



DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

DATE: March 6, 2008

APPLICANT: Rafi and Orit Sharon
382 Rock Edge Drive
Oak Park, CA 91377

CASE NOS.: 07-SPR-011 and 07-OTP-018

LOCATION: 28220 Foothill Drive (A.P.N. 2055-016-023)

REQUEST: Request for approval of a Site Plan/Architectural Review to construct a 3,751 square foot, single-story residence and 822 square feet of attached garages and 740 square feet of covered patios.

ENVIRONMENTAL ANALYSIS: Categorically Exempt from CEQA per Section 15303. (New Construction or Conversion of Small Structures.)

RECOMMENDATION: Staff recommends the Planning Commission adopt a motion to approve Site Plan Architectural Review Case No. 07-SPR-011 and Oak Tree Permit Case No. 07-OTP-018, subject to conditions, based on the findings of the attached draft Resolution.

ZONING DESIGNATION: RL-20,000-OA (Low Density Residential - 20,000 square feet minimum lot size - Old Agoura Design Overlay)

GENERAL PLAN DESIGNATION: RL (Low Density Residential)

I. BACKGROUND AND PROJECT DESCRIPTION

The applicants, Rafi and Orit Sharon, are proposing to construct a 3,751 square-foot, two-story, single-family residence in the RL-20,000-OA (Low Density Residential - 20,000 square feet minimum lot size - Old Agoura Design Overlay) zone. The proposed residence includes a 262 square foot, single-car garage and a 560 square foot, two-car garage, and 740 square feet of patios on a relatively flat, 0.72-acre vacant parcel located

on the south side of Foothill Drive, west of Fairview Place (28220 Foothill Drive). The project will encroach within the protected zone of one (1) on-site Oak tree for the proposed construction, which requires approval of an Oak Tree Permit.

A residence previously existed on this lot and was demolished by the previous owners. The property was subsequently sold to Rafi and Orit Sharon in 2007. The new owners are requesting the Planning Commission's approval of a Site Plan/Architectural Review to build a new residence. The Zoning Ordinance requires the Planning Commission's approval of a Site Plan/Architectural Review for all new single-family residences that have an average topographical slope that is less than 10% and is not subject to the City's Hillside Ordinance. The applicant's parcel has an average topographic slope of 7.5%.

The proposed residence is a permitted uses in the Low Density Residential (RL) zone and will meet the required development standards, relative to lot coverage, setbacks, and height. Listed below are the proposed development data pertaining to the project:

Pertinent Data

	<u>Proposed</u>	<u>Required/ Allowed</u>
A. <u>Lot Size</u>	31,360 sq. ft. (0.72 acres) existing	20,000 sq. ft. min. (0.46 acres)
B. <u>Bldg. Height</u>	25.5 feet	30 feet max.
C. <u>Building Size</u>		
First Floor	2,125 sq. ft.	N/A
<u>Second Floor</u>	<u>1,626 sq. ft.</u>	<u>N/A</u>
Total:	3,751 sq. ft.	N/A
Garage	822 sq. ft.	N/A
<u>Covered Patios</u>	<u>740 sq. ft.</u>	<u>N/A</u>
Total:	5,313 sq. ft.	N/A
D. <u>Setbacks</u>		
Front (north)	28 feet	25 ft. minimum
Rear (south)	162 feet	25 ft. minimum
Side (east)	22 feet	12 ft. minimum
Side (west)	12 feet	12 ft. minimum

Pertinent Data

	<u>Proposed</u>	<u>Required/ Allowed</u>
E. <u>Lot Coverage</u>		
Residence	2,125 sq. ft.	N/A
Garage	822 sq. ft.	N/A
Covered Patios	740 sq. ft.	N/A
<u>Hardscape</u>	<u>1,000 sq. ft.</u>	<u>N/A</u>
Total:	4,687 sq. ft. (15%)	10,976 sq. ft. (35% max.)
F. No. of Oak Trees	1	N/A
G. Average Slope	7.5%	N/A

II. STAFF ANALYSIS

Site Plan

The new residence is proposed to be situated at the northerly portion of the parcel in the same location as the previous residence. The residence includes a proposed finish floor elevation of 983 feet, which is approximately at the same elevation as Foothill Drive street elevation. The front, north end of the lot is relatively flat and the rear yard slopes down toward the south. Access to the two attached, one and two-car garages, located at the front of the residence, is to be provided by a 16-foot wide driveway from Foothill Drive. There are single-story developed residential properties to the west, east, south, and across Foothill Drive to the north.

