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DATE: APRIL 5, 2007

TO: PLANNING COMMISSIONERS

FROM: PLANNING STAFF

SUBJECT: CONDITIONAL USE PERMIT CASE NO. 05-CUP-012,  
VARIANCE REQUEST CASE NO. 05-VAR-003 AND OAK  
TREE PERMIT CASE NO. 05-OTP-015 (CONTINUED FROM  
THE FEBRUARY 15, 2007)

APPLICANT: LAURA LA PLANTE, LLC

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### **PROJECT DESCRIPTION AND BACKGROUND**

On January 4, 2007, the Planning Commission reviewed a Conditional Use Permit (Case No. 05-CUP-002) to construct a 3,400 square-foot residence and a 580 square-foot, free-standing, three-car garage on a vacant property located at 28221 Laura La Plante Drive. The applicant requested approval of a Variance to allow the construction of retaining walls in excess of 3.5 feet in the front yard (05-VAR-003). In addition, the applicant requested an Oak Tree Permit to remove up to 20 oak trees and encroach in the protected zone of up to 3 oak trees (Case No. 05-OTP-015).

The Planning Commission, after reviewing the presented information and taking testimony, continued the public hearing to February 15, 2007, and requested that the applicant revise the project to address the impacts to the on-site oak trees, specifically for the trees along the eastern and northern property lines. The Planning Commission also requested the preservation of the view of neighbors to the east and for the applicant to reduce the mass of the structure as viewed from the freeway. The applicant has responded by moving the proposed residence closer to the front yard and to the west in an attempt to reduce the impacts to the oak trees and to preserve her neighbor's view. Changes were made to the design of the residence including providing a recessed entry and reducing the front patio cover, reducing the size of the rear deck and revising to the staircase designs located along the western property line. The result of the revisions caused a change in the scope of the Variance request to include an encroachment into the front yard for the patio cover and the house. A new evaluation of the impacts to each individual oak tree was conducted. The analysis incorporated impacts of the Los Angeles County Fire District Landscape Fuel Modification requirements.

The Planning Commission found that the changes proposed by the applicant had not sufficiently addressed the issues raised at the February 15, 2007 meeting and continued the meeting to April 5, 2007 to allow for additional changes. The applicant responded by doing the following:

- The current design places the house outside of the minimum front yard setback area, which would eliminate the encroachment of the footprint and the patio cover in that zone. As a result, the residence is to be placed 25 feet away from the property line and would meet the minimum front yard setback;
- The house footprint was moved further to the west, providing a 29.8-foot side yard setback along the eastern property line and a 12-foot side yard along the western property line. The new location of the footprint would meet the minimum side yards setback requirements;
- The revision also includes reducing the size of the lower floor of the house from 1,551 to 1,525 square feet, and increasing the extension of the upper floor over the lower floor, and maintaining the grading quantities. The total size the residence is to be 3,378 square feet from 3,400 square feet;
- The projecting patio cover on the south elevation was removed and a pop-out architectural element on the north elevation was removed as well. These elevation changes required revisions to the roof;
- The depth of both levels of the deck was reduced by 1 foot, leaving the overall shape similar to the one presented at the previous hearing; and
- The applicant also proposes to substitute the light color for the exterior walls, as originally proposed, with a darker color as shown on the revised color and material board.

The design changes have not impacted the remaining development standards (i.e. lot coverage and height), nor the grading plan, with the exception of the change in the front and side yard setback.

With respect to the Variance request, an analysis and findings were provided in the last staff report for the Commission's review. The findings addressing the height of the retaining walls were incorporated in the Draft Resolution attached to this report.

## **RECOMMENDATION**

If it is the Planning Commission's desire to approve the project, a Draft Resolution with Conditions of Approval is attached to this report.

### Attachments

- Draft Resolution and Conditions of Approval for the Conditional Use Permit
- Draft Resolution and Conditions of Approval for the Variance Request
- Exhibit A: Reduced Copy of the Revised Plans

- Exhibit B: February 15, 2007 Public Hearing Minutes
- Exhibit C: February 15, 2007 Staff Report
- Exhibit D: Photograph of the Revised Color and Material Board
- Exhibit E: Full Size Copy of the Revised Plans

DRAFT RESOLUTION NO. \_\_\_\_

A RESOLUTION OF THE PLANNING COMMISSION OF THE  
CITY OF AGOURA HILLS  
APPROVING CONDITIONAL USE PERMIT CASE NO. 05-CUP-002 AND OAK  
TREE PERMIT CASE NO. 05-OTP-015

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

Section 1. An application was duly filed by Laura La Plante, LLC with respect to the real property located on the 28221 Laura La Plante Drive, Assessor's Parcel Numbers 2061-016-063 and 072, requesting the approval of a Conditional Use Permit Case No. 05-CUP-002 to allow the development of a 3,378 square-foot, two-story single-family residence and a 580 square-foot, attached three-car garage and the approval of an Oak Tree Permit Case No. 05-OTP-015 to remove 20 oak trees and to encroach in the protected zone of 3 other oak trees. A public hearing was duly held on January 4, 2007, February 15, 2007 and 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 of the aforesaid public hearing.

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

- A. The proposed use as conditioned, is consistent with the objectives of this article and the purposes of the district in which the use is located. The proposed project is located within the Residential Single-Family (RS) zone and the Indian Hills Design Overlay District, which provides general design standards for residential developments. All minimum development standards have been met with regard to lot coverage, all building setbacks, height and architectural guidelines.
- B. The proposed use as conditioned, is compatible with the surrounding properties. The project will contribute to the aesthetic value of the neighborhood as a whole. The proposed building style of architecture and building materials, which include stucco, wrought iron handrails and asphalt shingles, are compatible with the neighborhood and meet the requirements of the Indian Hills Design Overlay District. This in-fill lot is compatible with the average size of the developed residential lots in the Indian Hills area.
- C. The proposed use and the conditions under which the project will be operated or maintained will not be detrimental to the public health, safety or welfare. The distance provided between the on and off-site structures would be between 35 and 90 feet. The project will be served by the public sewer system and the improvements will be built per the Building Code requirements. Geological,

geotechnical, drainage studies and landscape plans have been provided and approved by the City Consultants.

- D. The proposed use as conditioned, will comply with each of the applicable provisions of the Zoning Ordinance, except for approved variances. The project complies with the front, rear and side yard setback distances, the maximum height requirement, the lot coverage and on-site parking and access.
- E. The proposed use as conditioned, will maintain the diversity of the community by its terraced design and architectural details. The design is enhanced by wrought iron fencing and hand rail and finished with earth tone colors. The hardscape includes concrete and wood surfaces. The proposed house on the lot will not impact view-sheds of these properties.
- F. The proposed use as conditioned, is consistent with the goals, objectives and policies of the General Plan Community Design Element. The single-family residence will serve an understandable and efficient relationship between its purpose and the properties within the RS zone.
- G. The in-fill development is detached from any valuable open space resource. The lot has an unusually large cluster of 27 oak trees and despite the removal of the on-site resource, the proposed mitigation measures satisfy the Oak Tree Preservation Ordinance and the City's Oak Tree/Landscape Consultant's requirements.

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. 05-CUP-002 and Oak Tree Permit Case No. 05-OTP-015, subject to the attached Conditions, with respect to the property described in Section 1 hereof.

PASSED, APPROVED and ADOPTED this 5<sup>th</sup> day of April, 2007 by the following vote to wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

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Steve Rishoff, Chairperson

ATTEST:

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Doug Hooper, Secretary

## CONDITIONS OF APPROVAL (Case Nos. 05-CUP-002 & 05-OTP-015)

### 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 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 approved labeled exhibits: Site Plan; Elevation Plans; Floor Plans, Roof Plan, and Grading Plan.
4. All exterior materials used in this project shall be in conformance with the materials samples submitted as a part of this application.
5. It is hereby declared to be the intent that if any provision of this Permit is held or declared 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. Unless this permit is used within two (2) years from the date of City approval, Case No. 05-CUP-002 and 05-OTP-015 will expire. A written request for a one (1) year extension may be considered prior to the expiration date.
8. 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.
9. The applicant shall install a dual water system if recommended by the Las Virgenes Municipal Water District.
10. No occupancy shall be granted for any building until all Conditions of Approval have been complied with as determined by the Director of Planning and Community Development.
11. All utilities existing and proposed shall be placed underground. If over-head utilities 66KV or larger exist on or about the subject property, the applicant shall file an agreement to join any Assessment District subsequently created to underground said lines.

12. The applicant shall comply with all applicable Public Health Statutes, Ordinances, and Regulations related to the disposal of sewage.
13. All structures shall conform to the requirements of the Division of Building and Safety of the City of Agoura Hills.
14. 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.
15. The Forester and Fire Warden shall be consulted to ascertain the required fire flows and fire hydrants to accommodate the proposed development.
16. Prior to 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.
17. The applicant shall comply with the school impact fee requirements of the Las Virgenes Unified School District. At this time, the required school impact fee is \$2.63 per square foot.
18. 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.
19. The applicant shall pay the General Plan Update Recovery fee of \$0.00141 per \$1 of building valuation (\$1.41/\$1000).
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.

#### ENGINEERING 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. The applicant shall obtain and pay all costs of acquiring any off-site real property and/or easements required in connection with this project prior to issuance of a grading permit.
25. All Record Drawings ("As-Built" drawings) and supporting documentation shall be submitted to the Engineering Division prior to issuance of the final Certificate of occupancy.
26. All block walls and retaining walls shall be limited to six feet in height.
27. A title report is required to be submitted with the project plans. The plans shall show all proposed and existing easements.
28. Prior to issuance of grading permit, applicant shall submit cost estimates of public improvements to the City Engineer for approval, signed and stamped by State Licensed Civil Engineer.
29. The developer/owner shall pay all applicable fees and deposits prior to issuances of the grading permit, building permit, and certificate of occupancy.

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. A site paving/drainage/grading plan shall be submitted for review and acceptance by the City Engineer. The plans, among other details, shall show proposed utilities, existing and proposed easements, stormwater facilities. The grading plan shall be accompanied by a Soils Report prepared in accordance with the Agoura Hills Guidelines for geotechnical/geological reports.
32. 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.



33. 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. All certifications must be signed and stamped by State-licensed professionals.
34. For any grading operations conducted between October 1 and April 15 of each year, the applicant shall submit a wet weather erosion control plan for review and acceptance by the City Engineer.

Drainage:

35. Prior to issuance of a grading permit, the applicant shall submit a drainage study prepared by a California State Registered Civil Engineer for the review and acceptance by the City Engineer. Hydraulic design shall conform to the current Hydraulic Design Manual of the Los Angeles County Department of Public Works (LACDPW).
36. 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 will demonstrate treatment of the first ¾" of rainfall, as required by the Model Program.
37. 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.
38. Drainage improvements on private property shall be continually maintained, repaired and replaced by the property owner(s).

Traffic and Roadway:

39. The applicant shall provide for identified street improvements along the project frontage of Laura La Plante Drive. Street improvements shall include pavement, curb, gutter, slope and landscaping. The street improvement plan shall be prepared by a State Registered Civil Engineer and shall be reviewed and approved by the City Engineer.
40. Based upon the Site Plan and the City of Agoura Hills Municipal Code, the project's Traffic Impact Fee (TIF) will be approximately \$2,440.

Utilities:

41. Water facilities shall be designed and constructed by the applicant in accordance with the standards of Las Virgenes Municipal Water District (LVMWD).

42. Sewer forced main shall be designed and constructed by the applicant in accordance with the standards of Las Virgenes Municipal Water District (LVMWD).
43. The applicant shall provide evidence that all sewer and water connection fees have been paid prior to issuance of a building permit.
44. The applicant shall submit evidence from the Los Angeles County Fire Department for approval of location and spacing of fire hydrants prior to issuance of a building permit.

#### GEOTECHNICAL CONDITONS

45. Prior to the issuance of a Grading Permit, the applicant shall comply with all of GeoDynamics, Inc. (the City of Agoura Hills' Geotechnical Consultant) Conditions of Approval provided in a letter dated August 7, 2006.

