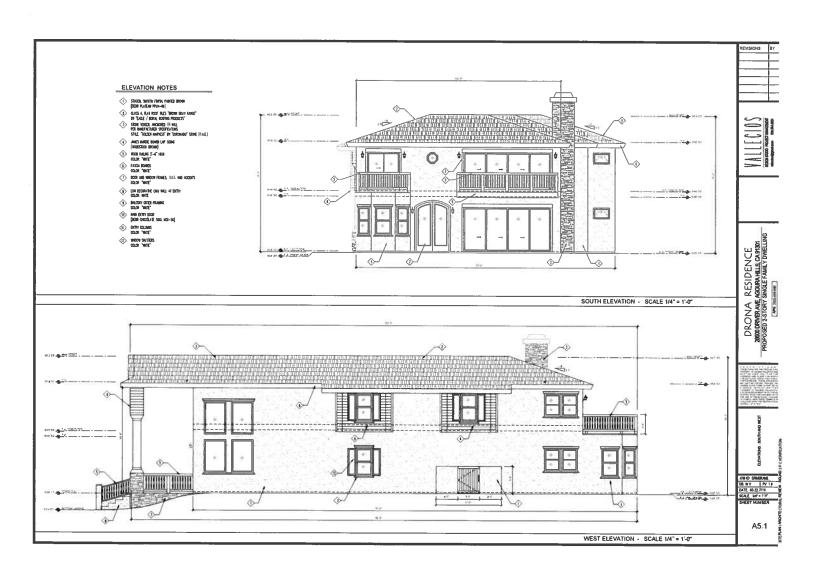














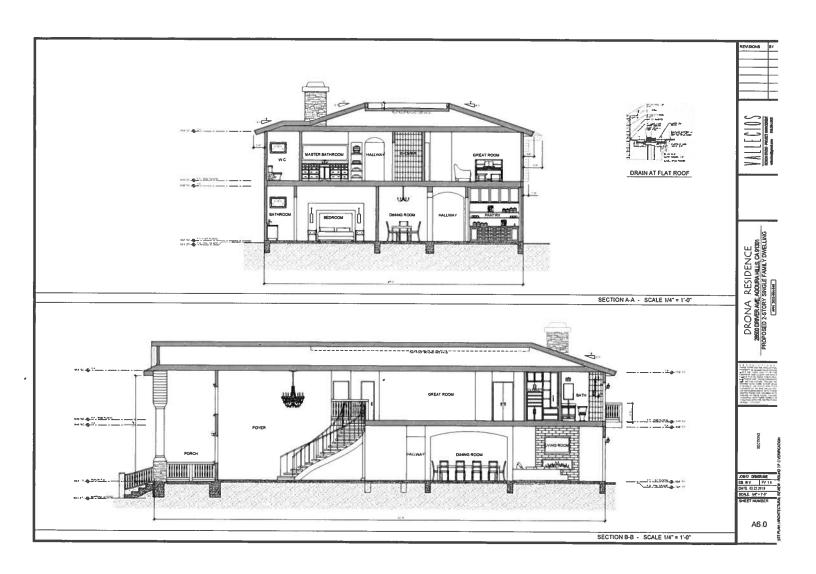


Exhibit E

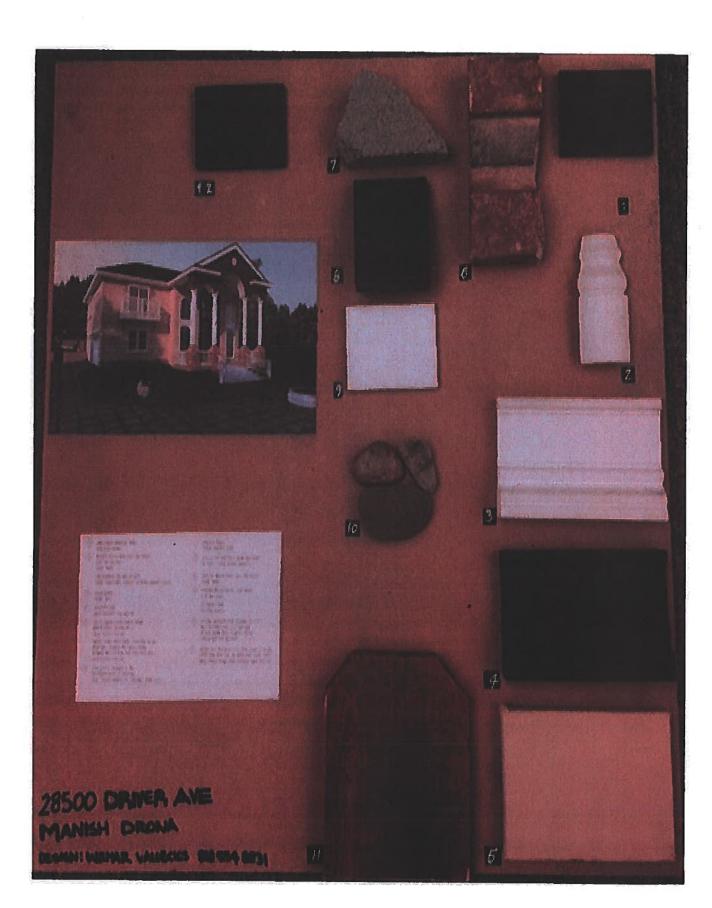


Exhibit F

Old Agoura Home Owners Planning and Zoning Committee

March 25, 2019

Attn: City of Agoura Hills Planning Dept.

Drona Project: Driver Ave. APN :2055-004-040

The Planning and zoning committee from the Old Agoura Planning and Zoning Committee has reviewed the <u>revised</u> proposed project by Vallecios Design Studio, dated 08/06/2018

The project; approximately 4,895 S.F. of a new two story residence, and proposed pool.

We appreciate the applicant taking steps to mitigate our concerns. The applicant added some articulation on the west, and changed some of the finishes in the front elevation.

Our guide lines, request scale mass and architecture should be sensitive to Old Agoura heritage. The front elevation, with the large columns, and 18' high entry doors and windows does not represent homage to our design guidelines. This project, with the smaller ascending lot, minimal front setback, raised front porch and gable, will be overpowering.

The east side of the house, only allows for 23' between the house and the property line fence at the garage door. Typically, a minimum of 26'7'' is considered minimum turning radius in front of the garage. (LADBS parking standard used) Allowing turning radius reductions, means it's impractical for full size trucks and SUV's to use the garage for parking.

Old Agoura, is an agricultural, equestrian open space designated neighborhood. Taking away a place for trucks, trailers and Suv's to park, means that we are in fact, making it impractical to support those activities. This site, does not have any other place to park a truck and or a horse trailer