The applicant is also proposing 740 square feet of covered patios at the rear southeast and southwest corners of the residence and a future horse corral at the rear of the property. One Oak Tree is located at the easterly property line, approximately 24 feet from the east side of the dwelling. To allow for unobstructed vehicular access in the future to the rear of the property, staff recommends the trash enclosure and two air condenser units be relocated from the west side of the house to either the rear or east side of the house.

The footprint of the residence and garage totals 2,947 square feet, or 9% of the lot, which is below the 35% maximum allowable lot coverage of the zone. As proposed, the project meets or exceeds the minimum setback requirements of the RL zone.

Architectural Review

The applicant is proposing a Mediterranean style of architecture that includes off-white ("Burma Buff") color stucco walls with brown color ("Kayak Brown") trim, wood rafter tails, almond colored windows and French doors, a decorative chimney cap, and a brown color, two-piece clay tile roof. The applicant is proposing to use brown stone veneer on the front elevation of the residence. Also proposed are covered patios, and a deck with decorative wrought iron guardrails. The Architectural Review Panel (ARP) found the architectural design of the residence to comply with the City Architectural Guidelines and Standards relative to building colors and materials and design detailing, and the Old Agoura Design Overlay District requirements. The Old Agoura Homeowners Association has reviewed the project and a copy of their letter is attached to the report for the Commission's review.

A concrete driveway is proposed to access the attached garages at the front elevation of the residence. Staff recommends that the driveway consist of decorative concrete and pavers, or other permeable or semi-permeable surface material, subject to approval by the Director of Planning and Community Development. The applicant has agreed to modify the plans to reflect this recommendation.

In an effort to evaluate the compatibility of the proposed size of the home with other Old Agoura properties, a survey of 30 neighboring developed lots was conducted, as shown in an attached exhibit. This property is within a neighborhood of newer and older homes. The results revealed an average lot size of 27,203 square feet and an average dwelling unit size of 2,485 square feet (excluding the garages), resulting in an average floor/area ratio of 0.07. The applicant is proposing a house size of 3,751 square feet on a 31,360 square-foot (.72 acre) lot, which results in a floor/area ratio of 0.12. The proposal is 1,557 square feet more than the neighborhood average.

Engineering Review/Public Works Department

The Engineering Department has reviewed and conditionally approved the Grading Plan and will require the applicant to provide an eight-foot equestrian trail and three-foot inverted shoulder on Foothill Drive, along the width of the parcel.

Grading will be required for development of the site and will consist of 40 cubic yards of cut soil and 340 cubic yards of fill soil and 300 cubic yards of imported soil for the proposed project.

An existing chain link fence that currently surrounds the property is proposed to remain on the side and rear property lines. Two new retaining walls approximately 2 to 3 feet in height are proposed to be constructed along the east and west property lines for on-site drainage flow.

The applicant is currently proposing a septic system which has been conceptually approved by the Los Angeles County Health Department, but has an opportunity of connecting to the sewer. The septic system will be located at the rear southwest side of the residence.

The City's Geotechnical Consultant has reviewed the geotechnical reports prepared for this project and recommends that the project be approved from a geotechnical perspective at the planning stage. The City's Geotechnical Consultant's letter dated August 3, 2007 is attached for reference. Construction traffic and related vehicular routes will also be reviewed by the City Engineer prior to the issuance of a grading permit with the intent to minimize impacts to the neighbors.