#### LANDSCAPE/OAK TREE CONDITIONS

##### Oak Trees:

46. The applicant is permitted to remove Oak Trees Numbers 7 through 24 and 27 as required to construct the project as approved. Mitigation for the removal of nineteen (19) trees for a total of two hundred and twenty inches (220") of trunk diameter shall be in the form of an in-lieu fee paid to the City Oak Tree Mitigation Fund due to the determination that there is not suitable planting space for an on-site mitigation. The fee shall be equivalent to the appraised value of the trees calculated in accordance with the most current edition of the Guide of Landscape Plant Appraisal as published by the International Society of Arboriculture. This fee is established at \$30,700.00.
47. If the County of Los Angeles Fire Department determines that some of the Scrub Oak trees within twenty feet (20') of the structure may be retained, the required fee will be reduced in accordance with the appraisal for tree(s) permitted to remain.
48. The applicant is permitted to encroach upon Oak Tree Numbers 1,2,25 and 26 to construct the proposed garage wall footing, a concrete v-ditch and a concrete patio structure.
49. The applicant is permitted to prune Oak Tree Numbers 1 through 6, 25, and 26 for building and fire clearance.
50. Prior to the start of any work or mobilization at the site, each oak tree to be preserved shall be fenced at the edge of the protected zone or at the approved work limits, in accordance with Article IX, Appendix A, Section V.C.1.1. The City Oak Tree Consultant shall approve the fencing locations.
51. The applicant shall provide a minimum of forty-eight (48) hours notice to the City Oak Tree Consultant prior to the start of any approved work within the protected zone of an oak tree.

52. No grading, scarifying or other soil disturbance shall be permitted within the portion of the protected zone of any oak tree not directly impacted by the project construction.
53. No vehicles, equipment, materials, spoil or other items shall be used or placed within the protected zone of any oak tree at any time, except as specifically required to complete the approved work.
54. Prior to occupancy, each oak tree shall be mulched throughout the dripline with three inches (3") of approved organic matter.
55. 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.
56. Within ten (10) calendar days of the completion of the work and prior to the 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.
57. 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.
58. 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.
59. The project oak tree consultant shall submit certification letter 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:

60. 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 third inches (30") by forty-two (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
    - Street, street names, right-of-ways, easements, driveways, walkways, bicycle paths and an other paved areas
    - Buildings and Structures
    - Parking areas, including lighting, striping and wheel stops
    - General contour lines
    - Grading areas, including tops and toes of slope
    - Utilities, including street lighting and fire hydrants
    - Natural features, including watercourses, rock outcroppings.
61. The Planting Plan shall indicate the botanical name and size of each plant.
  62. Plant symbols shall depict the size of the plants at maturity.
  63. Plant containers sizes and/or spacing shall be provided. Minimum sizes shall be acceptable to the City Landscape Consultant and the Director.
  64. The irrigation Plan shall be provided separate fro but utilizing the same format as the Planting Plan.
  65. The irrigation design shall provide adequate coverage and sufficient water for the continued healthy grow of all proposed plantings with a minimum of waste and over spay on adjoining areas.
  66. The Irrigation Plan shall be concise and accurate and shall include the manufacturer, model, size demand, radius and location of the following, as appropriate:
    - i. Design and static pressures
    - ii. Point of connection
    - iii. Back flow protection
    - iv. Valves, piping, controllers, heads, quick couplers
    - v. Gallon requirements for each valve
  67. Three (3) copies of details and specification shall be provided, addressing but not limited to, planting, soil preparation maintenance.
  68. One copy of each of the following approved plans shall be submitted with the initial landscape plan check:

- vi. Site Plan
  - vii. Elevations
  - viii. Grading Plan
  - ix. Conditions of Approval
69. Native, drought resistant plants, and jute mesh shall be provided on the graded slopes.
70. The landscape plans shall utilize plant material consistent with the requirements for Zone 4 of the Los Angeles County Forestry and Fire Protection Fuel Modification Guidelines.
71. All landscaping shall be irrigated and maintained in perpetuity in accordance with the approved Landscape Plan.

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 Pet Plant Council

#### SOLID WASTE MANAGEMENT STANDARD CONDITIONS

72. To ensure that solid waste generated by the project is diverted from the landfill and reduced, reused, or recycled, the applicant shall submit a "Waste Reduction & Recycling Plan" to the City for review and approval. The plan shall provide for 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.
73. 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.

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

SPECIAL CONDITIONS

75. All proposed retaining walls and garden walls shall not exceed 6 feet in height and shall consist of split-faced block or other decorative materials subject to review and approval by the Director of Planning and Community Development.
76. The paving of the driveway shall consist of stamped and colored concrete or pavers subject to the review and approval of the Director of Planning and Community Development.
77. Vehicle routes and access to the property for construction purposes shall be subject to review and approval by the City Engineer.
78. Construction activity shall occur only within the hours of 7:00 a.m. and 7:00 p.m. Monday through Saturday per Section 4100 of the Municipal Code. No construction shall occur on Sundays or Holidays.
79. No temporary living is permitted on the property unless approved by a Temporary Use Permit. A Temporary Use Permit may be issued upon issuance of Building Permits.
80. 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.
81. No roof-mounted equipment, other than attic ventilation systems and solar panels, as allowed by the Municipal Code, shall be permitted.
82. The applicant shall provide a minimum setback of 25 feet between the structure used to house vehicles and the rear of the property line.

END

DRAFT RESOLUTION NO. \_\_\_\_

A RESOLUTION OF THE PLANNING COMMISSION OF THE  
CITY OF AGOURA HILLS  
APPROVING VARIANCE NO. 05-VAR-003

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

Section I. An application was duly filed by Laura La Plante, LLC with respect to the real property located on the 28221 Laura La Plante Drive, Assessor's Parcel Numbers 2061-016-063 and 072, requesting the approval of a Variance from Zoning Ordinance Section 9606.2.A. to construct retaining walls in excess of 3.5 feet in height in the front yard area. The request for the Variance was filed in conjunction with an application for a Conditional Use Permit (Case No. 05-CUP-002) for the development of a 3,378 square-foot, two-story single-family residence, a 580 square-foot, attached garage on a 16,175 square-foot lot. A public hearing was duly held on January 4, 2007, February 15, 2007 and April 5, 2007, at 6:30 p.m. in the Council Chambers at City Hall, 30001 Ladyface Court, Agoura Hills, California; and that notice of time, date and place and purpose of the aforesaid was duly given.

Section II. Evidence, both written and oral, was duly presented to and considered by the Planning Commission at the aforesaid public hearings.

Section III. The Planning Commission finds, pursuant to the Agoura Hills Zoning Ordinance regarding the variance requests described in Section I, that:

- A. Because of special circumstances applicable to the subject property, including size, shape, topography, location or surroundings, the strict application of the Zoning Ordinance deprives the property of privileges enjoyed by other property owners in the vicinity and under identical zoning classification. The RS zone requires a 25-foot front yard setback from the structure to the back of the easement boundary. In a typical situation, parcels have sufficient space to provide setbacks which would accommodate a car length. In this case, the parcel descends steeply from the right-of-way boundary and requires the building footprint to be as close as possible to the base of the slope. This design minimizes import of soil to create a flat pad in order to support the structure. The applicant proposes the place the house completely below the street elevation preserving the line-of-sight to the eastbound traffic. The applicant proposes to locate the garage in the rear of the parcel where an alley already exists to provide vehicular access to the lot. The topography of the lot requires use of walls with a height that is determined by the maximum allowable height of a manufactured slope. The purpose of these walls is two-fold, preserving the safety of the pedestrians and of the

structures. Although these walls exceed the height prescribed for a front yard (3.5 feet), they do not exceed the height of walls permitted anywhere else on the lot (6 feet). Since the entry to the house faces the front property line, they provide access to the front door and all around the structure. These walls will not be visible from Laura La Plante Drive as they are below grade. The walls will be concealed by landscaping in order to blend into the natural hillside landscaping as viewed from a distant vantage point to the north.

- B. The granting of the Variance will not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone. The project would be built below the street level, thereby eliminating the impact of the walls on adjacent parcels. A very limited number of alternatives are available to property owners to protect life and property from failing slopes. Retaining walls are used to retain soil to provide for reasonable access to the residence.
- C. The strict interpretation and enforcement of the provisions of the Zoning Ordinance would result in practical difficulty or unnecessary hardship inconsistent with the objectives of the Zoning Ordinance. The proposed walls are located in the front yard and are required to be of a maximum height of 3.5 feet, whether the walls are above or below the average grade. Since the front yard, by definition, fronts Laura La Plante Drive and the front yard is the steepest area of the parcel, a system of retaining walls is required. The 6-foot height allows for a reduced number of walls. In addition, the proposed new manufactured slope cannot exceed 25 feet in height. By using four, 6-foot high retaining walls, the applicant is able to comply with the requirement and minimize the grading.
- D. The granting of the Variance will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements of the aesthetic value in the vicinity. The applicant is proposing a retaining wall system that will reinforce the northern side of the one-way street which is more susceptible to erosion. The retaining walls are intended to preserve the safety of pedestrians both owners and visitors.
- E. The granting of the Variance will be consistent with the character of the surrounding area. The walls merely provide additional safety. The walls will not be visible to the neighboring structures as they are built below grade on the Laura La Plante Drive street side. From a northern vantage point, it is anticipated that most of the walls will not be seen as they are screened by the residence. Space has been provided to install landscaping which will provide an opportunity to grow vine for additional screening.



Section IV. Based on the aforementioned findings in Section III the Planning Commission hereby approves Variance Case No. 05-VAR-003.

PASSED, APPROVED, and ADOPTED on this 5<sup>th</sup> day of April, 2007 by the following vote to wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

\_\_\_\_\_  
Steve Rishoff, Chairperson

ATTEST:

\_\_\_\_\_  
Doug Hooper, Secretary

## CONDITIONS OF APPROVAL (Case No. 05-VAR-003)

### 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 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 approved labeled exhibits (Site Plan; Elevation Plans; Floor Plans, Roof Plan, and Grading Plan) approved on April 5<sup>th</sup>, 2007.
4. 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.
5. It is further declared and made a Condition of this action that if any Condition herein is violated, the Permit shall be suspended and the privileges granted hereunder shall lapse; provided that the applicant has been given written notice to cease such violation and has failed to do so for a period of thirty (30) days.
6. Unless the approval is used within two (2) years from the date of City approval, Case No. 05-VAR-003 will expire. A written request for a one (1) year extension may be considered prior to the expiration date.
7. The Variance Case No. 05-VAR-003 is valid only in conjunction with Conditional Use Permit Case No. 05-CUP-002 and Oak Tree Permit Case No. 05-OTP-015 and the approved Conditions of approval therein.

END





**CONDITIONAL USE PERMIT - CASE NO. 05-CUP-002,  
OAK TREE PERMIT - CASE NO. 05-OTP-015  
AND  
VARIANCE REQUEST - CASE NO. 05-VAR-003**

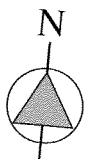
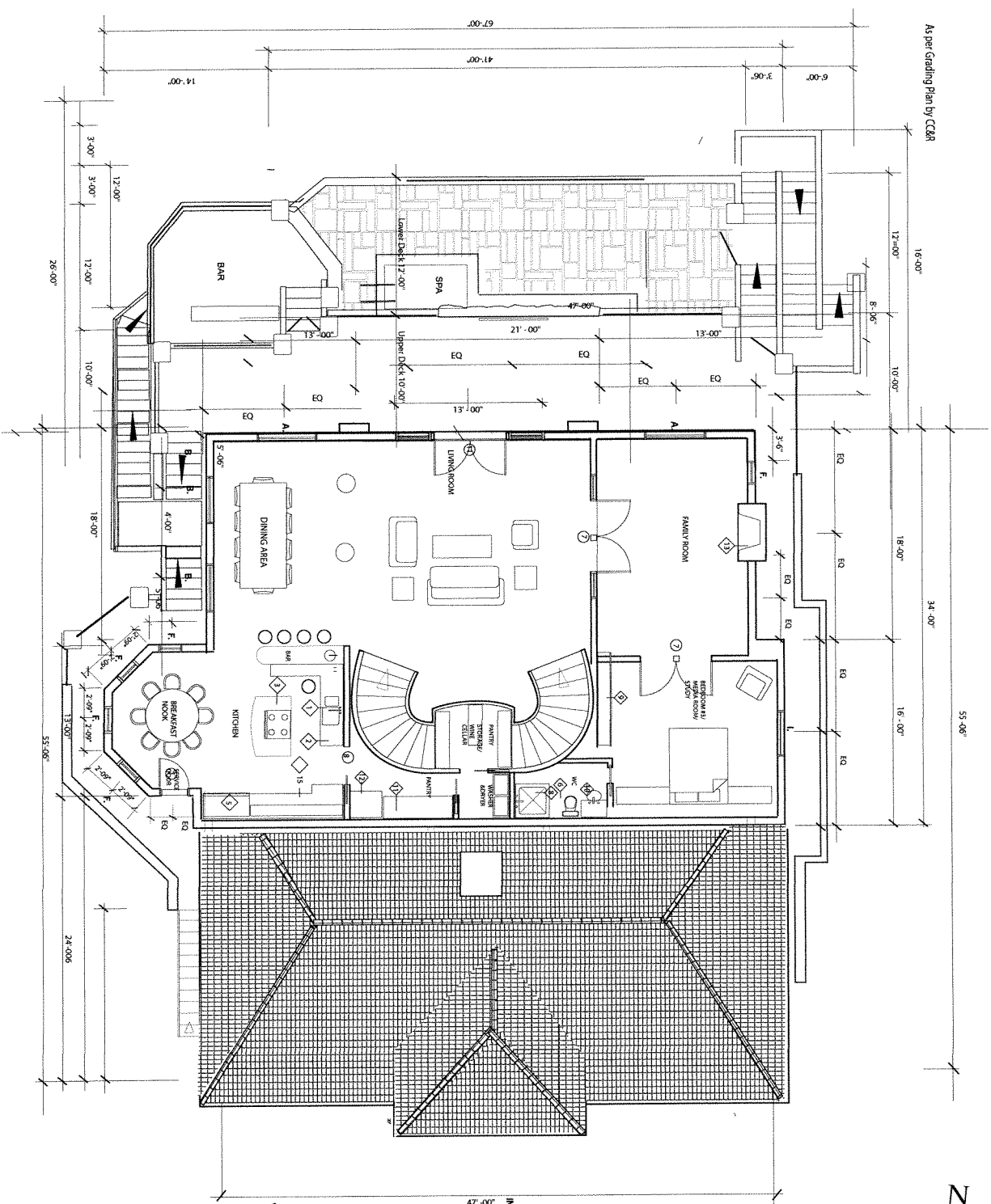
**FOR THE PROPERTY LOCATED AT  
28221 LAURA LA PLANTE DRIVE, AGOURA HILLS**

**EXHIBIT A**

**REDUCED COPY OF THE REVISED PLANS**



As per Grading Plan by CCR



Upper Level raised vertically by 12"  
 FOOTING PRINT REDUCTION by 4.2 SF  
 Patio Door - finished with footing =  
 Reduction of total footage extra 26'  
 Upper Deck = 10' Lower Deck 12'  
 SOUTH and EAST = unchanged =  
 OAK TREES NOT IMPACTED.

