



## CITY *of* CALABASAS

**CITY COUNCIL AGENDA  
REGULAR MEETING – WEDNESDAY, JUNE 25, 2014  
CITY HALL COUNCIL CHAMBERS  
100 CIVIC CENTER WAY, CALABASAS  
[www.cityofcalabasas.com](http://www.cityofcalabasas.com)**

The starting times listed for each agenda item should be considered a guideline only. The City Council reserves the right to alter the order of discussion in order to run an effective meeting. If you wish to assure yourself of hearing a particular discussion, please attend the entire meeting. You may speak on a closed session item prior to Council's discussion. To do so, please submit a speaker card to the City Clerk at least 5 minutes prior to the start of closed session. The City values and invites written comments from residents on matters set for Council consideration. In order to provide councilmembers ample time to review all correspondence, please submit any letters or emails to the City Clerk's office before 5:00 p.m. on the Monday prior to the meeting.

### **OPENING MATTERS – 7:00 P.M.**

Call to Order/Roll Call of Councilmembers  
Pledge of Allegiance by Cub Scout Pack 333  
Approval of Agenda

### **ANNOUNCEMENTS/INTRODUCTIONS – 7:10 P.M.**

### **PRESENTATIONS – 7:20 P.M.**

- Recognition of Robert and Bella Blackstone for receiving The Daddy Daughter Team" INBA World Fitness Championship Award
- Recognition of Mark Yumkas for his contributions to Calabasas High School Lacrosse Team
- Recognition of Law Day participants
- Recognition of volunteer students for their work with Savvy Seniors

### **ORAL COMMUNICATIONS – PUBLIC COMMENT – 7:50 P.M.**

### **CONSENT ITEMS – 8:00 P.M.**

1. [Approval of meeting minutes from June 11, 2014.](#)

2. Reversal of quitclaim deed for Las Virgenes Creek restoration site to County of Los Angeles Flood Control District.
3. Recommendation to approve opening of escrow and approve purchase and sale agreement with the County of Los Angeles; the acceptance of a quitclaim deed and easements with the County of Los Angeles; and acceptance of a permit allowing the City of Calabasas to enter land owned by the County of Los Angeles at Calabasas landfill for construction of the Lost Hills Road Interchange Improvement Project.
4. Adoption of Resolution No. 2014-1410 Recognizing July as Parks & Recreation Month" in the City of Calabasas.
5. Recommendation to approve professional services agreement with Secural Security Corporation for security service and parking enforcement citation services.
6. An amended Resolution of the City Council of the City of Calabasas initiating proceedings and requesting the Local Agency Formation Commission of Los Angeles County to amend the sphere of influence and to consider approval of a reorganization of territory which includes annexation of approximately 57.5 acres of unincorporated territory to the City of Calabasas.
7. Approval of an exception to the hiring freeze for the replacement of the Assistant Transportation Planner position.

**NEW BUSINESS – 8:15 P.M.**

8. Overview of the hillside and significant Ridgeline Development Ordinance.

**PUBLIC HEARING – 8:30 P.M.**

9. Public recount of ballots for levy of assessments in connection with Classic Calabasas Park Homeowners Association, Zone 7, within Landscape Lighting Act District No. 22 as a result of a clerical error resulting in a miscount for Fiscal Year 2014-2015; and adopt Resolution No. 2014-1420, certifying the results of the assessment ballot proceeding with respect to the proposed increase; and repeal and re-adopt Resolution No. 2014-1421 confirming diagrams and assessments for such district for Fiscal Year 2014-2015.

10. Adoption of Resolution No. 2014-1402 approving the legalization of a 2,490 square foot ground-floor addition to an existing one-story 11,021 square foot single-family residence. The project includes requests for the following: (1) a Site Plan Review for the construction of the 2,490 square foot addition, (2) a Scenic Corridor Permit for development in a designated scenic corridor, (3) a Development Plan to establish new setbacks for development located within the Open Space (OS) Zoning District, (4) an Oak Tree Permit for the encroachment into the protected zone of one (non-Heritage) oak tree, and (5) a Variance request for development within 50 horizontal feet and 50 vertical feet of a designated significant ridgeline. The subject site is located at 24107 Saint Andrews Lane, within the Open Space (OS) Zoning District.

#### **INFORMATIONAL REPORTS – 10:00**

11. Check Register for the period of June 3-12, 2014.

#### **TASK FORCE REPORTS – 10:05**

#### **CITY MANAGER’S REPORT – 10:10 P.M.**

#### **FUTURE AGENDA ITEMS – 10:12 P.M.**

#### **ADJOURN – 10:15 P.M.**

The City Council will adjourn in memory of Lionel Kaiser to their next regular meeting scheduled for Wednesday, August 13, 2014, at 7:00 p.m.

**MINUTES OF A REGULAR MEETING OF  
THE CITY COUNCIL OF THE CITY OF CALABASAS, CALIFORNIA  
HELD WEDNESDAY, JUNE 11, 2014**

Mayor Shapiro called the meeting to order at 7:34 p.m. in the Council Chambers, 100 Civic Center Way, Calabasas, California. All members of the City Council were present.

**ROLL CALL** Present: Mayor Shapiro, Mayor pro Tem Martin, Councilmembers Bozajian and Gaines.  
Absent: Maurer.  
Staff: Ball, Brozyna, Coroalles, Grant, Ford, Hernandez, Howard, Rubin, Tamuri and Yalda.

The Pledge of Allegiance was led by Barry Goldberg.

**APPROVAL OF AGENDA**

**Councilmember Gaines moved, seconded by Mayor pro Tem Martin to approve the agenda with a modification to move Item No. 11 earlier in the meeting. MOTION CARRIED 4/0 as follows:**

**AYES:** Mayor Shapiro, Mayor pro Tem Martin, Councilmembers Bozajian and Gaines.

**ABSENT:** Maurer.

**PUBLIC HEARING**

11. Fiscal Year 2014-2015 levy of assessments in connection with the Landscape Lighting Act Districts and the proposed increase of assessments in certain zones thereof; and following tabulation of mail ballots, adopt Resolution No. 2014-1408, certifying the results of the assessment ballot proceeding with respect to the proposed increase; and adoption of Resolution No. 2014-1409, finally approving an engineer's report in connection with Landscape Lighting Act District Nos. 22, 24, 27, and 32 and confirming diagrams and assessments for such districts for Fiscal Year 2014-2015.

Mayor Shapiro opened the public hearing.

No one indicated the desire to speak.

Mayor Shapiro closed the public hearing.

Mayor Shapiro announced that the meeting would be adjourned in memory of Jerry Goldberg. The Council expressed condolences to son Barry Goldberg. Mr. Goldberg expressed appreciation to the City Council.

### **ANNOUNCEMENTS/INTRODUCTIONS**

Members of the Council made the following announcements:

Mayor pro Tem Martin:

- Congratulated Mayor Shapiro for his great pitch at Calabasas Dodger Night.
- Expressed appreciation to staff for a great first concert at the lake on June 8.

Councilmember Gaines:

- Congratulated all the middle and high school graduates.
- The Calabasas Chamber of Commerce will hold its monthly breakfast on June 12.
- Reported on the recent election and the upcoming runoff election in November. The CTV analysis show hosted by Councilmember Bozajian and he is now airing.
- The annual budget workshop will be held on Wednesday, June 18.

Councilmember Bozajian:

- Despicable Me will be showing at the Tennis & Swim Center on June 20.
- Summer concerts at the lake will continue on July 23, August 10 and 24.
- Encouraged everyone to join in the festivities of the Annual Fourth of July Spectacular.

Mayor Shapiro:

- Expressed appreciation to organizers for their work on THE EVENT, which was very successful.
- Reiterated an invitation to concerts at the lake.
- Expressed appreciation to staff and all attendees to Dodger Night.
- Wished his wife Barbara a happy birthday.
- Wished a happy fathers' day to all.

### **ORAL COMMUNICATIONS – PUBLIC COMMENT**

Dennis Washburn, Elaine Moskow, Abraham Weiteberg, Deanna Glassberg and Janice Dingman spoke during public comment.

### **CONSENT ITEMS**

1. Approval of meeting minutes from May 28, 2014.

2. Recommendation to approve the appointment of Keith Marks to the Communications and Technology Commission, term ending March 31, 2015.
3. Recommendation to award three-year Professional Services Agreements to Venco Western, Inc. for the landscape maintenance of the common areas located within the homeowner associations: Calabasas Country Estates Zone 4, Calabasas Park Estates Zone 8, Clairidge Zone 10; and Palatino, Zone 14 within Landscape Lighting Act District 22 in the City of Calabasas.
4. Adoption of Resolution No. 2014-1416 approving the adoption of the 2014 updated Greater Los Angeles County Region Integrated Regional Water Management Plan.
5. Adoption of Ordinance No. 2014-315, amending Chapter 8.12 of the Calabasas Municipal Code to include electronic cigarettes within smoking prohibition.
6. Adoption of Resolution No. 2014-1417, approving the Cooperative Agreement with the Department of Transportation for construction of the Lost Hills Road Interchange Improvement Project.
7. Approval of contract with Venco Western, Inc. for the implementation of a Citywide Smart Irrigation Control System Project.
8. Recommendation to approve Amendment No. 2 to increase the value of the Professional Services Agreement with Cleanstreet for street sweeping services; and authorize the Public Works Director to approve amendment No. 3 to increase the value of the Professional Services Agreement with Cleanstreet for street services upon the completion of amendment No. 2.

Mayor pro Tem Martin requested Consent Item No. 8 be pulled for separate discussion.

**Councilmember Gaines moved, seconded by Mayor pro Tem Martin to approve Consent Item Nos. 1-7. MOTION CARRIED 4/0 as follows:**

**AYES:** Mayor Shapiro, Mayor pro Tem Martin, Councilmembers Bozajian and Gaines.

**ABSENT:** Maurer.

Mayor Shapiro recognized Keith Marks as his newly appointment to the Communications and Technology Commission. Keith Marks expressed appreciation for this appointment.

Linda Burr spoke on Consent Item No. 7.

**After discussion, Councilmember Gaines moved, seconded by Councilmember Bozajian to approve Consent Item No. 8. MOTION CARRIED 4/0 as follows:**

AYES: Mayor Shapiro, Mayor pro Tem Martin, Councilmembers Bozajian and Gaines.

ABSENT: Maurer.

**NEW BUSINESS**

9. Recommendation from the Senior Task Force to approve the space plan/concept design for the Calabasas Senior Center.

Mr. Rubin and David Goodale from Gonzalez-Goodale provided information.

Alan Bricklin, Carol Davis, Charlotte Meyer and Brian Cameron spoke on this item.

Extensive discussion ensued.

**Councilmembers unanimously concurred to send the plan/concept back to the Senior Taskforce to review whether they want additional space by reducing the atrium and the high ceiling.**

AYES: Mayor Shapiro, Mayor pro Tem Martin, Councilmembers Bozajian and Gaines.

ABSENT: Maurer.

The Council recessed at 9:18 p.m.

The Council reconvened at 9:31 p.m.

10. Discussion of Calabasas business license requirement.

Ms. Tamuri presented the report.

Michael Brockman spoke on this item.

**Direction provided to staff.**

**PUBLIC HEARING – CONTINUED**

11. Fiscal Year 2014-2015 levy of assessments in connection with the Landscape Lighting Act Districts and the proposed increase of assessments in certain zones thereof; and following tabulation of mail ballots, adopt Resolution No. 2014-1408, certifying the results of the assessment ballot proceeding with respect to the proposed increase; and adoption of Resolution No. 2014-1409, finally approving an engineer's report in connection with Landscape Lighting Act District Nos. 22, 24, 27, and 32 and confirming diagrams and assessments for such districts for Fiscal Year 2014-2015.

Mayor Shapiro provided the election results as follows:

**Vista Pointe HOA:**

Total number of ballots mailed	- 189
Total number of ballots returned	- 82
Yes ballots	- 20
No ballots	- 62

The simple majority over 50 percent voted "No" for Vista Pointe.

**Classic Calabasas Park HOA:**

Total number of ballots mailed	- 458
Total number of ballots returned	- 237
Yes ballots	- 109
No ballots	- 128

The simple majority over 50 percent voted "No" for Classic Calabasas Park HOA.

**Mayor pro Tem Martin moved, seconded by Councilmember Gaines to adopt Resolution No. 2014-1408, certifying the results of the assessment ballot finding that there is a majority protest. MOTION CARRIED 4/0 as follows:**

**AYES:** Mayor Shapiro, Mayor pro Tem Martin, Councilmembers Bozajian and Gaines.

**ABSENT:** Maurer.

**Councilmember Gaines moved, seconded by Mayor pro Tem Martin to adopt Resolution No. 2014-1409, finally approving an engineer's report in connection with Landscape Lighting Act District Nos. 22, 24, 27, and 32 and confirming diagrams and assessments for such districts for Fiscal Year 2014-2015 with the following modifications: 1) Deleting the last sentence in Section 2; and 2) changing**



**Section 4 as follows: The adoption of this Resolution constitutes the levy of the assessment within each of the Districts for Fiscal Year 2014-15 based on the assessment for Fiscal Year 2013-2014. MOTION CARRIED 4/0 as follows:**

**AYES:** Mayor Shapiro, Mayor pro Tem Martin, Councilmembers Bozajian and Gaines.

**ABSENT:** Maurer.

**INFORMATIONAL REPORTS**

12. Check Register for the period of May 21-28, 2014.

**No action was taken on this item.**

**TASK FORCE REPORTS**

None.

**CITY MANAGER'S REPORT**

Mr. Coroalles reported that in regard to the Malmoth Project the City Attorney sent a letter to L.A. County Counsel asking for proof that their request is legal in the City of Calabasas since the L.A. County Fire Code was never adopted by the City.

**FUTURE AGENDA ITEMS**

Mr. Coroalles stated that the business registration program will be scheduled for a future meeting.

Mayor Shapiro reminded that a Council workshop is scheduled on June 18, at 6 p.m. and stated that the Climate Change and Emergency Preparedness discussions may be rescheduled to another date if the meeting goes longer than expected.

The Council recessed to Closed Session at 10:11 p.m.

**CLOSED SESSION**

1. Conference with Legal Counsel; pending litigation  
Gov. Code §54956.9(d)(1): one case  
Dry Canyon Ranch, LLC vs. City of Calabasas  
Case number BC542841

The Council convened to Open Session at 10:57 p.m.

The City Attorney reported that the Council unanimously authorized him to proceed to defend the Dry Canyon Ranch lawsuit consistent with the discussion in closed session.

**ADJOURN**

The meeting adjourned at 10:59 p.m. in memory of Jerry Goldberg to a special meeting scheduled on Wednesday, Jun 18, 2014, at 6:00 p.m.

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Maricela Hernandez, MMC  
City Clerk




**CITY of CALABASAS**  
**CITY COUNCIL AGENDA REPORT**

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**DATE: JUNE 16, 2014**

**TO: HONORABLE MAYOR AND COUNCILMEMBERS**

**FROM:  ROBERT YALDA, P.E., T.E., PUBLIC WORKS DIRECTOR/CITY ENGINEER  
ALEX FARASSATI, PH.D., ENVIRONMENTAL SERVICES SUPERVISOR**

**SUBJECT: REVERSAL OF QUIT CLAIM DEED FOR LAS VIRGENES CREEK RESTORATION SITE TO COUNTY OF LOS ANGELES FLOOD CONTROL DISTRICT.**

**MEETING DATE: JUNE 25, 2014**

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**SUMMARY RECOMMENDATION:**

That the City Council receive and file this informational report.

**BACKGROUND:**

In November 2001, the County of Los Angeles Flood Control District quit claimed a portion of Las Virgenes Creek to the City of Calabasas (Attachment 1) for the purpose of removing the concrete channel and restoring 440 feet of the creek. The project was completed in February 2008.

**DISCUSSION/ANALYSIS:**

The County of Los Angeles is in process of designing an equestrian trail that will terminate on the west side of Las Virgenes Creek just south of Agoura Road Bridge. The trail will pass through the west side of the Las Virgenes Creek Restoration site and may impact the integrity of the project as it was designed to serve as a flood control channel. In order to accommodate the County's project,

City shall reverse the above-mentioned quit claim deed and relinquishes the ownership of the 440 of the Las Virgenes Creek to County of Los Angeles Flood Control District, however City of Calabasas shall enter into a separate agreement with the County to continue using and maintain the park and the amenities.

**FISCAL IMPACT/SOURCE OF FUNDING:**

There is not any fiscal impact associate with this informational report.

**REQUESTED ACTION:**

That the City Council receive and file this informational report.

**ATTACHMENTS:**

1. Quit Claim Deed Recorded on February 28, 2002
2. New Quit Claim Deed Relinquishing City's Ownership



LEAD SHEET

2 28 2002

02-0475197

RECORDED/FILED IN OFFICIAL RECORDS  
RECORDER'S OFFICE  
LOS ANGELES COUNTY  
CALIFORNIA  
8:04 AM FEB 28 2002

SPACE ABOVE THIS LINE FOR RECORDERS USE

TITLE(S)

FEE

D.T.T.

FREE V

CODE

20

CODE

19

CODE

9

Assessor's Identification Number (AIN)

To Be Completed By Examiner OR Title Company In Black Ink

Number of Parcels Shown

**ORIGINAL**

2

RECORDING REQUESTED BY AND  
MAIL TO:

City of Calabasas  
26135 Mureau Road  
Calabasas, CA 91302-3172

**02-0475197**

*Space Above This Line Reserved for Recorder's Use*

THIS DOCUMENT IS EXEMPT FROM DOCUMENTARY  
TRANSFER TAX PURSUANT TO SECTION 11922 OF THE  
REVENUE & TAXATION CODE

Assessor's Identification Numbers  
2064-002-034 and 047 (Portions)

THIS DOCUMENT IS EXEMPT FROM RECORDING FEES  
PURSUANT TO SECTION 27383 OF THE GOVERNMENT  
CODE

**QUITCLAIM DEED**

For a valuable consideration, receipt of which is hereby acknowledged, the LOS ANGELES COUNTY FLOOD CONTROL DISTRICT, a body corporate and politic, hereinafter referred to as "District", does hereby remise, release and forever quitclaim to the CITY OF CALABASAS, a municipal corporation, hereinafter referred to as "City", all its right, title and interest in and to those certain easements for storm drain ingress and egress purposes; for storm drain and storm drain ingress and egress purposes; and for flood control purposes, acquired by Quitclaim Deed recorded March 15, 1989, as Document No.89-403132, of Official Records, in the office of the Recorder of the County of Los Angeles, insofar and only insofar as said easements exist on the real property in the City of Calabasas, County of Los Angeles, State of California, described in Exhibit "A" attached hereto and by this reference made a part hereof.

Said District does hereby also remise, release and forever quitclaim to City, all its right, title and interest in and to those certain drainage facilities; together with the necessary rights of way therefor which were transferred to and accepted by said District by a Resolution adopted by the Board of Supervisors of the County of Los Angeles on March 7, 1989, as Board Order No. 30, insofar and only insofar as said drainage facilities and rights of way exist on the real property in the City of Calabasas, County of Los Angeles, State of California described in Exhibit "B" attached hereto and by this reference made a part hereof.

The herein quitclaim is subject to all matters of record and to the following terms and conditions which City understands to be a part of the consideration for the herein quitclaim and which City by the acceptance of this Quitclaim Deed and/or the exercise of any of the rights conveyed herein, agrees to keep and perform, viz:

1. City agrees that it will indemnify and save harmless the District, its officers, agents, and/or employees from any and all liability, loss or damage to which District, its officers, agents, or employees may be subjected as the result of any act or omission by City, its officers, agents, or employees arising out of the exercise by City, its officers, agents, or employees of any of the rights granted to it by this instrument.

File with: TRANSFER DRAINS	
PRIVATE DRAIN NO. 1350	1EX
I.M. 159-057	
S.D. 3	M9321011

2. The provisions and agreements contained in this Quitclaim Deed shall be binding upon City, its successors and assigns.

02 0475197

Dated 11-20-01



LOS ANGELES COUNTY FLOOD CONTROL DISTRICT,  
a body corporate and politic

By Mike Antonovich  
Chair, Board of Supervisors of the  
Los Angeles County Flood Control District

ATTEST:

VIOLET VARONA-LUKENS, Executive Officer  
of the Board of Supervisors  
of the County of Los Angeles

By Violet E. Varona-Lukens  
Deputy



OG:adg  
P:CONFqcc PD1350 1EX

NOTE: Acknowledgment form on reverse side



File with: **TRANSFER DRAINS**  
**PRIVATE DRAIN NO. 1350 1EX**  
A.P.N. 2064-002-034  
2064-002-047  
T.G. 558 (H6)  
I.M. 159-057  
Third District  
M9321011

5

LEGAL DESCRIPTION

02 0475197

PARCEL NO. 1EX (Quitclaim of easements):

Those portions of Lot 1, Tract No. 32642, as shown on map filed in Book 935, pages 3 to 6, inclusive, of Maps, in the office of the Recorder of the County of Los Angeles, and those portions of Parcel 1, Parcel Map No. 12816, as shown on map filed in Book 160, pages 59, 60 and 61, of Parcel Maps, in the office of said Recorder, within those certain parcels of land described in deed recorded on March 15, 1989, as Document No. 89-403132, of Official Records, in the office of said Recorder, said parcels of land more particularly described as follows:

Part A:

That portion of above-mentioned Lot 1, designated as "... A VARIABLE WIDTH EASEMENT TO THE COUNTY OF LOS ANGELES FOR STORM DRAIN INGRESS & EGRESS PURPOSES" on above-mentioned map of Tract No. 32642.

Part B:

That portion of above-mentioned Lot 1, designated as "... A VARIABLE WIDTH EASEMENT TO THE COUNTY OF LOS ANGELES FOR STORM DRAIN AND STORM DRAIN INGRESS AND EGRESS PURPOSES" on above-mentioned map of Tract No. 32642.

Part C:

That portion of above-mentioned Lot 1, designated as "... A 15' WIDE EASEMENT TO THE COUNTY OF LOS ANGELES FOR STORM DRAIN INGRESS AND EGRESS PURPOSES" on above-mentioned map of Tract No. 32642.

Part D:

That portion of above-mentioned Parcel 1, designated as "VARIABLE WIDTH EASEMENT OF THE COUNTY OF LOS ANGELES PER DOCUMENTS RECORDED JUNE 26, 1979 AS INSTRUMENT NO. 79-693641 AND INSTRUMENT NO. 79-693643 RECORDS OF LOS ANGELES COUNTY FOR FLOOD CONTROL PURPOSES ..." on above-mentioned map of Parcel Map No. 12816.

Part E:

That portion of above-mentioned Parcel 1, designated as "EASEMENT OF THE COUNTY OF LOS ANGELES PER DOCUMENT RECORDED JUNE 21, 1979 AS INSTRUMENT NO. 79-693642, RECORDS OF LOS ANGELES COUNTY FOR STORM DRAIN PURPOSES ..." on above-mentioned map of Parcel Map No. 12816.

Total area of Parts A through E, containing: 47,131± s.f.

EXHIBIT A

APPROVED AS TO DESCRIPTION  
February 23, 2002  
COUNTY OF LOS ANGELES  
By innocent  
SUPERVISING CADASTRAL ENGINEER II  
Mapping and Property Management Division



6

Private Drain No. 1350 Unit II

02 0475197

A reinforced concrete trapezoidal channel storm drain system and appurtenant structures for Tract No. 32642, filed in Book 935, pages 3 to 6, inclusive, of Maps, Records of the County of Los Angeles, generally described as follows:

Trapezoidal Channel:

Commencing from a cut-off wall, Station 0 + 04.72, located in Agoura Road, west of Las Virgenes Road; thence northwesterly in Agoura Road to a variable width easement for flood control purposes, which lies within Parcel 1 of Parcel Map No. 12816; thence continuing northwesterly in said easement to a 6-foot-deep cut-off wall, Station 3 + 70.20, a distance of 365 feet, more or less.

All as shown on District Drawing Nos. 361-F35.1 through 361-F35.3.

APPROVED AS TO DESCRIPTION  
February 23, 2002  
COUNTY OF LOS ANGELES  
By [Signature]  
SUPERVISING CADASTRAL ENGINEER II  
Mapping and Property Management Division

EXHIBIT B

RECORDING REQUESTED BY AND MAIL TO:

LOS ANGELES COUNTY FLOOD CONTROL  
DISTRICT

THIS DOCUMENT IS EXEMPT FROM DOCUMENTARY  
TRANSFER TAX PURSUANT TO SECTION 17922 OF THE  
REVENUE & TAXATION CODE

ASSESSOR'S IDENTIFICATION NUMBERS

2064-002-034 AND 047 (Portions)

THIS DOCUMENT IS EXEMPT FROM RECORDING FEES  
PURSUANT TO SECTION 27383 OF THE GOVERNMENT  
CODE

### QUITCLAIM DEED

For valuable consideration, receipt of which is hereby acknowledged, the City of Calabasas, a Municipal Corporation, hereinafter referred to as "the City", does hereby remise, release, and forever quitclaim to the Los Angeles County Flood Control District, a body Corporate and Politic, hereinafter referred to as "District", all its right, title, and interest in and to those certain easements for storm drain ingress and egress purposes;; and for flood control purposes, acquired by Quitclaim Deed recorded February 28, 2014, as Document No. 020475197, of Official Records, in the office of the Recorder of the County of Los Angeles, State of California described in Exhibit "A" attached hereto and by this reference made a part hereof.

Said City does hereby also remise, release, and forever quitclaim to District, all its right, title, and interest in and to those certain drainage facilities; together with the necessary rights of way therefor which were transferred to and accepted by said City, insofar as said drainage facilitates and rights of way exist on the real property in the City of Calabasas, County of Los Angeles, State of California described in Exhibit "B" attached hereto and by this reference made a part hereof.

The herein quitclaim is subject to all matters of record and to the following terms and conditions which District understands to be a part of the consideration for the herein quitclaim and which District by the acceptance of this Quitclaim Deed and/or the exercise of any of the rights conveyed herein, agrees to keep and perform, viz:

1. District agrees that it will indemnify and save harmless the City, its officers, agents, and/or employees from any and all liability, loss or damage to which City, its

Officers, Agents, or Employees may be subjected as the result of any act or omission by District, its Officers, Agents, or Employees arising out of the exercise by District, its Officers, Agents, or Employees of any of the rights granted to it by this instrument.

2. This quitclaim is intended as a reconveyance to the Los Angeles County Flood Control District of the easements for storm drain ingress and egress purposes previously granted to City by document number 02-0475197.
3. The provisions and agreements contained in in this Quitclaim Deed shall be binding upon District, its successors and assigns.

Dated: \_\_\_\_\_

CITY OF CALABASAS, a Municipal Corporation

By: \_\_\_\_\_  
David J. Shapiro,  
Mayor of the City of Calabasas

ATTEST:

\_\_\_\_\_  
Maricela Hernandez  
City Clerk, City of Calabasas

File with: TRANSFER DRAINS  
PRIVATE DRAIN NO. 1350 1EX  
A.P.N. 2064-002-034  
2064-002-047

### LEGAL DESCRIPTION

#### PARCEL NO. 1EX (Quitclaim of Easements)

Those portions of Lot 1, Tract No. 32642, as shown on map filed in Book 935, pages 3-6, inclusive, of Maps, in the office of the Recorder of the County of Los Angeles, and those portions of Parcel 1, Parcel Map No. 12816, as shown on map filed in Book 160, pages 59, 60, and 61, of Parcel Maps, in the office of said Recorder, within those certain parcels of land described in deed recorded on March 15, 1989 as Document No. 89-403132, of Official Records, in the office of said Recorder, said parcels of land more particularly described as follows:

#### Part A:

That portion of above-mentioned Lot 1, designated as "... A VARIABLE WIDTH EASEMENT TO THE COUNTY OF LOS ANGELES FOR STORM DRAIN INGRESS & EGRESS PURPOSES" on above-mentioned map of Tract No. 32642.

#### Part B:

That portion of above-mentioned lot 1, designated as "... A VARIABLE WIDTH EASEMENT TO THE COUNTY OF LOS ANGELES FOR STORM DRAIN AND STORM DRAIN INGRESS AND EGRESS PURPOSES" on above-mentioned map of Tract No. 32642.

#### Part C:

That portion of above-mentioned Lot 1, designated as "... A 15 FOOT WIDE EASEMENT TO THE COUNTY OF LOS ANGELES FOR STORM DRAIN INGRESS AND EGRESS PURPOSES" on above-mentioned map of Tract No. 32642.

#### Part D:

That portion of above-mentioned Parcel 1, designated as "VARIABLE WIDTH EASEMENT OF THE COUNTY OF LOS ANGELES PER DOCUMENTS RECORDED JUNE 26, 1979 AS INSTRUMENT NO. 79-693641 AND INSTRUMENT NO. 79-693643 RECORDS OF LOS ANGELES COUNTY FOR FLOOD CONTROL PURPOSES..." on above-mentioned map of Parcel Map No. 12816.

#### Part E:

That portion of above-mentioned Parcel 1, designated as "EASEMENT OF THE COUNTY OF LOS ANGELES PER DOCUMENT RECORDED JUNE 21, 1979 AS INSTRUMENT NO. 79-693642, RECORDS OF LOS ANGELES COUNTY FOR STORM DRAIN PURPOSES..." on above-mentioned map of Parcel Map No. 12816.

Total area of Parts A through E, containing: 47, 131 plus or minus s.f..

### **EXHIBIT A**

Private Drain No. 1350 Unit II

A reinforced concrete trapezoidal channel storm drain system and appurtenant structures for Tract No. 32642, filed in Book 935, pages 3-6, inclusive, of Maps, Records of the County of Los Angeles, generally described as follows:

Trapezoidal Channel:

Commencing from a cut-off wall, Station 0 + 04.72, located in Agoura Road, west of Las Virgenes Road; thence northwesterly in Agoura Road to a variable width easement for flood control purposes, which lies within Parcel 1 of Parcel Map No. 12816; thence continuing northwesterly in said easement to a 6-foot-deep cut-off wall, Station 3 + 70.20, a distance of 365 feet, more or less.

All shown on County Flood Control District Drawing Nos.. 361-F35.1 through 361-F3..3.

RECORDING REQUESTED BY AND MAIL TO:

LOS ANGELES COUNTY FLOOD CONTROL  
DISTRICT

THIS DOCUMENT IS EXEMPT FROM DOCUMENTARY  
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REVENUE & TAXATION CODE

ASSESSOR'S IDENTIFICATION NUMBERS

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CODE

### QUITCLAIM DEED

For valuable consideration, receipt of which is hereby acknowledged, the City of Calabasas, a Municipal Corporation, hereinafter referred to as "the City", does hereby remise, release, and forever quitclaim to the Los Angeles County Flood Control District, a body Corporate and Politic, hereinafter referred to as "District", all its right, title, and interest in and to those certain easements for storm drain ingress and egress purposes;; and for flood control purposes, acquired by Quitclaim Deed recorded February 28, 2014, as Document No. 020475197, of Official Records, in the office of the Recorder of the County of Los Angeles, State of California described in Exhibit "A" attached hereto and by this reference made a part hereof.

Said City does hereby also remise, release, and forever quitclaim to District, all its right, title, and interest in and to those certain drainage facilities; together with the necessary rights of way therefor which were transferred to and accepted by said City, insofar as said drainage facilitates and rights of way exist on the real property in the City of Calabasas, County of Los Angeles, State of California described in Exhibit "B" attached hereto and by this reference made a part hereof.

The herein quitclaim is subject to all matters of record and to the following terms and conditions which District understands to be a part of the consideration for the herein quitclaim and which District by the acceptance of this Quitclaim Deed and/or the exercise of any of the rights conveyed herein, agrees to keep and perform, viz:

1. District agrees that it will indemnify and save harmless the City, its officers, agents, and/or employees from any and all liability, loss or damage to which City, its

Officers, Agents, or Employees may be subjected as the result of any act or omission by District, its Officers, Agents, or Employees arising out of the exercise by District, its Officers, Agents, or Employees of any of the rights granted to it by this instrument.

2. This quitclaim is intended as a reconveyance to the Los Angeles County Flood Control District of the easements for storm drain ingress and egress purposes previously granted to City by document number 02-0475197.
3. The provisions and agreements contained in in this Quitclaim Deed shall be binding upon District, its successors and assigns.

Dated: \_\_\_\_\_

CITY OF CALABASAS, a Municipal Corporation

By: \_\_\_\_\_  
David J. Shapiro,  
Mayor of the City of Calabasas

ATTEST:

\_\_\_\_\_  
Maricela Hernandez  
City Clerk, City of Calabasas

File with: TRANSFER DRAINS  
PRIVATE DRAIN NO. 1350 1EX  
A.P.N. 2064-002-034  
2064-002-047

**LEGAL DESCRIPTION**

**PARCEL NO. 1EX** (Quitclaim of Easements)

Those portions of Lot 1, Tract No. 32642, as shown on map filed in Book 935, pages 3-6, inclusive, of Maps, in the office of the Recorder of the County of Los Angeles, and those portions of Parcel 1, Parcel Map No. 12816, as shown on map filed in Book 160, pages 59, 60, and 61, of Parcel Maps, in the office of said Recorder, within those certain parcels of land described in deed recorded on March 15, 1989 as Document No. 89-403132, of Official Records, in the office of said Recorder, said parcels of land more particularly described as follows:

Part A:

That portion of above-mentioned Lot 1, designated as "...A VARIABLE WIDTH EASEMENT TO THE COUNTY OF LOS ANGELES FOR STORM DRAIN INGRESS & EGRESS PURPOSES" on above-mentioned map of Tract No. 32642.

Part B:

That portion of above-mentioned lot 1, designated as "...A VARIABLE WIDTH EASEMENT TO THE COUNTY OF LOS ANGELES FOR STORM DRAIN AND STORM DRAIN INGRESS AND EGRESS PURPOSES" on above-mentioned map of Tract No. 32642.

Part C:

That portion of above-mentioned Lot 1, designated as "...A 15 FOOT WIDE EASEMENT TO THE COUNTY OF LOS ANGELES FOR STORM DRAIN INGRESS AND EGRESS PURPOSES" on above-mentioned map of Tract No. 32642.

Part D:

That portion of above-mentioned Parcel 1, designated as "VARIABLE WIDTH EASEMENT OF THE COUNTY OF LOS ANGELES PER DOCUMENTS RECORDED JUNE 26, 1979 AS INSTRUMENT NO. 79-693641 AND INSTRUMENT NO. 79-693643 RECORDS OF LOS ANGELES COUNTY FOR FLOOD CONTROL PURPOSES..." on above-mentioned map of Parcel Map No. 12816.

Part E:

That portion of above-mentioned Parcel 1, designated as "EASEMENT OF THE COUNTY OF LOS ANGELES PER DOCUMENT RECORDED JUNE 21, 1979 AS INSTRUMENT NO. 79-693642, RECORDS OF LOS ANGELES COUNTY FOR STORM DRAIN PURPOSES..." on above-mentioned map of Parcel Map No. 12816.

Total area of Parts A through E, containing: 47, 131 plus or minus s.f..

**EXHIBIT A**



Private Drain No. 1350 Unit II

A reinforced concrete trapezoidal channel storm drain system and appurtenant structures for Tract No. 32642, filed in Book 935, pages 3-6, inclusive, of Maps, Records of the County of Los Angeles, generally described as follows:

Trapezoidal Channel:

Commencing from a cut-off wall, Station 0 + 04.72, located in Agoura Road, west of Las Virgenes Road; thence northwesterly in Agoura Road to a variable width easement for flood control purposes, which lies within Parcel 1 of Parcel Map No. 12816; thence continuing northwesterly in said easement to a 6-foot-deep cut-off wall, Station 3 + 70.20, a distance of 365 feet, more or less.

All shown on County Flood Control District Drawing Nos.. 361-F35.1 through 361-F3..3.



**CITY of CALABASAS**

**CITY COUNCIL AGENDA REPORT**

---

**DATE: JUNE 11, 2014**

**TO: HONORABLE MAYOR AND COUNCILMEMBERS**

**FROM:  ROBERT YALDA, CITY ENGINEER/PUBLIC WORKS DIRECTOR  
ANDREW BROZYNA, DEPUTY PUBLIC WORKS DIRECTOR **

**SUBJECT: RECOMMENDATION TO APPROVE OPENING OF ESCROW AND APPROVE PURCHASE AND SALE AGREEMENT WITH THE COUNTY OF LOS ANGELES; THE ACCEPTANCE OF A QUITCLAIM DEED AND EASEMENTS WITH THE COUNTY OF LOS ANGELES; AND ACCEPTANCE OF A PERMIT ALLOWING THE CITY OF CALABASAS TO ENTER LAND OWNED BY THE COUNTY OF LOS ANGELES AT CALABASAS LANDFILL FOR CONSTRUCTION OF THE LOST HILLS ROAD INTERCHANGE IMPROVEMENT PROJECT.**

**MEETING DATE: JUNE 25, 2014**

---

**SUMMARY RECOMMENDATION:**

Staff recommends the City Council approve opening of escrow and approve a purchase and sale agreement with the County of Los Angeles for the 8.9 acres of unimproved land owned by the County within the Landfill; accept a quitclaim deed for the 8.9 acres of unimproved land owned by the County within the Landfill; accept a Highway Easement with the County of Los Angeles; accept an Access Control Easement with the County of Los Angeles; and accept a Right-Of-Entry Permit allowing the City of Calabasas to enter land owned by the County of Los Angeles at Calabasas Landfill for the construction of the Lost Hills Road Interchange Improvement Project.

## **BACKGROUND:**

Early on during the conceptual design stages of the Lost Hills Road Interchange Improvement Project, City staff and the City's design and project management consultants proposed various design alternatives for the new interchange configuration for Lost Hills Road to Caltrans (the project's oversight and permitting agency), and the community for review and approval.

The City hosted approximately six meetings with the community to review and comment on the design alternatives for the interchange. As a result of the community outreach, the design alternative known as Alternative 7 was selected by the community, and officially approved by Caltrans in the early part of 2012.

Alternative 7 incorporates what is referred to as a loop or "Cloverleaf" on and off ramp similar to the Parkway Calabasas interchange. Therefore, the existing Hwy 101 northbound ramp ingress and egress will be relocated to the north, up Lost Hills Road, near the Calabasas Landfill entrance gate upon completion of the project, as shown on Exhibit A.

As a result, the selected and approved Alternative 7 requires the use and purchase of Los Angeles County (County) owned land within the Calabasas Landfill (Landfill) for the construction of the Lost Hills Interchange Improvement Project.

## **DISCUSSION/ANALYSIS:**

In November of 2013, City and County staff started discussions on right-of-way and easement requirements and the purchase of approximately 8.9 acres of County property (shown on Exhibit B), necessary for the construction phase of the Lost Hills interchange project. That meeting and a number of successive meetings, that also included representation from the County Sanitation District (District), culminated into identifying a collection of agreements, easements, and permits necessary to satisfy the District, County, City, as well as Caltrans (the project's oversight and permitting agency). The following documents have been prepared for signature:

1. Purchase and Sale Agreement and Escrow Instructions by and Between the City of Calabasas and the County of Los Angeles

The Purchase and Sale Agreement, attached as Exhibit C, is for the purchase of the 8.9 acres (consisting of two parcels of land) from the County necessary for the inclusion of the proposed northbound ramps per the approved Alternative 7. The cost for the acreage is approximately \$668,525 plus \$8,527 for the site improvements acquired, per a fair market appraisal, attached as Exhibit D (see page 2 of the appraisal for summary of costs). Once construction is complete, the City

will transfer ownership of right-of-way to Caltrans as part of its interchange infrastructure.

## 2. Quitclaim Deed

Pursuant to California Government Code section 25365, the Quitclaim Deed, attached as Exhibit E, permanently conveys to the City the 8.9 acres of unimproved land owned by the County within the Landfill operated by the District.

This item requires no formal action. Per Resolution 97-426, adopted January 29, 1997, the City Clerk is authorized to accept and consent to all deeds and grants conveying an interest in or easement upon real estate to the City for public purposes.

## 3. Highway Easement

The Highway Easement, attached as Exhibit F, is an agreement where the City accepts a portion of Lost Hills Road from the County located just north of the Lost Hills Bridge to just south of the Calabasas Landfill gate; a portion of Canwood Street adjacent to the Canwood Street/ Lost Hills Road intersection, along with the intersection itself; and an isolated strip of right-of-way located on Parkville Road, adjacent to Grape Arbor Park, per Exhibit G.

On April 9, 2014, City Council approved Resolution No. 2014-1404, attached as Exhibit H, requesting that the County consent to the acquisition by the City of road right-of-way by easement on Lost Hills Road, Canwood Street, and Parkville Road. Acquisition is necessary for the development of the Lost Hills Interchange.

This item requires no formal action. Per Resolution 97-426, adopted January 29, 1997, the City Clerk is authorized to accept and consent to all deeds and grants conveying an interest in or easement upon real estate to the City for public purposes.

## 4. Access Control Easement

In general, the Access Control Easement, attached as Exhibit I, is a right-of-way agreement that prohibits vehicular access onto Driver Avenue from Lost Hills Road as well as from the proposed Hwy 101 northbound ramp ingress located near the Calabasas Landfill entrance gate (see Exhibit A), with exception of Landfill maintenance vehicles. This agreement also requires the construction of a driveway approach at the entrance of Driver Avenue and a gate behind the driveway, as part of the project plans and specifications.

This item requires no formal action. Per Resolution 97-426, adopted January 29, 1997, the City Clerk is authorized to accept and consent to all deeds and grants conveying an interest in or easement upon real estate to the City for public purposes.

#### 5. Right-Of-Entry Permit

The Right-Of-Entry Permit, attached as Exhibit J, allows the City, its contractor and other City agents to enter real property owned by the County, within the boundaries shown in Exhibit K, to commence construction activities on the Lost Hills Interchange project consistent with the conditions provided in the County permit. The County permit is necessary since it provides confirmation to Caltrans that the City "controls" the land upon which construction will occur.

In addition, the County permit allows the City to start construction prior to the close of escrow of the Purchase and Sale Agreement (see Item No. 1 above) on the 8.9 acres of County owned land. Escrow could take six months to finalize the purchase and sale of the parcels.

Lastly, the County permit identifies a monthly fee for a Temporary Construction Area (TCA). The TCA will house the construction trailers, vehicles, and construction equipment through the duration of construction activities. The monthly cost is approximately \$2,156.00. It is estimated that the TCA will be needed for about 24 months. The total cost of rental is expected to be approximately \$51,744 per the fair market appraisal, attached as Exhibit D (see page 2 of the appraisal for summary of costs).

#### Conclusion

In conclusion, the approvals of the documents are required for the conveyance of said properties, issuance of easements, and obtaining the County Right-Of-Way permit. Once approved by Council, the signed documents will be presented to the County Board of Supervisors for final approval. The executed documents will then be presented to Caltrans to satisfy Caltrans Right-Of-Way Certification requirements. This certification is necessary for the issuance of the Caltrans construction permit that allows the City to advertise the Lost Hills Interchange Improvement Project for public bid.

City staff, the City's consultant (Parsons Transportation Group), and the City Attorney consider the negotiated language and conditions to be appropriate and acceptable for the proposed agreements attached.

## **FISCAL IMPACT/SOURCE OF FUNDING:**

Purchase and Sale Agreement: Approving the Purchase and Sale Agreement commits the City to the purchase of the 8.9 acres of County property for approximately \$677,052 plus \$8,527 for the value of the site improvements. The City has entered into an agreement with Los Angeles County for Measure R funding. Adequate funds have been budgeted from Measure R for right-of-way needed on the Lost Hills Interchange project.

Highway Easement: Approving the Highway Easement commits the City to pay the amount of \$1.00 to the County for the County to quitclaim its easements and relinquish control of the portions of roadway, identified in Resolution No. 2014-1404, to the City. This amount will be paid from the City's General Fund.

Future anticipated costs for roadway maintenance of the portions of roadway is approximately \$180,000 over the next fifteen year span of time. Roadway maintenance costs will likely be paid through gas tax revenue.

Right-Of-Entry Permit: Approving the Right-Of-Entry Permit commits the City to monthly fees for the Temporary Construction Area (TCA). The monthly cost is approximately \$2,156.00. The total cost of rental is expected to be approximately \$51,744 for a 24 month period.

The City has entered into an agreement with Los Angeles County for Measure R funding. Adequate funds have been budgeted from Measure R for right-of-way needed on the Lost Hills Interchange project.

Service Requests & Outside Counsel: Additional costs include fees in the amount of about \$60,400 per the County service request No. 29017. The fees are for County Public Works services such as reviews, appraisals, preparation of legal descriptions and documents and project coordination in relation to the various legal documents and attachments prepared for the Lost Hills Interchange project.

Furthermore, Squire Sanders LLP was retained, per the County's request, as Bond Counsel to ensure the sale of property does not affect existing District Bonds, for an amount not to exceed \$30,000.

The City has entered into an agreement with Los Angeles County for Measure R funding. Adequate funds have been budgeted from Measure R for the right-of-way services needed on the Lost Hills Interchange project.

Lost Hills Interchange Construction Fiscal Impacts: In addition to the costs noted above, approval of the agreements allows the City to move toward the

construction phase of the Lost Hills Interchange Improvements project which is estimated at about \$25,000,000.

The construction budget includes about \$3,000,000 from the Las Virgenes/ Lost Hills Bridge & Thoroughfare District Funds (B&T). The City has entered into an agreement with Los Angeles County for Measure R funding. Therefore, the City anticipates Measure R funds to recover the remaining costs during the construction phase.

**REQUESTED ACTION:**

Staff recommends the City Council approve opening of escrow and approve a purchase and sale agreement with the County of Los Angeles for the 8.9 acres of unimproved land owned by the County within the Landfill; accept a quitclaim deed for the 8.9 acres of unimproved land owned by the County within the Landfill; accept a Highway Easement with the County of Los Angeles; accept an Access Control Easement with the County of Los Angeles; and accept a Right-Of-Entry Permit allowing the City of Calabasas to enter land owned by the County of Los Angeles at Calabasas Landfill for the construction of the Lost Hills Road Interchange Improvement Project.

**ATTACHMENTS:**

*Exhibit A: Lost Hills Interchange Improvement Exhibit*

*Exhibit B: 8.9 Acres of LA County Property for Purchase*

*Exhibit C: Purchase and Sale Agreement*

*Exhibit D: Appraisal*

*Exhibit E: Quitclaim Deed*

*Exhibit F: Highway Easement*

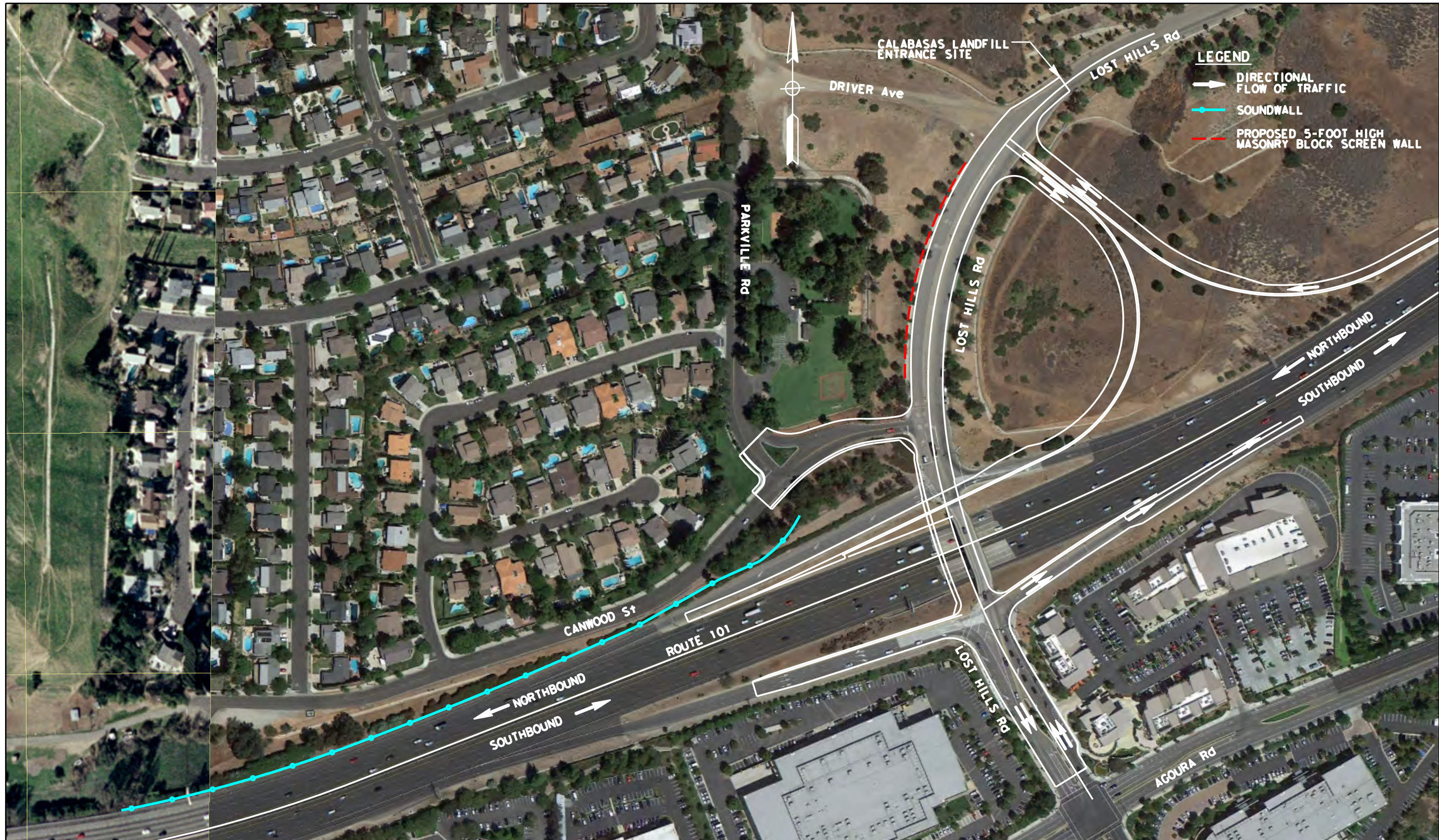
*Exhibit G: Exhibit for Proposed Right-Of-Way Easement from LA County*

*Exhibit H: Resolution No. 2014-1404*

*Exhibit I: Access Control Easement*

*Exhibit J: Right-Of-Entry Permit*

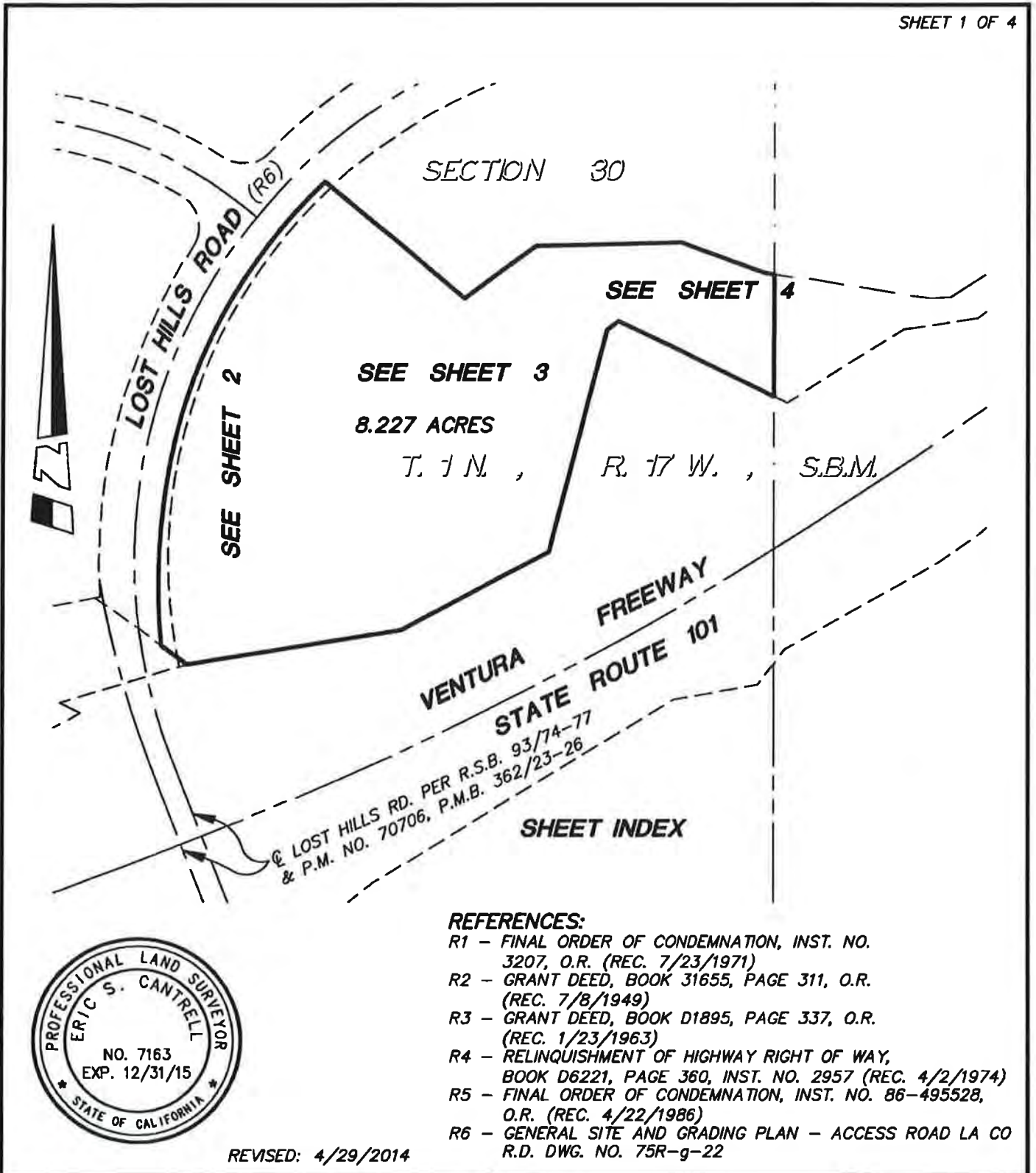
*Exhibit K: Right-Of-Entry Permit Boundaries*



**LOST HILLS INTERCHANGE IMPROVEMENT EXHIBIT**

**PARSONS**  
 100 West Walnut Street  
 Pasadena, California 91124  
 Phone: 626.440.6100  
 Fax: 626.440.6155  
 parsons.com






REVISED: 4/29/2014

**REFERENCES:**

- R1 - FINAL ORDER OF CONDEMNATION, INST. NO. 3207, O.R. (REC. 7/23/1971)
- R2 - GRANT DEED, BOOK 31655, PAGE 311, O.R. (REC. 7/8/1949)
- R3 - GRANT DEED, BOOK D1895, PAGE 337, O.R. (REC. 1/23/1963)
- R4 - RELINQUISHMENT OF HIGHWAY RIGHT OF WAY, BOOK D6221, PAGE 360, INST. NO. 2957 (REC. 4/2/1974)
- R5 - FINAL ORDER OF CONDEMNATION, INST. NO. 86-495528, O.R. (REC. 4/22/1986)
- R6 - GENERAL SITE AND GRADING PLAN - ACCESS ROAD LA CO R.D. DWG. NO. 75R-g-22

**HUITT-ZOLLARS**  
 Huitt-Zollars, Inc. Irvine  
 2603 Main Street, Suite 400, Irvine, CA 92614  
 Phone (949) 988-5815 Fax (949) 988-5820

APPROVED BY  
  
 4-29-14

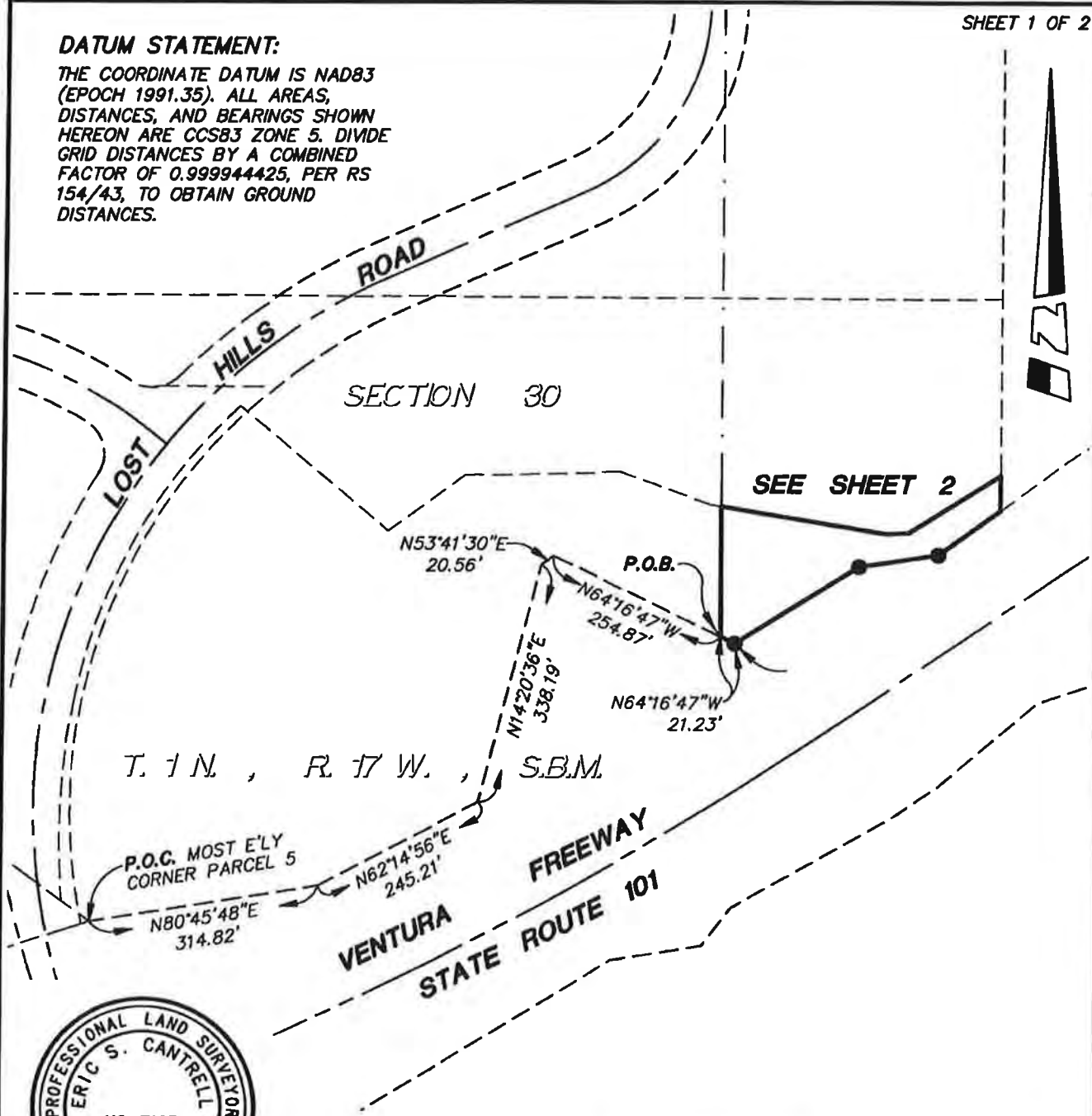
SKETCH TO ACCOMPANY  
 A LEGAL DESCRIPTION

**EXHIBIT 'B'**  
**CALTRANS**  
**RIGHT-OF-WAY**  
**ACQUISITION**

SCALE	1"=200'
DRAWN BY	DWM
CHECKED BY	ESC
DATE	4/1/2014
JOB NO.	R190062.01

**DATUM STATEMENT:**

THE COORDINATE DATUM IS NAD83 (EPOCH 1991.35). ALL AREAS, DISTANCES, AND BEARINGS SHOWN HEREON ARE CCS83 ZONE 5. DIVIDE GRID DISTANCES BY A COMBINED FACTOR OF 0.999944425, PER RS 154/43, TO OBTAIN GROUND DISTANCES.



