



**SITE PLAN/ARCHITECTURAL REVIEW  
CASE NO. 01-SPR-004 AMENDMENT**

**FOR THE PROPERTY LOCATED AT  
5241 COLODNY DRIVE,  
AGOURA HILLS**

**EXHIBIT D**

**CITY OAK TREE/LANDSCAPE CONSULTANT MEMORANDUM**

**Kay J. Greeley**

# Memo

**To:** Valerie Darbouze, City of Agoura Hills  
**From:** Kay Greeley, Landscape and Oak Tree Consultant  
**Date:** 02/07/017  
**Re:** 01-SPR-004 – Rhomboid/Samson Inv. Co./Minder

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As requested, I reviewed the proposed modifications to the subject project as prepared by Gary Heathcote. The document addresses several of the landscape issues of concern. Unfortunately, a number of issues were not specifically addressed and frankly, any significant mitigation of these issues would be extremely costly and/or difficult to accomplish at this point in time.

Specific comments are as follows:

## Oak Trees

1. The oak tree at the rear of the site was to be preserved. Due to the significant potential impacts to the tree, two (2) new oak trees were to be incorporated into the landscape buffer at the front of the site. The final landscape plan for the site should incorporate these trees into the planting scheme.
2. The oak tree at the rear of the site was removed during construction due to direct conflict with the building structure. This removal was mitigated through a payment of an incremental fee into the oak tree mitigation fund. However, this did not eliminate the requirement for the planting of two new oak trees.
3. The smaller Valley Oak at the front of the site was also to have been preserved during construction. Though the tree is still present, it was heavily impacted during construction, as the protective fences were repeatedly removed without authorization. The tree presently resides in over one foot of fill per the applicant's oak tree consultant, even though no grading was to occur in the area. The future of the tree is therefore extremely questionable. I recommend that the applicant be required to replace the tree with a healthy forty-eight inch (48 ) box specimen tree of the same species.

## Landscaping

4. The applicant made significant alterations to the quantity of landscaping. The original plans provided 6,551 square feet of planting area, or seventeen percent (17%) of the site. (It should be noted that the plan approved by the Planning Commission noted that the site would contain 13,140 square feet of landscaping, or thirty-four percent (34%) of the site. I did not agree that this number was accurate at the time.) The current layout provides 4,654 square feet of landscaping, or twelve percent (12%) of the site. This represents a reduction of 1,887 square feet of planting area, which is in turn a reduction of twenty-nine percent (29%) in planted area.

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5. Primary landscape changes included the following:
  - a. Planters along the entire south property line were omitted.
  - b. Planters along the north property line were omitted from the pool area.
  - c. The remaining planters along the north property line were placed below the patios, outside of the fencing, diminishing the effect of the landscaping for the residents.
  - d. Balcony planters were omitted.
  - e. Trellis planters were omitted. Small plastic pots of were also placed near the trellis structures, but they cannot be considered permanent and sustainable.
  - f. Substantive pots around the pool were down-sized to small plastic pots. These provide little benefit and cannot be considered permanent and sustainable.
  - g. Small plastic pots of annuals were placed on the balcony. These pots cannot be considered permanent and sustainable.
6. The original trellis design included substantive structures with stucco columns. The installed structures were of minimum dimension lumber. Heathcote proposed that the structures remain wood, but be upgraded in dimension and appearance. I believe this would be an attractive alternative.
7. The pots around the pool could be upgraded to much larger pots that could support larger plant material. To install irrigation to the pots, the deck would have to be drilled from below. This would be quite costly, if it can even be accomplished at this point in time. Therefore, I reluctantly recommend that the pots be hand watered. Since they should be quite large, they should be more resistant to drying out between irrigations and should therefore be more sustainable.
8. Heathcote recommends the addition of a raised planter on the north side of the front of the site. This would result in great softening of the very large building wall through increased articulation and the ability to raise up some of the plant material of further soften the visual impact.
9. The front landscape design was poorly executed. Heathcote recommends that the planting be re-designed and include larger initial plant sizes to provide some mitigation for other plant issues at the site. I endorse this recommendation.

The applicant should be conditioned as follows:

- Submit a revised landscape plan, to be prepared by the project landscape architect, that addresses the following:
  - a. Installation of two (2) fifteen gallon size oak trees per the original conditions of approval.
  - b. Replacement of the damaged Valley Oak tree with a forty-eight inch (48") box size Valley Oak Tree.
  - c. Re-design of the front landscape to create a cohesive design that incorporates the required oak trees and a new raised planter on the northerly side of the front planting area.

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- d. Upgraded plant sizes are to be incorporated into the front planting area.
- e. Specification of substantial pots with appropriate plant material designed to soften and enhance the pool area.

Please advise if you have any questions at this time.



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**FOR THE PROPERTY LOCATED AT  
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**EXHIBIT E**

**NOVEMBER 7, 2002 PLANNING COMMISSION MEETING  
MINUTES**



**DEPARTMENT OF PLANNING AND  
COMMUNITY DEVELOPMENT**

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**MINUTES OF THE REGULARLY SCHEDULED MEETING OF THE  
PLANNING COMMISSION**

**November 7, 2002**

1. CALL TO ORDER: Vice Chair Ramuno called the meeting to order at 6:34 p.m.
2. FLAG SALUTE: Commissioner Schwarz
3. ROLL CALL: Chair Koehler, Vice Chair Ramuno, Commissioners Walker, Schwarz, and Shackelford. Chair Koehler arrived at approximately 8:00 p.m.

