



DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

DATE: April 5, 2007

APPLICANT: Steve and Marguerite Edwards
718 Admiral Court
Oak Park, CA 91377

TO: Planning Commission

CASE NOS.: 06-CUP-008 and 06-OTP-017

LOCATION: 5952 Lapworth Drive
(Northeast corner of Balkins Drive and Lapworth Drive)
(A.P.N. 2055-022-073)

REQUEST: Request for approval of a Conditional Use Permit to construct a 5,246 square foot, two-story, single-family residence with a 919 square foot attached garage, a 347 square foot studio above the garage, a swimming pool, and a 1,446 square foot detached garage and barn; and a request for an Oak Tree Permit to possibly encroach within the protected zone of one (1) Oak tree for the proposed construction.

ENVIRONMENTAL DETERMINATION: Exempt from CEQA per Section 15303

RECOMMENDATION: Staff recommends the Planning Commission adopt a motion to approve Conditional Use Permit Case No. 06-CUP-008 and Oak Tree Permit Case No. 06-OTP-017, subject to conditions, based on the findings of the attached draft Resolution.

ZONING DESIGNATION: RV-OA (Very Low Density Residential – Old Agoura Design Overlay)

GENERAL PLAN DESIGNATION: RV – (Very Low Density Residential)

I. PROJECT BACKGROUND AND DESCRIPTION

The applicants, Steve and Marguerite Edwards, are requesting approval of a Conditional Use Permit to construct a new 5,246 square foot, two-story, single-family residence with a 919 square foot attached three-car garage and a 347 square-foot studio above the garage, in the Very Low Density Residential (RV) zone of Old Agoura. The applicants are also proposing a swimming pool and a 1,446 square foot detached garage and barn.

The 1.38 acre parcel is located on the northeast corner of the Balkins Drive and Lapworth Drive intersection. This irregular shaped lot fronts onto Balkins Drive and is parallel to the west by Lapworth Drive. The parcel rises 48 feet in elevation from the average street elevation of Balkins Drive (96 feet) to the average rear or north elevation (144 feet) of the lot, resulting in an average topographic slope of 19.84%. The Zoning Ordinance requires the Planning Commission's consideration and approval of a Conditional Use Permit for any development on lots that exceed a 10% average topographic slope. The applicant is also requesting approval of an Oak Tree Permit to possibly encroach within the protected zone of one (1) Oak tree for the proposed construction.

The proposed residence and attached garage, which occupies 7.8 percent of the lot, is situated at the northeast portion of the site and includes a proposed pad elevation of 134.33 feet, which is below the Lapworth Drive street elevation. The accessory structure (garage/barn) is proposed at a finished grade of 113.33 feet and is approximately at the same elevation as Lapworth Drive street elevation entrance. The subject parcel is surrounded by residential land uses. Existing hillside residences are present on adjacent properties to the west and east. The adjacent property to the north remains vacant.

The proposed single-family residence is a permitted use in the Very Low Density Residential (RV) zone and will meet the required development standards, relative to lot coverage, height and building placement. Listed below are the proposed development data pertaining to the project:

Pertinent Data

	<u>Proposed</u>	<u>Allowed/ Required</u>
1. Lot Size:	1.38 acres (existing) (59,983 sq. ft.)	1 acre min. (43,560 sq. ft.)
2. Building Height:	32 ft.	35 ft. max.
3. Building Sizes:		
a. First Floor	2,807 sq. ft.	N/A
b. <u>Second Floor</u>	<u>2,439 sq. ft.</u>	N/A
Total House Area	5,246 sq. ft.	

c. Attached Garage	919 sq. ft.	N/A
d. Detached Garage and Barn	1,446 sq. ft.	
e. Studio Above Garage	347 sq. ft.	N/A
f. <u>Covered Patios & Deck</u>	<u>996 sq. ft.</u>	N/A
Total Structures	3,708 sq. ft.	

4. Bldg. Lot Coverage:

a. Residence & Attached Garage	3,726 sq. ft. (6.2%)	
b. Covered Patios & Deck	996 sq. ft. (1.6%)	
c. Swimming Pool, Deck & Equip.	743 sq. ft. (1.2%)	
d. Hardscape/Walkways	1,222 sq. ft. (2.0%)	
e. Detached Garage and barn	<u>1,446 sq. ft. (2.4%)</u>	
Total	8,133 sq. ft. (13.4%)	Max. 25% (14,995 sq. ft.)

5. Building Setbacks:

Front (South)	282 ft.	25 ft. min.
Rear (North)	25 ft.	25 ft. min.
Left Side (West)	45 ft.	12 ft. min.
Right Side (East)	14 ft.	12 ft. min.

6. No. of Oak Trees: 12 N/A

7. Average Topographic Slope: 19.84% N/A

II. STAFF ANALYSIS

Site Plan

The applicants are proposing to locate the residence in the flatter portion of the site, near the northeast end of the lot, thereby protecting on site Oak trees and reducing the amount of grading of the site, while meeting or exceeding the minimum yard setback distances for the zone. The applicants are also proposing a patio on the east side of the residence, wrapping around the rear (north) side of the residence. The swimming pool is proposed 10 feet from the covered patio at the northeast portion of the property. The front of the house faces southwest. The 15-foot wide driveway access to the three (3) car garage, located at the front of the house, is provided from Lapworth Drive. The Los Angeles County Fire District has tentatively approved the Site Plan for their required access.

