



PLANNING DIVISION

TO: PLANNING COMMISSION

FROM: PLANNING STAFF

DATE: JUNE 18, 2020

SUBJECT: RESOLUTION OF DENIAL FOR A REQUEST TO CONSTRUCT A NEW 4,180 SQUARE-FOOT SINGLE-FAMILY HOME WITH A 730 SQUARE-FOOT ATTACHED GARAGE (CASE NOS. CUP-01533-2018 AND OAK-01534-2018)

At its regularly scheduled meeting on June 4, 2020, the Planning Commission conducted a public hearing and considered a request to construct a new 4,180 square foot (sq. ft.) single-family home with a 730 sq. ft. attached garage and to encroach on the Tree Protection Zone (TPZ) of five (5) of the fifteen (15) coast live oak trees at 28340 Balkins Drive (Case Nos. CUP-01533-2018 and OAK-01534-2018). After the close of the public hearing and following deliberations, on a 3-2 vote, the Planning Commission directed staff to return to the next regularly scheduled meeting with a resolution to deny the project entitlements based on the Planning Commission's comments.

Denial of the project was based on findings from the Zoning Code that could not be met. Such reasons include the house being out of character of the neighborhood due to its singular rectangular shape parallel to and in close proximity of the street which creates an imposing appearance from the street and would partially block the existing hillside. Therefore, findings for character and neighborhood compatibility could not be made. For this reason, staff has drafted a Resolution of Denial.

The Draft Resolution of Denial for the Conditional Use Permit is included herein as Exhibit A. For the Commission's reference, the following items are also attached in Exhibit B: Planning Commission staff report dated June 4, 2020 with attachments, and letters from the public regarding the project before and after distribution of the June 4, 2020 Planning Commission agenda packet.

RECOMMENDATION

Staff respectfully requests the Planning Commission approve the Resolution denying Conditional Use Permit Case No. CUP-01533-2018 and Oak Tree Permit Case No. OAK-01534-2018, for the proposed single-family home with attached garage.

ATTACHMENTS

Exhibit A: Conditional Use Permit and Oak Tree Permit Draft Resolution of Denial

Exhibit B:

1. Planning Commission staff report dated June 4, 2020, with attachments
2. Written public comments provided to the Planning Commission prior to the June 20, 2019 meeting.

ATTACHMENT 1

Conditional Use Permit Draft Resolution of Denial

RESOLUTION NO. 20-____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF AGOURA HILLS, CALIFORNIA, DENYING CONDITIONAL USE PERMIT CASE NO. CUP-01533-2018 AND OAK TREE PERMIT OAK-01534-2018 FOR THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE LOCATED AT 28340 BALKINS DRIVE

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 Arvind Aurora with respect to the real property located at 28340 Balkins Drive, Assessor's Identification Number (AIN) 2055-021-044, requesting approval of a Conditional Use Permit (CUP) Case No. CUP-01533-2018 and Oak Tree Permit OAK-01534-2018 to allow the construction of a new 4,180 square-foot, two (2) story, single family residence and a 730 square-foot attached three (3) car garage on a vacant parcel.

Section II. The Planning Commission's approval of this Resolution and denial of the project application is exempt for the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines Section 15270 as a disapproved project.

Section III. The Planning Commission of the City of Agoura Hills considered the application at a public hearing held on June 4, 2020, at 6:30 p.m. The public hearing was held in accordance with the Governor's Executive Order N-29-20 on an electronic platform that allowed for the applicant and members of the public to present statements and provide materials to the Commission. Notice of the time, date, means of participation in and purpose of the aforementioned hearing was duly given and published as required by state law.

Section IV. 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 hearing.

Section V. Conditional Use Permit. Based upon the evidence presented at the public hearing, including the staff report and written testimony, the Planning Commission finds, pursuant to Zoning Ordinance Section 9673.2.E of the Agoura Hills Municipal Code, that:

A. The proposed use is not 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 Very Low Density Residential and Old Agoura Design Overlay and Equestrian Overlay (RV-OA-EQ) districts, which allow for the development of single-family residences. The purpose of the RV district is intended for large lot

development suitable for equestrian and agricultural oriented uses as well as areas with twenty-five (25) percent or greater slope which require careful design consideration to minimize grading and visual impact. The Planning Commission recognizes that 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. Furthermore, the project accommodates an equestrian area large enough to build a corral and a barn in compliance with the Equestrian Overlay District. However, the Planning Commission finds that the project is not consistent with the purpose of the RV district to avoid visual impacts in the neighborhood. The proposed home's distance from the street is less than most houses in the immediate neighborhood, thus creating a visual impact from the adjacent street that is not consistent with the neighborhood's rural character. And, as a two-story home, it will partially impede off-site views of the hillside located behind the home. Such a visual impact could be avoided with a smaller height or a one-story home.

B. The proposed use is not compatible with the surrounding properties. In general, the proposed project is similar to other residential uses in the surrounding area because it is a single-family home. The style of architecture and building materials of the single-family residence include muted gold/tan colored stucco exterior walls, white trim, terra cotta color tile hip roof, natural stone cladding in gold/tan tones, metal post and cable railing, and white aluminum framed windows with cement window molding. These design features are in compliance with the City's Architectural Design Standards & 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, and by providing a front porch, hip roof, and an area for horse-keeping. The house maintains a large percentage of open space representative of Old Agoura. However, the house is not entirely consistent with houses in the surrounding area in terms of other design and siting elements. The alignment, or axis, of the residence, including garage, runs parallel to Balkins Drive. The residence is a two-story rectangular shape with minimal variation of architectural planes, or spaces. While the house is consistent with the required front yard setback in the Zoning Ordinance, the distance from the house to the street is less than most houses in the immediate neighborhood. For these reasons, the location, shape and design of the house will create an imposing appearance from the street, and present an image of "walling off" the street. The proposed house also minimizes the appearance of space. The majority of the houses in the neighborhood and general vicinity have varying shapes and heights, and building axes that run both perpendicular and parallel to their respective streets to minimize the appearance of building mass. For these same reasons, and because there is minimal space between the rear of the house and the hillside behind it, the residence will partially impede views to the hillside from off-site.

C. The proposed use and the conditions under which it would 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 RV zone's minimum setbacks, lot size and coverage requirements. The proposed residence is situated in the lower, flatter portion of the hillside lot, which will preserve privacy of the surrounding properties. Vehicular access to the property will be provided via Balkins Drive, 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 to be in compliance with applicable codes, guidelines, and standards of practice. The project will be in compliance with the City's Building Code. The site will be served by a private septic system, which has received preliminary approval from the Los Angeles County Department of Environmental Health.

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 minimum 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. The 48.9 percent slope of the lot requires compliance with the Hillside Ordinance. Findings for Hillside standards are detailed on Section VII Hillside Area. No variances or modifications are required.

E. The distance from other similar and like uses is sufficient to maintain the diversity of the community. The project site is set within an existing single-family residential neighborhood. The project meets the minimum yard setback requirements, building height, lot coverage and lot size requirements of the Very Low Density Residential zone and will be placed a distance of 200 feet to the residence to the east and the residence to the west of the site. The project accommodates accessory structures and amenities in addition to the main residence, including a horse-keeping area.

F. The proposed use is not consistent with the goals, objectives, and policies of the City's General Plan. It is not consistent with Goal LU-7 including Policy LU-7.1 (Neighborhood Conservation) because it would be out of character with the neighborhood as it will present an imposing appearance from the street due to a combination of the location of the structure near and parallel to the street and height; Policy LU-7.2 (Housing Character and Design) because while the house is consistent with the minimum required front yard setback in the Zoning Ordinance, the distance from the house to the street is less than most houses in the neighborhood and the minimal setback from the house to the street, along with the height, creates a wall-like barrier and mass which is not consistent with the neighborhood's distinguishing qualities of design variety, form, and scale; Policy LU-7.7 (Environmental Setting) because the proposed house will block off portions of the scenic hillside. It is not consistent with Goal LU-8 including Policy LU-8.1 (Neighborhood Identity) because the wall-like feature and mass of the house from the street front is not consistent with the low-density character of the neighborhood; Policy LU-8.2 (Development Compatibility with Community Character) because it is a two-story rectangular shaped house with minimal variation in shape that makes the scale and form inconsistent with the topography; Policy LU-8.3 (Integration of Development with Natural Setting) because the form of the house is not integrated in the hillside, but rather the house is located directly at the bottom of the steep hillside with minimal setback from the

street, and the alignment of the residence runs parallel to the street which creates a “walling off” appearance. It is not consistent with Goal LU-9 including Policy LU-9.1 (Neighborhood Identity) because the scale and form of the house does not integrate or highlight the hillside at the rear of the residence as the combination of the alignment of the structure parallel to the street, the height of the structure, and short distance from the street presents an imposing appearance.

Section VI. Hillside Area. Based on the evidence presented at the hearing, including the staff report and oral and written testimony, the Planning Commission finds, pursuant to Section 9652.15.A of the Zoning Ordinance, that:

A. The proposed project, as conditioned, is located and designed so as to protect the safety of current and future community residents, and will not create significant threats to life and/or property due to the presence of geologic, seismic, slope instability, fire, flood, mud flow, erosion hazards, or other hazards. The project development is sited away from steep slopes on the lot, which minimizes grading and the potential for geotechnical hazards. The project is conditioned to comply with the Low Impact Development (LID) requirements of the Municipal Code to protect storm water quality and drainage. A preliminary geotechnical report has been approved by the City Geotechnical Consultant. Both studies and plans have demonstrated that the project will not create threats to life and property due to geologic, slope instability, fire and flood erosion hazards based on accepted grading practices and slope retention systems by way of retaining walls, drainage, and landscaping. Final geotechnical reports are required for review by the City prior to grading permit issuance. The Engineering/Public Works Division and Building and Safety Division have reviewed the project and imposed conditions to ensure the project would be consistent with safety requirements and would not pose a threat to life or property.

B. The proposed project is not compatible with the natural and scenic resources of the area. The proposed residence will block off portions of the scenic hillside because the combination of the rectangular shape of the structure, short distance from the street and the height of the structure will obscure the view.

C. The project can be provided with essential public services, but is not consistent with the objectives and policies of the City General Plan. All utility services will be brought to the parcel without interference to the existing infrastructure. The site will be served by a private septic system, acceptable to the County Environmental Health Department. However, the residence will not be consistent with the policies in the City General Plan. It is not consistent with Goal LU-7 including Policy LU-7.1 (Neighborhood Conservation) because it would be out of character with the neighborhood as it will present an imposing appearance from the street due to a combination of the location of the structure near and parallel to the street and height; Policy LU-7.2 (Housing Character and Design) because while the house is consistent with the minimum required front yard setback in the Zoning Ordinance, the distance from the house to the street is less than most houses in the neighborhood and the minimal setback from the house to the street, along with the height, creates a wall-like barrier and mass which is not consistent with the neighborhood’s distinguishing qualities of design variety, form, and scale; Policy LU-7.7 (Environmental Setting) because the proposed house will block off portions of the scenic

hillside. It is not consistent with Goal LU-8 including Policy LU-8.1 (Neighborhood Identity) because the wall-like feature and mass of the house from the street front is not consistent with the low-density character of the neighborhood; Policy LU-8.2 (Development Compatibility with Community Character) because it is a two-story rectangular shaped house with minimal variation in shape that makes the scale and form inconsistent with the topography; Policy LU-8.3 (Integration of Development with Natural Setting) because the form of the house is not integrated in the hillside, but rather the house is located directly at the bottom of the steep hillside with minimal setback from the street, and the alignment of the residence runs parallel to the street which creates a “walling off” appearance. It is not consistent with Goal LU-9 including Policy LU-9.1 (Neighborhood Identity) because the scale and form of the house does not integrate or highlight the hillside at the rear of the residence as the combination of the alignment of the structure parallel to the street, the height of the structure, and short distance from the street presents an imposing appearance.

D. The development will not complement the community character and benefit current and future community residents. The project provides amenities similar to neighboring properties, such as space for equestrian activities and open space on-site, and utilizing materials, colors and an architectural design compatible with Old Agoura, this development will blend in with the community and will serve the current and future property owners. However, the residence will not be consistent with the community character in terms of massing and appearance from the street. The house will present an imposing appearance from the street due to a combination of its distance from the street, the design of the structure and its height. The alignment, or axis, of the residence, including garage, runs parallel to Balkins Drive. The residence is a two-story rectangular shape with minimal variation of architectural planes, or spaces. While the house is consistent with the required front yard setback in the Zoning Ordinance, the distance from the house to the street is less than most houses in the immediate neighborhood. For these reasons, the location, shape and design of the house will present an image of “walling off” the street. The majority of the houses in the neighborhood and general vicinity have varying shapes and heights, and building axes that run both perpendicular and parallel to their respective streets to minimize the appearance of building mass. A nearby house that is similar in proximity to the street and in shape as the proposed house is one-story only.

E. The development is not consistent with the general design and construction standards set forth in the Hillside Ordinance, including standards for view preservation, ridgelines, and building design. Due to the significant slope on the lot (48.9 percent), the project is subject to the Hillside Ordinance. It does not meet the open space requirement of 97.5 percent of undisturbed open space on a lot with a slope greater than 35 percent. In such situations, the open space standard may be exceeded by way of a CUP for the development of one (1) single-family home provided certain findings can be made. The required findings stipulate that, in the event the open space requirement would prohibit development of the parcel for residential use, a residential dwelling unit shall be permitted as long as: 1) the parcel was legally created; 2) a change in ownership occurring after the

adoption of this section has not resulted in such parcel no longer being considered part of a larger parcel of land; 3) a private septic system will not be installed for any dwelling unit located on parcel of land consisting of less than one (1) acre in area; and 4) a CUP is granted. The project meets the necessary criteria because the parcel was legally created prior to the adoption of this ordinance; after the change in ownership, the parcel size has remained the same; the proposed septic system is allowed because the parcel is 1.01 acres; and after the granting of the applicant's CUP it will have fully met all of the aforementioned criteria. The project will be required to comply with LID standards for erosion and drainage control. The County Fire Department Land Development Division and Fuel Modification Unit have provided preliminary acceptance of the project plans. No ridgeline is identified in the General Plan in the vicinity of the project, and development will not occur on the steep hillside. The project will not block views from the adjacent residences because it maintains the required setbacks prescribed by the District within the Zoning Ordinance. However, given the location of the house in close proximity to the street, the height of the house, the rectangle shape of the house on a single axis parallel to the street, views to the hillside from off-site would be partially blocked by the house.

Section VII. Oak Tree Permit. Based upon the evidence presented at the hearing, including the staff report and oral and written testimony, the Planning Commission finds, pursuant to Section 9657.5(C) of the Zoning Ordinance, that:

A. It is necessary to remove, relocate, prune, cut, or encroach into the protected zone of an oak tree when because the continued existence totally prevents the development of the subject property. All oak trees on-site will be retained, but encroachment into five (5) oaks is necessary for proper and safe development of the property. To ensure stability of the slope, retaining walls will be constructed per the required Building Codes and will encroach into the subject oak trees. Encroachment into the protected zones of the five (5) oak trees is necessary because it would otherwise prevent planned improvements or development.