Also present were Director of Planning and Community Development Mike Kamino, Associate Planner Erika Bernath, Assistant Planner Valerie Darbouze, Associate Engineer Jed Ireland, Oak Tree and Landscaping Consultant Kay Greeley and Planning Technician Renee Madrigal.

4. APPROVAL OF MINUTES: Minutes of October 17, 2002  
  
ACTION: On a motion by Commissioner Schwarz, seconded by Commissioner Shackelford, the Planning Commission moved to approve the minutes of the October 17, 2002 Planning Commission Meeting. Motion carried 4-0. (Chair Koehler absent.)

5. COMMENTS FROM THE PUBLIC ON ITEMS NOT LISTED ON THE AGENDA:  
  
Richard LeRoy, 5820 Logwood Road, Westlake Village, CA spoke about the Lake Lindero Country Club driving range. Director of Planning and Community Development Mike Kamino informed the Planning Commission that the City's Code Enforcement Officer would obtain further information from Mr. LeRoy regarding his concerns.

6. CONSENT: A request from the City of Agoura Hills for approval of a resolution determining General Plan conformity for the future sale of the City-owned parcel and surplus property formerly known as Agoura Court, located on Agoura Road approximately 1,200 feet east of Reyes Adobe Road.
- On a motion by Commissioner Shackelford, seconded by Commissioner Schwarz, the Planning Commission moved to approve and adopt Resolution No. 714 making a determination that the potential sale of the City-declared surplus property, formerly known as Agoura Court, is in conformity with the City's General Plan. Motion carried 4-0. (Chair Koehler absent.)
7. NEW PUBLIC HEARINGS:
- A. APPLICANT: City of Agoura Hills  
30001 Ladyface Court  
Agoura Hills, CA 91301
- CASE NO.: 02-ZOA-002
- LOCATION: Citywide
- REQUEST: Amendment to Chapter 1 of Article VIII (Zoning Ordinance) of the City of Agoura Hills Municipal Code and add Chapter 6 to Article V of the City of Agoura Hills Municipal Code regarding maintenance requirements for substandard buildings, structures and property.
- ENVIRONMENTAL ANALYSIS: Statutory Exemption from CEQA
- RECOMMENDATION: Staff recommended the Planning Commission continue Zoning Ordinance Amendment Case No. 02-ZOA-002 to the next scheduled Planning Commission meeting on November 21, 2002.
- ACTION: On a motion by Commissioner Walker, seconded by Commissioner Schwarz, the Planning Commission moved to continue Zoning Ordinance Amendment Case No. 02-ZOA-002 to the next scheduled Planning Commission meeting on November 21, 2002. Motion carried 4-0. (Chair Koehler absent.)

B. APPLICANT: Cingular  
C/o The Consulting Group  
5440 Trabuco Road  
Irvine, CA 92620

CASE NO.: 02-CUP-006

LOCATION: 28001 Dorothy Drive  
(A.P.N. 2061-011-021)

REQUEST: Requested approval of a Conditional Use Permit to install an additional roof-mounted Base Transceiver Station (BTS) Equipment Cabinet to an existing wireless facility.

ENVIRONMENTAL DETERMINATION: Categorically Exempt from CEQA (Class 3)

RECOMMENDATION: Staff recommended approval of Conditional Use Permit Case No. 02-CUP-006, subject to conditions, based on the findings of the draft resolution.

PUBLIC HEARING OPENED: Vice Chair Ramuno introduced the agenda item and opened the public hearing.

Assistant Planner Valerie Darbouze presented the project and answered questions of the Planning Commission.

Vice Chair Ramuno read into the record a letter from Lemuel Hawkins supporting the project.

ACTION: On a motion by Commissioner Shackelford, seconded by Commissioner Walker, the Planning Commission moved to adopt Resolution No. 715 approving Conditional Use Permit Case No. 02-CUP-006 subject to conditions. Motion carried 4-0. (Chair Koehler absent.)

C. APPLICANT: Mike Minder/ Samson Investment Company  
4505 Las Virgenes Road  
Calabasas, Ca 91302

CASE NOS.: 01-SPR-004, 02-OTP-002, and T.T. 53543

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



REQUEST: Requested approval of a Site Plan/Architectural Review to develop four separate buildings for a total of nineteen condominiums; requested approval of an Oak Tree Permit to allow encroachment into the protected zone of two Oak Trees during the construction period; and requested approval of Tentative Tract Map No. 53543 for subdivision of land for condominium purposes.

ENVIRONMENTAL ANALYSIS: Categorically Exempt from CEQA-Section 15332, Class 32: In-Fill Development

RECOMMENDATION: Staff recommended approval of Site Plan Architectural Review Case No. 01-SPR-004, 02-OTP-002, and T.T. 53543, subject to conditions, based on the findings of the draft resolution.