Oak Trees and Landscaping

The City Oak Tree Consultant has reviewed the proposal and concluded that one (1) on-site Oak tree, approximately 22 feet high with a trunk diameter of 17 inches and 30 foot average canopy spread, located inside the property boundary to the east would be impacted to construct the project as proposed. Encroachment is required to enable over-excavation for the footing near the southeast corner of the proposed residence. The actual structure is outside of the protected zone of the tree. To eliminate the encroachment, the proposed residence would need to be decreased in width by approximately three feet (3') at the southeast corner. However, the City Oak Tree Consultant determined that the over-excavation can be completed without causing significant adverse impacts to the subject tree given the extremely limited area of impact. The City Oak Tree Consultant requires that the tree be fenced prior to the start of any grading and determined that the health of the tree will not be significantly impacted with the recommended conditions of project approval.

The submittal of a landscape plan is not required for this project since the proposed grading will not impact the existing rear yard slope area, nor create new slopes that would need to be stabilized with landscaping.

Environmental Review

The project consists of proposed single-family residence and is, therefore, categorically exempt from the California Environmental Quality Act Guidelines, per Section 15303 (New Construction or Conversion of Small Structures).

III. RECOMMENDATION

Based on the foregoing review and analysis, staff recommends that the Planning Commission adopt a motion to approve Site Plan/Architectural Review Case No. 07-SPR-011 and Oak Tree Permit Case No. 07-OTP-018, subject to Conditions, based on the findings of the attached draft Resolution.

IV. ATTACHMENTS

- Draft Resolution and Conditions of Approval
- Exhibit A: Old Agoura Homeowners Association Letter
- Exhibit B: Square Footage Analysis Map
- Exhibit C: Rendering of the Residence
- Exhibit D: Reduced Photocopies of the Plans
- Exhibit E: Vicinity Map
- Exhibit F: Environmental Determination

Case Planner: Renee Madrigal, Assistant Planner

DRAFT RESOLUTION NO. ____

A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF AGOURA HILLS
APPROVING SITE PLAN/ARCHITECTURAL REVIEW CASE NO. 07-SPR-011
AND OAK TREE PERMIT CASE NO. 07-OTP-018

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

Section 1. An application was duly filed by Rafi and Orit Sharon with respect to the real property located at 28220 Foothill Drive (Assessor's Parcel Number 2055-016-023), requesting the approval of a Site Plan/Architectural Review Case No. 07-SPR-011 and Oak Tree Permit Case No. 07-OTP-018 to construct a 3,751 square foot, two-story, single-family residence and 822 square feet of attached garages and 740 square feet of patios. A public hearing was duly held on March 6, 2008, at 6:30 p.m. in the Council Chambers of City Hall, 30001 Ladyface Court, Agoura Hills, California. Notice of the time, date and place and purpose of the aforesaid was duly given.

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

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

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

B. The proposed use, as conditioned, is compatible with the surrounding properties. The proposed building design and building materials and colors of the residence that include off-white color "Burma Buff" stucco walls with brown color "Kayak Brown" trim, brown stone veneer, wood rafter tails, two-piece clay tile roof, decorative chimney cap, covered patios, deck with decorative wrought iron guardrail is in keeping with the rustic style of homes desired for the Old Agoura neighborhood and will be compatible with the surrounding neighborhood. The proposed 3,751 square foot size of the two-story residence is compatible with the sizes of the developed residential homes in the Old Agoura area. The project is found to be in compliance with the City's Architectural Design Guidelines and Standards of the Old Agoura Design Overlay District.

C. The proposed use and the conditions under which it will be operated or maintained will not be detrimental to the public health, safety, or welfare in that the design of the residence will ensure adequate light, air, privacy and open space to surrounding properties. The project meets the minimum setback requirements of the RL zone. A private septic system will serve this .72 acre parcel and meets the conditions of the Los Angeles County Health Department. Access to the lot will be obtained via Foothill Drive. The house will be constructed in compliance with the City Building Code.

D. The proposed use, as conditioned, will comply with each of the applicable provisions of the Zoning Ordinance in that the project is consistent with the development standards of the Residential Low Density zone and Old Agoura Design Overlay District. The proposed residence meets all required lot coverage, setbacks, and height limitation requirements for the zone.

E. The proposed use, as conditioned, is consistent with the goals, objectives and policies of the General Plan in that the project allows for equestrian use of the property, thereby maintaining the semi-rural character of Old Agoura, as called for in the General Plan Community Design Element.