B. The proposed construction or proposed use will be accomplished without endangering the health of the remaining trees on the subject property. The proposed construction or proposed use will be accomplished without endangering the health of the remaining trees on the subject property. The proposed use will require encroachment in the protected zones of five (5) on-site Coast Live Oak trees due to the construction of stacked retaining walls to help support and maintain the slope and ensure a safe development. However, no oaks would be removed. As conditioned, the health of encroached oaks will be maintained. The City's Oak Tree consultant reviewed the plans and confirmed that the encroached trees will not be harmed and the project will not endanger the health of the other oak trees on the property based on the project plans because the development maintains a reasonable distance from these trees. The project is conditioned to protect the life of the oak trees on the subject property by taking precautionary measures when grading in proximity of the oak trees, by using hand tools

when ground disturbances occur by the protected zones, fencing the oak trees during construction phase, and restricting further development from under the tree canopies.

C. The removal or relocation of the oak tree(s) proposed will not result in soil erosion through the diversion of increased flow of surface waters which cannot be satisfactorily mitigated. This finding does not apply to this project as all oak trees will remain on-site and none will be relocated.

D. The removal or relocation of the oak tree(s) proposed is necessary because the continued existence at present location(s) prevents the planned improvement or proposed use of the subject property to such an extent that alternative development plans cannot achieve the same permitted density or that the cost of such alternative would be prohibitive; or that the placement of such tree(s) precludes the reasonable and efficient use of such property for a use otherwise authorized; or that the oak tree(s) proposed for the removal or relocation interferes with utility services or streets and highways, either within or outside of the subject property, and no reasonable alternative to such interference exists other than removal of the tree(s). This finding does not apply to this project as all oak trees will remain on-site and none will be relocated.

Section VIII. After due consideration, and based on the aforementioned findings and all the evidence in the record of the proceeding, the Planning Commission hereby denies Conditional Use Permit Case No. CUP-01533-2018 with respect to the property described in Section I hereof. The Planning Commission makes this decision in light of the following specific findings:

1. The proposed use is not consistent with the objectives and provisions of the Zoning Ordinance and the purposes of the land use district in which the use is located.
2. The proposed use is not compatible with the surrounding properties.
3. The proposed use is not consistent with the following goals, objectives, and policies of the City's General Plan: Policy LU-7.1 (Neighborhood Conservation), Policy LU-7.2 (Housing Character and Design), Policy LU-7.7 (Environmental Setting), 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), and Policy LU-9.1 (Neighborhood Identity).
4. The proposed project is not compatible with the natural and scenic resources of the area.
5. The proposed project can be provided with essential public services, but is not consistent with the objectives and policies of the City General Plan.
6. The proposed project is not consistent with the general design and construction standards set forth in the Hillside Ordinance, including standards for view preservation, ridgelines, and building design.

Although the Planning Commission is otherwise able to make the findings in support of Oak Tree Case No. OAK-01534-2018, this oak tree permit is no longer necessary because the proposed use of the property necessitating the oak tree encroachment is being denied. Therefore, Oak Tree Case No. OAK-01534-2018 is also hereby denied.

Section IX. 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 18th day of June, 2020, by the following vote to wit:

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

John Asuncion, Chairperson

ATTEST

Doug Hooper, Secretary

ATTACHMENT 2

Part 1: Planning Commission Staff Report dated June 4,
2020 with Attachments

Part 2: Written Public Comments provided to the Planning
Commission prior to the June 4, 2020 Meeting



PLANNING DIVISION

DATE: June 4, 2020

TO: Planning Commission

APPLICANT: Arvind Aurora
10250 Lockwood Drive
Cupertino, CA 95014

CASE NO: CUP-01533-2018, OAK-01534-2018

LOCATION: 28340 Balkins Drive
(APN 2055-021-044)

REQUEST: Request for 1) approval of a Conditional Use Permit to build a 4,180 square-foot two-story residence with an attached 730 square-foot garage, 2) approval of an Oak Tree Permit to encroach into the tree canopies and protected zones of five (5) of the fifteen (15) oak trees on-site; and 3) to make a finding of exemption under the California Environmental Quality Act.

ENVIRONMENTAL DETERMINATION: Exempt from the California Environmental Quality Act (CEQA) per Section 15303 of the CEQA Guidelines.

RECOMMENDATION: Staff recommends the Planning Commission approve Conditional Use Permit Case No. CUP-01533-2018 and Oak Tree Permit Case No. OAK-01534-2018, subject to conditions, based on the findings of the attached Draft Resolution.

ZONING DESIGNATION: Residential Very Low Density – Old Agoura Design and Equestrian Overlay Districts (RV-OA-EQ).

GENERAL PLAN DESIGNATION: Residential Very Low Density (RV)

I. PROJECT BACKGROUND AND DESCRIPTION

Arvind Aurora, the applicant and owner, is requesting approval of a Conditional Use Permit (CUP) to construct a 4,180 square-foot (sq. ft.) two-story residence with an attached 730 sq. ft. garage located on a 1.01-acre (44,186 sq. ft.) vacant hillside lot. The lot is located on 28340 Balkins Drive with existing hillside single-family residences similar in size located to the east, west, and to the north, across from the project site. To the south is a vacant lot. The residence is proposed at the bottom of the hill to prevent significant disturbance of the existing oak trees and minimize the amount of grading. An Oak Tree Permit is required for this project because the proposed development would encroach into the tree canopies and protected zones of five (5) of the fifteen (15) on-site Coast Live Oak trees.

The site is undeveloped with the exception of paved driveways on the west and east sides adjacent parcels. There is an estimated 81-foot rise with an elevation of 1,089 feet at the front property line to an elevation of 1,170 feet at the rear property line. The site has a steep, north facing slope, and an average slope of 48.9 percent.

An approval of a CUP is required due to the site's average topographical slope of 48.9 percent. A parcel is considered to be hillside and subject to the Hillside Ordinance if it has an average slope of 10 percent or more.

The following table summarizes how the proposed project compares with the relevant lot and development standards.

| | Existing | Proposed | Allowed/Required |
|-----------------------------------|----------------|----------------------------------|----------------------------|
| Lot Dimensions | | | |
| Size | 1.01 acres | 1.01 acres | 1 acre min. |
| Size in square feet | 44,186 sq. ft. | 44,186 sq. ft. | 43,560 sq. ft. min. |
| Lot Width | 193 ft. avg. | 193 ft. avg. | n/a |
| Lot Depth | 229 ft. avg. | 229 ft. avg. | n/a |
| Building Height | | | |
| | n/a | 28 ft.-8.75 in. (two stories) | 35 ft. or two stories max. |
| Building Square Footage | | | |
| Residence (1 st Floor) | n/a | 1,985 sq. ft. | n/a |
| Residence (2 nd Floor) | n/a | 2,195 sq. ft. | n/a |
| TOTAL RESIDENCE | n/a | 4,180 sq. ft. | n/a |
| Attached Garage | n/a | 730 sq. ft. | n/a |
| Covered Front Porch | n/a | 45 sq. ft. | n/a |
| TOTAL OTHER STRUCTURES | n/a | 775 sq. ft. | n/a |

| | Existing | Proposed | Allowed/Required |
|-------------------------------------|------------|--------------------------|------------------|
| Lot Coverage | | | |
| Residence | n/a | 1,985 sq. ft. / 4.49% | n/a |
| Garage | n/a | 730 sq. ft. / 1.65% | n/a |
| Covered Porch | n/a | 45 sq.ft. / .1% | n/a |
| TOTAL LOT COVERAGE | n/a | 6.24% | 25% max. |
| Building Setbacks | | | |
| Front Yard (to ROW line – North) | n/a | 26 ft. | 25 ft. min. |
| Rear Yard (South) | n/a | 134 ft. | 25 ft. min. |
| Side Yard (East) | n/a | 26 ft. | 12 ft. min. |
| Side Yard (West) | n/a | 61 ft. | 12. ft. min. |

II. STAFF ANALYSIS

A. Site Plan and Buildings

The project site is located on the southern side of Balkins Drive, west of Lapworth Drive in the Old Agoura residential neighborhood. Balkins Drive is a private road that runs east-west. The average size of the seven (7) parcels serviced by Balkins Drive is 1.4 acres or 62,529 sq. ft. The proposed home is on a 1.01-acre parcel (44,186 sq. ft.). The minimum allowed lot size in the RV zone is one (1) acre. Of the houses in the site vicinity, eight (8) range from 2,078 sq. ft. to 5,470 sq. ft. excluding the garage, with building heights that range from 14.5 feet to 34.5 feet. The proposed residence is not the largest in the immediate neighborhood. West of the subject lot, on Balkins Drive, is a 5,470 sq. ft., two-story (26 feet), single-family residence (excluding the garage) on a 0.99-acre parcel that was constructed in 2008. On the southeast corner of Balkins Drive and Lapworth Drive is a 5,319 sq. ft., two-story (31.5 feet), single-family residence (excluding the garage) on a 1.17-acre parcel that was constructed in 2007.

The proposed home would be positioned at the bottom of the hill, at the northern edge of the property, due to the significant slope and cluster of fifteen (15) Coast Live Oak trees further south on the property right-of-way line. Further detail on the slope and hillside are provided under Item C, Hillside.

Access to the residence and attached three-car garage would be provided from Balkins Drive via a 23-foot wide, 26-foot long driveway of permeable pavers (598 sq. ft.). Additional surface area around the driveway has been provided for fire department access and turnaround. The Los Angeles County Fire Department has provided preliminary approval of the site plan for the required emergency access.

The proposed home is a two-story, single-family residence with 1,985 sq. ft. on the first floor and 2,195 sq. ft. on the second floor, an attached 730 sq. ft. garage, a 45 sq. ft. covered front porch, and a combined 265 sq. ft. for balconies. The backyard would have a 1,411 sq. ft. permeable patio and two (2) stacked retaining walls approximately ten (10) feet apart from each other running east-west. The height of the retaining walls would range from one (1) to six (6) feet, consistent with the maximum height allowed in the Zoning Ordinance. Portions of the retaining walls would encroach into the subject Coast Live Oak trees. See Item H, Oak Trees.

The house would be setback 41 feet from the front property line, but due to the 15-foot easement for public utilities along the road, the subject set back line is measured from the right-of-way edge, which is 26 feet from the front of the house. The house is set back from the rear property line by 134 feet, and on the sides by 61 feet on the west and 26 feet on the east, which are all consistent with the Residential Very High Density (RV) zone and the Old Agoura Design Overlay minimum setback. The proposed building height is 28 feet and 8 ¾ inches, whereas the maximum allowed in the district is 35 feet.

The overall coverage of the house with the garage and porch is 6.24 percent of the lot and under the maximum allowable 25 percent per the RV zone. In conjunction with the allowable lot coverage within the RV zone, the Old Agoura Design Guidelines within the City's Architectural Design Standards and Guidelines (ADS&G) also recommends a maximum total square footage for a dwelling unit, garage and other habitable structures relative to the lot size. The calculated maximum allowable square footage based on the ADS&G (Section VI Old Agoura Design Guidelines) is 5,283.7 sq. ft.; however, because the lot is on a hillside, a slope factor of .20 for an average slope greater than 45 percent should be accounted for, as recommended by the ADS&G. In calculating the slope factor, the allowable structure size is reduced from 5,284 sq. ft. to 4,227 sq. ft. The proposed building square footage is 4,220 (excluding 690 square feet of the 730 square-foot garage and the 45 square-foot front porch, as allowed by the ADS&G)¹; therefore, the amount of development would be below the recommended standards set by the ADS&G and, specifically, the Old Agoura Design Guidelines.

B. Architectural Design

The proposed residence features a tan/muted gold ("harvest gold") colored stucco as the primary exterior wall cover. "Honey Gold" stone veneer panels are used as trim around the entry posts, garage arches, chimney, and the bottom portion of the first floor exterior ranging from 2 to 5 feet above grade. The home also features white aluminum framed windows. The second story is set back from

¹ The Old Agoura Design Guidelines exclude space for a three car garage from the square footage limit, provided that 230 square feet is allotted per space up to a total of 690 square feet for a single-family residence.

the first story. Balconies with metal railings break up the house's massing. Just below the roof line are faux rafter tails that add an additional rustic architectural feature. The proposed hip roof is composed of concrete tiles with hues of terracotta. The entry walkway, driveway access to the garage and patio at the rear of the residence would consist of permeable concrete pavers. The combination of the hip roof, natural material accents and earth-tone colors make the home compatible with the existing neighborhood. Minimal lighting fixtures are proposed on the north side of the home by the garage doors and front entrance. Lighting is also proposed on the south side of the home to illuminate the rear patio and balconies. The project was reviewed by the Architectural Review Panel (ARP) which provided input on the design of the home, including lowering the arch at the entry; widening the columns at the entry; adding stone on the corners of the building columns and chimney; and decorative retaining walls. The applicant responded by lowering the arched entry, changing the columns for a more craftsman style, adding stone veneer around the columns, chimney, and first floor of the house, and adding a decorative retaining wall.

The home was designed in accordance with Zoning Ordinance sections 9555.B.2 and 9555.C.1 which require projects proposed in Old Agoura to embrace an eclectic, rural style, and a design that is in character with the existing development within the Old Agoura Overlay District. The ADS&G also provides 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. See Item C Hillside for a discussion on privacy. The guidelines also recommend porches and balconies, and front door visibility from the street. As demonstrated by the proposed design, the project complies with the Zoning Ordinance and design guidelines.

C. Hillside

The parcel is subject to the hillside development standards of the Zoning Ordinance (Hillside Ordinance) because its slope is in excess of ten (10) percent. The Hillside Ordinance establishes special regulations in hillside areas to protect them from incompatible development, and to preserve the natural terrain, quality environment, and aesthetic character while encouraging creative, innovative and safe residential development.

The Hillside Ordinance advocates minimizing grading, protecting viewsheds, minimizing erosion, providing adequate fire protection, providing adequate drainage, using native or other plant species that blend naturally with the environment, and building design standards. The building design standards include variation in roof massing, low roof pitches that follow the hillside slope, avoiding large expanses of a single material on walls, creating interesting and small-scale patterns by breaking up building masses and varying building materials, providing architectural treatment to all sides of a building, and using

materials and colors that blend with the natural landscape. The project is consistent with these criteria as discussed in Item B Architectural Design and Item I Landscaping. The site layout preserves views and privacy from existing adjacent residences as the proposed house is set at the lower elevation of the lot and in front of the homes on the adjacent lots. The proposed residence would preserve privacy as it maintains the allowed required setbacks on the front, rear, and sides. The preservation of all the existing Coast Live Oak trees would also ensure privacy for the surrounding homes and the proposed home.

The property consists of a steep slope down toward Balkins Drive (average slope is 48.9%) in the northern portion of the lot. In order to reduce grading quantities necessary to create a building pad and to preserve as much of the existing natural hillside as possible, the applicant chose to utilize the flat area on the north end of the property, along Balkins Drive. Consistent with the Hillside Ordinance, the project minimizes grading through innovative site planning and contour grading methods to preserve scenic viewsheds and the hillside. The applicant's proposal demonstrates compliance with this ordinance.

