



DATE: AUGUST 7, 2008

TO: PLANNING COMMISSION

FROM: PLANNING STAFF

SUBJECT: CONDITIONAL USE PERMIT CASE NO. 07-CUP-011 AND OAK TREE PERMIT CASE NO. 07-OTP-020

I. BACKGROUND AND DISCUSSION

On June 5, 2008, the Planning Commission held a public hearing to consider Nevin Bardai's request for a Conditional Use Permit (Case No. 07-CUP-011) to construct a 4,133 square-foot, two-story, single-family residence with a 1,157 square-foot attached garage, and a spa. An Oak Tree Permit (Case No. 07-OTP-020) was also requested to remove one (1) Oak tree and to encroach within the protected zone of five (5) on-site Oak trees for the proposed construction. The 46,837 square foot parcel is located at 28340 Balkins Drive in the RV-OA (Very Low Density Residential – Old Agoura Design Overlay) zone.

After reviewing the project and taking public testimony, the Planning Commission expressed concerns with the size of the residence; the building height; the building's massive appearance as viewed from the street; the amount of retaining walls; the exceeded amount of hillside lot coverage; the equestrian area located on a steep slope; and the closeness of the residence to the street. Based on the comments from the neighbors and the Planning Commission, the applicant agreed to a continuance to August 7, 2008, granted by the Planning Commission, in order for the applicant to address these issues. The project staff report and meeting minutes from the June 5, 2008 Planning Commission meeting are attached for reference.

II. STAFF ANALYSIS

The applicant has redesigned the residence to address the Planning Commission's concerns. The applicant is now proposing to construct a 3,547 square foot, two-story, single-family residence and a 981 square foot attached three-car garage.

The redesign of the residence includes reducing the size of the structure from 4,133 square feet to 3,547 square feet (a reduction of 586 square feet or 14%). The attached three-car garage has been relocated to the rear of the residence and reduced in size from 1,157 square feet to 981 square feet (a reduction of 176 square feet or 15%). The footprint of the house has been reduced from 3,751 square feet to 3,256 square feet (a reduction of 495 square feet or 13%).

The overall height of the house has been reduced from 35 feet to 27 feet (a reduction of 8 feet or 23%). The previously proposed two story portion of the house closest to Balkins Drive had a pad elevation six feet above natural grade. The revised design reduces this portion of the house to one story in height with greater setback from Balkins Street. As such, the pad is situated at natural grade to conform to the existing terrain.

The building boundaries will remain within the buildable area of the lot. The project still meets all minimum yard setbacks from all property lines and height requirements. Pertinent data for the project is described below and findings made for the original proposal remain the same and are included in the attached draft resolution.

Pertinent Data

	<u>Existing</u>	<u>Original Proposal</u>	<u>Revised Proposal</u>	<u>Allowed/ Required</u>
1. Lot Size	1.08 acres (46,837 sq. ft.)	Same	Same	1 acre min. (43,560 sq. ft.)
<u>Easements</u>	<u>8,230 sq. ft.</u>	<u>8,230 sq. ft.</u>	<u>7,536 sq. ft.</u>	N/A
Net Lot Size	38,607 sq. ft.	38,607 sq. ft.	39,301 sq. ft.	N/A
2. Building Height	None	35 ft.	27 ft.	35 ft. max.
3. Building Sizes:				
Lower Level	None	None	1,362 sq. ft.	N/A
First Floor	None	2,757 sq. ft.	602 sq. ft.	N/A
<u>Second Floor:</u>	<u>None</u>	<u>1,376 sq. ft.</u>	<u>1,583 sq. ft.</u>	<u>N/A</u>
Total House Area	None	4,133 sq. ft.	3,547 sq. ft.	N/A
Garage	None	1,157 sq. ft.	981 sq. ft.	N/A
<u>Patio Cover</u>	<u>None</u>	<u>353 sq. ft.</u>	<u>None</u>	<u>N/A</u>
Total Bldg. Size	None	5,643 sq. ft.	4,528 sq. ft.	N/A
4. Building Setbacks:				
Front (North)	None	25 ft.	41 ft.	25 ft. min.
Rear (South)	None	71 ft.	64 ft.	25 ft. min.
Side (East)	None	30 ft.	29 ft.	12 ft. min.
Side (West)	None	66 ft.	77 ft.	12 ft. min.

Pertinent Data

	<u>Existing</u>	<u>Original Proposal</u>	<u>Revised Proposal</u>	<u>Allowed/ Required</u>
5. Lot Coverage:				
House 1 st Floor	None	2,757 sq. ft.	1,964 sq. ft.	N/A
House 2 nd Floor	None	None	311 sq. ft. (Partial)	N/A
Attached Garage	None	994 sq. ft. (Partial)	981 sq. ft.	N/A
Covered Patio	None	353 sq. ft.	None	N/A
Terrace	None	None	855 sq. ft.	N/A
Driveway	None	1,387 sq. ft.	419 sq. ft.	N/A
Hardscape	None	3,074 sq. ft.	1,683 sq. ft.	N/A
Spa/Equip/AC Pad	None	383 sq. ft.	None	N/A
<u>Future Barn</u>	<u>None</u>	<u>360 sq. ft.</u>	<u>290 sq. ft.</u>	<u>N/A</u>
Total	None	9,308 sq. ft. (24%)	6,503 sq. ft. (17%)	25 % max.
6. Undisturbed Open Space		67% (25,905 sq. ft.)	82% (32,325 sq. ft.)	97.5% min. (37,642 sq. ft.)
7. No. of Oak Trees	19	18	18	N/A
8. Average Topographic Slope		48.9%	48.9%	N/A

To minimize the mass of the residence as viewed from the street, the front (north) elevation of the house is now single story. Additionally, the point at which the house steps in height occurs almost 73 feet from the street, compared to 53 feet previously.

In order to accomplish these changes much of the house has been submerged below ground level as shown by the cross section exhibits attached. As a result, the amount of retaining walls and hardscape has been reduced from 3,074 square feet to 1,683 square feet (a reduction of 1,401 square feet or 46%). Terraced retaining walls that were previously 3 to 4 levels high and averaging 21 feet in total height have been reduced to 1 to 2 levels high and now averaging 8 feet in total height. The total disturbed area has been reduced from 12,702 square feet to 6,976 square feet (a reduction of 5,726 square feet or 45%).

Although the project exceeds the maximum amount of hillside lot coverage, the applicant has worked to minimize impacts to the hillside areas of the lot by reducing the house size, shifting the volume further uphill behind the Oak trees and submerging the lower levels of the house below ground level to provide a structure that conforms to the natural topography

and keeping with the existing low profile character along Balkins Drive.

A new designated area has been identified on the plans for a future equestrian use. The applicant has selected a 1,796 square foot area on the front of the property as the location for a future 290 square foot barn and 1,506 square foot corral where the natural terrain is gently sloping and access is direct from the street. Minimal grading is proposed and is only necessitated for the construction of the barn itself.

Architecture

The architectural style of the house and the proposed building materials and colors on the residence have not changed from the proposed earthtone colors and natural building materials of stained tan color siding with off-white wood trim, brown cultured stone, and a slate concrete tile roof.

The rear yard with trellis covered patio and spa has been eliminated and replaced with an 855 square foot paved stone terrace at the front of the house adding to the low scale profile of the house presented to the street.

The driveway has been relocated from the front yard to the rear of the residence, behind two large Oak trees, reducing the amount of hardscaped area visible from the street. The driveway would be surface with concrete. Additionally, the guest parking is provided on a decomposed granite surface in a more natural and pervious approach at the front northeast portion of the lot, adjacent to the common driveway.

Engineering/Public Works Department Review

Engineering Department has reviewed the revisions and has not modified their original draft conditions. The City's Geotechnical Consultant has reviewed the revised grading plan prepared for the project and recommends that the project be approved from a geotechnical perspective at the planning stage. The City's Geotechnical Consultant's letter dated July 29, 2008 is attached for reference.

Oak Trees/Landscaping

The City Oak Tree/Landscape Consultant has reviewed the revised Landscape Plan and has modified their original draft conditions to include condition numbers 65, 66 and 67 and revised condition numbers 38, 53, 63 and 64, which are included in the draft Resolution. The redesigned residence would eliminate the impacts to Oak Tree Number 12 and increase the impacts to Oak Tree Numbers 1, 2, 9 and 11, as follows:

A portion of the redesigned residence would encroach within the dripline of Oak Tree Number 1, requiring pruning of a small portion of canopy. As much as twenty- five percent (25%) of the roots and foliage would be impacted overall, including area for construction access. This encroachment is potentially severe. However, if the work is performed with extreme care and monitoring, the tree should be able to remain in place.

A portion of the redesigned residence and associated driveway would encroach within the dripline of Oak Tree Number 2. Pruning is not anticipated. As much as thirty-five percent (35%) of the roots and foliage would be impacted overall, including area for construction access. This encroachment is potentially severe. However, if the work is performed with extreme care and monitoring, as conditioned, the tree should be able to remain in place.

The back cut for a retaining wall would encroach within the dripline of Oak Tree Number 9, impacting approximately eight percent (8%) of the root zone. The tree should be able to remain in place with careful monitoring.

A portion of a rear wall of the residence would significantly encroach within the protected zone Oak Tree Number 11, impacting approximately twenty-two percent (22%) of the root zone. Pruning is not anticipated. This encroachment is potentially severe. However, if the work is performed with extreme care and monitoring, the tree should be able to remain in place.

Oak Tree A, a re-sprout with four (4), one-inch (1") diameter trunks, lies within the footprint of the structure and will need to be removed to enable construction.

Overall, the project impacts approximately nine percent (9%) of the oak tree resources (3% more than previously proposed), as shown on the attached table. This impact would be considered reasonable by the City Oak Tree Consultant, as it is less than the ten percent (10%) overall limit mandated by the Zoning Code and since it could otherwise be very difficult to construct a residence on this site.

Environmental Review

Based upon review of this project by staff, no significant environmental impacts have been identified for construction of the project. The project consists of the construction of one single-family residence. The project has been determined to be Categorically Exempt from the California Environmental Quality Act per Section 15303. This exemption includes, but is not limited to the construction of a single-family residence.

III. RECOMMENDATION

If the Planning Commission desires to approve Conditional Use Permit Case No. 07-CUP-011 and Oak Tree Permit No. 07-OTP-020, staff has prepared the draft Resolution and Conditions for the Planning Commission to consider for adoption.

IV. ATTACHMENTS

- Draft Resolution and Conditions of Approval
- Exhibit A: Letters from Gary Bardovi, Charles Cohen and Nevin Bardai
- Exhibit B: Letters from the Community
- Exhibit C: Colored Rendering of Residence
- Exhibit D: Reduced Photocopies of Plans
- Exhibit E: Oak Tree Impact Analysis Map
- Exhibit F: GeoDynamics Letter of Recommendation
- Exhibit G: June 5, 2008 Meeting Minutes
- Exhibit H: June 5, 2008 Staff Report

Case Planner: Renee Madrigal, Assistant Planner

RESOLUTION NO. ____

A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF AGOURA HILLS
APPROVING CONDITIONAL USE PERMIT CASE NO. 07-CUP-011 AND
OAK TREE PERMIT CASE NO. 07-OTP-020

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

Section 1. An application was duly filed by Gary Bardovi for Nevin Bardai with respect to the real property located at 28340 Balkins Drive (Assessor's Parcel Number 2055-021-044), requesting the approval of a Conditional Use Permit Case No. 07-CUP-011 to construct a 3,547 square foot, two-story, single-family residence with a 981 square foot attached garage. The applicant is also requesting approval of an Oak Tree Permit Case No. 07-OTP-020 to remove one (1) Oak tree and to encroach within the protected zone of four (4) Oak trees for the proposed construction. A public hearing was duly held on June 5, 2008, and on August 7, 2008, at 6:30 p.m. in the Council Chambers, City Hall at 30001 Ladyface Court, Agoura Hills, CA 91301. Notice of the time, date and place and purpose of the aforesaid was duly given

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

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

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

B. The proposed use, as conditioned, is compatible with the surrounding properties. The proposed building design and building materials of the residence that include cedar siding, stone, wood stairs and guardrails and a tile roof are compatible with the neighboring structures and the topography of the property. The residence is located on the lower portion of a sloped lot and between the existing trees to minimize grading and maximize use of the topography, to retain the existing Oak trees and other natural growth on the land, and to preserve viewsheds. The project was reviewed by the City's Architectural Review Panel and was found to be in compliance with the City's Architectural Design Guidelines and Standards of the Old Agoura Design Overlay District.

C. The proposed use and the conditions under which it will be operated or maintained will not be detrimental to the public health, safety, or welfare in that the design of the residence will ensure adequate light, air, privacy and open space to surrounding properties. The proposed two-story structure is situated on the lower portion of the on-site hillside slope, which will preserve views and privacy of the surrounding properties. The project complies with the maximum allowable building height limitations of hillside properties. Geotechnical and geological reports have been prepared for the proposed construction on the property, which include mitigation measures to minimize potential risks of geotechnical and geological hazards. A private septic system will serve the 1.08 acre parcel and has been tentatively approved by the Los Angeles County Health Department.

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

E. The distance from other similar and like uses is sufficient to maintain the diversity of the community in that the project will meet the minimum yard setback requirements for the RV zone and the closest distance to the nearest residence will be approximately 173 feet. The residence will be placed an appropriate distance from the street serving the property to preserve public views. The RV zone allows for the development of single-family residences.

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

G. As conditioned, removal of one protected Oak trees and encroachment into the five protected Oak trees is necessary for construction of the proposed garage.

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. 07-CUP-011 and Oak Tree Permit Case No. 07-OTP-020, subject to the attached Conditions, with respect to the property described in Section 1 hereof.

