

## PLANNING DIVISION

DATE:

July 16, 2020

TO:

Planning Commission

APPLICANT:

Eli Lugasi

30831 Oakrim Drive

Westlake Village, CA 91362

CASE NO:

SPR-01730-2020

LOCATION:

28623 Acacia Glen Street

REQUEST:

Request for 1) approval of a Site Plan/Architectural Review to construct a new 2,446 square-foot, two story, single-family residence and a 647 square-foot attached garage; and 2) 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 Site Plan/Architectural Review Case No. SPR-01730-2020. subject to conditions, based on the findings of the attached

draft Resolution.

ZONING DESIGNATION: Single Family Residential - maximum five (5) dwelling units

per acre - 7,000 square-foot minimum lot size (RS-(5)-7,000)

**GENERAL PLAN** 

DESIGNATION:

Residential Single Family (RS)

## I. PROJECT BACKGROUND AND DESCRIPTION

Eli Lugasi, the applicant and property owner, is requesting approval of a Site Plan/Architectural Review (SPR) to construct a 2,446 square-foot (sq. ft.), two-story residence and an attached 647 sq. ft. garage. The 0.20-acre (8,898 sq. ft.) sized lot is located at 28623 Acacia Glen Street, in the Fountainwood neighborhood.

A 1,924 square-foot, single story residence was constructed on the property in 1975. That home was one of nine (9) Agoura Hills residences destroyed in the 2018 Woolsey Fire. Following the Woolsey Fire, on February 27, 2019, the City Council adopted Urgency Ordinance No. 19-442U, establishing expedited permitting for residential properties destroyed or damaged in the Woolsey Fire, including the applicant's property that he purchased after the Urgency Ordinance was adopted. New homes that are subject to the Urgency Ordinance are reviewed ministerially, without a public hearing, if the size of the proposed homes does not exceed 25% of the previous residence. The size of the applicant's proposed residence exceeds the previous singe-story residence by more than 25%, and the applicant is proposing a second floor. Therefore, staff is requesting the Planning Commission's review of the application.

The property has been cleared of structures, with the exception of the existing retaining walls. The two (2) residences located east and west of this subject property were also destroyed in the Woolsey Fire. The lot to the east is currently under construction for a new two-story residence and was approved ministerially, and the lot to the west is currently vacant. North of the applicant's property is open space land located within the County of Ventura, and to the south are developed single-family residences.

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

	Existing	Dropood	Allawad/Dagwinad
	Existing	Proposed	Allowed/Required
Lot Dimensions	V		
Size	0.20 acres	0.20 acres	0.16 acres min.
Size in square feet	8,898 sq. ft.	8,898 sq. ft	7,000 sq. ft. min.
Lot Width	69 ft.	69 ft.	60 feet min.
Lot Depth	128.97 ft.	128.97 ft.	75 feet min.
Building Height			
	n/a	24.58 ft. to midpoint	35 ft. (midpoint of
		roof; 27.08 feet	roof); two stories
		ridgeline	max.
·		(two stories)	
<b>Building Square Footag</b>	je		
Residence	n/a	1,156sq. ft.	n/a
(1 <sup>st</sup> Floor)			
Residence	n/a	1,290 sq. ft.	n/a
(2 <sup>nd</sup> Floor)			
TOTAL RESIDENCE	n/a	2,446 sq. ft.	n/a
Attached Garage	n/a	647 sq. ft.	n/a
Covered Porch and Patio	n/a	290 sq. ft.	n/a
TOTAL OTHER STRUCTURES	n/a	937 sq. ft.	n/a

	Existing	Proposed	Allowed/Required	
Lot Coverage				
Residence	n/a	1,156 sq. ft. / 13%	n/a	
Garage	n/a	647 sq. ft. / 7.27%	n/a	
Covered Porch and Pation	n/a	290 sq.ft. / 3.25%	n/a	
TOTAL LOT COVERAGE	n/a	23.5%	50% max.	
Building Setbacks				
Front Yard (to ROW line	n/a	25 ft.	20 ft. min.	
South)				
Rear Yard (South)	n/a	55.08 ft.	20 ft. min.	
Side Yard (East)	n/a	14 ft.	8 ft. min., with not	
			less than 18 ft.	
			combined	
Side Yard (West)	n/a	5 ft.	5 ft. min.*, with not	
			less than 18 ft.	
			combined	

<sup>\*</sup> Urgency Ordinance No. 19-442U states: "Previous, legal non-conforming zoning development standards may be maintained for the reconstructed residences."