**DOORS**

- 1 ENTRY DOUBLE DOOR
- 2 35-37 SOLID DOOR
- 3 35-37 FRANCH DOOR
- 4 36 SOLID DOOR
- 5 35-37 FRANCH DOOR
- 6 SOLID DOUBLE FRENCH DOOR
- 7 FRENCH DOUBLE FRENCH DOOR
- 8 SOLID POCKET DOOR
- 9 FRENCH POCKET DOOR
- 10 SOLID POCKET DOOR
- 11 15'x20' DOOR
- 12 16' GARAGE DOOR
- 13 9' GARAGE DOOR
- 14 3'x5'6" METAL GATE
- 15 WINDOW ESCORTMENT PANELS
- 16 WINDOW ESCORTMENT PANELS
- 17 3'x8' METAL GATE
- 18 WINDOW ESCORTMENT GATE
- 19 WINDOW ESCORTMENT GATE
- 20 WINDOW ESCORTMENT GATE
- 21 OUTDOOR LIGHT FIXTURE
- 22 CONCRETE PLANTERS

**INTERIOR**

- 1 PRINCIPAL SINK 30"x27"
- 2 DISHWASHER STD
- 3 COOK RANGE W/GRIDDLE
- 4 30"X60" STOVE
- 5 BATHROOM FLOOR 48"X30"27"X4"
- 6 TRAVERTINE
- 7 JACOZZI
- 8 SHOWER
- 9 CLOSET SHOE/MALK IN CLOSET
- 10 BATH TUB 58"X27"X18"
- 11 LAUNDRY SINK
- 12 WASHING MACHINE
- 13 REFR. AC
- 14 FINISHED CLOSET CABINET 30"X27"X4"
- 15 POSSIBLE CONNECTION OPEN 30"X27"X4"

**WINDOWS**

- 1 5'x8' WINDOW
- 2 ANDERSON 48"X58"
- 3 5'x8' WINDOW
- 4 ANDERSON 48"X58"
- 5 5'x8' WINDOW
- 6 ANDERSON 48"X58"
- 7 5'x8' WINDOW
- 8 ANDERSON 48"X58"
- 9 5'x8' WINDOW
- 10 ANDERSON 48"X58"
- 11 5'x8' WINDOW
- 12 5'x8' WINDOW
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- 100 5'x8' WINDOW

02/19/2007

Check by:

**THE OAK HILL CREST**  
 28 221 Laura La Plante Drive  
 Agoura Hills, CA 91301

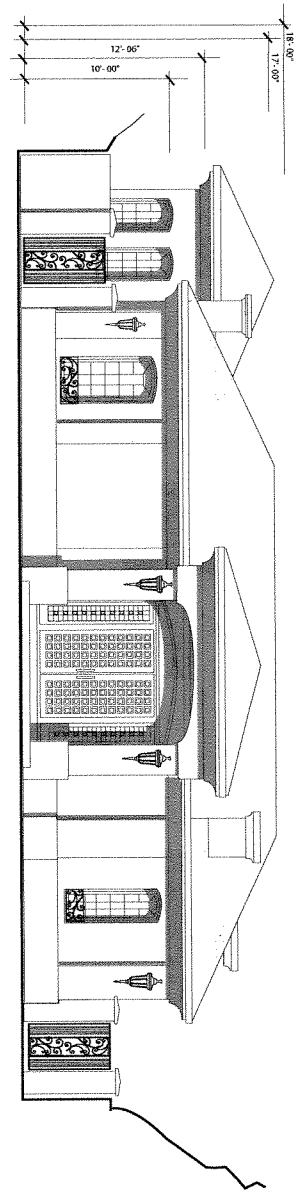
**ARCHITECTURAL DESIGN CONCEPTS**  
 5220 San Feliciano Drive  
 Woodland Hills, CA 91364  
 Tel. 1.818.999.3399



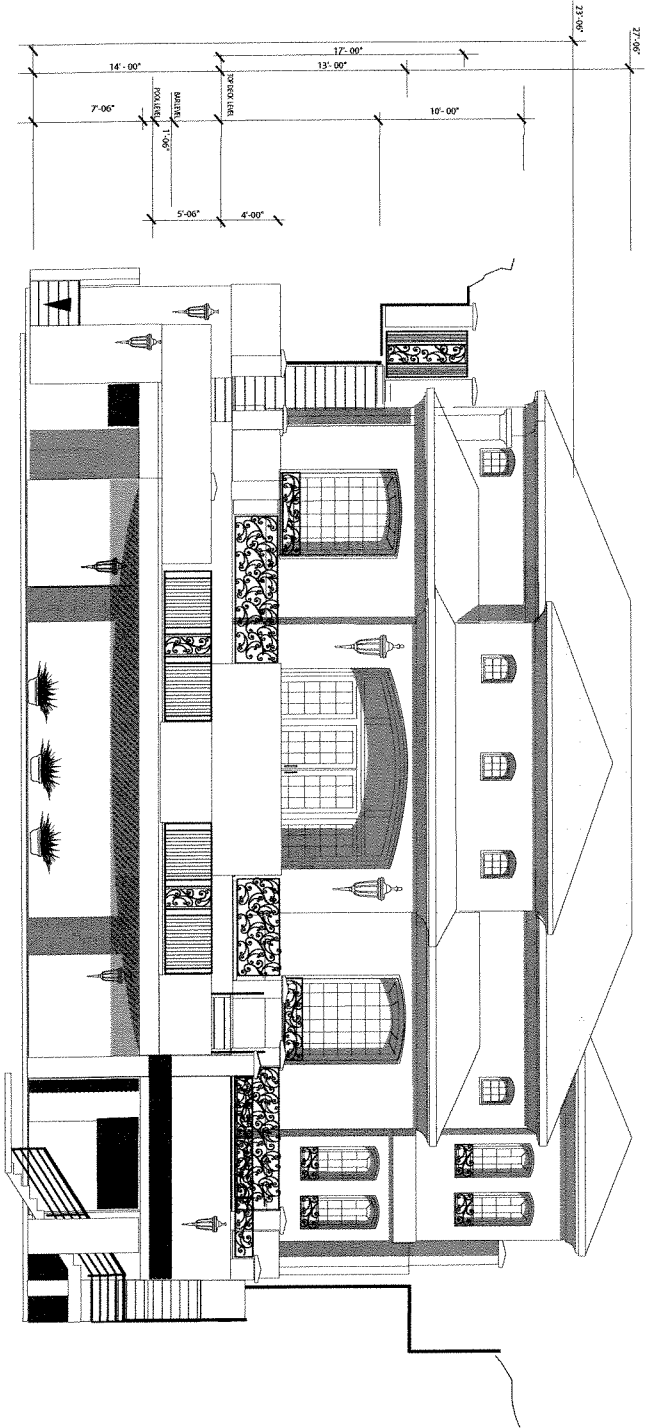
**LOWER LEVEL PLAN**

**A-5**  
 LOWER LEVEL PLAN  
 A-5 out of 19





**SOUTH ELEVATION**  
Scale 1/4"=1'



**NORTH ELEVATION**  
Scale 1/4"=1'

02/05/2007

Check by:

**THE OAK HILL CREST**  
28 221 Laura La Plante Drive  
Agoura Hills, CA 91301

**ARCHITECTURAL DESIGN CONCEPTS**  
5220 San Feliciano Drive  
Woodland Hills, CA 91364  
Tel. 1.818.999.3399



**ELEVATIONS**

**A-8**  
ELEVATIONS

A-8 out of 19









**CONDITIONAL USE PERMIT - CASE NO. 05-CUP-002,  
OAK TREE PERMIT - CASE NO. 05-OTP-015  
AND  
VARIANCE REQUEST - CASE NO. 05-VAR-003**

**FOR THE PROPERTY LOCATED AT  
28221 LAURA LA PLANTE DRIVE, AGOURA HILLS**

**EXHIBIT B**

**FEBRUARY 15, 2007 PUBLIC HEARING  
MINUTES**



**DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT**

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**MINUTES OF THE REGULAR SCHEDULED MEETING OF  
THE PLANNING COMMISSION  
February 15, 2007**

1. CALL TO ORDER: Chair Rishoff called the meeting to order at 6:32 p.m.
  
2. FLAG SALUTE: Commissioner Ramuno
  
3. ROLL CALL: Commissioner Illece Buckley Weber, Commissioner John O'Meara, Commissioner Phil Ramuno, and Chair Stephen Rishoff. Vice Chair Curtis Zacuto was absent from the meeting.

Chair Rishoff stated he had received notification of Vice Chair Zacuto's absence prior to the meeting and that he has requested to be excused. Chair Rishoff asked if there were any objections to the request. There were no objections to excusing the absence.

Also present were Assistant Community Development Director Doug Hooper, Associate Planner Valerie Darbouze, Assistant Planner Renee Madrigal, Senior Civil Engineer Jay Patel, Assistant Engineer Kelly Fisher, Oak Tree/Landscape Consultant Kay Greeley, and Recording Secretary Sheila Schrupp.

4. APPROVAL OF MINUTES: December 13, 2006 (Planning Commission/City Council Joint Meeting)

On a motion by Commissioner Buckley Weber, seconded by Commissioner O'Meara, the Planning Commission moved to approve the minutes of the December 13, 2006 Planning Commission/City Council Joint meeting. Motion carried 4-0. Commissioner Zacuto was absent.

January 18, 2007 Planning Commission Meeting

On a motion by Commissioner Ramuno and seconded by Commissioner Buckley Weber, the Planning Commission moved to approve the minutes of the January 18, 2007 Planning Commission meeting. Motioned carried 2-0-2. Chair Rishoff and Commissioner O'Meara abstained. Commissioner Zacuto was absent.

5. COMMENTS FROM THE PUBLIC ON ITEMS NOT LISTED ON THE AGENDA:

None

6. CONSENT ITEMS: None

7. CONTINUED PUBLIC HEARING:

A. APPLICANT: Agoura TNT LLC/Terry Gray  
5936 Fairview Place  
Agoura Hills, Ca 91301

CASE NO.: 06-CUP-005 and 06-OTP-008

LOCATION: 6160 Fairview Place  
(A.P.N. 2055-023-096)

REQUEST: Request for approval of a Conditional Use Permit to construct a 5,623 square-foot, two-story, single-family residence with a 956 square-foot attached garage, and a swimming pool; and a request for an Oak Tree Permit to prune and possible encroach on one (1) Oak tree for the proposed construction.

ENVIRONMENTAL  
DETERMINATION: Exempt from CEQA, per Section 15303

RECOMMENDATION: Staff recommended that if the Planning Commission's decision is to approve Conditional Use Permit Case No. 06-CUP-005 and Oak Tree Permit Case No. 06-OTP-008, staff prepared a draft Resolution and conditions for the Planning Commission's adoption.

PUBLIC COMMENTS: Chair Rishoff opened the Public Hearing.

The following persons spoke in favor of the item.

Terry Gray, Agoura Hills, applicant.

Brent Schneider, Newbury Park, Architect for applicant.

Erick Mason, Thousand Oaks, Civil Engineer for applicant.