Resolution No. ____

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PASSED, APPROVED, and ADOPTED this 7th day of August, 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-CUP-011 and 07-OTP-020)

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 \$2.97 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 All required plans and studies shall be prepared by a Registered Professional Engineer in the State of California, and submitted to the City Engineer for review and approval.
 - 26.02 Applicant shall pay a Transportation Impact Fees (TIF) to the Building and Safety Department in the amount of \$2,440 prior to the issuance of the Certificate of Occupancy.
 - 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 all graded areas (including building pad) have been certified for compaction and elevation, to the City's satisfaction. Contact Engineering Department @ 818.597.7322 for approved City certification forms.
- 26.09 Provide a preliminary title report not older than 30 days.
- 26.10 All grading shall conform to City's Grading Ordinance, Chapter 33 of the Uniform Building Code.
- 26.11 Vacate the following street or easement: 20-foot Slope Easement along property frontage.
- 26.12 Any/all work affecting existing easements (i.e.: LVMWD, SCE, etc.) shall require written documentation confirming the respective utility purveyor's approval. This requirement shall be completed prior to constructing any work that affects said easements.

B. Public Improvements

- 26.13 The applicant shall improve Balkins Drive along property line to provide for a minimum of 20-foot paved width, and a 3-foot inverted shoulder, as recommended by a State-licensed Civil Engineer to ensure runoff is maintained within the roadway. The roadway sections shall be 4" asphalt concrete minimum on top of 6" crushed aggregate base, unless otherwise recommended by the geotechnical and/or civil engineer. Improvements shall be reviewed and approved by the Fire Department, and then the City Engineer.
- 26.14 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

- 26.15 No sewer line is available for direct connection. Applicant shall obtain DHS approval for septic system prior to grading permit issuance, and shall provide written documentation to City showing DHS approval.

D. Water

- 26.16 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

- 26.17 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.

F. Stormwater Quality (NPDES)

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

1. Sediments generated on the project site shall be retained using adequate Treatment Control or Structural BMPs;
2. 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;
3. Non-storm water runoff from equipment and vehicle washing and any other activity shall be contained at the project site;
4. 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.

- 26.19 Prior to the approval of the Grading Plan and issuance of Grading Permits, a completed Standard Urban Stormwater Mitigation Plan (SUSMP) shall be submitted to and approved by the Engineering Department. The SUSMP shall be prepared per the Los Angeles County Standard Urban Stormwater Mitigation Plan (SUSMP) design guidelines. SUSMP shall identify, among other things, all Post-Construction, Site Design, Source Control and Treatment Control Best Management Practices (BMPs) that will be incorporated into the development project in order to minimize the adverse effects on receiving waters.
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 The applicant shall *record a covenant for continued stormwater maintenance, using City-approved forms*, with the Los Angeles County. An electronic copy of this document is available on the City's website: www.agoura-hills.ca.us.
- 27.05 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.
29. 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.
30. Exterior elements and materials must be in compliance with all Fire Zone 4 requirements, Agoura Hills Building Code, Section 6402.1.
31. Dual pane windows shall be utilized as required for Fire Zone 4 compliance.
32. Projects shall demonstrate the use of Class-A roofing material.
33. 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 remove Oak Tree A to construct the project as proposed.
36. To mitigate the loss of Oak Tree A, the applicant shall plant the following replacement oak trees within the site:
 - a. At least four (4) *Quercus agrifolia* (Coast Live Oak)
 - b. At least two (2) of the four trees must have a minimum size of twenty-four inch (24" box
 - c. At least one (1) of the four trees must have a minimum size of thirty-six inch (36") box

37. To mitigate for the loss of the eighteen (18) Oak trees that have produced stump sprouts, the applicant shall plant three (3) additional twenty-four inch (24") box size Oak trees within the site.
38. The applicant is permitted to encroach on Oak Trees Number 1, 2, 9, and 11 to construct the project as shown on the approved plans.
39. All other Oak trees shall be preserved in place with no direct impacts.
40. The planting locations, species and quality of all mitigation Oak trees are subject to the approval of the City Oak Tree Consultant.
41. The mitigation Oak trees shall be maintained in perpetuity. Should any of the mitigation Oak trees decline or die, they shall be replaced in accordance with the provisions of the Oak Tree Preservation and Protection Guidelines.
42. 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.
43. The applicant shall provide a minimum of forty-eight (48) hours notice to the City Oak Tree Consultant prior to the start approved work within the protected zone of an Oak tree.
44. 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 per the approved plans.
45. 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. 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
46. Prior to occupancy, each Oak tree shall be mulched throughout the dripline with three inches (3") of approved organic matter.
47. Any fertilization of the Oak trees should be based on actual soil tests from the site. Fertilization is generally not necessary unless serious deficiencies are evident in the leaves.
48. 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.
49. 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.

50. No irrigation or planting shall be installed within the dripline of any existing or new Oak tree unless specifically approved by the City Oak Tree Consultant.
51. No herbicides shall be used within one hundred feet (100') of the dripline of any Oak tree unless the program is first reviewed and endorsed by the City Oak Tree Consultant.
52. The 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

53. Prior to the approval of building permits, the applicant shall submit three (3) sets of landscape plans meeting the following requirements; subject to review by the City Landscape Consultant and approval by the Director of Planning and Community Development.
 - 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
54. The Planting Plan shall indicate the botanical name and size of each plant.
55. Plant symbols shall depict the size of the plants at maturity.
56. Plant container sizes and/or spacing shall be provided. Minimum sizes shall be acceptable to the City Landscape Consultant and the Director.
57. The Irrigation Plan shall be provided separate from but utilizing the same format as the Planting Plan.
58. 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.
59. The Irrigation Plan shall be concise and accurate and shall include the manufacturer, model, size, demand, radius, and location of the following, as appropriate:
- h. Design and static pressures
 - i. Point of connection
 - j. Backflow protection
 - k. Valves, piping, controllers, heads, quick couplers
 - l. Gallon requirements for each valve
60. 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.
61. 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

62. 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.
63. The final landscape plan shall generally conform to the Planting Plan prepared by L. Newman Design Group, Inc. dated May 7, 2008 July 16, 2008.
64. Where coastal sage scrub vegetation was previously cleared from the site, California native plants and non-native weeds and grasses are currently re-sprouting in these areas. If, at the time of issuance of a building permit, fifty percent (50%) coverage with California native coastal sage scrub vegetation is achieved within these areas, no further action is required other than the continued protection of these plants. However, if fifty percent (50%) coverage has not been achieved, the applicant shall be required to hydroseed the disturbed area with an approved mix of California native shrubs, grasses and forbs. This planting must then be monitored for a period of two years following planting.
65. The landscape plan shall prominently display the following notes:
 - a. All plant material shall conform to the most recent edition of ANSI Z60.1 - American Standard for Nursery Stock.
 - b. Prior to scheduling an inspection of the landscape installation with the City, the applicant's landscape architect shall certify in writing that the installation is in conformance with the approved landscape plans.
66. Poor landscape practices such as topping, hedging and "lollipoping" shall not be permitted and may require that plant materials be replaced with like size materials at the discretion of the City Landscape consultant.
67. All landscaping shall be irrigated and maintained in perpetuity in accordance with the approved Landscape Plan.

FIRE DEPARTMENT CONDITIONS

68. 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

69. 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.

70. 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.
71. 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

72. All proposed retaining walls shall consist of split-faced block or other decorative materials, subject to review and approval by the Director of Planning and Community Development.
73. No portion of the residence shall exceed thirty-five (35) feet in height.

END



**CONDITIONAL USE PERMIT CASE NO. 07-CUP-011
AND OAK TREE PERMIT NO. 07-OTP-020**

**FOR THE PROPERTY LOCATED AT
28340 BALKINS DRIVE, AGOURA HILLS**

EXHIBIT A

**LETTER FROM GARY BARDOVI,
CHARLES COHEN AND NEVIN BARDAI**

DVORETZKY

July 28, 2008

Ms. Renee Madrigal
City of Agoura Hills Planning Department
30001 Ladyface Court
Agoura Hills, CA 91301

Re: 28340 Balkins Drive, City of Agoura Hills
07-CUP-001 and 07-OTP-020
(APN 2055-021-044)

Dear Renee,

You will recall that the house as originally presented to staff in August 2007 contained 5,084 square feet, 6 bedrooms, 4 ½ baths and rear yard with trellis covered patio and Jacuzzi spa. Subsequently, after meetings with the city, homeowners association and neighbors the house was redesigned, reduced in size and presented to the Planning Commission on June 5th as 4,133 square feet with a 1,157 square foot garage, 4 bedrooms and 4 ½ baths.

In the time since the Planning Commission hearing we have been working diligently to address the concerns of the commissioners, neighbors and homeowners association. Mr. Bardai has met numerous times with the design team exploring alternate design scenarios, has gone door to door to better appreciate the concerns of his neighbors and has ultimately concluded that a house that will reflect the goals of the commissioners and interests of the community at large cannot come without certain sacrifices on his part. The home on this property that Mr. Bardai had envisioned to meet his needs for the past six years will not be a reality. In light of the commissioners direction Mr. Bardai has directed our firm to prepare and submit plans for the house you are now reviewing.

Consequently we have further reduced the house size and site improvements so that the house now contains 3,547 square feet with a 981 square foot garage. In order to make these reductions Mr. Bardai has eliminated the family room, wet bar and exercise room and has adopted a less formal "greatroom" approach to the living areas. The overall height of the house has been reduced from 35 feet to 27 feet and the portion of the house closest to Balkins Drive that was previously 35 feet above the street level has been reduced to be 24 feet above the street level. The rear yard with trellis covered patio and Jacuzzi spa has been eliminated and in its place is a much more modest terrace at the front of the house adding to the low scale profile of the house presented to the street. Reducing the front of the house from two stories to one story greatly reduces the massing close to the street, a major concern expressed by the neighbors. Additionally, the point at which the house steps in height occurs almost 73 feet from the street, compared to 56 feet previously.

In order to accomplish these changes much of the house has been submerged below ground level as evidenced by the cross section exhibits. As a result the

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amount of retaining walls and hardscape has been dramatically cut from 3,074 square feet to 1,683 square feet. Terracing retaining walls that were previously 3 to 4 levels high and averaging 21 feet in total height have been reduced to 1 to 2 levels high averaging 8 feet in total height.

The combined effect of reducing the house size, shifting the volume further uphill behind the oak trees and submerging the lower levels of the house below ground level is a structure that conforms very well to the natural topography, one which is in keeping with the existing low profile character along Balkins Drive.

Other site improvements have been reworked in response to concerns raised. The horse keeping facilities have been relocated from the top of the property to the front yard. The corral and barn are now situated along the street where the natural terrain is gently sloping and access is direct from the street. Minimal grading is proposed and is only necessitated for the construction of the barn itself. The driveway has been relocated from the front yard to a position further uphill behind two large oak trees much reducing the amount of hardscaped area visible from the street. Additionally the guest parking is provided on a decomposed granite surface in a more natural and pervious approach. All in all the total amount of disturbed area has decreased from 12,702 square feet to 6,976 square feet and the impervious area from 9,308 square feet to 5,649 square feet. The footprint of the house has been reduced from 3,751 square feet to 3,256 square feet.



Indeed this parcel presents many challenges of slope, limited buildable area and an abundance of oak trees. We have taken great care in situating the house so as to minimize alteration of the terrain and impact to the trees. Alternate design scenarios that were explored yielded much more extensive grading and retaining walls as well as higher visibility on the upper slope of the property. These studies will be presented at the next hearing. Mr. Bardai trusts that staff, the commissioners and his neighbors will recognize and appreciate the great lengths he has gone through to modify the project to the satisfaction of all parties.

Sincerely,

Gary Bardovi

Gary Bardovi, AIA
Principal Architect, Dvoretzky Bardovi Bunnell Architects



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ATTORNEYS AT LAW

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July 30, 2008

VIA E-MAIL AND U.S. MAIL

Ms. Renee Madrigal
City of Agoura Hills Planning Dept.
30001 Ladyface Court
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rmadrigal@ci.agoura-hills.ca.us

Re: C onditional Use Permit Case No. 07-CUP-011 and Oak Tree Permit Case No.
07-OTP-020 (Bardai)

Dear Ms. Madrigal:

As noted at the continued June 5th Agoura Hills Planning Commission hearing for this proposed project, the property located at 28340 Balkins Drive in the Old Agoura neighborhood presents several material hurdles in developing a single-family home that satisfies the desires of Mr. Nevin Bardai, the project applicant, while also accommodating the requirements and requests of the City and Mr. Bardai's (hopefully) future neighbors in Old Agoura.

Perhaps the most significant constraint at issue is the relatively high average slope of Mr. Bardai's property and the City's Hillside Ordinance (Agoura Hills Municipal Code section 9652 et seq.), which provides valuable limitations on such property in order to preserve the natural terrain of the City, including that of the Old Agoura neighborhood. However, as discussed in detail below, and as recognized by City staff, the Hillside Ordinance provides that, despite the lot coverage limitations contained in the Ordinance, one residential unit is permitted when certain criteria can be met. As City staff has properly found—and what the Planning Commission should find—Mr. Bardai's property meets that criteria.

That does not, of course, mean that Mr. Bardai's development rights are unlimited nor has he ever pursued his dream home without recognizing the interests of his neighbors and the City. We recognize the appropriateness, under the City's public process policies, to address the comments of the public and the Commission in order to receive the requisite Conditional Use Permit ("CUP"). As explained further below and in a separate letter from Mr. Bardovi, Mr. Bardai's architect, Mr. Bardai has improved his design significantly and in fundamental ways so as to address the helpful, constructive criticism he received at the June 5th hearing. These

proposed modifications create a home and site in alignment with satisfying the findings set forth in the proposed resolution approving the CUP (and associated Oak Tree Permit), while not completely departing from the values and functional needs that he originally designed to.

