



Los Angeles County
Department of Regional Planning



Planning for the Challenges Ahead

James E. Hartl AICP
Director of Planning

May 8, 2006

Tape Footage 1,020

Honorable Board of Supervisors
County of Los Angeles
Kenneth Hahn Hall of Administration, Room 383
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

**LOCAL PLAN AMENDMENT CASE NO. 04-031-(3)
ZONE CHANGE CASE NO. 04-031-(3)
CONDITIONAL USE PERMIT CASE NO. 04-031-(3)
PARKING PERMIT CASE NO. 04-031-(3)
VESTING TENTATIVE TRACT MAP NO. 060127
PETITIONER: LAWRENCE DINOVI
24121 AND 24141 VENTURA BOULEVARD
CALABASAS, CA 91302
THE MALIBU ZONED DISTRICT
THIRD SUPERVISORIAL DISTRICT (3-VOTE)**

IT IS RECOMMENDED THAT THE BOARD AFTER THE PUBLIC HEARING:

1. Consider the Mitigated Negative Declaration for Local Plan Amendment Case No. 04-031-(3), Zone Change Case No. 04-0341-(1), Conditional Use Permit Case No. 04-031-(3), Parking Permit Case No. 04-031-(3) and Vesting Tentative Tract Map No. 061027, together with any comments received during the public review process, find on the basis of the whole record before the Board that there is no substantial evidence the project will have a significant effect on the environment, find that the project is *de minimus* in its effect on fish and wildlife services, find that the Mitigated Negative Declaration reflects the independent judgment and analysis of the Board, and adopt the Mitigated Negative Declaration.
2. Instruct County Counsel to prepare the necessary documents to approve Local Plan Amendment Case No. 04-031-(3) and Zone Change Case No. 04-031-(3), as recommended by the Regional Planning Commission.
3. Instruct County Counsel to prepare the necessary findings to affirm the Regional Planning Commission's approval of Conditional Use Permit Case No. 04-031-(3),

Honorable Board of Supervisors
Local Plan Amendment Case No. 04-031-(3)
Zone Change Case No. 04-031-(3)
Conditional Use Permit Case No. 02-202-(1)
Parking Permit Case No. 04-031-(3)
Vesting Tentative Tract Map No. 061027

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Parking Permit Case No. 04-031-(3) and Vesting Tentative Tract Map No. 061027.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

- Update the zoning on the subject property to allow the property owner to develop the property with a single-family residential project that is compatible with the existing surrounding uses.
- Establish development standards that ensure future development on the subject property will be compatible with the goals and policies of the Santa Monica Mountains North Area Plan, a component of the Los Angeles Countywide General Plan.

Implementation of Strategic Plan Goals

The County's Strategic Plan goal of service excellence is achieved through the accurate and expedited processing of the affordable housing project. The proposed plan amendment, zone change, conditional use permit, parking permit and vesting tentative tract map promote the goal of fiscal integrity because the proposed residential development will increase the county's revenue base.

The plan amendment, zone change, conditional use permit, and vesting tentative tract map also promote the County's vision for improving the quality of life in Los Angeles County. The project allows for the provision of critically needed senior housing.

FISCAL IMPACT/FINANCING

Adoption of the proposed plan amendment and zone change as well as approval of the conditional use permit, parking permit and vesting tentative tract map should not result in any new significant costs to the County or to the Department of Regional Planning; no request for financing is made.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

On October 19, 2005, the Regional Planning Commission conducted concurrent public hearings on Local Plan Amendment, Zone Change, Conditional Use Permit and Parking Permit Case Nos. 04-031-(3) and Vesting Tentative Tract Map No. 061027. The requests before the Commission were: 1) plan amendment from Commercial ("C") to Residential 8 ("U8"); 2) zone change from CPD (Commercial Planned Development) and

**Honorable Board of Supervisors
Local Plan Amendment Case No. 04-031-(3)
Zone Change Case No. 04-031-(3)
Conditional Use Permit Case No. 02-202-(1)
Parking Permit Case No. 04-031-(3)
Vesting Tentative Tract Map No. 061027**

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M-1 (Light Manufacturing) to RPD-5,000-8U (Residential Planned Development; 3) a conditional use permit to authorize a density bonus for the senior housing project and ensure compliance with the RPD zone; 4) parking permit to authorize offsite and reciprocal parking facilities with the adjacent commercial office building; and 5) a vesting tentative map to create one multi-family lot with 66 attached condominium units in one building on 5.63 gross acres. The Regional Planning Commission voted 4-0 (Helsley absent) at its February 1, 2006 meeting to recommend approval of the requested plan amendment and zone change, and to approve the conditional use permit, parking permit and vesting tentative tract map.

Pursuant to subsection C of Section 21.56.010 and subsection B.2 of Section 22.60.230 of the Los Angeles County Code ("County Code"), the conditional use permit, parking permit and vesting tentative tract map are deemed to be called for review/appealed by your Board and shall be considered concurrently with the recommended plan amendment and zone change. A public hearing is required pursuant to Sections 22.16.200 and 22.60.240 of the County Code and Sections 65856 and 66452.5 of the Government Code. Notice of the hearing must be given pursuant to the procedures set forth in Section 22.60.174 of the County Code. These procedures exceed the minimum standards of Government Code Sections 6061, 65090 and 65856 relating to notice of public hearing.

ENVIRONMENTAL DOCUMENTATION

An Initial Study was prepared for this project in compliance with the California Environmental Quality Act ("CEQA") (Public Resources Code Section 21000 et.seq.), the State CEQA Guidelines, and the environmental document reporting procedures and guidelines of the County of Los Angeles. The Initial Study identified potentially significant effects of the project on flood, noise, water quality, air quality, biota, cultural resources, visual qualities, traffic/access, education, fire/sheriff, utilities and mandatory findings. Prior to the release of the proposed Mitigated Negative Declaration and Initial Study for public review, the applicant made or agreed to revisions in the project that would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur.

Based on the Mitigated Negative Declaration, adoption of the proposed plan amendment and zone change, and approval of the conditional use permit, parking permit and vesting tentative tract map will not have a significant effect on the environment with implementation of the proposed mitigation measures in the Mitigation Monitoring Program.

Honorable Board of Supervisors
Local Plan Amendment Case No. 04-031-(3)
Zone Change Case No. 04-031-(3)
Conditional Use Permit Case No. 02-202-(1)
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IMPACT ON CURRENT SERVICES OR (OR PROJECTS)

Action on the proposed local plan amendment, zone change, conditional use permit, parking permit and vesting tentative tract map is not anticipated to have a negative impact on current services.

Respectfully Submitted,

DEPARTMENT OF REGIONAL PLANNING
James E. Hartl, AICP, Acting Director of Planning



Frank Meneses, Administrator
Current Planning Division

FM:SMT:st

Attachments: Commission Resolution; Findings and Conditions; Commission Staff Report and Correspondence; Vesting Tentative Tract Map, Exhibit "A"

C: Chief Administrative Officer
County Counsel
Assessor
Director, Department of Public Works

**A RESOLUTION OF THE REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES
RELATING TO LOCAL PLAN (SUB-PLAN) AMENDMENT CASE NO. 04-031-(3)**

WHEREAS, Article 6 of Chapter 3 of Division 1 of Title 7 of the Government Code of the State of California (commencing with Section 65350) provides for adoption of amendments to county general plans; and

WHEREAS, the Regional Planning Commission of the County of Los Angeles conducted a public hearing regarding Local Plan (Sub-Plan) Amendment Case No. 04-031-(3), Zone Change Case No. 04-031-(3), Vesting Tentative Tract Map No. 061027, Conditional Use Permit Case No. 04-031-(3) and Parking Permit Case No. 04-031-(3) on October 19, 2005; and

WHEREAS, the Regional Planning Commission ("Commission") finds as follows:

1. The subject site is located at 24121 and 24141 Ventura Boulevard in The Malibu Zoned District.
2. The irregularly-shaped property is 5.63 gross acres (5.52 net acres) in size in an existing graded condition with level topography.
3. Access to the proposed development is provided by Ventura Boulevard, a 70-foot wide dedicated street.
4. Local Plan Amendment Case No. 04-031-(3) is a request to amend the Santa Monica Mountains North Area Plan Land Use Policy Map to change 5.52 net acres of the site from Commercial ("C") to Residential 8 ("U8").
5. Local Plan Amendment Case No. 04-031-(3) was heard concurrently with Zone Change Case No. 04-031-(3), Vesting Tentative Tract Map No. 061027, Conditional Use Permit Case No. 04-031-(3) and Parking Permit Case No. 04-031-(3) at the October 19, 2005 public hearing
6. Zone Change Case No. 04-031-(3) is a related request to authorize change of zone from 5.06 net acres of CPD (Commercial Planned Development) and 0.46 net acres of M-1 (Light Manufacturing) to 5.52 net acres of RPD-5,000-8U (Residential Planned Development-5,000 Square Feet Minimum Required Lot Area-Eight Dwelling Units per Net Acre). The Planned Development designation will ensure that development occurring after rezoning will conform to approved plans and will ensure compatibility with the surrounding area. As applied in this case, the conditional use permit will restrict the development of the rezoned site to the proposed residential development as shown on the site plan marked "Exhibit A." No other development will be permitted on the property unless a new conditional use permit is first obtained.

7. Vesting Tentative Tract Map No. 061027 is a related request to create one multi-family residential lot with 66 new attached single-family condominium units in one building on 5.63 gross acres.
8. Conditional Use Permit Case No. 04-031-(3) is a related request to authorize the proposed 22-unit density bonus and concessions for affordable housing pursuant to Section 22.20.460, ensure compliance with the RPD zoning pursuant to Section 22.56.202, and grading provisions within the Santa Monica Mountains North Area Community Standards District ("CSD") pursuant to Section 22.44.133 of the Los Angeles County Code ("County Code). The applicant is requesting concessions including the following:
 - a. Modification of the maximum permitted wall height of three-and-one-half (3½) feet in the front yard setback to allow a four-and-one-half-foot (4½-foot) high masonry wall, as depicted on the tentative tract map and/or Exhibit "A,"
 - b. Modification of the maximum permitted wall height of six (6) feet in the side yard to allow maximum 10-foot high wall, as depicted on the tentative tract map and/or Exhibit "A," and
 - c. Modification of the maximum permitted building height of 35 feet within the RPD zone to allow a maximum 60-foot high building height at the southeast corner of the subject property, as depicted on the tentative tract map and/or Exhibit "A."
9. Parking Permit Case No. 04-031-(3) is a related request to authorize offsite and reciprocal parking facilities with the adjacent commercial building to the east.
10. Approval of the vesting tentative tract map, conditional use permit and parking permit will not become effective unless and until the Los Angeles County Board of Supervisors ("Board of Supervisors") has approved the proposed local plan amendment and adopted an ordinance effecting the proposed change of zone, and such ordinance has become effective.
11. The applicant's site plan, labeled as "Exhibit A," depicts a 5.52-acre irregular-shaped parcel developed with 66 attached senior condominium units in one building. The building reaches a maximum height of 60 feet at the southeast corner of the subject property, and is composed of six levels (three levels of residential above three levels of parking). Each proposed unit, ranging from approximately 1,800 to 4,000 square feet, will be provided with a minimum of two covered parking spaces. The project also provides 64 guest parking spaces within the three parking levels and has filed a parking permit for offsite and reciprocal

parking facilities with the adjacent commercial building to the east. The development provides a total of 239 parking spaces. Separate ingress and egress to the parking area is provided directly from Ventura Boulevard with a private driveway and fire lane for emergency access along the western and northern building edge. Recreational areas total approximately 0.74 acres; a draft landscape plan also depicts tropical planting with water features, outdoor furniture and amenities including barbecue areas, cabanas, sunning deck and two-sided fireplace.

12. The property is depicted in the Commercial (“C”) land use category of the Santa Monica Mountains North Area Plan (“North Area Plan”), a component of the Los Angeles Countywide General Plan (“General Plan”). Residential development is not permitted within the C land use category. The project proposes a plan amendment from C to Residential 8 (“U8”) which allows eight dwelling units per net acre. The proposed 66 dwelling units exceed the maximum 44 dwelling units permitted by the proposed U8 land use category for residential development. However, the North Area Plan supports the provision of needed senior housing and emphasizes the density bonus to promote such development, reflecting the following policies in guiding review and approval of affordable housing projects, which includes senior housing:
 - a. convenient access to public transportation shall be available;
 - b. traffic impacts of high density development shall be avoided; and
 - c. affordable housing, which is defined to include senior housing, shall be dispersed throughout the urban designated county areas.
13. The project is located near major thoroughfares with public transportation options including access to the shuttle services provided by the City of Calabasas. Traffic impacts of higher density will also be avoided by the development of the site as a senior residential development. The Santa Monica Mountains provide limited areas for compatible, higher density development, of which one location is the subject property. As provided by the applicant, housing options in the area are limited to single-family detached and rental housing. No projects in the area propose senior housing as condominiums.
14. The project site is currently zoned CPD which was established by Ordinance No. 900104-Z and became effective on August 30, 1990; and M-1 which was established by Ordinance No. 7590 and became effective on August 25, 1959. The project proposes a zone change to RPD-5,000-8U.

15. Surrounding zoning includes A-2-1 (Heavy Agricultural – One Acre Minimum Required Lot Area) to the north; M-1 to the east; CPD to the south; and CPD, A-2-2 (Heavy Agricultural – Two Acre Minimum Required Lot Area) and O-S (Open Space) to the west. The City of Calabasas is located to the south of the subject property.
16. The subject property consists of one vacant lot. Surrounding uses include single-family residences and offices to the north; offices, gas station and auto sales to the east; the Ventura (US-101) Freeway and vacant property to the south; and offices, vacant property and a water tank to the west. The City of Calabasas is located to the south of the subject property.
17. The project is consistent with the proposed RPD-5,000-8U zoning classification. Residential planned development is permitted in the RPD zone pursuant to Section 22.20.460 of the Los Angeles County Code (“County Code”). The proposed density of 66 dwelling units exceeds the maximum 44 dwelling units permitted by the RPD-5,000-8U zoning. However, the applicant has requested a conditional use permit (“CUP”) to authorize concessions, including a density bonus, pursuant to Section 22.56.202 of the County Code, which increases the maximum density permitted to 66 dwelling units. The applicant has also requested a CUP for residential planned development pursuant to Section 22.56.020 of the County Code, which allows for greater flexibility in design while promoting residential amenities beyond those expected under conventional development.
18. Of the project total 66 dwelling units, the applicant proposes that 33 dwelling units be set aside for seniors to qualify for the density bonus. The applicant voluntarily proposes that all units be for residents 55 and older.
19. The project site is approximately 5.52 net acres, meeting the minimum five-acre requirement to qualify for a residential planned development. The project provides the minimum 30 percent required open space for a residential planned development, with an open space easement of 1.69 acres and an additional 0.74 acres of recreational area totaling 2.63 acres (approximately 44 percent).
20. The development’s parking facilities will be shared by the condominium development and the adjacent commercial buildings to the east. A total of 239 parking spaces are provided, with 199 parking spaces reserved for the residential units (including 64 guest parking spaces). A total 40 parking spaces are provided and reserved for the adjacent commercial use with separate garage entrance.
21. During the October 19, 2005 public hearing, the Commission heard a presentation from staff and testimony from the applicant as well as the public.

22. Seven comment letters were submitted to the Commission. Four letters were in opposition to the project, with concerns related to high density, zone change, loss of privacy, increase in traffic, lack of adequate buffer landscaping, potential loss of property values, and environmental concerns. Letters received each from the Las Virgenes Municipal Water District, Las Virgenes Unified School District and the City of Calabasas describe improvements by the applicant if the existing water main is found to be insufficient, mitigation fees that were found to be adequate for the senior development, and support of the project with the additional traffic mitigation measures agreed to by the applicant, respectively.
23. Six persons testified at the public hearing: two representing the applicant, and four in opposition to the project. Additional issues raised during the public hearing included concerns related to lack of public notice and request for 30-day continuance and opportunity to review the environmental document; additional noise pollution; insufficient mitigation measures to mitigate impacts related to traffic, density and noise; and request for restriction to commercial use.
24. The applicant responded that residential traffic is less than commercial traffic, and the project was redesigned with access from Ventura Boulevard to minimize impacts to residents on Parkway Calabasas. The applicant also offered to provide additional landscaping on the adjacent property owner's private property as well as worked with the Los Angeles County Fire Department for the location of the fire lane to maximize space between the development and adjacent property owner. An acoustical engineer was also hired to mitigate freeway noise within the residential development.
25. The Commission held discussions regarding no grading prior to the recordation of the final map, and that no major changes be permitted to the tentative map that would substantively alter the project design and/or require a revised tentative map. The Commission also asked that staff clarify mitigation measures to address requested building materials as well as acknowledged the need for senior housing and the appropriateness of the project location for such development.
26. After hearing all testimony, the Commission closed the public hearing and indicated their intent to adopt the Mitigated Negative Declaration; approve Vesting Tentative Tract Map No. 061027, Conditional Use and Parking Permit Case Nos. 04-031-(3); and recommend to the Los Angeles County Board of Supervisors approval of Local Plan Amendment and Zone Change Case Nos. 04-031-(3).
27. Minor technical changes were required of the tentative map and/or Exhibit "A." Staff recommended that the revised tentative map and Exhibit "A," including corrections to the proposed zoning label and additional labels for building and wall

heights, be submitted for review by the Los Angeles County Subdivision Committee ("Subdivision Committee") before final action by the Commission.

28. The applicant submitted the maps with requested changes to the Subdivision Committee, as depicted on the tentative map and Exhibit "A" dated November 3, 2005. The Subdivision Committee reviewed the project, and provided conditions recommended for approval.
29. The proposed use is required to comply with the development standards of the RPD zone and the Santa Monica Mountains North Area CSD pursuant to Sections 22.20.460 and 22.44.133 of the County Code, except as otherwise modified by Conditional Use Permit Case No. 04-031-(3).
30. The plan amendment is consistent with the goals and policies of the North Area Plan, a component of the General Plan. The project increases the supply and diversity of housing and promotes the efficient use of land through a more concentrated pattern of urban development.
31. The technical and engineering aspects of the project have been resolved to the satisfaction of the Los Angeles County Departments of Public Works, Forester and Fire Warden, Parks and Recreation, Health Services and Regional Planning.
32. The subject property is of adequate size and shape to accommodate the yards, walls, fences, parking, landscaping and other accessory structures, as shown on the site plan and Vesting Tentative Tract Map No. 061027.
33. Compatibility with surrounding land uses will be ensured through the related zone change, subdivision, conditional use permit, parking permit, and environmental conditions.
34. There is no evidence that the proposed project will be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the project site.
35. The recommended plan amendment will not place an undue burden upon the community's ability to provide necessary facilities and services, as outlined in the preceding findings of fact and environmental documentation.
36. Approval of the recommended plan amendment is in the public interest, specifically in the interest of public health, safety, and general welfare, and is in conformity with good planning practices.

37. The recommended plan amendment is consistent with the goals, policies and programs of the North Area Plan and General Plan, particularly with respect to the provision of senior housing.
38. Approval of the recommended plan amendment will enable implementation of the various land use objectives identified, including location of higher-density residential development near local shopping and public transit along the Ventura (US-101) Freeway.
39. Adoption of the proposed local plan amendment will enable the development of the subject property as proposed.
40. The applicant in this case has satisfied the "Burden of Proof" for the requested Local Plan Amendment which is needed and appropriate.
41. An Initial Study was prepared for this project in compliance with the California Environmental Quality Act (Public Resources Code Section 21000 et. seq.) ("CEQA"), the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines of the County of Los Angeles. The Initial Study identified potentially significant effects of the project on flood, noise, water quality, air quality, biota, cultural resources, visual qualities, traffic/access, education, fire/sheriff, utilities and mandatory findings. Prior to the release of the proposed Mitigated Negative Declaration and Initial Study for public review, the applicant made or agreed to revisions in the project that would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur. The Initial Study and project revisions showed that there is no substantial evidence, in light of the whole record before the Commission, that the project as revised may have a significant effect on the environment. Based on the Initial Study and project revisions, a Mitigated Negative Declaration has been prepared for this project. Conditions or changes in the proposed project are necessary in order to ensure the proposed project will not have a significant effect on the environment, and such conditions or changes have been included in the Mitigation Monitoring Program.
42. After consideration of the attached Mitigated Negative Declaration and Mitigation Monitoring Program together with any comments received during the public review process, the Commission finds on the basis of the whole record before the Commission that there is no substantial evidence the project as revised will have a significant effect on the environment, finds the Mitigated Negative Declaration reflects the independent judgment and analysis of the Commission, and adopts the Mitigated Negative Declaration and attached Mitigation Monitoring Program.

43. This project is *de minimus* in its effect on fish and wildlife resources. Therefore, the project is exempt from California Department of Fish and Game fees pursuant to Section 711.4 of the California Fish and Game Code.
44. The location of the documents and other materials constituting the record of proceedings upon which the Commission's decision is based in this matter is the Department of Regional Planning ("Regional Planning"), 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Land Divisions Section, Regional Planning.

NOW, THEREFORE BE IT RESOLVED that the Regional Planning Commission of the County of Los Angeles recommends that the Los Angeles County Board of Supervisors:

1. Hold a public hearing to consider the above recommended local plan amendment; and
2. Certify that the Mitigated Negative Declaration has been completed in compliance with the California Environmental Quality Act, and the State and County Guidelines related thereto and reflects the independent judgment of the Board of Supervisors; and
3. Approve the Mitigated Negative Declaration prepared for the project and certify that it has reviewed and considered the information contained therein; and
4. Approve and adopt the Mitigation Monitoring Program for the proposed project, incorporated in the Mitigated Negative Declaration, and pursuant to Section 21081.6 of the Public Resources Code, find that the Mitigation Monitoring Program is adequately designed to ensure compliance with the mitigation measures during project implementation; and
5. Find that the recommended local plan amendment is consistent with the goals, policies and programs of the Santa Monica Mountains, a component of the Los Angeles Countywide General Plan; and
6. Adopt Local Plan Amendment Case No. 04-031-(3) amending the Land Use Policy map of the Santa Monica Mountains North Area Plan as depicted on the Exhibit attached hereto and described hereinabove.

I hereby certify that the foregoing was adopted by a majority of the voting members of the Regional Planning Commission of the County of Los Angeles on February 1, 2006.



Rosie O. Ruiz, Secretary
County of Los Angeles
Regional Planning Commission

**A RESOLUTION OF THE REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES
RELATING TO ZONE CHANGE CASE NO. 04-031-(3)**

WHEREAS, the Regional Planning Commission of the County of Los Angeles conducted a public hearing regarding Local Plan (Sub-Plan) Amendment Case No. 04-031-(3), Zone Change Case No. 04-031-(3), Vesting Tentative Tract Map No. 061027, Conditional Use Permit Case No. 04-031-(3) and Parking Permit Case No. 04-031-(3) on October 19, 2005; and

WHEREAS, the Regional Planning Commission ("Commission") finds as follows:

1. The subject site is located at 24121 and 24141 Ventura Boulevard in The Malibu Zoned District.
2. The irregularly-shaped property is 5.63 gross acres (5.52 net acres) in size in an existing graded condition with level topography.
3. Access to the proposed development is provided by Ventura Boulevard, a 70-foot wide dedicated street.
4. Zone Change Case No. 04-031-(3) is a request to authorize change of zone from 5.06 net acres of CPD (Commercial Planned Development) and 0.46 net acres of M-1 (Light Manufacturing) to 5.52 net acres of RPD-5,000-8U (Residential Planned Development-5,000 Square Feet Minimum Required Lot Area-Eight Dwelling Units per Net Acre). The Planned Development designation will ensure that development occurring after rezoning will conform to approved plans and will ensure compatibility with the surrounding area. As applied in this case, the conditional use permit will restrict the development of the rezoned site to the proposed residential development as shown on the site plan marked "Exhibit A." No other development will be permitted on the property unless a new conditional use permit is first obtained.
5. Zone Change Case No. 04-031-(3) was heard concurrently with Local Plan Amendment Case No. 04-031-(3), Vesting Tentative Tract Map No. 061027, Conditional Use Permit Case No. 04-031-(3) and Parking Permit Case No. 04-031-(3) at the October 19, 2005 public hearing
6. Local Plan Amendment Case No. 04-031-(3) is a related request to amend the Santa Monica Mountains North Area Plan ("North Area Plan") Land Use Policy Map to change 5.52 net acres of the site from Commercial ("C") to Residential 8 ("U8").

7. Vesting Tentative Tract Map No. 061027 is a related request to create one multi-family residential lot with 66 new attached single-family condominium units in one building on 5.63 gross acres.
8. Conditional Use Permit Case No. 04-031-(3) is a related request to authorize the proposed 22-unit density bonus and concessions for affordable housing pursuant to Section 22.20.460, ensure compliance with the RPD zoning pursuant to Section 22.56.202, and grading provisions within the Santa Monica Mountains North Area Community Standards District ("CSD") pursuant to Section 22.44.133 of the Los Angeles County Code ("County Code). The applicant is requesting concessions including the following:
 - a. Modification of the maximum permitted wall height of three-and-one-half (3½) feet in the front yard setback to allow a four-and-one-half-foot (4½-foot) high masonry wall, as depicted on the tentative tract map and/or Exhibit "A,"
 - b. Modification of the maximum permitted wall height of six (6) feet in the side yard to allow maximum 10-foot high wall, as depicted on the tentative tract map and/or Exhibit "A," and
 - c. Modification of the maximum permitted building height of 35 feet within the RPD zone to allow a maximum 60-foot high building height at the southeast corner of the subject property, as depicted on the tentative tract map and/or Exhibit "A."
9. Parking Permit Case No. 04-031-(3) is a related request to authorize offsite and reciprocal parking facilities with the adjacent commercial building to the east.
10. Approval of the vesting tentative tract map, conditional use permit and parking permit will not become effective unless and until the Los Angeles County Board of Supervisors ("Board of Supervisors") has approved the proposed local plan amendment and adopted an ordinance effecting the proposed change of zone, and such ordinance has become effective.
11. The applicant's site plan, labeled as "Exhibit A," depicts a 5.52-acre irregular-shaped parcel developed with 66 attached senior condominium units in one building. The building reaches a maximum height of 60 feet at the southeast corner of the subject property, and is composed of six levels (three levels of residential above three levels of parking). Each proposed unit, ranging from approximately 1,800 to 4,000 square feet, will be provided with a minimum of two covered parking spaces. The project also provides 64 guest parking spaces within the three parking levels and has filed a parking permit for offsite and reciprocal

parking facilities with the adjacent commercial building to the east. The development provides a total of 239 parking spaces. Separate ingress and egress to the parking area is provided directly from Ventura Boulevard with a private driveway and fire lane for emergency access along the western and northern building edge. Recreational areas total approximately 0.74 acres; a draft landscape plan also depicts tropical planting with water features, outdoor furniture and amenities including barbecue areas, cabanas, sunning deck and two-sided fireplace.

12. The property is depicted in the C land use category of the North Area Plan, a component of the Los Angeles Countywide General Plan ("General Plan"). Residential development is not permitted within the C land use category. The project proposes a plan amendment from C to U8 which allows eight dwelling units per net acre. The proposed 66 dwelling units exceed the maximum 44 dwelling units permitted by the proposed U8 land use category for residential development. However, the North Area Plan supports the provision of needed senior housing and emphasizes the density bonus to promote such development, reflecting the following policies in guiding review and approval of affordable housing projects, which includes senior housing:
 - a. convenient access to public transportation shall be available;
 - b. traffic impacts of high density development shall be avoided; and
 - c. affordable housing, which is defined to include senior housing, shall be dispersed throughout the urban designated county areas.
13. The project is located near major thoroughfares with public transportation options including access to the shuttle services provided by the City of Calabasas. Traffic impacts of higher density will also be avoided by the development of the site as a senior residential development. The Santa Monica Mountains provide limited areas for compatible, higher density development, of which one location is the subject property. As provided by the applicant, housing options in the area are limited to single-family detached and rental housing. No projects in the area propose senior housing as condominiums.
14. The project site is currently zoned CPD which was established by Ordinance No. 900104-Z and became effective on August 30, 1990; and M-1 which was established by Ordinance No. 7590 and became effective on August 25, 1959. The project proposes a zone change to RPD-5,000-8U.
15. Surrounding zoning includes A-2-1 (Heavy Agricultural – One Acre Minimum Required Lot Area) to the north; M-1 to the east; CPD to the south; and CPD, A-2-

- 2 (Heavy Agricultural – Two Acre Minimum Required Lot Area) and O-S (Open Space) to the west. The City of Calabasas is located to the south of the subject property.
16. The subject property consists of one vacant lot. Surrounding uses include single-family residences and offices to the north; offices, gas station and auto sales to the east; the Ventura (US-101) Freeway and vacant property to the south; and offices, vacant property and a water tank to the west. The City of Calabasas is located to the south of the subject property.
 17. The project is consistent with the proposed RPD-5,000-8U zoning classification. Residential planned development is permitted in the RPD zone pursuant to Section 22.20.460 of the County Code. The proposed density of 66 dwelling units exceeds the maximum 44 dwelling units permitted by the RPD-5,000-8U zoning. However, the applicant has requested a conditional use permit (“CUP”) to authorize concessions, including a density bonus, pursuant to Section 22.56.202 of the County Code, which increases the maximum density permitted to 66 dwelling units. The applicant has also requested a CUP for residential planned development pursuant to Section 22.56.020 of the County Code, which allows for greater flexibility in design while promoting residential amenities beyond those expected under conventional development.
 18. Of the project total 66 dwelling units, the applicant proposes that 33 dwelling units be set aside for seniors to qualify for the density bonus. The applicant voluntarily proposes that all units be for residents 55 and older.
 19. The project site is approximately 5.52 net acres, meeting the minimum five-acre requirement to qualify for a residential planned development. The project provides the minimum 30 percent required open space for a residential planned development, with an open space easement of 1.69 acres and an additional 0.74 acres of recreational area totaling 2.63 acres (approximately 44 percent).
 20. The development’s parking facilities will be shared by the condominium development and the adjacent commercial buildings to the east. A total of 239 parking spaces are provided, with 199 parking spaces reserved for the residential units (including 64 guest parking spaces). A total 40 parking spaces are provided and reserved for the adjacent commercial use with separate garage entrance.
 21. During the October 19, 2005 public hearing, the Commission heard a presentation from staff and testimony from the applicant as well as the public.
 22. Seven comment letters were submitted to the Commission. Four letters were in opposition to the project, with concerns related to high density, zone change, loss

of privacy, increase in traffic, lack of adequate buffer landscaping, potential loss of property values, and environmental concerns. Letters received each from the Las Virgenes Municipal Water District, Las Virgenes Unified School District and the City of Calabasas describe improvements by the applicant if the existing water main is found to be insufficient, mitigation fees that were found to be adequate for the senior development, and support of the project with the additional traffic mitigation measures agreed to by the applicant, respectively.

23. Six persons testified at the public hearing: two representing the applicant, and four in opposition to the project. Additional issues raised during the public hearing included concerns related to lack of public notice and request for 30-day continuance and opportunity to review the environmental document; additional noise pollution; insufficient mitigation measures to mitigate impacts related to traffic, density and noise; and request for restriction to commercial use.
24. The applicant responded that residential traffic is less than commercial traffic, and the project was redesigned with access from Ventura Boulevard to minimize impacts to residents on Parkway Calabasas. The applicant also offered to provide additional landscaping on the adjacent property owner's private property as well as worked with the Los Angeles County Fire Department for the location of the fire lane to maximize space between the development and adjacent property owner. An acoustical engineer was also hired to mitigate freeway noise within the residential development.
25. The Commission held discussions regarding no grading prior to the recordation of the final map, and that no major changes be permitted to the tentative map that would substantively alter the project design and/or require a revised tentative map. The Commission also asked that staff clarify mitigation measures to address requested building materials as well as acknowledged the need for senior housing and the appropriateness of the project location for such development.
26. After hearing all testimony, the Commission closed the public hearing and indicated their intent to adopt the Mitigated Negative Declaration; approve Vesting Tentative Tract Map No. 061027, Conditional Use and Parking Permit Case Nos. 04-031-(3); and recommend to the Board of Supervisors approval of Local Plan Amendment and Zone Change Case Nos. 04-031-(3).
27. Minor technical changes were required of the tentative map and/or Exhibit "A." Staff recommended that the revised tentative map and Exhibit "A," including corrections to the proposed zoning label and additional labels for building and wall heights, be submitted for review by the Los Angeles County Subdivision Committee ("Subdivision Committee") before final action by the Commission.

28. The applicant submitted the maps with requested changes to the Subdivision Committee, as depicted on the tentative map and Exhibit "A" dated November 3, 2005. The Subdivision Committee reviewed the project, and provided conditions recommended for approval.
29. The proposed use is required to comply with the development standards of the RPD zone and the Santa Monica Mountains North Area CSD pursuant to Sections 22.20.460 and 22.44.133 of the County Code, except as otherwise modified[®] by Conditional Use Permit Case No. 04-031-(3).
30. The zone change is consistent with the goals and policies of the North Area Plan, a component of the General Plan. The project increases the supply and diversity of housing and promotes the efficient use of land through a more concentrated pattern of urban development.
31. The technical and engineering aspects of the project have been resolved to the satisfaction of the Los Angeles County Departments of Public Works, Forester and Fire Warden, Parks and Recreation, Health Services and Regional Planning.
32. The subject property is of adequate size and shape to accommodate the yards, walls, fences, parking, landscaping and other accessory structures, as shown on the site plan and Vesting Tentative Tract Map No. 061027.
33. Compatibility with surrounding land uses will be ensured through the related zone change, subdivision, conditional use permit, parking permit, and environmental conditions.
34. There is no evidence that the proposed project will be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the project site.
35. Modified conditions warrant a revision in the zoning plan as it pertains to the subject property as residential housing is needed for the fast-growing senior population.
36. The subject property is a proper location for the recommended zoning classification in that the recommended zoning classification for the subject property is compatible with adjacent and/or nearby zoning classifications and/or land uses.
37. The adoption of the proposed zoning classification will be in the interest of public health, safety and general welfare, and in conformity with good planning practices in that the proposed zoning classification implement a project that promotes

higher-density residential development for seniors in a location near the freeway near local shopping and public transit.

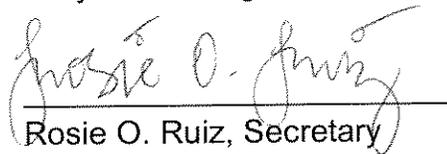
38. Adoption of the proposed zone change will enable the development of the subject property as proposed.
39. The applicant in this case has satisfied the "Burden of Proof" for the requested Zone Change which is needed and appropriate.
40. An Initial Study was prepared for this project in compliance with the California Environmental Quality Act (Public Resources Code Section 21000 et. seq.) ("CEQA"), the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines of the County of Los Angeles. The Initial Study identified potentially significant effects of the project on flood, noise, water quality, air quality, biota, cultural resources, visual qualities, traffic/access, education, fire/sheriff, utilities and mandatory findings. Prior to the release of the proposed Mitigated Negative Declaration and Initial Study for public review, the applicant made or agreed to revisions in the project that would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur. The Initial Study and project revisions showed that there is no substantial evidence, in light of the whole record before the Commission, that the project as revised may have a significant effect on the environment. Based on the Initial Study and project revisions, a Mitigated Negative Declaration has been prepared for this project. Conditions or changes in the proposed project are necessary in order to ensure the proposed project will not have a significant effect on the environment, and such conditions or changes have been included in the Mitigation Monitoring Program.
41. After consideration of the attached Mitigated Negative Declaration and Mitigation Monitoring Program together with any comments received during the public review process, the Commission finds on the basis of the whole record before the Commission that there is no substantial evidence the project as revised will have a significant effect on the environment, finds the Mitigated Negative Declaration reflects the independent judgment and analysis of the Commission, and adopts the Mitigated Negative Declaration and attached Mitigation Monitoring Program.
42. This project is *de minimus* in its effect on fish and wildlife resources. Therefore, the project is exempt from California Department of Fish and Game fees pursuant to Section 711.4 of the California Fish and Game Code.
43. The location of the documents and other materials constituting the record of proceedings upon which the Commission's decision is based in this matter is the Department of Regional Planning ("Regional Planning"), 13th Floor, Hall of

Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Land Divisions Section, Regional Planning.

NOW, THEREFORE BE IT RESOLVED that the Regional Planning Commission of the County of Los Angeles recommends that the Los Angeles County Board of Supervisors:

1. Hold a public hearing to consider the above recommended zone change; and
2. Certify that the Mitigated Negative Declaration has been completed in compliance with the California Environmental Quality Act, and the State and County Guidelines related thereto and reflects the independent judgment of the Board of Supervisors; and
3. Approve the Mitigated Negative Declaration prepared for the project and certify that it has reviewed and considered the information contained therein; and
4. Approve and adopt the Mitigation Monitoring Program for the proposed project, incorporated in the Mitigated Negative Declaration, and pursuant to Section 21081.6 of the Public Resources Code, find that the Mitigation Monitoring Program is adequately designed to ensure compliance with the mitigation measures during project implementation; and
5. Find that the proposed change of zone are consistent with the goals, policies and programs of the Santa Monica Mountains, a component of the Los Angeles Countywide General Plan; and
6. Adopt Zone Change Case No. 04-031-(3) changing the zoning classification on the property as depicted on the attached Exhibit and described hereinabove.

I hereby certify that the foregoing was adopted by a majority of the voting members of the Regional Planning Commission of the County of Los Angeles on February 1, 2006.



Rosie O. Ruiz, Secretary
County of Los Angeles
Regional Planning Commission

**FINDINGS OF THE REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES
FOR CONDITIONAL USE PERMIT CASE NO. 04-031-(3)**

1. The Los Angeles County Regional Planning Commission ("Commission") conducted a noticed public hearing in the matter of Conditional Use Permit Case No. 04-031-(3) on October 19, 2005. Conditional Use Permit Case No. 04-031-(3) was heard concurrently with Local Plan Amendment Case No. 04-031-(3), Zone Change Case No. 04-031-(3), Vesting Tentative Tract Map No. 061027 and Parking Permit Case No. 04-031-(3).
2. The applicant, Lawrence Dinovitz, is proposing a 66-unit senior condominium, project which includes a 22-unit density bonus for reserving at least half of the proposed dwelling units or 33 dwelling units for seniors in perpetuity. The remaining 33 dwelling units are reserved for residents 55 years of age and older as agreed to by the applicant.
3. A conditional use permit ("CUP") is required to authorize the proposed density bonus and concessions for affordable housing pursuant to Sections 22.20.460 of the Los Angeles County Code ("County Code") as well as ensure compliance with the RPD zoning pursuant to Section 22.56.202, and grading provisions within the Santa Monica Mountains North Area Community Standards District ("CSD") pursuant to Section 22.44.133 of the County Code.
4. The subject site is located at 24121 and 24141 Ventura Boulevard in The Malibu Zoned District.
5. The irregularly-shaped property is 5.63 gross acres (5.52 net acres) in size in an existing graded condition with level topography.
6. Access to the proposed development is provided by Ventura Boulevard, a 70-foot wide dedicated street.
7. The project site is currently zoned CPD (Commercial Planned Development) which was established by Ordinance No. 900104-Z and became effective on August 30, 1990; and M-1 (Light Manufacturing) which was established by Ordinance No. 7590 and became effective on August 25, 1959. The project proposes a zone change to RPD-5,000-8U (Residential Planned Development – 5,000 Square Feet Minimum Required Lot Area – Eight Dwelling Units per Net Acre).
8. Surrounding zoning includes A-2-1 (Heavy Agricultural – One Acre Minimum Required Lot Area) to the north; M-1 to the east; CPD to the south; and CPD, A-2-2 (Heavy Agricultural – Two Acre Minimum Required Lot Area) and O-S (Open Space) to the west. The City of Calabasas is located to the south of the subject property.

