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10/10/24

CITY OF CALABASAS
PLANNING DEPT.

Kathryn and Eric Nott
4501 Park Allegra
Calabasas, CA 912302

October 5, 2024

Planning Commission
Planning Department
Calabasas City Hall
100 Civic Center Way
Calabasas, CA 91302

File: SPR-2023-017, OTP-2024-009

Dear Planning Commission members,

This letter is in response to the request to construct a new two-story single-family residence, etc. at **4440 Park Aurora (APN: 2068-019-022)**.

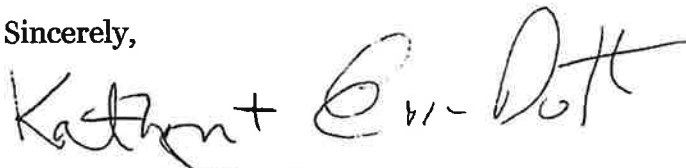
We live very close to this location, and have no problem with the building plans, with the exception of the following:

Your letter states, "The proposed project also involves encroachment into the protected zone of one on-site oak tree."

The oak trees in the area are protected and should stay that way. We all live in Calabasas, in many cases, due to the beautiful trees and surroundings. If we start to ignore the protection of one protected oak tree, that could be the start of other requests to remove protected oak trees.

We believe that the oak tree should **remain protected**, and the building project should be adjusted to accommodate that protection.

Sincerely,



Kathryn and Eric Nott

To Michael Klein, Community Development Director
Jaclyn Rackerby, Planner
Wendy Fassberg, Chair
Michael Harrison, Vice-Chair
Matthew Huzaineh
Robert Lia
Dennis Washburn
John Mueller, Alternate Member

I am currently President of the Calabasas Park Homeowners Association (CPHA) although I am writing to you as a longtime resident of the City of Calabasas rather than in a formal capacity. My comments are related to item #4 4. **File No. SPR-2023-017,OTP-2024-009.** I understand that a letter was sent out to residents in the immediate, impacted area—in my talking to some, they only received this correspondence recently and are only beginning to comprehend the potential impact on our community.

I would like to express some concerns about the size of the proposed new individual home on 4440 Park Aurora and the issues related to the Oak Tree on this property. I am not questioning or challenging the technical aspects of the plan (which the CPHA appointed architect has previously weighed in on). What I am addressing is the impact on the character of Calabasas Park (especially at the intersection of Park Sienna/Park Aurora and the Lake environs).

The area to be developed had been for forty or more years owned by and adjacent to the residence of Harold Arkoff, one of the co-founders of CPHA. This particular parcel was quite iconic, full of greenery, and served as the beautiful Gateway to the Calabasas Park entrance on Park Sienna. As the Planning Dept. reports the average home size in the immediate area is 3153 square feet (with homes from 1940 square feet to the largest 4712 square feet). The proposed size of 5224 square feet would make this residence over 500 square feet larger than any of the immediate neighbors' homes. (This square footage does not include the approximate 750 square feet ADU which I respect and fully understand is permitted by state law.)

My concern is that the proposed size of the individual residence will significantly and permanently alter the character of the area. I would urge the Planning Commission to look further at the plans to see if a beautiful home could be built at that site to a slightly smaller scale or footprint.

I would also like to comment on the issue of the one Oak Tree on the property. The proposal is for an encroachment into the protected zone of that particular tree which reports indicate that it is currently in good health. As you may be aware some of the Oak trees in Calabasas Park have been subject to disease and have required treatment or some cases removal. The statement in the report that the work to be done and encroachment is not expected to result in "long term adverse" effects. This phrase is somewhat troubling.

In summary, an individual residence of that size at this intersection, which serves as a gateway to Calabasas Lake, will significantly alter the character of Calabasas Park.

Thank you in advance for your consideration.

Respectfully submitted,

Richard Sherman
Calabasas Resident



Oct 16, 2024

**City of Calabasas
100 Civic Center Way,
Calabasas, CA 91302**

Re: Proposed Housing Development Project at 4440 Park Aurora

By email: info@cityofcalabasas.com

**Cc: jrackerby@cityofcalabasas.com; TBartlett@cityofcalabasas.com;
msummers@chwlaw.us; kmeik@cityofcalabasas.com**

Dear Calabasas Planning Commission:

The California Housing Defense Fund (“CalHDF”) submits this letter to remind the Commission of its obligation to abide by all relevant state housing laws when evaluating the proposed two-unit housing development project at 4440 Park Aurora. These laws include the Housing Accountability Act (“HAA”) and California Environmental Quality Act (“CEQA”) guidelines.