Our committee reviewed the new plans, and sought opinion from 2 residences to justify our findings. It is our committee's opinion, and the opinion from 2 of the 2 residences asked, agree the project does not fit Old Agoura Guide lines.

In conclusion, we do not support the project as it does not follow our guidelines for the following reasons:

9555- C, The proposed design is in character with existing development in the Old Agoura District, in terms of height, materials, colors, roof pitch, roof eaves, and the preservation of privacy.)

9553.6. - Required architectural style and building materials. Project design and development shall perpetuate and reinforce the natural character of Old Agoura.)

Thank you.

Daniel Farkash Mike Cobella Phil Ramuno

Exhibit G

Doug Hooper

Subject:

Old Agoura

From: Ron Troncatty <rontron2000@yahoo.com>

Sent: Tuesday, March 26, 2019 12:22 PM

To: Doug Hooper <dhooper@ci.agoura-hills.ca.us>; Renee Madrigal <rmadrigal@ci.agoura-hills.ca.us>; Valerie Darbouze

<VDarbouze@ci.agoura-hills.ca.us>; Nathan Hamburger <NHamburger@ci.agoura-hills.ca.us>; Greg Ramirez

<gramirez@ci.agoura-hills.ca.us>

Subject: Old Agoura

March 26,2019

Att: City of Agoura Hills Planning Dept

RE:Drona Project / Driver Ave

APN: 2055-004-040

To Whom It May Concern;

This project seems just one more example of developers coming into Old Agoura to exploit our large lots with little intention of enjoying Old Agoura's rural quality of life.

This project as presented does not belong in Old Agoura. It doesn't represent the values of Old Agoura, and lastly is a slap in the face of us who have worked so hard to create a vision for Old Agoura and its historic rural agricultural nature.

