



DATE: DECEMBER 18, 2008

TO: PLANNING COMMISSION

FROM: PLANNING STAFF

SUBJECT: CONDITIONAL USE PERMIT CASE NO. 03-CUP-016 & OAK TREE
PERMIT CASE NO. 03-OTP-017

I. PROJECT DESCRIPTION AND BACKGROUND

The Planning Commission conducted a public hearing on March 20, 2008, for Sean Ben-Menahem's Conditional Use Permit and Oak Tree Permit applications (Case Nos. 03-CUP-016 and 03-OTP-017) to construct a 4,880 square-foot, two-story, single-family residence, a 463 square foot attached two-car garage, a 100 square-foot patio cover and a 125 square-foot balcony/deck. The applicant also requested to remove one (1) oak tree and to encroach in the protected zone of nine (9) oak trees for the proposed construction. The vacant parcel is located at 6149 Palo Comado Drive in the Residential Very Low Density zone in Old Agoura.

After deliberation, the Planning Commission requested staff to return with a Resolution of Denial for the Planning Commission to adopt. Prior to the Planning Commission taking action, the applicant requested, and was granted a continuance of the public hearing to allow him to address the recommended changes including: 1) a reduction of the grading quantities, thereby reducing the amount of construction truck trips and impacts to the community; 2) a reduction in the size of the house, thereby reducing the mass of the house as viewed from the access driveway and the street; 3) a change in the architectural style of the house; 4) a closer review of the potential drainage impacts to the residence to the east of the access driveway; and 5) the requirement for a horse keeping area somewhere on the parcel.

The Planning Commission conducted a second hearing on August 7, 2008 to review the applicant's changes which proposed a smaller house size (4,515 square feet with a 428 square-foot attached garage). A California Bungalow style of architecture was selected which incorporated covered patios, balconies and decks, used wood siding, and gabled roofs. The grading quantities were reduced by moving the retaining walls at the bottom of the slope in the rear of the parcel and eliminating the manufactured slope; some retaining walls were eliminated but the drainage was not changed. The applicant had not included a horse keeping area in the design of the project which the Commissioners discussed and recommended that it be located near the southeast corner of the parcel. A request for an Oak Tree Permit to encroach in the protected zone of nine (9) oak trees remained. In the end, four of the five Commissioners shared the same concerns and submitted to the applicant that the design changes did not adequately address the issues raised at the previous meeting (i.e. the grading quantities, the size of the house, the style of the house, and drainage impacts to the neighboring properties down below).

II. STAFF ANALYSIS

To address the issues raised by the Planning Commission, the applicant now proposes to build a 3,994 square-foot single family residence with a 475 square-foot attached garage and a 39 square-foot balcony. The California Spanish style house design remains two stories in height with a single-story garage. The grading boundaries remain the same however; the residence was located further west from the front property line. The request for an Oak Tree Permit to encroach in the protected zone of nine (9) oak trees remains. One oak tree was originally proposed to be removed but may be retained with the latest design.

Based on this new proposal, the project still meets all minimum yard setbacks from all property lines and maximum allowable height requirements of the zone. Pertinent data is described below and findings made for the original proposal remain the same and are included in the attached draft resolution.

Pertinent Data for the Proposal:

	Original Proposal	First Revision	Second Revision (Current)	Required/ Allowed
A. Lot Size	49,281 sq.ft. (1.13 acres)	N/A	N/A	43,560 sq.ft. (1 acre)
Excluding Driveway	39,984 sq.ft.	N/A	N/A	N/A
Width	190 ft.	N/A	N/A	N/A
Depth	210 ft.	N/A	N/A	N/A
B. Building Setbacks				
1. <u>Residence Setbacks</u>				
Front	33 feet	33 feet	52 feet	25 feet min.
Rear (West Side)	75 feet	72 feet	78 feet	25 feet min.
Side (North Side)	90 feet	92 feet	93 feet	12 feet min.
Side (South Side)	33 feet	33 feet	38 feet	12 feet min.
C. Building Sizes				
Residence				
1 st Floor	2,690 sq.ft.	2,638 sq.ft.	2,216 sq.ft.	N/A
2 nd Floor	<u>2,190 sq.ft.</u>	<u>1,877 sq.ft.</u>	<u>1,778 sq.ft.</u>	<u>N/A</u>
Subtotal:	4,880 sq.ft.	4,515 sq.ft.	3,994 sq.ft.	N/A
Garage	<u>463 sq.ft.</u>	<u>428 sq.ft.</u>	<u>475 sq.ft.</u>	N/A
Total:	5,343 sq.ft.	4,943 sq.ft.	4,469 sq.ft.	N/A
Covered Patio	100 sq.ft.	217 sq.ft.	N/A	N/A
Balcony/Roof Deck	125 sq.ft.	332 sq.ft.	39 sq.ft.	N/A
D. Building Height	33 ft.	33 ft.	29.5 ft.	35 ft. max.

	Original Proposal	First Revision	Second Revision (Current)	Required/ Allowed
E. Lot Coverage				
Bldg. Footprint	6%	6.6%	6.4%	25% max.
Bldg. Footprint + Hardscape	25%	23.3%	23.3%	25% max.
F. Undisturbed Open Space Coverage				
	58%	68%	68%	77.5% min.
G. Number of Oak Trees				
	11 on-site	11	11	N/A
	11 off-site	10	10	N/A

The overall layout of the house is more compact with a new location of the garage; the garage was moved westerly from the front property line to where the gym used to be. The footprint is now setback from the front property line an additional 19 feet. The entry of the garage still faces east but the ceiling line is lower. The garage floor area must be at least 20 feet by 20 feet (400 square-feet) as required by the Zoning Ordinance; the excess square footage is used for a stair case. The footprint of the house has smaller dimensions (60x60 feet instead of 60x80 feet). Patio covers have been eliminated leaving one smaller balcony on the rear elevation. The total square footage of the residence including the garage, decreased 9.6% from 4,943 square feet to 4,469 square feet. The total lot coverage is lower than the last proposal. Overall, the surface of the graded area has not changed therefore the undisturbed open space area is the same as the last design (68%). In addition to making revisions to the house, the applicant is including an area for horse keeping along the front property line as shown on the Site and Grading Plans. The equestrian area is approximately 288 square feet, carved out of the sloping front yard below the driveway and away from the oak trees. No corral area is specified on the plans.

Architecture

The applicant chose to go back to his preferred choice of materials, which included smooth-stuccoed walls but incorporated wood shutters on some of the windows and wood trims on the top and bottom of other windows. The rafter tails and Spanish tile were reintroduced as well. All the gables have been eliminated and replaced with hip roofs. The roof pitch has been reduced, reducing the overall height of the residence to 29.5 feet. Other elements that were changed include the pattern of the stone veneer with an irregularly-shaped piece of sand color stone randomly arranged and applied to the front elevation rather than the previous brick-like stone pattern. The patio covers and the roof deck have been eliminated and one balcony remains on the rear elevation, which is partially covered by the hip roof. The entry is nudged between the walls of the garage and studio with a short roof above the front door built seven steps above the driveway elevation. The colors include tan and brown for the walls, shutters and trims and black for the wrought iron railing. The windows mullions would have an almond color finish.

Oak Tree/Landscaping

The applicant's Civil Engineer realigned two retaining walls along the north side of the property in order to stay away from Oak Tree No. 14, but the City Oak Tree/Landscape Consultant feels that the oak tree impact analysis remains the same and the mitigation measures remain as outlined in the conditions of approval.

Engineering/Public Works

The last shown grading quantities were 920 cubic yards of cut, 991 cubic yards of fill and 71 cubic yards of imported soil; the Grading Plan submitted for this redesign shows the same earth work quantities. The stacked retaining walls remain under, or equal to, 6 feet in height. The retaining wall proposed along Oak Tree #14 was changed from a curved wall to a straight wall. The lower wall was shortened by 13 feet and a staircase added further to the rear of the back yard. Walls were added in the front yard, two extending perpendicular to the front property line (from the edge of the driveway to the house to create a planter) and one located around the horse keeping area, adding approximately 82 linear feet of wall.

The Engineering Department reviewed the drainage patterns and quantities associated with the revised grading plan, and is satisfied that the conditions of approval address this issue. Street improvements will remain the same. The location of the septic system along the south side of the house has not changed.

Environmental

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 it is the Planning Commission's decision to approve Conditional Use Permit Case No. 03-CUP-016 and Oak Tree Permit Case No. 03-OTP-017, staff recommends the Planning Commission adopt the attached draft resolution, subject to the revised Conditions of Approval.

Attachments

- Draft Resolution of Approval and Conditions of Approval
- Exhibit A: Letter from the Old Agoura Homeowners Association
- Exhibit B: Reduced Copies of the Revised Architectural and Grading Plans
- Exhibit C: August 7, 2008 Meeting Minutes
- Exhibit D: August 7, 2008 Meeting Staff Report
- Exhibit E: Vicinity/Zoning Map
- Exhibit F: Color and Materials Board and Renderings

Case Planner: Valerie Darbouze, Associate Planner

DRAFT RESOLUTION NO. ____

A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF AGOURA HILLS
APPROVING CONDITIONAL USE PERMIT CASE NO. 03-CUP-016
AND OAK TREE PERMIT CASE NO. 03-OTP-017

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

Section 1. An application was duly filed by Sean Ben-Menahem with respect to the real property located at 6149 Palo Comado Drive, Assessor's Parcel Number 2055-023-073, requesting the approval of a Conditional Use Permit Case No. 03-CUP-016 to allow the development of a 3,994 square-foot, two-story, single-family residence with a 475 square foot attached two-car garage; and requesting approval of Oak Tree Permit Case No. 03-OTP-017 to remove one (1) oak tree and encroach in the protected zone of nine (9) oak trees for the proposed construction. Public hearings were duly held on March 20, 2008, and on August 7, 2008, and December 18, 2008 at 6:30 p.m. in the Council Chambers, City Hall at 30001 Ladyface Court, Agoura Hills, California. Notice of the time, date and place and purpose of the aforesaid was duly given.

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

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

- A. The proposed use, as conditioned, is consistent with the objectives of the Zoning Ordinance and the purposes of the district in which the use is located. The proposed project is located within the Residential Very Low Density zone and the Old Agoura Design Overlay zone, which provide general design standards for residential developments. All minimum development standards have been met for the proposed two-story residence with regard to setbacks, lot coverage, height, architectural guidelines and hillside development standards regarding height.
- B. The proposed use, as conditioned, is compatible with the surrounding properties. The project will contribute to the aesthetic value of the neighborhood as a whole. The proposed building style of architecture and building materials, which include Spanish tiles, rafter tails, smooth stucco, a balcony with wrought iron railing, courtyard entry and an overall earth tone scheme color are compatible with the neighborhood and meet the requirements of the Old Agoura Design Overlay District.
- C. The proposed use, as conditioned, and the conditions under which the project will be operated or maintained, will not be detrimental to the public health, safety or welfare. No element of the architecture or the use is detrimental to the health, safety or welfare of the public as single-family residences are allowed in that particular zone and the private septic system and drainage meet the conditions of both the Los Angeles County Health Department and the City Geological/Geotechnical Consultant. Access to the property will be taken from Palo Comado Drive, and the two-story house will be placed in a location on the lot that will not impact the privacy or view sheds of adjoining neighbors.

- D. The proposed use, as conditioned, will comply with each of the applicable provisions of the Zoning Ordinance with regard to building placement, design, lot coverage, and height, and hillside development in that the project meets or exceeds the prescribed development's standards for the zones.
- E. The proposed use as conditioned, will maintain the diversity of the community's rustic structures in that the residence was designed as a split level and the combination of materials and the color palette give the house its own identity. The placement of the residence will not impact view-sheds of neighboring residents as it is setback from the front property line 52 feet and surrounded by hillside on the other three sides of the property. The parcel is isolated from the main roads where the development is the most visible.
- F. The proposed use, as conditioned, is consistent with the goals, objectives and policies of the General Plan. The proposed location of the house will preserve the oak trees at the exception of one oak tree which is currently located in the access easement. Proportionality of the house in relation to the size of the lot meets the intent of the Old Agoura Implementation Measures outlined in the Community Design Element.

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. 03-CUP-016 and Oak Tree Permit Case No. 03-OTP-017, subject to the attached Conditions, with respect to the property described in Section 1 hereof.

PASSED, APPROVED and ADOPTED this 18th day of December, 2008 by the following vote to wit:

AYES:
NOES:
ABSTAIN:
ABSENT:

John O'Meara, Chairperson

ATTEST:

Doug Hooper, Secretary

Conditions of Approval Case Nos. 03-CUP-016 & 03-OTP-017

PLANNING CONDITIONS

Entitlement Requirements

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 these Permits with the Department of Planning and Community Development.
3. Except as modified herein, the approval of this action is limited to and requires complete conformation to the approved labeled exhibits: Site Plan; Elevation Plans; Floor Plans, Roof Plan, Landscape Plan and Grading Plan.
4. All exterior materials used in this project shall be in conformance with the materials samples submitted as a part of this application.
5. It is hereby declared to be the intent that if any provision of this Permit is held or declared to be invalid, the Permit shall be void and the privileges granted hereunder shall lapse.
6. It is further declared and made a Condition of this action that if any Condition herein is violated, the Permit shall be suspended and the privileges granted hereunder shall lapse provided that the applicant has been given written notice to cease such violation and has filed 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 building until all Conditions of Approval have been complied with as determined by the Director of Planning and Community Development.
9. Unless this permit is used within two (2) years from the date of City approval, Case Nos. 03-CUP-016 and 03-OTP-017 will expire. A written request for a one (1) year extension may be considered prior to the expiration date.
10. 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.

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11. The applicant shall comply with all applicable Public Health Statutes, Ordinances, and Regulations related to the disposal of sewage.
12. The Forester and Fire Warden shall be consulted to ascertain the required fire flows and fire hydrants to accommodate the proposed development.
13. The applicant shall comply with the school impact fee requirements of the Las Virgenes Unified School District. At this time, the required school impact fee is \$2.24 per square foot.
14. 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.
15. 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 the City's Environmental Planner is notified and 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.
16. The approved grading plan and construction plans, resolution, conditions of approval, the mitigated negative declaration and the mitigation monitoring and reporting program and a color and material board shall be on site at all time during the construction of the project.
17. 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.
18. Vehicle routes and access to the property for construction purposes shall be subject to review and approval by the City Engineer.
19. 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.
20. 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.
21. A copy of all communications between the City and the applicant shall be kept on-site at all times.

22. 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.
23. Intermittent inspections shall be scheduled by the applicant as required by the Building and Safety Department and coordinated with the Engineering and Planning Department.

Solid Waste Management Requirements

24. 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.
25. 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.
26. 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.

Landscape/Oak Tree Requirements

The Oak Tree Report addresses a total of twenty-two (22) oak trees. Eleven (11) of the oak trees are located within the subject site and the remaining eleven (11) oak trees are

located off-site within the immediate vicinity. As shown on the attached table, one (1) of the subject trees would be removed and nine (9) of the trees would be encroached upon to accomplish grading, driveway and road improvements. The remaining twelve (12) trees will remain in place with no direct impacts anticipated.

27. The applicant is permitted to remove Oak Tree Number 22 if necessary to allow for widening and paving of Palo Comado Drive. This tree is located on the property located to the east of the applicant's property at 6149 Palo Comado Drive. It is the applicant's responsibility to obtain permission for their removal from the adjacent property owner. The City of Agoura Hills shall have no liability or responsibility in that regard.
28. The applicant is permitted to encroach within the protected zone of Oak Tree Numbers 1, 2, 10, 12, 13, 14, 15, 19, and 21 to complete the approved grading program and to install the paving and retaining walls shown on the approved grading plan.
29. The applicant is also permitted to prune Oak Tree Numbers 1, 2, 10, 12, 13, 14, 15, 19, and 21 as needed for vertical clearance over the Palo Comado Drive, the driveway and in areas where grading is otherwise approved. The quantity of pruning on each tree shall be approved by the City Oak Tree and Landscape Consultant.
30. Oak Tree Numbers 3, 4, 5, 6, 7, 8, 9, 11, 16, 17, 18, and 20 shall be preserved in place with no direct impacts.
31. To mitigate the removal of Oak Tree Number 22, the applicant shall plant at least four (4) new Coast Live Oak (*Quercus agrifolia*) within the property. Said trees shall include a minimum of one (1) thirty-six inch (36") box-size tree, two (2) twenty-four inch (24") box-size trees and one (1) fifteen (15) gallon container-size tree. The planting locations shall be subject to review and approval by the City Oak Tree and Landscape Consultant.
32. The design of all retaining walls shall utilize a foundation, construction and drainage detail that minimizes the permitted encroachment into the protected zone of all oak trees, subject to final review and approval by the City Oak Tree and Landscape Consultant.
33. Prior to the start of any work or mobilization on the site, each oak tree to be preserved shall be fenced at the edge of the protected zone or otherwise 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 and installation prior to the start of work or mobilization on the site.
34. No grading, scarifying or other soil disturbance shall be permitted within any portion of the protected zone of any oak tree except as specifically permitted above.

35. 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 accomplish the approved encroachments.
36. All work performed within the protected zone of any oak tree shall be monitored by the project oak tree consultant. Forty-eight (48) hours notice shall be provided to the City Oak Tree Consultant prior to the start of any such work. Contact the City Oak Tree Consultant at (818) 597-7350.
37. All excavation within the protected zone of any oak tree shall be performed using only hand tools under the direct supervision of the applicant's oak tree consultant or the City Oak Tree Consultant. Light construction equipment may be utilized with prior approval of the City Oak Tree Consultant.
38. Prior to occupancy, each oak tree shall be mulched throughout the dripline with three inches (3") of approved organic matter.
39. No irrigation or planting shall be installed within the dripline of any oak tree unless specifically approved by the City Oak Tree and Landscape Consultant.
40. 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.
41. All 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.
42. 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.
43. The applicant shall also comply with all recommendations contained in the Oak Tree Report and addenda as prepared by Tree Life Concern, Inc.
44. 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/Irrigation

45. The final landscape plan shall generally conform to the approved preliminary landscape plan, as prepared by Susan E. McEowen, Landscape Architect.

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46. Landscape and Irrigation plans shall be submitted for review and approval by the City Planning and Community Development Department prior to issuance of a Grading Permit.
47. 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
48. The applicant shall submit three (3) sets of landscape plans meeting the following requirements:
 - a. A California-licensed landscape architect shall prepare, stamp and sign the plans.
 - b. All plans shall be legible and clearly drawn.
 - c. Plans shall not exceed thirty inches (30") by forty-two inches (42") in size. Plans shall be a minimum of twenty-two inches (22") by thirty-six inches (36") in size.
 - d. A true north arrow and plan scale shall be noted. The scale shall be no smaller than one inch equals twenty feet (1"=20'), unless approved by the City Landscape Consultant.
 - e. A title block shall be provided, indicating the names, addresses and telephone numbers of the applicant and landscape architect.
 - f. The project identification number shall be shown on each sheet.
 - g. The plans shall accurately and clearly depict the following existing and proposed features:
 - Landscape trees, shrubs, ground cover and any other landscaping materials
 - Property lines
 - Streets, street names, right-of-ways, easements, driveways, walkways, bicycle paths, and any other paved areas
 - Buildings and structures
 - Parking areas, including lighting, striping and wheel stops
 - General contour lines
 - Grading areas, including tops and toes of slopes
 - Utilities, including street lighting and fire hydrants
 - Natural features, including watercourses, rock outcroppings
 - h. The Planting Plan shall indicate the botanical name and size of each plant.
 - i. Plant symbols shall depict the size of the plants at maturity.
 - j. Plant container sizes and/or spacing shall be provided. Minimum sizes shall be acceptable to the City Landscape Consultant and the Director.

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- k. The Irrigation Plan shall be provided separate from but utilizing the same format as the Planting Plan.
 - l. 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.
 - m. The Irrigation Plan shall be concise and accurate and shall include the manufacturer, model, size, demand, radius, and location of the following, as appropriate:
 - Design and static pressures
 - Point of connection
 - Backflow protection
 - Valves, piping, controllers, heads, quick couplers
 - Gallon requirements for each valve
 - n. 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.
49. All landscaping shall be irrigated and maintained in perpetuity in accordance with the approved Landscape Plan.
50. The landscape plan may not include any non-native plants considered invasive in the Santa Monica Mountains by the California Native Plant Society or the California Exotic Pest Plant Council.

ENGINEERING CONDITIONS

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

A. General

- i. 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.
- ii. 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.
- iii. 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.

- iv. 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.
- v. 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.
- vi. 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. The report shall be reviewed and approved by the City Geotechnical/Geological Consultant.
- vii. 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
 - Las Virgenes Municipal Water District
- viii. Building Permits shall not be issued until graded building pad(s) have been certified for compaction and elevation to the City's satisfaction. Contact the Engineering Department at 818.597.7322 for approved City certification forms.
- ix. Provide a preliminary title report not older than 30 days.
- x. All grading shall conform to City's Grading Ordinance, Chapter 33 of the Uniform Building Code.
- xi. Any/all work affecting existing easements (ie: 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

- i. Design full public improvements in accordance with City Code, Specifications, approved specific plan, and/or approved Conditions of Approval for the area.

- ii. The applicant shall improve Palo Comado Drive along the entire property frontage to Fairview Place to provide for a minimum of 20-foot paved width, and 3-foot inverted shoulder or asphalt curb, 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.
- iii. 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.
- iv. Other conditions: All off-site work shall require written permission from the affected property owner(s) prior to beginning of said work.

C. Sewer

- i. No sewer line is available for direct connection. A septic tank is proposed which requires approval from the Los Angeles County Public Health Department.

D. Water

- i. 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

- i. 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. Applicant's engineer shall design proposed main lines.

F. Stormwater (NPDES)

- i. 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;
 4. Non-storm water runoff from equipment and vehicle washing and any other activity shall be contained at the project site;
 5. 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.
- ii. Prior to the approval of the Grading Plan and issuance of Grading Permits, a completed Urban Stormwater Mitigation Plan (USMP) shall be submitted to and approved by the Engineering Department. The USMP 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.

52. PRIOR TO CERTIFICATE OF OCCUPANCY

- i. All remaining fees/ deposits required by the Engineering Department must be paid in full.
- ii. All requirements including construction of improvements covered in Section 2 must be completed to the satisfaction of the City Engineer.
- iii. 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.

- iv. 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.
- v. 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

53. The City Building Code requires all new residences to be protected by a residential fire sprinkler system. Plans for the required system shall be approved by the Fire Department prior to the issuance of Building Permits for the residence. Fire Sprinklers are required per Sec. 904.2.9 of the Agoura Hills Building Code.
54. The City Building Code requires that a minimum setback of structure to toe of slope per Agoura Hills Building Code, Sec. 1806.5.3 shall be demonstrated. Minimum setback from a descending slope is H/2, ($\frac{1}{2}$ 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 City soils engineer and approved by Building Official.
55. Exterior elements and materials must be in compliance with all Fire Zone 4 requirements, Agoura Hills Building Code, Sec.6402.1.
56. Dual pane windows shall be utilized as required for Fire Zone 4 compliance.
57. The proposed roofing shall demonstrate the protective characteristics of a Class-A roofing material or better.
58. All HVAC equipment shall be shown on mechanical plans as well as on site and grading plans.
59. Building Permits shall not be issued until grading is approved and City, Fire District and all other Departments' requirements have been satisfied.

SPECIAL CONDITIONS

60. All proposed retaining walls and garden walls shall consist of split-faced block or other decorative materials subject to review and approval by the Director of Planning and Community Development.
61. All future fencing, exterior lighting and accessory structures shall be reviewed and approved by the Director of Planning and Community Development and the Building and Safety Department prior to construction.

Conditions of Approval

Page 12 of 12

62. 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.
63. No roof-mounted equipment, other than attic ventilation systems and solar panels, as allowed by the Municipal Code, shall be permitted.

END



**CONDITIONAL USE PERMIT - CASE NO. 03-CUP-016,
OAK TREE PERMIT - CASE NO. 03-OTP-017**

**FOR THE PROPERTY LOCATED AT
6149 PALO COMADO DRIVE, AGOURA HILLS**

EXHIBIT A

Letter from the Old Agoura Homeowners Association

(December 18, 2008 Meeting)

DATE: December 10, 2008
RE: Review of Proposed Project
FROM: Planning and Zoning Committee,
Old Agoura Homeowners Association
TO: Mike Kamino, Director
Department of Planning & Community Development
City of Agoura Hills
SUBJECT: 03-CUP-016 & 03-OTP-17 (Ben-Menahem)

Description

Request for a Conditional Use Permit to construct a 3,994 square feet, two story, single-family residence, with a 475 square foot attached two-car garage, and a 39 square foot balcony/deck (a total of 4,508 square feet); and a request for an Oak Tree Permit to remove one (1) oak tree and encroach in the protected zone of nine (9) oak trees for the construction.

Comment

In previous letters, the committee had expressed concerns about the size of the house and its relation to the building site, the lack of horse-keeping facilities, the extensive use of retaining walls and the issue of drainage.

The lot consists almost entirely of a steep, curved, convex slope with an average slope of 27.6%. The house is situated on a cut into the lower part of the hillside, requiring extensive grading and the use of retaining walls.

The applicant has returned with plans that show a more compact project, smaller by over a 1,000 square feet, with the house set further away from the road, the garage moved to the side of the house, and stepped-back details to try and lessen the effect of the house looming over the small, private road and neighboring single story homes.

The new design now references the Spanish mission style and many exterior details have been added. The color palette is subtle, appropriate as the house would be seen from park ridgelines, Chesebro Road and private lanes.

The lot is steep and problematic and certainly presents limitations for horse-keeping; such an area should probably have been the first thing sited. A nominal 12x24 foot area appears to have been set aside at the street. There is also the addition of retaining walls there and along the cut and fill slope which were not present on the previous plan.

The main concern expressed by the neighbors has again been drainage, both across Palo Comado onto the down slope property and at Fairview into the creek.