**LEGEND**

- RIGHT-OF-ENTRY AREA
- - - SECTION LINE
- MONUMENT FOUND AS NOTED

**HUITT-ZOLLARS**

Huitt-Zollars, Inc. Irvine  
 2603 Main Street, Suite 400, Irvine, CA 92614  
 Phone (949) 988-5815 Fax (949) 988-5820

APPROVED BY  
 5/28/14

SKETCH TO ACCOMPANY  
 A LEGAL DESCRIPTION

**EXHIBIT 'B'**  
**CALTRANS EASTERLY  
 RIGHT-OF-WAY  
 ACQUISITION**

SCALE	1"=200'
DRAWN BY	MCJ
CHECKED BY	ESC
DATE	5/27/2014
JOB NO.	R190062.01

**EXHIBIT C**

**FOR ITEM 3**

**WILL BE PROVIDED WHEN  
IT IS RECEIVED FROM THE  
COUNTY OF LOS ANGELES**

# Appraisal Report

**Appraisal of:**

County of Los Angeles Property  
Portions of APNs 2052-013-901, 2052-012-902, 903, 904 &  
905

**Located at:**

US-101/Lost Hills Interchange  
Calabasas, Los Angeles County, CA

**Date of Report:**

June 6, 2014

**Date of Value:**

June 6, 2014

**Prepared For:**

Mr. Robert Yalda, P.E., T.E.  
Director of Public Works  
**City of Calabasas**  
100 Civic Center Way  
Calabasas, CA 91302

**Prepared By:**

**Overland, Pacific & Cutler, Inc.**

1 Jenner, Suite 200  
Irvine, CA 92618

Ph: 949.951.5263

Fx: 949.951.6651

[www.opcservices.com](http://www.opcservices.com)





1 Jenner, Suite 200  
Irvine, CA 92618  
949.951.5263 ph | 949.951.6651 fax

June 6, 2014

Mr. Robert Yalda, P.E., T.E.  
Director of Public Works  
**City of Calabasas**  
100 Civic Center Way  
Calabasas, CA 91302

**RE: Appraisal of: County of Los Angeles Property  
US-101/Lost Hills Interchange, Los Angeles County, CA  
Portions of APN(s): 2052-013-901, 2052-012-902, 903, 904 & 905  
OPC Project Code: PTG-003**

Dear Mr. Yalda:

At your request and authorization, we the undersigned appraisers have prepared an Appraisal Report of the Fair Market value for the above referenced real property on an "As Is" basis. The interests appraised include Fee Simple as to the Larger Parcel, a partial Fee Simple Acquisition, an Easement for Access Control and a Temporary Construction Easement.

The data, information, and calculations leading to the value conclusion are incorporated in the report following this letter. The report, in its entirety, including all assumptions and limiting conditions, is an integral part of, and inseparable from, this letter. Any special assumptions and limiting considerations were especially noted in Section 2 of this report. Your attention is directed to the "General Assumptions and Limiting Conditions" which are part of this report. We suggest that you thoroughly read and familiarize yourself with these, since the appraisal is based upon these assumptions.

The following appraisal sets forth the most pertinent data gathered, the techniques employed, and the reasoning leading to the opinion of value. The analyses, opinions and conclusions were developed based on, and this report has been prepared in conformance with, our interpretation of the guidelines and recommendations set forth in the Uniform Standards of Professional Appraisal Practice (USPAP) and the Code of Professional Ethics of the Appraisal Institute.

The Valuation Services Group of Overland, Pacific & Cutler, Inc. does not authorize the out-of-context quoting from or partial reprinting of this appraisal report. Further, neither all nor any part of this appraisal report shall be disseminated to the general public by the use of media for public communication without the prior written consent of the appraisers signing this report.



This appraisal report employs the following extraordinary assumptions and hypothetical conditions:

- **The subject's** true *legal larger parcel* consists of eleven (11) separate APNs and encompasses approximately 491 acres; the bulk of which is currently being used as the Lost Hills Landfill (please see legal description and plat map of legal larger parcel in the Addenda Section of this report). The area proposed for acquisition is located in the southeast portion of the *legal larger parcel* and none of the land within the acquisition area is currently being utilized as part of the actual, physical landfill. The scope of our assignment has been to appraise the portion of the property in question, exclusive of all landfill operations. Therefore, for the purposes of this appraisal report, the appraisers have defined the larger parcel as a portion of APNs 2052-013-901, 2052-012-902, 903, 904 & 905, totaling approximately **21.32 acres (according to the Assessor's Parcel Maps and the RealQuest Mapping Tool)**. The reader is referred to the exhibit on page 38 of this report for a visual depiction of this area. Although portions of these APNs do extend into the physical landfill area, the larger parcel, as defined for the purposes of this report, is considered to be exclusive of these areas. In other words, this appraisal is based on the ***hypothetical condition*** that the subject larger parcel is the 21.32 acre portion consisting of APNs 2052-013-901, 2052-012-902, 903, 904 & 905 and depicted in the exhibit on page 38 of this report. Use of this hypothetical condition may have affected assignment results.
- The larger parcel is subject to an existing Joint Powers Agreement ("JPA") and provides exclusive use to the County of Los Angeles Sanitary District for the operation of the Lost Hills Landfill. This JPA establishes the larger parcel and nearby property for use as a sanitary landfill and refuse disposal. According to the agreement, when the land is no longer necessary for or useful in continuing refuse disposal operations, it will be brought to finished elevation and grade (at the expense of the Sanitary District) and is intended for use as a park and recreation facilities. The County would retain the full and unrestricted enjoyment in employing the land for park and recreation purposes. This appraisal relies on the ***hypothetical condition*** that the subject has already fulfilled all its purposes as a landfill in accordance with the agreement and has been brought to a condition that is appropriate for open space park and recreation facilities. The use of this hypothetical condition may have affected assignment results.
- A preliminary title report from Commonwealth Land Title Company dated March 20, 2014, was provided to the appraisers by the client; however, the PTR only covers APNs 2052-012-903, 904 & 905. Public records indicate that the other APNs comprising the subject larger parcel are also owned by the County of Los Angeles. In the absence of a title report covering the remainder of the subject larger parcel, it is an ***extraordinary assumption*** of this report that the remaining APNs are also owned by the County of Los Angeles. If found to be false, the use of this extraordinary assumption may have impacted the results of this assignment.
- This appraisal is based on the ***extraordinary assumption*** that there are no environmentally sensitive species and/or habitat impacting the subject property. We have not been provided with any environmental surveys or studies in the course of this assignment. Use of this extraordinary assumption may impact the valuation contained in this report.

June 6, 2014  
Mr. Yalda  
Page 3

Based upon the results of our investigation and analyses contained in the following report, the estimated compensation based on Fair Market Value as of June 6, 2014 is:

**\$729,000**

**SEVEN HUNDRED TWENTY-NINE THOUSAND DOLLARS**

Please refer to the attached appraisal report, plus exhibits, for documentation of these value estimates contained herein.

Respectfully submitted,  
**Overland, Pacific & Cutler, Inc.**



Kevin J. Donahue, MAI  
Managing Director, Valuation Services of  
Certified General Real Estate Appraiser  
CA License #AG015779



Chris LaBonte, SR/WA, R/W-AC  
Valuation Analyst



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## Section 1 - Summary of Salient Facts

<b>Property reference:</b>	County of Los Angeles Property
<b>Address:</b>	None
<b>Location:</b>	NEC US-101/Lost Hills Interchange, Calabasas, CA
<b>APN(s)</b>	Portions of 2052-013-901, 2052-012-902, 903, 904 & 905
<b>Property type:</b>	Open Space
<b>Report Format:</b>	Appraisal Report
<b>Date of appraisal report:</b>	June 6, 2014
<b>Date of value:</b>	June 6, 2014
<b>Date of site inspection:</b>	June 6, 2014
<b>Real estate interest appraised:</b>	Fee Simple Interest as to the Larger Parcel, as well as a fee simple acquisition, an access control easement and a temporary construction easement.
<b>Function of the appraisal:</b>	To provide a Fair Market Value basis for a right of way acquisition in connection with the Lost Hills Interchange project.
<b>Site description:</b>	The subject site consists of approximately 21.32 acres of unimproved, open space land with undulating topography. For a further discussion of the larger parcel, please see "Additional Conditions" below.
<b>Improvements Description:</b>	None
<b>Portion to be Acquired:</b>	The proposed partial acquisition consists of a fee simple acquisition of 8.907 AC; an easement for Access Control of 547 lf; and a Temporary Construction Easement of 3.136 AC for a duration of 24 months.
<b>Highest and Best Use:</b>	Open Space Land
<b>Estimated Compensation:</b>	\$729,000
<b>Additional Conditions:</b>	The subject's true <i>legal larger parcel</i> consists of 11 separate APNs and encompasses approximately 491 acres; the bulk of which is currently being used as the Lost Hills Landfill (please see legal description and plat map of legal larger parcel in the Addenda Section of this report). The area proposed for acquisition is located in the southeast portion of the <i>legal larger parcel</i> and none of the land within the acquisition area is currently being utilized as part of the actual, physical landfill. The scope of our assignment has been to appraise the portion of the property in question, exclusive of all landfill operations. Therefore, for the purposes of this appraisal report, the appraisers have defined the larger parcel as a portion of APNs 2052-013-901, 2052-012-902, 903, 904 & 905, totaling approximately 21.32 acres (according to the Assessor's Parcel Maps and the RealQuest Mapping Tool). The reader is referred to the exhibit on page 38 of this report for a visual depiction of this area. Although portions of these APNs do extend into the physical landfill area, the larger parcel, as defined for the purposes of this report, is considered to be exclusive of these areas. In other words, this appraisal is based on the <b>hypothetical condition</b> that the subject larger parcel is the 21.32 acre portion consisting of APNs 2052-013-901, 2052-012-902, 903, 904 & 905 and depicted in the exhibit on page 38 of this report. Use of this <b>hypothetical condition</b> may have affected assignment results.

The larger parcel is subject to an existing Joint Powers Agreement ("JPA") and provides exclusive use to the County of Los Angeles Sanitary District for the operation of the Lost Hills Landfill. This JPA establishes the larger parcel and nearby property for use as a sanitary landfill and refuse disposal. According to the agreement, when the land is no longer necessary for or useful in continuing refuse disposal operations, it will be brought to finished elevation and grade (at the expense of the Sanitary District) and is intended for use as a park and recreation facilities. The County would retain the full and unrestricted enjoyment in employing the land for park and recreation purposes. This appraisal relies on the **hypothetical condition** that the subject has already fulfilled all its purposes as a landfill in accordance with the agreement and has been brought to a condition that is appropriate for open space park and recreation facilities. The use of this hypothetical condition may have affected assignment results.

A preliminary title report from Commonwealth Land Title Company dated March 20, 2014, was provided to the appraisers by the client; however, the PTR only covers APNs 2052-012-903, 904 & 905. Public records indicate that the other APNs comprising the subject larger parcel are also owned by the County of Los Angeles. In the absence of a title report covering the remainder of the subject larger parcel, it is an **extraordinary assumption** of this report that the remaining APNs are also owned by the County of Los Angeles. If found to be false, the use of this extraordinary assumption may have impacted the results of this assignment.

This appraisal is based on the **extraordinary assumption** that there are no environmentally sensitive species and/or habitat impacting the subject property. We have not been provided with any environmental surveys or studies in the course of this assignment. Use of this extraordinary assumption may impact the valuation contained in this report.

<b>Value Recapitulation</b>	
Value of the Larger Parcel (Land Only):	\$ 1,599,000
Value of the Parts Acquired (Land Only):	\$ 668,525
Value of the Remainder As Part of the Whole (Land Only):	\$ 930,475
Value of the Remainder 'After' (Land Only):	\$ 930,475
Incurable Severance Damages	\$ 0
Cost To Cure	\$ 0
Benefits:	N/A
Value of the Site Improvements Acquired:	\$ 8,527
Parts Rented (Temporary Construction Easement) (24 months)	\$ 51,744
Replacement of TCE Site Improvements	N/A
<b>Total Estimated Compensation</b>	\$ 728,796
	<b>Rounded \$ 729,000</b>

**\$729,000**

**SEVEN HUNDRED TWENTY-NINE THOUSAND DOLLARS**



## Section 2 – Certification and Limiting Conditions

---

### Certification

#### I certify that, to the best of my knowledge and belief:

- ❖ The statements of fact contained in this report are true and correct.
- ❖ The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions and are my personal, impartial, and unbiased professional analyses, opinions, and conclusions.
- ❖ I have no present or prospective interest in the property that is the subject of this report and no personal interest with respect to the parties involved.
- ❖ I have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.
- ❖ My engagement in this assignment was not contingent upon developing or reporting predetermined results.
- ❖ My compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
- ❖ My analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the *Uniform Standards of Professional Appraisal Practice*.
- ❖ I have made a personal inspection of the property that is the subject of this report.
- ❖ No one provided significant real property appraisal assistance to the person signing this certification other than persons co-signing the appraisal or designated in the transmittal letter.
- ❖ The reported analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Code of Professional Ethics and Standards of Professional Appraisal Practice of the Appraisal Institute.
- ❖ The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.
- ❖ The undersigned certifies that no appraisal services regarding the subject property were provided within the three (3) years immediately preceding acceptance of this assignment.
- ❖ As of the date of this report, I, Kevin J. Donahue, MAI, have completed the continuing education program for Designated Members of the Appraisal Institute.



June 6, 2014

Kevin J. Donahue, MAI, Managing Director  
Valuation Services of Overland, Pacific & Cutler, Inc.  
Certified General Real Estate Appraiser  
CA License #AG015779

## Certification

### I certify that, to the best of my knowledge and belief:

- ❖ The statements of fact contained in this report are true and correct.
- ❖ The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions and are my personal, impartial, and unbiased professional analyses, opinions, and conclusions.
- ❖ I have no present or prospective interest in the property that is the subject of this report and no personal interest with respect to the parties involved.
- ❖ I have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.
- ❖ My engagement in this assignment was not contingent upon developing or reporting predetermined results.
- ❖ My compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
- ❖ My analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the *Uniform Standards of Professional Appraisal Practice*.
- ❖ I have made a personal inspection of the property that is the subject of this report.
- ❖ No one provided significant real property appraisal assistance to the person signing this certification other than persons co-signing the appraisal or designated in the transmittal letter.
- ❖ The reported analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Code of Professional Ethics and Standards of Professional Appraisal Practice of the Appraisal Institute.
- ❖ The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.
- ❖ The undersigned certified that no services regarding the subject property were provided within the three (3) years immediately preceding acceptance of this assignment, as an appraiser or in any capacity.
- ❖ As of this date, I, Chris LaBonte, have completed the Standards and Ethics Education Requirement of the Appraisal Institute for Associate Members/Practicing Affiliates.



June 6, 2014

Chris LaBonte, SR/WA, R/W-AC  
Valuation Analyst  
Overland, Pacific & Cutler, Inc.

## **General Assumptions & Limiting Conditions**

### **Information Used:**

No responsibility is assumed for accuracy of information furnished by others or from others, including the client, its officers and employees, or public records. Neither Overland, Pacific & Cutler, Inc. nor Kevin J. Donahue, MAI, nor Chris LaBonte is liable for such information or for the work of contractors, subcontractors and engineers. To the extent possible, the comparable data relied upon in this appraisal has been confirmed with one or more parties familiar with the transaction unless otherwise noted; all are considered appropriate for inclusion to the best of my factual judgment and knowledge.

Research staff working with the appraisers may have gathered certain information, upon which the opinions and values are in part based. Names, professional qualifications and extent of their participation can be furnished to the client upon request.

### **Legal, Engineering, Financial, Structural or Mechanical Nature, Hidden Components, Soil:**

No responsibility is assumed for legal matters or matters of survey, or of any architectural, structural, mechanical or engineering nature. No opinion is rendered as to the legal nature or condition of the title to the property, which is presumed to be good and marketable. The property is appraised assuming it is free and clear of all mortgages, liens or encumbrances, unless otherwise stated in particular parts of this report.

The legal description is presumed to be correct, but we have not confirmed it by survey or otherwise. We assume no responsibility for the survey, any encroachments or overlapping or other discrepancies that might be later revealed.

We have inspected, as far as possible by observation, the land and improvements thereon; however, it was not possible to personally observe conditions beneath the soil or hidden structures, or other components, or any mechanical components within the improvement; as a result, no representation is made herein as to such matters unless otherwise specifically stated. The estimated market value assumes that no such conditions exist that would cause a loss of value. We do not warrant against the occurrence of problems arising from any of these conditions. It is assumed that there are no hidden or unapparent conditions to the property, soil, subsoil or structures, which would render them more or less valuable. No responsibility is assumed for any such conditions or for any expense or engineering to discover them. All mechanical and HVAC components are assumed to be in operating condition standard for the properties of the subject's type and are considered to be commensurate with the condition of the balance of the improvements, unless otherwise stated. No judgment is made as to the adequacy of insulation, engineering or energy efficiency of the improvements or equipment.

Information relating to the location or existence of public utilities has been obtained through verbal inquiry to the appropriate utility authority, or has been ascertained from visual evidence. No warranty has been made regarding the exact location or capacities of public utility systems. Subsurface oil, gas or mineral rights were not considered in this report unless otherwise stated.

### **Legality of Use:**

The appraisal is based on the premise that there is or will be full compliance with all applicable federal, state and local environmental regulations and laws, unless otherwise stated in the report; and that all appropriate zoning, building and use regulations and restrictions of all types have been or will be complied with and required licenses, consent, permits or other authority, whether local, state, federal and/or private, have been or can be obtained or renewed for the use intended and considered in the value estimate.

### **Component Values:**

A report related to an estate that is less than the whole fee simple estate applies only to the fractional interest involved. The value of this fractional interest, plus the value of all other fractional interests, may or may not equal the value of the entire fee simple estate considered as a whole. A report relating to the

geographic portion of a larger property applies only to such geographic portion and should not be considered as applying with equal validity to other portions of the larger property or tract. The value for such geographic portions, plus the value of all other geographic portions, may or may not equal the value of the entire property or tract considered as a single entity.

All valuations in the report are applicable only under the opined highest and best use and are not necessarily appropriate under other uses.

**Auxiliary/Related Studies:**

No environmental or impact studies, special market study or analysis, highest and best use analysis study or feasibility study has been requested or made by me unless otherwise specified in this report or in my agreement for services. We reserve the unlimited right to alter, amend, revise or rescind any of these statements, findings, opinions, values, estimates or conclusions upon any subsequent study or analysis or previous study or analysis that subsequently becomes available.

**Inclusions:**

Furnishings and equipment or business operations, except as otherwise specifically indicated, have been disregarded, with only the real estate being considered.

**Value Change, Dynamic Market Influences:**

The estimated value is subject to change with market changes over time. Value is highly related to interest rates, exposure, time, promotional effort, supply and demand, terms of sale, motivation and conditions surrounding the offering. The value estimate considers the productivity and relative attractiveness of the property both physically and economically in the marketplace.

The estimate of value in this report is not based in whole or in part upon race, color or national origin of the present owners or occupants of the properties in the vicinity of the property appraised.

In the event this appraisal includes the capitalization of income, the estimate of value is a reflection of such benefits and my interpretation of income and yields and other factors which were derived from general and specific market information. Such estimates are made as of the date of the estimate of value. As a result, they are subject to change, as the market is dynamic and may naturally change over time. The date upon which the value estimate applies is only as of the date of valuation, as stated in the letter of transmittal. The appraisal assumes no responsibility for economic or physical factors occurring at some later date which may affect the opinion stated herein.

An appraisal is the product of a professionally trained person, but nevertheless is an opinion only, and not a provable fact. As a personal opinion, a valuation may vary between appraisers based upon the same facts. Thus, the appraisers warrant only that the value conclusions are their best estimate as of the date of valuation. There are no guaranties, either written or implied, that the property would sell for the expressed estimate of value.

**Sales History:**

It is assumed that the subject title is marketable, but the title should be reviewed by legal counsel. Any information given by the appraisers as to a sales history is information that the appraisers have researched; to the best of our knowledge, this information is accurate, but not warranted.

**Property Management:**

It is assumed that the property which is the subject of this report will be under prudent and competent ownership and management over the entire life of the property. If prudent and competent management and ownership are not provided, this would have an adverse effect upon the value of the property appraised.



**Confidentiality:**

We are not entitled to divulge the material (evaluation or valuation) content of this report and analytical findings or conclusions, or give a copy of this report to anyone other than the client or his designee, as specified in writing, except as may be required by the Appraisal Institute, as they may request in confidence for ethic enforcement, or by a court of law with the power of subpoena.

All conclusions and opinions concerning the analyses as set forth herein are prepared by the appraisers whose signatures appear. No change of any item in the report shall be made by anyone other than the appraisers, any opinion herein with respect to the existence or absence of fact is qualified by the phrase or phrases "to the best of our knowledge", "it appears" or "indicated", it is intended to indicate that, during the course of our review and investigation of the property, no information has come to our attention which would provide actual knowledge of the existence or absence of such facts.

The client shall notify the appraisers of any error, omission or invalid data herein within 10 days of receipt and return of the report, along with all copies, to the appraisers for corrections prior to any use whatsoever. Neither our names nor this report may be used in connection with any financing plans which would be classified as a public offering under State or Federal Security Laws.

**Copies, Publication, Distribution, Use of Report:**

Possession of this report, or any copy thereof, does not carry with it the right of publication, nor may it be used for other than its intended use. The physical report remains the property of the firm for the use of the client, with the fee being for the analytical services only. This report may not be used for any purpose by any person or corporation other than the client or the party to whom the report is addressed. Additional copies may not be made without the written consent of an officer of the firm, and then only in its entirety.

Neither all nor any part of the contents of this report shall be conveyed to the public through advertising, public relations effort, news, sales or other media without our prior written consent and approval of the client.

**Trade Secrets:**

This appraisal was obtained from Overland, Pacific & Cutler, Inc. or related companies and/or its individuals and consists of "trade secrets and commercial or financial information" which is privileged and confidential. Notify the appraisers signing the report or an officer of Overland, Pacific & Cutler, Inc. of any request to reproduce this report in whole or in part.

**Authentic Copies:**

Any copy that does not have original signatures of the appraisers is unauthorized and may have been altered and, therefore, is considered invalid.

**Testimony, Consultation, Completion of Contract for Appraisal Services:**

A contract for appraisal, consultation or analytical services is fulfilled and the total fee payable upon completion of the report. The appraisers or those assisting in the preparation of the report will not be asked or required to give testimony in court or hearing because of having made the appraisal in full or in part, nor will they be asked or required to engage in post-appraisal consultation with the client or third parties except under separate and special arrangement and at an additional fee.

Any subsequent copies of this appraisal report will be furnished on a cost plus expenses basis, to be negotiated at the time of request.

**Limit of Liability:**

Liability of the firm and the associates is limited to the fee collected for the preparation of the appraisal. There is no accountability or liability to any third party.



### **Fee:**

The fee for this appraisal or study is for the service rendered, and not for time spent on the physical report. The acceptance of the report by the client takes with it the agreement and acknowledgement that the client will pay the negotiated fee, whether said agreement was verbal or written. The fee is in no way contingent on the value estimated.

### **Extraordinary Assumptions and Hypothetical Conditions:**

This appraisal report employs the following extraordinary assumptions and hypothetical conditions:

- **The subject's true *legal larger parcel*** consists of 11 separate APNs and encompasses approximately 491 Acres, the bulk of which is currently being used as the Lost Hills Landfill (please see legal description and plat map of legal larger parcel in the Addenda Section of this report). The area proposed for acquisition is located in the southeast portion of the *legal larger parcel* and none of the land within the acquisition area is currently being utilized as part of the actual, physical landfill. The scope of our assignment has been to appraise the portion of the property in question, exclusive of all landfill operations. Therefore, for the purposes of this appraisal report, the appraisers have defined the larger parcel as a portion of APNs 2052-013-901, 2052-012-902, 903, 904 & 905, totaling **approximately 21.32 acres (according to the Assessor's Parcel Maps and the RealQuest Mapping Tool)**. The reader is referred to the exhibit on page 38 of this report for a visual depiction of this area. Although portions of these APNs do extend into the physical landfill area, the larger parcel, as defined for the purposes of this report, is considered to be exclusive of these areas. In other words, this appraisal is based on the ***hypothetical condition*** that the subject larger parcel is the 21.32 acre portion consisting of APNs 2052-013-901, 2052-012-902, 903, 904 & 905 and depicted in the exhibit on page 38 of this report. Use of this hypothetical condition may have affected assignment results.
- The larger parcel is subject to an existing Joint Powers Agreement (JPA) and provides exclusive use to the County of Los Angeles Sanitary District for the operation of the Lost Hills Landfill. This JPA establishes the larger parcel and nearby property for use as a sanitary landfill and refuse disposal. According to the agreement, when the land is no longer necessary for or useful in continuing refuse disposal operations, it will be brought to finished elevation and grade (at the expense of the Sanitary District) and is intended for use as a park and recreation facilities. The County would retain the full and unrestricted enjoyment in employing the land for park and recreation purposes. This appraisal relies on the ***hypothetical condition*** that the subject has already fulfilled all its purposes as a landfill in accordance with the agreement and has been brought to a condition that is appropriate for open space park and recreation facilities. The use of this hypothetical condition may have affected assignment results.
- A preliminary title report from Commonwealth Land Title Company dated March 20, 2014, was provided to the appraisers by the client. However, the PTR only covers APNs 2052-012-903, 904 & 905. Public records indicate that the other APNs comprising the subject larger parcel are also owned by the County of Los Angeles. In the absence of a title report covering the remainder of the subject larger parcel, it is an ***extraordinary assumption*** of this report that the remaining APNs are also owned by the County of Los Angeles. If found to be false, the use of this extraordinary assumption may have impacted the results of this assignment.
- This appraisal is based on the ***extraordinary assumption*** that there are no environmentally sensitive species and/or habitat impacting the subject property. We have not been provided with any environmental surveys or studies in the course of this assignment. Use of this extraordinary assumption may impact the valuation contained in this report.



## Section 3 – Premise of the Appraisal and Scope of Work

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### **Purpose of Appraisal**

The purpose of this appraisal is to estimate the fair market value associated with the portions to be acquired on the property described on an “As Is” basis, under the reporting requirements of the Uniform Standards of Professional Appraisal Practice (USPAP), as defined by the Appraisal Foundation.

### **Function of Appraisal**

The function of this report is to provide a Fair Market Value basis for proposed public acquisition.

### **Competency of Appraisers**

The appraisers' specific qualifications are included within this report. These qualifications serve as evidence of their competence for the completion of this appraisal assignment in compliance with the competency provision contained within the Uniform Standards of Professional Appraisal Practice as promulgated by the Appraisal Standards Board of the Appraisal Foundation. The appraisers' knowledge and experience, combined with their professional qualifications, are commensurate with the complexity of this assignment based on the following:

- ❖ professional experience;
- ❖ educational background and training; and
- ❖ business, professional, academic affiliations and activities.

The appraisers have previously provided consultation and value estimates for various properties, including open space land, in California.

### **Scope of Assignment**

This is an “appraisal report” which is intended to comply with the reporting requirements set forth under Standards Rule 2-2(a) of the Uniform Standards of Professional Appraisal Practice of The Appraisal Foundation and in substantial compliance with the Caltrans Right Of Way Manual.

The scope of this appraisal has been to collect, confirm, and report data. Other general market data and **conditions have been considered. Consideration has been given the property’s zoning surrounding improvements and neighborhood.** The work performed for this assignment included:

- ❖ An inspection of the property being appraised, as well as the neighborhood in which it is located. This inspection was conducted from the subject grounds and the public right of way. During the inspection, an inventory of the property attributes was collected based on visual observation. (NOTE: **The term “inspection” should not be construed to be a professional engineer’s report concerning the condition of the building, structural integrity, or condition of any mechanical items. If the client has concerns of this type, a professional engineer’s inspection and report are recommended.** “That type of inspection is beyond the scope of work of this assignment and the professional abilities of a certified appraiser.” This inspection is made only for observation of property attributes).
- ❖ Investigation of **public records for the property’s zoning, flood hazard area classification, property tax assessor’s records, for attributes of the property.**
- ❖ Consideration of the highest and best use.
- ❖ Collection and analysis of sales, listings and contracts of sale to form a value estimate using the Sales Comparison Approach.

❖ **Preparation of a written report:**

To develop the opinion of value, the appraisers performed an appraisal as defined by the Uniform Standards of Professional Appraisal Practice (USPAP). In this Appraisal, we used the Sales Comparison Approach to value. Other approaches, if any, were not applicable or not necessary to develop a reliable value indication. Furthermore, the value conclusion reflects all information about the subject, market conditions, and available data. This appraisal of the subject has been presented in the form of an Appraisal Report, which is intended to comply with the reporting requirements set forth under Standards Rule 2-2(a) of USPAP.

**Property Rights Appraised**

The property ownership rights appraised in this appraisal are those known as "Fee Simple", "Access Control" "Easement" and "Temporary Easement".

- ❖ "Fee Simple" interest is defined as *"absolute ownership unencumbered by any other interest or estate, subject only to the limitations imposed by the governmental powers of taxation, eminent domain, police power and escheat."*<sup>1</sup>
- ❖ "Easement" is defined as *"The right to use another's land for a stated purpose."*<sup>2</sup>
- ❖ "Access" is defined as *"The means of physical entrance into or upon a property; usually from a street; a path through a neighborhood by which a property is approached."*<sup>3</sup>
- ❖ "Temporary Easement" is defined as *"An easement granted for a specific purpose and applicable for a specific time period"*<sup>4</sup>

**Client**

The Client is Parsons Transportation Group.

**Intended Use of Appraisal**

The intended use of the appraisal is to assist our client, the City of Calabasas, in the proposed acquisitions described herein.

**Intended Users of Appraisal**

The intended users are the appropriate authorities and/or representatives of the City of Calabasas, Parsons Transportation Group and Overland, Pacific & Cutler, Inc.

**Value Definition:**

The following definitions and discussions are extracted from the State of California Code of Civil Procedure, Title 7, Eminent Domain Law (New), and Chapter 9.

**Fair Market Value:**

Article 4. Measure of Compensation for Property

1263.320 (a)

The fair market value of the property taken is the highest price on the date of valuation that would be agreed to by a seller, being willing to sell but under no particular or urgent necessity for so doing, nor obliged to sell, and a buyer, being ready, willing and able to buy but under no particular necessity for doing so, each dealing with the other with full knowledge of all the uses and purposes for which the property is reasonably adaptable and available.

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<sup>1</sup> The Dictionary of Real Estate Appraisal, Fifth edition, The Appraisal Institute, Chicago, Illinois (U.S., 2010), page 78

<sup>2</sup> The Dictionary of Real Estate Appraisal, Fifth edition, The Appraisal Institute, Chicago, Illinois (U.S., 2010), Page 63

<sup>3</sup> The Dictionary of Real Estate Appraisal, Fifth edition, The Appraisal Institute, Chicago, Illinois (U.S., 2010), Page 2

<sup>4</sup> The Dictionary of Real Estate Appraisal, Fifth edition, The Appraisal Institute, Chicago, Illinois (U.S., 2010), Page 195



- (b) The fair market value of the property taken for which there is no relevant comparable market is its value on the date of valuation as determined by any method of valuation that is just and equitable.

1263.330 The fair market value of the property taken shall not include any increase or decrease in the value of the property that is attributable to any of the following:

- (a) The project for which the property is taken;
- (b) The eminent domain proceeding in which the property is taken;
- (c) Any preliminary actions of the plaintiff relating to the taking of the property.

**Value Estimate Date**

The values estimated in this appraisal report are applicable as of: June 6, 2014.

**Property Inspection Date**

The subject property was inspected on June 6, 2014.

**Property Identification**

The property that is the subject of this report is identified as:

<b>Reference</b>	The County of Los Angeles/City of Calabasas Property
<b>Location:</b>	US-101/Lost Hills Interchange, Calabasas, CA
<b>County:</b>	Los Angeles
<b>Legal:</b>	Refer to the Addenda Section for a complete legal description
<b>Current owners of record*:</b>	A preliminary title report from Commonwealth Land Title Company dated March 20, 2014, was provided to the appraisers by the client, indicating ownership by the County of Los Angeles. However, the PTR only covers APNs 2052-012-903, 904 & 905. Public records indicate that the other APNs comprising the subject larger parcel are also owned by the County of Los Angeles. In the absence of a title report covering the remainder of the subject larger parcel, it is an <b>extraordinary assumption</b> of this report that the remaining APNs are also owned by the County of Los Angeles. If found to be false, the use of this extraordinary assumption may have impacted the results of this assignment.
<b>Larger Parcel:</b>	The subject's true <i>legal larger parcel</i> consists of 11 separate APNs and encompasses approximately 491 Acres, the bulk of which is currently being used as the Lost Hills Landfill (please see legal description and plat map of legal larger parcel in the Addenda Section of this report). The area proposed for acquisition is located in the southeast portion of the <i>legal larger parcel</i> and none of the land within the acquisition area is currently being utilized as part of the actual, physical landfill. The scope of our assignment has been to appraise the portion of the property in question, exclusive of all landfill operations. Therefore, for the purposes of this appraisal report, the appraisers have defined the larger parcel as a portion of APNs 2052-013-901, 2052-012-902, 903, 904 & 905, totaling approximately <b>21.32 acres (according to the Assessor's Parcel Maps and the RealQuest Mapping Tool)</b> . The reader is referred to the exhibit on page 38 of this report for a visual depiction of this area. Although portions of these APNs do extend into the physical landfill area, the larger parcel, as defined for the purposes of this report, is considered to be exclusive of these areas. In other words, this appraisal is based on the <b>hypothetical condition</b> that the subject larger parcel is the 21.32 acre portion consisting of APNs 2052-013-901, 2052-012-



	902, 903, 904 & 905 and depicted in the exhibit on page 38 of this report. Use of this hypothetical condition may have affected assignment results.
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### **History of the Property:**

The Uniform Standards of Professional Appraisal Practice requires a statement of the sales history of the subject property for the three (3) years prior to the appraisal date, and Caltrans requires a statement of the sales history of the subject property for five (5) years prior to the appraisal date. There have been no market sales, listings or contract agreements known to the appraiser in the last five years.

### **Appraisal Analysis/Report Type:**

The Appraisal Standards Board issues rules and guidelines from which all appraisals and resulting reports are made. The process of administration of those rules and guidelines is addressed to the Real Estate Appraiser Commission of each respective state. The Appraisal Standards Board issues the rules and guidelines in the form of a document update published each year by The Appraisal Foundation. That document is entitled "The Uniform Standards of Professional Appraisal Practice" (USPAP).

The analysis process is composed of several distinctive steps that appraisers follow to gain a thorough understanding of the property and factors that affect its value.

**There are two types of reports: the Appraisal Report and Restricted Report; this is an "Appraisal" Report.**

### **Exposure Time**

Exposure time is the estimated length of time the property would have been offered prior to a hypothetical market value sale on the effective date of appraisal. It is a retrospective estimate based on an analysis of recent past events, assuming a competitive and open market. It assumes not only adequate, sufficient, and reasonable time but also adequate, sufficient, and reasonable marketing effort. Exposure time is therefore interrelated with appraisal conclusion of value.

An estimate of exposure time is not intended to be a prediction of a date of sale or a simple one-line statement. Instead, it is an integral part of the appraisal analysis and is based on one or more of the following:

- ❖ statistical information about days on the market;
- ❖ information gathered through sales verification; and
- ❖ interviews of market participants.

The reasonable exposure period is a function of price, time and use. It is not an isolated estimate of time alone. Exposure time is different for various types of real estate and under various market conditions.

In consideration of these factors, we have analyzed the following:

- ❖ exposure periods of comparable data revealed during the course of this appraisal;
- ❖ interview records of knowledgeable real estate professionals.

Based on the foregoing analysis, an exposure time of nine to twelve (9-12) months is reasonable, defensible, and appropriate. This exposure time assumes the subject would have been competitively priced and aggressively promoted within the market area.

### **Marketing Time**

Marketing time is the period a prospective investor would forecast to sell the subject property immediately after the date of value, at the value estimated. The marketing time is an estimate of the number of months it will require to sell the subject property from the date of value, into the future. The anticipated marketing time is essentially a measure of the perceived level of risk associated with the marketability, or liquidity, of the subject property. The marketing time estimate is based on the data

used in estimating the reasonable exposure time, in addition to an analysis of the anticipated changes in market conditions following the date of appraisal. The future price for the subject (at the end of the marketing time) may or may not equal the appraisal estimate. The future price depends on unpredictable changes in the physical real estate, demographic and economic trends, real estate markets in general, supply/demand characteristics for the property type, and many other factors.

Based on the premise that present market conditions are the best indicators of future performance, a prudent investor would forecast that, under the conditions described above, the subject would require a marketing time of nine to twelve (9-12) months.

## Section 4 – Presentation of Data Collected

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### Los Angeles County

Los Angeles County is by far the most populous county in the United States. The county seat is the City of Los Angeles. The county is home to eighty-eight (88) incorporated cities and many unincorporated areas. The coastal portion of the county is somewhat urbanized, though there is a large expanse of lesser populated desert which encompasses the northeastern parts of the county. All of southern Los Angeles County, north to about the center of the county, is heavily urbanized. Los Angeles County has the highest population of any census-designated area in the United States. *The California Department of Finance* estimated that Los Angeles County had a 2013 population of 9,958,091; up 0.7% from 2012.



This county holds most of the principal cities encompassing the Greater Los Angeles Basin and is the most important of the five (5) counties that make up the area. According to the United States Conference of Mayors, if Los Angeles County were a nation, it would boast a GDP among the twenty largest countries in the world. Counties surrounding Los Angeles County are as follows: Kern County to the north, San Bernardino County to the east, Orange County to the south & the Pacific Ocean and Ventura County form the western border. (*Wikipedia*)

### **Regional Circulation and Transportation**

Los Angeles County has twenty-seven (27) major highway routes throughout the County. Some freeways of particular note are: Interstate 5 (north to Sacramento and south to San Diego), Interstate 15 (north to Las Vegas and south to San Diego), U.S. Route 101 (north to Santa Barbara), and Interstate 10 (east to Phoenix). These and other freeways link to the entire Los Angeles Basin freeway network.

Rail freight service is provided by the Burlington Northern Santa Fe and the Union Pacific Railroads whose lines lead to the central and eastern United States. Locally, the Metropolitan Transit Authority provides bus and light rail transportation. In the Los Angeles metropolitan area there are six (6) commercial airports and many more general-aviation airports. The primary Los Angeles airport is Los Angeles International Airport (LAX). As the sixth busiest commercial airport in the world and the third busiest in the United States, LAX handled 59 million passengers and 1.8 million tons of cargo in 2010.

The Port of Los Angeles is located in San Pedro Bay approximately 20 miles south of Downtown Los Angeles. The Port of Los Angeles, along with the Port of Long Beach, forms the largest seaport complex in the United States and the fifth busiest in the world. The port complex occupies 7,500 acres of land and water along 43 miles of waterfront. Today, the Port generates over 900,000 regional jobs and \$40.6 billion in annual revenue. A proprietary department of the City of Los Angeles, the Port is self-supporting and does not receive taxpayer dollars. At the Port of Los Angeles, high priority is placed on responsible and sustainable growth initiatives, combined with high security, environmental stewardship and community outreach. There are also smaller, non-industrial harbors along L.A.'s coastline. Most of these, like Redondo Beach and Marina Del Rey, are used primarily by sailboats and yachts. (*Wikipedia and Gov't website.*)

## **Employment and Economic Trends**

Los Angeles County is commonly associated with the entertainment industry. All six major film studios: Paramount Pictures, 20<sup>th</sup> Century Fox, Sony, Warner Bros., Universal Pictures, and Walt Disney Studios; all of which are located within the county. Beyond motion picture and television program production, other major industries of Los Angeles County are international trade supported by the Ports of Los Angeles and Long Beach. Other industries include music recording and production, aerospace, and professional services such as law and medicine.

The seasonally adjusted unemployment rate in Los Angeles County decreased over the month to 8.3% in April 2014 from a revised 8.7% in March 2014 and was below the rate of 10.0% one year ago. Civilian employment grew by 30,000 to 4,560,000 in April 2014, while unemployment decreased by 17,000 to 413,000 over the month. The civilian labor force increased by 12,000 over the month to 4,973,000 in April 2014. (All of the above figures are seasonally adjusted.) The unadjusted unemployment rate for the county was 7.6% in April 2014.

The California seasonally adjusted unemployment rate was 7.8% in April 2014, 8.1% in March 2014, and 9.1% a year ago in April 2013. The comparable estimates for the nation were 6.3% in April 2014, 6.7% in March 2014 and 7.5% a year ago.

**Between March 2014 and April 2014**, total nonfarm employment in Los Angeles County rose by 8,900 jobs to reach 4,182,900.

- ❖ Leisure and hospitality reported the largest month-over nonfarm employment change with an addition of 5,500 jobs. The job gains were most evident in accommodation and food services (up 3,200 jobs), and concentrated in food services and drinking places (up 2,800 jobs). This increase marks the start of seasonal employment expansion as employers gear up for the summer season.
- ❖ Trade, transportation, and utilities also increased payrolls with an addition of 2,400 jobs over the month. The overall job additions were equally divided between retail trade (up 1500 jobs), and transportation, warehousing and utilities (up 1500 jobs), but were offset by wholesale trade (down 600 jobs).
- ❖ Other industries that reported month-over job growth include educational and health services (up 2,200 jobs), construction (up 1,900), other services (up 1,100 jobs), financial activities (up 500 jobs), and professional and business services (up 500 jobs).

**Between April 2013 and April 2014**, total nonfarm employment in Los Angeles County expanded by 91,300 or 2.2%.

- ❖ Educational and health services (up 33,800 jobs) reported the largest job gain and accounted for more than one-third of the total nonfarm year-over employment growth in Los Angeles County. Health care and social assistance (up 29,000 jobs) accounted for 86% of the overall industry growth. Job gains in social assistance (up 23,100 jobs) were the main driver of growth in this industry.
- ❖ Professional and business services employment expanded by 26,100 jobs over the year. Employment services accounted for the majority of the growth with an addition 10,900 jobs. Employment in trade, transportation, and utilities (up 14,900 jobs) also increased over the year with most job gains made in retail trade (up 11,300 jobs).
- ❖ Manufacturing employment continued on its long-term descent with a year-over decrease of 11,500 jobs. Nondurable goods (down 7,100 jobs) accounted for most of the reduction. Financial activities reported a decline of 600 jobs. Finance and insurance (down 2,400 jobs) accounted for the year-over reduction, but the overall industry decline was offset by a sector-wide job expansion in real estate and rental and leasing (up 1,800 jobs).

## **Construction/Housing Market**

According to the Fourth Quarter 2013 *Real Estate and Construction Report*, single-family housing units in building permits in the 4<sup>th</sup> Quarter increased 16% from a year ago, multi-family soared 80% and total units increased 52%.

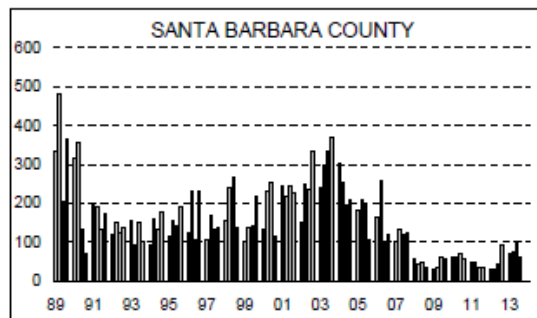
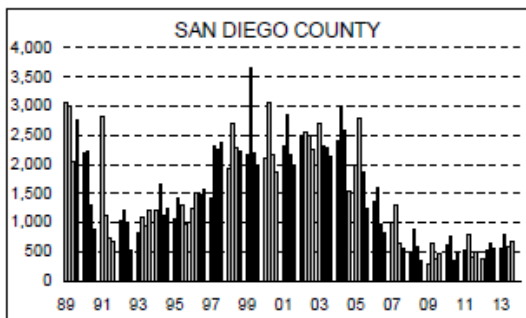
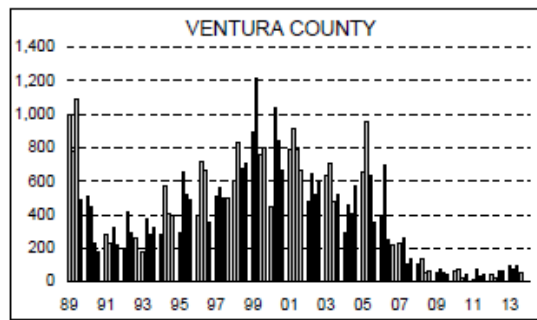
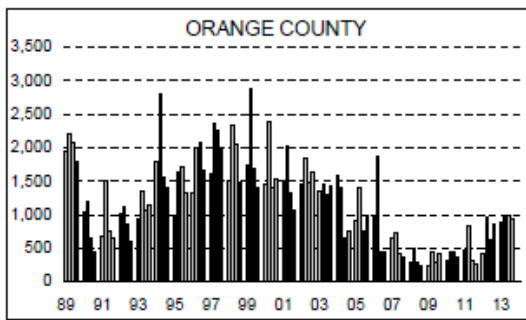
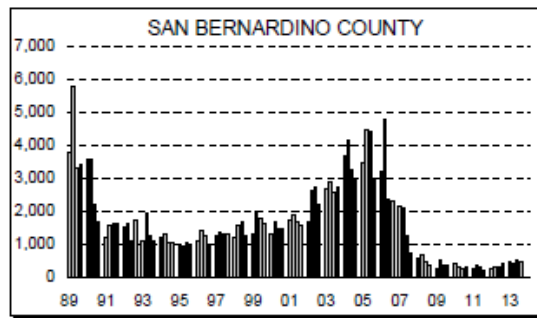
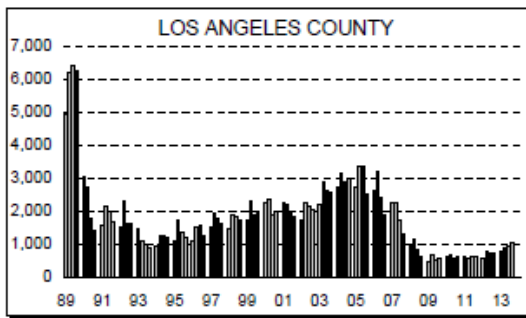
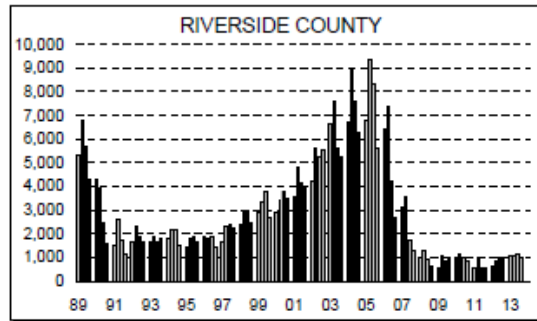
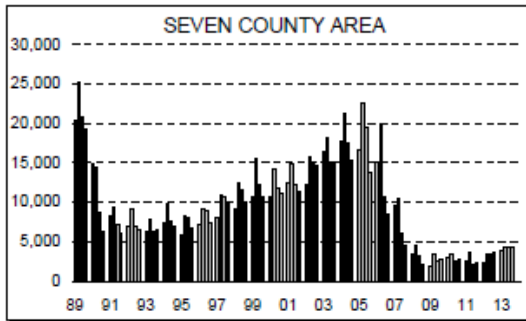
### **Construction Permits**

LOS ANGELES COUNTY - Residential and Non-Residential Permits															
Number of Units, and Valuations in Millions of Dollars															
Period	Single-Family		Multi-Family		Total Res Units		Alter's Add's	Tot Res Value	Office Bldgs	Retail Bldgs	Indstri Bldgs	Hotel Motel	Alter's Add's	Non Res Total	Tot Bldg Value
	Units	Value	Units	Value	Units	Value									
2002	8,217	2,032	11,147	1,095	19,364	3,126	1,172	4,299	209	459	225	63	1,297	2,920	7,219
2003	10,217	2,585	11,096	1,179	21,313	3,764	1,390	5,154	182	356	276	27	1,366	2,932	8,085
2004	11,752	2,924	15,183	1,916	26,935	4,840	1,728	6,567	307	484	178	63	1,404	3,174	9,741
2005	11,911	2,916	13,736	1,810	25,647	4,726	1,962	6,688	233	552	277	93	1,669	3,824	10,512
2006	10,097	2,561	16,251	2,205	26,348	4,766	1,982	6,747	241	482	182	119	1,694	3,896	10,643
2007	7,509	2,048	12,854	2,011	20,363	4,058	1,898	5,957	716	493	109	343	2,005	4,739	10,696
2008	3,539	1,134	10,165	1,409	13,704	2,543	1,411	3,955	446	469	135	256	2,158	4,491	8,445
2009	2,131	798	3,522	522	5,653	1,320	1,073	2,393	192	222	40	11	1,658	2,674	5,067
2010	2,439	922	5,029	811	7,468	1,733	1,110	2,842	133	263	56	28	1,662	2,677	5,519
2011	2,370	1,032	8,033	1,222	10,403	2,254	1,122	3,376	156	223	136	24	1,774	3,119	6,495
2012	2,756	1,128	7,950	1,416	10,706	2,520	674	3,195	38	115	169	5	1,095	1,803	4,998
2013	3,599	1,507	12,631	1,921	16,230	3,428	1,193	4,622	246	385	128	145	2,012	3,585	8,207



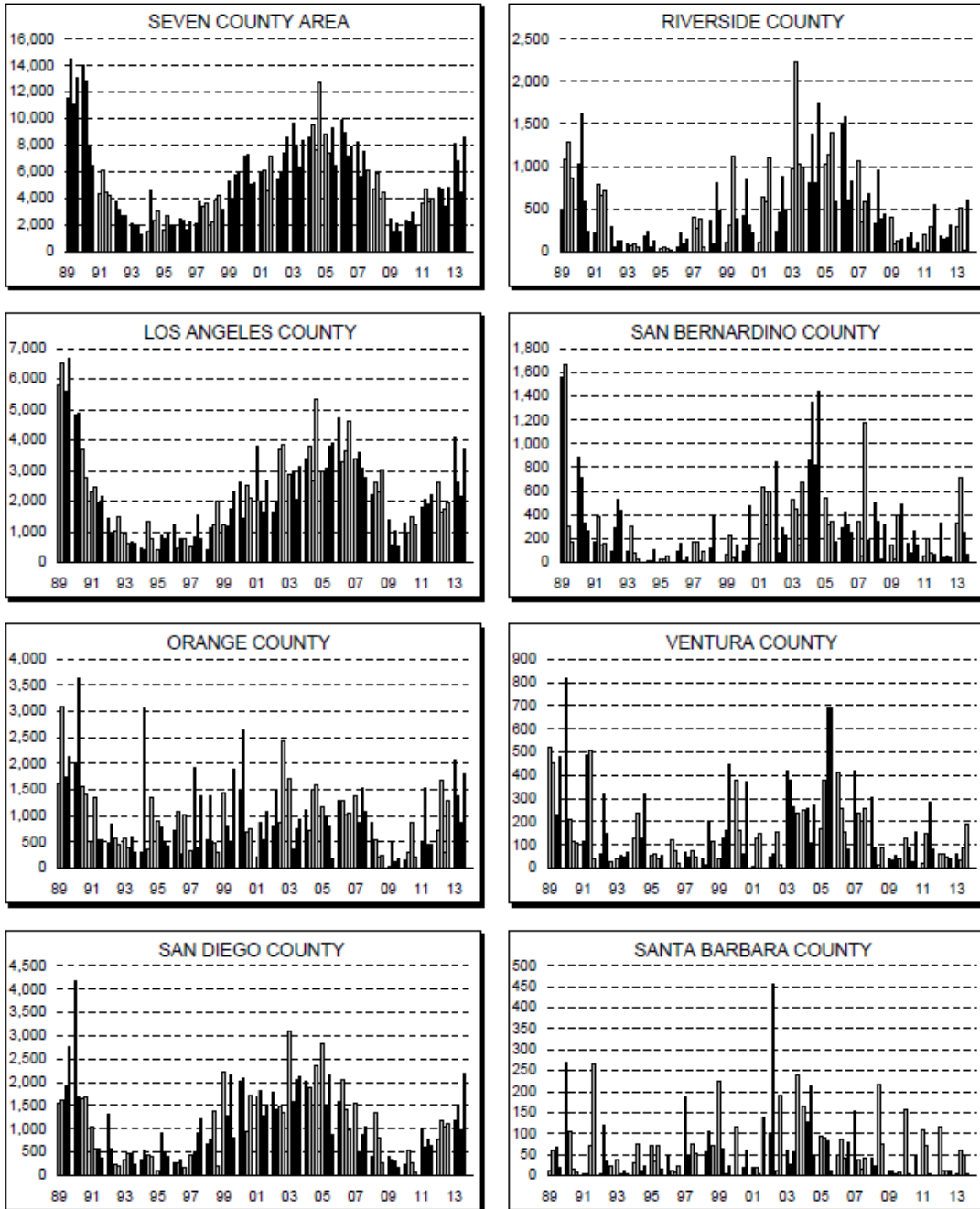
# Single Family Unit Permits

## SINGLE-FAMILY UNITS IN PERMITS



# Multi-Family Permits

## MULTI-FAMILY UNITS IN PERMITS



## **Home Sales**

Southern California's housing market perked up a bit in April, with sales rising more than usual from March and dipping below a year earlier by the smallest degree in six months. Home prices edged higher again but at a slower pace, the result of more inventory, affordability constraints and less pressure from investors, a real estate information service reported.

A total of 20,008 new and resale houses and condos sold in Los Angeles, Riverside, San Diego, Ventura, San Bernardino and Orange counties last month. That was up 13.4% from 17,638 sales in March, and down 6.6% from 21,415 sales in April last year, according to San Diego-based DataQuick.

On average, sales have increased 1.4% **between March and April since 1988, when DataQuick's statistics begin.** Southland sales have fallen on a year-over-year basis for seven consecutive months, but last month's decline was the smallest since sales fell 4.4% last October.

**This April's sales were higher than in April 2012 and 2011. That's a significant change from February and March this year, which had the lowest home sales for those particular months in six years. Sales during the month of April have ranged from a low of 15,303 in 1995 to a high of 37,905 in 2004. Last month's sales were 17.1% below the average – 24,133 – for all Aprils since 1988. March sales were 27% below average.**

*"The housing market's pulse quickened a bit in April. If the inventory grows more, which we consider likely, it's going to make it a lot easier for sales to reach at least an average level, which we haven't seen in more than seven years. There are certainly factors undermining housing demand, including affordability constraints, credit challenges and less investment activity. But there are considerable forces fueling demand, too: Employment is rising, families are growing, and more people can qualify to buy again after losing a home to foreclosure or a short sale over the past eight years,"* said Andrew LePage, a DataQuick analyst.

*"There's still pressure on home prices but it has moderated,"* he said. *"In April we logged the Southland's lowest year-over-year gain in the median sale price – around 13% – since September 2012. In April last year the median rose 23% year-over-year. It's tough to sustain that sort of price growth amid rising inventory, fewer investors, less-than-stellar income growth, higher mortgage rates and very limited availability of riskier 'stretch' financing."*

The median price paid for all new and resale houses and condos sold in the six-county region last month was \$404,000, up 1.0% from \$400,000 in March and up 13.2% from \$357,000 in April 2013. Last month's median was the highest since it was \$408,000 in February 2008.

The median has risen on a year-over-year basis for 25 consecutive months. Those gains have been double-digit – between 10.8% and 28.3% – over the past 21 months. The 13.2% year-over-year gain in the median last month marked the lowest increase for any month since September 2012, when the \$315,000 median rose 12.5% from a year earlier. Last month two counties – Orange and San Diego – saw single-digit, year-over-year gains in their medians.

**April's Southland median sale price stood 20.0% below the peak \$505,000 median in spring/summer 2007.**

DataQuick monitors real estate activity nationwide and provides information to consumers, educational institutions, public agencies, lending institutions, title companies and industry analysts. DataQuick was acquired in March by Irvine-based property information company CoreLogic.

Home prices continue to rise at different rates depending on price segment. In April, the lowest-cost third of the region's housing stock saw a 20.6% year-over-year increase in the median price paid per square foot for resale houses. The annual gain was 17.1% for the middle third of the market and 9.6% for the top, most-expensive third.

Last month the number of homes that sold for \$500,000 or more increased 9.3% from one year earlier, while \$800,000-plus sales rose 5.8%. Sales below \$500,000 fell 11.4% year-over-year, while sales below \$200,000 plunged 35.1%.

In April, 35.1% of all Southland home sales were for \$500,000 or more, down from a revised 35.6% the month before and up from 30.5% a year earlier.

The market impact of distressed properties continued to wane.

Foreclosure resales – homes foreclosed on in the prior 12 months – accounted for 5.9% of the Southland resale market in April. That was down from a revised 6.3% the prior month and down from 12.4% a year earlier. In recent months the foreclosure resale rate has been the lowest since early 2007. In the current cycle, foreclosure resales hit a high of 56.7% in February 2009.

Short sales – transactions where the sale price fell short of what was owed on the property – made up an estimated 5.4% of Southland resales last month. That was down from a revised 7.3% the prior month and down from 16.6% a year earlier.

Absentee buyers – mostly investors and some second-home purchasers – bought 26.1% of the homes sold last month, which is the lowest share since November 2011, when 25.1% of homes sold to absentee buyers. **Last month's figure was down from 27.7%** in March and down from 30.6% a year earlier. The peak was 32.4% in January 2013, while the monthly average since 2000, when the absentee data begin, is 18.7%. **Last month's absentee buyers paid a median \$350,000, up 22.8%** year-over-year.

In April 4.8% of all Southland homes sold on the open market were flipped, meaning they had previously **sold in the prior six months. That's down from a flipping rate of 5.3% the prior month and it's down from 6.0%** a year earlier. The peak was 7.0% in February 2013. (The figures exclude homes resold after being purchased at public foreclosure auctions on the courthouse steps).

Buyers paying cash last month accounted for 26.7% of Southland home sales, down from 29.8% the month before and down from 34.4% in April last year. The peak was 36.9% in February 2013. Since 1988 the monthly average for cash buyers is 16.5% of all sales. Cash buyers paid a median \$380,000 last month, up 26.7% from a year earlier.

In April, Southern California home buyers forked over a total of \$4.48 billion of their own money in the form of down payments or cash purchases. That was up from a revised \$4.35 billion in March and down from \$4.91 billion a year earlier. The out-of-pocket total peaked last May at \$5.41 billion.

Credit conditions appear to have eased in recent months.

In April 14.1% of Southland home purchase loans were adjustable-rate mortgages (ARMs) – the highest share in six years and nearly double the ARM level of a year earlier. Last month's figure was up from 13.2% in March and up from 7.9% in April 2013. The ARM rate dropped to as low as 1.9% in May 2009. Since 2000, a monthly average of about 31% of Southland purchase loans have been ARMs.

Jumbo loans, mortgages above the old conforming limit of \$417,000, accounted for 29.3% of last **month's Southland purchase lending. That was down a hair from 29.7%** in March, which had the highest jumbo level for any month since the credit crunch struck in August 2007. **Last month's figure was up** from 26.1% a year earlier. Prior to August 2007 jumbos accounted for around 40% of the home loan market. The Southland jumbo level dropped to as low as 9.3% in January 2009.

All lenders combined provided a total of \$6.15 billion in mortgage money to Southern California home buyers in April, up from a revised \$5.08 billion in March and up from \$5.56 billion in April last year.