The Planning department in receiving such and application should realize that the intention of applicant is not to share in the Old Agoura lifestyle and impose the strictest guidelines described in the Overlay, especially regarding "hardscape" which should include **any and all** hard surfaces covering the earth, except on flag lots.

Although the neighboring properties to the west and north equally share little of the Old Agoura lifestyle it must be noted that they were approved before the Overlay district was created.

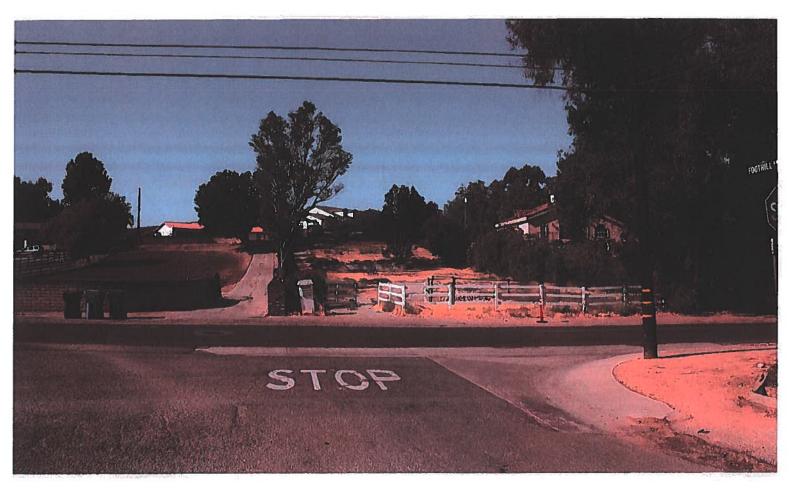
Years ago when creating the hardscape clause it was intended to discourage development that would render properties "horse useless"

In responding to applications such as this one the Planning department often times seems to miss this goal in their discretions

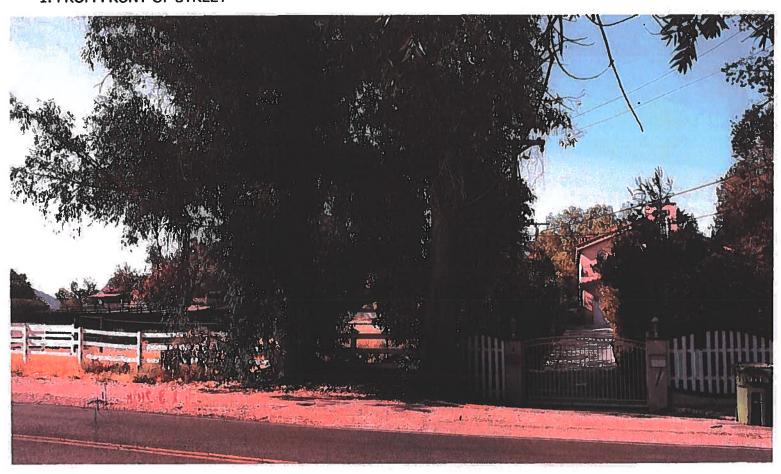
Being satisfied by simply requiring a set aside horse area without taking in consideration, practicality and or common sense use, seems to happen more and more in the Planning department's response to such applications of late.