The Hillside Ordinance, Section 9652.13.B, requires that at least 97.5 percent of the parcel remain undisturbed open space for a parcel that has an average slope greater than 35 percent, unless a CUP for a single-family home is approved by the Planning Commission. The open space area of the subject lot includes fifteen (15) oak trees and totals approximately 38,874 sq. ft. or 88 percent of the overall lot. The developed area includes a permeable driveway with the required County Fire Department access, permeable backyard patio, retaining walls, and building footprint which totals approximately 5,312 sq. ft. or 12 percent of the overall lot. Therefore, the amount of open space is less than what the ordinance requires. In such situations, the open space standard may be exceeded by way of a CUP for the development of one (1) single-family home provided certain findings can be made. The required findings stipulate that, in the event the open space requirement would prohibit development of the parcel for residential use, a residential dwelling unit shall be permitted as long as: 1) the parcel was legally created; 2) a change in ownership occurring after the adoption of this section has not resulted in such parcel no longer being considered part of a larger parcel of land; 3) a private septic system will not be installed for any dwelling unit located on parcel of land consisting of less than one (1) acre in area; 4) a CUP is granted. The project meets these necessary criteria because the parcel was legally created prior to adoption of this ordinance; after the change in ownership, the parcel size has remained the same; the proposed septic system is allowed because the parcel is 1.01 acres; and after the granting of the applicant's CUP, it will have fully met all of the aforementioned criteria to allow development of a residence in spite of the open space requirement. The proposed driveway, garage, retaining walls, and patio are all necessary to support the allowed residence and meet the Zoning Code, as well as County Fire Department access requirements. As previously noted, the County Fire Department has provided preliminary approval of the project.

In the RV zone, a residence may be 35 feet high; however, Zoning Ordinance section 9607.1.A requires that residentially-zoned properties are subject to the City's hillside development standards. Section 9607.1 Height Standards of the Zoning Ordinance addresses building height in hillside areas. It states that where the average elevation of the rear lot line is above the average elevation of the front lot line, the building may not exceed 15 feet above the average finished grade of the rear yard setback line. In this case, the average elevation of the rear lot line is 1,144 feet and the proposed building height rises to an elevation of 1,124 feet. Therefore, the proposed building height is below the average finished grade of the rear yard by 20 feet and meets the height standard.

D. 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 sq. ft. be identified on the property for equestrian purposes. The EQ also requires that for lots with an average slope over 25 percent, such as the subject parcel, the minimum horse-keeping area shall be optional, at the discretion of the Planning Commission. Although the applicant is not interested in keeping horses on the property at this time, an equestrian area is included on the plans. A 1,610 square-foot horse keeping area has been designated on the rear east side of the property with a potential future barn area identified. The proposed project could support horses and other farm animals and would comply with the minimum required 35-foot separation to on and off-site habitable structures. The equestrian area has vehicular access via the private driveway from Balkins Drive to support emergency services to the animals.

E. Old Agoura Overlay District

The intent of the Old Agoura (OA) Overlay District is to preserve Old Agoura's unique semi-rural character 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 project is consistent with the District and other neighboring Old Agoura residences through the incorporation of stone elements, exposed rafter tails, a hip roof, primarily earth-tone colors, permeable pavement, and the preservation of open space and oak trees.

F. Homeowners Association

The Old Agoura Home Owners Planning and Zoning Committee has reviewed project and concludes their review by stating, "Assuming the project complies with local codes, we suggest approval of the project as presented." A copy of its

letter, date May 12, 2020, is included as an attachment. Letters from the public has also been included as an attachment.

G. Public Works/Engineering Division

The Public Works/Engineering Division has reviewed the civil engineering plans and requires that Balkins Drive, which is a private street, be improved along the property street frontage. The required street improvements includes construction of a 20 foot wide minimum of surface, a permeable pavers driveway approach, and all water appurtenances per Las Virgenes Municipal Water District's standards. A new driveway approach of permeable pavers extending twenty-three (23) feet wide along the property frontage is proposed. Southern California Edison lines would be relocated just north of the septic tank. A recorded ingress and egress easement on the east side of the property (County Recorder's Instrument No. 05-2063156) allows access to the rear and proposed horse-keeping area.

The hillside drainage would be intercepted by a concrete swale behind the retaining walls and would direct stormwater around the house to discharge on the west and east sides of the site. Geotechnical, geological, and drainage studies have been reviewed by the City Geotechnical Consultant from a geotechnical perspective, and were found 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, and would comply with the requirements of Low Impact Development (LID).

A proposed private septic system located on the front west side of the property would serve the residence. The location and feasibility of the septic system has been tentatively approved by the Los Angeles County Health Department.

H. Oak Trees

The applicant has applied for an Oak Tree Permit and has submitted an Oak Tree Report. The Oak Tree Report prepared by L. Newman Design Group, Inc., was reviewed by the City Oak Tree Consultant who concurs with the findings. Based on the information provided in the Oak Tree Report and review of the Site Plan, (5) of the fifteen (15) on-site Coast Live Oak Trees (numbers 1, 2, 11, 12, 13) will be encroached upon during the construction of the proposed building pad, permeable surface, and retaining wall.

The northeast portion of the retaining wall in the rear yard would be no closer than eight (8) feet from the trunk of Tree No. 1. A catch-basin would be installed at the end of this retaining wall that would encroach into 33 percent of the Tree Protected Zone (TPZ) of Tree No. 1. Minor encroachment of the TPZ of Trees No. 2, 11, 12, and 13 would occur. Overall, the project maintains an acceptable

distance from the trees such that none would need to be removed or damaged. The project has been conditioned to protect the life of the oak trees by taking precautionary measures. A certified arborist is required to monitor the project during trenching to minimize the impacts to the tree roots. Other measures include fencing the oak trees during the construction phase, and restricting further development under the tree canopies and TPZs.

I. Landscaping

One of Old Agoura's design goals is to promote a natural environment and maintain the rural character of the area. In addition to the existing fifteen (15) Coast Live Oak trees, the proposed landscape plan also includes a combination of native and non-native but compatible, species including trees, shrubs, and ground cover. Landscaping was designed in consideration of the oak trees to ensure their health and survival. To soften the appearance of the retaining walls, planting of various shrubs and ground cover are proposed in between the two stacked retaining walls. Los Angeles County Fire Department's Fuel Modification Unit, which addresses wild fire hazards based on vegetation and location, has reviewed the landscaping plans and has provided preliminary acceptance.

J. 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 mix of uses and services that support 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.)
- 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's site and building design are consistent with Goals LU-7, LU-8, and LU-9 and their policies. The project would maintain open space and preserve the oak trees at the steepest parts of the parcel on the south and would maintain privacy for neighbors to the east and west of the residence by providing more than the required setbacks for the District. Site grading would be minimal due to the building pad being constructed on the flatter portion of the site. A combination of native and non-native, but compatible vegetation species have been incorporated into the landscape plan, including in the rear yard, adjacent to the hillside open space.

The project integrates Old Agoura's design guidelines by using natural and earth-tone colors to maintain the neighborhood's natural setting. The building also incorporates stucco and stones harmoniously without one being dominant over the other. The combination of the façade materials, and architectural features (balconies and porch) articulated at various locations around the house, as well as the second level stepped back from the first, helps minimize the appearance of building mass. An adequate area for horse-keeping has been dedicated at the rear of the house.

The project would be consistent with other single-family homes in the neighborhood, as discussed in Item A, Site Plan and Buildings.

K. 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 new construction of a single-family residence. 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 Conditional Use Permit Case No. CUP-01533-2018; and Oak Tree Permit Case No. OAK-01534-2018, subject to the conditions, and based on the findings of the attached Draft Resolution.

IV. ATTACHMENTS

1. Draft Resolution for the Conditional Use Permit and Oak Tree Permit with Exhibit A, Conditions of Approval
2. Project Plans
3. Project Renderings
4. Color and Material Board
5. Vicinity Map
6. Letter from Old Agoura Home Owners Planning and Zoning Committee
7. Letters from the Public

Case Planner: Katrina Garcia, Assistant Planner

ATTACHMENT 1

Draft Resolution for the Conditional Use Permit and Oak Tree Permit with
Exhibit A, Conditions of Approval

DRAFT RESOLUTION NO. _____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF AGOURA HILLS, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT CASE NO. CUP-01533-2018 FOR THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE LOCATED AT 28340 BALKINS DRIVE; AN OAK TREE PERMIT CASE NO. OAK-01534-2018 TO ENCROACH INTO THE PROTECTED ZONE OF FIVE (5) OAK TREES; 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 Arvind Aurora with respect to the real property located at 28340 Balkins Drive, Assessor's Parcel Number 2055-021-044, requesting approval of Conditional Use Permit (CUP) Case No. CUP-01533-2018 to allow the construction of a new 4,180 square-foot, two (2) story, single family residence and a 730 square-foot, attached three (3) car garage on a vacant parcel, and an Oak Tree Permit Case No. OAK-01534-2018 to encroach into the protected zone of five (5) on-site oak trees.

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, as oak trees would be protected and development would avoid steeper site slopes. 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 June 4, at 6:30 p.m. The public hearing was held in accordance with the Governor's Executive Order N-29-20 on an electronic platform that allowed for the applicant and members of the public to present statements and provide materials to the Commission. Notice of the time, date, means of participation in and purpose of the aforementioned hearing was duly given and published as required by state law.

Section IV. 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 hearing.

Section V. Conditional Use Permit. 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 9673.2.E 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 Very Low Density Residential and Old Agoura Design Overlay and Equestrian Overlay (RV-OA-EQ) districts, which allow 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 accommodates an equestrian area large enough to build a corral and a barn in compliance with the Equestrian Overlay District.

B. The proposed use is compatible with the surrounding properties. The proposed style of architecture and building materials of the residence, includes muted gold/tan colored stucco exterior walls, white trim, terra cotta color tile hip roof, natural stone cladding in gold/tan tones, metal post and cable railing, and white aluminum framed windows with cement window molding. 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 front porch and hip roof, and an area for horse-keeping. The proposed single-family home is similar in size to many surrounding houses, and consistent with the maximum recommended building square footage of the Old Agoura Design Guidelines, in the City's Architectural Design Standards and Guidelines. The house maintains a large percentage of open space representative of Old Agoura.

C. The proposed use and the conditions under which it would 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 RV zone height, setbacks, lot size and coverage requirements. The proposed residence is situated in the lower, flatter portion of the on-site hillside lot, which will preserve the views and privacy of the surrounding properties. The project complies with the maximum allowable building height of hillside properties. Vehicular access to the property will be provided via Balkins Drive, 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 to be in compliance with applicable codes, guidelines, and standards of practice. The project will be in full compliance with the City's Building Code. The site will be served by a private septic system, which has received preliminary approval from the Los Angeles County Department of Environmental Health.

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. The 48.9 percent slope of the lot requires compliance with the Hillside Ordinance. Findings for Hillside standards are detailed on Section VII Hillside Area. No variances or modifications are required.

E. The distance from other similar and like uses is sufficient to maintain the diversity of the community. The project site is set within an existing single-family residential neighborhood. The project meets the minimum yard setback requirements, building height, lot coverage and lot size requirements of the Very Low Density Residential zone and will be placed a distance of 200 feet to the residence to the east and the residence to the west of the site. 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.

F. The proposed use is consistent with the goals, objectives, and policies of the City's General Plan. The project is consistent with Land Use and Community Form Goal LU-7, LU-8 and their applicable policies including 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 and protection of the slope. The proposed single-family residence conforms to the required height and setbacks of the RV zone. The lot size is similar to others in the neighborhood. Site grading will be minimized by creating the building pad on the site's flatter portion. The architectural design is of high quality, as are the materials, which are natural and earth-toned colors that 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 (stucco and stone) and features, including porch, balconies, and decks, minimize the building mass. The plant palette incorporates native as well non-native but natural-looking trees and plant species. The oak trees will remain preserving the harmony of the natural native vegetation. The proposed plans include a 1,610 square-foot equestrian area that is accessible from Balkins Drive. 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, and complies with the recommended maximum square footage in the Old Agoura Design Guidelines section of the City Architectural Design Standards and Guidelines.

Section VI. Hillside Area. Based on the evidence presented at the hearing, including the staff report and oral and written testimony, the Planning Commission finds, pursuant to Section 9652.15.A of the Zoning Ordinance, that:

A. The proposed project, as conditioned, is located and designed so as to protect the safety of current and future community residents, and will not create significant threats to life and/or property due to the presence of geologic, seismic, slope instability, fire, flood, mud flow, erosion hazards, or other hazards. The project development is sited away from steep slopes on the lot, which minimizes grading and the potential for geotechnical hazards. The project is conditioned to comply with the Low Impact Development (LID) requirements of the Municipal Code to protect storm water quality and drainage. A preliminary geotechnical report has been approved by the City Geotechnical Consultant. Both studies and plans have demonstrated that the project will not create threats to life and property due to geologic, slope instability, fire and flood erosion hazards based on accepted grading practices and slope retention systems by way of retaining walls, drainage, and landscaping. Final geotechnical reports are required for review by the City prior to grading permit issuance. The Engineering/Public Works Division and Building and Safety Division have reviewed the project and imposed conditions to ensure the project would be consistent with safety requirements and would not pose a threat to life or property.

B. The proposed project is compatible with the natural, biotic, cultural, scenic and open space resources of the area. The project does not protrude above any ridgelines, but is set on the flatter site area. There are no General Plan designated ridgelines on or adjacent to the lot. No known sensitive or protected natural resource exists on the site and therefore no resource is expected to be impacted. Conditions to protect cultural resources, if encountered during construction, have been incorporated into the project conditions of approval.

C. The project can be provided with essential public services and is consistent with the objectives and policies of the City General Plan. All utility services will be brought to the parcel without interference to the existing infrastructure. The site will be served by a private septic system, acceptable to the County Environmental Health Department.

D. The development will complement the community character and benefit current and future community residents. The project is consistent with the maximum recommended building square footage of the Architectural Design Standards & Guidelines. By providing amenities similar to other neighboring properties, such as space for equestrian activities, and utilizing materials, colors, and an architectural design compatible with Old Agoura, this development will blend in with the community and will serve the current and future property owners.

E. The development, as conditioned, is consistent with the general design and construction standards set forth in the Hillside Ordinance, including standards for density, open space, view preservation, fire protection, erosion control, drainage control, ridgelines, building design and landscaping. Due to the significant slope on the lot (48.9 percent), the project is subject to the Hillside Ordinance. It does not meet the open space requirements of 97.5 percent of undisturbed open space on a lot with a slope greater than 35 percent. In such situations, the open space standard may be exceeded by way of a CUP for the development of one (1) single-family home provided certain findings can be

made. The required findings stipulate that, in the event the open space requirement would prohibit development of the parcel for residential use, a residential dwelling unit shall be permitted as long as: 1) the parcel was legally created; 2) a change in ownership occurring after the adoption of this section has not resulted in such parcel no longer being considered part of a larger parcel of land; 3) a private septic system will not be installed for any dwelling unit located on parcel of land consisting of less than one (1) acre in area; 4) a CUP is granted. The project meets these necessary criteria because the parcel was legally created prior to the adoption of this ordinance; after the change in ownership, the parcel size has remained the same; the proposed septic system is allowed because the parcel is 1.01 acres; and after the granting of the applicant's CUP, it will have fully met all of the aforementioned criteria. The County Fire Department Land Development Division and Fuel Modification Unit has provided preliminary acceptance of the project plans. No ridgeline is identified in the General Plan in the vicinity of the project, and development will not occur on the steep hillside, therefore, no visual impact will result from the project. The project will not block views from the adjacent residences because it maintains the required setback prescribed by the District within the Zoning Ordinance. The project will be required to comply with LID standards for erosion and drainage control. The building design will be consistent with the neighborhood and Old Agoura through use of natural colors and materials, hip roof, and minimizing grading. The landscape plan includes native and non-native, but compatible species.