Project Background: As explained by Mr. Bardovi, Mr. Bardai initially proposed a six-bedroom, 5,000 sq. ft. home, a design consistent with several new residences in the Old Agoura neighborhood. However, at staff's direction, and after meeting with Old Agoura residents, Mr. Bardai reduced his proposal to a four-bedroom, 4,133 sq. ft. home with a 1,157 sq. ft. garage so as to be more consistent with the most proximate homes in the neighborhood and the natural condition of the lot. City staff acknowledged said effort and supported the proposed home.

The Commission directed Mr. Bardai to modify the proposal further on June 5th and continued the hearing. Mr. Bardai and his project team have thoroughly reviewed the extensive comments of the residents who spoke at the public hearing those of the Commissioners. As a result, they have again altered the design of the home to bring it into harmony with most, if not all, of those expressed perceptions. The comments generally focused on a few key areas: (1) size and mass of the home; (2) disturbance to open areas; and (3) impacts to on-site oak trees.

With the redesign in hand, Mr. Bardai has gone door-to-door to discuss the changes in the proposed home with his (hopefully) future neighbors. The results of those efforts have been chronicled in Mr. Bardai's separate letter, which illustrates the lengths that Mr. Bardai has gone to in order to address the comments of the Old Agoura residents and the Commission.

Project Modifications: With regard to the size and mass of the proposed home, Mr. Bardai has reduced considerably the square footage of the home, which is now approximately 3,500 sq. ft. (with a smaller 981 sq. ft. garage). More importantly, the footprint or graded area has been trimmed to 3,256 sq. ft. Additionally, the overall height of the home is now 27 ft. (as opposed to 35 ft.) and, perhaps more importantly from the nearby residents' perspective, the home is only 24 ft. above street level at Balkins Drive, as the home has been reduced from two stories to one in that area.

In addition to the size and mass reductions in the home, Mr. Bardai's team has further enhanced the openness of the lot. The amount of total disturbed area has been cut by approximately 45 percent. This has been accomplished by scaling back the size of the home and by submerging some of the home below grade¹, thus eliminating the need for the extensive retaining walls on the slope behind the home (a specific concern raised by Commissioner Nouzille on June 5th). The total amount of hardscape and retaining walls has also been reduced

¹ Due to the submergence of the home to address comments regarding the height and mass of the home, additional grading will be required. However, Mr. Bardai and his team feel that the short-term burdens imposed by the additional grading (and subsequent hauling) will be considerably outweighed by the long-term benefits to the neighborhood of a lower-profile home.

by nearly half. Similarly, several requested that the corral and horse-keeping area be relocated to the front of the property. Those requests have been implemented in this latest design and will result in appreciably less disturbance to the site.

Finally, despite Mr. Bardai having engaged the area's premier oak tree preservationist, Lee Newman Design Group, Landscape Architects, there were expressions from neighbors about further minimization of the already minimal encroachment into the protected areas of the existing oak tree forest. Please remember that the home footprint was specially configured to accommodate the oaks and the topography, and that only one tree is to be removed. Those were the starting and fixed values around which the home was designed. To accentuate those primary values, Mr. Bardai will be bringing in and planting seven new trees, significantly adding to the shade canopy. Please note that any relocation of the home to totally avoid what are now minor tree encroachments would necessarily cause more grading and result in the construction of retaining walls eliminated by way of the new design. Finally, please also note that the oak tree specialist has opined that the proposed encroachments are not adverse to the health or beauty of the subject oaks. .

The Hillside Ordinance: As mentioned, the City's Hillside Ordinance dictates that certain lots may be subject to a limitation of development area (Municipal Code § 9652.13). Because Mr. Bardai's lot slope is greater than 35 percent, 97.5 of the parcel is to remain ungraded. However, as the City is aware, when such a condition is found, as in the instant matter, which would literally prohibit the feasible use of said parcel, one (feasible and reasonable—perhaps the better term would be “compatible”) residential dwelling unit is permitted so long as the following conditions are satisfied:

- The parcel was lawfully created prior to the adoption of the Hillside Ordinance;
- A change in ownership occurring after the adoption of this section has not resulted in the parcel no longer being considered part of a larger parcel of land;
- A private septic system will not be installed for any dwelling unit located on a parcel of land consisting of less than one acre in area; and
- A conditional use permit authorizes the dwelling unit.

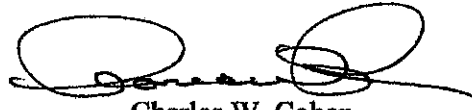
As discussed in the City staff report prepared for the June 5th hearing, Mr. Bardai's property satisfies each of the first three conditions of the Hillside Ordinance. The parcel was created prior to the effectiveness of the Ordinance, the parcel has not been merged with another, and the property, which does utilize a septic system, is greater than one acre. The fourth condition will be satisfied should the Planning Commission approve the CUP before it.

The Hillside Ordinance, then, grants the Commission the discretion to approve Mr. Bardai's redesigned home while still ensuring that the home satisfies the lot coverage standards for the property (as required by the proposed resolution for the project), and we respectfully request that the Commission do so.

While Mr. Bardai's property and its slope present distinctive challenges, we do note that his 3,500 sq. ft. proposal is significantly below many existing and recently-approved Old Agoura homes² and is a dramatic compromise of his initial proposal. The revisions to Mr. Bardai's proposed home, especially the increased setback and reduced size and massing, will further ensure that the home is compatible with the Old Agoura neighborhood and its special character and attributes.

Thank you for your consideration.

Very truly yours,



Charles W. Cohen
WESTON, BENSHOOF,
ROCHEFORT, RUBALCAVA & MacCUIISH LLP

Cc: Nevin Bardai
Neal Maguire, Weston Benshoof et al.

² As detailed by City staff, a 5,420 sq. ft. home on a 1.01-acre parcel, a 5,536 sq. ft. home on a 0.92-acre site, and a 4,960 sq. ft. home on a 1.13-acre parcel have either been recently approved or constructed in the immediate vicinity of Mr. Bardai's property. A 5,376 sq. ft. home on 1.36 acres was under review by City staff at the time of the June 5th hearing.

Nevin Bardai

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July 29, 2008,

City of Agoura Hills Planning Commission
City of Agoura Hills Council Chambers
30001 Ladyface Ct.
Agoura Hills, CA 91301

Case No: 07-CUP-011 and 07-0TP-020

Dear Commissioners,

I write this letter to you so that I can address the comments expressed by hopefully, my future neighbors at the Planning Commission hearing on June 5, 2008 (the comments were from five speaking property owners as well as a letter representing other homeowners) and during more recent follow up in person conversations. Additionally, I have made changes based on your comments at that hearing.

During the past 2 weeks, my fiancé and I went door to door in the hopes of talking with each neighbor. We met with some; others declined or were unavailable. In order to insure that their concerns were addressed, I have created a matrix listing each speaker's name, a summarized list of comments from the video tape, and my responses.

We trust that after you have reviewed the matrix below you will agree that we have sincerely tried to make our home fit this lot & the neighborhood.

Exhibit A

Speakers	Comments & Objections at the Hearing	Nevin Bardai's Comments
Laurie Turner	<ol style="list-style-type: none">1. For sale sign she thought it was for the lot behind. Didn't realize that this lot was separate from the lot behind.2. Absolutely inconceivable that the steep side of this hill, covered by an extraordinary oak grove, would ever be developed. Believed that the City Ordinance would prevent such a thing.3. This is the wrong house for this property. The slope and other characteristics of the hillside should dictate a house much smaller size.4. My neighbors and I cringe when a new oversized house towering above the road and adjoining property is built.5. I don't agree that a few individuals have the right to change the character of our neighborhood.	<ul style="list-style-type: none">➤ Attempted to meet with Mrs. Laurie Turner but was declined. Mr. Turner stated she will be introduced at the next hearing.➤ Our revised plan does not destroy the hillside, but on the contrary, preserves almost 83% of the lot.➤ Our home, especially now with the proposed revisions, does not tower over Balkins. The height of the home has ben reduced from approximately 35 feet to 27 feet, and many retaining walls have been eliminated.➤ The new plans preserve the spirit of the neighborhood and eco system on the lot. Out of 19 oak trees we have preserved 18 trees, while planting 7 new ones.

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Speakers	Comments & Objections at the Hearing	Nevin Bardai's Comments
	6. This project would require the destruction most of the hillside and shows lack of respect for the community and its values. 7. I want to preserve <ol style="list-style-type: none"> a. Classic old neighborhood. b. Preserve this unique eco system. c. Inspire nostalgia and touch the heart. 	
Brent Turner	1. Object to this development. Not to specifics as the commission has already heard. 2. Do not agree with what has been done in Old Agoura. 3. Not against development, but development that changes the character of the neighborhood. 4. The Picture – Building is on top of the hill but not clear why we can't see the hill. 5. Question: Is the house higher than the Oak trees that are east of it?	<ul style="list-style-type: none"> ➤ Met with Mr. Turner when my fiancé & I went door to door. We appreciated Mr. Turner's willingness to listen. ➤ He provided insight with his belief that much of the opposition I am experiencing is because of all the other large homes already developed or in development in the neighborhood. I understand those concerns and have designed a home significantly smaller in size than those newer homes and will minimize neighbor inconvenience during construction. ➤ I discussed with Mr. Turner the proposed FAR chart and noted that <u>it</u> was overwhelmingly opposed by most of the people that attended the Workshop on the item.
Jon Levin	1. Several reasons why this is inappropriate for this lot. 2. The proposed home at 5300 Sq Feet which does not fit this lot. 3. The lot coverage is almost 9,308 Sq ft. 24% of the lot. 25% is the maximum. 4. There is another project behind this lot. There will be a total of 18 to 19K Sq. ft. of house on this hill. 5. The current ordinance requires the lot to be 97.5% open space. At 67%, it is grossly below that requirement. 6. Encroachment of many oak trees, whose future health cannot be guaranteed. 7. Mass in the front of the house looms over the street and engulfs the entire lower portion of the lot. 8. There are several large retaining walls that further encroach on the street. 9. Extensive amount of grading and dirt that is being moved to replace the hill with a house. 10. The nature of the street will be greatly affected by this large structure sticking out from the hillside.	<ul style="list-style-type: none"> ➤ We attempted to meet with Mr. Levin but he declined. He sent me an e-mail later stating that he will make his comments to the commission. ➤ Mr. Levin's erroneously believed that the house was 5300 sq. ft. rather than the proposed 4,133 sq. ft. Please note that I have reduced it even further to 3,547 sq. ft. ➤ The new plan has substantially reduced the lot coverage from 9,308 sq. ft. to 6,976 sq. ft., a reduction of over 45%. This was achieved by the following sacrifices: <ul style="list-style-type: none"> ○ No spa or backyard. Only a small terrace in the front. ○ No family room. ○ No exercise room ○ Substantial reduction of the footprint of the entire structure. ○ Removal of the elevator for handicap access. ➤ With regard to the open space concern, the new plan substantially improves on the undisturbed area (83% instead of 67%). ➤ With regard to the health of the oak trees: It is my plan to abide by the most stringent protocols to insure their survival. This is essential to my residence as well, as it provides for privacy. Please note, too, that I will be adding seven oak trees to the site. ➤ Concern about on the "mass": Mass in the front is completely gone. The new plan complements the neighborhood, as the home has been reduced substantially in height (the height of the structure has been reduce from

Nevin Bardai

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Speakers	Comments & Objections at the Hearing	Nevin Bardai's Comments
	11. Disturbance due to other construction activity going on. 12. Please look at the letter we submitted with 25-30 signatures that agree with this stance. 13. Also there is a 3rd lot that is contiguous to the Bardai property. There are inquiries already made to build a third house on the hill.	<p>35 feet to 22 ft, and maximum 27 ft in the back which is not viewable from Balkins; the overall length has been reduced from 144 ft to 122 ft.; the distance of the front set back increased by 16 feet, from 25 ft to 41 ft.; and we have created a primarily single-story home and further pushed back portion of the second story structure from 56 ft to 72 feet.</p> <ul style="list-style-type: none"> ➤ Retaining walls in the rear: We have removed or reduced all of the retaining walls in the rear which were terraced totaling 21 feet. Mr. Levin's view from his property is substantially improved. ➤ The highest wall is 5 feet and directly behind the new garage to provide passage for the fire department. ➤ The concern again regarding grading: my lot is almost 50% hillside. The remaining 50% is on a slope. The affected area is a small portion of the slope. <ul style="list-style-type: none"> ○ The area where the dirt is being moved is in the slope portion of the land and not the hillside. ○ We are now preserving 82.25% & over 83% without the horse-keeping area of the property. ➤ There were 21 signatures that opposed the previous project of which represented 14 properties in the neighborhood. Five (5) neighbors out of the 14 properties represented that they signed due to a few others that were unhappy with the changes that were happening to the neighborhood. I understand those concerns and have attempted to create a design in line with the Old Agoura neighborhood. ➤ Mr. Levin discussed "<u>potential</u>" impact to the properties directly behind me. There are to my knowledge no official plans submitted for those properties—only a "pre-application" which was over six months ago. The property that is two lots behind me has its own access and is not through my lot. All of these lots have been vacant since at least I bought my property. <p>In Summary to Mr. Levin's comments: Mr. Levin's residence is 239 feet from my proposed residence and is approximately 75 feet above me. Because of his high location, and in conjunction with other homes that have already been developed, his view has already been altered. He had shared with me his disappointment with the other projects that have been developed. However, my project will not further obstruct his view. Also, my plans will add more foliage and trees on my site and will screen my proposed home. I would also note that my lot is zoned for residential use, not open space, and so while I respect my neighbors desires. I am not altering any of their property rights.</p>