9. The subject property consists of one vacant lot. Surrounding uses include single-family residences and offices to the north; offices, gas station and auto sales to the east; the Ventura (US-101) Freeway ("101 Freeway") and vacant property to the south; and offices, vacant property and a water tank to the west. The City of Calabasas is located to the south of the subject property.
10. The project is consistent with the proposed RPD-5,000-8U zoning classification. Residential planned development is permitted in the RPD zone pursuant to Section 22.20.460 of the Los Angeles County Code ("County Code"). The proposed density of 66 dwelling units exceeds the maximum 44 dwelling units permitted by the RPD-5,000-8U zoning. The applicant has filed a CUP to authorize concessions, including a density bonus, pursuant to Section 22.56.202 of the County Code, which increases the maximum density permitted to 66 dwelling units. The applicant has also filed a CUP for residential planned development pursuant to Section 22.56.020 of the County Code, which allows for greater flexibility in design while promoting residential amenities beyond those expected under conventional development.
11. The property is depicted in the Commercial ("C") land use category of the Santa Monica Mountains North Area Plan ("North Area Plan"), a component of the Los Angeles Countywide General Plan ("General Plan"). Residential development is not permitted within the C land use category. The project proposes a plan amendment from C to Residential 8 ("U8") which allows eight dwelling units per net acre. The proposed 66 dwelling units exceed the maximum 44 dwelling units permitted by the proposed U8 land use category for residential development. However, the North Area Plan supports the provision of needed senior housing and emphasizes the density bonus to promote such development, reflecting the following policies in guiding review and approval of affordable housing projects, which includes senior housing:
 - a. convenient access to public transportation shall be available;
 - b. traffic impacts of high density development shall be avoided; and
 - c. affordable housing, which is defined to include senior housing, shall be dispersed throughout the urban designated county areas.
12. The project is located near major thoroughfares with public transportation options including access to the shuttle services provided by the City of Calabasas. Traffic impacts of higher density will also be avoided by the development of the site as a senior residential development. The Santa Monica Mountains provide limited areas for compatible, higher density development, of which one location is the subject property. As provided by the applicant, housing options in the area are

limited to single-family detached and rental housing. No projects in the area propose condominium senior housing.

13. Local Plan Amendment Case No. 04-031-(3) is a related request to amend the North Area Plan Land Use Policy Map from C to U8.
14. Zone Change Case No. 04-031-(3) is a related request to change the zoning from CPD and M-1 to RPD-5,000-8U. The Planned Development designation will ensure that development occurring after rezoning will conform to approved plans and will ensure compatibility with the surrounding area. As applied in this case, the conditional use permit will restrict the development of the rezoned site to the proposed residential development as shown on the site plan marked "Exhibit A." No other development will be permitted on the property unless a new conditional use permit is first obtained.
15. Vesting Tentative Tract Map No. 061027 is a related request to subdivide the property into one multi-family lot with 66 new attached single-family condominiums in one building.
16. Parking Permit Case No. 04-031-(3) is a related request to authorize offsite and reciprocal parking facilities with the adjacent commercial building to the east.
17. The applicant's site plan, labeled as "Exhibit A," depicts a 5.52-acre irregular-shaped parcel developed with 66 attached senior condominium units in one building. The building reaches a maximum height of 60 feet at the southeast corner of the subject property, and is composed of six levels (three levels of residential above three levels of parking). Each proposed unit, ranging from approximately 1,800 to 4,000 square feet, will be provided with a minimum of two covered parking spaces. The project also provides 64 guest parking spaces within the three parking levels and has filed a parking permit for offsite and reciprocal parking facilities with the adjacent commercial building to the east. The development provides a total of 239 parking spaces. Separate ingress and egress to the parking area is provided directly from Ventura Boulevard with a private driveway and fire lane for emergency access along the western and northern building edge. Recreational areas total approximately 0.74 acres; a draft landscape plan also depicts tropical planting with water features, outdoor furniture and amenities including barbecue areas, cabanas, sunning deck and two-sided fireplace.
18. During the October 19, 2005 public hearing, the Commission heard a presentation from staff and testimony from the applicant as well as the public.

19. Seven comment letters were submitted to the Commission. Four letters were in opposition to the project, with concerns related to high density, zone change, loss of privacy, increase in traffic, lack of adequate buffer landscaping, potential loss of property values, and environmental concerns. Letters received each from the Las Virgenes Municipal Water District, Las Virgenes Unified School District and the City of Calabasas describe improvements by the applicant if the existing water main is found to be insufficient, mitigation fees that were found to be adequate for the senior development, and support of the project with the additional traffic mitigation measures agreed to by the applicant, respectively.
20. Six persons testified at the public hearing: two representing the applicant, and four in opposition to the project. Additional issues raised during the public hearing included concerns related to lack of public notice and request for 30-day continuance and opportunity to review the environmental document; additional noise pollution; insufficient mitigation measures to mitigate impacts related to traffic, density and noise; and request for restriction to commercial use.
21. The applicant responded that residential traffic is less than commercial traffic, and the project was redesigned with access from Ventura Boulevard to minimize impacts to residents on Parkway Calabasas. The applicant also offered to provide additional landscaping on the adjacent property owner's private property as well as worked with the Los Angeles County Fire Department for the location of the fire lane to maximize space between the development and adjacent property owner. An acoustical engineer was also hired to mitigate freeway noise within the residential development.
22. The Commission held discussions regarding no grading prior to the recordation of the final map, and that no major changes be permitted to the tentative map that would substantively alter the project design and/or require a revised tentative map. The Commission also asked that staff clarify mitigation measures to address requested building materials as well as acknowledged the need for senior housing and the appropriateness of the project location for such development.
23. After hearing all testimony, the Commission closed the public hearing and indicated their intent to adopt the Mitigated Negative Declaration; approve Vesting Tentative Tract Map No. 061027, Conditional Use and Parking Permit Case Nos. 04-031-(3); and recommend to the Los Angeles County Board of Supervisors approval of Local Plan Amendment and Zone Change Case Nos. 04-031-(3).
24. Minor technical changes were required of the tentative map and/or Exhibit "A." Staff recommended that the revised tentative map and Exhibit "A," including corrections to the proposed zoning label and additional labels for building and wall

heights, be submitted for review by the Los Angeles County Subdivision Committee ("Subdivision Committee") before final action by the Commission.

25. The applicant submitted the maps with requested changes to the Subdivision Committee, as depicted on the tentative map and Exhibit "A" dated November 3, 2005. The Subdivision Committee reviewed the project, and provided conditions recommended for approval.
26. Pursuant to Section 22.56.202 of the County Code, concessions to make the provision of affordable housing units economically feasible may be requested if the development contains five or more dwelling units and at least 50 percent of the dwelling units are provided for senior citizens as defined in Section 51.2 and 51.3 of the California Civil Code. The applicant's reservation at least 50 percent of the dwelling units for senior citizens meets the 50 percent requirement for the affordable housing concessions.
27. The proposed use is required to comply with the development standards of the RPD zone, as set forth in Section 22.20.460 of the County Code, as well as standards and requirements of the Santa Monica Mountains North Area CSD as set forth in Section 22.44.133 of the County Code, except as otherwise modified herein by this grant.
28. Pursuant to Section 22.20.460 of the County Code, no building or structure in the RPD zone shall have a height in excess of 35 feet above grade, except chimneys and rooftop antennae. The proposed residential building reaches a maximum of 60 feet in height at the southeast corner of the subject property. The Commission has granted approval for a maximum building height of 60 feet as a concession.
29. Sections 22.20.460 of the County Code provide that in the RPD zone, fences and walls shall not exceed three-and-one-half feet within the required front yard depth and six feet within the side and rear yard setbacks. The Commission has granted approval for a four-and-one-half-foot high wall along Ventura Boulevard and maximum 10-foot high wall in the western portion of development, respectively, as a concession.
30. Section 22.20.460 of the County Code requires parking to be provided as required by Part 11 of Chapter 22.52 of the County Code. Section 22.52.1180 of Part 11 requires two covered standard automobile parking spaces for each single-family residence. The Exhibit "A" (dated November 3, 2005) submitted by the permittee depicts minimum two covered parking spaces for each single-family unit for a minimum total of 132 covered parking spaces. The proposed project is in compliance with the parking requirement of the RPD zone. A separate parking

permit is requested to permit off-site and reciprocal parking facilities with the adjacent commercial building to the west.

31. Pursuant to Section 22.52.630 of the County Code, all required fences or walls which are open to public view from any street or highway shall be provided with at least one square foot of landscaping for each linear foot of such frontage; no landscaping shall be developed with a horizontal dimension of less than three feet. The applicant's landscaping plan and Exhibit "A" show that the project is in compliance with this requirement.
32. The applicant has submitted a draft covenant indicated that minimum 50 percent of the dwelling units are affordable housing units to be provided for senior citizens as defined in Sections 51.2 and 51.3 of the California Civil Code pursuant to Section 22.56.202 of the County Code. The applicant has voluntarily limited the remaining 50 percent for residents 55 years of age and older. The conditions of approval of this grant will require recordation of the covenant, which shall run with the land for the benefit of the County of Los Angeles.
33. The applicant has submitted purchase sale prices for dwelling units of comparable size and type within the market area of the subject property, financial information supporting the need for the concessions requested, and the reasons why they are necessary to make the affordable housing units economically feasible pursuant to Section 22.56.202 of the County Code.
34. As a condition of approval of this grant, the permittee shall be required to comply with all applicable density bonus conditions as set forth in Section 22.56.202 of the County Code.
35. Pursuant to Section 22.20.460 of the County Code, the project site is required to be a minimum five acres and provide minimum 30 percent required open space to qualify for a residential planned development. The project is also limited to a maximum building coverage of 50 percent of the net area, except common recreational areas. The subject property is approximately 5.52 net acres, and provides open space through an open space easement of 1.69 acres and an additional 0.74 acres of recreational area totaling 2.63 acres (approximately 44 percent) to be retained in common ownership. The building covers approximately 1.96 acres (34.8 percent) of the property, which is consistent with the maximum building coverage of 2.76 acres.
36. Pursuant to Section 22.44.133 of the County Code, project grading that exceeds 5,000 cubic yards total cut and fill must be designed to minimize disturbance to the natural landscape and maximize visual preservation and community character. The project proposes approximately 21,460 cubic yards of cut and 980 cubic yards

of fill, with 20,480 cubic yards of export. The project site is currently in an existing, graded condition near the 101 Freeway, which is designated as a scenic corridor in the North Area Plan. Cut is required to provide three levels of parking beneath the three levels of residential units. Most of the residential building reaches heights of 36 feet and 42 feet, except near the easterly property line where due to the existing graded conditions, reaches a maximum of 60 feet. The eastern portion of the building will be landscaped to buffer and mask the lower levels of the building from the adjacent commercial property to the east, and the building elevation and profile is consistent with the adjacent office building to the west. A haul route has also been provided by the applicant, depicting transport of material to a property west of the subject site off the Kanan Road exit of the 101 Freeway.

37. Pursuant to Section 22.56.202 of the County Code, concessions to make the provision of affordable housing units economically feasible may be requested if the development contains five or more dwelling units and at least 50 percent of the dwelling units are provided for senior citizens as defined in Section 51.2 and 51.3 of the California Civil Code. The applicant's reservation at least 50 percent of the dwelling units for senior citizens meets the 50 percent requirement for the affordable housing concessions.
38. An Initial Study was prepared for this project in compliance with the California Environmental Quality Act (Public Resources Code Section 21000 et. seq.) ("CEQA"), the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines of the County of Los Angeles. The Initial Study identified potentially significant effects of the project on flood, noise, water quality, air quality, biota, cultural resources, visual qualities, traffic/access, education, fire/sheriff, utilities and mandatory findings. Prior to the release of the proposed Mitigated Negative Declaration and Initial Study for public review, the applicant made or agreed to revisions in the project that would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur. The Initial Study and project revisions showed that there is no substantial evidence, in light of the whole record before the Commission, that the project as revised may have a significant effect on the environment. Based on the Initial Study and project revisions, a Mitigated Negative Declaration has been prepared for this project. Conditions or changes in the proposed project are necessary in order to ensure the proposed project will not have a significant effect on the environment, and such conditions or changes have been included in the Mitigation Monitoring Program.
39. After consideration of the attached Mitigated Negative Declaration and Mitigation Monitoring Program together with any comments received during the public review process, the Commission finds on the basis of the whole record before the Commission that there is no substantial evidence the project as revised will have a

- significant effect on the environment, finds the Mitigated Negative Declaration reflects the independent judgment and analysis of the Commission, and adopts the Mitigated Negative Declaration and attached Mitigation Monitoring Program.
40. This project is *de minimus* in its effect on fish and wildlife resources. Therefore, the project is exempt from California Department of Fish and Game fees pursuant to Section 711.4 of the California Fish and Game Code.
 41. Approval of this subdivision is conditioned on the permittee's compliance with the attached conditions of approval as well as the conditions of approval for Vesting Tentative Tract Map No. 061027, Parking Permit Case No. 04-031-(3) and the Mitigation Monitoring Program.
 42. The applicant has demonstrated the suitability of the subject property for the proposed use. Establishment of the proposed use at such location is in conformity with good zoning practice. Compliance with the conditions of approval will ensure compatibility with surrounding land uses and consistency with all applicable General Plan policies.
 43. The location of the documents and other materials constituting the record of proceedings upon which the Commission's decision is based in this matter is the Department of Regional Planning ("Regional Planning"), 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Land Divisions Section, Regional Planning.

**BASED ON THE FOREGOING, THE REGIONAL PLANNING COMMISSION
CONCLUDES:**

- A. That the proposed use with the attached conditions and restrictions will be consistent with the adopted North Area Plan, a component of the General Plan;
- B. With the attached conditions and restrictions, that the requested use at the proposed location will not adversely affect the health, peace, comfort, or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety or general welfare;
- C. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in Title 22 of the County Code, or as is otherwise required in order to integrate said use with the uses in the surrounding area;

Findings

- D. That the proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required;
- E. That the proposed project at the proposed location has been designed to be compatible with the surrounding area in terms of land use patterns, design, and established community character;
- F. That the proposed project will assist in satisfying affordable housing needs, and is viable in terms of continuing availability to meet such housing needs;
- G. That the proposed project will not cause or add to an undue concentration of affordable housing units in the surrounding community;
- H. That the proposed project will be reasonably proximate to public transit, shopping and employment centers;
- I. That the requested incentives or concessions are required to make the affordable housing units economically feasible;
- J. That the project complies with the intent of planned residential development to promote residential amenities beyond those expected under conventional development, to achieve greater flexibility in design, to encourage well-planned neighborhoods through creative and imaginative planning as a unit, and to provide for appropriate use of land which is sufficiently unique in its physical characteristics or other circumstances to warrant special methods of development. It is also the intent of residential planned development to reduce developmental problems in hillside areas and to preserve areas of natural scenic beauty through the encouragement of integrated planning, integrated design and unified control of development;
- K. That the project provides as well or better for light and air, for public safety and convenience, the protection of property values and the preservation of the general welfare of the community, than if developed as a development with the limitations and conditions of the R-1 (Single Family Residential) Zone;
- L. That the project is subject and complies with provisions of the RPD Zone including area, density, type of structures, open space, building coverage, parking, utilities, development schedule, tentative map, landscaping, distribution of open space, division of lots or parcels, and sale or separation of lots or parcels;
- M. That grading will be performed in a manner that minimizes disturbance to the natural landscape and terrain through design features for the project, including but not limited to, locating the building pad in the area of the project site with the least

slope, clustering structures, and locating the project close to a paved street traveled by the public; and

- N. That grading will be accompanied by other project features that maximize preservation of visual quality and community character through design features such as, but not limited to, reduced structural heights, use of architectural features such as shape, materials, and color to promote blending with the surrounding environment, and use of locally indigenous vegetation for concealment of the project.

THEREFORE, THE REGIONAL PLANNING COMMISSION:

1. Adopts the Mitigated Negative Declaration and certifies that it has been completed in compliance with CEQA and the State and County guidelines related thereto.
2. Approves Conditional Use Permit Case No. 04-031-(3) subject to the attached conditions.

**DEPARTMENT OF REGIONAL PLANNING
CONDITIONAL USE PERMIT CASE NO. 04-031-(3)**

Exhibit "A" Date: 11-3-2005

CONDITIONS:

1. This grant authorizes the use of the 5.52-acre subject property for a 66-unit senior housing project with minimum 33 senior dwelling units, including a 22-unit density bonus, as depicted on the approved Exhibit "A" dated November 3, 2005, subject to all of the following conditions of approval.
2. Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation, or entity making use of this grant.
3. This grant shall not be effective for any purpose until:
 - a. The permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Los Angeles County Department of Regional Planning ("Regional Planning") their affidavit stating that they are aware of, and agree to accept, all the conditions of this grant and that the conditions have been recorded as required by Condition No. 6, and until all required monies have been paid pursuant to Condition Nos. 7, 9 and 45;
 - b. The Los Angeles County Board of Supervisors ("Board of Supervisors") has adopted Plan Amendment Case No. 04-031-(3); and
 - c. An ordinance changing the zoning of the property from CPD and M-1 to RPD-5,000-8U-DP, as recommended in Zone Change Case No. 04-031-(3), has been adopted by the Board of Supervisors and has become effective.
4. If any provision of this grant is held or declared to be invalid, the permit shall be void and the privileges granted hereunder shall lapse.
5. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission or Hearing Officer may, after conducting a public hearing, revoke or modify this grant, if it finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public health or safety or so as to be a nuisance.
6. Prior to the use of this grant, the terms and conditions of the grant shall be recorded in the office of the Los Angeles County Recorder. In addition, upon any transfer or lease of the subject property during the term of this grant, the permittee shall promptly provide a copy of the grant and its terms and conditions to the transferee or lessee, as applicable, of the subject property.
7. The subject property shall be developed and maintained in full compliance with the conditions of this grant and any law, statute, ordinance or other regulation

Conditions

applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions. Prior to the use of this grant, the permittee shall deposit with the County of Los Angeles ("County") the sum of **\$750.00**. These monies shall be placed in a performance fund, which shall be used exclusively to compensate Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval. The fund provides for **five (5) biennial inspections**. The inspections shall be unannounced.

8. If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the property is being used in violation of any condition of this grant, the permittee shall be financially responsible and shall reimburse Regional Planning for all additional inspections and for any enforcement efforts necessary to bring the subject property into compliance. Inspections shall be made to ensure compliance with the conditions of this grant as well as adherence to development in accordance with the approved site plan on file. The amount charged for additional inspections shall be the amount equal to the recovery cost at the time of payment (currently \$150.00 per inspection).
9. Within 15 days of the approval date of this grant, the permittee shall remit processing fees payable to the County in connection with the filing and posting of a Notice of Determination in compliance with Section 21152 of the Public Resources Code for Project No. 04-031-(3), which includes Local Plan Amendment Case No. 04-031-(3), Zone Change Case No. 04-031-(3), Vesting Tentative Tract Map No. 061027, Conditional Use Permit Case No. 04-031-(3) and Parking Permit Case No. 04-031-(3). The project is *de minimus* in its effect on fish and wildlife and in order to defray the cost of wildlife protection and management, the permittee is responsible for the payment of fees associated with the Certificate of Fee Exemption established by the California Department of Fish and Game pursuant to Section 711.4 of the Fish and Game Code. The current fee amount is **\$25.00**. No land use project subject to this requirement is final, vested or operative until the fee is paid.
10. The permittee shall defend, indemnify and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009 or any other applicable limitation period. The County shall notify the permittee of any claim, action or proceeding and the County shall reasonably cooperate in the defense.
11. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within 10 days of the filing pay Regional Planning an initial deposit of \$5,000.00 from which actual costs shall be billed and deducted for the purpose of defraying the expense involved in the department's cooperation in the defense, including but not limited to, depositions, testimony, and

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other assistance to the permittee or permittee's counsel. The permittee shall also pay the following supplemental deposits, from which actual costs shall be billed and deducted:

- a. If during the litigation process, actual costs incurred reach 80 percent of the amount of deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of the initial deposit. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation; and
- b. At the sole discretion of the permittee, the amount of an initial or supplemental deposit may exceed the minimum amounts defined herein.

The cost for collection and duplication of records and other related documents will be paid by the permittee in accordance with Section 2.170.010 of the Los Angeles County Code ("County Code").

12. This grant shall expire unless used within two years after the recordation of the final map for Vesting Tentative Tract Map No. 061027. In the event that Vesting Tentative Tract Map No. 061027 should expire without the recordation of a final map, this grant shall terminate upon the expiration of the tentative map. Entitlement to the use of the property thereafter shall be subject to the regulations then in effect.
13. No grading permit shall be issued prior to final map recordation.
14. The subject property shall be graded, developed and maintained in substantial compliance with the approved tentative tract map. An amended tentative tract map approved for Vesting Tentative Tract Map No. 061027 may, at the discretion of the Director of Regional Planning ("Director of Planning"), constitute a revised Exhibit "A." All revised plans require the written authorization of the property owner.
15. All development shall comply with the requirements of Title 22 of the County Code (Zoning Ordinance) and of the specific zoning of the subject property unless specifically modified by this grant, as set forth in these conditions, including the approved Exhibit "A," or a revised Exhibit "A" approved by the Director of Planning.
16. Submit a copy of the project Covenants, Conditions and Restrictions ("CC&Rs") and maintenance agreements and covenants to Regional Planning for review and approval.
17. The development of the subject property shall comply with all requirements and conditions approved for Vesting Tentative Tract Map No. 061027.
18. The following modifications to the development standards shall apply:

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- a. Modification of the maximum permitted wall height of three-and-one-half feet in the front yard setback to allow a four-and-one-half-foot high masonry wall, as depicted on the approved Exhibit "A."
 - b. Modification of the maximum permitted wall height of six feet in the side and rear yard setback to allow a maximum wall height of 10 feet, as depicted on the approved Exhibit "A."
 - c. Modification of the maximum permitted building height of 35 feet within the R-3 zone to allow a 60-foot high building height at the southeast corner of the subject property.
19. No structure shall exceed 60 feet in height, except for chimneys and rooftop antennas. Prior to any issuance of a building permit, a site plan including exterior elevations and major architectural features shall be submitted to and approved by the Director of Planning, as a revised Exhibit "A," to ensure compliance.
 20. A minimum of 239 automobile parking spaces, as depicted on the approved Exhibit "A" (dated November 3, 2005) or on an approved revised Exhibit "A", shall be provided and continuously maintained on the subject property, developed to the specifications listed in Section 22.52.1060 of the County Code. There shall be at least two covered parking spaces designated for each dwelling unit. There shall be at least 40 parking spaces for the adjacent commercial building depicted on the approved exhibit for Parking Permit Case No. 04-031-(3) or an approved revised Exhibit "A". The required parking spaces shall be continuously available for vehicular parking only and shall not be used for storage, automobile repair, or any other unauthorized use. Continual availability and maintenance of required parking spaces shall be provided for in the CC&Rs.
 21. All utilities shall be placed underground. Prior to the issuance of any building permit, the permittee shall provide evidence that contractual arrangements have been made with the local utilities to install underground all new facilities necessary to furnish services in the proposed development.
 22. All structures shall comply with the requirements of the Division of Building and Safety of the Los Angeles County Department of Public Works ("Public Works").
 23. Detonation of explosives or any other blasting device or material is prohibited unless required permits have been obtained and adjacent property owners have been notified.
 24. All grading and construction on the subject property and appurtenant activities, including engine warm-up, shall be restricted to the hours between 7:00 a.m. and 6:00 p.m. No Saturday, Sunday or holiday operations are permitted. All stationary construction noise sources shall be sheltered or enclosed to minimize adverse effect on nearby residences and neighborhoods. Generator and pneumatic

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compressors shall be noise protected in a manner that will minimize noise inconvenience to adjacent residences.

25. The permittee shall implement a dust control program during grading and construction to the satisfaction of the Director of Planning and the Director of Public Works.
26. All material graded shall be sufficiently watered to prevent excessive amounts of dust during the construction phase. Watering shall occur at least twice daily with complete coverage, preferably in the late morning and after construction or grading activities is done for the day. All clearing, grading, earth moving or excavation activities shall cease during periods of high wind (i.e. greater than 20 mph average over one hour) to prevent excessive amounts of dust.
27. The permittee shall, upon commencement of any grading activity allowed by this grant, diligently pursue all grading to completion.
28. No construction equipment or vehicles, including construction crew's personal vehicles, shall be parked or stored on any existing public or private streets.
29. The permittee shall obtain all necessary permits from Public Works and shall maintain all such permits in full force and effect as required throughout the life of this permit.
30. All construction and development within the subject property shall comply with the applicable provisions of the Uniform Building Code and the various related mechanical, electrical, plumbing, fire, grading and excavation codes as currently adopted by the County.
31. All structures, walls and fences open to public view shall remain free of extraneous markings, drawings, or signage. These shall include any of the above that do not directly relate to the use of the property, or that do not provide pertinent information about the premises. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.
32. In the event any such extraneous markings occur, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of such occurrence. Paint utilized in covering such markings shall be of a color that matches, as closely as possible the color of the adjacent surfaces.
33. The permittee shall utilize water-saving devices and technology in the construction of this project consistent with the Las Virgenes Municipal Water District ordinances and County Building and Plumbing Codes.
34. The property shall be developed and maintained in compliance with all applicable requirements of the Los Angeles County Department of Health Services ("Health

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Services”). Adequate water and sewage disposal facilities shall be provided to the satisfaction of said department.

35. If during construction of the project, soil contamination is suspected, construction in the area shall stop, and appropriate health and safety procedures shall be implemented to the satisfaction of Health Services. If it is determined that contaminated soils exist, remediation shall be conducted to the satisfaction of Health Services and the California Regional Water Quality Control Board.
36. Prior to the issuance of any building permit, the permittee shall demonstrate compliance with State Seismic Hazard Safety laws to the satisfaction of Public Works.
37. Prior to the issuance of any grading permit, the project design shall provide for the filtering of flows to capture contaminants originating from the project site to the satisfaction of and approval by Public Works.
38. The permittee shall comply with the Standard Urban Stormwater Mitigation Plan requirements to the satisfaction of Public Works.
39. During construction, all large-size truck trips shall be limited to off-peak commute periods.
40. During construction, the permittee shall obtain a Caltrans transportation permit as necessary for any transportation of heavy construction equipment and/or materials which requires the use of oversized-transport vehicles on state highways.
41. Prior to the issuance of any grading or building permit, a site plan shall be submitted to and approved by the Director of Planning indicating that the proposed construction and associated grading complies with the conditions of this grant and the standards of the zone.
42. All graded slopes (cut and fill) shall be revegetated. Prior to the issuance of any grading or building permit, three copies of a landscape plan, which may be incorporated into a revised Exhibit “A,” shall be submitted to and approved by the Director of Planning. The landscape plan shall show size, type, and location of all plants, trees, and sprinkler facilities, including all landscaping and irrigation. Watering facilities shall consist of a permanent water-efficient irrigation system, such as “bubblers” or drip irrigation, and shall use reclaimed water.

In addition to the review and approval by the Director of Planning, the landscaping plans will be reviewed by the staff biologist of Regional Planning and the Los Angeles County Forester and Fire Warden (“Forester and Fire Warden”). Their review will include an evaluation of the balance of structural diversity (e.g. trees, shrubs and groundcover) that could be expected 18 months after planting in compliance with fire safety requirements. No invasive species are permitted.

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The landscaping plan must show that landscaped areas shall contain minimum 50 percent locally indigenous species, including trees, shrubs and ground covering. However, if the permittee demonstrates to the satisfaction of the Director of Planning that compliance with this requirement is not possible due to County fire safety requirements, then the Director of Planning may determine that a lower percentage of such planting shall be required. In those areas where the Director of Planning approves a lower percentage, the amount of such required locally indigenous vegetation shall be at least 25 percent. The landscaping will include trees, shrubs and ground covering at a mixture and density determined by the Director of Planning and the Forester and Fire Warden. Fire retardant plants shall be given first consideration.

Timing of Planting. Prior to the issuance of grading or building permits for any development, the permittee shall submit a landscaping phasing plan for the landscaping associated with the construction to be approved by the Director of Planning. This phasing plan shall establish the timing and sequencing of the required landscaping, including required plantings within six months and expected growth during the subsequent 18 months.

43. Record a covenant with the County agreeing to comply with the required environmental mitigation measures in the Mitigation Monitoring Program. Prior to recordation, submit a copy of the covenant to the Director of Planning for approval.
44. The environmental mitigation measures are incorporated herein by reference and made conditions of this grant. As a means of ensuring the effectiveness of the mitigation measures, the permittee shall submit annual mitigation monitoring reports to the Director of Planning for approval, until such time as all mitigation measures have been implemented and completed. Additional reports shall be submitted as required by the Director of Planning.
45. Within 15 days of the approval of this grant, the permittee shall deposit the sum of **\$3,000.00** with Regional Planning to defray the cost of reviewing the permittee's reports and verifying compliance with the Mitigation Monitoring Program. The permittee shall retain the services of a qualified Environmental/Mitigation Monitoring Consultant, subject to the approval of the Director of Planning, to ensure that all applicable mitigation measures are implemented and reported in the required Mitigation Monitoring Program.
46. The following affordable housing conditions shall apply:
 - a. At least 50 percent of the total dwelling units, or 33 dwelling units, shall be reserved for senior citizens, as defined in Section 51.2 and 51.3 of the California Civil Code, in perpetuity. The remaining dwelling units are reserved for residents 55 years of age and older in perpetuity as agreed to by the applicant; and

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- b. The senior housing units shall be dispersed throughout the proposed project and shall be compatible with the exterior design of other units in the project in terms of appearance, materials, and finished quality as depicted on the approved Exhibit "A"; and
 - c. Prior to approval of the final map for Vesting Tentative Tract Map No. 061027, the permittee shall submit for review and approval by County Counsel a deed restriction, covenant or similar document running with the land for the benefit of the County of Los Angeles, suitable for recordation, that complies with all pertinent federal, state and local housing laws, to ensure the continuing availability of at least 50 percent of the total units to senior citizens in perpetuity. The document shall contain remedies for violations of the covenant including but not limited to monetary penalties. The approved document shall be recorded in the office of the County Recorder prior to or concurrently with the recordation of the final map for Vesting Tentative Tract Map No. 061027; and
 - d. The reserved dwelling units for senior citizens shall be constructed and offered for sale concurrently with or prior to the construction and sale of the other dwelling units in the development project unless specifically deemed inappropriate; and
 - e. Prior to final map approval, the permittee shall submit a form of security such as, but not limited to, letters of credit in an amount sufficient to ensure completion of all dwelling units reserved for senior citizens, to the satisfaction of the Director of Planning.
47. The following conditions shall be recorded in the office of the County Recorder concurrently with the recordation of the final map for Vesting Tentative Tract Map No. 061027 and shall be expressly made applicable to each unit. The permittee shall translate these conditions into other languages and make these translations available to future individual single-family condominium unit owners as necessary.
- a. There shall be at least two covered parking spaces designated for each single-family unit. The required parking spaces shall be continuously available for vehicular parking only and shall not be used for storage, automobile repair, or any other unauthorized use.
 - b. The wall, landscaping and irrigation system located within the front yard shall be continuously and properly maintained in good condition and replaced as necessary.
 - c. All structures, walls and fences open to public view shall remain free of extraneous markings, drawings, or signage. These shall include any of the above that do not directly relate to the use of the property, or that do not provide pertinent information about the premises. The only exceptions shall

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- d. In the event any such extraneous markings occur, they shall be removed or covered within 24 hours of such occurrence. Paint utilized in covering such markings shall be of a color that matches, as closely as possible the color of the adjacent surfaces.

**FINDINGS OF THE REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES
FOR PARKING PERMIT CASE NO. 04-031-(3)**

1. The Los Angeles County Regional Planning Commission ("Commission") conducted a noticed public hearing in the matter of Parking Permit Case No. 04-031-(3) on October 19, 2005. Parking Permit Case No. 04-031-(3) was heard concurrently with Local Plan Amendment Case No. 04-031-(3), Zone Change Case No. 04-031-(3), Vesting Tentative Tract Map No. 061027 and Conditional Use Permit Case No. 04-031-(3).
2. The applicant, Lawrence Dinovitz, is proposing a 66-unit senior condominium, project which includes a 22-unit density bonus for reserving at least half of the proposed dwelling units for seniors in perpetuity.
3. A parking permit is required to authorize offsite and reciprocal parking facilities with the adjacent commercial building to the east pursuant to Section 22.56.990 of the Los Angeles County Code ("County Code").
4. The subject site is located at 24121 and 24141 Ventura Boulevard in The Malibu Zoned District.
5. The irregularly-shaped property is 5.63 gross acres (5.52 net acres) in size in an existing graded condition with level topography.
6. Access to the proposed development is provided by Ventura Boulevard, a 70-foot wide dedicated street.
7. The project site is currently zoned CPD (Commercial Planned Development) which was established by Ordinance No. 900104-Z and became effective on August 30, 1990; and M-1 (Light Manufacturing) which was established by Ordinance No. 7590 and became effective on August 25, 1959. The project proposes a zone change to RPD-5,000-8U (Residential Planned Development – 5,000 Square Feet Minimum Required Lot Area – Eight Dwelling Units per Net Acre).
8. Surrounding zoning includes A-2-1 (Heavy Agricultural – One Acre Minimum Required Lot Area) to the north; M-1 to the east; CPD to the south; and CPD, A-2-2 (Heavy Agricultural – Two Acre Minimum Required Lot Area) and O-S (Open Space) to the west. The City of Calabasas is located to the south of the subject property.
9. The subject property consists of one vacant lot. Surrounding uses include single-family residences and offices to the north; offices, gas station and auto sales to the east; the Ventura (US-101) Freeway ("101 Freeway") and vacant property to the south; and offices, vacant property and a water tank to the west. The City of Calabasas is located to the south of the subject property.

10. The project is consistent with the proposed RPD-5,000-8U zoning classification. Residential planned development is permitted in the RPD zone pursuant to Section 22.20.460 of the Los Angeles County Code ("County Code"). The proposed density of 66 dwelling units exceeds the maximum 44 dwelling units permitted by the RPD-5,000-8U zoning. The applicant has filed a CUP to authorize concessions, including a density bonus, pursuant to Section 22.56.202 of the County Code, which increases the maximum density permitted to 66 dwelling units. The applicant has also filed a CUP for residential planned development pursuant to Section 22.56.020 of the County Code, which allows for greater flexibility in design while promoting residential amenities beyond those expected under conventional development.
11. The property is depicted in the Commercial ("C") land use category of the Santa Monica Mountains North Area Plan ("North Area Plan"), a component of the Los Angeles Countywide General Plan ("General Plan"). Residential development is not permitted within the C land use category. The project proposes a plan amendment from C to Residential 8 ("U8") which allows eight dwelling units per net acre. The proposed 66 dwelling units exceed the maximum 44 dwelling units permitted by the proposed U8 land use category for residential development. However, the North Area Plan supports the provision of needed senior housing and emphasizes the density bonus to promote such development, reflecting the following policies in guiding review and approval of affordable housing projects, which includes senior housing:
 - a. convenient access to public transportation shall be available;
 - b. traffic impacts of high density development shall be avoided; and
 - c. affordable housing, which is defined to include senior housing, shall be dispersed throughout the urban designated county areas.
12. The project is located near major thoroughfares with public transportation options including access to the shuttle services provided by the City of Calabasas. Traffic impacts of higher density will also be avoided by the development of the site as a senior residential development. The Santa Monica Mountains provide limited areas for compatible, higher density development, of which one location is the subject property. As provided by the applicant, housing options in the area are limited to single-family detached and rental housing. No projects in the area propose condominium senior housing.
13. Local Plan Amendment Case No. 04-031-(3) is a related request to amend the North Area Plan Land Use Policy Map from C to U8.

14. Zone Change Case No. 04-031-(3) is a related request to change the zoning from CPD and M-1 to RPD-5,000-8U. The Planned Development designation will ensure that development occurring after rezoning will conform to approved plans and will ensure compatibility with the surrounding area. As applied in this case, the conditional use permit will restrict the development of the rezoned site to the proposed residential development as shown on the site plan marked "Exhibit A." No other development will be permitted on the property unless a new conditional use permit is first obtained.
15. Vesting Tentative Tract Map No. 061027 is a related request to subdivide the property into one multi-family lot with 66 new attached single-family condominiums in one building.
16. Conditional Use Permit Case No. 04-031-(3) is a related request to authorize the proposed 22-unit density bonus and concessions for affordable housing pursuant to Section 22.20.460, ensure compliance with the RPD zoning pursuant to Section 22.56.202, and grading provisions within the Santa Monica Mountains North Area Community Standards District ("CSD") pursuant to Section 22.44.133 of the County Code. The applicant is requesting concessions including the following:
 - a. Modification of the maximum permitted wall height of three-and-one-half feet in the front yard setback to allow a four-and-one-half-foot high masonry wall, as depicted on the tentative tract map and/or exhibit "A".
 - b. Modification of the maximum permitted wall height of six feet in the side yard setback to allow maximum 10-foot high wall, as depicted on the tentative tract map and/or exhibit "A".
 - c. Modification of the maximum permitted building height of 35 feet within the RPD zone to allow a maximum 60-foot high building height at the southeast corner of the subject property, as depicted on the tentative tract map and/or exhibit "A".
17. The applicant's site plan, labeled as "Exhibit B," depicts a residential building with three levels of parking. The upper and middle level provides 196 parking spaces for the residential units. The lower level provides three parking spaces for the residential units and 40 parking spaces for the adjacent commercial building to the east for a total of 43 parking spaces. Sixty-four (64) guest parking spaces are also provided within total parking provided.

Findings

18. The subject property currently provides 18 parking spaces for the adjacent commercial building to the east. The development proposes to provide 40 parking spaces on the lower level.
19. During the October 19, 2005 public hearing, the Commission heard a presentation from staff and testimony from the applicant as well as the public.
20. Seven comment letters were submitted to the Commission. Four letters were in opposition to the project, with concerns related to high density, zone change, loss of privacy, increase in traffic, lack of adequate buffer landscaping, potential loss of property values, and environmental concerns. Letters received each from the Las Virgenes Municipal Water District, Las Virgenes Unified School District and the City of Calabasas describe improvements by the applicant if the existing water main is found to be insufficient, mitigation fees that were found to be adequate for the senior development, and support of the project with the additional traffic mitigation measures agreed to by the applicant, respectively.
21. Six persons testified at the public hearing: two representing the applicant, and four in opposition to the project. Additional issues raised during the public hearing included concerns related to lack of public notice and request for 30-day continuance and opportunity to review the environmental document; additional noise pollution; insufficient mitigation measures to mitigate impacts related to traffic, density and noise; and request for restriction to commercial use.
22. The applicant responded that residential traffic is less than commercial traffic, and the project was redesigned with access from Ventura Boulevard to minimize impacts to residents on Parkway Calabasas. The applicant also offered to provide additional landscaping on the adjacent property owner's private property as well as worked with the Los Angeles County Fire Department for the location of the fire lane to maximize space between the development and adjacent property owner. An acoustical engineer was also hired to mitigate freeway noise within the residential development.
23. The Commission held discussions regarding no grading prior to the recordation of the final map, and that no major changes be permitted to the tentative map that would substantively alter the project design and/or require a revised tentative map. The Commission also asked that staff clarify mitigation measures to address requested building materials as well as acknowledged the need for senior housing and the appropriateness of the project location for such development.
24. After hearing all testimony, the Commission closed the public hearing and indicated their intent to adopt the Mitigated Negative Declaration; approve Vesting Tentative Tract Map No. 061027, Conditional Use and Parking Permit Case Nos.

- 04-031-(3); and recommend to the Los Angeles County Board of Supervisors approval of Local Plan Amendment and Zone Change Case Nos. 04-031-(3).
25. Minor technical changes were required of the tentative map and/or Exhibit "A." Staff recommended that the revised tentative map and Exhibit "A," including corrections to the proposed zoning label and additional labels for building and wall heights, be submitted for review by the Los Angeles County Subdivision Committee ("Subdivision Committee") before final action by the Commission.
 26. The applicant submitted the maps with requested changes to the Subdivision Committee, as depicted on the tentative map and Exhibit "A" dated November 3, 2005. The Subdivision Committee reviewed the project, and provided conditions recommended for approval.
 27. Pursuant to Section 22.20.460 of the County Code, the number and/or location of parking as provided in Part 11 of Chapter 22.52 are not applicable to a residential planned development.
 28. Pursuant to Sections 22.52.1083, 22.52.1100 and 22.52.1140 of the County Code, vehicle storage is required onsite for commercial and office uses in the M-1 zone. The adjacent commercial office building is located in M-1 with parking provided offsite on the subject property. Lot Line Adjustment No. 102,142 was approved on November 19, 2004 to adjust the lot lines between the subject property and the adjacent property to the east, both owned by the same owner.
 29. An Initial Study was prepared for this project in compliance with the California Environmental Quality Act (Public Resources Code Section 21000 et. seq.) ("CEQA"), the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines of the County of Los Angeles. The Initial Study identified potentially significant effects of the project on flood, noise, water quality, air quality, biota, cultural resources, visual qualities, traffic/access, education, fire/sheriff, utilities and mandatory findings. Prior to the release of the proposed Mitigated Negative Declaration and Initial Study for public review, the applicant made or agreed to revisions in the project that would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur. The Initial Study and project revisions showed that there is no substantial evidence, in light of the whole record before the Commission, that the project as revised may have a significant effect on the environment. Based on the Initial Study and project revisions, a Mitigated Negative Declaration has been prepared for this project. Conditions or changes in the proposed project are necessary in order to ensure the proposed project will not have a significant effect on the environment, and such conditions or changes have been included in the Mitigation Monitoring Program.