Section VII. Oak Tree Permit. Based upon the evidence presented at the hearing, including the staff report and oral and written testimony, the Planning Commission finds for the Oak Tree Permit, pursuant to Section 9657.5(C) of the Zoning Ordinance that:

A. It is necessary to remove, relocate, prune, cut, or encroach into the protected zone of an oak tree when because the continued existence totally prevents the development of the subject property. All oak trees on-site will be retained, but encroachment into five (5) oaks is necessary for proper and safe development of the property. To ensure stability of the slope, retaining walls will be constructed per the required Building Codes and will encroach into the subject oak trees. Encroachment into the protected zones of the five (5) oak trees is necessary because it would otherwise prevent planned improvements or development.

B. The proposed construction or proposed use will be accomplished without endangering the health of the remaining trees on the subject property. The proposed construction or proposed use will be accomplished without endangering the health of the remaining trees on the subject property. The proposed use will require encroachment in the protected zones of five (5) on-site Coast Live Oak trees due to the construction of stacked retaining walls to help support and maintain the slope and ensure a safe development. However, no oaks would be removed. As conditioned, the health of encroached oaks will be maintained. The City's Oak Tree consultant reviewed the plans and confirmed that the encroached trees will not be harmed and the project will not endanger the health of the other oak trees on the property based on the project plans because the development maintains a reasonable distance from these trees. The project is conditioned to protect the life of the oak trees on the subject property by taking

precautionary measures when grading in proximity of the oak trees, by using hand tools when ground disturbances occur by the protected zones, fencing the oak trees during construction phase, and restricting further development from under the tree canopies.

C. The removal or relocation of the oak tree(s) proposed will not result in soil erosion through the diversion of increased flow of surface waters which cannot be satisfactorily mitigated. This finding does not apply to this project as all oak trees will remain on-site and none will be relocated.

D. The removal or relocation of the oak tree(s) proposed is necessary because the continued existence at present location(s) prevents the planned improvement or proposed use of the subject property to such an extent that alternative development plans cannot achieve the same permitted density or that the cost of such alternative would be prohibitive; or that the placement of such tree(s) precludes the reasonable and efficient use of such property for a use otherwise authorized; or that the oak tree(s) proposed for the removal or relocation interferes with utility services or streets and highways, either within or outside of the subject property, and no reasonable alternative to such interference exists other than removal of the tree(s). This finding does not apply to this project as all oak trees will remain on-site and none will be relocated.

Section VIII. Based on the aforementioned findings, the Planning Commission hereby approves Conditional Use Permit Case No. CUP-01533-2018 and Oak Tree Case No. OAK-01534-2018, subject to the conditions attached hereto as Exhibit A, with respect to the property described in Section I hereof.

Section IX. 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 4th day of June 2020, 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 Nos. CUP-01533-2018 and OAK-01534-2018)

PLANNING DIVISION

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 these permits 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 of these permits with the Planning Division.
3. Except as modified herein, the approval of this action is limited to, and requires complete conformation to, the final 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 these permits is held or declared invalid, the permits 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 permits 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 these conditions 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. A construction chain link fence with green mesh fabric screening no higher than six (6) feet in height shall be installed on-site along the perimeter of the site prior to construction, no closer than five (5) feet from the property line. The fence shall allow for vehicle access to the site, and be installed such that the line-of-sight for vehicles entering or exiting the site is clear and unobstructed. The fence and screening shall be installed prior to construction and shall remain in good working condition and free from disrepair and vandalism for the duration of the construction period. The fence shall be removed upon construction completion.
12. Unless these permits are used within two (2) years from the date of City approval, Conditional Use Permit Case No. CUP-01533-2018 and Oak Tree Permit Case No. OAK-01534-2018 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 prior to issuance of a Building Permit. 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. All exterior lights shall be focused downward and shielded to minimize glare and light spillover onto the open space area on the south end of the site and the adjacent lots.
18. Retaining walls shall not be built with an exposed face greater than six (6) feet tall.
19. The retaining wall design shall be shown on the final grading plans and be of decorative, rustic material, consistent with the surrounding natural area, to the satisfaction of the Planning Division.
20. In the event archaeological resources are encountered during ground-disturbing activities, the City Planning Division shall be notified immediately, and work shall stop within a 100-foot radius until a qualified archaeologist approved by the City Planning Division, 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 Division.

21. 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.
22. It is the responsibility of the applicant and/or his or her representatives to report to the City any changes related to any aspects of the construction prior to undertaking the changes.
23. A pre-construction conference shall be held prior to the issuance of a Grading Permit, with all construction personnel involved with the grading operations.
24. 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.
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 DIVISION

26. All the code requirements for the Very High Fire Hazard Severity Zone (VHFHSZ) per Chapter 7A of the 2019 California Building Code and Agoura Hills Municipal Code applies to this project.
27. A two percent (2%) slope away from the structure for drainage (on the first five (5) feet) all around the new structure(s) shall be provided.
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 of the 2019 California Building Code.
29. This project shall be subject to the 2019 California Residential, Building, Mechanical, Plumbing, Electrical, Energy, Fire, Green Building Codes, and Agoura Hills Municipal Code.
30. Fire Sprinklers will be required for all new structures per 2019 California Building and Fire Codes as well as Article VIII of the Agoura Hills Municipal Code.
31. Prior to issuance of a building permit, a soils report is required to be submitted to the Building and Safety Department for this project.
32. Los Angeles County Fire Department review and approval will be required prior to issuance of a building permit for all new structures.
33. Current Los Angeles County Health Department approval is required prior to a building or grading permit, whichever comes first, for the installation of any septic tanks, leach fields or seepage pits and future leach fields and seepage pits.
34. Las Virgenes Municipal Water District approval for water and sewer will be required prior to issuance of a 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, plans will need to be submitted to Building and Safety Department for plan review and approval. Please be advised that this is a preliminary review and does not constitute a final Building and Safety approval.

PUBLIC WORKS/ENGINEERING DIVISION

36. Prior to issuance of a grading permit, 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 a grading permit, 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 LVMWD standards and contain a signature block for the City Engineer. All associated fees and securities shall be based upon completed Engineering Cost Estimate forms, approved by the Engineering Department. Forms are available for download from the City's website at www.ci.agoura-hills.ca.us.
38. Prior to issuance of a grading permit, the applicant shall pay all applicable Transportation Impact Fee (TIF) to the Building and Safety Department in the amount of \$3,094.
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 issuance of a grading permit, the project shall obtain a permit from the Los Angeles County Fire & Health Departments, 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. Grading and Building Permits shall not be issued until applicant has obtained septic system approval from Los Angeles County Health Department.

46. Prior to issuance of a grading permit, all public improvements shall be designed in accordance with City Code, Specifications, approved Specific Plan, and/or approved Conditions of Approval for the area. **This project shall provide 20 feet minimum of paved surface, grind and repave Balkins Drive along the property frontage, construct a permeable pavers driveway approach, and construct all water appurtenances per Las Virgenes Municipal Water District' standards.**
47. The following existing street being cut for new services will require an asphalt concrete overlay: Balkins Drive along property frontage.
48. This property is within the LVMWD service area. The applicant shall make arrangements with LVMWD for those services and provide the City with proof that all LVMWD fees have been paid.
49. All water facilities shall be designed to comply with all LVMWD requirements. Final plans must be reviewed and approved by LVMWD 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:
 - Sediments generated on the project site shall be retained using adequate Treatment Control or Structural BMPs;
 - Construction-related materials, wastes, spills, or residues shall be retained at the project site to avoid discharge to the streets, drainage facilities, receiving waters, or adjacent properties by wind or runoff;
 - Non-storm water runoff from equipment and vehicle washing and any other activity shall be contained at the project site;
 - Erosion from slopes and channels shall be controlled by implementing an effective combination of BMPs such as the limiting of grading scheduled during the wet season; inspecting graded areas during rain events; planting and maintenance of vegetation on slopes and covering erosion susceptible slopes.
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 construction 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, using City-approved forms, with the Los Angeles County.
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 recommendations of the addendum geotechnical engineering report prepared by Calwest Geotechnical Consulting Engineers dated May 8, 2019, the addendum geologic report prepared by Landphases, Inc. dated April 29, 2019, and the City Geological/Geotechnical Consultant's (GeoDynamics, Inc.) recommendation and comments dated May 23, 2019.

OAK TREES

60. If during construction activities it is determined that any City-protected oak trees on the property is encroached by more than indicated in the Oak Tree Report dated February 19, 2020 or as depicted on the Site Plan received on February 19, 2020, four (4) mitigation trees shall be planted on-site. In accordance with the City of Agoura Hills Municipal Code (AHMC), mitigation trees shall consist of the same species that was impacted, using one 36-inch box oak tree, two 24-inch box oak trees, and a fourth oak tree from a minimum 15-gallon container. In addition, the cumulative caliper of Tree 1 (40 inches) shall be replaced at 1:1; therefore, additional oak trees will need to be planted to meet the 1:1 caliper requirement. Refer to the average oak tree container sizes provided in AHMC Section 9657, V., C.1, 4.2 (page 1057) to determine the quantity of oak tree caliper that will be mitigated. Mitigation trees shall be derived from a local nursery and be certified as disease- and pest-free. All mitigation tree shall be in excellent-to-good health and shall be inspected by the City Oak Tree Consultant within 72-hours prior to planting. If it is not feasible to plant the mitigation trees on-site, the Planning Director may consider payment of an in-lieu fee based on the cost to plant four mitigation trees, including maintenance over a five (5)-year period.
61. A three-inch layer of chipped bark mulch shall be applied throughout the soil ring surrounding the mitigation trees at the time of planting. Under no circumstances shall eucalyptus mulch be used or mulch derived from diseased plant material. The mulch shall be maintained so that it remains slightly away from the trunk of the tree to avoid excess moisture at the root crown. The mulch shall be replenished as necessary throughout the life span of the tree.
62. All subsurface ground disturbances that will occur within the tree protected zone (TPZ) of an oak tree shall be performed using hand tools under the direct observation of a Certified Arborist. If work within the TPZ is not feasible with the use of hand tools, mechanical equipment may be allowed so long as a Certified Arborist is present to directly observe activities and to ensure that no impacts occur to the oak tree. The Applicant's Certified Arborist shall be responsible for prescribing measures for minimizing impacts to roots.

63. The Applicant shall retain a Certified Arborist to monitor trenching for the retaining wall that would occur within the TPZ to minimize impacts to the tree's roots to the greatest extent feasible. The Certified Arborist shall provide recommendations for minimizing and avoiding roots during trenching activities within the TPZ.
64. In accordance with the Oak Tree Preservation Guidelines (B. Tree maintenance and pruning operations, 8. Roots [page 1051]), where structural footings are required, and roots will be impacted, the footings shall be bridged and the roots protected. All such roots shall be covered with a layer of plastic cloth and 2-4 inches of Styrofoam matting prior to pouring the footing. The City Oak Tree Consultant shall be notified within no less than 5 business days to visually inspect implementation of this method prior to backfilling the trench. The trench shall not be backfilled until the City Oak Tree Consultant conducts a visual inspection.
65. If any roots less than two-inches in diameter need to be cut, do not apply any tree/root sealers to the cut. It is best to cut roots with a sharp pruning saw so that cuts are clean (i.e., not jagged). This will allow lateral roots to grow and supplement water/nutrient uptake from the loss of the cut root. However, rooting hormone may be applied to the cut root, so long as it is applied properly according to the product label. No roots greater than two-inches in diameter may be cut without prior written approval from the City Oak Tree Consultant.
66. Prior to the start of any work or mobilization at the site, protective fencing shall be installed at the limits of encroachment within the TPZ. An oak tree protective fencing plan shall be submitted to the City Oak Tree Consultant prior to initiation of construction activities, and fence installation shall also be verified by the City Oak Tree Consultant prior to initiating construction.
67. Prior to removal of the protective fencing, the applicant shall contact the City Oak Tree Consultant to perform a final inspection. The applicant shall proceed with any remedial measures the City Oak Tree Consultant deems necessary to protect or preserve the health of the oak trees at that time.
68. The applicant shall provide a minimum of 72 hour notice to the City Oak Tree Consultant prior to the start of approved work within the TPZ of any oak tree.
69. No grading, scarifying or other soil disturbance shall be permitted within the portion of a protected zone of any oak tree, except as specifically indicated on the project plans and as approved in accordance with this oak tree permit.
70. No vehicles, equipment, materials, spoil or other items shall be used or placed within the protected zone of any oak tree at any time, except as specifically required to complete the approved work.

71. No irrigation or planting shall be installed within the dripline of any existing oak tree unless specifically approved by the City Oak Tree Consultant and the Planning Director.
72. No pruning of live wood of an oak tree (including branches and roots) shall be permitted unless specifically authorized by the City Oak Tree Consultant and/or following an approved Minor Oak Tree Permit. Any authorized pruning shall be performed by a qualified arborist under the direct observation of a Certified Arborist. All pruning operations shall be consistent with ANSI A300 Standards – Part 1 Pruning and the most recent edition of the International Society of Arboriculture Best Management Practices for Tree Pruning.
73. No herbicides shall be used within 100 feet of the dripline of any oak tree unless the program is first reviewed and endorsed by the City Oak Tree Consultant.
74. The applicant's Certified Arborist shall submit a certification letter for all work completed within the TPZ of an oak tree within five (5) working days following the completion of said work. The letter(s) shall describe all work performed, methods utilized, monitoring performed and shall state whether such work was completed in accordance with the above conditions of approval.
75. Any encroached oak tree that dies within one-year following the completion of construction shall be mitigated in accordance with the City of Agoura Hills Municipal Code (AHMC) at a ratio of 4:1. The City reserves the right to request an inspection of the oak trees on the property at any time to verify their health condition within one-year following the completion of construction. If mitigation trees are required, they shall consist of the requirements stated in Oak Tree Condition of Approval #60.
76. All oak trees located on the property, including mitigation oaks (if applicable), shall be preserved in perpetuity.

LANDSCAPING

77. Final Landscape Plans shall substantially conform to the Landscape Preliminary Plan prepared by Wynn Landscape Architects, Inc. dated February 19, 2020, as approved by the City of Agoura Hills Planning Commission.
78. 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.
79. 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.

80. 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).
81. Planting Plans 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.
82. The Final Landscape Plans shall include the following:
 - a. A note stating, that the project 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. A table indicating the total square footage of the landscape area within the project.
83. 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.
84. 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.
85. 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.
86. 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.