The following person gave comments regarding the item.

Robert Evren, Agoura Hills, representing Old Agoura HOA.

**ACTION:**

On a motion by Commissioner O'Meara, seconded by Commissioner Ramuno, the Planning Commission moved to approve Resolution No. 898, approving Conditional Use Permit Case No. 06-CUP-005 and Oak Tree Permit Case No. 06-OTP-008, subject to amended conditions. Motion carried 3-1. Chair Rishoff opposed. Commissioner Zacuto was absent.

**B. APPLICANT:**

Laura La Plante, LLC  
18850 Ventura Boulevard, Suite 130  
Tarzana, CA 91356

**CASE NOS.:**

05-CUP-002, 05-OTP-015, & 05-VAR-003

**LOCATION:**

West of 28207 Laura La Plante Drive  
(A.P.N. 2061-016-063 & 072)

**REQUEST:**

Request for approval of a Conditional Use Permit to construct a 3,375 square-foot residence and a 580 square-foot, free-standing, three-car garage; a request for an Oak Tree Permit to remove up to 20 oak trees and encroach within the protected zone of up to 4 oak trees for the proposed construction; and a request for a Variance from Zoning Ordinance Sections 9243.3.D, 9605.8 and 9606.2.A to locate the residence and patio cover 23 feet and 19 feet respectively from the front

property line; and to construct retaining walls in excess of 3.5 feet in height in the front yard area.

ENVIRONMENTAL  
DETERMINATION: Exempt from CEQA

RECOMMENDATION: Staff recommended the Planning Commission adopt a motion to approve Conditional Use Permit Case No. 05-CUP-002, Variance Request Case No. 05-VAR-003 and Oak Tree Permit Case No. 05-OTP-015, subject to conditions, based on the findings of the draft Resolutions.

PUBLIC COMMENTS: Chair Rishoff opened the Public Hearing.

The following persons spoke in favor of the item.

Tsvetana Yvanova, Woodland Hills, applicant.

Robert W. Wallace, Simi Valley, Oak Tree Specialist for applicant.

RECESS: Chair Rishoff called for a recess at 8:30 p.m.

RECONVENE: Chair Rishoff reconvened the meeting at 8:47 p.m.

ACTION: On a motion by Commissioner Buckley Weber, seconded by Commissioner Ramuno, the Planning Commission moved to continue Conditional Use Permit Case No. 05-CUP-002, Variance Case No. 05-VAR-003, and Oak Tree Permit Case No. 05-OTP-015, to the April 5, 2007 meeting. Motioned carried 4-0. Commissioner Zacuto was absent.

8. NEW SITE PLAN ARCHITECTURAL REVIEW:

APPLICANT: Marc Leichter for Rhomboid, LLC  
Post Office Box 6620  
Beverly Hills, CA 90212

CASE NO.: 01-SPR-004 (Amendment)

LOCATION: 5241 Colodny Drive  
(A.P.N. 2055-006-026)

REQUEST: A request to amend a previously approved Site Plan/Architectural Review permit, which allowed the construction of a 19-unit condominium complex. The proposal includes revisions to the site plan, building elevation plans, and landscape plans.

ENVIRONMENTAL  
DETERMINATION: Exempt from CEQA

RECOMMENDATION: Staff recommended if the Planning Commission's decision is to approve the revisions to Site Plan/Architectural Review Case No. 01-SPR-004, staff has prepared a Draft Resolution and conditions for Planning Commission's adoption.

PUBLIC COMMENTS: Chair Rishoff opened the Public Hearing.

The following persons spoke in favor of the item.

Gary Heathcote, Thousand Oaks, Architect for applicant.

DJ Belanger, Agoura Hills, Vice President, Agoura Country Town Homes, and applicant representative.

ACTION: On a motion by Commissioner Ramuno, seconded by Commissioner O'Meara, the Planning Commission moved to approve Resolution No. 899, approving the revisions to Site Plan/Architectural Review Case No. 01-SPR-004, subject to amended conditions. Motion carried 4-0. Vice Chair Zacuto was absent.

9. DISCUSSION ITEM: Appointments of the Agoura Village Task Force Committee

On a motion by Commissioner Ramuno, seconded by Commissioner Buckley Weber, the Planning Commission moved to appoint Chair Rishoff and Commissioner O'Meara to serve on the Agoura Village Task Force Committee for the 2007 calendar year. Motioned carried 4-0. Vice Chair Zacuto was absent.



10. ANNOUNCEMENTS ON ITEMS NOT LISTED ON THE AGENDA:

Commission:               None

Staff:                       None

11. ADJOURNMENT:

At 10:45 p.m., on a motion by Chair Rishoff, seconded by Commissioner Buckley Weber, the Planning Commission adjourned the meeting to the next scheduled Planning Commission meeting on March 1, 2007 at 6:30 p.m.



**CONDITIONAL USE PERMIT - CASE NO. 05-CUP-002,  
OAK TREE PERMIT - CASE NO. 05-OTP-015  
AND  
VARIANCE REQUEST - CASE NO. 05-VAR-003**

**FOR THE PROPERTY LOCATED AT  
28221 LAURA LA PLANTE DRIVE, AGOURA HILLS**

## **EXHIBIT C**

**FEBRUARY 15, 2007 STAFF REPORT**



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DATE: FEBRUARY 15, 2007

TO: PLANNING COMMISSIONERS

FROM: PLANNING STAFF

SUBJECT: CONDITIONAL USE PERMIT CASE NO. 05-CUP-012,  
VARIANCE REQUEST CASE NO. 05-VAR-003 AND OAK  
TREE PERMIT CASE NO. 05-OTP-015 (CONTINUED FROM  
THE JANUARY 4, 2007)

APPLICANT: LAURA LA PLANTE, LLC

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### **PROJECT DESCRIPTION AND BACKGROUND**

On January 4, 2007, the Planning Commission reviewed a Conditional Use Permit (Case No. 05-CUP-002) to construct a 3,400 square-foot residence and a 580 square-foot, free-standing, three-car garage on a vacant property located at 28221 Laura La Plante Drive. The applicant also requested approval of a Variance to allow the construction of a patio cover in the front yard and the construction of retaining walls in excess of 3.5 feet in the front yard (05-VAR-003). In addition, the applicant requested an Oak Tree Permit to remove up to 20 oak trees and encroach in the protected zone of up to 3 oak trees (Case No. 05-OTP-015).

The Planning Commission continued the public hearing and requested the applicant revise the project to address the following issues:

1. The considerable impacts to the on-site oak tree resource caused by the proposed residence (footprint of the primary structure, the staircases, the deck and the garage);
2. The encroachment of the proposed patio cover in the front yard;
3. The impact of the house as viewed from the 101 Freeway; and
4. The view preservation of adjacent properties.

To address the Planning Commission's comments, the applicant proposes the following design changes:

- Moving the residence to the west by an average of 4 feet, resulting in a eastern side yard of 27.9 feet and a western side yard of 11.2 feet;

- Reducing the size of the proposed residence by 25 square feet and moving the front patio cover closer to the facade;
- Reducing the size of the rear deck by approximately 16%; and
- Revising the location and orientation of the exterior staircases;

## **STAFF ANALYSIS**

### Site Plan and Design:

The Planning Commission identified the rear deck, access between the detached garage and the house and the access around the footprint of the residence as contributing to the proposed oak tree impacts. The applicant considers the rear deck a necessary design feature of the project. Her reason for wanting to keep the deck is to provide direct access to a useable rear yard since the finished pad elevation of the lower floor of the house is considerably higher than the average grade of the rear yard. The applicant proposes to move the entire house and the attached deck further to the south (closer to the street) and west in order to alleviate some of the impacts to the trees caused by the deck in addition to reducing the surface area of the deck by approximately 16%.

This new design results in the encroachment of the house in the front yard area by 2 feet for a 23-foot setback from the front property line. The minimum front yard established by the Zoning Ordinance in the RS-20,000 zone is 25 feet. This change resulted in changing the scope of the Variance request. Since the Planning Commission, at the last public hearing on January 4, 2007, considered only the location of a patio cover in the front yard, a new Variance was requested. The Variance was publicly noticed to incorporate the proposed revisions to the project.

In regard to the patio cover encroachment, the setback is maintained at 19 feet. In order to maintain the setback since the footprint of the house was moved forward, the applicant has reduced the area of the patio cover. The projection beyond the front elevation would be reduced to 2 feet and the entry way was recessed reducing the square footage of the house by 25 square feet.

In moving the house the way it is proposed, the applicant's intentions were to further preserve the view of the property to the east by providing greater separation between buildings thereby opening up the view as seen from the neighbor's bedroom window. The eastern side yard was increased from 24 to 27.9 feet and the western side yard was reduced to 13.7 from 15 feet, which allows for more than 30 feet of separation between the proposed house and the house near the eastern property line and 50 feet to the house near the western property line. The side yards dimensions have changed but are still within the minimum requirements established for the zone.

The design changes have not impacted the remaining development standards (i.e. lot coverage and height) and the grading plan, with the exception of the change in the front yard setback.

In addition to the findings for the Variance, the Planning Commission must decide whether the proposed changes address the last concern raised at the January 4<sup>th</sup>, 2007 meeting regarding the prominence of the structure as viewed from the freeway. Based on

the revised plans, it is staff's opinion that the preserved oak trees in the rear of the parcel will grow to screen the support of the deck thereby reducing the visibility of the structure from the freeway. Other contributing factors to reducing the impacts include splitting up the exterior staircases which will shorten the support posts. This approach in conjunction with muted color tones will help integrating the house into the hillside. In addition, the roof line remains below the street which meets the recommended design described in the City Architectural Design Guidelines and Hillside Development standards.

Under the Conditional Use Permit process however, the Planning Commission has discretion to evaluate the qualitative aspects of the project based and whether the revisions address the concerns raised at the January 4<sup>th</sup>, 2007 meeting including minimizing the prominence of the development as viewed from the freeway. An alternative may be to consider a change of colors for greater compatibility.

#### Oak Tree:

The applicant revised the site plan to reduce direct construction impacts to the oak trees. The City Oak Tree Consultant requested that the Los Angeles County Fire District be consulted to determine if more removal would be required based on a preliminary plan. Since the information was not provided by the applicant, staff contacted the Fire District to obtain an initial opinion as to additional direct impacts that would occur in association with the fuel modification requirement. The Fire District stated that any scrub oaks within 20 feet of a structure may need to be removed. A final determination cannot be made until the applicant prepares and submits landscape plans for detailed review, which can be processed by staff prior to Grading Permit issuance.

The City Oak Tree Consultant has analyzed the new proposal and confirms that 1 out of 20 trees proposed for removal can be saved, one additional tree will be encroached upon for a total 4, and 4 trees will need to be pruned. The in-lieu fee required as mitigation to the loss of the oak tree resource remains but the amount has considerably been reduced. The results of the City Oak Tree Consultant are summarized in a table attached to this report.

Based on the proposed redesign, the Engineering Department does not require additional off-site improvements and no additional environmental review is required at this time.

#### **VARIANCE REQUEST**

The applicant is requesting a Variance from the Zoning Ordinance Section 9243.3.D, 9605.8 and 9606.2.A 9607.1 to allow a reduced front yard setback for the residence footprint and the encroachment of a patio cover and retaining walls in excess of 3.5 foot high in a front yard area.

In order for the Planning Commission to grant approval of the Variance, each of the following five (5) findings must be made pursuant to Section 9676.2.E. of the Zoning Ordinance. Staff's analysis of each finding is given below.

1. Required Finding:

Because of special circumstances applicable to the subject property, including size, shape, topography, location or surroundings, the strict application of the Zoning Ordinance deprives the property of privileges enjoyed by other property owners in the vicinity and under identical zoning classification.

The RS zone requires a 25-foot front yard setback from the structure to the right-of-way. The Variance request is for the encroachment of the residence's footprint and patio cover into the front yard. In a typical situation, parcels located in the Indian Hills residential neighborhood are able to provide enough space between the right-of-way and the front elevation to accommodate the length of a car. In this case, the parcel descends steeply from the street and no vehicular access is possible other than a staircase thereby eliminating the opportunity for the required setback. A garage will be provided however, somewhere else on the property. In consideration for the existing oak trees in the rear of the property and to minimize the cut and fill of soil quantities, the applicant proposes to move the footprint closer to the base of the steeper portion of the parcel. The house will be completely below the street elevation preserving the line-of-sight to the eastbound traffic. Shorter front yards have been approved in the Indian Hills residential neighborhood because of the steep terrain. The same request is submitted for the patio cover. Patio covers can encroach into other yard areas but are not allowed in the front yard. The applicant proposes to build the patio cover to add architectural interest to the south elevation and to provide protection to the entry from the element. The patio cover will not limit the use of the front yard area or further impede access to the house. The patio cover is merely an extension of the roof overhang with support columns built close to the front walls. The useable area is created by a recessed entry way.