F. The distance from other similar and like uses is sufficient to maintain the diversity of the community in that the project will meet the minimum yard setback requirements for the RL zone. The two-story residence will be placed 27 feet from the street serving the property, thereby preserving public views. Furthermore, the project was designed to provide sufficient space on the property to accommodate accessory structures and amenities in addition to the main residence. The RL zone allows for the development of single-family residences.

G. As conditioned, encroachment within the protected zone of one, off-site Oak trees is necessary for construction access to the residence from Blythdale Road and will not impact the health of the Oak tree. No mitigation is required for the proposed encroachment.

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 Site Plan/Architectural Review Case No. 07-SPR-011 and Oak Tree Permit Case No. 07-OTP-018, subject to the attached Conditions, with respect to the property described in Section 1 hereof.

Draft Resolution No. ____

Page 3

PASSED, APPROVED, and ADOPTED this day of March 6, 2008, by the following vote
to wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

John O'Meara, Chairperson

ATTEST:

Doug Hooper, Secretary

CONDITIONS OF APPROVAL (Case Nos. 07-SPR-011 and 07-OTO-018)

STANDARD CONDITIONS

1. This decision, or any aspect of this decision, can be appealed to the City Council within fifteen (15) days from the date of Planning Commission action, subject to filing the appropriate forms and related fees.
2. This action shall not be effective for any purpose until the applicant has agreed in writing that the applicant is aware of, and accepts all Conditions of Approval of this Permit with the Department of Planning and Community Development.
3. Except as modified herein, the approval of this action is limited to and requires complete conformation to the labeled exhibits approved by the Planning Commission: Site Plan, Building Elevation Plans, Floor Plans, Roof Plans, and Grading Plans.
4. All exterior materials used in this project shall be in conformance with the materials samples submitted as a part of this application.
5. It is hereby declared to be the intent that if any provision of this Permit is held or declared to be invalid, the Permit shall be void and the privileges granted hereunder shall lapse.
6. It is further declared and made a Condition of this action that if any Condition herein is violated, the Permit shall be suspended and the privileges granted hereunder shall lapse; provided that the applicant has been given written notice to cease such violation and has failed to do so for a period of thirty (30) days.
7. All requirements of the Zoning Ordinance and of the specific zoning designation of the subject property must be complied with unless set forth in the Permit or on the approved Site Plan.
8. No occupancy shall be granted for any new building until all Conditions of Approval have been complied with as determined by the Director of Planning and Community Development.
9. Unless waived by the Director of Planning and Community Development, all utilities existing and proposed shall be placed underground. If overhead utilities of 66 KV or greater exist on or about the subject property, the applicant shall file an agreement to join any Assessment District subsequently created to underground said lines.
10. A minimum of two (2) enclosed parking spaces shall be provided on the subject property, in conformance with the City Parking Ordinance. A minimum interior clear space of 20 feet by 20 feet must be maintained within the garage.

11. The applicant shall comply with all applicable Public Health Statutes, Ordinances and Regulations related to the disposal of sewage.
12. The applicant shall comply with the requirements of the Los Angeles County Fire Department prior to the issuance of Building or Grading Permits. The Forester and Fire Warden shall be consulted to ascertain the required fire flows and fire hydrants to accommodate the proposed development.
13. Unless this permit is used within two (2) years from the date of City approval, these permits will expire. A written request for a one-year extension may be considered prior to the expiration date.
14. The applicant shall pay to the City the applicable General Plan Update Recovery Fee prior to the issuance of a Building Permit. The current fee is \$1.41/\$1,000 of building valuation. Actual fees will be determined at the time of building permit issuance.
15. The applicant shall comply with the school impact fee requirements of the Las Virgenes Unified School District. The current fee is \$2.63 per square foot.
16. No roof-mounted equipment, other than attic ventilation systems and solar panels, as allowed by the Municipal Code, shall be permitted.
17. Prior to the issuance of a Building Permit, the applicant shall pay the Fire District Development Fee, at the rate in effect at the time of Building Permit issuance. The current rate is \$ 0.9223 per square foot of new floor area.
18. Prior to the issuance of a Building Permit, the applicant shall submit a letter to the Director of Planning and Community Development agreeing to suspend construction in the vicinity of a cultural resource encountered during development of the site, and leave the resource in place until a qualified archaeologist can examine them and determine appropriate mitigation measures. All fees and expenses for the retaining of a qualified archaeologist shall be paid by the applicant and shall not be at City expense. The applicant shall agree to comply with mitigation measures recommended by the archaeologist and approved by the Director of Planning and Community Development.
19. The approved grading plan and construction plan, resolution, conditions of approval, and a color and material board shall be on site at all times during the construction of the project.
20. All outstanding fees owed to the City, if any, shall be paid by the applicant within thirty (30) days from the date of this approval.
21. All retaining walls, if proposed, shall consist of materials subject to review and approval by the Director of Planning and Community Development.