The most active lenders to Southern California home buyers last month were Wells Fargo with 7.3% of the total home purchase loan market, JP Morgan Chase with 3.9% and Bank of America with 2.8%.

Government-insured FHA loans, a popular low-down-payment choice among first-time buyers, accounted for 18.8% of all purchase mortgages last month. That was up from 18.4% the month before and down from 21.7% a year earlier. In recent months the FHA share has been the lowest since early 2008, mainly because of tighter FHA qualifying standards and the difficulties first-time buyers have competing with investors and cash buyers.

The typical monthly mortgage payment Southland buyers committed themselves to paying last month was \$1,607, up from \$1,591 the month before and up from \$1,275 a year earlier. Adjusted for inflation,

last month's typical payment was 34.1% below the typical payment in the spring of 1989, the peak of the prior real estate cycle. It was 46.0% below the current cycle's peak in July 2007.

Indicators of market distress continue to decline. Foreclosure activity remains well below year-ago and far below peak levels. Financing with multiple mortgages is very low, and down payment sizes are stable, DataQuick reported.

All homes	Sales Volume			Median Price		
	Apr-13	Apr-14	% Chng	Apr-13	Apr-14	% Chng
Los Angeles	7,140	6,642	-7.00%	\$ 395,000	\$ 441,000	11.60%
Orange	3,327	3,111	-6.50%	\$ 535,000	\$ 576,000	7.70%
Riverside	3,760	3,384	-10.00%	\$ 248,000	\$ 286,250	15.40%
San Bernardino	2,512	2,434	-3.10%	\$ 195,000	\$ 240,000	23.10%
San Diego	3,792	3,664	-3.40%	\$ 400,000	\$ 435,000	8.70%
Ventura	884	773	-12.60%	\$ 420,000	\$ 466,000	11.00%
<b>SoCal</b>	<b>21,415</b>	<b>20,008</b>	<b>-6.60%</b>	<b>\$ 357,000</b>	<b>\$ 404,000</b>	<b>13.20%</b>

## Retail Market Trends

The Los Angeles retail market did not experience much change in market conditions in the First Quarter 2014. The vacancy rate went from 5.2% in the previous quarter to 5.0% in the current quarter. Net absorption was positive 1,076,239 square feet, and vacant sublease space decreased by (44,778) square feet. Quoted rental rates increased from Fourth Quarter 2013 levels, ending at \$24.30 psf per year. A total of 24 retail buildings with 239,274 square feet of retail space were delivered to the market in the quarter, with 988,708 square feet still under construction at the end of the quarter.

### Net Absorption

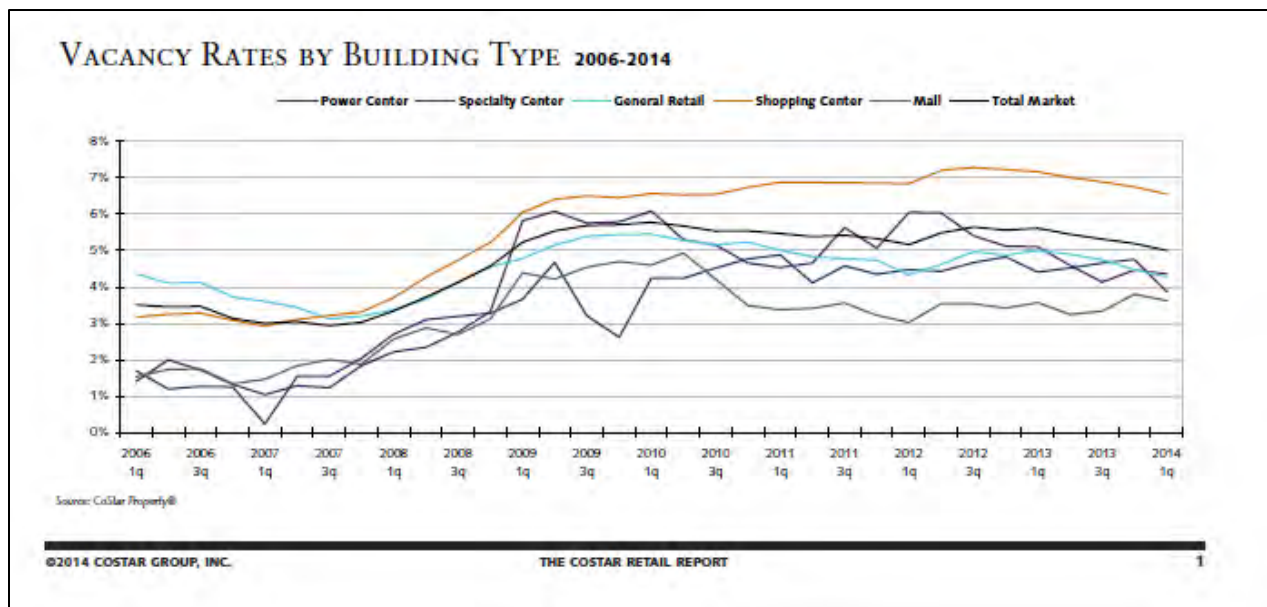
Retail net absorption was moderate in Los Angeles First Quarter 2014, with positive 1,076,239 square feet absorbed in the quarter. In Fourth Quarter 2013, net absorption was positive 829,714 square feet, while in Third Quarter 2013, absorption came in at positive 749,083 square feet. In Second Quarter 2013, positive 801,575 square feet was absorbed in the market. Tenants moving out of large blocks of space in 2014 include: Albertsons moving out of 76,853 square feet at 723 E Huntington Dr; Ralphs moving out of 51,619 square feet at 31970 Castaic Rd; and Albertsons moving out of 40,751 square feet at Canyon Square. Tenants moving into large blocks of space in 2014 include: Food 4 Less moving into 78,962 square feet at 11507 S Western Ave; Smart & Final moving into 45,678 square feet at 1005 W Arrow Hwy; and LA Fitness moving into 38,049 square feet at 355 N Rosemead Blvd.

### Vacancy

Los Angeles's retail vacancy rate decreased in the First Quarter 2014, ending the quarter at 5.0%. Over the past four quarters, the market has seen an overall decrease in the vacancy rate, with the rate going from 5.4% in the Second Quarter 2013, to 5.3% at the end of the Third Quarter 2013, 5.2% at the end of the Fourth Quarter 2013, to 5.0% in the current quarter. The amount of vacant sublease space in the Los Angeles market has trended down over the past four quarters. At the end of the Second Quarter 2013, there were 890,950 square feet of vacant sublease space. Currently, there are 826,754 square feet vacant in the market.

### Rental Rates

Average quoted asking rental rates in the Los Angeles retail market are up over previous quarter levels, and up from their levels four quarters ago. Quoted rents ended the First Quarter 2014 at \$24.30 psf per year. That compares to \$24.19 psf in the Fourth Quarter 2013, \$24.32 in the Third Quarter 2013, and \$24.15 psf at the end of the Second Quarter 2013. This represents a 0.5% increase in rental rates in the current quarter, and a 0.62% increase from four quarters ago.



### **Inventory and Construction**

During the First Quarter 2014, 24 buildings totaling 239,274 square feet were completed in the Los Angeles retail market. Over the past four quarters, a total of 986,500 square feet of retail space has been built in Los Angeles. In addition to the current quarter, 28 buildings with 396,757 square feet were completed in Fourth Quarter 2013, 16 buildings totaling 208,328 square feet completed in Third Quarter 2013, and 142,141 square feet in 14 buildings completed in Second Quarter 2013. There were 988,708 square feet of retail space under construction at the end of the First Quarter 2014. Some of the notable 2014 deliveries include: 11440 South St, a 47,972-square-foot facility that delivered in First Quarter 2014 and is now 41% occupied, and Thousand Oaks Marketplace - Walmart, a 42,000-square-foot building that delivered in First Quarter 2014 and is now 100% occupied. Total retail inventory in the Los Angeles market area amounted to 453,037,861 square feet in 44,827 buildings and 4779 centers as of the end of the First Quarter 2014.

### **Shopping Center**

The Shopping Center market in Los Angeles currently consists of 4652 projects with 157,341,701 square feet of retail space in 8,583 buildings. In this report the Shopping Center market is comprised of all Community Centers, Neighborhood Centers, and Strip Centers. After absorbing 476,635 square feet and delivering 170,833 square feet in the current quarter, the Shopping Center sector saw the vacancy rate go from 6.8% at the end of the Fourth Quarter 2013 to 6.5% this quarter.

Over the past four quarters, the Shopping Center vacancy rate has gone from 7.0% at the end of the Second Quarter 2013, to 6.9% at the end of the Third Quarter 2013, to 6.8% at the end of the Fourth Quarter 2013, and finally to 6.5% at the end of the current quarter. In fact, over the last two years, the Shopping Center sector has seen 8 quarters of positive absorption and a decline in vacancy rate from 7.2% to 6.5%. Rental rates ended the First Quarter 2014 at \$22.16 psf, up from the \$22.03 they were at the end of the Fourth Quarter 2013. Rental rates have trended down over the past year, going from \$22.17 psf a year ago to their current levels.

Net absorption in the Shopping Center sector has totaled 1,479,424 square feet over the past four quarters. In addition to the positive 476,635 square feet absorbed this quarter, positive 473,392 square feet was absorbed in the Fourth Quarter 2013, positive 208,642 square feet was absorbed in the Third Quarter 2013, and positive 320,755 square feet was absorbed in the Second Quarter 2013.

## **Power Centers**

The Power Center average vacancy rate was 4.4% in the First Quarter 2014. With positive 34,090 square feet of net absorption and 9,240 square feet in new deliveries, the vacancy rate went from 4.5% at the end of last quarter to 4.4% at the end of the First Quarter. In the Fourth Quarter 2013, Power Centers absorbed negative (79,128) square feet, delivered no new space, and the vacancy rate went from 4.1% to 4.5% over the course of the quarter. Rental rates started the quarter at \$18.62 psf and ended the quarter at \$19.53 psf. A year ago, in First Quarter 2013, the vacancy rate was 5.1%. Over the past four quarters, Power Centers have absorbed a cumulative 187,539 square feet of space and delivered cumulative 9,240 square feet of space. Vacant sublease space has gone from 77,412 square feet to 45,032 square feet over that time period, and rental rates have gone from \$19.89 to \$18.75. At the end of the First Quarter 2014, there were 90,000 square feet under construction in the Los Angeles market. The total stock of Power Center space in Los Angeles currently sits at 24,098,921 square feet in 55 centers comprised of 534 buildings.

## **General Retail Properties**

The General Retail sector of the market, which includes all freestanding retail buildings, except those contained within a center, reported a vacancy rate of 4.3% at the end of First Quarter 2014. There was a total of 9,538,735 square feet vacant at that time. The General Retail sector in Los Angeles currently has average rental rates of \$26.82 psf per year. There are 190,995 square feet of space under construction in this sector, with 59,201 square feet having been completed in the First Quarter. In all, there are a total of 35,173 buildings with 222,844,449 square feet of General Retail space in Los Angeles.

## **Specialty Centers**

There are currently 18 Specialty Centers in the Los Angeles market, making up 3,907,786 square feet of retail space. In this report the Specialty Center market is comprised of Outlet Centers, Airport Retail and Theme/Festival Centers. Specialty Centers in the Los Angeles market have experienced positive 34,252 square feet of net absorption in 2014. The vacancy rate currently stands at 3.9%, and rental rates average \$16.03 psf.

## **Malls**

Malls recorded net absorption of positive 77,561 sf in the First Quarter 2014. This net absorption number, combined with no new space that was built in the quarter, caused the vacancy rate to go from 3.8% a quarter ago to 3.6% at the end of the First Quarter 2014. Rental rates went from \$38.05 psf to \$37.88 psf during that time. In this report the Mall market is comprised of 54 Lifestyle Centers, Regional Malls and Super Regional Malls.

## **Sales Activity**

Tallying retail building sales of 15,000 square feet or larger, Los Angeles retail sales figures fell during the Fourth Quarter 2013 in terms of dollar volume compared to the Third Quarter of 2013.

In the Fourth Quarter, 47 retail transactions closed with a total volume of \$460,483,504. The 47 buildings totaled 2,099,900 square feet and the average price per square foot equated to \$219.29 psf. That compares to 38 transactions totaling \$493,212,500 in the Third Quarter 2013. The total square footage in the Third Quarter was 2,081,428 square feet for an average price per square foot of \$236.96. Total retail center sales activity in 2013 was down compared to 2012. In the twelve months of 2013, the market saw 148 retail sales transactions with a total volume of \$1,793,707,462.

The price per square foot averaged \$252.18. In the same twelve months of 2012, the market posted 143 transactions with a total volume of \$1,929,834,033. The price per square foot averaged \$213.31.

Cap rates have been lower in 2013, averaging 6.28% compared to the same period in 2012 when they averaged 7.23%. One of the largest transactions that have occurred within the last four quarters in the Los Angeles market is the sale of 408 N Rodeo Drive in Beverly Hills. This 16,129 square foot retail center sold for \$120,000,000, or \$7,440.01 psf. The property sold on 4/23/2013.

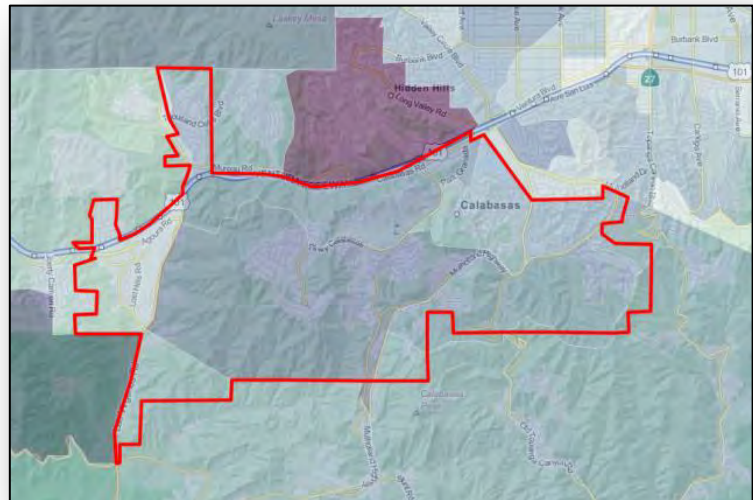
TOTAL RETAIL MARKET STATISTICS						First Quarter 2014			
Market	Existing Inventory		Vacancy			YTD Net Absorption	YTD Deliveries	Under Const SF	Quoted Rates
	# Bids	Total GLA	Direct SF	Total SF	Vac %				
Antelope Valley	1,107	15,607,042	1,123,549	1,125,249	7.2%	67,194	16,800	0	\$14.05
Burbank/Glendale/Pasaden	6,257	50,927,494	1,691,676	1,831,080	3.6%	124,751	12,255	1,500	\$29.94
Downtown Los Angeles	1,894	21,985,082	1,635,871	1,650,221	7.5%	93,300	0	0	\$24.43
Mid-Cities	5,293	45,022,201	2,488,108	2,603,144	5.8%	77,948	161,699	178,693	\$19.03
Mid-Wilshire	3,771	33,033,757	1,311,590	1,332,309	4.0%	54,445	0	89,886	\$37.21
San Fernando Valley	4,444	48,302,012	2,216,468	2,342,695	4.9%	179,412	13,478	12,850	\$21.93
San Gabriel Valley	5,385	60,149,251	3,208,258	3,303,383	5.5%	113,111	24,142	116,950	\$18.90
Santa Clarita Valley	723	12,356,206	728,663	762,373	6.2%	34,155	0	4,500	\$21.42
South Bay	6,602	65,741,426	2,769,808	2,784,018	4.2%	92,400	6,222	72,096	\$22.72
Southeast Los Angeles	1,684	18,728,689	891,211	906,867	4.8%	70,542	0	20,460	\$20.80
Ventura North	1,757	17,914,077	895,689	943,533	5.3%	(16,327)	0	1,798	\$19.33
Ventura South	1,713	25,195,377	1,324,685	1,454,417	5.8%	97,394	0	251,273	\$22.15
West Los Angeles	4,197	38,075,248	1,555,072	1,628,113	4.3%	87,914	4,678	238,702	\$43.06
<b>Totals</b>	<b>44,827</b>	<b>453,037,861</b>	<b>21,840,648</b>	<b>22,667,402</b>	<b>5.0%</b>	<b>1,076,239</b>	<b>239,274</b>	<b>988,708</b>	<b>\$24.30</b>

Source: CoStar Property®

10 THE COSTAR RETAIL REPORT ©2014 COSTAR GROUP, INC.

## City of Calabasas

**Calabasas** is a city in Los Angeles County, California. It is located in the hills west of the San Fernando Valley and is in the northwest Santa Monica Mountains between Woodland Hills, Agoura Hills, West Hills, Hidden Hills and Malibu, California. As of the 2010 census, the city population was 23,058, up from 20,033 at the 2000 census.<sup>[5]</sup> The city was formally incorporated as an independent city in 1991. Prior to that the area was an unincorporated portion of Los Angeles County.



The city is located in the southwest portion of the San Fernando Valley and comprises a portion of the Santa Monica Mountains. It is 22 miles away from Downtown Los Angeles. It is bordered by the Woodland Hills area of Los Angeles to the northeast, Topanga to the east, Malibu to the south, Agoura Hills to the west, and Hidden Hills to the north. The historic El Camino Real runs east-west through Calabasas as U.S. Route 101.

According to the United States Census Bureau, the city has a total area of 13.0 square miles of which 12.9 square miles is land and 0.1 square miles of it (0.38%) is water.

Part of the city, near Calabasas High School and A.C. Stelle Middle School, has all of its streets named patriotically. These include Declaration Ave., America Way, Liberty Bell St., Paul Revere Dr., Founder's Dr., Bon Homme Rd., and others.

One of the oldest neighborhoods in Calabasas is Park Moderne, or the Bird Streets. A former artist colony, remnants remain of the club house, pool, and cabins scattered across streets with bird names, such as Meadow Lark, Blackbird, Bluebird, and Hummingbird.



## **Demographics**

The 2010 United States Census reported that Calabasas had a population of 23,058. The population density was 1,780.4 people per square mile. The Census reported that 23,049 people (100% of the population) lived in households, 9 (0%) lived in non-institutionalized group quarters, and 0 (0%) were institutionalized.

There were 8,543 households, out of which 3,320 (38.9%) had children under the age of 18 living in them, 5,124 (60.0%) were opposite-sex married couples living together, 942 (11.0%) had a female householder with no husband present, 315 (3.7%) had a male householder with no wife present. There were 310 (3.6%) unmarried opposite-sex partnerships, and 31 (0.4%) same-sex married couples or partnerships. 1,624 households (19.0%) were made up of individuals and 525 (6.1%) had someone living alone who was 65 years of age or older. The average household size was 2.70. There were 6,381 families (74.7% of all households); the average family size was 3.11.

The population was spread out with 5,841 people (25.3%) under the age of 18, 1,875 people (8.1%) aged 18 to 24, 5,025 people (21.8%) aged 25 to 44, 7,414 people (32.2%) aged 45 to 64, and 2,903 people (12.6%) who were 65 years of age or older. The median age was 41.6 years. For every 100 females there were 93.6 males. For every 100 females age 18 and over, there were 89.8 males.

There were 8,878 housing units at an average density of 685.5 per square mile (264.7/km<sup>2</sup>), of which 6,287 (73.6%) were owner-occupied, and 2,256 (26.4%) were occupied by renters. The homeowner vacancy rate was 1.2%; the rental vacancy rate was 5.2%. 17,769 people (77.1% of the population) lived in owner-occupied housing units and 5,280 people (22.9%) lived in rental housing units.

According to the 2010 United States Census, Calabasas had a median household income of \$119,624, with 6.2% of the population living below the federal poverty line.<sup>[34]</sup>

## **Employment:**

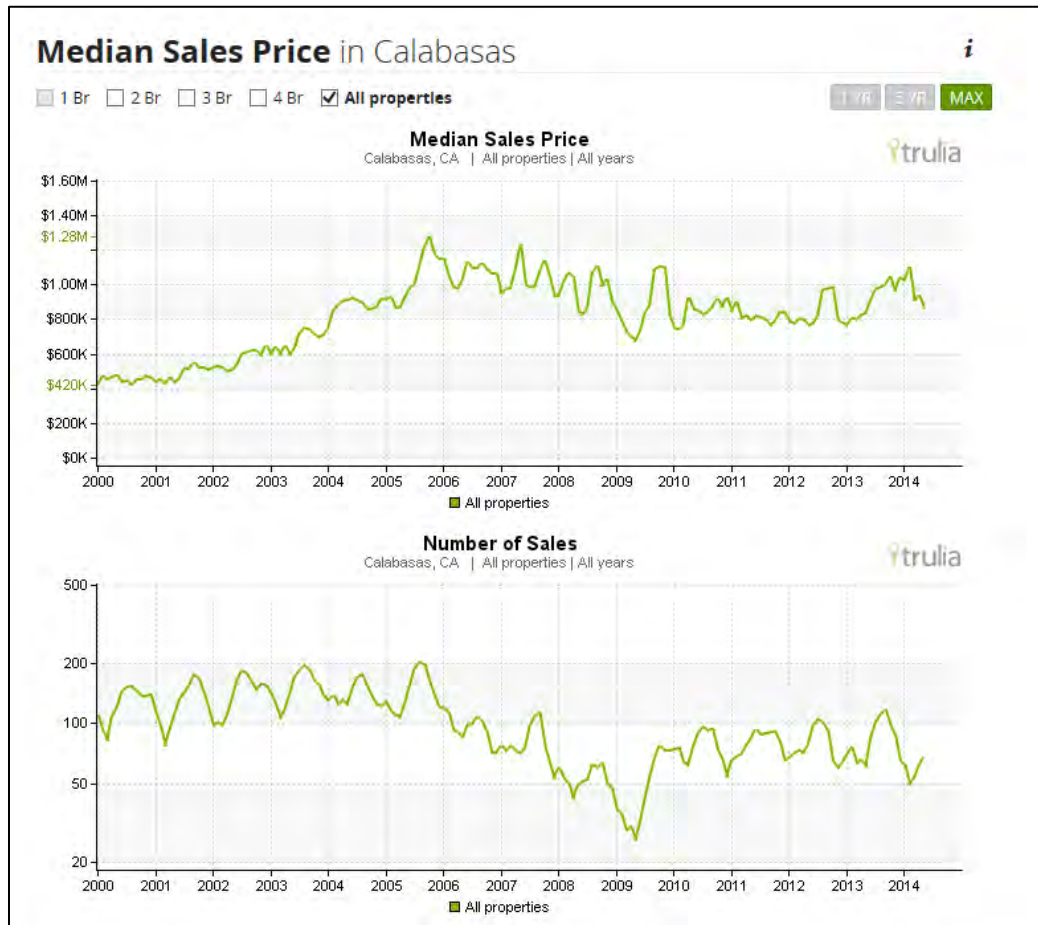
According to the City's 2011 Comprehensive Annual Financial Report the top employers in the city are:

#	Employer	# of Employees
1	Las Virgenes Unified School District	1,706
2	Bank of America	1,096
3	The Cheesecake Factory	1,028
4	Viewpoint School	285
5	Ixia	280
6	City of Calabasas	279
7	Alcatel-Lucent	266
8	Sedgwick CMS	245
9	Spirent	200
10	Informa Research Services	186
11	Mercedes-Benz of Calabasas	180

## **Housing:**

The median sales price for homes in Calabasas CA for February 14, 2014 to May 14, 2014 was \$859,500. This represents a decline of 27.5% or \$325,500, compared to the prior quarter and a decrease of 5.3% compared to the prior year. Sales prices have appreciated 26.4% over the last 5 years in Calabasas. The average listing price for Calabasas homes for sale on Trulia was \$1,664,448 for the week ending May 7, 2014 which represents an increase of 3.4% or \$54,894, compared to the prior week and an increase of

13.6% or \$199,129, compared to the week ending April 16, 2014. Average price per square foot for Calabasas CA was \$394, an increase of 14.5% compared to the same period last year. Popular neighborhoods in Calabasas include The Oaks, Greater Mulwood, Calabasas Village, Calabasas Park Estates, Malibu Canyon, and Calabasas Park.



**Project Description:**

The City of Calabasas, in cooperation with Caltrans and the County of Los Angeles, proposes this project to replace the existing Lost Hills Road Overcrossing (OC), improve Lost Hills Road and improve the Lost Hills Road interchange at US-101, Post Mile 31.6/32.2. The proposed improvement would increase the roadway width on the Lost Hills Road Overcrossing allowing for four lanes and a striped median.

The US-101/Lost Hills Road interchange is located in a suburban area consisting of rolling terrain and was constructed in 1965. The Lost Hills Road OC (then known as the Old Ventura Road OC) was constructed as a two-lane street with 12 ft. lanes and 4 ft. outside shoulders, with a 5 ft. sidewalk on the west side separated by a concrete barrier. The overcrossing was constructed on a tangent alignment. Beyond the overcrossing limits was a 300-foot radius curve to the south and a 200 foot radius curve to the north, which crossed the southbound ramps and northbound ramps, respectively. The overcrossing was slightly super elevated at each end. Over the years, Lost Hills Road was realigned, extended, and widened to the north and south of the overcrossing.

The US-101 freeway is a major north/south regional freeway connecting Ventura and Santa Barbara County cities (Thousand Oaks, Camarillo, Oxnard, Ventura, and Santa Barbara) with the Los Angeles Metro Area. It is used by commercial, commuter, and recreational traffic daily. It freeway is oriented in an east-west direction at the Lost Hills Road Interchange and provides eight mixed-flow travel lanes with



no High Occupancy Vehicle (HOV) lanes. Existing lane widths are 12 ft. with inside and outside shoulder widths southbound of 8 ft. and 10 ft. and northbound of 8 ft. and 12 ft. respectively. The posted speed is 65 mph.

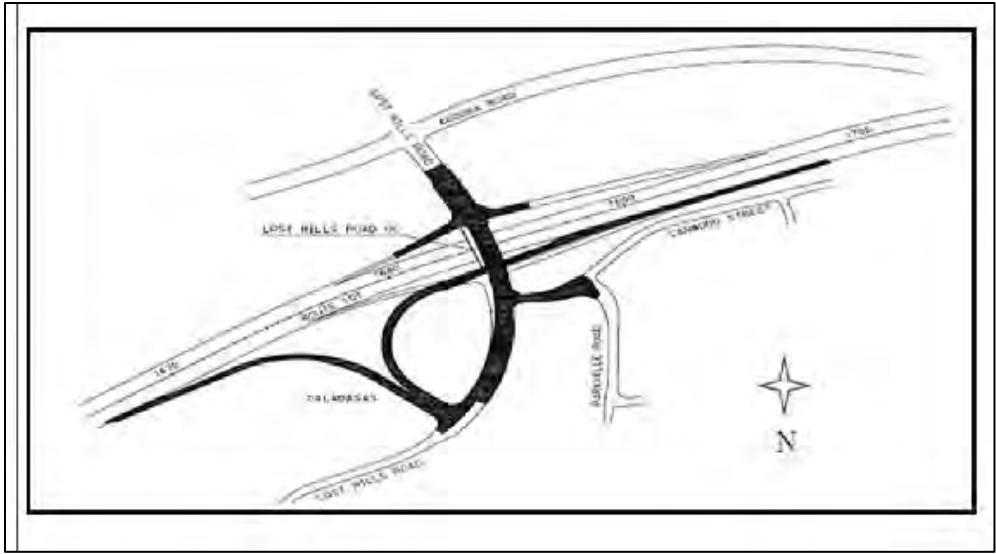
The freeway provides regional access to the City of Calabasas, with interchanges at Lost Hills Road and the interchange to the east at Las Virgenes Road. The Liberty Canyon Road Interchange, located west of the Lost Hills Road Interchange, is in the City of Agoura Hills. Lost Hills Road is a north/south roadway that extends from the County Landfill to the north and to Las Virgenes Road to the south. Lost Hills Road is a connector road from Malibu to the Conejo Valley that is used by commuter, commercial, and recreational traffic daily. This roadway is a three-lane facility from the landfill to the northbound ramps, a two-lane facility at the freeway overcrossing, and a four-lane facility between the southbound ramps and Las Virgenes Road. Existing lane widths vary from 12 ft. to 30 ft. and shoulder widths vary from 0 ft. to 8 ft..

This project would relocate the northbound on-ramp from the west side of Lost Hills Road to the east side of Lost Hills Road. Pedestrians would no longer need to cross the northbound on-ramp when crossing over the freeway. Eliminating a point of conflict between pedestrians and vehicles would provide a safer route for pedestrians. Increasing the distance between intersections and adding traffic signals would improve traffic flow for Lost Hills Road. Creating better traffic flow would prevent traffic from blocking intersections. The design stopping sight distances (SSDs) for Lost Hills Road would be improved due to the increased design speed from approximately 38 mph to 40 mph. This would provide a higher factor of safety for stopping sight distance.

The proposed bridge will be higher than the existing bridge which will improve the vertical clearance for US-101. Additionally, a wider sidewalk would be provided over the bridge for increased pedestrian safety and conformance with ADA legislation. The existing sidewalk is 5 ft. wide and the proposed would be 6 ft. wide. Standard lanes and shoulders would also be added to Lost Hills Road.

With regard to the subject property, a fee simple acquisition of approximately 8.907 AC of land is required in order to accommodate the new location of the northbound on and off ramps. The majority of the fee area is located on parcel 2052-012-904 with the easternmost portion located on parcel 2052-012-905. Additionally, since the right of way being acquired is being used for highway purposes, approximately 547 lineal feet of access control is required **along the subject's frontage on Lost Hills Road** where the on and off ramps meet Lost Hills Road. This is a typical requirement of Caltrans projects and it is necessary to promote safety along state highways. Finally, in order to construct the project in the manner proposed, a Temporary Construction Easement totaling 3.136 AC is required. The duration of the TCE is expected to be 24 months. After construction, the TCE area will be returned to the property owner.

The reader is referred to the Addenda Section of this report for legal descriptions and plats of the Fee, Access Control and TCE areas, along with right of way drawings depicting the proposed acquisitions.



**Aerial of Project Area  
Google Earth 12/10/2013**



## Site Description

General Site Information	
Address:	None
Location:	NEC US-101/Lost Hills Interchange, Calabasas, County of Los Angeles, CA
Current Owners:	A preliminary title report from Commonwealth Land Title Company dated March 20, 2014, was provided to the appraisers by the client, indicating ownership by the County of Los Angeles. However, the PTR only covers APNs 2052-012-903, 904 & 905. Public records indicate that the other APNs comprising the subject larger parcel are also owned by the County of Los Angeles. In the absence of a title report covering the remainder of the subject larger parcel, it is an <b>extraordinary assumption</b> of this report that the remaining APNs are also owned by the County of Los Angeles. If found to be false, the use of this extraordinary assumption may have impacted the results of this assignment.
5-Year Sales History:	There have been no market sales, listings or contract agreements identified in the last five years.
Assessor's Parcel Numbers:	Portions of 2052-013-901, 2052-012-902, 903, 904 & 905 <sup>5</sup>
Assessed Value, (Land):	\$0
Assessed Value, Improvements:	\$0
Assessed Value, Total:	\$0
Taxable Value:	\$0
2013-14 Taxes:	\$0
Physical Characteristics of the Site	
Site Dimensions:	Irregular
Frontage:	Approximately 2,400 lf on US-101 and 800 lf on Lost Hills Rd.
Total Site Area:	Approximately ±928,528 sf or ±21.32 acres
Shape:	Irregular shape
Topography:	Undulating, hilly topography with ridges and ravines. The site has natural vegetation.
Access:	Access is available from Lost Hills Road
Corner Influence:	The property is located at the Corner of Lost Hills and US-101
Easement(s):	For the purposes of this report, there are no easements that materially affect the value of the subject property. <sup>6</sup>

<sup>5</sup> The subject's true *legal larger parcel* consists of 11 separate APNs and encompasses approximately 491 Acres, the bulk of which is currently being used as the Lost Hills Landfill (please see legal description and plat map of legal larger parcel in the Addenda Section of this report). The area proposed for acquisition is located in the southeast portion of the *legal larger parcel* and none of the land within the acquisition area is currently being utilized as part of the actual, physical landfill. The scope of our assignment has been to appraise the portion of the property in question, exclusive of all landfill operations. Therefore, for the purposes of this appraisal report, the appraisers have defined the larger parcel as a portion of APNs 2052-013-901, 2052-012-902, 903, 904 & 905, **totaling approximately 21.32 acres (according to the Assessor's Parcel Maps and the RealQuest Mapping Tool)**. The reader is referred to the exhibit on page 38 of this report for a visual depiction of this area. Although portions of these APNs do extend into the physical landfill area, the larger parcel, as defined for the purposes of this report, is considered to be exclusive of these areas. In other words, this appraisal is based on the **hypothetical condition** that the subject larger parcel is the 21.32 acre portion consisting of APNs 2052-013-901, 2052-012-902, 903, 904 & 905 and depicted in the exhibit on page 38 of this report. Use of this hypothetical condition may have affected assignment results.

<sup>6</sup> The larger parcel is subject to an existing Joint Powers Agreement (JPA) and provides exclusive use to the County of Los Angeles Sanitary District for the operation of the Lost Hills Landfill. This JPA establishes the larger parcel and nearby property for use as a sanitary landfill and refuse disposal. According to the agreement, when the land is no longer necessary for or useful in continuing refuse disposal operations, it will be brought to finished elevation and grade (at the expense of the Sanitary District) and is intended

Encroachments:	None noted from site visit; encroachments subject to survey
Utilities to Site:	Utilities are available in Lost Hills Road.
Sidewalk, Curbs and Gutters:	None
Flood Designation:	The subject property is located on F.E.M.A. Panel # 06111C1015E effective 01/20/2010 dated 01/20/2010. According to this map, the subject property is in an area with possible but undetermined flood hazards. No flood hazard analysis has been conducted. Flood insurance rates are commensurate with the uncertainty of the flood risk. It lies within Flood Zone D.
Earthquake/Fault Zone:	All of Southern California is rated seismic zone 4. There are no previously mapped faults that traverse the site, nor is the site within the boundaries of the California Special Studies Zone for fault hazards. However, any property lying in Southern California bears the imminent risk of earthquake damage due to seismic activity in the region <b>as a whole</b> . <b>Lenders in the subject's</b> area do not generally require earthquake insurance. (Source: State Department of Mines and Geology).
Surface Drainage:	Natural drainage associated with unimproved hilly and undulating topography
Soils:	A soil analysis for the site has not been provided for the preparation of this appraisal. In the absence of a soil report, it is a specific assumption that the site has adequate soils to support the highest and best use.
Subsurface Conditions:	It is assumed that there are no hidden or unapparent conditions to the property, soil, or subsoil, which would render them more or less valuable. Subsurface oil, gas or mineral rights were not considered in this report unless otherwise stated.

#### **Economic Factors Affecting the Site**

Supply of Vacant Tracts:	Above average
Demand for Vacant Tracts:	Below average
Traffic Pattern/Volume:	Heavy traffic on US-101; minimal traffic associated with landfill on Lost Hills Road north of Hwy 101.
Neighboring Property Uses:	The subject site is surrounded by Open Space preserve land, single family residential development, and a land fill, with commercial and industrial uses on the other side of US-101.
Zoning:	<p>The subject larger parcel is made up of parcels located in various zones within distinct jurisdictional boundaries. APNs 2052-012-903, 904 and 905 are located within the O-S (Open Space) zone in the County of Los Angeles. APNs 2052-012-902 and 2052-013-901 are located within the RS (Single Family Residential Zone) in the City of Calabasas.</p> <p>The parcels located in the County jurisdiction are within the Sphere of <b>Influence of the City of Calabasas and are included in the City's General Plan</b> with an OS-R (Open Space Recreational) land use district. Michael Klein of the City Planning Department also indicated that these parcels are within the <b>City's Plan Area Boundaries and would be zoned Open Space if incorporated</b> into the City.</p> <p>Although APNs 2052-012-902 and 2052-013-901 are zoned for Single Family</p>

for use as a park and recreation facilities. The County would retain the full and unrestricted enjoyment in employing the land for park and recreation purposes. This appraisal relies on the **hypothetical condition** that the subject has already fulfilled all its purposes as a landfill in accordance with the agreement and has been brought to a condition that is appropriate for open space park and recreation facilities. The use of this hypothetical condition may have affected assignment results.



	<p>Residential use, because of their size, shape, topography and inclusion into <b>the subject's larger parcel, they are considered not</b> to possess independent development capability and are treated as if they were zoned similarly to the remaining parcels.</p> <p>According to the City of Calabasas, the OS-R district is intended for public and private lands within the city committed to leisure and recreational uses that are primarily open space in character.</p>
Allowable Uses in the District:	Allowable uses include city-owned parks, regional recreation facilities, and similar, related compatible uses. The REC zoning district is consistent with the open space-recreational and public facilities recreational land use districts of the General Plan.
Major Flaws in Site:	None <sup>7</sup>
Overall Site Analysis:	As the forthcoming analysis demonstrates, the site is amply suited for its highest and best use as open space land.

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<sup>7</sup> The larger parcel is subject to an existing Joint Powers Agreement (JPA) and provides exclusive use to the County of Los Angeles Sanitary District for the operation of the Lost Hills Landfill. This JPA establishes the larger parcel and nearby property for use as a sanitary landfill and refuse disposal. According to the agreement, when the land is no longer necessary for or useful in continuing refuse disposal operations, it will be brought to finished elevation and grade (at the expense of the Sanitary District) and is intended for use as a park and recreation facilities. The County would retain the full and unrestricted enjoyment in employing the land for park and recreation purposes. This appraisal relies on the **hypothetical condition** that the subject has already fulfilled all its purposes as a landfill in accordance with the agreement and has been brought to a condition that is appropriate for open space park and recreation facilities. The use of this hypothetical condition may have affected assignment results.

This appraisal is based on the **extraordinary assumption** that there are no environmentally sensitive species and/or habitat impacting the subject property. We have not been provided with any environmental surveys or studies in the course of this assignment. Use of this extraordinary assumption may impact the valuation contained in this report.



## Subject Property Photographs



**Photograph 1.**

Northerly view of subject parcel from across Hwy 101

**Taken by:**

Chris LaBonte

**Photograph date:**

June 6, 2014



**Photograph 2.**

Northerly view of subject parcel from Lost Hills Road

**Taken by:**

Chris LaBonte

**Photograph date:**

June 6, 2014



## Subject Property Photographs



**Photograph 3.**  
Southwesterly view  
of subject property  
(APN 2052-013-901)  
from Lost Hills Road.

**Taken by:**  
Chris LaBonte

**Photograph date:**  
June 6, 2014



**Photograph 4.**  
Northeasterly view of  
subject property  
from Lost Hills Road

**Taken by:**  
Chris LaBonte

**Photograph date:**  
June 6, 2014

## Subject Property Photographs



**Photograph 5.**

Northerly view of subject parcel from Lost Hills Road

**Taken by:**

Chris LaBonte

**Photograph date:**

June 6, 2014



**Photograph 6.**

Easterly view of subject from across Lost Hills Road

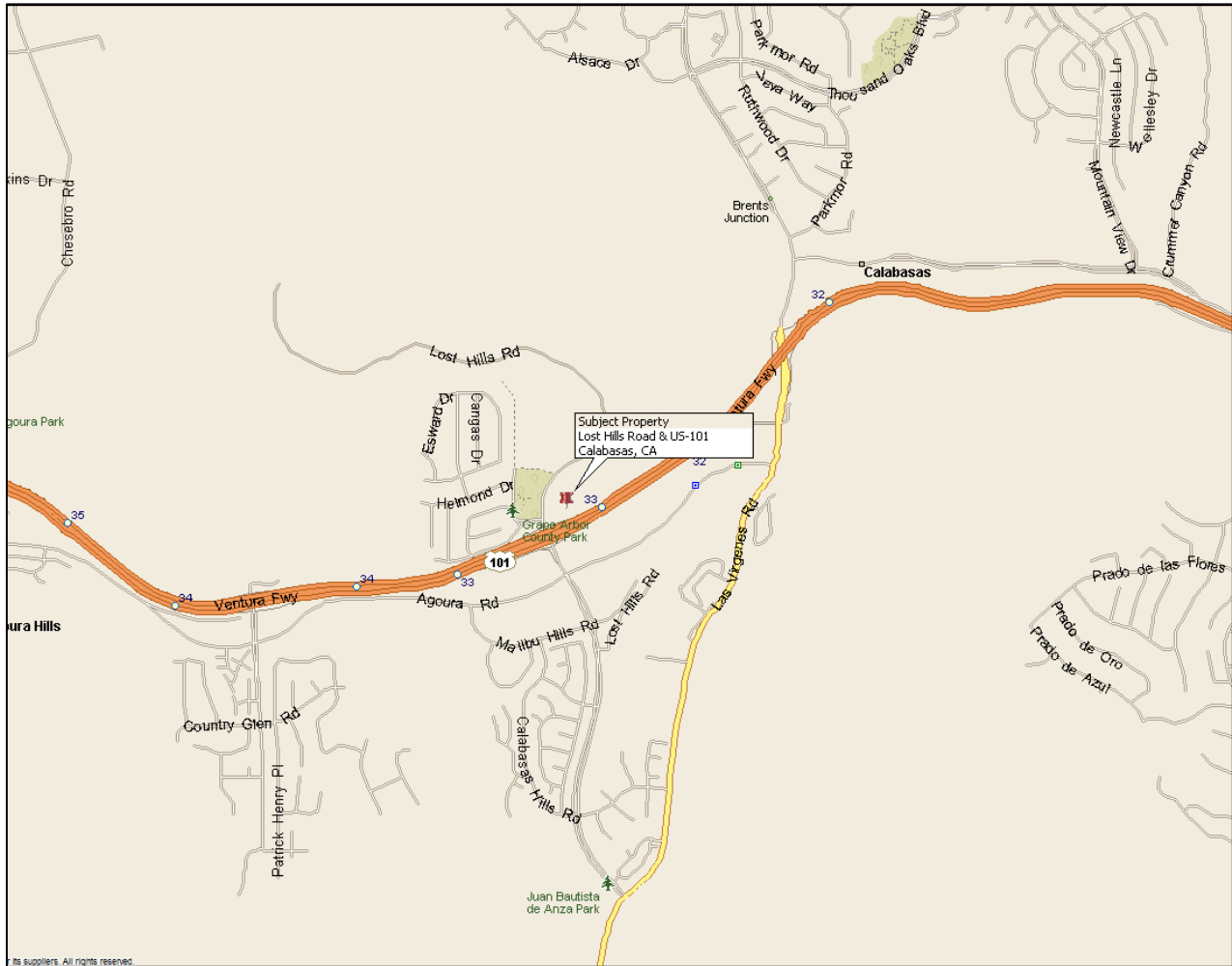
**Taken by:**

Chris LaBonte

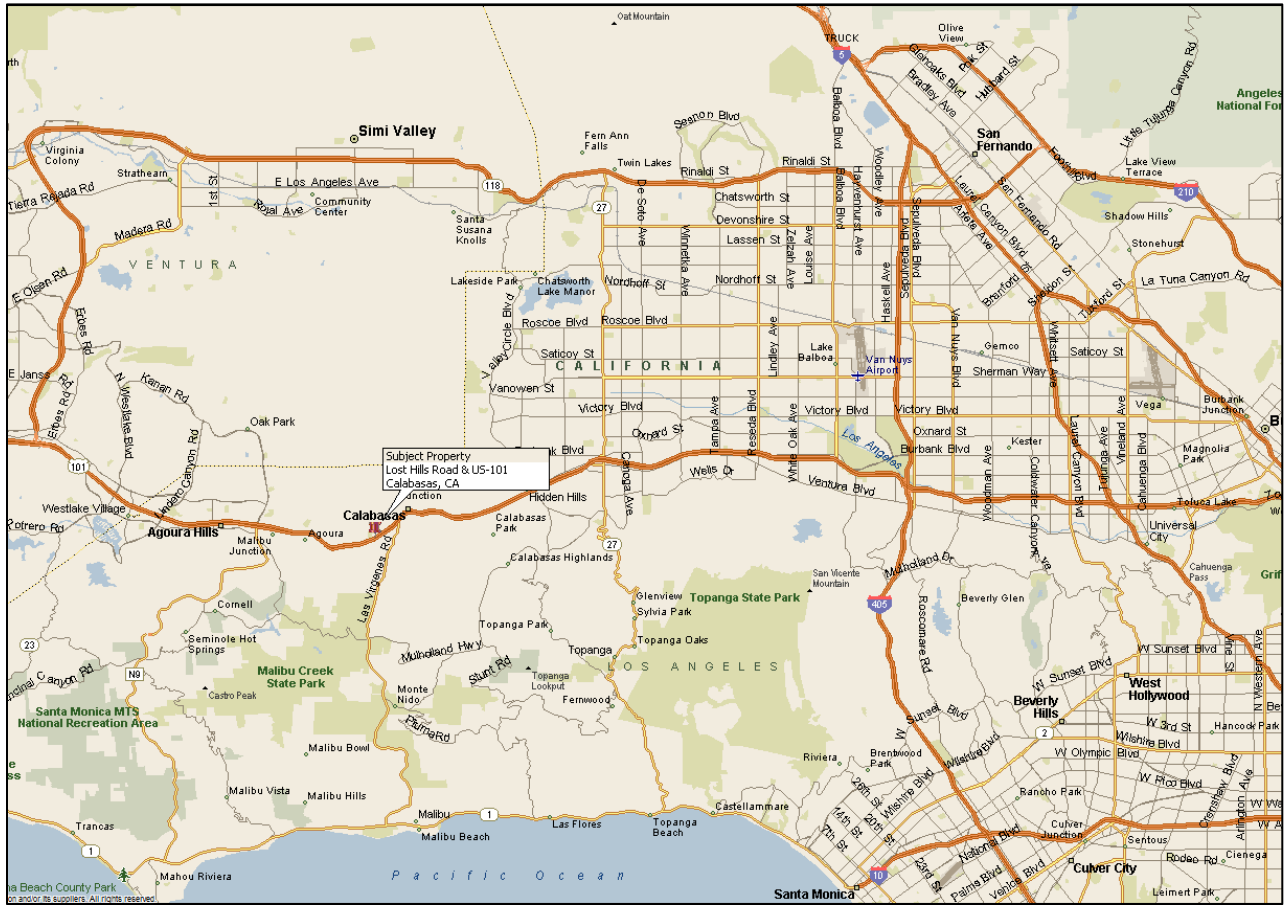
**Photograph date:**

June 6, 2014

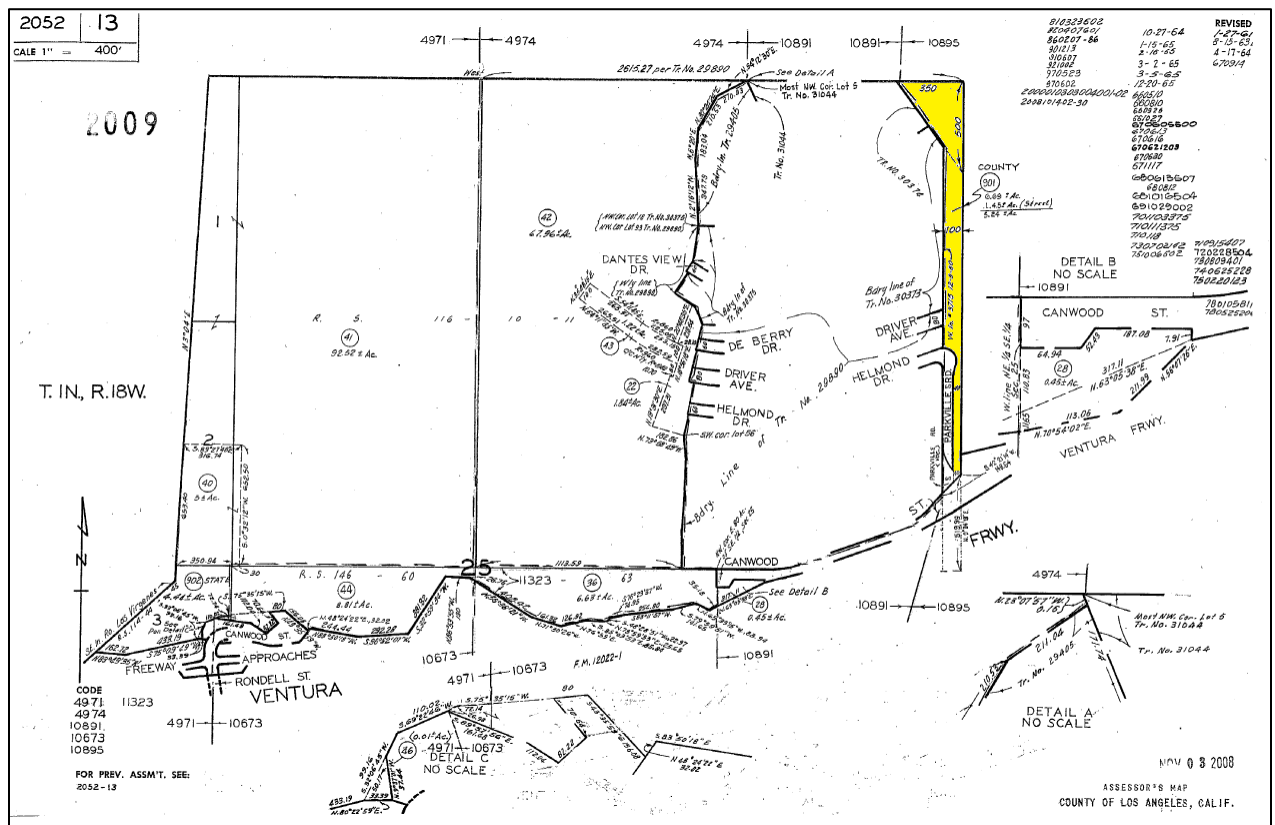
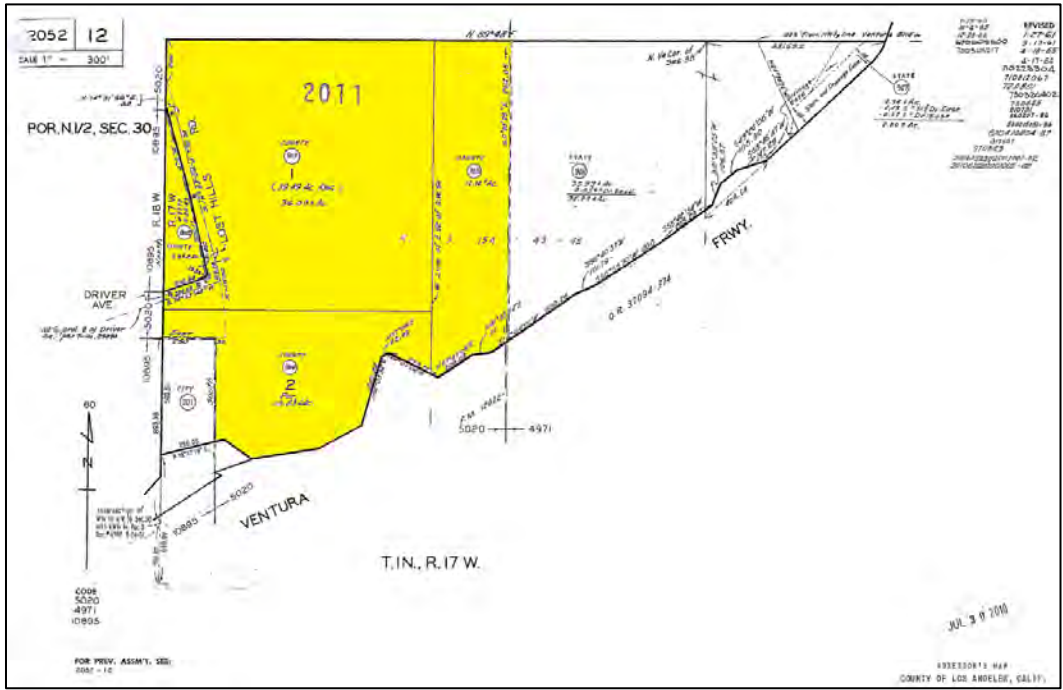
# Location Map



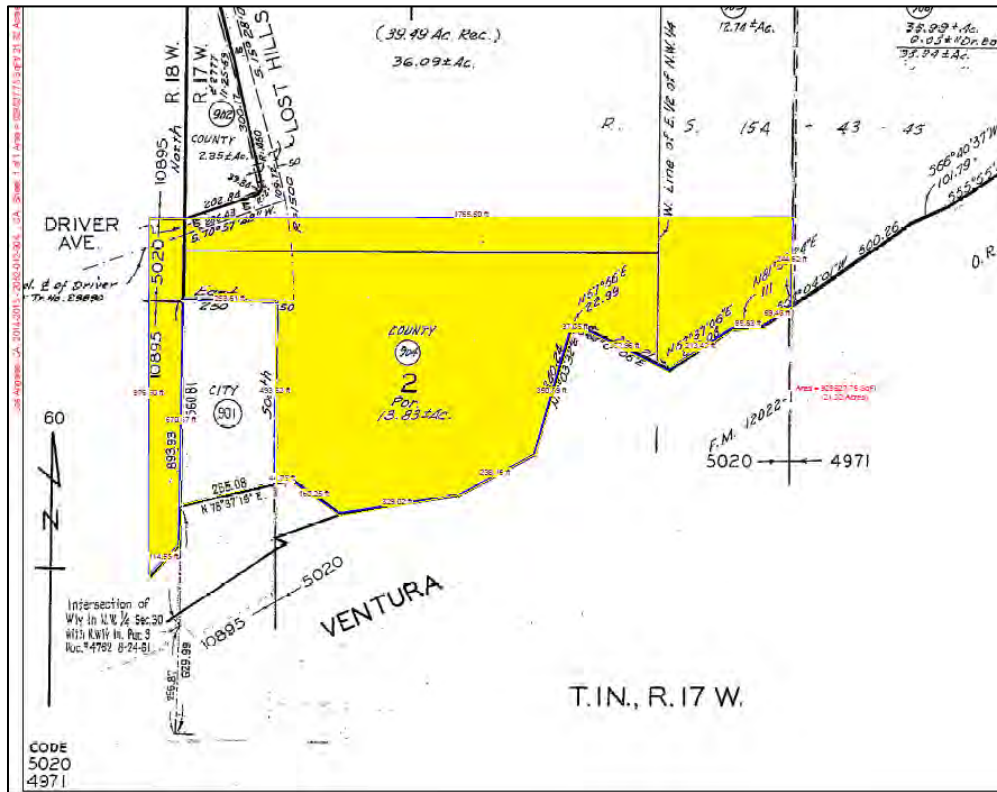
# Area Map



# Assessor's Parcel Maps



## Map of Subject Larger Parcel<sup>8</sup>



<sup>8</sup> The subject's true *legal larger parcel* consists of 11 separate APNs and encompasses approximately 491 Acres, the bulk of which is currently being used as the Lost Hills Landfill (please see legal description and plat map of legal larger parcel in the Addenda Section of this report). The area proposed for acquisition is located in the southeast portion of the *legal larger parcel* and none of the land within the acquisition area is currently being utilized as part of the actual, physical landfill. The scope of our assignment has been to appraise the portion of the property in question, exclusive of all landfill operations. Therefore, for the purposes of this appraisal report, the appraisers have defined the larger parcel as a portion of APNs 2052-013-901, 2052-012-902, 903, 904 & 905, totaling approximately **21.32 acres** (according to the Assessor's Parcel Maps and the RealQuest Mapping Tool). The reader is referred to the exhibit on page 38 of this report for a visual depiction of this area. Although portions of these APNs do extend into the physical landfill area, the larger parcel, as defined for the purposes of this report, is considered to be exclusive of these areas. In other words, this appraisal is based on the **hypothetical condition** that the subject larger parcel is the 21.32 acre portion consisting of APNs 2052-013-901, 2052-012-902, 903, 904 & 905 and depicted in the exhibit on page 38 of this report. Use of this hypothetical condition may have affected assignment results.

## Highest and Best Use Analysis

The principal of highest and best use is defined as: "*The reasonably probable and legal use of vacant land or an improved property that is physically possible, appropriately supported, financially feasible, and that results in the highest value*".<sup>9</sup>

The four criteria the highest and best use must meet are legal permissibility, physical possibility, financial feasibility, and maximum productivity."

- ❖ **Permissible Use (Legal):** what uses are permitted by zoning and deed restrictions on the site in question?
- ❖ **Physically Possible:** to what uses is it physically possible to put the site in question?
- ❖ **Financially Feasible Use:** which possible and permissible uses will produce any net return to the owner of the site?
- ❖ **Highest and Best Use:** among the feasible uses, the highest relative value considering risk.

The highest and best use may be different from the existing use. The existing use will continue, **however, unless and until land value in its highest and best use exceeds the property's total value in its existing use.**

Implied within these definitions is recognition of the contribution of that specific use to community environment or to community development goals, in addition to wealth maximization of individual property owners. Also implied is that the determination of highest and best use results from the appraiser's judgment and analytical skill, i.e., that the use determined from analysis represents an opinion, not a fact.

Highest and best use represents the premise upon which value is based. In the context of highest selling price (fair market value) another appropriate term to reflect highest and best use would be most probable use.

The highest and best use for the unimproved property may be different from the highest and best use of the improved property. This will be true when the improvement is not an appropriate use and yet makes a contribution to total property value in excess of the value of the site.

### Highest and Best Use:

This appraisal report employs the following extraordinary assumptions and hypothetical conditions:

- **The subject's true legal larger parcel** consists of 11 separate APNs and encompasses approximately 491 Acres, the bulk of which is currently being used as the Lost Hills Landfill (please see legal description and plat map of legal larger parcel in the Addenda Section of this report). The area proposed for acquisition is located in the southeast portion of the *legal larger parcel* and none of the land within the acquisition area is currently being utilized as part of the actual, physical landfill. The scope of our assignment has been to appraise the portion of the property in question, exclusive of all landfill operations. Therefore, for the purposes of this appraisal report, the appraisers have defined the larger parcel as a portion of APNs 2052-013-901, 2052-012-902, 903, 904 & 905, totaling **approximately 21.32 acres (according to the Assessor's Parcel Maps and the RealQuest Mapping Tool)**. The reader is referred to the exhibit on page 38 of this report for a visual depiction of this area. Although portions of these APNs do extend into the physical landfill area, the larger parcel, as defined for the purposes of this report, is considered to be exclusive of these areas. In other words, this appraisal is based on the **hypothetical condition** that the subject larger parcel is the 21.32 acre portion consisting of APNs 2052-013-901, 2052-012-902, 903, 904 & 905 and depicted in the

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<sup>9</sup> The Appraisal of Real Estate, 14<sup>th</sup> edition, The Appraisal Institute, Chicago, Illinois, (U.S. 2013), page 335.

exhibit on page 38 of this report. Use of this hypothetical condition may have affected assignment results.

- The larger parcel is subject to an existing Joint Powers Agreement (JPA) and provides exclusive use to the County of Los Angeles Sanitary District for the operation of the Lost Hills Landfill. This JPA establishes the larger parcel and nearby property for use as a sanitary landfill and refuse disposal. According to the agreement, when the land is no longer necessary for or useful in continuing refuse disposal operations, it will be brought to finished elevation and grade (at the expense of the Sanitary District) and is intended for use as a park and recreation facilities. The County would retain the full and unrestricted enjoyment in employing the land for park and recreation purposes. This appraisal relies on the **hypothetical condition** that the subject has already fulfilled all its purposes as a landfill in accordance with the agreement and has been brought to a condition that is appropriate for open space park and recreation facilities. The use of this hypothetical condition may have affected assignment results.
- A preliminary title report from Commonwealth Land Title Company dated March 20, 2014, was provided to the appraisers by the client. However, the PTR only covers APNs 2052-012-903, 904 & 905. Public records indicate that the other APNs comprising the subject larger parcel are also owned by the County of Los Angeles. In the absence of a title report covering the remainder of the subject larger parcel, it is an **extraordinary assumption** of this report that the remaining APNs are also owned by the County of Los Angeles. If found to be false, the use of this extraordinary assumption may have impacted the results of this assignment.
- This appraisal is based on the **extraordinary assumption** that there are no environmentally sensitive species and/or habitat impacting the subject property. We have not been provided with any environmental surveys or studies in the course of this assignment. Use of this extraordinary assumption may impact the valuation contained in this report.