Should you have questions, please contact Robyn Britton, Zoning and Planning Committee, Old Agoura Homeowners Association. Thank you for the opportunity to comment.

cc: Valerie Darbouze, Associate Planner



**CONDITIONAL USE PERMIT - CASE NO. 03-CUP-016,
OAK TREE PERMIT - CASE NO. 03-OTP-017**

**FOR THE PROPERTY LOCATED AT
6149 PALO COMADO DRIVE, AGOURA HILLS**

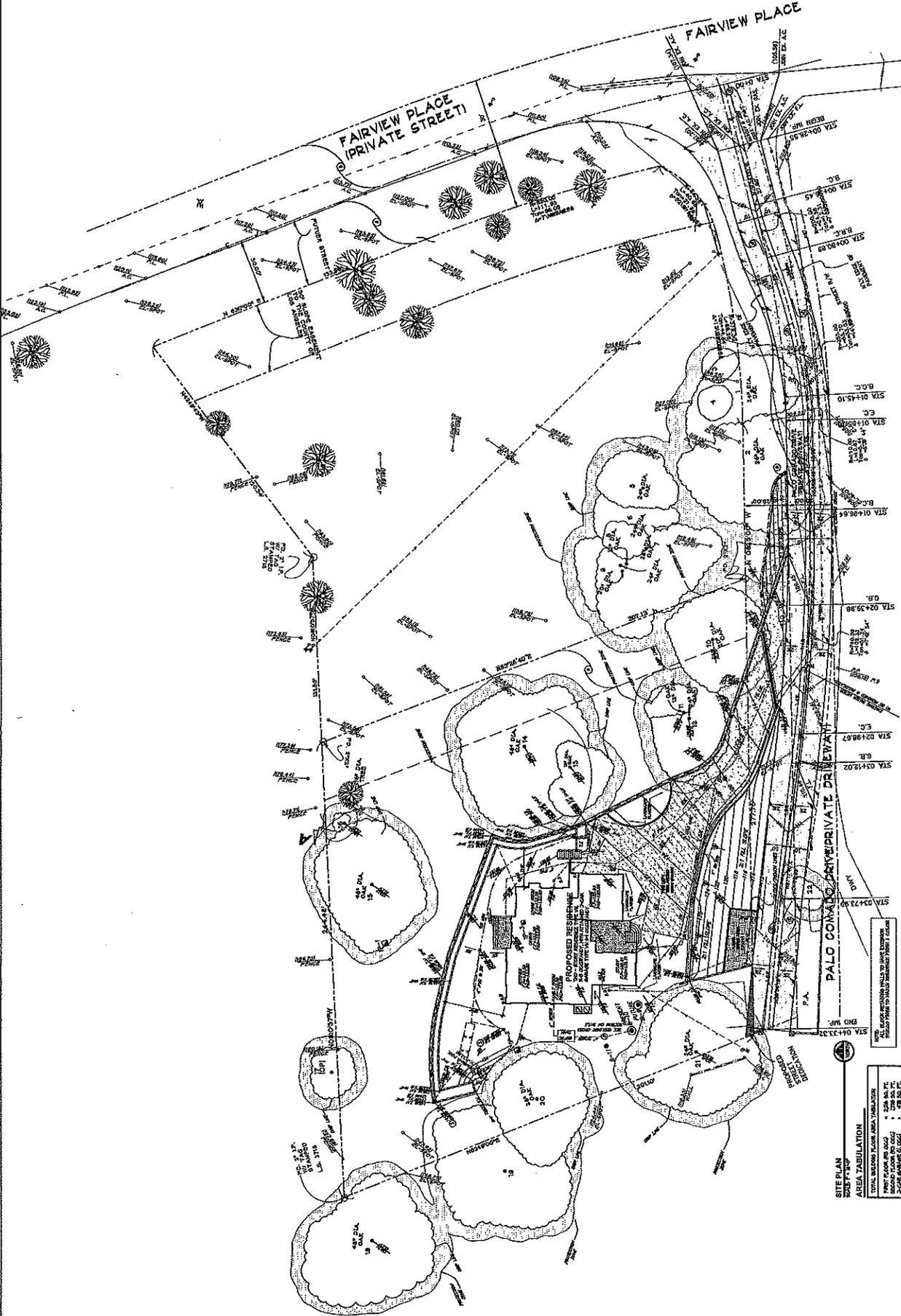
EXHIBIT B

Reduced Copies of the Revised Architectural and Grading Plans

(December 18, 2008 Meeting)



NOT FOR CONSTRUCTION



SITE PLAN

AREA TABULATION

PROPOSED RESIDENCE	4,300 SQ. FT.
LANDSCAPING	4,300 SQ. FT.
TOTAL RESIDENCE FOOTPRINT	8,600 SQ. FT.
TOTAL LOT AREA	10,000 SQ. FT.
TOTAL IMPAVED AREA	8,600 SQ. FT.
TOTAL OPEN SPACE	1,400 SQ. FT.

NOTE: ALL DIMENSIONS SHALL BE TO FACE UNLESS OTHERWISE SPECIFIED.
ALL DIMENSIONS SHALL BE TO FACE UNLESS OTHERWISE SPECIFIED.



NOT FOR CONSTRUCTION

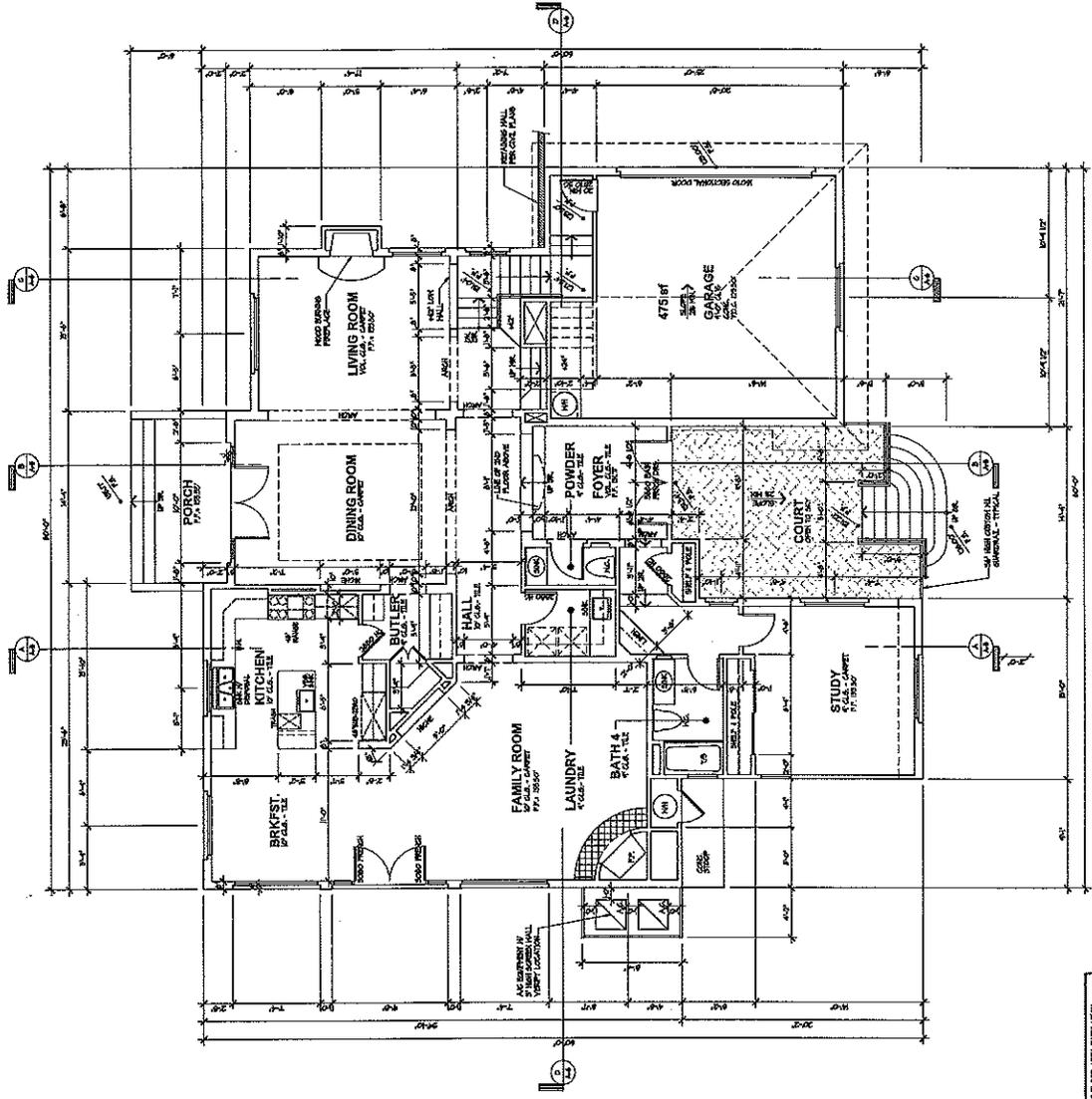
A-2

KEN STOCKTON
ARCHITECT
2800 N. AVENUE, SUITE 100, CA 92232
TEL: (619) 444-4444
FAX: (619) 444-4444

FIRST FLOOR PLAN
PROJECT NAME: BEN-MENACHEM
CUSTOM RESIDENCE
DATE: 06/11/08
REVISIONS: 10/22/08

BEN-MENACHEM
CUSTOM RESIDENCE

DEVELOPER



FIRST FLOOR PLAN

3338 SQ. FT.
TOTAL FLOOR AREA: 3338 SQ. FT.
TOTAL GARAGE AREA: 475 SQ. FT.
TOTAL AREA: 3813 SQ. FT.
TOTAL AREA OF FIRST FLOOR: 3338 SQ. FT.
TOTAL AREA OF SECOND FLOOR: 475 SQ. FT.
TOTAL AREA OF GARAGE: 475 SQ. FT.

TOTAL RESIDENT FLOOR AREA: 3338 SQ. FT.
TOTAL GARAGE AREA: 475 SQ. FT.
TOTAL AREA: 3813 SQ. FT.
TOTAL AREA OF FIRST FLOOR: 3338 SQ. FT.
TOTAL AREA OF SECOND FLOOR: 475 SQ. FT.
TOTAL AREA OF GARAGE: 475 SQ. FT.



NOT FOR CONSTRUCTION

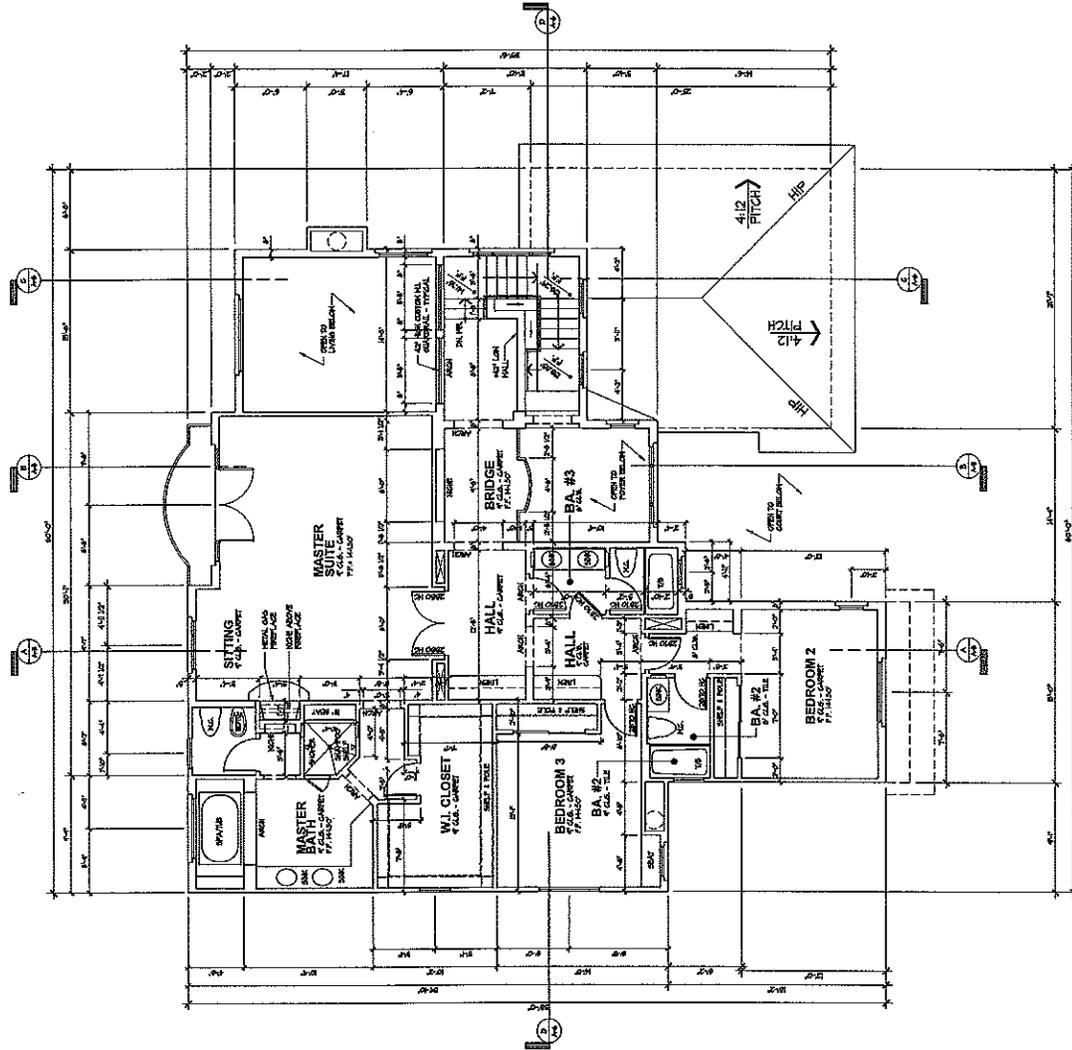
A-3

KEN STOCKTON
ARCHITECT
2000 K Avenue, Suite 100, San Jose, CA 95128
(408) 298-8888

PROJECT	SECOND FLOOR PLAN
DATE	06/11/08
REVISIONS	
DATE	
BY	
DATE	
BY	

BEN-MENACHEM
CUSTOM RESIDENCE

DEVELOPER



SCALE: 1/8" = 1'-0"

SECOND FLOOR PLAN

SECOND FLOOR FINISHES:
 FLOORING: 1/2" x 3/4" x 12' P.L.
 WALLS: 5/8" x 12' P.L.
 TOTAL FINISH AREA: 1,100 SQ. FT.
 TOTAL FINISH PERMITS: 1,100 SQ. FT.



NOT FOR CONSTRUCTION

A-5

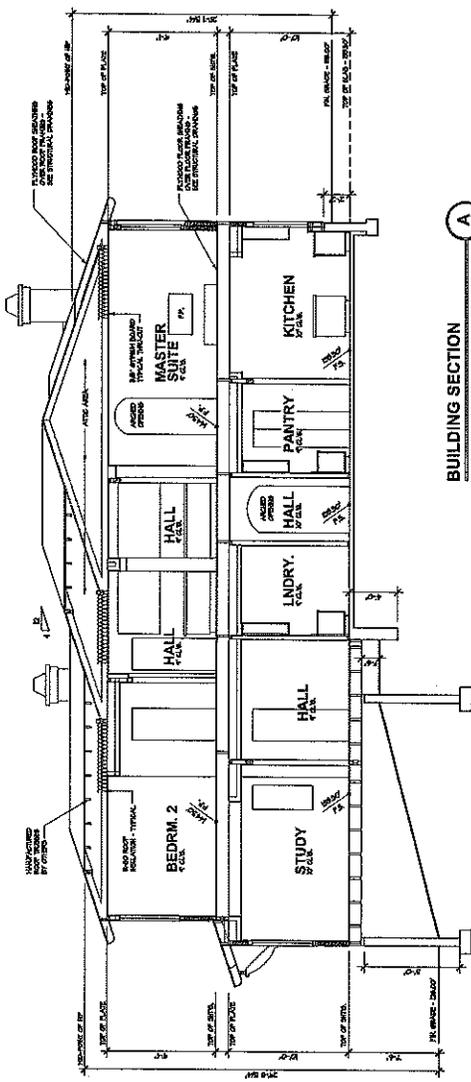
KEN STOCKTON
ARCHITECT
2800 N. KOSKIP BLVD. SUITE 100, ANAHEIM, CA 92807
TEL: 714.933.1234 FAX: 714.933.5678

DATE	06/10/08
REVISIONS	10/22/08
PROJECT NO.	080108
CLIENT	BEN-MENAHEM
PROJECT NAME	CUSTOM RESIDENCE

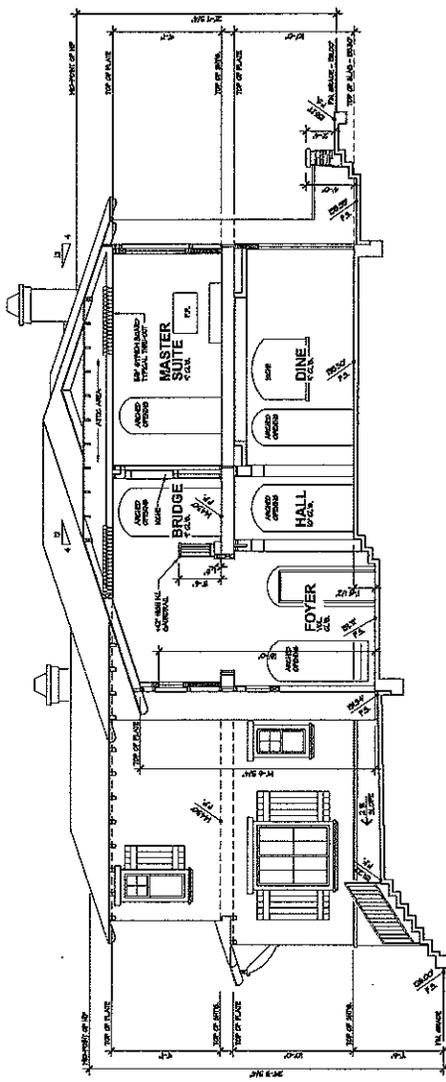
BEN-MENAHEM
CUSTOM RESIDENCE

LEVEL: 0.000

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



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





NOT FOR CONSTRUCTION

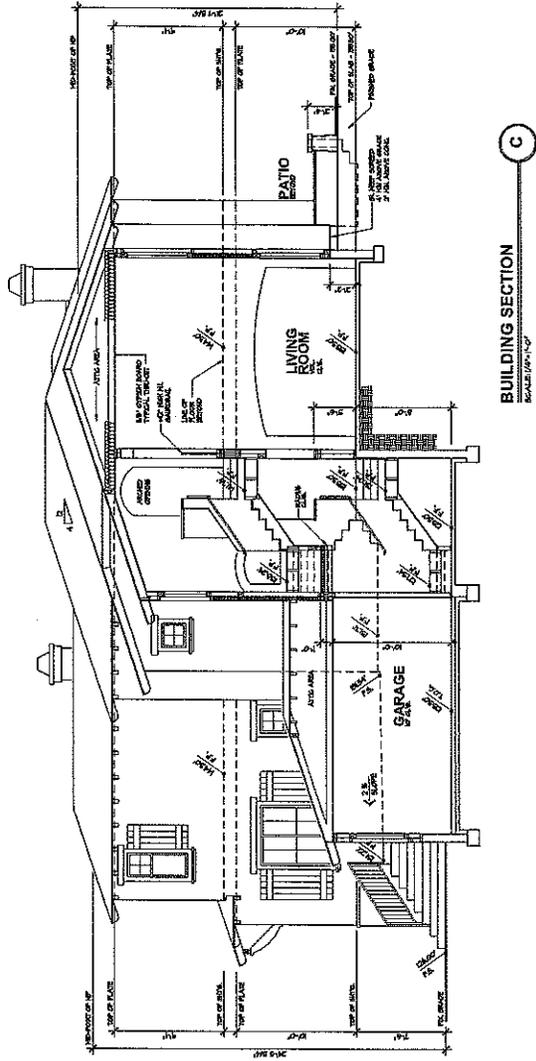
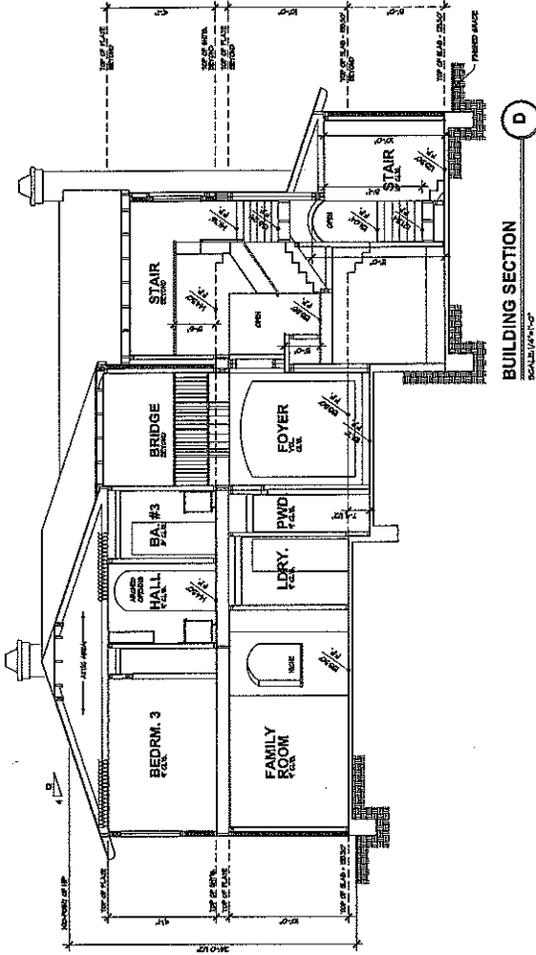
A-6

KEN STOCKTON
ARCHITECT
2800 N. ASTOR AVE. SUITE 200, PALMDALE, CA 91362
PH: 805-484-4100 FAX: 805-484-4104

PROJECT NAME	BUILDING SECTIONS
DATE	08/11/08
REVISIONS	
BY	
DATE	

BEN-MENACHEM
CUSTOM RESIDENCE

DEVELOPER



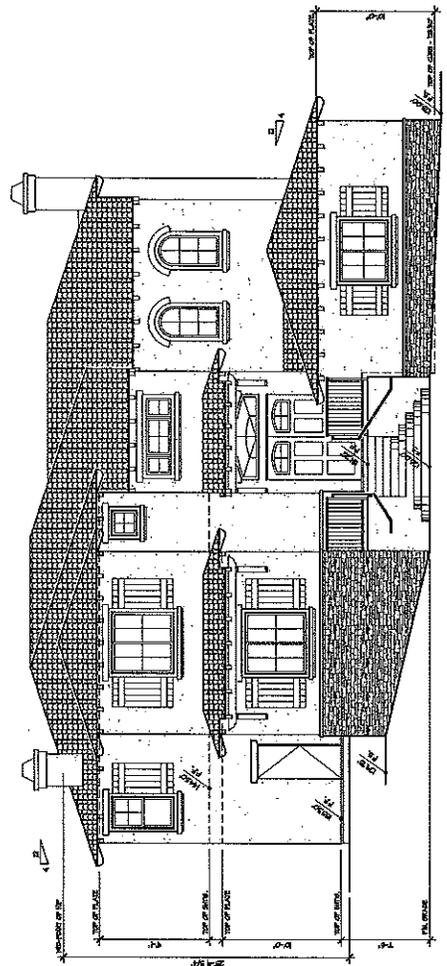
PROJECT:	FIRST FLOOR PLAN
DATE:	06/10/08
DESIGNER:	10/22/08
REVISIONS:	
SCALE:	3/8" = 1'-0"

PROJECT NAME: BEN-MENAHEM
 CUSTOM RESIDENCE
 888
 DEVELOPER:

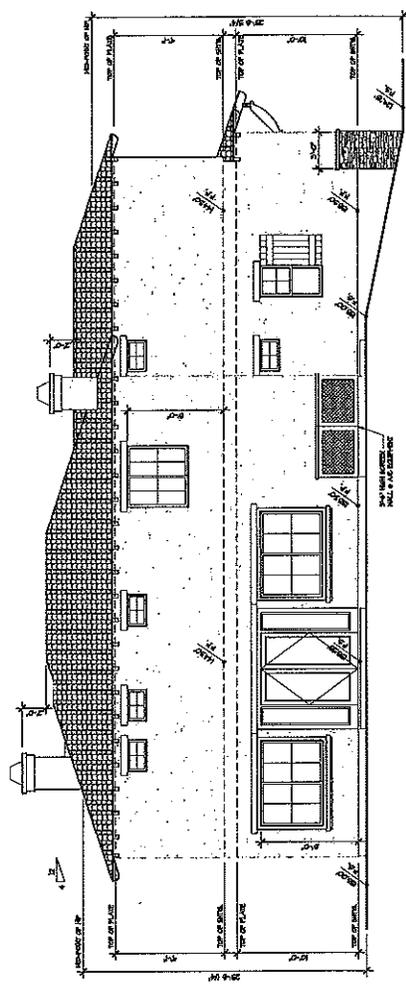


NOT FOR CONSTRUCTION

FRONT ELEVATION
SCALE: 3/8" = 1'-0"



LEFT SIDE ELEVATION
SCALE: 3/8" = 1'-0"





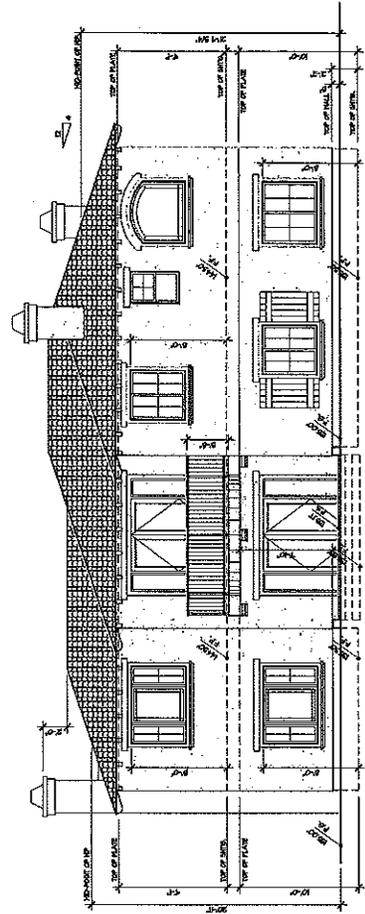
NOT FOR CONSTRUCTION

KEN STOCKTON
ARCHITECT
3800 N. ASTOR BLVD., SUITE 100, LOS ANGELES, CA 90004
(818) 444-4444 FAX (818) 444-9004

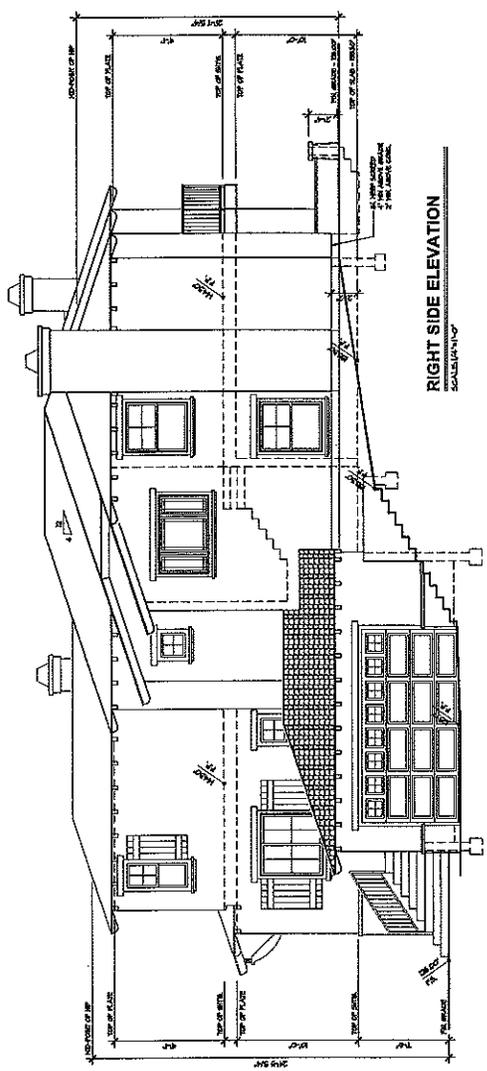
PROJECT	PROJECT NAME
PLAN OR	BEN-MENACHEM
DRAWN	CUSTOM RESIDENCE
DATE	06/11/08
LOCATION	
REVISIONS	
BY	
DATE	