22. Vehicle routes and access to the property for construction purpose shall be subject to review and approval by the City Engineer.
23. No construction work or repair work shall be performed between the hours of 7:00 p.m. to 7:00 a.m. or any Sunday or holiday.
24. The applicant and delegated contractors shall participate with City staff in a pre-construction meeting prior to issuance of a grading permit. Any change in the construction team shall be reported to the Building and Safety Department in a timely manner.
25. 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/PUBLIC WORKS DEPARTMENT CONDITIONS

26. PRIOR TO PERMITTING (GRADING, BUILDING, ENCROACHMENT, ETC)

A. General

- 26.01 For all work within public right-of-way, the applicant shall obtain an Encroachment Permit. Prior to issuance of this permit, all public improvement plans, which include but are not limited to, street, water, sewer, storm drain, lighting, signing and striping, etc shall be reviewed and approved by the City Engineer. Water plans shall be designed to meet LVMWD standards and contain a signature block for the City Engineer. All associated fees and securities shall be based upon completed Engineering Cost Estimate forms, approved by the Engineering Department. Forms are available for download from the City's website at www.ci.agoura-hills.ca.us.
- 26.02 Applicant shall pay all applicable Transportation Impact Fees (TIF) in the amount of \$2,440 to the Building and Safety Department.
- 26.03 All existing street and property monuments within or abutting this project site shall be preserved. If during construction of onsite or offsite improvements monuments are damaged or destroyed, the applicant shall retain a licensed land surveyor or civil engineer to reset those monuments per City's Standards and file the necessary information with the County Recorder's office.
- 26.04 Detailed on-site utility information shall be shown on the grading plan, which includes, but is not limited to, backflow prevention devices, exact location of laterals water meter size and location, invert elevations and grades for all gravity lines. The grading plan will not be approved by

the Engineering Department until this detailed utility information is included on the plans.

- 26.05 Grading Plan shall show location(s) of all Oak trees within the vicinity of the site. Applicant shall adhere to all requirements pertaining to Oak trees as outlined in the City's Oak Tree Consultant's Conditions of Approval.
- 26.06 Submit a soils/geology report to the project engineer for review and approval in accordance with Government Code, Section 66434.5 as required by the City Engineer.
- 26.07 Other Agency Permit/Approval: Prior to issuance of permits from the Engineering Department, this project will require a permit from the following agencies:
 - Los Angeles County Health Department (Provide written documentation showing septic system approval).
 - Las Virgenes Municipal Water District.
- 26.08 Building Permits shall not be issued until graded building pad(s) have been certified for compaction and elevation, as well as elevation certifications for entire site, to the City's satisfaction. Contact Engineering Department @ 818.597.7322 for approved City certification forms.
- 26.09 Other Conditions: Provide a preliminary title report not older than 30 days.

B. Public Improvements

- 26.10 Design full public improvements in accordance with City Code, Specifications, approved specific plan, and/or approved Conditions of Approval for the area. Such public improvements shall include, but not be limited to, the following:

Improvement Item:

Foothill Drive:

AC Pavement

Slurry; full width of street along frontage.

All water appurtenances are per LVMWD standards (See Condition No. 30)

Yes

Equestrian Trail Construct

Trail and Fence

8-foot equestrian trail and 3-foot inverted shoulder shall be per City standards.