### **Legally Permissible:**

The subject property is zoned OS-R (Open Space – Recreational). The OS zoning district is intended for areas of the city identified by the General Plan as having important environmental resources and hazards. The OS zoning district is consistent with the open space-resource protection land use district of the General Plan.

The REC zoning district is intended for public and private lands within the city committed to leisure and recreational uses that are primarily open space in character. Allowable uses include city-owned parks, regional recreation facilities, and similar, related compatible uses. Additionally, one dwelling unit per lot is allowed. The minimum lot size is 160 acres for existing open space property and is determined on a case-by-case basis for the REC designation. The REC zoning district is consistent with the open space-recreational and public facilities recreational land use districts of the General Plan.

### **Physically Possible:**

The topography of the subject site is comprised of hilly, undulating terrain with gentle to steep slopes. Any of the legally permissible uses identified above could be physically supported.

More specifically, since the late 1990s, mitigation banks and upland conservation banks ("land banks") have been progressively viewed as potentially profitable alternatives to traditional commercial and residential development projects. If a parcel has sensitive wildlife habitat or is located within planned wildlife corridors, its highest and best use may be as biological open space; however, since no special habitat or species were identified for conservation bank purposes, low density residential development, open space and recreational activity are the best legally permissible and physically possible uses. Holding the property vacant for investment speculation in conjunction with future development alternatives is also physically possible and legally permissible.



### **Financially Feasible:**

Financially feasible refers to legal uses which are physically possible and have a sufficient demand to produce a positive return. Once the physically possible and legally permissible potential land uses have been determined, the next step in estimating the highest and best use is to determine which uses are financially feasible.

In general, three distinct groups of buyers typically generate the demand for open space parcels. As mentioned above, developers seeking to earn mitigation credits toward development projects often look for open space land to purchase. Additionally, conservation agencies might seek to preserve land in order to protect a particular species or for use as recreational facilities. Finally, speculative investors seeking a low risk investment might purchase open space land to hold for potential appreciation. All three of these motivations represent financially feasible uses of the subject property.

### **Summary of the Highest and Best Use:**

Consideration must be given to the financial consequences of alternative development on the subject site. The returns to the investor can be tested to establish which would return the most value to the site.

In the case of the subject property, while speculative investment and land banking could be potentially feasible uses, the subject is located directly adjacent to the Firehouse Hill site, a large plot of land recently purchased by the Santa Monica Mountains Conservancy to be preserved as open space for habitat preservation and recreational use. Because of its proximity to an existing open space corridor, the maximally productive use of the subject property is judged to be incorporation into this existing recreational facility.

Considering the factors analyzed above, the highest and best use of the subject property is as open space preservation and recreational land.

### **Highest and Best Use - "After" Condition**

The proposed project affecting the subject property requires a fee simple acquisition, an access control easement and a temporary construction easement from the subject. There will be no change in the utility, marketability or development potential **of the subject property from the "before" condition to the "after" condition. Therefore, the subject property's highest and best use in the "after" condition is as open space recreational land, the same as in the "before" condition.**

## Section 5 - Valuation Analysis

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### Valuation Process:

Valuation process is defined as:

*"The systematic set of procedures an appraiser follows to provide answers to a client's questions about real property value."<sup>10</sup>*

Valuation is a term used interchangeably with appraisal. Real estate markets are a function of the location in which they are located. The overall market environment can have a profound effect on the manner in which buyers and sellers perform the act of transferring property rights. Considerations made by the participants are generally based on certain fundamental principles. Those principles and their definitions are as follows:

**Anticipation:** "The perception that value is created by the expectation of benefits to be derived in the future. Value is created by the anticipation of future benefits.

**Change:** The result of the cause and effect relationship among the forces that influence real property value.

**Supply and Demand:** In economic theory, the principle of supply and demand states that the price of a commodity, good, or service varies directly, but not necessarily proportionately, with demand and inversely, but not necessarily proportionately with supply. Thus, an increase in the supply of an item or decrease in the demand for an item tends to reduce the equilibrium price; the opposite conditions produce an opposite effect. The relationship between supply and demand may not be directly proportional, but the interaction of these forces is fundamental to economic theory. The interaction of suppliers and demanders, or sellers and buyers, constitutes a market.

**Competition:** Between purchasers or tenants, the interactive efforts of two or more potential buyers or tenants to make a sale or secure a lease; between sellers or landlords, the interactive efforts of two or more potential sellers or landlords to complete a sale or lease; among competitive properties, the level of productivity and amenities or benefits characteristic of each property considering the advantageous or disadvantageous position of the property relative to the competitors.

**Substitution:** The appraisal principle that states that when several similar or commensurate commodities, goods, or services are available, the one with the lowest price attracts the greatest demand and widest distribution. This is the primary principle upon which the cost and sales comparison approaches are based.

**Balance:** The principle that real property value is created and sustained when contrasting, opposing, or interacting elements are in a state of equilibrium.

**Contribution:** The concept that the value of a particular component is measured in terms of its contribution to the value of the whole property or as the amount that its absence would detract from the value of the whole.

**Surplus productivity:** The net income that remains after the cost of various agents of production has been paid.

**Conformity:** The appraisal principle that real property value is created and sustained when the characteristics of a property conform to the demands of its market.

**Externalities:** The principle that factors outside a property, or externalities, exert both positive and negative influences on the property's value."<sup>11</sup>

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<sup>10</sup> The Appraisal of Real Estate, 14<sup>th</sup> edition, The Appraisal Institute, Chicago, Illinois (U.S., 2013), page 35

<sup>11</sup> The Appraisal of Real Estate, 14<sup>th</sup> edition, The Appraisal Institute, Chicago, Illinois (U.S., 2013), page 33

The valuation of the subject property is made on the basis of the real estate. Both the market participants as well as the real estate appraiser take the effects of the fundamental principles listed above into consideration. In arriving at an estimate of value, the appraisal considers the three approaches normally employed in accepted real estate appraisal practice, namely:

**The Cost Approach**, wherein the land is appraised "As Is Vacant" and available for development to its highest and best use. To this result is added the improvements estimated cost of replacement or reproduction new less depreciation accruing from all causes. This approach was not used in this report to value the larger parcel, however a modified version of the approach was used to value the improvements in the part acquired.

**The Income Approach**, which requires a study of the earnings capacity of the real estate, and the conversion of such net income into value by means of a capitalization process. This approach was not applicable to the subject property.

**The Sales Comparison Approach**, involving an analysis of the sale of other property having similar characteristics and a comparison of such data with the property appraised, giving due consideration to the elements of dissimilarity, was used in this report to value the subject property.

### **Definition of the Larger Parcel**

The first step in the appraisal of a partial acquisition is to determine the larger parcel. In the case of the subject property, the true *legal larger parcel* consists of 11 separate APNs and encompasses approximately 491 Acres, the bulk of which is currently being used as the Lost Hills Landfill (please see legal description and plat map of legal larger parcel in the Addenda Section of this report). The area proposed for acquisition is located in the southeast portion of the *legal larger parcel* and none of the land within the acquisition area is currently being utilized as part of the actual, physical landfill. The scope of our assignment has been to appraise the portion of the property in question, exclusive of all landfill operations. Therefore, for the purposes of this appraisal report, the appraisers have defined the larger parcel as a portion of APNs 2052-013-901, 2052-012-902, 903, 904 & 905, totaling approximately 21.32 acres (according to the Assessor's Parcel Maps and the RealQuest Mapping Tool). The reader is referred to the exhibit on page 38 of this report for a visual depiction of this area. Although portions of these APNs do extend into the physical landfill area, the larger parcel, as defined for the purposes of this report, is considered to be exclusive of these areas. In other words, this appraisal is based on the **hypothetical condition** that the subject larger parcel is the 21.32 acre portion consisting of APNs 2052-013-901, 2052-012-902, 903, 904 & 905 and depicted in the exhibit on page 38 of this report. Use of this hypothetical condition may have affected assignment results.

### **Land Valuation by the Sales Comparison Approach**

The application of the Sales Comparison Approach produces an estimate of value for a property by comparing it with similar properties which have been sold or are currently offered for sale in the same or competing areas. Procedures used to estimate the degree of comparability between two properties involve sound judgment decisions concerning their similarity with respect to any value factors such as: expenditure made immediately after purchase, market conditions, financing, conditions of sales, location, physical characteristics, zoning and legal encumbrances. The unit of comparison utilized in our analysis is the price per acre, consistent with this submarket.

### **Comparable Sales Search**

A search for comparable data was undertaken in order to gain market insight. Listings, contracts of sale and recorded transactions were all considered. Sources referenced include MLS, RealQuest, CoStar Group Inc., Loopnet, and discussions with brokers and market participants.

Among numerous items investigated, five (5) recorded transactions were selected for comparison. They range in size from 5.37 acres to 78.75 acres. Due to the size and location of the subject property and a **limited amount of sales data in the subject's immediate vicinity**, the search of comparable land was extended to both Los Angeles and Ventura Counties. Chronologically, the sales range from January 2011 thru July 2013. The sale prices range from \$370,000 to \$2,500,000. On a per acre basis, they range from \$19,643 to \$111,732 per acre before adjustments.

### Summary of Comparable Sales

Item	Address	APN	Zoning	SF	Sales Date	AC	Sales Price	\$ / AC	\$ PSF
OS-1	700 Madera Road Simi Valley, CA	500-0-400-435	RL-0.025	543,193	07/03/13	12.47	\$ 625,000	\$ 50,120	\$1.15
OS-2	2320 Stonyvale Road Tujunga, CA	5869-006-005	LCA11*	654,144	05/14/13	15.02	\$ 370,000	\$ 24,634	\$0.57
OS-3	1 Mulholland Drive Woodland Hills, CA	2076-017-025	LAR1	233,917	04/15/13	5.37	\$ 600,000	\$111,732	\$2.57
OS-4	24415 Mulholland Hwy Calabasas, CA	4455-004-046	RR/HM	1,219,680	11/03/11	28.00	\$ 550,000	\$ 19,643	\$0.45
OS-5	N/S Stunt Road Calabasas, CA	4455-021-034, 052, 068, 069 076 4455-024-007 4455-050-005 & 006	A-1-1	3,430,350	01/10/11	78.75	\$ 2,500,000	\$ 31,746	\$0.73

The location of the subject and the comparable sales are illustrated in the market data map on the following page:

### Market Data Map



## **Land Sale Adjustments**

Each sale is compared with the subject property and an adjustment is made to each sale based on differences between the two. By breaking out each sale into a common denominator such as price per acre or price per square foot, a more relevant comparison may be made.

## **Real Property Rights Conveyed**

This adjustment considers the differences in legal estate (interest) between the subject property and the comparables. Specific interests convey different types of rights in a property which affect the value of property. These property interests can be defined in many ways, among them: simple fee estates, life estates, leased fee interests, and leasehold interests. The selected comparable land sales were sold in fee simple interest; therefore, no adjustments were necessary.

## **Financing Terms**

Each sale is compared with the subject property and an adjustment is made to each sale based on differences between the two. By breaking out each sale into a common denominator such as price per acre or price per square foot, a more relevant comparison may be made. The transaction price of one property may differ from that of an identical property due to different financial arrangements. In some cases buyers pay higher prices for properties to obtain below-market financing. Conversely, interest rates at above-market levels often result in a lower sales price. All of the comparable sales sold for cash, so no financing adjustments were considered necessary.

## **Conditions of Sale**

Typically, adjustments for conditions of sale usually reflect the motivations of the buyer and the seller in the transfer of real property. The conditions of sale adjustment reflects the difference between the actual sale price of the comparable and its probable sale price if it were sold in an arms-length transaction in **today's market**. **Some circumstances of comparable sales that will need adjustment include: sales made under duress, legal auctions, assemblage sales, eminent domain transactions and sales that were not arm's length.**

**Items OS-2 and OS-4** were short sales. **Item OS-2** was an improved property whose improvements were destroyed in a fire and the owner was forced to sell the property because he could no longer **feasibly make the payments**. **The seller's broker believed that the property likely sold for** below market, so this transaction was considered inferior to the subject in this respect. **Item OS-4** was also a short sale and was also considered inferior. **Item OS-5** was an assemblage sale of multiple non-contiguous parcels for conservancy land that was part of a long negotiation. Because of the assemblage factor, this transaction is considered superior to the subject in terms of conditions of sale.

## **Expenditures Made Immediately After Purchase**

A knowledgeable buyer considers expenditures that must be made following the purchase of a property because these costs may affect the net price that the buyer agrees to pay. Such expenditures may include the costs to demolish and remove any buildings, costs to petition for a zoning change, or costs to remediate environmental contamination. Costs to upgrade a property are typically not cause for adjustment as the benefit of these expenditures will most likely be manifested in improved income for the property.

Because **Item OS-2** was originally improved and the improvements were destroyed by fire, the buyer of this property bought with the knowledge that he would have to spend approximately \$20,000 in clean-up and asbestos remediation costs. Therefore, a positive adjustment of \$20,000 has been made to this sale. The remaining data items required no adjustments for expenditures immediately after purchase.

## **Time/Market Conditions**

Because Open Space land transactions occur far less frequently than other types of land sales, it is difficult to make a precise adjustment for market conditions. Based on discussions with brokers and parties to the comparable transactions, **Items OS-4 and OS-5**, which sold in 2011, are considered to have sold under inferior market conditions; the remaining items, which sold in 2013, are considered similar.

## **Other Adjustments**

In the case of the comparable data items, further adjustments are warranted for factors including Location, Size, Access, Zoning and Topography.

## **Location**

With regard to location, one property's location may not be inherently more or less desirable than another's; however, in the case of Open Space land, locational adjustments are considered a function of supply and demand. For example, highly developed urban areas have a lesser supply and greater demand for open space land than lesser developed rural areas. The subject is located on the border of the City of Calabasas and the County of Los Angeles, with close proximity to the Ventura County line. There is not typically a premium for open space land in this area.

**Items OS-4 and OS-5**, located nearby in the Santa Monica Mountains, are located in a generally more rural area than the subject and are considered slightly inferior. **Item OS-1**, located in Simi Valley, is also located in a rural area and is considered inferior to the subject. **Item OS-2**, located in Tujunga Canyon is surrounded by national forest land and is considered very inferior in terms of location. On the other hand, **Item OS-3** is surrounded by residential development in Woodland Hills and is considered to be superior in terms of location.

## **Size**

Although size does not play as significant a role for open space land as it does for other types of land with development potential, the market does recognize the general trend that larger properties typically sell for lower unit values than smaller properties. The subject is a 21.32 acre parcel and falls well within the range of the comparable sales. **Items OS-1, OS-2 and OS-4** were considered similar to the subject with 12.47 AC, 15.02 AC and 28 AC, respectively. **Item OS-3** was considered superior with 5.37 AC and **Item OS-5** was considered inferior with 78.75 AC.

## **Access**

The subject property has excellent access off of Lost Hills Road, a paved street adjacent to a freeway interchange. **Item OS-3** was considered to have similar access to the subject inasmuch as it is also located off Mulholland Drive, a major road. The other items were considered to have slightly inferior to inferior access when compared to the subject.

## **Zoning**

Adjustments for zoning are applied as a result of superiority or inferiority of zone characteristics. Variances in zoning affect development standards for a particular site, which may render it more desirable to investors, particularly on income producing properties.

With the exception of **Item OS-3**, the subject property and the selected comparable land sales have similar zoning – large acreage residential, agricultural or open space designations. Analysis of the data indicated no significant differences attributable to zoning, given that all parcels are effectively purchased for either speculative, long-term investment or conservation. **Item OS-3** was zoned R1, which is considered superior to the subject. Its steep topography, however, made development costs unfeasible. **Item OS-1** is also zoned for single family development; however, it was part of a zoning overlay that only allowed one (1) residential unit per 40 acres, which is similar to the subject.

**Topography**

In general, topography is less of a concern for open space properties than other types of property. Nevertheless, properties with very steep or impassible topography, such as **Items OS-3** and **OS-5** were considered inferior to the subject. The remaining items were considered similar with respect to topography.

The following adjustment grid delineates the market data items used in this report and their respective adjustments.

Open Space Land Sales Adjustment Grid						
Land Sales		Item OS-1	Item OS-2	Item OS-3	Item OS-4	Item OS-5
	Subject					
Location:	US-101/Lost Hills Interchange Calabasas, CA	700 Madera Rd Simi Valley, CA	2320 Stonyvale Rd Tujunga, Ca	1 Mulholland Dr Woodland Hills, CA	24415 Mulholland Hwy Calabasas, CA	N/S Stunt Road Calabasas, CA
A. P. N./ T.B.M	2052-013-901, 2052-012-902 903, 904 & 905	500-0-400-435	5869-006-005	2076-017-025	4455-004-046	4455-021-034, 052, 068, 069 076 4455-024-007 4455-050-005 & 006
Sale/Listing Price:	N/A	\$625,000	\$370,000	\$600,000	\$550,000	\$2,500,000
Recording Date:	N/A	7/3/2013	5/14/2013	4/15/2013	11/3/2011	1/10/2011
Land Area (AC)	21.32	12.47	15.02	5.37	28.00	78.75
Land Area (sf)	928,528	543,193	654,147	233,917	1,219,680	3,430,350
Zoning	OS-R	RL-0.025	LCA11*	LAR1	RR/HM	A-1-1
<b>Price per Acre</b>	<b>N/A</b>	<b>\$50,120</b>	<b>\$24,634</b>	<b>\$111,732</b>	<b>\$19,643</b>	<b>\$31,746</b>

Sales Adjustment		Item OS-1	Item OS-2	Item OS-3	Item OS-4	Item OS-5
Carried Forward Price per Acre		\$50,120.29	\$24,633.82	\$111,731.84	\$19,642.86	\$31,746.03

Property Rights Conveyed	Similar	Similar	Similar	Similar	Similar
Financing Terms	Similar	Similar	Similar	Similar	Similar
Conditions of Sale	Similar	Inferior	Similar	Inferior	Superior
Expenditures Immediately after purchase	\$0	\$20,000	\$0	\$0	\$0
Market Conditions	Similar	Similar	Similar	Inferior	Inferior

Other Adjustments:		Item OS-1	Item OS-2	Item OS-3	Item OS-4	Item OS-5
Location	Inferior	Very Inferior	Superior	Slightly Inferior	Slightly Inferior	
Size	Similar	Similar	Superior	Similar	Inferior	
Access	Slightly Inferior	Inferior	Similar	Inferior	Inferior	
Zoning	Similar	Similar	Superior	Similar	Similar	
Topography	Similar	Similar	Inferior	Similar	Inferior	

Overall Comparison	<b>Slightly Inferior</b>	<b>Inferior</b>	<b>Very Superior</b>	<b>Very Inferior</b>	<b>Inferior</b>
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<b>Indicated Price Per Acre</b>	<b>\$ 50,120</b>	<b>\$ 25,965</b>	<b>\$ 111,732</b>	<b>\$ 19,643</b>	<b>\$ 31,746</b>
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Subject Value Estimate:		As Of 6/6/2014	
Subject Size	X	Price / Acre	= Value
21.32 Acres	X	\$75,000 Per Acre	= <b>1,599,000</b>
		<b>Rounded to</b>	<b>1,599,000</b>

Overland Pacific & Cutler Appraisal Group



## Land Value Conclusion, Larger Parcel:

Among numerous items investigated, five (5) recorded transactions were selected for comparison. They range in size from 5.37 acres to 78.75 acres. Chronologically, the sales range from January 2011 thru July 2013. The sale prices range from \$370,000 to \$2,500,000. On a per acre basis, they range from \$19,643 to \$111,732 per acre.

A ranking analysis of the subject property and the comparable data yields the following:

Sales Comparable	Ranking	Price/Acre
OS-3	<b>Very Superior</b>	<b>\$111,732</b>
<b>Subject</b>		
OS-1	<b>Slightly Inferior</b>	<b>\$50,120</b>
OS-5	<b>Inferior</b>	<b>\$31,746</b>
OS-2	<b>Inferior</b>	<b>\$25,965</b>
OS-4	<b>Very Inferior</b>	<b>\$19,643</b>

As can be seen in the table above, the subject trends toward the higher end of the range indicated by the data, and is bracketed by **Item OS-3 and Item OS-1**, indicating that the value should fall between \$111,732 per acre and \$50,120 per acre. Ultimately, the subject is considered to be more similar to **Item OS-1 than Item OS-3**. Based on all transactions, both adjusted and unadjusted sales prices, the current fair market value of the subject property larger parcel is estimated at **\$75,000 per acre**.

The mathematical calculation of the land value estimate for the subject larger parcel is as follows:

<b>Land Value Summary</b>	
Estimated value of site per acre:	<b>\$75,000</b>
Multiplied by subject site size:	<b>21.32</b>
<b>Equals:</b>	<b>\$1,599,000</b>
<b>Indicated Value of Land, (Rounded):</b>	<b>\$1,599,000</b>

## Partial Acquisition Analysis

The larger parcel, with ±21.32 acres was valued "as is". The land in the portion to be acquired is typically valued based on the average unit value of the larger parcel as a whole. The project in the manner proposed requires a fee simple acquisition of approximately 8.907 acres from the subject property in order to accommodate the new location of the northbound on and off ramps. The majority of the fee area is located on Parcel No. 2052-012-904 with the easternmost portion located on Parcel No. 2052-012-905. Additionally, since the right of way being acquired is being used for highway purposes, approximately 547 **lineal feet of access control is required along the subject's frontage on Lost Hills Road** where the on and off ramps meet Lost Hills Road. This is a typical requirement of Caltrans projects and it is necessary to promote safety along state highways. Finally, in order to construct the project in the manner proposed, a Temporary Construction Easement totaling 3.136 acres is required. The duration of the TCE is expected to be 24 months. After construction, the TCE area will be returned to the property owner.

The reader is referred to the Addenda Section of this report for legal descriptions and plats of the Fee, Access Control and TCE areas, along with right of way drawings depicting the proposed acquisitions.



## Permanent Portions to Be Acquired

In theory, complete real property ownership, otherwise known as the fee simple interest, consists of a bundle of distinct and separable rights. These rights can be individually conveyed by the fee owner to other parties, either in perpetuity or for a limited duration. Separating rights from the bundle creates a partial or fractional interest.

The subject valuation problem includes two permanent acquisitions: a fee simple acquisition of approximately 8.907 acres and an access control easement of approximately 547 lineal feet.

## Valuation Methodology

### Fee Simple Acquisition

The proposed fee simple acquisition of approximately 8.907 acres will be transferred in its entirety to the State of California for the purposes of incorporation into the State Highway System. Because the entirety of the bundle of rights for this portion of the subject is being conveyed to the State, this portion is valued at 100% of the previously concluded value of **\$75,000 per acre**. The calculations are seen in the table below:

<b>Value of the Land Acquired</b>	
Fee Area Acquired:	8.907 AC
Multiplied By: Unit Value from Market:	\$75,000 / AC
<b>Equals: Value of Fee Area Acquired:</b>	<b>\$ 668,025</b>

### Access Control Easement

The proposed exit from the westbound US-101 off ramp and the entrance to the westbound US-101 onramp will be located on Lost Hills Road; adjacent to the subject property. In order to promote vehicular safety, Caltrans is proposing to acquire access rights to approximately 547 lineal feet along the border of the subject property and Lost Hills Road. According to the right of way drawings in the Addenda Section, access will be maintained to the subject property via the existing driveway on Lost Hills Road and access rights will remain with the subject along the west side of Lost Hills Road. In reality, the highest and best use of the property, along with its functional utility remain completely unchanged. The subject will still maintain access along a public street, and no actual, physical access points are being impinged. Therefore, the access control easement is estimated to have a nominal value. To be consistent with Caltrans regulations, a value of \$500 is assigned to the access control easement.

<b>Value of the Land Acquired</b>	
Access Control Area Acquired:	547 lf
<b>Equals: Value of Access Control Rights:</b>	<b>\$500 (nominal)</b>

### Improvements within the Portion Acquired

A portion of the drainage gutter from the landfill site is located within the acquisition area. It is assumed that this will be replaced in kind by the project contractor in a way that continues the existing drainage flow through the subject property. Additionally, approximately 749 lineal feet of chain link fencing with three strand razor wire is located along the western border of the fee acquisition area. The fencing is estimated to have an effective age of 10 years and an economic life of 20 years. The replacement cost of the fencing has been taken from *Marshall's Valuation Service*, an industry standard cost manual. Local and current cost multipliers have been factored into the unit cost. Depreciation is estimated at 50% (10 years effective age/20 year's economic life). Additionally, an entrepreneurial incentive of 15%, which is consistent with the market, has been added to the depreciated cost. The calculations are seen on the next page.

<b>Value of the Improvements Acquired</b>	
Chain link fence with 3-strand razor wire:	749 lf
Multiplied by Unit Value:	\$19.80 plf
Subtotal	\$14,830.20
Plus Entrepreneurial Incentive at 15%	\$2,224.53
Subtotal	\$17,054.73
Less Accrued Depreciation at 50%	-\$8,527.37
<b>Equals: Value of the Improvements Acquired (Rounded):</b>	<b>\$8,527</b>

### **Total Part Acquired As Part of the Whole, Land and Improvements**

<b>Total Part Acquired</b>	
Value of the Fee Area to Be Acquired:	\$ 668,025
Value of the Access Rights to Be Acquired:	\$ 500
Value of the Improvements Acquired	\$ 8,527
<b>Total Parts Acquired, Land and Improvements:</b>	<b>\$ 677,052</b>

### **Remainder Parcel – As Part of The Whole**

Since the larger parcel was valued as vacant, the valuation of the remainder parcel as part of the whole is measured by subtracting the value of the parts acquired (not including the improvements) from the larger parcel value, as follows:

<b>Value of the Remainder as Part of the Whole:</b>	
Larger Parcel Valuation (Land Only):	\$ 1,599,000
Less: Value of the Parts Acquired (Excluding Site Improvements):	\$ 668,525
<b>Equals: Value of the Remainder 'Before'</b>	<b>\$ 930,475</b>

### **Value of the Remainder After Acquisition and Before Consideration of Benefits**

Valuation of the remainder parcel after acquisition considers how the partial acquisition affects the remainder parcel. Methodology involves a determination as to severance damages and benefits that may accrue to the remainder parcel.

### **Consideration of Severance Damages**

California Eminent Domain Law defines Damage to the remainder as the damage, if any, caused by either or both of the following: **a)** The severance of the remainder from the part acquired, **b)** The construction and use of the project for which the property is acquired in the manner proposed by the plaintiff whether or not the damage is caused by a portion of the project located on the part acquired.

Damage considerations include issues related to air, light and view obstruction, a change in utility due to shape, topography, access or other physical impairment, or a reduction in site amenities enjoyed in the "before" condition.

### **Analysis**

Potential sources of severance damage loss might include a change in the highest and best use due to size or shape impairment, changes in access or other negative impacts on the functional utility of the property for its current use. None applied in the case of the subject property.

In this analysis, we have determined that there is no change to the subject's highest and best use after construction in the manner proposed and there are no measurable impacts to the remainder site area. The current zoning, physical characteristics and economic environment preclude any development. The

remainder property after construction in the manner proposed is concluded to have the same unit value as does the larger parcel; \$75,000 per acre; indicating that no severance damages result from the construction of the project in the manner proposed.

### Conclusion – Damages

Total Damages are estimated as the difference between the Value of the Remainder as Part of the whole and the Value of the Remainder After, if already calculated.

<b>Conclusion, Severance Damages:</b>	
Value of the Remainder as Part of the Whole (Land Only):	\$ 930,475
Less: Value of the Remainder 'After' Acquisition (Land Only):	\$ 930,475
<b>Equals: Severance Damages:</b>	<b>\$0</b>

### Value of the Remainder after Acquisition and after Consideration of Benefits:

Briefly stated, benefits are defined as any value enhancement resulting from the project. As cited in Los Angeles County Metropolitan Transit Agency v. Continental Development Corporation, 97 Daily Journal D.A.R. 11021, ***"...all reasonably certain, non speculative benefits resulting from the project may offset against severance damages..."***

Quantifiable benefits may accrue to the remainder after construction as a result of the project in the manner proposed. Because benefits only offset severance damages, it was not necessary to value said benefits in this assignment as no severance damages exist. The appraiser reserves the right to consider benefits should any changes to this assignment arise.

### Conclusion – Benefits to the Remainder

**Benefits: N/A**

### Value Of The Parts Rented

The project in the manner proposed requires 3.136 acres for a Temporary Construction Easement (TCE) for twenty-four (24) months. The irregular-shaped easement lies on the portion of the subject property west of Lost Hills Road and north of the proposed fee acquisition area. The TCE is required for construction staging activities. The TCE covers all vacant land, and the land within this area will be returned to the property owners after construction in a similar condition to its pre-construction condition.

Based on historical ground lease data, rates of return typically range from 7 to 10% for long-term leases. A rate of 10% has been used for establishing the value of the parts rented. This rate is consistent with the returns obtained by various private and public land owners who routinely lease land, including the County of Los Angeles, the City of Calabasas and other entities. An additional 1% is added for property tax compensation, for a total TCE rate of 11%.

Mathematically, the rental value of the Net TCE area is calculated as follows:

<b>Temporary Construction Easement</b>	
Temporary Easement Area:	3.136 AC
Multiplied By: Unit Value from Market:	\$75,000 / AC
Multiplied by Rental Rate:	11%
Estimated duration of TCE:	2 years
<b>Fair Rental Value of TCE:</b>	<b>\$ 51,744</b>
Monthly Equivalent:	\$ 2,156.00

## Value Recapitulation

Appraisal conclusions stated in this section are summarized as follows:

<b>Value Recapitulation</b>	
Value of the Larger Parcel (Land Only):	\$ 1,599,000
Value of the Parts Acquired (Land Only):	\$ 668,525
Value of the Remainder As Part of the Whole (Land Only):	\$ 930,475
Value of the Remainder 'After' (Land Only):	\$ 930,475
Incurable Severance Damages	\$ 0
Cost To Cure	\$ 0
Benefits:	N/A
Value of the Site Improvements Acquired:	\$ 8,527
Parts Rented (Temporary Construction Easement) (24 months)	\$ 51,744
Replacement of TCE Site Improvements	N/A
<b>Total Estimated Compensation</b>	\$ 728,796
	<b>Rounded \$ 729,000</b>

**\$729,000**

**SEVEN HUNDRED TWENTY-NINE THOUSAND DOLLARS**

### Acquisition Aid:

A Certified, Return Receipt letter dated April 25, 2014 was sent to the owners, inviting them to attend the inspection. Copies of the letters sent are included in the Addenda.

Mr. Rex Ball  
County of Los Angeles  
SR/WA, Principal Real Property Agent  
CEO Real Estate Division  
222 S. Hill Street, 3<sup>rd</sup> Floor  
Los Angeles, CA 90012

Chris LaBonte, Valuation Analyst with Overland, Pacific & Cutler, Inc. inspected the subject property on June 6, 2014.

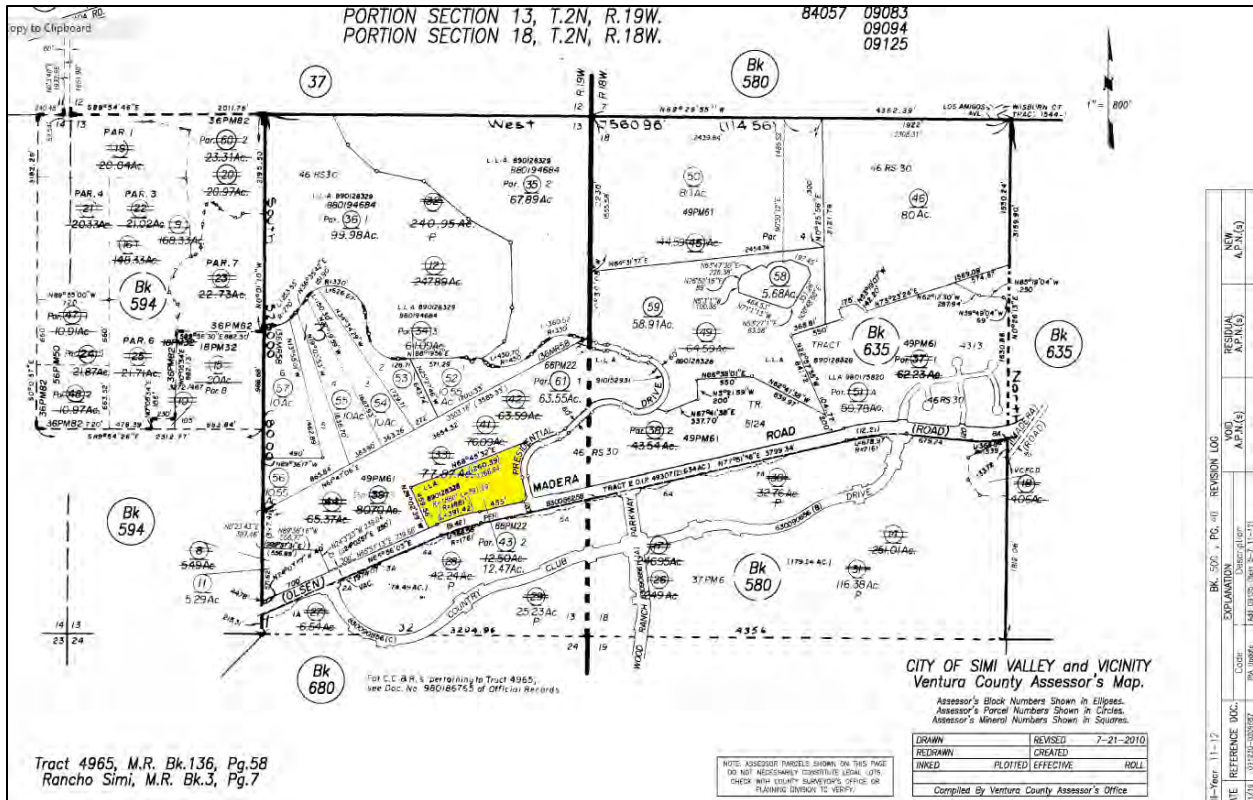
## Section 6 - Market Data

Item OS-1	
<b>Location/Address:</b>	700 Madera Road, Simi Valley, CA
<b>Sale Date:</b>	06/07/13
<b>Recording Date/Document No:</b>	07/03/2013 (Doc. No. 11844)
<b>Grantor:</b>	Roman Catholic Archbishop
<b>Grantee:</b>	Ronald Regan Presidential Foundation
<b>Deed Type:</b>	Grant Deed
<b>Assessor's Parcel Number:</b>	500-0-400-435
<b>Zoning:</b>	RL-0.025
<b>Interest Conveyed:</b>	Fee Simple
<b>Lot Area:</b>	543,193 sf; 12.47 AC
<b>Topography:</b>	Undulating hilly topography
<b>Utilities:</b>	None onsite. Available in street.
<b>Intended Use:</b>	Hold
<b>Sales Price/per acre:</b>	\$625,000 / \$50,120 per acre
<b>Verification/Date:</b>	Deanne Boublis @ 818.787.3077 on 5/20/14
<b>Financing Terms:</b>	Cash
<b>Conditions of Sale:</b>	Standard Sale
<b>Current Use at Sale Date:</b>	Open Space
<b>Comments:</b>	This represents the standard sale of 12.47 acres of raw land. The Roman Catholic Church owned the property and had intended to build a Church on the site; however, they ultimately decided not to build and they put the property up for sale. It was purchased by the Reagan Presidential foundation, which owns the adjacent site, where the Reagan Presidential Library is located. The site was on the market for well over a year. It is zoned for single family development, but is within an overlay district that allows only 1 home per 40 acres of land.

# Comparable Property Photograph



# Assessor's Parcel Map

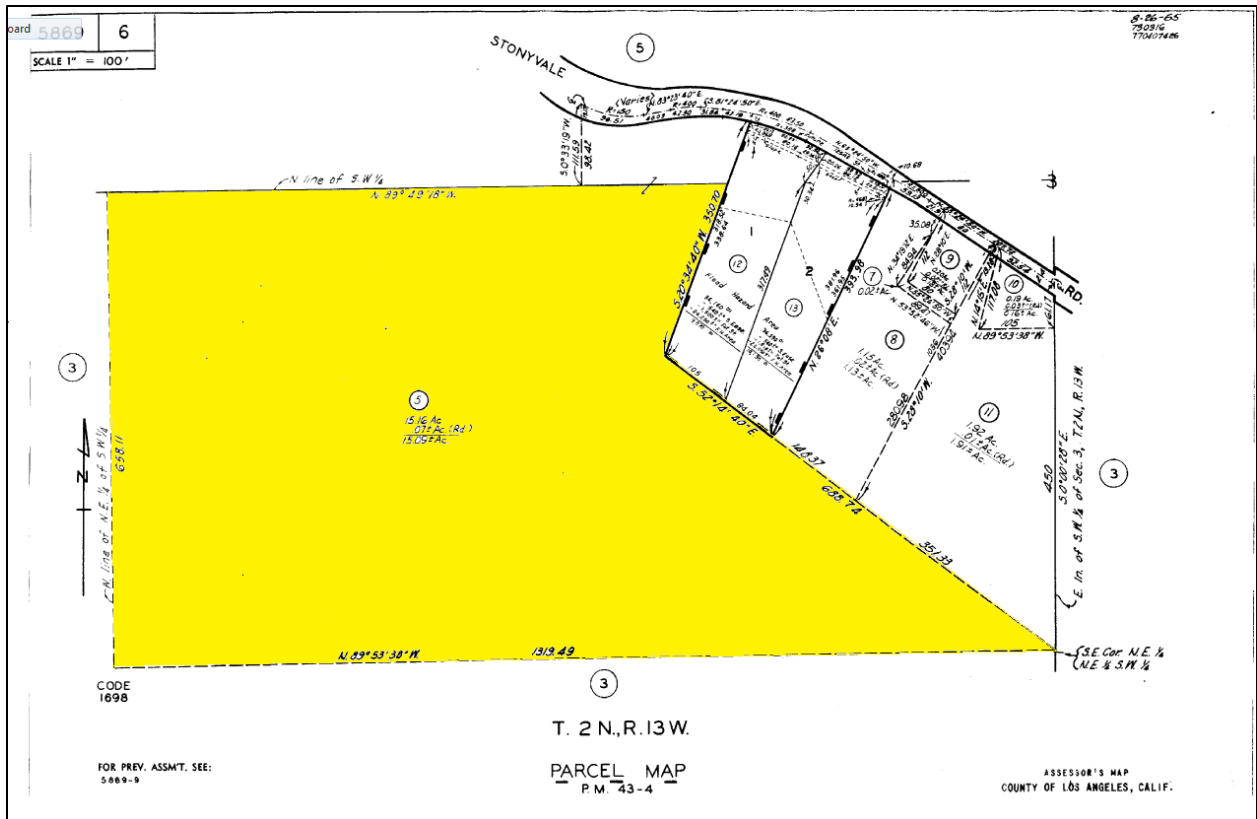


<b>Item OS-2</b>	
<b>Location/Address:</b>	2320 Stonyvale Road, Tujunga, CA
<b>Sale Date:</b>	04/25/13
<b>Recording Date/Document No:</b>	05/14/2013 (Doc. No. 723178)
<b>Grantor:</b>	Marquiss, James R & Jennifer
<b>Grantee:</b>	Gamarian, Sarkis & Alice/Khosrovyan, Armen
<b>Deed Type:</b>	Grant Deed
<b>Assessor's Parcel Number:</b>	5869-006-005
<b>Zoning:</b>	LCA11*
<b>Interest Conveyed:</b>	Fee Simple
<b>Lot Area:</b>	654,147 sf; 15.02 AC
<b>Topography:</b>	Rolling hills with building pad
<b>Utilities:</b>	Artesian well and power onsite.
<b>Intended Use:</b>	Buyer intended to build in future
<b>Sales Price/per acre:</b>	\$370,000 / \$24,634 per acre
<b>Verification/Date:</b>	Latha Risso (Seller's Broker) @ 323.974.5906 on 5/20/14
<b>Financing Terms:</b>	Cash
<b>Conditions of Sale:</b>	Short Sale
<b>Current Use at Sale Date:</b>	Vacant
<b>Comments:</b>	This was the sale of a previously improved property in Tujunga Canyon that had burned down in the Station Fire. The Seller had owed approximately \$735,000 on the property to the lender (who was the former property owner). When the fire burned down the house, the owner could no longer afford to make the payments, and the County imposed development restrictions after the fire. The owner would have had to build a bridge over the creek and perform other clean-up activities. The property was on the market for close to a year and sold for below market value, according to the broker. Moreover, there was approximately \$20,000 worth of asbestos remediation costs that were to be incurred by the buyer after the purchase.

## Comparable Property Photograph



## Assessor's Parcel Map



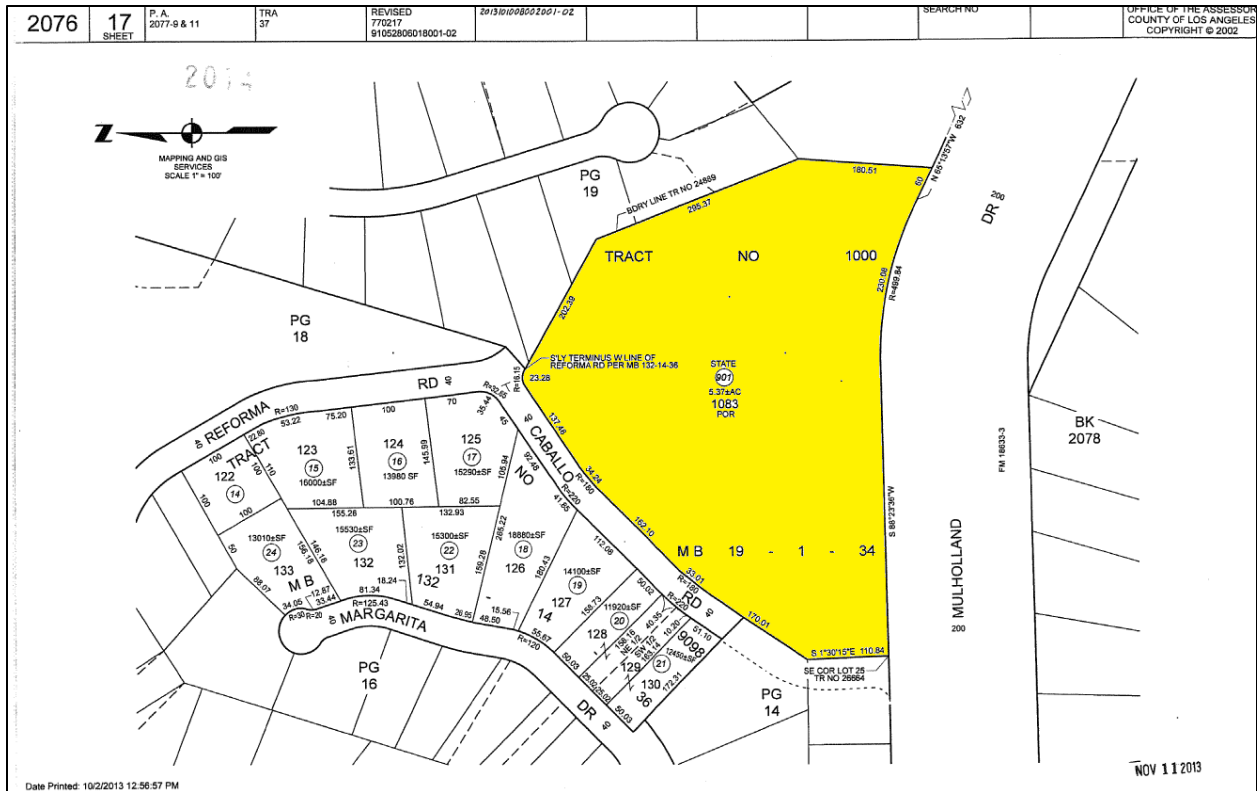


<b>Item OS-3</b>	
<b>Location/Address:</b>	1 Mulholland Drive, Woodland Hills, CA
<b>Sale Date:</b>	04/10/13
<b>Recording Date/Document No:</b>	04/15/2013 (Doc. No. 555009)
<b>Grantor:</b>	Kristine Dekreon
<b>Grantee:</b>	Mountains Recreation and Conservation Authority
<b>Deed Type:</b>	Grant Deed
<b>Assessor's Parcel Number:</b>	2076-017-025
<b>Zoning:</b>	LAR1
<b>Interest Conveyed:</b>	Fee Simple
<b>Lot Area:</b>	233,917 sf; 5.37 ac
<b>Topography:</b>	Steep Hills
<b>Utilities:</b>	In Street
<b>Intended Use:</b>	Open Space Preservation
<b>Sales Price/per acre:</b>	\$600,000 / \$111,732 per acre
<b>Verification/Date:</b>	Jeff Schermer (Dilbeck Commercial) @ 818.591.8800 on 05/20/14.
<b>Financing Terms:</b>	Cash
<b>Conditions of Sale:</b>	Standard Sale
<b>Current Use at Sale Date:</b>	Open Space
<b>Comments:</b>	This represents the standard sale of 5.37 acres of residential land in Woodland Hills. The broker indicated that the lot was zoned for single family residential use, but because of the steep topography, residential development was infeasible. Ultimately, the Mountains Recreation and Conservation Authority made a cash offer in order to preserve the land as open space. The broker felt like they "might have overpaid some, but everyone was happy."

# Comparable Property Photograph



# Assessor's Parcel Map

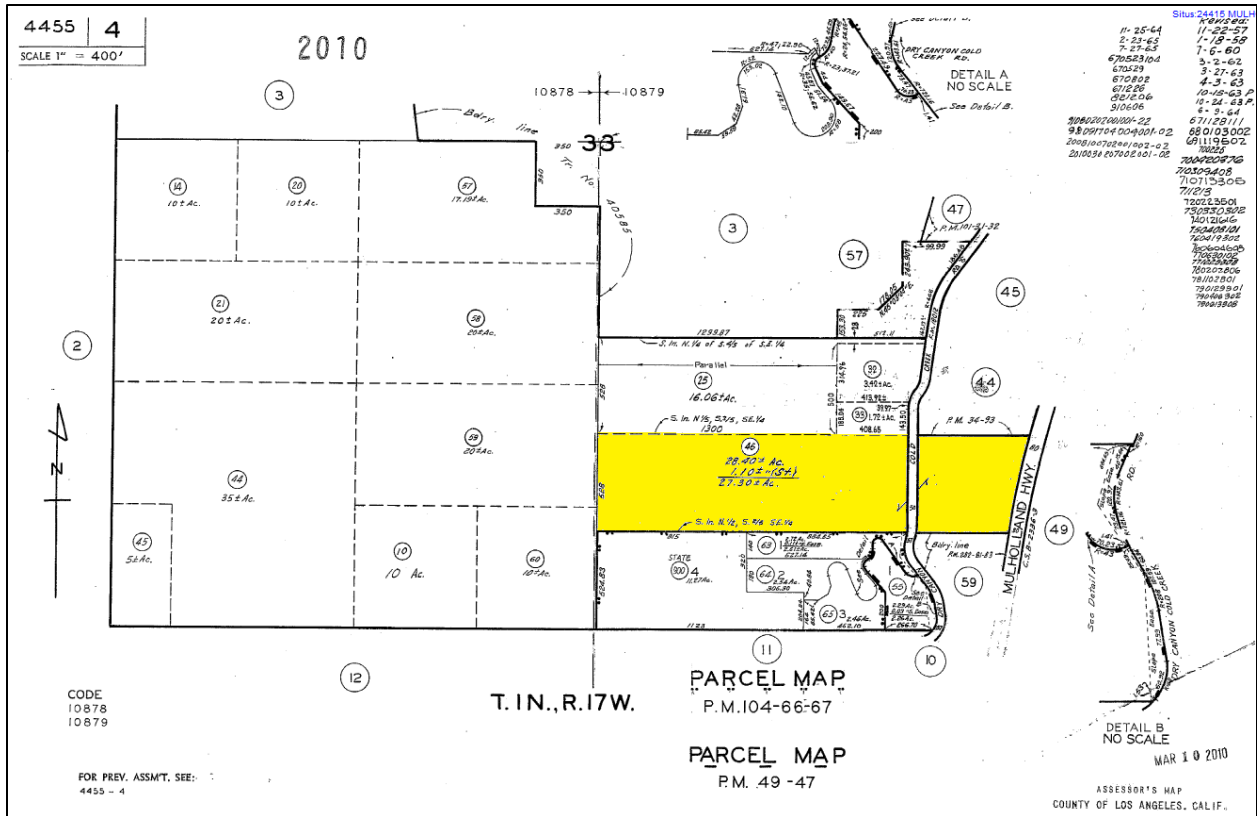


<b>Item OS-4</b>	
<b>Location/Address:</b>	24415 Mulholland Hwy., Calabasas, CA
<b>Sale Date:</b>	05/05/11
<b>Recording Date/Document No:</b>	11/03/2011 (Doc. No. 1488607)
<b>Grantor:</b>	Mottahedeh, David
<b>Grantee:</b>	BF Family Lots LLC
<b>Deed Type:</b>	Grant Deed
<b>Assessor's Parcel Number:</b>	4455-004-046
<b>Zoning:</b>	RR/HM
<b>Interest Conveyed:</b>	Fee Simple
<b>Lot Area:</b>	1,219,680 sf; 28.00 AC
<b>Topography:</b>	Mostly hills, with some level area
<b>Utilities:</b>	None onsite; available in street
<b>Intended Use:</b>	Investment
<b>Sales Price/per acre:</b>	\$550,000 / \$19,643 per acre
<b>Verification/Date:</b>	Anahit Kuchakian (Reliant Equity Group) @ 818.559.3337 on 5/20/14
<b>Financing Terms:</b>	Cash
<b>Conditions of Sale:</b>	Short Sale
<b>Current Use at Sale Date:</b>	Vacant
<b>Comments:</b>	This represents the sale of 28 acres in the Santa Monica Mountains. According to the broker, there was a dirt road running through the middle of the property that, along with the topography, made the site suitable for only one single family residence. The property was a short sale that was listed for \$350,000 and eventually sold for \$550,000. The broker believed that the short sale did not negatively influence the price and that it sold for market value at the time of sale. According to the <b>broker, there was a "shack" on the property that did not</b> have any contributory value and did not influence the sale price.

## Comparable Property Photograph



## Assessor's Parcel Map

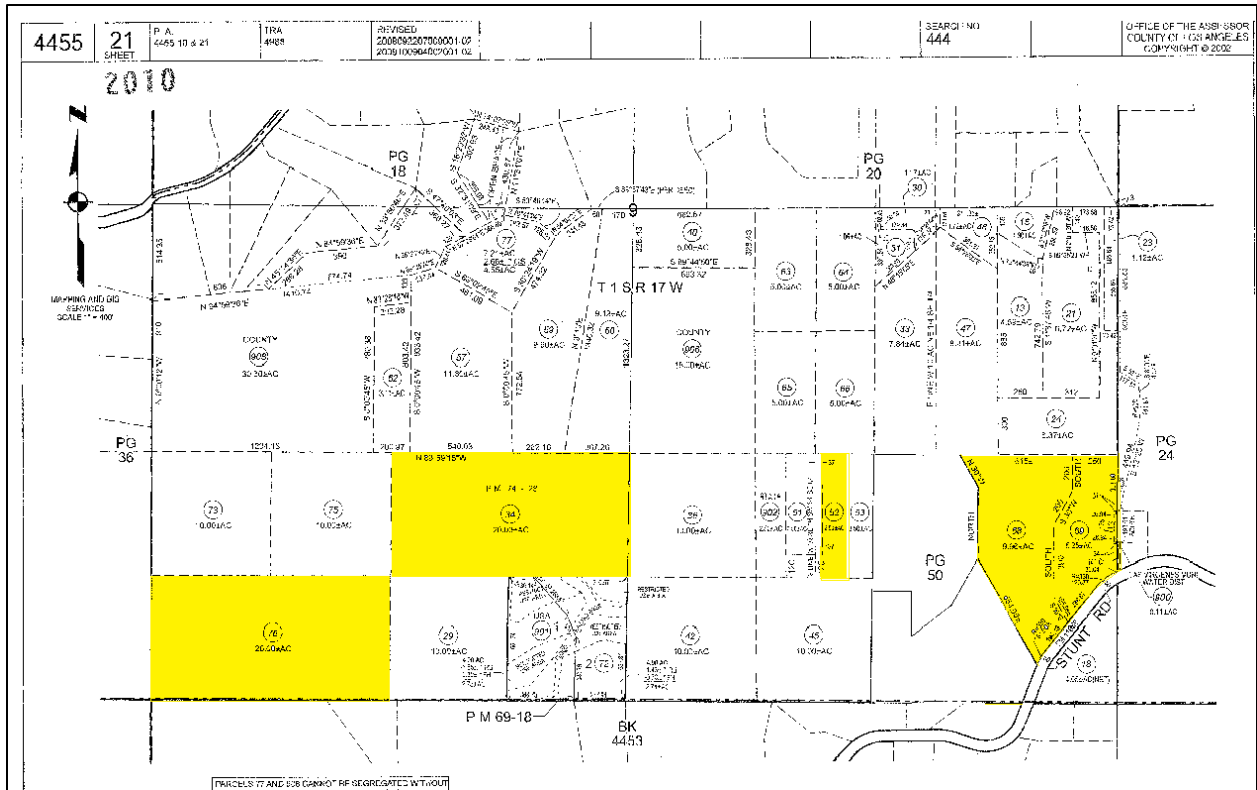


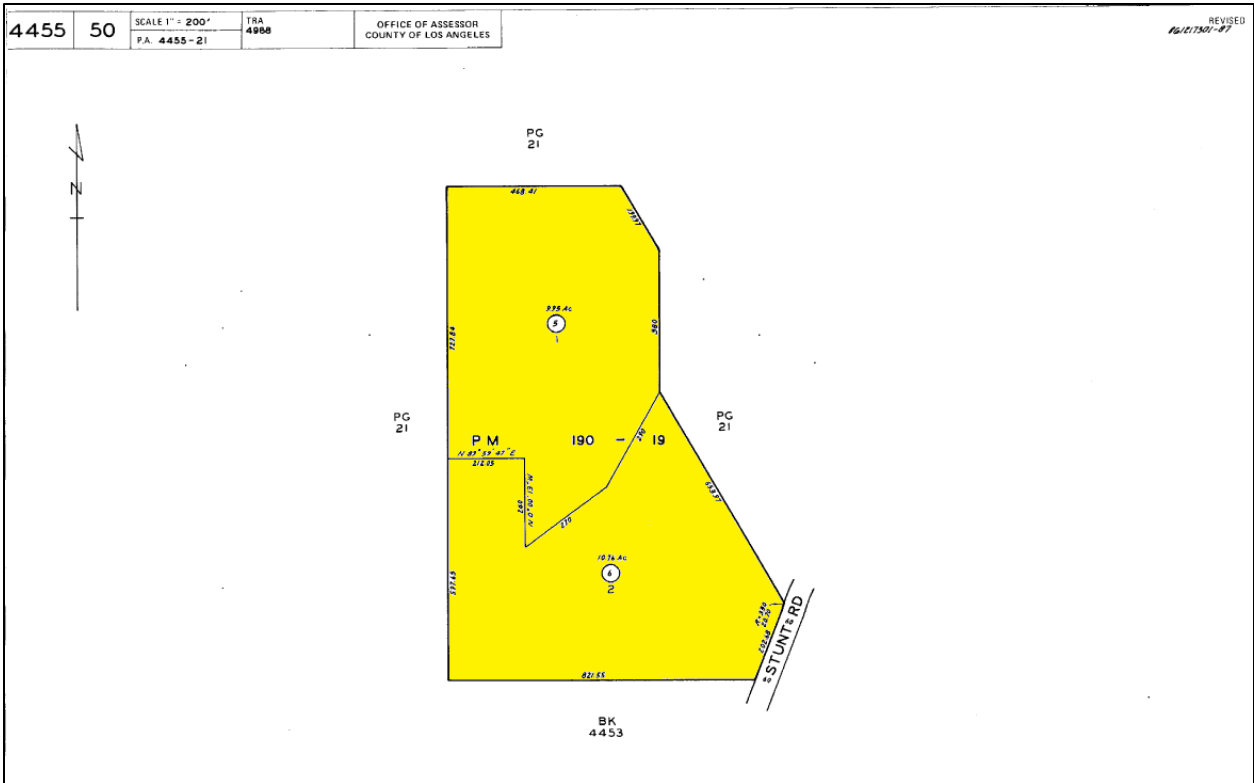
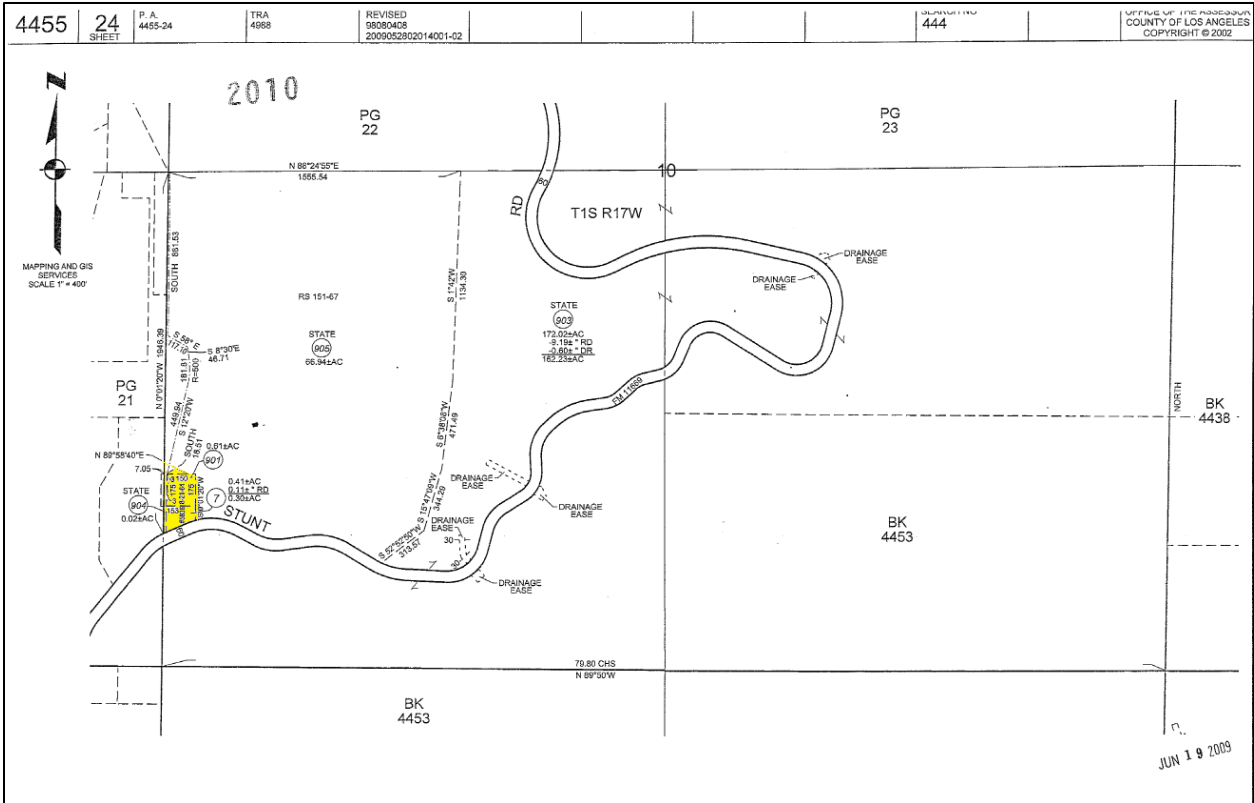
<b>Item OS-5</b>	
<b>Location/Address:</b>	N/S Stunt Road, Calabasas, CA
<b>Sale Date:</b>	01/10/2011
<b>Recording Date/Document No:</b>	01/10/2011 (Doc. No. 20110045529)
<b>Grantor:</b>	Tyron N. & Dolores A. Sisson
<b>Grantee:</b>	Mountains Restoration Trust
<b>Deed Type:</b>	Grant Deed
<b>Assessor's Parcel Number:</b>	4455-021-034, 052, 068, 069 076 4455-024-007 4455-050-005 & 006
<b>Zoning:</b>	A-1-1
<b>Interest Conveyed:</b>	Fee Simple
<b>Lot Area:</b>	3,430,350 sf; 78.75 AC
<b>Topography:</b>	Steep hills
<b>Utilities:</b>	None
<b>Intended Use:</b>	Open Space preservation
<b>Sales Price/per acre:</b>	\$2,500,000 / \$31,746 per acre
<b>Verification/Date:</b>	Debbie Sharpton, executive Director of Mountains Restoration Trust @ 818.591.1701 on 5/20/14
<b>Financing Terms:</b>	Cash
<b>Conditions of Sale:</b>	Assemblage
<b>Current Use at Sale Date:</b>	Vacant
<b>Comments:</b>	This is an acquisition by the Mountains Restoration Trust (MRT) from landowner Tyron "Ty" Sisson. The acquisition of this property was reportedly the MRT's highest priority. The MRT desired to add this property to the Cold Creek Preserve. The Cold Creek Preserve is a wildlife corridor which connects Topanga State Park with Malibu Creek State Park. Funding for this \$2,500,000 acquisition was provided by many public agencies as well as local community groups and individual donations. According to Debbie Sharpton, the sale transacted for market value at the time.