PUBLIC HEARING OPENED: Vice Chair Ramuno introduced the agenda item and opened the public hearing.

Associate Planner Erika Bernath presented the project and answered questions of the Planning Commission.

Neal Scribner, the architect for the project, presented the project and answered questions of the Planning Commission.

Mike Minder, the applicant, answered questions of the Planning Commission.

Bob Wachs, Chairman of the Old Agoura HOA, spoke in favor of the project and answered questions of the Planning Commission.

PUBLIC HEARING CLOSED: Chair Koehler closed hearing.

ACTION: On a motion by Vice Chair Ramuno, seconded by Commissioner Walker, the Planning Commission moved to adopt Resolution No. 716 approving Site Plan Architectural Review Case No. 01-SPR-004 and Oak Tree Permit Case No. 02-OTP-002, subject to conditions. Motion carried 5-0.

On a motion by Vice Chair Ramuno, seconded by Commissioner Walker, the Planning Commission moved to adopt Resolution No. 717 approving

Tentative Tract Map Case No. 53543, subject to conditions. Motion carried 5-0.

RECESS: Chair Koehler called for a recess at 8:29 p.m.

RECONVENE: Chair Koehler reconvened the hearing at 8:40 p.m.

D. APPLICANT: Rick and Janet Simeone (Leader Carpet)  
5308 Derry Avenue, Suite #2  
Agoura Hills, CA 91301

CASE NOS.: 01-SPR-007 & 02-OTP-010

LOCATION: 23850 Roadside Drive (APN # 2061-009-043)

REQUEST: Requested approval of a Site Plan/Architectural Review to allow the development of a 14,080 square foot retail showroom and warehouse building on a 0.83-acre site; and requested for an Oak Tree Permit to encroach into the protected zone of three oak trees on-site and one oak tree off-site.

ENVIRONMENTAL ANALYSIS: Categorically Exempt from CEQA-Section 15332, Class 32: In-Fill Development

RECOMMENDATION: Staff recommended approval of Site Plan/Architectural Review Case No. 01-SPR-007 and Oak Tree Permit No. 02-OTP-010, subject to Conditions, based on the findings of the draft resolution.

PUBLIC HEARING OPENED: Chair Koehler introduced the agenda item and opened the public hearing.

Associate Planner Erika Bernath presented the project and answered questions of the Planning Commission.

Alex Ugrik, the architect for the project, presented the project and answered questions of the Planning Commission.

Bob Wachs, Chairman of the Old Agoura HOA, spoke in favor of the project but expressed concerns regarding the rock veneer proposed on the building.

PUBLIC HEARING  
CLOSED:

Chair Koehler closed hearing.

ACTION:

On a motion by Commissioner Walker, seconded by Commissioner Shackelford, the Planning Commission moved to adopt Resolution No. 718 approving Site Plan Architectural Review Case No. 01-SPR-007 and Oak Tree Permit Case No. 02-OTP-010, subject to conditions as amended. Motion carried 5-0.

8. ANNOUNCEMENTS ON ITEMS NOT LISTED ON THE AGENDA:

Commission: None

Staff: Director of Planning and Community Development Mike Kamino provided the Commissioners with a schedule of Year 2003 meeting dates.

11. ADJOURNMENT:

On a motion by Vice Chair Ramuno, seconded by Commissioner Walker, the Planning Commission moved to adjourn at 9:58 p.m. to the next regularly scheduled meeting on November 21, 2002. Motion carried 5-0.

The next scheduled Planning Commission Meeting is scheduled for November 21, 2002 at 6:30 p.m.



**SITE PLAN/ARCHITECTURAL REVIEW  
CASE NO. 01-SPR-004 AMENDMENT**

**FOR THE PROPERTY LOCATED AT  
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**EXHIBIT F**

**APPROVED RESOLUTION NOS. 716 AND 717  
AND  
CONDITIONS OF APPROVAL**

RESOLUTION NO. 716  
A RESOLUTION OF THE PLANNING COMMISSION OF THE  
CITY OF AGOURA HILLS  
APPROVING  
SITE PLAN/ARCHITECTURAL REVIEW, CASE NO. 01-SPR-004 AND OAK TREE PERMIT  
CASE NO. 02-OTP-002

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

Section I. An application was duly filed by Mike Minder/Samson Investment Company with respect to the property located at 5241 Colodny Drive (Assessor's Parcel Number 2055-006-026), requesting approval of Site Plan/Architectural Review Case No. 01-SPR-004, to allow the development of four (4) separate buildings for a total of nineteen (19) condominiums. The applicant is also requesting approval of an Oak Tree Permit (Case No. 02-OTP-002) to encroach upon the protected zone of two Oak Trees during construction period. A public hearing was duly held on November 7, 2002, at 6:30 p.m. in the Council Chambers at City Hall, 30001 Ladyface Court, Agoura Hills, California; and that notice of time, date and place and purpose of the aforesaid was duly given.