The footprint of the proposed residence, attached garage, detached garage and barn, and the hardscape totals 8,133 square feet or 13.6% of the lot area. The RV zone allows for a maximum 25% lot coverage for lots that have an average slope of less than 10%. In addition, the Hillside Ordinance requires that at least 47.5% of the lot remain in undisturbed open space for parcels that have an average slope of 16-20%. Thus, the maximum amount

of construction area should not exceed 52.5% of the lot. Currently the project meets this requirement because 51.4% of the parcel remains undisturbed.

The proposed 1,446 square-foot detached garage and barn structure is a permitted use by the Zoning Ordinance. The Zoning Ordinance allows detached accessory structures to be a maximum height of 14 feet, only if located in the required yard area, and must maintain a minimum of 10 feet from the rear property line or main building and 5 feet from the side property line. Accessory structures cannot occupy more than 25% of the rear yard plus 40% of the buildable area in combination with any other accessory buildings on the site. In the Old Agoura Overlay District, accessory buildings may be erected in the minimum front yard provided that the above requirements are met and the structure is a minimum of 10 feet from the front property line. The proposed structure will be located, at a west-facing angle, 7 feet from the west side property line, and 9 feet from the east side property line, 102 feet from the main building, and 120 feet from the front property line (Balkins Drive). The maximum height of the structure will be 14 feet and will also comply with the maximum allowable lot coverage limitation for accessory structures. Barns are required to be placed at least 35 feet from any habitable structure or street. The placement of the proposed barn area of the structure is 75 feet to the nearest habitable structure and 35 feet to the nearest street (Lapworth Drive), which meets the requirement. The detached garage and barn structure will be accessed from Lapworth Drive by a secondary driveway located on the south side of the structure. A future horse area of approximately 2,600 square feet is shown at the lower area of the lot near Balkins Drive.

Architectural Design

The architectural design of the residence, with its wrap-around porches and low-sheen, silver/gray colored metal roof is intended to evoke a Western-style of rural architecture. The proposed exterior of the residence includes a covered front porch with boxed columns and decorative window accents which will be painted white in color. The main color and exterior of the buildings would be a light sage-green colored, hardieplank lap full siding. A darker shade of green trim detailing is also proposed. The residence will have one chimney located on the eastern portion of the residence and is clad in stone veneer. The applicant is proposing an attached three-car garage with a second story studio above with access from the outside by raised wood stairs and guardrails located at the rear elevation of the garage. The roof is designed using multi-level roof lines.

The proposed residence will be positioned at an angle to Lapworth Drive. The most prominent elevation visible from the street (Lapworth Drive) will be the southwest elevation, which is two stories and approximately 32 feet in height at the highest roof line (27 feet high measured at the midpoint). Views of the residence from the north will be somewhat obscured by the Oak trees located near the northwest corner of the property.

A semi-permeable surface material of interlocking pavers is proposed for the driveway area to access the attached three-car garage. The applicant is proposing a concrete secondary driveway at the south end of the property with a decomposed granite turn around area to access the proposed detached garage and barn. Staff recommended that

the secondary driveway consist of decorative concrete and pavers or other semi-permeable finish, subject to approval by the Director of Planning and Community Development to ensure that it is of a permeable or semi-permeable surface material and consistent with drainage and run-off requirements. The applicant has agreed to modify the plans to reflect this suggestion.

The overall height of the proposed residence is 32 feet, not exceeding the maximum height of 35 feet allowed for a residence. The City Architectural Review Panel (ARP) found the architectural style of the proposed residence to be in keeping with the Old Agoura Design Overlay requirements and the City Architectural Design Guidelines and Standards. The Old Agoura Homeowners Association has also reviewed the project. A copy of their letter is attached to the report for the Commission's review.

In an effort to evaluate the compatibility of the proposed size of the home with other Old Agoura properties, a survey of 33 neighboring developed lots was conducted, as shown in an attached exhibit. The results revealed an average lot size of 56,966 square feet for the neighborhood and an average dwelling unit size of 3,437 square feet (excluding the garages), resulting in an average floor/area ratio of 0.05. The proposed two-story, single-family residence is 5,246 square feet in size on a 59,983 square feet (1.38 acre) lot, which results in a floor/area ratio of 0.08. The proposal is 1,858 square feet larger than the neighborhood average. Nonetheless, the applicant's proposal will result in a lot size coverage of 13.4% which is below the maximum allowable lot coverage of 25% for the zone. The proposed residence is not the largest in the immediate neighborhood. Several new residences have recently been approved by the Planning Commission located in the immediate vicinity of this project. Across Balkins Drive and to the west is a recently approved 5,420 square foot, two-story, single-family residence on a 1.01 acre parcel that is currently under construction. A few lots directly to the east is a 5,324 square foot, two-story, single-family residence on a 2.56 acre parcel that is currently under construction. On the southeast corner of Balkins Drive and Lapworth Drive is a 5,536 square foot, two-story, single-family residence on a 0.92 acre parcel that is also currently under construction. The proposed size of the applicant's residence is consistent with the recently approved homes in the surrounding area.