Nevin Bardai

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Speakers	Comments & Objections at the Hearing	Nevin Bardai's Comments
Robyn Britton	<ol style="list-style-type: none"> 1. Representing the HOA. 2. Very attractive design element and vocabulary is appropriate to the area. 3. Open crusted hillside. Has attempted to design around the trees. 4. Question how much house this hillside can carry? Based on the hillside ordinance and other considerations strongly suggest "reducing the size of the project". 5. Retaining wall being 24 feet in total height suggest the intensive cut & fill the project will require. Fully appreciate the catch 22. 6. The bulk of the house looms on the hill. 7. If the house is further back, the lot will require more cut & fill. 8. If an FAR chart would have been passed then it would have guided the applicant as to how much house to build. 	<ul style="list-style-type: none"> ➤ We met with Mrs. Britton to review the revised plans. We appreciated her willing to meet with us. She will provide her feedback at the commission hearing. ➤ One of her key points is "reducing the size of the project". We have substantially reduced it. See the attached table comparison chart at the end of this letter as Exhibit C ➤ 21 feet of retaining walls have all been eliminated. ➤ She is correct that further moving the home back will result in the site having extensive amounts of retaining walls. We have, especially pursuant to Commissioner Nouzille's similar comments, reduced the impacts to the hillside.
Andrea Lux	<ol style="list-style-type: none"> 1. Letter submitted. 2. Encroachment to the Oak Tree is being allowed. Speechless. 3. Massing at the street level. Visual impact is quite substantial and the retaining walls. 4. The grading is extensive. 5. Truck traffic effect on Fairview. 6. Hillside ordinance is tested to its maximum. Slope factor is challenging to build on this lot. 7. Please consider the topography and other projects. 8. Please ask the applicant to reduce the size and the massing of this project. 	<ul style="list-style-type: none"> ➤ We attempted to meet with Mrs. Lux. She sent an e-mail stating, "Should your project fall into those guidelines proposed to you by the Planning Commission at the hearing, I feel you will have their approval of which I would support." ➤ The encroachment into the oak tree is necessitated by the fact it is the best site and proximity of the proposed residence to reduce or eliminate the concerns raised. Placement of the home at any other location will have a greater impact. ➤ The oak trees are nature's gift to this property and an integral part of this proposed residence. Preservation and survival of these trees is essential to my plans, and I have attempted to avoid any impacts to the trees as best as I could. Also, I will be adding trees. ➤ We have reduced the size and massing of this home substantially. Please see the attached comparison chart at the end of this letter as Exhibit C.
Michael Papanicolaou	<p>Next door neighbor adjacent to the west and other side of the hill.</p> <ol style="list-style-type: none"> 1. The combined "violations" should prevent this projects approval. <ol style="list-style-type: none"> a. Horses in the back b. House in the front c. Use more space d. Make it larger. 2. Mainly concerned about the visual appearance from the street. Nothing 	<p>Dr. Papanicolaou met with us when we went door to door. We reviewed the revisions at a high level. He was pleased with the changes. We appreciated that Dr. Papanicolaou agreed to meet with us.</p> <ul style="list-style-type: none"> ➤ Horse-keeping area is now in the front. ➤ The house is moved back substantially to 41 ft from the street and is only a one-story in the front. ➤ The home is now smaller and compressed. The footprint of the entire home is only 3,261 sq ft. The hard scape is reduced by 45%. ➤ His main concern was the massing from the street. This has

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Speakers	Comments & Objections at the Hearing	Nevin Bardai's Comments
	<p>on the right left or front of it.</p> <p>3. As recently as last night we had a workshop on the FAR Chart. If we were to use the FAR chart the home would be smaller.</p> <p>4. There is a project behind me on the other side. They dug into the hill 25 feet which has caused a portion of the house to sag. I had to re-hinge my garage.</p>	<p>been eliminated.</p> <p>➤ So in sum, we have now made substantial reductions to virtually all aspects of the project.</p>
Walt Chandler	<p>a) Doesn't lay out on the land in a way that would complement the neighborhood. The 25 foot frontage will feel like 45 feet.</p> <p>b) Proposed changes in ordinance – will support a 2000 sq foot home.</p> <p>c) We like the hillside and are against the spirit of the ordinance being discussed.</p> <p>d) Acknowledged meeting with Mr. Bardai but didn't change the spirit.</p>	<p>➤ We met with Mr. Walt Chandler & Mrs. Pamela Chandler when we went door to door. We appreciated Mr. & Mrs. Chandler willingness to meet with us. The new plans lay nicely and complement the neighborhood. The home is now reduced substantially in height (from 35 feet to 22 ft in the front, and 27 ft in the back), length (144 ft to 121 ft), and distance (from 25 ft of a two-story structure to 41 ft single-story structure and back portion of the second story structure is now increased to 72 feet from 56 ft).</p> <p>➤ The above changes do live up to the "spirit" of the ordinance where I am not asking to push the "envelope" of the Hillside Ordinance, as illustrated by my <u>25% to 17% area reductions, and the residence structure represents 10.47% of the total lot.</u></p>
Pamela Chandler	<p>Oppose the project.</p> <p>1. Too obtrusive.</p> <p>2. Lot of dirt will have to be cut.</p> <p>3. Gives Old Agoura hills Hollywood hills effect.</p> <p>4. Set back is supposed to be 25 feet – is the 1st retaining wall at 7 feet?</p> <p>5. The retaining wall starts at 3 feet to 5 feet. Give the feeling of Hollywood Hills.</p>	<p>➤ Met with Mr. Walt Chandler & Mrs. Pamela Chandler when we went door to door. This occurred at the same time we met with Mr. Chandler.</p> <p>➤ The obtrusiveness has been eliminated now the proposed home is reduced substantially in height (from 35 feet to 22 ft in the front, and 27 ft in the back), length (144 ft to 121 ft), and distance (from 25 ft of a 2 story structure to 41 ft single story structure and back portion of the second story structure is now increased to 72 feet from 56 ft).</p> <p>➤ The highest wall in the front is now no higher than 4 ft. The set back is approximately 32 feet for the terrace deck which is at grade and 5 ft high for the barn & corral area in the front.</p>

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Below are the highlights to the commissioner's comments and my update to address each of the Commissioners comments.

Exhibit B

Commissioner	Deliberations Comments Stated	Nevin's Comments & Update
<p><i>Steve Rishoff</i></p>	<ol style="list-style-type: none"> 1) Complementing Mr. Bardovi on the design and a pretty house. Has done an ingenious job. Had gone visited the lot and couldn't imagine that this beautiful house could go there. 2) Also the equestrian area is proposed to be graded in the initial grading. The engineer stated that if it was not done it would reduce the amount of dirt removed from the site. My preference if this project was to be approved would be to have the grading to be done and the retaining walls to be done without the barn and other structures. I wouldn't want a 2nd grading on this site. 3) At 50% this is the highest that I have had to consider or even the 40% that was done in the 5 years I have been a commissioner. 4) We received a letter that I counted between 28 and 30 signatures. All voicing concerns and we have 8 speakers expressing concerns which I need to take into consideration in my deliberations. We are being charged to listen to the public. 5) Just because a project could be squeezed into the applicable ordinances does not make it acceptable. 6) This is one of those lots that extremely challenging and I don't think it can support the intensity of development that a flat lot would. 7) Although the set back requirements are met for this house. There are dramatically different when superimposed on a lot like this rather than a much flatter lot. 8) We are charged to do some findings tonight with respect to this property. 9) The lot coverage suggests a lot more open space. The requirement dictates so much open space that would make the lot almost could not be built. I am not suggesting that something can't be built. 10) I have a hard time making that finding that it meets the standards for the zoning as it relates to the lot coverage. It appears to but it does not. 11) B. - Compatible to the surrounding properties. Driving through the neighborhood and living in Old Agoura where it is close to the street is substantially different to other properties in area. 12) C. Cannot make finding which states that the Design of the residence will ensure open space to surrounding properties. If there were no other finding then I would not be problematic. 13) D. States the use will comply with each of the applicable zoning ordinance and lot coverage for the 	<ol style="list-style-type: none"> A. The equestrian area has now been relocated to the front. Should no longer a concern having to further grade the hillside. B. The original letter submitted to the commission totaled 21 signatures representing 14 property owners. My fiancé and I went door-to-door to review the plans with the neighbors before they were submitted. Some agreed as shown above, some declined, and others were unavailable. C. The revisions no longer gives the impression that I am trying to squeeze into the ordinances. The home is a "modest" family home. D. The development and the overall scope has been substantially reduced. Therefore, the intensity that was commented by Mr. Rishoff has been addressed with these new revisions. E. I have met the standards for granting of the CUP as requested by the Planning Commission which has been validated and articulated by the Staff and Director. F. Once you have seen the site analysis you will find that the encroachment is necessary into the protected zone of the oak trees. However, please note that I have done all that I could to avoid such an encroachment and that I will be adding oak trees to the site. G. Lot Coverage and other factors: The proposed project meets the requirements for the CUP as set forth in the Zoning and Hillside Ordinance. This finding is validated by Agoura Hills Planning Director & Staff as reflected in the "Staff Report".

Nevin Bardai

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	<p>zone. The ordinance simply requires less lot coverage and it doesn't fit.</p> <p>14) E. The residence will be appropriate distance for public use. This is at 25 feet but is not typical to other residence in the area.</p> <p>15) F. Finding: Designed to incorporate the existing terrain into the site plan to the maximum extent possible. The only reason we are faced with the challenge is the precondition that the house has to be in excess of 4000 feet. Although Mr. Bardovi did an excellent job of "Shoe Horning" 4000 into this lot. I don't think it is designed to incorporate the existing to the maximum possible. If the house was smaller and encroachment into the oak trees and the 4 6 ft walls might be reduced.</p> <p>16) G: Finding – encroachment into the five protected Oak trees is necessary for construction of the proposed garage. I think there could be alternate plans that don't require encroachment into the protected oak trees.</p> <p>17) For me 4000 is too big, too close to the street and looms over the street. This lot for a modest home. Just because the bare minimum requirements are met. Just from looking at it this is a very challenging lot. It merits a smaller house better fits the topography of the lot. Therefore, I cannot approve it.</p>	
<p><u>Cyrena</u> <u>Nouzille</u></p>	<p>1) Mr. Bardovi –Like I said back in October that I like the architecture. Very suitable for the neighborhood. You did a great job stepping into the hill. I don't think we are there yet. Earlier I heard a comment regarding "Hollywood Hills" this kind of ring a bell there.</p> <p>2) I think there is a way to enjoy a house on this lot with a small horse keeping area with just a paddock and a shelter without a full barn.</p> <p>3) The size of the house is reasonable but given the slope of the lot is too big and too much.</p> <p>4) Concerns horse keeping area above the residence. I would like to see the horse keeping explored at the lower portion of the lot. There some wiggle room there with a much smaller house.</p> <p>5) If you get into the zoning ordinance you would be somewhere around 1000 sq ft. That may be too small and I am willing to grant some wiggle room but 4000 is just too big.</p> <p>6) The size will need to be reduced substantially.</p> <p>7) There is a garage that has 2 doors but quite large perhaps that could be squeezed to reduce the size there.</p> <p>8) Open space more moderately sloped I could live with 67% but since it is not I cannot find it. The oaks and the root system is probably only thing that probably holding up the lot.</p> <p>9) I would like to see plans much greater % of open space so I cannot find "G:" or "D" related to the zoning ordinance.</p> <p>10) With the above I cannot move forward either.</p>	<p>A. We have moved the horse-keeping area to the front and a large area for the coral.</p> <p>B. I respectfully disagree that development of a single hillside lot with 50% slope will change the total look of the area like "Hollywood Hills."</p> <p>C. We have reduced the total foot print by 13% 3,256 sq. ft. (approximately) and total hard-scape is reduced by 45%. This is a substantial reduction. This is a modest home size. I have already sacrificed outside amenities like a spa, backyard, exercise room, family room, etc.</p> <p>D. The garage size and configuration is necessary to accommodate gardening equipment, a handicap access van, and two cars.</p> <p>E. Open space has been increased to 83% from 67% as requested. <u>The residence structure represents 10.47% of the total lot.</u></p>

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Curtis Zacuto	<p>The topic has been that we have a very difficult lot. We are seeing more difficult lots in old Agoura come up for development. I have been on the commission as long as Mr. Rishoff and I agree this the first time we are seeing with such a dramatic slope. It's a difficult site because of the topography and oak trees that have on the site.</p> <ol style="list-style-type: none">1) The architect has done a phenomenal job to design a home with this constraints. The Civil engineer placing it on the site.2) I like the architecture of the home. It is a beautiful house and I like the style of the home.3) Appreciate the rendering which is realistic. This is a big issue when we have approved projects that are in line with the area but some are so huge and I question my self as to what were we thinking.4) I think 4100 Sq Ft is quite large for the topography of the lot. If it was a flat lot we would be talking in different terms.5) Too much house for the lot. The lot coverage is an issue. If you were to build the home in the 3% it would be 1000 sq feet and not reasonable.6) Some of the neighbors brought up that the ordinances we were reviewing at the workshop last night. If you were to go with the FAR chart it would be a 2000 or may be 2500 sq ft house which would be more reasonable and we don't have the FAR chart before us to use7) But nevertheless there has to be a balance somewhere between 1000 and 4100 sq feet and reduce the size and massing.8) Great job in terracing and keeping it in the topography great attempt here.9) Therefore, I cannot find B, D, G. and specially regard to lot coverage. We are not there yet. We like to see a lot smaller. The option is that if we call for a vote then it is going to be a "Denial" or do you want to continue it. – Nevin opt to "Continue" to August 7.	<ol style="list-style-type: none">A. FAR legislation for residences remains speculative at this time and is not controlling. Also, the FAR workshop resulted in an overwhelming rejection of the FAR chart or any additional rules as contested by residents themselves.B. The home is now a modest home. I have reduced the size another 15% to 3547 and made substantial reductions in the exterior amenities like a spa. This is in line with what was suggested.C. I have also increased open space to 83% from 67%, eliminated a family room and exercise room, and elevator for my elderly mother who will live with us.D. Lot Coverage and other factors: The proposed project meets the requirements for the CUP as set forth in the Zoning and Hillside Ordinance. This finding is validated by Agoura Hills Planning Director & Staff as reflected in the "Staff Report".
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Nevin Bardai

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Exhibit C - Comparison Chart

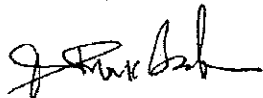
Below is a quick reference table of the changes we have made.