30. After consideration of the attached Mitigated Negative Declaration and Mitigation Monitoring Program together with any comments received during the public review process, the Commission finds on the basis of the whole record before the Commission that there is no substantial evidence the project as revised will have a significant effect on the environment, finds the Mitigated Negative Declaration reflects the independent judgment and analysis of the Commission, and adopts the Mitigated Negative Declaration and attached Mitigation Monitoring Program.
31. This project is *de minimus* in its effect on fish and wildlife resources. Therefore, the project is exempt from California Department of Fish and Game fees pursuant to Section 711.4 of the California Fish and Game Code.
32. Approval of this subdivision is conditioned on the permittee's compliance with the attached conditions of approval as well as the conditions of approval for Vesting Tentative Tract Map No. 061027, Conditional Use Permit Case No. 04-031-(3) and the Mitigation Monitoring Program.
33. The applicant has demonstrated the suitability of the subject property for the proposed use. Establishment of the proposed use at such location is in conformity with good zoning practice. Compliance with the conditions of approval will ensure compatibility with surrounding land uses and consistency with all applicable General Plan policies.
34. The location of the documents and other materials constituting the record of proceedings upon which the Commission's decision is based in this matter is the Department of Regional Planning ("Regional Planning"), 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Land Divisions Section, Regional Planning.

**BASED ON THE FOREGOING, THE REGIONAL PLANNING COMMISSION
CONCLUDES:**

- A. That the proposed use with the attached conditions and restrictions will be consistent with the adopted North Area Plan, a component of the General Plan;
- B. With the attached conditions and restrictions, that sufficient land area is reserved or an alternative arrangement is approved to ensure that the parking requirements may be complied with should the use change. The reserved land area located on the subject property shall be so located and developed in such a manner that it can be feasibly converted to parking if needed;

- C. That there will be no conflicts arising from special parking arrangements allowing shared facilities because uses sharing parking facilities operate at different times of the day or days of the week and separate access is provided for the adjacent commercial building from the residential use;
- D. That off-site facilities will provide the required parking because such off-site facilities are controlled through ownership, leasing or other arrangement by the owner of the adjacent commercial building for which the site serves and are conveniently accessible to the main use;
- E. That the requested parking permit at the location proposed will not result in traffic congestion, excessive off-site parking, or unauthorized use of parking facilities developed to serve surrounding property; and
- F. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, loading facilities, landscaping and other development features prescribed in this Title 22;

THEREFORE, THE REGIONAL PLANNING COMMISSION:

1. Adopts the Mitigated Negative Declaration and certifies that it has been completed in compliance with CEQA and the State and County guidelines related thereto.
2. Approves Parking Permit Case No. 04-031-(3) subject to the attached conditions.

**DEPARTMENT OF REGIONAL PLANNING
PARKING PERMIT CASE NO. 04-031-(3)**

Exhibit "A" Date: 6-13-2005

CONDITIONS:

1. This grant authorizes the use of the 5.52-acre subject property for offsite and reciprocal parking facilities with the adjacent commercial office building.
2. Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation, or entity making use of this grant.
3. This grant shall not be effective for any purpose until:
 - a. The permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Los Angeles County Department of Regional Planning ("Regional Planning") their affidavit stating that they are aware of, and agree to accept, all the conditions of this grant and that the conditions have been recorded as required by Condition No. 6, and until all required monies have been paid pursuant to Condition Nos. 7, 9 and 26;
 - b. The Los Angeles County Board of Supervisors ("Board of Supervisors") has adopted Plan Amendment Case No. 04-031-(3); and
 - c. An ordinance changing the zoning of the property from CPD and M-1 to RPD-5,000-8U-DP, as recommended in Zone Change Case No. 04-031-(3), has been adopted by the Board of Supervisors and has become effective.
4. If any provision of this grant is held or declared to be invalid, the permit shall be void and the privileges granted hereunder shall lapse.
5. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission or Hearing Officer may, after conducting a public hearing, revoke or modify this grant, if it finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public health or safety or so as to be a nuisance.
6. Prior to the use of this grant, the terms and conditions of the grant shall be recorded in the office of the Los Angeles County Recorder. In addition, upon any transfer or lease of the subject property during the term of this grant, the permittee shall promptly provide a copy of the grant and its terms and conditions to the transferee or lessee, as applicable, of the subject property.
7. The subject property shall be developed and maintained in full compliance with the conditions of this grant and any law, statute, ordinance or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a

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violation of these conditions. Prior to the use of this grant, the permittee shall deposit with the County of Los Angeles ("County") the sum of **\$750.00**. These monies shall be placed in a performance fund, which shall be used exclusively to compensate Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval. The fund provides for **five (5) biennial inspections**. The inspections shall be unannounced.

8. If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the property is being used in violation of any condition of this grant, the permittee shall be financially responsible and shall reimburse Regional Planning for all additional inspections and for any enforcement efforts necessary to bring the subject property into compliance. Inspections shall be made to ensure compliance with the conditions of this grant as well as adherence to development in accordance with the approved site plan on file. The amount charged for additional inspections shall be the amount equal to the recovery cost at the time of payment (currently \$150.00 per inspection).
9. Within 15 days of the approval date of this grant, the permittee shall remit processing fees payable to the County in connection with the filing and posting of a Notice of Determination in compliance with Section 21152 of the Public Resources Code for Project No. 04-031-(3), which includes Local Plan Amendment Case No. 04-031-(3), Zone Change Case No. 04-031-(3), Vesting Tentative Tract Map No. 061027, Conditional Use Permit Case No. 04-031-(3) and Parking Permit Case No. 04-031-(3). The project is *de minimus* in its effect on fish and wildlife and in order to defray the cost of wildlife protection and management, the permittee is responsible for the payment of fees associated with the Certificate of Fee Exemption established by the California Department of Fish and Game pursuant to Section 711.4 of the Fish and Game Code. The current fee amount is **\$25.00**. No land use project subject to this requirement is final, vested or operative until the fee is paid.
10. The permittee shall defend, indemnify and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009 or any other applicable limitation period. The County shall notify the permittee of any claim, action or proceeding and the County shall reasonably cooperate in the defense.
11. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within 10 days of the filing pay Regional Planning an initial deposit of \$5,000.00 from which actual costs shall be billed and deducted for the purpose of defraying the expense involved in the department's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance to the permittee or permittee's counsel. The permittee shall also

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pay the following supplemental deposits, from which actual costs shall be billed and deducted:

- a. If during the litigation process, actual costs incurred reach 80 percent of the amount of deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of the initial deposit. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation; and
- b. At the sole discretion of the permittee, the amount of an initial or supplemental deposit may exceed the minimum amounts defined herein.

The cost for collection and duplication of records and other related documents will be paid by the permittee in accordance with Section 2.170.010 of the Los Angeles County Code ("County Code").

12. This grant shall expire unless used within two years after the recordation of the final map for Vesting Tentative Tract Map No. 061027. In the event that Vesting Tentative Tract Map No. 061027 should expire without the recordation of a final map, this grant shall terminate upon the expiration of the tentative map. Entitlement to the use of the property thereafter shall be subject to the regulations then in effect.
13. The subject property shall be graded, developed and maintained in substantial compliance with the approved tentative tract map. An amended or revised tentative tract map approved for Vesting Tentative Tract Map No. 061027 may, at the discretion of the Director of Regional Planning ("Director of Planning"), constitute a revised Exhibit "A." All revised plans require the written authorization of the property owner.
14. All development shall comply with the requirements of Title 22 of the County Code (Zoning Ordinance) and of the specific zoning of the subject property unless specifically modified by this grant, as set forth in these conditions, including the approved Exhibit "A," or a revised Exhibit "A" approved by the Director of Planning.
15. Submit a copy of the project Covenants, Conditions and Restrictions ("CC&Rs") and maintenance agreements and covenants to Regional Planning for review and approval.
16. The development of the subject property shall comply with all requirements and conditions approved for Vesting Tentative Tract Map No. 061027.
17. A minimum of 239 automobile parking spaces, as depicted on the approved Exhibit "A" (dated June 13, 2005) or on an approved revised Exhibit "A", shall be provided and continuously maintained on the subject property, developed to the specifications listed in Section 22.52.1060 of the County Code. There shall be at least two covered parking spaces designated for each dwelling unit. There shall be

Conditions

at least 40 parking spaces for the adjacent commercial building depicted on the approved Exhibit "A" (dated June 13, 2005) for Parking Permit Case No. 04-031-(3) or an approved revised Exhibit "A". The required parking spaces shall be continuously available for vehicular parking only and shall not be used for storage, automobile repair, or any other unauthorized use. Continual availability and maintenance of required parking spaces shall be provided for in the CC&Rs.

18. Reserve in the CC&Rs a minimum of 40 parking spaces within the condominium development as offsite parking for the adjacent commercial office building. Also include language that the parking facilities within the condominium development are required as reciprocal parking with the adjacent commercial office building.
19. All structures shall comply with the requirements of the Division of Building and Safety of the Los Angeles County Department of Public Works ("Public Works").
20. The permittee shall obtain all necessary permits from Public Works and shall maintain all such permits in full force and effect as required throughout the life of this permit.
21. All construction and development within the subject property shall comply with the applicable provisions of the Uniform Building Code and the various related mechanical, electrical, plumbing, fire, grading and excavation codes as currently adopted by the County.
22. All structures, walls and fences open to public view shall remain free of extraneous markings, drawings, or signage. These shall include any of the above that do not directly relate to the use of the property, or that do not provide pertinent information about the premises. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.
23. In the event any such extraneous markings occur, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of such occurrence. Paint utilized in covering such markings shall be of a color that matches, as closely as possible the color of the adjacent surfaces.
24. Record a covenant with the County agreeing to comply with the required environmental mitigation measures in the Mitigation Monitoring Program. Prior to recordation, submit a copy of the covenant to the Director of Planning for approval.
25. The environmental mitigation measures are incorporated herein by reference and made conditions of this grant. As a means of ensuring the effectiveness of the mitigation measures, the permittee shall submit annual mitigation monitoring reports to the Director of Planning for approval, until such time as all mitigation measures have been implemented and completed. Additional reports shall be submitted as required by the Director of Planning.

Conditions

26. Within 15 days of the approval of this grant, the permittee shall deposit the sum of **\$3,000.00** with Regional Planning to defray the cost of reviewing the permittee's reports and verifying compliance with the Mitigation Monitoring Program. The permittee shall retain the services of a qualified Environmental/Mitigation Monitoring Consultant, subject to the approval of the Director of Planning, to ensure that all applicable mitigation measures are implemented and reported in the required Mitigation Monitoring Program.

**FINDINGS OF THE REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES
FOR VESTING TENTATIVE TRACT MAP NO. 061027**

1. The Los Angeles County Regional Planning Commission ("Commission") conducted a noticed public hearing in the matter of Vesting Tentative Tract Map No. 061027 on October 19, 2005. Vesting Tentative Tract Map No. 061027 was heard concurrently with Local Plan Amendment Case No. 04-031-(3), Zone Change Case No. 04-031-(3), Conditional Use Permit Case No. 04-031-(3) and Parking Permit Case No. 04-031-(3).
2. Vesting Tentative Tract Map No. 061027 proposes a residential development of one multi-family lot with 66 new attached single-family condominiums in one building which includes a 22-unit density bonus for reservation of at least half of the proposed dwelling units for seniors in perpetuity.
3. The subject site is located at 24121 and 24141 Ventura Boulevard in The Malibu Zoned District.
4. The irregularly-shaped property is 5.63 gross acres (5.52 net acres) in size in an existing graded condition with level topography.
5. Access to the proposed development is provided by Ventura Boulevard, a 70-foot wide dedicated street.
6. The project site is currently zoned CPD (Commercial Planned Development) which was established by Ordinance No. 900104-Z and became effective on August 30, 1990; and M-1 (Light Manufacturing) which was established by Ordinance No. 7590 and became effective on August 25, 1959. The project proposes a zone change to RPD-5,000-8U (Residential Planned Development – 5,000 Square Feet Minimum Required Lot Area – Eight Dwelling Units per Net Acre).
7. Surrounding zoning includes A-2-1 (Heavy Agricultural – One Acre Minimum Required Lot Area) to the north; M-1 to the east; CPD to the south; and CPD, A-2-2 (Heavy Agricultural – Two Acre Minimum Required Lot Area) and O-S (Open Space) to the west. The City of Calabasas is located to the south of the subject property.
8. The subject property consists of one vacant lot. Surrounding uses include single-family residences and offices to the north; offices, gas station and auto sales to the east; the Ventura (US-101) Freeway and vacant property to the south; and offices, vacant property and a water tank to the west. The City of Calabasas is located to the south of the subject property.

9. The project is consistent with the proposed RPD-5,000-8U zoning classification. Residential planned development is permitted in the RPD zone pursuant to Section 22.20.460 of the Los Angeles County Code ("County Code"). The proposed density of 66 dwelling units exceeds the maximum 44 dwelling units permitted by the RPD-5,000-8U zoning. However, the applicant has requested a conditional use permit ("CUP") to authorize concessions, including a density bonus, pursuant to Section 22.56.202 of the County Code, which increases the maximum density permitted to 66 dwelling units. The applicant has also requested a CUP for residential planned development pursuant to Section 22.56.020 of the County Code, which allows for greater flexibility in design while promoting residential amenities beyond those expected under conventional development.
10. The property is depicted in the Commercial ("C") land use category of the Santa Monica Mountains North Area Plan ("North Area Plan"), a component of the Los Angeles Countywide General Plan ("General Plan"). Residential development is not permitted within the C land use category. The project proposes a plan amendment from C to Residential 8 ("U8") which allows eight dwelling units per net acre. The proposed 66 dwelling units exceed the maximum 44 dwelling units permitted by the proposed U8 land use category for residential development. However, the North Area Plan supports the provision of needed senior housing and emphasizes the density bonus to promote such development, reflecting the following policies in guiding review and approval of affordable housing projects, which includes senior housing:
 - a. convenient access to public transportation shall be available;
 - b. traffic impacts of high density development shall be avoided; and
 - c. affordable housing, which is defined to include senior housing, shall be dispersed throughout the urban designated county areas
11. The project is located near major thoroughfares with public transportation options including access to the shuttle services provided by the City of Calabasas. Traffic impacts of higher density will also be avoided by the development of the site as a senior residential development. The Santa Monica Mountains provide limited areas for compatible, higher density development, of which one location is the subject property. As provided by the applicant, housing options in the area are limited to single-family detached and rental housing. No projects in the area propose condominium senior housing.
12. Local Plan Amendment Case No. 04-031-(3) is a related request to amend the North Area Plan Land Use Policy Map from C to U8.

13. Zone Change Case No. 04-031-(3) is a related request to change the zoning from CPD and M-1 to RPD-5,000-8U. The Planned Development designation will ensure that development occurring after rezoning will conform to approved plans and will ensure compatibility with the surrounding area. As applied in this case, the conditional use permit will restrict the development of the rezoned site to the proposed residential development as shown on the site plan marked "Exhibit A." No other development will be permitted on the property unless a new conditional use permit is first obtained.
14. Conditional Use Permit Case No. 04-031-(3) is a related request to authorize the proposed 22-unit density bonus and concessions for the senior housing project pursuant to Section 22.20.460, ensure compliance with the RPD zoning pursuant to Section 22.56.202, and grading provisions within the Santa Monica Mountains North Area Community Standards District ("CSD") pursuant to Section 22.44.133 of the County Code. The applicant is requesting concessions including the following:
 - a. Modification of the maximum permitted wall height of three-and-one-half feet in the front yard setback to allow a four-and-one-half-foot high masonry wall, as depicted on the tentative tract map and/or exhibit "A".
 - b. Modification of the maximum permitted wall height of six feet in the side yard setback to allow maximum 10-foot high wall, as depicted on the tentative tract map and/or exhibit "A".
 - c. Modification of the maximum permitted building height of 35 feet within the RPD zone to allow a maximum 60-foot high building height at the southeast corner of the subject property, as depicted on the tentative tract map and/or exhibit "A".
15. Parking Permit Case No. 04-031-(3) is a related request to authorize offsite and reciprocal parking facilities with the adjacent commercial building to the east.
16. Of the project total 66 dwelling units, the applicant proposes that 33 dwelling units be set aside for seniors to qualify for the density bonus. The applicant voluntarily proposes that all units be for residents 55 and older.
17. The project site is approximately 5.52 net acres, meeting the minimum five-acre requirement to qualify for a residential planned development. The project provides the minimum 30 percent required open space for a residential planned development, with an open space easement of 1.69 acres and an additional 0.74 acres of recreational area totaling 2.63 acres (approximately 44 percent).

18. The development's parking facilities will be shared by the condominium development and the adjacent commercial buildings to the east. A total of 239 parking spaces are provided, with 199 parking spaces reserved for the residential units (including 64 guest parking spaces). A total 40 parking spaces are provided and reserved for the adjacent commercial use with separate garage entrance.
19. During the October 19, 2005 public hearing, the Commission heard a presentation from staff and testimony from the applicant as well as the public.
20. Seven comment letters were submitted to the Commission. Four letters were in opposition to the project, with concerns related to high density, zone change, loss of privacy, increase in traffic, lack of adequate buffer landscaping, potential loss of property values, and environmental concerns. Letters received each from the Las Virgenes Municipal Water District, Las Virgenes Unified School District and the City of Calabasas describe improvements by the applicant if the existing water main is found to be insufficient, mitigation fees that were found to be adequate for the senior development, and support of the project with the additional traffic mitigation measures agreed to by the applicant, respectively.
21. Six persons testified at the public hearing: two representing the applicant, and four in opposition to the project. Additional issues raised during the public hearing included concerns related to lack of public notice and request for 30-day continuance and opportunity to review the environmental document; additional noise pollution; insufficient mitigation measures to mitigate impacts related to traffic, density and noise; and request for restriction to commercial use.
22. The applicant responded that residential traffic is less than commercial traffic, and the project was redesigned with access from Ventura Boulevard to minimize impacts to residents on Parkway Calabasas. The applicant also offered to provide additional landscaping on the adjacent property owner's private property as well as worked with the Los Angeles County Fire Department for the location of the fire lane to maximize space between the development and adjacent property owner. An acoustical engineer was also hired to mitigate freeway noise within the residential development.
23. The Commission held discussions regarding no grading prior to the recordation of the final map, and that no major changes be permitted to the tentative map that would substantially alter the project design and/or require a revised tentative map. The Commission also asked that staff clarify mitigation measures to address requested building materials as well as acknowledged the need for senior housing and the appropriateness of the project location for such development.

24. After hearing all testimony, the Commission closed the public hearing and indicated their intent to adopt the Mitigated Negative Declaration; approve Vesting Tentative Tract Map No. 061027, Conditional Use and Parking Permit Case Nos. 04-031-(3); and recommend to the Los Angeles County Board of Supervisors approval of Local Plan Amendment and Zone Change Case Nos. 04-031-(3).
25. Minor technical changes were required of the tentative map and/or Exhibit "A." Staff recommended that the revised tentative map and Exhibit "A," including corrections to the proposed zoning label and additional labels for building and wall heights, be submitted for review by the Los Angeles County Subdivision Committee ("Subdivision Committee") before final action by the Commission.
26. The applicant submitted the maps with requested changes to the Subdivision Committee, as depicted on the tentative map and Exhibit "A" dated November 3, 2005. The Subdivision Committee reviewed the project, and provided conditions recommended for approval.
27. The proposed use is required to comply with the development standards of the RPD zone and the Santa Monica Mountains North Area CSD pursuant to Sections 22.20.460 and 22.44.133 of the County Code, except as otherwise modified by Conditional Use Permit Case No. 04-031-(3).
28. The proposed subdivision and the provisions for its design and improvement are consistent with the goals and policies of the North Area Plan, a component of the General Plan. The project increases the supply and diversity of housing and promotes the efficient use of land through a more concentrated pattern of urban development.
29. The site is physically suitable for the type of development and density being proposed, since the property has adequate building sites to be developed in accordance with the County grading ordinance, has access to a County-maintained street, will be served by public sewers, will be provided with water supplies and distribution facilities to meet anticipated domestic and fire protection needs, and will have flood hazards and geologic hazards mitigated in accordance with the requirements of Los Angeles County Department of Public Works.
30. The design of the subdivision and the type of improvements will not cause serious public health problems, since sewage disposal, storm drainage, fire protection, and geologic and soils factors are addressed in the conditions of approval.
31. The design of the subdivision and the proposed improvements will not cause substantial environmental damage or substantial and avoidable injury to fish or wildlife or their habitat. The subject property is not located in a Significant

- Ecological Area and does not contain any stream courses or high value riparian habitat.
32. The design of the subdivision provides for future passive or natural heating or cooling opportunities therein.
 33. The division and development of the property in the manner set forth on this map will not unreasonably interfere with the free and complete exercise of public entity and/or public utility rights-of-way and/or easements within this map, since the design and development as set forth in the conditions of approval and on the tentative tract map, provide adequate protection for any such easements.
 34. Pursuant to Article 3.5 of the Subdivision Map Act, the proposed subdivision does not contain or front upon any public waterway, river, stream, coastline, shoreline, lake or reservoir.
 35. The discharge of sewage from this land division into the public sewer system will not violate the requirements of the California Regional Water Control Board pursuant to Division 7 (Commencing with Section 13000) of the California Water Code.
 36. The housing and employment needs of the region were considered and balanced against the public service needs of local residents and available fiscal and environmental resources when the project was determined to be consistent with the General Plan.
 37. This tract map has been submitted as a "vesting" tentative map. As such, it is subject to the provisions of Sections 21.38.010 through 21.38.080 of the County Code.
 38. An Initial Study was prepared for this project in compliance with the California Environmental Quality Act (Public Resources Code Section 21000 et. seq.) ("CEQA"), the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines of the County of Los Angeles. The Initial Study identified potentially significant effects of the project on flood, noise, water quality, air quality, biota, cultural resources, visual qualities, traffic/access, education, fire/sheriff, utilities and mandatory findings. Prior to the release of the proposed Mitigated Negative Declaration and Initial Study for public review, the applicant made or agreed to revisions in the project that would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur. The Initial Study and project revisions showed that there is no substantial evidence, in light of the whole record before the Commission, that the project as revised may have a significant effect on the environment. Based on the Initial Study and

project revisions, a Mitigated Negative Declaration has been prepared for this project. Conditions or changes in the proposed project are necessary in order to ensure the proposed project will not have a significant effect on the environment, and such conditions or changes have been included in the Mitigation Monitoring Program.

39. After consideration of the attached Mitigated Negative Declaration and Mitigation Monitoring Program together with any comments received during the public review process, the Commission finds on the basis of the whole record before the Commission that there is no substantial evidence the project as revised will have a significant effect on the environment, finds the Mitigated Negative Declaration reflects the independent judgment and analysis of the Commission, and adopts the Mitigated Negative Declaration and attached Mitigation Monitoring Program.
40. This project is *de minimus* in its effect on fish and wildlife resources. Therefore, the project is exempt from California Department of Fish and Game fees pursuant to Section 711.4 of the California Fish and Game Code.
41. Approval of this subdivision is conditioned on the subdivider's compliance with the attached conditions of approval as well as the conditions of approval for Conditional Use Permit Case No. 04-031-(3), Parking Permit Case No. 04-031-(3) and the Mitigation Monitoring Program.
42. The location of the documents and other materials constituting the record of proceedings upon which the Commission's decision is based in this matter is the Department of Regional Planning ("Regional Planning"), 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Land Divisions Section, Regional Planning.

THEREFORE, THE REGIONAL PLANNING COMMISSION:

1. Adopts the Mitigated Negative Declaration and certifies that it has been completed in compliance with CEQA and the State and County guidelines related thereto.
2. Approves Vesting Tentative Tract Map No. 061027 subject to the attached conditions and recommendations of the Subdivision Committee.

CONDITIONS:

1. Conform to the requirements of Title 21 of the Los Angeles County Code ("County Code") (Subdivision Ordinance). Also, conform to the requirements of Conditional Use Permit Case No. 04-031-(3), Parking Permit Case No. 04-031-(3), the Mitigation Monitoring Program and the Santa Monica Mountains North Area Community Standards District.
2. Except as otherwise specified in Condition No. 3 and by Conditional Use Permit Case No. 04-031-(3) and Parking Permit Case No. 04-031-(3), conform to the applicable requirements of the proposed RPD-5,000-8U (Residential Planned Development-5,000 Square Feet Minimum Required Lot Area-Eight Dwelling Units per Net Acre) zone.
3. In accordance with Conditional Use Permit Case No. 04-031-(3), this land division is approved as a senior housing development with the following modifications in accordance with Section 22.56.202 of the County Code:
 - a. Modification of the maximum permitted wall height of three-and-one-half feet in the front yard setback to allow a four-and-one-half-foot high masonry wall, as depicted on the approved Exhibit "A."
 - b. Modification of the maximum permitted wall height of six feet in the side and rear yard setback to allow a maximum wall height of 10 feet, as depicted on the approved Exhibit "A."
 - c. Modification of the maximum permitted building height of 35 feet within the RPD zone to allow a 60-foot high building height at the southeast corner of the subject property, as depicted on the approved Exhibit "A."
4. Recordation of the final map is contingent upon approval of Local Plan Amendment Case No. 04-031-(3) by the Los Angeles County Board of Supervisors and the effectuation of an ordinance changing the zoning of the subject property from CPD (Commercial Planned Development) and M-1 (Light Industrial) to RPD-5,000-8U.
5. Show Ventura Boulevard and Parkway Calabasas as dedicated streets on the final map.
6. Provide at least 50 feet of street frontage on the property line for the lot.
7. Submit a copy of the project Conditions, Covenants and Restrictions ("CC&Rs") to the Los Angeles County Department of Regional Planning ("Regional

- Planning”) for review and approval.
8. Within 15 days of approval, submit evidence that the conditions of the associated Conditional Use Permit Case No. 04-031-(3) and Parking Permit Case No. 04-031-(3) have been recorded.
 9. Place a note or notes on the final map, to the satisfaction of Regional Planning, that this subdivision is approved as a condominium project for a total of 66 residential units whereby the owners of the units of air space will hold an undivided interest in the common areas, which will in turn provide the necessary access and utility easements for the units.
 10. Provide in the CC&Rs a method for the continuous maintenance of the common areas, including the driveway and the lighting system along all walkways, to the satisfaction of Regional Planning.
 11. Reserve in the CC&Rs the right for all residents within the condominium project to use the driveways for access and the guest parking spaces throughout the subdivision.
 12. Provide in the CC&Rs that at least 33 dwelling units shall be reserved for senior citizens 65 years of age and older, and that all 66 dwelling units shall be reserved for residents 55 years of age and older.
 13. No grading permit shall be issued prior to final map recordation.
 14. No revised tentative map may be filed for the project.
 15. Three copies of a landscape plan which may be incorporated into a revised site plan, shall be submitted and approved by the Director of Regional Planning (“Director of Planning”) as required by Conditional Use Permit Case No. 04-031-(3) prior to issuance of a grading permit or building permit.
 16. Plant at least one tree of a non-invasive species within the front yard of the multi-family lot, and additional trees within the project site. The location and the species of said trees shall be incorporated into a site plan or landscape plan. Prior to final map approval, the site/landscaping plan shall be approved by the Director of Planning and a bond shall be posted with the Los Angeles County Department of Public Works (“Public Works”) or other verification shall be submitted to the satisfaction of Regional Planning to ensure the planting of the required trees.

17. Within 15 days of the approval date of this grant, the permittee shall remit processing fees payable to the County in connection with the filing and posting of a Notice of Determination in compliance with Section 21152 of the Public Resources Code for Project No. 04-031-(3), which includes Local Plan Amendment Case No. 04-031-(3), Zone Change Case No. 04-031-(3), Vesting Tentative Tract Map No. 061027, Conditional Use Permit Case No. 04-031-(3) and Parking Permit Case No. 04-031-(3). The project is *de minimus* in its effect on fish and wildlife and in order to defray the cost of wildlife protection and management, the permittee is responsible for the payment of fees associated with the Certificate of Fee Exemption established by the California Department of Fish and Game pursuant to Section 711.4 of the Fish and Game Code. The current fee amount is **\$25.00**. No land use project subject to this requirement is final, vested or operative until the fee is paid.
18. The mitigation measures set forth in the "Project Mitigation Measures Due to Environmental Evaluation" section of the Mitigated Negative Declaration for the project are incorporated by this reference and made conditions of Vesting Tentative Tract Map No. 061027. Comply with all such mitigation measures in accordance with the attached Mitigation Monitoring Program. Within 15 days of approval, record a covenant and agreement, and submit a copy to Regional Planning for approval, agreeing to the mitigation measures imposed by the Mitigated Negative Declaration for this project. As a means of ensuring the effectiveness of the mitigation measures, the subdivider shall submit mitigation monitoring reports to Regional Planning as frequently as may be required by the department. The reports shall describe the status of the subdivider's compliance with the required mitigation measures.
19. Within 15 days of the tentative map approval, as provided in the Mitigation Monitoring Program, deposit the sum of **\$3,000.00** with Regional Planning in order to defray the cost of reviewing the subdivider's reports and verifying compliance with the information contained in the reports require by the Mitigation Monitoring Program.
20. The subdivider shall defend, indemnify and hold harmless the County, its agents, officers, and employees from any claim, action or proceeding against the County or its agents, officers, and employees to attack, set aside, void or annul this tract map approval, or related discretionary approvals, whether legislative or quasi-judicial, which action is brought within the applicable time period of Government Code Section 65499.37 or any other applicable limitation period. The County shall promptly notify the subdivider of any claim, action or proceeding and the County shall cooperate fully in the defense. If the County fails to promptly notify the subdivider of any claim, action or proceeding, of the County fails to cooperate fully

in the defense, the subdivider shall not thereafter be responsible to defend, indemnify, or hold harmless the County.

21. In the event that any claim, action, or proceeding as described above is filed against the County, the subdivider shall within 10 days of the filing pay the Department of Regional Planning an initial deposit of \$5,000.00 from which actual costs shall be billed and deducted for the purpose of defraying the expense involved in the department's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance to subdivider, or subdivider's counsel. The subdivider shall also pay the following supplemental deposits, from which actual costs shall be billed and deducted:
 - a. If during the litigation process, actual costs incurred reach 80 percent of the amount on deposit, the subdivider shall deposit additional fund to bring the balance up to the amount of the initial deposit. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.
 - b. At the sole discretion of the subdivider, the amount of an initial or supplemental deposit may exceed the minimum amounts defined herein.

The cost for collection and duplication of records and other related documents will be paid by subdivider according to County Code Section 2.170.010.

Except as modified herein above, this approval is subject to all those conditions set forth in Conditional Use Permit Case No. 04-031-(3), Parking Permit Case No. 04-031-(3), the attached mitigation monitoring program, and the attached reports recommended by the Los Angeles County Subdivision Committee, which consists of members of the Public Works, Fire Department, Department of Parks and Recreation, and Health Services.

COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
LAND DEVELOPMENT DIVISION – SUBDIVISION
TRACT NO. 061027 (Rev.)

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TENTATIVE MAP DATED 11-03-2005
EXHIBIT MAP DATED 11-03-2005

The following reports consisting of 12 pages are the recommendations of Public Works.

The subdivision shall conform to the design standards and policies of Public Works, in particular, but not limited to the following items:

1. Details and notes shown on the tentative map are not necessarily approved. Any details or notes which may be inconsistent with requirements of ordinances, general conditions of approval, or Department policies must be specifically approved in other conditions, or ordinance requirements are modified to those shown on the tentative map upon approval by the Advisory agency.
2. Easements are tentatively required, subject to review by the Director of Public Works to determine the final locations and requirements.
3. Easements shall not be granted or recorded within areas proposed to be granted, dedicated, or offered for dedication for public streets, highways, access rights, building restriction rights, or other easements until after the final map is filed with the Registrar-Recorder/County Clerk's Office. If easements are granted after the date of tentative approval, a subordination must be executed by the easement holder prior to the filing of the final map.
4. In lieu of establishing the final specific locations of structures on each lot/parcel at this time, the owner, at the time of issuance of a grading or building permit, agrees to develop the property in conformance with the County Code and other appropriate ordinances such as the Building Code, Plumbing Code, Grading Ordinance, Highway Permit Ordinance, Mechanical Code, Zoning Ordinance, Undergrounding of Utilities Ordinance, Water Ordinance, Sanitary Sewer and Industrial Waste Ordinance, Electrical Code, and Fire Code. Improvements and other requirements may be imposed pursuant to such codes and ordinances.
5. All easements existing at the time of final map approval must be accounted for on the approved tentative map. This includes the location, owner, purpose, and recording reference for all existing easements. If an easement is blanket or indeterminate in nature, a statement to that effect must be shown on the tentative map in lieu of its location. If all easements have not been accounted for, submit a corrected tentative map to the Department of Regional Planning for approval.

6. Adjust, relocate, and/or eliminate lot lines, lots, streets, easements, grading, geotechnical protective devices, and/or physical improvements to comply with ordinances, policies, and standards in effect at the date the County determined the application to be complete all to the satisfaction of Public Works.
7. Prior to final approval of the tract map submit a notarized affidavit to the Director of Public Works, signed by all owners of record at the time of filing of the map with the Registrar-Recorder/County Clerk's Office, stating that any proposed condominium building has not been constructed or that all buildings have not been occupied or rented and that said building will not be occupied or rented until after the filing of the map with the Registrar-Recorder/County Clerk's Office.
8. Place standard condominium notes on the final map to the satisfaction of Public Works.
9. Quitclaim or relocate easements running through proposed structures.
10. Label driveways and multiple access strips as "Private Driveway and Fire Lane" and delineate on the final map to the satisfaction of Public Works.
11. Reserve reciprocal easements for drainage, ingress/egress, sewer, water, utilities, right to grade, and maintenance purposes, etc., in documents over the common private driveways to the satisfaction of Public Works.
12. A final tract map must be processed through the Director of Public Works prior to being filed with the Registrar-Recorder/County Clerk's Office.
13. Prior to submitting the tract map to the Director of Public Works for examination pursuant to Section 66442 of the Government Code, obtain clearances from all affected Departments and Divisions, including a clearance from the Subdivision Mapping Section of the Land Development Division of Public Works for the following mapping items; mathematical accuracy; survey analysis; and correctness of certificates, signatures, etc.
14. A final guarantee will be required at the time of filing of the final map with the Registrar-Recorder/County Clerk's Office.

15. Within 30 days of the approval date of this land use entitlement or at the time of first plan check submittal, the applicant shall deposit the sum of \$2,000 (Minor Land Divisions) or \$5,000 (Major Land Divisions) with Public Works to defray the cost of verifying conditions of approval for the purpose of issuing final map clearances. This deposit will cover the actual cost of reviewing conditions of approval for Conditional Use Permits, Tentative Tract and Parcel Maps, Vesting Tentative Tract and Parcel Maps, Oak Tree Permits, Specific Plans, General Plan Amendments, Zone Changes, CEQA Mitigation Monitoring Programs and Regulatory Permits from State and Federal Agencies (Fish and Game, USF&W, Army Corps, RWQCB, etc.) as they relate to the various plan check activities and improvement plan designs. In addition, this deposit will be used to conduct site field reviews and attend meetings requested by the applicant and/or his agents for the purpose of resolving technical issues on condition compliance as they relate to improvement plan design, engineering studies, highway alignment studies and tract/parcel map boundary, title and easement issues. When 80% of the deposit is expended, the applicant will be required to provide additional funds to restore the initial deposit. Remaining balances in the deposit account will be refunded upon final map recordation.

HW
Prepared by Henry Wong

Phone (626) 458-4915

Date 11-28-2005



COUNTY OF LOS ANGELES DEPARTMENT OF PUBLIC WORKS
LAND DEVELOPMENT DIVISION
SUBDIVISION PLAN CHECKING SECTION
DRAINAGE AND GRADING UNIT

TRACT NO. 061027

REV TENTATIVE MAP DATED 11/03/05
EXHIBIT MAP 11/03/05

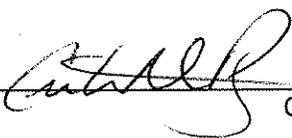
DRAINAGE CONDITIONS

1. Approval of this map pertaining to drainage is recommended.

=====

GRADING CONDITIONS:

1. A grading plan and soil and geology report must be submitted and approved prior to approval of the final map. The grading plans must show and call out the construction of at least all the drainage devices and details, the paved driveways, the elevation and drainage of all pads, and the SUSMP devices. The applicant is required to show and call out all existing easements on the grading plans and obtain the easement holder approvals prior to the grading plans approval.
2. Comply with the requirements of the drainage concept / Standard Urban Stormwater Mitigation Plan (SUSMP) plan which was conceptually approved on 06/15/05 to the satisfaction of Public Works.

Name  Date 11/22/2005 Phone (626) 458-4921
CURTIS PAGE

County of Los Angeles Department of Public Works
GEOTECHNICAL AND MATERIALS ENGINEERING DIVISION
GEOLOGIC AND SOILS ENGINEERING REVIEW SHEET
900 So. Fremont Ave., Alhambra, CA 91803
TEL. (626) 458-4925

DISTRIBUTION
Geologist
1 Soils Engineer
1 GMED File
1 Subdivision

TENTATIVE TRACT 061027
SUBDIVIDER 24123 Ventura Blve., LLC
ENGINEER Pacific Coast Civil, Inc.
GEOLOGIST Pacific Soils Engineering, Inc.
SOILS ENGINEER Pacific Soils Engineering, Inc.

TENTATIVE MAP DATED 11/03/05 (revised & exhibit)
LOCATION Calabasas
REPORT DATE 7/07/05, 5/26/05
REPORT DATE 7/07/05, 5/26/05

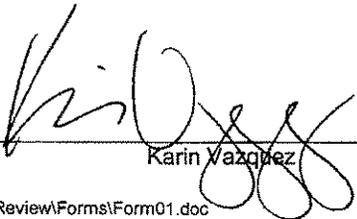
TENTATIVE MAP FEASIBILITY IS RECOMMENDED FOR APPROVAL. PRIOR TO FILING THE FINAL LAND DIVISION MAP, THE FOLLOWING CONDITIONS MUST BE FULFILLED:

- The final map must be approved by the Geotechnical and Materials Engineering Division (GMED) to assure that all geotechnical factors have been properly evaluated.
- A grading plan must be geotechnically approved by the GMED. This grading plan must be based on a detailed engineering geology report and/or soils engineering report and show all recommendations submitted by them. It must also agree with the tentative map and conditions as approved by the Planning Commission. If the subdivision is to be recorded prior to the completion and acceptance of grading, corrective geologic bonds will be required.
- All geologic hazards associated with this proposed development must be eliminated,
or
delineate restricted use areas, approved by the consultant geologist and/or soils engineer, to the satisfaction of the Geology and Soils Sections, and dedicate to the County the right to prohibit the erection of buildings or other structures within the restricted use areas.
- A statement entitled: "Geotechnical Note(s), Potential Building Site: For grading and corrective work requirements for access and building areas for Lot(s) No(s). _____ refer to the Soils Report(s) by _____, dated _____."
- The Soils Engineering review dated 11/21/05 is attached.

TENTATIVE MAP IS APPROVED FOR FEASIBILITY. THE FOLLOWING INFORMATION IS APPLICABLE TO THIS DIVISION OF LAND:

- This project may not qualify for a waiver of final map under section 21.48.140 of the Los Angeles County Title 21 Subdivision Code.
- The subdivider is advised that approval of this division of land is contingent upon the installation and use of a sewer system.
- Geology and/or soils engineering reports may be required prior to approval of building or grading plans.
- Groundwater is less than 10 feet from the ground surface on lots _____
- The Soils Engineering review dated 11/21/05 is attached.