Engineering Department

The Engineering Department has reviewed the proposed Grading Plan and will require Lapworth Drive, which is a private street, to be improved along the west property line. The half-street improvements are to include 20 feet of pavement and an asphalt curb or a 3-foot wide inverted shoulder to ensure runoff is maintained within the roadway. The applicant is also required to prepare necessary documents to vacate the portion of the private roadway easement that exceeds 25-feet on the applicant's property, prior to the issuance of a grading permit. Said documents are required to be recorded with the Los Angeles County Recorder's Office prior to issuance of a building permit. Final street plans and drainage plans will be subject to approval by the City Engineer prior to issuance of a building permit. No improvements were required for Balkins Drive.

Grading required for the proposed project includes 586 cubic yards of cut, 2,241 cubic yards of fill and 1655 cubic yards of import to create the building pad elevations, access driveway, and useable yard areas. Proposed grading will require retaining walls all around the residence to support the flat building pad, driveway, and yard areas. A retaining wall ranging from 2-feet to 6-feet high is proposed at the base of a 2:1 cut slope on the west side of the property, extending from the westerly edge of the driveway toward the middle of the north property line. The retaining wall proposed at the upper easterly edge of the driveway will begin with a height of two feet at the southerly end and ends at a maximum height of six feet, south of the attached garage. A 6-foot high retaining wall is proposed at the base of a 2:1 fill slope near the east property line which will eliminate any impacts from the graded slope. An additional retaining wall is proposed along a portion of the rear property line and will remain under 6 feet. Considerably south of the residence, a 4-feet high retaining wall is proposed along the northwestern canopy of Oak tree #2, southeast of the barn, to eliminate any impacts to the tree from the 3:1 fill slope.

A private septic system, located on the east side yard, will serve the residence. The location and feasibility of the septic system has been tentatively approved by the Los Angeles County Health Department.

The City's Geotechnical Consultant has reviewed the geotechnical reports prepared for this project and recommends that the project be approved from a geotechnical perspective at the planning stage. The City's Geotechnical Consultant's letter dated September 29, 2006 is attached for reference. Construction traffic and related vehicular routes will also be reviewed by the City Engineer prior to the issuance of a grading permit with the intent to minimize impacts to the neighbors.

Oak Trees and Landscaping

The Oak Tree Report addresses a total of fifteen (15) oak trees. Twelve (12) of the Oak trees are located within the subject site and the remaining three (3) Oak trees are located off-site. It is feasible to construct the project as proposed without incurring direct impacts to any of the Oak trees. The applicant proposes to construct retaining walls just outside the protected zones of Oak Tree Numbers 2, 3, 4, and 6. Pursuant to recent conversations with the applicant, all construction activities associated with these walls can be accomplished completely outside of the protected zone of each Oak tree, eliminating potential direct impacts.

Since the topographic slope of the property exceeds 10%, the applicant is required to prepare a landscape plan for the City's review. The preliminary landscape plan was reviewed by the City Landscape Consultant, who recommends that the applicant submit final, detailed landscape and irrigation plans for review by the City Landscape Consultant and the Director of Planning and Community Development prior to building permit issuance, and subject to attached conditions. The final plans will be reviewed for slope stabilization, screening, and the incorporation of native plant species.

Environmental Review

Upon review of this project by the City Environmental Analyst, no environmental impacts have been identified for construction of the project. The project has been determined to be Categorically Exempt from the California Environmental Quality Act per Section 15303. This exemption includes, but is not limited to, the construction of a single-family residence. A copy of the notice of exemption prepared by the City Environmental Analyst regarding the project is attached.

III. RECOMMENDATIONS

Based on the foregoing analysis, staff recommends that the Planning Commission adopt a motion to approve Conditional Use Permit Case No. 06-CUP-008 and Oak Tree Permit Case No. 06-OTP-017, subject to Conditions, based on the findings of the attached Draft Resolution.

IV. ATTACHMENTS

- Draft Resolution and Conditions of Approval
- Exhibit A: Vicinity Map
- Exhibit B: Square Footage Analysis Map
- Exhibit C: Reduced Copies of Plans
- Exhibit D: GeoDynamics Letter of Recommendation
- Exhibit E: Environmental Determination
- Exhibit F: Letter from Old Agoura Homeowners Association
- Exhibit G: Photographs of the Site and Surroundings
- Exhibit H: Color Rendering of Residence and Barn

Case Planner: Renee Madrigal, Assistant Planner

RESOLUTION NO. ____

A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF AGOURA HILLS
APPROVING CONDITIONAL USE PERMIT CASE NO. 06-CUP-008 AND
OAK TREE PERMIT CASE NO. 06-OTP-017

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

Section 1. An application was duly filed by Steve and Marguerite Edwards with respect to the real property located at 5952 Lapworth Drive (Assessor's Parcel Number 2055-022-073), requesting the approval of a Conditional Use Permit Case No. 06-CUP-008 to construct a 5,246 square foot, two-story, single-family residence with a 919 square foot attached three-car garage, a 347 square foot studio above the garage, a swimming pool, and a 1,446 square foot detached garage and barn. The applicant is also requesting approval of an Oak Tree Permit Case No. 06-OTP-017 to encroach upon the protected zone of one (1) Oak tree for the proposed construction. A public hearing was duly held on April 5, 2007, at 6:30 p.m. in the Council Chambers, City Hall at 30001 Ladyface Court, Agoura Hills, CA 91301. Notice of the time, date and place and purpose of the aforesaid was duly given

Section 2. Evidence, both written and oral, was duly presented to and considered by the Planning Commission at the aforesaid Public Hearing.