The HAA provides the project legal protections. It requires approval of zoning and general plan compliant housing development projects unless findings can be made regarding specific, objective, written health and safety hazards. (Gov. Code, § 65589.5, subd. (j).) The HAA also bars cities from imposing conditions on the approval of such projects that would reduce the project’s density unless, again, such written findings are made. (*Ibid.*) As a development with at least two-thirds of its area devoted to residential uses, the project falls within the HAA’s ambit, and it complies with local zoning code and the City’s general plan. The Planning Commission must therefore approve the project unless it makes written findings regarding health and safety as mentioned above – which it cannot do since the preponderance of the evidence in the record does not support such findings. (*Ibid.*)

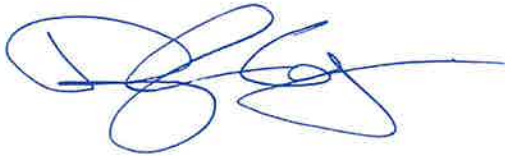
Additionally, this project is exempt from environmental review pursuant from CEQA pursuant to Section 15061(b)(3) (General Rule Exemption) and Section 15303 (New Construction) of the CEQA Guidelines. And recent caselaw from the California Court of Appeal affirms that local governments err, and may be sued, when they improperly refuse to

grant a project a CEQA exemption or streamlined CEQA review to which it is entitled. (*Hilltop Group, Inc. v. County of San Diego* (2024) 99 Cal.App.5th 890, 911.)

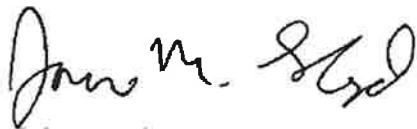
As you are well aware, California remains in the throes of a statewide crisis-level housing shortage. New housing such as this is a public benefit: it will bring new customers to local businesses; it will grow the City's tax base; and it will reduce displacement of existing residents by reducing competition for existing housing. While no one project will solve the statewide housing crisis, the proposed development is a step in the right direction. CalHDF urges the Commission to approve it, consistent with its obligations under state law.

CalHDF is a 501(c)(3) non-profit corporation whose mission includes advocating for increased access to housing for Californians at all income levels, including low-income households. You may learn more about CalHDF at www.calhdf.org.

Sincerely,



Dylan Casey
CalHDF Executive Director



James M. Lloyd
CalHDF Director of Planning and Investigations

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10-17-24

CITY OF CALABASAS
PLANNING DEPT.

From: [Cindy Goldstein](#)
To: [Jaclyn Rackerby](#)
Subject: 4440 Park Aurora
Date: Thursday, October 17, 2024 3:55:33 PM

Hi Jaclyn,

This is Cindy Goldstein. Hope all is well with you. Well we are finally done!!!!!! I can't believe we are actually living in this house. But we do love it and again appreciate all the help you gave us along the way.

On another note, I think you know that I am on the CPHA homeowners board. I am unable to attend the city planning meeting this evening, but I just wanted to make one comment or actually ask a question. I saw the plans when originally submitted to the HOA Architectural, as I am on that committee. I thought the house was beautiful and while I know there are concerns that the house will be too big for the corner, I am confident that the city has already checked the square footage of the house to the actual square footage of the property. As all of us know who have built, or remodeled in Calabasas, there are rules and regulations in regards to square footage ratio that you must adhere to so, therefore, I don't see this as being an issue. Some say that it will be an eyesore, I disagree. I think with the proper landscaping it will look amazing. My concern and or question is that when I looked at the plans that were given to me, I didn't see any structure or mention of a structure where this Oak Tree would be a hindrance. I drove by the property today and I do see that there is one oak tree all the way in the back that is actually outside the green fenced area. Are they asking for the tree to be cut down? Or do they want permission to trim the tree? If they are asking for a permit to cut the tree down, I personally would be opposed to that. The tree looks very healthy to me. It's so far in the back of the property that if I can remember the layout of the house, it doesn't interfere at all. Or if it does interfere with the ADU, perhaps it can be repositioned as to keep the tree where it is.

These were just my thoughts.

Again, thank you for so much.

Best regards,

Cindy

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10-17-24

CITY OF CALABASAS
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From: Sandra Hamilton <sandra@hamiltonprivatesecurity.com>
Sent: Thursday, October 17, 2024 4:20 PM
To: Tom Bartlett <tbartlett@cityofcalabasas.com>
Cc: Michael Klein <mklein@cityofcalabasas.com>
Subject: Opposition to Proposed Development at 4440 Park Aurora

Dear Calabasas City Planning Commission,

I hope this message finds you well. I am writing to express my concerns regarding the proposed development of a home at 4440 Park Aurora, located at the intersection of Park Sienna and Park Aurora. As a resident of Calabasas for over 26 years, I have enjoyed the diverse yet harmonious character of our community, particularly in the Palatino Community, where homes range from 1,950 to 4,500 square feet.

The proposed residence at 5,225 square feet, would be the largest in the area, significantly exceeding the size of neighboring homes. This scale, especially at such a prominent corner, would create a visual disruption and stand in stark contrast to the existing architecture. A home of this magnitude would dominate the landscape and would be more appropriate at the end of the cul-de-sac on Park Aurora.

Additionally, unless the architect employs innovative design strategies to integrate some of the square footage into the foundation, the home risks appearing awkwardly oversized. A development of this nature does not align with the character of our community and could set a concerning precedent for future projects.

Thank you for considering the impact this development may have on our community's character and landscape. I appreciate your dedication to maintaining the beauty of Calabasas.

Sincerely,

Sandra Hamilton
3772 Calle Jazmin
Calabasas, CA 91302
818-702-6640 office
818-481-3511 cell