



CITY of CALABASAS

PLANNING COMMISSION AGENDA REPORT
NOVEMBER 7, 2024

TO: Members of the Planning Commission

FROM: Rachel Zadikov, Assistant Planner

FILE NO(s): APR-2024-006, OTP-2024-010

PROPOSAL: Request for an Administrative Plan Review and Oak Tree Permit for removal of one 15" diameter oak tree in association with the construction of a proposed tennis court with 10-foot-high fencing on the northwestern and southeastern sides of the proposed tennis court in the side yard of an existing two-story single-family residence located at 25201 Prado del Grandioso (APN: 2069-090-050) within the Residential Single-Family (RS) zoning district.

APPLICANT: Elizabeth Dryer c/o LC Engineering Group, Inc.

RECOMMENDATION: That the Commission direct Staff to prepare a resolution for approval, or a resolution for denial, of File No(s). APR-2024-006 and OTP-2024-010.

REVIEW AUTHORITY:

The Planning Commission is reviewing this project because Section 17.32.010 of the Calabasas Municipal Code (CMC) stipulates that removal of any number of oak trees greater than twelve (12) inches in diameter aggregate shall be forwarded to the Planning Commission for consideration and disposition.

Per Section 17.62.090 of the Calabasas Municipal Code (CMC), an Administrative Plan Review is required for recreational fencing over 6 feet in height.

BACKGROUND:

On June 5, 2024, an application was submitted on behalf of the property owner(s) for removal of one 15-inch diameter oak tree to construct a new tennis court with associated ten-foot-tall fencing on the northwestern and southeastern sides of the proposed tennis court located at 25201 Prado del Grandioso (APN: 2069090050), within the Residential Single-Family (RS) zoning district and Estate Lots of The Oaks HOA. The application was reviewed by the City's Development Review Committee on June 20, 2024. No major concerns were expressed, but review comments included plan revision comments, oak tree comments, and grading and drainage comments. Following resubmittals and reviews by City staff, final plans were submitted on October 4, 2024.

At the time of submittal, the applicant also submitted for an Oak Tree Permit requesting permission to remove one 15-inch oak tree, as the tree is located within the area of the proposed tennis court. The applicant submitted an Oak Tree Report prepared by Juan Farias on June 5, 2024. City Arborist Noah Stamm conducted a site visit on June 12, 2024, and provided a peer-reviewed memo letter of the applicant's submitted report dated July 16, 2024, which included comments to be addressed. Following subsequent submittals, the applicant submitted a revised Oak Tree Report (attached as Exhibit C) and Oak Tree Location Map (attached as Exhibit D) on October 4, 2024. With all comments addressed, the City Arborist provided a revised peer-reviewed memo letter on October 16, 2024 (attached as Exhibit E) that found the Applicant's Oak Tree Report to be accurate and was in agreement with the validity of the findings and information included in the Applicant's submitted Oak Tree Report. On October 18, 2024, the application plans and Oak Tree Report were deemed complete by Staff.

STAFF ANALYSIS:

A. Existing Site: The existing site is a 42,499 square-foot (0.98 acre) site located at 25201 Prado del Grandioso, within the Residential Single-Family (RS) zoning district. The site is improved with an existing 7,494 square-foot two-story single-family residence, driveway, landscape/hardscape, pool, spa, detached accessory structure, trellis, and shed. There are also existing screening hedges located in the front yard.

The project site abuts HOA-maintained undeveloped open space to the north and west, and is adjacent to other existing single-family residences to the east

and south. The surrounding neighborhood includes primarily two-story single-family residences within the Estate Lots of The Oaks HOA, with several of the surrounding residences having some type of private sport court on the property.

The applicant proposes to remove one 15-inch oak tree (tree #1) to construct a new 5,761 square-foot tennis court in the western side yard of the developed property. The associated 10-foot-high tennis court fencing will be located at the northwestern and southeastern sides of the court. The applicant is also proposing to replace the existing screening hedges located in the front yard, and to install additional screening hedges along the west side and rear property lines to provide additional screening and reduce visibility from the street.