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

Section III. Pursuant to Section 9677.5 of the Agoura Hills Zoning Ordinance, the Planning Commission finds that:

A. The proposed use, as conditioned, is consistent with the objectives and provisions of the Zoning Ordinance and the purposes of the land use district in which the use is located. Townhome uses are permitted in the High Density Residential, Freeway Corridor Overlay, and Old Agoura Overlay Zones. The proposed buildings will meet all the minimum yard requirements for the RH (High Density Residential) Zone, thereby preserving light, air, privacy and open space for surrounding properties. Also, the project meets the height and lot coverage requirements as specified in the City Zoning Ordinance.

B. The proposed use, as conditioned, and the manner in which it will be operated or maintained, will not be detrimental to the public health, safety, or general welfare. Access to the site would be taken off of Colodny Drive. The placement of the four buildings, two being adjacent to the street and the other two located in the north-west and south-west portions of the property, will preserve the light, air and privacy of the surrounding properties and, in turn, will protect the general welfare of the neighboring community. The project will comply with the current building standards and regulations.

C. The proposed use, as conditioned, will not conflict with the character and design of the buildings and open space in the surrounding area. The building design and materials, which include stone veneer and wood corbels, will be compatible with the rural theme of the Old Agoura Overlay District and will upgrade the appearance of the surrounding neighborhood.

D. The proposed use, as conditioned, will comply with each of the applicable provisions of the Zoning Ordinance. The project complies with the provisions of the High Density Residential District-Freeway Corridor Overlay District-Old Agoura Overlay District zone in regards to use, parking, lot coverage, building height, setbacks and proposed building materials.

E. The proposed use, as conditioned, is consistent with Policy No. 2.1 of the General Plan Community Design Element in the City's General Plan. The design and proposed use of natural materials and colors is consistent with the Old Agoura Overlay Zone through the use of stone and wood corbels.


F. The proposed use preserves and enhances the particular character and assets of the surrounding area and its harmonious development. The proposed townhouse development use is consistent with existing townhouse development uses on the street. The project, as conditioned, is compatible with the City's semi-rural character. The proposed buildings meet the height and lot coverage requirements of the zoning code.

Section IV. The Planning Commission finds the proposed townhouse development to be an in fill development that is exempt from the requirements of the California Environmental Quality Act, per Section 15332 (Class 32).


Section V. Based on the aforementioned findings, the Planning Commission hereby approves Site Plan/Architectural Review Case No. 01-SPR-004 and Oak Tree Permit Case No. 02-OTP-002 subject to the attached conditions, with respect to the property described in Section I hereof.

PASSED, APPROVED, and ADOPTED this 7<sup>th</sup> day of November, 2002 by the following vote to wit:

AYES: (5) Koehler, Ramuno, Schwarz, Shackelford and Walker  
NOES: (0)  
ABSTAIN: (0)  
ABSENT: (0)

  
\_\_\_\_\_  
William D. Koehler, Chairperson

ATTEST:

  
\_\_\_\_\_  
Mike Kamino, Secretary

CONDITIONS OF APPROVAL (CASE NO. 01-SPR-004 AND 02-OTP-002)

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 this letter, subject to filing the appropriate forms and related fees.
2. This action shall not be effective for any purpose until the applicant has agreed in writing that the applicant is aware of, and accepts all Conditions of this Permit with the Department of Planning and Community Development.
3. Except as modified herein, the approval of this action is limited to and requires complete conformation to the labeled exhibits reviewed and approved by the Planning Commission on November 7, 2002: Site Plan; Elevations; Floor Plan; Roof Plan; Grading Plan; and Landscape Plan.
4. All exterior materials used in this project shall be in conformance with the materials samples submitted as a part of this application.
5. It is hereby declared to be the intent that if any provision of this Permit is held or declared to be invalid, the Permit shall be void and the privileges granted hereunder shall lapse.
6. It is further declared and made a Condition of this action that if any Condition herein is violated, the Permit shall be suspended and the privileges granted hereunder shall lapse; provided that the applicant has been given written notice to cease such violation and has failed to do so for a period of thirty (30) days.
7. All requirements of the Zoning Ordinance and of the specific Zoning of the subject property must be complied with unless set forth in the Permit or on the approved Site Plan. Further, all Conditions of approval of Tentative Tract Map No. 53543 are conditions of this approval.
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 over-head utilities 66 KV or larger exist on or about the subject property, the applicant shall file an agreement to join any Assessment District subsequently created to underground said lines.
10. Prior to the issuance of Building Permits or Grading Permits, the applicant shall pay the Arterial System Fee at the rate in effect at time of Building Permit issuance.
11. The applicant shall provide any necessary dedication and full street improvements as required by the City Engineer.