The topography of the lot requires use of walls in the front yard which are required for pedestrian safety. Although these walls exceed the height prescribed for a front yard (3.5 feet), they are necessary to provide access to the front door and all around the structure. These walls will not be visible from Laura La Plante Drive as they are below grade. The walls will be concealed by landscaping in order to blend into the natural hillside landscaping as viewed from a distant vantage point to the north. The highest wall proposed (6 feet high) does not exceed the maximum allowable retaining wall height that can be built in the buildable area of the lot.

2. Required Finding:

The granting of the Variance will not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone.

The project would be built below the street level, thereby eliminating the impact of the encroachment on the right-of-way and on adjacent parcels. The Variance

request would not constitute a special privilege over other properties where the footprint encroachment in the front yard area is commonly found. A very limited number of alternatives are available to property owners to protect life and property from failing slopes. Retaining walls are used to retain soil to provide for reasonable access to the residence.

3. Required Finding:

The strict interpretation and enforcement of the provisions of the Zoning Ordinance would result in practical difficulty or unnecessary hardship inconsistent with the objectives of the Zoning Ordinance.

The steep topography requires a greater infrastructure than commonly found in other residential areas in the City. The encroachment of both the footprint and the patio cover is justifiable in that the massing of the structure is not increased. The patio cover and front elevation of the house will be completely screened by the descending front yard and is necessary for access to the front entry. The applicant meets the maximum height required for the upper floor of a residence when built on a descending slope whether above or below the street elevation.

The proposed walls are located in the front yard and are required to be of a maximum height of 3.5 feet, whether the walls are above or below the average grade. Since the front yard, by definition, fronts Laura La Plante Drive and the front yard is the steepest area of the parcel, a system of retaining walls is required. The 6-foot height allows for a reduced number of walls. In addition, the proposed new manufactured slope cannot exceed 25 feet in height. By using four, 6-foot high retaining walls, the applicant is able to comply with the requirement and minimize the grading.

4. Required Finding:

The granting of the Variance will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements of the aesthetic value in the vicinity.

The encroachment of the patio cover is an aesthetic improvement of the structure and provides protection from the weather to the front door. Since the entire structure is below the street, no impact is expected on adjacent residences. The applicant is proposing a retaining wall system that will reinforce the northern side of the one-way street which is more susceptible to erosion. The Grading Plan has taken into consideration the retention of the slope, the drainage and staying out of the City's right-of-way. The retaining walls are intended to preserve the safety of pedestrians both owners and visitors.

5. Required Finding:

The granting of the Variance will be consistent with the character of the surrounding area.

The Los Angeles County development requirement under which some of the neighboring structures have been approved and the City's development standards have resulted in a variety of building design, height, lot coverage and setbacks in the neighborhood. The steep terrain north and south of Laura La Plante Drive has dictated a variety of design in relation to the right-of-way as well.

The walls merely provide additional pedestrian safety. The walls will not be visible to the neighboring structures as they are built below grade on the Laura La Plante Drive street side. From a northern vantage point, it is anticipated that most of the walls will not be seen as they are screened by the residence. Enough space has been provided between the walls to install landscaping which will provide an opportunity to grow vine for additional screening. The applicant, by moving the footprint, does not elevate the pad of the upper level thereby preserving privacy to adjacent residences.

**RECOMMENDATION**

If it is the Planning Commission's desire to approve the project, a Draft Resolution with Conditions of Approval is attached to this report.

Attachments

- Draft Resolution and Conditions of Approval for the Conditional Use Permit and Variance
- Exhibit A: New Reduced Exhibits
- Exhibit B: City Oak Tree/Landscape Consultant Oak Tree Impact Analysis
- Exhibit C: January 4, 2007 Meeting Staff Report
- Exhibit D: January 4, 2007 Meeting Minutes
- Exhibit E: Full Size Previously Proposed Project Plans
  - Full Size Newly Proposed Project Plans
  - Applicant's Reduced, Revised Oak Tree Impact Analysis



DRAFT RESOLUTION NO. \_\_\_\_

A RESOLUTION OF THE PLANNING COMMISSION OF THE  
CITY OF AGOURA HILLS  
APPROVING CONDITIONAL USE PERMIT CASE NO. 05-CUP-002 AND  
OAK TREE PERMIT CASE NO. 05-OTP-015

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

Section 1. An application was duly filed by Laura La Plante, LLC with respect to the real property located on the 28221 Laura La Plante Drive, Assessor's Parcel Numbers 2061-016-063 and 072, requesting the approval of a Conditional Use Permit Case No. 05-CUP-002 to allow the development of a 3,375 square-foot, two-story single-family residence and a 580 square-foot, attached three-car garage and the approval of an Oak Tree Permit Case No. 05-OTP-015 to remove 19 oak trees and to encroach in the protected zone of 4 other oak trees. A public hearing was duly held on January 4, and February 15, 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 of the aforesaid public hearing.

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

- A. The proposed use as conditioned, is consistent with the objectives of this article and the purposes of the district in which the use is located. The proposed project is located within the Residential Single-Family (RS) zone and the Indian Hills Design Overlay District, which provides general design standards for residential developments. All minimum development standards have been met with regard to lot coverage, rear yard building setbacks, height and architectural guidelines.
- B. The proposed use as conditioned, is compatible with the surrounding properties. The project will contribute to the aesthetic value of the neighborhood as a whole. The proposed building style of architecture and building materials, which include stucco and concrete tiles, are compatible with the neighborhood and meet the requirements of the Indian Hills Design Overlay District. This in-fill lot is compatible with the average size of the developed residential lots in the Indian Hills area.
- C. The proposed use and the conditions under which the project will be operated or maintained will not be detrimental to the public health, safety or welfare. The distance provided between the on and off-site structures would be between 28 and 90 feet. The project will be served by the public sewer system and the improvements will be built per the Building Code requirements. Geological,

geotechnical, drainage studies and landscape plans have been provided and approved by the City Consultants.

- D. The proposed use as conditioned, will comply with each of the applicable provisions of the Zoning Ordinance, except for approved variances. The project complies with the rear and side yard setback distances, the maximum height requirement, the lot coverage and on-site parking and access.
- E. The proposed use as conditioned, will maintain the diversity of the community by its terraced design and architectural details. The design is enhanced by wrought iron fencing and hand rail and finished with earth tone colors. The hardscape includes concrete and wood surfaces. The proposed house on the lot will not impact view-sheds of these properties.
- F. The proposed use as conditioned, is consistent with the goals, objectives and policies of the General Plan Community Design Element. The single-family residence will serve an understandable and efficient relationship between its purpose and the properties within the RS zone.
- G. The in-fill development is detached from any valuable open space resource. The lot has an unusually large cluster of 27 oak trees and despite the removal of the on-site resource, the proposed mitigation measures satisfy the Oak Tree Preservation Ordinance and the City's Oak Tree/Landscape Consultant's requirements.

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. 05-CUP-002 and Oak Tree Permit Case No. 05-OTP-015, subject to the attached Conditions, with respect to the property described in Section 1 hereof.

PASSED, APPROVED and ADOPTED this 15<sup>th</sup> day of February, 2007 by the following vote to wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

\_\_\_\_\_  
Steve Rishoff, Chairperson

ATTEST:

\_\_\_\_\_  
Doug Hooper, Secretary

## CONDITIONS OF APPROVAL (Case Nos. 05-CUP-002 & 05-OTP-015)

### 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 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 approved labeled exhibits: Site Plan; Elevation Plans; Floor Plans, Roof Plan, and Grading Plan.
4. All exterior materials used in this project shall be in conformance with the materials samples submitted as a part of this application.
5. It is hereby declared to be the intent that if any provision of this Permit is held or declared 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. Unless this permit is used within two (2) years from the date of City approval, Case No. 05-CUP-002 and 05-OTP-015 will expire. A written request for a one (1) year extension may be considered prior to the expiration date.
8. 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.
9. The applicant shall install a dual water system if recommended by the Las Virgenes Municipal Water District.
10. No occupancy shall be granted for any building until all Conditions of Approval have been complied with as determined by the Director of Planning and Community Development.
11. All utilities existing and proposed shall be placed underground. If over-head utilities 66KV or larger exist on or about the subject property, the applicant shall file an agreement to join any Assessment District subsequently created to underground said lines.

12. The applicant shall comply with all applicable Public Health Statutes, Ordinances, and Regulations related to the disposal of sewage.
13. All structures shall conform to the requirements of the Division of Building and Safety of the City of Agoura Hills.
14. 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.
15. The Forester and Fire Warden shall be consulted to ascertain the required fire flows and fire hydrants to accommodate the proposed development.
16. Prior to 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.
17. The applicant shall comply with the school impact fee requirements of the Las Virgenes Unified School District. At this time, the required school impact fee is \$2.63 per square foot.
18. 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.
19. The applicant shall pay the General Plan Update Recovery fee of \$0.00141 per \$1 of building valuation (\$1.41/\$1000).
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.

#### ENGINEERING 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. The applicant shall obtain and pay all costs of acquiring any off-site real property and/or easements required in connection with this project prior to issuance of a grading permit.
25. All Record Drawings ("As-Built" drawings) and supporting documentation shall be submitted to the Engineering Division prior to issuance of the final Certificate of occupancy.
26. All block walls and retaining walls shall be limited to six feet in height.
27. A title report is required to be submitted with the project plans. The plans shall show all proposed and existing easements.
28. Prior to issuance of grading permit, applicant shall submit cost estimates of public improvements to the City Engineer for approval, signed and stamped by State Licensed Civil Engineer.
29. The developer/owner shall pay all applicable fees and deposits prior to issuances of the grading permit, building permit, and certificate of occupancy.

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. A site paving/drainage/grading plan shall be submitted for review and acceptance by the City Engineer. The plans, among other details, shall show proposed utilities, existing and proposed easements, stormwater facilities. The grading plan shall be accompanied by a Soils Report prepared in accordance with the Agoura Hills Guidelines for geotechnical/geological reports.
32. 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.

33. 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. All certifications must be signed and stamped by State-licensed professionals.
34. For any grading operations conducted between October 1 and April 15 of each year, the applicant shall submit a wet weather erosion control plan for review and acceptance by the City Engineer.

Drainage:

35. Prior to issuance of a grading permit, the applicant shall submit a drainage study prepared by a California State Registered Civil Engineer for the review and acceptance by the City Engineer. Hydraulic design shall conform to the current Hydraulic Design Manual of the Los Angeles County Department of Public Works (LACDPW).
36. 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 will demonstrate treatment of the first  $\frac{3}{4}$ " of rainfall, as required by the Model Program.
37. 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.
38. Drainage improvements on private property shall be continually maintained, repaired and replaced by the property owner(s).

Traffic and Roadway:

39. The applicant shall provide for identified street improvements along the project frontage of Laura La Plante Drive. Street improvements shall include pavement, curb, gutter, slope and landscaping. The street improvement plan shall be prepared by a State Registered Civil Engineer and shall be reviewed and approved by the City Engineer.
40. Based upon the Site Plan and the City of Agoura Hills Municipal Code, the project's Traffic Impact Fee (TIF) will be approximately \$2,440.

Utilities:

41. Water facilities shall be designed and constructed by the applicant in accordance with the standards of Las Virgenes Municipal Water District (LVMWD).

42. Sewer forced main shall be designed and constructed by the applicant in accordance with the standards of Las Virgenes Municipal Water District (LVMWD).
43. The applicant shall provide evidence that all sewer and water connection fees have been paid prior to issuance of a building permit.
44. The applicant shall submit evidence from the Los Angeles County Fire Department for approval of location and spacing of fire hydrants prior to issuance of a building permit.

#### GEOTECHNICAL CONDITONS

45. Prior to the issuance of a Grading Permit, the applicant shall comply with all of GeoDynamics, Inc. (the City of Agoura Hills' Geotechnical Consultant) Conditions of Approval provided in a letter dated August 7, 2006.

#### LANDSCAPE/OAK TREE CONDITIONS

##### Oak Trees:

46. The applicant is permitted to remove Oak Trees Numbers 7 through 24 and 27 as required to construct the project as approved. Mitigation for the removal of nineteen (19) trees for a total of two hundred and twenty inches (220") of trunk diameter shall be in the form of an in-lieu fee paid to the City Oak Tree Mitigation Fund due to the determination that there is not suitable planting space for an on-site mitigation. The fee shall be equivalent to the appraised value of the trees calculated in accordance with the most current edition of the Guide of Landscape Plant Appraisal as published by the International Society of Arboriculture. This fee is established at \$30,700.00.
47. If the County of Los Angeles Fire Department determines that some of the Scrub Oak trees within twenty feet (20') of the structure may be retained, the required fee will be reduced in accordance with the appraisal for tree(s) permitted to remain.
48. The applicant is permitted to encroach upon Oak Tree Numbers 1,2,25 and 26 to construct the proposed garage wall footing, a concrete v-ditch and a concrete patio structure.
49. The applicant is permitted to prune Oak Tree Numbers 1 through 6, 25, and 26 for building and fire clearance.
50. Prior to the start of any work or mobilization at the site, each oak tree to be preserved shall be fenced at the edge of the protected zone or at the approved work limits, in accordance with Article IX, Appendix A, Section V.C.1.1. The City Oak Tree Consultant shall approve the fencing locations.
51. The applicant shall provide a minimum of forty-eight (48) hours notice to the City Oak Tree Consultant prior to the start of any approved work within the protected zone of an oak tree.