Bardai Residence - 28340 Balkins Dr. Agoura Hills CA - 2055-021-044						
Description	New Plans (Approximates)		Old Plans		Increase or (Decrease)	
House SQ Feet (Approximately only)	3,547	9.03%	4,133	10.71%	(586)	-14.18%
Garage	981	2.50%	1,157	3.00%	(176)	-15.21%
RESIDENCE & ATTACHED GARAGE (FOOT PRINT)	3,256	8.29%	3,751	9.54%	(495)	-13.19%
COVERED PATIO	None	None	353	0.90%		
RAISED DECK	855	2.18%	None	None		
HARDSCAPE, CONCRETE FLATS & RETAINING WALLS	1,683	4.28%	3,074	7.82%	(1,391)	-45.25%
BARN	290	0.74%	360	0.92%	(70)	-19.32%
CORRAL AREA	1,452	3.69%	1,511	3.84%	(59)	-3.93%
CONC. DRIVEWAY	419	1.07%	1,387	3.53%	(968)	-69.79%
TOTAL DISTURBED AREA=	6,976	17.75%	12,702	32.90%	(5,726)	-45.08%
WITHOUT BARN	6,685	17.01%	12,342	31.97%	(5,657)	-45.83%
UNDISTURBED AREA (WITH BARN)	32,325	82.25%	25,905	67.10%	6,420	24.78%
UNDISTURBED AREA (WITHOUT BARN)	32,616	82.99%	26,265	68.03%	6,350	24.18%
NET LOT AREA	39,301		38,607			
TOTAL PERVIOUS AREA	33,652		29,299		4,353	14.86%
TOTAL IMPERVIOUS AREA	5,649		9,308		(3,660)	-39.32%
SINGLE STORY LEVEL - DISTANCE FROM THE STREET	41.21		25.00		16	64.83%
2ND STORY - DISTANCE FROM THE STREET	72.67		56.13		17	29.47%
OVERALL LENGTH	121.83		144.17		(22)	-15.49%
OVERALL HEIGHT AT BALKINS	21.17		35		(14)	-39.52%
OVERALL HEIGHT AT THE 2ND STORY (MAXIMUM)	26.75		35		(8)	-23.57%

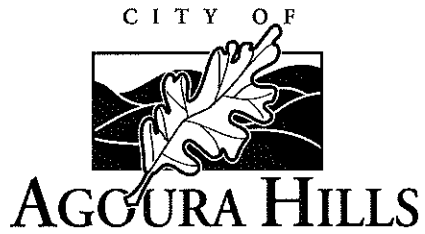
We look forward to presenting our revised plans on August 7, 2009.

Thank you for taking the time to review this letter.

Sincerely,



Nevin Bardai



**CONDITIONAL USE PERMIT CASE NO. 07-CUP-011
AND OAK TREE PERMIT NO. 07-OTP-020**

**FOR THE PROPERTY LOCATED AT
28340 BALKINS DRIVE, AGOURA HILLS**

EXHIBIT B

LETTERS FROM THE COMMUNITY

7/30/08

To Members of the Planning Commission

I would like to address my concerns with the newest proposal from Mr. Bardai

I still have the same concerns shared by most of the neighborhood as listed in the previous letter submitted to the planning commission before the first Bardai proposal..I would like to expand on those concerns.

Before submitting his first proposal Mr. Bardai saw a lot of big houses in the neighborhood and wanted the same despite knowing the obvious limitations and problems with his lot..That did not stop him from wasting time and money to gamble on trying to push his grossly unrealistic project through the planning commission..

His first proposal was unrealistically too large, measuring over 6000 square feet..His last proposal was still unacceptably too big, measuring over 5300 square feet, including house and garage..His newest proposal, both the house and very large garage, is still too large, measuring approximately 4500 square feet..He has made his house smaller because he knows he has to in order to be able to build, not because he prefers it that way..It seems that he has reduced the size of the house largely because he started out so unrealistically over sized, not because it is really an appropriate size for his difficult sloping lot..Over 4500 square feet is a lot more than the 1000 square feet the Hillside Ordinance dictates it should be..The Planning Commission has the discretion to limit the size of this project

At his first planning commission the planning commission members had many serious concerns about the Bardai project..So did almost the entire neighborhood as evidenced by approximately 30 signatures on a letter detailing the neighbors concerns about the size,lot coverage,open space,extreme slope,encroachment and removal of oak trees, compatability, and many others..These concerns still exist even though it is now a few months later and Mr. Bardai is still trying to squeeze the biggest house and oversized garage that he possibly can on this difficult sloping lot.This is still a very large house, garage and additional use of open space.I reviewed the tape of the previous meeting and agreed with a lot of what was said by the members...Please remember how the planning commission members present felt that that" 4000 square feet was just too big for the topography, how the lot coverage was just not good or a house that was a lot smaller or a house in the 2000 to 2500 size would be more reasonable or because of the Hillside Ordinance a 1000 square foot house, if any house at all, is all that could be built"..The Hillside Ordinance is in effect for a reason and this kind of project is a good reason why the ordinance exists..

When Mr. Bardai bought this property 6 or 7 years ago he was well aware of the inherent problems of this lot.He knew it would not be easy to build and even told me that he bought the lot because he likes challenges..One doesn't always prevail when presented with a challenge..Just because Mr. Bardai has spent time and money like everyone does when they want to build a custom home doesn't mean he should be able to build a house that just does not fit on this difficult lot..Of course he has improved his design from his unrealistic beginning but it is still unacceptable..

Please do not forget that another large house will be attempted to be built directly above the Bardai project on the slope..Although the lot has been put up for sale the owner is well into the planning process..The big picture has got to be considered..

I would also appreciate it if you could verify any statements that Mr. Bardai attributes to neighbors in reference to his proposed project..The neighborhood did this by writing a letter and signing individually..

The Planning Commission is the voice of the public and really is our only recourse in a situation like this..

Jim Jlevin 818-7061879
5947 LAPWORTH DR

2/20/08

Jon Levin

5947 Lapworth Drive

Agoura Hills Calif.

818-706-1879

[Signature]

Michelle P. G...

28245 Balkins Dr

Agoura Hills CA 91301

Ramus Abu

Elisabeth Hartman

6072 Lapworth

Jean-Claude Louis

& Ella MAGAL

28363 W. Balkins

Agoura Hills CA 91301

[Signature]

[Signature]

DONALD WALT CHANDLER
5800 LAPWORTH DRIVE
AGOURA HILLS, CA 91301-1858

July 27, 2008

Re: Bardai Project, Balkins Drive near Lapworth drive, Agoura Hills, CA

Dear Agoura Hills Planning Team

This letter is to comment on the next submission for the Bardai project. Two weeks ago Mr. & Mrs. Bardai stopped at our home to show sketches of a proposed home on his lot along Balkins Drive. The building was further back from the street, but still larger than guidelines currently being considered by the city would allow. Mr. Bardai has not returned with more complete drawings and details as planned, so I cannot comment in detail. I can however observe that I think the largest home that the steep lot could support is 2000 to 2500 square feet if a design is created to build the home on the land largely as it exists. This size could be in harmony with many other existing homes in the area.

I am sorry to have to miss the planning meeting as I will be out of town. Please accept this letter as my comment on the new plan.

Sincerely,



Donald Walt Chandler, Ph.D.
5800 Lapworth Drive
Agoura hills, CA 91301

July 30, 2008

Members of the Planning Commission,

Having attended the planning commission meeting over a month ago when Mr. Bardai submitted his last proposal to gain approval for his multi-level hillside residence of 5,300 we were greatly appreciative of the commission's denial of such a monstrosity. Mr Rishoff's explanation of the commission's reasoning for their denial was extremely eloquent and insightful. The neighboring residents in this tiny corner of Old Agoura came out in full force to express their dissatisfaction with this proposed project. We attended the meeting that night but chose not to speak. We felt that whatever we had to say was going to be redundant but felt our presence at the meeting was in support of the neighborhood.

We are writing this letter in objection to the new proposal being brought to the commission by Mr. Bardai because we cannot attend the meeting but want our voices heard. As Mr. Bardai politics around the neighborhood for support for his revisions, the reality remains that the home proposed on this hillside lot still does not meet the basic criteria stated in the Hillside Ordinance. The topography just does not support what is being proposed. In addition, the encroachment and removal of oak trees goes against the moral fabric of the Old Agoura lifestyle. We see Mr. Bardai's revisions just a rearrangement of the deck chairs of the Titanic and not a good faith attempt to work with the compatibility of his site.

Our house sits on the southwest corner of Lapworth and W. Balkins directly under where this proposed new house will reside. The imposing footprint of this proposed project still gives one the impression of the "Hollywood Hills" effect, by towering over the street and homes directly to the east of the project. Having worked in residential real estate development, and currently a supplier to builders, contractors, developers, designers and homeowners, we are not opposed to responsible and appropriate development. This project constitutes neither. To state our concerns clearly, we are unequivocally and adamantly opposed to Mr Bardai's latest attempt to push his revised project past the planning commission. As before, we hope the planning commission has heard the will of the people and acts accordingly. Thank you for considering our concerns.

Sincerely and gratefully,

Russ and Andrea Diamond
5833 Lapworth Dr.
Agoura Hills
818-889-4244

Russ Diamond
Andrea Diamond
5833 Lapworth
Agoura Ca 91301

July 25, 2008

To the Agoura Hills Commissioners:

I am writing to express my concern regarding the Bardai residence in Old Agoura, which is currently under review. I believe that the house is still too large for the hillside, and I am opposed to its construction. Old Agoura is a beautiful, unique neighborhood, and the current trend of building mega-homes absolutely does not blend with the current homes and the feel of the neighborhood. I hope that you will be sensitive to the current homeowners, and really take another look at the scope of this project.
Thank you.



Vicki Hunter
28241 Balkins Dr.
Agoura Hills

FROM THE DESK OF
ANDREA LUX

7/31/08

City of Agoura Hills
Planning Commission
30001 Ladyface Ct
Agoura Hills, CA 91301

RE: Proposed Bardai Project Revisions

Dear Members of the Planning Commission:

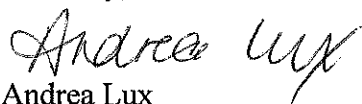
I have reviewed what appear to be the revisions you will be deliberating on on August 7th. While I cannot attend this meeting I hope the members of the Commission will give this letter their utmost consideration. First I would like to commend Mr. Bardai on his efforts to address the neighborhood and Planning Commission concerns brought up at the last hearing. Many positive changes have been made to better this project. However, one of the most important factors brought up at the last hearing seems to be not well addressed by the current revisions.

The neighbors and The Planning Commission all testified as to the size of the project and there seemed to be a consensus that the project was "way to big" for this very steep slope. In reviewing the testimony, many comments were made as to a particular size that this challenging property could accommodate. As I interpreted many of these comments from the Commission and the neighbors, I gathered a project along the size of 2000 to 3000 square feet would be more appropriate for this site. The current revisions seem to incorporate only about a 700-800 square foot reduction from the original plans, and I firmly believe that this revision in size does not reflect the spirit of the request to significantly reduce the size of the project.

I understand and appreciate that Mr. Bardai and his team have made great efforts, and I commend them on their hard work. At this time however, I think the members of The Planning Commission must review their previous deliberations as well as the comments by the neighbors and decide if these revisions truly address all the concerns as to the size of this project relative to this site.

Thank you for your consideration.

Sincerely,



Andrea Lux
Residing at 28233 Balkins Dr. Agoura Hills, CA 91301

Daniel Maltese
6021 Lapworth Drive
Old Agoura, CA 91301

July 30, 2008

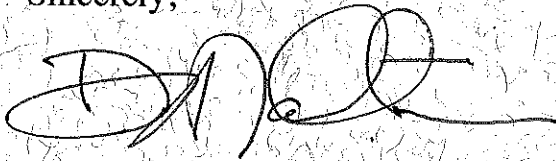
Dear members of the Agoura Hills Planning commission,

I live up the hill from Mr. Bardai's proposed project on Balkans Drive. I have not had time to exam this project closely, but a glance I see that it is a difficult lot and the plans looks very compromising to our rural, quaint and rustic corner of Old Agoura. Recently I visited a friend in Eagle Rock and saw what these designs do to a neighborhood.

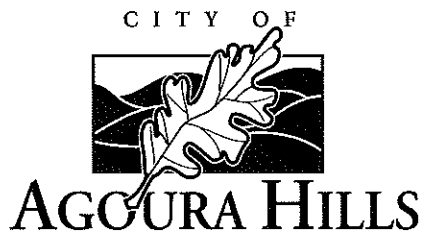
Since I cannot attend this public discussion because of work, I ask that you make your best judgment on behalf of all of us who have seriously invested our labor, finances, and love. We count on you to keep the low density overlay ordinances and ideals alive.

Thank you for your ongoing work and commitment to making Old Agoura a great place to live and not letting the "needs of a few outweigh the needs of many". I believe that most of us are here for that awesome coexistence with our homes and nature. The best home designs always seem to blend with nature, not disrupt it!

Sincerely,

A handwritten signature in black ink, appearing to be 'DM', with a large, sweeping flourish extending to the right.