# Comparable Property Photograph



# Assessor's Parcel Maps





## Section 7 - Addenda

### Kevin Donahue, MAI Managing Director, Valuation Services Overland, Pacific & Cutler, Inc.

- Education:**           ▪ Bachelor of Arts in Finance, Emphasis in Real Estate Studies, California State University, Fullerton
- License(s):**           ▪ Certified General Real Estate Appraiser, State of California OREA No. AG015779
- Professional Affiliations:**   ▪ MAI Designated Member, Appraisal Institute  
  ▪ International Right of Way Association (IRWA), Chapter 67 President, 2001  
  ▪ Appraisal Member, Orange County Association of Realtors
- Years of Experience:**   **Initial Year in Industry:** 1986  
  **Initial Year with OPC:** 2010

#### Overview

Mr. Donahue entered the appraisal field in 1986 and has completed numerous and varied assignments involving commercial, industrial, and residential properties. Besides shopping centers, industrial warehouses, business parks, office buildings, and large apartment complexes, Mr. Donahue has appraised many special purpose properties such as transportation corridors, open space land, mitigation land, affordable housing projects, SRO hotels, and government buildings. Appraisal purposes include eminent domain, inverse condemnation, surface and subsurface easements, ground lease valuation and arbitration, insurable asset taxation, leasehold/leased fee analysis, I.R.S. disputes, bankruptcy litigation, construction defect litigation, soils movement matters, failure to disclose litigation, and estate planning. Kevin is qualified as an expert witness in Orange, Riverside, and Los Angeles County Superior Courts.

#### Project Examples

##### Recent Appraisal Project Experience:

- **Riverside County Transportation Commission (RCTC), SR-91 Corridor Improvement Project.** Full and Partial Acquisitions on various residential and commercial properties. Appraisal review also required. High profile, politically sensitive project to widen approximately 16 miles of active highway through the urbanized area of Corona and the County of Riverside.
- **San Bernardino Associated Governments (SANBAG), I-215 HOV Gap Closure Project.** Fifteen (15) partial acquisition appraisals including vacant and improved industrial, utility, and rail properties in the cities of Colton, Grand Terrace, and Riverside.
- **San Bernardino Associated Governments (SANBAG), Laurel Street Grade Separation Project.** This project involved full or partial acquisition of 12 ownerships to include residential, industrial, railroad and special purpose properties needed for the BNSF/ Laurel Street Grade Separation Project in the City of Colton.
- **Mitchell v. City of San Clemente:** Inverse condemnation matter related to soils movement in the City of San Clemente. Case involved five (5) single family residences.



- **CALTRANS, SR60/57 Freeway Interchange Improvement Project, City of Diamond Bar, Los Angeles County.** Partial acquisition appraisal of an improved commercial property requiring multiple takings for a new freeway ramp.
- **City of Highland/IVDA/County of San Bernardino, 5<sup>th</sup> Street and Del Rosa Avenue improvement project.** Partial acquisition appraisal of 50+ parcels, to include residential, commercial, industrial, and special purpose utility-owned property.

#### **Recent Appraisal Review Experience**

- **Orange County Transportation Commission (OCTA), Kraemer Grade Separation Project, Fullerton.** Appraisal reviews involving partial takings from retail and residential property. **Fullerton Grade Separation Project.** Appraisal reviews involving railroad, industrial retail, and residential property.
- **Port of Long Beach Authority, Gerald Desmond Bridge Project, Long Beach.** Appraisal reviews needed for complex partial acquisitions to include special purpose and waterfront industrial properties.
- **City of Palmdale, 10<sup>th</sup> Street E and Rancho Vista Interchange Improvements:** Appraisal reviews for four (4) vacant residential, industrial, and utility properties in the City of Palmdale for intersection improvements.
- **Riverside County Transportation Commission (RCTC), SR-91 Corridor Improvement Project.** Appraisal reviews for both Full and Partial Acquisitions on various residential, industrial, and commercial properties, improved and vacant. High profile, politically sensitive project to widen approximately 16 miles of active highway through the urbanized area of Corona and the County of Riverside.

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#### **Specific Expertise**

##### **Other Coursework:**

Appraisal Institute Courses/Seminars:  
Report Writing and Valuation Analysis  
Advanced Applications  
Standards of Professional Practice, A & B  
Real Estate Principles  
Basic Valuation Procedures  
Basic Income Capitalization  
Advanced Income Capitalization  
Valuation of Leased Fee Interests  
Easement Valuation  
Professional Writing In Appraisal Reports

# Chris LaBonte, SR/WA, R/W-AC, Valuation Analyst

Overland, Pacific & Cutler, Inc.

- Education:**
- BA, Spanish and Ancient Languages, Wheaton College, Wheaton, IL, 2003
  - Post-Baccalaureate Certificate in Classical Studies, University of California, Los Angeles, 2004
- License(s):**
- Real Estate License, California, No. 01879807
  - Notary Public, California
- Professional Affiliations:**
- Practicing Affiliate of the Appraisal Institute
  - Member, International Right of Way Association (IRWA), Chapter 57
- Years of Experience:**      **Initial Year in Industry:** 2005  
**Initial Year with OPC:** 2005

## Overview

Mr. LaBonte has been involved in the real estate profession since 2005 and appraisal since 2011. He specializes in right of way acquisition appraisals for various projects and has appraised property types such as land, commercial and industrial facilities, single and multifamily residential property and vineyards. **Before joining OPC's Valuation Services Team**, Mr. LaBonte was a Project Manager and the head of the Cost Estimating Division where he specialized in providing right of way cost estimates for transportation projects. Chris fully understands the right of way process, as he served as an interface between engineers and right of way implementation teams on large scale projects.

## Project Examples

- **Scotts Miracle-Gro, Linden CA Facility, San Joaquin County.** Appraised the fee simple interest of a fertilizer manufacturing and bagging facility with an underlying agricultural land use.
- **Bender Rosenthal Inc., California High Speed Rail Project, Fresno.** Appraised various industrial properties, both partial and full acquisitions, in connection with the proposed Fresno to Bakersfield Line of the High Speed Rail Project.
- **City of Rialto, Cactus and Pepper Avenue Widening Project, Rialto.** Appraised the full and partial acquisitions of single family residences, two-unit apartments, and two SFRs on a lot in connection with two street widening projects. Appraisals included proximity damages study.
- **Eastern Municipal Water District, Kobzoff Property, Temecula.** Appraised the partial acquisition of a vineyard on a single family residential property in Temecula Wine Country for a proposed sewer lift station site.
- **Riverside County Transportation Commission, SR-91 Corridor Improvement Project.** Assisted in the preparation of numerous desk reviews associated with partial and full acquisitions of various property types in Corona, CA, in connection with the freeway expansion project.
- **Union Pacific Railroad (UPRR), Industrial Lead Track Expansion, Colton.** Appraised industrial warehouse site and a portion of the San Bernardino County Flood Control District's Santa Ana River Channel for the proposed expansion of the UPRR Colton Industrial Lead Track. Utilized "Across the Fence" valuation methodology to value the corridor interest.

- **Riverside County Flood Control District (RCFCD), *West End Moreno MDP Line LL, Moreno Valley.*** Valued inundation easement and permanent easement for access and repair on an industrial land with plans for development; ***Oak Street Channel, Corona.*** Appraised one agency owned property for the purpose of excess land disposition, and another for determining its contributory value to an adjacent parcel as if it were part of that parcel.
- **County of Riverside Economic Development Agency, *Fred Waring Dr. Improvement Project, La Quinta/Bermuda Dunes.*** Appraised numerous Temporary Construction Easements and Permanent Utility Easements on various types of property, including single family residences, condominium homeowner's association property and vacant land.
- **City of Coachella, *Avenue 52 and Grapefruit Avenue Grade Separation Project, Coachella.*** Appraised the partial and full acquisitions of ten properties in connection with the Grade Separation of Avenue 52 from Grapefruit Avenue. Included in the properties appraised were construction yards, improved industrial facilities, a gas station, a convenience store, a special use water district facility and vacant land.

### **Specific Expertise**

#### **Appraisal Institute Courses:**

Basic Appraisal Principles  
Basic Appraisal Procedures  
15 Hour National USPAP Equivalent Course  
General Appraiser Sales Comparison Approach  
General Appraiser Site Valuation & Cost Approach  
General Appraiser Market Analysis & Highest & Best Use  
General Appraiser Income Approach Part I & II  
Real Estate Finance And Statistics  
General Appraiser Report Writing & Case Studies

#### **IRWA Courses:**

100 – Principles of Land Acquisition  
421 – Valuation of Partial Acquisitions  
800 – Legal Aspects of Real Estate  
901 – Engineering Plan Development  
and Application  
902 – Property Descriptions

#### **Seminars:**

Wines & Vines: Vineyard Valuation Seminar  
Land Valuation: Upping Your Game

## Legal Description

File No: 08021285

### EXHIBIT "A"

**All that certain real property situated in the County of Los Angeles, State of California, described as follows:**

**That portion of the Northwest quarter of Section 30, Township 1 North, Range 17 West, S. B. B. & M., in the County of Los Angeles, State of California, lying within the following described boundaries:**

**Beginning at the Northwesterly corner of said Section 30; thence North 89°51'48" East along the northerly line of said last mentioned section a distance of 658.02 feet to the easterly line of the west 40 acres of said southwest quarter; thence North 0°19'43" East along said easterly line 1022.00 feet; thence North 89°56'11" East 1017.20 feet; thence South 0°03'20" East 2512.06 feet to the northwesterly boundary of that certain parcel of land described as Parcel 49481-3 in final order of condemnation in favor of The People of the State of California, a certified copy of which was recorded as Document No. 3207, on July 23, 1971, in Book D5134, page 950, of Official Records, in the office of the Registrar-Recorder of the County of Los Angeles; thence southwesterly along said northwesterly boundary to the most easterly corner of that certain parcel of land described as Parcel 49481-2 in said final order of condemnation; thence westerly and southwesterly along the northerly and northwesterly lines of said last mentioned certain parcel of Land to the most easterly corner of that certain parcel of land described as Parcel 49481-1 in said final order of condemnation; thence northwesterly, southwesterly and southerly along the northeasterly, northwesterly and westerly lines of said last mentioned certain parcel of land to the northwesterly boundary of that certain parcel of land described as Parcel 3 in deed to State of California, for public highway purposes, recorded as Document No. 2811, on December 6, 1949, in Book 31655, page 311, of said Official Records; thence southwesterly along said last mentioned northwesterly boundary to the most easterly corner of that certain parcel of land described as Parcel 9 in deed to State of California, for freeway and adjacent frontage road purposes, recorded as Document No. 1480, on January 23, 1963, in Book D1895, page 337, of said Official Records; thence westerly and northwesterly along the northerly and northeasterly boundaries of said last mentioned certain parcel of land to the easterly line of that certain parcel of land described as Part A of Parcels 1-8 and 11 in final order of condemnation in favor of County of Los Angeles, a certified copy of which was recorded as Document No. 4762, on August 24, 1961, in Book D1333, page 331, of said Official Records; thence northerly and westerly along the easterly and northerly lines of said last mentioned certain parcel of land to the westerly line of said Section 30; thence northerly along said last mentioned westerly line 201.65 feet to the southerly line of that certain parcel of land described as Parcel 12-2 in final order of condemnation in favor of said County, a certified copy of which was recorded as Document No. 2777, on November**

CLTA Preliminary Report Form - Modified (11-17-06)

Page 3

File No: 08021285

**25, 1969, in Book D4565, page 313, of said Official Records; thence easterly along said southerly line to the southeasterly corner of said last mentioned certain parcel of land; thence northerly along the easterly boundary of said last mentioned certain parcel of land to the northeasterly corner of said last mentioned certain parcel of land; thence northerly along the northerly prolongation of the straight line in said last mentioned easterly boundary to said last mentioned westerly line; thence northerly along said last mentioned westerly line 200.00 feet to the point of beginning.**

**Except therefrom one-half of all oil, oil rights, mineral, mineral rights, natural gas, natural gas rights and other hydrocarbon substances by whatsoever name known that may be within or under parcel of land hereinabove described, without the right of surface entry, as reserved by John H. Bragg, a married man, who acquired title as a widower, Clarence A. Singer, a single man, Karyl L. Thompson, a married man and Margaret L. Smith, a married woman, in a deed recorded February 1, 1956, as Instrument No. 427 in Book 50292 Page 92 of Official Records.**

**Assessor's Parcel Nos.: 2052-012-903, 904, 905**

**Note: This Company has provided said description as an accommodation for the purpose of facilitating this report. Said description is not an insurable parcel pursuant to the Subdivision Map Act of the State of California and should not be relied upon to convey or encumber said land, until approved by the appropriate governing agency.**

## ROW Requirements

\*\*\*These requirements are now outdated and superseded by the attached legal descriptions and plats. They are left in the report for a visual depiction of the proposed acquisition areas.\*\*\*

<b>RIGHT - OF - WAY REQUIREMENTS</b>	
PD26	
To: <b>RIGHT-OF-WAY PLANNING AND MANAGEMENT</b>	Date: 04/21/2014
	File: 07-LA-101, PM 31.6/32.2
From: <b>DESIGN BRANCH D</b>	EA: 07-242301
	PN: 0700000419
Project Engineer: Peter Bernard (Huitt-Zollars)	Telephone: (805) 418-1802
<b>ANTICIPATED REQUIREMENTS PROJECT</b>	<input checked="" type="checkbox"/> Original (outline in <b>purple</b> ) <input checked="" type="checkbox"/> Increase (outline in <b>purple</b> ) <input type="checkbox"/> Decrease (outline and hatch in <b>purple</b> )
<b>FOR INCREASED REQUIREMENTS</b>	<input checked="" type="checkbox"/> Fee (outline in <b>red</b> ) <input checked="" type="checkbox"/> Access rights (outline in <b>red</b> ), Understood to be "full" except when labeled "No Veh Acc" <input checked="" type="checkbox"/> Easement (outline in <b>green</b> ), Label . . . . "temp" if temporary, Label . . . . "excl" if exclusive and specify users if other than state <b>Temporary Easement must have Expiration Date. 12/31/17</b>
<b>AREAS NO LONGER REQUIRED</b>	<input type="checkbox"/> Fee (outline and hatch in <b>red</b> ) <input type="checkbox"/> Access rights (show limits and hatch in <b>red</b> ) <input type="checkbox"/> Easement (outline and hatch in <b>green</b> )
<b>MISCELLANEOUS</b>	<input type="checkbox"/> Hardship <input type="checkbox"/> R/W Protection <input type="checkbox"/> Advance Acquisition <input type="checkbox"/> Hold <input type="checkbox"/> Release Hold * <input type="checkbox"/> Transfer * <input checked="" type="checkbox"/> Acquisition by others: (Submit requirements as shown above and label "Acq. By <u>City of Calabasas</u> (County or City) _____")

**COMMENTS:**

- Property owned by County of Los Angeles as roadway set-aside conveyed to City of Calabasas as an easement for Roadway Right of Way purposes (Area = 19,531 Sq. Ft.).
- Portion of APN 2052-012-901 owned by County of Los Angeles conveyed to City of Calabasas as an easement for Roadway Right of Way purposes (Area = 25,660 Sq. Ft.).
- Portion of APN 2052-012-903 owned by County of Los Angeles conveyed to City of Calabasas as an easement for Roadway Right of Way purposes (Area = 11,096 Sq. Ft.).
- Portion of APN 2052-012-904 owned by County of Los Angeles conveyed to City of Calabasas as an easement for Roadway Right of Way purposes (Area = 1.699 Acres).
- Portion of APN 2052-012-904 owned by County of Los Angeles to be purchased in fee by City of Calabasas and conveyed to State of California (Caltrans) as Right of Way (Area = 8.168 Acres).
- Portion of APN 2052-012-905 owned by County of Los Angeles to be purchased in fee by City of Calabasas and conveyed to State of California (Caltrans) as Right of Way (Area = 0.729 Acres).
- Temp. Construction Easement from County of Los Angeles, APN 2052-012-901, conveyed to City of Calabasas (Area = 23,998 Sq. Ft.).
- Temp. Construction Easement from County of Los Angeles, APN 2052-012-902, conveyed to City of Calabasas (Area = 3,805 Sq. Ft.).
- Temp. Construction Easement from County of Los Angeles, APN 2052-012-903, conveyed to City of Calabasas (Area = 37,549 Sq. Ft.).
- Temp. Construction Easements from County of Los Angeles, APN 2052-012-904, conveyed to City of Calabasas (Area = 1.632 Acres).
- Temp. Construction Easement from Cypress Calabasas, LLC, APN 2064-004-095, conveyed to City of Calabasas (Area = 1,242 Sq. Ft.).
- Access Control easement for west side of Lost Hills Road from Cypress Calabasas, LLC, APN 2064-004-095 measuring 70 linear feet

---

Attachments: 11"x17" colored maps with acquisition and easement areas outlined



- Temp. Construction Easement from Cypress Calabasas, LLC, APN 2064-004-096, conveyed to City of Calabasas (Area = 1,673 Sq. Ft.).
- Access Control easement for west side of Lost Hills Road from County of Los Angeles, APN 2052-012-903 measuring 168 linear feet
- Access Control easement for west side of Lost Hills Road from County of Los Angeles, APN 2052-012-904 measuring 286 linear feet
- Access Control easement for east side of Lost Hills Road from County of Los Angeles, APN 2052-012-903 measuring 51 linear feet
- Access Control easement for east side of Lost Hills Road from County of Los Angeles, APN 2052-012-904 measuring 41 linear feet
- Right of Entry from Summit, LLC, APN 2064-021-011, conveyed to City of Calabasas (Area = 927 Sq. Ft.).
- Access Control easement for east side of Lost Hills Road from Summit, LLC, APN 2064-021-011 measuring 103 linear feet

**Approved By:**

\_\_\_\_\_  
 Senior Transportation Engineer      Date

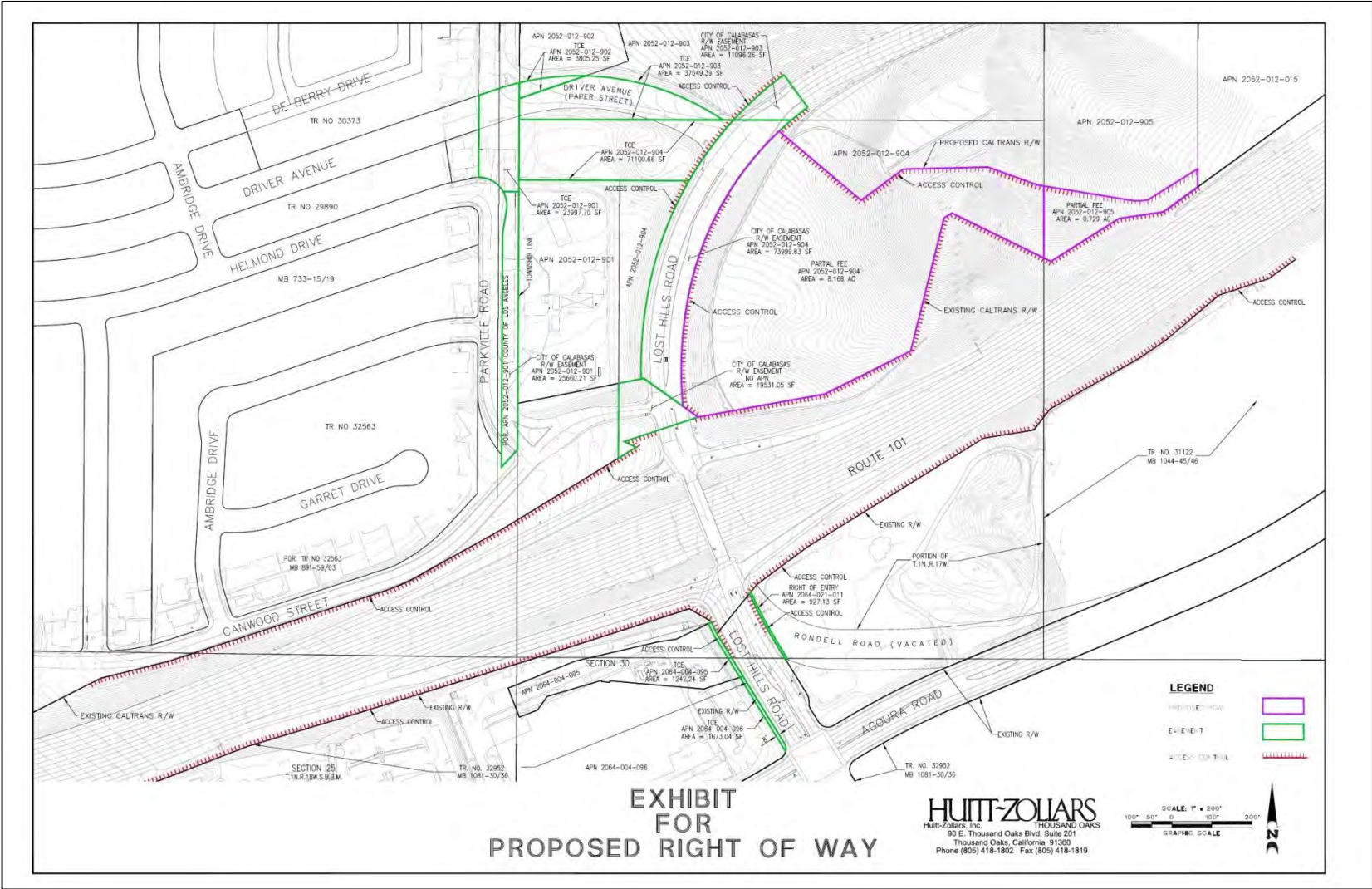
**Concurrence:**

\_\_\_\_\_  
 Project Manager      Date

\_\_\_\_\_  
 R/W Project Coordinator      Date

Attachments: 11"x17" colored maps with acquisition and easement areas outlined









**EXHIBIT  
FOR  
PROPOSED RIGHT OF WAY**

**HUITT-ZOLLARS**  
 Huitt-Zollars, Inc. THOUSAND OAKS  
 90 E. Thousand Oaks Blvd, Suite 201  
 Thousand Oaks, California 91320  
 Phone (805) 418-1802 Fax (805) 418-1819

**LEGEND**

- PROPOSED R/W 
- EASEMENT 
- ACCESS CONTROL 

SCALE: 1" = 200'  
 100' 50' 0 50' 200'  
 GRAPHIC SCALE









**LEGEND**

- PROPOSED ROW
- EASEMENT
- ACCESS CONTROL

**EXHIBIT  
FOR  
PROPOSED RIGHT OF WAY**

**HUITT-ZOLLARS**  
 Huitt-Zollars, Inc. THOUSAND OAKS  
 90 E. Thousand Oaks Blvd, Suite 201  
 Thousand Oaks, California 91320  
 Phone (805) 418-1802 Fax (805) 418-1819

SCALE: 1" = 200'  
 100' 200' 400'  
 GRAPHIC SCALE

N  
 NC



## Legals and Plats for ROW Acquisition

HUITT-ZOLLARS

HUITT-ZOLLARS, INC. • 2603 Main Street • Suite 400 • Irvine, CA 92614-4250 • 949.988.5815 phone • 949.988.5820 fax • [huitt-zollars.com](http://huitt-zollars.com)

R190062.01 (D)  
04-01-14  
Revised  
04-29-14

### EXHIBIT "A" LEGAL DESCRIPTION RIGHT-OF-WAY ACQUISITION

That portion of Section 30, Township 1 North, Range 17 West, San Bernardino Meridian, in the Unincorporated Territory of Los Angeles County, County of Los Angeles, State of California, described as follows:

Beginning at the most Easterly corner of the land shown as Parcel 5 in that certain Relinquishment of Highway Right-of-Way recorded April 2, 1974 as Instrument No. 2957 in Book D6221, Page 360 of Official Records, in the office of the County Recorder of said County; thence along the Northeasterly line of said Parcel 5 North  $54^{\circ}06'14''$  West 47.27 feet to the beginning of a non-tangent curve concave Easterly having a radius of 970.00 feet, a radial line of said curve to said point bears South  $84^{\circ}46'48''$  West; thence Northerly 274.99 feet along said curve through a central angle of  $16^{\circ}14'36''$  to a compound curve concave Southeasterly having a radius of 760.00 feet; thence Northerly and Northeasterly 473.73 feet along said curve through a central angle of  $35^{\circ}42'52''$ ; thence leaving said curve non-tangent South  $49^{\circ}52'25''$  East 266.12 feet; thence North  $53^{\circ}36'20''$  East 130.00 feet; thence North  $88^{\circ}36'17''$  East 210.18 feet; thence South  $70^{\circ}17'13''$  East 131.45 feet; thence South  $80^{\circ}42'15''$  East 15.30 feet to the Westerly line of the East one-half of the Northwest one-quarter of said Section 30; thence along said Westerly line South  $00^{\circ}01'45''$  West 179.58 feet to the Northeasterly line of the land described as Parcel 49481-1 in that certain Final Order of Condemnation recorded July 23, 1971 as Instrument No. 3207 of said Official Records; thence leaving said Westerly line along said Northeasterly line and the Northwesterly lines of said Parcel 49481-1 the following courses: North  $64^{\circ}16'47''$  West 254.87 feet, South  $53^{\circ}41'30''$  West 20.56 feet and South  $14^{\circ}20'36''$  West 338.19 feet to the Northwesterly line of the land described as Parcel 3 in that certain Grant Deed recorded December 3, 1949 in Book 31655, Page 311 of said Official Records; thence leaving said Northwesterly line along said Northwesterly line South  $62^{\circ}14'56''$  West 245.21 feet to the Northwesterly line of the land described as Parcel 9 in the Grant Deed recorded January 23, 1963 as Instrument No. 1480, in Book D1895, Page 337 of said Official Records; thence leaving said

q:\R190062.01\A\CaltransROW\zk\dm

EXHIBIT "A"  
LEGAL DESCRIPTION-CONTINUED  
RIGHT-OF-WAY ACQUISITION  
PAGE 2

R190062.01 (D)  
04-01-14  
Revised  
04-29-14

Northwesterly line of Parcel 3 along said Northwesterly line of Parcel 9 South 80°45'48"  
West 314.82 feet to the point of beginning.

Containing an area of 8.227 acres, more or less.

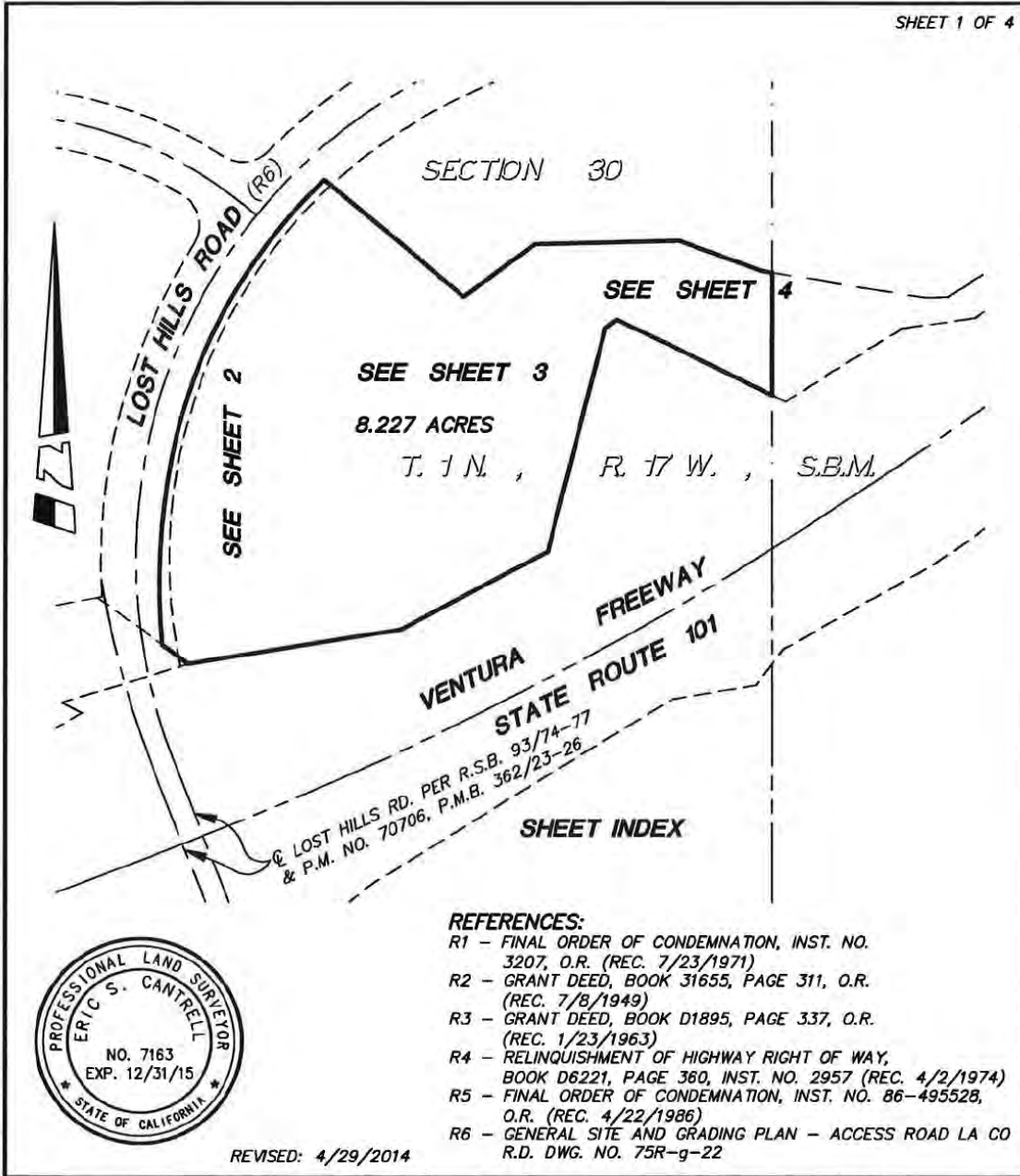
Subject to covenants, conditions, reservations, restrictions, rights-of-way and easements,  
if any, of record.

All as shown on Exhibit "B" attached hereto and by this reference made a part hereof.

 4.29.14  
ERIC S. CANTRELL, PLS 7163



q/R190062.01/a/1/CaltransROW/zk/dm



**HUITT-ZOLLARS**  
 Huitt-Zollars, Inc. Irvine  
 2603 Main Street, Suite 400, Irvine, CA 92614  
 Phone (949) 988-5815 Fax (949) 988-5820

APPROVED BY  
  
 4-29-14

SKETCH TO ACCOMPANY  
 A LEGAL DESCRIPTION

**EXHIBIT 'B'**  
**CALTRANS**  
**RIGHT-OF-WAY**  
**ACQUISITION**

SCALE	1"=200'
DRAWN BY	DWM
CHECKED BY	ESC
DATE	4/1/2014
JOB NO.	R190062.01

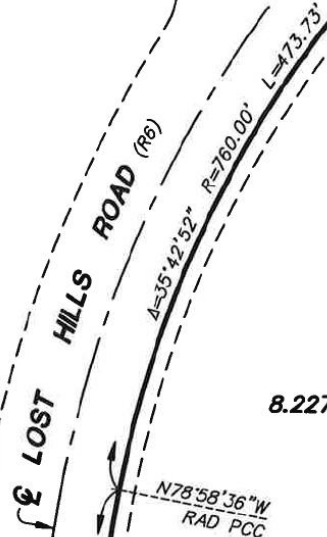
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SECTION 30



CITY OF CALABASAS  
UNINCORPORATED TERRITORY  
OF LOS ANGELES COUNTY



8.227 ACRES

T.1N., R.17W., S.B.M.

PARCEL 5  
RELINQUISHMENT OF  
HIGHWAY RIGHT OF WAY  
INST. NO. 2957  
BK. D6221, PG. 380, O.R.  
(REC. 1/23/1983)

NE'LY LINE  
PARCEL 5, R4

N84°46'48"E  
RAD  
N54°06'14"W  
47.27'  
P.O.B. MOST E'LY  
CORNER PARCEL 5, R4

N80°45'48"E  
314.82'

NW'LY LINE  
PARCEL 9, R3

EXISTING FREEWAY  
RIGHT-OF-WAY LINE

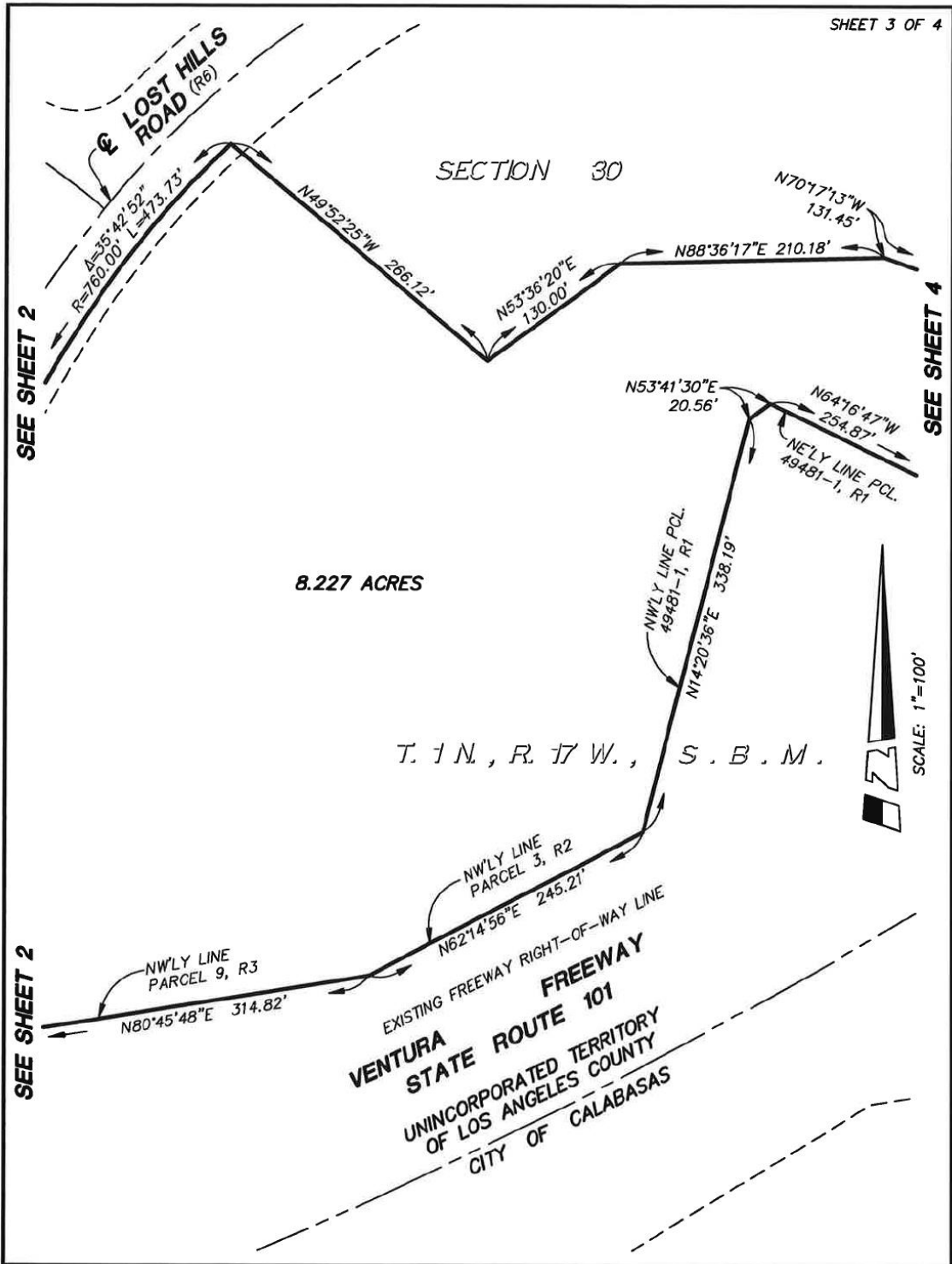
VENTURA

**FREEWAY  
STATE ROUTE 101**

SEE SHEET 3

SEE SHEET 3

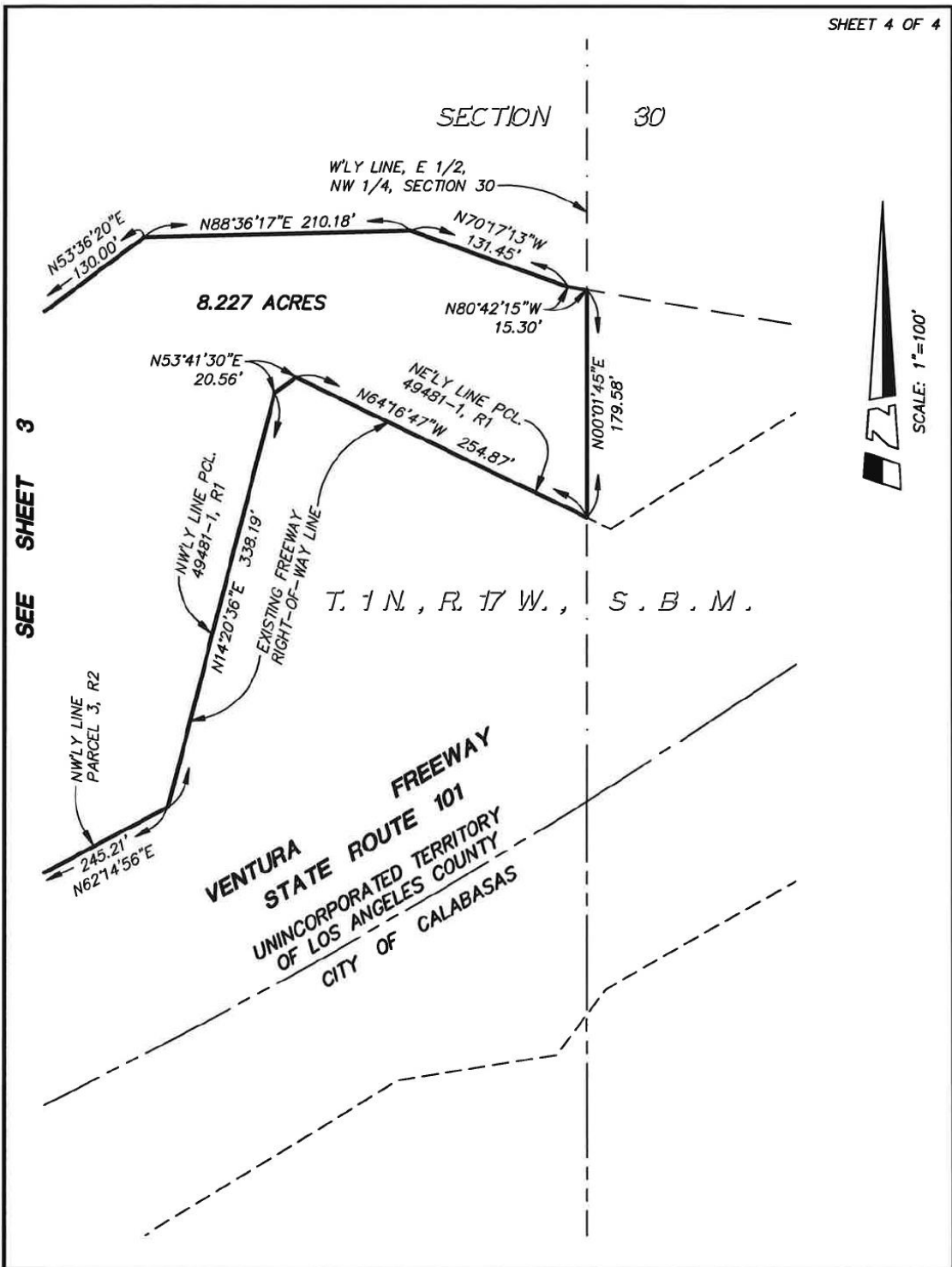




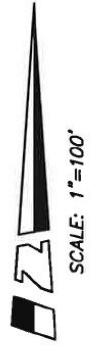
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SECTION 30



SEE SHEET 3



Q: \19006201\MAP006201\DWG\EX\006201JEX02.DWG



Parcel name: PR ROW CALTRANS

North: 1874661.52 East : 6346933.12  
Line Course: N 54-06-14 W Length: 47.27  
North: 1874689.23 East : 6346894.82  
Curve Length: 274.99 Radius: 970.00  
Delta: 16-14-36 Tangent: 138.43  
Chord: 274.07 Course: N 02-54-06 E  
Course In: N 84-46-48 E Course Out: N 78-58-36 W  
RP North: 1874777.49 East : 6347860.80  
End North: 1874962.96 East : 6346908.70  
Curve Length: 473.73 Radius: 760.00  
Delta: 35-42-52 Tangent: 244.85  
Chord: 466.10 Course: N 28-52-50 E  
Course In: S 78-58-36 E Course Out: N 43-15-44 W  
RP North: 1874817.64 East : 6347654.68  
End North: 1875371.09 East : 6347133.82  
Line Course: S 49-52-25 E Length: 266.12  
North: 1875199.58 East : 6347337.30  
Line Course: N 53-36-20 E Length: 130.00  
North: 1875276.72 East : 6347441.94  
Line Course: N 88-36-17 E Length: 210.18  
North: 1875281.83 East : 6347652.06  
Line Course: S 70-17-13 E Length: 131.45  
North: 1875237.49 East : 6347775.81  
Line Course: S 80-42-15 E Length: 15.30  
North: 1875235.02 East : 6347790.91  
Line Course: S 00-01-45 W Length: 179.58  
North: 1875055.44 East : 6347790.82  
Line Course: N 64-16-47 W Length: 254.87  
North: 1875166.05 East : 6347561.20  
Line Course: S 53-41-30 W Length: 20.56  
North: 1875153.88 East : 6347544.63  
Line Course: S 14-20-36 W Length: 338.19  
North: 1874826.23 East : 6347460.85  
Line Course: S 62-14-56 W Length: 245.21  
North: 1874712.05 East : 6347243.84  
Line Course: S 80-45-48 W Length: 314.82  
North: 1874661.52 East : 6346933.11

Perimeter: 2902.28 Area: 358,356 sq.ft. 8.227 acres

Mapcheck Closure - (Uses listed courses, radii, and deltas)  
Error Closure: 0.01 Course: S 87-38-05 W  
Error North: -0.000 East : -0.011  
Precision 1: 290,227.00





R190062.01 (D)  
05-27-14

EXHIBIT "A"  
LEGAL DESCRIPTION  
EASTERLY RIGHT-OF-WAY ACQUISITION

That portion of Section 30, Township 1 North, Range 17 West, San Bernardino Meridian, in the Unincorporated Territory of Los Angeles County, County of Los Angeles, State of California, described as follows:

Commencing at the most Easterly corner of the land shown as Parcel 5 in that certain Relinquishment of Highway Right-of-Way recorded April 2, 1974 as Instrument No. 2957 in Book D6221, Page 360 of Official Records, in the office of the County Recorder of said County, said Easterly corner lies at the Southeasterly end of the Northeasterly line of said Parcel 5 that bears of North 54°06'14" West;

Thence North 80°45'48" East 314.82 feet; thence North 62°14'56" East 245.21 feet; thence North 14°20'36" East 338.19 feet; thence North 53°41'30" East 20.56 feet; thence South 64°16'47" East 276.10 feet to the Westerly line of the Easterly one-half of the Northwest quarter of said Section 30 and the Point of Beginning; thence along said Westerly line North 00°33'59" West 185.98 feet; thence departing said Westerly line South 80°42'15" East 210.30 feet; thence North 88°11'58" East 31.99 feet; thence North 57°57'56" East 149.60 feet; thence South 00°08'33" West 48.47 feet; thence South 54°17'43" West 105.00 feet; thence South 81°34'40" West 111.12 feet; thence South 57°50'51" West 199.83 feet to the Point of Beginning.

Containing an area of 0.68 acres, more or less.

All as shown on Exhibit "B" attached hereto and by this reference made a part hereof.

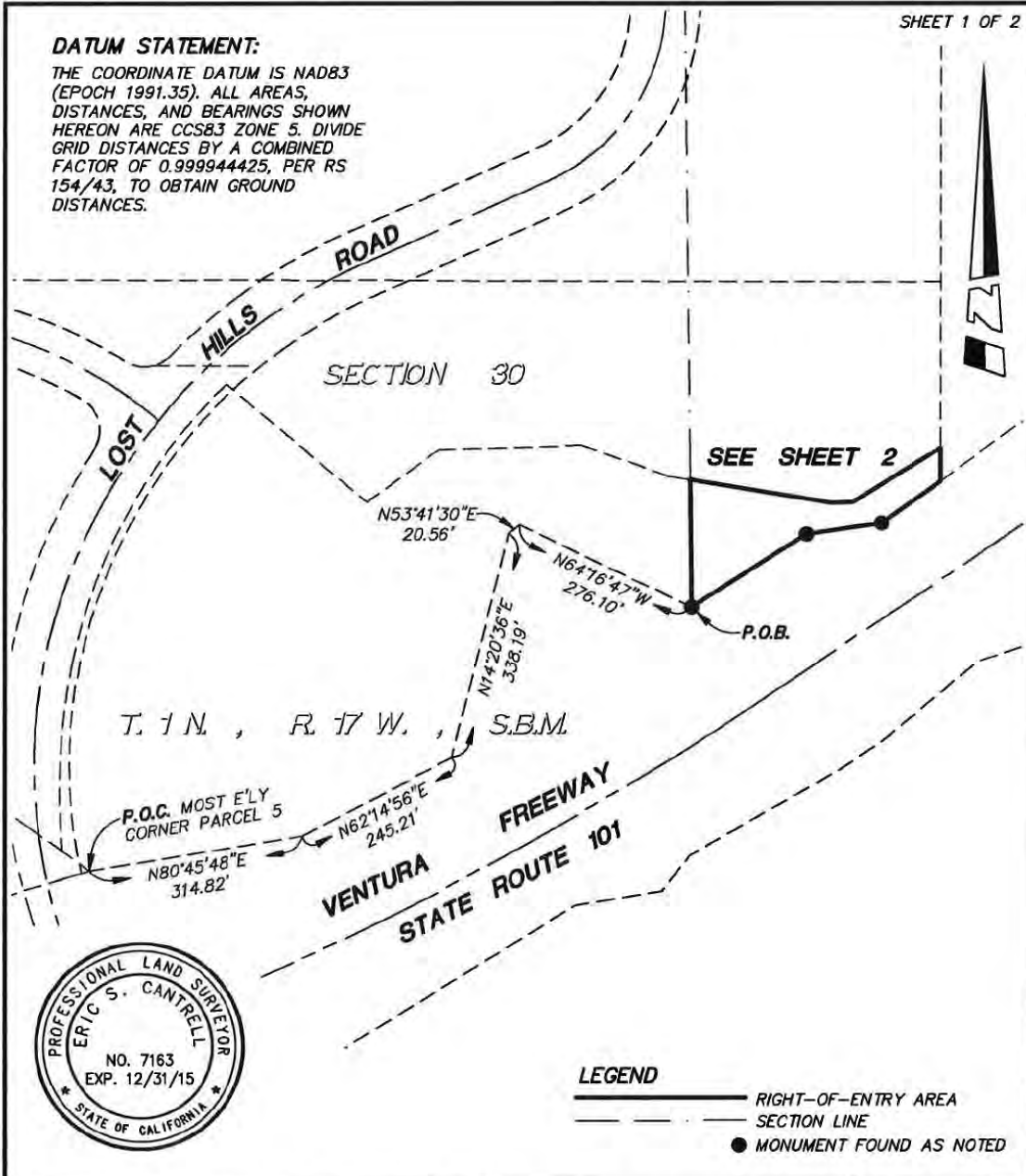
  
ERIC S. CANTRELL, PLS 7163



q/R190062.01/a/CaltransROWEasterly/zk/esc

**DATUM STATEMENT:**

THE COORDINATE DATUM IS NAD83 (EPOCH 1991.35). ALL AREAS, DISTANCES, AND BEARINGS SHOWN HEREON ARE CCS83 ZONE 5. DIVIDE GRID DISTANCES BY A COMBINED FACTOR OF 0.999944425, PER RS 154/43, TO OBTAIN GROUND DISTANCES.



**LEGEND**

- RIGHT-OF-ENTRY AREA
- - - SECTION LINE
- MONUMENT FOUND AS NOTED

**HUITT-ZOLLARS**  
 Huitt-Zollars, Inc. Irvine  
 2603 Main Street, Suite 400, Irvine, CA 92614  
 Phone (949) 988-5815 Fax (949) 988-5820

APPROVED BY  
 5/27/14

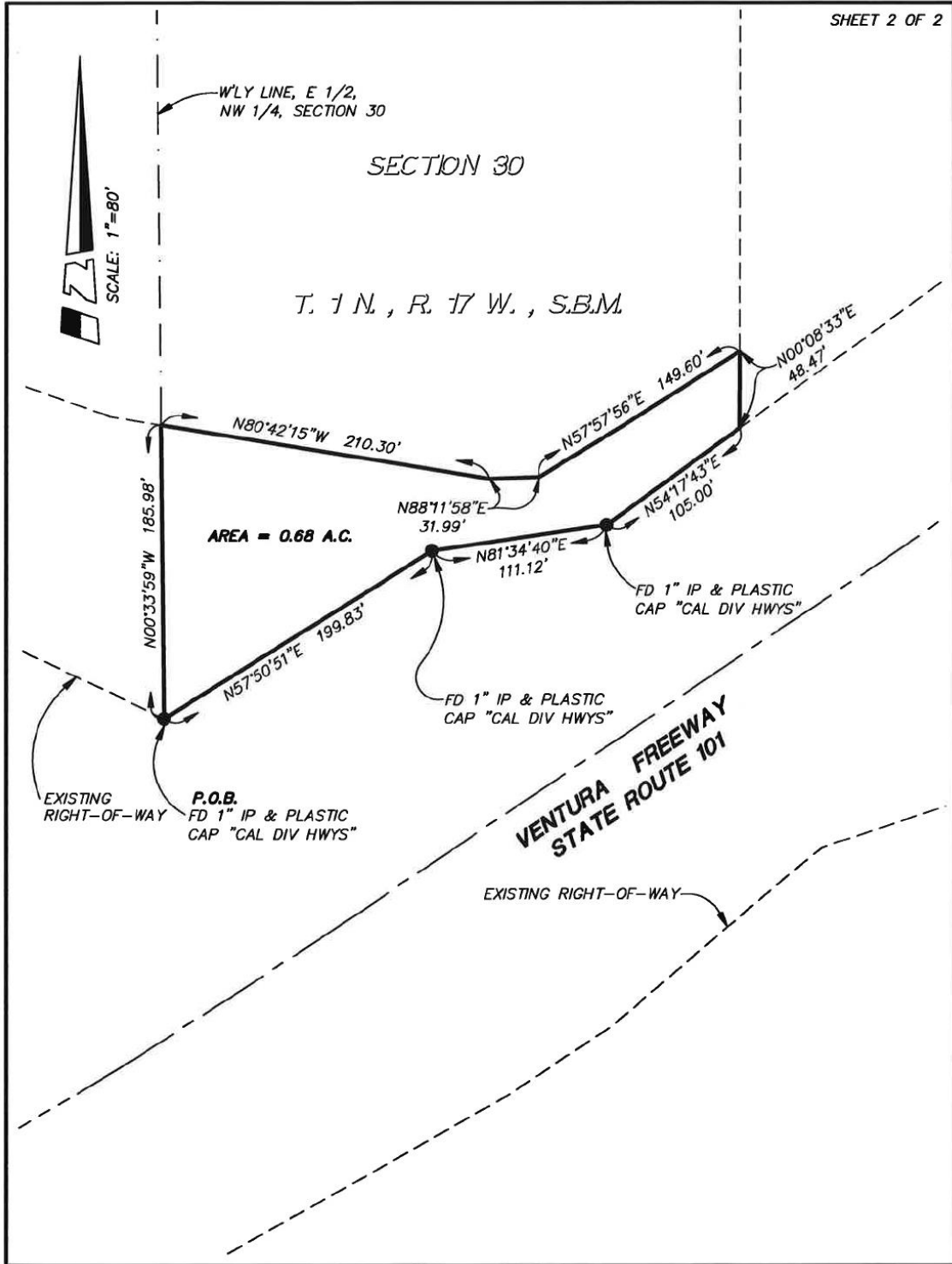
SKETCH TO ACCOMPANY  
 A LEGAL DESCRIPTION

**EXHIBIT 'B'**  
**CALTRANS EASTERLY  
 RIGHT-OF-WAY  
 ACQUISITION**

SCALE	1"=80'
DRAWN BY	MCJ
CHECKED BY	ESC
DATE	5/27/2014
JOB NO.	R190062.01

Q: \19006201\MAP006201\DWG\EX\006201JEX05.DWG





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File: Q:\19006201\MAP006201\survey\Closures\JEX05.txt 5/27/2014, 12:11:25 PM

-----  
Parcel name: JEX05

	North: 1875152.58	East : 6347979.14	
Line	Course: N 81-34-40 E	Length: 111.12	
	North: 1875168.85	East : 6348089.06	
Line	Course: N 54-17-43 E	Length: 105.00	
	North: 1875230.13	East : 6348174.32	
Line	Course: N 00-08-33 E	Length: 48.47	
	North: 1875278.60	East : 6348174.44	
Line	Course: S 57-57-56 W	Length: 149.60	
	North: 1875199.25	East : 6348047.62	
Line	Course: S 88-11-58 W	Length: 31.99	
	North: 1875198.24	East : 6348015.65	
Line	Course: N 80-42-15 W	Length: 210.30	
	North: 1875232.21	East : 6347808.11	
Line	Course: S 00-33-59 E	Length: 185.98	
	North: 1875046.24	East : 6347809.95	
Line	Course: N 57-50-51 E	Length: 199.83	
	North: 1875152.59	East : 6347979.13	

Perimeter: 1042.30 Area: 29,541 sq.ft. 0.678 acres

Mapcheck Closure - (Uses listed courses, radii, and deltas)  
Error Closure: 0.01 Course: N 27-11-53 W  
Error North: 0.010 East : -0.005  
Precision 1: 104,229.00

## Legals and Plats for Access Control Easement

HUITT-ZOLLARS

HUITT-ZOLLARS, INC. • 2603 Main Street • Suite 400 • Irvine, CA 92614-4250 • 949.988.5815 phone • 949.988.5820 fax • huitt-zollars.com

R190062.01 (D)

06-04-14

Revised

06-06-14

EXHIBIT "A"  
LEGAL DESCRIPTION  
ACCESS CONTROL EASEMENT  
A.P.N. 2052-012-903 & 2052-012-904

Those portions of Section 30, Township 1 North, Range 17 West, and a portion of Section 25, Township 1 North, Range 18 West, San Bernardino Meridian, in the Unincorporated Territory of Los Angeles County, County of Los Angeles, State of California, being lines described as follows:

Restricted Access Line (R.A.L.) 1 (A.P.N. 2052-012-904):

Commencing at the Easterly terminus of the Northerly line of the land shown as Parcel 5 shown as having a bearing and distance of "S 78°35'56" W 318.55' " in that certain Relinquishment of Highway Right-of-Way recorded April 2, 1974 as Instrument No. 2957 in Book D6221, Page 360 of Official Records, in the office of the County Recorder of said County; thence South 78°26'50" West 8.03 feet along said Northerly line to the beginning of a non-tangent curve concave Easterly having a radius of 1070.00 feet, a radial line of said curve bears South 88°54'26" West; thence leaving said Northerly line Northerly 226.27 feet along said curve through a central angle of 12°06'58" to the beginning of a compound curve concave Southeasterly having a radius of 860.00 feet; thence Northerly and Northeasterly 186.49 feet along said curve through a central angle of 12°25'29" to the TRUE POINT OF BEGINNING; thence continuing Northeasterly 286.00 feet along said curve through a central angle of 19°03'15" terminating at a point hereinafter referred to as Point "A".

R.A.L. 2 (A.P.N. 2052-012-903):

Beginning at Point "A" described in R.A.L. 1 hereinabove; thence continuing Northeasterly 168.19 feet along said curve through a central angle of 11°12'20" terminating at a point hereinafter referred to as Point "B".

R.A.L. 3 (A.P.N. 2052-012-903):

Commencing at Point "B" described in R.A.L. 2 hereinabove; thence South 36°17'32" East 100.00 feet to the beginning of a non-tangent curve concave Southeasterly having a radius of 760.00 feet being concentric with and 100.00 feet Southeasterly of said 860.00-foot radius curve described in R.A.L. 1 and 2 above, a radial line of said curve

q/R190062.01/a/AccessControl-2052-012-903-904/zk/dm

EXHIBIT "A"  
LEGAL DESCRIPTION-CONTINUED  
ACCESS CONTROL EASEMENT  
A.P.N. 2052-012-903 & 2052-012-904  
PAGE 2

R190062.01 (D)  
06-04-14  
Revised  
06-06-14

bears South 36°17'32" East, also being the TRUE POINT OF BEGINNING; thence Southwesterly 51.46 feet along said curve through a central angle of 3°52'45" terminating at a point hereinafter referred to as Point "C".

R.A.L. 4 (A.P.N. 2052-012-904):

Beginning at Point "C" described in R.A.L. 3 hereinabove; thence continuing Southwesterly 41.00 feet along said curve through a central angle of 3°05'27" to its point of termination.

