

October 4, 2006

**VIA FACSIMILE AND U.S. MAIL**

Mr. Denis Weber, Mayor  
Councilmembers  
City of Agoura Hills  
30001 Ladyface Court  
Agoura Hills, CA 91301

Re: Riopharm USA, Inc.

Dear Mayor Weber and Councilmembers:

We appreciate the City Council's extension granted at the September 13, 2006 meeting to allow our project team to make additional changes to our project based on the feedback we heard at the hearing. You will be pleased to know that we have made significant changes to our project that we believe directly respond to each of the concerns raised.

Some of these changes include:

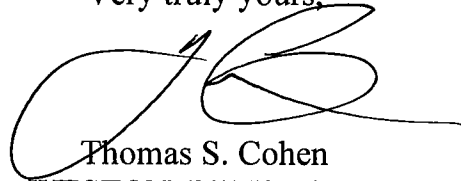
- \* Reducing density again on Agoura 1 by one unit. Fourteen legal lots have been reduced to 11 lots, thereby only 11 homes are proposed for development.
- \* One more single story home replacing a two story has been incorporated thereby a total of seven single story units have been integrated into Agoura 1 where previously no single story homes were originally proposed. This change results in significant massing reduction and preserves views over units adjacent to the project's neighbors to west.

We have attached an exhibit that describes in greater detail the changes made in each of the tracts.

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We respectfully request your due consideration of the enclosed information and hope that we have warranted your vote in favor of the project.

Very truly yours,

A handwritten signature in black ink, appearing to read 'T. Cohen', with a large, stylized flourish extending to the right.

Thomas S. Cohen  
WESTON, BENSHOOF,  
ROCHEFORT, RUBALCAVA & MacCUISH LLP

TSC/MSoOffice  
Enclosure

cc: Jack and Alan David

ADDITIONAL PROJECT CHANGES FROM SEPTEMBER 13, 2006  
CITY COUNCIL HEARING CONTINUED TO  
OCTOBER 11, 2006

AGOURA 1 TRACT:

1. Deleted Lot 12
2. New Lot 11
  - a. Converted to a single story home. Project will now have 7 single story units and 4 two story units.
  - b. Garage to face westerly onto north-south internal drive aisle. No garage door will face entry street.
  - c. Greater setback distances, all meeting or exceeding City standards for this zone.
  - d. Results in more landscape area, an increase of approximately 1,000 square feet.
3. Install mature landscaping to screen the project in a shorter period of time and add larger trees in strategic locations to soften the two story units on the southern perimeter of the tract boundary.
4. 15 guest parking stalls provided. Code requires 11 spaces.
5. East-west drive aisle width increased to 34 feet.
  - a. Former 90 degree parking stalls now parallel.
  - b. An additional 9.5 feet in width of landscaping with the removal of 90 degree parking stalls. This results in an increase in landscape area of approximately 700 square feet.
6. Aesthetic and environmentally-preferred decorative pavers (facilitates infiltration and reduces potential for erosion and stormwater pollution) will be used in
  - a. Driveways of each unit.
  - b. Guest parking stalls.

7. Decorative interlocking pavers will be used in the main entry driveway.
8. Lot 7 home reduced in height from 26 feet to 22 feet.
9. Privacy wall along northern perimeter of Lot 1 will be modified to taper or step down rather than end abruptly.
10. CC&Rs will be drafted and provided for review and approval by the Planning Department and the City Attorney, and will, among other things, provide for:
  - a. All common areas including, but not limited to, landscaping in front yards of each home, guest parking, main entry drive, drive aisles, fences, walls, recreational facilities and lighting within the project shall be maintained through the formation of a homeowner's association and right of assessment to assure payment and continuous quality maintenance.
  - b. Garages shall be restricted as follows:
    1. Garage doors may not be left open, except as temporarily necessary or while used for entering or exiting.
    2. Garage space shall not be converted into any use that would prevent its use as parking for the number of vehicles the space was designed to contain.
  - c. Guest parking may not be used on a long-term or routine basis by owners or tenants in the project.