FIRST FLOOR PLAN
PROJECT NAME: BEN-MENACHEM
CUSTOM RESIDENCE

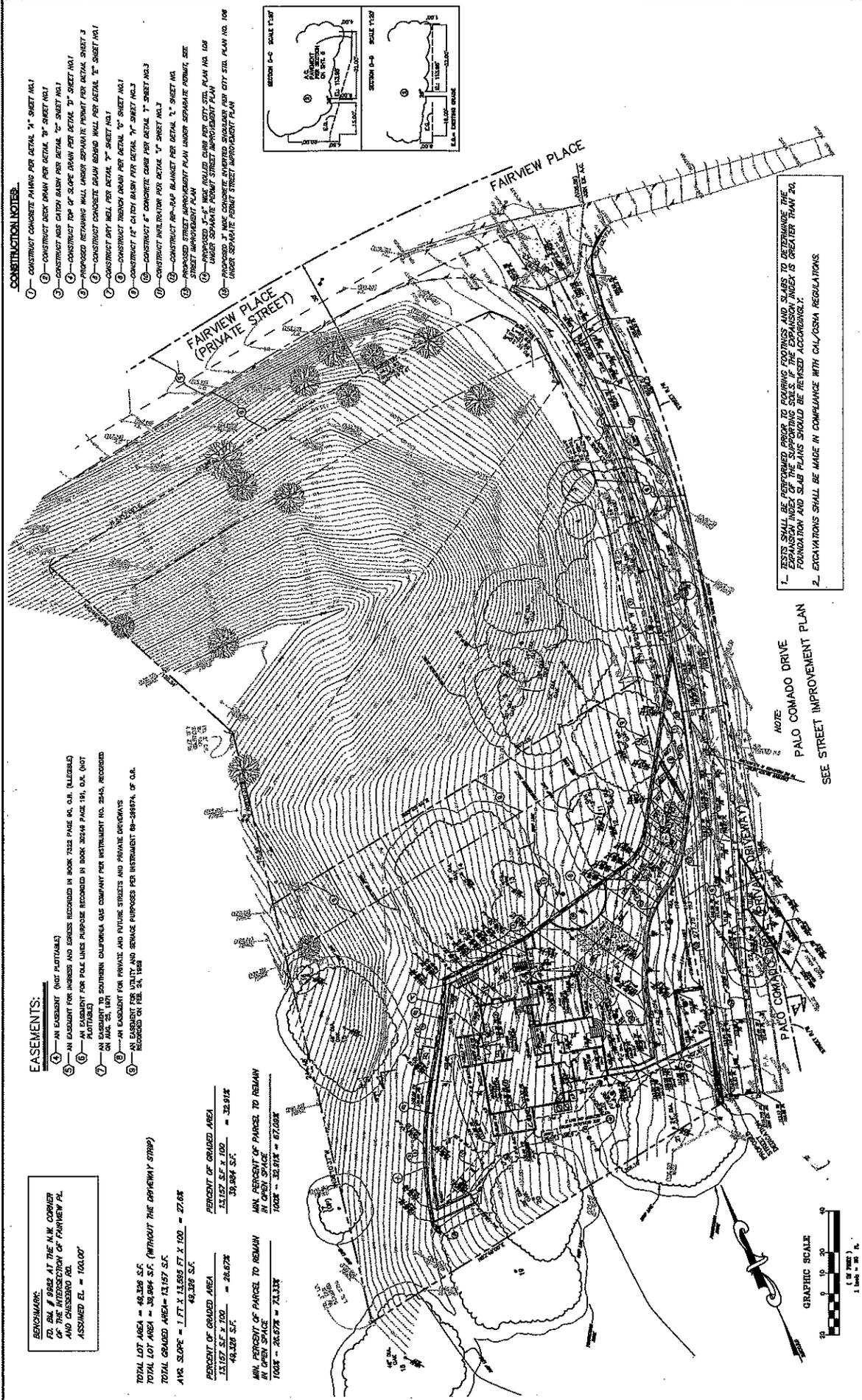
DEVELOPER



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



RIGHT SIDE ELEVATION
SCALE: 1/4" = 1'-0"



CONSTRUCTION NOTES:

- 1- CONSTRUCT CONCRETE PAVING PER DETAIL "1" SHEET NO.1
- 2- CONSTRUCT DRAIN PER DETAIL "2" SHEET NO.1
- 3- CONSTRUCT CATCH BASIN PER DETAIL "3" SHEET NO.1
- 4- CONSTRUCT ASH CATCH BASIN PER DETAIL "4" SHEET NO.1
- 5- CONSTRUCT TOP OF SLOPE DRAIN PER DETAIL "5" SHEET NO.1
- 6- PROPOSED RETAINING WALL UNDER SEPARATE PERMIT PER DETAIL "6" SHEET NO.1
- 7- CONSTRUCT CONCRETE DEAM BOUND WALL PER DETAIL "7" SHEET NO.1
- 8- CONSTRUCT DRY WELL PER DETAIL "8" SHEET NO.1
- 9- CONSTRUCT TRINCH DRAIN PER DETAIL "9" SHEET NO.1
- 10- CONSTRUCT 12" CATCH BASIN PER DETAIL "10" SHEET NO.1
- 11- CONSTRUCT 6" CONCRETE CURB PER DETAIL "11" SHEET NO.1
- 12- CONSTRUCT INVERTATION PER DETAIL "12" SHEET NO.1
- 13- CONSTRUCT 1/2" RIP-RAP BLANKET PER DETAIL "13" SHEET NO.1
- 14- PROPOSED STREET IMPROVEMENT PLAN UNDER SEPARATE PERMIT, SEE STREET IMPROVEMENT PLAN
- 15- PROPOSED STREET IMPROVEMENT PLAN FOR CITY ST. PLAN NO. 108 UNDER SEPARATE PERMIT STREET IMPROVEMENT PLAN
- 16- PROPOSED 3" MAX CONCRETE INVERTED SWALLOW AND CITY ST. PLAN NO. 108 UNDER SEPARATE PERMIT STREET IMPROVEMENT PLAN

EASEMENTS:

- 1- AN EASEMENT (NOT PLATTABLE)
- 2- AN EASEMENT FOR INTEREST AND EGRESS RECORDED IN BOOK 7322 PAGE 64, O.R. (LIEZEL)
- 3- AN EASEMENT FOR POLE LINES PURPOSE RECORDED IN BOOK 30248 PAGE 19, O.R. (NOT PLATTABLE)
- 4- AN EASEMENT TO SOUTHERN CALIFORNIA GAS COMPANY PER INSTRUMENT NO. 2546, RECORDED IN BOOK 30248 PAGE 19, O.R. (NOT PLATTABLE)
- 5- AN EASEMENT FOR PRIVATE AND PUBLIC STREETS AND PRIVATE DRIVEWAYS RECORDED ON FEB. 24, 1989
- 6- AN EASEMENT FOR UTILITY AND SERVICE PURPOSES PER INSTRUMENT 86-08974, OF O.R. RECORDED ON FEB. 24, 1989

BENCHMARK:
 ELEVATION AT THE N.W. CORNER
 OF THE INTERSECTION OF FAIRVIEW PL.
 AND CHANDLER RD.
 ASSUMED E.L. = 100.00'

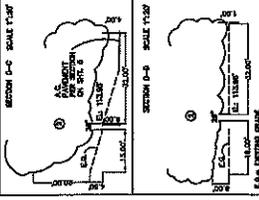
TOTAL LOT AREA = 49,328 S.F.
 TOTAL LOT AREA = 39,894 S.F.
 TOTAL GRADED AREA = 13,157 S.F.
 AVE. SLOPE = 1.77% X 13,157 S.F. X 100 = 27.06%

PERCENT OF GRADED AREA
 13,157 S.F. X 100 = 26.67%
 49,328 S.F.

MIN. PERCENT OF PARCEL TO REMAIN
 IN OPEN SPACE
 100% = 26.67% = 71.13%

PERCENT OF GRADED AREA
 13,157 S.F. X 100 = 33.91%
 38,984 S.F.

MIN. PERCENT OF PARCEL TO REMAIN
 IN OPEN SPACE
 100% = 33.91% = 67.08%



NOTE:
 1- TESTS SHALL BE PERFORMED PRIOR TO POURING FOOTINGS AND SLABS TO DETERMINE THE FOUNDATION AND SLAB PLANS SHOULD BE REVISED ACCORDINGLY.
 2- EXCAVATIONS SHALL BE MADE IN COMPLIANCE WITH CALIFORNIA REGULATIONS.

NOTE:
 PALO COMADO DRIVE
 SEE STREET IMPROVEMENT PLAN



KEY	SYMBOL	DESCRIPTION OF CHANGE	DATE	REVISION BY	DATE	PROJECT ENGINEER	DATE	REVISION BY	DATE

AGOURA HILLS

CITY OF AGOURA HILLS APPROVAL

DATE: _____ TIME: _____ EXP. DATE: _____

SAURO JESHA
CITY ENGINEER

PROJECT NO. _____

SHEET 2 OF 6

CITY OF AGOURA HILLS ENGINEER

GRADING PLAN



**CONDITIONAL USE PERMIT - CASE NO. 03-CUP-016,
OAK TREE PERMIT - CASE NO. 03-OTP-017**

**FOR THE PROPERTY LOCATED AT
6149 PALO COMADO DRIVE, AGOURA HILLS**

EXHIBIT C

August 7, 2008 Meeting Minutes

(December 18, 2008 Meeting)



DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

**MINUTES OF THE REGULAR SCHEDULED MEETING OF
THE PLANNING COMMISSION
August 21, 2008**

CALL TO ORDER:

Chair O'Meara called the meeting to order at 6:32 p.m.

FLAG SALUTE

Commissioner Nouzille

ROLL CALL:

Chair John O'Meara, Vice Chair Curtis Zacuto, Commissioners Illece Buckley Weber, Cyrena Nouzille, and Steve Rishoff.

Chair O'Meara stated that staff had received notification of Vice Chair Zacuto's absence and Commissioner Buckley Weber's absence prior to the meeting and that they had requested the Commission excuse their absences. There were no objections to excusing the absences.

Also, present were Director of Planning & Community Development Mike Kamino, Assistant Community Development Director Doug Hooper, Consultant Joyce Parker-Bozylinski, and Recording Secretary Sheila Keckhut.

1. APPROVAL OF MINUTES:

August 7, 2008 Planning Commission Meeting

On a motion by Commissioner Rishoff, seconded by Commissioner Nouzille, the Planning Commission moved to approve the Minutes of the August 7, 2008 Planning Commission Meeting. Motion carried 3-0. Vice Chair Zacuto and Commissioner Buckley Weber were absent.

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

Ron Waters, Resident

CONTINUED PUBLIC HEARINGS

2. **REQUEST:** Request for approval of a Conditional Use Permit to construct a 4,515 square foot, two-story, single-family residence, a 428 square foot attached two-car garage, 217 square feet of patio covers and 332 square feet of balconies/decks; and a request for an Oak Tree Permit to remove 1 oak tree and encroach in the protected zone of 9 oak trees for the proposed construction.
- APPLICANT:** Sean Ben-Menahem
 5000 N. Parkway Calabasas, Suite 106
 Calabasas, CA 91302
- CASE NOS.:** 03-CUP-016 & 03-OTP-017
- LOCATION:** 6149 Palo Comado Drive
 (A.P.N. 2055-023-073)
- ENVIRONMENTAL
 DETERMINATION:** Categorically Exempt from CEQA per Section 15303.
- RECOMMENDATION:** Staff recommended the Planning Commission continue the hearing to October 16, 2008 for redesign. Alternatively, the Planning Commission could have adopted the attached draft Resolution, denying the applicant's Conditional Use Permit No. 03-CUP-016 and Oak Tree Permit Case No. 03-OTP-017 applications.
- ACTION:** On a motion by Commissioner Rishoff, seconded by Commissioner Nouzille, the Planning Commission moved to continue Conditional Use Permit No. 03-CUP-016 and Oak Tree Permit Case No. 03-OTP-017 to the October 16, 2008 Planning Commission meeting. Motioned carried 3-0. Vice Chair Zacuto and Commissioner Buckley Weber were absent.

DISCUSSION

3. **REQUEST:** Planning Commission Study Session on the proposed Residential Neighborhood Compatibility Ordinances, Neighborhood Compatibility Design Guidelines, and Old Agoura Design Guidelines.

- APPLICANT: City of Agoura Hills
30001 Ladyface Court
Agoura Hills, CA 93101
- RECOMMENDATION: Staff recommended that the Planning Commission hold a study session and provide direction to staff.
- PUBLIC COMMENTS: Chair O'Meara opened the Public Hearing
- The following persons spoke on this agenda item.
- Ron Waters, Resident
- Danielle Waters, Resident
- Jess Thomas, President of Old Agoura HOA
- Nevin Bardai, Resident
- Nicki Laine, Resident
- Kirk Allegro, Resident
- Yvette Ellingwood, Resident
- Brant Turner, Resident
- Steve Casey, Resident
- Daniel Farkash, Resident
- Chair O'Meara closed the public hearing.
- RECESS: Chair O'Meara called for a recess at 8:28 p.m.
- RECONVENE: Chair O'Meara reconvened the meeting at 8:43 p.m.
- ACTION: The Planning Commission provided staff with direction for preparation of the Residential Neighborhood Compatibility Ordinance and Old Agoura Design Guidelines, which will be considered in a new public hearing.

ANNOUNCEMENTS ON ITEMS NOT LISTED ON THE AGENDA

(Planning Commission and Staff)

ADJOURNMENT

At 10:13 p.m., on a motion by Commissioner Rishoff, seconded by Commissioner Nouzille, the Planning Commission adjourned the meeting to the next scheduled Planning Commission meeting on Thursday September 4, 2008, at 6:30 p.m. Motioned carried 3-0. Vice Chair Zacuto and Commissioner Buckley Weber were absent.



DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

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

August 7, 2008

CALL TO ORDER:

Chair O'Meara called the meeting to order at 6:34 p.m.

FLAG SALUTE

Commissioner Rishoff

ROLL CALL:

Chair John O'Meara, Vice Chair Curtis Zacuto, Commissioners Ilce Buckley Weber, Cyrena Nouzille, and Steve Rishoff.

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

1. **APPROVAL OF MINUTES:**

July 17, 2008 Planning Commission Meeting

On a motion by Commissioner Rishoff, seconded by Vice Chair Zacuto, the Planning Commission moved to approve the Minutes of the July 17, 2008 Planning Commission Meeting. Motion carried 4-0-1. Commissioner Nouzille abstained.

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

None

CONTINUED PUBLIC HEARINGS

2. **REQUEST:**

Request for approval of a Conditional Use Permit to construct a 4,515 square foot, two-story, single-family residence, a 428 square foot attached two-car garage, 217 square feet of patio covers and 332 square feet of balconies/decks; and a request for an Oak Tree Permit to

remove 1 oak tree and encroach in the protected zone of 9 oak trees for the proposed construction.

APPLICANT: Sean Ben-Menahem
5000 N. Parkway Calabasas, Suite 106
Calabasas, CA 91302

CASE NOS.: 03-CUP-016 & 03-OTP-017

LOCATION: 6149 Palo Comado Drive
(A.P.N. 2055-023-073)

ENVIRONMENTAL DETERMINATION: Categorically Exempt from CEQA per Section 15303.

RECOMMENDATION: If it was the Planning Commission's decision to approve Conditional Use Permit Case No. 03-CUP-016 and Oak Tree Permit Case No. 03-OTP-017, staff recommended the Planning Commission adopt the draft resolution, subject to the revised Conditions of Approval.

PUBLIC COMMENTS: Chair O'Meara opened the public hearing.

The following persons spoke in favor of the project.

Ken Stockton, Architect for the applicant

George Shakiban, Construction Engineer representing applicant

Jeff Aviezer, resident

The following persons spoke neither for nor against the project

Mike Kaye, resident

Robyn Britton, representing Old Agoura HOA

REBUTTAL: George Shakiban, Construction Engineer representing applicant, gave rebuttal regarding the project and answered additional questions of the Planning Commission.

Chair O'Meara closed the public hearing.

Chair O'Meara reopened the public hearing and Sean Ben-Menahem, applicant spoke. Chair O'Meara closed the public hearing.

ACTION: On a motion by Commissioner Rishoff, seconded by Commissioner Buckley Weber, the Planning Commission moved to direct staff to prepare a draft Resolution of denial for Conditional Use Permit Case No. 03-CUP-016 and Oak Tree Permit Case No. 03-OTP-017 for the Planning Commission's consideration at the August 21, 2008 Planning Commission meeting. Motion carried 3-2. Chair O'Meara and Vice Chair Zacuto opposed.

3. **REQUEST:** Request for approval of a Conditional Use Permit to construct a 3,547 square foot, two-story, single-family residence with a 981 square foot attached garage; and a request for approval of an Oak Tree Permit to remove one (1) Oak tree and to encroach within the protected zone of four (4) on-site Oak trees for the proposed construction.

APPLICANT: Gary Bardovi for Nevin Bardai
3611 Motor Avenue, Suite 108
Los Angeles, CA 90034

CASE NOS.: 07-CUP-011 and 07-OTP-020

LOCATION: 28340 Balkins Drive
(A.P.N. 2055-021-044)

ENVIRONMENTAL DETERMINATION: Categorically Exempt from CEQA per Section 15303

RECOMMENDATION: If the Planning Commission desired to approve Conditional Use Permit Case No., 07-CUP-011 and Oak Tree Permit Case No. 07-OTP-020, a draft Resolution and conditions were prepared for adoption.

Chair O'Meara and Commissioner Buckley Weber stated they did watch the June 5, 2008 Planning Commission meeting that they would participate in the public hearing.

PUBLIC COMMENTS: Chair O'Meara opened the public hearing.

The following persons spoke in favor of the project.

Chuck Cohen, Attorney-representing the applicant.

Gary Bardovi, Architect representing the applicant.

Erick Mason, Civil Engineer representing the applicant.

RECESS:

Chair O'Meara called for a recess at 8:29 p.m.

RECONVENE:

Chair O'Meara reconvened the meeting at 8:50 p.m.

The following person spoke in favor of the project.

Bob Bombardier, Landscape Architect representing the applicant.

The following person spoke neither for nor against the project.

John Levin, resident

Laurie Turner, resident

Bob Hartman, resident

Robyn Britton, representing Old Agoura HOA

Ronald Cagnon, resident

REBUTTAL:

Chuck Cohen attorney representing applicant, gave rebuttal regarding the project and answered additional questions of the Planning Commission.

Chair O'Meara closed the public hearing.

ACTION:

On a motion by Vice Chair Zacuto, seconded by Commissioner Buckley Weber, the Planning Commission moved to adopt the Resolution, approving Conditional Use Permit Case No. 07-CUP-011 and Oak Tree Permit Case No. 07-OTP-020, subject to conditions. Motion carried 3-2. Commissioner Buckley Weber and Commissioner Nouzille opposed.

4. REQUEST: A request for a Conditional Use Permit to convert a single-family residence into an office building and add 916 square feet of building area; a request for a Variance from Zoning Ordinance Sections 9373.7 and 9373.5 to reduce the landscaping from 20 to 10 feet in width along the front property line and to maintain a reduced, combined side yard setback of 20 feet instead of a minimum of 70 feet; and a request for an Oak Tree Permit to encroach into the protected zone of two oak trees for the construction of the project.

APPLICANT: Joseph Luithly
28818 Agoura Road
Agoura Hills, CA 91301

CASE NOS.: 07-CUP-008, 07-OTP-005, & 07-VAR-002

LOCATION: 28818 Agoura Road
(A.P.N. 2061-029-002)

ENVIRONMENTAL
DETERMINATION: Exempt from CEQA per Section 15303

RECOMMENDATION: Staff recommended approval of Conditional Use Permit, Case No. 07-CUP-008, and Oak tree Permit Case No. 07-OTP-005, and Variance Case No. 07-VAR-002, subject to conditions, based on the findings of the draft Resolutions.

Chair O'Meara and Commissioner Buckley Weber stated they did watch the June 5, 2008 Planning Commission meeting that they would participate in the public hearing.

PUBLIC COMMENTS: Chair O'Meara opened the public hearing.

The following persons spoke in favor of the project

Joseph Luithly, applicant

Chair O'Meara closed the public hearing.

ACTION: On by Vice Chair Zacuto, and seconded by Commissioner Buckley Weber the Planning Commission moved to adopt the Resolution, approving Case Nos. 07-CUP-008, 07-OTP-005, and 07-VAR-002 subject to conditions. Motion carried 5-0.

DISCUSSION

5. REQUEST: Request for approval to modify the existing sign program at the Agoura Design Center to include a monument sign.
- APPLICANT: Signature Signs Inc. for Adler Realty Investments, Inc.
801 Mitchell Road, Suite 102
Newbury Park, CA 91320
- CASE NO.: 08-SP-024
- LOCATION: 28501, 28505-28509 Canwood Street
(A.P.N. 2048-012-017, 018, and 2055-003-064)
- ENVIRONMENTAL DETERMINATION: Categorically Exempt from CEQA per Section 15311 (a)
- RECOMMENDATION: Staff recommended approval of Sign Permit Case No. 08-SP-024, subject to conditions, based on the findings of the draft Resolution.
- PUBLIC COMMENTS: Chair O'Meara opened the public hearing.
- The following persons spoke in favor of the project.
- Jami Leaf with Signature Signs, representing the applicant.
- Chair O'Meara closed the public hearing.
- ACTION: On a motion by Vice Chair Zacuto, and seconded by Commissioner Rishoff, the Planning Commission moved to adopt the Resolution, approving Sign Permit No. 08-SP-024 subject to conditions. Motion carried 4-1. Commissioner Buckley Weber opposed.

ANNOUNCEMENTS ON ITEMS NOT LISTED ON THE AGENDA

(Planning Commission and Staff)

Vice Chair Zacuto and Commissioner Buckley Weber announced they will not be attending the August 21, 2008 Planning Commission meeting.

ADJOURNMENT

At 11:08 p.m., on a motion by Commissioner Buckley Weber, seconded by Vice Chair Zacuto, the Planning Commission adjourned the meeting to the next scheduled Planning Commission meeting on Thursday August 21, 2008, at 6:30 p.m.



**CONDITIONAL USE PERMIT - CASE NO. 03-CUP-016,
OAK TREE PERMIT - CASE NO. 03-OTP-017**

**FOR THE PROPERTY LOCATED AT
6149 PALO COMADO DRIVE, AGOURA HILLS**

EXHIBIT D

August 7, 2008 Meeting Staff Report

(December 18, 2008 Meeting)



DATE: AUGUST 7, 2008

TO: PLANNING COMMISSION

FROM: PLANNING STAFF

SUBJECT: CONDITIONAL USE PERMIT CASE NO. 03-CUP-016 & OAK TREE PERMIT CASE NO. 03-OTP-017

I. PROJECT DESCRIPTION AND BACKGROUND

On March 20, 2008, the Planning Commission conducted a public hearing for Sean Ben-Menahem's Conditional Use Permit and Oak Tree Permit applications (Case Nos. 03-CUP-016 and 03-OTP-017) to construct a 4,880 square-foot, two-story, single-family residence, a 463 square foot attached two-car garage, a 100 square-foot patio cover and a 125 square-foot balcony/deck. The applicant also requested to remove 1 oak tree and to encroach in the protected zone of 9 oak trees for the proposed construction. The parcel is located at 6149 Palo Comado Drive in the Residential Very Low density zone in Old Agoura.

After reviewing the project and taking public testimony, the Planning Commission requested that the applicant 1) reduce the grading quantities thereby reducing the amount of truck trips and impacts to the community; 2) reduce the size of the house thereby reducing the mass of the house as viewed from the access driveway; 3) revisit the architectural style of the house; and 4) review potential drainage impacts to the residence to the east of the access driveway. The Planning Commission granted a continuation to August 7, 2008 in order for the applicant to address these issues. Included in this report is an analysis of the applicant's revisions to the project and copies of the plans for the Commission's review.

II. STAFF ANALYSIS

In response to the Planning Commission's concerns, the applicant revised his project by changing the style of architecture of the residence and by eliminating the grading on the hillside and moving the retaining walls at the bottom of the slope and away from the oak trees. The applicant is now requesting to construct a 4,515 square-foot, single-family residence with a 428 square-foot attached garage with 217 square feet of covered patios and 332 square feet of balconies and decks. The request for an Oak Tree Permit to encroach in the protected zone of nine oak trees for the proposed construction has been reduced to 4 oak trees.

The pad layout and orientation of the building will remain the same. The project still meets all minimum yard setbacks from all property lines and maximum allowable height requirements of the zone. The 20-foot-a-part retaining walls originally proposed in the rear yard designed to retain the manufactured slope were relocated at the base of the slope preserving more of the natural topography. Pertinent data are described below and findings made for the original proposal remain the same and are included in the attached draft resolution.

Pertinent Data for the Proposal:

	Existing	Original Proposal	Revised Proposal	Required/ Allowed
A. Lot Size	49,281 sq.ft. (1.13 acres)	49,281 sq.ft. (1.13 acres)	N/A N/A	43,560 sq.ft. (1 acre)
Width	190 ft.	N/A	N/A	N/A
Depth	210 ft.	N/A	N/A	N/A
B. Building Setbacks				
<u>1. Residence Setbacks</u>				
Front	N/A	33 feet	33 feet	25 feet min.
Rear (West Side)	N/A	75 feet	72 feet	25 feet min.
Side (North Side)	N/A	90 feet	92 feet	12 feet min.
Side (South Side)	N/A	33 feet	33 feet	12 feet min.
C. Building Sizes				
Residence				
1 st Floor	N/A	2,690 sq.ft.	2,638 sq.ft.	N/A
2 nd Floor	N/A	<u>2,190 sq.ft.</u>	<u>1,877 sq.ft.</u>	<u>N/A</u>
Subtotal:	<u>N/A</u>	4,880 sqft.	4,515 sqft.	<u>N/A</u>
Garage	N/A	463 sq.ft.	428 sq.ft.	N/A
Total:	<u>N/A</u>	<u>5,343 sq.ft.</u>	<u>4,943 sq.ft.</u>	<u>N/A</u>
Covered Patio	N/A	100 sq.ft.	217 sq.ft.	N/A
Balcony/Roof Deck	N/A	125 sq.ft.	332 sq.ft.	N/A
D. Building Height	N/A	33 ft.	33 ft.	35 ft. max.
E. Lot Coverage				
Bldg. Footprint	N/A	6%	6.6%	25% max.
Bldg. Footprint + Hardscape	N/A	25%	23.3%	25% max.
F. Undisturbed Open Space Coverage				
	N/A	58%	68%	77.5% min.
G. No. of Oak Trees				
	11 on-site	11	11	N/A
	11 off-site	10	10	N/A

The footprint of the house (first floor and garage) has decreased slightly and the covered patios square footage has increased slightly. The total square footage including the garage, decreased from 5,343 square feet to 4,943 square feet (7.48%). The total lot coverage is slightly higher than the original proposal. The proposed layout of the house on the lot was largely dictated by the driveway leading to the house and the Los Angeles County Fire District's requirements with respect to the necessity to have a turn-around on site and that requirement hasn't changed. As presented, the undisturbed open space area would be increased by 20% over the original proposal, providing a larger buffer between the existing oak trees and the development.

Architecture

The architecture has changed from a Mediterranean style to a more rustic style. The overall layout of the house remains similar to the original proposal. The more visible changes include different exterior materials such as imitation wood horizontal planks and fishscale shingles for siding, fascia boards instead of rafter tails, a simplified roof line and material and window style and trims. The proposed roof material is a concrete shake instead of the previously proposed Spanish tile with a 4:12 pitch instead of 5:12 pitch. Additional patio covers and balconies are proposed. The supporting columns of the patio covers are designed with a post and stone clad base. In order to reduce the mass of the structure, interior changes were made as well and include removing a second floor bedroom and bathroom and relocating the laundry room from the second to the first floor. The staircase is now integrated into the floor space and no longer designed as a separate architectural feature, visible from the outside. The colors were changed to a brown family of colors including the stone veneer and roof tile.

Oak Tree/Landscaping

The new Grading Plan shows a reduction in earthwork which eliminates the impacts to one on-site oak tree. The retaining walls were designed to be further away from Oak Tree No. 15 located in the rear yard. The encroachment to Oak Tree Nos. 13, 14, 19, and 21 was reduced with the revisions. Furthermore, the septic tank is shown at the exact edge of the protected zone of Oak Tree No. 20; the City Oak Tree Consultant considers this encroachment as the installation of the tank would likely require excavation in its protected zone unless it can be relocated further away from the tree. Overall, the direct impact was reduced on the order of 25% as compared to the prior plan. Based on the revised Grading Plan, the City Oak Tree Consultant has made recommendations with respect to protecting the trees in closest proximity to the construction areas.

Engineering/Public Works

Whereas the applicant's Civil Engineer original proposal required 2,479 cubic yards of cut and 1,162 cubic yards of fill with 867 cubic yard of export, the revised grading plan shows grading quantities to be nearly balanced. These new grading quantities are 920 cubic yards of cut, 991 cubic yards of fill and 71 cubic yards of imported soil. Bringing the retaining walls closer together and raising the main floor pad by one foot in height are the two contributing factors to eliminating most of the export soil.

The Engineering Department reviewed the drainage patterns and quantities associated with the revised grading plan and are satisfied that the conditions of approval address this issue.

Street improvements will remain the same. The location of the septic system has not changed.

Environmental

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 it is the Planning Commission's decision to approve Conditional Use Permit Case No. 03-CUP-016 and Oak Tree Permit Case No. 03-OTP-017, staff recommends the Planning Commission adopt the attached draft resolution, subject to the revised Conditions of Approval.