In addition to the oak tree that is proposed to be removed, there is one six-inch oak tree on the site (tree #2) to remain that is located along the western property line. This oak tree will not be impacted, as the proposed improvements will be located outside of the protected zone of this oak tree.

With the construction of the proposed tennis court and associated fencing, there will be no change to the existing 26% site coverage (35% maximum) due to the fact that the tennis court will be on grade. The proposed permeable surface will be reduced to 28% from the existing 42%, however, The Oaks HOA receives a credit of 72.8% towards permeable area for prior dedication of open space. As a result, this complies with the 65% minimum code requirement for the RS zoning district per Section 17.26.040(B)(1)(a) (see Technical Appendix).

- B. Design:** The proposed tennis court fencing will be a forest green chain link fencing to blend with surrounding landscaping (see colors & materials on Sheet 2.1 of Exhibit A). In accordance with CMC section 17.20.100(F), chain link fencing for private tennis courts is permitted in any zoning district. Additionally, the tennis court material will be concrete and coated with a sport master colored finish. The outer area of the court will be light green and the interior area of the court will be light blue as demonstrated in the plans. Furthermore, screening hedges will be installed around the tennis court to minimize visual impact from the street.
- C. Oak Trees:** The Oaks community was developed in the early 2000s, and several oak trees were removed and/or relocated as part of the development. As a mitigation, many oak trees were replanted throughout the community; one such mitigation tree is located in the backyard at 25201 Prado del Grandioso and is identified as tree #1.

Tree #1 is a single-stem California Live Oak Tree (*Quercus agrifolia*) located in the northwestern corner of the rear yard. The tree has a diameter at breast height (DBH), 4 ½ ft above grade, of 15 inches, and was in good health with good structure, and a well-balanced crown. The tree was also observed to exhibit good foliage color and vigor, with no signs of disease, previous failure, pests, or cavities, as described in the Oak Tree Report submitted by the applicant (Exhibit C). Tree #2 is a single-stem California Live Oak Tree (*Quercus agrifolia*) located in the western side yard. The tree was observed to have a DBH of six inches, be in good health with good structure, and a well-balanced crown. The tree was also observed to exhibit good foliage color and vigor, with no signs of disease, previous failure, pests, or cavities, as described in the Oak Tree Report.

The applicant is proposing to remove tree #1 to allow for construction of the proposed tennis court and tree #2 will be protected in place with protective fencing located 5 feet from the dripline, as depicted on the Oak Tree Location Map provided as Exhibit D. To mitigate for the removal of one 15-inch oak tree (Tree #1), the applicant is proposing to pay an in-lieu fee to the City's Oak Tree Mitigation Fund, which is stated as a mitigation measure for the removal of oak trees in CMC section 17.32.010(G). Additionally, construction of the proposed tennis court will be located outside of the protected zone of tree #2 and will have minimal impact to the tree as noted in the Oak Tree Report. In the City Arborist's review memorandum, dated October 16, 2024 (Exhibit E), the City Arborist found the applicant's submitted oak tree report to be factually accurate, and he agreed that construction activities were not likely to cause any long-term adverse impact to tree #2. He recommended approval of the Oak Tree Permit with associated mitigation measures listed in the submitted report.

- D. Grading/Drainage:** The preliminary grading and drainage plans (included within Exhibit A) for the proposed tennis court have been reviewed by the Public Works Department, and conditions of approval related to grading, geotechnical, and hydrology have been provided within Exhibit F for incorporation into a resolution of approval, if so directed by the Commission.

REQUIRED FINDINGS:

The findings for an Administrative Plan Review, and which the Planning Commission would have to make for a project approval, are stated in Section 17.62.090 of the Calabasas Municipal Code as follows:

1. The proposed project complies with all applicable provisions of this development code;
2. The proposed project is consistent with the General Plan, any applicable specific plan, and any special design theme adopted by the city for the site and vicinity;
3. The approval of the administrative plan review is in compliance with the California Environmental Quality Act (CEQA);
4. The proposed structures, signs, site development, grading and/or landscaping are compatible in design, appearance and scale, with existing uses, development, signs, structures and landscaping for the surrounding area;
5. The site is adequate in size and shape to accommodate the proposed structures, yards, walls, fences, parking, landscaping, and other development features; and
6. The proposed project is designed to respect and integrate with the existing surrounding natural environment to the maximum extent feasible.

