



CITY of CALABASAS

PLANNING COMMISSION AGENDA REPORT
DECEMBER 7, 2023

TO: Members of the Planning Commission

FROM: Tom Bartlett, AICP, City Planner

FILE NO(s): SPR-2020-002

PROPOSAL: Application for a Site Plan Review to allow for construction of a new 1,470 square-foot single-family dwelling and attached 799 square-foot Accessory Dwelling Unit on a vacant 4,906 square-foot legal lot located at 3462 Lilac Trail, in the Rural Residential (RR) zoning district and the Calabasas Highlands (CH) overlay zoning district.

APPLICANT: Grand Eagle Inc.

RECOMMENDATION: That the Commission consider: adoption of Resolution No. 2023 – 782, approving SPR-2020-002; direct Staff to return to the Commission with an amended resolution of approval; or, direct Staff to prepare a resolution of denial for Commission adoption at a future meeting.

BACKGROUND:

On November 2, 2023, the Planning Commission conducted a public hearing for consideration of the above described development project. Following the hearing, the Commission continued the the item to this Commission meeting.

During the November 16th public hearing, the Commission Chair reminded the Applicant that ownership of the property by Grand Eagle, Inc. remains unclear, particularly in regard to the company's proper incorporation status and appropriate registration with the California Secretary of State.

The Commission also brought up questions about the feasibility of site drainage and requested additional information from the Applicant regarding feasibility of necessary water collection and conveyance elements behind the proposed retaining walls.

NEW AND SUPPLEMENTAL INFORMATION:

In accordance with the direction provided by the Commission, Staff offers the following additional and supplemental information.

- A. Drainage and hydrology, particularly in regard to the retaining walls. The zoning standards within the Land Use and Development Code do not regulate retaining wall heights where the walls form a portion of a building envelope (e.g., are underground and not visible to passers by). Only the California and International Building Codes, as adopted and administered by the City, apply. Consequently, engineering plans for the proposed retaining walls are reviewed for conformity with applicable engineering standards at the time of construction permitting (e.g., building and grading permits).

In the meantime, and to remind the Commission members that the preliminary grading and drainage plans provided to the Commission on November 16th were reviewed by the Public Works Department, and conditions of approval related to grading, geotechnical, and hydrology are included in Resolution Number 2023 - 782.

Nonetheless, and in the interest of further informing the Commission members, additional information regarding the design and engineering of the proposed retaining walls has been provided by the property owner (refer to Exhibit B). Within Exhibit B is a letter from Mr. Jacob G. Lukieski, RCE 71534, who states: "... [neither] the Site nor the design appears to require any special (non-regular) retaining wall waterproofing, back-drain, sub-drain, French-drain and/or other hydrostatic relief system." Mr. Lukieski further notes: "It is not a typical standard of industry to include specific waterproofing details on entitlement level plans for approval, however it is standard of industry to include them with construction level plans and specifications, which will be required at the building permitting approval stage of the development" Finally, Mr. Lukieski included with his letter exhibits in support of his observations and conclusions.

- B. Ownership of the subject property. The applicant and owner have informed Staff that efforts are under way to rectify the corporate status for Grand Eagle

Inc. Staff also reminds the Commission members that condition number 81, which is included as part of draft Planning Commission Resolution number 2023 – 782, addresses the issue of property ownership; and, accordingly, the appropriate documentation evidencing legal corporate status and ownership must be provided to the City prior to issuance of any construction permits.

ENVIRONMENTAL REVIEW:

This project is Exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) (General Rule Exemption) and Section 15301 (Existing Facilities) of the California CEQA Guidelines.

REQUESTED COMMISSION ACTION:

The Commission may choose to make any one of the following decisions:

1. Approve the project, and direct Staff to draft project findings contained in draft Planning Commission Resolution number 2023 – 782 (Exhibit A).
2. Approve the project and direct Staff to amend the findings and conditions contained in the attached draft Planning Commission Resolution number 2023 – 782, and return to the Commission with the amended resolution for Commission approval.
3. The Commission may deny the project and direct Staff to prepare a resolution of denial, with such findings supported by facts, analyses, and testimony provided to, and considered by, the Commission. Note: A resolution of denial must include an explanation as to why at least one of the required Site Plan Review findings (refer to the November 16, 2023 staff report) cannot be made.

ATTACHMENTS:

- Exhibit A: Draft Planning Commission Resolution number 2023 – 782
Exhibit B: Additional retaining wall drainage system information