Attachments

- Draft Resolution of Approval and Conditions of Approval
- Exhibit A: Reduced Copies of the Revised Architectural and Grading Plans
- Exhibit B: March 20, 2008 Meeting Minutes
- Exhibit C: March 20, 2008 Meeting Staff Report
- Exhibit D: Vicinity/Zoning Map
- Exhibit E: Color and Materials Board

Case Planner: Valerie Darbouze, Associate Planner



**CONDITIONAL USE PERMIT - CASE NO. 03-CUP-016,
OAK TREE PERMIT - CASE NO. 03-OTP-017**

**FOR THE PROPERTY LOCATED AT
6149 PALO COMADO DRIVE, AGOURA HILLS**

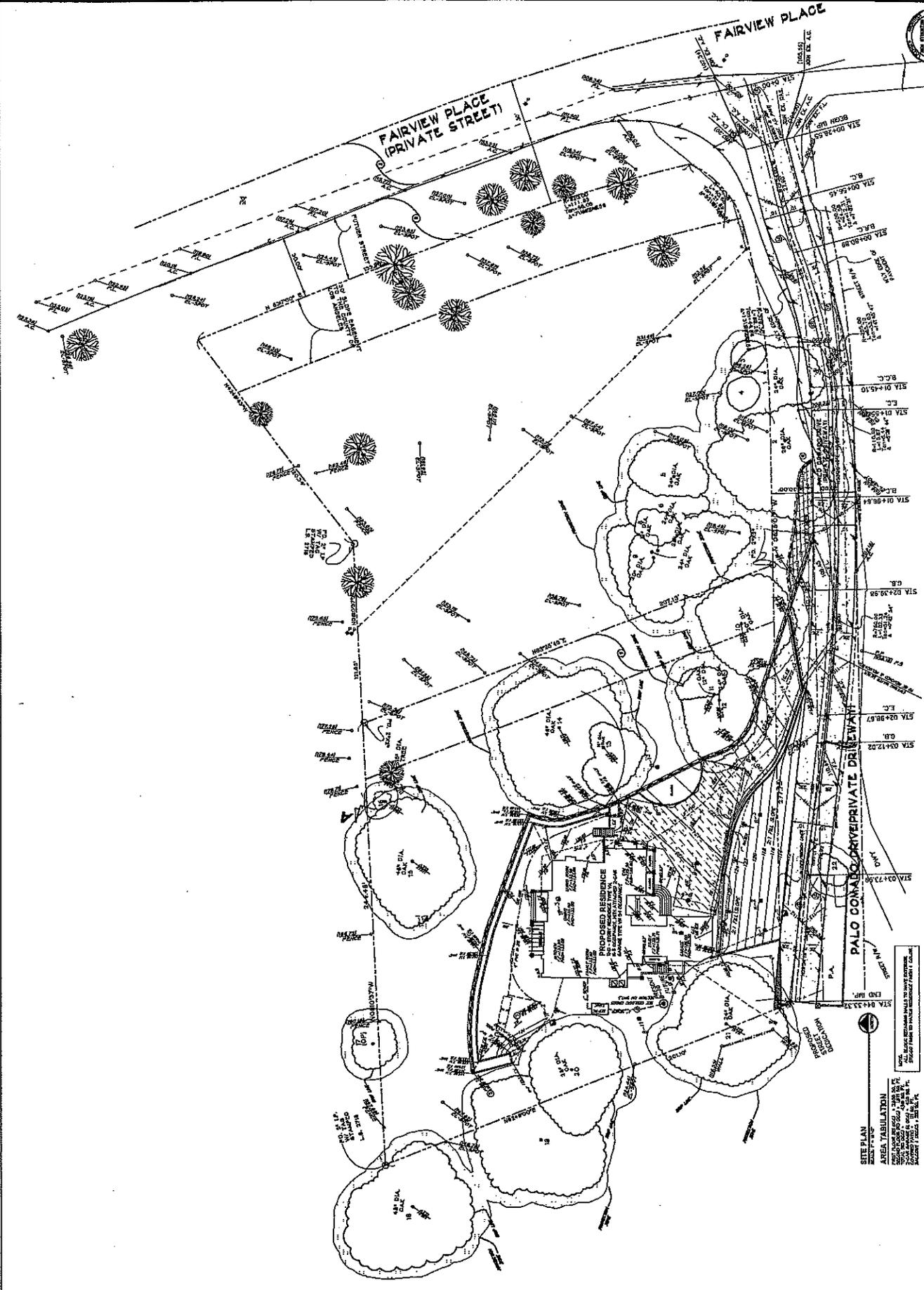
EXHIBIT A

**Reduced Copies of Architectural
And
Grading Plans**

(August 7, 2008 Meeting)



NOT FOR CONSTRUCTION



SITE PLAN
AREA TABULATION
DATE: 07/28/03
DRAWN: G.M.H.
REVISIONS:
DATE: 07/28/03
PLAN NO.: 03

ALL EXISTING UTILITIES TO BE MAINTAINED.
ALL EXISTING UTILITIES TO BE DELETED.
ALL EXISTING UTILITIES TO BE RELOCATED.
ALL EXISTING UTILITIES TO BE RELOCATED TO THE NEW LOCATION.
ALL EXISTING UTILITIES TO BE RELOCATED TO THE NEW LOCATION.



KEN STOCKTON
ARCHITECT
2000 N. AVENUE, SUITE 100, CA 94020
(415) 555-1234

FIRST FLOOR PLAN
DATE: 08/10/08
DRAWN BY: J. SMITH
CHECKED BY: K. STOCKTON

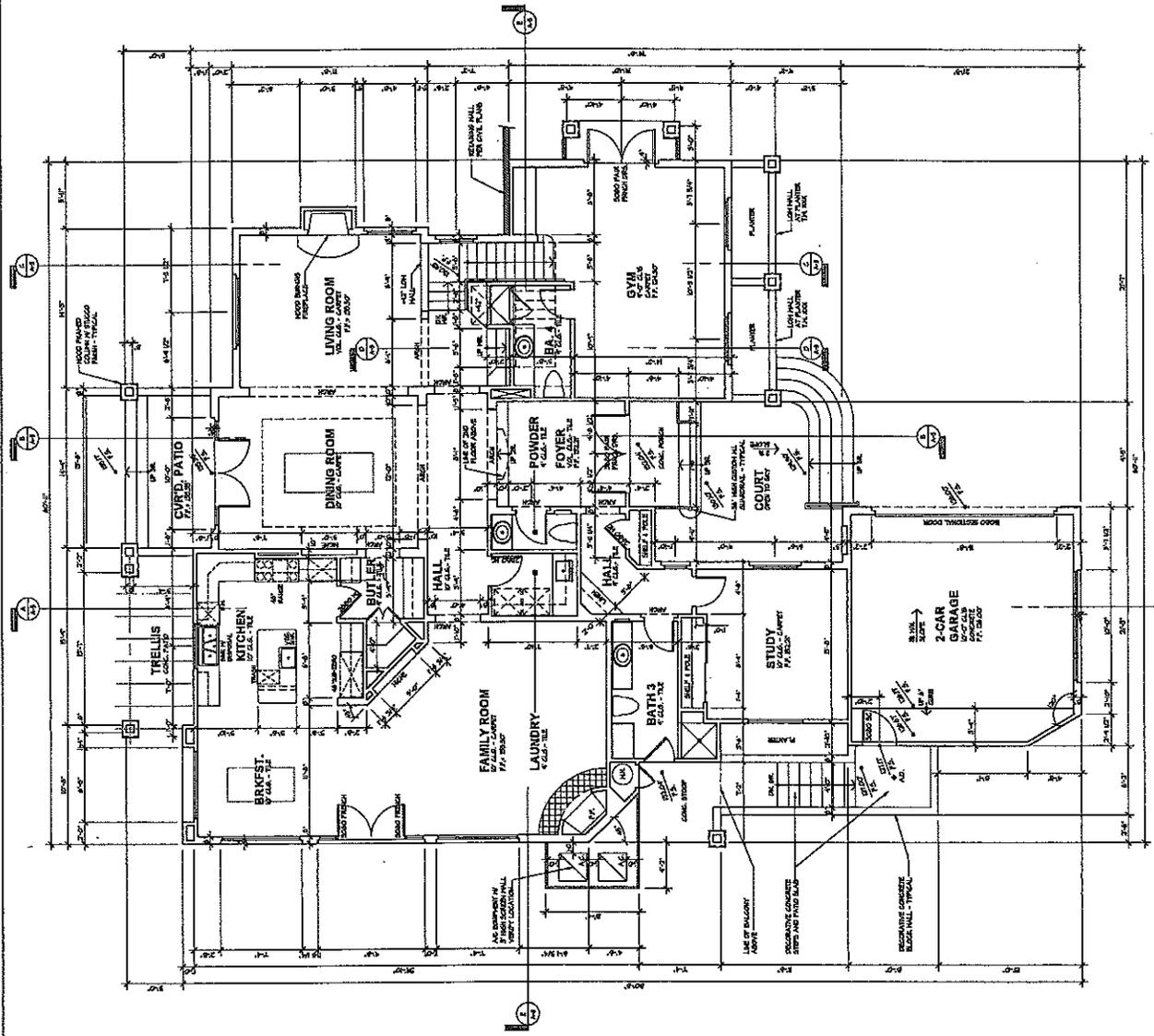
BEN-MENAHEN
CUSTOM RESIDENCE

DEVELOPER



FIRST FLOOR PLAN
SCALE: 1/4" = 1'-0"

NOT FOR CONSTRUCTION



NOT FOR CONSTRUCTION



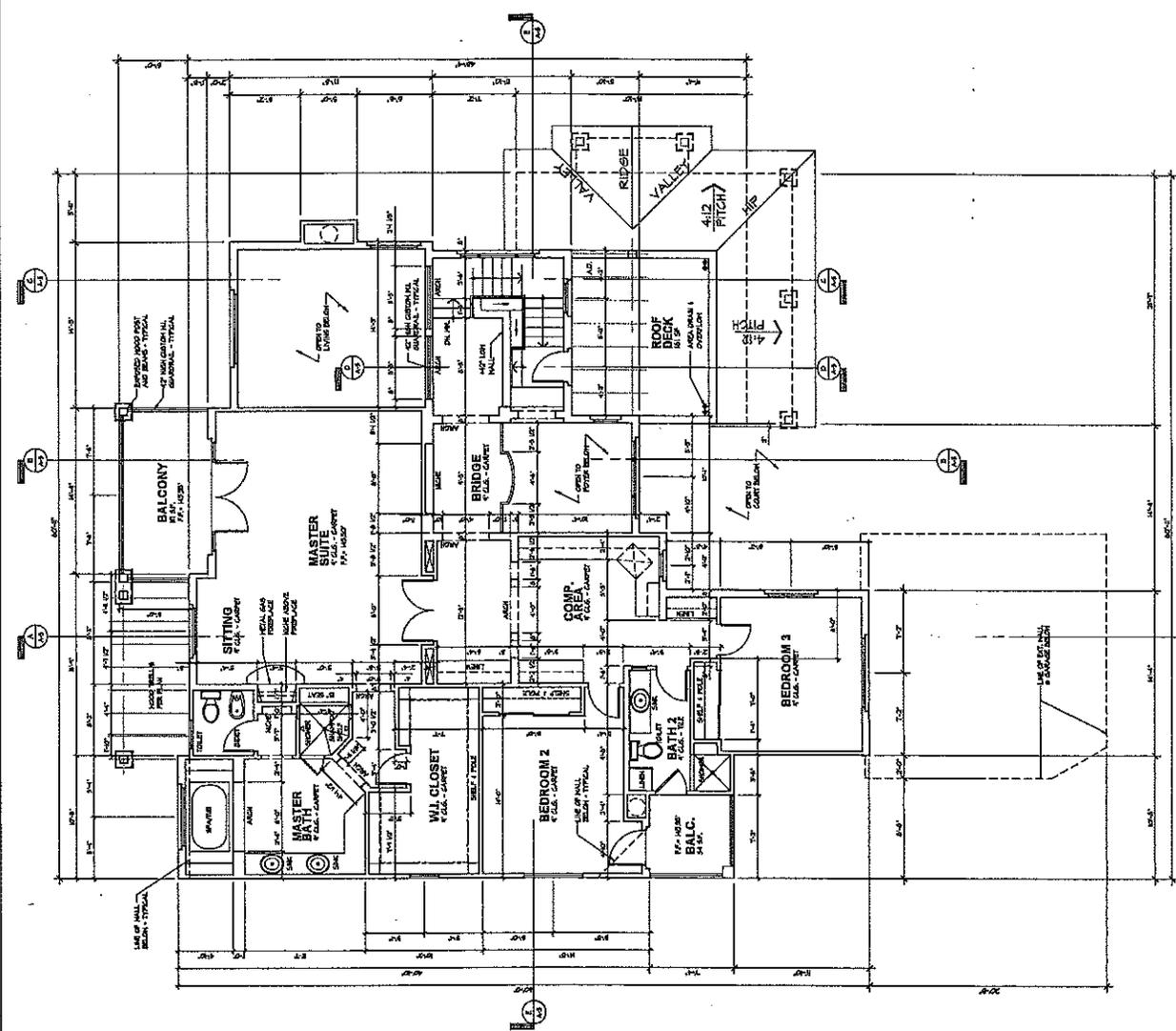
NOT FOR CONSTRUCTION



SCALE: 1/8" = 1'-0"

SECOND FLOOR PLAN
UNIT 501

SECOND FLOOR FINISHES:
FLOORING: 1. 1/2" x 3/4" P.C.
WALLS: 1. 1/2" x 3/4" P.C.
TOTAL 1ST, 2ND & 3RD FLOOR: 1. 1/2" x 3/4" P.C.

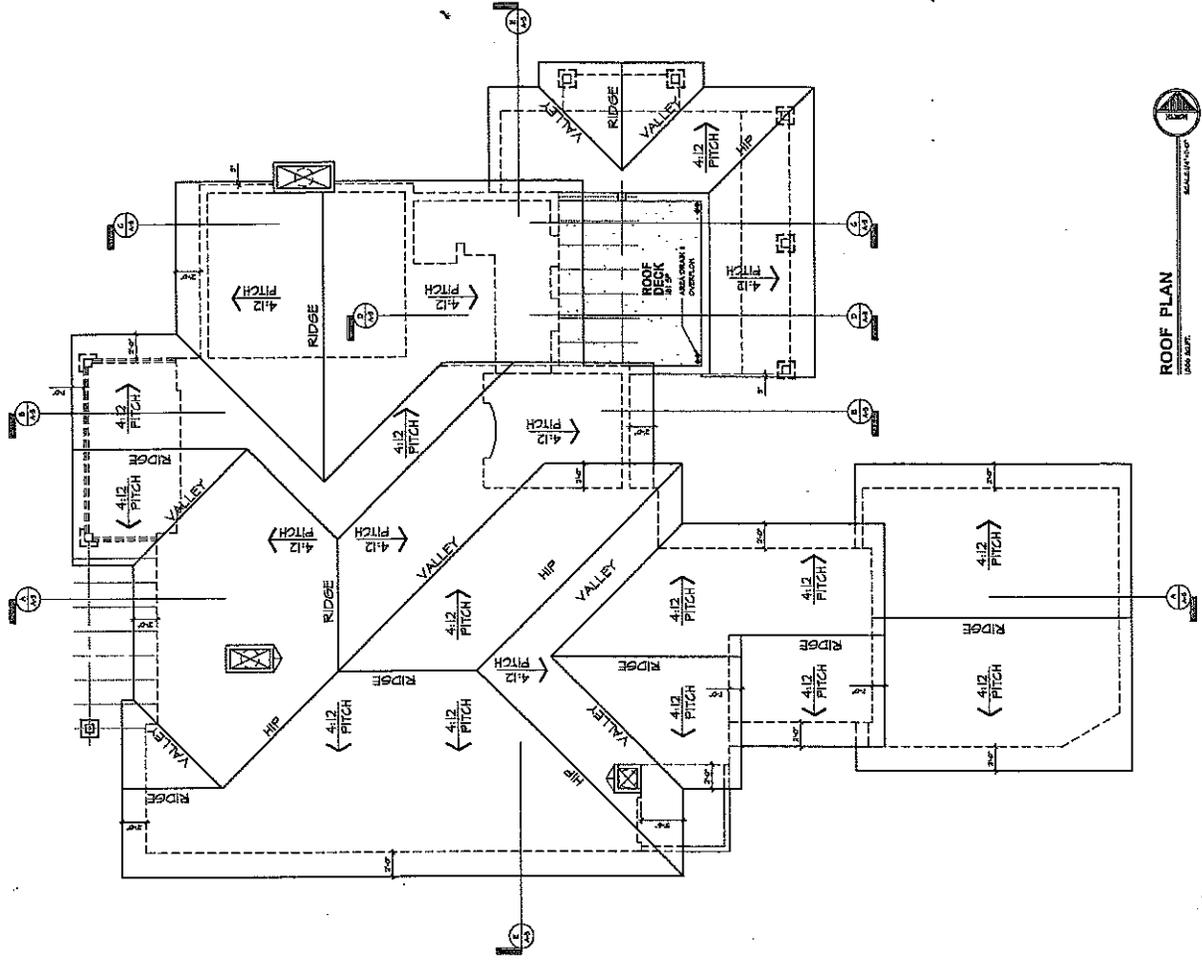




KEN STOCKTON
ARCHITECT
2800 H. ADAMS ROAD, SUITE 100, CHAMBERS, PA 15005
PH: 724-838-4400 FAX: 724-838-4401

PROJECT NAME	ROOF PLAN
CLIENT	BEN MENAHEM
DATE	07/20/08
DESIGNER	DR/3/08
SCALE	

BEN MENAHEM
CUSTOM RESIDENCE

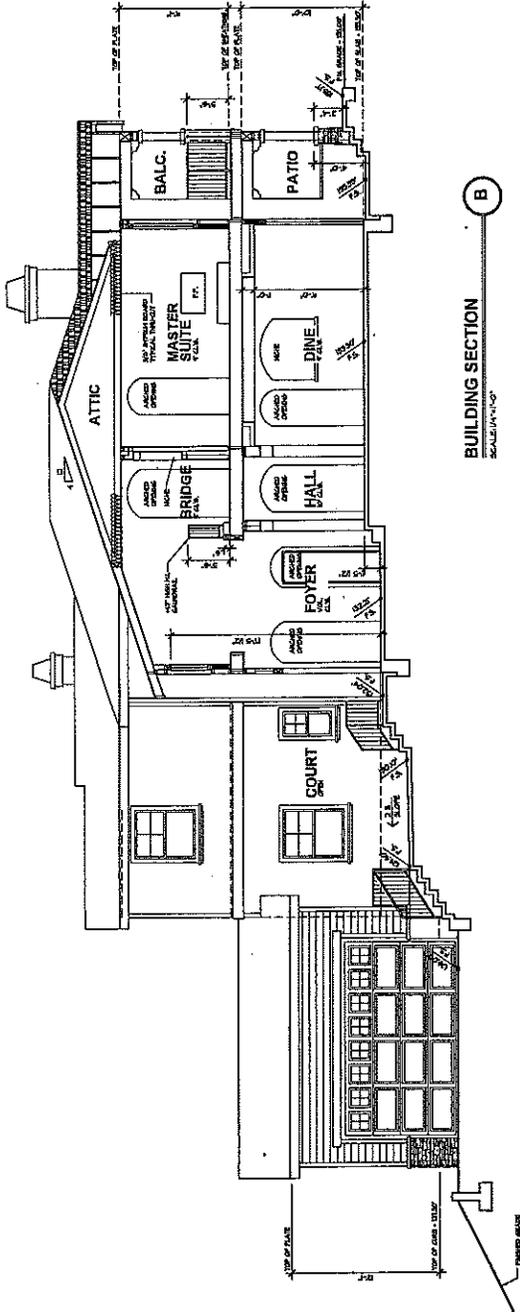


ROOF PLAN
100% ADVT.

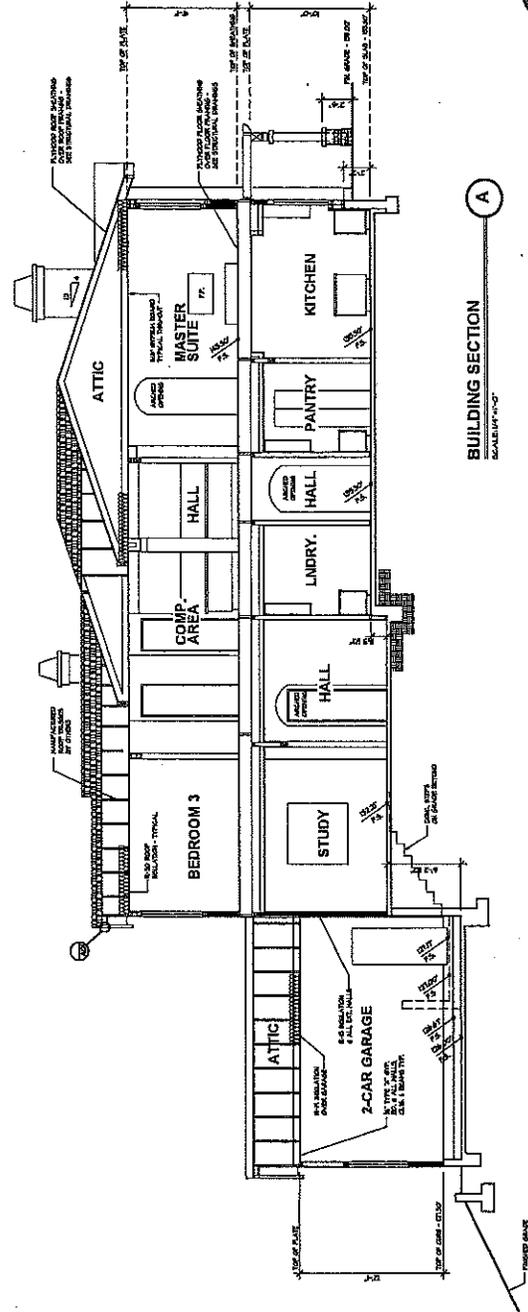
NOT FOR CONSTRUCTION



NOT FOR CONSTRUCTION



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



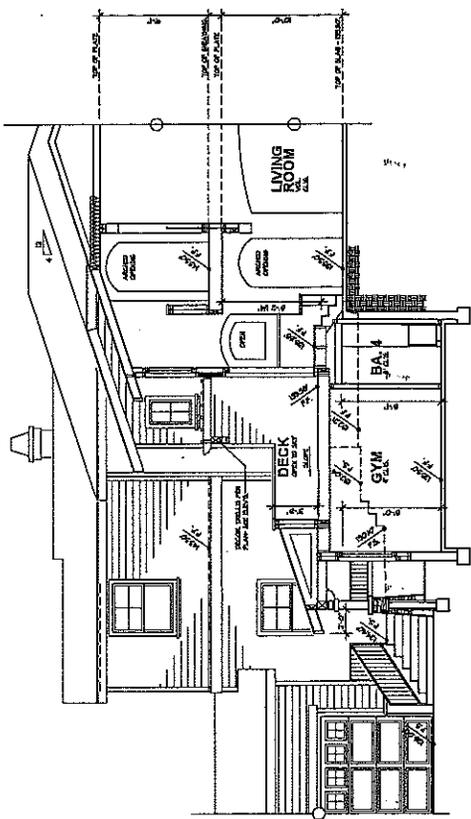
BUILDING SECTION
SCALE: 1/4" = 1'-0"



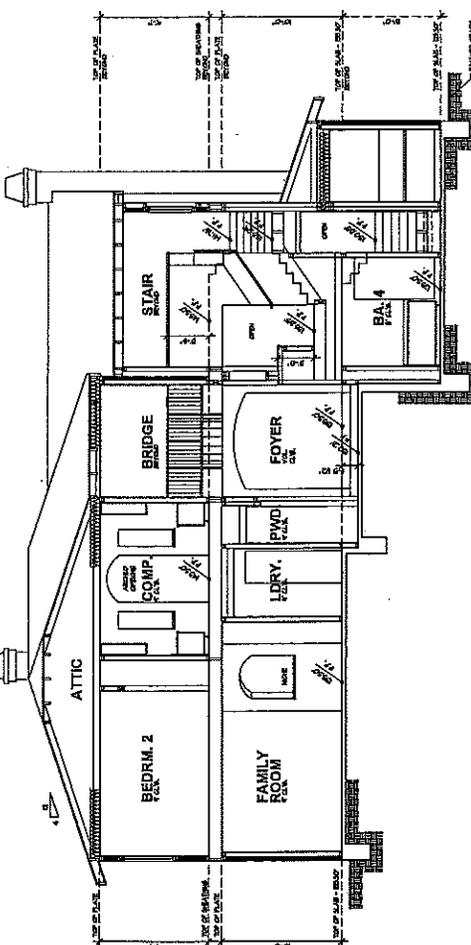
KEN STOCKTON
ARCHITECT
2002 K. ROAD, SUITE 100, PALMDALE, CA 93550
(805) 390-4400 FAX (805) 390-4401

PROJECT NAME	BUILDINGS SECTIONS
CLIENT	BEN-MENACHEM
DATE	08/10/08
REVISIONS	01/20/08
DRAWN	SKM
CHECKED	SKM
DATE	08/10/08
PROJECT NO.	08-000-000

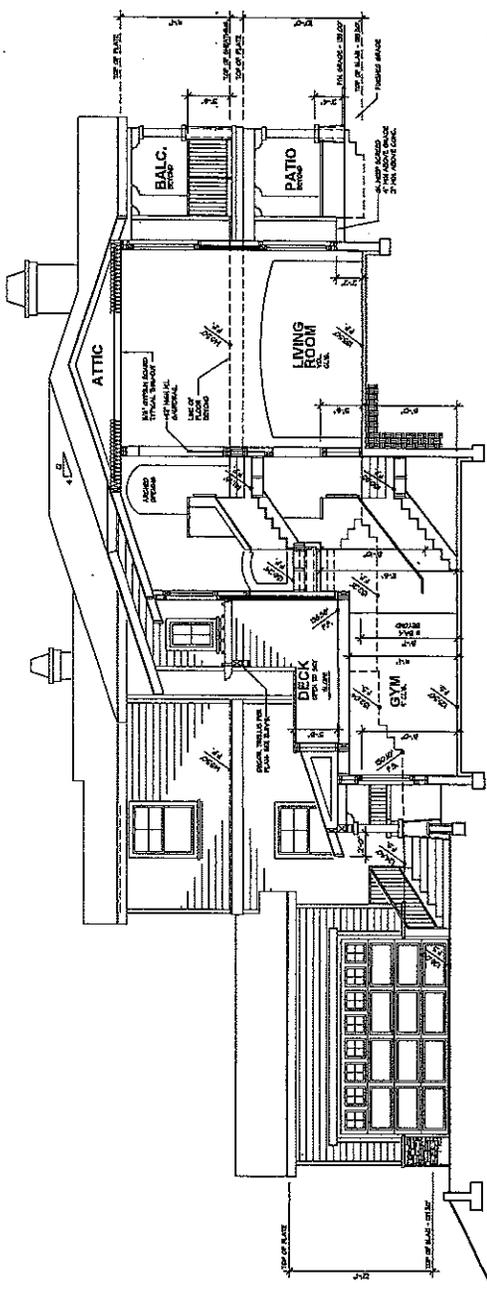
BEN-MENACHEM
CUSTOM RESIDENCE



BUILDING SECTION D
SCALE: 1/4" = 1'-0"



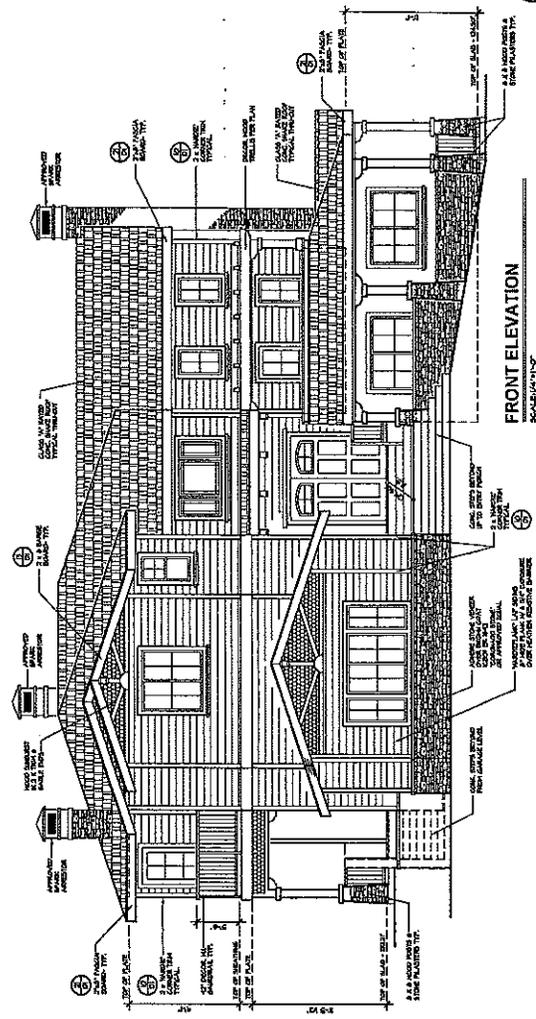
BUILDING SECTION E
SCALE: 1/4" = 1'-0"