# **II. STAFF ANALYSIS**

# A. Site Plan and Buildings

The project site is located on the north side of Acacia Glen Street. The proposed home is on a 0.20-acre parcel (8,898 sq. ft.). Eleven 11 existing neighboring homes on the north and south side of the street, nearest to the applicant's lot, range in sizes from 1,924 square feet, to 2,732 square feet. The two-story residence under construction at 28617 Acacia Glen Street is 2,514 in size, excluding the garage.

The applicant's proposed residence, excluding the garage, is 2,446 square feet in size, excluding the proposed 647 square-foot, three-car garage. A 95 square-foot covered front porch, and a 195 square-foot covered patio at the northwest corner of the residence, are also proposed. A concrete driveway would serve as access to the garage. The overall coverage of the house with the garage, porch and patio cover is 6.24 percent of the lot and under the maximum allowable 50 percent per the RS zoning district.

The north property line elevation is approximately 10 feet higher than the south (front) property line elevation. The average topographic slope of the property is approximately 7.7%. Since the property has an average topographic slope of less than 10%, development of the proposed residence is subject to approval of a SPR. An existing retaining wall located along the east property line, and continuance retaining wall located in the rear and east side areas of the lot, as well as the five (5)-foot wide sidewalk in front of the lot, are proposed to be retained for the new construction. The proposed residence is positioned in approximately the same location as the previous residence that occupied the lot, in the pre-graded pad area. The house would be setback 25 feet from the front (south) property line, and 55.08 feet from the rear (north) property line. The first floor of

the residence would be setback 14 feet, and the second floor setback 18-feet, from east side property line. The previous single-story residence on the lot was located 14 feet from the east side property line. Although the Zoning Ordinance requires a minimum setback distance of 8 feet from side property lines (18 feet combined) in the RS-7,000 zoning district, the applicant is proposing to retain a five (5)-foot side yard setback distance from the west property line for first floor as previously existed for the single-story residence, as well as for the proposed second floor that is 23 feet in length along this side of the residence. The City's Urgency Ordinance states: "Previous, legal non-conforming zoning development standards may be maintained for the reconstructed residences." Fencing locations and materials would be subject to approval by the Planning Director, per the draft conditions of approval

## B. Architectural Design

The proposed residence features a tan/muted ("Moroccan") colored stucco as the primary exterior wall cover. Ledgestone veneer of brown, gold and gray colors ("Rocky Mountain Granite") is incorporated on the front (south) façade of the first story (as shown in the attached rendering), including in the front porch and around the garage door, and on the support columns of the attached rear yard covered patio. The building design incorporates a hip roof that includes "S"-shaped Boral concrete tiles of "California Mission Blend" color. A dark brown colored wooden front door and a white colored metal roll-up garage door are also proposed. No fireplace is proposed, nor are any balconies.

The second floor is offset from the first floor on the south (front) and east side elevations of the residence. The combination of the hip roof, covered patio and porch, natural material accents and earth-tone colors make the home compatible with the existing neighborhood. As demonstrated by the proposed design, the project complies with the Zoning Ordinance and design guidelines. Exterior lighting is to be focused downward and shielded to minimize glare and light spillover onto the adjacent lots.

# C. Public Works/Engineering Division

The Public Works/Engineering Division has reviewed the civil engineering/drainage plans and no additional street improvements are required for this project. A single concrete driveway will be utilized to access the garage from the street. The residence will be connected to the public sewer system.

Geotechnical, geological, and drainage studies have been reviewed by the City Geotechnical Consultant from a geotechnical perspective, and were found to comply with applicable codes, guidelines, and standards of practice. The applicant must submit a Final Grading Plan, Encroachment Permit, and Erosion and Sediment Control Plan.

## D. Landscaping

For consistency with other expedited City building permits issued for the construction of homes that were destroyed by the Woolsey Fire, landscape plan and irrigation review and

installation or this project would be deferred. The approved planting would be required for the front yard area, and would be required to be installed prior to occupancy of the home.