Section 3. The Planning Commission, pursuant to the Agoura Hills Zoning Ordinance, finds as follows:

A. The proposed use, as conditioned, is consistent with the objectives and provisions of the Zoning Ordinance and the purposes of the Very Low Density Residential–Old Agoura Design District (RV-OA) zones in which the use is located. The property designation allows for development of a single-family residence and the proposal meets the development standards for the zone relative to lot coverage, building height, and building setbacks from the property lines.

B. The proposed use, as conditioned, is compatible with the surrounding properties. The proposed building design and building materials of the residence that include lap siding, stone and wood stairs and guardrails are compatible with the neighboring structures and the topography of the property. The residence is located in the flatter portion of a sloped lot to minimize grading and to reduce visual impacts as viewed from Lapworth Road. The project was reviewed by the City's Architectural Review Panel and was found to be in compliance with the City's Architectural Design Guidelines and standards of the Old Agoura Design Overlay District.

C. The proposed use and the conditions under which it will be operated or maintained will not be detrimental to the public health, safety, or welfare in that the design of the residence will ensure adequate light, air, privacy and open space to surrounding properties. The proposed two-story structure is situated in the flatter portion of the on-site hillside slope, which will preserve views and privacy of the surrounding properties. The project complies with the maximum allowable building height limitations of hillside properties. Geotechnical and geological reports have been prepared for the proposed construction on the property, which include mitigation measures to minimize potential risks of geotechnical and geological hazards. A private septic system will serve the 1.38 acre parcel and has been tentatively approved by the Los Angeles County Health Department.

D. The proposed use, as conditioned, will comply with each of the applicable provisions of the Zoning Ordinance in that the project is consistent with the development standards of the Very Low Density zone and Old Agoura Design Overlay District. The proposed residence meets all required setbacks, height limitation, and lot coverage requirements for the zone. The incorporation of permeable or semi-permeable driveway and hardscape materials will reduce runoff and maintain the rural atmosphere of the Old Agoura neighborhood.

E. The distance from other similar and like uses is sufficient to maintain the diversity of the community in that the project will meet the minimum yard setback requirements for the RV zone. The residence will be placed an appropriate distance from the street serving the property to preserve public views. The RV zone allows for the development of single-family residences.

F. The proposed use, as conditioned, is consistent with the goals, objectives and policies of the General Plan in that the project is designed to incorporate the existing terrain into the site plan to the maximum extent possible to minimize grading and to preserve viewsheds, as called for in the Land Use Element of the General Plan.

Section 4. The project is a request for one, single-family residence and is exempt from the California Environmental Quality Act (CEQA), per Section 15303 and does not require adoption of an environmental impact report or negative declaration.

Section 5. Based on the aforementioned findings, the Planning Commission hereby approves Conditional Use Permit Case No. 06-CUP-008 and Oak Tree Permit Case No. 06-OTP-017, subject to the attached Conditions, with respect to the property described in Section 1 hereof.

PASSED, APPROVED, and ADOPTED this day of April 5, 2007, by the following vote to wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

Stephen Rishoff, Chairperson

ATTEST:

Doug Hooper, Secretary

CONDITIONS OF APPROVAL (Case Nos. 06-CUP-008 and 06-OTP-017)

STANDARD CONDITIONS

1. This decision, or any aspect of this decision, can be appealed to the City Council within fifteen (15) days from the date of Planning Commission action, subject to filing the appropriate forms and related fees.
2. This action shall not be effective for any purpose until the applicant has agreed in writing that the applicant is aware of, and accepts all Conditions of Approval of this Permit with the Department of Planning and Community Development.
3. Except as modified herein, the approval of this action is limited to and requires complete conformation to the labeled exhibits approved by the Planning Commission: Site Plan, Building Elevation Plans, Floor Plans, Roof Plans, Grading Plans and Landscape Plans.
4. All exterior materials used in this project shall be in conformance with the materials samples submitted as a part of this application.
5. It is hereby declared to be the intent that if any provision of this Permit is held or declared to be invalid, the Permit shall be void and the privileges granted hereunder shall lapse.
6. It is further declared and made a Condition of this action that if any Condition herein is violated, the Permit shall be suspended and the privileges granted hereunder shall lapse; provided that the applicant has been given written notice to cease such violation and has failed to do so for a period of thirty (30) days.
7. All requirements of the Zoning Ordinance and of the specific zoning designation of the subject property must be complied with unless set forth in the Permit or on the approved Site Plan.
8. No occupancy shall be granted for any new building until all Conditions of Approval have been complied with as determined by the Director of Planning and Community Development.
9. Unless waived by the Director of Planning and Community Development, all utilities existing and proposed shall be placed underground. If overhead utilities of 66 KV or greater exist on or about the subject property, the applicant shall file an agreement to join any Assessment District subsequently created to underground said lines.
10. 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.