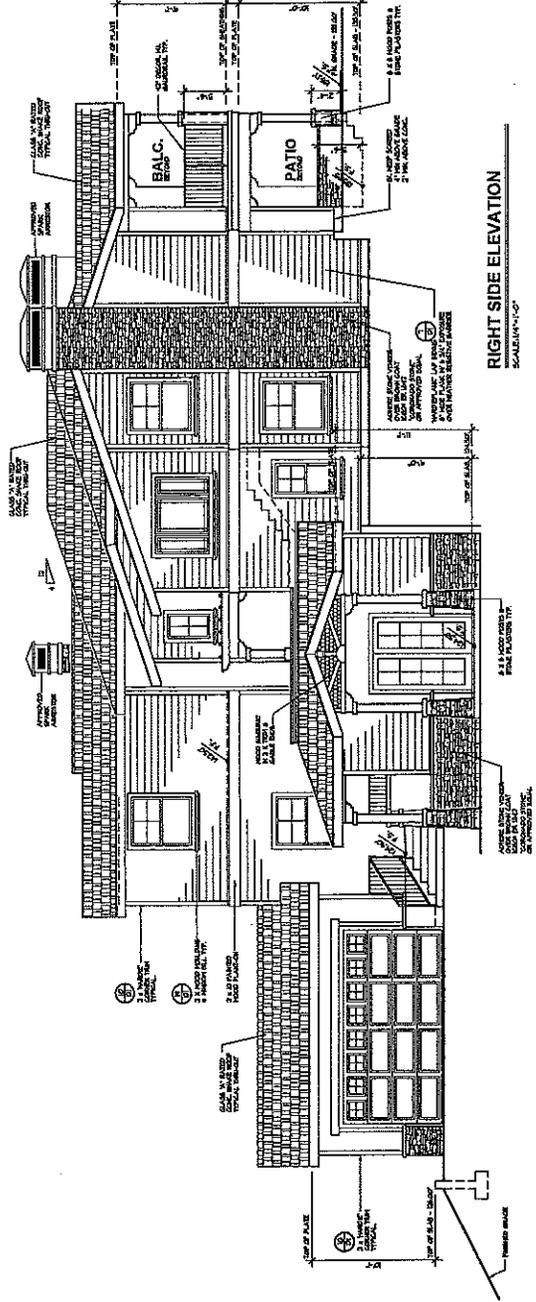
BUILDING SECTION C
SCALE: 1/4" = 1'-0"

NOT FOR CONSTRUCTION

NOT FOR CONSTRUCTION



FRONT ELEVATION
SCALE: 1/8" = 1'-0"



RIGHT SIDE ELEVATION
SCALE: 1/8" = 1'-0"



NOT FOR CONSTRUCTION

SHEET NO. **A-X**

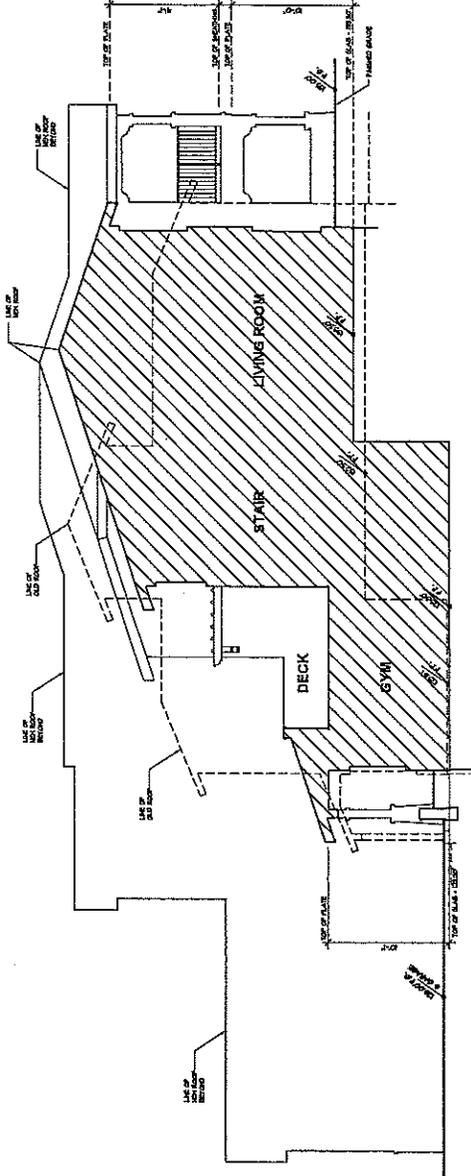
KEN STOCKTON
ARCHITECT
3000 N. AVENUE, SUITE 100, SAN ANTONIO, TX 78201
(214) 343-4444 FAX: (214) 343-4444

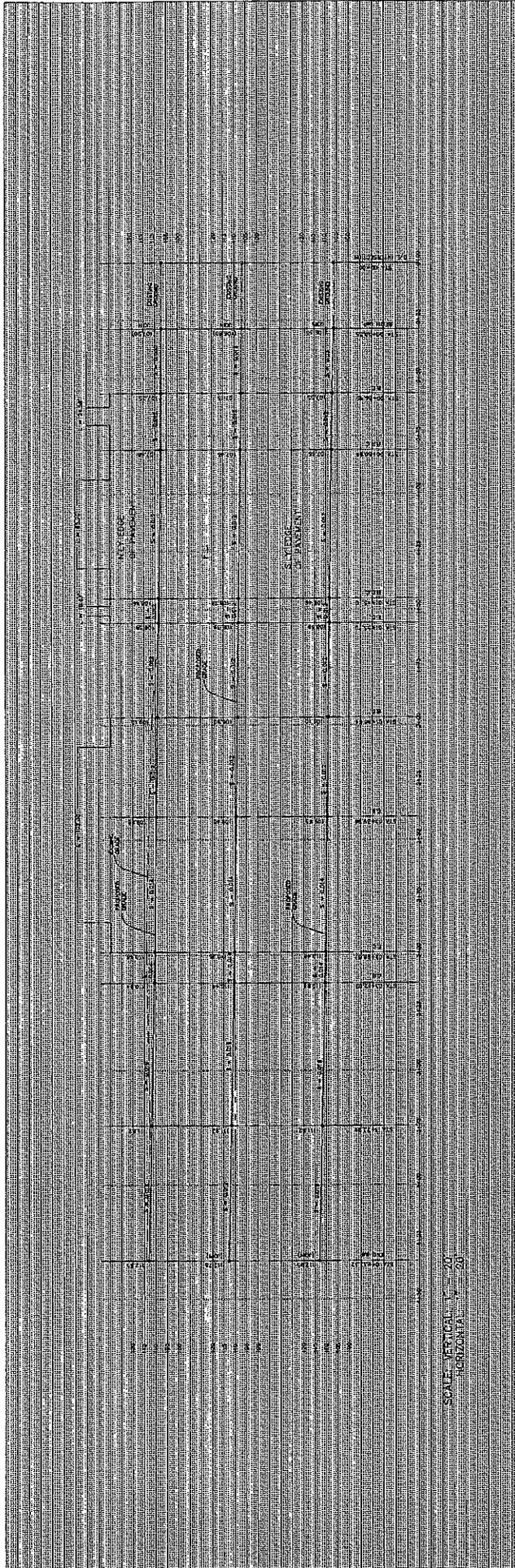
BUILDING SECTION OVERLAY
PROJECT NAME:
REVISIONS:
DATE: 06/10/08
DRAWN BY: CTR/CPB
CHECKED BY: CTR/CPB
PROJECT NO.:

BEN-MENACHEM
CUSTOM RESIDENCE

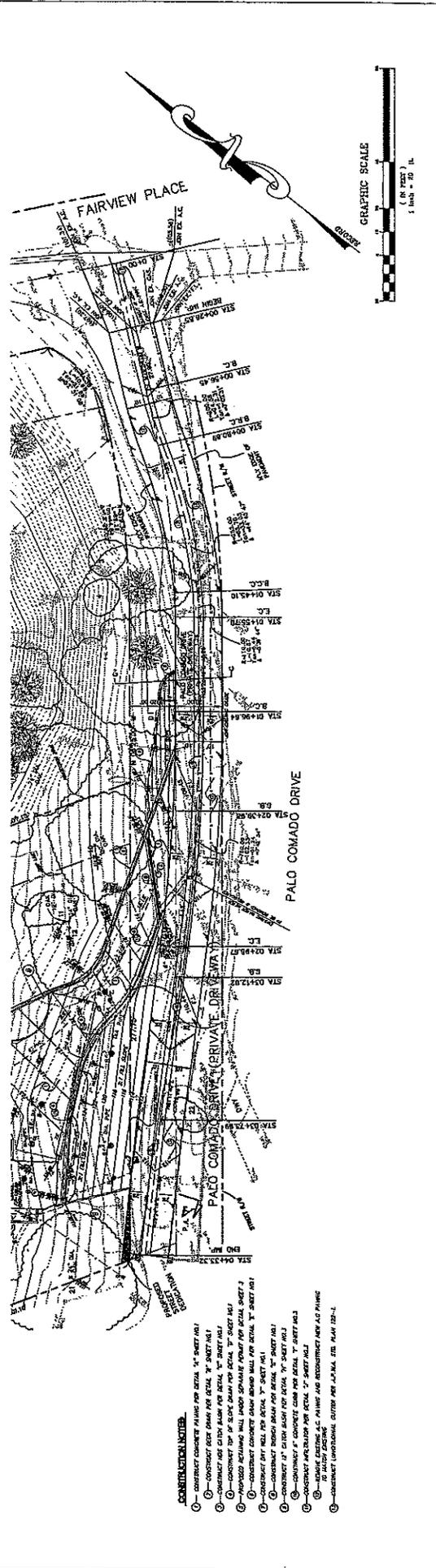
DEVELOPER:

BLD'G. SECTION OVERLAY X
SCALE: 1/4" = 1'-0"





SCALE: VERTICAL 1" = 20'
HORIZONTAL 1" = 20'



- CONSTRUCTION NOTES:**
- 1. CONSTRUCT CONCRETE PAVING FOR DETAIL "A" SHEET NO. 1
 - 2. CONSTRUCT CURB AND GUTTER FOR DETAIL "B" SHEET NO. 1
 - 3. CONSTRUCT SIDE SLOPE BANK FOR DETAIL "C" SHEET NO. 1
 - 4. CONSTRUCT TOP OF SLOPE BANK FOR DETAIL "D" SHEET NO. 1
 - 5. CONSTRUCT SIDE SLOPE BANK FOR DETAIL "E" SHEET NO. 1
 - 6. CONSTRUCT SIDE SLOPE BANK FOR DETAIL "F" SHEET NO. 1
 - 7. CONSTRUCT SIDE SLOPE BANK FOR DETAIL "G" SHEET NO. 1
 - 8. CONSTRUCT SIDE SLOPE BANK FOR DETAIL "H" SHEET NO. 1
 - 9. CONSTRUCT SIDE SLOPE BANK FOR DETAIL "I" SHEET NO. 1
 - 10. CONSTRUCT SIDE SLOPE BANK FOR DETAIL "J" SHEET NO. 1
 - 11. CONSTRUCT SIDE SLOPE BANK FOR DETAIL "K" SHEET NO. 1
 - 12. CONSTRUCT SIDE SLOPE BANK FOR DETAIL "L" SHEET NO. 1
 - 13. CONSTRUCT SIDE SLOPE BANK FOR DETAIL "M" SHEET NO. 1
 - 14. CONSTRUCT SIDE SLOPE BANK FOR DETAIL "N" SHEET NO. 1
 - 15. CONSTRUCT SIDE SLOPE BANK FOR DETAIL "O" SHEET NO. 1
 - 16. CONSTRUCT SIDE SLOPE BANK FOR DETAIL "P" SHEET NO. 1
 - 17. CONSTRUCT SIDE SLOPE BANK FOR DETAIL "Q" SHEET NO. 1
 - 18. CONSTRUCT SIDE SLOPE BANK FOR DETAIL "R" SHEET NO. 1
 - 19. CONSTRUCT SIDE SLOPE BANK FOR DETAIL "S" SHEET NO. 1
 - 20. CONSTRUCT SIDE SLOPE BANK FOR DETAIL "T" SHEET NO. 1
 - 21. CONSTRUCT SIDE SLOPE BANK FOR DETAIL "U" SHEET NO. 1
 - 22. CONSTRUCT SIDE SLOPE BANK FOR DETAIL "V" SHEET NO. 1
 - 23. CONSTRUCT SIDE SLOPE BANK FOR DETAIL "W" SHEET NO. 1
 - 24. CONSTRUCT SIDE SLOPE BANK FOR DETAIL "X" SHEET NO. 1
 - 25. CONSTRUCT SIDE SLOPE BANK FOR DETAIL "Y" SHEET NO. 1
 - 26. CONSTRUCT SIDE SLOPE BANK FOR DETAIL "Z" SHEET NO. 1

 CITY OF AGOURA HILLS		PALO COMADO DRIVE (PRIVATE DRIVEWAY)		SHEET <u>6</u> OF <u>6</u> PROJECT NO. _____
CITY OF AGOURA HILLS APPROVAL		PREPARED BY: _____	DATE: _____	PROJECT ENGINEER: _____
CITY ENGINEER: _____		DATE: _____	PROJECT ENGINEER: _____	DATE: _____
REVISIONS	NO.	DATE	DESCRIPTION OF CHANGE	



**CONDITIONAL USE PERMIT - CASE NO. 03-CUP-016,
OAK TREE PERMIT - CASE NO. 03-OTP-017**

**FOR THE PROPERTY LOCATED AT
6149 PALO COMADO DRIVE, AGOURA HILLS**

EXHIBIT B

March 20, 2008 Meeting Approved Minutes

(August 7, 2008 Meeting)



DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

**MINUTES OF THE REGULAR SCHEDULED MEETING OF
THE PLANNING COMMISSION
March 20, 2008**

CALL TO ORDER:

Chair O'Meara called the meeting to order at 6:31 p.m.

FLAG SALUTE

Commissioner Nouzille

ROLL CALL:

Chair John O'Meara, Vice Chair Curtis Zacuto, Commissioners Illece Buckley Weber, Cyrena Nouzille and Steve Rishoff.

Also present were Assistant Community Development Director Doug Hooper, Associate Planner Valerie Darbouze, Planning Technician Britteny Tang, Assistant Engineer Kelly Fisher, and Oak Tree and Landscape Consultant Kay Greeley.

APPROVAL OF MINUTES:

March 6, 2008 Planning Commission Meeting

On a motion by Vice Chair Zacuto, seconded by Commissioner Nouzille, the Planning Commission moved to approve the Minutes of the March 6, 2008 Planning Commission Meeting. Motion carried 4-0-1. Commissioner Buckley Weber abstained.

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

None

NEW PUBLIC HEARING ITEM NO. 3 WAS MOVED TO THE FIRST ITEM ON AGENDA

NEW PUBLIC HEARINGS

**COMMISSIONER RISHOFF RECUSED HIMSELF FROM ITEM 2 ON THE AGENDA
DUE TO HIS RESIDENCE BEING LESS THAN 500 FEET FROM THE PROJECT.**

2. **REQUEST:** Request approval of a Site Plan/Architectural Review to construct a 1,399 square foot single-story addition with a 500 square foot patio cover to an existing 916 square foot, single-story residence, and to convert and 806 square foot detached accessory structure to a garage; a request for an Oak Tree Permit to remove one (1) oak tree and encroach within the protected zone of one (1) oak tree for the proposed construction; and a request for a Variance from the Zoning Ordinance Section 9233.2.B to construct the room addition 7.75 feet from the south side property line, instead of at least 12 feet from the side property line.
- APPLICANTS:** Mike and Darin Millett
 5446 Fairview Place
 Agoura Hills, Ca 91301
- CASE NOS.:** 06-SPR-011; 06-OTP-031; and 08-VAR-001
- LOCATION:** 5446 Fairview Place
 (A.P.N. 2055-014-018)
- ENVIRONMENTAL
 DETERMINATION:** Categorically Exempt from CEQA per Section 15303.
- RECOMMENDATION:** Staff recommended approval of Site Plan/Architectural Review Case No. 06-SPR-011, Oak Tree Permit Case No. 06-OTP-031, and Variance Case No. 08-VAR-001, subject to conditions, based on the findings of the draft Resolutions.
- PUBLIC COMMENTS:** Chair O'Meara opened the public hearing.

The following persons spoke in favor of the project.

Michael Silva, Architect representing the applicant.

Darin Millett, Applicant

Robyn Britton, Old Agoura Home Owners Association

REBUTTAL: Applicant chose not to give rebuttal

Chair O'Meara closed the hearing.

ACTION: On a motion by Commissioner Buckley Weber, seconded by Vice Chair Zacuto, the Planning Commission moved to adopt Resolution No. 929, approving Variance Case No. 08-VAR-001. Motion carried 4-0-1. Commissioner Rishoff recused.

On a motion by Commissioner Buckley Weber, seconded by Vice Chair Zacuto, the Planning Commission moved to adopt Resolution No. 930, approving Site Plan/Architectural Review Case No. 06-SPR-011, Oak Tree Permit Case No. 06-OTP-031, subject to amended conditions. Motion carried 4-0-1. Commissioner Rishoff recused.

3. REQUEST: Request for approval of a Conditional Use Permit to construct a 4,880 square foot, two-story, single-family residence a 463 square foot attached two-car garage, a 100 square-foot patio cover and a 125 square-foot balcony/deck; and a request for an Oak Tree Permit to remove one (1) oak tree and encroach in the protected zone of nine (9) oak trees for the proposed construction.

APPLICANT: Sean Ben-Menahem
5000 N. Parkway Calabasas, Suite 106
Calabasas, CA 91302

CASE NOS.: 03-CUP-016 & 03-OTP-017

LOCATION: 6149 Palo Comado Drive
(A.P.N. 2055-023-073)

ENVIRONMENTAL
DETERMINATION:

Categorically Exempt from CEQA per Section 15303.

RECOMMENDATION:

Staff recommended approval of Conditional Use Permit Case No. 03-CUP-016 and Oak Tree Permit Case No. 03-OTP-017, subject to conditions, based on the findings of the attached draft Resolution.

PUBLIC COMMENTS:

Chair O'Meara opened the Public Hearing

The following person spoke on this agenda item.

Sean Ben-Menahem, Applicant

The following persons spoke in opposition of the project.

Mike Kaye, Resident

Kevin Austin, Resident

Mark Dixon, Resident

Robyn Britton, Old Agoura Homeowners Association

The following person spoke neither for nor against the project

Robert Michitsch – Resident

RECESS:

Chair O'Meara called for a recess at 8:30 p.m.

RECONVENE:

Chair O'Meara reconvened the meeting at 8:44 p.m.

REBUTTAL:

Sean Ben-Menahem, Applicant gave rebuttal regarding the project and answered additional questions of the Planning Commission.

Chair O'Meara closed the hearing.

ACTION:

On a motion by Vice Chair Zacuto, seconded by Commissioner Buckley Weber, the Planning Commission moved to continue Conditional Use Permit Case No. 03-CUP-016 and Oak Tree Permit Case No. 03-OTP-017 to the June 19, 2008 Planning Commission meeting. Motioned carried 5-0.

ANNOUNCEMENTS ON ITEMS NOT LISTED ON THE AGENDA

(Planning Commission and Staff)

Commissioner Nouzille announced she would be absent at the April 3, 2008 Planning Commission meeting.

ADJOURNMENT

At 10:10 p.m., on a motion by Vice Chair Zacuto, seconded by Commissioner Nouzille; the Planning Commission adjourned the meeting to the next scheduled Planning Commission meeting on Thursday April 3, 2008, at 6:30 p.m.



**CONDITIONAL USE PERMIT - CASE NO. 03-CUP-016,
OAK TREE PERMIT - CASE NO. 03-OTP-017**

**FOR THE PROPERTY LOCATED AT
6149 PALO COMADO DRIVE, AGOURA HILLS**

EXHIBIT C

March 20, 2008 Meeting Staff Report

(August 7, 2008 Meeting)



DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

ACTION DATE: March 20, 2008

TO: Planning Commission

APPLICANT: Sean Ben-Menahem
5000 N. Parkway Calabasas, Suite 106
Calabasas, CA 91302

CASE NOS.: 03-CUP-016 & 03-OTP-017

LOCATION: 6149 Palo Comado Drive
(A.P.N. 2055-023-073)

REQUEST: Request for approval of a Conditional Use Permit to construct a 4,880 square foot, two-story, single-family residence, a 463 square foot attached two-car garage, a 100 square-foot patio cover and a 125 square-foot balcony/deck; and a request for an Oak Tree Permit to remove 1 oak tree and encroach in the protected zone of 9 oak trees for the proposed construction.

ENVIRONMENTAL DETERMINATION: Categorically exempt from CEQA per Section 15303 (New Construction of a Single-Family Residence)

RECOMMENDATION: Staff recommends the Planning Commission adopt a motion to approve Conditional Use Permit Case No. 03-CUP-016 and Oak Tree Permit Case No. 03-OTP-017 subject to conditions, based on the findings of the attached Draft Resolution.

ZONING DESIGNATION: RV-OA – (Residential Very Low Density - Old Agoura Design Overlay District)

GENERAL PLAN DESIGNATION: RV – Residential Very Low Density

I. PROJECT DESCRIPTION AND BACKGROUND

The applicant, Ken Stockton for Sean Ben Menahem, is proposing to construct a 4,880 square-foot, two-story, single-family residence with a 463 square-foot, two-car garage, a 100 square-foot patio cover and a 125 square-foot balcony/deck. The 1.13-acre vacant lot is located on the west side of Palo Comado Drive, one lot south of Fairview Place at 6149 Palo Comado Drive. The applicant is also requesting approval of an Oak Tree Permit to remove 1 oak tree and encroach in the protected zone of 9 others for the construction. The lot is zoned RV-OA (Residential Very Low Density-Old Agoura Design Overlay) zone and is adjacent to developed lots to the rear and east and a vacant residentially zoned lot to the north.

New single-family homes are subject to review by the Planning Commission. Since the average topographic slope of the property exceeds 10%, it is considered a hillside lot and, therefore, development proposals must be reviewed with a Conditional Use Permit application. The proposed single-family residence is a permitted use in the RV zone. The maximum allowable building lot coverage in the RV zone is 25%. The total proposed lot coverage of the residence (footprint and garage) is 6% of the lot size. When adding the square footage of the pool and miscellaneous hardscape features that are anticipated by the applicant, the proposed lot coverage increases to approximately 25%. As designed, the project meets the development requirements relative to lot coverage, minimum yard setbacks and building height. The following is a summary of the proposed development relative to the Zoning Ordinance requirements.

Pertinent Data for the Proposal

	Existing	Proposed	Required
A. Lot Size	49,281 sq.ft. (1.13 acres)	49,281 sq.ft. (1.13 acres)	43,560 sq.ft. (1 acre)
Width	190 ft.	N/A	N/A
Depth	210 ft.	N/A	N/A
B. Building Setbacks from Property Lines			
1. <u>Residence Setbacks</u>			
Front (Driveway Easement)	N/A	33 feet	25 feet min.
Rear (West Side)	N/A	75 feet	25 feet min.
Side (North Side)	N/A	90 feet	12 feet min.
Side (South Side)	N/A	33 feet	12 feet min.
2. <u>Future Pool</u>			
Front (East)	N/A	N/A	N/A
Rear (West)	N/A	50 ft.	5 ft.
Side (North)	N/A	130 ft.	5 ft.
Side (South)	N/A	35 ft.	5 ft.

	Existing	Proposed	Required
C. Building Sizes			
Residence			
1 st Floor	N/A	2,690 sq.ft.	N/A
2 nd Floor	<u>N/A</u>	<u>2,190 sq.ft.</u>	<u>N/A</u>
Total:	N/A	4,880 sqft.	N/A
Garage	N/A	463 sq.ft.	N/A
Balcony	N/A	125 sq.ft.	N/A
Patio Cover	<u>N/A</u>	<u>100 sq.ft.</u>	<u>N/A</u>
Total:	N/A	5,568 sqft.	N/A
D. Building Height			
	N/A	33 ft.	35 ft. max.
E. Lot Coverage			
Bldg. Footprint	N/A	6%	25%
Bldg. Footprint+ Hardscape*	N/A	25%	25%
F. Undisturbed Open Space**			
	N/A	52%	77.5%
F. Oak Trees Considered for Review			
	11 on-site	same	N/A
	11 off-site	10	N/A

* Hardscape includes future pool and driveway

** The difference between lot coverage and undisturbed open space is unused but disturbed areas.

II. STAFF ANALYSIS

A. Site Plan

The proposed residence is to be built in the center of the parcel. The closest structure is located 77 feet from the south property line on the adjacent southerly lot. Another structure is located 110 feet from the northeast corner of the parcel, across the access driveway. The proposed residence will exceed the minimum required front yard setback by 8 feet (33 feet proposed versus 25 feet required), the rear yard setback by 50 feet (75 feet proposed versus 25 feet required) and the side yard setback on the south side yard setback requirements by 8 feet (33 feet proposed versus 12 feet required) and on the north side by 78 feet (90 feet proposed versus 12 feet required). A future pool is also being considered by the applicant. The all inclusive anticipated development, as shown on the Site Plan would meet the maximum allowable lot coverage for the zone.

The lots on the east side of the access easement generally are steeper and overlook the lots along the west side. The Grading Plan indicates that a proposed flat pad that is to be cut into the hillside and a 2:1 manufactured slope would be created using the support of retaining walls. The pad would be 14 feet above the access driveway. A two-retaining

wall system, each 6 feet in height, is proposed in the rear yard with stair case leading from the house pad to the top of the hill. Two additional retaining walls, 6 to 2.5 feet high, would also be required as part of the construction of the house and the 140-foot long on-site driveway. The design of the driveway was a result of the Fire District requirement to have a turn-around area on-site, the maximum allowable 17% slope of the driveway and the desire to minimize encroachment on oak trees in the vicinity of the project.

The house was designed with one and two-story elements. The garage is a 15-foot high single-story element located in the front of the house. The finished floor elevation of the garage is 6 feet lower than the finished floor elevation of the living areas. The garage is used strictly for the storage of two vehicles and is therefore not counted as a story but it is included when calculating the maximum height of the structure. The roof peak does not exceed 33 feet. The average height is 27 feet. A 6-foot high retaining wall along the northern property line would partially screen the northern elevation as seen from the lots at the corner of the access driveway.

The Hillside Ordinance open space standards are at the discretion of the Planning Commission. The square footage of the open space that should remain undisturbed is a function of the steepness of the lot. In this case, the lot has an average slope of 27.6%, and the Hillside Ordinance calls for 77% of the lot to remain undeveloped in order to effectively preserve the natural topography and biological resources. The project is preserving 52% of the open space. The findings in favor of the proposal are based on the fact that the lot was lawfully created prior to the adoption of the requirement, the change in ownership is not a result of the parcel no longer being considered part of a larger parcel, that the septic system will not be installed on a parcel less than one acre and that a Conditional Use Permit can permit the use and specify the minimum percent of required open space on the parcel. Staff believes that the findings can be made and that with conditions the on-site resources, specifically the oak trees, would be protected. The on-site oak trees are located at the perimeter of the parcel. The project will require the use of retaining walls that partially encroach in the protected zone of the trees and in some cases under the canopy for the purpose of protecting life and property and providing access. The City Oak Tree Consultant has worked very closely with the applicant in order to reduce the amount of encroachment into 9 trees and is able to recommend approval of the Oak Tree Permit.