NOTE Provide a copy of this review with your resubmittal

Prepared by  Karin Vazquez Reviewed by  Date November 21, 2005

**COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
GEOTECHNICAL AND MATERIALS ENGINEERING DIVISION**

SOILS ENGINEERING REVIEW SHEET

Address: 900 S. Fremont Ave., Alhambra, CA 91803
Telephone: (626) 458-4925
Fax: (626) 458-4913

District Office 9.1
Job Number LX001129
Sheet 1 of 1

Tentative Tract Map 61027

Location	<u>24123 Ventura Blvd., Calabasas</u>
Developer/Owner	<u>24123 Ventura Blvd, LLC</u>
Engineer/Architect	<u>Pacific Coast Civil, Inc.</u>
Soils Engineer	<u>Pacific Soils Engineering (101727-E)</u>
Geologist	<u>Same as above</u>

DISTRIBUTION:

Drainage
 Grading
 Geo/Soils Central File
 District Engineer
 Geologist
 Soils Engineer
 Engineer/Architect

Review of:
Revised Tentative Map Dated and Exhibit By Regional Planning 11/3/05
Soils Engineering and Geologic Reports Dated 7/7/05 and 5/26/05
Previous review sheet dated 7/13/05

ACTION:

Tentative Map feasibility is recommended for approval, subject to conditions below:

REMARKS:

At the grading plan review stage, provide the following:

- a. Two sets of grading plans to the Soils Section for verification of compliance with County codes and policies.
- b. Seismic surcharge pressure distribution for retaining walls/basement walls in which the retained height is higher than 12 feet.
- c. Internal and external stability analyses for any proposed MSE retaining walls as stated in the 5/26/05 report.

NOTE(S) TO THE PLAN CHECKER/BUILDING SAFETY DISTRICT ENGINEER:

- A. ON-SITE SOILS HAVE A MEDIUM EXPANSION POTENTIAL AND ARE CORROSIVE TO FERROUS METALS.
- B. PER THE SOILS ENGINEER, THE GEOGRID REINFORCED FILL SLOPE ALONG EASTERN PROPERTY LINE WILL BE REMOVED AS A RESULT OF THE PROPOSED SUBTERRANEAN GARAGE .



Prepared by _____ Date 11/21/05
Gan Lem

NOTICE: Public safety, relative to geotechnical subsurface exploration, shall be provided in accordance with current codes for excavations, inclusive of the Los Angeles County Code, Chapter 11.48, and the State of California, Title 8, Construction Safety Orders.
Gan:tract-61027

The subdivision shall conform to the design standards and policies of Public Works, in particular, but not limited to the following items:

1. Permission is granted to vacate right of way in excess of 35 feet from centerline on Ventura Boulevard providing the adjoining property owners have the underlying ownership of the portion of street to be vacated. Easement shall be provided for all utility companies that have facilities remaining within the vacated area.
2. Restrict access to the westerly most driveway on Ventura Boulevard to emergency vehicles only and install appropriate devices to the satisfaction of Public Works and Fire Department.
3. Provide intersection sight distance for a design speed of 40 mph (415 feet) on Ventura Boulevard from the exit driveway serving the parking ramp (easterly direction) to the satisfaction of Public Works. When looking left, we consider the target to be located at the center of the lane nearest to the parkway curb. We use 6 feet from top of curb (TC) as a conservative rule. With respect to the position of the vehicle at the driveway, the driver of the vehicle is presumed to be located 4 feet right of centerline and 10 feet back the TC or flow line (FL) prolongation. Line of sight on the on-site portion shall be within right of way or dedicate airspace easements to the satisfaction of Public Works. Additional on-site grading may be required.
4. Depict all line of sight easements on the landscaping and grading plans.
5. Close any unused driveway with standard curb, gutter, and sidewalk on Ventura Boulevard and Parkway Calabasas abutting this subdivision.
6. Repair any displaced, broken, or damaged curb, gutter, sidewalk, driveway apron, and pavement on Ventura Boulevard and Parkway Calabasas abutting this subdivision.
7. Comply with the following street lighting requirements:
 - a. Provide street lights on concrete poles with underground wiring along the property frontage on Parkway Calabasas to the satisfaction of Public Works. Submit street lighting plans as soon as possible for review and approval to the Street Lighting Section of the Traffic and Lighting Division. For additional information, please contact the Street Lighting Section at (626) 300-4726.

- b. The proposed development is within an existing Lighting District. For acceptance of street light transfer of billing, all street lights in the development, or the current phase of the development, must be constructed according to Public Works approved plans. The contractor shall submit one complete set of "as-built" plans. Provided the above conditions are met, all street lights in the development, or the current phase of the development, have been energized, and the developer has requested a transfer of billing at least by January 1 of the previous year, the Lighting District can assume responsibility for the operation and maintenance of the street lights by July 1 of any given year. The transfer of billing could be delayed one or more years if the above conditions are not met.
8. Underground all existing service lines and distribution lines that are less than 50 KV and new utility lines to the satisfaction of Public Works and Southern California Edison. Please contact Construction Division at (626) 458-3129 for new location of any above ground utility structure in the parkway.
9. Prior to final map approval, enter into an agreement with the County franchised cable TV operator (if an area is served) to permit the installation of cable in a common utility trench to the satisfaction of Public Works, or provide documentation that steps to provide cable TV to the proposed subdivision have been initiated to the satisfaction of Public Works.
10. Comply with the mitigation measures identified in the attached April 26, 2005 letter from our Traffic and Lighting Division to the satisfaction of Public Works. As indicated in the attached letter dated April 26, 2005, a revised conceptual plan is no longer required.

HW

Prepared by Theresa J. Nolin

Phone (626) 458-4915

Date 11-23-2005



COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
www.ladpw.org

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

April 26, 2005

IN REPLY PLEASE
REFER TO FILE: **T-4**

Mr. Larry Dinovitz
D2 Development & Construction, Inc.
23622 Calabasas Road, No. 200A
Calabasas, CA 91302

Dear Mr. Dinovitz:

**THE POINTE AT CALABASAS CONDOMINIUMS PROJECT
TENTATIVE TRACT MAP NO. 61027
CONDITIONAL USE PERMIT 04031
ADDENDUM TO ADMINISTRATIVE DRAFT
TRAFFIC IMPACT ANALYSIS (MARCH 25, 2005)
REVISED SITE PLAN (MARCH 11, 2005)
CALABASAS AREA**

As requested, we have reviewed the above-mentioned document. The Pointe at Calabasas Condominiums Project is located on the north side of Ventura Boulevard, west of Parkway Calabasas in the County of Los Angeles area adjacent to the City of Calabasas.

The proposed project consists of the construction of a 66-unit condominium with underground residential parking. The scope of the project was increased from a 63-unit condominium, since our last review of the traffic impact analysis in December 2004. The project is estimated to generate approximately 528 vehicle trips daily, with 36 and 48 vehicle trips during the weekday a.m. and p.m. peak hours, respectively.

We generally agree with the study that the traffic generated by the project will not have a significant impact to County roadways or intersections in the area. We also agree that the project will not have significant impacts to the Congestion Management Program-monitored intersections, arterials, or freeways in the area.

We believe that the project may have a temporary transportation circulation impact on nearby County/City roadways and intersections during the construction period. We recommend that construction-related traffic, especially construction equipment, pickup and dump trucks, and other material delivery truck be limited on adjacent streets during weekday peak hours.

Mr. Larry Dinovitz
April 26, 2005
Page 2

We also recommend that the City of Calabasas and Caltrans review this document to determine whether they concur with the study's findings of the potential California Environmental Quality Act impacts within their jurisdictions. Written documentation of this consultation should be submitted to Public Works and included with the project environmental document.

We have reviewed the conceptual plan for the subject project and have the following comments:

- The two proposed driveway entrances to the parking structure on Ventura Boulevard should be redesigned to minimize conflicting movements. It is preferred to combine the two driveways into one driveway or restrict the easterly driveway to ingress only and the westerly driveway to egress only.
- Public Works reserves the right to restrict parking along Ventura Boulevard within the project limits.
- Additional grading and size/location restrictions of landscaping will be required along project frontage east of the two proposed parking ramp entrances on Ventura Boulevard.

If you have any questions regarding the review of the traffic study, please contact Ms. Kristin Norman of our Traffic and Lighting Division, Traffic Studies Section, at (626) 300-4766. If you have any questions regarding the site plan, please contact Mr. Dustin James at (626) 300-4794 or Mr. Sam Richards at (626) 300-4842 of our Traffic Design Section.

Very truly yours,

DONALD L. WOLFE
Acting Director of Public Works

WILLIAM J. WINTER
Assistant Deputy Director
Traffic and Lighting Division

KN:cn

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cc: Caltrans (Cheryl Powell)
City of Calabasas (Thomas M. Bartlett)
Department of Regional Planning (Christina Tran)

bc: Land Development (Chong, Cruz, Witler)

The subdivision shall conform to the design standards and policies of Public Works, in particular, but not limited to the following items:

1. The subdivider shall install separate house laterals to serve each building in the land division.
2. A sewer area study for the proposed subdivision (PC11867as, dated 06-09-2005) was reviewed and approved. No additional mitigation measures are required. The approved sewer area study shall remain valid for two years after initial approval of the tentative map. After this period of time, an update of the area study shall be submitted by the applicant if determined to be warranted by Public Works.

HW

Prepared by Allen Ma
tr61027s-rev5.doc

Phone (626) 458-4921

Date 11-22-2005

The subdivision shall conform to the design standards and policies of Public Works, in particular, but not limited to the following items:

1. A water system maintained by the water purveyor, with appurtenant facilities to serve all buildings in the land division, must be provided. The system shall include fire hydrants of the type and location (both on-site and off-site) as determined by the Fire Department. The water mains shall be sized to accommodate the total domestic and fire flows.
2. There shall be filed with Public Works a statement from the water purveyor indicating that the water system will be operated by the purveyor, and that under normal conditions, the system will meet the requirements for the land division, and that water service will be provided to each building.
3. If necessary, easements shall be granted to the County, appropriate agency or entity for the purpose of ingress, egress, construction, and maintenance of all infrastructures constructed for this land division to the satisfaction of Public Works.
4. Submit landscape and irrigation plans for each multi family lot in the land division, with landscape area greater than 2,500 square feet, in accordance with the Water Efficient Landscape Ordinance.
5. Depict all line of sight easements on the landscaping and grading plans.

HW

Prepared by Gary Guo

Phone (626) 458-4921

Date 11-23-2005

tr61027w-rev5.doc

COUNTY OF LOS ANGELES

RP. (Susie Tae)



FIRE DEPARTMENT

5823 Rickenbacker Road
Commerce, California 90040

REVISED

CONDITIONS OF APPROVAL FOR SUBDIVISION - UNINCORPORATED

Subdivision: 61027 Map Date Nov. 03, 2005, EX. A

C.U.P. Vicinity Malibu 325

- Fire Department Hold on the tentative map shall remain until verification from the Los Angeles County Fire Dept. Planning Section is received, stating adequacy of service. Contact (323) 881-2404.
Access shall comply with Title 21 (County of Los Angeles Subdivision Code) and Section 902 of the Fire Code, which requires all weather access. All weather access may require paving.
Fire Department access shall be extended to within 150 feet distance of any exterior portion of all structures.
Where driveways extend further than 300 feet and are of single access design, turnarounds suitable for fire protection equipment use shall be provided and shown on the final map. Turnarounds shall be designed, constructed and maintained to insure their integrity for Fire Department use. Where topography dictates, turnarounds shall be provided for driveways that extend over 150 feet in length.
The private driveways shall be indicated on the final map as "Private Driveway and Firelane" with the widths clearly depicted. Driveways shall be maintained in accordance with the Fire Code.
Vehicular access must be provided and maintained serviceable throughout construction to all required fire hydrants. All required fire hydrants shall be installed, tested and accepted prior to construction.
This property is located within the area described by the Fire Department as "Very High Fire Hazard Severity Zone" (formerly Fire Zone 4). A "Fuel Modification Plan" shall be submitted and approved prior to final map clearance. (Contact: Fuel Modification Unit, Fire Station #32, 605 North Angeleno Avenue, Azusa, CA 91702-2904, Phone (626) 969-5205 for details).
Provide Fire Department or City approved street signs and building access numbers prior to occupancy.
Additional fire protection systems shall be installed in lieu of suitable access and/or fire protection water.
The final concept map, which has been submitted to this department for review, has fulfilled the conditions of approval recommended by this department for access only.
These conditions must be secured by a C.U.P. and/or Covenant and Agreement approved by the County of Los Angeles Fire Department prior to final map clearance.
The Fire Department has no additional requirements for this division of land.

Comments: Access as indicated on the submitted preliminary approval from Fire Prevention Engineering, dated 8/31/2005 matches that submitted on the tentative map. Additionally, the required on-site access shall be defined on a recorded document prior to the clearance of the final map. All turning radii shall be a minimum radius of 32' on the centerline. All construction, set-backs, etc. shall be in compliance with Fire Prevention Eng.

By Inspector: Juan C. Padilla Date November 23, 2005



COUNTY OF LOS ANGELES

FIRE DEPARTMENT

5823 Rickenbacker Road
Commerce, California 90040

REVISED

WATER SYSTEM REQUIREMENTS - UNINCORPORATED

Subdivision No. 61027 Tentative Map Date Nov. 03, 2005, EX. A

Revised Report yes

- Checkboxes for fire flow requirements, hydrant installation, and fire department approval conditions.

Comments: Fire flow requirements may be reduced as part of the review process for building permit as determined by Fire Prevention Engineering.

All hydrants shall be installed in conformance with Title 20, County of Los Angeles Government Code and County of Los Angeles Fire Code, or appropriate city regulations.

By Inspector Juan C. Padilla Date November 23, 2005



**LOS ANGELES COUNTY
DEPARTMENT OF PARKS AND RECREATION
PARK OBLIGATION REPORT**



Tentative Map #	61027	DRP Map Date: 11/03/2005	SCM Date: / /	Report Date: 11/23/2005
Park Planning Area #	33B	AGOURA / CALABASAS		Map Type: REV. (REV RECD)

Total Units = Proposed Units + Exempt Units

Sections 21.24.340, 21.24.350, 21.28.120, 21.28.130, and 21.28.140, the County of Los Angeles Code, Title 21, Subdivision Ordinance provide that the County will determine whether the development's park obligation is to be met by:

- 1) the dedication of land for public or private park purpose or,
- 2) the payment of in-lieu fees or,
- 3) the provision of amenities or any combination of the above.

The specific determination of how the park obligation will be satisfied will be based on the conditions of approval by the advisory agency as recommended by the Department of Parks and Recreation.

Park land obligation in acres or in-lieu fees:

ACRES:	0.43
IN-LIEU FEES:	\$128,057

Conditions of the map approval:

The park obligation for this development will be met by:

The payment of \$128,057 in-lieu fees.

Trails:

No trails.

Contact Patrocenia T. Sobrepeña, Departmental Facilities Planner I, Department of Parks and Recreation, 510 South Vermont Avenue, Los Angeles, California, 90020 at (213) 351-5120 for further information or an appointment to make an in-lieu fee payment.

For information on Hiking and Equestrian Trail requirements contact Trail Coordinator at (213) 351-5135.

By: 
James Barber, Advanced Planning Section Head

Supv D 3rd
November 23, 2005 08:04:58
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**LOS ANGELES COUNTY
DEPARTMENT OF PARKS AND RECREATION
PARK OBLIGATION WORKSHEET**



Tentative Map #	61027	DRP Map Date:	11/03/2005	SMC Date:	/ /	Report Date:	11/23/2005
Park Planning Area #	33B		AGOURA / CALABASAS			Map Type:	REV. (REV RECD)

The formula for calculating the acreage obligation and or In-lieu fee is as follows:

$$(P)\text{people} \times (0.003)\text{ Goal} \times (U)\text{units} = (X)\text{ acres obligation}$$

$$(X)\text{ acres obligation} \times \text{RLV/Acre} = \text{In-Lieu Base Fee}$$

- Where: P = Estimate of number of People per dwelling unit according to the type of dwelling unit as determined by the 2000 U.S. Census*. Assume * people for detached single-family residences; Assume * people for attached single-family (townhouse) residences, two-family residences, and apartment houses containing fewer than five dwelling units; Assume * people for apartment houses containing five or more dwelling units; Assume * people for mobile homes.
- Goal = The subdivision ordinance allows for the goal of 3.0 acres of park land for each 1,000 people generated by the development. This goal is calculated as "0.0030" in the formula.
- U = Total approved number of Dwelling Units.
- X = Local park space obligation expressed in terms of acres.
- RLV/Acre = Representative Land Value per Acre by Park Planning Area.

Total Units = Proposed Units + Exempt Units

	People*	Goal 3.0 Acres / 1000 People	Number of Units	Acre Obligation
Detached S.F. Units	2.91	0.0030	0	0.00
M.F. < 5 Units	2.39	0.0030	0	0.00
M.F. >= 5 Units	2.17	0.0030	66	0.43
Mobile Units	2.50	0.0030	0	0.00
Exempt Units			0	
Total Acre Obligation =				0.43

Park Planning Area = 33B AGOURA / CALABASAS

Goal	Acre Obligation	RLV / Acre	In-Lieu Base Fee
@(0.0030)	0.43	\$297,808	\$128,057

Lot #	Provided Space	Provided Acres	Credit (%)	Acre Credit	Land
None					
Total Provided Acre Credit:				0.00	

Acre Obligation	Public Land Crdt.	Priv. Land Crdt.	Net Obligation	RLV / Acre	In-Lieu Fee Due
0.43	0.00	0.00	0.43	\$297,808	\$128,057



THOMAS L. GARTHWAITE, M.D.
DIRECTOR and CHIEF MEDICAL OFFICER

FRED LEAF
CHIEF OPERATING OFFICER

JONATHAN E. FIELDING, M.D., M.P.H.
Director of Public Health and Health Officer

Environmental Health
ARTURO AGUIRRE, Director

Bureau of Environmental Protection
Mountain & Rural/Water, Sewage & Subdivision Program
5050 Commerce Drive, Baldwin Park, CA 91706-1423
TEL (626)430-5380 · FAX (626)813-3016
www.lapublichealth.org/eh/progs/envirp.htm



BOARD OF SUPERVISORS

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Fifth District

November 17, 2005

RFS No. 05-0030770

Tract No. 061027

Vicinity: Calabasas

Tentative Map Date: November 3, 2005 (5th Revision)

The Los Angeles County Department of Health Services' conditions of approval for Vesting **Tentative Tract Map 061027** are unchanged by the submission of the revised map. The following conditions still apply and are in force:

1. Potable water will be supplied by the **Las Virgenes Municipal Water District**, a public water system, which guarantees water connection and service to all lots. The "will serve" letter has been received by the Department.
2. Sewage disposal will be provided through the public sewer and wastewater treatment facility as proposed.

If you have any questions or need additional information, please contact me at (626) 430-5380.

Respectfully,

Becky Valenti, E.H.S. IV

Mountain and Rural/Water, Sewage, and Subdivision Program

COUNTY OF LOS ANGELES
DEPARTMENT OF REGIONAL PLANNING
320 WEST TEMPLE STREET
LOS ANGELES, CALIFORNIA 90012

MITIGATED NEGATIVE DECLARATION

PROJECT NUMBER: CUP/ZC/PK/PA 04-031 / TR061027

1. **DESCRIPTION:**

Application for TR061027 to construct 66 condominium units (38 conventional and 28 senior units); a ZC from M1 and CPD to RPD-8U-5,000; a CUP for planned development, density bonus, and the export of 20,480 c.y. of material; a PK to provide parking for adjacent commercial building; and a PA to change the current land use designation from Commercial to 8U. The proposed condominium structure (218,900 s.f.) will be three stories high (maximum height of 60') with three subterranean parking levels. A total of 239 parking spaces are proposed of which 40 parking spaces on the third level of the garage will be provided for the office building on adjacent parcel. Other improvements include retaining walls; a main entry area with a porte cochere; an atrium area with water feature; a recreation area to the west of structure which includes a pool/spa, BBQ area, a waterfall and pond with bridge crossing; and a courtyard to the north which includes a patio, spa area, two-sided fireplace, and overhead structure. The proposed 28' wide fire lane will pass through the proposed recreation area to the west side of the site. Approximately 21,460 c.y. of cut and 980 c.y. of fill will be required and the remaining 20,480 c.y. of material will be exported. Approximately 1,024 truck trips will be generated from the proposed export of material which will be deposited at the Kanan Road interchange. An 1.69 acres area on the west side of the site is proposed for open space easement. Proposed development will connect to public water and sewer services that will be provided by Las Virgenes Municipal Water District.

2. **LOCATION:**

24141 and 24121 Ventura Blvd., Calabasas

3. **PROPONENT:**

*Lawrence Dinovitz & Scott Dinovitz
5023 N. Parkway Calabasas
Calabasas, CA 91302*

4. **FINDINGS OF NO SIGNIFICANT EFFECT:**

BASED ON THE ATTACHED INITIAL STUDY, IT HAS BEEN DETERMINED THAT THE PROJECT WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT WITH MODIFICATION AS IDENTIFIED ON THE PROJECT CHANGES/CONDITIONS FORM INCLUDED AS PART OF THE INITIAL STUDY.

5. **LOCATION AND CUSTODIAN OF RECORD OF PROCEEDINGS:**

THE LOCATION AND CUSTODIAN OF THE RECORD OF PROCEEDINGS ON WHICH ADOPTION OF THIS MITAGATED NEGATIVE DECLARATION IS BASED IS: DEPARTMENT OF REGIONAL PLANNING, 320 WEST TEMPLE STREET, LOS ANGELES, CA 90012

PREPARED BY: *Christina D. Tran* 

DATE: *August 23, 2005*



Los Angeles County
Department of Regional Planning



Planning for the Challenges Ahead

James E. Hartl AICP
Director of Planning

**PROJECT MITIGATION MEASURES
DUE TO ENVIRONMENTAL EVALUATION**

Project: ZC/PK/CUP/PA 04-031 / TR061027

The Department of Regional Planning (DRP) staff has determined that the following mitigation measures for the project are necessary in order to assure that the proposed project will not cause significant impacts on the environment.

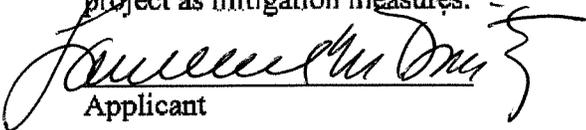
The permittee shall deposit the sum of \$3000.00 with the Department of Regional Planning within 30 days of permit approval in order to defray the cost of reviewing and verifying the information contained in the reports required by the Mitigation Monitoring Program.

1. Applicant shall comply with the NPDES requirements of the California Regional Water Quality Control Board and the Los Angeles County Department of Public Works.
2. Prior to the issuance of a grading permit, applicant shall remit the appropriate potable water and sewer capacity charges to Las Virgenes Municipal Water District.
3. All construction related truck trips on State highways shall be limited to off peak commuting periods.
4. All construction-related traffic, especially construction equipment, pickup and dump trucks, and other material delivery truck on adjacent streets shall be limited to off peak hours on weekdays.
5. Thirty three units shall be restricted for senior residents of 62 years and older. The remaining 33 units of the proposed development shall be deed-restricted for residents 55 years old and older. Said Age restriction shall be incorporated in the CC&R.
6. Prior to the issuance of a building permit, applicant shall remit the appropriate County Library Developer Fee to the County of Los Angeles Public Library.
7. Fencing shall be placed 5 feet outside the drip lines of all oak trees which shall be verified by DRP prior to issuance of grading permit.
8. Prior to issuance of building permit, applicant shall obtain a Flood Maintenance District easement overbuild permit from the DPW.
9. Reclaimed water shall be used for all common area landscape irrigation.
10. Prior to issuance of grading permit, applicant shall submit a landscape plan to DRP for review and approval. Landscaping shall consist 50% of locally indigenous plants that are drought tolerant. The irrigation system shall be of a low-flow drip system.

11. Night lighting shall be directed downward onto the property, of low intensity, at low height and shielded to prevent illumination of surrounding properties. Security lighting, if any is used, shall be on a motion detector with a timer set to switch off approximately 3-5 minutes after has been triggered if no further motion is detected.
12. All water fixtures including toilets and shower heads shall be of a low-flow design at the time of connection.
13. Roof ceiling construction will be roofing on ½ inch plywood. Batt insulation will be installed in joist spaces. The ceilings will be of a water-resistant or mold-resistant material, equivalent to the noise attenuation capacity of one layer of 5/8 inch gypboard, nailed direct. Said specifications shall be included in the notes of an approved building plan.
14. All exterior walls will be with Batt insulation in the stud spaces. Exteriors will be exterior plaster or stucco. The interiors will be of a water-resistant or mold-resistant material, equivalent to the noise attenuation capacity of one layer of 5/8 inch gypboard. Said specifications shall be included in the notes of an approved building plan.
15. All south-facing windows and glass doors will be glazed with STC 32 glazing. The STC 32 rating can be provided with either dual glazing with a ½ inch air space or ¼ inch laminated glass. In either case, the glazing supplier shall submit test reports documenting the minimum STC rating for the complete glazing assembly. The test report shall be done in an independent, accredited testing laboratory in accordance with ASTM E-90. Said specifications shall be included in the notes of an approved building plan.
16. All other windows and glass doors may be standard glazing. Said specification shall be included in the notes of an approved building plan.
17. All entry doors shall be 1-3/4 inch solid core flush wood doors with vinyl bulb weatherstripping on the sides and top. Panel doors with panels less than 1-3/4 inch shall not be accepted. Glazing in entry doors shall not be accepted. Said specifications shall be included in the notes of an approved building plan.
18. There shall be no mail slots in the entry doors. Said specification shall be included in the notes of an approved building plan.
19. Any optical viewing devices installed in the entry doors shall be the same thickness as the doors. The holes for these devices shall be sized so that there is not more than 1/16 inch clearance between the device and the door. The viewing device shall be installed in a film of non-hardening sealant that completely fills the clearance between the device and the door. Acceptable sealants are 1) G.E. Silicone; 2) U.S. Gypsum Acoustical Sealant; 3) Tremco Acoustical Sealant or approved equal. Said specifications shall be included in the notes of an approved building plan.
20. There shall be no ventilation openings in the exterior walls or roof/ceilings without approved acoustical baffles. Said specifications shall be included in the notes of an approved building plan.
21. The applicant shall agree to suspend construction in the vicinity of a cultural resource encountered during ground-disturbing activities at the site, and leave the resource in place until a qualified archaeologist can examine them and determine appropriate mitigation measures.
22. During construction, soil stabilizers shall be applied to inactive areas.

23. During construction, ground cover shall be replaced in disturbed areas as quickly as possible.
24. All exposed surfaces and haul roads shall be watered twice daily during construction.
25. During construction, all stock piles shall be covered with tarps.
26. All construction related vehicles on unpaved roads shall travel at less than 15 miles per hour.
27. Employees and construction crews who travel to retail establishments at lunch shall utilize shuttles. Applicant shall ensure that shuttles will be available.
28. All off-road diesel exhaust equipment and vehicles shall utilize cooled exhaust gas recirculation.
29. Residential water and space heaters shall be powered by solar energy with natural gas as a backup energy source. Said specifications shall be included in the notes of an approved building plan.
30. All contractors who perform residential landscape maintenance shall only utilize electric landscape maintenance equipment. Said requirement shall be incorporated into the CC&R.
31. As a means of ensuring compliance of the above mitigation measures, the applicant and subsequent owner(s) are responsible for submitting annual mitigation compliance report to the DRP for review commencing with the issuance of grading permit, and for replenishing the mitigation monitoring account if necessary until such time as all mitigation measures have been implemented and completed.

As the applicant, I agree to incorporate these mitigation measures into the project, and understand that the public hearing and consideration by the Planning Commission will be on the project as mitigation measures.


Applicant

1-18-06
Date

[] No response within 10 days. Environmental Determination requires that these changes/conditions be included in the project.

Staff

Date

**TR061027 / CUP, ZC, PK, PA 04-031
Mitigation Monitoring Program**

Impact Mitigation	Responsible Agency or Party	Action Required	Monitoring Agency or Party	Timing
<p>Flood Prior to issuance of building permit, applicant shall obtain a Flood Maintenance District easement overbuild permit from the DPW.</p>	Project Applicant	Submittal and approval of construction plan; obtain overbuild permit	DPW	Prior to issuance of building permit
<p>Noise Roof ceiling construction will be roofing on 1/2 inch plywood. Batt insulation will be installed in joist spaces. The ceilings will be one layer of 5/8 inch gypboard nailed direct. Said specifications shall be included in the notes of an approved building plan.</p>	Project Applicant	Submittal of a letter from Building and Safety of the DPW that said specifications will be included in the building plan	DPW	Prior to issuance of building permit

<p>All exterior walls will be with Batt insulation in the stud spaces. Exteriors will be exterior plaster or stucco. The interiors will be of a water-resistant or mold-resistant material, equivalent to the noise attenuation capacity of one layer of 5/8 inch gypboard. Said specifications shall be included in the notes of an approved building plan.</p>	<p>Project Applicant</p>	<p>Submittal of a letter from Building and Safety of the DPW that said specifications will be included in the building plan</p>	<p>DPW</p>	<p>Prior to issuance of building permit</p>
<p>All south-facing windows and glass doors will be glazed with STC 32 glazing. The STC 32 rating can be provided with either dual glazing with a 1/2 inch air space or 1/4 inch laminated glass. In either case, the glazing supplier shall submit test reports documenting the minimum STC rating for the complete glazing assembly. The test report shall be done in an independent, accredited testing laboratory in accordance with ASTM E-90. Said specifications shall be included in the notes of an approved building plan.</p>	<p>Project Applicant</p>	<p>Submittal of a letter from Building and Safety of the DPW that said specifications will be included in the building plan</p>	<p>DPW</p>	<p>Prior to issuance of building permit</p>
<p>All other windows and glass doors may be standard glazing. Said specification shall be included in the notes of an approved building plan.</p>	<p>Project Applicant</p>	<p>Submittal of a letter from Building and Safety of the DPW that said specification will be included in the building plan</p>	<p>DPW</p>	<p>Prior to issuance of building permit</p>

<p>All entry doors shall be 1-3/4 inch solid core flush wood doors with vinyl bulb weatherstripping on the sides and top. Panel doors with panels less than 1-3/4 inch shall not be accepted. Glazing in entry doors shall not be accepted. Said specifications shall be included in the notes of an approved building plan.</p>	<p>Project Applicant</p>	<p>Submittal of a letter from Building and Safety of the DPW that said specifications will be included in the building plan</p>	<p>DPW</p>	<p>Prior to issuance of building permit</p>
<p>There shall be no mail slots in the entry doors. Said specification shall be included in the notes of an approved building plan.</p>	<p>Project Applicant</p>	<p>Submittal of a letter from Building and Safety of the DPW that said specification will be included in the building plan</p>	<p>DPW</p>	<p>Prior to issuance of building permit</p>
<p>Any optical viewing devices installed in the entry doors shall be the same thickness as the doors. The holes for these devices shall be sized so that there is not more than 1/16 inch clearance between the device and the door. The viewing device shall be installed in a film of non-hardening sealant that completely fills the clearance between the device and the door. Acceptable sealants are 1) G.E. Silicone; 2) U.S. Gypsum Acoustical Sealant; 3) Tremco Acoustical Sealant or approved equal. Said specifications shall be included in the notes of an approved building plan.</p>	<p>Project Applicant</p>	<p>Submittal of a letter from Building and Safety of the DPW that said specifications will be included in the building plan</p>	<p>DPW</p>	<p>Prior to issuance of building permit</p>

<p>There shall be no ventilation openings in the exterior walls or roof/ceilings without approved acoustical baffles. Said specifications shall be included in the notes of an approved building plan.</p>	<p>Project Applicant</p>	<p>Submittal of a letter from Building and Safety of the DPW that said specifications will be included in the building plan</p>	<p>DPW</p>	<p>Prior to issuance of building permit</p>
<p>Fire</p> <p>Applicant shall pay a developer fee or an in-kind consideration in lieu of developer fees to the Los Angeles County Fire Department (LACFD), to provide funds for fire protection facilities, which are required by new commercial, industrial or residential development in an amount proportionate to the demand created by this project.</p>	<p>Project Applicant</p>	<p>Submit developer fees</p>	<p>LACFD</p>	<p>At the time building permit is issued</p>

<p>Water Quality</p> <p>Compliance with NPDES requirement of the CRWQCB and the DPW</p>	<p>Project Applicant</p>	<p>Acquire NPDES Permit</p>	<p>CRWQCB DPW</p>	<p>Prior to the issuance of grading permit</p>
<p>Air Quality</p> <p>During construction, soil stabilizers shall be applied to inactive areas.</p>	<p>Project Applicant</p>	<p>Apply soil stabilizers</p>	<p>DRP DPW</p>	<p>During construction</p>
<p>During construction, ground cover shall be replaced in disturbed areas as quickly as possible.</p>	<p>Project Applicant</p>	<p>Replace ground cover</p>	<p>DRP DPW</p>	<p>During construction</p>
<p>All exposed surfaces and haul roads shall be watered twice daily during construction.</p>	<p>Project Applicant</p>	<p>Water haul routes and exposed surfaces</p>	<p>DRP DPW</p>	<p>During construction</p>
<p>During construction, all stock piles shall be covered with tarps.</p>	<p>Project Applicant</p>	<p>Cover stock piles with tarps</p>	<p>DRP DPW</p>	<p>During construction</p>
<p>All construction related vehicles on unpaved roads shall travel at less than 15 miles per hour.</p>	<p>Project Applicant</p>	<p>Travel under 15mph on unpaved roads</p>	<p>DRP DPW</p>	<p>During construction</p>
<p>Employees and construction crews who travel to retail establishments at lunch shall utilize shuttles. Applicant shall ensure that shuttles will be available.</p>	<p>Project Applicant</p>	<p>Utilize shuttles</p>	<p>DRP DPW</p>	<p>During construction</p>

<p>All off-road diesel exhaust equipment and vehicles shall utilize cooled exhaust gas recirculation.</p>	<p>Project Applicant</p>	<p>Utilize cooled exhaust gas recirculation</p>	<p>DRP DPW</p>	<p>During construction</p>
<p>Residential water heaters shall be powered by solar energy. Residential space heat shall be provided by central water heaters. Said specifications shall be included in the notes of an approved building plan.</p>	<p>Project Applicant</p>	<p>Submittal of a letter from Building and Safety of the DPW that said specifications will be included in the building plan</p>	<p>DPW</p>	<p>Prior to issuance of building permit</p>
<p>All contractors who perform residential landscape maintenance shall only utilize electric landscape maintenance equipment. Said requirement shall be incorporated into the CC&R.</p>	<p>Project Applicant</p>	<p>Incorporate said requirement into CC&R</p>	<p>DRP</p>	<p>Prior to recordation of final map</p>
<p>Archaeology The applicant shall agree to suspend construction in the vicinity of a cultural resource encountered during ground-disturbing activities at the site, and leave the resource in place until a qualified archaeologist can examine them and determine appropriate mitigation measures.</p>	<p>Project Applicant and construction contractor</p>	<p>Construction monitoring for buried cultural resources</p>	<p>DRP</p>	<p>During construction</p>

<p>Biota</p> <p>Fencing shall be placed 5 feet outside the drip lines of all oak trees which shall be verified by DRP prior to issuance of grading permit.</p>	<p>Project Applicant</p>	<p>Fence oak trees</p>	<p>DRP</p>	<p>Prior to issuance of grading permit</p>
<p>Visual</p> <p>Prior to issuance of grading permit, applicant shall submit a landscape plan to DRP for review and approval. Landscaping shall consist 50% of locally indigenous plants that are drought tolerant. The irrigation system shall be of a low-flow drip system.</p>	<p>Project Applicant</p>	<p>Submittal and approval of landscape plan</p>	<p>DRP</p>	<p>Prior to issuance of grading permit</p>
<p>Night lighting shall be directed downward onto the property, of low intensity, at low height and shielded to prevent illumination of surrounding properties. Security lighting, if any is used, shall be on a motion detector.</p>	<p>Project Applicant</p>	<p>outdoor lightings shall be directed downward, of low intensity, at low height, and shielded; All security lightings shall be on motion detector</p>	<p>DRP</p>	<p>During project operation</p>

<p>Traffic</p> <p>All construction related truck trips on State highways shall be limited to off peak commuting periods.</p>	<p>Project Applicant</p>	<p>Construction truck trips on State highways limited to off peak commuting periods</p>	<p>Caltrans & Project Applicant</p>	<p>During construction</p>
<p>All construction-related traffic, especially construction equipment, pickup and dump trucks, and other material delivery truck on adjacent streets shall be limited to off peak hours on weekdays.</p>	<p>Project Applicant</p>	<p>Construction truck trips limited to off peak commuting periods</p>	<p>DPW & Project Applicant</p>	<p>During construction</p>
<p>Sewage</p> <p>Prior to the issuance of a grading permit, applicant shall remit the appropriate potable water and sewer capacity charges to Las Virgenes Municipal Water District.</p>	<p>Project Applicant</p>	<p>Remit appropriate potable water and sewer capacity charges</p>	<p>LVMWD</p>	<p>Prior to issuance of grading permit</p>
<p>Education</p> <p>Twenty eight units shall be restricted for senior residents of 62 years and older. The remaining 38 units of the proposed development shall be deed-restricted for residents 55 years old and older for a period of 35 years. Said Age restriction shall be incorporated in the CC&R.</p>	<p>Project Applicant</p>	<p>Submit a copy of recordation of deed restriction; incorporate age restriction in the CC&R</p>	<p>DRP</p>	<p>Prior to recordation of final map</p>

<p>Prior to the issuance of a building permit, applicant shall remit the appropriate County Library Developer Fee to the County of Los Angeles Public Library.</p>	<p>Project Applicant</p>	<p>Remit appropriate developer fee</p>	<p>LACPL</p>	<p>Prior to issuance of building permit</p>
<p>Utilities / Other Services</p> <p>All water fixtures including toilets and shower heads shall be of a low-flow design at the time of connection. Said specification shall be included in the notes of an approved building plan.</p>	<p>Project Applicant</p>	<p>Submittal of a letter from Building and Safety of the DPW that said specifications will be included in the building plan</p>	<p>DPW</p>	<p>Prior to issuance of building permit</p>
<p>If available, reclaimed water shall be used for common area landscape irrigation.</p>	<p>Project Applicant</p>	<p>Use reclaimed water if available</p>	<p>Project Applicant</p>	<p>During project operation</p>
<p>Mitigation Compliance</p> <p>As a means of ensuring compliance of the above mitigation measures, the applicant and subsequent owner(s) are responsible for submitting annual mitigation compliance report to the DRP for review, and for replenishing the mitigation monitoring account if necessary until such time as all mitigation measures have been implemented and completed</p>	<p>Project Applicant and Subsequent Owner(s)</p>	<p>Submittal of annual mitigation compliance report; replenishing mitigation monitoring account</p>	<p>DRP</p>	<p>Annually until such time as all mitigation measures have been implemented and completed</p>

Key:

DPW	= Los Angeles County Department of Public Works
DRP	= Los Angeles County Department of Regional Planning
CRWQCB	= California Regional Water Quality Control Board
F & G	= Department of Fish and Game
LACFD	= Los Angeles County Fire Department
LACPL	= Los Angeles County Public Library
LVMWD	= Las Virgenes Municipal Water District
NOI	= Notice of Intent
NPDES	= National Pollution Discharge Elimination System
SWPPP	= Storm Water Pollution Prevention Plan



******* INITIAL STUDY *******

**COUNTY OF LOS ANGELES
DEPARTMENT OF REGIONAL PLANNING
GENERAL INFORMATION**

I.A. Map Date: June 9, 2005 Staff Member: Christina D. Tran

Thomas Guide: 559 D 4-5 USGS Quad: Calabasas

Location: 24141 and 24121 Ventura Blvd., Calabasas

Description of Project: Application for TR061027 to construct 66 condominium units (38 conventional and 28 senior units); a ZC from M1 and CPD to RPD-8U-5,000; a CUP for planned development, density bonus, and the export of 20,480 c.y. of material; a PK to provide parking for adjacent commercial building; and a PA to change the current land use designation from Commercial to 8U. The proposed condominium structure (218,900 s.f.) will be three stories high (maximum height of 60') with three subterranean parking levels. A total of 239 parking spaces are proposed of which 40 parking spaces on the third level of the garage will be provided for the office building on adjacent parcel. Other improvements include retaining walls; a main entry area with a porte cochere; an atrium area with water feature; a recreation area to the west of structure which includes a pool/spa, BBQ area, a waterfall and pond with bridge crossing; and a courtyard to the north which includes a patio, spa area, two-sided fireplace, and overhead structure. The proposed 28' wide fire lane will pass through the proposed recreation area to the west side of the site. Approximately 21,460 c.y. of cut and 980 c.y. of fill will be required and the remaining 20,480 c.y. of material will be exported. Approximately 1,024 truck trips will be generated from the proposed export of material which will be deposited at the Kanan Road interchange. An 1.69 acres area on the west side of the site is proposed for open space easement. Proposed development will connect to public water and sewer services that will be provided by Las Virgenes Municipal Water District.