11. The applicant shall comply with all applicable Public Health Statutes, Ordinances and Regulations related to the disposal of sewage.
12. All structures shall conform with the requirements of the Division of Building and Safety of the City of Agoura Hills.
13. The applicant shall comply with the requirements of the Los Angeles County Fire Department prior to the issuance of Building or Grading Permits. The Forester and Fire Warden shall be consulted to ascertain the required fire flows and fire hydrants to accommodate the proposed development.
14. Unless Conditional Use Permit Case No. 06-CUP-008 and Oak Tree Permit Case No. 06-OTP-017 are used within two (2) years from the date of City approval, these permits will expire. A written request for a one-year extension may be considered prior to the expiration date.
15. The applicant shall comply with the school impact fee requirements of the Las Virgenes Unified School District. The current fee is \$2.63 per square foot.
16. No roof-mounted equipment, other than attic ventilation systems and solar panels, as allowed by the Municipal Code, shall be permitted.
17. Prior to the issuance of a Building Permit, the applicant shall pay the Fire District Development Fee, at the rate in effect at the time of Building Permit issuance. The current rate is \$ 0.7876 per square foot of new floor area.
18. Prior to the issuance of a Building Permit, the applicant shall submit a letter to the Director of Planning and Community Development agreeing to suspend construction in the vicinity of a cultural resource encountered during development of the site, and leave the resource in place until a qualified archaeologist can examine them and determine appropriate mitigation measures. All fees and expenses for the retaining of a qualified archaeologist shall be paid by the applicant and shall not be at City expense. The applicant shall agree to comply with mitigation measures recommended by the archaeologist and approved by the Director of Planning and Community Development.
19. The City Building Code requires all new residences to be protected by a residential fire sprinkler system. Plans for the required system shall be approved by the Fire Department prior to the issuance of Building Permits for the residence.
20. 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.

ENGINEERING/PUBLIC WORKS DEPARTMENT CONDITIONS

General

21. All improvement plans, including, but not limited to, street, grading/drainage, sewer, storm drain, and striping/signage plans, for the entire project must be submitted as one package. This package must also include all supporting studies. All improvement plan sheets shall be 24" x 36" and must have the City's standard signature blocks and be legibly drawn to ensure proper reproduction and adequate record keeping. All lettering on plans shall be a minimum of 80 CL (.08 inch) in size to ensure proper reproduction and microfilming. All original plans shall be drawn in ink. All plans shall be prepared and signed by a California State Registered Civil Engineer.
22. For construction within public right-of-way, an encroachment permit is required in accordance with Agoura Hills Municipal Code. All required applicable fees, securities, and insurance must be posted prior to issuance of the encroachment permit.
23. A soils report shall be prepared and submitted in accordance with the Agoura Hills Guidelines for geotechnical/geological reports.
24. All Record Drawings ("As-Built" drawings) and supporting documentation shall be submitted to the Engineering Department prior to issuance of the final Certificate of Occupancy.
25. A title report is required to be submitted with the project plans. The plans shall show all proposed and existing easements.
26. Prior to issuance of a grading permit, applicant shall submit cost estimates of public improvements to City Engineer for approval.
27. The developer/owner shall pay all applicable fees and deposits prior to issuance of certificate of occupancy.
28. A Transportation Impact Fee (TIF) in the amount of \$2,440 is due prior to issuance of Certificate of Occupancy.
29. Prior to issuance of the Grading Permit, the applicant shall prepare the documents necessary to vacate that portion of the private roadwayroad easement exceeding 25-feet on the applicant's property, subject to the review and approval of the City Engineer. Said documents shall be recorded with the LA County Recorder's Office prior to issuance of a Building Permit.

Grading

30. All grading shall conform to City's Grading Ordinance, Chapter 33 of the Uniform Building Code, as modified. Cut and fill slopes shall be limited to 25 feet in height.
31. Detailed grading/drainage plan stamped and signed by a California Registered Civil Engineer. The grading/drainage plan shall be prepared using existing benchmark datum and clearly show existing and proposed contour lines. The plan shall also show: existing oak trees, pad and finish floor elevations, all retaining and/or block walls, which shall be limited to 6 feet in height, and street improvement limits/cross sections. The grading/drainage plan shall show existing grades, other off-site improvements for a minimum of 25' outside of the property boundaries, all existing and proposed utilities, and all utility connections from the street to the site, all existing and proposed easements and all property lines.
32. The applicant shall improve Lapworth Drive along property line to provide for a minimum of 20-foot paved width, and asphalt curb or inverted shoulder, as recommended by a State-licensed Civil Engineer to ensure runoff is maintained within the roadway. The applicant shall remove and replace all damaged pavement along property frontage on Balkins Drive . The roadway sections shall be 4" asphalt concrete minimum on top of 6" crushed aggregate base, unless otherwise recommended by the geotechnical and/or civil engineer. Improvements shall be reviewed and approved by the Fire Department, and then the City Engineer.
33. Prior to the issuance of a grading permit the following must be satisfied; the grading plan has been reviewed and accepted by the City Engineer, the applicable plan check, inspection and permit fees have been paid and the grading security has been posted.
34. Prior to approval of foundation by Building & Safety Department, applicant shall submit a grading report as outlined in Section 3304.20 of the City's Municipal Code. Report information shall include, but is not limited to, building pad and grade certifications. Building pad certifications must be completed by the applicant's project Civil Engineer. Grade certifications must be completed by the applicant's Civil Engineer and Geotechnical Engineer and/or Geologist. All certifications must be signed and stamped by State licensed professionals.

Drainage

35. A Storm Water Pollution Protection Plan (SWPPP) shall be prepared in compliance with the Development Construction Model Program for Stormwater Management within the County of Los Angeles, and shall be subject to approval by the City Engineer. The SWPPP shall identify pollutant sources, and shall include design and recommend construction and implementation of stormwater pollution prevention measures in order to reduce pollutants in stormwater discharges from the construction site during the construction period, and after construction as required.