87. 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.
88. The Final Landscape Plan shall be approved by the Fuel Modification Unit of the County of Los Angeles Fire Department prior to the issuance of a building permit.
89. 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

90. 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.
91. 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.
92. 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 2

Project Plans

GRADING NOTES

- 1. ALL GRADING SHALL BE IN ACCORDANCE WITH ARTICLE 4 OF THE AGOURA HILLS MUNICIPAL CODE.
2. A PRE-CONSTRUCTION CONFERENCE OF ALL INTERESTED PARTIES SHALL BE HELD PRIOR TO ANY CONSTRUCTION. THIS SHALL INCLUDE ALL APPROPRIATE CITY DEPT'S.
3. ALL EXISTING MATERIAL SHALL BE DELIVERED TO A SITE APPROVED BY THE CITY.
4. ALL GEOTECHNICAL AND SOIL RECOMMENDATIONS IMPOSED BY THE CONSULTANT OR COMING FROM THE COUNTY ENGINEER SHALL BE INTEGRATED INTO THE GRADING PLAN AND SHALL BE A NECESSARY PART OF THE GRADING SPECIFICATIONS AND NOTES.
5. ANY CHANGES IN THE WORK PROGRAM SHALL BE SUBJECT TO THE APPROVAL OF THE CITY ENGINEER.
6. THE PERMITTEE SHALL EMPLOY A REGISTERED CIVIL ENGINEER TO PROVIDE CONSTANT ON-SITE GRADING SUPERVISION TO ASSURE COMPLIANCE WITH THE APPROVED PLANS AND A SOILS ENGINEER TO PROVIDE CONSTANT SOIL INSPECTION IN ACCORDANCE WITH THE AGOURA HILLS MUNICIPAL CODE.
7. REPORTS REQUIRED:
1. ROUGH GRADING REPORT, PRIOR TO THE CONSTRUCTION OF ANY STRUCTURE, A ROUGH GRADING REPORT MUST BE SUBMITTED TO THE REGIONAL OFFICIAL STATING THAT ALL ROUGH GRADING HAS BEEN COMPLETED PER THE APPROVED GRADING PLANS.
2. FINAL GRADING REPORT, PRIOR TO THE FINALIZATION OF ANY GRADING PROJECT. A FINAL GRADING REPORT MUST BE SUBMITTED TO THE REGIONAL OFFICIAL FOR APPROVAL. THE REPORT SHALL BE BY THE ENGINEER OF RECORD, STATING THAT ALL GRADING, LOT DRAINAGE AND PROVISIONS FACTURES HAVE BEEN COMPLETED, AND THE SLOPE PLANNING AND PROVISIONS SYSTEMS HAVE BEEN INSTALLED IN ACCORDANCE WITH THE APPROVED PLANS AND REQUIREMENTS OF THE CITY OF AGOURA HILLS.
8. AN AS-BUILT SOILS REPORT SHALL BE SUBMITTED TO THE CITY FOR REVIEW. THIS REPORT, PREPARED BY THE GEOTECHNICAL CONSULTANT, MUST INCLUDE DOCUMENTATION OF ANY FOUNDATION DEFECTS, THE RESULTS OF ALL COMPARISON TESTS, AS WELL AS A MAP INDICATING THE EXACT LOCATION OF ALL FOUNDATION DEFECTS, THE LOCATION OF ALL SUBSISTANCES AND FOUNDATION DEFECTS, AND LOCATION OF ALL RETURNING WALL BACKDRAINS AND OUTLETS. GEOTECHNICAL CONDITIONS EXPOSED DURING GRADING SHALL BE REPORTED ON AN AS-BUILT GEOLOGICAL MAP.
9. TESTS SHALL BE PERFORMED PRIOR TO POURING FOOTINGS AND SLABS TO DETERMINE THE EXPANSION INDEX OF THE SUPPORTING SOILS. IF THE EXPANSION INDEX IS GREATER THAN 1%, FOUNDATION AND SLAB PLANS SHOULD BE REVISED ACCORDINGLY.
10. ELEVATIONS SHALL BE MADE IN COMPLIANCE WITH CALIFORNIA REGULATIONS.
11. A COPY OF THE GRADING PERMIT AND GRADING PLANS SHALL BE AVAILABLE ON-SITE AT ALL TIMES.
12. ALL CONSTRUCTION ACTIVITY SHALL BE COMPLETED BY 5:00 PM TO 7:00 PM, MONDAY THROUGH FRIDAY, UNLESS OTHERWISE APPROVED BY THE CITY ENGINEER. NO CONSTRUCTION SHALL BE PERMITTED ON GOVERNMENT-OBSERVED HOLIDAYS.

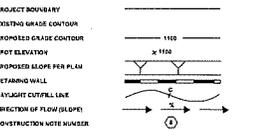
INSPECTION NOTES

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

ABBREVIATIONS

- AC - ASPHALT IN CONCRETE
BC - CONCRETE
CB - CURB
CC - CURB FACE
CD - CURB DRAIN
CE - CURB EDGE
CF - CURB FINISH
CG - CURB GRABBER
CH - CURB HANDLE
CI - CURB INLET
CJ - CURB JUNCTION
CK - CURB KICKER
CL - CURB LIP
CM - CURB MOUNT
CN - CURB NAIL
CO - CURB ORNAMENT
CP - CURB PAVEMENT
CQ - CURB QUANTUM
CR - CURB RAMP
CS - CURB STOP
CT - CURB TIE
CU - CURB UPRIGHT
CV - CURB VALVE
CW - CURB WALL
CX - CURB X-CURB
CY - CURB YIELD
CZ - CURB ZONE
DA - DRIVEWAY
DB - DRIVEWAY BOUNDARY
DC - DRIVEWAY CURB
DD - DRIVEWAY DRAIN
DE - DRIVEWAY EDGE
DF - DRIVEWAY FINISH
DG - DRIVEWAY GRABBER
DH - DRIVEWAY HANDLE
DI - DRIVEWAY INLET
DJ - DRIVEWAY JUNCTION
DK - DRIVEWAY KICKER
DL - DRIVEWAY LIP
DM - DRIVEWAY MOUNT
DN - DRIVEWAY NAIL
DO - DRIVEWAY ORNAMENT
DP - DRIVEWAY PAVEMENT
DQ - DRIVEWAY QUANTUM
DR - DRIVEWAY RAMP
DS - DRIVEWAY STOP
DT - DRIVEWAY TIE
DU - DRIVEWAY UPRIGHT
DV - DRIVEWAY VALVE
DW - DRIVEWAY WALL
DX - DRIVEWAY X-CURB
DY - DRIVEWAY YIELD
DZ - DRIVEWAY ZONE

LEGEND AND SYMBOLS



PUBLIC UTILITIES / SERVICES

- WATER: LAS VEGAS MUNICIPAL WATER DISTRICT
ELECTRICAL: SOUTHERN CALIFORNIA Edison
TELEPHONE: SBC (AT&T)
GAS: SOUTHERN CALIFORNIA GAS
SEWER: LA COUNTY DEPT. OF PUBLIC WORKS
CABLE: SBC (AT&T)
CABLE: CHARTER COMMUNICATIONS
CABLE: CALTRANS



ENGINEERING NOTES

- 1. The pavement on Balkins Drive will be widened to 20 feet, and Balkins Drive shall be repaved full width along the entire parcel frontage.

GEOTECHNICAL NOTES

- 1. The name, address, and phone number of the Consultant and a list of all the applicable geotechnical reports shall be included on the building/grading plans.
2. All retaining wall excavations shall be reviewed by the project engineering geologist for the presence of adversely oriented joint surfaces. Adverse surfaces shall be evaluated and supported in accordance with recommendations of the project geotechnical engineer.
3. All setbacks shall be in accordance with City of Agoura Hills Ordinance 10-836, Chapter 2 Construction Codes, Section 2000 (g) amendments to California Building Code Section 1808.7 - Footings on or adjacent to slopes, 1808.7.1 - Building clearance from ascending slope and 1808.7.2 - Footing setback from descending slope.
4. The grading plan should include the limits and depths of over-excavation of the road and flatwork areas as recommended by the Consultant.
5. The consultant should verify the adequacy of the capdown depth during construction at the future seepage pits.
6. Tests shall be performed to determine the Expansion Index of the finished building pad grade and R-value of finish grade materials within the proposed road pavement areas.
7. Excavations shall be made in compliance with CAL/OSHA Regulations.
8. All foundation excavations must be observed and approved, in writing, by the Project Geotechnical Consultant prior to placement of reinforcing steel.
9. Foundation plans and foundation details shall clearly depict the embedment material and minimum depth of embedment for the foundations.
10. The Project Geotechnical Consultant shall prepare an as-built report documenting the installation of the pile foundation elements for the City's.
11. The report shall include total depths of the piles, depth into the recommended bearing material, minimum depths into the recommended bearing material, and a map depicting the locations of the piles.
12. Drainage plans depicting all surface and subsurface non-resolve drainage devices, flow lines, and catch basins shall be included on the building plans.
13. Final grading, drainage, and foundation plans shall be reviewed, signed, and wet stamped by the consultant.
14. An as-built report shall be submitted to the City for review. The report prepared by the Geotechnical Consultant must include the results of all compaction tests as well as a map depicting the limits of fill, locations of all density tests, outline and elevations of all removal bottoms, keyway locations and bottom elevations, locations of all subsurfaces and flow line elevations, and location and elevation of all retaining wall backdrains and outlets. Geologic conditions exposed during grading must be depicted on an as-built geologic map.

STORMWATER POLLUTION NOTES

- 1. APPLICANT IS RESPONSIBLE FOR SUBMITTING A SITE-SPECIFIC "STORMWATER POLLUTION PREVENTION PLAN" (SWPPP) AS OUTLINED IN THE AGOURA HILLS MUNICIPAL CODE. THE SWPPP SHALL BE REVIEWED AND APPROVED BY THE REGIONAL OFFICIAL PRIOR TO THE START OF CONSTRUCTION. THE SWPPP SHALL BE REVIEWED AND APPROVED BY THE REGIONAL OFFICIAL PRIOR TO THE START OF CONSTRUCTION. THE SWPPP SHALL BE REVIEWED AND APPROVED BY THE REGIONAL OFFICIAL PRIOR TO THE START OF CONSTRUCTION.
2. A SITE-SPECIFIC "WETLAND PROTECTION PLAN" SHALL BE PREPARED IN CONJUNCTION WITH THE SWPPP AND SHALL BE REVIEWED AND APPROVED BY THE REGIONAL OFFICIAL PRIOR TO THE START OF CONSTRUCTION. THE PLAN MUST BE AVAILABLE QUOTE "ON-SITE" DURING THE CONSTRUCTION OF THE MAIN SEWER AND SANITATION SYSTEMS. THE SWPPP SHALL BE REVIEWED AND APPROVED BY THE REGIONAL OFFICIAL PRIOR TO THE START OF CONSTRUCTION.
3. IT IS THE PROPERTY OWNER'S RESPONSIBILITY TO MAINTAIN ALL DRAINAGE STRUCTURES UNLESS OTHERWISE APPROVED BY THE CITY. CATCH BASIN FILTER INSERTS SHALL BE CLEANED OUT AT A MINIMUM OF ONCE PER YEAR, ONCE BEFORE THE RAINY SEASON, AND AGAIN AFTER THE RAINY SEASON, UNLESS OTHERWISE DIRECTED BY THE CITY ENGINEER.

OAK TREE NOTES

- 1. APPLICANT MUST CONTACT CITY OAK TREE CONSULTANT, (818) 357-2326, TO DETERMINE PROJECT-SPECIFIC OAK TREE NOTES.

LEGAL DESCRIPTION

LOT 4 OF BLOCK 504, MAP NO. 70841 RECORDED IN BOOK 117, PAGE 27 OF MAPS IN THE CITY OF AGOURA HILLS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA.

PROVIDED FOR: ARVIND AURORA, 28340 BALKINS DRIVE, AGOURA HILLS, CA 91301. Includes professional seal of Arvind Aurora, Civil Engineer.

INDEX OF DRAWINGS table with columns: SHEET NO., DESCRIPTION. Includes: 1 GRADING COVER SHEET, 2 GRADING AND DRAINAGE PLAN, 3 GRADING AND DRAINAGE PLAN SECTIONS AND DETAILS, 4 EROSION SEDIMENT CONTROL PLAN NOTES AND DETAILS, 5 EROSION SEDIMENT CONTROL PLAN.

ESTIMATED EARTHWORK QUANTITIES table with columns: ESTIMATED CUT, ESTIMATED FILL, ESTIMATED OVER EXCAVATION. Values: CUT: 331 CY, FILL: 118 CY, OVER EXCAVATION: 733 CY.

BENCHMARK: DESCRIPTION: BM NO. 10588, ELEVATION: 118.11, DATE: 01/15/10. SURVEY DATE: 01/15/10. MARKED AS 'RECORDED DRAWING' HAS BEEN CONSTRUCTED IN ACCORDANCE WITH THE PLAN SPECIFICATIONS, REVISIONS, CHANGE ORDERS, AND FIELD CHANGE.

RECORD DRAWING STATEMENT: I, _____, hereby certify, based on my field observation and information provided by the owner and general contractor that this copy of this sheet has been reviewed and marked as 'RECORDED DRAWING' HAS BEEN CONSTRUCTED IN ACCORDANCE WITH THE PLAN SPECIFICATIONS, REVISIONS, CHANGE ORDERS, AND FIELD CHANGE.

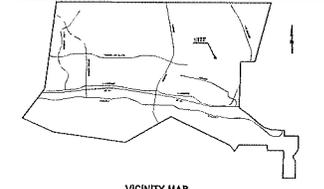
REGISTERED CIVIL ENGINEER table with columns: REGISTERED CIVIL ENGINEER, DATE, REC NO., EXP. DATE.

SOILS APPROVAL table with columns: REGISTERED GEOTECHNICAL ENGINEER, DATE, REC NO., EXP. DATE.

OWNER: NAME: ARVIND AURORA, ADDRESS: 28340 BALKINS DRIVE, AGOURA HILLS, CA 91301, TELEPHONE: 818-357-4600.

CIVIL ENGINEER: NAME: WESTLAND CIVIL, ADDRESS: 161 HIDDENWAY ROAD SUITE 214, THOUSAND OAKS, CA 91320, TELEPHONE: 805-495-1130.

GEOTECHNICAL ENGINEER: NAME: CALWEST GEOTECHNICAL CONSULTING ENGINEERS, ADDRESS: 10000 WILSON AVENUE SUITE 100, THOUSAND OAKS, CA 91320, TELEPHONE: 818-499-0284.