The findings for an Oak Tree Permit are stated in Section 17.32.010 of the Calabasas Municipal Code. The Planning Commission would have to make at least one of the following findings for a project approval:

1. The request to remove an oak tree or scrub oak habitat is warranted to enable reasonable and conforming use of the subject property, which would otherwise be prevented by the presence of the oak tree or scrub oak habitat. Reasonable use of the property shall be determined in accordance with the guidelines.
2. The request to alter or encroach within the protected zone of an oak tree or scrub oak habitat is warranted to enable reasonable and conforming use of the property, which would otherwise be prevented by the presence of the oak tree or scrub oak habitat. In addition, such alterations and encroachments can be performed without significant long-term adverse impacts to the oak tree or scrub oak habitat. Reasonable use of the property shall be determined in accordance with the guidelines.
3. The condition or location of the oak tree or scrub oak habitat requires altering to maintain or aid its health, balance or structure.
4. The condition of the oak tree or scrub oak habitat warrants its removal due to disease, dangerous condition, proximity to existing structures, high pedestrian traffic areas, such as parking lots and pedestrian walkways when such conditions may be unsafe or cannot be controlled or remedied

through reasonable preservation and/or prevention procedures and practices.

5. Removal or altering of the oak tree(s) will have minimal impact on the total hardwood canopy with special emphasis on associated tree growth and their natural regeneration, wildlife habitat and heritage oak trees.

The applicant's proposed justification for the findings listed above is attached as Exhibit B.

REQUESTED COMMISSION ACTION:

Staff requests the Commission conduct the public hearing, and then direct Staff to develop findings in support of either approval or denial of the project, supported by the facts and testimony provided at the hearing. Note: A resolution of denial must include an explanation as to why at least one of the required findings discussed in this report cannot be made.

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(e)(1) (Existing Facilities) of the California CEQA Guidelines.

CONDITIONS OF APPROVAL:

If the Commission directs Staff to prepare a resolution of approval, potential project conditions of approval are attached as Exhibit F and will be incorporated into an approval resolution, which would return for Commission adoption at the next meeting.

PREVIOUS REVIEWS:

Development Review Committee (DRC):