Gross Acres: 5.63 acres

Environmental Setting: Project site is a graded pad on a vacant lot located in a suburban area with the Ventura Freeway adjacent to the south. Surrounding uses consist of commercial establishments to the east and northeast; the Ventura Freeway to the south; single family residences to the north and northwest; and a commercial building under construction to the west of project site. Remaining natural resources at the project site consist of coastal sage scrub, oak trees, and weeds.

Zoning: CPD (Commercial Planned Development); M-1 (Light Manufacturing)

General Plan: Non-urban

Community/Area wide Plan: Commercial (Santa Monica Mountains North Area Plan)

Major projects in area:

<u>PROJECT NUMBER</u>	<u>DESCRIPTION & STATUS</u>
<u>CP 02-107</u>	<u>Self storage facility (3-5-03 approved)</u>
<u>CP94105</u>	<u>Telecommunication facility (3-27-95 approved)</u>

NOTE: For EIRs, above projects are not sufficient for cumulative analysis.

REVIEWING AGENCIES

<u>Responsible Agencies</u>	<u>Special Reviewing Agencies</u>	<u>Regional Significance</u>
<input type="checkbox"/> None	<input type="checkbox"/> None	<input checked="" type="checkbox"/> None
<input checked="" type="checkbox"/> Regional Water Quality Control Board	<input checked="" type="checkbox"/> Santa Monica Mountains Conservancy	<input type="checkbox"/> SCAG Criteria
<input checked="" type="checkbox"/> Los Angeles Region	<input type="checkbox"/> National Parks	<input type="checkbox"/> Air Quality
<input type="checkbox"/> Lahontan Region	<input type="checkbox"/> National Forest	<input type="checkbox"/> Water Resources
<input type="checkbox"/> Coastal Commission	<input type="checkbox"/> Edwards Air Force Base	<input type="checkbox"/> Santa Monica Mtns. Area
<input type="checkbox"/> Army Corps of Engineers	<input checked="" type="checkbox"/> Resource Conservation District of Santa Monica Mtns. Area	<input type="checkbox"/>
<input checked="" type="checkbox"/> Caltrans	<input checked="" type="checkbox"/> City of Calabasas	<input type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/> Las Virgenes Unified School District	<input type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/> City of Hidden Hills	<input type="checkbox"/>
	<input checked="" type="checkbox"/> City of L.A.	
	<input checked="" type="checkbox"/> Las Virgenes Municipal Water District	
<u>Trustee Agencies</u>	<input checked="" type="checkbox"/> AQMD	<u>County Reviewing Agencies</u>
<input checked="" type="checkbox"/> None	<input type="checkbox"/>	<input checked="" type="checkbox"/> Subdivision Committee
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/> DPW: Geotechnical and Materials Engineering Division; Land Development (NPDES review); Traffic and Lighting; Flood Maintenance; Drainage & Grading
<input type="checkbox"/> State Fish and Game	<input type="checkbox"/>	<input checked="" type="checkbox"/> Fire Department
<input type="checkbox"/> State Parks	<input type="checkbox"/>	<input checked="" type="checkbox"/> Health Services: Environmental Hygiene
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/> County Library
<input type="checkbox"/>	<input type="checkbox"/>	

IMPACT ANALYSIS MATRIX		ANALYSIS SUMMARY (See individual pages for details)			
			Less than Significant Impact/No Impact		
			Less than Significant Impact with Project Mitigation		
			Potentially Significant Impact		
CATEGORY	FACTOR	Pg			Potential Concern
HAZARDS	1. Geotechnical	5	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	2. Flood	6	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<i>Flood maintenance easement</i>
	3. Fire	7	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<i>Fire Zone 4</i>
	4. Noise	8	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<i>Adjacent to Ventura Fwy.</i>
RESOURCES	1. Water Quality	9	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<i>NPDES requirement</i>
	2. Air Quality	10	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<i>Grading & construction emissions</i>
	3. Biota	11	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<i>Fencing of oak trees</i>
	4. Cultural Resources	12	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<i>Oak trees</i>
	5. Mineral Resources	13	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	6. Agriculture Resources	14	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	7. Visual Qualities	15	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<i>Landscaping</i>
SERVICES	1. Traffic/Access	16	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<i>Construction traffic</i>
	2. Sewage Disposal	17	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	3. Education	18	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<i>Schools overcrowded, limited library resources</i>
	4. Fire/Sheriff	19	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<i>Increase service demand on existing resources</i>
	5. Utilities	20	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<i>Large increase in water use</i>
OTHER	1. General	21	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	2. Environmental Safety	22	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	3. Land Use	23	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<i>Plan amendment and zone change</i>
	4. Pop/Hous./Emp./Rec.	24	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	5. Mandatory Findings	25	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<i>Geotechnical, traffic, air quality, noise</i>

DEVELOPMENT MONITORING SYSTEM (DMS)

As required by the Los Angeles County General Plan, DMS* shall be employed in the Initial Study phase of the environmental review procedure as prescribed by state law.

- Development Policy Map Designation: Non-urban Hillside
- Yes No Is the project located in the Antelope Valley, East San Gabriel Valley, Malibu/Santa Monica Mountains or Santa Clarita Valley planning area?
- Yes No Is the project at urban density and located within, or proposes a plan amendment to, an urban expansion designation?

If both of the above questions are answered "yes", the project is subject to a County DMS analysis.

Check if DMS printout generated (attached)

Date of printout: _____

Check if DMS overview worksheet completed (attached)

EIRs and/or staff reports shall utilize the most current DMS information available.

Environmental Finding:

FINAL DETERMINATION: On the basis of this Initial Study, the Department of Regional Planning finds that this project qualifies for the following environmental document:

- NEGATIVE DECLARATION, inasmuch as the proposed project will not have a significant effect on the environment.

An Initial Study was prepared on this project in compliance with the State CEQA Guidelines and the environmental reporting procedures of the County of Los Angeles. It was determined that this project will not exceed the established threshold criteria for any environmental/service factor and, as a result, will not have a significant effect on the physical environment.

- MITIGATED NEGATIVE DECLARATION, in as much as the changes required for the project will reduce impacts to insignificant levels (see attached discussion and/or conditions).

An Initial Study was prepared on this project in compliance with the State CEQA Guidelines and the environmental reporting procedures of the County of Los Angeles. It was originally determined that the proposed project may exceed established threshold criteria. The applicant has agreed to modification of the project so that it can now be determined that the project will not have a significant effect on the physical environment. The modification to mitigate this impact(s) is identified on the Project Changes/Conditions Form included as part of this Initial Study.

- ENVIRONMENTAL IMPACT REPORT*, inasmuch as there is substantial evidence that the project may have a significant impact due to factors listed above as "significant".

- At least one factor has been adequately analyzed in an earlier document pursuant to legal standards, and has been addressed by mitigation measures based on the earlier analysis as described on the attached sheets (see attached Form DRP/IA 101). The Addendum EIR is required to analyze only the factors changed or not previously addressed.

Reviewed by: Christina Bran Date: 8-23-05

Approved by: Daryl Koutnik Date: 23 AUGUST 2005

- This proposed project is exempt from Fish and Game CEQA filing fees. There is no substantial evidence that the proposed project will have potential for an adverse effect on wildlife or the habitat upon which the wildlife depends. (Fish & Game Code 753.5).

- Determination appealed – see attached sheet.

*NOTE: Findings for Environmental Impact Reports will be prepared as a separate document following the public hearing on the project.

HAZARDS - 1. Geotechnical

SETTING/IMPACTS

	Yes	No	Maybe	
a.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Is the project located in an active or potentially active fault zone, Seismic Hazards Zone, or Alquist-Priolo Earthquake Fault Zone? <i>Earthquake induced landslides (Seismic Hazard Zones Map – Calabasas Quad)</i>
b.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Is the project site located in an area containing a major landslide(s)?
c.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Is the project site located in an area having high slope instability?
d.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Is the project site subject to high subsidence, high groundwater level, liquefaction, or hydrocompaction? <i>Liquefaction - Los Angeles County Safety Element Map</i>
e.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Is the proposed project considered a sensitive use (school, hospital, public assembly site) located in close proximity to a significant geotechnical hazard?
f.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Will the project entail substantial grading and/or alteration of topography including slopes of over 25%?
g.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Would the project be located on expansive soil, as defined in Table 18-1-B of Uniform Building Code (1994), creating substantial risks to life or property?
h.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Other factors?

STANDARD CODE REQUIREMENTS

- Building Ordinance No. 2225 – Sections 308B, 309, 310, and 311 and Chapters 29 and 70
- MITIGATION MEASURES OTHER CONSIDERATIONS
- Lot Size Project Design Approval of Geotechnical Report by DPW

DPW's letter of 5/3/05 did not identify significant impacts. Applicant shall comply with all requirements of the Subdivision Committee.

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on, or be impacted by, **geotechnical** factors?

- Potentially significant
- Less than significant with project mitigation
- Less than significant/No Impact

HAZARDS - 3. Fire

SETTING/IMPACTS

- | | Yes | No | Maybe | |
|----|-------------------------------------|-------------------------------------|-------------------------------------|---|
| a. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Is the project site located in a Very High Fire Hazard Severity Zone (Fire Zone 4)?
<u>Adjacent to Very High Fire Hazard area</u> |
| b. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Is the project site in a high fire hazard area and served by inadequate access due to lengths, width, surface materials, turnarounds or grade? |
| c. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Does the project site have more than 75 dwelling units on a single access in a high fire hazard area? |
| d. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Is the project site located in an area having inadequate water and pressure to meet fire flow standards? |
| e. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Is the project located in close proximity to potential dangerous fire hazard conditions/uses (such as refineries, flammables, explosives manufacturing)? |
| f. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Does the proposed use constitute a potentially dangerous fire hazard? |
| g. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Other factors? <i>Proposed 28' wide fire lane at the west side of project site will pass right through the pool deck area of the proposed recreation area</i> |

STANDARD CODE REQUIREMENTS

- Water Ordinance No. 7834 Fire Ordinance No. 2947 Fire Regulation No. 8
 Fuel Modification / Landscape Plan

MITIGATION MEASURES

OTHER CONSIDERATIONS

- Project Design Compatible Use

LACFD letter on 7/7/05 did not identify any significant impacts. Applicant shall comply with all requirements of the Subdivision Committee and all applicable county fire codes and regulations.

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on, or be impacted by **fire hazard** factors?

- Potentially significant Less than significant with project mitigation Less than significant/No impact

HAZARDS - 4. Noise

SETTING/IMPACTS

	Yes	No	Maybe	
a.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Is the project site located near a high noise source (airports, railroads, freeways, industry)? <i>Ventura Freeway is adjacent to site</i>
b.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Is the proposed use considered sensitive (school, hospital, senior citizen facility) or are there other sensitive uses in close proximity?
c.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Could the project substantially increase ambient noise levels including those associated with special equipment (such as amplified sound systems) or parking areas associated with the project?
d.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Would the project result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels without the project?
e.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Other factors?

STANDARD CODE REQUIREMENTS

Noise Control (Title 12 – Chapter 8) Uniform Building Code (Title 26 - Chapter 35)

MITIGATION MEASURES **OTHER CONSIDERATIONS**

Lot Size Project Design Compatible Use

DHS letter of 7/12/05 stated that recommendations contained in the Acoustical Report dated 3/23/04 should be implemented. Applicant shall comply with all recommendations of said report.

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on, or be adversely impacted by **noise**?

Potentially significant Less than significant with project mitigation Less than significant/No impact

RESOURCES - 1. Water Quality

SETTING/IMPACTS

	Yes	No	Maybe	
a.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Is the project site located in an area having known water quality problems and proposing the use of individual water wells?
b.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Will the proposed project require the use of a private sewage disposal system?
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	If the answer is yes, is the project site located in an area having known septic tank limitations due to high groundwater or other geotechnical limitations <i>or</i> is the project proposing on-site systems located in close proximity to a drainage course?
c.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Could the project's associated construction activities significantly impact the quality of groundwater and/or storm water runoff to the storm water conveyance system and/or receiving water bodies? <i>10-99 home subdivisions are subject to NPDES requirements</i>
d.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Could the project's post-development activities potentially degrade the quality of storm water runoff and/or could post-development non-storm water discharges contribute potential pollutants to the storm water conveyance system and/or receiving bodies? <i>10-99 home subdivisions are subject to NPDES requirements</i>
e.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Other factors?

STANDARD CODE REQUIREMENTS

- | | |
|--|---|
| <input type="checkbox"/> Industrial Waste Permit | <input type="checkbox"/> Health Code – Ordinance No.7583, Chapter 5 |
| <input type="checkbox"/> Plumbing Code – Ordinance No.2269 | <input checked="" type="checkbox"/> NPDES Permit Compliance (DPW) |

MITIGATION MEASURES

OTHER CONSIDERATIONS

- Lot Size Project Design Compatible Use

Consultation with Land Development (NPDES review) and RWQCB

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on, or be adversely impacted by, **water quality** problems?

- Potentially significant Less than significant with project mitigation Less than significant/No impact

RESOURCES - 2. Air Quality

SETTING/IMPACTS

	Yes	No	Maybe	
a.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Will the proposed project exceed the State's criteria for regional significance (generally (a) 500 dwelling units for residential users or (b) 40 gross acres, 650,000 square feet of floor area or 1,000 employees for non-residential uses)?
b.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Is the proposal considered a sensitive use (schools, hospitals, parks) and located near a freeway or heavy industrial use? <hr/> <i>Residential project adjacent to Ventura Freeway</i>
c.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Will the project increase local emissions to a significant extent due to increased traffic congestion or use of a parking structure or exceed AQMD thresholds of potential significance per Screening Tables of the CEQA Air Quality Handbook?
d.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Will the project generate or is the site in close proximity to sources that create obnoxious odors, dust, and/or hazardous emissions? <hr/> <i>Adjacent to Ventura Freeway</i>
e.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Would the project conflict with or obstruct implementation of the applicable air quality plan?
f.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Would the project violate any air quality standard or contribute substantially to an existing or projected air quality violation?
g.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under applicable federal or state ambient air quality standard (including releasing emission which exceed quantitative thresholds for ozone precursors)?
h.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Other factors? <hr/> <i>Approximately 21,460 c.y. of cut will be required.</i>

STANDARD CODE REQUIREMENTS

Health and Safety Code – Section 40506

MITIGATION MEASURES

Project Design Air Quality Report

OTHER CONSIDERATIONS

AQMD letter of 7/26/05 had no further comments. URBEMIS on file indicates less than significant impacts with construction mitigation measures applied.

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on, or be adversely impacted by, **air quality**?

Potentially significant Less than significant with project mitigation Less than significant/No impact

RESOURCES - 3. Biota

SETTING/IMPACTS

	Yes	No	Maybe	
a.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Is the project site located within Significant Ecological Area (SEA), SEA Buffer, or coastal Sensitive Environmental Resource (ESHA, etc.), or is the site relatively undisturbed and natural?
b.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Will grading, fire clearance, or flood related improvements remove substantial natural habitat areas?
c.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Is a major drainage course, as identified on USGS quad sheets by a blue dashed line, located on the project site?
d.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Does the project site contain a major riparian or other sensitive habitat (e.g. coastal sage scrub, oak woodland, sycamore riparian, woodland, wetland, etc.)? <i>Coastal sage scrub at western boundary of site</i>
e.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Does the project site contain oak or other unique native trees (specify kinds of trees)? <i>Oak trees</i>
f.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Is the project site habitat for any known sensitive species (federal or state listed endangered, etc.)?
g.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Other factors (e.g., wildlife corridor, adjacent open space linkage)?

MITIGATION MEASURES

Lot Size Project Design

OTHER CONSIDERATIONS

ERB/SEATAC Review Oak Tree Permit

Fencing of oak trees 5' outside of drip line to be verified by DRP. Only drought tolerant plants shall be allowed in landscaping.

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on, **biotic** resources?

Potentially significant

Less than significant with project mitigation Less than significant/No impact

RESOURCES - 4. Archaeological/Historical/Paleontological

SETTING/IMPACTS

	Yes	No	Maybe	
a.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Is the project site in or near an area containing known archaeological resources or containing features (drainage course, spring, knoll, rock outcroppings, or oak trees) that indicate potential archaeological sensitivity?
				<i>Oak trees</i>
b.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Does the project site contain rock formations indicating potential paleontological resources?
c.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Does the project site contain known historic structures or sites?
d.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Would the project cause a substantial adverse change in the significance of a historical or archaeological resource as defined in 15064.5?
e.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?
f.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Other factors?

MITIGATION MEASURES

OTHER CONSIDERATIONS

Lot Size

Project Design

Phase 1 Archaeology Report

Site previously graded. Surrounding areas developed. Stop work condition.

CONCLUSION

Considering the above information, could the project leave a significant impact (individually or cumulatively) on **archaeological, historical, or paleontological** resources?

Potentially significant

Less than significant with project mitigation Less than significant/No impact

RESOURCES - 5.Mineral Resources

SETTING/IMPACTS

	Yes	No	Maybe	
a.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?
b.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Would the project result in the loss of availability of a locally important mineral resource discovery site delineated on a local general plan, specific plan or other land use plan?
c.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Other factors?

MITIGATION MEASURES

OTHER CONSIDERATIONS

Lot Size

Project Design

CONCLUSION

Considering the above information, could the project leave a significant impact (individually or cumulatively) on **mineral** resources?

Potentially significant

Less than significant with project mitigation

Less than significant/No impact

RESOURCES - 6. Agriculture Resources

SETTING/IMPACTS

	Yes	No	Maybe	
a.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency to non-agricultural use?
b.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?
c.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Would the project involve other changes in the existing environment that due to their location or nature, could result in conversion of Farmland, to non-agricultural use?
d.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Other factors?

MITIGATION MEASURES

OTHER CONSIDERATIONS

Lot Size

Project Design

CONCLUSION

Considering the above information, could the project leave a significant impact (individually or cumulatively) on **agriculture** resources?

Potentially significant

Less than significant with project mitigation

Less than significant/No impact

RESOURCES - 7. Visual Qualities

SETTING/IMPACTS

	Yes	No	Maybe	
a.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Is the project site substantially visible from or will it obstruct views along a scenic highway (as shown on the Scenic Highway Element), or is it located within a scenic corridor or will it otherwise impact the viewshed? <i>Ventura Freeway scenic corridor per Santa Monica Mountain North Area Plan</i>
b.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Is the project substantially visible from or will it obstruct views from a regional riding or hiking trail?
c.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Is the project site located in an undeveloped or undisturbed area that contains unique aesthetic features?
d.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Is the proposed use out-of-character in comparison to adjacent uses because of height, bulk, or other features? <i>Large three-story structure</i>
e.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Is the project likely to create substantial sun shadow, light or glare problems?
f.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Other factors (e.g., grading or landform alteration)?

MITIGATION MEASURES

OTHER CONSIDERATIONS

Lot Size

Project Design

Visual Report

Compatible Use

Visual rendering in file. Landscaping shall utilize drought tolerant plants.

CONCLUSION

Considering the above information, could the project leave a significant impact (individually or cumulatively) on **scenic** qualities?

Potentially significant

Less than significant with project mitigation

Less than significant/No impact

SERVICES - 1. Traffic/Access

SETTING/IMPACTS

- | | Yes | No | Maybe | |
|----|-------------------------------------|-------------------------------------|-------------------------------------|--|
| a. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Does the project contain 25 dwelling units, or more and is it located in an area with known congestion problems (roadway or intersections)?
<i>66 units proposed</i> |
| b. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Will the project result in any hazardous traffic conditions? |
| c. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Will the project result in parking problems with a subsequent impact on traffic conditions? |
| d. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Will inadequate access during an emergency (other than fire hazards) result in problems for emergency vehicles or residents/employees in the area? |
| e. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Will the congestion management program (CMP) Transportation Impact Analysis thresholds of 50 peak hour vehicles added by project traffic to a CMP highway system intersection or 150 peak hour trips added by project traffic to a mainline freeway link be exceeded?
<i>66 condominiums proposed</i> |
| f. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Would the project conflict with adopted policies, plans, or program supporting alternative transportation (e.g., bus, turnouts, bicycle racks)? |
| g. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Other factors?
<i>Traffic construction plan needed approximately 1,024 trucks of exported materials.</i> |

MITIGATION MEASURES

OTHER CONSIDERATIONS

Project Design Traffic Report

Consultation with Traffic & Lighting Division

DPW's letter of 4/26/05 concurs that project will not have significant impacts. DPW's email of 7/26/05 acknowledge that applicant has satisfied all requirements with respect to traffic issues.

CONCLUSION

Considering the above information, could the project leave a significant impact (individually or cumulatively) on **traffic/access** factors?

Potentially significant

Less than significant with project mitigation Less than significant/No impact

SERVICES - 2. Sewage Disposal

SETTING/IMPACTS

	Yes	No	Maybe	
a.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	If served by a community sewage system, could the project create capacity problems at the treatment plant?
b.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Could the project create capacity problems in the sewer lines serving the project site?
c.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Other factors?

STANDARD CODE REQUIREMENTS

- Sanitary Sewers and Industrial Waste – Ordinance No. 6130
- Plumbing Code – Ordinance No. 2269

MITIGATION MEASURES

OTHER CONSIDERATIONS

DPW approved sewer area study on 6/9/05.

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on the physical environment due to **sewage disposal** facilities?

Potentially significant

Less than significant with project mitigation

Less than significant/No impact

SERVICES - 3. Education

SETTING/IMPACTS

	Yes	No	Maybe	
a.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Could the project create capacity problems at the district level?
b.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Could the project create capacity problems at individual schools that will serve the project site? <hr/> <i>Each school serving proposed project is overcrowded and unable to accept new students</i>
c.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Could the project create student transportation problems?
d.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Could the project create substantial library impacts due to increased population and demand? <hr/> <i>Project will impact public library to serve existing & future population</i>
e.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Other factors?

MITIGATION MEASURES

OTHER CONSIDERATIONS

Site Dedication Government Code Section 65995 Library Facilities Mitigation Fee

Las Virgenes Unified School District's letter of 4-18-05 stated and school mitigation fee and age restriction would not cause significant impacts. County library's letter of 4-26-05 indicated that library mitigation fee would render the impacts to less than significant.

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) relative to **educational** facilities/services?

Potentially significant Less than significant with project mitigation Less than significant/No impact

SERVICES - 4. Fire/Sheriff Services

SETTING/IMPACTS

	Yes	No	Maybe	
a.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>Could the project create staffing or response time problems at the fire station or sheriff's substation serving the project site?</p> <p><i>Fire station #68 is approximately 1/4 mile from project site. Project would increase service demand on existing fire protection resources in the general area</i></p>
b.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Are there any special fire or law enforcement problems associated with the project or the general area?</p> <p><i>Malibu/Lost Hills Sheriff station approximately 3 miles west of project site</i></p>
c.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>Other factors?</p> <hr/> <hr/> <hr/>

MITIGATION MEASURES

OTHER CONSIDERATIONS

Fire Mitigation Fee

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) relative to **fire/sheriff** services?

Potentially significant

Less than significant with project mitigation Less than significant/No impact

SERVICES - 5. Utilities/Other Services

SETTING/IMPACTS

	Yes	No	Maybe	
a.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Is the project site in an area known to have an inadequate public water supply to meet domestic needs or to have an inadequate ground water supply and proposes water wells?
b.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Is the project site in an area known to have an inadequate water supply and/or pressure to meet fire fighting needs? <i>Proposed project represents a large increase in water use</i>
c.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Could the project create problems with providing utility services, such as electricity, gas, or propane?
d.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Are there any other known service problem areas (e.g., solid waste)?
e.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services or facilities (e.g., fire protection, police protection, schools, parks, roads)?
f.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Other factors?

STANDARD CODE REQUIREMENTS

Plumbing Code – Ordinance No. 2269 Water Code – Ordinance No. 7834

MITIGATION MEASURES

Lot Size Project Design

OTHER CONSIDERATIONS

Conditional Statement of water service dated 1/19/05 from Las Virgenes Municipal Water District in file.

Utilize reclaimed water for landscaping if available; fixtures to be of low-flow design.

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) relative to **utilities** services?

Potentially significant Less than significant with project mitigation Less than significant/No impact

OTHER FACTORS - 1. General

SETTING/IMPACTS

	Yes	No	Maybe	
a.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Will the project result in an inefficient use of energy resources?
b.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Will the project result in a major change in the patterns, scale, or character of the general area or community?
c.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Will the project result in a significant reduction in the amount of agricultural land?
d.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Other factors?

STANDARD CODE REQUIREMENTS

State Administrative Code, Title 24, Part 5, T-20 (Energy Conservation)

MITIGATION MEASURES

OTHER CONSIDERATIONS

Lot Size

Project Design

Compatible Use

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on the physical environment due to any of the above factors?

Potentially significant

Less than significant with project mitigation

Less than significant/No impact

OTHER FACTORS - 2. Environmental Safety

SETTING/IMPACTS

- | | Yes | No | Maybe | |
|----|--------------------------|-------------------------------------|--------------------------|---|
| a. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Are any hazardous materials used, transported, produced, handled, or stored on-site? |
| b. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Are any pressurized tanks to be used or any hazardous wastes stored on-site? |
| c. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Are any residential units, schools, or hospitals located within 500 feet and potentially adversely affected? |
| d. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Have there been previous uses that indicate residual soil toxicity of the site or is the site located within two miles downstream of a known groundwater contamination source within the same watershed? |
| e. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Would the project create a significant hazard to the public or the environment involving the accidental release of hazardous materials into the environment? |
| f. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Would the project emit hazardous emissions or handle hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? |
| g. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Would the project be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or environment? |
| h. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Would the project result in a safety hazard for people in a project area located within an airport land use plan, within two miles of a public or public use airport, or within the vicinity of a private airstrip? |
| i. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? |
| j. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Other factors? |

MITIGATION MEASURES

Toxic Clean-up Plan

OTHER CONSIDERATIONS

CONCLUSION

Considering the above information, could the project have a significant impact relative to **public safety**?

Potentially significant

Less than significant with project mitigation Less than significant/No impact

OTHER FACTORS - 3. Land Use

SETTING/IMPACTS

	Yes	No	Maybe	
a.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Can the project be found to be inconsistent with the plan designation(s) of the subject property? <i>Plan Amendment to Santa Monica Mountains North Area Plan from C to U8 requested</i>
b.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Can the project be found to be inconsistent with the zoning designation of the subject property? <i>Zone change from M1 and CPD to RPD-8U-5,000 requested</i>
c.				Can the project be found to be inconsistent with the following applicable land use criteria:
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Hillside Management Criteria?
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	SEA Conformance Criteria?
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Other?
d.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Would the project physically divide an established community?
e.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Other factors?

MITIGATION MEASURES

OTHER CONSIDERATIONS

Applicant is requesting plan amendment and zoning code changes be adopted

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on the physical environment due to **land use** factors?

Potentially significant

Less than significant with project mitigation

Less than significant/No impact

OTHER FACTORS - 4. Population/Housing/Employment/Recreation

SETTING/IMPACTS

	Yes	No	Maybe	
a.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Could the project cumulatively exceed official regional or local population projections?
b.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Could the project induce substantial direct or indirect growth in an area (e.g., through projects in an undeveloped area or extension of major infrastructure)?
c.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Could the project displace existing housing, especially affordable housing?
d.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Could the project result in substantial job/housing imbalance or substantial increase in Vehicle Miles Traveled (VMT)?
e.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Could the project require new or expanded recreational facilities for future residents?
f.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Would the project displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?
g.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Other factors?

MITIGATION MEASURES

OTHER CONSIDERATIONS

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on the physical environment due to **population, housing, employment, or recreational** factors?

Potentially significant Less than significant with project mitigation Less than significant/No impact

MANDATORY FINDINGS OF SIGNIFICANCE

Based on this Initial Study, the following findings are made:

	Yes	No	Maybe	
a.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?</p> <p><i>Oak trees</i></p> <hr/>
b.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>Does the project have possible environmental effects that are individually limited but cumulatively considerable? "Cumulatively considerable" means that the incremental effects of an individual project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.</p> <p><i>Traffic, cultural resources, air quality, education, water supply</i></p> <hr/>
c.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>Will the environmental effects of the project cause substantial adverse effects on human beings, either directly or indirectly?</p> <p><i>Flood, water quality, fire protection, noise</i></p> <hr/>

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on the environment?

- Potentially significant
 Less than significant with project mitigation
 Less than significant/No impact

STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY

ARNOLD SCHWARZENEGGER, Governor

DEPARTMENT OF TRANSPORTATION
DISTRICT 7, OFFICE OF PUBLIC TRANSPORTATION
AND REGIONAL PLANNING
IGR/CEQA BRANCH
120 SOUTH SPRING STREET
LOS ANGELES, CA 90012
PHONE (213) 897-3747
FAX (213) 897-1337



*Flex your power!
Be energy efficient!*

June 3, 2005

Mr. William J. Winter
County of Los Angeles
Traffic and Lighting Division
900 S. Fremont Avenue
Alhambra, CA 91803-1331

Re: *The Pointe at Calabasas Condominiums*
Traffic Impact Study Addendum
IGR/CEQA No. 050561/EA
Vic. LA-101-PM 28.29

Dear Mr. Winter

Thank you for the opportunity to review the February 2005, traffic study addendum prepared for the proposed Pointe at Calabasas condominium project.

Based on a review of the additional traffic information provided, we concur with the traffic study findings, and we do not have additional comments other than to reiterate our recommendations in our previous correspondence dated April 13, 2005 (A copy is enclosed). We recommended that to address its cumulative transportation impacts, the project be conditioned to contribute funds to the local bridge and thoroughfare district that collects funds towards future improvements to State highway facilities in the vicinity of the project. The project's contributions should be commensurate with its impacts. In addition, we recommended the project site include amenities such as a bus stop, so that it is accessible by other modes of transportation.

For our records, please provide a copy of the final conditions of approval for this project. If you have any questions, please contact me at (213) 897 - 3747 or Elmer Alvarez of my staff at (213) 897-6696 and refer to our record number 050561/EA.

Sincerely,

A handwritten signature in cursive script that reads "Cheryl J. Powell".

CHERYL J. POWELL
IGR/CEQA Program Manager
Caltrans, District 7

cc: Jayme Dinovits, D2 Construction



CITY *of* CALABASAS

June 2, 2005

William J. Winter
Assistant Deputy Director
LA County Department of Public Works
P.O. Box 1460
Alhambra, CA 91802-1460

SUBJECT: REVIEW OF THE TRAFFIC IMPACT STUDY OF THE POINTE
CONDOMINIUMS AT 24141 VENTURA BLVD.

The City of Calabasas has reviewed the March 25, 2005 Traffic Impact Study for the project "The Pointe Condominiums" and concur with the findings in the report, that the revised project would not result in any significant impacts based on City traffic impact standards. The City of Calabasas also concurs with the County's April 26, 2005 recommendations regarding the traffic study and conceptual plans.

If you have any questions regarding this letter, please don't hesitate to contact me at (818) 878- 4225 ext. 254.

Sincerely,

Robert Yalda
Director of Transportation/Intergovernmental Relation

c: Larry Dinovitz
Tom Bartlett

26135 Mureau Road
Calabasas, CA 91302-3172
(818) 878-4225
Fax (818) 878-4215

SUMMARY OF RPC PROCEEDINGS

REGIONAL PLANNING COMMISSION

**PROJECT NO. 04-031-(3)
LOCAL PLAN AMENDMENT CASE NO. 04-031-(3)
ZONE CHANGE CASE NO. 04-031-(3)
CONDITIONAL USE PERMIT CASE NO. 04-031-(3)
PARKING PERMIT CASE NO. 04-031-(3)
VESTING TENTATIVE TRACT MAP NO. 061027**

The Los Angeles County Regional Planning Commission ("Commission") held a public hearing on October 19, 2005 for Local Plan Amendment Case No. 04-031-(3), Zone Change Case No. 04-031-(3), Conditional Use Permit Case No. 04-031-(3), Parking Permit Case No. 04-031-(3) and Vesting Tentative Tract Map No. 061027. The Commission took its final action on February 1, 2006. The project proposes to create a senior condominium development of 66 attached condo units in one building on 5.63 gross acres. The project is located at 24121 and 24141 Ventura Boulevard in The Malibu Zoned District within the unincorporated community of Santa Monica Mountains North Area in the Third Supervisorial District.

Notice of public hearing was published in the "The Daily News" and "La Opinion." Additionally, notices were sent to every property owner within a 500-foot radius of the subject property as well as those individuals and organizations on the Department of Regional Planning's courtesy mailing lists. Public hearing signs were also posted on the subject property. The project materials, including staff report, tentative map and Exhibit "A" and environmental documentation, were made available at the following locations:

Department of Regional Planning, 320 West Temple Street, Room 1382, Los Angeles.
Agoura Hills Library, 29901 Ladyface Court, Agoura Hills
Department website, <http://planning.co.la.ca.us>.

October 19, 2005 Public Hearing

Staff presented the project, which includes a request to amend the Santa Monica Mountains North Area Plan ("Plan") Land Use Policy Map from Commercial (C) to Residential 8 (U8) on the subject property as well as a change of zone from CPD (Commercial Planned Development) and M-1 (Light Manufacturing) to RPD-5,000-8U (Residential Planned Development-5,000 Square Feet Minimum Required Lot Area—Eight Dwelling Units per Net Acre). The vesting tentative map proposes to create one multi-family lot with 66 attached single-family condominium units in one building. A conditional use permit ("CUP") was filed to authorize the density bonus for the senior housing project as well as ensure compliance with the RPD zone. A parking permit was also required to authorize offsite and reciprocal parking facilities with the adjacent

Summary of RPC Proceedings
Page 2

commercial office building. A Mitigated Negative Declaration (“MND”) was also prepared for the project in accordance with State and County California Environmental Quality (“CEQA”) guidelines.

Staff’s presentation was followed by a presentation by the applicant and applicant’s representative, who discussed the need for senior housing and that the project has been designed to minimize impacts to residents on Parkway Calabasas.

Four persons testified in opposition to the project. The following is a summary of key issues raised during the public hearing:

- Additional noise pollution – Testimony was taken that the project would increase noise pollution existing in the area. The project site is adjacent to the Ventura (US-101) Freeway.
- Insufficient mitigation measures to mitigate impacts – Testimony was also taken that the project does not mitigate impacts related to traffic, density and noise.
- Loss of privacy – An adjacent property owner testified with concerns that the proposed location of the project’s recreational amenities would intrude on his privacy.

The applicant responded that an acoustical engineer was hired to mitigate freeway noise within the residential development. Residential traffic is also less than commercial traffic that would have existed on the property. The applicant also offered to provide additional landscaping on the adjacent property owner’s private property as well worked with the Los Angeles County Fire Department for the location of the fire lane to maximize space between the development and adjacent property owner.

Other issues discussed included the lack of proper notice and insufficient time to review the environmental document as well as request for the property to be restricted to a commercial use.

The Commission, after considering all the evidence, closed the public hearing and directed the applicant to make minor corrections to labels on the maps. The Commission indicated its intent to approve the CUP, parking permit and tentative map, and recommend to the Los Angeles County Board of Supervisors (“Board”) approval of the local plan amendment and zone change, and directed staff to return with final findings and conditions.

Summary of RPC Proceedings
Page 3

February 1, 2006 Consent Date

Staff made a brief presentation and informed the Commission of the applicants' corrected changes that were reviewed by the Los Angeles County Subdivision Committee. The Commission approved the CUP, parking permit and tentative map, and adopted resolutions recommending to the Board, approval of the local plan amendment and zone change.

SMT:st
05/08/06



Los Angeles County Department of Regional Planning
 320 West Temple Street, Los Angeles, California 90012
 Telephone (213) 974-6433

PROJECT No. 04-031-(3)
TRACT MAP NO. 061027
PA/ZC/CUP/PKG 04-031-(3)

RPC MEETING DATE 2-1-06	CONTINUE TO
AGENDA ITEM #7 a,b,c,d,e	
PUBLIC HEARING DATE October 19, 2005	

APPLICANT Lawrence Dinovitz	OWNER 24123 Ventura Boulevard, LLC	REPRESENTATIVE
---------------------------------------	--	-----------------------

REQUEST
Local Plan Amendment: To amend the Santa Monica Mountains North Area Plan Land Use Policy Map from "C" (Commercial) to "U8" (Residential 8)
Zone Change: To change the zoning from CPD (Commercial Planned Development) and M-1 (Light Manufacturing) to RPD-5,000-8U (Residential Planned Development-5,000 Square Feet Minimum Lot Area-Eight Dwelling Units per Net Acre)
Vesting Tentative Tract Map: To create one multi-family lot with 66 attached condominium units in one building on 5.63 gross acres
Conditional Use Permit: To authorize a density bonus for the senior housing project, and ensure compliance with the RPD zone and grading within Santa Monica Mountains North Area CSD
Parking Permit: To authorize offsite and reciprocal parking facilities with the adjacent commercial office building

LOCATION/ADDRESS 24121 and 24141 Ventura Boulevard, Calabasas		ZONED DISTRICT The Malibu	
ACCESS Ventura Boulevard		COMMUNITY Santa Monica Mountains North Area	
SIZE 5.63 acres gross/5.52 acres net		EXISTING LAND USE Vacant	EXISTING ZONING CPD (Commercial Planned Development, M-1 (Light Manufacturing)
SHAPE Irregular	TOPOGRAPHY Level		

SURROUNDING LAND USES & ZONING

North: Single-family residential and offices/A-2-1 (Heavy Agricultural – One Acre Minimum Required Area)	East: Offices, gas station, auto sales/M-1
South: Ventura (US-101) Freeway, vacant property, City of Calabasas/CPD	West: Offices, vacant property, water tank/CPD, A-2-2 (Heavy Agricultural–Two Acre Minimum), O-S (Open Space)

GENERAL PLAN	DESIGNATION	MAXIMUM DENSITY	CONSISTENCY
Santa Monica Mountains North Area Plan	C (Commercial)	N/A	Yes w/ plan amendment to U8

ENVIRONMENTAL STATUS
 Mitigated Negative Declaration – Impacts reduced to less than significant with project mitigation include flood, noise, water quality, air quality, biota, cultural resources, visual qualities, traffic/access, education, fire/sheriff, utilities and mandatory findings.

DESCRIPTION OF SITE PLAN
 The tentative map and exhibit "A," dated June 13, 2005, depict 66 attached condominium units in one building on 5.63 gross acres. The multi-family lot is 5.52 net acres, served by a 28-foot wide fire lane for the Fire Department and direct access from Ventura Boulevard to the parking area, and includes a drop-off area in front of the building entrance. Grading consists of 21,460 cubic yards of cut and 980 cubic yards of fill with export of 20,480 cubic yards. Project amenities include 27,300 square feet of recreation area, landscape courtyard areas, entertainment terrace, and three levels of parking with a total 239 parking spaces.