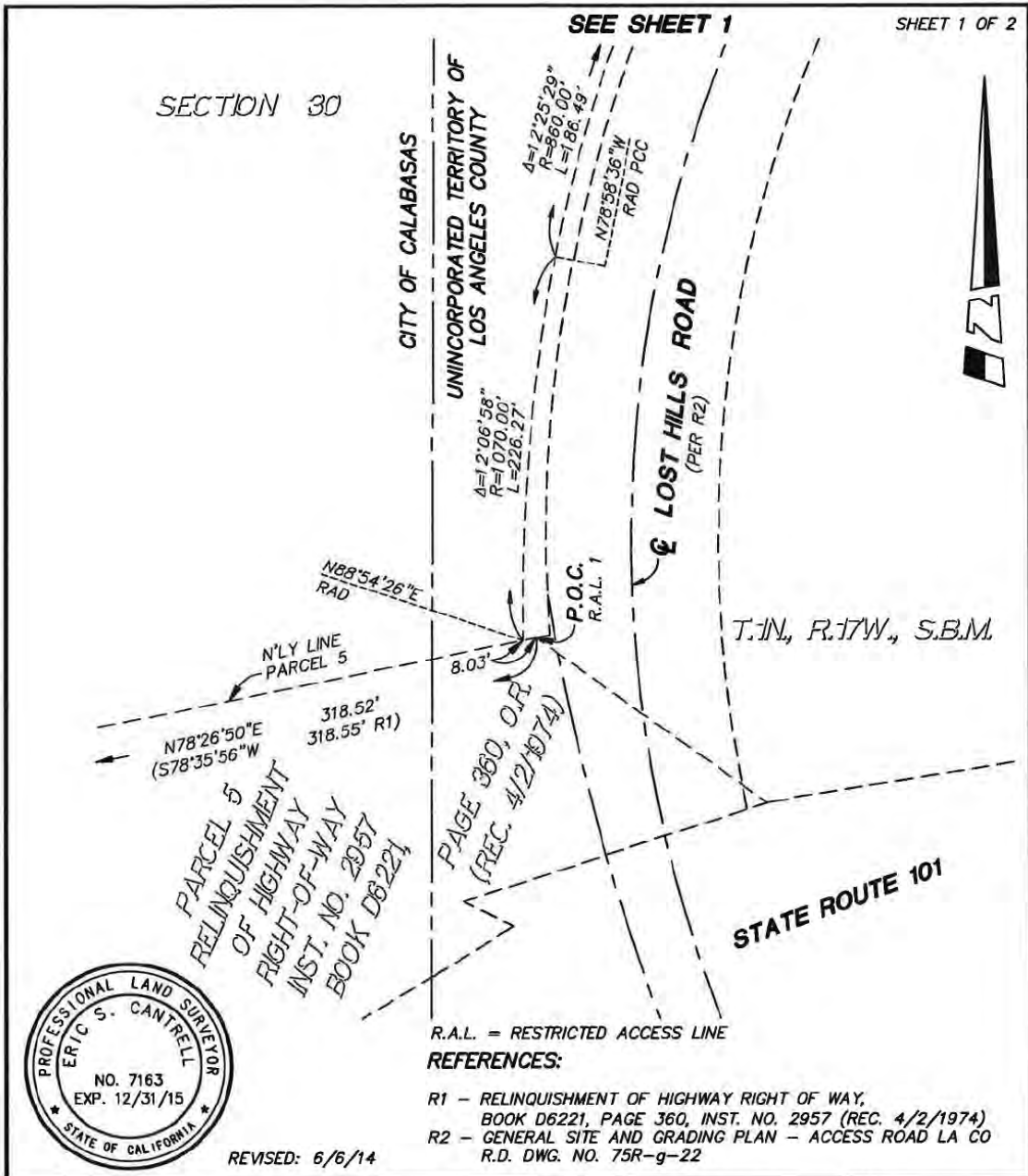
Subject to covenants, conditions, reservations, restrictions, rights-of-way and easements, if any, of record.

All as shown on Exhibit "B" attached hereto and by this reference made a part hereof.

  
ERIC S. CANTRELL, PLS 7163



q/R190062.01/a/1/AccessControl-2052-012-903-904/zk/dm



**HUITT-ZOLLARS**  
 Huitt-Zollars, Inc. Irvine  
 2603 Main Street, Suite 400, Irvine, CA 92614  
 Phone (949) 988-5815 Fax (949) 988-5820

APPROVED BY  
  
 6-6-14

SKETCH TO ACCOMPANY  
 A LEGAL DESCRIPTION

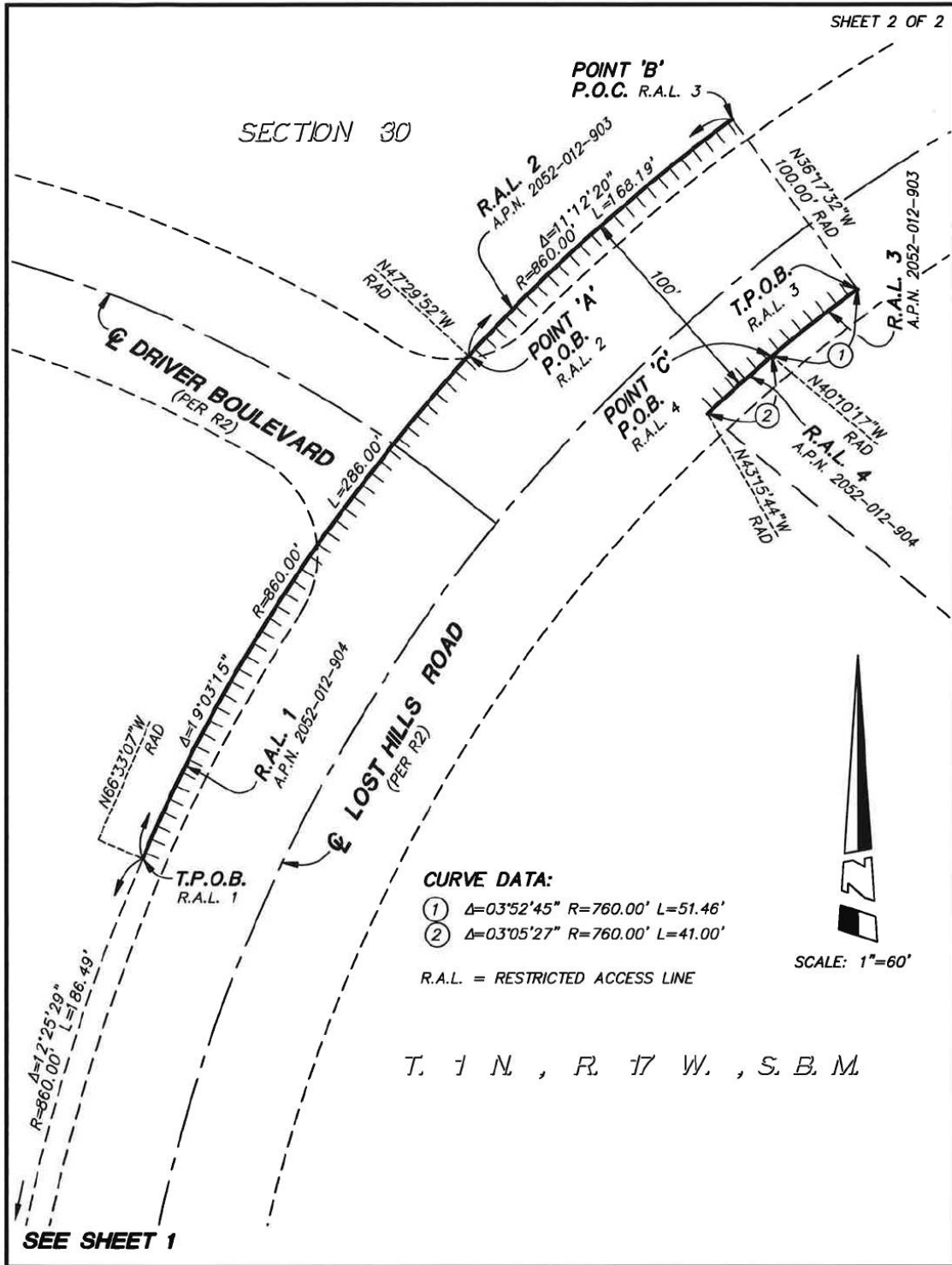
**EXHIBIT 'B'**  
**ACCESS CONTROL  
 EASEMENT**

SCALE	1"=80'
DRAWN BY	DWM
CHECKED BY	ESC
DATE	6/4/2014
JOB NO.	R190062.01

Q: \19006201\MAP006201\DWG\EX\006201JEX10.DWG



SECTION 30



SEE SHEET 1

Q: \19006201\MAP006201\DWG\EX\006201JEX10.DWG





## Legals and Plats for TCE

HUITT-ZOLLARS

HUITT-ZOLLARS, INC. • 2603 Main Street • Suite 400 • Irvine, CA 92614-4250 • 949.988.5815 phone • 949.988.5820 fax • huitt-zollars.com

R190062.01 (D)  
06-03-14

EXHIBIT "A"  
LEGAL DESCRIPTION  
TEMPORARY CONSTRUCTION EASEMENT  
A.P.N. 2052-012-901, 2052-012-902, 2052-012-903 & 2052-012-904

Those portions of Section 30, Township 1 North, Range 17 West, and a portion of Section 25, Township 1 North, Range 18 West, San Bernardino Meridian, in the City of Calabasas and the Unincorporated Territory of Los Angeles County, County of Los Angeles, State of California, described in Parcels as follows:

Parcel 1 (A.P.N. 2052-012-901):

Commencing at the Westerly terminus of the Northerly line of the land shown as Parcel 5 shown as having a bearing and distance of "S 78°35'56" W 318.55' " in that certain Relinquishment of Highway Right-of-Way recorded April 2, 1974 as Instrument No. 2957 in Book D6221, Page 360 of Official Records, in the office of the County Recorder of said County; thence along the Westerly line of said Section 30 North 00°15'52" East 553.35 feet to an angle point in the Easterly line of the City of Calabasas as described in the LAFCO Certificate of Completion recorded April 5, 1991, as Instrument No. 91-484049 of said Official Records, said point hereinafter referred to as Point "A" and also being the TRUE POINT OF BEGINNING; thence continuing along said Westerly line and said Easterly line North 00°15'52" East 151.54 feet to a point hereinafter referred to as Point "B"; thence continuing along said Westerly line and said easterly line North 00-15-52 East 89.56' to a point hereinafter referred to as Point "C", said point also being the beginning of a non-tangent curve concave Southeasterly having a radius of 640.00 feet, a radial line of said curve bears North 13°22'26" West, the Westerly terminus of said curve being tangent to the Northeasterly prolongation of the Northwesterly line of Driver Boulevard as shown on Tract No. 29890, filed in Book 733, Pages 15 through 19, inclusive, of Maps, in said office of said County Recorder; thence leaving said Westerly line and said Easterly line Southwesterly 61.18 feet along said curve through a central angle of 5°28'39" to said Northeasterly prolongation; thence along said prolongation South 71°08'55" West 43.73 feet to the Easterly line of said Tract No. 29890; thence leaving said Easterly prolongation along last said Easterly line South 00°15'52" West 205.43 feet to the Northerly Right-of-Way line of Parkville Road as shown on said Tract No. 29890, said line being a curve concave Southwesterly having a radius of 70.00 feet, a radial line of said curve bears North 00°15'52" East; thence leaving last said Easterly line Easterly, Southeasterly and Southerly 69.05 feet along said curve and said Right-of-Way line through a central angle of 56°31'00"; thence leaving said curve and said Right-of-Way line South 89°44'08" East 41.62 feet to said Westerly line of said Section 30; thence along said Westerly line North 00°15'52" East 27.27 feet to the TRUE POINT OF BEGINNING.

Containing an area of 0.552 acres, more or less.

q/R190062.01/a/I/TCE-2052-012-901-904/zk/dm

EXHIBIT "A"  
LEGAL DESCRIPTION-CONTINUED  
TEMPORARY CONSTRUCTION EASEMENT  
A.P.N. 2052-012-901, 2052-012-902, 2052-012-903 & 2052-012-904  
PAGE 2

R190062.01 (D)  
06-03-14

Parcel 2 (A.P.N. 2052-012-902):

Beginning at Point "C" described in Parcel 1 hereinabove, said point being on a curve concave Southerly having a radius of 640.00 feet, said curve being the Easterly prolongation of the Northerly line of Parcel 1 described hereinabove, a radial line of said curve to said point bears North 13°22'26" West; thence Easterly 166.28 feet along said curve through a central angle of 14°53'11"; thence leaving said curve non-tangent South 71°08'55" West 174.47 feet to the Westerly line of said Section 30; thence along said Westerly line North 00°15'52" East 39.24 feet to the point of beginning.

Containing an area of 0.088 acres, more or less.

Parcel 3 (A.P.N. 2052-012-903):

Beginning at Point "B" described in Parcel 1 hereinabove; thence along the Westerly line of said Section 30 North 00°15'52" East 50.32 feet to the Southerly line of Parcel 2 described above; thence leaving said Westerly line along said Southerly line North 71°08'55" East 174.47 feet to the beginning of a non-tangent curve concave Southerly having a radius of 640.00 feet, said curve being the Easterly prolongation of the Northerly line of Parcel 2 described hereinabove, a radial line of said curve to said point bears North 01°30'45" East; thence leaving said Southerly line Easterly and Southeasterly 348.81 feet along said curve through a central angle of 31°13'36" to the beginning of a reverse curve concave Northeasterly having a radius of 52.00 feet; thence Southeasterly 15.45 feet along said curve through a central angle of 17°01'24"; thence leaving said curve non-tangent North 89°52'47" West 508.61 feet to the point of beginning.

Containing an area of 0.853 acres, more or less.

Parcel 4 (A.P.N. 2052-012-904):

Beginning at Point "A" described in Parcel 1 hereinabove; thence along said Easterly line of the City of Calabasas and its Easterly prolongation South 89°4'50" East 419.83 feet to the beginning of a non-tangent curve concave Southeasterly having a radius of 860.00 feet, a radial line of said curve to said point bears North 60°05'45" West; thence leaving said Easterly prolongation Northeasterly 187.08 feet along said curve to the beginning of a non-tangent curve concave Northerly having a radius of 52.00 feet, said curve being the Easterly prolongation of the Northeasterly line of Parcel 3 described hereinabove, a radial line of said curve to said point bears South 07°13'28" East; thence leaving first said curve Westerly 20.82 feet along last said curve through a central angle of 22°56'25" to the

q/R190062.01/a/1/TCE-2052-012-901-904/zk/dm

EXHIBIT "A"  
LEGAL DESCRIPTION-CONTINUED  
TEMPORARY CONSTRUCTION EASEMENT  
A.P.N. 2052-012-901, 2052-012-902, 2052-012-903 & 2052-012-904  
PAGE 3

R190062.01 (D)  
06-03-14

Southerly line of Parcel 3 described hereinabove; thence leaving said curve along said Southerly line North  $89^{\circ}52'47''$  West 508.61 feet to said Westerly line of said Section 30; thence leaving said Southerly line along said Westerly line South  $00^{\circ}15'52''$  West 151.54 feet to the point of beginning.

Containing an area of 1.643 acres, more or less.

Subject to covenants, conditions, reservations, restrictions, rights-of-way and easements, if any, of record.

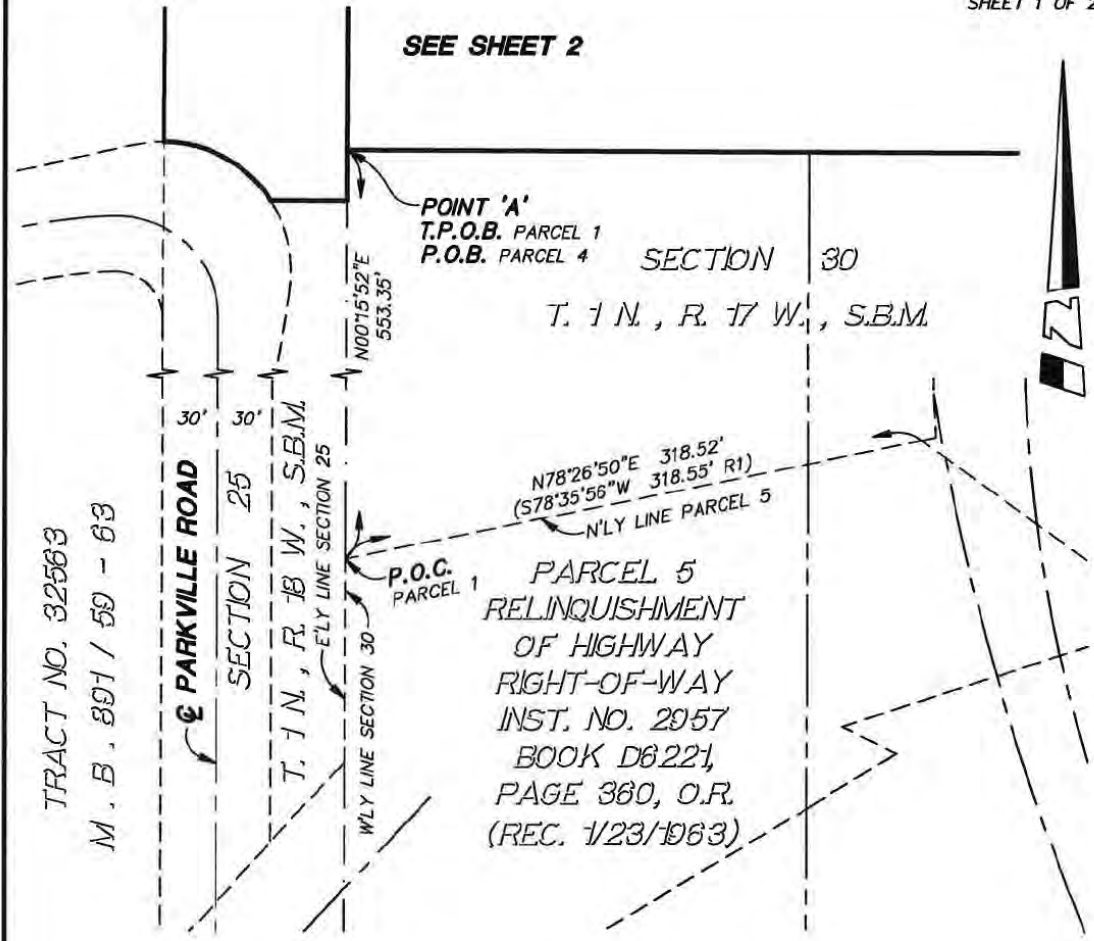
All as shown on Exhibit "B" attached hereto and by this reference made a part hereof.

  
ERIC S. CANTRELL, PLS 7163



q/R190062.01/a/I/TCE-2052-012-901-904/zk/dm

SEE SHEET 2



REFERENCES:

- R1 - RELINQUISHMENT OF HIGHWAY RIGHT OF WAY, BOOK D6221, PAGE 360, INST. NO. 2957 (REC. 4/2/1974)
- R2 - GENERAL SITE AND GRADING PLAN - ACCESS ROAD LA CO R.D. DWG. NO. 75R-g-22

**HUITT-ZOLLARS**

Huitt-Zollars, Inc. Irvine  
2603 Main Street, Suite 400, Irvine, CA 92614  
Phone (949) 988-5815 Fax (949) 988-5820

APPROVED BY

6-3-14

SKETCH TO ACCOMPANY A  
LEGAL DESCRIPTION

**EXHIBIT 'B'**  
**TEMPORARY**

**CONSTRUCTION EASEMENT**

A.P.N. 2052-012-901, 2052-012-902,  
2052-012-903 & 2052-012-904

SCALE	1"=80'
DRAWN BY	DWM
CHECKED BY	ESC
DATE	6/3/2014
JOB NO.	R190062.01

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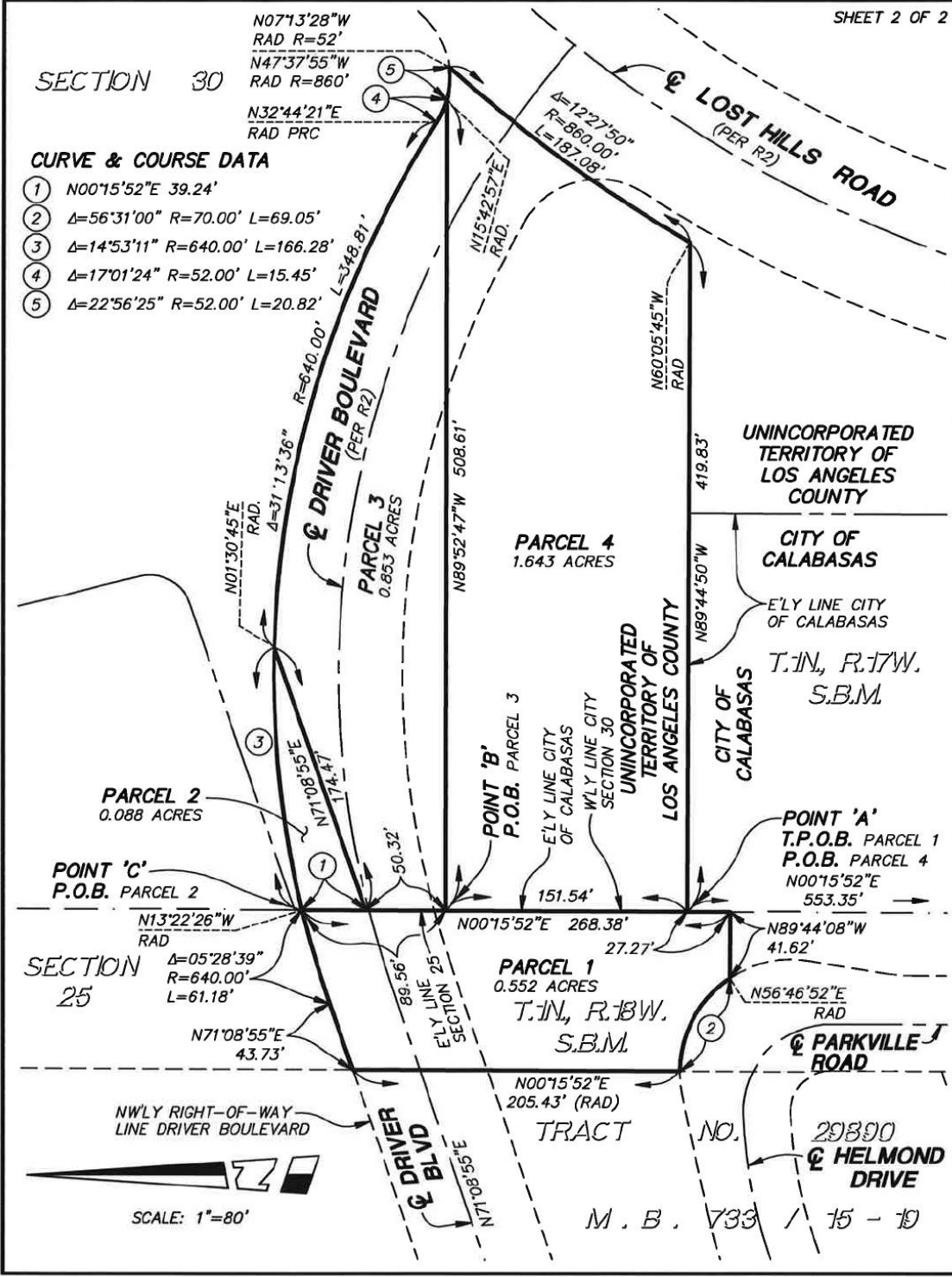


SECTION 30

N07°13'28"W  
RAD R=52'  
N47°37'55"W  
RAD R=860'  
N32°44'21"E  
RAD PRC

**CURVE & COURSE DATA**

- ① N00°15'52"E 39.24'
- ② Δ=56°31'00" R=70.00' L=69.05'
- ③ Δ=14°53'11" R=640.00' L=166.28'
- ④ Δ=17°01'24" R=52.00' L=15.45'
- ⑤ Δ=22°56'25" R=52.00' L=20.82'



Q:\19006201\MAP006201\DWG\EX\006201JEX07.DWG



## Subject Legal Larger Parcel

HUITT-ZOLIARS

HUITT-ZOLIARS, INC. • 2603 Main Street • Suite 400 • Irvine, CA 92614-4250 • 949.988.5815 phone • 949.988.5820 fax • huitt-zollars.com

R190062.01 (D)  
05-27-14

### EXHIBIT 1 CALABASAS LANDFILL LEGAL DESCRIPTION

Those portions of Fractional Sections 19 and 30, Township 1 North, Range 17 West and Fractional Sections 24 and 25, Township 1 North, Range 18 West, San Bernardino Baseline and Meridian, within the following described boundaries:

Beginning at the Southwest closing corner of said Fractional Section 24, as shown on map filed in Book 154, Pages 43, 44, and 45 of Record of Surveys, in the office of the County Recorder of the County of Los Angeles, State of California; thence North  $3^{\circ}32'40''$  East along the Westerly line of said Fractional Section 24, a distance of 3985.53 feet to the generally Northerly boundary of said Record of Survey; thence along the generally Northerly and Easterly boundaries of said Record of Survey, the following courses: South  $89^{\circ}26'06''$  East 1241.17 feet, South  $89^{\circ}31'22''$  East 1322.35 feet, South  $0^{\circ}06'59''$  West 50.48 feet, South  $61^{\circ}40'07''$  East 2405.43 feet, South  $75^{\circ}20'58''$  East 249.17 feet, South  $75^{\circ}07'36''$  East 379.46 feet, North  $89^{\circ}46'04''$  West 750.17 feet, South  $0^{\circ}31'16''$  West 1625.15 feet, South  $89^{\circ}52'16''$  East 1017.20 feet, and South  $0^{\circ}08'15''$  West 2471.93 feet; thence leaving said boundaries, the following courses: South  $57^{\circ}57'56''$  West 149.60 feet, South  $88^{\circ}11'58''$  West 31.99 feet, North  $80^{\circ}42'15''$  West 227.72 feet, North  $80^{\circ}42'15''$  West 15.30 feet, North  $70^{\circ}17'13''$  West 131.45 feet, South  $88^{\circ}36'17''$  West 210.18 feet, South  $53^{\circ}36'20''$  West 130.00 feet, North  $49^{\circ}52'25''$  West 266.12 feet to a non-tangent curve concave Southeasterly with a radius of 760.00 feet and a radial bearing of North  $43^{\circ}15'44''$  West; thence Southerly along said curve an arc distance of 473.73 feet to a point of compound curvature concave Easterly of radius 970.00 feet; thence Southerly along said curve 274.99 feet; thence along the following courses: North  $54^{\circ}06'14''$  West 118.46 feet, South  $78^{\circ}26'50''$  West 63.11 feet, North  $00^{\circ}15'52''$  East 502.88 feet; thence North  $89^{\circ}43'50''$  West 250.00 feet to a point on the Westerly line of said Section 30; thence South  $00^{\circ}15'52''$  West 889.01 feet along said section line; thence departing said section line North  $89^{\circ}44'08''$  West 15.00 feet; thence South  $12^{\circ}44'09''$  West 61.60 feet; thence South  $71^{\circ}11'10''$  West 75.86 feet to a line parallel with and 100.00 feet Westerly of said Westerly line of Section 30; thence Northerly along said Section line North  $00^{\circ}15'52''$  East 2098.35 feet; thence departing said parallel line, the following courses: North  $34^{\circ}37'29''$  West 437.52 feet, North  $89^{\circ}23'53''$  West 2265.10 feet, and North  $89^{\circ}27'55''$  West 1487.74 feet to the point of beginning.

EXCEPTING therefrom that portion of Lot 1 in the Northwest Quarter of Fractional Section 30, more particularly described as follows:

q/R190062.01/a/1/CalabasasLandfill/zk/esc

EXHIBIT 1  
CALABASAS LANDFILL  
LEGAL DESCRIPTION-CONTINUED  
PAGE 2

R190062.01 (D)  
05-27-14

That certain parcel of land being a portion of Lot 1 in the Northwest Quarter of Fractional Section 30, Township 1 North, Range 17 West, San Bernardino Baseline and Meridian, according to the Official Plat of said land filed in the District Land Office on September 25, 1896 located in the Unincorporated Territory and the City of Calabasas, Los Angeles County, State of California, more particularly described as follows:

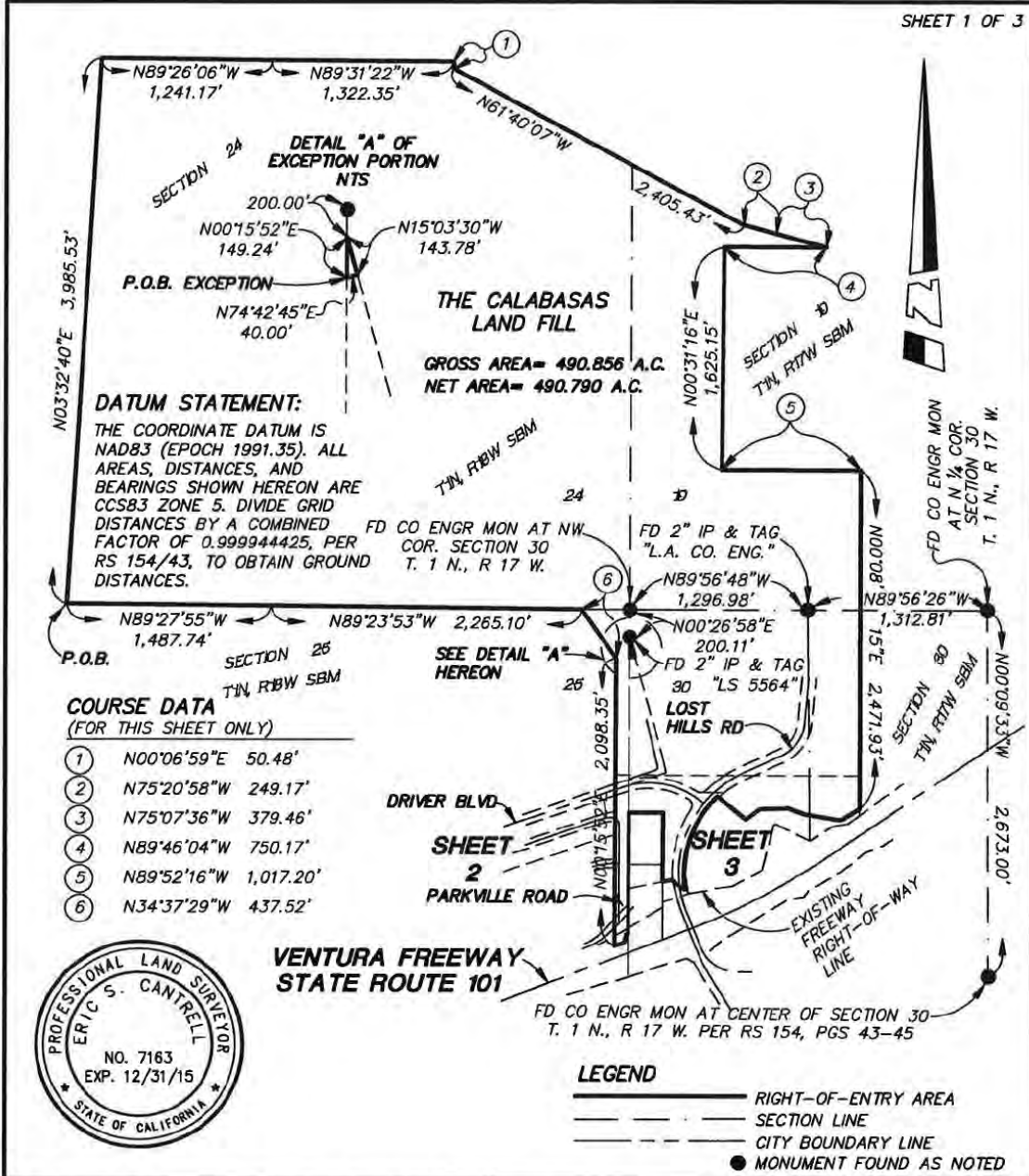
Beginning at the Northwest corner of Parcel 12-2 as described in Final Order of Condemnation in favor of the County of Los Angeles, a certified copy of which was recorded as Document No. 2777 on November 25, 1969 in Book D4565, Page 313, Official Records, in said office of the County Recorder; thence North  $00^{\circ}15'52''$  East 149.24 feet along the Westerly line of said Section 30 to its intersection with the Northwesterly prolongation of that certain course having a bearing and length of South  $15^{\circ}03'30''$  East 770.74 feet in the Northeasterly line of said Parcel 12-2, said intersection being distant thereon 200.00 feet from said Northwest corner of Section 30; thence South  $15^{\circ}03'30''$  East 143.78 feet along said Northwesterly prolongation to the Northwesterly line of said Parcel 12-2; thence South  $74^{\circ}42'45''$  West 40.00 feet along said Northwesterly line to the point of beginning.

Containing an area of 490.79 acres, more or less.

  
ERIC S. CANTRELL, PLS 7163



q/R190062.01/a//CalabasasLandfill/zk/esc



**HUITT-ZOLLARS**  
 Huitt-Zollars, Inc. Irvine  
 2603 Main Street, Suite 400, Irvine, CA 92614  
 Phone (949) 988-5815 Fax (949) 988-5820

APPROVED BY  
  
 5/27/14

SKETCH TO ACCOMPANY  
 A LEGAL DESCRIPTION

**EXHIBIT '1'**  
**LOST HILLS INTERCHANGE  
 IMPROVEMENTS  
 RIGHT-OF-ENTRY AREA**

SCALE	1"=1000'
DRAWN BY	MCJ
CHECKED BY	ESC
DATE	5/27/2014
JOB NO.	R190062.01

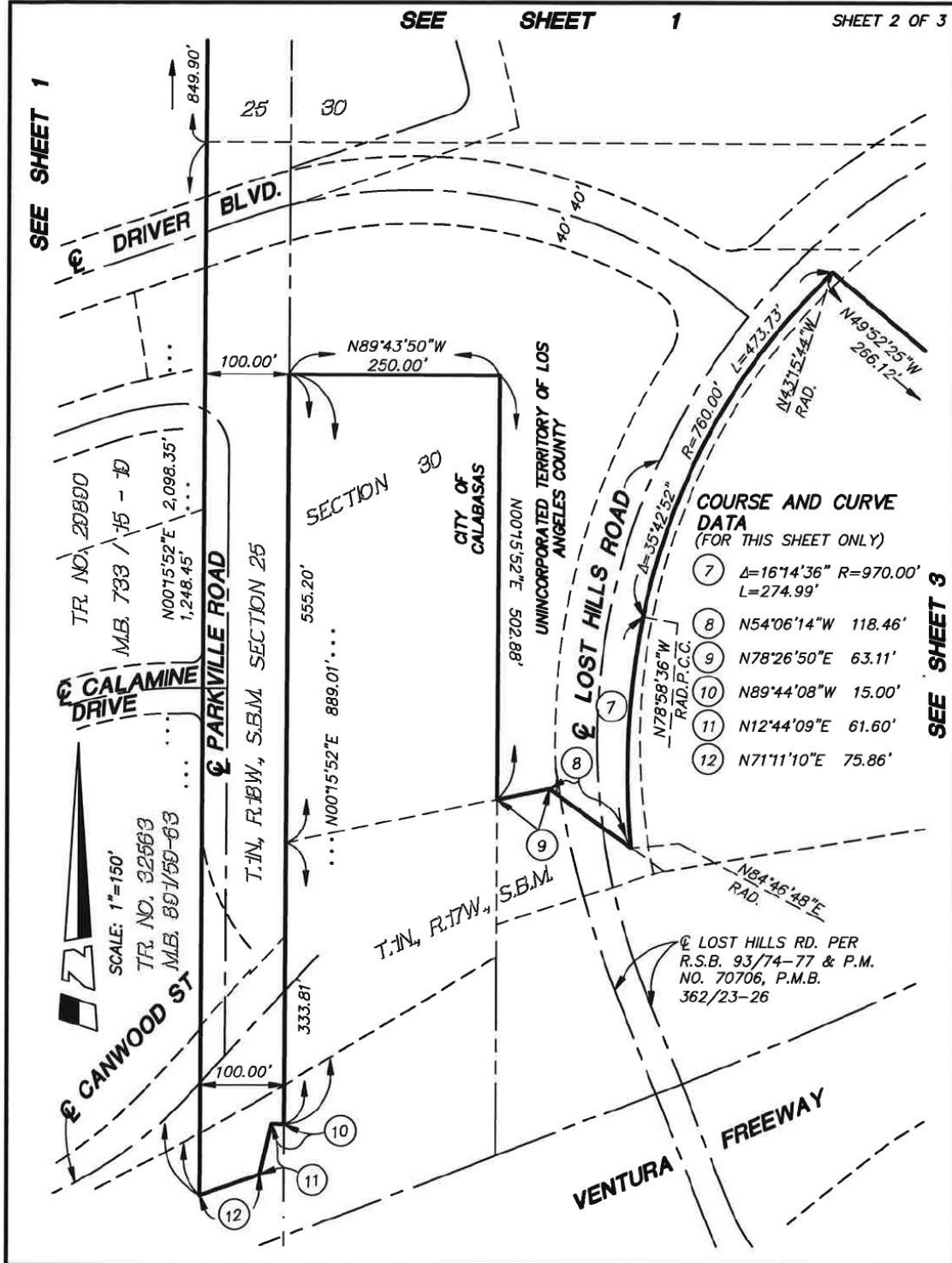
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SEE SHEET 1

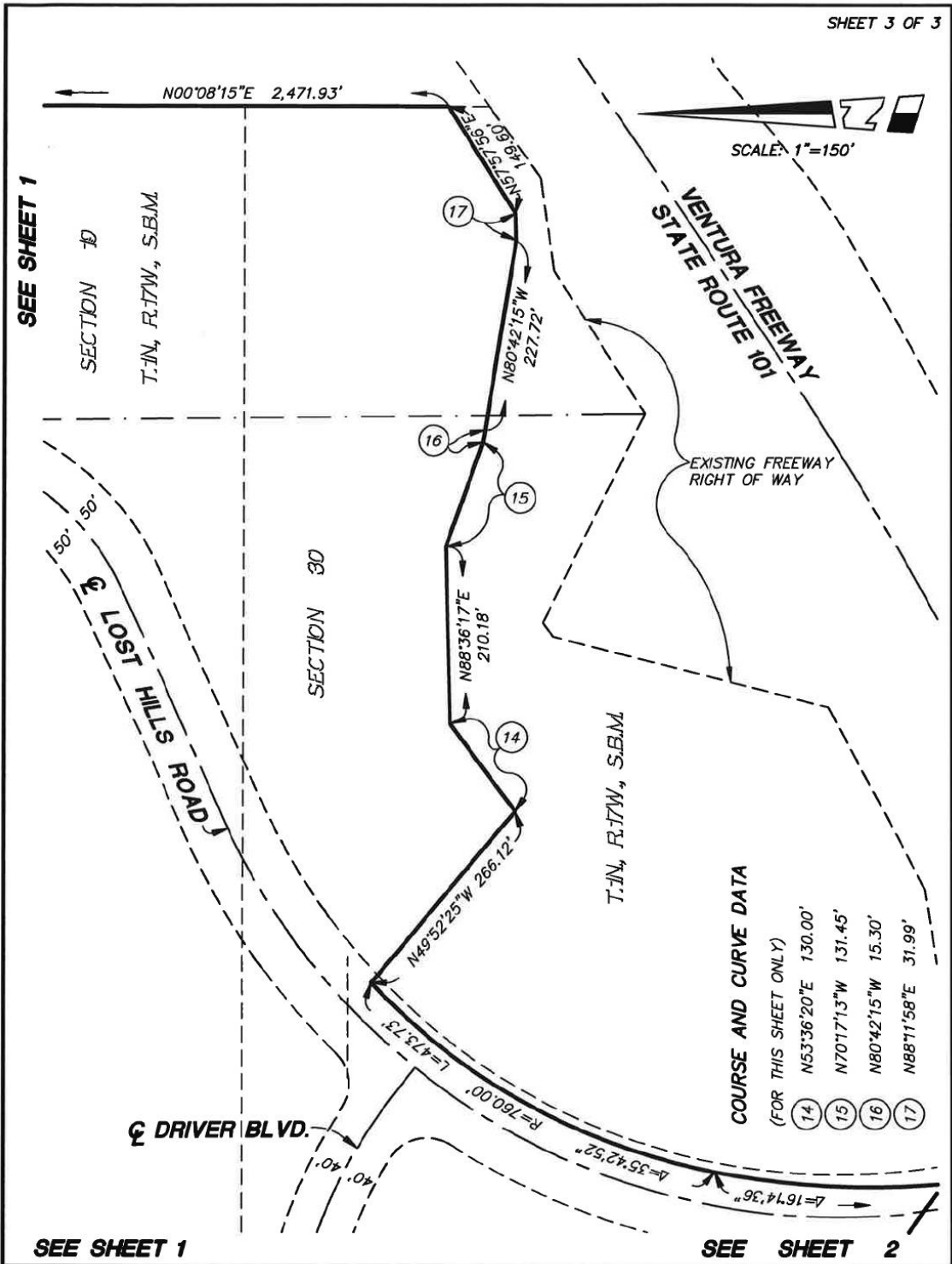
SHEET 2 OF 3



SEE SHEET 3

Q:\19006201\MAP006201\DWG\EX\006201JEX04.DWG





Q:\19006201\MAP006201\DWG\EX\006201JEX04.DWG



-----  
Parcel name: CAL LANDFILL FINAL

North: 1876772.64	East : 6342393.30
Line Course: N 03-32-40 E	Length: 3985.53
North: 1880750.55	East : 6342639.70
Line Course: S 89-26-06 E	Length: 1241.17
North: 1880738.31	East : 6343880.80
Line Course: S 89-31-22 E	Length: 1322.35
North: 1880727.30	East : 6345203.11
Line Course: S 00-06-59 W	Length: 50.48
North: 1880676.82	East : 6345203.01
Line Course: S 61-40-07 E	Length: 2405.43
North: 1879535.27	East : 6347320.31
Line Course: S 75-20-58 E	Length: 249.17
North: 1879472.25	East : 6347561.38
Line Course: S 75-07-36 E	Length: 379.46
North: 1879374.85	East : 6347928.12
Line Course: N 89-46-04 W	Length: 750.17
North: 1879377.89	East : 6347177.96
Line Course: S 00-31-16 W	Length: 1625.15
North: 1877752.81	East : 6347163.18
Line Course: S 89-52-16 E	Length: 1017.20
North: 1877750.52	East : 6348180.38
Line Course: S 00-08-15 W	Length: 2471.93
North: 1875278.60	East : 6348174.44
Line Course: S 57-57-56 W	Length: 149.60
North: 1875199.24	East : 6348047.62
Line Course: S 88-11-58 W	Length: 31.99
North: 1875198.24	East : 6348015.65
Line Course: N 80-42-15 W	Length: 227.72
North: 1875235.02	East : 6347790.92
Line Course: N 80-42-15 W	Length: 15.30
North: 1875237.49	East : 6347775.82
Line Course: N 70-17-13 W	Length: 131.45
North: 1875281.83	East : 6347652.07
Line Course: S 88-36-17 W	Length: 210.18
North: 1875276.72	East : 6347441.96
Line Course: S 53-36-20 W	Length: 130.00
North: 1875199.58	East : 6347337.31
Line Course: N 49-52-25 W	Length: 266.12
North: 1875371.09	East : 6347133.83
Curve Length: 473.73	Radius: 760.00
Delta: 35-42-52	Tangent: 244.85
Chord: 466.10	Course: S 28-52-50 W
Course In: S 43-15-44 E	Course Out: N 78-58-36 W
RP North: 1874817.64	East : 6347654.69
End North: 1874962.96	East : 6346908.71
Curve Length: 274.99	Radius: 970.00
Delta: 16-14-36	Tangent: 138.43
Chord: 274.07	Course: S 02-54-06 W
Course In: S 78-58-36 E	Course Out: S 84-46-48 W
RP North: 1874777.48	East : 6347860.81
End North: 1874689.23	East : 6346894.84
Line Course: S 54-07-02 E	Length: 0.00
North: 1874689.23	East : 6346894.84

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Line	Course: N 54-06-14 W	Length: 118.46	
	North: 1874758.69	East : 6346798.87	
Line	Course: S 78-26-50 W	Length: 63.11	
	North: 1874746.05	East : 6346737.04	
Line	Course: N 00-15-52 E	Length: 502.88	
	North: 1875248.92	East : 6346739.36	
Line	Course: N 89-43-50 W	Length: 250.00	
	North: 1875250.10	East : 6346489.37	
Line	Course: S 00-15-52 W	Length: 889.01	
	North: 1874361.10	East : 6346485.26	
Line	Course: N 89-44-08 W	Length: 15.00	
	North: 1874361.17	East : 6346470.26	
Line	Course: S 12-44-09 W	Length: 61.60	
	North: 1874301.08	East : 6346456.68	
Line	Course: S 71-11-10 W	Length: 75.86	
	North: 1874276.62	East : 6346384.88	
Line	Course: N 00-15-52 E	Length: 2098.35	
	North: 1876374.95	East : 6346394.56	
Line	Course: N 34-37-29 W	Length: 437.52	
	North: 1876734.98	East : 6346145.96	
Line	Course: N 89-23-53 W	Length: 2265.10	
	North: 1876758.78	East : 6343880.99	
Line	Course: N 89-27-55 W	Length: 1487.74	
	North: 1876772.66	East : 6342393.31	

Perimeter: 25673.77 Area: 21,381,677 sq.ft. 490.856 acres

Mapcheck Closure - (Uses listed courses, radii, and deltas)  
Error Closure: 0.02 Course: N 41-34-18 E  
Error North: 0.016 East : 0.014  
Precision 1: 1,283,687.50

File: Q:\19006201\MAP006201\survey\Closures\PARCEL A EXCEPTION 4.txt 5/23/2014,  
3:46:53 PM

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Parcel name: PARCEL A EXCEPTION

North:	1876531.29	East :	6346495.27
Line Course:	S 15-16-57 E	Length:	143.78
	North: 1876392.59	East :	6346533.17
Line Course:	S 74-42-45 W	Length:	40.00
	North: 1876382.04	East :	6346494.58
Line Course:	N 00-15-52 E	Length:	149.24
	North: 1876531.28	East :	6346495.27

Perimeter: 333.03 Area: 2,876 sq.ft. 0.066 acres

Mapcheck Closure - (Uses listed courses, radii, and deltas)  
Error Closure: 0.00 Course: S 22-00-20 E  
Error North: -0.004 East : 0.002  
Precision 1: 333,020,000.00

## Owner Invitation Letter (O.I.L.)



### CERTIFIED AND REGULAR MAIL

April 25, 2014

1 Jenner, Suite 200  
Irvine, CA 92618  
949.951.5263 ph  
949.951.6651 fax  
www.OPCservices.com

County of Los Angeles  
Mr. Rex Ball  
SR/WA, Principal Real Property Agent  
CEO Real Estate Division  
222 South Hill Street, 3<sup>rd</sup> Floor  
Los Angeles, CA 90012

**Re: Owner Invitation to attend inspection (Our Project #: PTG-003)  
Assessor Parcel No: 2052-012-901, 902, 903, 904 & 905  
Address: US-101/Lost Hills Interchange Improvement Project**

The city of Calabasas (the "City") is proceeding with its plans to construct a capital improvement project known as the Lost Hills Road Overcrossing Replacement & Interchange Modification Project in the vicinity of the property owned by you. Overland, Pacific & Cutler's Appraisal Group has been retained to provide appraisal services on your property.

We will commence our appraisal fieldwork shortly. We would like to explain our objectives, to review and inspect your property, to discuss any recent transactions relative to the site and to explore the history of the property. Should you choose to attend the inspection, you or a representative may accompany the appraiser, if you wish to do so.

Any information regarding capital improvements and their subsequent costs is requested at the time of inspection. Please provide us with any receipts or other written evidence of improvements to your property. If you have any information relative to the real estate market you wish us to have, please provide it to the appraiser at the time of the property inspection. Information regarding written purchase offers, current leases, contracts of sale or listings is most important.

**Please call Chris LaBonte at 951-634-2134 so that we may arrange an appointment.**

This notice does not constitute an offer to purchase your property. Upon completion of the appraisal, a representative will contact you for an appointment to discuss the potential acquisition in detail, should it become necessary. If you have any acquisition questions, you may contact Daniela Borbe, Project Manager at Overland, Pacific & Cutler, Inc. via 949.951.5263 x 5707.

Thank you in anticipation of your cooperation; we look forward to meeting and/or talking with you.

Sincerely,  
**Overland, Pacific & Cutler, Inc.**

A handwritten signature in black ink, appearing to read "Kevin J. Donahue", is written over a light gray background.

Kevin J. Donahue, MAI  
Managing Director, Valuation Services



**EXHIBIT E**

**FOR ITEM 3**

**WILL BE PROVIDED WHEN  
IT IS RECEIVED FROM THE  
COUNTY OF LOS ANGELES**

**EXHIBIT F**

**FOR ITEM 3**


**WILL BE PROVIDED WHEN  
IT IS RECEIVED FROM THE  
COUNTY OF LOS ANGELES**






EXHIBIT FOR  
 PROPOSED RIGHT OF WAY  
 EASEMENT FROM LA COUNTY

**HUITT-ZOLIARS**  
 Huitt-Zollars, Inc. THOUSAND OAKS  
 90 E. Thousand Oaks Blvd, Suite 201  
 Thousand Oaks, California 91360  
 Phone (805) 418-1802 Fax (805) 418-1819

**LEGEND**  
 PROPOSED ROW EASEMENT 

SCALE: 1" = 200'  
 100' 50' 0 100' 200'  
 GRAPHIC SCALE 

ITEM 3 EXHIBIT H

RESOLUTION NO. 2014-1404

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALABASAS, CALIFORNIA REQUESTING THAT THE COUNTY OF LOS ANGELES CONSENT TO THE ACQUISITION BY THE CITY OF CALABASAS OF LOST HILLS ROAD, CANWOOD STREET, AND PARKVILLE ROAD EITHER WITHIN THE UNINCORPORATED AREA OF THE COUNTY OF LOS ANGELES OR IN THE CITY OF CALABASAS BUT WHERE COUNTY HAS THE RIGHTS OF WAY FOR THE PURPOSE OF CONNECTING AND IMPROVING CITY STREETS.**

**WHEREAS**, a portion of the area in the immediate vicinity of the intersection of Lost Hills Road, Canwood Street, and Parkville Road as generally described and shown in Exhibit 1, is outside the boundaries of the City of Calabasas and within the unincorporated area of the County of Los Angeles; and

**WHEREAS**, in connection with a proposed project known as the "US-101/Los Hills Interchange Improvement Project (the "Project")", it is necessary for the City of Calabasas to acquire road right of way for Lost Hills Road, Canwood Street, and Parkville Road, that is located either outside the City of Calabasas's boundaries and within the unincorporated area of the County of Los Angeles, or in the City of Calabasas but over which the County has Rights of Way in order to connect, reconstruct the pavement, install traffic signals, landscape, and improve portions of Lost Hills Road, Canwood Street, Parkville Road, and the US-101/Lost Hills Interchange; and

**WHEREAS**, California Streets and Highways Code Section 1810 requires that the County of Los Angeles consent to the acquisition, by the City of Calabasas, of property outside the City of Calabasas's boundaries in the unincorporated area of the County of Los Angeles where such property is necessary for the City of Calabasas to connect and/or widen the existing streets in the City of Calabasas; and

**WHEREAS**, California Streets and Highways Code Section 1810 also provides that the portion of the acquired property used to connect or widen a city street shall be deemed a city street for all purposes; and

**WHEREAS**, the City of Calabasas desires that the County of Los Angeles consent to the acquisition of portions of Lost Hills Road, Canwood Street and

Parkville Road and to those portions of road becoming city streets, which requires the County of Los Angeles to relinquish control of Lost Hills Road, Canwood Street, and Parkville Road within the unincorporated area of the County of Los Angeles and the portions which are in Calabasas but over which the County has Rights of way, to the City of Calabasas.

**NOW, THEREFORE, the City Council of the City of Calabasas does hereby find, determine, order and resolve as follows:**

**SECTION 1.** Pursuant to California Streets and Highways Code Section 1810, the City hereby requests that the County of Los Angeles consent to the City of Calabasas's acquisition of road right of way in the form of an easement for roadway purposes, including improvements and maintenance, of Lost Hills Road, Canwood Street, and Parkville Road which is located outside the City of Calabasas's boundaries and inside the unincorporated area of the County of Los Angeles, or in the City of Calabasas but over which the County has Rights of Way, as described and shown in Exhibit 1 hereto, for the purpose of connecting and improving Lost Hills Road, Canwood Street, and Parkville Road to include, but not limited to grading, roadway, landscaping, traffic signal, utility, and drainage improvements.

**SECTION 2.** Pursuant to California Streets and Highways Code Section 1810 such road right-of-way and other property which is acquired by the City of Calabasas, in the unincorporated area of the County of Los Angeles within the area of land which is generally described and shown in Exhibit 1 hereto known as Lost Hills Road, Canwood Street, and Parkville Road for the purpose of connecting and improving city streets, shall be a city street for all purposes, to include, but not limited to, grading, roadway, landscaping, traffic signal, utility, and drainage improvements, and if the acquisition is approved, the City will accept the streets so acquired into the city street system pursuant to Streets and Highways Code 1806.

**SECTION 3.** The City hereby requests that in consideration of the payment of \$1.00, the County of Los Angeles grant easements and relinquish control of the portions of Lost Hills Road, Canwood Street, and Parkville Road within the area described and shown in Exhibit 1 hereto: those streets becoming city streets for all purposes, to include, but not limited to, grading, roadway, landscaping, traffic signal, utility, and drainage improvements.

**SECTION 4.** The City of Calabasas hereby consents to defend, indemnify and hold harmless the County of Los Angeles, its Special Districts, and their

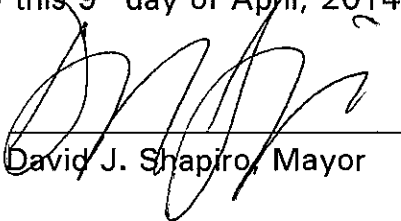
officers and employees from and against any and all liability, including but not limited to demands, claims, actions, fees, costs and expenses (including attorney and expert witness fees), arising from and/or relating to any work performed by the City of Calabasas or its agents on those portions of Lost Hills Road, Canwood Street, Parkville Road which is the subject of this requested acquisition, including the maintenance, or failure to maintain any streets that the City is agreeing to accept into the City's system of streets.

**SECTION 5.** In light of the City's agreement and as an express condition of acquiring the portion of Lost Hills Road, Canwood Street and Parkville Road as described in Exhibit 1 into the City's system of streets and to indemnify the County, as more specifically set forth in this resolution, the City requests that the County authorize the City to perform the work, described generally as including the planning, design and construction of the US101/Lost Hills Interchange Project in accordance with the rules, requirements and standards adopted by the City rather than those adopted by the County.

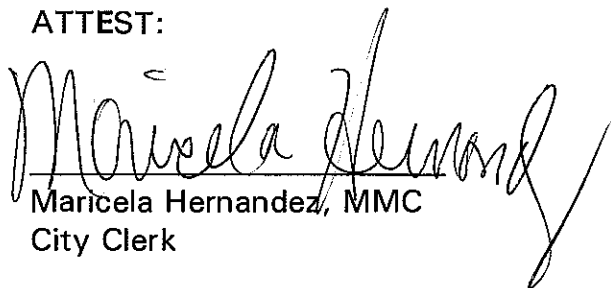
**SECTION 6.** The City's Director of Public Works or his designee, is hereby authorized and directed to provide the County of Los Angeles with maps and such other information as the County of Los Angeles desires, and to work with the County of Los Angeles to accomplish the purposes of this Resolution.

**SECTION 7.** The City Clerk shall certify the adoption of this Resolution and forward a certified copy to the Los Angeles County Director of Public Works for processing.

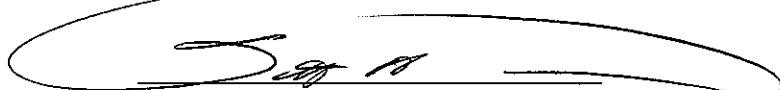
**PASSED, APPROVED AND ADOPTED** this 9<sup>th</sup> day of April, 2014.