- 26.11 This property is within the LVMWD service area. Applicant shall make arrangements with LVMWD for those services and provide the City with proof that all LVMWD fees have been paid.

C. Sewer

- 26.12 No sewer line is available for direct connection, but is anticipated to be available for connection soon. Applicant is currently proposing a septic system, which requires DHS approval prior to grading permit issuance. If applicant wishes to connect to sewer once available, the septic system abandonment and sewer tie-in will need to be permitted through the Building & Safety Department.

- 26.13 Other conditions: If the proposed sewer extension is completed along Foothill Drive prior to grading permit issuance, the applicant shall be required to connect to the public sewer, thus eliminating the requirement for Health Department approval listed under item 26.07.

D. Water

- 26.14 All water facilities shall be designed to comply with all LVMWD requirements. Final plans must be reviewed and approved by LVMWD and City.

E. Drainage/Hydrology

- 26.15 A hydrology study and drainage analysis, prepared and signed by a Civil Engineer registered in the State of California, in accordance with the Los Angeles County Hydrology Manual is required. Additional drainage facilities or portions of the site/grading plan may need to be altered as a result of the findings of this study. All concentrated flows shall outlet to appropriate velocity reducers prior to entering the public right-of-way.

F. Stormwater Quality (NPDES)

- 26.16 Prior to the approval of the Building Plans and issuance of Building Permits, an Erosion and Sediment Control Plan (ESCP) shall be submitted to and approved by the Engineering Department. The Erosion and Sediment Control Plan shall specifically identify the Best Management Practices (BMPs) that will be implemented on this project, during construction, to reduce the discharge of sediment and other pollutants into the City's storm drain system. Said plan shall ensure, among other things, that the following minimum requirements are effectively implemented at all construction sites:

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

27. PRIOR TO CERTIFICATE OF OCCUPANCY

- 27.01 All remaining fees/ deposits required by the Engineering Department must be paid in full.
- 27.02 All requirements including construction of improvements covered in Section 2, must be completed to the satisfaction of the City Engineer.
- 27.03 The Applicant's Engineer shall submit a set of MYLAR, Record (as-built) Drawings, for off-site improvements, to accurately reflect the constructed improvements. This set of Record Drawings reflecting all change orders during construction, must be submitted to the City via City's inspection prior to scheduling of final inspection for acceptance of the improvements. *Please note that no final inspection will be scheduled and subsequently no release of securities, posted for the project if any, will take place unless MYLAR, Record (As-built) Drawings, satisfactory to the City, are submitted.*
- 27.04 Other Conditions: Upon receiving Title Report, if conflicts/ issues arise regarding recorded documents over property, applicant shall take all measures necessary, as directed by City Engineer, to resolve said conflicts/issues. All items listed are to be complied with to the satisfaction of the City Engineer in accordance with the applicable provisions of the Agoura Hills Municipal Code.

BUILDING AND SAFETY

28. The City Building Code requires all new residences to be protected by a residential fire sprinkler system. Plans for required system shall be approved by the Fire Department prior to the issuance of Building Permits for the residence. Fire Sprinklers are required per Section 904.2.9 of the Agoura Hills Building Code.

30. The City Building Code requires that a minimum setback of structure to toe of slope per Agoura Hills Building Code, Section 1806.5.3 shall be demonstrated. Minimum setback from a descending slope is $H/2$, ($1/2$ the vertical height of the slope, including portions not on property), or provide the equivalent protection determined by the soils engineer. This deviation will need to be verified by the City Soils Engineer and approved by the Building Official.
31. Exterior elements and materials must be in compliance with all Fire Zone 4 requirements, Agoura Hills Building Code, Section 6402.1.
32. Dual pane windows shall be utilized as required for Fire Zone 4 compliance.
33. Projects shall demonstrate the use of Class-A roofing material.
34. Preliminary and final site plan and construction plan shall show location of A/C condensing units or other HVAC equipment located on or around structure.
34. Building Permits shall not be issued until grading is approved and City Fire District and all other Departments' requirements have been satisfied.