Daniel Maltese

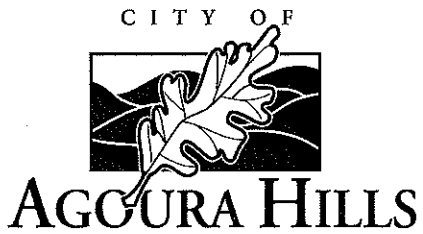


**CONDITIONAL USE PERMIT CASE NO. 07-CUP-011
AND OAK TREE PERMIT NO. 07-OTP-020**

**FOR THE PROPERTY LOCATED AT
28340 BALKINS DRIVE, AGOURA HILLS**

EXHIBIT C

COLOR RENDERING OF RESIDENCE



**CONDITIONAL USE PERMIT CASE NO. 07-CUP-011
AND OAK TREE PERMIT NO. 07-OTP-020**

**FOR THE PROPERTY LOCATED AT
28340 BALKINS DRIVE, AGOURA HILLS**

EXHIBIT D

REDUCED PHOTOCOPIES OF PLANS

NOT FOR CONSTRUCTION

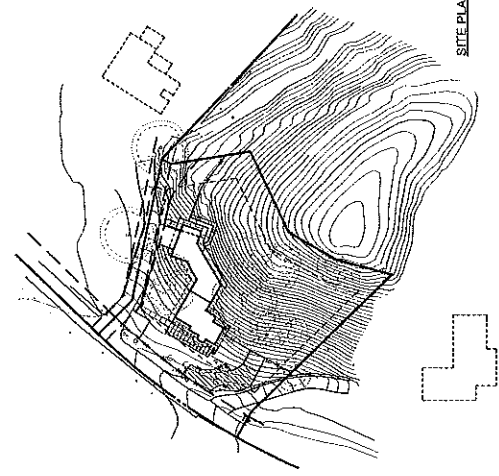
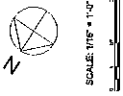
1	SHEETS
2	BARSAI
3	PLAN 11
4	CONCRETE
5	CONCRETE
6	CONCRETE
7	CONCRETE
8	CONCRETE
9	CONCRETE
10	CONCRETE
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99	CONCRETE
100	CONCRETE

BARDAI RESIDENCE
 1000 BALBINE DRIVE
 ALBUQUERQUE, NM 87106
 ARCHITECT: BARDAI
 BARDAI ARCHITECTS

SITE PLAN
 A1.1



- SITE PLAN REVISIONS**
1. INITIAL CONCEPT AND LAYOUT PLAN
 2. SITE PLAN CONCEPT DEVELOPMENT
 3. SITE PLAN CONCEPT DEVELOPMENT
 4. SITE PLAN CONCEPT DEVELOPMENT
 5. SITE PLAN CONCEPT DEVELOPMENT
 6. SITE PLAN CONCEPT DEVELOPMENT
 7. SITE PLAN CONCEPT DEVELOPMENT
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 13. SITE PLAN CONCEPT DEVELOPMENT
 14. SITE PLAN CONCEPT DEVELOPMENT
 15. SITE PLAN CONCEPT DEVELOPMENT
 16. SITE PLAN CONCEPT DEVELOPMENT
 17. SITE PLAN CONCEPT DEVELOPMENT

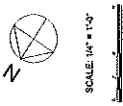


NOT FOR CONSTRUCTION

1	DATE	1/1/2024
2	REVISION	
3	DATE	
4	REVISION	
5	DATE	
6	REVISION	
7	DATE	
8	REVISION	
9	DATE	
10	REVISION	
11	DATE	
12	REVISION	
13	DATE	
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48	REVISION	
49	DATE	
50	REVISION	

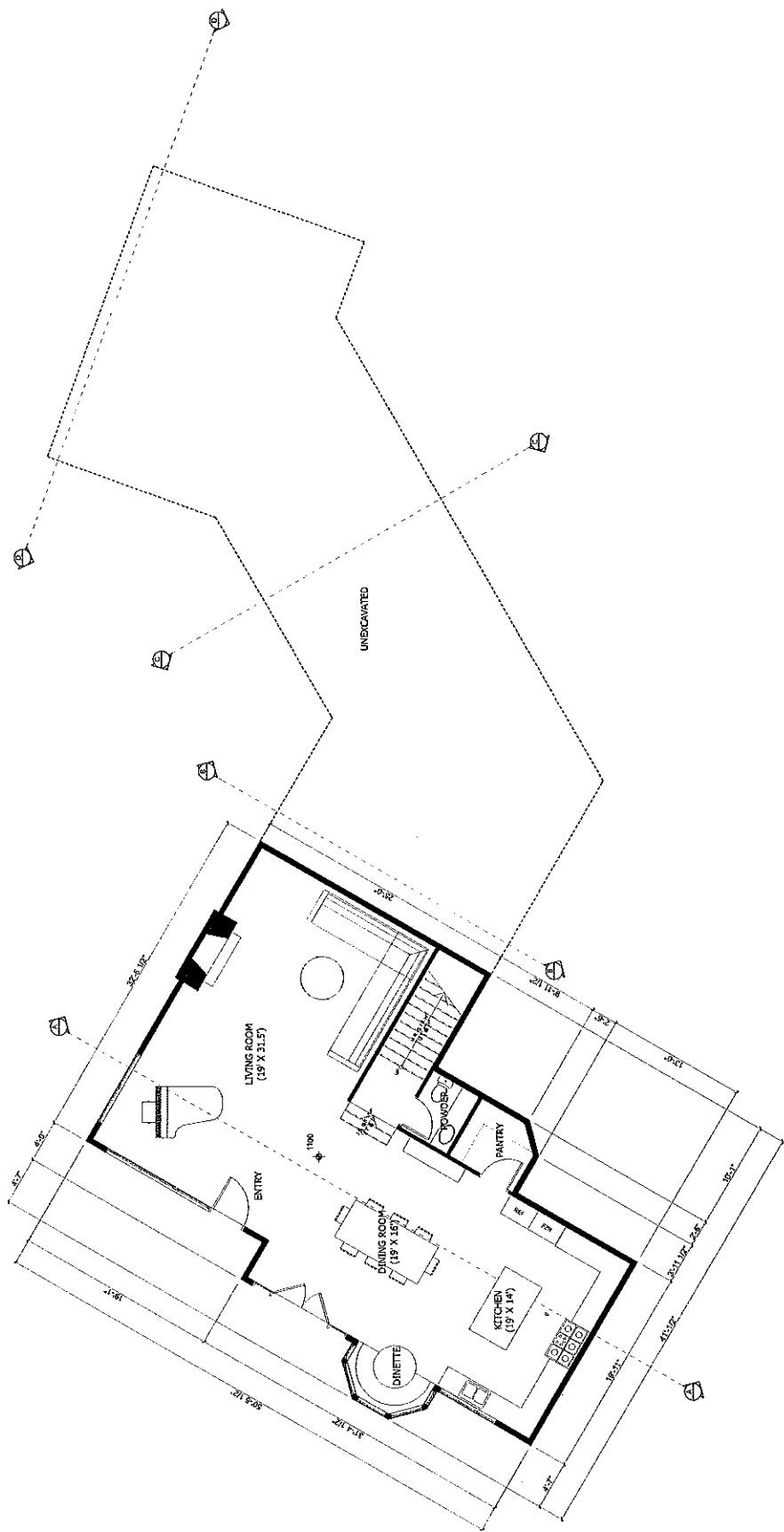
2348 BALSAM DRIVE
 AGUIRON, ILLS. 61831
 APN: 020205-021-004
 3000 S.W. 15TH AVE.
 MIAMI, FL 33135

BARDAI RESIDENCE
 2348 BALSAM DRIVE
 AGUIRON, ILLS. 61831
 APN: 020205-021-004
 3000 S.W. 15TH AVE.
 MIAMI, FL 33135



GROUND FLOOR PLAN

A2.1



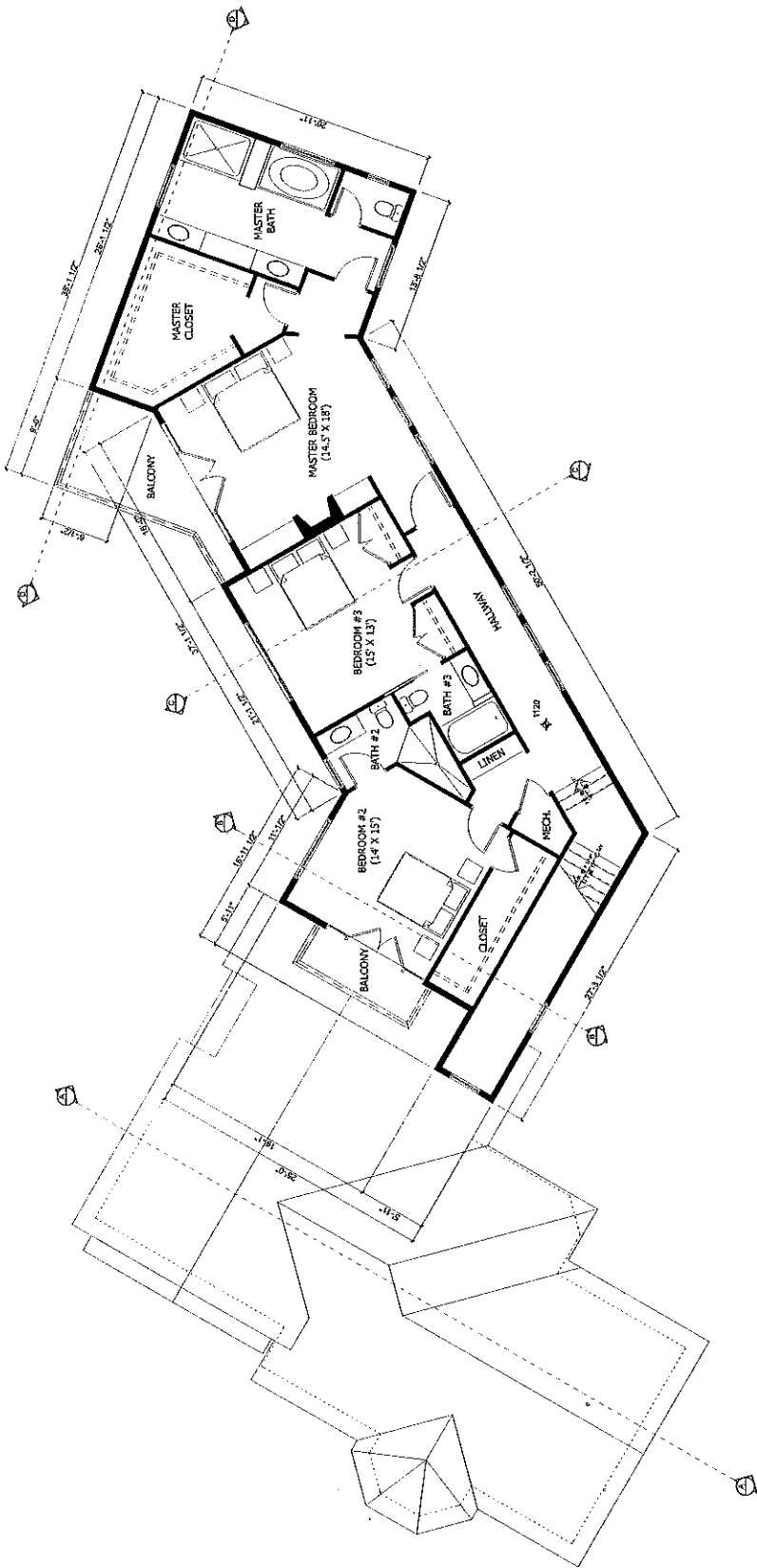
BARDAI RESIDENCE
3200 MALIBU DRIVE
AGOURA HILLS, CA 91301
APN: 4225021404
RCH/AMBA

SECOND FLOOR PLAN

A2.3

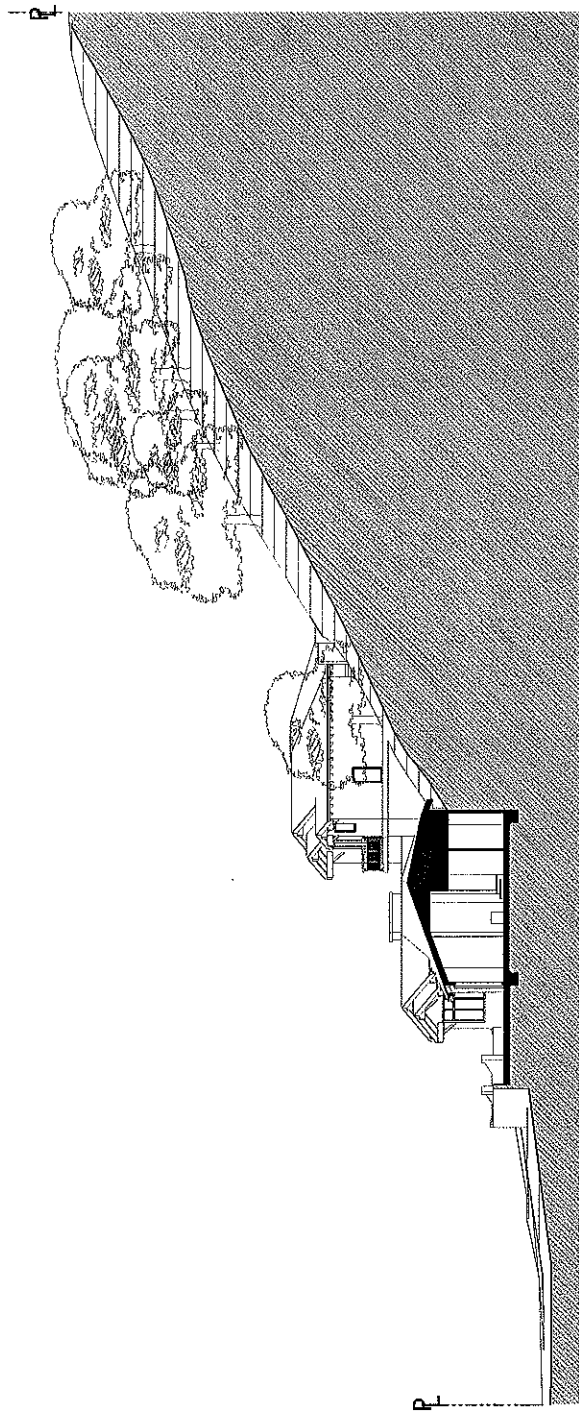


SCALE 1/4" = 1'-0"