The applicant is unable to provide an area that would be suitable for horses with the proposed design. The topography combined with the number oak trees all around the parcel preclude the applicant from further grading the hillside for either a pad or access to the pad. Although the General Plan specifies the needs for maintaining sufficient space on a parcel to accommodate horse keeping, some of the remaining undeveloped lots, such as the subject property, seem to have more challenges in complying with this policy. The Planning Commission has discretion to evaluate whether the proposed development precludes such an area or whether it is not feasible to accommodate horses or other farm animals based on the minimum setback requirements and impacts to the natural resource.

In an effort to evaluate the compatibility of the proposed size of the home with the neighboring structures approved and built, a survey of 87 developed lots in the neighborhood was conducted. The results revealed an average size for the living areas of all 87 homes to be 3,241 square feet. The average lot size was found to be 49,675 square feet (1.14 acres). Most recent approvals of single-family residences in the Old Agoura area include a 5,623 square-foot house on a 43,996 square-foot lot on Fairview Drive, east of the project and a 5,694 square-foot house on a 45,227 square-foot lot on Colodny Drive. The total proposed size of the home will be 5,536 square feet (plus a 751 square-foot garage) on a 40,281 square-foot lot minus the driveway. Although, the proposed floor area ratio is higher than the neighborhood average, the proposed lot coverage meet the maximum lot coverage established for the zone.

B. Architectural Review:

The entry of the two-story residence is enclosed with a privacy wall clad with a veneer stone. This 200 square-foot courtyard, open to the sky, links the elevation of the driveway, the garage and the living areas and provides access between the garage and the house. The applicant proposes a Mediterranean style of architecture including Mediterranean tiles, smooth plaster finish, exposed rafter tails, a balcony for the master bedroom facing the hillside and a round tower element. The Architectural Review Panel (ARP) found the proposed design of the residence to be true to the selected architectural style and one that could be added to the eclectic inventory found in the Old Agoura neighborhood. The applicant incorporated the few comments that the ARP's provided staff with. Multiple roof lines reflect the various living areas of the house. The entry to the garage originally faced east but grading changes required that the garage be relocated and reoriented to face north. The residence will not be visible from Fairview Drive where most of the circulation occurs. A letter from the Old Agoura Homeowners Association regarding the project is attached.

C. Oak Tree/Landscape Review:

Based on the scope of the work, the City Oak Tree/Landscape Consultant would be in support of removing Oak Tree Number 22 (8" diameter) if necessary to allow for widening and paving of Palo Comado Drive. This tree is located on the property located to the east of the applicant's property at 6149 Palo Comado Drive. It would be the applicant's responsibility to obtain permission for their removal from the adjacent property owner. Furthermore, the applicant would be permitted to encroach within the protected zone of Oak Tree Numbers 1, 2, 10, 12, 13, 14, 15, 19, and 21 to complete the approved grading program and to install the paving and retaining walls shown on the approved grading plan. The applicant would also be permitted to prune Oak Tree Numbers 1, 2, 10, 12, 13, 14, 15, 19, and 21 as needed for vertical clearance over the Palo Comado Drive, the driveway and in areas where grading is otherwise approved. Oak Tree Numbers 3, 4, 5, 6, 7, 8, 9, 11, 16, 17, 18, and 20 shall be preserved in place with no direct impacts.

The applicant has worked with the Fuel Modification Department of the Los Angeles County Fire District to incorporate an adequate landscaping and not further impact on

and off-site oak trees. The applicant has also reduced the rear slope to a 2:1 gradient for his proposed landscape improvements.

D. Engineering/Public Works Review:

The Grading Plan has been reviewed by the Engineering Department. The rectangular lot also includes a 365-foot long private driveway providing access from the project north boundary to Fairview Drive which is owned by the applicant. The topography of the lot slopes ascends from east to west. The applicant's civil engineer proposes 2,479 cubic yards of cut and 1,162 cubic yards of fill with 867 cubic yard of export. The grading is necessary to cut a tri-level pad above the access road. The main floor is proposed to be at an elevation of 132 feet and the garage and gym at an elevation of 125 feet whereas the lowest and highest elevation points of the parcel are 110 and 173 feet.

With regard to street improvements, the Engineering Department will require that the applicant improve Palo Comado Drive along the entire property frontage to Fairview Place to provide for a minimum of 20-foot paved width, and 3-foot inverted shoulder or asphalt curb to ensure that the runoff is maintained within the roadway.

A septic system will serve the proposed residence and will be located on the south and east sides of the lot and will not conflict with the proposed structures. Staff has received a conceptual approval from the Los Angeles County Health Services Department of the proposed system.

E. Environmental Review:

Based upon review of this project by the City Environmental Analyst, no significant environmental impacts have been identified for construction of the project. 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. A copy of the notice of exemption regarding the project is attached.

In conclusion, staff finds that the proposed project meets the development standards established by the Residential Single-Family Density zone and the Old Agoura Design Overlay zone and the project is designed and sited to be compatible with the neighborhood. Geotechnical and geological studies were completed to analyze the feasibility and impacts of the project. The proposed house size and articulation is in proportion with the lot size and the proposed style adds to the variety of architectural styles found in Old Agoura. The use of natural materials of that particular style is in keeping with the semi-rural character of the neighborhood.

III. RECOMMENDATION

Based on the above analysis, staff recommends that the Planning Commission adopt the attached Draft Resolution approving Conditional Use Permit Case No. 03-CUP-016 and Oak Tree Permit Case No. 03-OTP-017, subject to the conditions.

IV. ATTACHMENTS

- Draft Resolution and Conditions of Approval
- Exhibit A: Letter from the Old Agoura Homeowners Association
- Exhibit B: Vicinity/Zoning Map
- Exhibit C: Square Footage Analysis Map
- Exhibit D: Reduced Copies of the Proposed Project Architectural Plans
- Exhibit E: City's Oak Tree/Landscape and Geological/Geotechnical Consultant
Comments
- Exhibit F: Environmental Categorical Exemption
- Exhibit G: Photographs of the Property and Color and Material Board

Case Planner: Valerie Darbouze, Associate Planner



**CONDITIONAL USE PERMIT - CASE NO. 03-CUP-016,
OAK TREE PERMIT - CASE NO. 03-OTP-017**

**FOR THE PROPERTY LOCATED AT
6149 PALO COMADO DRIVE, AGOURA HILLS**

EXHIBIT A

Letter from the Old Agoura Homeowners Association

DATE: July 26, 2007

RE: Review of Proposed Project; revised

FROM: Planning and Zoning Committee,
Old Agoura Homeowners Association

TO: Mike Kamino, Director
Department of Planning & Community Development
City of Agoura Hills

SUBJECT: 03-CUP-016 (Iamburg)

Description

The plans submitted show a two storey, single family residence of 4,688 square feet, with an attached garage of 520 square feet on Polo Comado (sic) Drive, off Balkins Ave.

Comment

There were two previous letters of opinion from this committee recommending changes to the design of the house. After the first letter, it would appear that the principal change to the plan is the elimination of the semicircular driveway and some related adjustments to the house's entrance. The size of the house remains unchanged.

In further review, the committee expressed considerable concern about the relation of the building to the site. Except for some flatter area at its base, the lot consists almost entirely of a curved, convex slope like a section of a bowl. The current design has the house situated on a cut into the lower part of the hillside, from which the house rises as a solid visual block, and requires extensive grading and use of retaining walls. The current design is essentially a standard, suburban flat lot design rather awkwardly superimposed upon irregular natural terrain. It would be our preference to see some sort of stepped design that responds more sensitively to the land itself.

Stylistically, the house appears to be a fairly generic Spanish/Mediterranean that seems largely indifferent to its surroundings. It is of course the choice of the owner, but the strong orientation towards indoor space (save for a small balcony) seems like a failure to capitalize on a striking setting characterized by numerous mature oaks. There are a couple of buildings of questionable design in the vicinity – the mock Tudor on the same street and the "Country French" at the corner of Colodny and Fairview – but the existence of these does not persuade us that we should recommend the design with any enthusiasm.

The land does present certain limitations for horse-keeping, but there has been no attempt to try to find even a nominal area that might be set aside for this, although a raised pad has been created for a swimming pool. This concerns us as this property is in the most rural and least suburban part of Old Agoura. We worry that construction of the project as is will void any potential future horse-keeping.

All in all, the conception of this house doesn't touch on any western (whether modern or historical) traditions of rural architecture and will merely add one more "Mediterranean" to the growing inventory of such buildings.

Should you have questions about these comments please contact Robert Evren, Chair, Planning and Zoning Committee, Old Agoura Homeowners Association: 865-9003, robtevren@aol.com.

We hope this is of help to you.

CC: Valerie Darbouze, Associate Planner



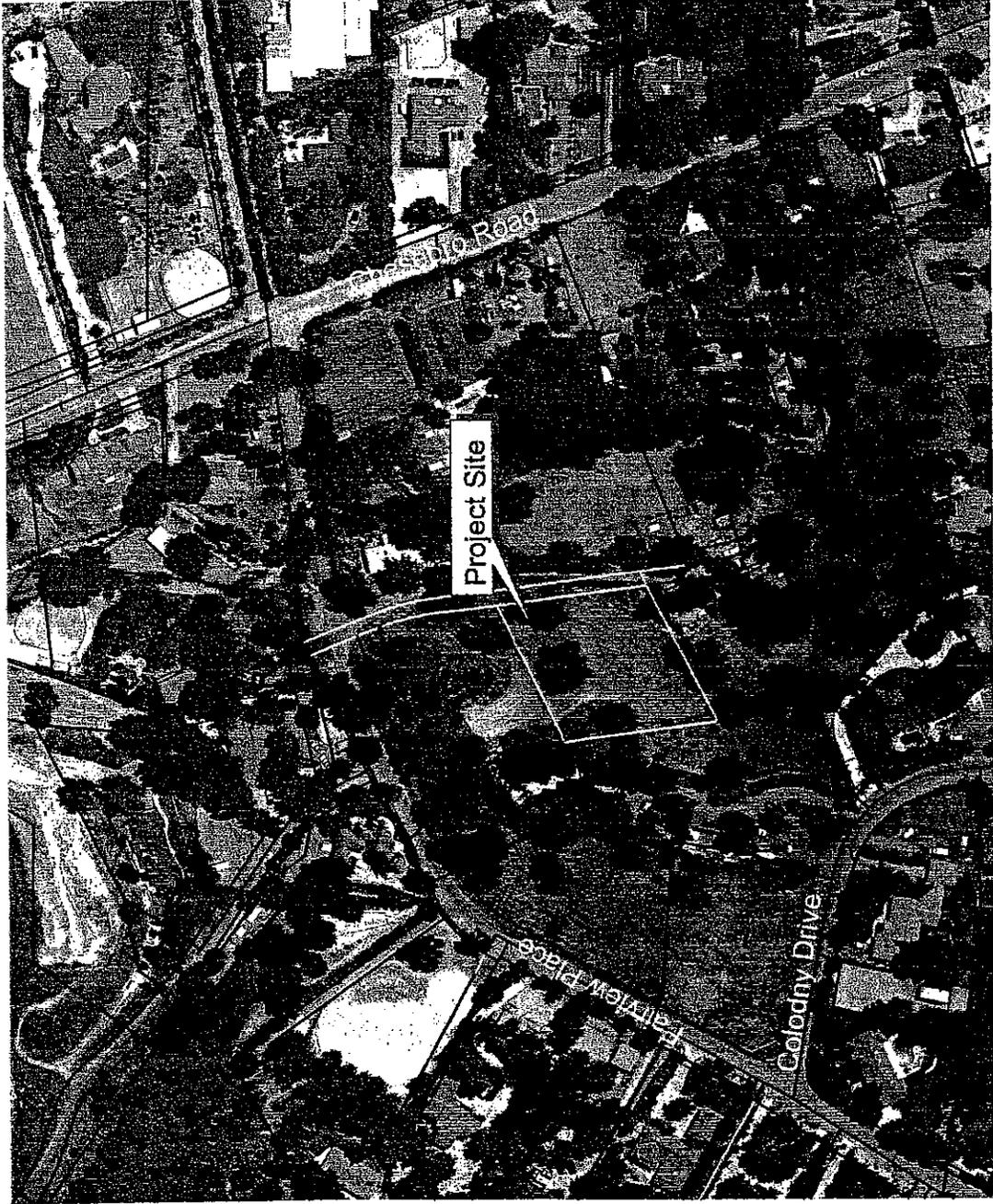
**CONDITIONAL USE PERMIT - CASE NO. 03-CUP-016,
OAK TREE PERMIT - CASE NO. 03-OTP-017**

**FOR THE PROPERTY LOCATED AT
6149 PALO COMADO DRIVE, AGOURA HILLS**

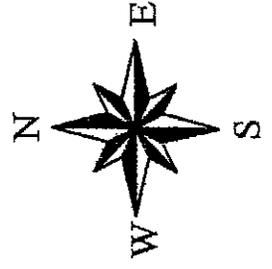
EXHIBIT B

Vicinity/Zoning Map

Conditional Use Permit Case No. 03-CUP-016 Oak Tree Permit Case No. 03-OTP-017



Vicinity/Zoning
Map





**CONDITIONAL USE PERMIT - CASE NO. 03-CUP-016,
OAK TREE PERMIT - CASE NO. 03-OTP-017**

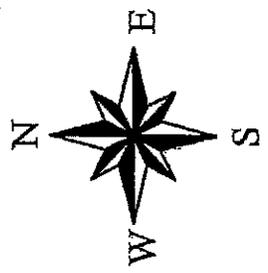
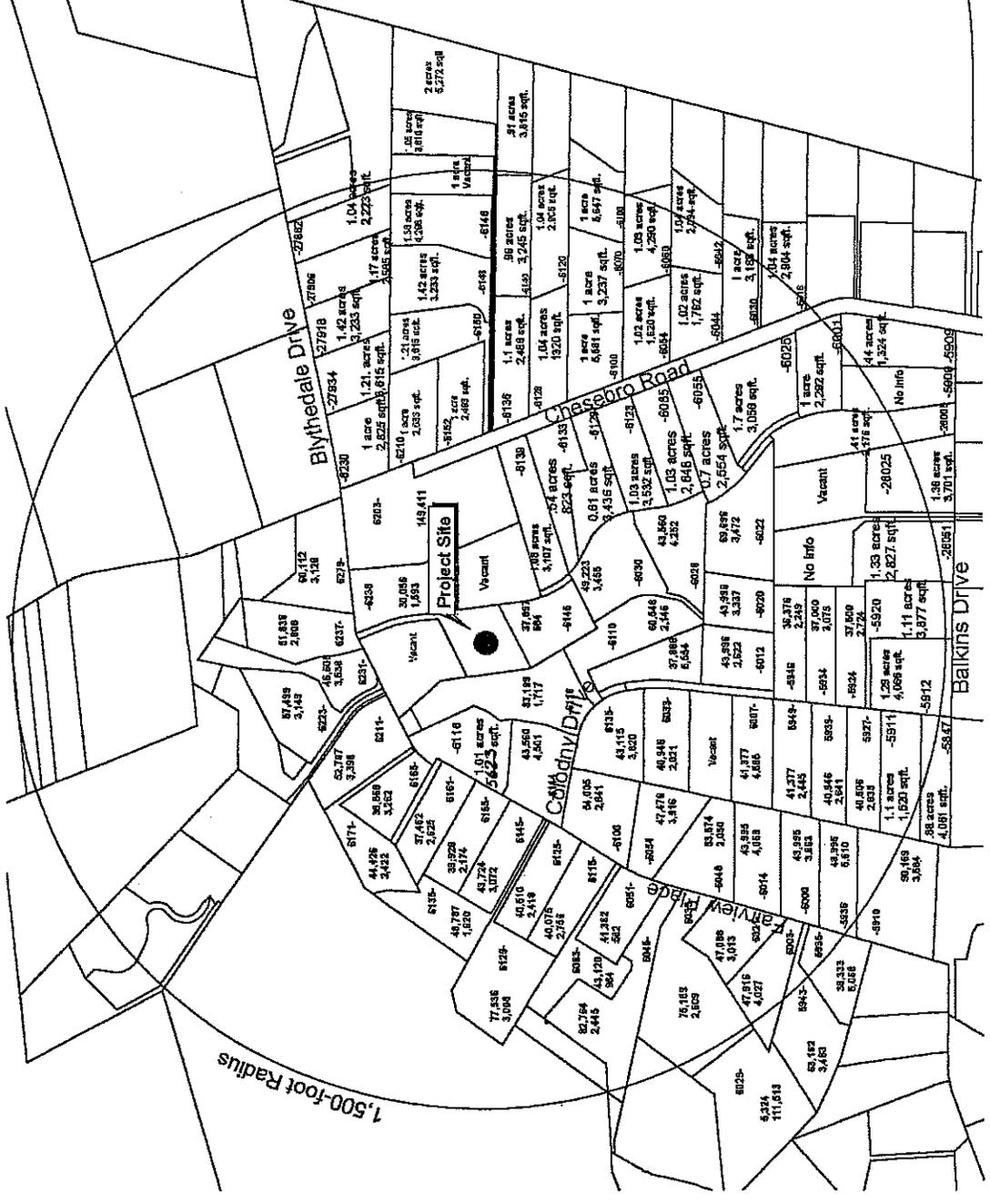
**FOR THE PROPERTY LOCATED AT
6149 PALO COMADO DRIVE, AGOURA HILLS**

EXHIBIT C

Square Footage Analysis Map

Conditional Use Permit - Case No. 03-CUP-016 & Oak Tree Permit - Case No. 03-OTP-017

Square Footage
Analysis





**CONDITIONAL USE PERMIT - CASE NO. 03-CUP-016,
OAK TREE PERMIT - CASE NO. 03-OTP-017**

**FOR THE PROPERTY LOCATED AT
6149 PALO COMADO DRIVE, AGOURA HILLS**

EXHIBIT D

Reduced Copy of the Architectural/Grading/Landscape Plans



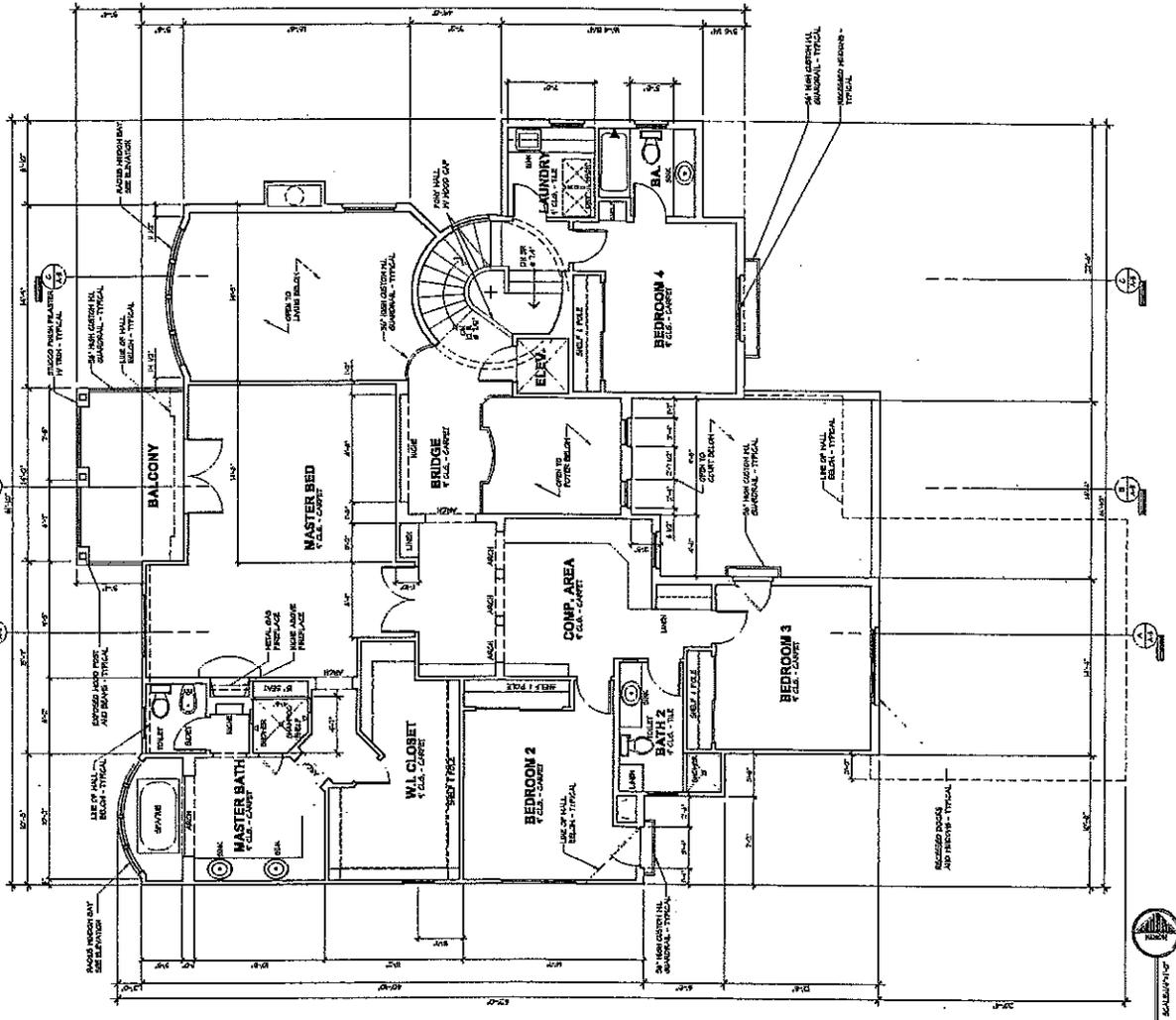
NOT FOR CONSTRUCTION

A-3

KEN STOCKTON
ARCHITECT
2800 N. AUBURN AVENUE, SUITE 201, CULVERCITY, CA 90230
(310) 552-1100 FAX: (310) 552-1104

PROJECT NAME	FIRST FLOOR
REVISIONS	REVISION
DATE	02/20/04
BY	02/20/04
DATE	02/20/04
BY	02/20/04
DATE	02/20/04
BY	02/20/04
DATE	02/20/04
BY	02/20/04

LAMAR & RESIDEC
CUSTOM RESIDENCE
PALO CERRADO, OLD ADELRA
DEVELOPER



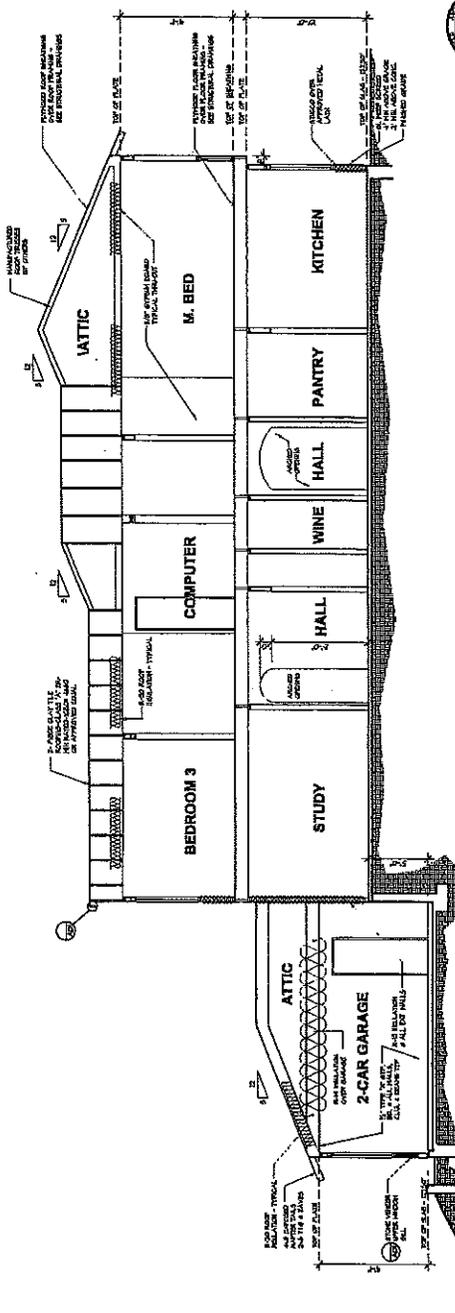
SECOND FLOOR PLAN
2/20/04

FLOOR FINISHES
 BRICK FLOOR (AS SHOWN) - 1800 SQ. FT.
 CARPET - 1000 SQ. FT.
 BATHROOM - 100 SQ. FT.
 TOTAL FIN. AREA - 2900 SQ. FT.