Ron Tron

Exhibit H



1. FROM FRONT OF STREET



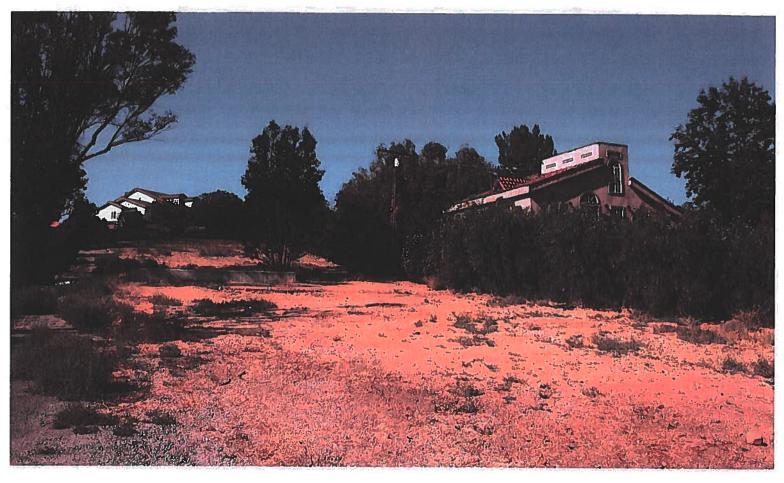
2. FROM FRONT OF ADJACENT NEIGHBOR ON WEST



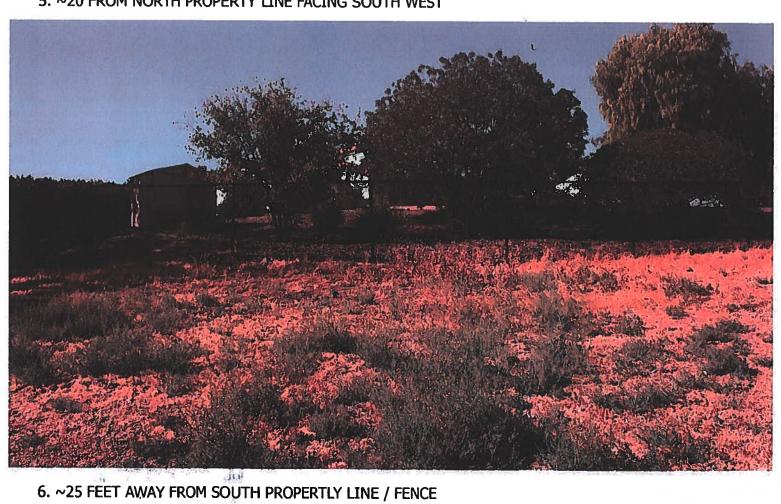
3. FROM FRONT PROPERTY LINE LOOKING AT UPWARD SLOPE

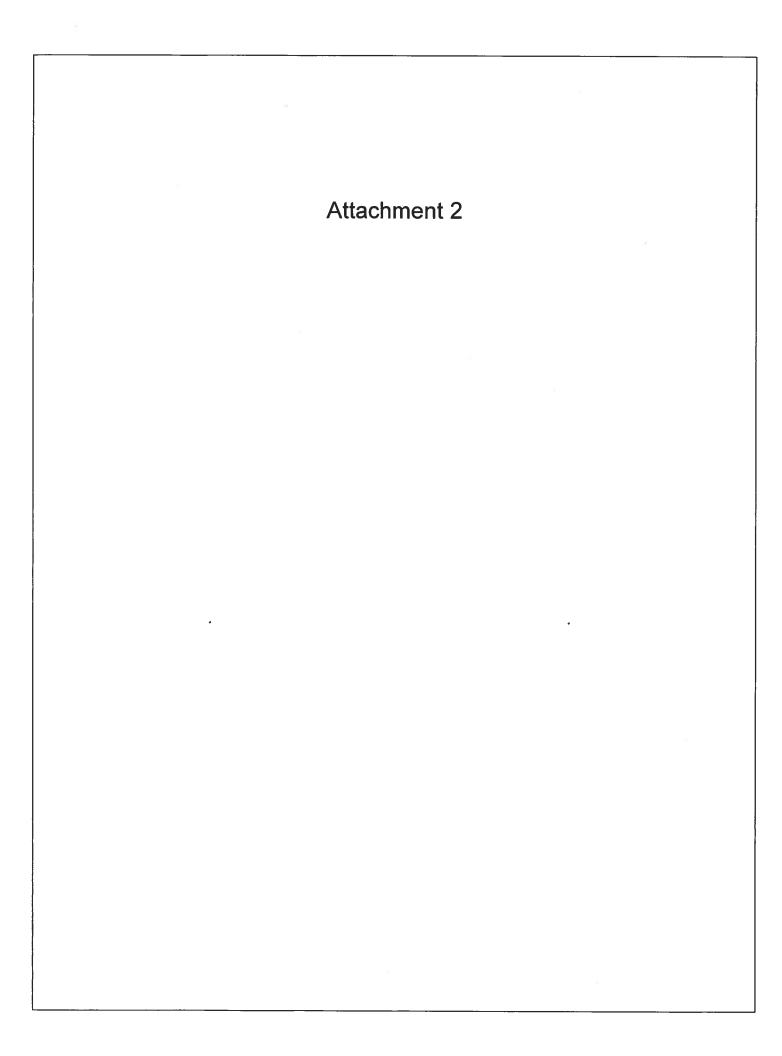


4. FROM REAR PROPERTY LINE LOOKING AT DOWNWARD SLOPE



5. ~20 FROM NORTH PROPERTY LINE FACING SOUTH WEST





RESOLUTION NO. 19-1223

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF AGOURA HILLS, CALIFORNIA, APPROVING SITE PLAN/ARCHITECTURAL REVIEW CASE NO. SPR-01504-2018 FOR THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE LOCATED AT 28500 DRIVER AVENUE; AND MAKING A FINDING OF EXEMPTION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