OAK TREE AND LANDSCAPING CONDITIONS

Oak Trees

35. The applicant is permitted to encroach within the protected zone of Oak Tree #94 to perform over-excavation for the foundation of the proposed residence.
36. The applicant shall provide a forty-eight (48) hour notice to the City and the applicant's oak tree consultant prior to the start of any approved work within the protected zone of any oak tree.
37. Prior to the start of any work or mobilization at the site, each oak tree to be preserved shall be fenced with temporary chain link fencing 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.
38. 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.
39. Pruning of live branches is not authorized unless specifically approved by the City Oak Tree Consultant.
40. All approved excavation performed within the protected zone of any oak tree shall be performed with hand tools under the direct supervision of the applicant's oak tree consultant.

41. 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.
42. No irrigation or planting shall be installed within the drip line of any oak tree unless specifically approved by the City Oak Tree Consultant and the Director.
43. 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.
44. At the completion of construction, the applicant shall place three inches (3") of an approved mulch throughout the portion of the dripline of each oak tree within the site.
45. Within ten (10) days of the completion of work, the applicant's oak tree consultant shall submit written certification to the City. The certification shall describe all work performed and whether such work was performed in accordance with the above permit conditions.

FIRE DEPARTMENT CONDITIONS

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

SOLID WASTE MANAGEMENT STANDARD CONDITIONS

47. 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.
48. 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.

49. 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

50. All future fencing and accessory structures shall be reviewed and approved by the Director of Planning and Community Development and the Building and Safety Department prior to construction.
51. The trash enclosure and air condenser units proposed on the west side of the residence shall be relocated to the rear or east side of the residence, as approved by the Director of Planning and Community Development, to allow for clear future access to the rear yard of the property.

END



**SITE PLAN/ARCHITECTURAL REVIEW
CASE NO. 07-SPR-011 AND
OAK TREE PERMIT CASE NO 07-OTP-018**

**FOR THE PROPERTY LOCATED AT
28220 FOOTHILL DRIVE, AGOURA HILLS**

EXHIBIT A

**LETTER FROM OLD AGOURA
HOMEOWNERS ASSOCIATION**

DATE: February 26, 2008
RE: Review of Proposed Project
FROM: Planning and Zoning Committee,
Old Agoura Homeowners Association
TO: Mike Kamino, Director
Department of Planning & Community Development
City of Agoura Hills
SUBJECT: 07-SPR-011 and 07-OTP-018 (Sharon, Rafi and Orit)

Description

The plans submitted show a 3,751 sq. ft. , 2-story house with a 1,259 sq. ft. garage on a lot of 31,360 sq. ft. located at 28220 Foothill Drive.

Comment

When taken together, the square footage of the house and of the garage seems to be sufficiently inside the limits of what this relatively level lot should bear. This is due, it would seem, to the reduction in the footprint obtained by opting for two storeys.

The Mediterranean style of the house is not the preferred one for Old Agoura, but it has been handled in a sufficiently restrained manner that we would not let it stand in the way of our recommendation.

The lot seems to have sufficient room for any future horse-keeping. This area must be kept free of hardscape or other improvements that would impose a substantial cost to any future owner wishing to keep horses or livestock. Access to the horse keeping area should also be maintained.

We are able to recommend the project.

We hope this is of help to you. This letter was originally written by an outgoing chair of the OAHA's Planning and Zoning Committee. Should you have questions, please contact the new chairperson, Robyn Britton, at bar99@earthlink.net.