36. For any grading operations conducted between October 1 and April 15 of each year, the applicant shall revise the SWPPP for review and acceptance by the City Engineer.
37. Prior to issuance of a grading permit, the applicant shall prepare a Standard Urban Stormwater Mitigation Plan (SUSMP), as outlined in the Development Planning Model Program for Stormwater Management within the County of Los Angeles, subject to approval by the City Engineer. The plan and hydrology study will demonstrate treatment of the first ¾" of rainfall, as required by the Model Program.
38. If any SUSMP treatment methods are structural in nature, a Best Management Practice (BMP) Covenant and Deed Restriction shall be prepared and recorded with the Los Angeles County Recorder's Office by the applicant prior to issuance of a Certificate of Occupancy.

Utilities

39. The applicant shall obtain plan approval for septic system purposes by the L.A. County Department of Health prior to issuance of grading permit.
40. The applicant shall submit evidence to the City Engineer that all water fees have been paid to Las Virgenes Municipal Water District (LVMWD) and Los Angeles County prior to issuance of a grading permit.

GEOTECHNICAL CONDITIONS

41. The applicant shall comply with all of GeoDynamics, Inc.'s (The City's of Agoura Hills' Geotechnical Consultant) Conditions of Approval letter dated September 29, 2006.

OAK TREE AND LANDSCAPING CONDITIONS

Oak Trees

42. All oak trees shall be preserved in place with no direct impacts.
43. The final design of all retaining walls shall utilize a foundation, construction and drainage detail that does not require encroachment into the protected zone of any oak tree in order to construct the project.
44. Prior to the start of any work or mobilization on the site, each oak tree shall be fenced at the edge of the protected zone in accordance with Article IX, Appendix A, Section V.C.1.1. The City Oak Tree Consultant shall approve the fencing locations and installation prior to the start of work on the site.

45. No grading, scarifying or other soil disturbance shall be permitted within any portion of the protected zone of any oak tree.
46. No vehicles, equipment, materials, spoil or other items shall be used or placed within the protected zone of any oak tree at any time.
47. Prior to occupancy, each oak tree shall be mulched throughout the dripline with three inches (3") of approved organic matter.
48. No irrigation or planting shall be installed within the dripline of any oak tree unless specifically approved by the City Oak Tree Consultant and the Director.
49. Within ten (10) calendar days of the completion of work and 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 subject oak tree at that time.
50. No pruning of live wood shall be permitted unless specifically authorized by the City Oak Tree Consultant. Any authorized pruning shall be performed by a qualified arborist under the direct supervision of the applicant's oak tree consultant. Pruning operations shall be consistent with The Pruning Standards of the Western Chapter of the International Society of Arboriculture.
51. No herbicides shall be used within one hundred feet (100') of the dripline of any oak tree unless the program is first reviewed and endorsed by the City Oak Tree Consultant.
52. The applicant shall also comply with all recommendations contained in the Oak Tree Report prepared by James Dean, ASLA, as revised February 24, 2007.
53. The project oak tree consultant shall submit certification letters for all work completed within the protected zone of any oak tree within ten (10) working days of the completion of said work. The letters 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.

Landscaping

54. Any *Ailanthus altissima* (Tree of Heaven) is to be permanently eradicated. The landscape plans must contain a note to this effect and specify the method of eradication.
55. Prior to the approval of grading permits, the applicant shall submit three (3) sets of landscape plans meeting the following requirements:
 - a. A California-licensed landscape architect shall prepare, stamp and sign the plans.
 - b. All plans shall be legible and clearly drawn.

- c. Plans shall not exceed thirty inches (30") by forty-two inches (42") in size. Plans shall be a minimum of twenty-two inches (22") by thirty-six inches (36") in size.
 - d. A true north arrow and plan scale shall be noted. The scale shall be no smaller than one inch equals twenty feet (1"=20'), unless approved by the City Landscape Consultant.
 - e. A title block shall be provided, indicating the names, addresses and telephone numbers of the applicant and landscape architect.
 - f. The project identification number shall be shown on each sheet.
 - g. The plans shall accurately and clearly depict the following existing and proposed features:
 - Landscape trees, shrubs, ground cover and any other landscaping materials
 - Property lines
 - Streets, street names, right-of-ways, easements, driveways, walkways, bicycle paths, and any other paved areas
 - Buildings and structures
 - Parking areas, including lighting, striping and wheel stops
 - General contour lines
 - Grading areas, including tops and toes of slopes
 - Utilities, including street lighting and fire hydrants
 - Natural features, including watercourses, rock outcroppings
56. The Planting Plan shall indicate the botanical name and size of each plant.
 57. Plant symbols shall depict the size of the plants at maturity.
 58. Plant container sizes and/or spacing shall be provided. Minimum sizes shall be acceptable to the City Landscape Consultant and the Director.
 59. The Irrigation Plan shall be provided separate from but utilizing the same format as the Planting Plan.
 60. The irrigation design shall provide adequate coverage and sufficient water for the continued healthy growth of all proposed plantings with a minimum of waste and over spray on adjoining areas.
 61. The Irrigation Plan shall be concise and accurate and shall include the manufacturer, model, size, demand, radius, and location of the following, as appropriate:

- h. Design and static pressures
 - i. Point of connection
 - j. Backflow protection
 - k. Valves, piping, controllers, heads, quick couplers
 - l. Gallon requirements for each valve
62. Three (3) copies of details and specifications shall be provided, addressing but not limited to, planting, soil preparation, tree staking, guying, installation details, and post installation maintenance.
63. One copy of each of the following approved plans shall be submitted with the initial landscape plan check:
- Site Plan
 - Elevations
 - Grading Plan
 - Conditions Of Approval
64. Native, drought resistant plants shall be utilized any slopes in accordance with the Old Agoura Design Overlay District requirements.
65. All landscaping shall be irrigated and maintained in perpetuity in accordance with the approved Landscape Plan.
66. Proposed plant material may not be considered invasive in the Santa Monica Mountains, as it could negatively impact the adjacent natural area. Lists of exotic material can be obtained from the California Native Plant Society and/or the California Exotic Pest Plant Council.