Conditions of Approval  
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12. If required, the applicant shall provide road markers opposite the existing or proposed fire hydrants serving the property to the satisfaction of the City Engineer.
13. Nine (9) guest parking spaces shall be provided on the subject property per the approved site plan. All parking spaces shall be pinstriped, in conformance with the City Parking Ordinance.
14. The applicant shall comply with all applicable Public Health Statutes, Ordinances, and Regulations related to the disposal of sewage.
15. All structures shall conform with the requirements of the Division of Building and Safety of the City of Agoura Hills.
16. 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.
17. Unless this permit is used within two (2) years from the date of City approval, Case Nos. 01-SPR-004 and 02-OTP-002 will expire. A written request for a one (1) year extension may be considered prior to the expiration date.
18. The applicant shall provide a paved all-weather access from the parking area to the street, as required by the City Engineer.
19. Prior to the issuance of Grading Permits or Building Permits, the applicant shall comply with the school impact fee requirements of the Las Virgenes Unified School District. The current fee is \$2.14/gross square footage for residential construction. Actual fees will be determined at the time of building permit issuance.
20. Prior to issuance of a Building Permit, the applicant shall submit a letter to the Director of Planning and Community Development agreeing to suspend construction in the vicinity of a cultural resource encountered during development of the site, and leave the resource in place until a qualified archaeologist can examine them and determine appropriate mitigation measures. All fees and expenses for the retaining of a qualified archaeologist shall be paid by the applicant and shall not be at City expense. The applicant shall agree to comply with mitigation measures recommended by the archaeologist and approved by the Director.
21. All proposed trash storage areas must comply with the requirements of Zoning Ordinance Section 9606.5.
22. No Roof-top equipment shall be permitted. All ground mounted equipment shall be screened and landscaped to comply with the requirements the Zoning Ordinance.



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23. The applicant shall pay to the City the applicable Fire District Developer Fee prior to issuance of Building Permits. Actual fees will be determined at the time of building permit issuance.

### PUBLIC WORKS CONDITIONS:

#### General

24. All improvement plans, including, but not limited to, grading and drainage, for the entire project must be submitted as one package. This package must also include all supporting studies. All improvement plan sheets shall be 24" x 36" and must have the City's standard signature blocks and be legibly drawn to ensure proper reproduction and adequate record keeping. All lettering on plans shall be a minimum of 80 CL (.08 inch) in size to ensure proper reproduction and microfilming. All original plans shall be drawn in ink. All plans shall be prepared and signed by a California State Registered Civil Engineer.
25. For construction within public right-of-way, an encroachment permit is required in accordance with Agoura Hills Municipal Code. All required applicable fees, securities, and insurance must be posted prior to issuance of the encroachment permit.
26. The applicant shall obtain and pay all costs of acquiring any off-site real property and easements required in connection with this project prior to issuance of a grading permit.
27. The applicant shall enter into a construction agreement with the City, and shall post the necessary improvement securities for all construction work within the public right-of-way, public/utility easements, and for all on-site grading.
28. All Record Drawings ("As-Built" drawings) and supporting documentation shall be submitted to the Department of Public Works prior to scheduling the project's final inspection.
29. All block walls and retaining walls shall be limited to six feet in height.
30. Prior to issuance of a grading permit, the applicant shall have a condominium tract map prepared, accepted by the City and recorded at the Los Angeles County Recorders Office.

#### Grading

31. All grading shall conform to City's Grading Ordinance, Chapter 33 of the Uniform Building Code as modified.

32. A site paving/drainage/grading plan shall be submitted for review and acceptance by the City Engineer. The plans, among other details, shall show existing and proposed contours, proposed utilities, existing and proposed easements, storm water facilities and facilities for the handicapped. The grading plan shall be accompanied by a Soils Report prepared in accordance with the Agoura Hills Guidelines for geotechnical/geological reports. Prior to the issuance of a grading permit the following must be satisfied; the grading plan has been reviewed and accepted by the City Engineer, the applicable plan check, inspection and permit fees have been paid and the grading security has been posted.
33. For any grading operations during the period November 1 and April 1, of each year, the applicant shall submit a wet weather erosion control plan for review and acceptance by the City Engineer.
34. All off-site work shall require written permission from the affected property owner prior to beginning said work.
35. No additional loads shall be placed on the adjacent existing walls unless the applicant's engineer provides structural calculations certifying the structural integrity of the walls.

Drainage

36. A drainage study shall be prepared by a California State Registered Civil Engineer for the review and acceptance by the City Engineer. Hydraulic design shall conform to the current Hydraulic Design Manual of Los Angeles County. Flows shall remain in their historical drainage pattern so as not to impact neighboring properties.
37. Drainage improvements on private property shall be continually maintained, repaired, and replaced by the property owner. The applicant shall obtain a Los Angeles County Flood Control District permit prior to any work within the Chesebro Canyon Creek channel.
38. Prior to the issuance of a grading permit, the applicant shall submit a Standard Urban Storm Water Mitigation Plan (SUSWMP) for commercial projects as outlined in the Model Program for Stormwater Management Within the County of Los Angeles that shall be subject to approval by the City Engineer. This will require treatment of the first 0.75 inches of surface runoff during a rainstorm.
39. The SUSWMP shall identify pollutant sources, and shall include design and recommend construction and implementation of stormwater pollution prevention measures in order to reduce pollutants in storm water discharges from the construction site during the construction period and after construction as required.

## Conditions of Approval

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### Streets/Traffic

40. The applicant shall pay the Arterial Street System Development Fee specified in the City of Agoura Hills Municipal Code. The estimated fee of \$46,360 is based on 19 residential units. Actual fees will be determined at the time of building permit issuance.
41. Colodny Drive is a newly resurfaced street. Any utility cuts into Colodny Drive will require trench repair and slurry seal over the street in accordance with the City Engineer direction. The slurry seal shall be a Type II and will include the full width of Colodny Street along the entire project frontage.
42. The applicant shall design and construct a commercial driveway in accordance with City standards. The driveway width shall be a minimum of 25 feet and have radius returns. The applicant shall construct handicap ramps and sidewalks along the project frontage to accommodate pedestrian use.