THE PLANNING COMMISSION OF THE CITY OF AGOURA HILLS, CALIFORNIA, HEREBY FINDS, RESOLVES AND ORDERS AS FOLLOWS:

Section I. An application was duly filed by Wilmar Vallecios with respect to the real property located at 28500 Driver Avenue, Assessor's Parcel Number 2055-004-040, requesting approval of Site Plan/Architectural Review Case No. SPR-01504-2018 to allow the construction of a new 4,917 square-foot, two-story, single-family residence and a 695 square-foot, attached three-car garage on a vacant parcel.

Section II. The project is a request for construction of a new single-family residence and is exempt from the California Environmental Quality Act (CEQA), per CEQA Guidelines Section 15303 (New Construction or Conversions of Small Structures). The new single-family residence and related structures would not result in significant impacts to the environment. No exception to this categorical exemption applies, as set forth in Section 15300.2 of the CEQA Guidelines, including but not limited to, Subsection (c), which relates to unusual circumstances.

Section III. The Planning Commission of the City of Agoura Hills considered the project and application at a public hearing held on May 2, 2019, at 6:30 p.m. in the City Council Chambers of City Hall, 30001 Ladyface Court, Agoura Hills, California. Notice of the time, date, place and purpose of the aforementioned hearing was duly given and published as required by state law.

<u>Section IV.</u> Evidence, both written and oral, including the staff report and supporting documentation, was duly presented to and considered by the Planning Commission at the aforementioned public meeting.

Section V. Site Plan. Based upon the evidence presented at the public hearing, including the staff report and oral and written testimony, the Planning Commission finds, pursuant to Zoning Ordinance Section 9677.5 of the Agoura Hills Municipal Code, that:

A. The proposed use is consistent with the objectives and provisions of the Zoning Ordinance and the purposes of the land use district in which the use is located.

The proposed project is located within the Low Density Residential and Old Agoura Design Overlay and Equestrian Overlay (RL-OA-EQ) district, which allows for the development of single-family residences. The project meets the City's minimum development standards for the zoning district with regard to lot coverage, lot size, building height, building setbacks, and all other applicable development standards. The project is also subject to the Old Agoura Design and Equestrian Overlay Districts. The project accommodates an equestrian area large enough to build a corral, and a barn in compliance with the Equestrian Overlay District.

- B. The proposed use and the manner in which it will be operated or maintained will not be detrimental to the public health, safety, or general welfare. The design of the residence will ensure adequate light, air, privacy and open space to surrounding properties, as the project complies with the RL zone height, setback, lot size and coverage requirements. Vehicular access to the property will be provided via Driver Avenue, and the driveway is designed in accordance with City and Fire Department standards. Geological, geotechnical, and drainage studies have been reviewed by the City Geotechnical Consultant from a geotechnical perspective, and found them to be in compliance with applicable codes, guidelines, and standards of practice. They recommend the Planning Commission consider approval of the project. The site will be served by the public sewer system. The project will be in full compliance with the City's Building Code.
- C. The proposed use will not conflict with the character and design of the buildings and open space in the surrounding area. The proposed style of architecture and building materials of the residence, includes light brown colored stuccoed walls, white trim, brown tile pitched roof, stone cladding, dark brown lap siding, wood railing painted white, and white window shutters. The project is in compliance with the City's Architectural Design Standards and Guidelines and standards of the Old Agoura Design and Equestrian Overlay Districts by providing for structures compatible with the natural environment in terms of colors and materials, providing a side facing garage, front porch and gable and hip roof with a relatively steep pitch, and an area for horse-keeping.
- D. The proposed use will comply with each of the applicable provisions of the Zoning Ordinance except for approved variances or modifications. The project is consistent with the zoning district's requirements for setbacks, building height, building site coverage, lot size and retaining wall heights and all other applicable development standards. The project is also consistent with the Old Agoura Design and Equestrian Overlay districts relative to the style of architecture with natural materials and colors, native and drought-tolerant landscaping, minimization of grading, and sufficient area allotted for equestrian use. No variances or modifications are required.
- E. The proposed use is consistent with the City's General Plan. The project is consistent with Land Use and Community Form Goal LU-7 and LU-8 and Policy LU-7.1 Neighborhood Conservation, Policy LU-7.2 Housing Character and Design, Policy LU-8.1 Neighborhood Identity, Policy LU-8.2 Development Compatibility with Community Character, Policy LU-8.3 Integration of Development with Natural Setting, Policy LU-8.4