# E. 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-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 and LU-9 and their policies. The project maintains privacy for neighboring lots to the east and west of the residence by providing more than the required combined side yard setbacks for the district. Site disturbance would be minimal due to the building pad being constructed on

a pre-graded portion of the site. A combination of native and non-native, but compatible vegetation species will be incorporated into the landscape plan.

The project integrates natural and earth-tone colors to maintain the neighborhood's design characteristics. The building also incorporates stucco and stone materials harmoniously without one being dominant over the other. The combination of the façade materials, and architectural features (covered porch and patio) articulated at various locations around the house, as well as the second level offsets from the first, helps minimize the appearance of building mass.

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

## F. 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.

## G. Public Notification

Public notification of the Planning Commission's consideration of this project was mailed to property owners within a 750-foot radius of the project site and to the Fountainwood Homeowners Association. Notification of the Planning Commission meeting regarding this project was also posted on the subject property and on the City website.

## III. RECOMMENDATION

Based on the foregoing analysis, staff recommends that the Planning Commission approve Site Plan/Architectural Review Case No. SPR-01730-2020, subject to the conditions, and based on the findings of the attached Draft Resolution.

## IV. ATTACHMENTS

- Draft Resolution for the Site Plan/Architectural Review with Exhibit A, Conditions of Approval
- Project Plans
- Project Rendering
- Color and Material Board
- Vicinity Map

Case Planner: Doug Hooper, Planning Director

	RESOLU	JTION NO.	
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A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF AGOURA HILLS, CALIFORNIA, APPROVING SITE PLAN/ARCHITECTURAL REVIEW CASE NO. SPR-01730-2020 FOR THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE LOCATED AT 28623 ACACIA GLEN STREET; AND MAKING A FINDING OF EXEMPTION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

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

<u>Section I.</u> An application was duly filed by Eli Lugasi, with respect to the real property located at 28623 Acacia Glen Street (A.P.N. 2050-013-022), requesting approval of a Site Plan/Architectural Review Case No. SPR-01730-2020 to construct a new 2,446 square-foot, two-story, single-family residence and a 647 square-foot attached garage.

Section II. The project is request for the 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 Conversion of Small Structures). The new single-family residence and related structures would not result in significant impacts to the environment as the site was pre-graded for a previous single-family residence. 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.

<u>Section III.</u> The Planning Commission of the City of Agoura Hill considered the project and application at a public meeting held on July 16, 2020, at 6:30 p.m. The public meeting 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 Planning Commission. Notice of time, date, means of participation in and purpose of the aforementioned meeting was duly given and published as required by state law.

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

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

Resolution	No.	
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- A. The proposed use, as conditioned, 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 Single Family Residential (RS) zoning district, which allows for the development of single-family residences. The project meets the City's minimum development standards for the zoning district with regard to lot coverage, lot size, building height, front and rear yard building setbacks and combined side yard setbacks, and all other applicable development standards.
- B. The proposed use, as conditioned, and the manner in which it will be operated or maintained, will not be detrimental to the public health, safety, or general welfare. The design of the residence will ensure adequate light, air, and privacy to surrounding properties, as the project complies with the RS zone height, front and rear setbacks and combined side yard setbacks, lot size and coverage requirements. The proposed residence is situated in the lower, pre-graded portion of the lot, which will preserve the privacy of the surrounding properties. The project complies with the maximum allowable building height of the zoning district. Vehicular access to the property will be provided via Acacia Glen Street. Geological and geotechnical studies, and a drainage plan, were reviewed by the City Geotechnical Consultant from a geotechnical perspective, and found to comply 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 public sewer system.
- C. The proposed use, as conditioned, will not conflict with the character and design of the buildings and open space in the surrounding area. The proposed two-story residence will include stucco, stone veneer, and tile roof materials that are compatible with other two-story residences located the same street. The size of the residence is compatible with other two-story residences located on the same street.
- D. The proposed use, as conditioned, will comply with each of the applicable provisions of the Zoning Ordinance. The project is consistent with the zoning district's requirements for front and rear yard setbacks and combined side yard setbacks, building height, building site coverage, lot size, and all other applicable development standards of the RS zoning district.
- E. The proposed use, as conditioned, is consistent with the City's General Plan. The project is consistent with Land Use and Community Goals LU-7 and LU-9, and their applicable policies including Policy LU-7.1 Neighborhood Conservation, Policy LU-7.2 Housing Character and Design, and Policy 9-1 Neighborhood Identity. The project is consistent with neighboring properties in terms of size, height and density. The project maintains privacy for neighboring lots to the east and west of the

