

RESOLUTION NO. ____

A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF AGOURA HILLS
APPROVING CONDITIONAL USE PERMIT CASE NO. 06-CUP-005 AND
OAK TREE PERMIT CASE NO. 06-OTP-008

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

Section 1. An application was duly filed by Agoura TNT LLC/Terry Gray with respect to the real property located at 6160 Fairview Place (Assessor's Parcel Number 2055-023-096), requesting the approval of a Conditional Use Permit Case No. 06-CUP-005 to construct a 5,623 square foot, two-story, single-family residence with a 956 square foot attached four-car garage and a swimming pool. The applicant is also requesting approval of an Oak Tree Permit Case No. 06-OTP-008 to perform corrective pruning and encroach upon the protected zone of two (2) Oak trees for the proposed construction. Public hearings were duly held on November 16, 2006 and February 15, 2007, at 6:30 p.m. in the Council Chambers, City Hall at 30001 Ladyface Court, Agoura Hills, CA 91301. Notice of the time, date and place and purpose of the aforesaid was duly given

Section 2. Evidence, both written and oral, was duly presented to and considered by the Planning Commission 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 in that the proposed design, materials, and colors of the residence are compatible with the neighboring structures and the topography of the property. The residence and accessory structures are located in the lower, flatter portions of the site to minimize grading and to reduce visual impacts as viewed from the private road. The proposed building style of architecture and building materials and colors of the two-story residence are compatible with the neighborhood and meet the City's Architectural Design Guidelines and standards of the Old Agoura Design Overlay District. The project was reviewed by the City's Architectural Review Panel and was found to be in compliance with the City's Architectural Design Standards and Guidelines.

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 at the base 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 1.01 acre parcel and has been tentatively approved by the Los Angeles County Health Department.

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

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

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

G. As conditioned, encroachment into two Oak trees and corrective pruning is necessary for construction of the project, but will not significantly impact the health of the trees, nor will the proposed construction impact the health of the remaining Oak trees on the property.

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

Section 5. Based on the aforementioned findings, the Planning Commission hereby approves Conditional Use Permit Case No. 06-CUP-005 and Oak Tree Permit Case No. 06-OTP-008, subject to the attached Conditions, with respect to the property described in Section 1 hereof.

PASSED, APPROVED, and ADOPTED this day of February 15, 2007, by the following vote to wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

Stephen Rishoff, Chairperson

ATTEST:

Doug Hooper, Secretary