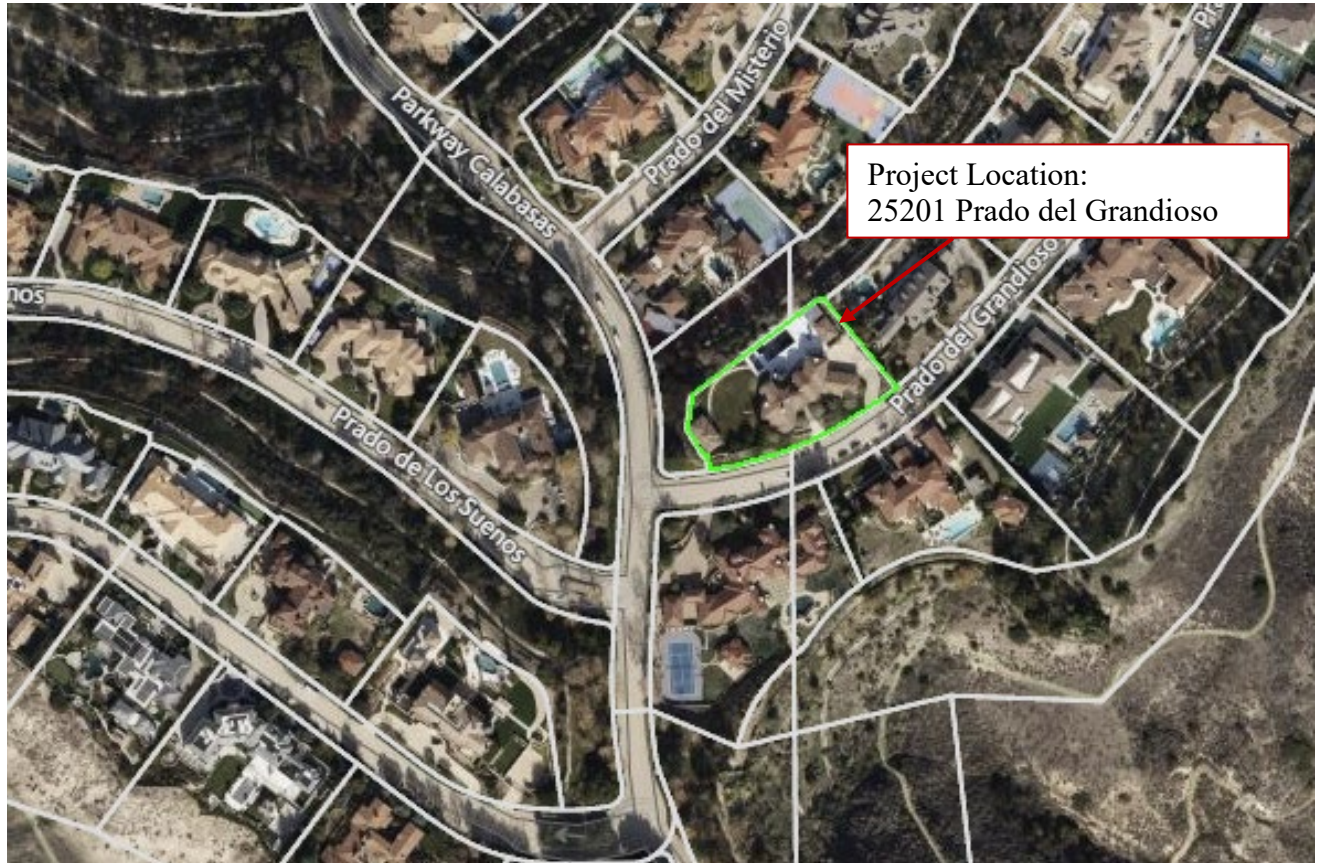
June 20, 2024

No major comments.

ATTACHMENTS:

- Exhibit A: Project Plans
- Exhibit B: Findings justification submitted by Applicant
- Exhibit C: Oak Tree Report submitted by Applicant
- Exhibit D: Oak Tree Location Map submitted by Applicant
- Exhibit E: Peer-reviewed Oak Tree Report from City Arborist
- Exhibit F: Draft Conditions of Approval

TECHNICAL APPENDIX



Project Location:
 25201 Prado del Grandioso

Surrounding Properties:

	Existing Land Use	Zoning	General Plan Designation
Site	Residential	Residential Single Family (RS)	Residential Single Family
West	HOA-Maintained Undeveloped Open Space	Residential Single Family (RS)	Residential Single Family
East	Residential	Residential Single Family (RS)	Residential Single Family
North	HOA-Maintained Undeveloped Open Space	Residential Single Family (RS)	Residential Single Family
South	Residential	Residential Single Family (RS)	Residential Single Family

Development Standards:				Code Limit
Lot Size:	42,429	Sq. Ft.		NA
Tennis Court Fencing Height:	10 Ft.	0 In.		12 Ft. Max.
Site Coverage:				
Existing:	10,866	Sq. Ft.	26 %	35% Max.
Proposed (no change):	10,866	Sq. Ft.	26 %	35% Max.
Pervious Surface:				
Existing:	17,591	Sq. Ft.	42 %	65% Min.*
Proposed:	11,988	Sq. Ft.	28 %	65% Min.*

*Pursuant to CMC Section 17.26.040, whenever there is a residential subdivision with permanent open space dedicated as part of the original subdivision approval and which is controlled by the City, another public agency, or an active Homeowners Association, individual lots within that subdivision may receive a credit against the landscape and pervious surface requirements. The Oaks HOA receives a credit of 72.8% toward pervious surfaces.