residence by providing more than the required combined side yard setbacks for the district. Site disturbance would be minimal due to the building pad being constructed on a pre-graded portion of the site. A combination of native and non-native, but compatible vegetation species will be incorporated into the landscape plan. The project integrates natural and earth-tone colors to maintain the neighborhood's design characteristics. The building also incorporates stucco and stone materials harmoniously without one being dominant over the other. The combination of the façade materials, and architectural features (covered porch and patio) articulated at various locations around the house, as well as the second level offset from the first, helps minimize the appearance of building mass.

F. The proposed use preserves and enhances the particular character and assets of the surrounding area and its harmonious development. The proposed residence replaces a previous single-family residence that was located on the same lot. The proposed residence meets required setbacks from property lines and building height, and is compatible with other residences on the same street relative to size, building materials, and building colors.

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

- A. The proposed development, as conditioned, is consistent with the general plan and design standards adopted by the City Council. The proposed project is located within the Single Family Residential (RS) zoning district and general plan land use designation, which allows for the development of single-family residences. The project meets the City's minimum development standards for the zoning district with regard to lot coverage, lot size, building height, front and rear yard building setbacks and combined side yard setbacks. The project will be compliant the City Building Code.
- B. The design and location of the proposed development, as conditioned, and its relationship to existing or proposed developments and traffic in the vicinity thereof is such that it will not impair the desirability of investment or occupation in the neighborhood; and that it will not unreasonably interfere with the use and enjoyment of existing or proposed developments in the vicinity thereof, and that it will not create traffic hazards or congestion. The proposed residence will replace a single-family residence that was previously located on the property, and will be situated on a pre-graded portion of the lot. The proposed single-family residence is an allowed use in the RS zoning district. Access to the property would be taken from a single, on-site driveway via Acacia Glen Street.

- C. The design of the proposed development, as conditioned, is in keeping with the character of the surrounding neighborhood, and is not detrimental to the harmonious, orderly, and attractive development contemplated by the Zoning Ordinance and General Plan of the City. The project integrates natural and earth-tone colors to maintain the neighborhood's design characteristics. The building also incorporates stucco and stone materials harmoniously without one being dominant over the other. The combination of the façade materials, and architectural features (covered porch and patio) articulated at various locations around the house, as well as the second level offset from the first, helps minimize the appearance of building mass and will be compatible with the surrounding neighborhood.
- D. The design of the proposed development, as conditioned, would provide a desirable environment for its occupants, as well as for its neighbors, and that it is aesthetically of good composition, materials, textures, and colors. The building also incorporates materials that are compatible with existing residences on the same street, including proposed stucco and stone materials, and a tile roof. The proposed façade materials and architectural features (covered porch and patio) are articulated at various locations around the house.
- E. The proposed use, as conditioned, complies with all applicable requirements of the district in which it is located and all other applicable requirements. The project meets the City's minimum development standards for the zoning district with regard to lot coverage, lot size, building height, front and rear yard building setbacks and combined side yard setbacks. The project will be compliant the City Building Code.
- F. The overall development of the subject property, as conditioned, is designed to ensure the protection of the public health, safety, and general welfare. The structure is located a sufficient distance from the property lines to allow for adequate light, air, and open space. The proposed residence is situated in the lower, pre-graded portion of the lot, which will preserve the privacy of the surrounding properties. The project complies with the maximum allowable building height of the zoning district. Vehicular access to the property will be provided via Acacia Glen Street. Geological and geotechnical studies, and a drainage plan, were reviewed by the City Geotechnical Consultant from a geotechnical perspective, and found to comply 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 public sewer system.