52. No grading, scarifying or other soil disturbance shall be permitted within the portion of the protected zone of any oak tree not directly impacted by the project construction.
53. No vehicles, equipment, materials, spoil or other items shall be used or placed within the protected zone of any oak tree at any time, except as specifically required to complete the approved work.
54. Prior to occupancy, each oak tree shall be mulched throughout the dripline with three inches (3") of approved organic matter.
55. 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.
56. Within ten (10) calendar days of the completion of the work and prior to the 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.
57. 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.
58. 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.
59. The project oak tree consultant shall submit certification letter 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:

60. 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 third inches (30") by forty-two (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
    - Street, street names, right-of-ways, easements, driveways, walkways, bicycle paths and an other paved areas
    - Buildings and Structures
    - Parking areas, including lighting, striping and wheel stops
    - General contour lines
    - Grading areas, including tops and toes of slope
    - Utilities, including street lighting and fire hydrants
    - Natural features, including watercourses, rock outcroppings.
61. The Planting Plan shall indicate the botanical name and size of each plant.
  62. Plant symbols shall depict the size of the plants at maturity.
  63. Plant containers sizes and/or spacing shall be provided. Minimum sizes shall be acceptable to the City Landscape Consultant and the Director.
  64. The irrigation Plan shall be provided separate fro but utilizing the same format as the Planting Plan.
  65. The irrigation design shall provide adequate coverage and sufficient water for the continued healthy grow of all proposed plantings with a minimum of waste and over spay on adjoining areas.
  66. The Irrigation Plan shall be concise and accurate and shall include the manufacturer, model, size demand, radius and location of the following, as appropriate:
    - i. Design and static pressures
    - ii. Point of connection
    - iii. Back flow protection
    - iv. Valves, piping, controllers, heads, quick couplers
    - v. Gallon requirements for each valve
  67. Three (3) copies of details and specification shall be provided, addressing but not limited to, planting, soil preparation maintenance.
  68. One copy of each of the following approved plans shall be submitted with the initial landscape plan check:

- vi. Site Plan
  - vii. Elevations
  - viii. Grading Plan
  - ix. Conditions of Approval
69. Native, drought resistant plants, and jute mesh shall be provided on the graded slopes.
70. The landscape plans shall utilize plant material consistent with the requirements for Zone 4 of the Los Angeles County Forestry and Fire Protection Fuel Modification Guidelines.
71. All landscaping shall be irrigated and maintained in perpetuity in accordance with the approved Landscape Plan.

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 Pet Plant Council

#### SOLID WASTE MANAGEMENT STANDARD CONDITIONS

72. To ensure that solid waste generated by the project is diverted from the landfill and reduced, reused, or recycled, the applicant shall submit a "Waste Reduction & Recycling Plan" to the City for review and approval. The plan shall provide for 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.
73. 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.

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

SPECIAL CONDITIONS

75. All proposed retaining walls and garden walls shall not exceed 6 feet in height and shall consist of split-faced block or other decorative materials subject to review and approval by the Director of Planning and Community Development.
76. The paving of the driveway shall consist of stamped and colored concrete or pavers subject to the review and approval of the Director of Planning and Community Development.
77. Vehicle routes and access to the property for construction purposes shall be subject to review and approval by the City Engineer.
78. Construction activity shall occur only within the hours of 7:00 a.m. and 7:00 p.m. Monday through Saturday per Section 4100 of the Municipal Code. No construction shall occur on Sundays or Holidays.
79. No temporary living is permitted on the property unless approved by a Temporary Use Permit. A Temporary Use Permit may be issued upon issuance of Building Permits.
80. 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.
81. No roof-mounted equipment, other than attic ventilation systems and solar panels, as allowed by the Municipal Code, shall be permitted.
82. The applicant shall provide a minimum setback of 25 feet between the structure used to house vehicles and the rear of the property line.

END

DRAFT RESOLUTION NO. \_\_\_\_

A RESOLUTION OF THE PLANNING COMMISSION OF THE  
CITY OF AGOURA HILLS  
APPROVING VARIANCE NO. 05-VAR-003

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

Section I. An application was duly filed by Laura La Plante, LLC with respect to the real property located on the 28221 Laura La Plante Drive, Assessor's Parcel Numbers 2061-016-063 and 072, requesting the approval of a Variance from Zoning Ordinance Sections 9243.3.D, 9605.8 and 9606.2.A. to locate the residence and patio cover 23 feet and 19 feet respectively from the front property line; and to construct retaining walls in excess of 3.5 feet in height in the front yard area. The request for the Variance was filed in conjunction with an application for a Conditional Use Permit (Case No. 05-CUP-002) for the development of a 3,375 square-foot, two-story single-family residence, a 580 square-foot, attached garage on a 16,175 square-foot lot. A public hearing was duly held on January 4 and February 15, 2007, at 6:30 p.m. in the Council Chambers at City Hall, 30001 Ladyface Court, Agoura Hills, California; and that notice of time, date and place and purpose of the aforesaid was duly given.

Section II. Evidence, both written and oral, was duly presented to and considered by the Planning Commission at the aforesaid public hearings.

Section III. The Planning Commission finds, pursuant to the Agoura Hills Zoning Ordinance regarding the variance requests described in Section I, that:

- A. Because of special circumstances applicable to the subject property, including size, shape, topography, location or surroundings, the strict application of the Zoning Ordinance deprives the property of privileges enjoyed by other property owners in the vicinity and under identical zoning classification.

The RS zone requires a 25-foot front yard setback from the structure to the right-of-way. The Variance request is for the encroachment of the residence's footprint and patio cover into the front yard. In a typical situation, parcels located in the Indian Hills residential neighborhood are able to provide enough space between the right-of-way and the front elevation to accommodate the length of a car. In this case, the parcel descends steeply from the street and no vehicular access is possible thereby eliminating the opportunity for the required setback. A garage will be provided however, somewhere else on the property. In consideration for the existing oak trees in the rear of the property and to minimize the cut and fill of soil quantities, the applicant proposes to move the footprint as close as possible to the base of the steeper portion of the parcel. The house will be completely below the street elevation preserving the line-of-sight to the eastbound traffic. Shorter front yards have been approved in the Indian Hills residential neighborhood because of the steep terrain. The same request is submitted for the patio cover. Patio covers can encroach into other yard areas but are not allowed in the front

yard. The applicant proposes to build the patio cover to add architectural interest to the south elevation and to provide protection to the entry from the element. The patio cover will not limit the use of the front yard area. The patio cover is merely an extension of the roof overhang with columns built close to the front walls. The useable area is created by a recessed entry way.

The topography of the lot requires use of walls in the front yard which are required for pedestrian safety. Although these walls exceed the height prescribed for a front yard (3.5 feet), they are necessary to provide access to the front door and all around the structure. These walls will not be visible from Laura La Plante Drive as they are below grade. The walls will be concealed by landscaping in order to blend into the natural hillside landscaping as viewed from a distant vantage point to the north. The highest wall proposed (6 feet high) does not exceed the maximum allowable retaining wall height that can be built in the buildable area of the lot.

- B. The granting of the Variance will not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone.

The project would be built below the street level, thereby eliminating the impact of the encroachment on the right-of-way and on adjacent parcels. The Variance request would not constitute a special privilege over other properties where the footprint encroachment in the front yard area is commonly found. A very limited number of alternatives are available to property owners to protect life and property from failing slopes. Retaining walls are used to retain soil to provide for reasonable access to the residence.

- C. The strict interpretation and enforcement of the provisions of the Zoning Ordinance would result in practical difficulty or unnecessary hardship inconsistent with the objectives of the Zoning Ordinance.

The steep topography requires a greater infrastructure than commonly found in other residential areas in the City. The encroachment of both the footprint and the patio cover is justifiable in that the massing of the structure is not increased. The patio cover and front elevation of the house will be completely screened by the descending front yard and is necessary for access to the front entry. The applicant meets the maximum height required for the upper floor of a residence when built on a descending slope whether above or below the street elevation.

The proposed walls are located in the front yard and are required to be of a maximum height of 3.5 feet, whether the walls are above or below the average grade. Since the front yard, by definition, fronts Laura La Plante Drive and the front yard is the steepest area of the parcel, a system of retaining walls is required. The 6-foot height allows for a reduced number of walls. In addition, the proposed new manufactured slope cannot exceed 25 feet in height. By using four, 6-foot high retaining walls, the applicant is able to comply with the requirement and minimize the grading.

- D. The granting of the Variance will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements of the aesthetic value in the vicinity.

The encroachment of the patio cover is an aesthetic improvement of the structure and provides protection from the weather to the front door. Since the entire structure is below the street, no impact is expected on adjacent residences. The applicant is proposing a retaining wall system that will reinforce the northern side of the one-way street which is more susceptible to erosion. The Grading Plan has taken into consideration the retention of the slope, the drainage and staying out of the City's right-of-way. The retaining walls are intended to preserve the safety of pedestrians both owners and visitors.

- E. The granting of the Variance will be consistent with the character of the surrounding area.

The Los Angeles County development requirement under which some of the neighboring structures have been approved and the City's development standards have resulted in a variety of building design, height, lot coverage and setbacks in the neighborhood. The steep terrain north and south of Laura La Plante Drive has dictated a variety of design in relation to the right-of-way as well.

The walls merely provide additional pedestrian safety. The walls will not be visible to the neighboring structures as they are built below grade on the Laura La Plante Drive street side. From a northern vantage point, it is anticipated that most of the walls will not be seen as they are screened by the residence. Enough space has been provided between the walls to install landscaping which will provide an opportunity to grow vine for additional screening. The applicant, by moving the footprint, does not elevate the pad of the upper level thereby preserving privacy to adjacent residences.

Section IV. Based on the aforementioned findings in Section III the Planning Commission hereby approves Variance Case No. 05-VAR-003.

PASSED, APPROVED, and ADOPTED on this 15<sup>th</sup> day of February, 2007 by the following vote to wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

\_\_\_\_\_  
Steve Rishoff, Chairperson

ATTEST:

\_\_\_\_\_  
Doug Hooper, Secretary

## CONDITIONS OF APPROVAL (Case No. 05-VAR-003)

### 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 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 approved labeled exhibits (Site Plan; Elevation Plans; Floor Plans, Roof Plan, and Grading Plan) approved on February 15<sup>h</sup>, 2007.
4. 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.
5. It is further declared and made a Condition of this action that if any Condition herein is violated, the Permit shall be suspended and the privileges granted hereunder shall lapse; provided that the applicant has been given written notice to cease such violation and has failed to do so for a period of thirty (30) days.
6. Unless the approval is used within two (2) years from the date of City approval, Case No. 05-VAR-003 will expire. A written request for a one (1) year extension may be considered prior to the expiration date.
7. The Variance Case No. 05-VAR-003 is valid only in conjunction with Conditional Use Permit Case No. 05-CUP-002 and Oak Tree Permit Case No. 05-OTP-015 and the approved Conditions of approval therein.