### Utilities

43. A water line lateral exists to this property. The applicant shall provide evidence that all water line connection fees have been paid to Las Virgenes Municipal Water District (LVMWD) prior to issuance of a building permit.
44. A sewer line lateral exists to this property. The applicant shall provide evidence that all sewer connection fees have been paid to LVMWD prior to issuance of a building permit.
45. All utility connections that require trenching within the public right-of-way will necessitate the applicant to obtain an encroachment permit prior to start of work.

### GEOTECHNICAL CONDITIONS

46. The name, address, and phone number of the Consultant and a list of all the applicable geotechnical reports shall be included on the building/grading plans.
47. All manufactured slopes shall have a gradient of 2(h):1(v), or flatter.
48. The following note must appear on the grading and foundation plans: *"Tests shall be performed prior to pouring footings and slabs to determine the expansion index of the supporting soils. Foundation and slab plans should be revised as necessary"*.
49. A notation should be included on the grading and foundation plans that states, *"Excavations shall be made in compliance with CAL/OSHA Regulations"*.
50. Foundation plans and foundation details should clearly depict the embedment material and minimum depth of embedment for the foundations.
51. The following note should appear on the foundation plans: *"All foundation excavations must be observed and approved by the Project Engineering Geologist and/or Project Geotechnical Engineer prior to placement of reinforcing steel"*.

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52. A comprehensive site drainage plan incorporating the Project Geotechnical Consultant's recommendations should be included in the plans. Please depict all area drains and outlets, subdrainage systems, and surface non-erosive drainage devices on the plan.
53. Foundation setback distances from descending slopes should comply with the City of Agoura Hills requirements. Please clearly depict the required minimum foundation setback distances on the foundation plans, as applicable.
54. Following completion of grading, an as-graded geotechnical report documenting grading and fill placement should be prepared by the Consultant and submitted to the City for review. The report should include the results of all density and in grading expansion index tests, and a map indicating the limits of grading, locations of all density tests, removal area locations and bottom elevations, keyway locations and bottom elevations, locations of all subdrains and flow line elevations, and detailed mapping of geologic conditions exposed during grading.
55. The horizontal and vertical limits of the proposed overexcavation areas should be depicted on the grading plans.
56. The final set of grading, drainage, shoring, and foundation plans for the proposed residence should be reviewed, approved, and wet stamped and manually signed by the Project Engineering Geologist and Project Geotechnical Engineer. All of the Geotechnical Consultant's recommendations should be incorporated into the plans. The plans should be submitted to the City for review by the Building Official.

## SPECIAL CONDITIONS

### Landscaping Conditions and Oak Tree

57. Unless otherwise approved or required below, the final landscape plans shall be essentially the same as the preliminary plans dated August 14, 2002.
58. Prior to the approval of building permits, the applicant shall submit three (3) sets of landscape plans meeting the following requirements:
  - a. A California-licensed landscape architect shall prepare, stamp and sign the plans.
  - b. All plans shall be legible and clearly drawn.
  - c. Plans shall not exceed thirty inches (30") by forty-two inches (42") in size. Plans shall be a minimum of twenty-two inches (22") by thirty-six inches (36") in size.
  - d. A true north arrow and plan scale shall be noted. The scale shall be no smaller than one inch equals twenty feet (1"=20'), unless approved by the City Landscape Consultant.

- a. A title block shall be provided, indicating the names, addresses and telephone numbers of the applicant and landscape architect.
  - b. The project identification number shall be shown on each sheet.
  - c. 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
  - d. The Planting Plan shall indicate the botanical name and size of each plant.
59. Plant symbols shall depict the size of the plants at maturity.
60. Plant container sizes and/or spacing shall be provided. Minimum sizes shall be acceptable to the City Landscape Consultant and the Director.
61. The Irrigation Plan shall be provided separate from but utilizing the same format as the Planting Plan.
62. 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.

63. The Irrigation Plan shall be concise and accurate and shall include the manufacturer, model, size, demand, radius, and location of the following, as appropriate:
  - a. Design and static pressures
  - b. Point of connection
  - c. Backflow protection
  - d. Valves, piping, controllers, heads, quick couplers
  - e. Gallonage requirements for each valve
  
64. 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.
  
65. 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
  
66. A complete Landscape Documentation package is required at the time of initial plan check submittal, prepared in
  
67. Design of the children's play area shall be further enhanced to create a functional, pleasant and interesting environment for children and their caretakers. Amenities may include trellises, a fountain, seating, and play equipment. The City Landscape Consultant and the Director shall approve the final design.
  
68. All landscaping shall be irrigated and maintained in perpetuity in accordance with the approved Landscape Plan.
  
69. 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.
  
70. The applicant is permitted to encroach within the protected zone of Oak Tree Numbers 1 and 2, as shown on the approved Grading Plan.