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Section VII. Based on the aforementioned find approves Site Plan/Architectural Review Case No conditions attached hereto as Exhibit A, with respect hereof.	No. SPR-01730-2020, subject to the
Section VIII. The Secretary of the Planning Coapproval, and adoption of this resolution, and shall coapprove to be entered in the Book of Resolutions of the Plan	ause this resolution and his certification
PASSED, APPROVED and ADOPTED this $16^{\text{th}}$ to wit:	day of July, 2020, by the following vote
AYES: () NOES: () ABSTAIN: () ABSENT: ()	
	John Asuncion, Chairperson
ATTEST:	
Doug Hooper, Secretary	

# EXHIBIT A CONDITIONS OF APPROVAL (Case No. SPR-01730-2020)

#### 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 and Rendering, Floor Plans, Roof Plan, and Civil Plan. The south elevation plan of the building shall match the rendering presented to the Planning Commission.
- 4. All exterior materials used in this project shall be in conformance with the materials samples submitted as a part of this application.
- 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, Site Plan/Architectural Review Case No. SPR-01730-2020 will expire. A written request for a one (1) year extension may be considered prior to the expiration date.
- 13. The applicant shall comply with the applicable 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.
- 14. All outstanding fees owed to the City, if any, shall be paid by the applicant within thirty (30) days from the date of this approval.
- 15. No roof-mounted equipment, other than attic ventilation systems and solar panels, as allowed by the Municipal Code, shall be permitted.
- 16. All exterior lights shall be focused downward and shielded to minimize glare and light spillover onto the adjacent lots.
- 17. The existing retaining wall design shall be shown on the final grading plans and be of decorative material approved by Planning Director. Fencing materials shall be identified on the project plans and shall be subject to approval by the Planning Director.
- 18. 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.
- 19. If human remains are unearthed during ground disturbing activities, State Health and Safety Code Section 7050.5 requires that no further disturbances shall occur until the County Coroner has made the necessary findings regarding origin and

disposition pursuant to the Public Resources Code Section 5097.98. If human remains are unearthed, the developer/contractor shall contact the City Planning Department and County Coroner immediately. If the remains are determined to be of Native American descent, the Coroner has 24 hours to notify the Native American Heritage Commission (NAHC). The NAHC will then identify the person(s) though to be the Most Likely Descendent (MLD) of the deceased Native American, who will then help determine what course of action should be taken in dealing with the remains. If an archaeologist and/or a Native American representative is needed to assessed the remains and determine a course of action, all such fees and expenses shall be the responsibility of the developer/contractor and not the City.

- 20. It is the responsibility of the applicant and/or his or her representatives to report to the City any changes related to any aspects of the construction prior to undertaking the changes.
- 21. A pre-construction conference shall be held prior to the issuance of a Grading Permit, with all construction personnel involved with the grading operations.
- 22. No construction work or repair shall be performed outside the hours of 7:00 a.m. to 7:00 p.m. or any Sunday or Holiday.
- 23. 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.

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## **BUILDING AND SAFETY DIVISION**

- 24. 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, apply to this project.
- 25. Two percent (2%) slope away from the structure for drainage (on the first 5 feet) all around the new structure(s) shall be provided.
- 26. 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.
- 27. This project shall be subject to the 2019 California Residential, Building, Mechanical, Plumbing, Electrical, Energy, Fire, Green Building Codes, and Agoura Hills Municipal Code.
- 28. 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.
- 29. A copy of the project soils report is required to be submitted to the Building and Safety Department for the review of this project.
- 30. Prior to building permit issuance, Los Angeles County Fire Department review and approval is required for all new structures.
- 31. Las Virgenes Municipal Water District approval is required prior to building permit issuance.
- 32. As part of the permitting process and prior to permit issuance, two (2) complete sets of construction plans, <u>including</u> Structural, Floor Plan, Mechanical, Electrical, Plumbing, Energy Plans, plans will need to be submitted to Building and Safety Department for plan review and approval.
- 33. All retaining walls built within the property must meet the soils report recommendations.

## PUBLIC WORKS/ENGINEERING DIVISION

34. For all work within the public right-of-way, the applicant shall obtain an Encroachment Permit. Prior to issuance of any permits, all improvement plans, which include but are not limited to, street, water, sewer, storm drain, lighting, signing and striping, etc shall be reviewed and approved by the City Engineer. Water plans

# Conditions of Approval (Case No. SPR-01730-2020) Page 5

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 <a href="https://www.ci.agoura-hills.ca.us">www.ci.agoura-hills.ca.us</a>.