  
David J. Shapiro, Mayor

ATTEST:

  
Maricela Hernandez, MMC  
City Clerk

APPROVED AS TO FORM

  
Scott H. Howard, City Attorney

STATE OF CALIFORNIA )  
COUNTY OF LOS ANGELES ) SS  
CITY OF CALABASAS )

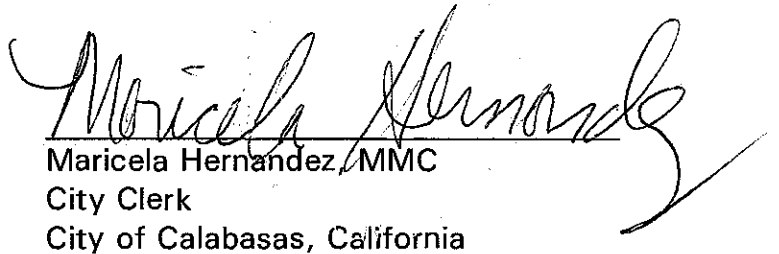
I, **MARICELA HERNANDEZ, MMC**, City Clerk of the City of Calabasas, California, **DO HEREBY CERTIFY** that the foregoing resolution, being **Resolution No. 2014-1404** was duly adopted by the City Council of the City of Calabasas, at a regular meeting of the City Council held April 9, 2014, and that it was adopted by the following vote, to wit:

**AYES:** Mayor Shapiro, Mayor pro Tem Martin and Councilmembers Bozajian, Gaines and Maurer.

**NOES:** None.

**ABSTAIN:** None.

**ABSENT:** None.

  
\_\_\_\_\_  
Maricela Hernandez, MMC  
City Clerk  
City of Calabasas, California

**EXHIBIT I**

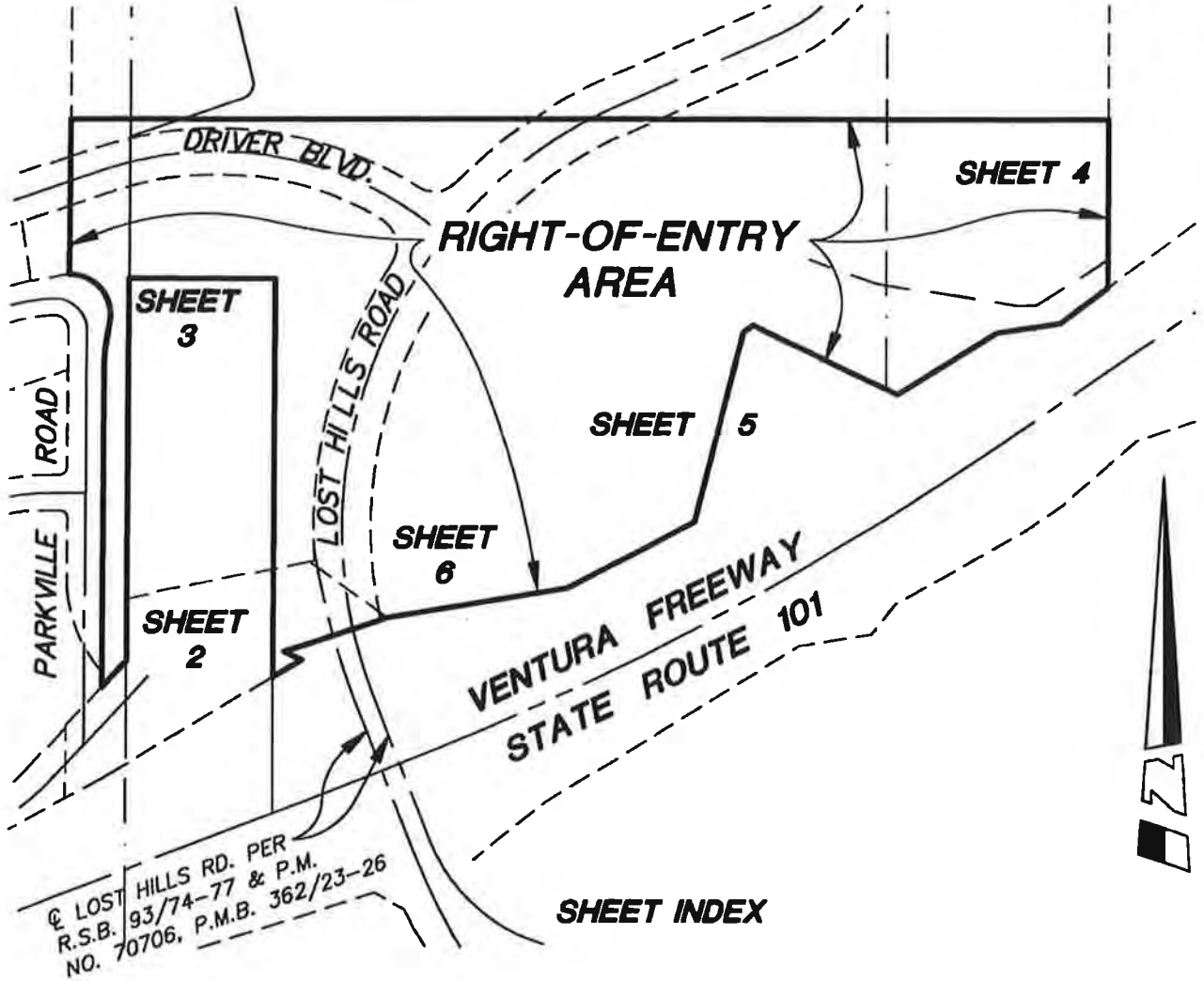
**FOR ITEM 3**

**WILL BE PROVIDED WHEN  
IT IS RECEIVED FROM THE  
COUNTY OF LOS ANGELES**

**EXHIBIT J**

**FOR ITEM 3**

**WILL BE PROVIDED WHEN  
IT IS RECEIVED FROM THE  
COUNTY OF LOS ANGELES**



**SHEET INDEX**

**LEGEND**

- RIGHT-OF-ENTRY AREA
- SECTION LINE
- CITY BOUNDARY LINE

**REFERENCES:**

- R1 - FINAL ORDER OF CONDEMNATION, INST. NO. 3207, O.R. (REC. 7/23/1971)
- R2 - GRANT DEED, BOOK 31655, PAGE 311, O.R. (REC. 7/8/1949)
- R3 - GRANT DEED, BOOK D1895, PAGE 337, O.R. (REC. 1/23/1963)
- R4 - RELINQUISHMENT OF HIGHWAY RIGHT OF WAY, BOOK D6221, PAGE 360, INST. NO. 2957 (REC. 4/2/1974)
- R5 - FINAL ORDER OF CONDEMNATION, INST. NO. 86-495528, O.R. (REC. 4/22/1986)
- R6 - GENERAL SITE AND GRADING PLAN - ACCESS ROAD LA CO R.D. DWG. NO. 75R-g-22



REVISED: 4/29/2014

**HUITT-ZOLLARS**

Huitt-Zollars, Inc. Irvine  
 2603 Main Street, Suite 400, Irvine, CA 92614  
 Phone (949) 988-5815 Fax (949) 988-5820

APPROVED BY

4-29-14

SKETCH TO ACCOMPANY  
 A LEGAL DESCRIPTION

**EXHIBIT 'B'**  
**LOST HILLS INTERCHANGE  
 IMPROVEMENTS  
 RIGHT-OF-ENTRY AREA**

SCALE	1"=400'
DRAWN BY	DWM
CHECKED BY	JLG
DATE	3/20/2014
JOB NO.	R190062.01






**CITY of CALABASAS**

**CITY COUNCIL AGENDA REPORT**

---

**DATE:** JUNE 16, 2014

**TO:** HONORABLE MAYOR AND COUNCILMEMBERS

**FROM:** JEFF RUBIN, COMMUNITY SERVICES DIRECTOR 

**SUBJECT:** ADOPTION OF RESOLUTION NO. 2014-1410 RECOGNIZING JULY AS "PARKS & RECREATION MONTH" IN THE CITY OF CALABASAS

**MEETING DATE:** JUNE 25, 2014

---

**SUMMARY RECOMMENDATION:**

It is recommended that the City Council adopt Resolution No. 2014-1410 recognizing July as "Parks & Recreation Month" in the City of Calabasas.

**BACKGROUND:**

Since 1985, the National Recreation and Park Association (NRPA) and California Parks and Recreation Society (CPRS) have designated the month of July as Parks & Recreation Month. Recreation facilities and parks across the country annually use July to celebrate the kick-off of summer programming as well as a time to pull their communities together to volunteer, get involved in great outdoor physical activities and advocate for parks and recreation.

As we observe Parks & Recreation Month, we recognize the vital contributions of employees and volunteers throughout the country and abroad who assist public parks and recreation facilities. These dedicated people keep public parks clean and safe for visitors, organize and coach youth sports teams, provide special events, day camps, swim lessons, educational programming on health, nutrition and first aid, advocate for more open space and better trails, and fundraise for local

improvements. They ensure that public parks and recreation facilities are safe and accessible places for all citizens to enjoy.

NRPA and CPRS are organizations dedicated to advancing park, recreation and conservation efforts that enhance quality of life for all people. Through a network of more than 19,000 recreation and park professionals and citizens, NRPA and CPRS encourage the promotion of healthy lifestyles, recreation initiatives, and conservation of natural and cultural resources.

**FISCAL IMPACT/SOURCE OF FUNDING:**

None

**REQUESTED ACTION:**

It is requested that the City Council adopt Resolution No. 2014-1410 recognizing July as "Parks & Recreation Month" in the City of Calabasas.

**ATTACHMENTS:** Resolution No. 2014-1410

**RESOLUTION NO. 2014-1410**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALABASAS, CALIFORNIA, PROCLAIMING JULY AS "PARKS AND RECREATION MONTH" IN THE CITY OF CALABASAS.**

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CALABASAS AS FOLLOWS:**

**WHEREAS**, Parks and Recreation makes lives and communities better now and in the future; and

**WHEREAS**, it is established through statewide public opinion research, 98% of California households visit a local park at least once a year; two in three households visit a park once a month; 50% of households participate in an organized recreation program; and most park use is with family and friends; and

**WHEREAS**, residents value recreation as it provides positive alternatives for children and youth to reduce crime and mischief especially during non-school hours; it promotes the arts, it increases social connections; aids in therapy; and promotes lifelong learning; and

**WHEREAS**, residents value their parks for access to outdoor spaces for children and adults to play and be active; exercise and group sports; and

**WHEREAS**, parks provide access to the serenity and the inspiration of nature and outdoor spaces as well as preserve and protect the historic, natural and cultural resources in our community; and

**WHEREAS**, all of the residents of the City of Calabasas including children, youth, teens, families, adults, seniors, and visitors benefit from the wide range of parks, trails, open space, sports fields, tennis courts, facilities and programs provided by the Community Services Department; and

**WHEREAS**, the City of Calabasas urges all its residents to recognize that parks and recreation enriches the lives of its residents and visitors as well as adding value to the community's homes and neighborhoods; and

**NOW, THEREFORE, BE IT RESOLVED**, the City of Calabasas hereby proclaims that Parks Make Life Better! and the month of July 2014 as "Parks & Recreation Month" and in doing so, urges all citizens to use and enjoy our parks, trails, open space, facilities and recreational opportunities.

The City Clerk shall certify to the adoption of this resolution and shall cause the same to be processed in the manner required by law.

**PASSED, APPROVED AND ADOPTED** this 25<sup>th</sup> day of June, 2014.

\_\_\_\_\_  
David J. Shapiro, Mayor

ATTEST:

\_\_\_\_\_  
Maricela Hernandez, MMC  
City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Scott H. Howard, City Attorney




**CITY of CALABASAS**

**CITY COUNCIL AGENDA REPORT**

---

**DATE:** JUNE 16, 2014

**TO:** HONORABLE MAYOR AND COUNCILMEMBERS

**FROM:** JEFF RUBIN, COMMUNITY SERVICES DIRECTOR 

**SUBJECT:** RECOMMENDATION TO APPROVE A PROFESSIONAL SERVICES AGREEMENT WITH SECURAL SECURITY CORPORATION FOR SECURITY AND PARKING ENFORCEMENT CITATION SERVICES.

**MEETING DATE:** JUNE 25, 2014

---

**SUMMARY RECOMMENDATION:**

It is recommended that the City Council approve a Professional Services Agreement (PSA) with Secural Security Corporation for security and parking enforcement citation services.

**BACKGROUND:**

Secural is a family owned and operated Security Company that was founded in 1976 and will be celebrating their 38th anniversary later this year. They moved to Calabasas in 1994 just after the Northridge earthquake as they desired a community that was close to Los Angeles but without all of the congestion and traffic. Calabasas provided the quaint family "feel" they were looking for.

Secural attributes a large portion of their success to the exceptional working relationships that have formed with their clients and the public agencies that service those clients. They are one of the few security companies that work hand in hand with the local schools and the Sheriff's Department and as such are called upon for consulting with clients on traffic and security related matters. Secural

is endorsed by the Lost Hills Sheriff’s Department to handle matters typically handled by municipal law enforcement in areas of traffic control, road closures and parking enforcement. Many of the services they provide were born out of necessity to help bridge the gaps between private and public sector. Although they are a mid-sized family business, they are able to provide services beyond other competitors. Their services include but are not limited to the following:

- Uniformed armed/unarmed Security Officers.
- Plain clothes armed/unarmed Security and Off Duty Police Officers.
- Mounted Unit
- Armed Vehicle Patrol
- Remote Video Surveillance linked to the patrol cars.
- Parking enforcement citation services

**DISCUSSION:**

For the past several years, Secural has provided security services for City special events along with patrol services at City facilities. Their knowledge of our events and the expertise and care they display during the planning and implementation of our programs has attributed to our success in providing the community with family fun and safe programs. Secural oftentimes goes above and beyond the call of duty and their ability to see an issue or raise a concern before it turns into a situation is what separates them from all others. We have dealt with other security companies in the past, none of the caliber or professionalism of Secural.

In January of 2011 with the endorsement of the Lost Hills Sheriff’s Department, the City contracted with Secural to provide parking enforcement citation services. Under the PSA, Secural provides 25 hours per week of parking enforcement services. These services make our roads safer for both vehicles and pedestrians. In working hand in hand with the Sheriff’s Department we have seen an increase in both citations issued and revenue based upon past history.

Secural Citation Chart - Based Upon 25 Hours of Service per Week

Reporting Period	Number of Citation Written	Net Revenue After Fees
July 2011-December 2011	564	\$33,792
January 2012-December 2012	1,237	\$74,285
January 2013-December 2013	1,715	\$90,814
January 2014-May 2014	525	\$23,196
<b>Total</b>	<b>4,041</b>	<b>\$222,087</b>

Fine amount is based on parking citation infraction

As shown by the previous chart, Secural has written a total of 4,041 tickets during their agreement with the City with net revenue of \$222,087.00. We are now able to call upon Secural when the need arises to focus on a particular area like our local schools when there is an issue and not burden our Sheriff's Department who are busy with all areas of public safety.

The proposed three year agreement in an amount not to exceed Two Hundred Fifty-Five Thousand Dollars (\$255,000.00) provides security services for four separate scopes of work in the City. These scopes of work include but are not limited to:

- Security Officers for Special Events
- Armed Response and Patrol
- Facility Locking/Unlocking
- Parking Enforcement Citation Services

The City has been extremely pleased with the services that Secural provides and how seamlessly they work with City staff. Having Secural at our events, especially the larger ones like Arts Festival, 4<sup>th</sup> of July and Pumpkin Festival gives us peace of mind. Secural works very closely with local law enforcement agencies and we see Secural as an extension to our law enforcement services provided by the Los Angeles County Sheriff's Department.

#### **FISCAL IMPACT/SOURCE OF FUNDING:**

##### **Expenditure Accounts:**

##### **Year One:**

- \$25,200 per year paid from account 10-134-5252-84 for parking enforcement citation services.
- \$45,000 per year paid from the following accounts based on the event for security services; 10-512-5252, 10-513-5252, 10-514-5252, 10-516-5252, 10-517-5252 and 50-521-5252.
- \$5,800 per year paid from the following accounts based upon facility for patrol service/armed response; 10-512-5252, 10-513-5252, 10-514-5252, 10-517-5252, 50-521-5252, 10-136-5500-01 and 28-136-5500-01.
- \$5,800 per year paid from the following accounts based upon facility for patrol locking/unlocking facility restrooms; 10-513-5252 and 10-514-5252.

**Year Two and Three:**

After the first year of the agreement, and at the beginning of each fiscal year (July 1) thereafter, at the sole discretion of the City, the contract may be adjusted based on the current Consumer Price Index.

The adjustment will be based on the Los Angeles, Riverside, and Orange Counties Regional Consumer Price Index (CPI-U) twelve (12) month percent change not seasonally adjusted. The twelve (12) month period shall begin and end during the month thirty (30) calendar days preceding the anniversary date of the starting date of the agreement.

**Revenue Account:**

- \$70,000-\$80,000 per year posted to account 10-000-4311-00 based upon the last three years.

**REQUESTED ACTION:**

It is requested that the City Council approve a Professional Services Agreement (PSA) with Secural Security Corporation for security and parking enforcement citation services.

**ATTACHMENTS:** Secural Security Corporation PSA



**PROFESSIONAL SERVICES AGREEMENT  
(City of Calabasas/Secural Security Corp.)**

**1. IDENTIFICATION**

THIS PROFESSIONAL SERVICES AGREEMENT (“Agreement”) is entered into by and between the City of Calabasas, a California municipal corporation (“City”), and Secural Security Corp. (“Consultant”).

**2. RECITALS**

- 2.1 City has determined that it requires the following professional services from a consultant: **Security Officers, Armed Response and Patrol, Facility Locking/Unlocking and Parking Enforcement Citation Services.**
- 2.2 Consultant represents that it is fully qualified to perform such professional services by virtue of its experience and the training, education and expertise of its principals and employees. Consultant further represents that it is willing to accept responsibility for performing such services in accordance with the terms and conditions set forth in this Agreement.

**NOW, THEREFORE,** for and in consideration of the mutual covenants and conditions herein contained, City and Consultant agree as follows:

**3. DEFINITIONS**

- 3.1 “Scope of Services”: Such professional services as are set forth in Exhibit A and incorporated herein by this reference.
- 3.2 “Approved Fee Schedule”: Such compensation rates as are set forth in Exhibit B and incorporated herein by this reference.
- 3.3 “Commencement Date”: July 1, 2014.
- 3.4 “Expiration Date”: June 30, 2017.

**4. TERM**

The term of this Agreement shall commence at 12:00 a.m. on the Commencement Date and shall expire at 11:59 p.m. on the Expiration Date unless extended by written agreement of the parties or terminated earlier in accordance with Section 17 (“Termination”) below.

**5. CONSULTANT’S SERVICES**

- 5.1 Consultant shall perform the services identified in the Scope of Services. City

shall have the right to request, in writing, changes in the Scope of Services. Any such changes mutually agreed upon by the parties, and any corresponding increase or decrease in compensation, shall be incorporated by written amendment to this Agreement. In no event shall the total compensation and costs payable to Consultant under this Agreement exceed the sum of **Two Hundred Fifty-Five Thousand Dollars (\$255,000.00)** unless specifically approved in advance and in writing by City.

- 5.2 Consultant shall perform all work to the highest professional standards of Consultant's profession and in a manner reasonably satisfactory to City. Consultant shall comply with all applicable federal, state and local laws and regulations, including the conflict of interest provisions of Government Code Section 1090 and the Political Reform Act (Government Code Section 81000 *et seq.*).
- 5.3 During the term of this Agreement, Consultant shall not perform any work for another person or entity for whom Consultant was not working at the Commencement Date if both (i) such work would require Consultant to abstain from a decision under this Agreement pursuant to a conflict of interest statute and (ii) City has not consented in writing to Consultant's performance of such work.
- 5.4 Consultant represents that it has, or will secure at its own expense, all personnel required to perform the services identified in the Scope of Services. All such services shall be performed by Consultant or under its supervision, and all personnel engaged in the work shall be qualified to perform such services. **AJ Scola** shall be Consultant's project administrator and shall have direct responsibility for management of Consultant's performance under this Agreement. No change shall be made in Consultant's project administrator without City's prior written consent.

## 6. **COMPENSATION**

- 6.1 City agrees to compensate Consultant for the services provided under this Agreement, and Consultant agrees to accept in full satisfaction for such services, payment in accordance with the Approved Fee Schedule.
- 6.2 Consultant shall submit to City an invoice, on a monthly basis or less frequently, for the services performed pursuant to this Agreement. Each invoice shall itemize the services rendered during the billing period and the amount due. Within ten business days of receipt of each invoice, City shall notify Consultant in writing of any disputed amounts included on the invoice. Within thirty calendar days of receipt of each invoice, City shall pay all undisputed amounts included on the invoice. City shall not withhold applicable taxes or other authorized deductions from payments made to Consultant.

- 6.3 Payments for any services requested by City and not included in the Scope of Services shall be made to Consultant by City on a time-and-materials basis using Consultant's standard fee schedule. Consultant shall be entitled to increase the fees in this fee schedule at such time as it increases its fees for its clients generally; provided, however, in no event shall Consultant be entitled to increase fees for services rendered before the thirtieth day after Consultant notifies City in writing of an increase in that fee schedule. Fees for such additional services shall be paid within sixty days of the date Consultant issues an invoice to City for such services.

**7. OWNERSHIP OF WRITTEN PRODUCTS**

All reports, documents or other written material ("written products" herein) developed by Consultant in the performance of this Agreement shall be and remain the property of City without restriction or limitation upon its use or dissemination by City. Consultant may take and retain copies of such written products as desired, but no such written products shall be the subject of a copyright application by Consultant.

**8. RELATIONSHIP OF PARTIES**

Consultant is, and shall at all times remain as to City, a wholly independent contractor. Consultant shall have no power to incur any debt, obligation, or liability on behalf of City or otherwise to act on behalf of City as an agent. Neither City nor any of its agents shall have control over the conduct of Consultant or any of Consultant's employees, except as set forth in this Agreement. Consultant shall not represent that it is, or that any of its agents or employees are, in any manner employees of City.

**9. CONFIDENTIALITY**

All data, documents, discussion, or other information developed or received by Consultant or provided for performance of this Agreement are deemed confidential and shall not be disclosed by Consultant without prior written consent by City. City shall grant such consent if disclosure is legally required. Upon request, all City data shall be returned to City upon the termination or expiration of this Agreement.

**10. INDEMNIFICATION**

- 10.1 The parties agree that City, its officers, agents, employees and volunteers should, to the fullest extent permitted by law, be protected from any and all loss, injury, damage, claim, lawsuit, cost, expense, attorneys' fees, litigation costs, or any other cost arising out of or in any way related to the performance of this Agreement. Accordingly, the provisions of this indemnity provision are intended by the parties to be interpreted and construed to provide the City with the fullest protection possible under the law. Consultant acknowledges that City would not enter into this Agreement in the absence of Consultant's commitment to indemnify and protect City as set forth herein.
- 10.2 To the fullest extent permitted by law, Consultant shall indemnify, hold harmless and defend City, its officers, agents, employees and volunteers from and against any and all claims and losses, costs or expenses for any damage due to death or injury to any person and injury to any property resulting from any alleged intentional, reckless, negligent, or otherwise wrongful acts, errors or omissions of Consultant or any of its officers, employees, servants, agents, or subcontractors in the performance of this Agreement. Such costs and expenses shall include reasonable attorneys' fees incurred by counsel of City's choice.
- 10.3 City shall have the right to offset against the amount of any compensation due Consultant under this Agreement any amount due City from Consultant as a result of Consultant's failure to pay City promptly any indemnification arising under this Section 10 and related to Consultant's failure to either (i) pay taxes on amounts received pursuant to this Agreement or (ii) comply with applicable workers' compensation laws.
- 10.4 The obligations of Consultant under this Section 10 will not be limited by the provisions of any workers' compensation act or similar act. Consultant expressly waives its statutory immunity under such statutes or laws as to City, its officers, agents, employees and volunteers.
- 10.5 Consultant agrees to obtain executed indemnity agreements with provisions identical to those set forth here in this Section 10 from each and every subcontractor or any other person or entity involved by, for, with or on behalf of Consultant in the performance of this Agreement. In the event Consultant fails to obtain such indemnity obligations from others as required herein, Consultant agrees to be fully responsible and indemnify, hold harmless and defend City, its officers, agents, employees and volunteers from and against any and all claims and losses, costs or expenses for any damage due to death or injury to any person and injury to any property resulting from any alleged intentional, reckless, negligent, or otherwise wrongful acts, errors or omissions of Consultant's subcontractors or any other person or entity involved by, for, with or on behalf of

Consultant in the performance of this Agreement. Such costs and expenses shall include reasonable attorneys' fees incurred by counsel of City's choice.

- 10.6 City does not, and shall not, waive any rights that it may possess against Consultant because of the acceptance by City, or the deposit with City, of any insurance policy or certificate required pursuant to this Agreement. This hold harmless and indemnification provision shall apply regardless of whether or not any insurance policies are determined to be applicable to the claim, demand, damage, liability, loss, cost or expense.

## **11. INSURANCE**

- 11.1 During the term of this Agreement, Consultant shall carry, maintain, and keep in full force and effect insurance against claims for death or injuries to persons or damages to property that may arise from or in connection with Consultant's performance of this Agreement. Such insurance shall be of the types and in the amounts as set forth below:
- 11.1.1 Comprehensive General Liability Insurance with coverage limits of not less than Two Million Dollars (\$2,000,000) including products and operations hazard, contractual insurance, broad form property damage, independent consultants, personal injury, underground hazard, and explosion and collapse hazard where applicable.
- 11.1.2 Automobile Liability Insurance for vehicles used in connection with the performance of this Agreement with minimum limits of One Million Dollars (\$1,000,000) per claimant and One Million dollars (\$1,000,000) per incident.
- 11.1.3 Worker's Compensation insurance as required by the laws of the State of California.
- 11.2 Consultant shall require each of its subcontractors to maintain insurance coverage that meets all of the requirements of this Agreement.
- 11.3 The policy or policies required by this Agreement shall be issued by an insurer admitted in the State of California and with a rating of at least A:VII in the latest edition of Best's Insurance Guide.
- 11.4 Consultant agrees that if it does not keep the aforesaid insurance in full force and effect, City may either (i) immediately terminate this Agreement; or (ii) take out the necessary insurance and pay, at Consultant's expense, the premium thereon.

- 11.5 At all times during the term of this Agreement, Consultant shall maintain on file with City's Risk Manager a certificate or certificates of insurance showing that the aforesaid policies are in effect in the required amounts and naming the City and its officers, employees, agents and volunteers as additional insureds. Consultant shall, prior to commencement of work under this Agreement, file with City's Risk Manager such certificate(s).
- 11.6 Consultant shall provide proof that policies of insurance required herein expiring during the term of this Agreement have been renewed or replaced with other policies providing at least the same coverage. Such proof will be furnished at least two weeks prior to the expiration of the coverages.
- 11.7 The general liability and automobile policies of insurance required by this Agreement shall contain an endorsement naming City and its officers, employees, agents and volunteers as additional insureds. All of the policies required under this Agreement shall contain an endorsement providing that the policies cannot be canceled or reduced except on thirty days' prior written notice to City. Consultant agrees to require its insurer to modify the certificates of insurance to delete any exculpatory wording stating that failure of the insurer to mail written notice of cancellation imposes no obligation, and to delete the word "endeavor" with regard to any notice provisions.
- 11.8 The insurance provided by Consultant shall be primary to any coverage available to City. Any insurance or self-insurance maintained by City and/or its officers, employees, agents or volunteers, shall be in excess of Consultant's insurance and shall not contribute with it.
- 11.9 All insurance coverage provided pursuant to this Agreement shall not prohibit Consultant, and Consultant's employees, agents or subcontractors, from waiving the right of subrogation prior to a loss. Consultant hereby waives all rights of subrogation against the City.
- 11.10 Any deductibles or self-insured retentions must be declared to and approved by the City. At the option of City, Consultant shall either reduce or eliminate the deductibles or self-insured retentions with respect to City, or Consultant shall procure a bond guaranteeing payment of losses and expenses.
- 11.11 Procurement of insurance by Consultant shall not be construed as a limitation of Consultant's liability or as full performance of Consultant's duties to indemnify, hold harmless and defend under Section 10 of this Agreement.

## **12. MUTUAL COOPERATION**

- 12.1 City shall provide Consultant with all pertinent data, documents and other requested information as is reasonably available for the proper performance of Consultant's services under this Agreement.
- 12.2 In the event any claim or action is brought against City relating to Consultant's performance in connection with this Agreement, Consultant shall render any reasonable assistance that City may require.

**13. RECORDS AND INSPECTIONS**

Consultant shall maintain full and accurate records with respect to all matters covered under this Agreement for a period of three years after the expiration or termination of this Agreement. City shall have the right to access and examine such records, without charge, during normal business hours. City shall further have the right to audit such records, to make transcripts therefrom and to inspect all program data, documents, proceedings, and activities.

**14. PERMITS AND APPROVALS**

Consultant shall obtain, at its sole cost and expense, all permits and regulatory approvals necessary in the performance of this Agreement. This includes, but shall not be limited to, encroachment permits and building and safety permits and inspections.

**15. NOTICES**

Any notices, bills, invoices, or reports required by this Agreement shall be deemed received on: (i) the day of delivery if delivered by hand, facsimile or overnight courier service during Consultant's and City's regular business hours; or (ii) on the third business day following deposit in the United States mail if delivered by mail, postage prepaid, to the addresses listed below (or to such other addresses as the parties may, from time to time, designate in writing).

If to City

City of Calabasas  
100 Civic Center Way  
Calabasas, CA 91302  
Attn: Anthony Coroalles  
Telephone: (818) 224-1600  
Facsimile: (818) 225-7340

If to Consultant:

AJ Scola  
23919 Ventura Blvd.  
Calabasas, CA 91302  
Telephone: (818) 225-0813  
Facsimile: (818) 225-0862

With courtesy copy to:

Scott H. Howard  
Colantuono & Levin, PC  
300 South Grand Avenue, Suite 2700

Los Angeles, CA 90071-3137  
Telephone: (213) 542-5700  
Facsimile: (213) 542-5710

**16. SURVIVING COVENANTS**

The parties agree that the covenants contained in Section 9, Section 10, Paragraph 12.2 and Section 13 of this Agreement shall survive the expiration or termination of this Agreement.

**17. TERMINATION**

17.1. City shall have the right to terminate this Agreement for any reason on five calendar days' written notice to Consultant. Consultant shall have the right to terminate this Agreement for any reason on sixty calendar days' written notice to City. Consultant agrees to cease all work under this Agreement on or before the effective date of any notice of termination. All City data, documents, objects, materials or other tangible things shall be returned to City upon the termination or expiration of this Agreement.

17.2 If City terminates this Agreement due to no fault or failure of performance by Consultant, then Consultant shall be paid based on the work satisfactorily performed at the time of termination. In no event shall Consultant be entitled to receive more than the amount that would be paid to Consultant for the full performance of the services required by this Agreement.

**18. GENERAL PROVISIONS**

18.1 Consultant shall not delegate, transfer, subcontract or assign its duties or rights hereunder, either in whole or in part, without City's prior written consent, and any attempt to do so shall be void and of no effect. City shall not be obligated or liable under this Agreement to any party other than Consultant.

18.2 In the performance of this Agreement, Consultant shall not discriminate against any employee, subcontractor, or applicant for employment because of race, color, creed, religion, sex, marital status, sexual orientation, national origin, ancestry, age, physical or mental disability or medical condition.

18.3 The captions appearing at the commencement of the sections hereof, and in any paragraph thereof, are descriptive only and for convenience in reference to this Agreement. Should there be any conflict between such heading, and the section or paragraph thereof at the head of which it appears, the section or paragraph thereof, as the case may be, and not such heading, shall control and govern in the construction of this Agreement. Masculine or feminine pronouns shall be substituted for the neuter form and vice versa, and the plural shall be substituted



for the singular form and vice versa, in any place or places herein in which the context requires such substitution(s).

- 18.4 The waiver by City or Consultant of any breach of any term, covenant or condition herein contained shall not be deemed to be a waiver of such term, covenant or condition or of any subsequent breach of the same or any other term, covenant or condition herein contained. No term, covenant or condition of this Agreement shall be deemed to have been waived by City or Consultant unless in writing.
- 18.5 Consultant shall not be liable for any failure to perform if Consultant presents acceptable evidence, in City's sole judgment, that such failure was due to causes beyond the control and without the fault or negligence of Consultant.
- 18.6 Each right, power and remedy provided for herein or now or hereafter existing at law, in equity, by statute, or otherwise shall be cumulative and shall be in addition to every other right, power, or remedy provided for herein or now or hereafter existing at law, in equity, by statute, or otherwise. The exercise, the commencement of the exercise, or the forbearance of the exercise by any party of any one or more of such rights, powers or remedies shall not preclude the simultaneous or later exercise by such party of any of all of such other rights, powers or remedies. In the event legal action shall be necessary to enforce any term, covenant or condition herein contained, the party prevailing in such action, whether reduced to judgment or not, shall be entitled to its reasonable court costs, including accountants' fees, if any, and attorneys' fees expended in such action. The venue for any litigation shall be Los Angeles County, California.
- 18.7 If any term or provision of this Agreement or the application thereof to any person or circumstance shall, to any extent, be invalid or unenforceable, then such term or provision shall be amended to, and solely to, the extent necessary to cure such invalidity or unenforceability, and in its amended form shall be enforceable. In such event, the remainder of this Agreement, or the application of such term or provision to persons or circumstances other than those as to which it is held invalid or unenforceable, shall not be affected thereby, and each term and provision of this Agreement shall be valid and be enforced to the fullest extent permitted by law.
- 18.8 This Agreement shall be governed and construed in accordance with the laws of the State of California.
- 18.9 All documents referenced as exhibits in this Agreement are hereby incorporated into this Agreement. In the event of any material discrepancy between the express provisions of this Agreement and the provisions of any document incorporated herein by reference, the provisions of this Agreement shall prevail.

This instrument contains the entire Agreement between City and Consultant with respect to the transactions contemplated herein. No other prior oral or written agreements are binding upon the parties. Amendments hereto or deviations herefrom shall be effective and binding only if made in writing and executed by City and Consultant.

**TO EFFECTUATE THIS AGREEMENT**, the parties have caused their duly authorized representatives to execute this Agreement on the dates set forth below.

**“City”**  
**City of Calabasas**

**“Consultant”**  
**Secural Security Corp.**

By: \_\_\_\_\_  
David Shapiro, Mayor

By: \_\_\_\_\_  
AJ Scola, Executive Vice President

Date: \_\_\_\_\_

Date: \_\_\_\_\_

By: \_\_\_\_\_

Date: \_\_\_\_\_

Attest:

By: \_\_\_\_\_  
Maricela Hernandez, MMC  
City Clerk

Date: \_\_\_\_\_

Approved as to form:

By: \_\_\_\_\_  
Scott H. Howard, City Attorney

## EXHIBIT A SCOPE OF WORK

### **Scope #1 Standing Security Officer Services**

SECURAL shall provide standing security officers for security, crowd management and traffic control services for City events when requested by the City.

### **Scope #2 Vehicle Patrol Service/Armed Response**

SECURAL shall provide twelve (12) hours of vehicle patrol service during the hours of darkness for the Civic Center, Creekside Park, De Anza Park and the Tennis & Swim Center as well as twenty-four (24) hour response to City Hall elevator emergencies when the automated elevator call system contacts SECURAL.

### **Scope #3 Vehicle Patrol Service - Locking/Unlocking Park Facility Restrooms**

SECURAL shall lock and unlock the restroom facilities daily at Gates Canyon Park and Grape Arbor Park as well as other facilities upon request **(to automatically include De Anza Park restroom unlocking 9am / locking 5pm on Thanksgiving Day, Christmas Day and New Year's Day)**. Nightly security surveillance patrol at the above mentioned facilities shall also take place to ensure illegal activities and/or suspicious persons are reported.

### **Scope #4 Citywide Parking Enforcement Citation Services**

SECURAL shall provide a minimum of twenty-five (25) hours per week of citywide parking enforcement citation services.

**EXHIBIT B  
APPROVED FEE SCHEDULE**

**Scope #1 Standing Security Officer Services**

Supervisory Rate:	\$34.00 per hour
Officer Rate:	\$28.00 per hour

**Scope #2 Vehicle Patrol Service/Armed Response**

Civic Center (City Hall and Library):	\$425.00 per month	(24 hours active patrol-3 weekly night visits/ walk through interior)
Creekside Park:	\$18.00 per month	
De Anza Park:	\$14.00 per month	
Tennis & Swim Center:	\$18.30 per month	

**Scope #3 Vehicle Patrol Service - Locking/Unlocking Park Facility Restrooms**

Gates Canyon Park:	\$210.00 per month
Grape Arbor Park:	\$210.00 per month
On Call Request Service	\$30.00 per hour

**Scope #4 Citywide Parking Enforcement Citation Services**

Monthly Rate	\$2,775.00
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**After the first year of the agreement, and at the beginning of each fiscal year (July 1) thereafter, at the sole discretion of the City, the contract may be adjusted based on the current Consumer Price Index.**

**The adjustment will be based on the Los Angeles, Riverside, and Orange Counties Regional Consumer Price Index (CPI-U) twelve (12) month percent change not seasonally adjusted. The twelve (12) month period shall begin and end during the month thirty (30) calendar days preceding the anniversary date of the starting date of the agreement.**



**CITY of CALABASAS**  
**CITY COUNCIL AGENDA REPORT**

---

**DATE: JUNE 11, 2014**

**TO: HONORABLE MAYOR AND COUNCILMEMBERS**

**FROM: TOM BARTLETT, CITY PLANNER** TB

**SUBJECT: AN AMENDED RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALABASAS INITIATING PROCEEDINGS AND REQUESTING THE LOCAL AGENCY FORMATION COMMISSION OF LOS ANGELES COUNTY TO AMEND THE SPHERE OF INFLUENCE AND TO CONSIDER APPROVAL OF A REORGANIZATION OF TERRITORY WHICH INCLUDES ANNEXATION OF APPROXIMATELY 57.5 ACRES OF UNINCORPORATED TERRITORY TO THE CITY OF CALABASAS.**

**MEETING DATE: JUNE 25, 2014**

---

**SUMMARY RECOMMENDATION:**

That the City Council adopt Resolution Number 2014-1418 (Attachment A) initiating proceedings and requesting the Local Agency Formation Commission of Los Angeles County to amend the Sphere of Influence and to consider approval of a reorganization of territory which includes annexation of approximately 57.5 acres of unincorporated territory to the City of Calabasas.

**BACKGROUND:**

Resolution No. 2014-1399 was passed and approved on March 12, 2014 by the City Council to initiate annexation proceedings for an area comprising approximately 43.17 acres and located immediately west of the City boundaries along Agoura Road (see Attachment B). The area is planned for annexation as-is with no changes in land uses or intensities of use. Accordingly, on May 13, 2014 the City Council approved Resolution No. 2014-1412 amending the City's General Plan to include this territory and to establish planned land uses which align with the

existing development and open space conditions. Furthermore, on that same date the City Council introduced Ordinance No. 2014-316 to pre-zone the territory consistent with the land use plan designations. Ordinance No. 2014-316 was subsequently adopted by the City Council on May 28, 2014.

While staff had been communicating with LAFCO staff on the particulars of the annexation and the pre-zoning effort, it became apparent that two important revisions would be necessary for the annexation territory:

- 1) A tiny parcel (500 square-feet), located at the westernmost limits of the proposed annexation area, had been referenced and included in the original resolution and exhibit. However, this parcel (APN 2064-005-018) is actually located within the City of Agoura Hills and should not have been included among the private parcels to be annexed.
- 2) LAFCO staff advised that a substantial area of CalTrans right-of-way, which is associated with Highway 101, should be included as part of the annexation area in order to create a more regular and consistent boundary for the City.

**ANALYSIS:**

The attached resolution, together with the updated legal description and map (which have been incorporated as exhibits to the resolution), will address the two issues summarized above, and will make abundantly clear to LAFCO precisely the area proposed for annexation. The territory being annexed now includes the following properties, which collectively total approximately 57.5 acres:

<b>West Agoura Road Territory -- Annexation to Calabasas</b>					
<b>Property APN</b>	<b>Property Address</b>	<b>Notes</b>	<b>Proposed Use</b>	<b>Acreage</b>	
2064-005-017	27349 Agoura Rd	<i>Spirent Building &amp; Parking Lot</i>	Comm. Office	0.86	
2064-005-009	27349 Agoura Rd	<i>Spirent Building &amp; Parking Lot</i>	Comm. Office	4.12	
2064-005-010	27200 Agoura Rd	<i>Second Existing Office Building</i>	Comm. Office	2.40	
2064-005-011	27100 Agoura Rd	<i>Deed-restricted Open Space parcel</i>	Open Space	27.43	
2064-005-015	27300 Agoura Rd	<i>Undeveloped Steep Hillside</i>	Open Space	2.62	
Right-of-Way	N/A	<i>Agoura Road – street &amp; sidewalks</i>	Public ROW	6.51	
Right-of-Way	N/A	<i>101 Freeway Right-of-Way</i>	Public ROW	14.12	
				<i>Note: acreage figures may differ due to rounding</i>	
				58	

The General Plan amendment and pre-zoning ordinance already conform to the revised area because they were accomplished without having included the sixth parcel, and they do not affect public rights-of-way. Consequently, no revisions will be necessary for those efforts.

**FISCAL IMPACT/SOURCE OF FUNDING:**

None.

**REQUESTED ACTION:**

That the City Council adopt Resolution Number 2014-1418 (Attachment A) initiating proceedings and requesting the Local Agency Formation Commission of Los Angeles County to amend the Sphere of Influence and to consider approval of a reorganization of territory which includes annexation of approximately 57.5 acres of unincorporated territory to the City of Calabasas.

**ATTACHMENTS:**

- A. Resolution Number 2014-1418
- B. Resolution Number 2014-1399



RESOLUTION NO. 2014-1418

**AN AMENDED RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALABASAS, CALIFORNIA INITIATING PROCEEDINGS AND REQUESTING THE LOCAL AGENCY FORMATION COMMISSION OF LOS ANGELES COUNTY TO AMEND THE SPHERE OF INFLUENCE AND TO CONSIDER APPROVAL OF A REORGANIZATION OF TERRITORY WHICH INCLUDES ANNEXATION OF APPROXIMATELY 57.5 ACRES OF UNINCORPORATED TERRITORY TO THE CITY OF CALABASAS.**

**WHEREAS,** Resolution No. 2014-1399 was passed and approved on March 12, 2014 by the City Council to initiate annexation proceedings for an area comprising approximately 43.17 acres; and

**WHEREAS,** After conferring with LAFCO staff it was determined that the annexation initiated under Resolution 2014-1399 failed to include adjoining rights-of-way, and had incorrectly included a sixth parcel (APN 2064-005-018); and

**WHEREAS,** The City Council desires to amend resolution 2014-1399 and initiate proceedings pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, commencing with Section 56000 of the California Government Code, to annex the original and additional territory to the City of Calabasas; and

**WHEREAS,** The total area to be annexed, consisting of approximately 57.5 acres of developed commercial properties, protected open space lands, and public rights-of-way, is located immediately west of the City and represents an island of unincorporated territory between the City of Agoura Hills and the City of Calabasas; and

**WHEREAS,** Policy No. II-3 in the 2030 General Plan states: "Pursue annexation of those areas where residents (in inhabited areas) or landowners (in uninhabited areas) desire to become part of the City of Calabasas"; and

**WHEREAS,** Both the original and additional area to be annexed includes two existing developed commercial properties, open space lands, and public right-of-way but no residential dwellings or inhabitants, and the

property owners have expressed a desire to become part of the City of Calabasas; and

**WHEREAS,** The Los Angeles County North Area Plan, as adopted by the Los Angeles County Board of Supervisors On October 24, 2000, supports the annexation of lands directly adjacent to incorporated cities, where primary access and services, such as parks, are provided through the city (NAP Policy No. III-9); and

**WHEREAS,** The area to be annexed is contiguous to the City of Calabasas, and secures access and services, including transit, parks and library services, primarily from the City of Calabasas; and

**WHEREAS,** The reasons for this proposal are to provide municipal services to this area, allow participation in municipal affairs, and promote orderly governmental boundaries, consistent with the provisions of California law and the land use and development policies of the County of Los Angeles and the City of Calabasas; and

**WHEREAS,** The area to be annexed is now precisely described and mapped, inclusive of five privately owned parcels (Assessor Parcel Numbers 2064-005-009, 2064-005-010, 2064-005-011, 2064-005-015, and 2064-005-017), and adjoining public rights-of-way.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CALABASAS DOES HEREBY RESOLVE AND ORDER AS FOLLOWS:**

Section 1. The City Council hereby requests the Local Agency Formation Commission of Los Angeles County amend the Sphere of Influence for the City of Calabasas to include the territory described herein and illustrated on Exhibit A.

Section 2. The City Council hereby requests the Local Agency Formation Commission of Los Angeles County process a reorganization encompassing the City of Calabasas and the unincorporated territory of the County of Los Angeles, such that approximately 57.5 acres of territory, comprised of five parcels and attendant local street and state highway rights-of-way, which territory is currently within the unincorporated Los Angeles County, be annexed to the City of Calabasas, as shown on Exhibit A.

Section 3. Based on the foregoing statements of findings and conclusions, the City Council hereby initiates the annexation of the West Agoura Road Territory, as shown on Exhibit A, attached hereto and made a part hereof, and requests the Local Agency Formation Commission of Los

Angeles County to take proceedings as authorized and in the manner provided by the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, as amended.

Section 4. This resolution should be considered an amendment of and supplement to Resolution 2014-1399.

Section 5. The City Clerk shall certify to the adoption of this resolution and shall cause the same to be processed in the manner required by law.

**PASSED, APPROVED AND ADOPTED** this 25<sup>th</sup> day of June, 2014.

\_\_\_\_\_  
David J. Shapiro, Mayor

ATTEST:

\_\_\_\_\_  
Maricela Hernandez, MMC  
City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Scott H. Howard, City Attorney

*Exhibit A: West Agoura Road Territory Map*

**RESOLUTION NO. 2014-1399**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALABASAS, CALIFORNIA INITIATING PROCEEDINGS AND REQUESTING THE LOCAL AGENCY FORMATION COMMISSION OF LOS ANGELES COUNTY TO AMEND THE SPHERE OF INFLUENCE AND TO CONSIDER APPROVAL OF A REORGANIZATION OF TERRITORY WHICH INCLUDES ANNEXATION OF APPROXIMATELY 43.17 ACRES OF UNINCORPORATED TERRITORY TO THE CITY OF CALABASAS.**

WHEREAS, The City Council desires to initiate proceedings pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, commencing with Section 56000 of the California Government Code, to annex territory to the City of Calabasas;

WHEREAS, The area to be annexed, consisting of approximately 43.17 acres of developed commercial properties and protected open space lands, is located immediately west of the City and represents an island of unincorporated territory between the City of Agoura Hills and the City of Calabasas;

WHEREAS, Policy No. II-3 in the 2030 General Plan states: "Pursue annexation of those areas where residents (in inhabited areas) or landowners (in uninhabited areas) desire to become part of the City of Calabasas";

WHEREAS, The area to be annexed includes two existing developed commercial properties and open space lands but no residential dwellings or inhabitants, and the property owners have expressed a desire to become part of the City of Calabasas;

WHEREAS, The Los Angeles County North Area Plan, as adopted by the Los Angeles County Board of Supervisors On October 24, 2000, supports the annexation of lands directly adjacent to incorporated cities, where primary access and services, such as parks, are provided through the city (NAP Policy No. III-9);

WHEREAS, The area to be annexed is contiguous to the City of Calabasas, and secures access and services, including transit, parks and library services, primarily from the City of Calabasas; and,

WHEREAS, The reasons for this proposal are to provide municipal services to this area, allow participation in municipal affairs, and promote orderly governmental boundaries, consistent with the provisions of California law and the land use and development policies of the County of Los Angeles and the City of Calabasas;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CALABASAS DOES HEREBY RESOLVE AND ORDER AS FOLLOWS:

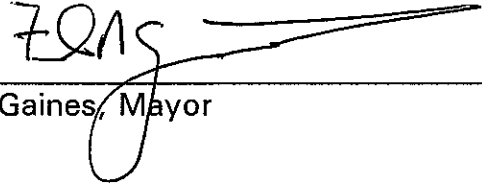
Section 1. The City Council hereby requests the Local Agency Formation Commission of Los Angeles County amend the Sphere of Influence for the City of Calabasas to include the territory described herein and illustrated on Exhibit A.

Section 2. The City Council hereby requests the Local Agency Formation Commission of Los Angeles County process a reorganization encompassing the City of Calabasas and the unincorporated territory of the County of Los Angeles, such that approximately 43.17 acres of territory, comprised of six parcels and attendant local street right-of-way, which territory is currently within the unincorporated Los Angeles County, be annexed to the City of Calabasas, as shown on Exhibit A.

Section 3. Based on the foregoing statements of findings and conclusions, the City Council hereby initiates the annexation of the West End Territory, as shown on Exhibit A, attached hereto and made a part hereof, and requests the Local Agency Formation Commission of Los Angeles County to take proceedings as authorized and in the manner provided by the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, as amended.

Section 4. The City Clerk shall certify to the adoption of this resolution and shall cause the same to be processed in the manner required by law.

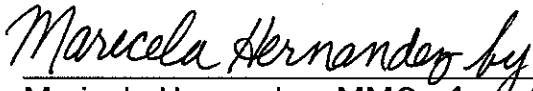
**PASSED, APPROVED AND ADOPTED** this 12<sup>th</sup> day of March, 2014.



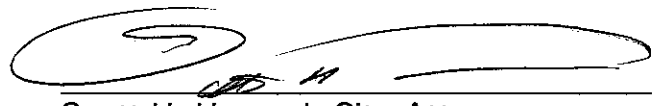
Fred Gaines, Mayor

**ATTEST:**

**APPROVED AS TO FORM:**



Maricela Hernandez, MMC  
City Clerk



Scott H. Howard, City Attorney

STATE OF CALIFORNIA        )  
COUNTY OF LOS ANGELES    ) SS  
CITY OF CALABASAS         )

I, **MARICELA HERNANDEZ, MMC**, City Clerk of the City of Calabasas, California, **DO HEREBY CERTIFY** that the foregoing resolution, being **Resolution No. 2014-1399** was duly adopted by the City Council of the City of Calabasas, at a regular meeting of the City Council held March 12, 2014, and that it was adopted by the following vote, to wit:

- AYES:        Mayor Gaines, Mayor pro Tem Shapiro and Councilmembers Martin and Maurer.
  
- NOES:        Bozajian.
  
- ABSTAIN:    None.
  
- ABSENT:     None.

*Maricela Hernandez by*  
\_\_\_\_\_  
Maricela Hernandez, MMC  
City Clerk  
City of Calabasas, California  
*Robin Parker*



**CITY of CALABASAS**  
**CITY COUNCIL AGENDA REPORT**

---

**DATE: JUNE 17, 2014**

**TO: HONORABLE MAYOR AND COUNCILMEMBERS**

**FROM: ANTHONY M. COROALLES, CITY MANAGER**

**SUBJECT: APPROVAL OF AN EXCEPTION TO THE HIRING FREEZE FOR THE REPLACEMENT OF THE ASSISTANT TRANSPORTATION PLANNER POSITION.**

**MEETING DATE: JUNE 25, 2014**

---

**SUMMARY RECOMMENDATION:**

Approval of an exception to the hiring freeze to allow for the replacement of the Assistant Transportation Planner position.

**BACKGROUND:**

The recent notice of resignation and quick departure of the current Assistant Transportation Planner has created the need to expeditiously recruit for this position within the Public Works Department's Traffic and Transportation Division.

**DISCUSSION/ANALYSIS:**

The Assistant Transportation Planner position is currently the only position within the City's organization that coordinates and manages on a daily basis the City's current Public Transit System and Crossing Guard Program needs during the standard school year. In addition, this position also manages and maintains the various City Transit Programs that include but are not limited to: the Summer Beach Bus, the Summer Transit Program, Special Events Transportation (Fourth of



July, the Pumpkin Festival, Fiesta Days and Reyes Adobe Days), and The Savvy Seniors.

The need to staff this position is critical because all of the City's Transit Programs operate on a year round basis.

**FISCAL IMPACT/SOURCE OF FUNDING:**

The salary for this position is currently budgeted and included within the 2013/2014 Fiscal Year Budget and is inclusive within the impending 2014/2015 Fiscal Year Budget. There is no estimated increase to the already appropriated and existing costs of the respective salary plus benefits and overhead costs.

**REQUESTED ACTION:**

Approval of an exception to the hiring freeze to allow for the replacement of the Assistant Transportation Planner position.



**CITY of CALABASAS**  
**CITY COUNCIL AGENDA REPORT**

---

**DATE: JUNE 11, 2014**

**TO: HONORABLE MAYOR AND COUNCILMEMBERS**

**FROM: MAUREEN TAMURI, COMMUNITY DEVELOPMENT DIRECTOR**  
**TOM BARTLETT, CITY PLANNER**

**SUBJECT: OVERVIEW OF THE HILLSIDE AND SIGNIFICANT RIDGELINE DEVELOPMENT ORDINANCE.**

**MEETING DATE: JUNE 25, 2014**

---

**SUMMARY RECOMMENDATION:**

That the City Council receives and files this report.

**BACKGROUND:**

Section 17.20.150 Hillside and Ridgeline Development applies to all development proposed on sites with a natural slope greater than ten (10) percent, or that include a significant ridgeline. The goal of the ordinance, which is provided as Attachment A, is to protect the City's scenic beauty by providing standards to minimize unsightly grading, architectural design or placement, inadequate landscaping, poor slope maintenance and other factors. This code section is used in conjunction with other development standards, such as 17.20.070 Design Considerations and 17.18.040 Scenic Corridor Overlay Zone. Because of the City's generally hilly topography, this code section applies to numerous residential parcels in the City.

The City's significant ridgeline map is part of the 2030 General Plan which is provided as Attachment B. There are 247 parcels on a mapped ridgeline; 179 contain existing homes, 19 are on undeveloped privately owned lots, and 49 are held by public agencies, conservation organizations or HOA's. The majority of

development existing today on mapped ridgelines had been developed prior to City incorporation. All of the structures on those ridgelines are considered non-conforming under the City's code.

Chapter 17.72, Nonconforming Structures, Uses and Lots, governs all structures which do not meet the current City code requirement. Many homes in the City fall into this status because they were constructed under County Code requirements and do not fully conform to the City's zoning standards. In general, the code permits such structures and sites to be altered so long as the improvements do not make the non-conforming condition(s) any worse.

For the purposes of maintaining the natural appearance of the ridge, the Significant Ridgeline ordinance states that structures should not be placed on or near ridgelines so that they appear silhouetted against the sky when viewed from any point on roadway designated as a scenic corridor by the General Plan. The highest point of any structure is required to be located at least fifty (50) vertical feet and fifty (50) horizontal feet from a significant ridgeline.

Consistent with State law, the code states that a variance is required for structures on a lot or parcel of land which cannot meet the standards prescribed. For the majority of developed lots in the City located on a significant ridgeline, a variance is required for any addition or alteration due to the small lot size. This is because most ridgeline homes are on lots which have been graded flat, and the placement of any structure fifty feet away still cannot meet the standard of being 50 feet below or away from the ridgeline due to lot topography.

Code section 17.62.080 Variance, permits relief from the standards of this development code only when, because of special circumstances applicable to the property, including size, shape, topography, location or surroundings, the strict application of this development code denies the property owner privileges enjoyed by other property owners in the vicinity and in identical zoning districts. By way of an example, if a home on a significant ridgeline desired a room addition, they would likely need to apply for a variance for relief from the distance requirement because they cannot place their room addition 50 feet away from or below their house.

All variances for development on a significant ridgeline must be considered by the Planning Commission; however, for properties and/or projects having any other permit which requires review and consideration by the City Council, then the Planning Commission will make only a recommendation to the Council on the variance. The following findings must be made before approving a variance:

- 1) That there are special circumstances applicable to the property which do not generally apply to other properties in the same zoning district (i.e., size, shape, topography, location or surroundings), such that the strict application of this chapter denies the property owner privileges enjoyed by other property owners in the vicinity and in identical zoning districts;
- 2) That granting the variance is necessary for the preservation and enjoyment of substantial property rights possessed by other property owners in the same vicinity and zoning district and denied to the property owner for which the variance is sought;
- 3) That granting the variance would not constitute the granting of a special privilege inconsistent with the limitations of other properties in the same zoning district.
- 4) That granting the variance will not be detrimental to the public health, safety or welfare, or injurious to property or improvements in the vicinity and zoning district in which the property is located; and
- 5) That granting the variance is consistent with the General Plan and any applicable specific plan.

The granting of a variance would not relieve a property owner from complying with other provisions of the code, such as varied low architecture, screening, muted colors, landscaping and trees, etc.

It is rare that the City considers a variance. In the past 5 years, there have been 12 variances approved out of a total of 1652 entitlements processed. A report of projects that have received variances since 2009 is provided as Attachment C.

**FISCAL IMPACT/SOURCE OF FUNDING:**

None.

**REQUESTED ACTION:**

That the City Council receives and files this report.

**ATTACHMENTS:**

- A. CMC Section 17.20.150 Hillside and Ridgeline Development
- B. 2030 General Plan Map
- C. Council Variance Report 2009 through 2013

**17.20.150 Hillside and ridgeline development.**

The general requirements of this section apply to development proposed on sites with a natural slope greater than ten (10) percent, or that include a ridgeline.

- A. Performance Standards. All development shall comply with the applicable performance standards of this chapter. These include, but are not limited to the performance standards for hillside development addressing grading, project site planning, architectural design, landscape treatment and slope maintenance, and hazards ( seismic, geologic and fire).
- B. Performance Standards for Hillside Development. Grading and project design shall conform to the city's grading ordinance (Title 15) and the following standards:
  - 1. Projects within hillside areas shall be designed to protect important natural features and to minimize the amount of grading. To this end, grading plans shall conform to the following guidelines:
    - a. Slopes less than ten (10) percent: For property on slopes less than ten (10) percent, redistribution of earth over large areas may be permitted.
    - b. Slopes between ten (10) and twenty (20) percent: Some grading may occur on property on slopes between ten (10) and twenty (20) percent, but landforms must retain their natural character. Padded building sites may be allowed, but split level designs, stacking and clustering are required to mitigate the need for large padded building areas.
    - c. Slopes between twenty (20) and thirty (30) percent: Limited grading may occur on property on slopes between twenty (20) and thirty (30) percent; however, major topographic features including ridge lines, bluffs, rock outcroppings, and natural drainage ways shall retain their natural landforms. Special hillside architectural and design techniques shall be required in order to conform to the natural land form, by using techniques such as split level foundations of greater than eighteen (18) inches, stem walls, stacking and clustering.
    - d. Slopes between thirty (30) and fifty (50) percent: Development and limited grading can occur on property on slopes between thirty (30) and fifty (50) percent, but only if it can be clearly demonstrated that safety hazards, environmental degradation, and aesthetic impacts will be avoided. Variable setbacks and building structural techniques (e.g., stepped or post and beam foundations) is required for development and limited grading on these properties. Structures shall blend with the natural environment through their shape, materials and colors. Impact of traffic and roadways is to be minimized by following natural contours or using grade separations.
    - e. Slopes greater than fifty (50) percent: Except in areas limited in size and in isolated locations development in areas with slopes greater than fifty (50) percent shall be avoided.

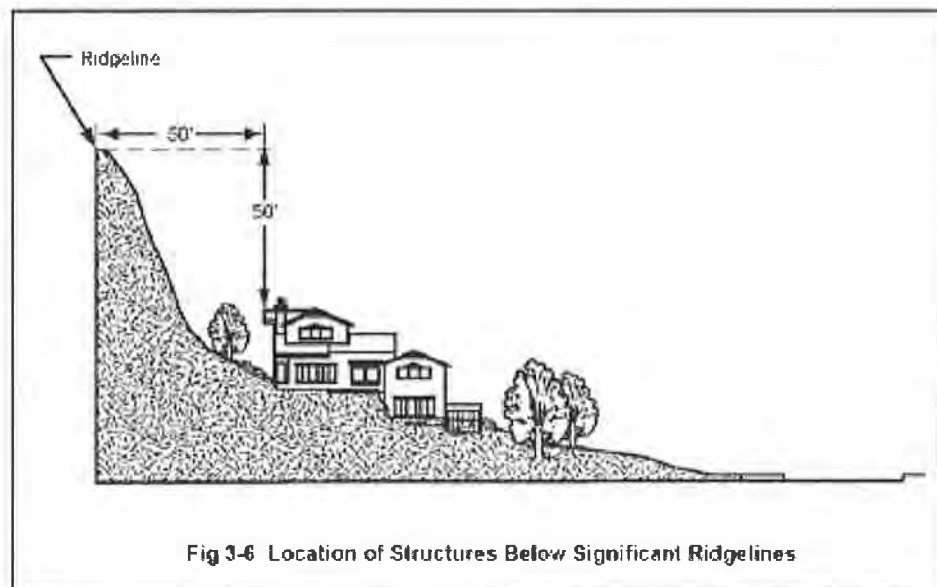
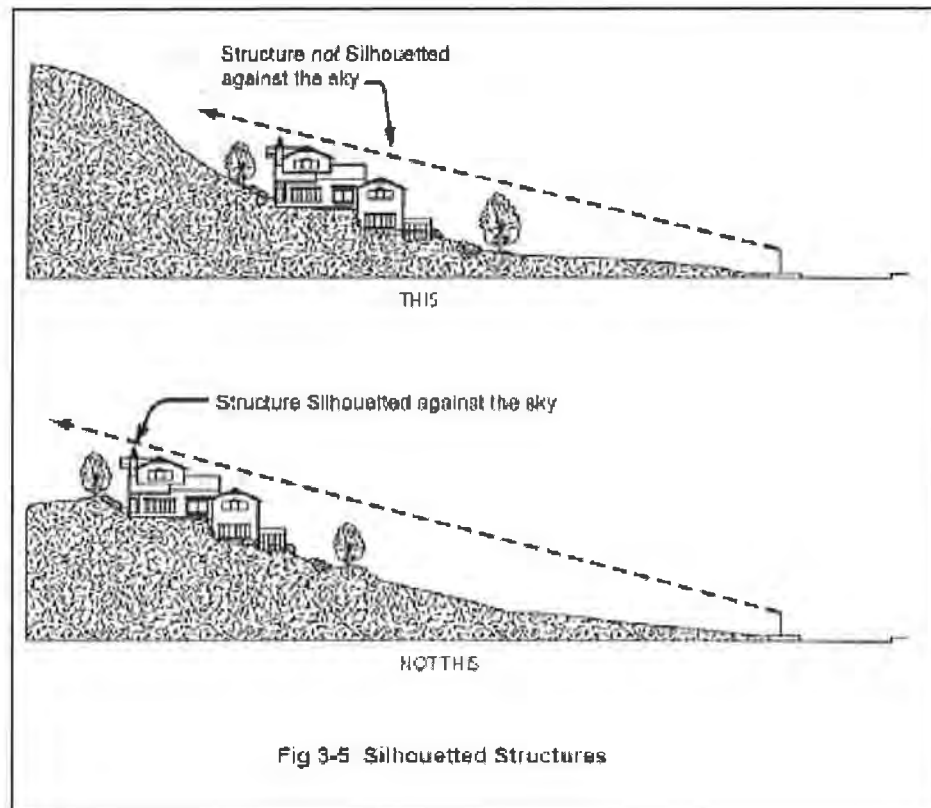
The intent of this section is to limit the amount of grading on the steeper portions of a lot. In order to ensure compliance with the intent of this section, the director may require a slope analysis to determine areas and subareas of different slope conditions.
  - 2. Grading and project design shall address and avoid impacts to habitat linkages and wildlife corridors.
  - 3. Overall project design and layout shall adapt to the natural hillside topography and maximize view opportunities to and from a development. A development should preserve the hillside rather than alter it to fit the development.
  - 4. Grading plans should allow for different lot shapes and sizes based primarily on the natural terrain. Encourage split pads in large developments.
  - 5.