CC Rene Madrigal, Assistant Planner



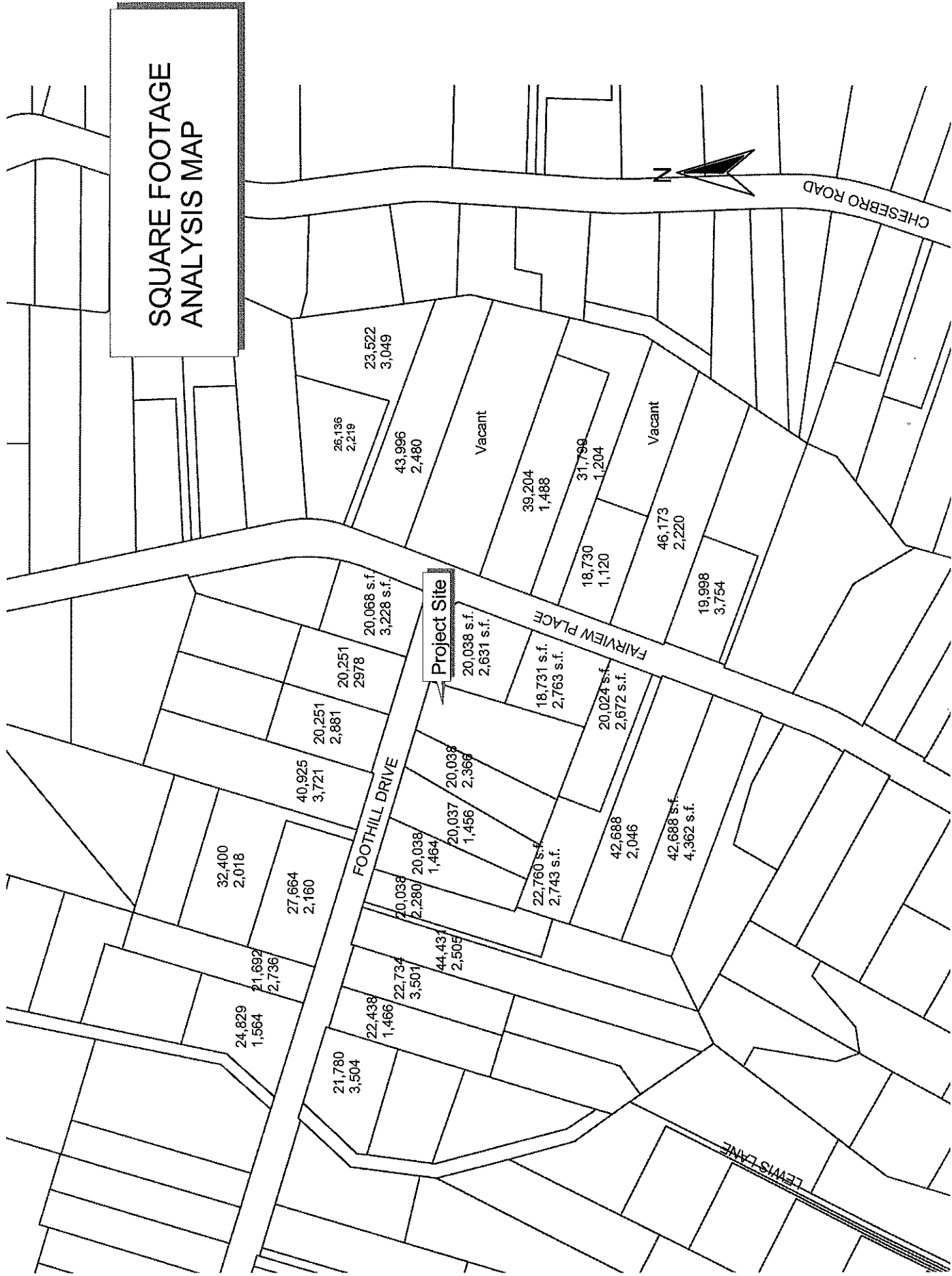
**SITE PLAN/ARCHITECTURAL REVIEW
CASE NO. 07-SPR-011 AND
OAK TREE PERMIT CASE NO 07-OTP-018**

**FOR THE PROPERTY LOCATED AT
28220 FOOTHILL DRIVE, AGOURA HILLS**

EXHIBIT B

SQUARE FOOTAGE ANALYSIS MAP

Site Plan/Architectural Review Case No. 07-SPR-011 and Oak Tree Permit No. 07-OTP-018
(A.P.N. 2055-016-023)





**SITE PLAN/ARCHITECTURAL REVIEW
CASE NO. 07-SPR-011 AND
OAK TREE PERMIT CASE NO 07-OTP-018**

**FOR THE PROPERTY LOCATED AT
28220 FOOTHILL DRIVE, AGOURA HILLS**

EXHIBIT C

RENDERING OF THE RESIDENCE