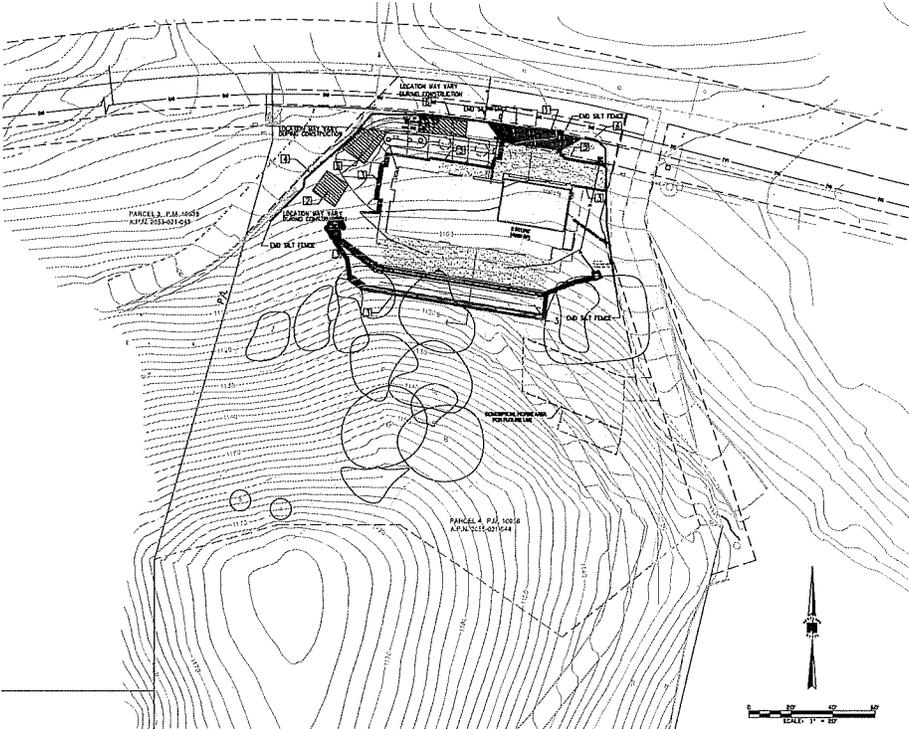
VICINITY MAP: GRADING PLAN COVER SHEET, ARVIND AURORA RESIDENCE, 28340 BALKINS DRIVE, AGOURA HILLS, CA 91301. SHEET 1 OF 5.

Approval table with columns: REVIEWER, SYMBOL, DESCRIPTION OF CHANGE, APPROVED, DATE, CITY OF AGOURA HILLS APPROVAL, CITY ENGINEER, DATE, REVISIONS, DATE, COMMENTS, EXP. DATE.



811
 HOW TO USE 811
 CALL BEFORE YOU DIG
 UNDERGROUND SERVICE ALERT OF SOUTHERN CALIFORNIA

811 TOLL FREE
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 AT LEAST 72 HOURS
 BEFORE YOU DIG

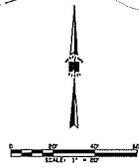


NOTES:

1. LEAVING VEHICLES AND EQUIPMENT SHALL NOT BE ALLOWED ON-SITE. EQUIPMENT AND VEHICLES SHALL BE INSPECTED FREQUENTLY FOR LEAKS AND SHALL BE REPAIRED IMMEDIATELY. CLEAN UP SPILLS AND LEAKS PROMPTLY WITH APPROPRIATE MATERIALS. DO NOT FLUSH WITH WATER.
2. VEHICLES AND EQUIPMENT SHALL BE MAINTAINED, AND REPAIRED ON-SITE ONLY IN DESIGNATED AREAS. PREVENT BRANCH AND RUN-OFF FROM DESIGNATED AREAS. CONTAMINANT DIVERS SHALL BE PROVIDED AND AREAS SHALL BE COVERED IF NECESSARY.
3. DESIGNATE ON-SITE VEHICLES AND EQUIPMENT MAINTENANCE AREAS AWAY FROM STORM DRAIN INLETS AND WATERCOURSES.
4. ALWAYS USE SECONDARY CONTAINMENT, SUCH AS A DRAIN PAN OR DUMP CLOTH, TO CATCH SPILLS AND LEAKS WHEN REMOVING OR CHANGING FLUIDS.
5. LEGALITY OF USES, FILL, FLOOD, AND JURISDICTIONS.
6. PROVIDE SILENT CONTAINMENT BARRIERS OR SECONDARY CONTAINMENT AROUND STORED OIL, FUEL, AND CHEMICAL DRUMS.
7. MAINTAIN AN ADEQUATE SUPPLY OF APPROPRIATE SPILL CLEANUP MATERIALS IN DESIGNATED AREA.
8. ANY REVISIONS/ADDITIONAL SHEETS TO BE USED SHALL BE SHOWN ON THIS PLAN SHALL BE APPROVED BY ISSUANCE OF RECORDS PRIOR TO IMPLEMENTATION.

CONSTRUCTION NOTES

1. CONSTRUCT STABILIZED ENTRANCE PER BMP 121, SEE DETAIL "C".
 2. NATURAL STORAGE AREA PER BMP 101.
 3. BLOCK/DRAINAGE SEDIMENT BARRIERS PER BMP 301, SEE DETAIL "A" (19P).
 4. INSTALL SILT FENCE PER BMP 201, SEE DETAIL "D".
 5. CONCRETE PAVEMENT MANAGEMENT AREA PER BMP 101, SEE DETAIL "D".
 6. VEGETATE / EQUIPMENT REPAIR AND STORAGE AREA PER BMP 101, SEE DETAIL "D".
- NOTES 1-4 REFER TO S&P'S "A" TO "C" SHOW HEREIN.



DIGALERT
 811 TOLL FREE
 1-800-421-1133
 8:00 AM TO 5:00 PM
 UNDERGROUND SERVICE ALERT OF SOUTHERN CALIFORNIA



PREPARED FOR
ARVIND AURORA
 15352 LINDENWOOD DRIVE
 CLAYTON, CA 94514
 (925) 891-9633

PREPARED BY:

WESTLAND CIVIL, INC.
 1000 Westland Parkway, Suite 100, Westland, CA 94091
 (650) 391-0633

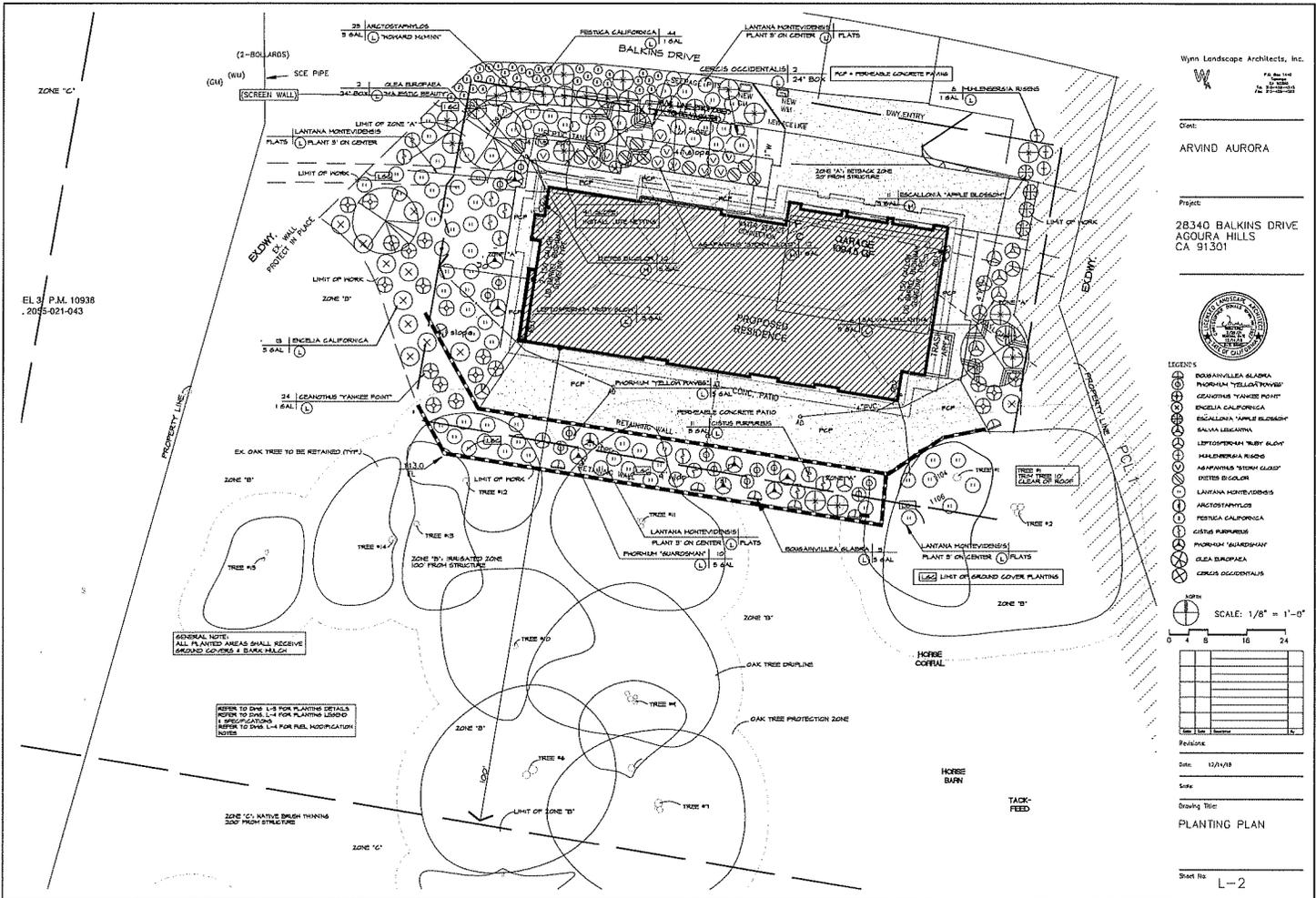
| REVISION # | SYMBOL | DESCRIPTION OF CHANGE | APPROVED | DATE |
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| | | | | |

| CITY OF AGOURA HILLS APPROVAL | | | |
|-------------------------------|------|------|------|
| REVIEWED BY | DATE | DATE | DATE |
| RAVIRO S. AZOYA 111 | | | |
| CITY ENGINEER | | | |

AGOURA HILLS

EROSION SEDIMENT CONTROL PLAN (ESCP)

ARVIND AURORA RESIDENCE
 28340 BALKANS DRIVE
 AGOURA HILLS, CA, 91301
 APN 2055-021-044



EL 3 P.M. 10938
2025-021-043

Wyn Landscape Architects, Inc.
 Client: ARVIND AURORA
 Project: 28340 BALKINS DRIVE
 AGOURA HILLS
 CA 91301

LEGEND

- ⊕ ROSANIVILLEA SLABRA
- ⊕ PHORMIUM 'YELLOW PINK'™
- ⊕ GEORGINA 'YANKEE POINT'
- ⊕ EUCALYPTUS CALIFORNICA
- ⊕ EUCALYPTUS 'AMBLE ELEGANT'
- ⊕ SALVIA LEUCANHA
- ⊕ LEPTOSPERMUM 'RUBY BLVD'
- ⊕ HALIMOLOBOS RIGIDS
- ⊕ ANGIOSPERMUS 'STONY GLOSS'
- ⊕ DIETES BICOLOR
- ⊕ LANTANA MONTEVIDENSIS
- ⊕ ANGIOSPERMUS
- ⊕ PESTIS CALIFORNICA
- ⊕ PHORMIUM 'SAUNDERSIAN'
- ⊕ OLEA BAIROPAEA
- ⊕ CERES OCCIDENTALIS

SCALE: 1/8" = 1'-0"

DATE: 12/1/18
 DRAWING TITLE: PLANTING PLAN
 SHEET NO: L-2

ATTACHMENT 3

Project Renderings









ATTACHMENT 4

Color and Material Board

MATERIAL BOARD : 28340 BALKINS DRIVE, AGOURA HILLS, CA 91301



#1: Concrete Roofing Tiles - Eagle Roofing 3125 Capetrano



#5: Exterior Stucco - Colortek 221 Harvest Gold



#6: Veneer Stone Panel - East West Stone Quartzite Honey Gold



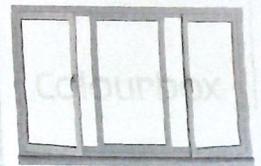
#9: Trim - Precast Cement Architectural Molding



#7: Balcony Railing - Metal Posts and Cable



#8: Garage Door - White Sectional Insulated Metal Garage Door



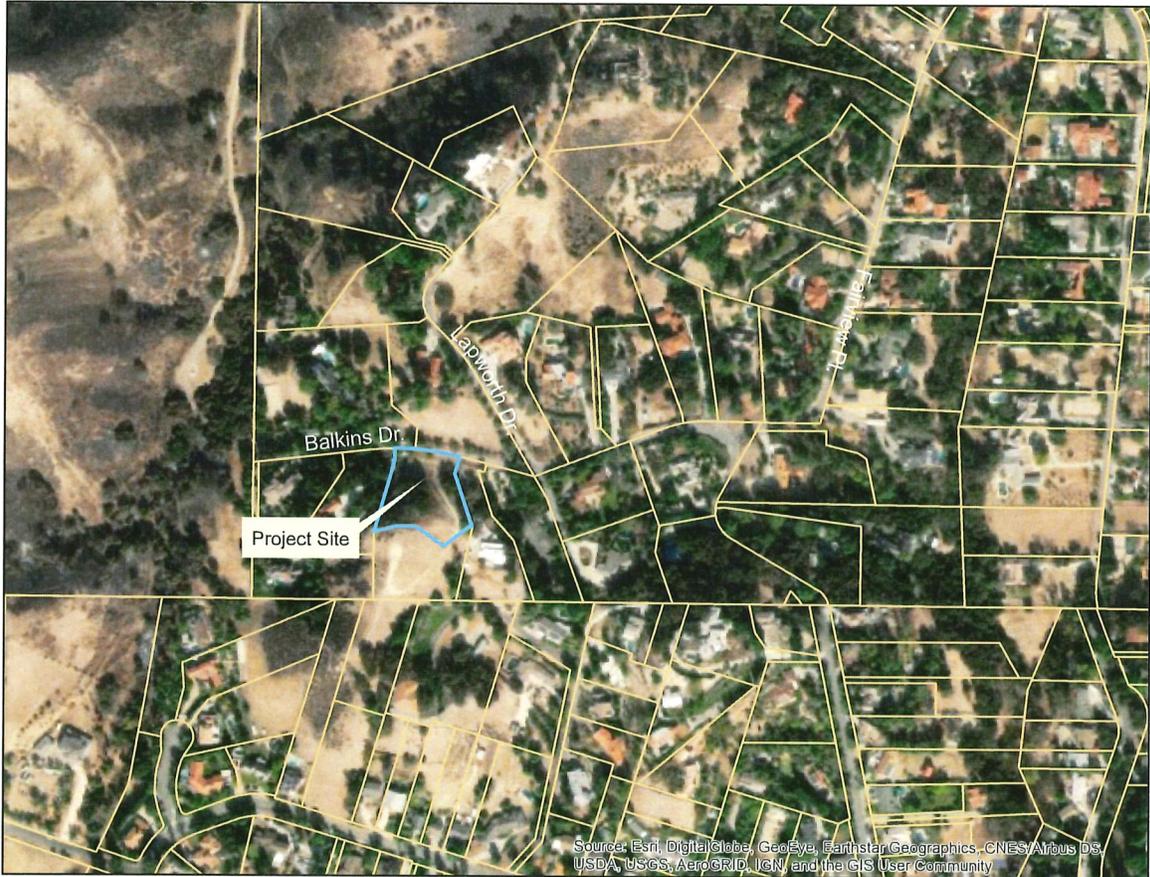
#11: Windows: White Aluminum Frame/Dual Pane

ATTACHMENT 5

Vicinity Map

Vicinity Map - 28340 Balkins Drive

CONDITIONAL USE PERMIT CASE NO. CUP-01533-2018 & OAK-01534-2018



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community



ATTACHMENT 6

Letter from Old Agoura Home Owners Planning and Zoning Committee

Old Agoura Home Owners Planning and Zoning Committee

May 12, 2020

Attn: City of Agoura Hills Planning Dept.