FIRE DEPARTMENT CONDITIONS

67. The applicant shall comply with all conditions of the Los Angeles County Fire District prior to the issuance of a building permit.

SOLID WASTE MANAGEMENT STANDARD CONDITIONS

68. 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 at least 50% of the waste generated on the project to be diverted from the landfill. 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

Department of Planning and Community Development 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.

69. The project shall comply with the 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 and approved prior to issuance of a certificate of occupancy, or final inspection if issuance of a certificate of occupancy is not applicable.
70. 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.

SPECIAL CONDITIONS

71. 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.
72. Detailed plans shall be submitted for all walls and fences on the property and shall be subject to review and approval by the Director of Planning and Community Development.
73. The driveway and hardscape surfaces shall consist of permeable or semi-permeable materials approved by the Director of Planning and Community Development.

END



**CONDITIONAL USE PERMIT CASE NO. 06-CUP-008
AND OAK TREE PERMIT NO. 06-OTP-017**

**FOR THE PROPERTY LOCATED AT
5952 LAPWORTH DRIVE, AGOURA HILLS**

EXHIBIT A

VICINITY MAP

**CONDITIONAL USE PERMIT CASE NO. 06-CUP-008
AND OAK TREE PERMIT CASE NO. 06-OTP-017 (2055-022-073) EDWARDS**





**CONDITIONAL USE PERMIT CASE NO. 06-CUP-008
AND OAK TREE PERMIT NO. 06-OTP-017**

**FOR THE PROPERTY LOCATED AT
5952 LAPWORTH DRIVE, AGOURA HILLS**

EXHIBIT B

SQUARE FOOTAGE ANALYSIS MAP



**CONDITIONAL USE PERMIT CASE NO. 06-CUP-008
AND OAK TREE PERMIT NO. 06-OTP-017**

**FOR THE PROPERTY LOCATED AT
5952 LAPWORTH DRIVE, AGOURA HILLS**

EXHIBIT C

**CITY GEOLOGICAL/GEOTECHNICAL CONSULTANT
LETTER OF RECOMMENDATION**

Date: September 29, 2006
GDI #: 06.00103.0145**CITY OF AGOURA HILLS - GEOTECHNICAL REVIEW SHEET**

To: Renee Madrigal

Project Location: 5952 Lapworth Drive, Agoura Hills, California.

Planning Case #: 06-CUP-008 & 06-OTP-017 (Edwards)

Building & Safety #: None

Geotechnical Report: Calwest Geotechnical (2006c), "Supplemental Geotechnical Engineering Letter, Proposed Residential Development, 5952 Lapworth Drive, City of Agoura Hills, California," Project 4724, September 25, 2006 (attached).

Calwest Geotechnical (2006b), "Addendum Geotechnical Engineering Report, Response to The City of Agoura Hills, Geotechnical Review Sheet, GDI# 06.00103.0145, Dated July 24, 2006, Proposed Residential Development, 5952 Lapworth Drive, City of Agoura Hills, California," Project 4724, August 14, 2006.

Calwest Geotechnical (2006a), "Update Geotechnical Engineering Report and Change of Geotechnical Consultant, Proposed Residential Development, 5952 Lapworth Drive, City of Agoura Hills, California," Project 4724, May 18, 2006.

Mountain Geology, Inc. (2006b), "Addendum Engineering Geologic Report #1, Proposed Residential Development, 5952 Lapworth Drive, City of Agoura Hills, California," MGI Project No.: JH6758, dated August 9, 2006.

Mountain Geology, Inc. (2006a), "Report of Update Engineering Geologic Study, Proposed Residential Development, 5952 Lapworth Drive, City of Agoura Hills, California," MGI Project No.: JH6758, dated April 13, 2006.

Plans: LC Engineering Group, (2006), "Grading and Development Plans, Sheets 1 through 7 5952 Lapworth Drive, City of Agoura Hills, California," Printing date: April 13, 2006.

Ken Stockton/Bruce Shindelus Architects (2006), "Architectural Site Plan, Sheets A-1 through A-9, A6 & A7", various dates in 2006

Previous Reviews: July 24, 2006

FINDINGS**Planning/Feasibility Issues**

- Acceptable as Presented
- Response Required

Geotechnical Report

- Acceptable as Presented
- Response Required

REMARKS

Calwest Geotechnical (geotechnical consultant) and Mountain Geology, Inc. (geologic consultant) provided responses to the geotechnical review letter by the City of Agoura Hills dated July 24, 2006 regarding the proposed development at 5952 Lapworth Drive, City of Agoura Hills, California. The proposed development includes the construction of a custom single family residence, swimming pool, barn and retaining walls. Grading the site will include cut and fill operations to create the desired grades. An on-site sewage disposal system is also proposed.