Property Setbacks, Policy LU-8.5 Building Materials and Colors, Policy LU-8.6 Landscaping, and Policy LU-8.7 Open Spaces. The project is consistent with neighboring properties in terms of height and density. The proposed single-family residence conforms to the required height and setbacks of the RL zone. The lot size is similar to others in the neighborood. The architectural design is of high quality, as are the materials, which are natural and earth-tone colors, integrate the project with the Old Agoura area natural setting. The residence is adequately articulated with varying architectural features and planes. The different building façade materials (wood, glass, and stone) and features, including porch, balconies, and bay windows, minimize the building mass. The plant palette incorporates native as well non-native but natural-looking trees and plant species. The residence is set back over 80 feet from Driver Avenue. The proposed plans include a 2,600 square-foot equestrian area that is accessible from Driver Avenue. Therefore, the proposed project could support horses and other farm animals. The project complies with Goal LU-9 and Policy LU-9.1 Neighborhood Identity by remaining in scale with the other residences in the neighborhood in terms of the lot size. Given the large front yard setback, the development would not be readily visible from passers-by.

F. The proposed use preserves and enhances the particular character and assets of the surrounding area and its harmonious development. The project's gable and hip roof, natural material accents and earth tone colors reflect many of the residences in the area. The project meets the minimum yard setback requirements, height, lot coverage and lot size requirements of the Residential Low Density zone and will be placed 82 feet from Driver Avenue, a similar distance to the residence to the west of the site. Furthermore, the project is designed to provide sufficient space on the property to accommodate accessory structures and amenities in addition to the main residence, including a horse-keeping area.

<u>Section VI.</u> Architectural Review. Based upon the evidence presented at the public hearing, including the staff report and oral and written testimony, the Planning Commission finds, pursuant to Zoning Ordinance Section 9677.7.G of the Agoura Hills Municipal Code, that:

- A. The proposed development is consistent with the General Plan, and design standards adopted by the City Council. The project complies with the City General Plan Goals LU-7, LU-8, and LU-9 and Policies LU-7.1, LU-7.2, LU-8.1 through LU-87, and LU-9.1 by being consistent with neighboring properties in terms of architecture, height and density. One single-family residence is proposed for the lot and it conforms to the required height and setbacks of the RL zone. The lot size is similar to other area properties. The architectural design and material are of high quality. The plant palette incorporates native as well non-native trees and plant species. The residence is set back over 80 feet from the street. The project provides an equestrian area that is accessible from the street. The residence will be in scale with the other residences in the neighborhood and would not be readily visible from passers-by due to the distance from the street.
- B. The design and location of the proposed development and its relationship to existing or proposed developments and traffic in the vicinity thereof is such that it will not

impair the desirability of investment or occupation in the neighborhood. The proposed development will not interfere with the use and enjoyment of existing or proposed residential developments in the vicinity because the project meets all requirements of the Zoning Ordinance, especially height, setbacks, lot coverage and lot size. The building design reflects natural colors and materials compatible with the surrounding area. It will not create traffic hazards or congestion as the use is a single-family residence with minimal expected traffic trips generated. Access to the site is readily available via Driver Avenue. The driveway location will not interfere with neighboring developments or create traffic hazards, and the driveway and access meets City and Los Angeles County Fire Department Standards.