Re: 28340 Balkins

The Planning and zoning committee, from the Old Agoura Home Owners has visited the subject site, and reviewed the plans provided by Shabazi Design and Consulting, dated 04/17/20

This new single family is situated on approximately 1 acre, which has an approximate ascending slope of 49% the house will be located toward the front of the property; adjacent to the private street.

The project as proposed, complies with coverage, F.A.R., building height, equine keeping and reasonable access to. Due respect was exercised with respect to the oak trees, unnecessary grading and exporting of dirt, on this challenging lot.

The owner met our committee, and implemented several suggestions that we believe enhanced the original design. The non-combustible trims, articulation, and the lowering of the front columns, have resulted in a house that enhances and defines Old Agoura's design standards. The stone, color roof tile work well with our design standards. We thank the owner, and their design team for a job well done.

Assuming the project complies with local codes, we suggest approval of the project as presented.

Thank you for allowing Old Agoura Homeowners Planning and Zoning to comment on the project. Feel free to call Daniel Farkash at 818-599-6842 if you have any questions.

Daniel Farkash
Phil Ramuno
Mike Colabella

ATTACHMENT 7

Letters from the Public

From: Howard Stutz
To: [Comments](#)
Subject: Balkins Drive -Aurora application
Date: Friday, May 22, 2020 10:48:24 AM

Dear Planning Commission

My name is Howard Stutz and I live at the very end of Balkins. I want to express my concerns regarding the application for the approval to permit the building of a new residence at 28340 Balkins specifically as it relates to the conditions of the roads on our street. The deterioration of the condition of road surrounding the proposed site is extreme. In fact a couple of years ago I had to personally finance \$10,000+ of my own money to fix a hazardous stretch of the street located just a few feet from the proposed new construction. I needed to fund this as the way our street is situated that hazardous stretch of street was the only access to my house and it was made very clear to me the city would not help fund this repair (even though they mandated various standards the repair had to entail). My main concern is the horrible condition of the street (from Lapworth to the very end of Balkins ending at my driveway) that I did not fund the repaving cannot withstand the heavy truck traffic that would be inevitable to build a house (it can barely withstand the current minimal traffic). Currently any large trucks that cannot turn around on our street that narrows to one thin lane end up turning around in my driveway causing it to badly deteriorate. I am sure that will be a common occurrence as the construction trucks begin arriving on our street. In addition I am concerned the area that I personally funded will likely be damaged by the heavy truck traffic and I am sure the city will once again take no financial responsibility for any damage incurred as the result of their decision to allow this construction.

I would ask the city have a solution to this very predictable occurrence should for any reason they end up approving this project. I would hope that when (not if) the street is badly damaged as a result of the heavy truck traffic this project will bring with it there will be repairs made to the road to the current residences satisfaction at NO cost to the current residences.

Regards,

Howard Stutz

From: [Jon Levin](#)
To: [Comments](#)
Subject: new construction on 28340Balkins Drive
Date: Friday, May 29, 2020 5:52:37 PM

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Dear members of the Agoura Hills Planning Commission

My name is Jon Levin and I live at 5947 Lapworth Drive..Part of my property is directly across from this proposed building site on Balkins..The road is the narrowest part of Balkins in this area..

I have several issues with the proposed new construction, the main objection is the size of the home but there are several other concerns..I would also like to state that I feel that my neighbors and I are being deprived of due process since we are not allowed to express our views in person.

I would hope that all of you will have the chance to visit the site in person to see what we are dealing with..It will make a difference..I would like to give you all a little history on this parcel if you do not know what has transpired the last 12 years..In 2008 a Mr. Bardai submitted plans for a 4000 plus sq. ft. home with a 1200 sq ft garage..He was rejected by all five commissioners and told because of the slope and other factors he could only build a 700 sq. ft. dwelling..Yes, seven hundred sq. ft...He came back again with lawyers and plans for over 3500 sq ft with a 1200 sq ft garage..The new plans required a great deal of dirt to be taken out of the hillside..He eventually won a 3 to 2 decision but did not build..

Usually it would be no problem building a home this size but this is a problem lot..There is only a tiny area to build on,hence no one else has ever tried..This proposed home would be very close to the street and loom over the road..With the 3 car attached garage it would span almost the entire width of the property and the two story home would stick out and not fit in with the rest of the street..There are two lots above this lot that no doubt someone will attempt to build on..If and when this happens the hill will be crowded with large structures and possibly be unstable..There are two long retaining walls behind the structure and another wall connected to them that starts about 8 feet from one of the large oak trees at the east side of the property so there will be non stop structures, driveways and walls massing on most of the small building lot..There is also only a 15 foot back yard..

There is a common driveway on the east side of the lot..There will have to be a new road dug out of the very steep hillside to gain access to the two lots above this new build, further weakening the hill and creating more future problems.

Even though this project meets the basic specs to build it just is too big for the space..This is not the first time a house has met the basics but has not been appropriate for the location..This reminds me of a time several years ago when I was attending a Planning Commission meeting in Agoura Hills..A Planning commissioner got up and proposed the idea of all the commissioners getting in a bus and driving around Old Agoura looking at all their successes and failures..I do not want to live across the street from another failure for the rest of my life.

I must add that I would hope that if a home is approved at some point I would expect the property owner would respect my wishes to not have any construction or other vehicles parking or using my property in any manner..I would also hope that the property owner would not let any garbage from his construction wind up on my property..It has happened before..

There are other problems for constructing a large home on a narrow street where it is difficult to turn around and all the construction vehicles are tearing up the streets that the homeowners are responsible to repair..These are very difficult times and having a lot of workers in a small area does not help..The planning commission meeting and construction of any home should have been postponed to a future date to avoid possible health and other problems and not suppress our right to attend in person.

I would sincerely hope that the commissioners would take the time to study all of our responses in this unique little area plus the information they have been provided by the City and decide that this large home and 3 car garage is inappropriate for this greatly sloping lot..If at all possible can we each be notified that you received our letters..

Sincerely

Jon Levin

5947 Lapworth Drive

Agoura Hills

Ca.

From: [Maayan McAbian](#)
To: [Comments](#)
Subject: Concerns regarding 28340 balkins
Date: Sunday, May 31, 2020 5:06:21 PM

Dear Planning Commission,

We are writing this letter to voice a concern about the new construction on our street. We live at the end of Balkins (28354 balkins) and are situated in same side of street two homes over from new home site. The road is already in poor condition and quite narrow. We can hardly drive past each other in certain areas and need to pull over. Worried about the pending large vehicles that will be driving, turning, backing up, and blocking this narrow road. Most large vehicles need to go down in front of our neighbors house to make a three point turn and come back around passing us every time putting strain on road in front of our property.

Looking at the plans of the house it seems like a very large and looming home trying to be squeezed into a narrow and challenging lot. So close to street itself. Almost not fitting into the Old Agoura scene.

We appreciate our neighbors support in this venture and hope our concerns will be heard.

Regards,

Adi and Maayan McAbian
28354 Balkins Drive

Sent from my iPhone

Kimberly Rodrigues

From: Laurie Turner <lrturner11@gmail.com>
Sent: Monday, June 1, 2020 11:33 AM
To: Comments
Subject: 28340 Balkins Dr.
Attachments: balkins house.docx

Laurie Turner
6001 Lapworth Dr.
Agoura Hills

Dear Planning Commissioners:

I am writing this letter to address my concerns regarding the proposed Aurora project. I live around the corner from this lot on Lapworth Dr. and have been at this residence for over 30 years.

There is no possible way that a large house belongs on this very steep lot covered with oak trees. West Balkins is a narrow country road. It is my understanding that the lot will be extensively graded and the pad will be raised. The two story house which will be located close to the road will tower above the area and change the character of this neighborhood.

I urge all planning commissioners to visit this lot and try to imagine a structure of nearly 5000 square feet fitting on this parcel on this road. To make a judgment about this project without visiting this area would be negligent on your part. No photo or fancy rendition will give you a correct picture of what is at stake here. Time after time, I have seen renditions of homes presented at Planning Commission meetings which distort and mislead what the project will look like. The one presented here makes it look like the house is nestled into the hillside within a grove of trees. This is not an accurate representation. Come to Old Agoura. Come and look at this parcel. It is imperative that you do so. This house is simply too massive. It will look like an apartment building sitting on a country road. Vote NO on this project!

I find it unfortunate that this undertaking is being considered without actual attendance at City Hall. I have attended many such meetings and feel confident that the Old Agoura

neighborhood would come out in force to express their dissatisfaction with this proposed project. Everything is now reopening . This meeting should be rescheduled so that the public can attend.

From: Russ Diamond <russ@snyderdiamond.com>
Sent: Tuesday, June 2, 2020 3:27 PM
To: Comments
Subject: FW: CUP-01533-2018 OAK-01534-2018 Proposed Home 28340 Balkins
Attachments: 28340 Balkins Dr Letter.docx; IMG_2120.jpg; IMG_2137.jpg

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Dear Agoura Hills Planning Commission and City Council,

For the record; Russ and Andrea Diamond, 5833 Lapworth Dr, SW corner of W. Balkins Dr and Lapworth Dr., second home east of new proposed single family home. We are registering our opposition to this project as presently presented.

Facts:

Current home proposed is 4180 sq ft + 730 sq ft garage attached. That seems to be right under the magic 5,000. Although the lot size is over one acre, lot is deceiving regarding supporting proposed home square footage due to buildable topography.

After analyzing the grading plan and speaking with a grading contractor on the site who is a potential sub-contractor (name and contact info available upon inquiry) there are many issues with this site regarding size of home, height of home, setback off street, coverage of lot and the amount of grading for retaining walls, which call for two walls 10 foot apart with the back wall being cut within 8 foot of one of the large oaks.

The grading contractor suggested it best to support the proposed retaining walls with "Soil Nails" as that allows for less disruption and easier access for equipment. Two retaining walls proposed (back wall 10' deep which is closest to existing oaks and second wall 5' deep, closer to building structure) with a 10' space in between. This is in place of a single wall that would have to be dug deeper with a greater potential to affect Oak root structure with a much higher cost that might prove prohibitive for site. The useable backyard space between home structure and the back 5' retaining wall is only around 15' to 17'.

All the excavated dirt from the retaining walls and foundations are to be compacted on site. This raises the pad even more off the street than it currently sits. Home structure is 28' high, which could make the actual height almost 40' off the street with an extremely steep driveway. Because this home spans almost the entire width of the lot this will create a foreboding and towering structure, especially because this is a juncture of Balkins which has the smallest width with little opportunity to make it much wider.

The contractor related all electrical cabling (electrical vault and vent, is on west side of property protected by yellow steel/concrete bollards) will have to be relocated forward towards street, to allow for the septic tank which is located to east side of property in the front. We are also under the understanding that all new Old Agoura home developments are required to provide a designated space for equestrian use and access. Although there is one shown on the plan, it is not plausible given the topography and presence of the many oak trees.

Bottom line, the surrounding neighborhood, road structure and buildable lot size, just does support a home of this size. Ingress and egress in this back area of Old Agoura is extremely limited with roads crumbling and limited space to accommodate construction equipment and an influx of vehicles. At some point a dwelling is constructed we implore

everyone that a conditional use permit be issued, limiting the size, quantity and weight of vehicles and the routing away from Fairview Pl off of Driver but only by way of Colodny. This has been requested many times with past new construction projects only to be ignored by the developer/homeowner or general contractor. We suggest that whoever is taking responsibility for the construction, position a person at the 4-Way Stop sign at Cheseboro, to help direct construction vehicle traffic.

Before rubber stamping this project, we invite any or all planning commission members to please visit this actual location to validate many of the concerns of the neighborhood. We are still very upset that we will not have the opportunity to express our opinions and concerns in front of the commission in person but hope we have adequately communicated and conveyed our opposition to the scope of this project.

Thank you for this forum and our desire to maintain the nature and character of Old Agoura.

Russ Diamond & Andrea Diamond
5833 Lapworth Dr
Old Agoura, CA

June 2, 2020

Dear Agoura Hills Planning Commission and City Council,

For the record; Russ and Andrea Diamond, 5833 Lapworth Dr, SW corner of W. Balkins Dr and Lapworth Dr., second home east of new proposed single-family home. We are registering our opposition to this project as presently presented.

Facts:

Current home proposed is 4180 sq ft + 730 sq ft garage attached. That seems to be right under the magic 5,000. Although the lot size is over one acre, lot is deceiving regarding supporting proposed home square footage due to buildable topography.

After analyzing the grading plan and speaking with a grading contractor on the site who is a potential sub-contractor (name and contact info available upon inquiry) there are many issues with this site regarding size of home, height of home, setback off street, coverage of lot and the amount of grading for retaining walls, which call for two walls 10 foot apart with the back wall being cut within 8 foot of one of the large oaks.

The grading contractor suggested it best to support the proposed retaining walls with "Soil Nails" as that allows for less disruption and easier access for equipment. Two retaining walls proposed (back wall 10' deep which is closest to existing oaks and second wall 5' deep, closer to building structure) with a 10' space in between. This is in place of a single wall that would have to be dug deeper with a greater potential to affect Oak root structure with a much higher cost that might prove prohibitive for site. The useable backyard space between home structure and the back 5' retaining wall is only around 15' to 17'.

All the excavated dirt from the retaining walls and foundations are to be compacted on site. This raises the pad even more off the street than it currently sits. Home structure is 28' high, which could make the actual height almost 40' off the street with an extremely steep driveway. Because this home spans almost the entire width of the lot this will create a foreboding and towering structure, especially because this is a juncture of Balkins which has the smallest width with little opportunity to make it much wider.

The contractor related all electrical cabling (electrical vault and vent, is on west side of property protected by yellow steel/concrete bollards) will have to be relocated forward towards street, to allow for the septic tank which is located to east side of property in the front. We are also under the understanding that all new Old Agoura home developments are required to provide a designated space for equestrian use and access. Although there is one shown on the plan, it is not plausible given the topography and presence of the many oak trees.