71. Pertinent Data The final Grading Plan shall be reviewed and approved by the City Oak Tree Consultant prior to issuance of any grading permits.
72. To mitigate potential adverse impacts to the subject oak trees, the landscape plans shall include two (2) fifteen (15) gallon size oak trees within the front planting area.
73. Prior to the start of any work within the protected zone of any oak tree, the applicant shall provide at least forty-eight (48) hours notice to the City Oak Tree Consultant and to the applicant's oak tree consultant.
74. To the extent feasible, the oak trees shall be fenced in accordance with the Oak Tree Preservation and Protection Guidelines. The fencing shall be installed prior to the start of any site work and the City Oak Tree Consultant shall approve the fencing installation. The fencing shall remain in place until the City Oak Tree Consultant authorizes removal.
75. All work within the protected zone of the oak trees shall be completed with hand tools only, under the direct supervision of the applicant's oak tree consultant.
76. The oak tree in the northwest corner may be pruned as needed to accommodate the approved structure. The pruning shall be performed by a qualified arborist under the direct supervision of the applicant's oak tree consultant. Pruning shall be performed in strict accordance with The Pruning Standards of the Western Chapter of the International Society of Arboriculture.
77. All oak trees shall be mulched within their dripline with three inches (3") of organic mulch, acceptable to the City Oak Tree Consultant.
78. Following completion of construction, the applicant's oak tree consultant shall submit a final certification, describing all impacts to the oak trees and whether work was performed in accordance with the above conditions.

#### Lighting Conditions

79. The applicant shall provide exterior lighting fixture details and a photometric plan for review and approval by the Director of Planning and Community Development, prior to submittal of the plans into plan check. All exterior lighting fixtures shall not exceed sixteen feet in height, including the base. All exterior lighting fixtures shall be decorative in design and shall be architecturally compatible with the building design and shall be directed downward so as not to produce glare onto adjacent parcels or roadways. The light source shall not exceed 250 watts and the photometric plan shall show compliance in the light sources not exceeding one (1) foot-candle of illumination at the property lines. No roof-mounted lighting is permitted.

Architectural Conditions

80. All screen walls, garden walls, and retaining walls shall consist of split-face block material with a decorative block cap, subject to approval by the Director of Planning and Community Development.
81. All retaining, screen and garden walls shall not exceed a maximum height of six feet.
82. On-site decorative paving shall be provided at the driveway entrance serving the site and in the center portion of the driveway as shown on the approved site plan. The interlocking pavers shall be earthtone in color, subject to approval by the Director of Planning and Community Development.
83. The applicant shall comply with the recommendations of the City Geotechnical Consultant and the City Geological Consultant prior to submittal of plans for plan check with the Building and Safety Department.
84. 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.
85. Applicant shall submit a copy of the Conditions, Covenants, and Restrictions (CC&R's) for the Homeowner's Association for review and approval by the Director of Planning and Community Development. The CC&R's shall contain among other things, the provisions for the maintenance of the common landscaped areas and the building's exteriors.
86. The applicant shall redesign the stairwell which is projecting more than 4 feet into front yard setback. No portion of the stairwell structure shall be closer than 11 feet to the front property line, subject to approval by the Director of Planning and Community Development.
87. Prior to the issuance of the Certificate of Occupancy for any unit, the applicant shall comply with the requirement to pay the Inclusionary Housing In-lieu fee in accordance with Municipal Code Section 9133.4. The current fee is \$6,277.00/per unit for all condominium units. Actual fees will be determined prior to the issuance of the Certificate of Occupancy.

END



RESOLUTION NO. 717  
A RESOLUTION OF THE PLANNING COMMISSION OF  
THE CITY OF AGOURA HILLS  
APPROVING TENTATIVE TRACT MAP NO. 53543

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

Section 1. An application was duly filed by Mike Minder/Samson Investment Company with respect to real property located at 5241 Colodny Drive (Assessor's Parcel No. 2055-006-026), requesting the approval of a Tentative Tract Map for condominium purposes. A Public Hearing was duly held on November 7, 2002, at 6:30 p.m. in the City Council Chambers, City Hall, 30001 Ladyface Court, Agoura Hills, California 91301. Notice of the time, date, place and purpose of the aforesaid hearing 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 finds, pursuant to Section 10414 of the Agoura Hills Zoning Ordinance and Subdivision Ordinance, that:

A. The proposed map, as conditioned, is consistent with the City's General Plan designation of RH (Residential- High Density) in that the proposed tract map will assist in facilitating the development of a vacant parcel with multi-family residential uses, which is called for in the Land Use and Housing Elements of the General Plan.

B. The site is physically suitable for the type of development proposed in that the lot is vacant and relatively flat and all proposed development will not exceed the required lot area per dwelling unit specified in the Zoning Ordinance for the RH Zone.

C. The design of the Tentative Tract Map and proposed improvements, as conditioned, are not likely to cause substantial environmental damage or serious public health problems. Street improvements and on-site property improvements will be required upon development of the parcel and the property is not adjacent to sensitive biological areas.

D. The design of the Tentative Tract Map and type of improvement, as conditioned, will not conflict with easements acquired by the public at large, for access through or use of property within the proposed development. Access to the parcel would be via Colodny Drive.