- 35. 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.
- 36. 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.
- 37. Prior to permitting, the project shall obtain a permit/approval from the Los Angeles County Fire Department, and from the Las Virgenes Municipal Water District.
- 38. 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.
- 39. 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.
- 40. This project shall connect to the 8-Inch sewer main line under Acacia Glen.
- 41. This project shall use existing laterals, whenever provided, for connection to the public sewer system.
- 42. All water facilities shall be designed to comply with all LVMWD requirements. Final plans must be reviewed and approved by LVMWD and City.
- 43. Prior to the approval of the Grading Plan and issuance of Grading Permits, an Erosion and Sediment Control Plan (ESCP) shall be submitted to and approved by the Engineering Department. The Erosion and Sediment Control Plan shall specifically identify the Best Management Practices (BMPs) that will be implemented on this project, during construction, to reduce the discharge of sediment and other pollutants into the City's storm drain system. Said plan shall ensure, among other things, that the following minimum requirements are effectively implemented at all construction sites:

- a. Sediments generated on the project site shall be retained using adequate Treatment Control or Structural BMPs;
- b. Construction-related materials, wastes, spills, or residues shall be retained at the project site to avoid discharge to the streets, drainage facilities, receiving waters, or adjacent properties by wind or runoff;
- c. Non-storm water runoff from equipment and vehicle washing and any other activity shall be contained at the project site;
- d. Erosion from slopes and channels shall be controlled by implementing an effective combination of BMPs such as the limiting of grading scheduled during the wet season; inspecting graded areas during rain events; planting and maintenance of vegetation on slopes and covering erosion susceptible slopes.

## GEOTECHNICAL

44. The applicant shall comply with all recommendations of the addendum geotechnical engineering reports prepared by Sasson Geosciences, Inc. dated May 29, 2020 and April 3, 2020, and the City Geological/Geotechnical Consultant's (GeoDynamics, Inc.) recommendations and comments dated June 10, 2020.

# LANDSCAPING

- 45. Prior to final inspection of the residence, the applicant shall submit three (3) sets of Landscape and Irrigation Plans for the front yard portion of the property, 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.
- 46. Installation and of the approved Landscaping and Irrigation shall be inspected by the City Landscape Consultant and approved by the Planning Director prior to issuance of occupancy for the residence.
- 47. At the time of the Landscape and Irrigation Plan 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).

- 48. 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.
- 49. The 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.
- 50. The 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.
- 51. 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.
- 52. 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.
- 53. 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.
- 54. 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.
- 55. Landscape improvements, planting, and irrigation installation shall be subject to inspection and approval by the Planning Department prior to final building permit inspection.

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## SOLID WASTE MANAGEMENT

- 56. 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.
- 57. 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.
- 58. 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** 

LUIS MAURICIO 9819 Beachy Ave. Arleta, CA 91331 (818) 433-9805 / 590-3125 Imcadservices@gmail.com M CAD SERVICES TO THEOREM SIZE THE STORM AND THE COURT AS A S HEVISIONS SCOPE OF WORK: NEW 2-STORY S.F.D. OWNER: ELI LUGASI TIMBER:

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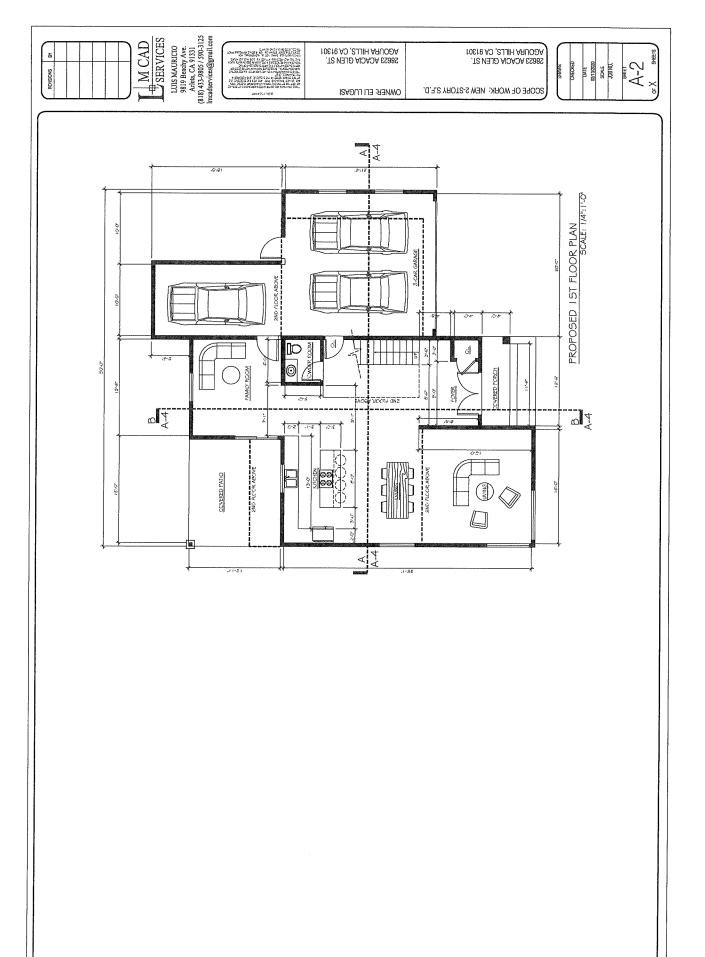
28623 ACACIA GLEN ST.

SCALE JOHNO.

CHECKED

A-1

SITE PLAN SCALE: 1/8": 1-0"



DATE 02/13/2020 SCALE JOB NO.

28623 ACACIA GLEN ST. AGOURA HILLS, CA 91301

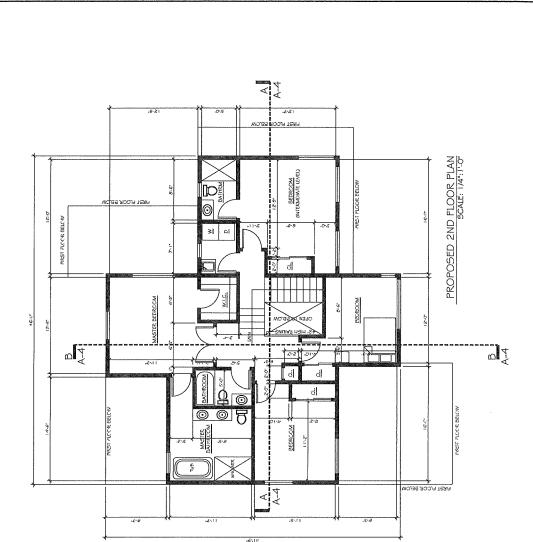
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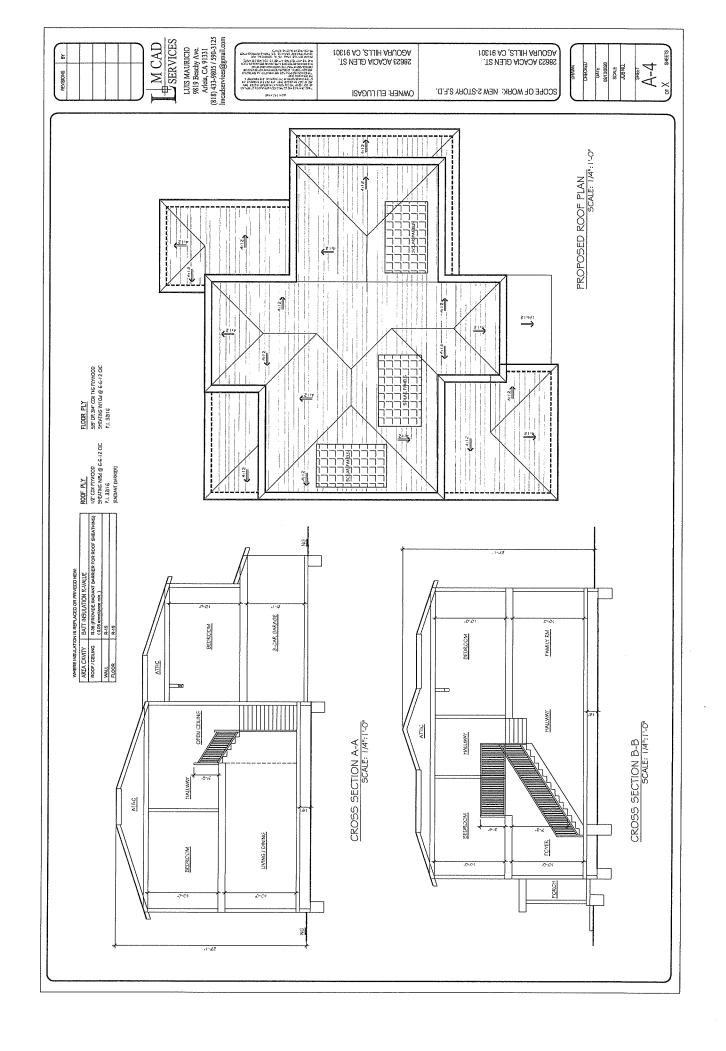
28623 ACACIA GLEN ST. AGOURA HILLS, CA 91301