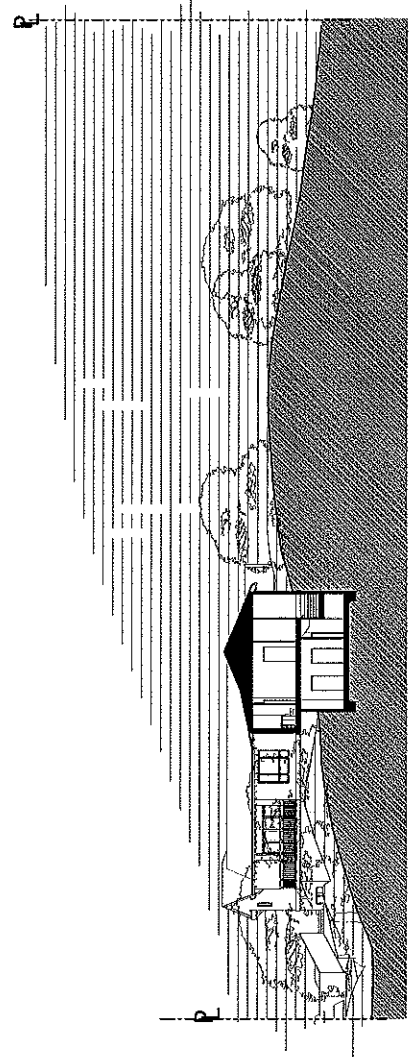


NO.	DESCRIPTION	DATE	BY
1	PRELIMINARY		
2	REVISION		
3	REVISION		
4	REVISION		
5	REVISION		
6	REVISION		
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8	REVISION		
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50	REVISION		

1	ENTRANCE
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100	SCREEN



SITE SECTION F



SITE SECTION G

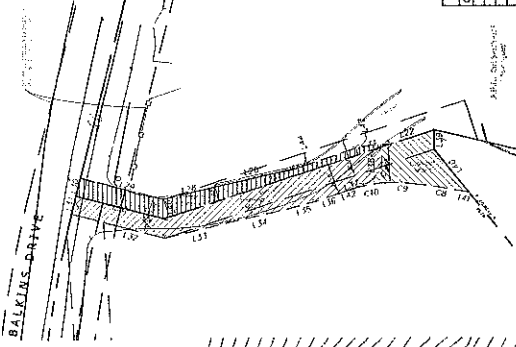
SCALE: 1/4" = 1'-0"

BARDAI RESIDENCE
 2000 BALDWIN DRIVE
 AGOURA HILLS, CA 91301
 APN #205-537-004
 00/00/0000

SECTIONS

A8.2

SEE EASEMENT EXHIBIT HEREON



LINE TABLE

LINE	LENGTH	BEARING
11	12.58	S 77° 20' 00" E
12	12.58	S 77° 20' 00" E
13	12.58	S 77° 20' 00" E
14	12.58	S 77° 20' 00" E
15	12.58	S 77° 20' 00" E
16	12.58	S 77° 20' 00" E
17	12.58	S 77° 20' 00" E
18	12.58	S 77° 20' 00" E
19	12.58	S 77° 20' 00" E
20	12.58	S 77° 20' 00" E
21	12.58	S 77° 20' 00" E
22	12.58	S 77° 20' 00" E
23	12.58	S 77° 20' 00" E
24	12.58	S 77° 20' 00" E
25	12.58	S 77° 20' 00" E
26	12.58	S 77° 20' 00" E
27	12.58	S 77° 20' 00" E
28	12.58	S 77° 20' 00" E
29	12.58	S 77° 20' 00" E
30	12.58	S 77° 20' 00" E
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39	12.58	S 77° 20' 00" E
40	12.58	S 77° 20' 00" E
41	12.58	S 77° 20' 00" E
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43	12.58	S 77° 20' 00" E
44	12.58	S 77° 20' 00" E
45	12.58	S 77° 20' 00" E
46	12.58	S 77° 20' 00" E
47	12.58	S 77° 20' 00" E
48	12.58	S 77° 20' 00" E
49	12.58	S 77° 20' 00" E
50	12.58	S 77° 20' 00" E

CURVE TABLE

CURVE	CHORD	ARC	ANGLE	PI	PC	PT	PT	PI
1	12.58	12.58	90	12.58	12.58	12.58	12.58	12.58
2	12.58	12.58	90	12.58	12.58	12.58	12.58	12.58
3	12.58	12.58	90	12.58	12.58	12.58	12.58	12.58
4	12.58	12.58	90	12.58	12.58	12.58	12.58	12.58
5	12.58	12.58	90	12.58	12.58	12.58	12.58	12.58
6	12.58	12.58	90	12.58	12.58	12.58	12.58	12.58
7	12.58	12.58	90	12.58	12.58	12.58	12.58	12.58
8	12.58	12.58	90	12.58	12.58	12.58	12.58	12.58
9	12.58	12.58	90	12.58	12.58	12.58	12.58	12.58
10	12.58	12.58	90	12.58	12.58	12.58	12.58	12.58
11	12.58	12.58	90	12.58	12.58	12.58	12.58	12.58
12	12.58	12.58	90	12.58	12.58	12.58	12.58	12.58
13	12.58	12.58	90	12.58	12.58	12.58	12.58	12.58
14	12.58	12.58	90	12.58	12.58	12.58	12.58	12.58
15	12.58	12.58	90	12.58	12.58	12.58	12.58	12.58
16	12.58	12.58	90	12.58	12.58	12.58	12.58	12.58
17	12.58	12.58	90	12.58	12.58	12.58	12.58	12.58
18	12.58	12.58	90	12.58	12.58	12.58	12.58	12.58
19	12.58	12.58	90	12.58	12.58	12.58	12.58	12.58
20	12.58	12.58	90	12.58	12.58	12.58	12.58	12.58
21	12.58	12.58	90	12.58	12.58	12.58	12.58	12.58
22	12.58	12.58	90	12.58	12.58	12.58	12.58	12.58
23	12.58	12.58	90	12.58	12.58	12.58	12.58	12.58
24	12.58	12.58	90	12.58	12.58	12.58	12.58	12.58
25	12.58	12.58	90	12.58	12.58	12.58	12.58	12.58
26	12.58	12.58	90	12.58	12.58	12.58	12.58	12.58
27	12.58	12.58	90	12.58	12.58	12.58	12.58	12.58
28	12.58	12.58	90	12.58	12.58	12.58	12.58	12.58
29	12.58	12.58	90	12.58	12.58	12.58	12.58	12.58
30	12.58	12.58	90	12.58	12.58	12.58	12.58	12.58

- NOTES:**
1. ALL DIMENSIONS UNLESS OTHERWISE NOTED ARE IN FEET AND INCHES.
 2. DIMENSIONS SHOWN HEREON ARE FROM RECORD INSTRUMENTS.
 3. THE DIMENSIONS SHOWN HEREON ARE ON AN ASSUMED GRADE.
 4. UNDERGROUND UTILITIES, IF ANY, ARE NOT SHOWN.
 5. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED.

- SURVEY LEGEND:**
- ① 1/4" = 100' - CROSS SECTION
 - ② 1/4" = 100' - CROSS SECTION
 - ③ 1/4" = 100' - CROSS SECTION
 - ④ 1/4" = 100' - CROSS SECTION
 - ⑤ 1/4" = 100' - CROSS SECTION
 - ⑥ 1/4" = 100' - CROSS SECTION
 - ⑦ 1/4" = 100' - CROSS SECTION
 - ⑧ 1/4" = 100' - CROSS SECTION
 - ⑨ 1/4" = 100' - CROSS SECTION
 - ⑩ 1/4" = 100' - CROSS SECTION
 - ⑪ 1/4" = 100' - CROSS SECTION
 - ⑫ 1/4" = 100' - CROSS SECTION
 - ⑬ 1/4" = 100' - CROSS SECTION
 - ⑭ 1/4" = 100' - CROSS SECTION
 - ⑮ 1/4" = 100' - CROSS SECTION
 - ⑯ 1/4" = 100' - CROSS SECTION
 - ⑰ 1/4" = 100' - CROSS SECTION
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 - ㊽ 1/4" = 100' - CROSS SECTION
 - ㊾ 1/4" = 100' - CROSS SECTION
 - ㊿ 1/4" = 100' - CROSS SECTION

SLOPE ANALYSIS

5" = AVERAGE PERCENT SLOPE
 5" = 2.1% SLOPE
 5" = 8.4% SLOPE
 5" = 16.8% SLOPE
 5" = 25.2% SLOPE
 5" = 33.6% SLOPE
 5" = 42.0% SLOPE
 5" = 50.4% SLOPE
 5" = 58.8% SLOPE
 5" = 67.2% SLOPE
 5" = 75.6% SLOPE
 5" = 84.0% SLOPE
 5" = 92.4% SLOPE
 5" = 100.8% SLOPE

TOPOGRAPHIC SURVEY
 28340 BALKINS DR.
 AGOURA HILLS, CA. 91301

PROJECT NO. _____ SHEET _____ OF _____

CITY OF AGOURA HILLS DIST. NO. _____

CITY OF AGOURA HILLS

CITY OF AGOURA HILLS APPROVAL

PREPARED BY: **IC ENGINEERING GROUP, INC.**
 10000 BARKLEY BLVD., SUITE 100
 AGOURA HILLS, CA 91301
 (909) 271-1111

PROJECT ENGINEER: _____ DATE: _____

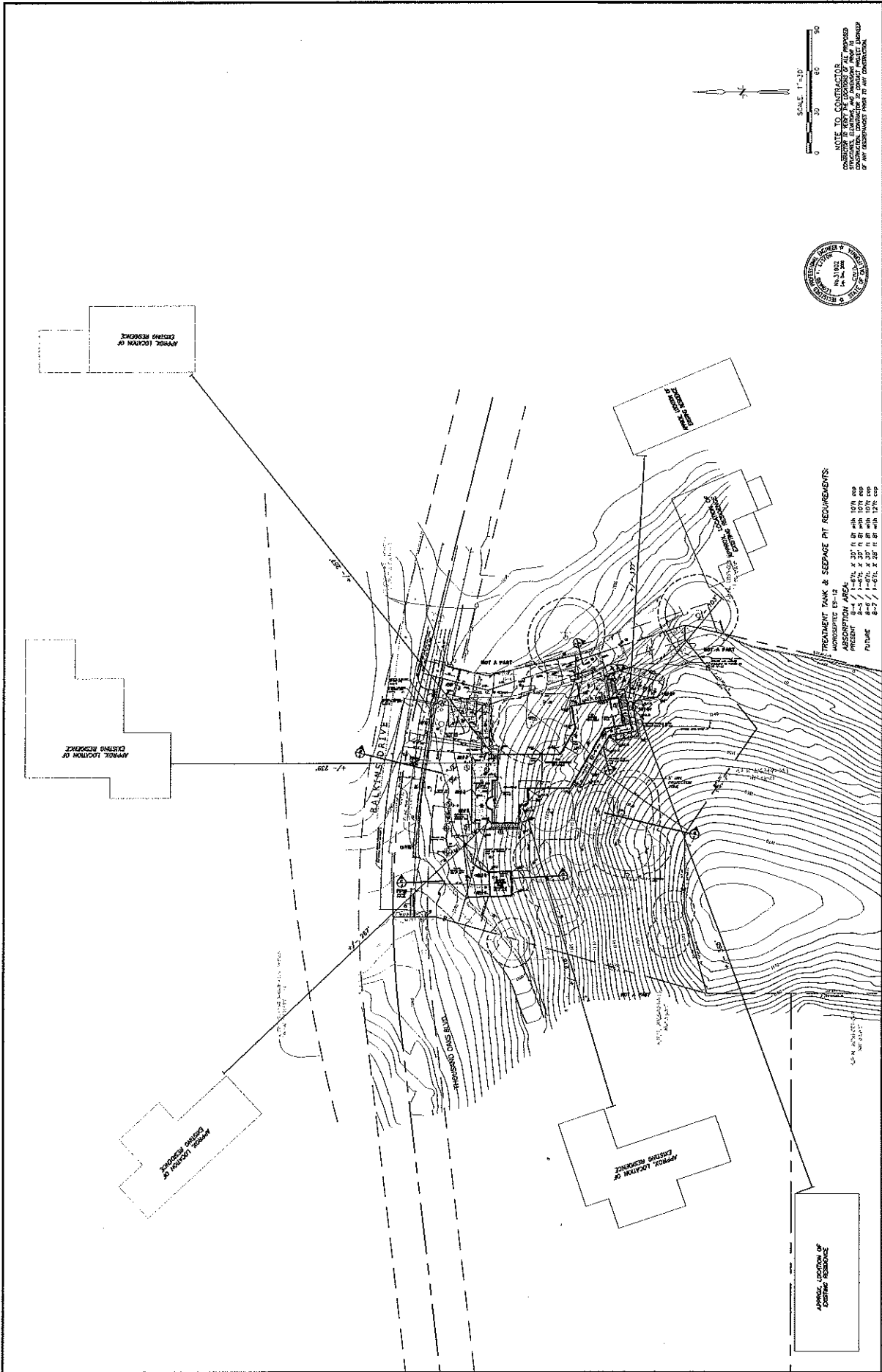
DESCRIPTION OF CHANGE: _____

DATE: _____

DATE: _____

DATE: _____

DATE: _____



SCALE 1"=10'

NOTE TO CONTRACTOR: THE CONTRACTOR SHALL VERIFY ALL UTILITIES, ELEVATIONS, AND DIMENSIONS PRIOR TO CONSTRUCTION. ANY DISCREPANCY SHALL BE REPORTED TO THE ENGINEER IMMEDIATELY.