Resolution No. 717

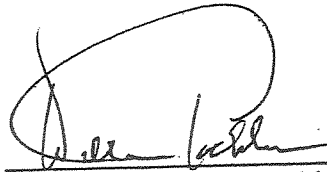
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Section 4. The project is exempt from the California Environmental Quality Act, , as an in fill project, defined in Section 15332 (Class 32), and does not require adoption of an environmental impact report or negative declaration.

Section 5. Based upon the aforementioned findings, the Planning Commission hereby approves Tentative Tract Map No. 53543, subject to attached Conditions, with respect to property described in Section 1 hereof.

PASSED, APPROVED and ADOPTED this 7th day of November, 2002, by the following vote to wit:

AYES: (5) Koehler, Ramuno, Schwarz, Shackelford, and Walker  
NOES: (0)  
ABSENT: (0)  
ABSTAIN: (0)



William D. Koehler, Chairperson

ATTEST:



Mike Kamino, Secretary

## CONDITIONS OF APPROVAL (CASE NO. T.T. 53543)

### STANDARD CONDITIONS

1. Except as modified herein, the approval of this action is limited to and requires complete conformation to the approved Tentative Tract Map 53543.
2. This action shall not be effective for any purpose until the applicant and property owner have agreed in writing that they are aware of, and accept all Conditions of this Permit with the Department of Planning and Community Development.
3. This decision, or any aspect of this decision, can be appealed to the City Council within fifteen (15) days from the date of this hearing, subject to filing the appropriate forms and related fees.
4. It is hereby declared to be the intent that if any provision of this Permit is held or declared to be invalid, the Permit shall be void and the privileges granted hereunder shall lapse.
5. It is further declared and made a Condition of this action that if any Condition herein is violated, the Permit shall be suspended and the privileges granted hereunder shall lapse; that the applicant has been given written notice to cease such violation and has failed to do so for a period of thirty (30) days.
6. All requirements of the Zoning Ordinance and of the specific Zoning of the subject property must be complied with unless set forth in the Permit or on the approved Tract Map. Further, the Conditions of Approval for 01-SPR-004 and 02-OTP-002 are conditions of this approval.
7. The applicant must comply with all requirements of the Subdivision Ordinance.
8. The approval of Tentative Tract Map No. 53543 shall expire in two (2) years from the date of Planning Commission approval. A written request for a one (1) year extension may be considered by the City prior to the expiration date.
9. Prior to the Final Map approval by the City Council, the applicant shall pay to the City the park land and dedication fee specified in Municipal Code Section 10800-10803.

### CITY ENGINEER CONDITIONS

10. The Final Map shall be based on field survey and be prepared in accordance with Article X, of the City's Municipal Code and the State Subdivision Map Act and shall be submitted to the City, along with all necessary supporting documents and applicable fees, for review and acceptance by the City Engineer's office.

## Conditions of Approval

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11. Pursuant with Article X, of the City's Municipal Code, all existing and proposed easements shall be shown on the Final Map. All proposed easements for water, sewer and storm drains shall be a minimum of fifteen feet wide. Access easements, if applicable, shall be of adequate width, as approved by the City Engineer.
12. Right-of-way and easement dedication and all project improvements shall conform to the currently-approved General Plan and the Department of Public Works specifications.
13. All improvement plans, including, but not necessarily limited to, street, grading, sewer, storm drain, landscaping, traffic signal, street lighting, and striping/signage plans, for the entire project must be submitted as one package. This package must also include all supporting studies.
14. Pursuant to with Article X, of the City's Municipal Code, all off-site improvements, including, but not limited to, asphalt concrete paving, curb and gutter, sidewalk, driveway, street trees, street lights, water, sewer, storm drain facilities and traffic control devices, shall be either constructed or an Agreement for Construction of Subdivision Improvements with improvement securities acceptable to the City shall be entered into by the Applicant and the City to guarantee construction of required improvements, prior to approval of the Final Map by the City Council.
15. Prior to the Final Map approval by the City Council, the applicant shall provide written verification to the City Engineer from other affected City departments and public agencies that the Conditions of Approval for this tract have been met.
16. The applicant shall pay all costs of acquiring any off-site real property and easements required in connection with the project.
17. The Conditions, Covenants and Restrictions (CC&R's) for this Homeowners Association shall be prepared and recorded prior to, or concurrent with, the Final Map. A draft of the CC&R's shall be submitted to the City Engineer for his review and approval at the time of the Final Map submittal. The CC&R's shall contain, among other things, the provisions for the maintenance of the proposed drainage facilities, and also contain the provisions that the drainage facilities shall not be modified in any way without the written approval of the City Engineer.

END



**SITE PLAN/ARCHITECTURAL REVIEW  
CASE NO. 01-SPR-004 AMENDMENT**

**FOR THE PROPERTY LOCATED AT  
5241 COLODNY DRIVE,  
AGOURA HILLS**

**EXHIBIT G**

**VICINITY/ZONING MAP**

**Site Plan/Architectural Review  
Case No. 01-SPR-004,  
Oak Tree Permit Case No. 02-OTP-002 &  
Tract Map 53543**



Vicinity/Zoning Map