OWNER: ELI LUGASI

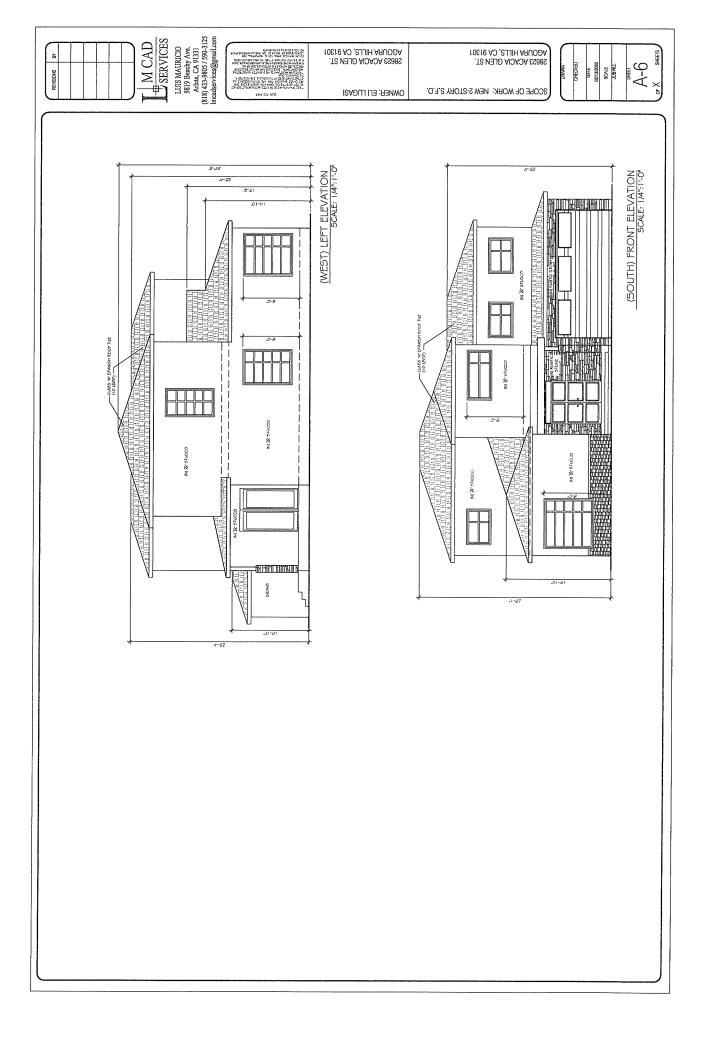
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# Front Door color



#21 Walnut on Mahogany

# Rain Gutter Color

Desert Sand

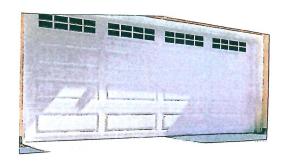


Ledgestone Rocky Mountain Granite DIMENSIONS: 2"-8" H x 6"-16" L x 1 1/4" D

Rock (south)
Front Elevation

Lugasi Home 28623 Acacia Glen St Agoura Hills, Ca 91301

Garage Door Color White



Roof Color Boral - California Mission Blend



Stucco Color



P-1210 MOROCCAN Base 200 or B