KEY ISSUES

- The project proposes a plan amendment from "C" (Commercial) to "U8" (Residential 8) with a maximum density of eight dwelling units per acre or 44 units on the subject property. As the project is proposed as a senior housing project, a 50% density bonus is permitted with a CUP for a total maximum of 66 units. The project proposes 66 units on the 5.52 net acres. The subject property lies between mainly single-family residential and commercial uses to the north, mainly offices and commercial uses to the east and west, and the Ventura (US-101) Freeway to the south.
- The project also proposes a zone change from CPD (Commercial Planned Development) and M-1 (Light Manufacturing) to RPD-5,000-8U.
(If more space is required, use opposite side)

TO BE COMPLETED ONLY ON CASES TO BE HEARD BY THE BOARD OF SUPERVISORS

STAFF CONTACT PERSON SUSAN TAE, LAND DIVISIONS (213) 974-6433		
RPC HEARING DATE (S) 10-19-05	RPC ACTION DATE 2-1-06	RPC RECOMMENDATION APPROVAL
MEMBERS VOTING AYE VALADEZ, BELLAMY, REW, MODUGNO	MEMBERS VOTING NO	MEMBERS ABSENT HELSLEY
STAFF RECOMMENDATION (PRIOR TO HEARING) APPROVAL		
SPEAKERS* (O) 4 (F) --	PETITIONS (O) -- (F) --	LETTERS (O) 5 (F) --

*(O) = Opponents (F) = In Favor

COMMITTEE RECOMMENDATION (Subject to revision based on public hearing)

- APPROVAL DENIAL
- No improvements ___ 20 Acre Lots ___ 10 Acre Lots ___ 2½ Acre Lots ___ Sect 191.2
- Street improvements _X_ Paving _X_ Curbs and Gutters _X_ Street Lights
- _X_ Street Trees ___ Inverted Shoulder _X_ Sidewalks ___ Off Site Paving ___ ft.
- Water Mains and Hydrants
- Drainage Facilities
- Sewer Septic Tanks Other _____
- Park Dedication "In-Lieu Fee"

SPECIAL INDIVIDUAL DEPARTMENT CONCERNS

Engineer

Road

Flood

Forester & Fire Warden

Parks & Rec.

Health

Planning

ADDITIONAL ISSUES AND ANALYSIS

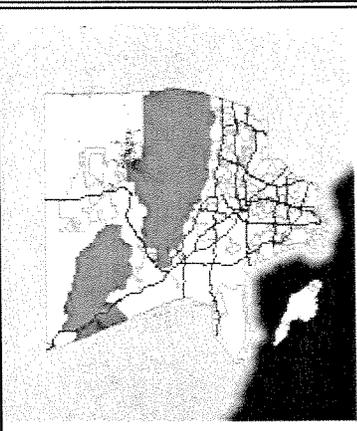
- A conditional use permit is requested to authorize the concessions for the senior housing project, including density bonus; to ensure compliance with the proposed Residential Planned Development zone; and for grading within the Santa Monica Mountains North Area CSD, including export of 20,480 cubic yards.
- A parking permit is requested for offsite and reciprocal parking facilities with the adjacent commercial office building. The proposed project will be providing 40 parking spaces, including an addition of 22 parking spaces than currently provided, for the adjacent office building.
- As part of the RPD zone requirement, at least 30 percent of the project site is provided as common open space (1.69 acres).

Prepared by: Susan Tae

TR061027, 04-031



Note: This map represents a quick representation of spatial imagery or vector layers using GIS-NET.
 The map should be interpreted in accordance with the disclaimer statement of GIS-NET.



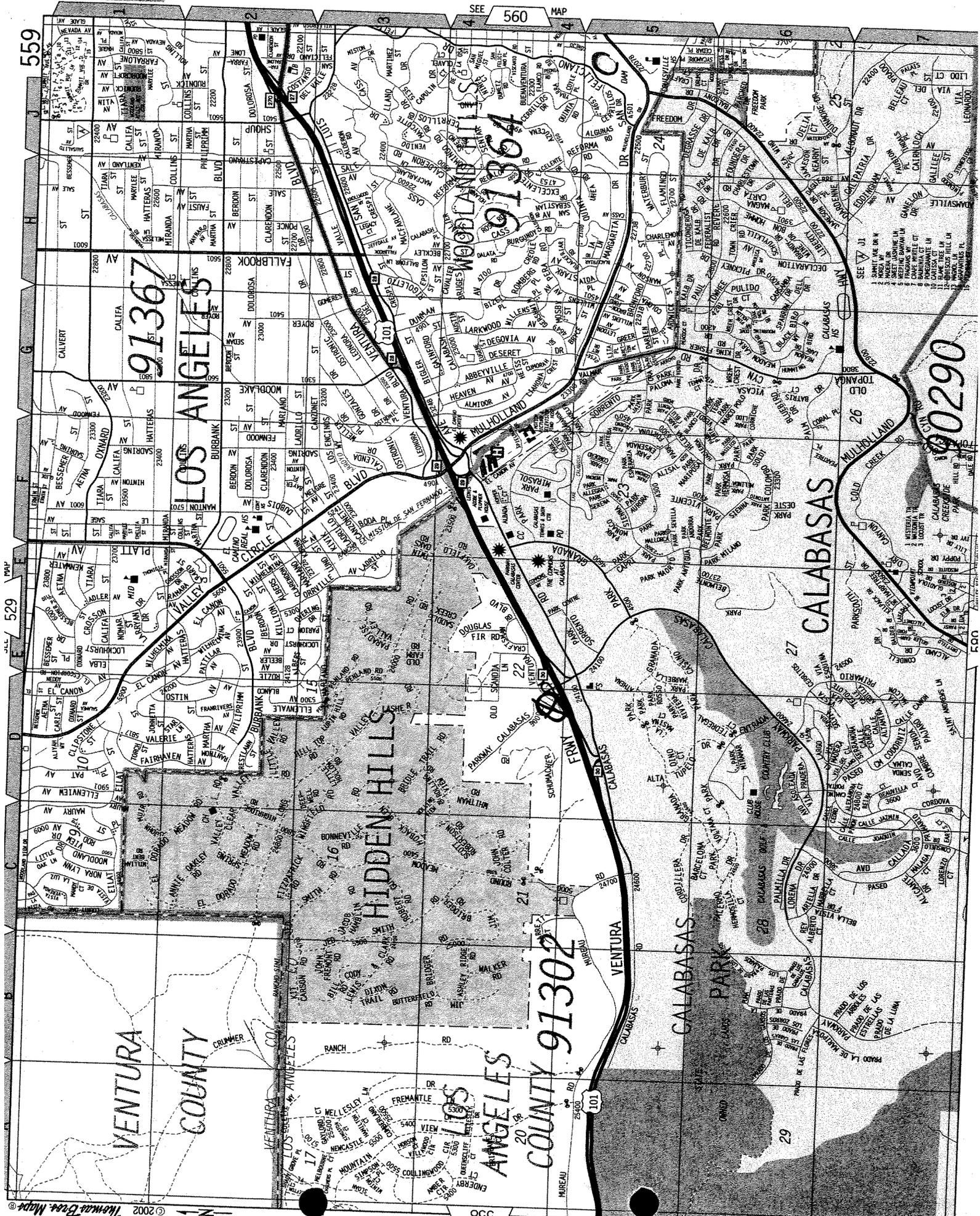
- Los Angeles County Boundary
- Census Tract (2000)
- Assessor Map Book (AMB) boundary
- House Numbering Map (HNM) sheet grid
- USGS Quad Sheet grid
- The Thomas Guide page grid
- Community Standards District (CSD)
- CSD Area Specific Boundary
- Environmentally Sensitive Habitat Resource Area (ESHRA)
- Significant Ecological Area (SEA)
- Section Line
- National Forest
- Equestrian District (EOD)
- Transit Oriented District (TOD)
- Zoned District (ZD)
- Ramp, interchange or leader
- City Boundary and Names
- Parcel Boundary
- Subversal District Boundary
- Other county boundary
- Unincorporated Area (shaded)



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GIS-NET, Los Angeles County Dept. of Regional Planning

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PROJECT NO. 04-031-(3)

**LOCAL PLAN AMENDMENT CASE NO. 04-031-(3)
ZONE CHANGE CASE NO. 04-031-(3)
VESTING TENTATIVE TRACT MAP NO. 061027
CONDITIONAL USE PERMIT CASE NO. 04-031-(3)
PARKING PERMIT CASE NO. 04-031-(3)**

STAFF ANALYSIS

October 19, 2005 REGIONAL PLANNING COMMISSION PUBLIC HEARING

PROJECT OVERVIEW

The applicant, Lawrence Dinovitz, proposes a senior residential condominium development of 66 attached units in one building on 5.52 net acres. The proposal requires approval of Local Plan Amendment 04-031-(3) to change the Santa Monica Mountains North Area Plan ("North Area Plan") land use category from "C" (Commercial) to "U8" (Residential 8), Zone Change Case No. 04-031-(3) to change zoning from CPD (Commercial Planned Development) and M-1 (Light Manufacturing) to RPD-5,000-8U (Residential Planned Development – 5,000 Square Feet Minimum Required Lot Area – Eight Dwelling Units per Net Acre), and Vesting Tentative Tract Map No. 061027 to create one multi-family lot with 66 attached condominium units. The project also requires approval of Conditional Use Permit Case No. 04-031-(3) to authorize concessions, including a density bonus, for the senior housing project and to ensure compliance with the RPD zone and grading requirements; and Parking Permit Case No. 04-031-(3) for offsite and reciprocal parking facilities with the adjacent commercial office building.

The subject property is located at 24121 and 24141 Ventura Boulevard in The Malibu Zoned District. The subject property is also within the boundaries of the Santa Monica Mountains North Area Community Standards District ("North Area CSD"), and must comply with applicable provisions of the North Area CSD. Access to the subject property is provided by 70-foot wide Ventura Boulevard and 60-foot wide Parkway Calabasas. Approximately 21,460 cubic yards of cut and 980 cubic yards of fill are proposed with 20,480 cubic yards of earthwork to be exported offsite.

The Mitigated Negative Declaration analyzes potentially significant impacts of the project, including Flood, Noise Water Quality, Air Quality, Biota, Cultural Resources, Visual Quality, Traffic/Access, Education, Fire/Sheriff, Utilities, and Mandatory Findings.

DESCRIPTION OF PROJECT PROPERTY

Location: The project site is located at 24121 and 24141 Ventura Boulevard in the Santa Monica Mountains, north of the Ventura (US-101) Freeway ("101 Freeway") and the City of Calabasas, in The Malibu Zoned District.

Physical Features: The subject property is approximately 5.52 net acres (5.63 gross acres) in size and comprised of two lots. The property is irregular in shape in an existing graded condition. Sensitive habitat, including coastal sage scrub and oak trees, exist on the western manufactured slopes of the subject property. The property is also located along the 101 Freeway, which is identified in the North Area Plan as a scenic corridor.

Access: Ventura Boulevard serves as primary access to the site. Ingress and egress driveways from Ventura Boulevard lead directly into the parking facilities with a separate fire lane provided along the western part of the development. Regional access is provided by the adjacent 101 Freeway.

Services: Domestic water and public sewer service will be provided by the Las Virgenes Municipal Water District. The project is within the boundaries of the Las Virgenes Unified School District. Shopping exist south and southeast of the subject property. Nearby recreation areas include the new Civic Center and performing arts building within the City of Calabasas in "The Commons" within ¼ mile of the subject property.

ENTITLEMENTS REQUESTED

Local Plan Amendment: The applicant requests approval of a plan amendment to the North Area Plan Land Use Policy Map from "C" (Commercial) to "U8" (Residential 8).

Zone Change: The applicant requests approval of a zone change from CPD (Commercial Planned Development) and M-1 (Light Manufacturing) to RPD-5,000-8U (Residential Planned Development – 5,000 Square Feet Minimum Required Lot Area – Eight Dwelling Units per Net Acre).

Vesting Tentative Tract Map: The applicant requests approval of Vesting Tentative Tract Map No. 061027 to create one multi-family lot with 66 attached single-family units.

Conditional Use Permit: The applicant requests approval of a conditional use permit ("CUP") to authorize concessions, including a 50 percent density bonus, for the senior project and to ensure compliance with the RPD zone and grading requirements of the North Area CSD.

Parking Permit: The applicant requests approval of a parking permit for offsite and reciprocal parking facilities with the adjacent office building.

EXISTING ZONING

Subject Property: The subject property is zoned CPD and M-1. The property is proposed to be rezoned to RPD-5,000-8U (Residential Planned Development – 5,000 Square Feet Minimum Required Lot Area – Eight Dwelling Units per Net Acre).

Surrounding Properties: Surrounding zoning is as follows:

North: A-2-1 (Heavy Agricultural – One Acre Minimum Required Lot Area);

East: M-1;

South: CPD; and

West: CPD, A-2-2 (Heavy Agricultural – Two Acre Minimum Required Lot Area) and O-S (Open Space).

EXISTING LAND USES

Subject Property: The subject property consists of two vacant lots.

Surrounding Properties: Surrounding uses are as follows:

North: Single-family residences and offices;

East: Offices, gas station and auto sales;
South: 101 Freeway and vacant property; and
West: Offices, vacant property and water tank.

PREVIOUS CASE/ZONING HISTORY

The current M-1 zoning became effective on August 25, 1959 with the adoption of Ordinance Number 7590. The current CPD zoning on the subject property became effective on August 30, 1990, following the adoption of Ordinance Number 900104-Z which established Zone Change Case No. 82069.

Project 097, which included Local Plan Amendment Case No. 07982, Zone Change Case No. 82069, Tentative Tract Map No. 35425, CUP Case No. 2206, and Oak Tree Permit Case No. 82069, was filed on the subject property in 1982 and 1987 for the three office building development. The subject property is the middle of the three commercial parcels created; the other two parcels were developed with office buildings and are existing today. The project amended the Malibu/Santa Monica Mountains Interim Area Plan land use categories from "3" (Rural Land I), "4" (Rural Land II), "5" (Rural Land III), and "6" (Residential I) to "14D" (Office/Commercial Services – Discretionary Review); and changed the zoning from A-2-1 (Heavy Agricultural – One Acre Required Minimum Lot Area) and M-1 (Light Manufacturing) to CPD (Commercial Planned Development). The project was approved on July 31, 1990 by the Los Angeles County Board of Supervisors.

Lot Line Adjustment 102,142 was approved on November 18, 2004 to adjust the lot lines between the subject property and the adjacent property to the east. The grant deeds that legally created the new lot lines recorded on March 14, 2005.

PROJECT DESCRIPTION

Vesting Tentative Tract Map No. 061027 and CUP No. 04-031-(3) Exhibit "A", dated June 13, 2005, and the applicant's exhibit depict a residential subdivision of one multi-family lot with 66 attached senior condominium units in one building on approximately 5.63 gross acres (5.52 net acres). The residential building is located along the 101 Freeway between two office buildings on Ventura Boulevard, and will be in a Mediterranean architectural style (for rendering, please see Applicant's Exhibit Tab I).

The building reaches a maximum height of 60 feet, and is composed of six levels (three levels of residential above three levels of parking). Most of the structure's three levels of parking are underground; due to grading conditions along the easterly property line all six levels will be above grade. The building covers approximately 1.96 acres or 34.8 percent of the subject site. The proposed units range in size from 1,800 square feet to 4,000 square feet.

Thirty-three (33) units will be provided as senior units to qualify for the senior housing density bonus. The remaining 33 units will be voluntarily restricted by the applicant to residents age 55 and older.

An open space area (approximately 1.69 acres) is proposed along the northern property line where the site's oak trees will remain undisturbed. Recreational areas (e.g. pool, sun deck, jacuzzi, gym and health spa, etc.) are also proposed within the development totaling approximately 0.74 acres (32,300 square feet). A draft landscape plan depicts tropical planting with water features, outdoor furniture and amenities including barbecue areas, cabanas, sunning deck and two-sided fireplace (see Tab V).

Proposed street improvements include installation of street lights along Parkway Calabasas. Temporary transportation and circulation impacts are anticipated associated with construction, and temporary mitigation measures include limiting construction-related traffic to adjacent streets during weekday peak hours. The applicant has also agreed with the City of Calabasas to provide additional mitigation measures including payment of fees for resynchronization of traffic lights and traffic signal upgrade, restriping of Parkway Calabasas bridge and nearby intersections, and donations for construction of a slough wall.

Grading consists of 21,460 cubic yards of cut and 980 cubic yards of fill with 20,480 cubic yards of export. The 101 Freeway is proposed to be the main haul route, with the export material to be deposited on Canwood Street near Kanan Road (proposed Heschel School site) (see Tab XII).

SANTA MONICA MOUNTAINS NORTH AREA PLAN CONSISTENCY

The subject property is currently depicted within the Commercial land use category of the North Area Plan, which is intended for general shopping and commercial service needs of the community; residential development is not permitted. The project proposes an amendment to the North Area Plan Land Use Policy Map from "C" (Commercial) to "U8" (Residential 8) that permits a maximum eight dwelling units per net acre (see Tab IX and XI for existing and proposed land use categories). Under the proposed land use category, the property's 5.52 net acres has a maximum density of 44 dwelling units. The project proposes 66 dwelling units, which exceeds the maximum permitted.

As a senior housing project however, the applicant is requesting concessions including a density bonus. By reserving half of the units for seniors (age 62 and older) or 33 dwelling units, the project qualifies for an automatic bonus of 25 percent, or 11 bonus units. For every additional senior unit provided beyond the minimum 22 units, the project is eligible for one bonus unit. By providing 11 additional senior units, 11 bonus units may also be included. Therefore, the maximum project density with the density bonus totals 66 dwelling units (44 maximum + 11 automatic bonus + 11 additional bonus = 66 units) of which 33 are set aside for seniors. The applicant is proposing that all units be for residents 55 and older.

The North Area Plan contains many policies that support its goals for orderly development in the Santa Monica Mountains that is in scale and compatible with surrounding land uses. The North Area Plan encourages more intensive projects near the Ventura Freeway that are designed consistent with the area's visual resources and compatible with adjacent uses. The North Area Plan stresses to allow the land dictate the type and intensity of use (North Area Plan, Guiding Principles, page II-10).

The proposed project is consistent with these goals and policies; the North Area Plan also recognizes the need for senior housing in its urban residential categories.

Applicable North Area Plan Provisions

The following are excerpts of selected applicable North Area Plan goals and policies:

CONSERVATION AND OPEN SPACE ELEMENT

Scenic Resources:

"Maintain and enhance the visual quality of vistas along the unincorporated portions of identified scenic routes...including: Ventura Freeway" (Policy IV-29, Page IV-26).

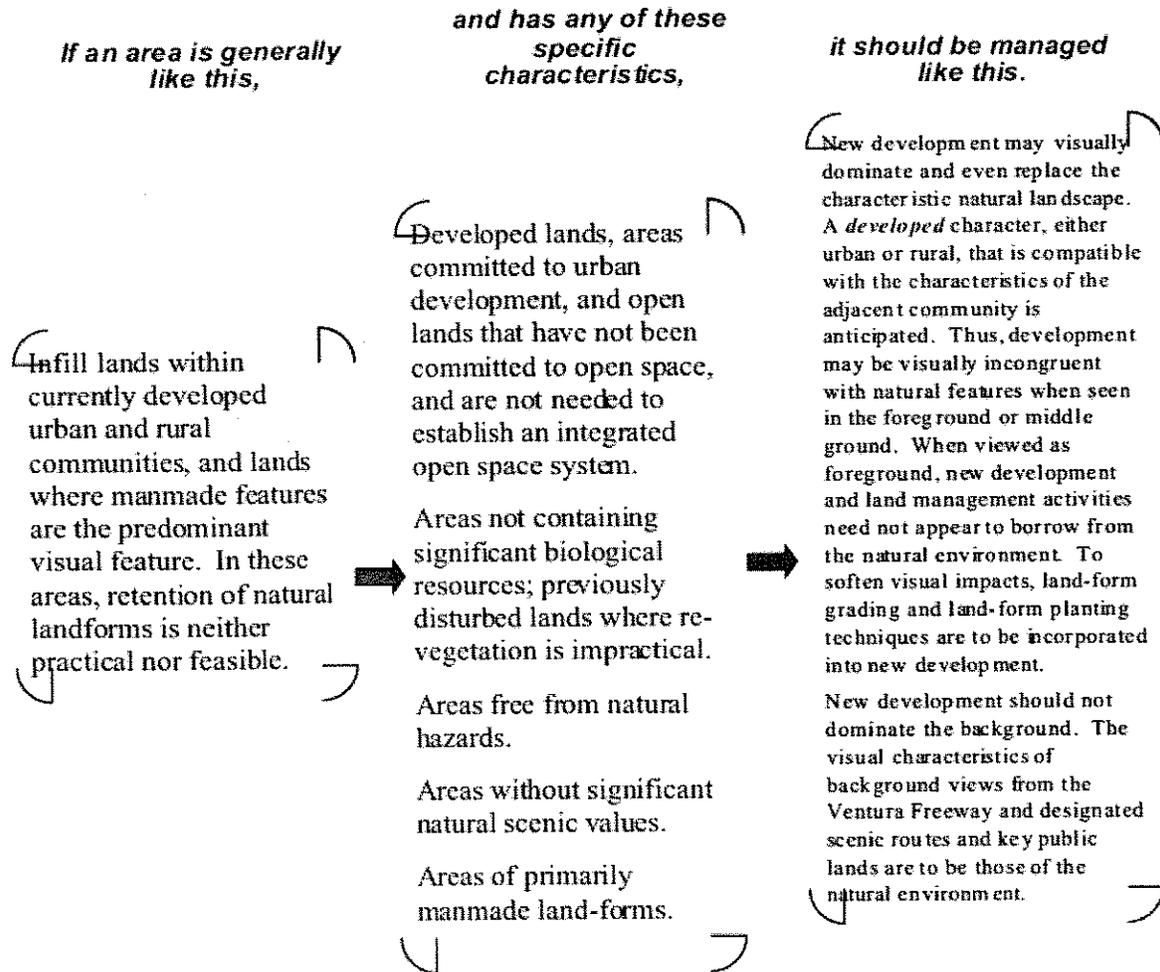
LAND USE AND HOUSING ELEMENT

Development and Open Space:

"Affordable housing for low- and very low-income and senior citizen housing projects shall be encouraged in areas designated *Residential* on the Land Use Policy Map, consistent with the policies and development standards of the North Area Plan and the locational criteria for such housing in the Countywide General Plan. The following policies should guide the review and approval of affordable housing projects:

- private sector participation in the development of low- and very low-income should be encouraged;
- convenient access to public transportation shall be available;
- traffic impacts of high density development shall be avoided;
- new lower-income housing shall be dispersed throughout the urban designated county areas; and
- the design and construction of rental housing, including mobile home parks, to meet the needs of lower income households—particularly large families, senior citizens, and people with disabilities—shall be supported and facilitated.

Figure 1: Environmental Thresholds and Appropriate Levels of Development



"Require that new development use architectural and siting features which are compatible with adjacent existing and planned developments, and include the following:

- compatibility with prominent design features existing in the immediate area...;
- compatibility with existing structures; and

- the natural environment (i.e., hillsides, washes, native vegetation, community landscaping)" (Policy VI-15, Page VI-51).

"Require that new development provide a transition to surrounding development, for example:

- the bulk of new structures should relate to the area's environment and to the adjacent developments;
- setbacks from streets and adjacent properties should relate to the scale of the structure, the function of the street, and the intended character of the development, and should encourage pedestrian scale and uses; and
- multi-story residential structures should be made less imposing by using exterior profile designs that complement the contours of the land; variances from height restrictions shall generally not be permitted" (Policy VI-16, Page VI-51).

"Require that new development respect viewsheds and view corridors from public parks and trails, and scenic highways to the greatest extent possible:

- preserve and enhance, where applicable, view corridors from public roadways, which are oriented toward existing or proposed community amenities, such as parks, open space, or natural features;
- encourage variations in architectural and landscape components which provide visual interest, but do not create abrupt changes or cause discord in the overall character of the neighborhood; and
- provide appropriate transitions between different projects and suburban/rural land use transitions, including the provision of buffer areas, landscaping and other similar treatments (e.g., hedges, fences, berms, or landscaped open space). In providing transitions and buffers, physical barriers should not be placed in areas needed for drainage or wildlife movement (e.g. across stream courses or habitat linkages" (Policy VI-17, Page VI-51).

The applicant must meet the following burden of proof required for a plan amendment:

- A. A need for the proposed Local Plan Amendment exists;
- B. The particular amendment proposed is approximate and proper;
- C. Modified conditions warrant a revision to the County of Los Angeles Local Plan; and
- D. Approval of the proposed Local Plan Amendment will be in the interest of public health, safety and general welfare and in conformity with good planning practices.

The applicant's Burden of Proof responses are attached.

SANTA MONICA MOUNTAINS NORTH AREA CSD

Pursuant to Section 22.44.133 of the Los Angeles County Code ("County Code"), the applicant must meet the development standards for the North Area CSD, including the recent amendments addressing grading and ridgeline protection. The following North Area CSD provisions are applicable to the project:

- A CUP is required for project grading that exceeds 5,000 cubic yards total cut and fill. Required findings include that the project minimizes disturbance to the natural landscape and maximizes visual preservation and community character. As part of the project, an approved haul route is required as more than 1,000 cubic yards of earthwork is proposed for offsite transport.
- The project conditions will include requirements for exterior lighting to be low intensity, directional and/or screened to prevent glare or direct off-site illumination and street lighting only at street intersections and where needed for safety.

ZONE CHANGE

The applicant is requesting to change the zoning of the subject property from CPD and M-1 to RPD-5,000-8U (Residential Planned Development – 5,000 Square Feet Minimum Required Lot Area – Eight Dwelling Units per Net Acre) due to modified circumstances and the need for senior housing (see Tab VIII and X for existing and proposed zoning boundaries). The applicant's burden of proof states that as the community's existing population continues to age, housing options in the area are generally limited to single-family detached and rental housing. The applicant feels that the location is appropriate as the site is adjacent to existing single-family housing and office buildings, and located within ¼ mile to shopping and access via the adjacent 101 Freeway. The zoning would also allow for greater design flexibility for a project to be consistent with the scale of adjacent commercial buildings while providing amenities tailored to its senior residents. The RPD-5,000-8U zoning would be consistent with the project's proposed "U8" land use category of the North Area Plan which permits residential development up to eight dwelling units per net acre.

The applicant must meet the following burden of proof required for a zone change:

- A. Modified conditions warrant a revision to the zoning plan as it pertains to the area or district under consideration;
- B. A need for the proposed zone classification exists within such area or district;
- C. The particular property under consideration is a proper location for said zone classification within such area or district; and
- D. Placement of the proposed zone at such location will be in the interest of public health, safety and general welfare, and in conformity with good zoning practices.

The applicant's Burden of Proof responses are attached.

CONDITIONAL USE PERMIT

Pursuant to Sections 22.20.460, 22.44.133, and 22.56.202 of the County Code, the applicant has requested a CUP, and submitted an Exhibit "A," to authorize concessions for the senior housing project, including a density bonus, and to demonstrate compliance with requirements of planned residential development within the RPD zone and grading within the North Area CSD.

The applicant requests concessions, including a density bonus, for the senior housing project. The applicant is providing 33 units for senior citizens as defined in Section 51.2 and 51.3 of the Civil Code, to qualify for a bonus of 22 units and a project total of 66 dwelling units. Concessions requested by the applicant also include:

- Modification of the maximum permitted wall height of three-and-one-half feet in the front yard setback to allow a four-and-one-half-foot high masonry wall;
- Modification of the maximum permitted wall height of six feet in the side yard setback to allow a maximum wall height of 10 feet; and
- Modification of the maximum permitted building height of 35 feet within the RPD zone to allow a 60-foot high building height. While most of the building will reach heights of 36 feet and 42 feet with parking underground, due to grading conditions the building will reach 60 feet above grade nearest the easterly property line where all three levels of parking will be exposed.

The project site's approximately 5.52 net acres (5.63 gross acres) will be located within the proposed RPD-5,000-8U zoning, and meets the minimum five-acre requirement to qualify for a residential planned development. The project is also consistent with the density of the proposed zoning, and proposes a multiple residential building of attached single-family units as a condominium development. The project exceeds the minimum 30 percent open space (1.66 acres) required with its landscaped open space easement of 1.69 acres and an additional 0.74 acres of recreational area within the development (totaling approximately 44 percent open space). The building covers no more than 35 percent of the property, which is consistent with the maximum 50 percent allowed by the zoning. The project also provides more than required parking for the residential development and proposes to underground all utilities.

Approximately 21,460 cubic yards of cut and 980 cubic yards of fill are proposed, with 20,480 cubic yards of export. A haul route for the offsite transport has been provided within the applicant's exhibit (Tab XII).

In addition to the standard burden of proof required for a CUP, the applicant must also meet the following burdens of proof required for:

Density Bonus:

- A. That the proposed project at the location proposed has been designed to be compatible with the surrounding area in terms of land use patterns, design, and established community character; and
- B. That the proposed project will assist in satisfying affordable housing needs, and is viable in terms of continuing availability to meet such housing needs; and
- C. That the proposed project shall be reasonably proximate to public transit, shopping, and, except for senior citizen housing, employment centers; and
- D. That the requested incentives or concessions are required to make the affordable housing units economically feasible.

Grading that exceeds the threshold within the North Area CSD:

- A. That grading will be performed in a manner that minimizes disturbance to the natural landscape and terrain through design features for the project, including but not limited to, locating the building pad in the area of the project site with the least slope, clustering structures, and locating the project close to a paved street traveled by the public; and
- B. That grading will be accompanied by other project features that maximize preservation of visual quality and community character through design features such as, but not limited to, reduced structural height, use of architectural features such as shape, materials, and color to promote blending with the surrounding environment, and use of locally indigenous vegetation for concealment of the project.

The applicant's Burden of Proof responses are attached.

PARKING PERMIT

The applicant requests a parking permit for offsite and reciprocal parking facilities. The parking facilities will be utilized by the condominium development as well as the adjacent commercial buildings with sufficient parking provided to comply with County Code.

A total of 239 parking spaces on three levels of parking (see Tab VII). The upper and middle level (Parking Level 1 and 2, respectively) provide 196 parking spaces for the residential units. The lowest level (Parking Level 3) provides 43 parking spaces with three devoted to the residential units. A minimum of 17 guest parking spaces are required at a ratio of one per four dwelling units for the

development; 64 guest parking spaces are included within the total parking provided. Ingress and egress driveways off of Ventura Boulevard serve as direct access to the Parking Level 1. A drop-off area is also provided west of the parking area along Ventura Boulevard.

The development also provides required parking for the adjacent office building to the east. Eighteen (18) parking spaces are currently provided on the subject property for the adjacent building. The development will provide a total of 40 parking spaces and storage space for the adjacent office building on its Parking Level 3 with a separate garage entrance from the adjacent parcel.

Pursuant to Section 22.56.1020 of the County Code, the applicant must meet the following burden of proof:

- A. That there will be no need for the number of parking spaces required by Part 11 of Chapter 22.52 because:
 - 1. The age and/or physical condition of the residents is such that the use of automobile is unlikely, or
 - 2. The nature of the use is such that there is reduced occupancy, or
 - 3. The business or use has established a viable transportation program for its employees and/or customers to use transportation modes other than the single-occupant automobile. Such a program shall include positive incentives such as van pools, transit fare subsidies, commuter travel allowances, car pools or bicycle commuter facilities. Where appropriate, proximity to freeways with high-occupancy vehicle (HOV) lanes, bus routes, park-and-ride facilities, people-movers, rapid transit stations, bikeways, or other similar facilities shall be a factor in this consideration, or
 - 4. Sufficient land area is reserved or an alternative arrangement is approved to insure that the parking requirements may be complied with should the use, occupancy, or transportation program change. Such reservation or alternative may be waived for certain senior citizen and handicapped person housing developments where the director finds that it is unnecessary because of the unanticipated permanent nature of such use. If required, the reserved land area shall be so located and developed in such a manner that it can be feasibly converted to parking if needed;
- B. That there will be no conflicts arising from special parking arrangements allowing shared facilities, tandem spaces or compact spaces because:
 - 1. Uses sharing parking facilities operate at different times of the day or days of the week, or
 - 2. Parking facilities using tandem spaces will employ valets or will utilize other means to insure a workable plan, or
 - 3. Apartment houses using compact spaces for a portion of the required parking have a management program or homeowners' association to assure an efficient distribution of all parking spaces;
- C. That off-site facilities, leases of less than 20 years, rear lot transitional parking lots and uncovered residential parking spaces will provide the required parking for uses because:
 - 1. Such off-site facilities are controlled through ownership, leasing or other arrangement by the owner of the use for which the site serves and are conveniently accessible to the main use, or
 - 2. Such leases are written in such a way as to prevent multiple leasing of the same spaces or cancellation without providing alternate spaces; such leases shall contain other guarantees assuring continued availability of the spaces, or
 - 3. Such transitional lots are designed to minimize adverse effects on surrounding properties, or
 - 4. Uncovered parking for low and moderate income residential developments will be appropriately screened and compatible with the surrounding neighborhood;
- D. That the requested parking permit at the location proposed will not result in traffic congestion, excessive off-site parking, or unauthorized use of parking facilities developed to serve surrounding property; and
- E. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, loading facilities, landscaping and other development features prescribed in this Title 22.

The applicant's Burden of Proof responses are attached.

ENVIRONMENTAL DOCUMENTATION

In accordance with State and County CEQA guidelines, a Mitigated Negative Declaration ("MND") was prepared for the project. The MND concludes that certain potentially significant impacts are less than significant with implementation of the proposed mitigation measures in the Mitigation Monitoring Program.

Identified potential impacts found to be less than significant with project mitigation, include:

- Flood
- Noise
- Water Quality
- Air Quality
- Biota
- Cultural Resources
- Visual Quality
- Traffic/Access
- Education
- Fire/Sheriff Services
- Utilities
- Mandatory Findings

Detailed information of the mitigation measures is attached, and include such mitigation as limiting construction-related traffic to weekday offpeak hours on adjacent streets; submittal of landscape plans to meet a minimum 50 percent native vegetation requirement; installation of low-flow water fixtures within the units; payment of developer fee or in-kind consideration to the Los Angeles County Fire Department; and requirement of certain construction materials for windows, glass doors and roof ceiling.

COUNTY DEPARTMENTS AND AGENCY COMMENTS AND RECOMMENDATIONS

The Los Angeles County Subdivision Committee consists of the Departments of Regional Planning, Public Works, Fire, Parks and Recreation, and Health Services. The Subdivision Committee has reviewed the Tentative Tract and Exhibit "A" maps dated June 13, 2005, and recommends approval with the attached conditions.

Comments have also been received from the Las Virgenes Municipal Water District ("Water District"), Las Virgenes Municipal School District ("School District"), and the City of Calabasas ("City"). The Water District has sent correspondence that it will be the water purveyor for the project, and that if the existing water main is insufficient for the project the applicant will provide for the extension of necessary facilities. The School District has also sent correspondence that as a senior housing project, the mitigation fees proposed by the applicant will adequately address school mitigation. The City has sent correspondence that it supports the project with the traffic mitigation measures agreed to by the applicant. These include payment of fees for resynchronization of traffic lights and traffic signal upgrade, restriping of Parkway Calabasas bridge and nearby intersections, and donations for construction of a slough wall.

Other comments and recommendations from County Departments and other agencies consulted during the environmental review process have been included in the MND.

LEGAL NOTIFICATION/COMMUNITY OUTREACH

On September 15, 2005 approximately 37 notices of public hearing were mailed to property owners within a 500-foot radius of the subject property. The public hearing notice was published in The Daily News and La Opinion on September 17, 2005. Project materials, including a tentative tract map, site plan, and recommended conditions, were received at the Agoura Hills Library on September 19, 2005. One large public hearing notice, eight feet wide by four feet high, was posted on the subject property fronting Ventura Boulevard on September 15, 2005; a standard public hearing notice was also posted that day on the property fronting Parkway Calabasas. Public hearing materials were also posted on the Department of Regional Planning's website.

At the direction of staff, the applicant presented the project proposal before the Ventura Freeway Corridor Policy Committee on August 8, 2005. The Policy Committee consists of representatives from the Cities of Calabasas, Hidden Hills, Agoura Hills and Westlake Village, Water District, School District and the National Park Service as well as the County of Los Angeles. The applicant presented the project, including information regarding summary of traffic impacts, and answered questions from Committee members.

CORRESPONDENCE RECEIVED BEFORE PUBLIC HEARING

At the time of writing, correspondence has been received from the Las Virgenes Municipal Water District, Las Virgenes Municipal School District, and the City of Calabasas (see "County Departments and Agency Comments and Recommendations" section above). Correspondence has also been received from an adjacent homeowner to the north with concerns of loss of privacy and lack of adequate buffer landscaping, resulting in potential loss of property values.

STAFF EVALUATION

The proposed development is consistent with applicable provisions of the North Area Plan, Title 21 and 22 of the County Code (Subdivision and Zoning Ordinance) and the proposed RPD-5,000-8U zoning. The subject property is surrounded by compatible uses and residential densities, and has access to a county-maintained street. All required public services and necessary infrastructure will be provided for the proposed subdivision. The project also meets the burden of proof required for the local plan amendment; zone change; CUP for residential planned development, density bonus and grading within the North Area CSD; and parking permit for offsite and sharing of parking facilities.

The project meets many of the goals and policies of the North Area Plan, including consistency with the proposed land use category of "U8" (Residential 8). The project is proposed in a location suitable for higher density development as it will be located between two office buildings and compatible with both height and scale of the adjacent structures. Previous approvals that are still valid for the subject property included an office building at an approximate height of 45 feet. The property is also located along the 101 Freeway, and will provide architectural features that will complement the 101 Freeway as a scenic corridor. The project is also consistent with its proposed RPD zoning, and incorporates design features that will provide an aesthetically pleasing project.

As a senior housing project, the applicant requests concessions, including a density bonus. While California state law has changed regarding development of senior housing and the County has begun using interim guidelines for senior development, the applicant had filed his application in February of 2004 before these changes in law came into effect. The applicant has been advised of the interim

guidelines, and wishes to proceed with his application under the provisions applicable at that time of filing. The CUP for density bonus, which is still in effect, allows a maximum 50 percent bonus for the provision of senior housing units for a total maximum of 66 dwelling units on the subject property. The applicant is also requesting modification of development standards that include over-height walls in the front and side yard, and a maximum building height of 60 feet above grade at the easterly property line. These are mainly constraints due to existing graded conditions.

Minor changes are required to the tentative map and exhibit "A" before final action; these will not substantively affect the design of the development. These corrections include corrected labels of the proposed zoning shown on the maps, and additional labels for building and wall heights. These changes may be submitted to the Subdivision Committee for review and updated comments after close of the public hearing, and before final action is taken by the Regional Planning Commission.

FEES/DEPOSITS

If approved as recommended by staff, the following shall apply:

California Department of Fish and Game:

1. Processing fee of \$25.00 associated with the filing and posting of a Notice of Determination and Certificate of Fee Exemption with the County Clerk, to defray the costs of fish and wildlife protection and management incurred by the California Department of Fish and Game.

Department of Regional Planning, Impact Analysis:

2. Deposit of \$3,000.00 to defray the costs of reviewing the subdivider's reports and verifying compliance with the information required by the Mitigation Monitoring Program.

Department of Regional Planning, Zoning Enforcement:

3. Cost recovery deposit of \$750.00 to cover the cost of five recommended zoning enforcement inspections. Additional funds would be required if violations are found on the subject property.

STAFF RECOMMENDATION

The following recommendation is subject to change based on oral testimony or documentary evidence submitted during the public hearing process.

If the Regional Planning Commission agrees with staff's evaluation above, staff recommends that the Commission close the public hearing and after minor changes to the tentative map and exhibit "A", adopt the MND, and indicate its intent to approve Vesting Tentative Tract Map No. 061027 and Conditional Use Permit and Parking Permit Case No. 04-031-(3), and recommend approval of Local Plan Amendment 04-031-(3) and adoption of Zone Change Case No. 04-031-(3) to the Los Angeles County Board of Supervisors.

Suggested Motion: "I move that the Regional Planning Commission close the public hearing, and with minor changes as described by staff, indicate its intent to adopt the Mitigated Negative Declaration; approve Vesting Tentative Tract Map No. 061027, Conditional Use Permit and Parking Permit No. 04-031-(3); and recommend to the Los Angeles County Board of Supervisors approval of Local Plan Amendment 04-031-(3) and adoption of Zone Change Case Nos. 04-031-(3)."