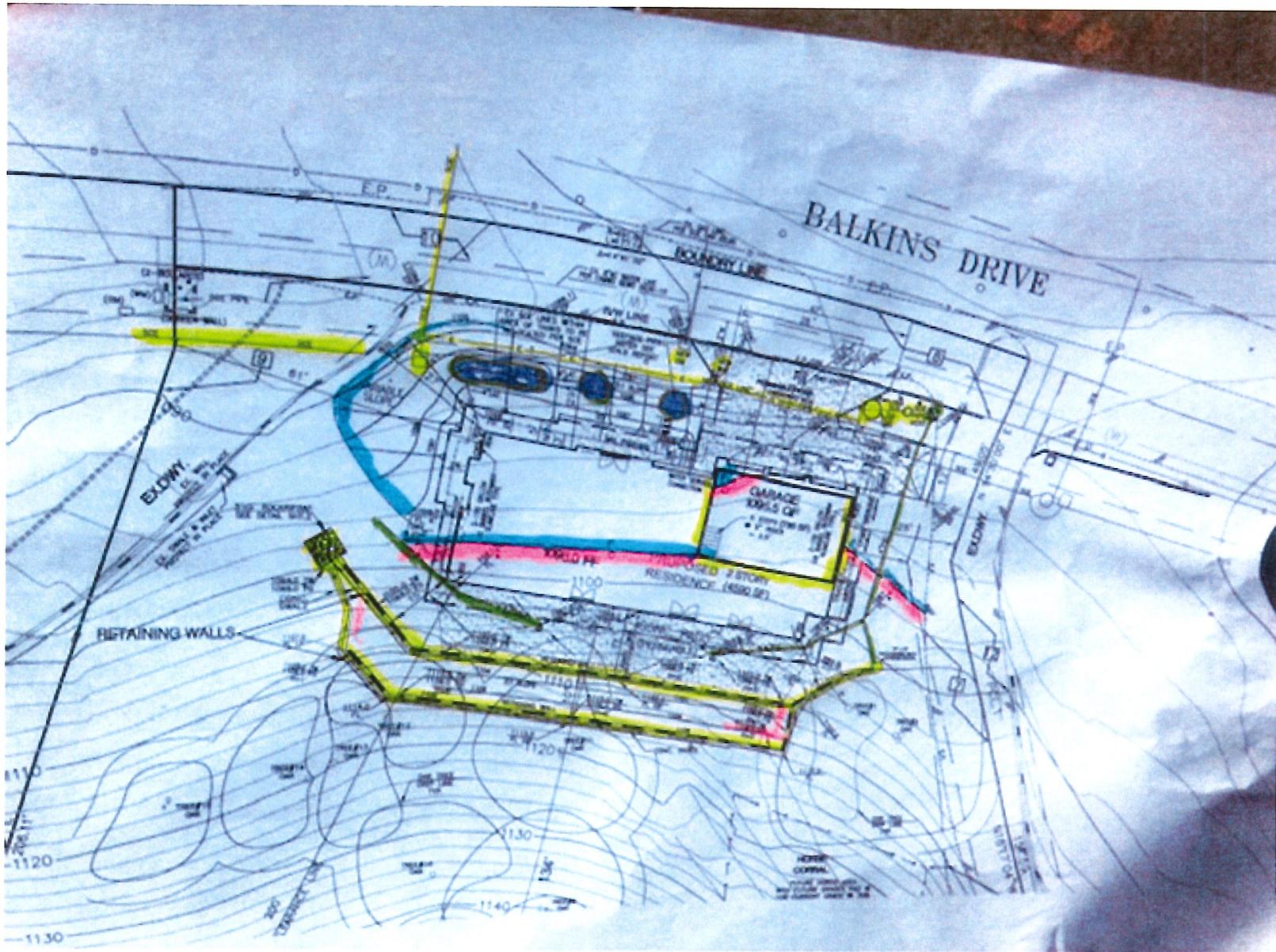
Bottom line, the surrounding neighborhood, road structure and buildable lot size, just does support a home of this size. Ingress and egress in this back area of Old Agoura is extremely limited with roads crumbling and limited space to accommodate construction

equipment and an influx of vehicles. At some point a dwelling is constructed we implore everyone that a conditional use permit be issued, limiting the size, quantity and weight of vehicles and the routing away from Fairview Pl off of Driver but only by way of Colodny. This has been requested many times with past new construction projects only to be ignored by the developer/homeowner or general contractor. We suggest that whoever is taking responsibility for the construction, position a person at the 4-Way Stop sign at Cheseboro, to help direct construction vehicle traffic.

Before rubber stamping this project, we invite any or all planning commission members to please visit this actual location to validate many of the concerns of the neighborhood. We are still very upset that we will not have the opportunity to express our opinions and concerns in front of the commission in person but hope we have adequately communicated and conveyed our opposition to the scope of this project.

Thank you for this forum and our desire to maintain the nature and character of Old Agoura.

Russ Diamond & Andrea Diamond
5833 Lapworth Dr
Old Agoura, CA





Kimberly Rodrigues

From: Laurie Turner <lturner11@gmail.com>
Sent: Monday, June 1, 2020 11:37 AM
To: Comments
Subject: Fwd: 28340 Balkins Dr.

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Begin forwarded message:

From: Brant Turner <brantturner@roadrunner.com>
Date: May 31, 2020 at 10:14:30 AM PDT
To: lturner11@gmail.com

My name is Brant Turner and I live at 6001 Lapworth Dr.

I am not going to reiterate all the things that are wrong with this project as my neighbors are far more capable than I in expressing them. Rather I would like to pose this question: how can the planning commission okay a project which the overwhelming majority of people on west side of Old Agoura object to. My belief was that you represented the home owners in Old Agoura and believed in our vision as a rural ,horse loving area. If you believe that a 5,000 square foot house sitting on the edge of cliff and overhanging a country road is what we all envisioned then I suggest either the planning commission or the current residents are out of touch with reality.

Sent from my iPad

From: jmayfield@netstarcapital.com
Sent: Wednesday, June 3, 2020 11:28 AM
To: Comments
Cc: Jon Levin
Subject: New home proposed on Balkins Drive, Old Agoura

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Hello _ I have some questions afar reviewing the proposed development of the rural lot on Balkins Drive:

1. The home must have a septic system - has that system been located for a proposed site on the property?
2. Has a percolation test been performed on the property? It seems very rocky and may not percolate well. My concern is the leach fields may drain into and onto our property. I would like to see an engineering report on the proposed performance of a septic before the plans are approved. And an assurance that the sewer system will not impact our property or roadway.
3. What municipality inspects, approves or denies and is responsible for the performance of that sewer system
4. The property has what seems to be an extreme elevation increase from the bottom to the top of the property. Has a drainage plan been approved? If so, how will the new road surface be protected from erosion, mud and normal runoff from the property? Blacktop will only serve a normal runoff and a cannot handle excessive runoff from a new property. It should not be allowed to simply dump runoff onto Balkins.
5. My understanding is that new construction must NOT increase runoff or draining onto another property. How will we be protected from runoff and flooding onto our property at 28347 Balkins?
6. The plans seem to allow a very shallow front yard. How will the owner landscape the property to hide it front a 25-30 foot frontage? Our property and Dr. Mike (adjacent to the proposed new home) and others have long driveways which most of Old Agoura want.
7. Balkins Drive is a private road and a significant portion of the road was rebuilt - not just repaved - a little over a year ago. How will the new homeowner guarantee that the road will not be damaged by the construction and abnormal usage? Will there be a fund set aside by the City to protect the private road and to rebuild/repair as needed and agreed by the neighbors?
8. Where does the construction team plan on parking? How can residents protect their property from construction vehicles and damage? Simply planning parking on the street and blocking ingress/egress or limited access in not acceptable. The city cannot allow blocking our access or the fire department's access. Parking on the private roadway without prior approval is not acceptable
9. What are the hours allowed for construction?
10. There is an electrical connection box at the bottom of the property. If it has to be relocated for construction, how much time is provided for interruption of service to the neighborhood? We have elderly

residents in our property who need medical attention regularly and cannot be without electrical serve for prolonged periods of time. This is critical.

At this time, based upon our concerns as statted, we cannot agree to the construction plans as we have seen.

Thank you,

James and Sheila Mayfield

818-943-8594

From: Walt & Pam Chandler <waltchandr@aol.com>
Sent: Wednesday, June 3, 2020 7:53 AM
To: Comments
Subject: comments for the project proposed for 28340 Balkins

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Dear Planning Commission,

My main comment for the project at 28340 Balkins is that I can't tell exactly what the final house will look like from the provided document. I would like to see story poles erected to show the height after grading. After the story poles are up a period for review and comment will again be needed BEFORE approval. While this will delay the project I feel it is fair since it seems like the house will loom over the street. We just need to see how it will look and feel.

With sincere regards,
Pamela Knuth Chandler
5800 Lapworth Drive
Agoura Hills, CA 91301
818-991-8465

From: Walt & Pam Chandler <waltchandr@aol.com>
Sent: Wednesday, June 3, 2020 7:42 AM
To: Comments
Subject: 28340 Balkins Dr

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Dear Ladies and gentlemen of the Planning Commission:

I would like to submit the comments below for the project proposed for 28340 Balkins

1. Quite simply the house is too big for the lot. While I sympathize with the owner wishing to build a certain size home, this lot is not suited for the home. That is the problem. If I read the plans from the city correctly the roof peak will be nearly 40 feet above the street and only set back 26 feet. The driveway will also be quite steep. The house will feel like a central city building towering over the street. This would give a Hollywood Hills feel, not rural horse property feel.
2. How will the owner access the upper part of the lot? There is a graded dirt road now, but I can't tell by the plans if that road will remain or be paved. It doesn't seem that there are plans to grade for the corral, but practical all-weather access to the upper lot seems problematic.
3. The impact on the oak trees seems severe. The plan doesn't take into account that trees grow and occasionally shed limbs. Too close is too close, and this will eventually lead to removal or death of the trees. There is a large oak on our property that wants to spread to my neighbor's driveway, causing much consternation.
4. It is great that the builder will pave a short stretch of Balkins Drive in front the property, but the trucks hauling materials equipment, yards and yards of excavated dirt and workers will travel over other Old Agoura roads. The squiggly part of Fairview at the end of the county maintained road is not safe for big trucks, and it is breaking up badly, as is Balkins. It appears that the plan is to use Colodny, but Google maps and other map programs send suppliers and workers up Fairview. Should the proposed project go forward in any form, the builder should be required to repair the private roads used by suppliers and workers.

Please call on me to speak by phone.

Donald Walt Chandler
5800 Lapworth Drive
Agoura Hills, CA 91301
Phone 818-991-8465

To: Comments <Comments@ci.agoura-hills.ca.us>

Subject: Balkins-Aurora House

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To Whom It May Concern:

Would it be possible for the builder to erect poles and pennant flags so that the neighborhood can gauge the proportionately of the proposed house to the street to see whether it conforms to the feel of the neighborhood?

Sincerely,

David Sack

5952 Lapworth Drive

Katrina Garcia

From: Kimberly Rodrigues
Sent: Thursday, June 4, 2020 2:36 PM
To: Planning Commissioners
Cc: 'Nicholas Ghirelli'; Ramiro Adeva; Doug Hooper; Allison Cook; Katrina Garcia; Amber Victoria
Subject: Public Comments - Aurora

Good afternoon! Attached, please find below a public comment email received for Item No. 2 – Arvind Aurora (28340 Balkins Drive). The item will be posted to the website. Thank you.

From: Jess Thomas <fixequip@yahoo.com>
Sent: Thursday, June 4, 2020 1:22 PM
To: Comments <Comments@ci.agoura-hills.ca.us>
Cc: Carolyn Trocino <carolynatrocino@gmail.com>; Chris Nitz <ponyfan70@hotmail.com>; Dan Farkash <dfarkash@aol.com>; George Colman <gcolman@sacfirm.com>; Jess Thomas <fixequip@yahoo.com>; Karen Albaum <Kkalbaum@gmail.com>; Kathi Colman <rtist@pacbell.net>; Phil Ramuno <philramuno@gmail.com>; Stan Eskridge <stan@lecpas.com>
Subject: Item 02 060420 VMT

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Dear Commissioners,

SIZE AND LOCATION OF HOUSE ON LOT:

I concur with the reasoning and concerns expressed in the email from Russ Diamond. The physical challenges of this lot are too great to allow the construction of a home this big and high so close to the street. This is classic mansionization. It may fit within the existing guideline parameters, but it does clash notably with the ambiance of the neighborhood. The most esthetically pleasing solution would be to bury most of the first floor back into the hillside, but that would require an enormous amount of grading and soil export, along with the Oak tree issues.

PRIVATE ROAD USAGE AND MAINTENANCE ISSUES:

I'm taking this opportunity to urge the Planning Commission to examine and study the private road maintenance and usage issues in this and other areas of Old Agoura. This has been an ongoing problem since before Agoura Hills' incorporation in 1982, but really became a major issue after the Woolsey Fire. Incorporated here is a letter to Senator Stern's office which explains this instance.

SENATOR STERN ROAD DAMAGE ASSISTANCE REQUEST

During demolition of homes destroyed during the Woolsey Fire, contractors working for the California Office of Emergency Services significantly damaged the paving on several portions of roads in the Old Agoura community. The OLD AGOURA HOMEOWNERS organization is seeking Senator Stern's assistance in resolving repair issues to the damage.

About half of the access roads serving residences in Old Agoura are privately owned and maintained, although they connect portions of City owned and maintained roadways. When the City of Agoura Hills incorporated in 1982, the new city adopted Los Angeles County's road classification. The private roads were graded and paved

by contractors employed by real estate developers in order to sell the residential lots they served. The private roads weren't built to County standards, in that they did not have curbs, gutters, or a drainage system. Many of the subject roads were created some eighty years ago.

Pavement maintenance has always been up to the individual homeowners along these private roads. Typically, the property lines of the lots run to the center of the road. When repaving was needed, the neighbors along the damaged portion contributed to a private fund to pay the contractor involved.

The cause of the damage mentioned here was the operation of a Caterpillar 323F Excavator along portions of private roads Fairview Place, Balkins Drive, and Lapworth Drive. These 25-ton machines operate on steel tracks and are not permitted to run on any public streets without wooden protection sheets placed ahead of any movement. None of the homeowners, whose road was damaged, was notified of the machine's passage, or asked to sign a waiver of any kind.

Old Agoura resident Ken Leonard witnessed the unloading of the excavator and its operation from 5732 Fairview Place. His accompanying document shows photos of the machine, the resulting damage, and a map of the residences and roads involved. And, resident Brant Turner was alarmed to see the machine rumbling past his home at 6001 Lapworth Drive.

We are asking Senator Stern's office for assistance in obtaining fair compensation for the paving damage.

Jess Thomas, President
OLD AGOURA HOMEOWNERS

Obviously, Commissioner Wolf is familiar with this instance of the problem and can fill you in on the reasons for CalOES' lack of response to the request. I mention this issue here so that you can observe the condition of Fairview and Balkins as you inspect this proposed project. Hopefully, you will marvel at the absurdity of building homes valued at over \$2Million on access streets described by residents as "third-world animal trails".

I realize that you can't spend time on this during a public hearing, but hopefully you can begin to think about a formal program for private road remediation in the near future.

For OLD AGOURA HOMEOWNERS

JESS THOMAS
PRESIDENT

Please note that City Hall is closed to the public until further notice and City staff are working remotely to continue to serve the public. Email and voicemail messages will be checked during normal business hours: M-Th 7AM-5PM and F 7AM-4PM. Thank you for your understanding and patience. Stay safe!

Kimberly M. Rodrigues, MPPA, MMC
City Clerk

Serving the Public with Integrity and Professionalism

City of Agoura Hills

30001 Ladyface Court | Agoura Hills, CA 91301-2583

☎ 818.597.7303 Direct | 📠 818.597.7352 | ✉ krodrigues@ci.agoura-hills.ca.us

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Please note that email correspondence with the City of Agoura Hills, along with any attachments, may be subject to the California Public Records Act, and therefore may be subject to disclosure unless otherwise exempt by law.

PUBLIC RECORDS REQUESTS: *On March 17, 2020, the City Council declared a local emergency in response to the global COVID-19 outbreak. Due to these emergency circumstances, the City's response to your Public Records Act request may be delayed. We expect to address your PRA request when normal business operations resume. Thank you for your patience in these unprecedented times.*