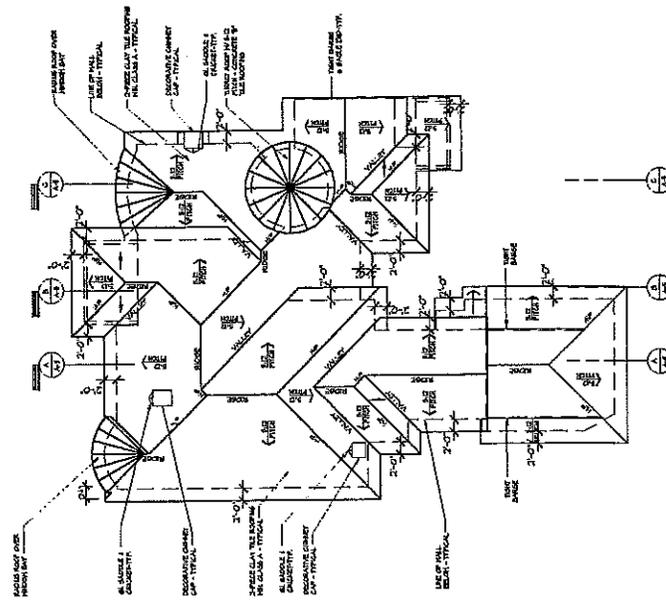


NOT FOR CONSTRUCTION

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



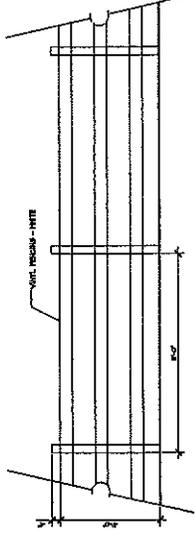
ROOF PLAN
SCALE: 3/8" = 1'-0"



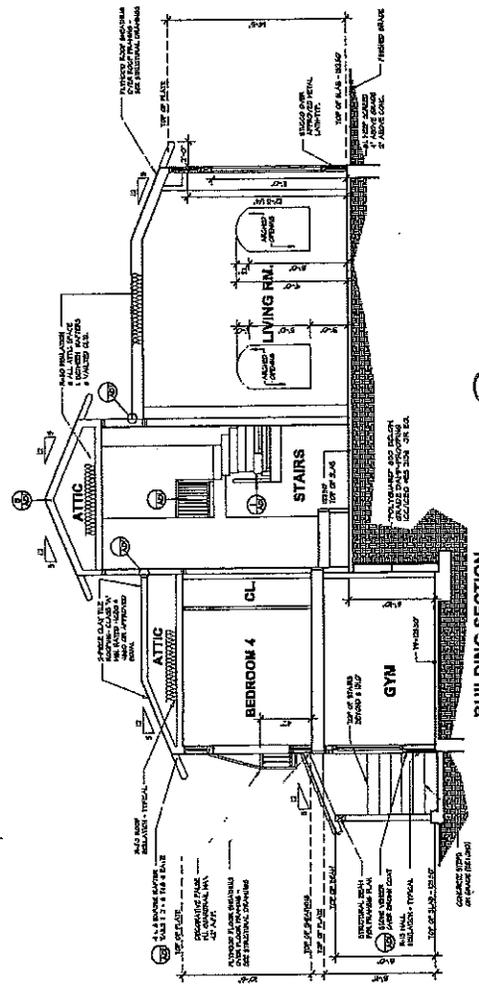
KEN STOCKTON
ARCHITECT
2000 N. ARIZONA ROAD, PHOENIX, AZ 85016
TEL: 948-744-1100 FAX: 948-744-1101

BUILDING SECTIONS
PROJECT NAME: **LAMBURG RESIDENCE**
CLIENT: **CLAYTON RESIDENCE**
PAID COMMAND, OLD MESA, AZ
DATE: **02/21/04**
DESIGN: **DESIGN**
TRAC: **TRAC**
REVISIONS:

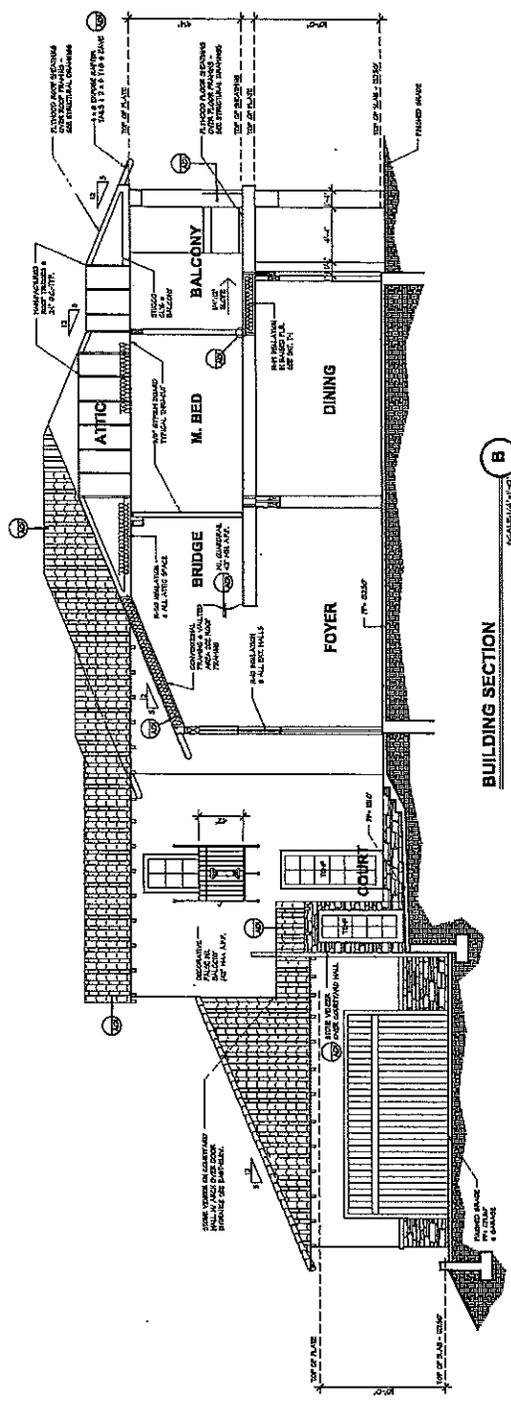
PROJECT NAME: LAMBURG RESIDENCE
CLIENT: CLAYTON RESIDENCE
PAID COMMAND: OLD MESA, AZ



PROPERTY LINE FENCING ELEV.
SCALE: 1/4" = 1'-0"



BUILDING SECTION C
SCALE: 1/4" = 1'-0"



BUILDING SECTION B
SCALE: 1/4" = 1'-0"

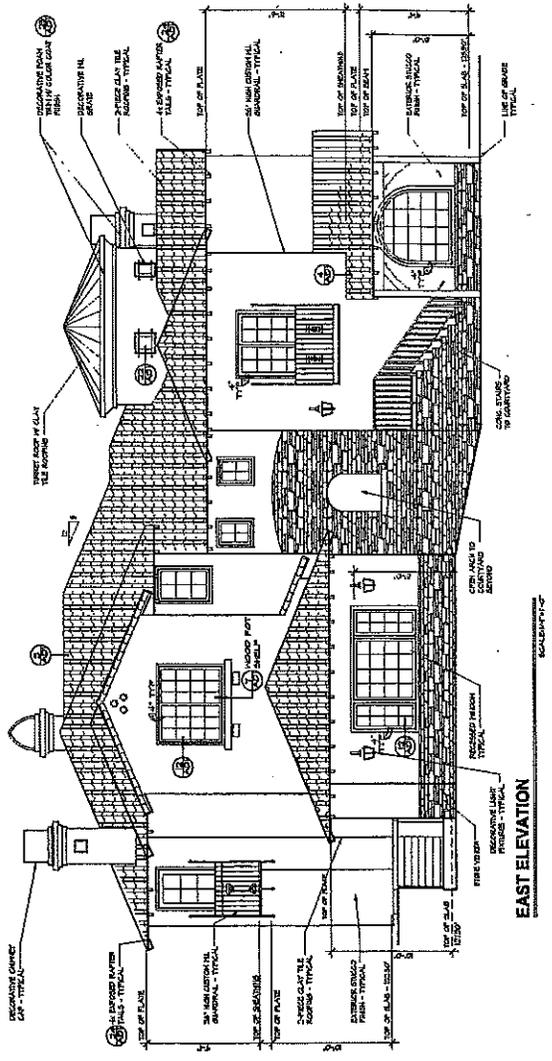


ARCHITECT
 KEN STOCKTON
 3800 N. AVENUE ROAD, SUITE 100, CALIFORNIA, CA 95020
 (916) 485-1000 FAX: (916) 485-1001

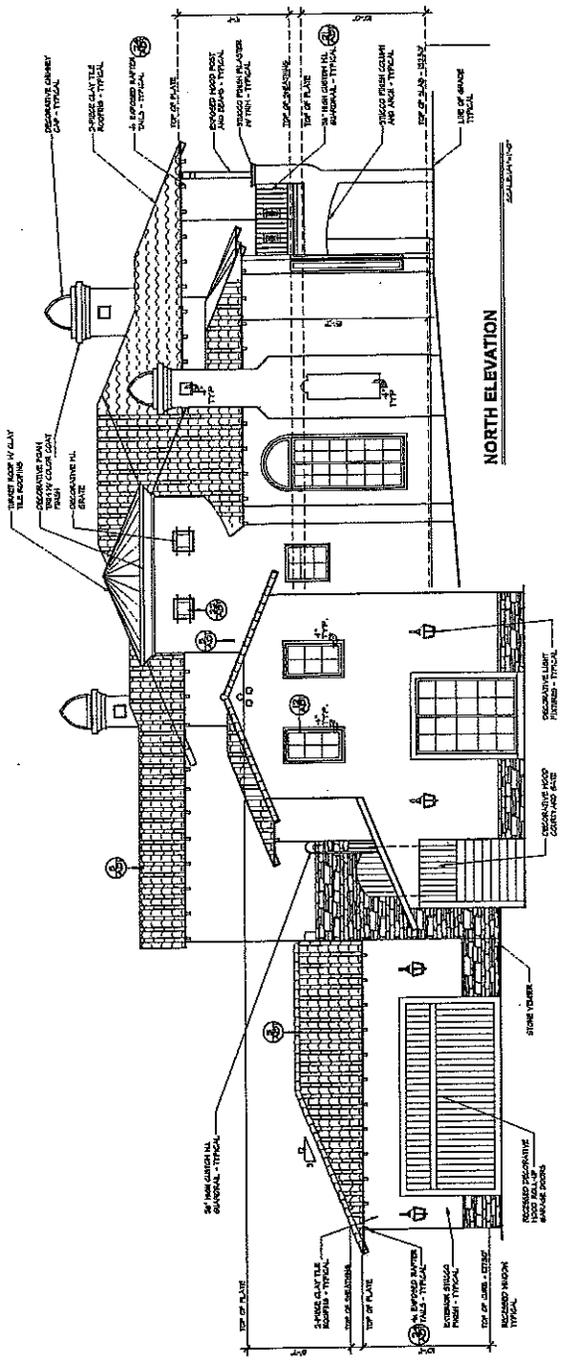
DESIGN: R. E. S.
 DATE: 05/20/04
 PROJECT: LAMBURG RESIDENCE
 LOCATION: PALM COMADO, OLD AGOURA

PROJECT NAME: LAMBURG RESIDENCE
 PALM COMADO, OLD AGOURA

LEVELS: 1
 LEVELS: 2
 LEVELS: 3



EAST ELEVATION



NORTH ELEVATION

21 GUARDRAIL DETAIL
SCALE: 1/2" = 1'-0"

ALL CAP RAILING SMOOTH
1 1/2" DIA. x 1/2" DIA.
MAX. 1/2" DIA. MAX.
LESS THAN 4" BETWEEN
POSTS

1 1/2" DIA.
POSTS (MIN. 1/2" DIA.)
CONCRETE SET IN
CONCRETE

PLATE TO BE
NIPPED INTO
POSTS TO BE
1/2" DIA.
POSTS

NOTE:
USE OF
LUGS & HARD DISCS

22 RECESSED BOX W/ GRILL
SCALE: 1/2" = 1'-0"

1-0"

W/1 GRILL

RECESSED STUCCO

16 FOAM WINDOW JAMB DETAIL
SCALE: 1/2" = 1'-0"

WOOD TRIM
INSULATION
STUCCO
WINDOW FRAME
GLASS
GLAZING BEZEL
GLAZING PUTTY
GLAZING GASKET
GLAZING CHANNEL

17 FLUSH RAKE DETAIL
SCALE: 1/2" = 1'-0"

BASE TILE
ROOFING FELT
INSULATION
STUCCO
FLASHING
FLASHING BEZEL
FLASHING CHANNEL

11 FOAM SILL DETAIL
SCALE: 1/2" = 1'-0"

WOOD TRIM
INSULATION
STUCCO
WINDOW FRAME
GLASS
GLAZING BEZEL
GLAZING PUTTY
GLAZING GASKET
GLAZING CHANNEL

12 WINDOW DETAIL
SCALE: 1/2" = 1'-0"

WOOD TRIM
INSULATION
STUCCO
WINDOW FRAME
GLASS
GLAZING BEZEL
GLAZING PUTTY
GLAZING GASKET
GLAZING CHANNEL

6 FRAMED CORBEL & ARCHES
SCALE: 1/2" = 1'-0"

FRAMED CORBEL
ARCHES
WOOD TRIM
INSULATION
STUCCO

7 POT SHELF DETAIL
SCALE: 1/2" = 1'-0"

WOOD FRAME
POT SHELF
WOOD TRIM
INSULATION
STUCCO

1 STAIR DETAIL / STAIR RAILING DETAIL
SCALE: 3/4" = 1'-0"

WOOD TRIM
INSULATION
STUCCO
RAILING
POSTS
BALUSTERS

3 CHIMNEY FLASHING DETAIL
SCALE: 1/2" = 1'-0"

CHIMNEY FLASHING
WOOD TRIM
INSULATION
STUCCO

23 EAVE DETAIL
SCALE: 1/2" = 1'-0"

WOOD TRIM
INSULATION
STUCCO
BARGE
WOOD TRIM
INSULATION
STUCCO

24 EXP. RAFTER TAILS
SCALE: 1/2" = 1'-0"

WOOD TRIM
INSULATION
STUCCO
RAFTER TAILS
WOOD TRIM
INSULATION
STUCCO

13 GARAGE DOOR DETAIL
SCALE: 1/2" = 1'-0"

WOOD TRIM
INSULATION
STUCCO
GARAGE DOOR
WOOD TRIM
INSULATION
STUCCO

14 STUCCO EAVE DETAIL
SCALE: 1/2" = 1'-0"

WOOD TRIM
INSULATION
STUCCO
EAVE
WOOD TRIM
INSULATION
STUCCO

8 STONE VENER DETAIL
SCALE: 1/2" = 1'-0"

WOOD TRIM
INSULATION
STUCCO
STONE VENER
WOOD TRIM
INSULATION
STUCCO

9 FIREPLACE ELEVATION
SCALE: 1/2" = 1'-0"

WOOD TRIM
INSULATION
STUCCO
FIREPLACE
WOOD TRIM
INSULATION
STUCCO

20 WALL FLASHING DETAIL
SCALE: 1/2" = 1'-0"

WOOD TRIM
INSULATION
STUCCO
FLASHING
WOOD TRIM
INSULATION
STUCCO

39 VALLEY DETAIL
SCALE: 1/2" = 1'-0"

WOOD TRIM
INSULATION
STUCCO
VALLEY
WOOD TRIM
INSULATION
STUCCO

2 CHIMNEY FLASHING DETAIL
SCALE: 1/2" = 1'-0"

WOOD TRIM
INSULATION
STUCCO
FLASHING
WOOD TRIM
INSULATION
STUCCO

3 RIDGE DETAIL
SCALE: 1/2" = 1'-0"

WOOD TRIM
INSULATION
STUCCO
RIDGE
WOOD TRIM
INSULATION
STUCCO

25 FOAM EAVE & TOWER
SCALE: 1/2" = 1'-0"

WOOD TRIM
INSULATION
STUCCO
EAVE
TOWER
WOOD TRIM
INSULATION
STUCCO

10 CHIMNEY CAP DETAIL
SCALE: 3/4" = 1'-0"

WOOD TRIM
INSULATION
STUCCO
CHIMNEY CAP
WOOD TRIM
INSULATION
STUCCO

15 CHIMNEY CAP DETAIL
SCALE: 1/2" = 1'-0"

WOOD TRIM
INSULATION
STUCCO
CHIMNEY CAP
WOOD TRIM
INSULATION
STUCCO

4 ROOF TO WALL CONNECTION
SCALE: 1/2" = 1'-0"

WOOD TRIM
INSULATION
STUCCO
ROOF TO WALL CONNECTION
WOOD TRIM
INSULATION
STUCCO

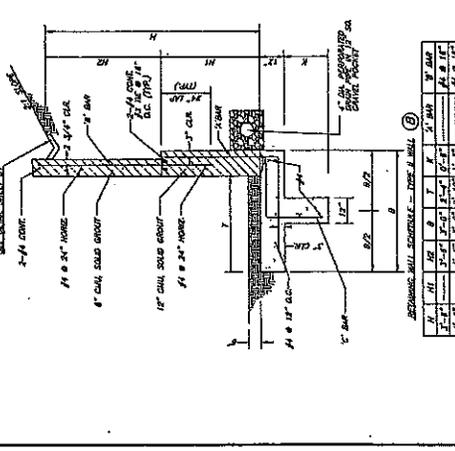
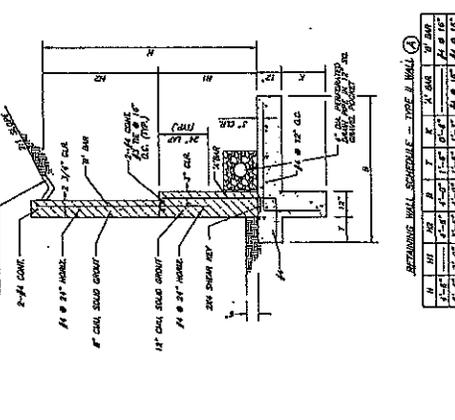
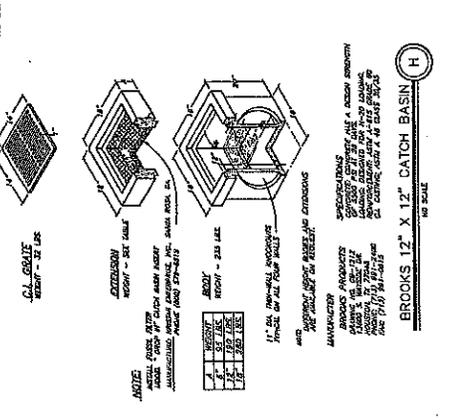
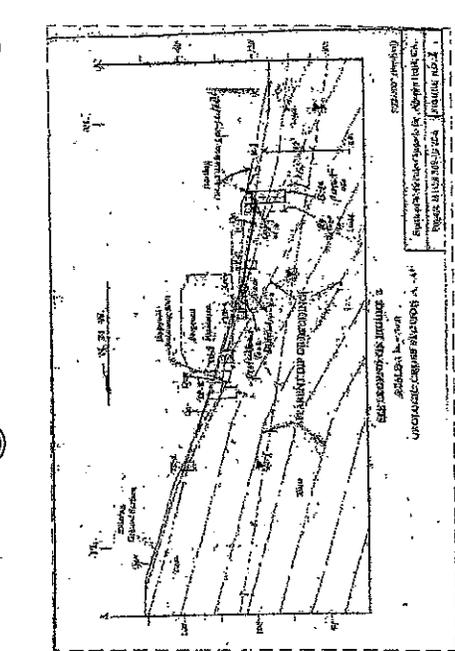
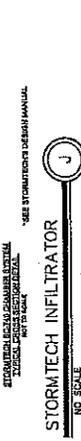
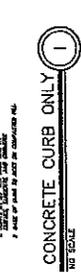
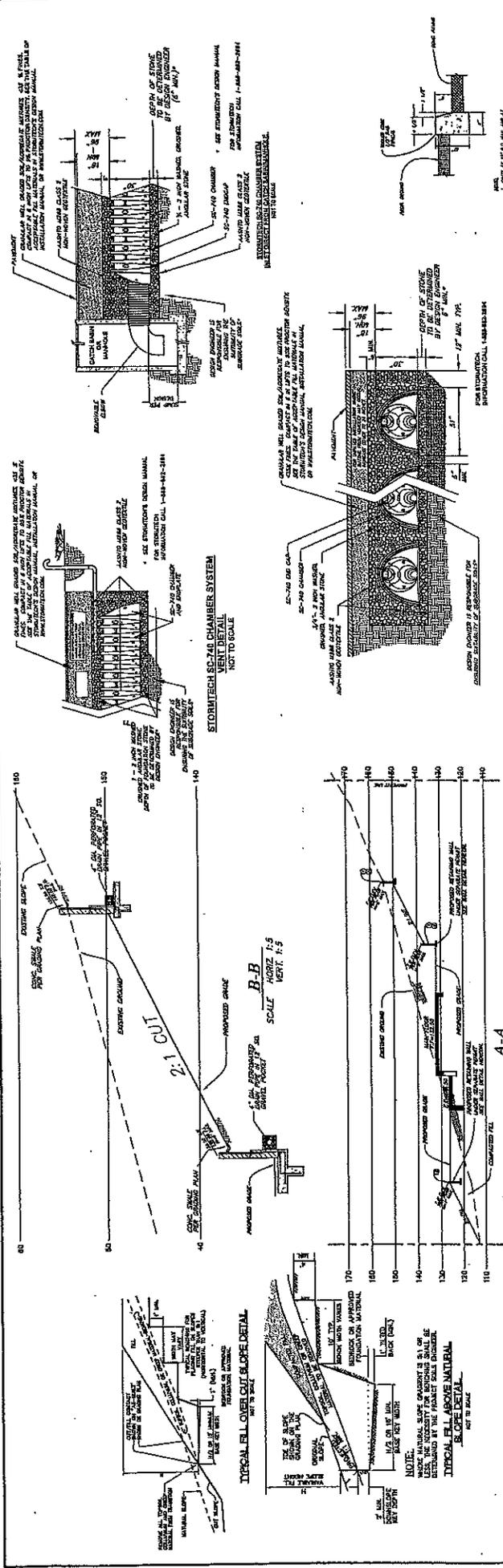
PROJECT NAME: IAMBURG RESIDENCE
PALO COMANDO, OLD MANSURA

ARCHITECTURAL DETAILS

DATE: 04/27/04
REVISIONS:

KEN STOCKTON
ARCHITECT
2500 N. ARROYO ROAD, SUITE 104, CARLSBAD, CA 92008
TEL: 760-439-9111
FAX: 760-439-9111

SHEET NO. ADI



CITY OF AGOURA HILLS DATA NO. _____

PROJECT NO. _____ SHEET 3 OF 6

AGOURA HILLS

GRADING PLAN

CITY OF AGOURA HILLS APPROVAL

PROJECT ENGINEER	DATE	REVIEWED BY	DATE
PROJECT ENGINEER	DATE	REVIEWED BY	DATE

PREPARED BY: **CALCIVIC ENGINEERING GROUP**
 10000 AGOURA HILLS BLVD., SUITE 100
 AGOURA HILLS, CA 91301-1000
 (909) 261-1000 FAX (909) 261-1001

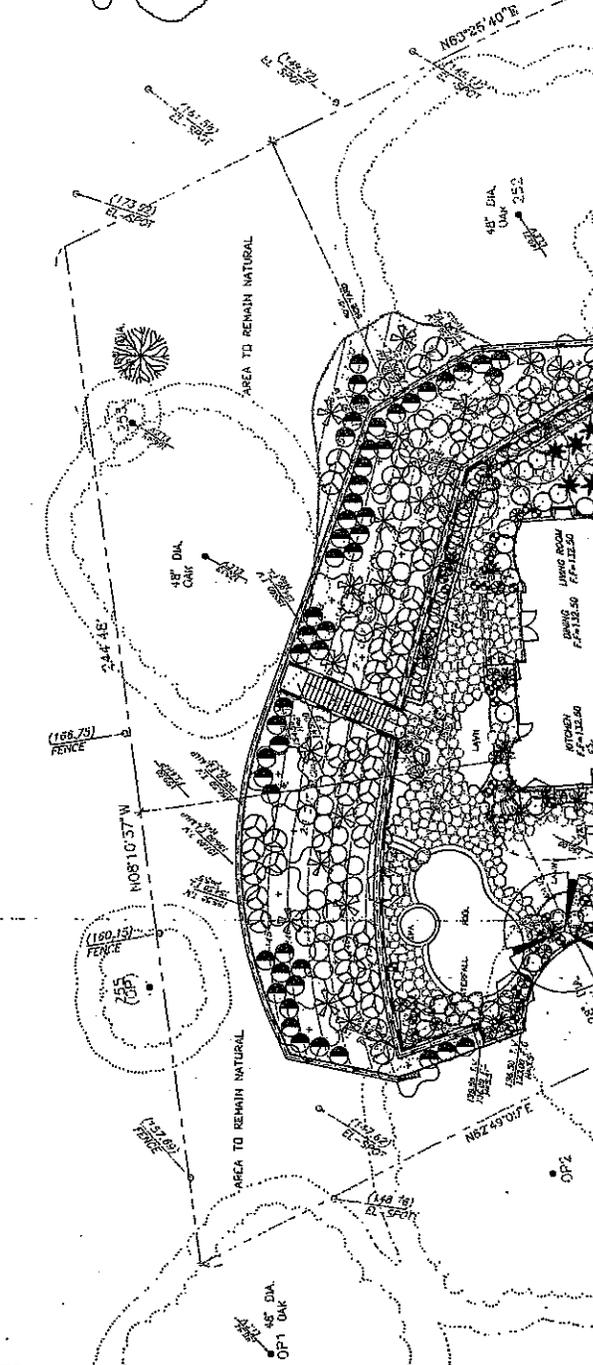
KEN STOCKTON
ARCHITECT
20200 ROCKY HOLLOW RD., PALMDALE, CA 93550
TEL: 805-391-5000 FAX: 805-391-5001

PRELIMINARY LANDSCAPE PLAN
PROJECT NAME: LAMBURG RESIDENCE
CUSTOM RESIDENCE
PALM COMADO, OLD AGOURA

PRELIMINARY LANDSCAPE PLAN
DATE: 10.02.09
DRAWN BY: [REDACTED]
REVISIONS: [REDACTED]

THE OFFICE OF
SUSAN E. MCGOWEN
LANDSCAPE ARCHITECT
A CALIFORNIA CORPORATION
12379 BARK CANYON
CANYON CAYMAN
481 374 3733

Plant Material Legend	Symbol	Comments
Small tree	(Symbol)	11 15 GA small-branch evergreen
Medium tree	(Symbol)	4 15-24" evergreen
Large tree	(Symbol)	23 15 GA deciduous
Shrub	(Symbol)	3 14" Nox evergreen
Ground cover	(Symbol)	5 15 GA multi-trunk in remnant
Grass	(Symbol)	19 Existing in remnant
Palmetto	(Symbol)	13 5 GA slope
Yucca	(Symbol)	14 1 GA slope
Agave	(Symbol)	77 1 GA slope
Drumstick	(Symbol)	13 1 GA slope
Spiky plant	(Symbol)	22 1 GA slope
Small shrub	(Symbol)	23 5 GA
Medium shrub	(Symbol)	9 5 GA
Large shrub	(Symbol)	46 5 GA
Small tree	(Symbol)	33 5 GA
Medium tree	(Symbol)	15 1 GA
Large tree	(Symbol)	15 1 GA



PRELIMINARY LANDSCAPE PLAN
SCALE: 1/8" = 1'-0"

AREA TABULATION
TOTAL AREA: 10.00 AC
TOTAL PLANT: 1000
TOTAL OAK: 1000
TOTAL SHRUB: 1000
TOTAL TREE: 1000
TOTAL GRASS: 1000

KEN STOCKTON
ARCHITECT
1000 S. AVENUE, SUITE 100, OAKLAND, CA 94612
(415) 863-5215 FAX (415) 863-5215

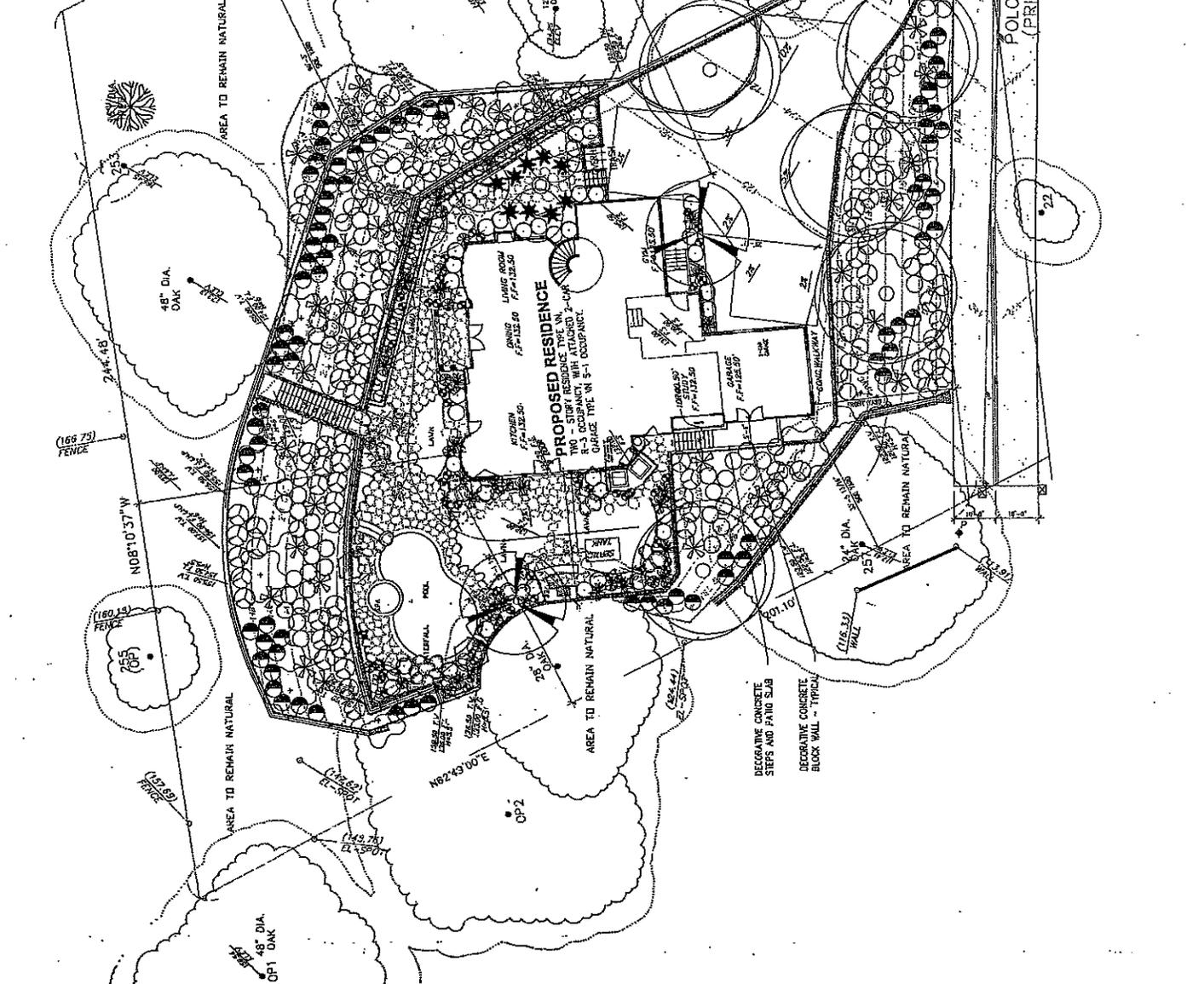
PLANTING PLAN & FUEL MOD
PROJECT NAME
LAMBURG RESIDENCE
CUSTOM COMADO, OLD ASGOURA
DATE: 10.02.06 REV: 1
DRAWN BY: RJS
CHECKED BY: RJS

DEVELOPER
LAMBURG RESIDENCE
CUSTOM COMADO, OLD ASGOURA

THIS OFFICE OF
SUSAN K. MCGOWEN
LANDSCAPE ARCHITECTURE
A CALIFORNIA CORPORATION
12345 MAIN ST. OAKLAND, CA 94612
(415) 254-1234

Plant Material Legend	Symbol	Quantity	Size	Comments
Tronostema	(Symbol)	11	15 Gal	multi-trunk evergreen
Medicago sativata	(Symbol)	4	15-Gal	evergreen
Chamaecyparis	(Symbol)	2	15 gal	deciduous
Quercus agrifolia	(Symbol)	3	24" dia	evergreen
Quercus agrifolia	(Symbol)	5	15 gal	multi-trunk
Quercus agrifolia	(Symbol)	10	10 gallon	to remain
Quercus agrifolia	(Symbol)	51	5-Gal	
Quercus agrifolia	(Symbol)	83	1-6Gal	slope
Quercus agrifolia	(Symbol)	77	1-6Gal	slope
Quercus agrifolia	(Symbol)	83	1-6Gal	slope
Quercus agrifolia	(Symbol)	23	1-6Gal	slope
Quercus agrifolia	(Symbol)	22	1-6Gal	slope
Quercus agrifolia	(Symbol)	22	5-Gal	
Quercus agrifolia	(Symbol)	9	5-6Gal	
Quercus agrifolia	(Symbol)	46	5-Gal	
Quercus agrifolia	(Symbol)	23	5-Gal	
Quercus agrifolia	(Symbol)	32	5-Gal	
Quercus agrifolia	(Symbol)	35	1 gal	split to the field
Quercus agrifolia	(Symbol)			plant @ 10' O.C.
Quercus agrifolia	(Symbol)			plant @ 12' O.C.
Quercus agrifolia	(Symbol)			plant @ 15' O.C.
Quercus agrifolia	(Symbol)			plant @ 18' O.C.
Quercus agrifolia	(Symbol)			plant @ 24' O.C.