END



**CONDITIONAL USE PERMIT - CASE NO. 05-CUP-002,  
OAK TREE PERMIT - CASE NO. 05-OTP-015  
AND  
VARIANCE REQUEST - CASE NO. 05-VAR-003**

**FOR THE PROPERTY LOCATED AT  
28221 LAURA LA PLANTE DRIVE, AGOURA HILLS**

**EXHIBIT A**

**NEW REDUCED EXHIBITS**









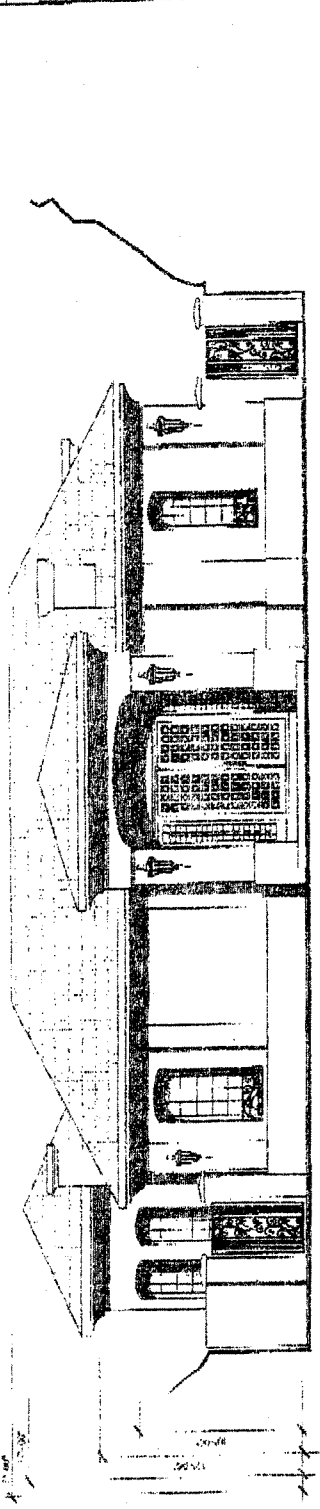


ARCHITECTURAL DESIGN CONCEPTS  
5220 San Jacinto Drive  
Woodland Hills, CA 91364  
Tel: 818.999.3399

THE OAK HILL CREST  
28 221 Laura La Plante Drive  
Agoura Hills, CA 91301

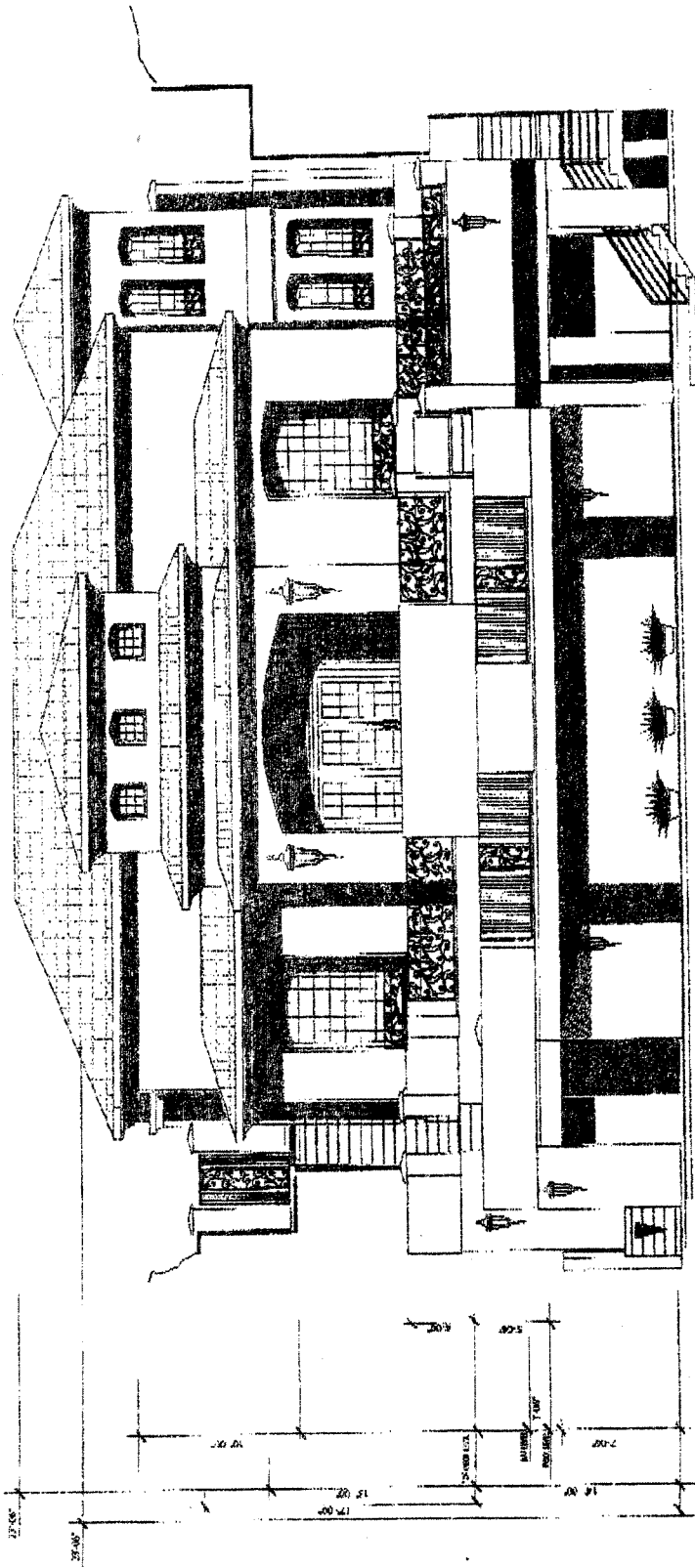
Check in:

10/27/00



SOUTH ELEVATION

Scale: 1/4" = 1'



NORTH ELEVATION

Scale: 1/8" = 1'



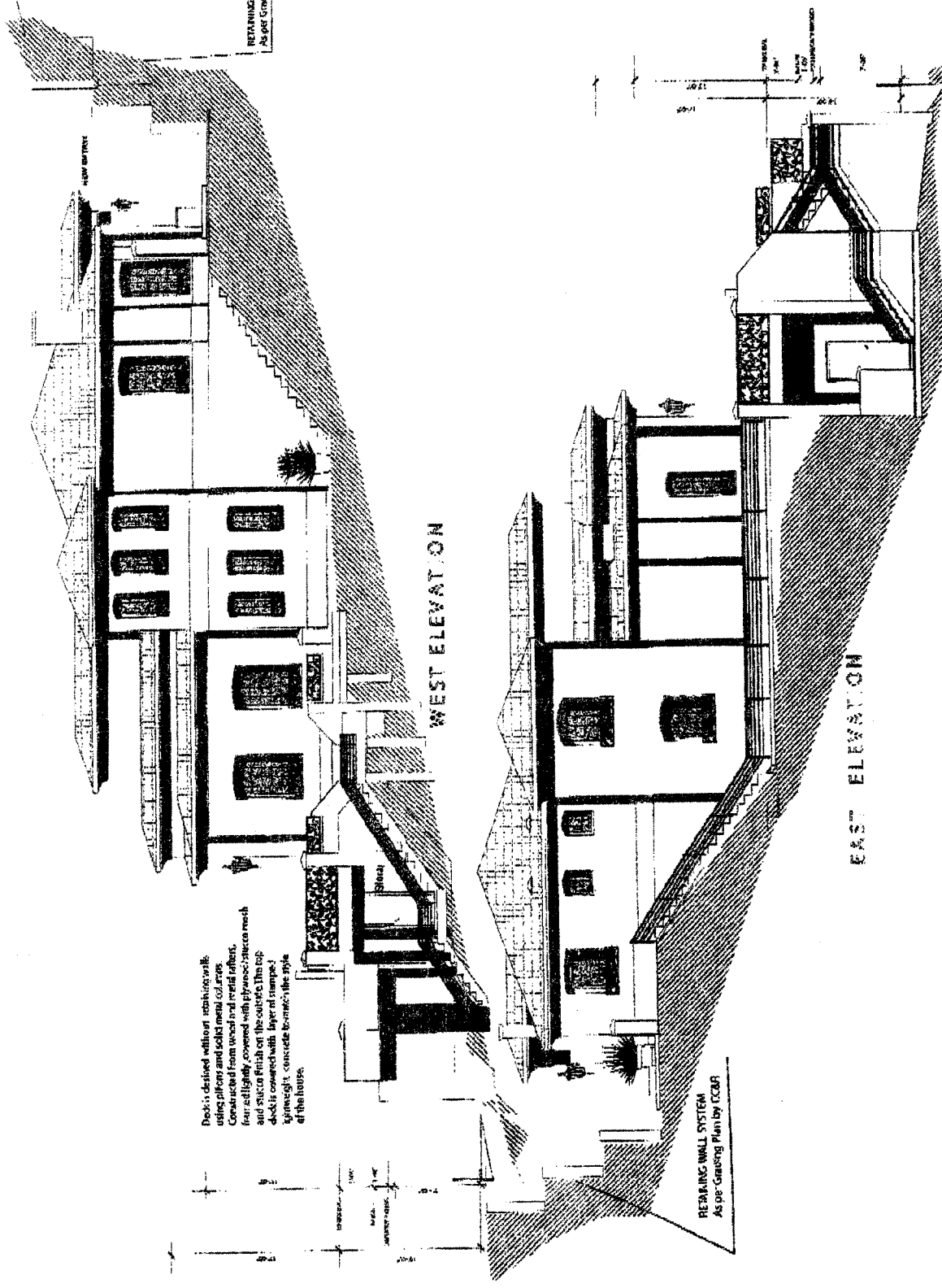
ARCHITECTURAL DESIGN CONCEPTS  
 1220 SAN JOAQUIN AVENUE  
 WOODBRIDGE, CA 91364  
 TEL: 714.998.4399

**THE OAK HILL CREST**  
 263 221 Laurel La Foothill Drive  
 Agoura Hills, CA 91301

Check by:

DATE	DESCRIPTION

RETAINING WALL SYSTEM  
 As per Grading Plan by CCBP



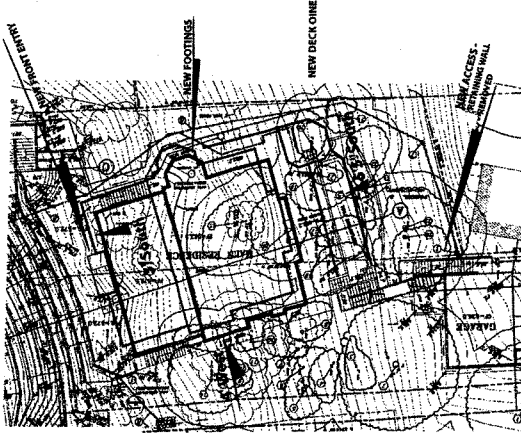
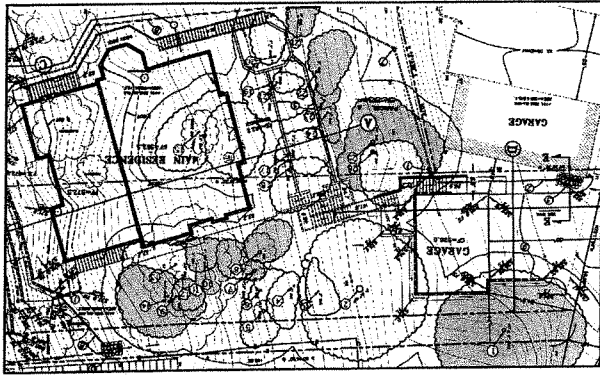
WEST ELEVATION

EAST ELEVATION

Deck is desired without retaining wall using pilings and solid metal columns. Constructed from wood and metal joists. Deck is slightly covered with plywood/macco mesh and stucco finish on the outside. The top deck is covered with layer of stamped concrete. concrete to match the style of the house.

RETAINING WALL SYSTEM  
 As per Grading Plan by CCBP

New Grading Plan - Showing Modifications With Positive Effect on All Tree Impact.

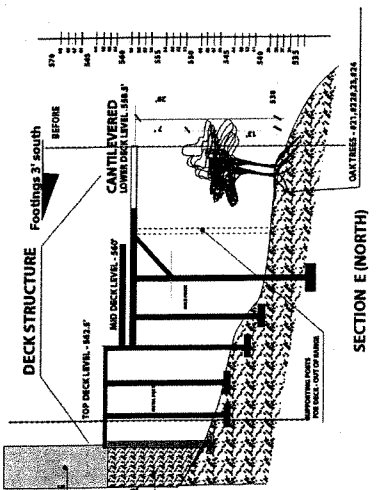


**5 Major Changes on Plan to Accommodate Oak Tree Preservation:**

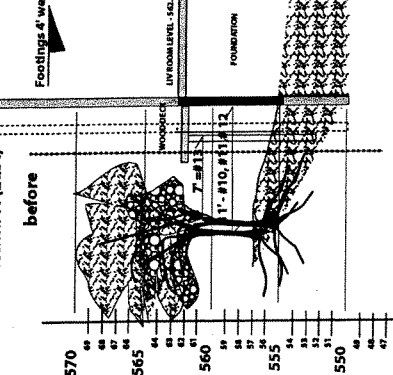
1. TREE #1 - Directly Behind Well-served 3' EAST
2. TREE #2 - Behind Retaining Wall on Footings 5' EAST
3. South Oaks #21, #22, #23, #24 - Cantilevered and moved 5' SOUTH
4. South Oaks #10, #11, #12 and #13 - FOOTINGS OF RESIDENCE MOVED 4' WEST

NEW DRIVEWAY RETAINING WALL.