OVERALL SITE PLAN
 APN 2065-021-044 BALKINS DR.
 AGOURA HILLS, CA. 91301
 SHEET 2A OF 1

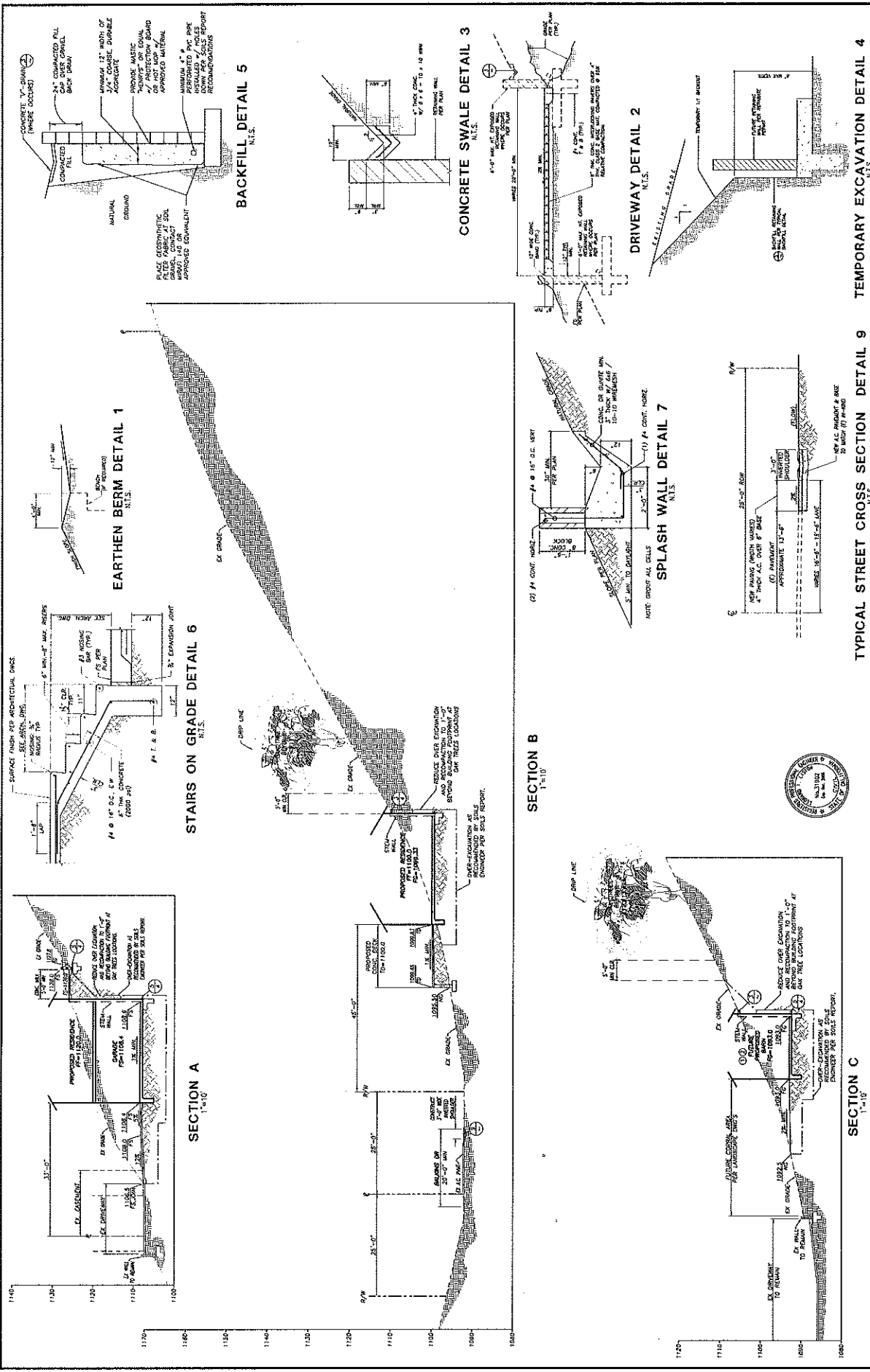


PROJECT NO. _____
 CITY OF AGOURA HILLS APPROVAL

TREATMENT TANK & SEWAGE PIT REQUIREMENTS:
 ADDRESS: 15-12
 PRESENT: 8'-4" / 1'-6" x 10' ft. w/ 6" COP
 8'-4" / 1'-6" x 10' ft. w/ 6" COP
 8'-4" / 1'-6" x 10' ft. w/ 6" COP
 8'-4" / 1'-6" x 10' ft. w/ 6" COP

PREPARED BY:
J.C. ENGINEERING GROUP, INC.
 PROJECT ENGINEER: RCE
 DATE: 3/10/09

REV	SYMBOL	DESCRIPTION OF CHANGE	RCE	DATE



		CITY OF AGOURA HILLS APPROVAL	
		PROJECT ENGINEER: _____ DATE: _____	
PREPARED BY:	PROJECT NO.:	SHEET NO.:	OF:
AGOURA HILLS			
DETAILS & CROSS SECTIONS 28340 BALKONS DR. AGOURA HILLS, CA. 91301			

IC ENGINEERING GROUP, INC.
 28340 BALKONS DR.
 AGOURA HILLS, CA. 91301
 PROJECT NO. _____ SHEET NO. 4 OF 4
 CITY OF AGOURA HILLS APPROVAL

PRELIMINARY LANDSCAPE PLAN

DATE: 07-18-08
 REVISION: 07-18-08

PLANT PALETTE

TREES
 REFERS TO PLAN FOR
 CALL-OUTS AND SYMBOLS

SHRUBS

- 1. REXUS JAPONICA (12' H, 10' WIDE, 3' HIGH, 1' WIDE)
- 2. CEANOTHUS (12' H, 10' WIDE, 3' HIGH, 1' WIDE)
- 3. CHISSIAS-HORIZONTALIS (12' H, 10' WIDE, 3' HIGH, 1' WIDE)
- 4. HEMEROCALLIS HYBRIDS (12' H, 10' WIDE, 3' HIGH, 1' WIDE)
- 5. HETEROMELLES ARBUTIFOLIA (12' H, 10' WIDE, 3' HIGH, 1' WIDE)
- 6. IRIS DOUGLASSIANA (12' H, 10' WIDE, 3' HIGH, 1' WIDE)
- 7. LAVANDULA SPECIES (12' H, 10' WIDE, 3' HIGH, 1' WIDE)
- 8. LANTANA (12' H, 10' WIDE, 3' HIGH, 1' WIDE)
- 9. MAHONIA AQUIFOLIUM (12' H, 10' WIDE, 3' HIGH, 1' WIDE)
- 10. COMPACTA OREGON GRAPE (12' H, 10' WIDE, 3' HIGH, 1' WIDE)
- 11. PHORMIUM SPECIES (12' H, 10' WIDE, 3' HIGH, 1' WIDE)
- 12. PYTOSPORUM TOBIRA (12' H, 10' WIDE, 3' HIGH, 1' WIDE)
- 13. PYTOSPORUM TOBIRA (12' H, 10' WIDE, 3' HIGH, 1' WIDE)
- 14. PRUNUS CAROLINIANA (12' H, 10' WIDE, 3' HIGH, 1' WIDE)
- 15. CAROLINA LAUREL CHERRY (12' H, 10' WIDE, 3' HIGH, 1' WIDE)
- 16. PRUNUS ILLICIFOLIA LYONHII (12' H, 10' WIDE, 3' HIGH, 1' WIDE)
- 17. CATALINA CHERRY (12' H, 10' WIDE, 3' HIGH, 1' WIDE)
- 18. RHAPHIOLEPIS CLARA (12' H, 10' WIDE, 3' HIGH, 1' WIDE)
- 19. RHAPHIOLEPIS (12' H, 10' WIDE, 3' HIGH, 1' WIDE)
- 20. ROSA (GARBE) RED-PINK (12' H, 10' WIDE, 3' HIGH, 1' WIDE)
- 21. SALVIA LEUCOPHYLLA (12' H, 10' WIDE, 3' HIGH, 1' WIDE)
- 22. VIBURNUM JAPONICUM (12' H, 10' WIDE, 3' HIGH, 1' WIDE)
- 23. VIBURNUM (12' H, 10' WIDE, 3' HIGH, 1' WIDE)

VINES

- 1. FICUS RUMILA CREEPING FIG (12' H, 10' WIDE, 3' HIGH, 1' WIDE)

GROUNDCOVERS

- 1. PACYTHARIS PULCHERRIS TWIN PEAKS (12' H, 10' WIDE, 3' HIGH, 1' WIDE)
- 2. TRACHELOSPERMUM JASMINOIDES (12' H, 10' WIDE, 3' HIGH, 1' WIDE)
- 3. MYOPORUM PACIFICUM (12' H, 10' WIDE, 3' HIGH, 1' WIDE)

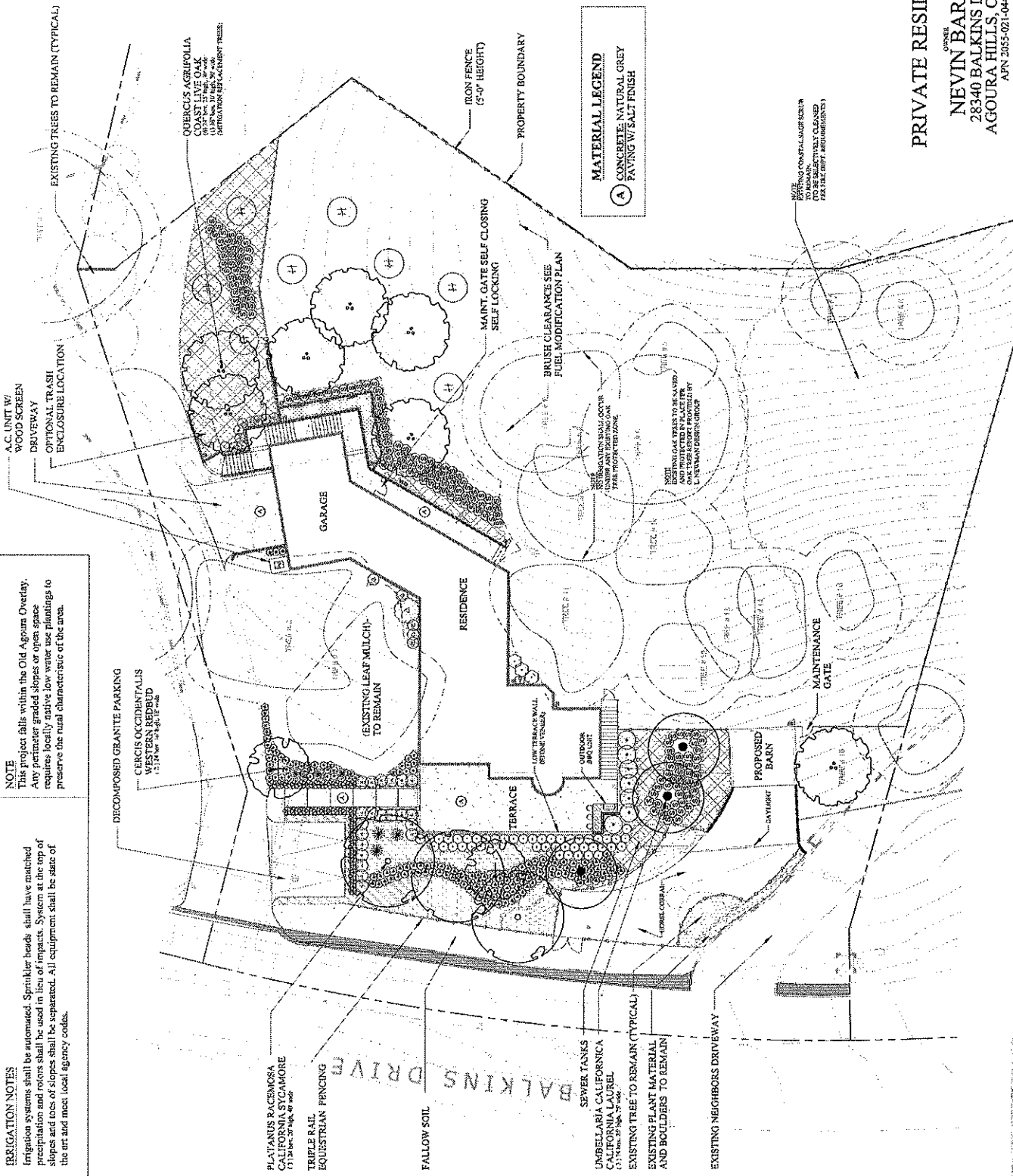
MISC. PERENNIAL FLOWERS

OWNER SELECTION



SCALE: 1" = 10'-0"
 L. Newman
 Design Group, Inc.
 10000 Wilshire Blvd., Suite 200
 Beverly Hills, CA 90210
 Phone: 310.274.1111
 Fax: 310.274.1112

OWNER
NEVIN BARDAI
 28340 BALKINS DRIVE
 AGOURA HILLS, CA 91301
 APN 2855-021-044



NOTE
 This project falls within the Old Agoura Overlay. Any permanent graded slopes or open space requires locally made low wear use plantings to preserve the rural character of the area.

IRRIGATION NOTES
 Irrigation systems shall be automated. Sprinkler heads shall have matched precipitation and rotors shall be used in lieu of impacts. System at the top of slopes and rotors shall be separated. All equipment shall be state of the art and meet local agency codes.

MATERIAL LEGEND
 (A) CONCRETE, NATURAL GREY
 PAVING W/ SALT FINISH

NOTE
 BORING CONTROL CASE SHALL BE SELECTIVELY CLEANED PER LOCAL (SFP, REGULATIONS)