- C. The design of the proposed development is in keeping with the character of the surrounding neighborhood, and is not detrimental to the harmonious, orderly, and attractive development contemplated by the Zoning Ordinance and the General Plan of the City. The residence includes design features and materials and colors compatible with style of homes in the surrounding Old Agoura neighborhood, and the project meets or exceeds the minimum development standards established by the Zoning Ordinance with regard to lot coverage, lot size, building height, and building setbacks. The single-family residence is a permitted use in the RL zone. Grading has been minimized by locating the residence on the flatter area of the lot.
- D. The design of the proposed development provides a desirable environment for its occupants, as well as for neighbors, and is aesthetically of good composition, materials, textures, and colors. The building design is compatible with the variety of architectural styles in the neighborhood. The materials include stone and wood and the colors reflect earth tones, consistent with the community. The design includes articulation on all elevations, including a front porch, bay windows, windows with shutters, and a relatively steeply pitched gable and hip roof, all of which is reflective of the Old Agoura community. The distance between structures meets or exceeds all minimum setback requirements. The two-story design of the house will not significantly impact view-sheds of surrounding properties. The southerly portion of the lot that is an ascending slope will be landscaped with shrubs and trees that would offer privacy.
- E. The proposed use complies with all applicable requirements of the district in which it is located and all other applicable requirements. Single-family residential uses are allowed in the RL-OA-EQ zone. Minimum development standards have been met with regard to building setback, height, site coverage, and equestrian use.
- F. The overall development of the subject property is designed to ensure the protection of the public health, safety, and general welfare. The design of the residence will ensure adequate light, air, privacy and open space to surrounding properties, as the project complies with the RL zone height, setback and lot size and coverage requirements. Vehicular access to the property will be provided via Driver Avenue, and the driveway is designed in accordance with City and Fire Department standards. Geological, geotechnical, and drainage studies have been reviewed and approved by the City's

consultants. The site will be served by the public sewer system. The project will be in full compliance with the City's Building Code.

Section VII. Based on the aforementioned findings, the Planning Commission hereby approves Site Plan/Architectural Review Case No. SPR-01504-2018, subject to the conditions attached hereto as Exhibit A, with respect to the property described in Section I hereof.

<u>Section VIII.</u> The Secretary of the Planning Commission shall certify to the passage, approval, and adoption of this resolution, and shall cause this resolution and this certification to be entered in the Book of Resolutions of the Planning Commission of the City.

PASSED, APPROVED, and ADOPTED this $2^{\rm nd}$ day of May, 2019, by the following vote to wit:

AYES:

(4) Asuncion, Anderson, Justice and Mogri

NOES:

(0)

ABSTAIN: ABSENT:

(0)

Wolf

John Asuncion, Chairperson

Doug Hooper, Secretary

EXHIBIT A CONDITIONS OF APPROVAL (Case No. SPR-01504-2018)

PLANNING DEPARTMENT

- 1. This decision, or any aspect of this decision, can be appealed to the City Council within fifteen (15) days from the date of the Planning Commission's action, subject to filing the appropriate forms and related fees.
- 2. The approval of this permit shall not be effective for any purpose until the applicant has agreed in writing that they are aware of, and accept, all conditions of this permit with the Planning Department.
- 3. Except as modified herein, the approval of this action is limited to, and requires complete conformation to, the labeled exhibits: Site Plan, Building Elevation Plans, Floor Plans, Roof Plan, Grading Plan, and Landscape Plan.
- 4. All exterior materials used in this project shall be in conformance with the materials samples submitted as a part of this application.
- 5. It is hereby declared to be the intent that if any provision of this permit is held or declared invalid, the permit shall be void and the privileges granted hereunder shall lapse.
- 6. It is further declared and made a condition of this action that if any condition herein is violated, the permit shall be suspended and the privileges granted hereunder shall lapse; provided that the applicant has been given written notice to cease such violation and has failed to do so for a period of thirty (30) days.
- 7. All requirements of the Zoning Ordinance and of the specific zoning designation of the subject property must be complied with unless set forth in this permit or on the approved Site Plan.
- 8. No occupancy shall be granted for any new building until all conditions of approval have been complied with as determined by the Director of Planning.
- 9. A minimum of two (2) enclosed parking spaces shall be provided on the subject property, in conformance with the City Parking Ordinance. A minimum interior clear space of 20 feet by 20 feet must be maintained within the garage.
- 10. All structures shall conform to the requirements of the Division of Building and Safety of the City of Agoura Hills.