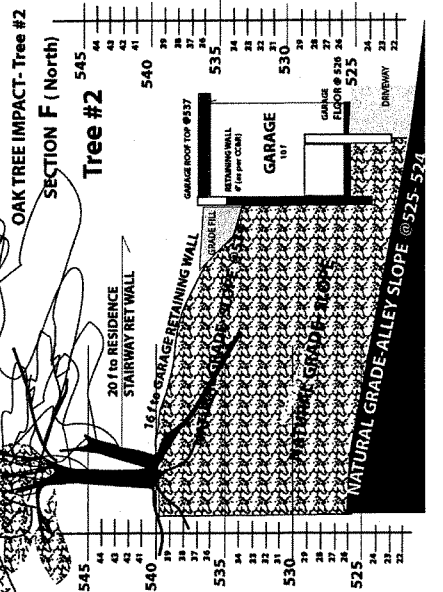
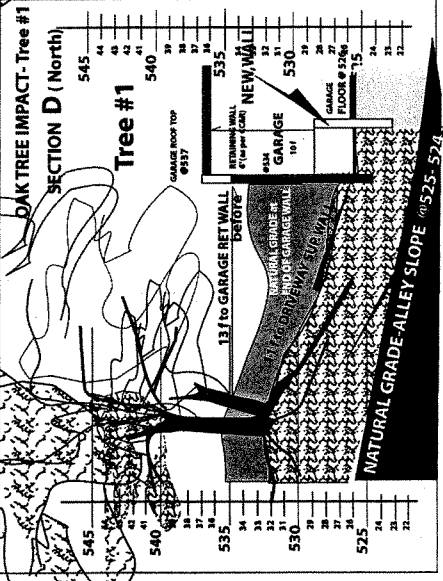
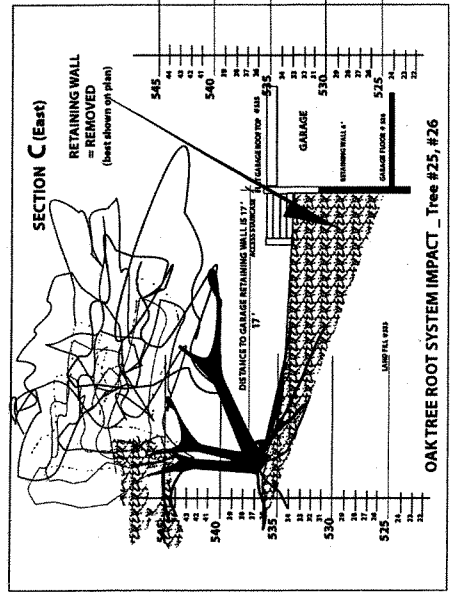
OAK TREE IMPACT Relation-Deck/Scrub Oaks- #21, #22, #23, #24 - 13' H, at 538' planted



OAK TREES ROOT SYSTEM-Trees #10, #11, #12, #13 SECTION A (East)



\*All distances & tree heights are proportionate



OAK TREE ROOT SYSTEM IMPACT \_ Tree #25, #26



**CONDITIONAL USE PERMIT - CASE NO. 05-CUP-002,  
OAK TREE PERMIT - CASE NO. 05-OTP-015  
AND  
VARIANCE REQUEST - CASE NO. 05-VAR-003**

**FOR THE PROPERTY LOCATED AT  
28221 LAURA LA PLANTE DRIVE, AGOURA HILLS**

## **EXHIBIT B**

**CITY OAK TREE/LANDSCAPE CONSULTANT  
OAK TREE IMPACT ANALYSIS**

# Memo

**To:** Valerie Darbouze, City of Agoura Hills  
**From:** Kay Greeley, Landscape and Oak Tree Consultant  
**Date:** 02/06/07  
**Re:** 05-CUP-002/05-VAR-003/05-OTP-015 – Yvanova, Tvetsana

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As requested, I developed an analysis and revised conditions of approval for the subject entitlement request. These conditions are based on the plans and documents submitted by the applicant as listed below:

- Grading Plan, as prepared by CC&R Incorporated submitted on January 16, 2007
- Arborist's Response, prepared by Tree Life Concern, Inc. dated January 23, 2007

## Planning Commission Issues

Two main issues were outstanding from the Planning Commission meeting of January 4, 2007, as follows:

- **Oak Tree Impacts** – The applicant currently asserts that only seven (7) oak trees would be removed in order to construct the project as proposed. These seven trees lie within the footprint of the proposed home. However, the applicant's analysis does not account for the fact that the project is subject to the County of Los Angeles Fire Department Fuel Modification standards. I personally discussed this issue with Forester Keith Condon. Mr. Condon states that it is extremely likely that all Scrub Oak within twenty feet (20') of the structure will need to be removed to create adequate defensible space around the structure. This requirement would result in the removal of an additional twelve (12) Scrub Oaks. In addition, all trees to remain would need to be limbed up to reduce the fuel load and break up the "fuel ladder" on the site.
- **Oak Tree Appraisal** – I calculated an appraised value of \$30,700.00 for the nineteen trees to be removed. The applicant's oak tree consultant calculates a value of \$23,427.00 for the same trees. The primary reason for the discrepancy is a difference of opinion with regard to several of the factors used in the calculation. The applicant's oak tree consultant is of the opinion that the tree species and location factors should be depreciated. I am of the opinion that since the trees are native to this area, grew in place naturally and are protected by ordinance, depreciation is not appropriate.



### Oak Trees

The Oak Tree Report addresses a total of twenty-seven (27) oak trees. Four (4) of the trees are Coast Live Oak (*Quercus agrifolia*) and twenty-three (23) are Scrub Oak (*Quercus berberidifolia*). The current proposal would impact virtually every tree, either by removal, encroachment within the protected zone for construction, and/or by pruning for fuel modification. The proposed project would require the removal of seventy percent (70%) of the oak trees and seventy percent (70%) of the canopy cover on the site based on most current grading plan. Please refer to the attached oak tree impact analysis for tree-by-tree details.

As you know, the preferred mitigation measure for oak tree removals is replanting of nursery-grown oak trees on the same site. In this case, there is not sufficient space to plant any oak trees. In situations such as this, we have established alternative mitigation of an in-lieu fee payment to be placed into the City oak tree mitigation fund.

Therefore, I recommend the following conditions of approval for the project:

### Oak Trees

1. The applicant is permitted to remove Oak Trees Numbers 7 through 24 and 27 as required to construct the project as approved. Mitigation for the removal of nineteen (19) trees for a total of two hundred and twenty inches (220") of trunk diameter shall be in the form of an in-lieu fee paid into the City Oak Tree Mitigation Fund due to the determination that there is not suitable planting space for onsite mitigation. The fee shall be equivalent to the appraised value of the trees calculated in accordance with the most current edition of the Guide for Landscape Plant Appraisal as published by the International Society of Arboriculture. This fee is established at \$30,700.00.
2. If the County of Los Angeles Fire Department determines that some of the Scrub Oak trees within twenty feet (20') of the structure may be retained, the required fee will be reduced in accordance with the appraisal for tree(s) permitted to remain.
3. The applicant is permitted to encroach upon Oak Tree Numbers 1, 2, 25, and 26 to construct the proposed garage wall footing, a concrete v-ditch and a concrete patio structure.
4. The applicant is permitted to prune Oak Tree Numbers 1 through 6, 25 and 26 for building and fire clearance.
5. Prior to the start of any work or mobilization at the site, each oak tree to be preserved shall be fenced at the edge of the protected zone or at the approved work limits, in accordance with Article IX, Appendix A, Section V.C.1.1. The City Oak Tree Consultant shall approve the fencing locations.
6. The applicant shall provide a minimum of forty-eight (48) hours notice to the City Oak Tree Consultant prior to the start of any approved work within the protected zone of an oak tree.

7. No grading, scarifying or other soil disturbance shall be permitted within the portion of the protected zone of any oak tree not directly impacted by the project construction.
8. No vehicles, equipment, materials, spoil or other items shall be used or placed within the protected zone of any oak tree at any time, except as specifically required to complete the approved work.
9. Prior to occupancy, each oak tree shall be mulched throughout the dripline with three inches (3") of approved organic matter.
10. 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.
11. 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.
12. 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.
13. 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.
14. 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

Since the project includes extensive grading on slopes, landscaping will be required for slope stabilization. Recommended conditions of approval are as follows:

15. 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
16. The Planting Plan shall indicate the botanical name and size of each plant.
17. Plant symbols shall depict the size of the plants at maturity.
18. Plant container sizes and/or spacing shall be provided. Minimum sizes shall be acceptable to the City Landscape Consultant and the Director.
19. The Irrigation Plan shall be provided separate from but utilizing the same format as the Planting Plan.
20. 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.
21. The Irrigation Plan shall be concise and accurate and shall include the manufacturer, model, size, demand, radius, and location of the following, as appropriate:
  - a. Design and static pressures

- b. Point of connection
  - c. Backflow protection
  - d. Valves, piping, controllers, heads, quick couplers
  - e. Gallon requirements for each valve
22. 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.
23. 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
24. Native, drought resistant plants and jute mesh shall be provided on the graded slopes.
25. The landscape plans shall utilize plant material consistent with the requirements for Zone 4 of the LA County Forestry and Fire Protection Fuel Modification Guidelines.
26. All landscaping shall be irrigated and maintained in perpetuity in accordance with the approved Landscape Plan.
27. 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.

Please advise if you have any questions at this time.

**YVANOVA OAK TREE IMPACT ANALYSIS**

Trees #	Trunk Diameter (inches)						Protected			Impact				Total Impact			Comments
	Trunk 1	Trunk 2	Trunk 3	Trunk 4	Trunk 5	Trunk 6	Total	Zone	Prune	None	Remove	Encroach	Inches	Canopy	%	Health	
1	11	10	9	9		39	1,685					X	0	383	20%	A	40% impacted including ex. road
2	22					22	2,030					X	0	410	20%	A	
3	5					5	723						0	0	0%	E	Lift canopy
4	6					6	798		X				0	0	0%	B	Lift canopy
5	7.5	4.5				12	873		X				0	0	0%	B	Lift canopy
6	4	4				8	741		X				0	0	0%	D	Lift canopy
7	6	5	5	5		21	785			X			21	785	100%	B	In fuel mod zone
8	5	5				10	771			X			10	771	100%	B	In fuel mod zone
9	6					6	741			X			6	741	100%	C	In fuel mod zone
10	4	3				7	707			X			7	707	100%	B	In fuel mod zone
11	5					5	730			X			5	730	100%	B	In fuel mod zone
12	3.5	3.5				7	773			X			7	773	100%	C	In fuel mod zone
13	6.5	5				11.5	816			X			12	816	100%	B	In fuel mod zone
14	6	6	6	6	6	36.5	1,128			X			36	1,128	100%	B	In fuel mod zone
15	5.5	5				10.5	773			X			11	773	100%	B	In footprint
16	7					7	847			X			7	847	100%	B	In footprint
17	6	5	5	5	4	25	749			X			25	749	100%	B	In footprint
18	6	4				10	782			X			10	782	100%	B	In footprint
19	7	6	6	6	5	30	881			X			30	881	100%	B	In footprint
20	5	4	3			12	758			X			12	758	100%	B	In footprint
21	5					5	707			X			5	707	100%	C	In fuel mod zone
22	6					6	770			X			6	770	100%	B	In fuel mod zone
23	4					4	707			X			4	707	100%	D	In fuel mod zone
24	4					4	715			X			4	715	100%	D	In fuel mod zone
25	14					14	1,134				X	0	0	132	12%	A	
26	13					13	885				X	0	0	52	6%	A	
27	3.5					3.5	707			X		4	4	707	100%	A	Within footprint
<b>Totals</b>	<b>173</b>					<b>300</b>	<b>22,031</b>		<b>4</b>	<b>0</b>	<b>19</b>	<b>4</b>	<b>220</b>	<b>15,441</b>	<b>70%</b>		



TABLE 4  
VALUATION

Tree Number	Species	Condition Rating	Equivalent db (in.)	Location		Species Rating	TA <sub>R</sub> (sq. in.)	Replacement		Installed Tree Cost (\$/sq. in.)	Unit Tree Cost (\$/sq. in.)	TA <sub>A</sub> or AT <sub>A</sub> (sq. in.)		Basic Tree Cost	Appraised Value	Final Appraised Value	Renewal? Value	Wallace Value
				Reading	Rating			Tree Cost	TA <sub>R</sub>			TA <sub>A</sub>	TA <sub>A</sub>					
25	Quercus berberidifolia	60%	4.00	100%	100%	100%	36" box	\$300.00	\$300.00	\$600.00	\$360.00	\$360	X	\$360	331.68			
24	Quercus berberidifolia	60%	4.00	100%	100%	100%	36" box	\$300.00	\$300.00	\$600.00	\$360.00	\$360	X	\$360	331.68			
27	Quercus berberidifolia	90%	3.50	100%	100%	100%	36" box	\$300.00	\$300.00	\$600.00	\$540.00	\$540	X	\$540	420.55			
<b>Total</b>																		
												\$5,040	\$3,980	\$5,065				
<b>Grand Total</b>												\$85,930	\$30,700	\$23,427				