The City of Agoura Hills – Planning Department reviewed the referenced report from a geotechnical perspective for compliance with applicable codes, guidelines, and standards of practice. GeoDynamics, Inc. (GDI) performed the geotechnical review on behalf of the City. Based upon the City's review, some of the responses by the consultant required additional clarification. To expedite the review process, the reviewers contacted the geotechnical consultant and discussed remaining issues. The Consultant provided us via electronic mail a supplemental letter (Calwest 2006c; attached) with the requested clarifications. As such, the referenced reports should be acceptable as presented. Plan-Check comments should be addressed in Building & Safety Plan Check, and a separate geotechnical submittal is not required for plan-check comments.

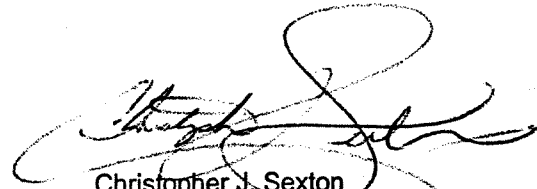
Plan-Check Comments

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. The grading plan should include the limits and depths of overexcavation of the building pad and flatwork areas as recommended by the Consultant.
3. The following note must appear on the grading plans: *"The existing well should be verified to have been abandoned in accordance with City/County standards as well as any other applicable jurisdictions prior to fill placement over the well location."*
4. The following note must appear on the grading and foundation plans: *"Tests shall be performed prior to pouring footings and slabs to determine the expansion index of the supporting soils, and foundation and slab plans should be reviewed by the Geotechnical Consultant and revised, if necessary, accordingly."*
5. The following note must appear on the grading and foundation plans: *"All cut-slopes should be mapped during grading. Stabilization measures should be applied where future cuts expose adversely oriented joint surfaces or intersections of joint surfaces."*
6. The following note must appear on the grading and foundation plans: *"Excavations shall be made in compliance with CAL/OSHA Regulations."*
7. The following note must appear on the foundation plans: *"All foundation excavations must be observed and approved, in writing, by the Project Geotechnical Consultant prior to placement of reinforcing steel."*
8. Foundation plans and foundation details shall clearly depict the embedment material and minimum depth of embedment for the foundations.
9. Drainage plans depicting all surface and subsurface non-erosive drainage devices, flow lines, and catch basins shall be included on the building plans.
10. Final grading, drainage, and foundation plans shall be reviewed, signed, and wet stamped by the consultant.
11. Provide a note on the grading and foundation plans that states: *"An as-built report shall be submitted to the City for review. This 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 subdrains 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."*

If you have any questions regarding this review letter, please contact GDI at (805) 496-1222.

Respectfully Submitted,
GeoDynamics, INC.

Ali A. Haq.
Ali Abdel-Haq
Geotechnical Engineering Reviewer
GE 2308 (exp. 12/31/07)


Christopher J. Sexton
Engineering Geologic Reviewer
CEG 1441 (exp. 11/30/06)

Attachment: Supplemental Letter dated September 25, 2006.



**CONDITIONAL USE PERMIT CASE NO. 06-CUP-008
AND OAK TREE PERMIT NO. 06-OTP-017**

**FOR THE PROPERTY LOCATED AT
5952 LAPWORTH DRIVE, AGOURA HILLS**

EXHIBIT D

ENVIRONMENTAL DETERMINATION

Notice of Exemption

To: Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, Ca 95814

From: City of Agoura Hills
30001 Ladyface Court
Agoura Hills, CA 91301

County Clerk
County of Los Angeles
Los Angeles County Clerk
12400 E. Imperial Hwy.
Norwalk, CA 90659

Project Title: Edwards Single Family Residence

Project Location-Specific: 5952 Lapworth Drive

Project Location-City: City of Agoura Hills

Project Location-County: Los Angeles

Description of Nature, Purpose, and Beneficiaries of Project: The project involves the construction of a 4,950 square-foot single family home, with a 908 square-foot, unattached, three-car garage, which includes a 347 square-foot studio above. The project site is a 59,983 square-foot hillside lot. The request is for a Conditional Use Permit, given that the site is on a hillside, and an Oak Tree Permit for encroachment into the protected zone of one oak tree.

Name of Public Agency Approving Project: City of Agoura Hills

Name of Person or Agency Carrying Out Project: Steve and Marguerite Edwards

Exempt Status: (Check One)

- Ministerial (14 Cal Code of Regs. Sec. 15268);
 Declared Emergency (14 Cal Code of Regs. Sec. 15269(a))
 Emergency Project (14 Cal Code of Regs. Sec. 15269(b),(c), (d) and (e)). State subsection letter
 Statutory Exemption (14 Cal. Code of Regs. Sections 15260 et seq.) State Statutory Number
 Categorical Exemption (14 Cal Code of Regs. Sections 15300 et seq.) State of California CEQA Guidelines Section 15303, Class 3. New Construction or Conversion of Small Structures
 No possibility of physical impact. (14 Cal Code of Regs. Section 15061 (b)(3))

Reasons why project is exempt: The project consists of the construction of one single family home. The project would not result in any significant environmental impacts. The project site is not within: 1) an environmentally sensitive resource area; 2) a state scenic highway area; 3) a hazardous waste site; or 4) a historical resource area.

Lead Agency Contact Person: Allison Cook, Senior Planner, City of Agoura Hills

Area Code/Telephone/Extension: (818) 597-7310

Signature: Allison Cook

Date: 7/27/06

Title: Senior Planner