Attachments:

- Draft Conditions
- Local Plan Amendment Burden of Proof
- Zone Change Burden of Proof
- Conditional Use Permit Burden of Proof
- Parking Permit Burden of Proof
- Vesting Tentative Tract Map No. 061027
- Conditional Use Permit Case No. 04-031 Exhibit "A"
- Applicant's Exhibit
- Land Use Map
- Correspondence
- Photographs

EMF:SMT
10/12/05

RE: The Pointe, 24141 Ventura Blvd., Calabasas, CA

General Plan Amendment - Burden of Proof

8/5/05

1. A need for the proposed General Plan Amendment exists because:

There currently exists an overwhelming saturation of office space in the surrounding area. Therefore, while considering the current need for housing, especially senior housing, the utilization of this site under its current approved use (commercial space) would not be the best function of this property. By amending the General Plan, our project would create the most optimal use for the property and meeting community needs.

2. The particular amendment proposed is approximate and proper because:

Higher density residential complexes are more appropriate along the freeway corridor due to their accessibility – to local shopping, entertainment centers, public transit, and places of business. This project is centrally located within Calabasas, which offers residents true accessibility to all amenities.

3. Modified conditions warrant a revision to the County of Los Angeles General Plan because:

The surrounding community of Calabasas has a fast growing population of seniors. This aging population has no housing options other than multi-million dollar single family homes or apartment-style living. This project will help fill the void of senior housing so desperately needed in the community.

4. Approval of the proposed General Plan Amendment will be in the interest of public health, safety and general welfare and in conformity with good planning practices because:

- A. Traffic under current CPD zone would allow 1,486 vehicle trips per day. As a senior condominium project, that number would be reduced significantly to 528 vehicle trips per day, which would be a total reduction of 958 vehicle trips per day. This project is conveniently accessible to the County of Los Angeles public transit as well as the public transportation provided by the City of Calabasas.
- B. At its current use, the tax base would be between \$15,000,000 and \$18,000,000. In contrast, as a 66-unit condominium complex, the valuation would be increased to between \$50,000,000 and \$60,000,000. This would provide the County an additional revenue increase of over 300%.

RE: The Pointe, 24141 Ventura Blvd., Calabasas, CA

Zone Change – Burden of Proof

Section 22.16.110

8/5/05

- A. Modified conditions warrant a revision in the zoning plan as it pertains to the area or district under consideration because:

There is an enormous need for residential housing, specifically serving the senior community due to its fast growing population in the local area. There is not only a lack of senior housing in the area, but a lack of housing in general. The growing senior population in this area desires to stay and continue to live in the area and demands a project of this magnitude.

- B. A need for the proposed zone classification exists within such area or district because:

There is a very strong need for housing in this market. It is adjacent to a single family subdivision and two corporate office buildings. All shopping facilities are within 1/4 mile of this location and all utilities are underground to the site. The geography of the project and the very close proximity to the freeway, allows occupants to utilize the transit corridor and travel with greater ease to the surrounding communities.

- C. The proposed zone allows for greater design flexibility which allows us to bring Old-world design elements to the 21st century that creates an elegant, refined design for the senior community, while remaining true and blending with the City of Calabasas character and style.

- D. Placement of the proposed zone at such location will be in the interest of public health, safety and general welfare and in conformity with good zoning practice because:

Within the immediate area of the proposed site, there is a lack of housing available. Therefore, the proposed zone change is consistent with community housing demands and is compatible with the surrounding land uses.

This location provides excellent views from the project looking out into Calabasas and the San Fernando Valley. By adding tiers to the structure on all three levels, it provides a low visual impact from the 101 freeway and the adjoining residences. Shopping and other public facilities, including theaters, restaurants and the new Calabasas City Hall, are within one-half mile of the site.

- C. The proposed development has two access points. One on North Parkway Calabasas which is a two-lane road, and one on Ventura Boulevard, which is a newly constructed road that is used by two office buildings. A complete traffic study has been submitted and approved by the Traffic and Lighting Division which substantiates this information.

The Calabasas Road Fire Station is one-quarter mile away and the Lost Hill Sheriff's Station is within four miles. The commercial center known as "The Commons" is one-half mile from the proposed project. The condominium project will reduce the car trips per day by 958 compared to a commercial use.

In addition to the information required in the application, the applicant shall substantiate to the satisfaction of the Zoning Board and/or Commission, the following facts:

- A. That the requested use at the location proposed will not:
1. Adversely affect persons residing or working in the area. The adjacent properties are zoned for manufacturing, office space and residential uses. Therefore, our senior project will have very low impact on noise, traffic
 2. This proposed request will greatly enhance the enjoyment and or valuation of property of other persons located in the vicinity of the site due to the sheer quality of the proposed construction in terms of architecture, landscaping, design, and configuration.

The project is a self-contained, resort-style complex specifically designed for senior living. The amenities that offered will resemble those normally found in a resort. It will include an outdoor entertainment area, bar-b-cue patio in the common area, with Jacuzzis and rock waterfalls. For more leisure activities, residents can relax by the multiple fireplaces or take advantage of the state-of-the-art spa.

The three-story atrium with giant palms, koi ponds, heavy tropical planting, and tiered fountains creates the ambiance of vacationing at home. The large individual back patios are perfect for entertainment and provide the vista to enjoy the overall grandeur of the natural open space. The Mediterranean residential architecture will provide a harmonious visual impact from all surrounding views.
 3. The requested use will enhance the general welfare to the public by filling a void in the community and providing needed multi-family condominiums and senior housing.
- B. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in Title 22, or as is otherwise provided in order to integrate the use with the uses in the surrounding area.

The proposed development far surpasses any other uses in the surrounding area, with not only providing luxurious landscaping with cascading water falls and brilliantly colored flowers, but providing easy loading and unloading from multiple access points. The development has ample parking with a surplus of 33 spaces. One key issue that all communities overlook, that this proposed development addresses, is storage facilities within the garage area.

Conditional Use Permit Case – Burden of Proof (Building Height & Lot Areas)

The proposed site is the middle 5.52 acre lot of three hillside lots located in unincorporated Los Angeles County north of the 101 freeway at North Parkway Calabasas and Ventura Boulevard. The three lots are at the following elevations:

- 24121 Ventura Boulevard at 1018' – Dinovitz Office Building
- 24141 Ventura Boulevard at 1054' – Proposed Site
- 24151 Ventura Boulevard at 1130' – ValleyCrest Office Building

There will be three parking levels at the following elevations:

- | | |
|----------------------------|--------------------------|
| • Parking Level 1 at 1044' | 153 parking spaces |
| • Parking Level 2 at 1034' | 43 parking spaces |
| • Parking Level 3 at 1024' | <u>43</u> parking spaces |
| | 239 parking spaces |

Parking spaces allocated to 24121	40 parking spaces
Parking spaces allocated to 24141	199 parking spaces

The three-story condominiums will be built on top of a podium level at an elevation of 1054'. The roof will be at an elevation of 1090', 36' from ground level, excluding parapets, stairwells and equipment penthouses. Under the existing C.U.P. on the property, the height limit is 45' from ground level. The office building at 24121 is 35' high and the office building at 24151 is 42' high.

All of the parking levels will be below grade, except on the easterly property line where all three garage levels will be exposed due to the hillside condition; at that point the roof will be 60' above grade.

On the north elevation, the spa and recreation room are on the first floor and there are two levels of condominiums above. The roof is 42' above grade. At all other elevations of the building the roof will be 36' above grade.

There are 1400 lineal feet of exterior wall, with 1120' at 36' high and 280' at 60' maximum or 75% is at 36' high and 25% at 60' maximum.

At the Ventura Boulevard elevation and Parkway Calabasas elevation the units will be stepped back approximately 12' unit to unit, providing lower appearance at street elevations.

Building coverage area is 34.8% or 1.96 acres. The open space area is 30% or 1.69 acres. There also is 12.5% or .69 acres of active recreation area. The remainder of the open space is landscaped and access drives.

RE: The Pointe, 24141 Ventura Blvd., Calabasas, CA

Grading – Burden of Proof SEC. 22.56.040

8/5/05

The site is the middle lot of three lots that ascend up Ventura Blvd, which forms large flat pads of approximately 2.5 acres each. These lots were originally graded in 1980 and completed in 1990. The original Valley Crest office building is located on the lower pad. The new 80,000 sq ft Valley Crest office building and parking structure is located on the third and highest pad. This office building has a pad at an elevation of 1130 and its building height at 1172. The Pointe Condominium will be located on the remaining middle pad, which is at an elevation of 1053 and the building height will be 1089. The grading of the middle lot left a natural 1.25 acre slope on the western boundary, a 2.25 acre flat pad and a descending 1.5 to 1 fill slope on the eastern boundary.

The condominium structure will be located on the flat pad and will not alter the natural slope. The descending fill slope will be removed to allow the subterranean parking to day light for access purposes. The bulk of the grading will be for the excavation for the garage, 20,400 cu yds, and the remainder, 940 cu yds will be for the back fill of the garage walls. The structures roof line and elevation will be stepped to create a sloping sight line. The use of natural earth tones will be used to further blend the building into the existing skyline. A portion of the structure on North Parkway Calabasas will be constructed on a portion of the old Valley Crest office building site. That lot line adjustment has been completed, and no grading is necessary.

RE: The Pointe, 24141 Ventura Blvd., Calabasas, CA

Senior of Housing – Burden of Proof SEC. 22.56.040

8/5/05

1. The character of the building is compatible with both the natural surrounding hill sides and the other projects in the area. The project's use of earth tones and enhanced architectural features has been used to integrate the project into its natural skyline.
2. The project assists the needs of the surrounding community by providing the only senior housing of this type in the area. The project will provide 28 units for residents 62 years of age and older, and 38 units will be for 55 and older. All units will be owner occupied and mandated by CC & R restriction.
3. The site is within easy walking distance to both shopping, Ralph's, and public transportation, MTA to Los Angeles and local transportation. There will also be a new Civic Center and a performing arts building built at the Commons within ¼ mile of the project.
4. The existing need for senior housing has been expressed by surrounding communities and local HOA's. Our project would help alleviate some of this need with an all senior housing complex.

In addition to the information required in the attached application, the applicant shall substantiate to the satisfaction of the Zoning Board and/or Commission, the following facts (use separate sheets if necessary):

A. That there will be no need for the number of parking spaces required by Part 11 of Chapter 22.52 because:

1. The age and/or physical condition of the residents is such that the use of automobiles is unlikely; or
2. The nature of the use is such that there is a reduced occupancy; or
3. The business or use has established a viable transportation program for its employees and/or customers to use transportation modes other than the single-occupant automobile. Such a program shall include positive incentives such as van pools, transit fare subsidies, commuter travel allowances, car pools or bicycle commuter facilities. Where appropriate, proximity to freeways with high-occupancy vehicle (HOV) lanes, bus routes, park-and-ride facilities, people-movers, rapid transit stations, bikeways, or other similar facilities shall be a factor in this consideration; or
4. Sufficient land area is reserved or an alternative arrangement is approved to insure that the parking requirements may be complied with should the use, occupancy, or transportation program change. Such reservation or alternative may be waived for certain senior citizen and handicapped person housing developments where the director finds that it is unnecessary because of the anticipated permanent nature of such use. If required, the reserved land area shall be so located and developed in such a manner that it can be feasibly converted to parking if needed.

We are actually increasing the parking by completing this project. Providing
40 full spaces and losing 18 spaces, a net gain of 22 spaces for the M-1
zoned office property at 24121 Ventura Blvd.

B. That there will be no conflicts arising from special parking arrangements allowing shared facilities, tandem spaces or compact spaces because:

1. Uses sharing parking facilities operate at different times of the day or days of the week; or
2. Parking facilities using tandem spaces will employ valets or will utilize other means to insure a workable plan; or
3. Apartment houses using compact spaces for a portion of the required parking have a management program or homeowners' association to assure an efficient distribution of all parking spaces.

We are adding one level to a parking garage and increasing the parking
by 22 cars for the M-1 zoned office property at 24121 Ventura Blvd.

C. That off-site facilities, leases of less than 20 years, rear lot transitional parking lots and uncovered residential parking lots and uncovered residential parking spaces will provide the required parking for uses because:

1. Such off-site facilities are controlled through ownership, leasing or other arrangement by the owner of the use for which the site serves and are conveniently accessible to the main use; or
2. Such leases are written in such a way as to prevent multiple leasing of the same spaces or cancellation without providing alternate spaces; such leases shall contain other guarantees assuring continued availability of the spaces; or
3. Such transitional lots are designed to minimize adverse effects on surrounding properties; or
4. Uncovered parking for low and moderate income residential developments will be appropriately screened and compatible with the surrounding neighborhood.

We will have the ownership of the lower level of parking on the adjacent
property providing 40 spaces to 24121

- D. That the requested parking permit at the location proposed will not result in traffic congestion, excessive off-site parking, or unauthorized use of parking facilities developed to serve surrounding property.

Will actually increase by 18 spaces

- E. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, loading facilities, landscaping and other development features prescribed in this ordinance.

Plus 18 additional parking spaces.

11/5/83

76P102 - PS 6-84

RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO:

The Department of Regional Planning
of the County of Los Angeles
310 West Temple Street, Room 1300
Los Angeles, CA 90012
Attn: _____

NO FEE FOR RECORDING PURSUANT
TO GOVERNMENT CODE SECTION 27383

**COVENANT IMPOSING SENIOR CITIZEN HOUSING DEVELOPMENT
RESTRICTIONS**

1. 24121 VENTURA BLVD, LLC, a California limited liability company, hereinafter referred to as Declarant, is the owner of that certain real property located in the County of Los Angeles ("County"), State of California, more particularly described in Exhibit A attached hereto and incorporated herein by this reference (the "Property").

2. Declarant, the fee owner of the Property, hereby makes the following declaration of covenants, conditions, restrictions, limitations, rights and uses (the "Covenant") to which the Property may be put and each and all of the covenants, conditions, restrictions, limitations, rights and uses contained herein shall run with the land and shall be binding on Declarant, its successors and assigns, and all subsequent owners of all or any part of the Property.

3. Pursuant to Section 22.56.202 A 3 of the Los Angeles County Code, the Property shall be used as, or for the construction of, a 66-unit senior citizens condominium complex, where the ownership of the condominium units constructed on the Property shall be restricted to senior citizens, as defined in Sections 51.2 and 51.3 of the Civil Code (including qualifying residents), as follows:

38 of the condominium units constructed on the Property shall be restricted to senior citizens who are 55 years old or older, and

28 of the condominium units constructed on the Property shall be restricted to senior citizens who are 62 years old or older.

4. Declarant further covenants that each of the above-described condominium units shall be required to be owner occupied as required by law.

5. Declarant shall include in its declaration of covenants, conditions and restrictions to be recorded against the Property, as part of its condominium status, the foregoing restrictions relating to senior citizen ownership and owner occupancy in accordance with the applicable

requirements of California Civil Code Section 51.3 regarding senior citizen housing developments.

6. In conformance with Section 51.2 of the California Civil Code, Declarant covenants that the housing accommodations to be constructed on the Property shall be designed to meet the physical and social needs of senior citizens and shall include all of the following elements:

(1) Entryways, walkways, and hallways in the common areas of the development, and doorways and paths of access to and within the housing units, shall be as wide as required by current laws applicable to new multifamily housing construction for provision of access to persons using a standard-width wheelchair.

(2) Walkways and hallways in the common areas of the development shall be equipped with standard height railings or grab bars to assist persons who have difficulty with walking.

(3) Walkways and hallways in the common areas shall have lighting conditions which are of sufficient brightness to assist persons who have difficulty seeing.

(4) Access to all common areas and housing units within the development shall be provided without use of stairs, either by means of an elevator or sloped walking ramps.

(5) The development shall be designed to encourage social contact by providing at least one common room and at least some common open space.

(6) Refuse collection shall be provided in a manner that requires a minimum of physical exertion by residents.

(7) The development shall comply with all other applicable requirements for access and design imposed by law, including, but not limited to, the Fair Housing Act (42 U.S.C. Sec. 3601 et seq.), the Americans with Disabilities Act (42 U.S.C. Sec. 12101 et seq.), and the regulations promulgated at Title 24 of the California Code of Regulations that relate to access for persons with disabilities or handicaps.

7. The provisions imposed by this Covenant are in consideration of the County of Los Angeles approving Tentative Map No. 061027 and other related land use approvals in Case No. 04031 for 66 senior citizen condominium units to be constructed on the Property.

8. The provisions imposed by this Covenant shall be effective only during such time that the Tentative Map No. 061027 and other related land use approvals in Case No. 04031 permit the construction and operation of a 66-unit senior citizen condominium complex on the Property, and related accessory uses, unless otherwise released by the authority of the Department of Regional Planning.

9. In accordance with the provisions of Section 22.56.202 I 3 of the Los Angeles County Code, the term of this Covenant shall commence as of the date of its execution and recording in the official records of the County and end thirty five (35) years following the date that a certificate of occupancy is issued for the 66 senior citizen dwelling units on the Property.

10. The County of Los Angeles shall have the right to enforce by proceedings at law or in equity all of the provisions imposed by this Covenant, including, without limitation, the right to seek monetary penalties and to prosecute a proceeding at law or in equity against the person or persons who have violated or are attempting to violate any of said provisions, to enjoin or prevent them from doing so and to cause said violation to be remedied. The failure of the County of Los Angeles to enforce any of the provisions imposed by this Covenant shall not constitute a waiver of the right to enforce the same thereafter.

11. The covenants and restrictions set forth in this instrument shall run with the land and shall inure to the benefit of and be binding upon all of Declarant's assigns, transferees, heirs and successors in interest provided, however, that on the expiration of the term of this Covenant said covenants and restrictions shall expire.

12. This Covenant shall be governed by the laws of the State of California. If any provision of this Covenant shall be invalid, illegal or unenforceable, the validity, legality and enforceability of the remaining portions of this Covenant shall not in any way be affected or impaired thereby.

APPROVED AS TO FORM:
Los Angeles County Counsel

By: _____
Deputy County Counsel

DECLARANT:

24121 VENTURA BLVD, LLC a California limited liability company

By Managing Member:

By: BV VENTURES, LLC,
a California limited liability company

By: _____
Its: _____

By: D-3 INVESTMENTS, LLC,
a California limited liability company

By: _____
Its: _____

STATE OF CALIFORNIA)
) ss
COUNTY OF _____)

On _____, 200_, before me, _____, personally appeared _____, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

STATE OF CALIFORNIA)
) ss
COUNTY OF _____)

On _____, 200_, before me, _____, personally appeared _____, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

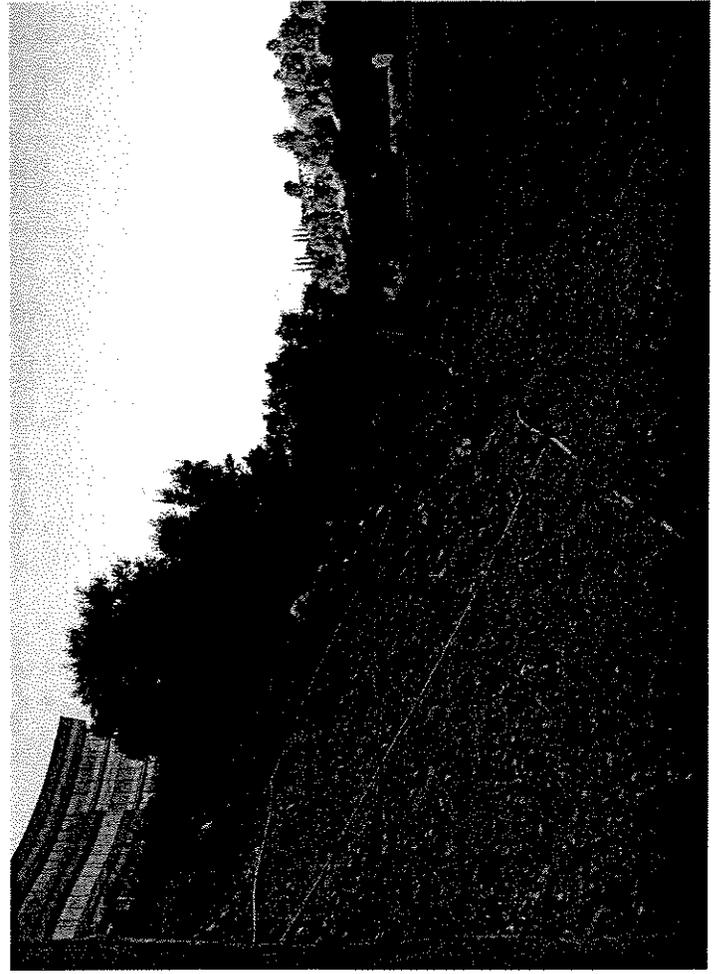
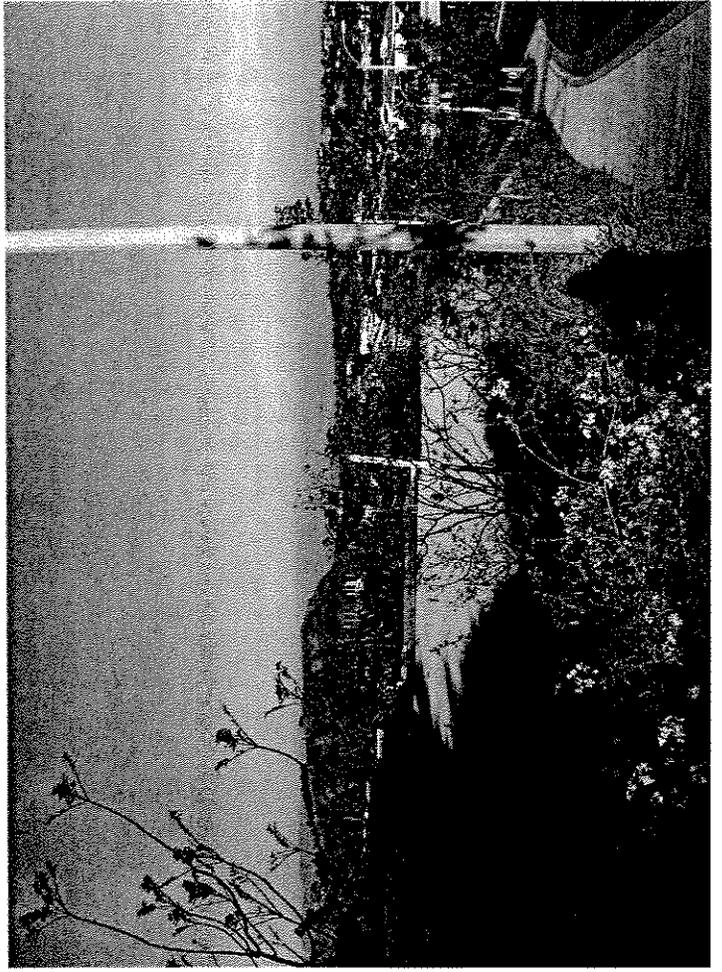
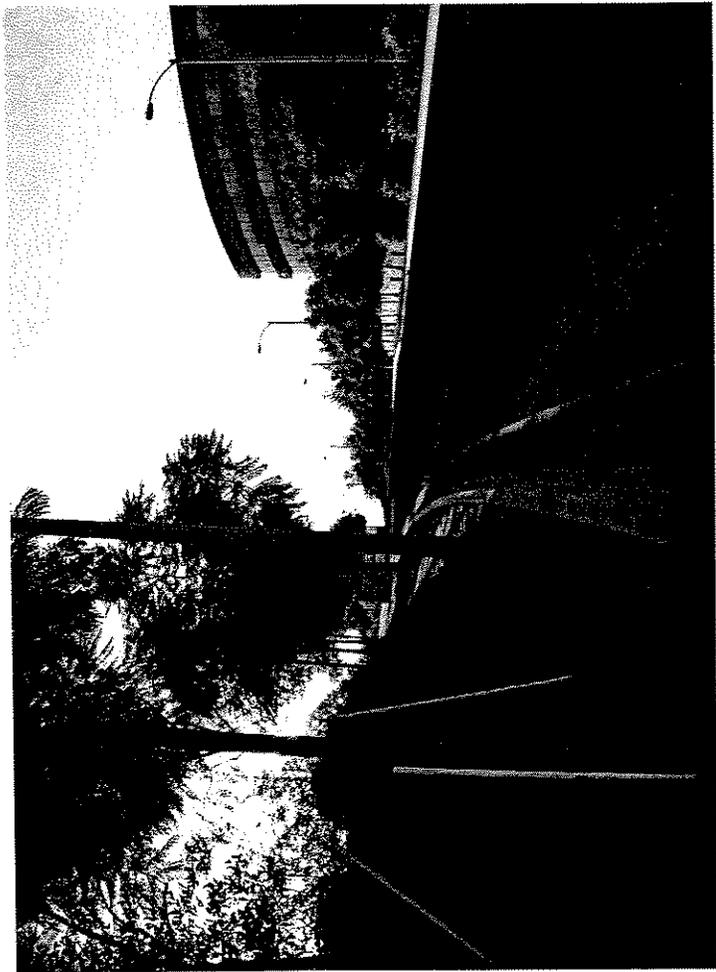
WITNESS my hand and official seal.

The Pointe, Tract 61027

Calabasas
 Development Summary Table
 2nd Quarter 2005
 Source: MarketPointe Realty Advisors

Development/Developer	Sales/Week		Ranges		Sales Start	LotSize/ Density	Total Units	Total Sold	CurQtr Sold	Remain Unsold	ForDev					
	CurQtr	Cum	Price	\$/Sqft												
CASTILLE @ THE OAKS OF CALABASAS	0.40	0.77	\$2,325,000	4,890	\$356.43	25-Sep-03	13,000	64	4	0	0					
JOHN LAING HOMES			\$2,370,000	6,593	\$475.46											
CHATEAUX MONT CALABASAS	0.00	0.20	\$1,602,890	6,242	\$256.79	20-Aug-01	14,000	41	0	1	0					
PACER COMMUNITIES			\$2,062,000	6,820	\$302.43											
MUREAU ESTATES	0.07	0.06	\$2,780,000	5,993	\$383.82	15-Jul-02	43,560	11	1	1	0					
R. WILLIAM R. DEVELOPMENT			\$2,980,000	7,784	\$463.87											
THE ARBORS @ THE OAKS OF CALABASAS	1.76	1.26	\$1,345,000	3,453	\$370.02	15-Apr-04	10,000	74	71	23	0					
NEW MILLENNIUM HOMES			\$1,570,000	4,243	\$369.51											
THE CLASSICS @ THE OAKS OF CALABASAS	1.23	0.67	\$1,695,000	4,443	\$356.57	15-Mar-04	15,000	64	41	16	5					
NEW MILLENNIUM HOMES			\$1,810,000	5,076	\$361.49											
THE MASTERS @ THE OAKS OF CALABASAS	0.30	0.20	\$1,679,000	4,674	\$359.22	15-Jul-04	11,000	48	9	4	9					
NEW MILLENNIUM HOMES			\$1,995,000	5,509	\$373.65											
THE RESERVE @ THE OAKS OF CALABASAS	1.15	0.62	\$1,985,000	5,069	\$347.20	15-Jul-04	15,000	63	27	15	3					
NEW MILLENNIUM HOMES			\$2,270,000	5,538	\$391.59											
VINTAGE @ THE OAKS OF CALABASAS	0.25	0.51	\$1,295,900	3,554	\$327.31	15-Mar-04	10,000	32	31	3	1					
VINTAGE COMMUNITIES			\$1,614,900	4,367	\$369.79											
8 Total Projects											397	293	66	20	84	
Average Per Development											5.16	4.29				
											0.65	0.54				

Above is the pricing analysis information for new construction in the Calabasas area. As you will notice, there are no condominium projects, specifically senior condominium projects, to compare pricing for our proposed senior project.

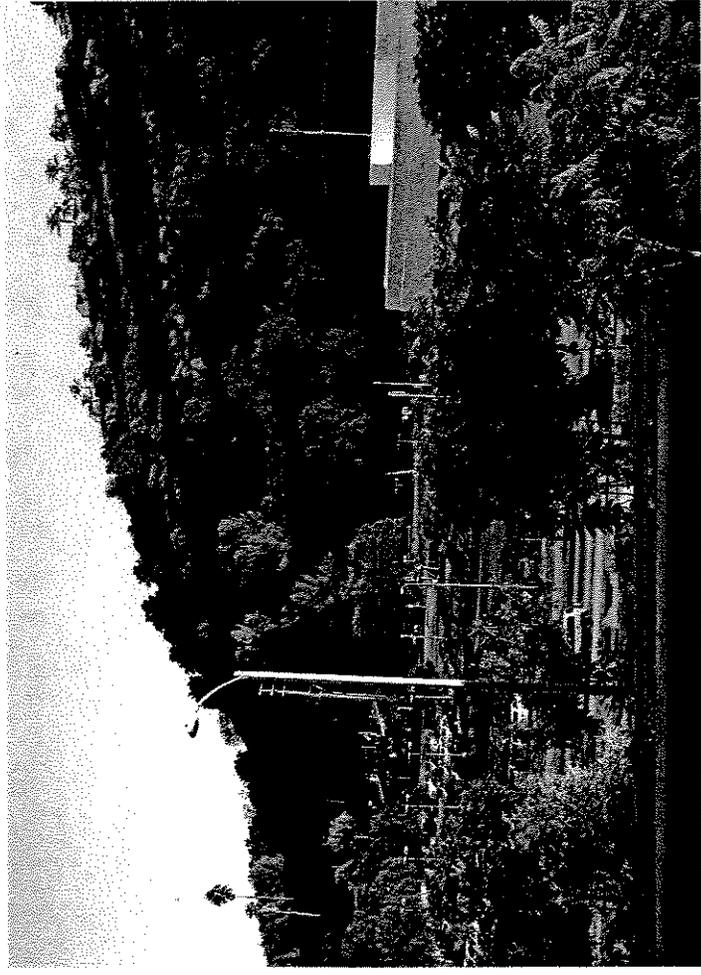
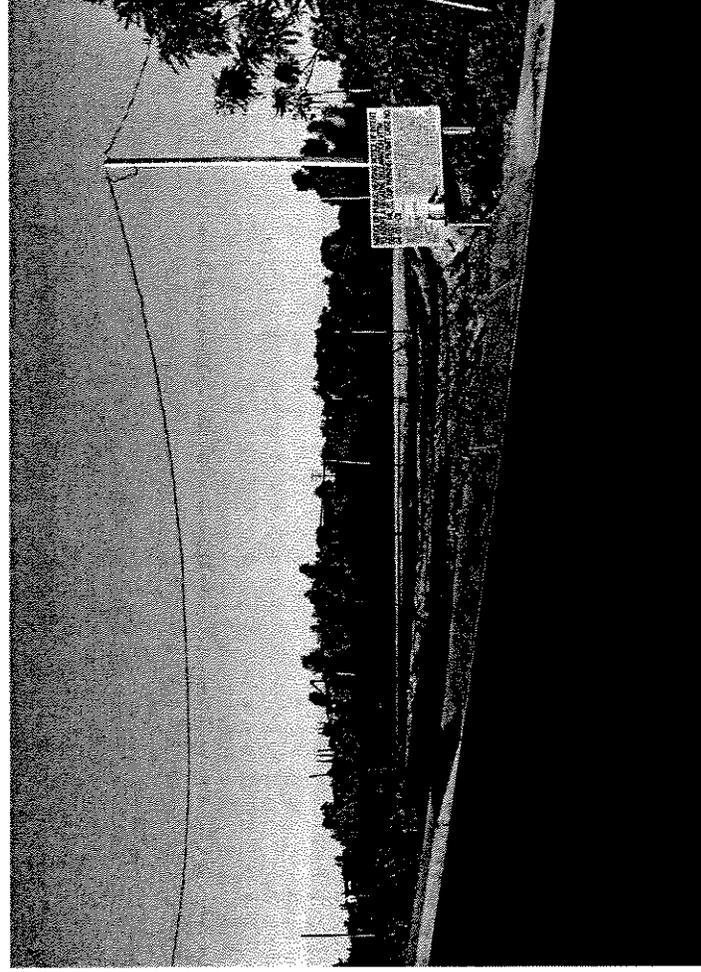


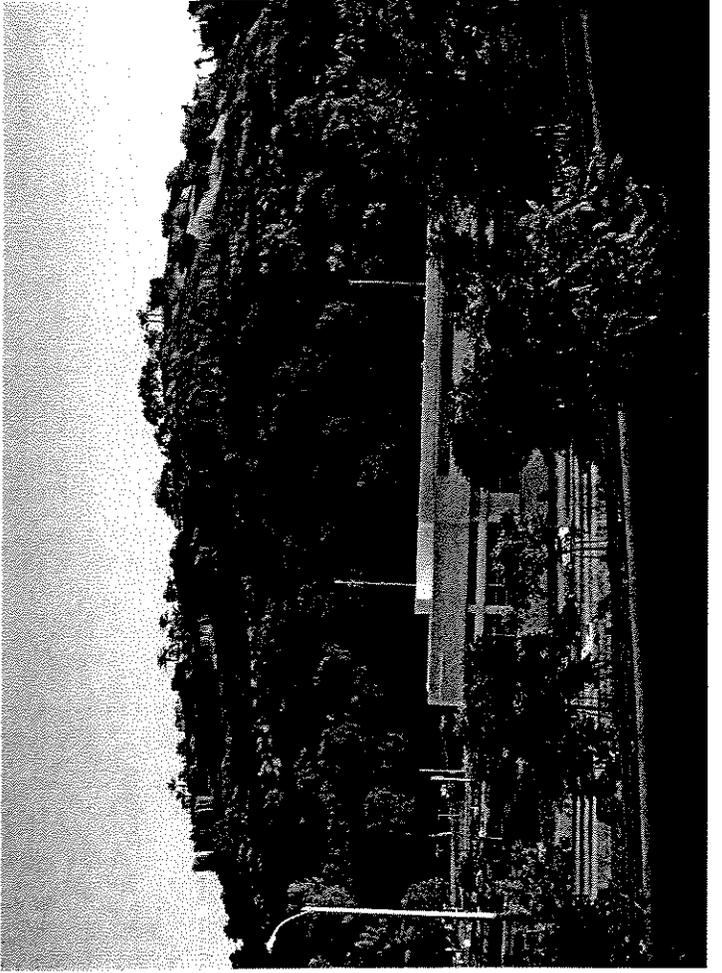
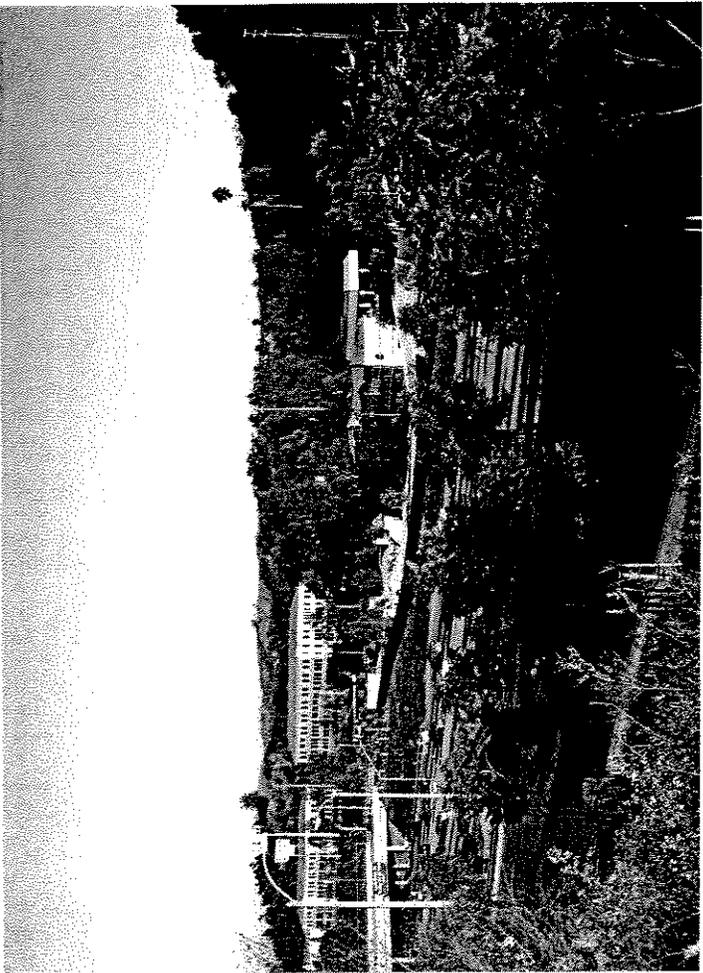
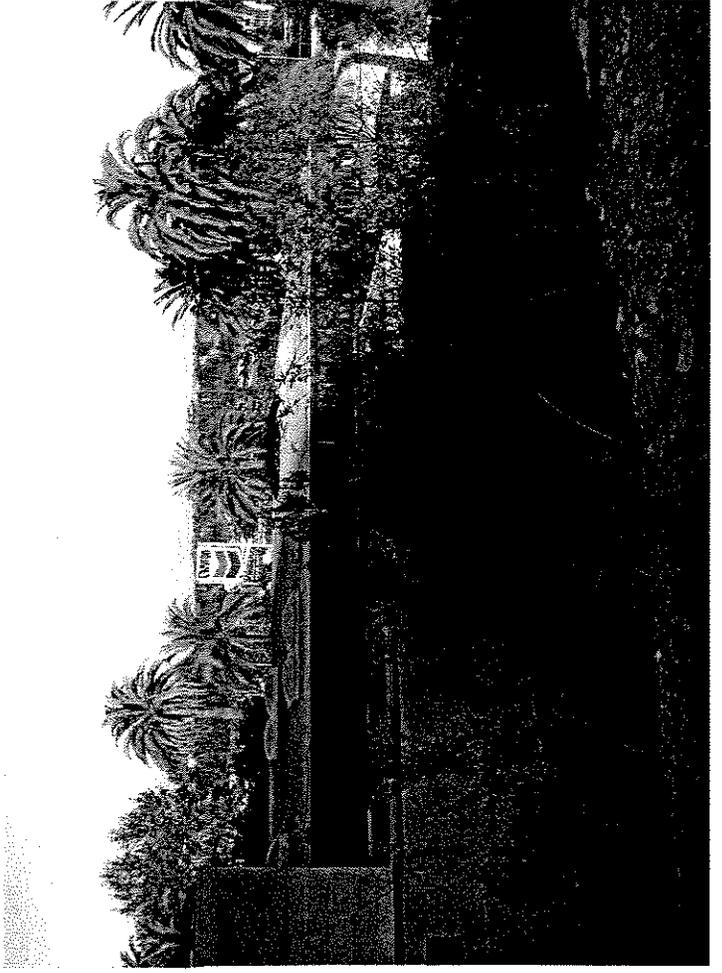
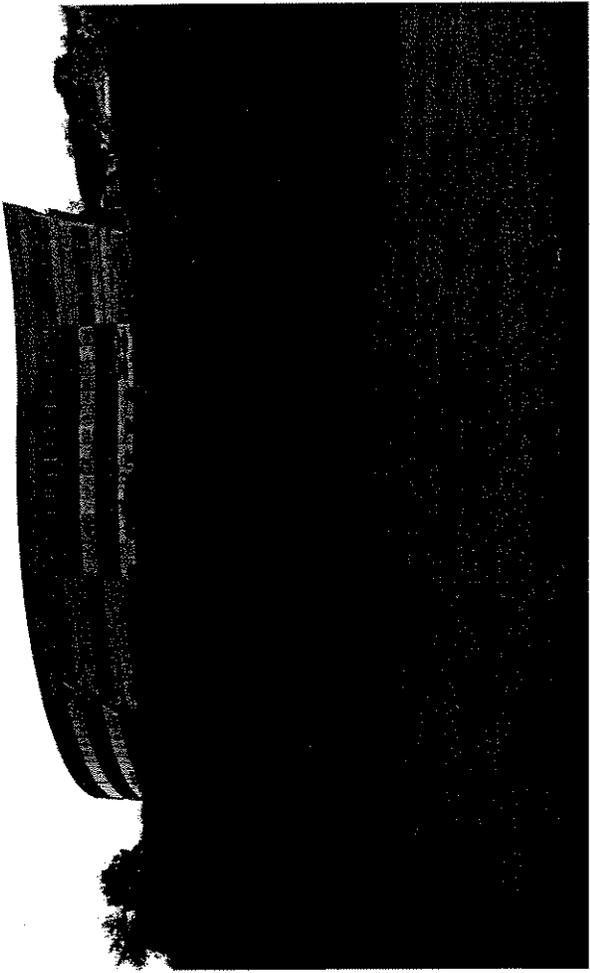
NOTICE OF PUBLIC HEARING NOTICE OF INTENT TO ADOPT A NEGATIVE DECLARATION VTM 061027, PA, ZC, CUP, PARKING PERMIT CASE NO. 04-031-(3)