Notes:
1. All plants to be installed in accordance with the manufacturer's recommendations.
2. All plants to be installed in accordance with the manufacturer's recommendations.
3. All plants to be installed in accordance with the manufacturer's recommendations.
4. All plants to be installed in accordance with the manufacturer's recommendations.
5. All plants to be installed in accordance with the manufacturer's recommendations.



PLANTING PLAN
AREA TABULATION
TOTAL AREA: 1,234 SQ. FT.
TOTAL PLANTING: 1,234 SQ. FT.
TOTAL REMAINING: 1,234 SQ. FT.

SCALE: 1" = 20'-0"

NOT FOR CONSTRUCTION

ASSESSMENT FOR FUEL MODIFICATION PLAN #

Zone A - Suburban Zone

- Extends 20 feet beyond the edge of any combustible structure, necessary structure, appendage or projection.
- Irrigation by automatic or manual systems shall be provided to landscaping to maintain healthy vegetation with high fire fuel moisture and greater fire resistance.
- Landscaping and vegetation in this zone shall consist primarily of green lawns, ground covers, and adequately spaced shrubs and trees. The overall characteristics of the landscape shall provide adequate defensible space in a fire environment.
- Plants in Zone A shall be inherently highly fire resistant and spaced appropriately. Species selection shall be consistent with the Fuel Modification Plan Reference. Other species may be utilized subject to approval.
- Except for dwarf varieties or mature trees small to medium, trees are generally not recommended within Zone A.
- Target tree species (including but not limited to Tulepoplar, Pine, Juniper, Cypress, Cedar, Quercus, Island Date Palm, California Fan Palm, Mexican Fan Palm and Bougainvillea) shall not be allowed within 10 feet of combustible structures.
- Vines and climbing plants shall not be allowed on any combustible structure.

Zone B - Irrigated Zone

- Extends from the outermost edge of Zone A to 100 feet from structure.
- Irrigation by automatic or manual systems shall be provided to landscaping to maintain healthy vegetation with high fire fuel moisture and greater fire resistance.
- Landscaping and vegetation in this zone shall consist primarily of green lawns, ground covers, and adequately spaced shrubs and trees. The overall characteristics of the landscape shall provide adequate defensible space in a fire environment.
- Plants in Zone B shall be inherently highly fire resistant and spaced appropriately. Species selection should be made referencing the Fuel Modification Plan Reference. Other species may be utilized subject to approval.

Zone C - Native Brush Thinning Zone

- Extends from the outermost edge of Zone B to 200 feet from structure.
- Irrigation systems are not required for this zone. (Native plants are generally not compatible with regular, seasonal supplemental water)
- Landscaping and vegetation in this zone may consist of modified existing native plants, adequately spaced ornamental shrubs and trees, or both. There may also be replacement landscape planting with species to the minimum slope coverage requirements of City or County Public Works or Public & Planning Department. In all cases the overall characteristics of the landscape shall provide adequate defensible space in a fire environment. Existing native vegetation shall be maintained by thinning and removal of species constituting a high fire risk, including but not limited to laurel sumac, chamise, manzanita, sage, sage brush, buckwheat, and California Juniper. Please reference the Fuel Modification Plan Reference.
- Plant limbs shall be reduced by pruning up the leaves. 1/3 of remaining leaves or strike and removing dead wood. Native plants may be thinned by reduced amount as the distance from development plant.
- Plants in Zone C shall be spaced appropriately. Species selection should be made referencing the Fuel Modification Plan Reference. Other species may be utilized subject to approval.
- General spacing for existing native shrubs is 12 feet between canopies.
- General spacing for existing native trees is 20 feet between canopies.

- Extends 10 feet from the edge of any public or private roadway that may be used as access for fire-fighting apparatus or rescues.
- Clear and remove flammable growth for a minimum of 10 feet on each side of Fire Access Roads. (Fire Code 117.10)
- Fire access roads, driveways and surroundings shall be maintained in accordance with fire code. Fire Access Roads shall have unobstructed vertical clearance. (Fire Code 802.2.2.1)
- Landscaping and native plants within the 10-foot Fire Access Road Zone shall be appropriately spaced and maintained to provide safe egress in wildland fire environments.

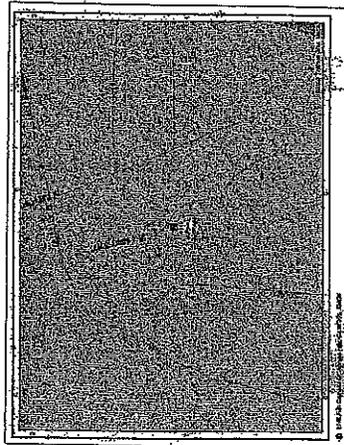
Maintenance

- Routine maintenance shall be regularly performed in all zones which require:
- Removal or thinning of undesirable combustible vegetation and replacement of dead or dying landscaping.
- Pruning and thinning to reduce overall fuel load and continuity with other fuels.
- Pruning lower branches of trees and non-form shrubs to 1/3 of their height (or 6 feet from lowest hanging branch) to help prevent fire from spreading upward into the crown.
- Ground covers shall be maintained at a height not to exceed 18 inches. Annual grasses and weeds shall be maintained at a height not to exceed 3 inches.
- Accumulated plant litter and dead wood shall be removed. Debris and trimmings produced by thinning and pruning should be removed from the site or chipped and evenly dispersed in the same area to a maximum depth of 2 inches.
- Manual and automatic irrigation systems shall be maintained for operational integrity and properly adjusted to regularly maintain a consistent level of moisture. Pruning and thinning following inspection by the Fire Department shall be required. Annual inspection are conducted following the annual drying of grasses and fire fuels, between the months of April and June depending on geographic region.
- Brush clearance enforcement issues on adjacent properties should be directed to the County of Los Angeles Fire Department's Brush Clearance Unit at (323) 969-2375.
- All future plantings shall be in accordance with the County of Los Angeles Fire Department Fuel Modification Guidelines and approved prior to installation.
- Questions regarding landscape planning and maintenance with regard to fire safety should be directed to the Fire Department's Fuel Modification Unit at (323) 969-5265.

Long-Term Maintenance Agreement

The property owner(s) agrees to be responsible for the long-term maintenance of this fuel modification plan, as described herein. Notification of Fuel Modification plan must be submitted to the Fuel Modification Unit for approval. Proposed changes to the Fuel Modification plan must be submitted to the Fuel Modification Unit for approval, prior to implementation. Failure to comply with the Fuel Modification Plan requirements may result in an Administrative Fine not to exceed \$1000 and possible legal action.

Name (Print) _____ Signature _____ Date _____
 Name (Print) _____ Signature _____ Date _____



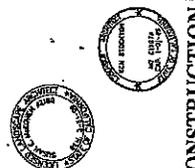
THE OFFICES OF
 SUSAN E. MADWEN
 LANDSCAPE ARCHITECTURE
 12701 BROADWAY
 CANYON, CA 91304
 661 354 3532

PROJECT NAME:
 LAMBURG RESIDENCE
 CUSTON RESIDENCE
 PALO COMADO, OLD AGOURA

PLANTING PLAN & FUEL MOD
 DRAWING SEAL
 DATE: 10.02.08
 SHEET NO. 101-101-101

KEN STOCKTON
 ARCHITECT
 1000 N. GARDEN ROAD, SUITE 410, CHANES CA 91304
 (661) 354-3532 FAX: (661) 354-3531

SHEET TITLE
 L-P2



NOT FOR CONSTRUCTION



**CONDITIONAL USE PERMIT - CASE NO. 03-CUP-016,
OAK TREE PERMIT - CASE NO. 03-OTP-017**

**FOR THE PROPERTY LOCATED AT
6149 PALO COMADO DRIVE, AGOURA HILLS**

EXHIBIT E

**Memoranda from the City Oak Tree/Landscape Consultant
&
the City Geological/Geotechnical Consultant**

Memo

To: Valerie Darbouze, City of Agoura Hills
From: Kay Greeley, Landscape and Oak Tree Consultant
Date: February 27, 2008
Re: 03-CUP-016 and 03-CUP-017 - Iamburg

I reviewed the following documents submitted with respect to the subject entitlement request:

- Response to Comments 4, prepared by Tree Life Concern Incorporated and dated November 20, 2007
- Grading Plan, prepared by Cal Civic Engineering as submitted January 11, 2008
- Addendum Report II, Percolation Tests and Proposed Private Sewage Disposal System Recommendations, prepared by MTC Engineering, Incorporated and dated May 24, 2007
- Architectural plans, prepared by Ken Stockton and dated December 24, 2007

The applicant responded to all requests for additional information. If the project is to proceed with approval as proposed, I recommend that the following conditions of approval be considered for the project:

Oak Trees

The Oak Tree Report addresses a total of twenty-two (22) oak trees. Eleven (11) of the oak trees are located within the subject site and the remaining eleven (11) oak trees are located off-site within the immediate vicinity. As shown on the attached table, one (1) of the subject trees would be removed and nine (9) of the trees would be encroached upon to accomplish grading, driveway and road improvements. The remaining twelve (12) trees will remain in place with no direct impacts anticipated.

1. The applicant is permitted to remove Oak Tree Number 22 if necessary to allow for widening and paving of Palo Comado Drive. This tree is located on the property located to the east of the applicant's property at 6149 Palo Comado Drive. It is the applicant's responsibility to obtain permission for their removal from the adjacent property owner. The City of Agoura Hills shall have no liability or responsibility in that regard.
2. The applicant is permitted to encroach within the protected zone of Oak Tree Numbers 1, 2, 10, 12, 13, 14, 15, 19, and 21 to complete the approved grading program and to install the paving and retaining walls shown on the approved grading plan.
3. The applicant is also permitted to prune Oak Tree Numbers 1, 2, 10, 12, 13, 14, 15, 19, and 21 as needed for vertical clearance over the Palo Comado Drive, the driveway and in areas where

grading is otherwise approved. The quantity of pruning on each tree shall be approved by the City Oak Tree and Landscape Consultant.

4. Oak Tree Numbers 3, 4, 5, 6, 7, 8, 9, 11, 16, 17, 18, and 20 shall be preserved in place with no direct impacts.
5. To mitigate the removal of Oak Tree Number 22, the applicant shall plant at least four (4) new Coast Live Oak (*Quercus agrifolia*) within the property. Said trees shall include a minimum of one (1) thirty-six inch (36") box-size tree, two (2) twenty-four inch (24") box-size trees and one (1) fifteen (15) gallon container-size tree. The planting locations shall be subject to review and approval by the City Oak Tree and Landscape Consultant.
6. The design of all retaining walls shall utilize a foundation, construction and drainage detail that minimizes the permitted encroachment into the protected zone of all oak trees, subject to final review and approval by the City Oak Tree and Landscape Consultant.
7. Prior to the start of any work or mobilization on the site, each oak tree to be preserved shall be fenced at the edge of the protected zone or otherwise 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 and installation prior to the start of work or mobilization on the site.
8. No grading, scarifying or other soil disturbance shall be permitted within any portion of the protected zone of any oak tree except as specifically permitted above.
9. 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 accomplish the approved encroachments.
10. All work performed within the protected zone of any oak tree shall be monitored by the project oak tree consultant. Forty-eight (48) hours notice shall be provided to the City Oak Tree Consultant prior to the start of any such work. Contact the City Oak Tree Consultant at (818) 597-7350.
11. All excavation within the protected zone of any oak tree shall be performed using only hand tools under the direct supervision of the applicant's oak tree consultant or the City Oak Tree Consultant. Light construction equipment may be utilized with prior approval of the City Oak Tree Consultant.
12. Prior to occupancy, each oak tree shall be mulched throughout the dripline with three inches (3") of approved organic matter.
13. No irrigation or planting shall be installed within the dripline of any oak tree unless specifically approved by the City Oak Tree and Landscape Consultant.
14. 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.
15. All 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.
16. 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.

17. The applicant shall also comply with all recommendations contained in the Oak Tree Report and addenda as prepared by Tree Life Concern, Inc.
18. 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

19. The final landscape plan shall generally conform to the approved preliminary landscape plan, as prepared by Susan E. McEowen, Landscape Architect.
20. Prior to the approval of grading permits, the applicant shall submit three (3) sets of landscape plans meeting the following requirements:
 - a. A California-licensed landscape architect shall prepare, stamp and sign the plans.
 - b. All plans shall be legible and clearly drawn.
 - c. Plans shall not exceed thirty inches (30") by forty-two inches (42") in size. Plans shall be a minimum of twenty-two inches (22") by thirty-six inches (36") in size.
 - d. A true north arrow and plan scale shall be noted. The scale shall be no smaller than one inch equals twenty feet (1"=20'), unless approved by the City Landscape Consultant.
 - e. A title block shall be provided, indicating the names, addresses and telephone numbers of the applicant and landscape architect.
 - f. The project identification number shall be shown on each sheet.
 - g. The plans shall accurately and clearly depict the following existing and proposed features:
 - Landscape trees, shrubs, ground cover and any other landscaping materials
 - Property lines
 - Streets, street names, right-of-ways, easements, driveways, walkways, bicycle paths, and any other paved areas
 - Buildings and structures
 - Parking areas, including lighting, striping and wheel stops
 - General contour lines
 - Grading areas, including tops and toes of slopes
 - Utilities, including street lighting and fire hydrants
 - Natural features, including watercourses, rock outcroppings
21. The Planting Plan shall indicate the botanical name and size of each plant.
22. Plant symbols shall depict the size of the plants at maturity.

23. Plant container sizes and/or spacing shall be provided. Minimum sizes shall be acceptable to the City Landscape Consultant and the Director.
24. The Irrigation Plan shall be provided separate from but utilizing the same format as the Planting Plan.
25. 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.
26. 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
27. 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.
28. 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
29. Native, drought resistant plants shall be utilized on all slopes in accordance with the Old Agoura Design Overlay District requirements.
30. All landscaping shall be irrigated and maintained in perpetuity in accordance with the approved Landscape Plan.
31. Proposed plant material may not be considered invasive in the Santa Monica Mountains, as it could negatively impact the adjacent natural area. Lists of exotic material can be obtained from the California Native Plant Society and/or the California Exotic Pest Plant Council.

Please advise should there be any comments or questions.

Attachment: Oak Tree Impact Analysis

**OAK TREE IMPACT ANALYSIS
03-CUP-006 - IAMBURG**

Tree#	Health	Trunk Diameter (inches)								Total	Protected Zone (sq ft)	Impact				Canopy	%	Comments
		Trunk 1	Trunk 2	Trunk 3	Trunk 4	Trunk 5	None	Remove	Encroach			Trunk						
1	A	18	17						35	2,043		X			300	15%	Road paving, grading	
2	A	16	16	13					45	2,757		X			700	25%	Road paving, grading	
3	A	5	4	3					12	707	X				0	0%		
4	A	3	3	2					8	707	X				0	0%		
5	A	13	10	9	8	1			41	1,225	X				0	0%		
6	B	12	11	7					30	1,149	X				0	0%		
7	C	12	11	10	8				41	1,753	X				0	0%		
8	C	7							7	804	X				0	0%		
9	B	14	12	9					35	1,210	X				0	0%		
10	A	26							26	2,376		X			350	15%	Driveway, grading	
11	B	7	6	4	3				20	868	X				0	0%		
12	A	17	14	14					45	1,963		X			400	20%	Driveway	
13	B	15							15	1,164		X			125	11%	Driveway	
14	A	28	27						55	4,447		X			700	16%	Driveway	
15	C	25	20	15					60	2,619		X			300	11%	Grading	
16	A	5	2	1					8	707	X				0	0%		
17	A	10	9						19	731	X				0	0%		
18	A	28							28	3,019	X				0	0%		
19	A	37	23						60	4,015		X			200	5%	Grading	
20	A	15	14	11					40	2,185	X				0	0%		
21	B	20							20	2,851		X			150	5%	Road paving, grading	
22	A	8							8	707		X			225	32%	Road paving, grading	
Total									658	40,009	12	1	9	8	3,150	8%		

Date: March 21, 2007
GDI #: 06.00103.0109

CITY OF AGOURA HILLS - GEOTECHNICAL REVIEW SHEET

To: Valerie Darbouze

Project Location: 6149 Palo Comado Drive, Agoura Hills, California.

Planning Case #: 03-CUP-016/03-OTP-017/lamburg

Building & Safety #: None

Geotechnical Report: MTC Engineering, Inc. (2007), "Addendum Report III, Proposed Two-Story Residential Building with Retaining Walls, 6149 Palo Comado Dr. (Tentative Parcel No. 8524, Portion of Lot 7 of L. S. 25-33), Agoura Hills, California," Project Number 369-10-1SGA4, dated February 6, 2007.

MTC Engineering, Inc. (2004), "Addendum Report I, Proposed Two-Story Residential Building with Retaining Walls, 6149 Palo Comado Dr. (Tentative Parcel No. 8524, Portion of Lot 7 of L. S. 25-33), Agoura Hills, California," Project Number 369-10-1SGA, dated October 7, 2003.

MTC Engineering, Inc. (2003), "Preliminary Soils and Geologic Engineering Investigation, Proposed Two-Story Residential Building and Retaining Walls, North of 6145 Palo Comado Dr. (Tentative Parcel No. 8524, Portion of Lot 7 of L. S. 25-33), Agoura Hills, California," Project Number 369-10-1SG, dated August 25, 2003.

Plans: Calcivic Engineering Group (2003), Grading Plan, Fairview Place & Palo Comado Drive, Agoura Hills", 16-scale, dated July 7, 2003.

Previous Reviews: October 10, 2003, November 15, 2004 and December 27, 2006).

FINDINGS

Planning/Feasibility Issues

Acceptable as Presented

Response Required

Geotechnical Report

Acceptable as Presented

Response Required

REMARKS

MTC Engineering, Inc. (Consultant) provided a response to the City of Agoura Hills geotechnical review letter dated December 27, 2006 regarding the proposed two-story, single-family residence with an attached three-car garage, retaining walls, and grading at the subject site. The City of Agoura Hills – Planning Department reviewed the above referenced reports from a geotechnical perspective for compliance with applicable codes, guidelines, and standards of practice. The review was performed by GeoDynamics, Inc. (GDI), the geotechnical consultants of the City. Based upon the City's review, the referenced reports are acceptable as presented with regard to planning and feasibility issues. We recommend the Planning Commission consider approval of Case # 03-CUP-016. Plan-Check comments should be addressed in Building & Safety Plan Check, and a separate geotechnical submittal is not required for plan-check comments.

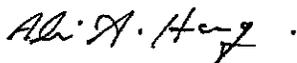
Plan-Check Comments

1. The name, address, and phone number of the Project Geotechnical Consultant and a list of all the applicable geotechnical reports shall be included on the building/grading plans.

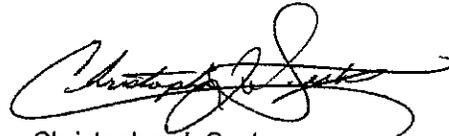
2. The following note must appear on the grading and foundation plans: *"Tests shall be performed prior to pouring footings and slabs to determine the expansion index of the supporting soils. If the expansion index is greater than 20, foundation and slab plans should be revised accordingly."*
3. The following note must appear on the grading and foundation plans: *"Excavations shall be made in compliance with CAL/OSHA Regulations."*
4. The following note must appear on the foundation plans: *"All foundation excavations must be observed and approved, in writing, by the Project Geotechnical Consultant prior to placement of reinforcing steel."*
5. Foundation plans and foundation details shall clearly depict the embedment material and minimum depth of embedment for the foundations.
6. Drainage plans depicting all surface and subsurface non-erosive drainage devices, flow lines, and catch basins shall be included on the building plans.
7. Final grading, drainage, and foundation plans shall be reviewed, signed, and wet stamped by the project geotechnical consultant.
8. Provide a note on the grading and foundation plans that states: *"An as-built report shall be submitted to the City for review. This report prepared by the Geotechnical Consultant must include documentation of any foundation inspections, the results of all compaction tests as well as a map depicting the limits of fill, locations of all density tests, outline and elevations of all removal bottoms, keyway locations and bottom elevations, locations of all subdrains and flow line elevations, and location and elevation of all retaining wall backdrains and outlets. Geologic conditions exposed during grading must be depicted on an as-built geologic map."*

If you have any questions regarding this review letter, please contact GDI at (805) 496-1222.

Respectfully Submitted,
GeoDynamics, INC.



Ali Abdel-Haq
Geotechnical Engineering Reviewer
GE 2308 (exp. 12/31/07)



Christopher J. Sexton
Engineering Geologic Reviewer
CEG 1441 (exp. 11/30/08)



**CONDITIONAL USE PERMIT - CASE NO. 03-CUP-016,
OAK TREE PERMIT - CASE NO. 03-OTP-017**

**FOR THE PROPERTY LOCATED AT
6149 PALO COMADO DRIVE, AGOURA HILLS**

EXHIBIT F

Environmental Categorical Exemption

Notice of Exemption

To: [] Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, Ca 95814

From: City of Agoura Hills
30001 Ladyface Court
Agoura Hills, CA 91301

[] County Clerk
County of Los Angeles
Los Angeles County Clerk
12400 E. Imperial Hwy.
Norwalk, CA 90659

Project Title: Sean Ben-Menahem Single Family Residence Addition (Case Nos. 03-SPR-016 & 03-OTP-017)

Project Location-Specific: 6149 Palo Comado (APN 2055-023-073)

Project Location-City: City of Agoura Hills

Project Location-County: Los Angeles

Description of Nature, Purpose, and Beneficiaries of Project: A Conditional Use Permit Case No. 03-CUP-016 and Oak Tree Permit 03-OTP-017 to build a 4,880 square-foot, two-story, single-family residence with a 463 square-foot 2-car garage with 100 square feet of covered patio and 125 square feet of balconies/deck on a 49,326 square-foot hillside vacant lot.

An Oak Tree Permit is required to review impacts on 22 oak trees. The request is to remove 1 oak tree and encroach in the protected zone of 9 others.

Name of Public Agency Approving Project: City of Agoura Hills

Name of Person or Agency Carrying Out Project: Sean Ben-Menahem

Exempt Status: (Check One)

- Ministerial (14 Cal Code of Regs. Sec. 15268);
- Declared Emergency (14 Cal Code of Regs. Sec. 15269(a))
- Emergency Project (14 Cal Code of Regs. Sec. 15269(b),(c), (d) and (e)). State subsection letter
- Statutory Exemption (14 Cal. Code of Regs. Sections 15260 et seq.) State Statutory Number
- Categorical Exemption (14 Cal Code of Regs. Sections 15300 et seq.) State of California CEQA Guidelines Section 15301, Class 1 (e). Existing Facilities.
- No possibility of physical impact. (14 Cal Code of Regs. Section 15061 (b)(3))

Reasons why project is exempt: The project is the construction of a single-family residence in a permitted zone. The project would not result in any significant environmental impacts. The project site is not within: 1) an environmentally sensitive resource area; 2) a state designated scenic highway area; 3) a hazardous waste site; or 4) an historical resource area.

Lead Agency Contact Person: Valerie Darbouze, City of Agoura Hills

Area Code/Telephone/Extension: (818) 597-7328

Signature:  Date: 3/13/08 Title: Associate Planner



**CONDITIONAL USE PERMIT - CASE NO. 03-CUP-016,
OAK TREE PERMIT - CASE NO. 03-OTP-017**

**FOR THE PROPERTY LOCATED AT
6149 PALO COMADO DRIVE, AGOURA HILLS**

EXHIBIT E

Vicinity/Zoning Map

(December 18, 2008 Meeting)

CONDITIONAL USE PERMIT - CASE NO. 03-CUP-016
OAK TREE PERMIT - CASE NO. 03-OTP-017

Vicinity/Zoning Map





**CONDITIONAL USE PERMIT - CASE NO. 03-CUP-016,
OAK TREE PERMIT - CASE NO. 03-OTP-017**

**FOR THE PROPERTY LOCATED AT
6149 PALO COMADO DRIVE, AGOURA HILLS**

EXHIBIT F

**Color and Materials Board
&
Renderings**

(December 18, 2008 Meeting)

Color and Materials Board
(Case No. 03-CUP-016 & Case No. 03-OTP-017)

BEN-MENAHM
MATERIAL BOARD

EXTERIOR STUCCO

SMOOTH SAND
DUNN EDWARDS—BISQUE TAN—DE6157

FASCIA, TRIM & SHUTTERS

DUNN EDWARDS—TAN PLAN—DE6137

ROOF MATERIAL

EAGLE ROOFING—CAMINO REAL
SAN GABRIEL

STONE VENEER

EL DORADO STONE
BELLA—COUNTRY RUBBLE

WROUGHT IRON

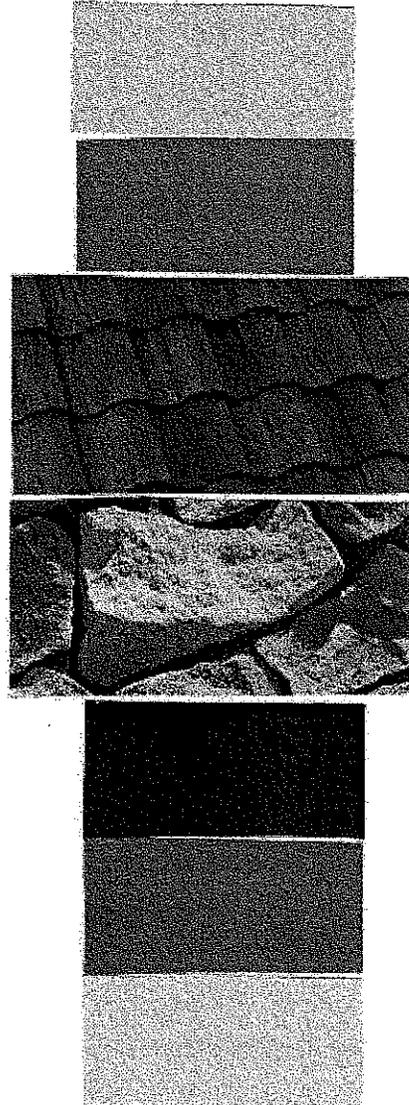
DUNN EDWARDS—BLACK BAY—DEA188

ALUMINUM GUTTERS

DUNN EDWARDS—TAN PLAN—DEA6137

WINDOWS AND FRENCH DOORS

ANDERSON 200 & 400 SERIES
ALMOND



December 18, 2008 Meeting