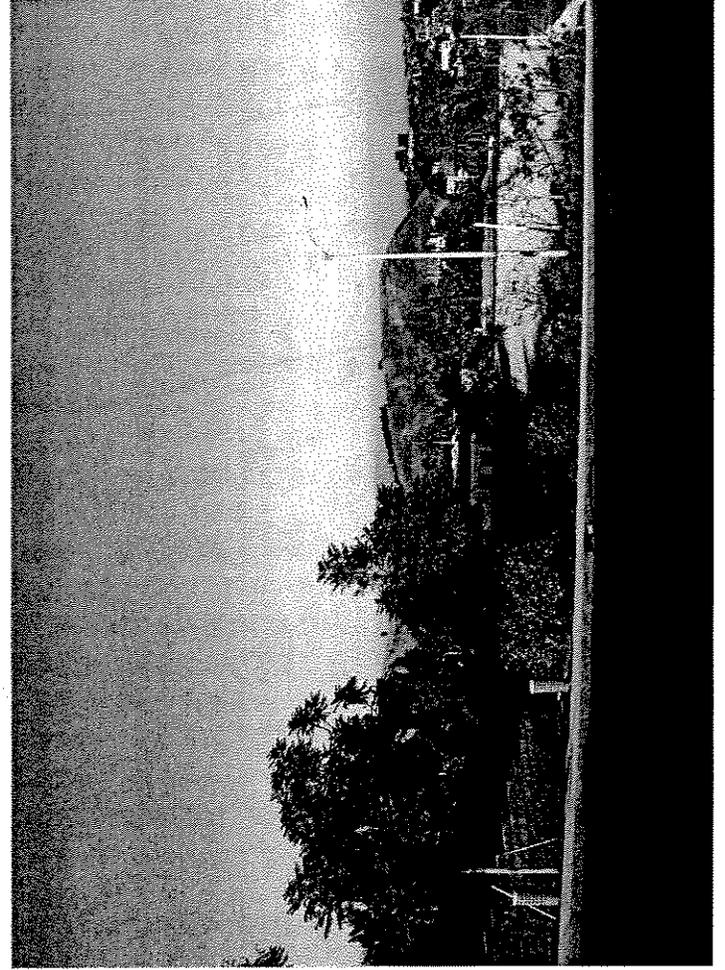
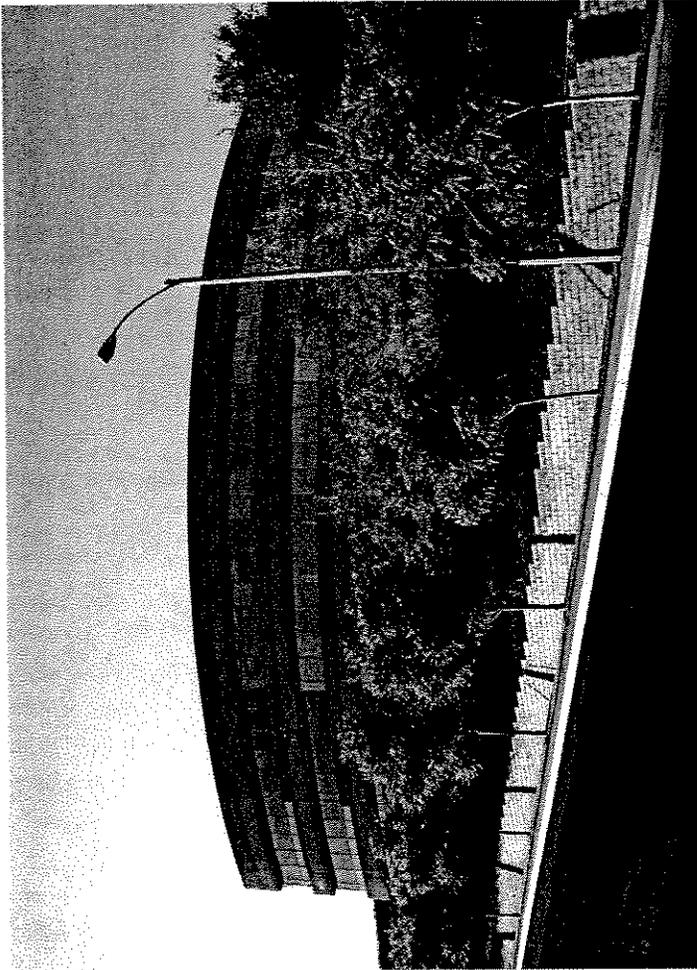
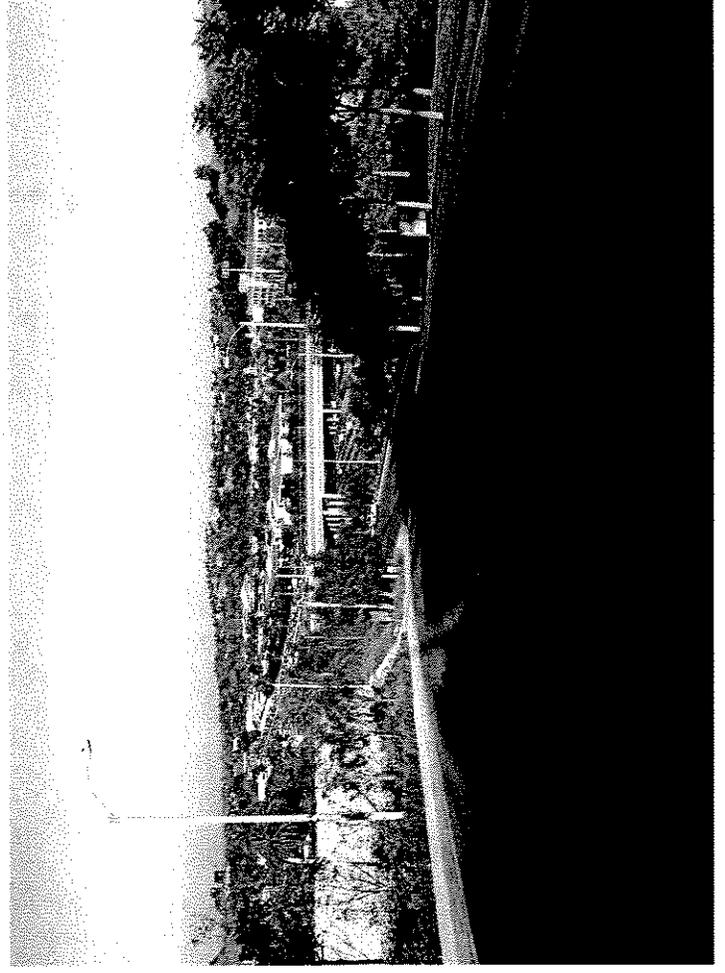
PUBLIC HEARING
DATE: OCTOBER 19, 2005
TIME: 9:00 AM
LOCATION: RM 150 HALL OF RECORDS
 320 WEST TEMPLE STREET
 LOS ANGELES, CA 90012

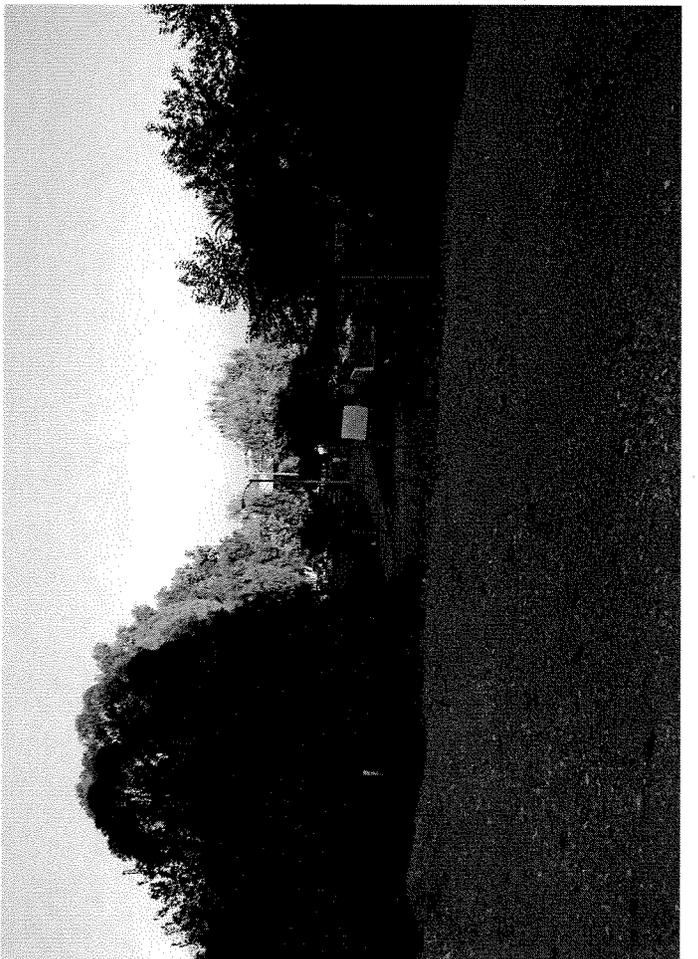
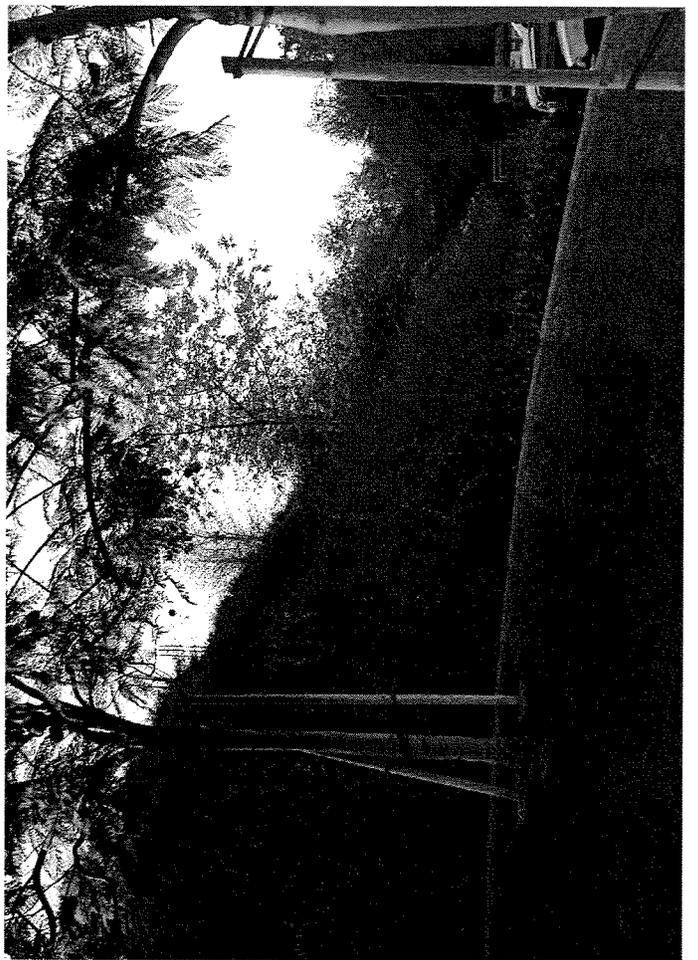
FOR INFORMATION CALL:
 SUSAN TAYLOR
 DEPT. OF REGIONAL PLANNING
 213-974-6433

PROPOSED ON SITE: CREATE ONE MULTI-FAMILY LOT WITH 66 ATTACHED SENIOR CONDOMINIUM UNITS IN ONE BUILDING ON 5.63 GROSS ACRES. THE PROJECT ALSO REQUESTS AMENDMENT OF THE LAND USE POLICY MAP OF THE SANTA MONICA MOUNTAINS NORTH AREA PLAN FROM "C" (COMMERCIAL TO "U8" (RESIDENTIAL 8), CHANGE OF ZONING FROM CPD (COMMERCIAL PLANNED DEVELOPMENT) AND MPT (LIGHT MANUFACTURING) TO RPD-5,000-8U-0P (RESIDENTIAL PLANNED DEVELOPMENT-5000 SQUARE FEET MINIMUM LOT AREA EIGHT DWELLING UNITS PER NET ACRE DEVELOPMENT PROGRAM), A CONDITIONAL USE PERMIT FOR A DENSITY BONUS WITH THE SENIOR HOUSING PROJECT, AND ENSURE COMPLIANCE WITH THE RPD AND DEVELOPMENT PROGRAM ZONE AND CHANGING WITHIN THE SANTA MONICA MOUNTAINS NORTH AREA CSD; AND PARKING PERMIT FOR OFFSITE AND RECREATIONAL PARKING FACILITIES WITH THE ADJACENT COMMERCIAL OFFICE BUILDING.









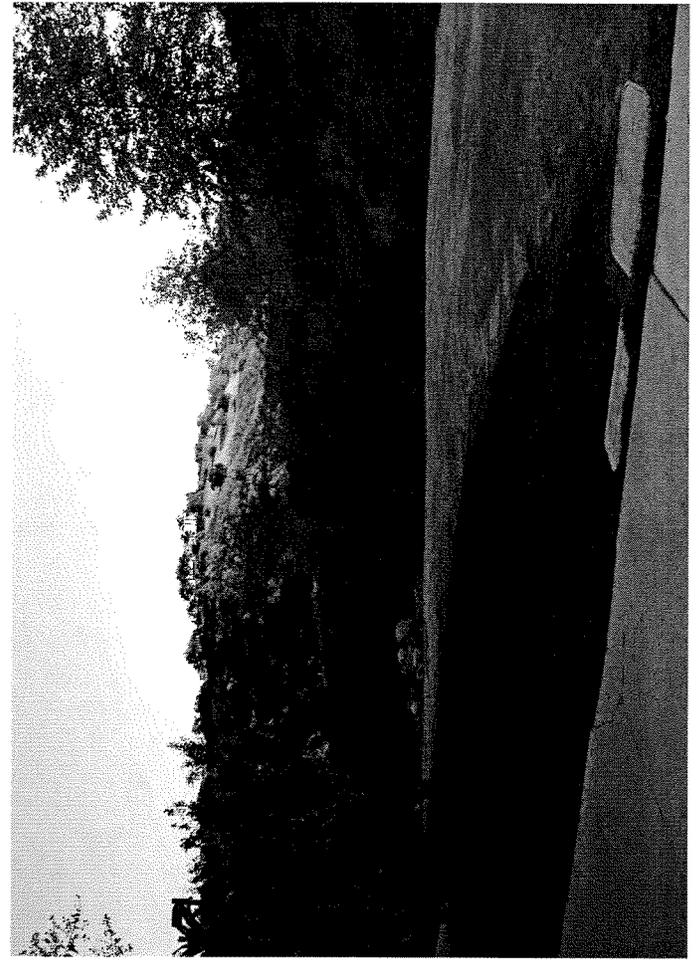


**NOTICE OF PUBLIC HEARING
NOTICE OF INTENT TO ADOPT
A NEGATIVE DECLARATION
VTM 061027, PA, ZC, CUP,
PARKING PERMIT CASE NO.
04-031-(3)**

PROPOSED ON SITE: PARK LOT WITH 48 ATTACHED SENIOR CONDOMINIUM UNITS IN ONE BUILDING ON 4.5 ACRES. THIS PROJECT ALSO REQUESTS AMENDMENT OF THE LAND USE POLICY MAP OF THE SANTA MONICA MOUNTAINS NORTH AREA FROM "C" (COMMERCIAL) TO "UB" (RESIDENTIAL); CHANGE OF ZONING FROM "C" TO "UB"; AND AMENDMENT TO ZONED DEVELOPMENT AND "A-1" (LIGHT INDUSTRIAL) TO ZONED DEVELOPMENT AND "A-1" (PLANNED DEVELOPMENT). 3000 SQUARE FEET MINIMUM LOT AREA-EIGHT DWELLING UNITS PER NET ACRE DEVELOPMENT PROGRAM, A CONDITIONAL USE PERMIT FOR A DENSITY BONUS WITH THE BOND AND USES OF THE SANTA MONICA MOUNTAINS NORTH AREA AND A PARKING PERMIT FOR OFFSITE AND RECREATIONAL PARKING FACILITIES WITH THE ADJACENT COMMERCIAL OFFICE BUILDING.

PUBLIC HEARING
DATE: OCTOBER 19, 2006
TIME: 7:00 AM
LOCATION: RM 150 HALL OF RECORDS
320 WEST TEMPLE STREET
LOS ANGELES, CA 90012

FOR INFORMATION CALL:
SUSAN TAYLOR
REGIONAL PLANNING
213-974-4433



Dr. Gregor and Ming Hodgson
5045 Parkway Calabasas
Calabasas, CA 91302
Email: Gregorh@reefcheck.org

Department of Regional Planning
320 W. Temple St.
Los Angeles, CA 90012
ATTN: Ms. Susan Tae

October 11, 2005

VTM 061027
subject: LPA/2c/PP04-0313
Date: 10-19-05
RRuz / S. Tae

THE POINTE PROPOSED DEVELOPMENT CALABASAS

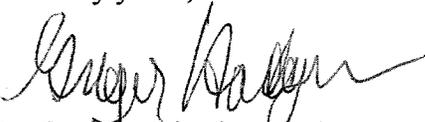
Dear Ms. Tae,

We are the adjoining neighbor of the proposed development. We have reviewed the plans for the proposed development and met with the developer to carefully review his plans, and are strongly opposed to the zoning change and development.

Unlike an office building, under the proposed residential development, traffic flows will occur during all hours and there would be disturbance on weekends when we use our adjoining backyard. It is unfair to a property owner who bought a house with a set zone next door and then to change that zone to one which will decrease property value and create serious disturbance in an upscale residential neighborhood. We are further concerned that the proximity of the planned apartments to our backyard and pool less than 30 feet away, combined with the height of the building will allow unobstructed access of voyeurs to our pool area and possibly bedrooms during all hours. The planned outdoor recreation area with Jacuzzi and possibly BBQ is quite close to our back yard and during the warm months would undoubtedly be well used by the occupants of the 66 units, leading to late night noise. Real estate professionals have advised us that because of these problems, the net result will be a loss of property value.

We have also reviewed the landscape planting concept proposed and feel that regardless of the type of development it falls far short of what would be needed to effectively screen our property.

Sincerely yours,



Dr. Gregor and Ming Hodgson

Cc: HOA, Calabasas Mayor

Alan L. Shorr
Renee M. Bazar Shorr

**5079 Parkway Calabasas
Calabasas, California 91302-1502
(818)222-9085 Fax (818) 222-9045**

.....

October 18, 2005

Regional Planning Commission of
Los Angeles County
Hall of Records, Room 150
320 West Temple Street
Los Angeles, CA

.....
VTTM 061027
Subject: LPA/EC/CUP/PP 04-031-3
Date: 10-19-05
RRUZ / S. Tae

BY PERSONAL DELIVERY
RE: TENTATIVE TRACT MAP NO. 061027
REQUEST FOR CONTINUANCE

Dear Commission Members:

We are members of a gated community known as Hidden Hills West. This community consists of twenty parcels of land which are improved with single family custom built luxury estates. Our community is adjacent to the proposed area of development.

We were first made aware of the development when we received the Planning Commission's Notice of Public Hearing in the mail. An emergency meeting of the homeowners association was called as a result of this notice. We along with other members of the association believe that we have not had sufficient time within which to prepare for the hearing today. The homeowners have not been presented with the "plan" by the developer and have not participated in negotiations relating to the change in the land use, etc. Although the homeowners have contacted counsel for representation at this hearing today, there has not been sufficient time for the preparation necessary to adequately represent our interests. Inasmuch as, the final decision on this proposal could be challenged in court in the future and since testimony may be limited to issues raised at this hearing, we believe that we would be prejudiced by our inability to protect our rights due to the limited notice given to us of this hearing. For these reasons we request that this hearing be continued for at least thirty days in order to provide us sufficient time to properly prepare.

When we purchased our property we did so with notice of the commercial zone. It is our understanding that the developer seeks to change the present commercial zoning to 66 condominium units. It is our opinion, and the opinion of real estate professionals,
//

Regional Planning Commission
October 19, 2005
Page Two

that this plan would substantially decrease the value of our property. In the event that such a decrease should occur, we would look to the Commission, the developer and any and all others responsible in order to recover our damages for that loss.

In addition to the issue of loss of property value, we anticipate that there will be an addition of noise pollution and lack of privacy issues that have not been attendant to the property in its present use. While the present area already suffers from some traffic congestion, these are at predictable times coinciding with normal business hours. We presently enjoy quiet weekends because those persons working at the commercial buildings are, for the most part, gone. We anticipate that there will be activity, noise, and traffic congestion due to the fact that the condominiums will be occupied around the clock. We believe that the plan for condominiums is inconsistent with the plan for the area as a whole.

We understand that normally, if the property were to be rezoned, there would be 8 dwellings per net acre development. Since we are unsure of the exact net acre development, and for the purpose of argument only, based on a 5.63 gross acre area the maximum number of condominiums comes to 45 condominium units. The proposed plan calls for 66 units or 21 units more than would be allowed. We adamantly object to this increased density. We can see no justification for allowing anything more than the norm should this plan ultimately be approved.

Finally, we would like an opportunity to review the Environmental Impact Report regarding this proposed development. If there is not an Environmental Impact Report, we request that one be made. If there will not be an Environmental Impact Report, we would like to know why.

Sincerely,

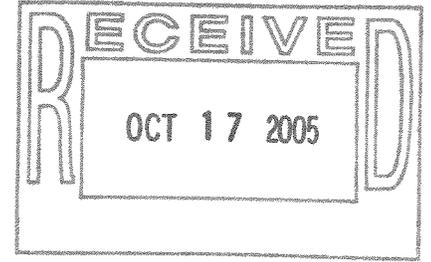


Renee M. Bazar Shorr



Alan L. Shorr

Dr. Gregor and Ming Hodgson
5045 Parkway Calabasas
Calabasas, CA 91302
Email: Gregorh@reefcheck.org



Department of Regional Planning
320 W. Temple St.
Los Angeles, CA 90012
ATTN: Ms. Susan Tae

October 11, 2005

THE POINTE PROPOSED DEVELOPMENT CALABASAS

Dear Ms. Tae,

We are the adjoining neighbor of the proposed development. We have reviewed the plans for the proposed development and met with the developer to carefully review his plans, and are strongly opposed to the zoning change and development.

Unlike an office building, under the proposed residential development, traffic flows will occur during all hours and there would be disturbance on weekends when we use our adjoining backyard. It is unfair to a property owner who bought a house with a set zone next door and then to change that zone to one which will decrease property value and create serious disturbance in an upscale residential neighborhood. We are further concerned that the proximity of the planned apartments to our backyard and pool less than 30 feet away, combined with the height of the building will allow unobstructed access of voyeurs to our pool area and possibly bedrooms during all hours. The planned outdoor recreation area with Jacuzzi and possibly BBQ is quite close to our back yard and during the warm months would undoubtedly be well used by the occupants of the 66 units, leading to late night noise. Real estate professionals have advised us that because of these problems, the net result will be a loss of property value.

We have also reviewed the landscape planting concept proposed and feel that regardless of the type of development it falls far short of what would be needed to effectively screen our property.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "Gregor Hodgson".

Dr. Gregor and Ming Hodgson

Cc: HOA, Calabasas Mayor

October 12, 2005

Dr. Gregor and Ming Hodgson
5045 Parkway Calabasas
Calabasas, CA 91302

Dear Mr. and Mrs. Hodgson,

Thank you for your letter that we received on Friday, October 7th and for meeting with me to discuss the landscaping options for our project and your property.

As a result of several previous meetings with you and your wife, I would like to summarize the issues we have addressed and the changes we have made to the project in an effort to alleviate your concerns:

- The original entrance to the project was located on Parkway Calabasas. Due to concerns about increased traffic on Parkway Calabasas, we relocated and re-designed the entry to be on Ventura Blvd.
- We negotiated with the Fire Department to create a fire access lane just behind your property which creates a further separation of 28 feet between properties. This area is for emergency use only.
- In addition, in response to your suggestion and input, a landscape plan was designed to create a lush landscape buffer between your property and our project and was submitted to you for your acceptance and approval. Once approved, this landscape plan would be conditioned with the project and would be implemented at no cost to you. If you would like to discuss changes to the landscape plan, we would certainly welcome your comments.
- The terrace that faces one side of your property not only has the 28 feet of fire lane but also has approximately 15 more feet of landscaping between the fire lane and the terrace. The landscaping consists of lush plants with large trees. When you add together the 28 feet of fire lane, 15 feet of lush landscaping, and the landscaping provided on your property, we will create approximately 40-43 feet of separation between the two properties with lush landscaping on both sides as a buffer.

Your letter has reached us at such a late date and comes as a surprise as your response is quite different from what we have previously spoken about in the past few months. We have not wavered in our willingness to work with you in a reasonable and amicable manner.

At this time, we will move forward with the conditions that we have proposed above.

Sincerely,



Lawrence M Dinovitz

Dr. Gregor and Ming Hodgson
5045 Parkway Calabasas
Calabasas, CA 91302

Mr Larry Dinovitz
D2 Construction
Parkway Calabasas
Calabasas, CA 91302

Dear Mr. Dinovitz,

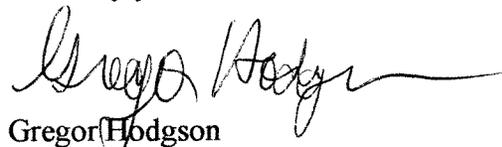
Thank you for meeting with the HOA, and my wife and I to explain your plans for the new development "The Point." We have reviewed the plans for the wall and planting prepared after our most recent discussion. We have appreciated your open and helpful attitude.

After careful review of your plans and consultation with real estate professionals, we have reluctantly concluded that we would prefer the new development to be in the form of an office building. The reasons for this are that the traffic flows will occur during office hours only and there would be little disturbance on weekends when we use our adjoining backyard. We are further concerned that the proximity of the planned apartments to our backyard and pool combined with the height of the building will allow unobstructed access of voyeurs to our pool area and possibly bedrooms during all hours. The planned outdoor recreation area with Jacuzzi and possibly BBQ is quite close to our back yard and during the warm months would undoubtedly be well used by the occupants of the 66 units, leading to late night noise. Finally, we feel that because of these problems, the net result will be a loss of property value.

We have reviewed the planting concept proposed and feel that regardless of the type of development it falls far short of what would be needed to effectively screen our property. In fact, it appears the some artistic license has been used as four Brazilian Pepper trees have been drawn in to fill some 200 feet of boundary when in fact the proposed trees only grow to an absolute maximum of about 25 feet diameter at maturity – and presumably the 24" boxes proposed do not hold trees of this size?

Given that you are requesting a zoning change to increase your profits from this transaction, and this change will result in a decrease in the value of our property, we would be willing to consider a financial settlement of \$250,000. If this is not possible, we will be asking the HOA to object to the planned rezoning at the hearing.

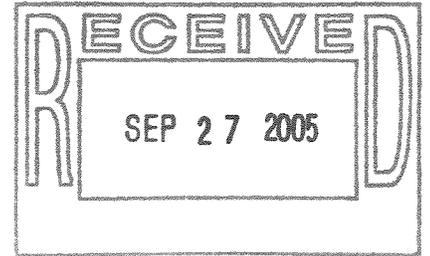
Sincerely yours,


Gregor Hodgson

Call me before Tues, 11 Oct if you
wish to discuss, 310 266 7217



CITY of CALABASAS



September 21, 2005

County of Los Angeles Planning Commission
320 W. Temple Street, 13th Floor
Los Angeles, CA 90012

Dear Planning Commission Members:

Thank you for allowing the City of Calabasas to comment on "The Pointe" project (Project No. CUP/ZC/PK/PA 04-031 / TR061027), a 66 unit senior housing project located immediately on the City boarder in unincorporated Los Angeles County. The developer, Mr. Larry Dinovitz of D2, has made two presentations to our City Council over the past year, and has keep Staff apprised of its status. This letter responds to D2's request for a letter of support from the City, which the Council approved at its meeting of September 21, 2005.

The City of Calabasas is supportive of the current project as composed, which consists of a 66 unit age restricted senior community located in "Craftsman's Corner" and along the City's designated 101 freeway scenic corridor.

Per the attached letter, the developer has agreed to incorporate traffic mitigations into his future plans. At our City Council Meeting of July 6, 2005, the developer verbally agreed to seek and incorporate staff suggestions regarding landscaping and lighting in compliance with the City's Nighttime Sky Ordinance.

We look forward to continuing our dialog with Mr. Dinovitz and the County of Los Angeles as the plans and environmental documents progress. Should you have any questions, please contact me at (818) 878-4225.

Sincerely,


Maureen Tamuri
Community Development Director

Attachment

Cc: City Council
City Manager
Robert Yalda
Jayme Dinovitz

26135 Mureau Road
Calabasas, CA 91302-3172
(818) 878-4225
Fax (818) 878-4215



Attachment B

June 2, 2005

CITY of CALABASAS

Lawrence M. Dinovitz
D2 Development and Construction
5023 N. Parkway Calabasas, Suite 200
Calabasas, CA 91302

FILE

SUBJECT: VOLUNTARY TRAFFIC MITIGATION MEASURES FOR THE POINTE CONDOMINIUMS AT 24141 VENTURA BLVD.

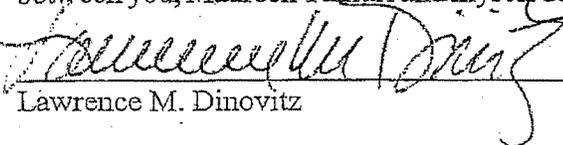
Dear Mr. Dinovitz:

As per our meeting on May 18, 2005 and your subsequent letter dated the same, this letter is to confirm the voluntary traffic mitigation measures that you, through your firm, has agreed to provide to the City of Calabasas to mitigate the impacts generated from your project "The Pointe Condominiums". These mitigation measures are to be provided to the City of Calabasas prior to your project receiving the Certificate of Occupancy. The mitigation measures agreed to are as follows:

1. Pay a fee of \$6,000 to re-synchronize the traffic lights on Ventura Blvd at the 101 off ramp, Parkway Calabasas at Ventura Blvd and Calabasas Road at Parkway Calabasas.
2. Re-Stripe the Parkway Calabasas overpass bridge, and re-stripe all lane markings within 100 feet of each leg of the intersections of Parkway Calabasas at Calabasas Road, Parkway Calabasas at Ventura Blvd and Ventura Blvd at the 101 Northbound off-ramp. Payment to be made through direct billing of the re-striping from our striping contractor.
3. Pay a traffic signal upgrade fair share cost of \$7,500 for the fiber optic connection and \$30,000 for the Auto-Scope Video Detection system installation on Parkway Calabasas at Ventura Blvd.
4. Donate \$28,000 to the slough wall project to be constructed on Calabasas Road between the southbound 101 on/off ramp and the fire station.

The City of Calabasas has reviewed the traffic report submitted for this project and concur with the findings in the report, that the revised project would not result in any significant impacts based on City traffic impact standards. The City of Calabasas also concurs with the County's April 26, 2005 recommendations regarding the traffic study and Tentative Tract Map 61027.

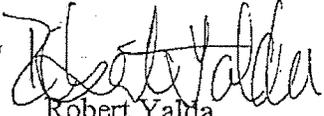
By signing below, you understand and agree to the traffic mitigation measures which were negotiated between you, Maureen Tamari and myself during the May 18, 2005 meeting at the City of Calabasas.

 6/2/05

 Lawrence M. Dinovitz Date

Please sign this letter and return it to me at your earliest convenience. If you have any questions regarding this letter, please don't hesitate to contact me at (818) 878- 4225 ext. 254.

Sincerely,



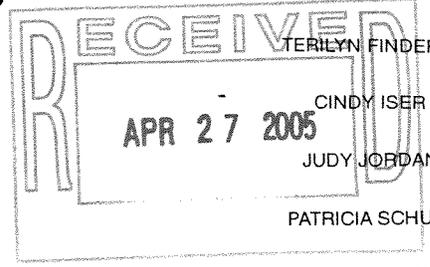
Robert Yalda
Director of Transportation/Intergovernmental Relation

c: Maureen Tamuri, Community Development Director

LAS VIRGENES UNIFIED SCHOOL DISTRICT
4111 N. LAS VIRGENES ROAD
CALABASAS, CALIFORNIA 91302
Telephone: (818) 880-4000
Fax: (818) 880-4200



BOARD OF EDUCATION



April 18, 2005

DONALD M. ZIMRING, Ph.D.
INTERIM SUPERINTENDENT

Lawrence M. Dinovitz
D2 Development and Construction
5023 No. Parkway Calabasas, Suite 200
Calabasas, CA 91302

Dear Larry:

It was a pleasure meeting with you again. As per our conversation and your letter of April 8, this will confirm that the district will consider your school mitigation fees sufficient for the "The Pointe at Calabasas." This is based upon the fact that the units are designated as senior restricted and that 38 of the units will be deed restricted for residents who are 55 years or older.

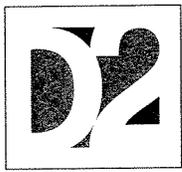
As always, thank you for your support of our school system. Good luck on your project.

Sincerely,

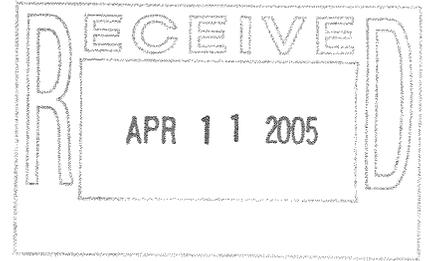
Donald M. Zimring, Ph.D.
Interim Superintendent

DMZ:kp

cc: Susie Tal



**Development
AND
Construction**
"Quality Built on Experience"



April 8, 2005

Donald Zimring, Ph.D.
Deputy Superintendent
Las Virgenes Unified School District
4111 N. Las Virgenes Road
Calabasas, CA 91302

Dear Dr. Zimring,

Thank you for the opportunity to meet with you regarding the school mitigation for our project *The Pointe at Calabasas*.

This letter will confirm that our project will be a senior project and the total (66) units are to be designated as follows: (28) units to be senior-restricted for residents 62 years old and older; and (38) units will be deed-restricted for residents 55 years old and older for a period of 35 years.

It is also our understanding that we will be paying normal school mitigation fees at the time of permitting.

Please do not hesitate to contact me or Jayme Dinovitz if you have any questions regarding the above. We can be reached at (818) 222-2530.

Thank you once again for your time.

Sincerely,

Lawrence M. Dinovitz

Cc: D. Koutnik, Impact Analysis Section TRACT. MAP # 061027
S. Tae, Los Angeles County Planning Department



Dedicated to Providing Quality
Water & Wastewater Service

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General Manager

Wayne K. Lemieux
Counsel

HEADQUARTERS
4232 Las Virgenes Road
Calabasas, CA 91302
(818) 251-2100
Fax (818) 251-2109

WESTLAKE
FILTRATION PLANT
(818) 251-2370
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www.lvmwd.com

MEMBER AGENCY OF THE
METROPOLITAN WATER
DISTRICT
OF SOUTHERN CALIFORNIA

CONDITIONAL STATEMENT OF WATER SERVICE

May 11, 2004

TO WHOM IT MAY CONCERN:

SUBJECT: 24123 Ventura Blvd., Calabasas CA 91302

This is to advise you that the proposed water system for the subject property will be operated by Las Virgenes Municipal Water District (LVMWD).

This project will be assured of connection to the water system of the district only if the proponent also satisfies all terms and conditions for service as set forth in the district's Code.

If the applicant's property cannot be served from an existing water main, then the applicant shall provide for the extension of the facilities necessary to provide such service in the manner set forth in Title 3 of the Las Virgenes Municipal Water District Code, Ordinance No. 11-86-161.

Sincerely,

Michael D. Brown
Civil Engineering Associate

Ron and Sue Grossblatt
5056 N. Parkway Calabasas
Hidden Hills West, CA 91302

October 18, 2005

Los Angeles County
Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Attention: Susan Tae

Vesting Tentative Tract Map No. 061027
Plan Amendment/Zone Change/CUP/Parking Permit Case No. 04-031-(3)

VTTM 061027
subject: LPA/zc/PP 04031
Date: 10-19-05
RRUZ/S. TAE

Dear Ms. Tae:

I am formally going on record that we oppose any zoning change. I am a capitalist just as is the developer. He purchased the property zoned as commercial use. We do not have a problem with a commercial building on the site as when we bought our home that was the zoning. I reside immediately across from the proposed development, which would require significant zoning exceptions to proceed. This is unfair to our neighborhood and us, as it will increase both traffic and noise and at the same time decrease property values. The proposed development is high density and does not fit in with the surrounding low density, single family, residential estate housing.

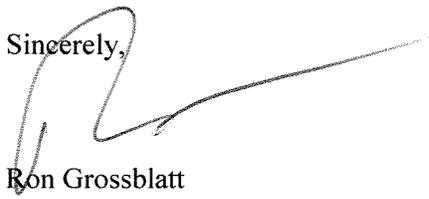
Zoning changes would only open the door for more apartment development. This would permanently and negatively affect the view from my home and allow unwanted noise on nights, weekends and holidays that we would not be subjected to in a commercial property use. I wanted the commission and city to be on notice that this will devalue my property and not only would the developer be liable, but your committee and our city will be looked to reimburse us for decreased property values. Any zoning change needs to consider the negative impact on the rest of the neighborhood.

Again, all of my neighbors and myself are opposed to:

1. High Density - Bonus Density
2. Zoning Changes
3. Decrease in Property Values
4. Increase in Traffic & Parking Issues

Thank you for representing the neighborhood!

Sincerely,



Ron Grossblatt

5 - Environmental Issues - OAK tree issues etc
6 - Many Neighbors got no notice

Roger and Tracy Gedney
5170 Parkway Calabasas
Calabasas, CA 91302
Email: rgedney777@aol.com

Department of Regional Planning
320 W. Temple Street
Los Angeles, CA 90012
ATTN: Ms. Susan Tae

CLASS WITH S. E. ... VTTM 061027
Subject: 4PA/2C/PP 04031
Date: 10-19-05
R RUIZ / S. Tae

October 12, 2005

THE POINTE PROPOSED DEVELOPMENT CALABASAS

Dear Ms. Tae,

We are in the adjoining community of the proposed development, and are strongly opposed to the zoning change and development.

Unlike an office building, under the proposed residential development, traffic flows will occur during all hours and there would be disturbance on weekends. The increase of traffic and noise is of great concern to us. It is unfair to a property owner who bought a house with a set zone to then change that zone to one which will decrease property value and create serious disturbance in an upscale neighborhood. Real estate professionals have advised us that because of these problems, the net result will be a loss of property value, which would be extremely unfair to us as homeowners.

Sincerely yours,



Roger and Tracy Gedney

Cc: HOA, Calabasas Mayor

Marvin Singer
5110 Parkway Calabasas
Calabasas CA 91302

October 18, 2005

Los Angeles County
Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Attention: Susan Tae

Vesting Tentative Tract Map No. 061027
Plan Amendment/Zone Change/CUP/Parking Permit Case No. 04-031-(3)

VTTM 061027
SUBJECT: LPA/ZC/PP 04-03
Date: 10-19-05
RRUZ / S Tae

Dear Ms. Tae:

I am formally going on record that we oppose any zoning change. I am a capitalist just as is the developer. He purchased the property zoned as commercial use. We do not have a problem with a commercial building on the site as when we bought our home that was the zoning. I reside immediately across from the proposed development, which would require significant zoning exceptions to proceed. This is unfair to our neighborhood and us, as it will increase both traffic and noise and at the same time decrease property values. The proposed development is high density and does not fit in with the surrounding low density, single family, residential estate housing.

Zoning changes would only open the door for more apartment development. This would permanently and negatively affect the view from my home and allow unwanted noise on nights, weekends and holidays that we would not be subjected to in a commercial property use. I wanted the commission and city to be on notice that this will devalue my property and not only would the developer be liable, but your committee and our city will be looked to reimburse us for decreased property values. Any zoning change needs to consider the negative impact on the rest of the neighborhood.

Again, all of my neighbors and myself are opposed to:

1. High Density
2. Zoning Changes
3. Decrease in Property Values
4. Increase in Traffic

Thank you for representing the neighborhood!

Sincerely,