- Flag lots will be allowed; provided that, it can be demonstrated that (i) the natural topography is preserved through minimal grading; and (ii) adequate visibility is maintained for emergency vehicles.
6. Structures shall be sited in a manner that will:
    - a. Fit into hillside contours and the form of the terrain;
    - b. Retain outward views from the maximum number of units and maintain the natural character of the hillside; and,
    - c. Preserve natural hillside areas and ridgelines views from the public right-of-way.
  7. Streets should follow the natural contours of the hillside to minimize cut and fill. Streets may be split into two one-way streets in steeper areas to minimize grading and blend with the terrain. Cul-de-sacs or loop roads are encouraged where necessary to fit the terrain. On-street parking and sidewalks may be eliminated, subject to a determination by the review authority that is will reduce required grading.
  8. In subdivisions, the project design should maximize public access to canyons, overlooks, and open space areas by providing open space easements or such other rights-of-way to allow the development's residents to access these locations.
  9. Development should use retaining structures when it significantly reduces grading; however, such retaining structures shall be located and restricted in height so that they do not become a dominant visual feature of a parcel.
  10. Where retaining walls face public streets, the retaining walls should be covered with or contain materials that help blend the wall with the natural terrain.
  11. Large retaining walls in a uniform plane should be avoided. Retaining walls should be divided into terraces. Developments should use landscaping to screen retaining walls from the public right-of way and adjacent properties.
  12. The overall scale and massing of structures shall respect the natural surroundings and unique visual resources of the area by incorporating designs which (i) minimize bulk and mass, (ii) follow natural topography, and (iii) minimize visual intrusion on the natural landscape.
  13. The overall height of a building is an important aspect of how well it fits into the existing character of a neighborhood and its hillside environment. Houses shall not be excessively tall so as to dominate their surroundings or create a crowded appearance in areas of small lots. Structures should be stepped down a hillside and contained within a limited envelope parallel to the natural grade rather than jut out over the natural slope.
  14. Building forms shall be scaled to the particular environmental setting so as to complement the hillside character and to avoid excessively massive forms that fail to enhance the hillside character.
  15. Building facades shall change plane or use overhangs as a means to create changing shadow lines to further break up massive forms.
  16. Wall surfaces facing towards viewshed areas shall be minimized through the use of single story elements, setbacks, roof pitches, and landscaping.
  17. Collective mass roof lines and elements shall blend with the hillside or reflect the naturally occurring ridgeline silhouettes and topographical variation.
  18. Medium to dark colors which blend with the surrounding environment should be used for building elevations and roof materials in view-sensitive areas.
  19. Architectural style, including materials and colors, should be compatible with the natural setting and the surrounding neighborhood. No one dwelling should stand out.
  20. Exposed structural and mechanical elements shall be avoided.
  21. Roof materials shall be of fire-retardant material. Roof design shall reflect the underlying contour of the land.
  22. Slope plantings should create a gradual transition from developed slope areas into natural areas. New landscape should blend with the natural vegetation, in part, by extending plantings in finger-like configurations into existing slopes.
  23. Plantings along the slope side of a development shall be designed to allow controlled views from the development. At the same, these planting shall partially screen and soften the architecture of the development. No less than fifty (50) percent of screening should consist of plant materials.

24. Trees shall be randomly spaced and massed together, and they shall be used to reduce the scale of long, steep slopes.
  25. Shrubs are to be randomly placed and massed together.
  26. To act as a backdrop for structures, landscaping shall be used along any recontoured ridge or hillside located behind and at a higher elevation than structures in order to recreate the linear line of the recontoured ridge or hillside. Trees shall be planted to create a continuous linear silhouette to avoid gaps in the planting.
  27. Trees of sufficient height or height capacity shall be planted between structures to eliminate any open gap and blend the roof lines into one continuous silhouette.
  28. New subdivisions, commercial and multi-family development within hillside areas shall meet the following requirements:
    - a. Recordation of a declaration of covenants, conditions and restrictions requiring the maintenance of manufactured slopes;
    - b. Developer shall prepare a program for preventive maintenance of major manufactured slope areas. This preventive maintenance program shall include homeowner slope maintenance requirements and guidelines declaration of covenants, conditions, and restrictions which shall be recorded against each parcel within the development. Developer shall submit its preventive maintenance program to the department for its review and approval prior to final map approval.
    - c. Developer shall prepare and submit to the department for its review and approval a minimum five year revegetation monitoring and maintenance program. Program inspections shall be performed by a qualified botanist. This requirement shall only apply to developments which require slope bank or habitat vegetation.
- C. Standards for the Location of Structures. The following provisions shall apply to the placement of proposed structures on sloping sites.
1. General Siting Principles. Buildings should be located in the most accessible, least visually prominent, and most geologically stable portion or portions of a site. Buildings should be located in the least visually prominent locations of a property, on open, grassy hillsides, where the prominence of buildings should be minimized by placing them in locations where they will be screened by existing vegetation, rock outcroppings, or depressions in topography. In wooded areas, building placement may be guided by the fire hazard prevention performance standards of Section 17.20.130.
  2. Ridgelines. For the purposes of maintaining the natural appearance of the ridge, structures should not be placed on or near ridgelines so that they appear silhouetted against the sky when viewed from any point on roadway designated as a scenic corridor by the General Plan. See Figure 3-5.

For significant ridgelines as identified in the Open Space Element of the General Plan (Figure III-4), the highest point of any structure that requires a permit shall be located at least fifty (50) vertical feet and fifty (50) horizontal feet from a significant ridgeline, excluding chimneys, rooftop antennas, and amateur radio antennas. See Figure 3-6.

3. Where structures on a lot or parcel of land cannot meet the standards prescribed in subsection C.2, above, a variance as provided in Section 17.62.080 shall be required. In addition to the required findings set forth in subsection E. of Section 17.62.080, findings shall be made that:
  - a. Alternative sites within the property or project have been considered and eliminated from consideration based on physical infeasibility or the potential for substantial habitat damage or destruction if any such alternative site is used and that the siting principles outlined under subsection (C)(4) have been applied; and
  - b. The proposed project maintains the maximum view of the applicable significant ridgeline through the use of design features for the project including minimized grading, reduced structural height, clustered structures, shape, materials, and color that allow the structures to blend with the natural setting, and use of native landscaping for concealment of the project.

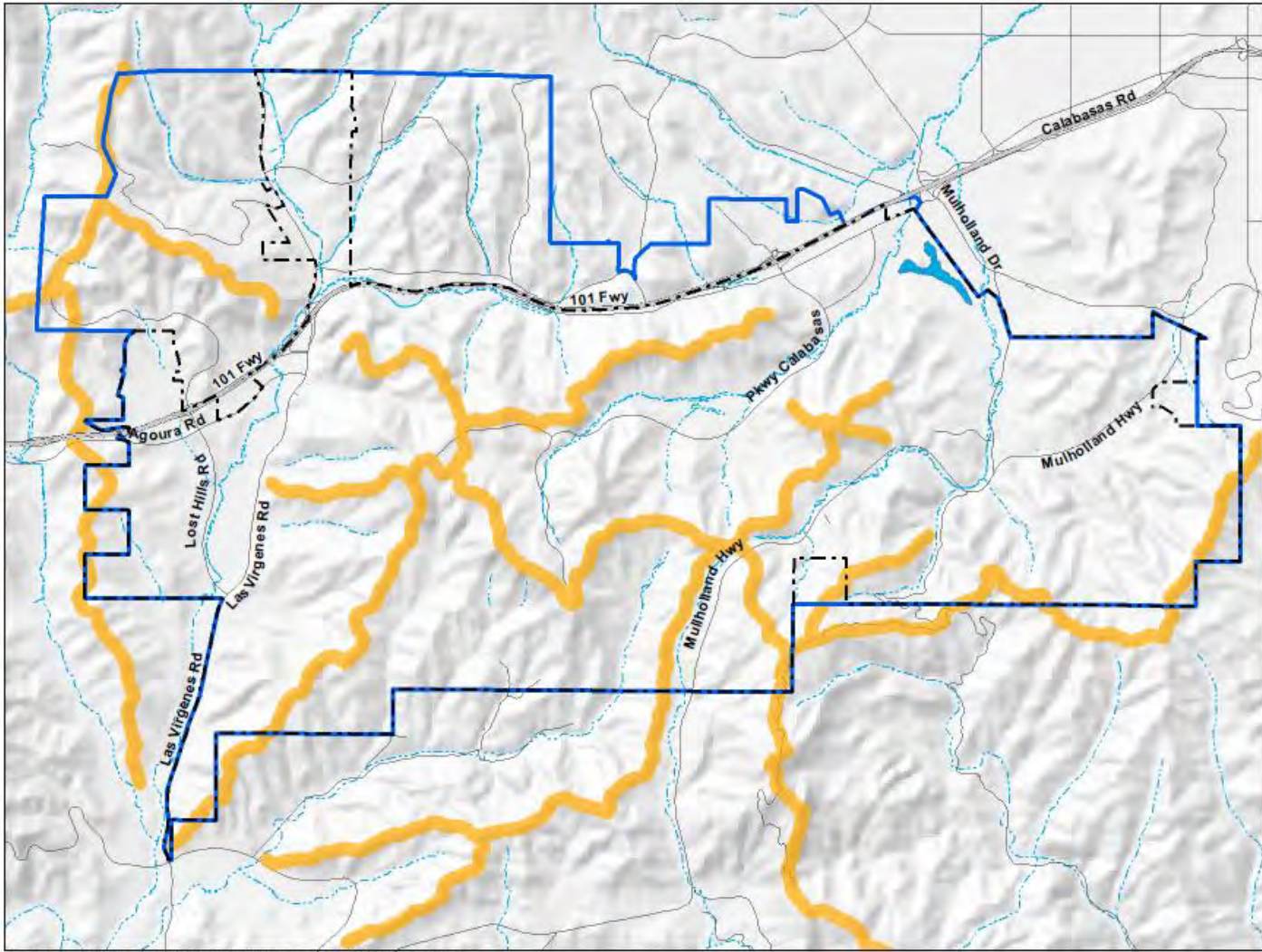


4. Siting Priorities. Based on the principles in subsections (C)(1) and (2) of this section, the building sites selection for subdivision design and the development of existing individual lots should occur according to the following priorities:
  - a. The first priority for building site selection should be areas below the tops of ridgelines, on slopes less than twenty (20) percent.
  - b. In cases where a lot has no building site of at least four thousand (4,000) square feet that satisfies subsection (C)(4)(a) of this section, the second priority should be areas below the tops of ridgelines, on slopes between twenty (20) and thirty (30) percent, where development can occur with careful attention to minimizing grading through building designs that employ stepped foundations.

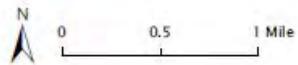


- c. Where a lot has no potential building sites that satisfy subsection (C)(4)(b) of this section, the third priority for site selection should be areas on ridge tops with slopes less than twenty (20) percent. Proposed buildings should be set back as far as possible from the edge of the ridge (where downhill slopes begin to exceed twenty (20) percent and landscaped, to minimize visibility.
- D. **Watercourse Setbacks.** Structures, paving and grading (other than grading determined by the review authority to be necessary for slope stabilization) shall be set back from the from the outer edge of the riparian vegetation canopy of a perennial or intermittent stream by a minimum of one hundred (100) feet, or other distance determined by a qualified biologist approved by the city to be adequate for the preservation of existing riparian vegetation and habitat. Where riparian vegetation is not present, the one-hundred-foot buffer shall be measured from the outer edge of the bank of the subject stream. A one-hundred-foot setback or other distance determined by a qualified biologist approved by the city shall also be maintained from ephemeral streams which contain riparian vegetation as determined by the city qualified biologist. Provided that no development shall be:
  1. Placed in an area identified by a flood insurance rate map (FIRM) as being subject to flooding, except in compliance with applicable federal regulations; or
  2. Located within an intermittent drainage channel known to be subject to dangerous storm water flows during heavy rains.
- E. **Access.** To ensure adequate all-weather access for emergency vehicles and any necessary excavations, access to the lot shall be from a paved, city-maintained roadway, or a private road/driveway in compliance with the following standards.
  1. **Width.** The minimum width of a proposed driveway shall be sixteen (16) feet, or twenty (20) feet if the driveway slope exceeds ten (10) percent.
  2. **Slope and Surface.** The average slope of a driveway shall not exceed seventeen (17) percent, with no portion of the driveway exceeding a slope of twenty (20) percent. Driveways shall be paved with asphalt, concrete, or other surfacing approved by the city engineer, and shall include proper drainage facilities, as approved by the city engineer.
  3. **Fuel Modification Area.** A fuel modification area shall be provided at the time of driveway construction, and permanently maintained.
  4. In no event shall a driveway exceed three hundred (300) feet unless there is no other feasible location to site the structure.
- F. **Parking.** The development of lots along city streets or private roads with pavement less than thirty-two (32) feet wide shall be required to provide two off-street parking spaces for guests, in addition to the parking normally required for a residence by Chapter 17.28.
- G. **Improvements to Paper Streets.** Where residential construction is proposed on a site adjacent to a paper street (a recorded, but unimproved road right-of-way), project review by the department shall include a determination of the adequacy of proposed access, and project approval may include requirements to improve a paper street right-of-way proposed to serve a site, to ensure adequate, all-weather emergency vehicle access, and safe evacuation routes. Standards for improvements (e.g., the location of pavement within the right-of-way, horizontal and vertical alignments, drainage measures, the structural section of pavement and base materials, and other such standards ), and requirements for right-of-way dedication shall be determined by the city engineer, and shall at a minimum comply with subsection (E) of this section.

*(Ord. No. 2010-265, § 3, 1-27-2010; Ord. No. 2012-297, § 1(Att. A), 5-23-2012)*



- LEGEND**
- Major Roads
  - - - Calabasas City Boundary
  - ▭ Plan Area Boundary
  - ▬ Significant Ridgelines



Source: City of Calabasas, 2007, USGS, 2002, and Rincon Consultants, 2008.

Figure III-4  
Significant Ridgelines in Calabasas



**VARIANCES PROCESSED BETWEEN 2009 AND 2013**

Below please find a description of the 12 cases out of 1652 processed for entitlements in which the Planning Commission and/or Council has approved variances over the past five years. You will find information regarding 1) the date of the Commission meeting, 2) the description (taken from the file/agenda) of the case and 3) the variance request in **bold**.

Below that, staff has provided a brief summary of the site conditions which permit the applicant to seek a variance, as well as the code requirement which the applicant seeks relief from. We also noted the property right enjoyed by others which the applicant seeks to obtain through the granting of a variance. In the note section we have provided other pertinent facts which were of value in considering the request.

**2013 Total Variances: 4**

PC MEETING OF NOVEMBER 7, 2013, BERNARDS RESTAURANT

2. File No. 120000418. A request for a Conditional Use Permit, a Site Plan Review, and a **Variance (to allow offsite parking)** to remodel an existing one-story wine gallery into a table-service restaurant with a 64-seat dining room with outdoor lounge and eating areas of 2,400 square feet, an addition of a 375 square foot kitchen, construction of a new trash enclosure, an interior remodel of the existing accessory building. Also included is a request to upgrade an existing Type 42 liquor license for onsite beer and wine consumption to a Type 42 liquor license to allow for the sale of all alcohol for onsite consumption (while retaining the existing Type 20 license for off sale beer and wine) at a property located at 23538 Calabasas Road within the Commercial Old Town zoning district. Submitted by: Sign of the Dove. Planner: Andy Cohen-Cutler, Associate Planner.

<b>Unique Site Condition:</b>	Small lot with existing development in excess of current code coverage standards
<b>Code Deviation:</b>	Off-site parking in lieu of on-site parking
<b>Property Right Enjoyed by Others:</b>	Other businesses have inadequate to no parking on site due to older development
<b>Comments:</b>	Property was originally developed in 1919

PC MEETING OF JULY 25, 2013, THE VILLAGE

3. File No. 130000103. A request to demolish the existing Calabasas Inn banquet facility and develop the site with a 212,400 (0.91 FAR) square-foot mixed use development, to include 80 condominium units (72 market-rate two and three-bedroom units and 8 one and two-bedroom affordable units for rent), onsite amenities (i.e. pool, club house, outdoor recreation, etc.), 10,700 square feet of neighborhood-serving commercial uses and 294 parking spaces to be provided through a combination of on-grade covered and uncovered parking spaces and within a two-level subterranean parking garage. The project includes requests for the following: (1) a Site Plan Review for the construction of a 212,400 square-foot building, parking garage and associated amenities, (2) a Conditional Use Permit for 80 multi-family dwelling units, (3) a Vesting Tract Map (Map No. 066208) for the subdivision of the parcel and 80 condominium units, (4) an Oak Tree Permit for the removal of five oak trees and encroachment into the protected zones of 28 oak trees, **(5) a Variance request for a reduction of trash and recycling**

## Item 8 Attachment C

*enclosure area dimensions for two of eight enclosures, (6) a Variance request for the reduction of a parking lot landscape buffer zone at a single location on the west side of the side, (7) a 10 percent off-street parking reduction to provide fewer than the required 300 parking spaces, and (8) a building height concession to allow development of up to 52 feet, 3 inch-tall buildings and a concession related to the reduction of parking stall width adjacent to columns and walls (in accordance with California State Law regarding affordable housing density bonus), for providing 10 percent affordable units designated for very low-income occupants. The subject site is located at 23500 Park Sorrento, within the Commercial Mixed Use (CMU-0.95) zoning district. Submitted by: D2 Development, Inc. Planner: Glenn Michitsch, Senior Planner, and Michael Klein, Planner.*

**Unique Site Condition:** Presence of blue line creek, unusually shaped parcel  
**Code Deviation:** Slightly smaller trash enclosure area and less parking clearance next to columns  
**Property Right Enjoyed by Others:** Functional trash and recycling areas, comparable landscape buffers  
**Comments:** In order to stay at a distance from McCoy creek, development was compacted to the west side of the property.

### PC MEETING OF APRIL 18, 2013, THREE SFR ON MULLHOLLAND HIGHWAY

2. File No. 110001621. A request for a Site Plan Review, a Scenic Corridor Permit, a Lot Line Adjustment, a Variance and an Oak Tree Permit for the construction of 3 new single-family residences. The Lot Line Adjustment is proposed in order to relocate the property line between APN: 2069-065-001 and 2069-065-002. Additionally, pursuant to Calabasas Municipal Code Section 17.20.140(B), the proposed building pad for Lot 1 would require approval of **a building height variance to allow a maximum building height of 35 feet measured from finished grade**. The proposed project includes the removal of six oak trees, removed of scrub oak habitat, and encroaching on the protected zones of numerous existing oak trees on APN Nos. 2069-065-001, 2069-065-002 and 2069-065-003. Additionally, the scope of work includes: 1) driveway grading; 2) retaining wall construction; 3) construction of entry gates; 4) construction of swimming pools and spas on each property; and 5) construction of two new pool houses. An array of solar panels is proposed to provide power to each residence. The project site is within the Rural Residential zoning district and within the Mulholland Scenic Corridor overlay, at 23401-23421 Mulholland Highway. Submitted by: BSVERCOM, LLC. Planner: Isidro Figueroa, Planner and Andy Cohen-Cutler, Associate Planner.

**Unique Site Condition:** Steep canyon  
**Code Deviation:** Exceed the height requirement measured from existing grade  
**Property Right Enjoyed by Others:** Existing homes in the area are of equal height to that proposed  
**Comments:** Due to the infill of a deep canyon, traditional measurement of height from the existing grade at the bottom of the canyon was infeasible and would have required the house to be almost completely underground or greatly increase the hillside grading

## Item 8 Attachment C

### PC MEETING OF APRIL 04, 2013, HIGHLANDS SINGLE FAMILY HOME

2. File No. 110001662. A request for: (1) a Site Plan Review and Scenic Corridor Permit to construct a 1,654 square-foot residence and a 594 square-foot attached two-car garage; (2) **a Variance to encroach within the rear, side and street-side setbacks**; and (3) an Oak Tree Permit to encroach within the protected zone of a heritage oak tree and a scrub oak tree on a property located within the Rural-Community zoning district, Calabasas Highlands and Scenic Corridor overlay districts, at 23501 Summit Drive (APN: 2072-011-001). Submitted by: Jocelyn Mackay. Planner: Krystin Rice, Planning Assistant

<b>Unique Site Condition:</b>	Large Heritage Oak Tree on 50% of the site
<b>Code Deviation:</b>	Reduced lot setbacks to stay away from the tree
<b>Property Right Enjoyed by Others:</b>	Existing homes on lots of comparable size.
<b>Comments:</b>	The size of the tree was so large that not granting the variances would have compressed the house to a tiny size and a long skinny shape.

### Total Variances 2012: 1

#### PC MEETING OF FEBRUARY 16, 2012

3. File No. 110000980. A request for an Administrative Plan Review for the addition of 493 square-feet to the second floor of an existing single-family residence, the construction of a 107 square-foot second floor deck, the conversion of a bedroom and bathroom into a secondary dwelling unit, and the conversion of an unpermitted game room into a two car garage. A request for a **Variance for a reduction in the required front yard setback from 20 feet to 10 feet**, in order to accommodate construction of the second floor addition. The property is located at 26151 Kenrose Circle, within the Residential, Single-Family (RS) zoning district. Submitted by: Gil Shrock; Planner: Michael Klein; (818) 224-1710

<b>Unique Site Condition:</b>	Irregularly shaped internal lot
<b>Code Deviation:</b>	Setback reduction
<b>Property Right Enjoyed by Others:</b>	Decks and additions
<b>Comments:</b>	Flag shaped lot with no street frontage other than the driveway itself, so variance was sought to request relief from required front yard setback which cannot be strictly applied

### Total Variances 2011: 2

#### PC MEETING OF MAY 19, 2011

2. File No. 110000742. A request for a Zoning Clearance and Variance to legalize an unpermitted 8'-5" tall outdoor fireplace and pizza oven located in the side yard of an existing single-family residence at 4501 Park Serena, in the Residential, Single-Family zoning district. The applicant is requesting a **Variance for a reduced side yard setback from 7'-6" to 1'-10" for the outdoor fireplace and pizza oven**.

Submitted by: Michael and Marie Wilson- Planner: Michael Klein, (818) 224-1710,

[mklein@cityofcalabasas.com](mailto:mklein@cityofcalabasas.com)

## Item 8 Attachment C

**Unique Site Condition:** Irregular property next to HOA owned open space  
**Code Deviation:** Setback from lot line  
**Property Right Enjoyed by Others:** Built in outdoor bar-b-ques  
**Comments:** The very small, irregularly shaped lot offers no other location but the setback area to place the desired amenity

### PC MEETING OF MAY 05, 2011

3. File No. PL100340, PL1003431, PL1003432. A request for a Sign Permit, Scenic Corridor Permit and **a Variance, to increase the sign area of an existing freeway facing sign** for Maddy's Market (Building A), and approved sign for Building B at the Summit at Calabasas shopping center, located at 26767 and 26777 Agoura Road, in the Commercial, Retail zoning district, and the Scenic Corridor overlay zoning district. (CR-SC). Submitted by: Dollinger Lost Hills Associates, LP Planner- Isidro Figueroa- (818) 224-1708- [ifigueroa@cityofcalabasas.com](mailto:ifigueroa@cityofcalabasas.com)

**Unique Site Condition:** Frontage along the Scenic Corridor and US 101 Freeway  
**Code Deviation:** Size of sign  
**Property Right Enjoyed by Others:** Larger signs facing the freeway  
**Comments:** Initial wall mounted signs were installed which met the code but could not be read from the freeway due to the curving topography/alignment along the 101 Ventura Highway and that the signs were too small; the variance granted permitted signage comparable in scale to Creekside Village (Albertsons) shopping center.

## Total Variances 2010: 3

### PC MEETING OF JUNE 03, 2010

3. File No. 090006376. A request for a Conditional Use Permit and Scenic Corridor Permit to install a back-up generator and a request for **a Variance to install an 8'-6" tall screen wall** at an existing Verizon Wireless telecommunication facility located at 4933 Las Virgenes Road, within the Commercial Retail (CR) zoning district, Scenic Corridor overlay zoning district and Las Virgenes Gateway Master Plan.

**Unique Site Condition:** Frontage along the Scenic Corridor and freeway  
**Code Deviation:** Height of wall  
**Property Right Enjoyed by Others:** Taller walls along the scenic corridor  
**Comments:** Site is located immediately adjacent to the 101 freeway and was originally developed under the County without adequate screening of the WTF from the scenic corridor.

### APRIL 01, 2010

3. File No. 100000051. A request for a Zoning Clearance to remove an existing exterior spiral staircase (13 square feet) and construct a new exterior staircase (50 square feet) and a **Variance request to exceed the allowed site coverage** at 4645 Park Mirasol within the Residential, Single-Family (RS) zoning district.

## Item 8 Attachment C

<b><u>Unique Site Condition:</u></b>	Property frontage is on a lake
<b><u>Code Deviation:</u></b>	Increase in site coverage
<b><u>Property Right Enjoyed by Others:</u></b>	Similar signs built under the County
<b><u>Comments:</u></b>	Project exceeds City lot coverage requirements under county approvals, so any modification at the site requires a variance.

### MARCH 18, 2010

4. File No. SGN-600-054; PL0902514; PL0902512. A request for a Sign program for an approved 70,100 square-foot retail shopping center, (The Summit at Calabasas); a Conditional Use Permit for an illuminated sign within a designated scenic corridor; **a Variance for illuminated wall mounted freeway-facing signs**; and **a Variance to increase the allowable sign area for wall mounted signs from 0.5 square foot per linear to 1.0 square foot per linear**. Location is at 26767, 26777, 26787, 26791 and 26799 Agoura Road (A.P.N. 2064-021-009 & 2064-021-010).

<b><u>Unique Site Condition:</u></b>	Frontage along the Scenic Corridor and US 1010 Freeway
<b><u>Code Deviation:</u></b>	Illumination of sign (not permitted adjacent to freeways) and size
<b><u>Property Right Enjoyed by Others:</u></b>	Other commercial properties with illuminated freeway facing signs of the larger size sought by the applicant
<b><u>Comments:</u></b>	The signs approved through the variance are comparable in scale to Creekside Village (Albertsons) shopping center.

## Total Variances 2009: 2

### OCTOBER 08, 2009

2. File No. DEV-007-003; 080000133. A request for a Development Plan to construct a 6,551 square-foot two-story single-family residence with an attached 969 square-foot 4-car garage, new pool and **Variance permit in order to exceed the maximum permitted height limit of 25 feet** for a proposed residence on a vacant property located at 3420 Cordova Drive within the Open Space (OS) zoning district.

<b><u>Unique Site Condition:</u></b>	Open Space Lot
<b><u>Code Deviation:</u></b>	Increase in Height
<b><u>Property Right Enjoyed by Others:</u></b>	Taller homes in the immediate vicinity
<b><u>Comments:</u></b>	Irregularly shaped lot and uncharacteristic sloping topography compared to lots in vicinity. Only a portion of the home exceeded the height limit. If the home complied with the height limit entirely, it would have had a larger, spread out building pad and required significant grading.

### JANUARY 15, 2009

3. File No. 080000537. A request for a Conditional Use Permit (PL0800917) to construct a clean air separator (CAS) and **a Variance (PL0802243), to locate the CAS within the ten (10) foot required street side setback** at an existing Shell gas station located in the Commercial Retail (CR) zone at 4831 Las Virgenes Road in the Scenic Corridor (-SC) overlay.

**Item 8 Attachment C**

<b>Unique Site Condition:</b>	Frontage along the Scenic Corridor and freeway, corner lot abutting a bridge
<b>Code Deviation:</b>	Reduction in side yard setback
<b>Property Right Enjoyed by Others:</b>	Sidyard use for accessory structures
<b>Comments:</b>	The sidyard is currently the location of the vents to receive the clean air separator, and relocating them outside of the setback area would place them in a drive lane





**CITY of CALABASAS**

**CITY COUNCIL AGENDA REPORT**

**DATE: JUNE 16, 2014**

**TO: HONORABLE MAYOR AND COUNCILMEMBERS**

**FROM: ~~RJ~~ ROBERT YALDA, P.E., T.E., PUBLIC WORKS DIRECTOR  
AS STEVE BALL, LANDSCAPE DISTRICTS MAINTENANCE MANAGER**

**SUBJECT: PUBLIC RECOUNT OF BALLOTS FOR LEVY OF ASSESSMENTS IN CONNECTION WITH CLASSIC CALABASAS PARK HOMEOWNERS ASSOCIATION, ZONE 7, WITHIN LANDSCAPE LIGHTING ACT DISTRICTS NO. 22 AS A RESULT OF A CLERICAL ERROR RESULTING IN A MISCOUNT FOR FISCAL YEAR 2014-2015; AND ADOPT RESOLUTION NO. 2014-1420, CERTIFYING THE RESULTS OF THE ASSESSMENT BALLOT PROCEEDING WITH RESPECT TO THE PROPOSED INCREASE; AND ADOPT RESOLUTION NO. 2014-1421 CONFIRMING DIAGRAMS AND ASSESSMENTS FOR SUCH DISTRICT FOR FISCAL YEAR 2014-2015.**

**MEETING JUNE 25, 2014**

**DATE:**

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**SUMMARY RECOMMENDATION:**

Following the public hearing and tabulation of assessment ballots on June 11, 2014, it was erroneously reported, based on a miscount of ballots, that there was a majority protest in the Classic Calabasas Park Homeowners' Association Zone, and therefore the Council abandoned proceedings to increase the authorized assessment rate for Fiscal Year 2014-2015. As a result, a public hearing was scheduled to correct the clerical error (miscount) through a public recount of the Classic Calabasas Park Homeowners' Association ballots; adopt Resolution No. 2014-1420, certifying the results of the balloting and (iv) adopt Resolution No. 2014-1421 which imposes the assessment.

## **BACKGROUND:**

The entire Prop 218 assessment process has been handled by Anderson-Penna for many years with Debby Cobb acting as project manager. Because the paper ballots did not match the numbers reflected on Ms. Cobb's electronic spreadsheet, she requested to return on Friday, June 13, 2014 to audit the counts.

As ballots were returned by residents of the two HOA's to the City Clerk, they were placed unopened in a plastic bin and kept under lock and key until the June 11<sup>th</sup> public hearing.

The ballots were handed to the consultant and staff to open and count the night of the meeting.

The consultant and staff proceeded to the Council Conference room to tally the ballots. There were four staff members from Public Works (PW) and Ms. Cobb and her assistant. Below is a summary of what transpired during the process:

- City staff members opened sealed ballot envelopes and made piles for each of the HOA's:

VISTA POINTE (VP) (yellow)

CLASSIC CALABASAS PARK (CCP) (white)

- Piles were separated into "YES" VOTES, "NO" VOTES and "UNSELECTED" votes. There were approximately 7 piles. These piles were handed to others amongst the group to recount and verify. This process was done at least four times.

As the numbers were confirmed, the piles were handed to Ms. Cobb and her assistant who entered the information on a spreadsheet in each of their laptops (Ms. Cobb was initially handling VP and her assistant CCP, but later Ms. Cobb also worked on CCP (the larger count of the two.)

Ms. Cobb and her assistant annotated on post-it notes on each pile whether or not the information was "scanned" into the computer. It was noticed by a staff member that Ms. Cobb had written "no scanned" instead of "not scanned" on one of the piles which was a "yes" vote pile and that was corrected immediately.

Per Ms. Cobb's direction, A PW staff member made a list on paper to total the piles in "YES" and "NO" columns. The piles were checked once again to confirm all ballots in the pile were "YES" or "NO" and when errors were discovered, they were corrected immediately on the post-it notes and on the

list. All ballot piles were handed off to Ms. Cobb with the post-it note totals attached.

- When Anderson-Penna finished the data entry, the results showed that there was a majority “Yes, I support vote.” However, there was a substantial discrepancy in the number of total votes on the electronic spreadsheets: There were more votes entered on the spreadsheets than were received. The hand count list appeared to show a result of a “No, I do not support vote”.

Ms. Cobb and her assistant were unable to determine the discrepancy between the spreadsheets and the hand count list. Because the Council meeting was coming to an end and although the process was not complete, Ms. Cobb decided to finalize the tabulation without reconciling the spreadsheet and the hand count list totals. She proceeded to provide the results to Council. Ms. Cobb did say that she would analyze the spreadsheet data the following day and would return that day or Friday to rectify the inconsistency.

When the meeting concluded, the ballots were locked up again, and retrieved on Friday June 13 when the consultant audited the counts.

During the audit, Ms. Cobb discovered that a pile of 27 ballots were labeled “no scanned” instead of “not scanned.” These 27 ballots were supposed to be in a “yes” vote pile but were included in the “no” vote pile. Ms. Cobb concluded that these 27 ballots were voted as “yes” by the property owners of CCP in favor of the increased assessment and then rectified the totals.

After the audit was completed, the ballots were re-secured under lock and key where they will remain unless we receive a public records request.

The City Attorney and the City Manager were made aware of the discrepancy by the City Clerk and the consultant. Notification was sent to the City Council and a Media Advisory was also sent out.

Staff has contacted Martin & Chapman, the firm that provides election services to the City, regarding the possibility of conducting an automated Prop 218 Ballot process in the future.

**FISCAL IMPACT/SOURCE OF FUNDING:**

Funding sources:

Division: 322 – LMD 22

Division: 323 – LMD 24

Division: 324 – LMD 27

Division: 325 – LMD 32

**REQUESTED ACTION:**

Following a public hearing and re-count of assessment ballots to address the clerical error, adopt Resolution No. 2014-1420 and Resolution No. 2014-1421.

**ATTACHMENTS:**

Attachment 1: Resolution No. 2014-1420 Certifying the Balloting Procedure

Attachment 2: Resolution No. 2014-1421 Confirming a Diagram and Assessment for the Landscape Lighting Act Districts for Fiscal Year 2014-15

ITEM 9 ATTACHMENT A

RESOLUTION NO. 2014-1420

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALABASAS, CALIFORNIA, DECLARING AND CERTIFYING THE RESULTS OF A MAIL BALLOT RECOUNT TO CORRECT A CLERICAL ERROR CONDUCTED IN CONNECTION WITH CLASSIC CALABASAS PARK HOMEOWNERS ASSOCIATION, ZONE 7, WITHIN LANDSCAPE LIGHTING ACT DISTRICT NO. 22.**

**WHEREAS**, the City levies an assessment in connection with its Landscape Lighting Act District No. 22 (the "District") pursuant to the Landscaping and Lighting Act of 1972 (Streets and Highways Code Section 22500 *et seq.* (the "Assessment Law")); and

**WHEREAS**, by its Resolution No. 2014-1407, the City Council declared its intention to increase the authorized assessment rate in the following zones: Classic Calabasas Park Homeowners Association, Zone 7, and Vista Pointe Homeowners Association, Zone 19 within Landscaping Lighting Act Districts 22; and

**WHEREAS**, by that same Resolution, the City Council directed that notice of the increased assessment and of a public hearing be given to the owner of each parcel that would be subject to the proposed assessment increase and that such notice include an assessment ballot as required by Article XIID of the California Constitution and applicable law; and

**WHEREAS**, on June 11, 2014, the City Council held and closed a full and fair public hearing with respect to the increased assessments, at which all interested persons could present oral and written testimony; and

**WHEREAS**, following the close of the public input portion of the public hearing, assessment ballots were tabulated pursuant to the City's "Procedures for the Completion, Return, and Tabulation of Assessment Ballots;" and

**WHEREAS**, the City Council received a report with respect to the tabulation of ballots for Classic Calabasas Park Homeowners Association, Zone 7 in Landscaping Lighting Act District No. 22 for which upon an audit thereof, was determined to be erroneous due to a clerical error (miscount) ; and

**WHEREAS**, the City Council desires to correct the clerical error through a public and accurate recount of all ballots and declare and certify the results of that recount tabulation; and

**WHEREAS**, the City Council has conducted a public hearing for the purpose of correcting the clerical error which resulted in a miscount of assessment ballots and to accurately recount the ballots for Classic Calabasas Park Homeowners Association, Zone 7, within Landscaping Lighting Act District No. 22.

**NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF CALABASAS, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:**

SECTION 1. The foregoing recitals are each true and correct.

SECTION 2. The City Council declares and certifies that the results of the recount of balloting are as shown on the tabulation report attached hereto as Exhibit A and incorporated herein by reference.

SECTION 3. The City Council finds that in the following Zone, Classic Calabasas Park Homeowners, Zone 7, (i) a majority protest as defined by Article XIID of the California Constitution does not exist; (ii) the City has met each requirement of Article XIID and applicable law with respect to increasing the assessment in this Zone 7 and (iii) the City Council may now, and in each future year, levy the assessment in this Zone 7 at any rate which does not exceed the rate proposed for that Zone in Resolution No. 2014-1407 (as adjusted by any inflation adjustment disclosed on the assessment ballot):

\_\_\_\_\_  
\_\_\_\_\_

SECTION 4. The City Council finds that in the following Zones a majority protest, as defined by Article XIID of the California Constitution exists and therefore abandons proceedings to increase the authorized assessment rate in such Zone:

\_\_\_\_\_  
\_\_\_\_\_

SECTION 5. The City Council reserves the right to levy the assessment in any Zone listed in Section 4 at the rates authorized prior to the conduct of this assessment ballot proceeding.

SECTION 6. This resolution is intended to remedy a clerical error in the tabulation of ballots on June 11, 2014 for the Classic Calabasas Park Homeowners Association, Zone 7, within Landscape Lighting Act District No. 22. While it is the intent of the Council that both this Resolution and Resolution No. 2014-1408 should be read together and harmonized, should any provision, fact, or statement

of this Resolution be determined to conflict with Resolution No. 2014-1408, the provision, fact, or statement of this resolution shall control.

SECTION 7. The City Clerk shall certify as to the adoption of this resolution and shall cause the same to be processed in the manner required by law.

**PASSED, APPROVED and ADOPTED** this 25<sup>th</sup> day of June, 2014.

ATTEST:

\_\_\_\_\_  
David J. Shapiro, Mayor

\_\_\_\_\_  
Maricela Hernandez, MMC  
City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Scott H. Howard, City Attorney

**EXHIBIT "A"**  
**CITY CLERK'S CERTIFICATE OF CANVASS**

I, Maricela Hernandez, City Clerk of the City of Calabasas, do certify that on June 25, 2014, pursuant to the City's "Procedures for the Completion, Return, and Tabulation of Assessment Ballots" and to correct a clerical error, I canvassed the returns of the special balloting for the Classic Calabasas Park Homeowners Association, Zone 7 within Landscape Lighting Act District No. 22:

<b>Total Dollar Amount in Favor</b>	<b>Total Dollar Amount Against</b>

ATTESTED:

\_\_\_\_\_  
Maricela Hernandez, MMC  
City Clerk

Date: \_\_\_\_\_



**ITEM 9 ATTACHMENT B**

**RESOLUTION NO. 2014-1421**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALABASAS, CALIFORNIA, CONFIRMING DIAGRAMS AND ASSESSMENTS FOR CLASSIC CALABASAS PARK HOMEOWNERS ASSOCIATION, ZONE 7, WITHIN LANDSCAPE LIGHTING ACT DISTRICT NO. 22.**

**WHEREAS**, by its Resolution No. 2014-1407, the City Council declared its intention to levy and collect assessments for Fiscal Year 2014-15 in connection with Landscape Lighting Act District No. 22, Landscape Lighting Act District No. 24, Landscape Lighting Act District No. 27, and Landscape Lighting Act District No. 32 (collectively the "Districts" and each a "District") pursuant to the Landscaping and Lighting Act of 1972 (California Streets & Highways Code Section 22500 et seq.) (the "Assessment Law"); and

**WHEREAS**, on May 28, 2014, the City Council held a full and fair public meeting at which all interested persons could give oral and written testimony with respect to the Fiscal Year 2014-15 assessment and proposed increases to these assessments; and

**WHEREAS**, on June 11, 2014 the City Council considered all oral and written testimony and protests with respect to the proposed assessment for Fiscal Year 2014-15; and

**WHEREAS**, by its Resolution No. 2014-1420, the City Council has newly certified the results of a mail ballot proceeding by correcting a clerical error resulting in a miscount conducted in connection with proposed assessment increases in Zone 7 of Landscape Lighting Act District No. 22; and

**WHEREAS**, the City Council desires to cause the levy and collection of assessments for Fiscal Year 2014-15 in the Classic Calabasas Park Homeowners Association, Zone 7, within Landscape Lighting Act District No. 22 and;

**WHEREAS**, on June 11, 2014, the City Council approved the Report of Anderson-Penna Partners, as Assessment Engineer, entitled Final Engineer's Report for the Landscape Lighting Act Districts, and dated May 29, 2014, which is on file in the Office of the City Clerk and available for public inspection, with changes to reflect the effect of any majority protest found to exist by Resolutions No. 2014-1408 and 2014-1420.

**NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF CALABASAS, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:**

SECTION 1. The foregoing recitals are each true and correct.

SECTION 2. Except as set forth in Resolutions 2014-1408 and 2014-1420, any protests against the proposed assessments for Fiscal Year 2014-15 are hereby overruled.

SECTION 3. The Diagram and Assessment contained within the Final Engineer's Report is hereby reconfirmed and approved pursuant to Section 22631 of the Assessment Law.

SECTION 4. The adoption of this Resolution constitutes the levy of the assessment in the Classic Calabasas Park Homeowners Association, Zone 7, within Landscape Lighting Act District No. 22 for Fiscal Year 2014-15.

SECTION 5. This resolution is intended to remedy a clerical error in the tabulation of ballots on June 11, 2014 for the Classic Calabasas Park Homeowners Association, Zone 7, within Landscape Lighting Act District No. 22. While it is the intent of the Council that both this Resolution and Resolution No. 2014-1409 should be read together and harmonized, should any provision, fact, or statement of this Resolution be determined to conflict with Resolution 2014-1409, the provision, fact, or statement of this resolution shall control.

SECTION 6. The City Clerk shall certify to the adoption of this resolution and shall cause the same to be processed in the manner required by law.

**PASSED, APPROVED AND ADOPTED** this 25<sup>th</sup> day of June, 2014.

\_\_\_\_\_  
David J. Shapiro, Mayor

ATTEST:

\_\_\_\_\_  
Maricela Hernandez, MMC  
City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Scott H. Howard, City Attorney



**CITY of CALABASAS**  
**CITY COUNCIL AGENDA REPORT**

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**DATE:** JUNE 5, 2014

**TO:** HONORABLE MAYOR AND COUNCILMEMBERS

**FROM:** GLENN MICHITSCH, SENIOR PLANNER 

**SUBJECT:** ADOPTION OF RESOLUTION NO. 2014-1402 APPROVING THE LEGALIZATION OF A 2,490 SQUARE-FOOT GROUND-FLOOR ADDITION TO AN EXISTING ONE-STORY 11,021 SQUARE-FOOT SINGLE-FAMILY RESIDENCE. THE PROJECT INCLUDES REQUESTS FOR THE FOLLOWING: (1) A SITE PLAN REVIEW FOR THE CONSTRUCTION OF THE 2,490 SQUARE-FOOT ADDITION, (2) A SCENIC CORRIDOR PERMIT FOR DEVELOPMENT IN A DESIGNATED SCENIC CORRIDOR, (3) A DEVELOPMENT PLAN TO ESTABLISH NEW SETBACKS FOR DEVELOPMENT LOCATED WITHIN THE OPEN SPACE (OS) ZONING DISTRICT, (4) AN OAK TREE PERMIT FOR THE ENCROACHMENT INTO THE PROTECTED ZONE OF ONE (NON-HERITAGE) OAK TREE, AND (5) A VARIANCE REQUEST FOR DEVELOPMENT WITHIN 50 HORIZONTAL FEET AND 50 VERTICAL FEET OF A DESIGNATED SIGNIFICANT RIDGELINE. THE SUBJECT SITE IS LOCATED AT 24107 SAINT ANDREWS LANE, WITHIN THE OPEN SPACE (OS) ZONING DISTRICT.

**MEETING DATE:** JUNE 25, 2014

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**SUMMARY RECOMMENDATION:**

Adopt Resolution No. 2014-1402 approving File No. 120000173.

**BACKGROUND:**

On March 6, 2014, the Planning Commission adopted Resolution No. 2014-565 recommending approval to the City Council of File No. 120000173, a retroactive

permit for a 2,490 square-foot ground-floor addition to an existing single-family residence. Associated applications included a Site Plan Review, Development Plan, Scenic Corridor Permit, Oak Tree Permit and Variance. In its recommendation, the Planning Commission noted that their decision was based on the development's limited visibility from Mulholland Highway (a designated scenic corridor), appropriate design and coloration, consistency with the Scenic Corridor Development Guidelines, appropriately sited new native landscaping, and the added condition that the applicants submit a monitoring report in three years to ensure the landscaping was well established and in good condition.

The City Council held a public hearing on April 9, 2014 to review the project. Concerns were raised regarding the variance application with specific regard to the potential for granting of a special privilege to the property owner, and of the potential visibility from the scenic corridor. Council remanded the matter back to the Planning Commission to re-evaluate the variance application, and determine whether it is appropriate to require additional or enhanced mitigation for visual impacts, specifically suggesting that the addition of landscaping along Mulholland be considered as a possible option. Additionally, the Council suggested adding a condition causing for the termination of the variance upon the destruction or demolition of a significant portion of the garage addition.

On May 15, 2014, the project was revisited by the Planning Commission. The Commission reviewed additional information regarding the variance, received and considered new analyses from staff comparing pre- and post-development visual impacts, and discussed the following three possible alternatives for new and/or enhanced mitigation:

- 1) Adding more landscaping on the berm
- 2) Raising the berm height and providing additional landscaping
- 3) Placement of landscaping along Mulholland Highway

After careful deliberation, the Planning Commission adopted Resolution No. 2014-568 (Attachment I) reaffirming their recommendation of approval for the project. The Commission's approval recommendation was based on the following added elements beyond the scope of their original approval recommendation:

- 1) Placement of additional native landscaping on the berm beyond that of the originally proposed landscape plan (consistent with a modified landscape plan submitted by the applicants)(Attachment C);
- 2) An increase in the landscape monitoring requirement to annual monitoring reports for a three-year period; and
- 3) The inclusion of a condition requiring the termination of the variance upon the destruction or demolition of a significant portion (greater than 50%) of the garage addition, as had been suggested by Council

Furthermore, the Commission opined that the variance does not grant a special privilege because the resulting development is consistent with the Community's Floor Area Ratio (FAR), and the applicant is seeking to add personal garage space, a type of use enjoyed by other properties in the same zoning district. The Commission further determined the variance was justifiable because the ridgeline setback requirement was adopted after development of the property and any modification to the property would require a variance application. In this case, alternative locations on the property were analyzed including locations that would meet the ridgeline setback requirements, and found to be either not functional to the garage use, more impactful to adjacent neighbors, and/or significantly more impactful to resources on-site and to the scenic corridor. The Commission also noted that the modified landscape plan submitted by the applicants was far superior to the original proposal because of the placement of significantly more native plant material in areas that will effectively screen the minimal portions of the structure that are visible.

In its deliberation, the Commission rejected an alternative of raising the berm height citing that the increased scarring to the significant ridgeline was not favorable, and also noting that requiring a raised berm height may exceed the rough proportionality test of *Dolan v. City of Tigard* (US Supreme Court) which requires that a condition/exaction by a governmental agency be roughly proportional to the impact created. Additionally, the Commission rejected an alternative to place landscaping along Mulholland Highway because landscaping would need to be placed within City held right-of-way and/or easements that would create a complicated situation where either the City would need to grant the applicant the right to maintain improvements on land controlled by the City, or the City would end up maintaining the landscape improvements, and either scenario is not desirable.

#### **DISCUSSION/ANALYSIS:**

A synopsis of the significant issues raised by the City Council at the April 9, 2014 meeting and the Planning Commission's revisit of this project is discussed below. For more in-depth analysis of these issues, and past project analysis of technical issues, refer to Attachments J, L, and N.

1. Variance: At the April 9, 2014 City Council meeting, the Council expressed concerns with the variance application, and more specifically concern regarding the size of the garage addition and resulting development.

As previously stated, the reason a variance is required for this project is because the garage addition does not meet the required 50 foot significant ridgeline setback required under CMC 17.20.150. The fact that the existing residence was approved and developed prior to the City's adoption of CMC 17.20.150

means the adoption of the ridgeline setback requirement changed the status of the existing ridgeline development from a legal, conforming development to a legal, non-conforming development. CMC 17.20.150 now applies to any new development on the site. (It also applies equally to neighboring homes on Saint Andrews Lane, as well as to a great many other existing ridgeline homes throughout the City.)

In staff's approach to reviewing the application, several alternative locations were evaluated for feasibility of a garage addition including locations that would meet the ridgeline setback requirements. Unfortunately, in this case, siting a garage addition to meet ridgeline setback standards would limit the siting of a new garage to a location on the parcel characterized by steep slopes and significant biotic resources, and would require excessive grading for access, resulting in significant impacts to the scenic corridor. For these reasons, neither the Planning Commission nor staff can support additional development on this particular property that meets the ridgeline setback requirement. Additionally, since the existing development footprint on top of the ridgeline has ample flat area that is already graded and disturbed, and located behind a berm feature designed to conceal development, the ridgeline pad area is easily the best location for additional development. Furthermore, since the existing development envelope is located on the significant ridgeline, any new development whether it is the proposed garage or other minor features, such as a new spa or trellis, would need a variance application submitted and approved. For all these reasons, a variance application for any new development on the subject property is unavoidable.

Analysis was also performed to see if any alternative locations within the existing developed pad were feasible. Given that the desired addition is a garage, new development would need reasonable access to the existing driveway, or the ability to draw access from it. Locations to the west of the existing residence are flat and have access from the existing driveway. However, those locations are not shielded by a berm and would be more visible from Mulholland Highway. Additionally, those locations are more impactful to the adjacent neighbor to the west, reducing the distance between developments to a distance of approximately 80 feet away from the current 200 foot setback. Locations to the north of the residence already contain amenities such as a swimming pool and spa, and have no access from the existing driveway. Locations east of the residence do not make sense with the existing floor plan (adjacent to the master bedroom), and could not get adequate access due to the configuration of the existing house. For these reasons, the current location of the garage addition is the most feasible location.

The Council also raised concerns regarding the size of the proposed addition and the resulting development. These concerns relate to a required finding for a

variance"...that the Variance would not constitute the granting of a special privilege inconsistent with the limitations of other properties in the same zoning district." (emphasis added) Staff's previous analysis concluded that there was no special privilege granted because the resulting development's Floor Area Ratio (FAR) falls within the range of FARs of the Saint Andrews Lane community (the only comparable properties with identical OS zoning). For reference, the table in Attachment J, p.10 compares adjacent development metrics to the subject parcel. Also, it is important to note that the comparison table does not include garage information for the adjacent three parcels due to lack of data. Because of this, the comparison of the resulting subject development size (which does include garage data) to the community (which does not include garage size) is a conservative comparison. If garage sizes for the other houses in the community were able to be factored in, the subject property would actually compare even more favorably.

It is staff's opinion that FAR is the most reasonable comparison method to determine if special privilege is being granted. A direct comparison of development size demonstrates that the subject development is larger (nearly three times the size); however, the subject parcel is also more than three times the size of the average parcel size of the other parcels. Additionally, the OS zone places no limitations on development size, garage size, or the number of vehicles that can be stored on a property. Furthermore, the OS zone contains lots that vary substantially in size, and a simple home size comparison does not take that factor into account, whereas a FAR comparison does. For all these reasons, staff believes the variance finding for not granting a special privilege has been met.

It is also important to note that although the post-development condition results in a minimally visible development within the scenic corridor (just like the pre-development condition), the project is much less visible from Mulholland Highway than the adjacent residence to the west (Attachment P).

2. Ridgeline Development/Visual Impact: Staff's previous analysis concluded that although the development cannot meet the setback standards of the hillside and ridgeline ordinance, that the project still meets the intent of the ordinance in that development is appropriately sited in a location that minimizes visual impact to the ridgeline and the scenic corridor, as well as being appropriately designed and landscaped to further screen visible portions of the addition.

Following the April 9, 2014 Council meeting, staff further analyzed the pre- and post-development conditions with respect to project visibility. Using the site line analysis submitted by the applicant's licensed civil engineer (Attachment B, Architectural Plans, p. A-7), staff determined that the post development condition has a net zero visual impact to the scenic corridor. In other words,

the existing house (prior to the garage addition) was just as visible from Mulholland Highway as the resulting development is (with the garage addition). This calculation was performed by comparing the vertical distance from the intersection of the line of sight from the top of the berm with the house on the before and after development conditions. Staff found that a maximum of 8 vertical feet of the residence was visible in both the before and after development condition. The lone difference is that the visible portion of the structure shifted southward toward the berm location.

Furthermore, as is discussed below in Section 3 of the staff report, a modified landscape plan has been submitted indicating that additional native landscape elements will be installed adjacent to the garage addition on and below the berm to further screen the minimally visible portions of the garage addition from Mulholland Highway. Specifically, densely spaced Ceanothus "Dark Star" (grows to a height of 8 feet) and California Sycamore trees (placed in a manner so that a mature tree canopy will screen the development) have been added to the previous landscape plan to enhance the originally proposed plan for a better screening result. To this end, staff affirms its recommendation that the addition is appropriately sited, designed, and landscaped to be consistent with the requirements for scenic corridor and ridgeline development.

3. Alternative Mitigation: At the April 9, 2014 City Council meeting, the Council's direction was clear that staff and the Planning Commission should revisit the project and explore whether enhanced and/or additional mitigation was warranted given the project's location on the significant ridgeline and within the scenic corridor. Subsequent to the April 9, 2014 Council meeting, staff met with the applicant to discuss a wide range of options including:

- Scaling back the addition
- Lowering the roof height
- Adding more landscaping on the berm
- Raising the height of the berm and landscaping
- Placement of landscaping along Mulholland Highway

Staff subsequently evaluated the options to see which ones were most feasible. Results of staff's analysis were forwarded to the Planning Commission for review. In staff's analysis, the following options were considered and rejected:

1. Scaling back the addition – this option was rejected because to set the garage addition farther back from the berm would only reduce desired vehicle storage and internal maneuvering area inside the garage without providing any reduction to the visual impact.



2. Lowering the roof height – this option was rejected because lowering the roof height would visually affect the design of the overall residence, but without providing any benefit toward reducing visual impact. The existing residence has a uniform roof plate height with rafter tails for visual interest. A key element in the design is to continue the uniform plate height and rafter tails for consistency. Therefore, lowering the roof plate would result in an awkward asymmetry in the design.

Staff found potential benefits warranting further discussion for the following options:

- 1) Adding more landscaping on the berm – the previously proposed landscape plan included two varieties of a native plant material, Ceanothus “Dark Star”, which is a shrub that grows to a height of about 8 feet, and Ceanothus “Centennial”, which is a low growing ground cover. Prior to the Planning Commission’s May 15, 2014 re-visitation of the project, the applicant submitted a revised landscape plan (Attachment C) which places additional Ceanothus “Dark Star” on the berm adjacent to the garage addition, and California Sycamore trees adjacent to the addition, but situated both on and below the berm in areas that would allow the crown of the trees to screen the addition.
- 2) Raising the berm height and providing landscaping – this option considers raising the berm height and then planting with native landscape. In order to achieve this option, the following would be necessary: 1) earth imported to the site, 2) grading to increase the size of the berm, 3) raising the height of an existing retaining wall to support the additional berm height, 4) removal and replacement of existing irrigation, 5) removal and replacement of the existing mitigation oak trees (or transplantation), and 6) landscaping the newly raised berm.
- 3) Placement of landscaping along Mulholland Highway – this final option considers placement of native landscaping along Mulholland Highway along the portion of the roadway where the addition is minimally visible. Since the existing vegetation adjacent to the roadway is native habitat, this option would involve careful selection of native plant material (with the consultation of a biologist), and extending a water source to establish the plant material. Careful consideration should be put into balancing plant material that will help screen the development, but not completely screen the view of relatively undisturbed hillside and ridgeline areas. Also, consideration should be mindful of existing easement/right-of-way and ongoing maintenance responsibility.

4. Planning Commission Review: On May 15, 2014, the Planning Commission re-visited the project, discussed the variance and related (special privilege) finding in-depth and discussed the aforementioned options for enhanced and additional mitigation.

Regarding the variance, the Commission understood that the application of CMC Section 17.20.150 (ridgeline setback) applies to any new development, and that additions to any existing legal, non-conforming residences (i.e. already existing on a ridgeline) would require consideration of a variance application if the only feasible location for an addition is on the ridgeline (no matter how big or small the development). The Commission thoroughly discussed, and agreed that the most reasonable method to compare development, and to analyze whether a special privilege is being granted, is use of a FAR comparison instead of a simple home size comparison. Consequently, the Commission did not feel that approval of the garage addition granted a special privilege to the applicant, and all required findings for the variance could be made.

Regarding the review of different mitigation options, the Commission recommended approval of an option that added more landscaping to the berm consistent with the applicant's new proposed landscape plan (Attachment C). Specifically, the Commission was pleased with the modified plan adding significant vertical elements (shrubs and trees) in the areas where the addition was most visible. The Commission also recognized that the placement of the shrubs and trees was strategic and agreed that the added landscaping is a significant improvement over the previous landscape plan.

In their deliberation, the Commission rejected raising the height of the berm citing that more grading and a higher berm would increase scarring of the ridgeline, and considering all the necessary work involved, that requiring raising of the berm may not meet the "rough proportionality" test required in *Dolan v. City of Tigard* (US Supreme Court) given the limited visual impact of the development to the community. The Commission also rejected placement of vegetation along Mulholland citing complications with ongoing maintenance and legal access issues with regard to existing City easements and right-of-way.

Regarding the project as a whole, the Commission re-affirmed their recommendation of approval. The Commission cited that the project is sited in the most feasible location (on the already-developed pad behind the berm), and that with the added landscaping, the project will not be visible after the landscaping matures. Finally, the Commission also modified a condition to require landscape monitoring annually for a three year period (as opposed to once after a three year period), and adopted a condition causing the termination of the variance rights upon the destruction or demolition of a significant portion of the addition per Council direction (Attachment A, p.20, Condition No. 10)

**ENVIRONMENTAL REVIEW:**

This project is Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301(e)(2) Existing Facilities. A Notice of Exemption has been prepared and is attached as Attachment H.

**FISCAL IMPACT/SOURCE OF FUNDING:**

Because the project consists of an addition to an existing residence, no fiscal impact to the City is expected. There may be a negligible increase of City revenues due to an increase of assessed property valuation and the resulting City share of property tax revenue.

**REQUESTED ACTION:**

That the Council adopt Resolution No. 2014-1402 approving File No. 120000173

**ATTACHMENTS:**

- Attachment A Draft Council Resolution No. 2014-1402
- Attachment B Site Plan, Floor Plans, Elevations, Color Elevation, Visual Impact Analysis, Grading Plans, and site photos
- Attachment C Revised Preliminary Landscape Plan
- Attachment D Oak Tree Location Maps / Fuel Modification Plan
- Attachment E Oak Tree Review Letters
- Attachment F Color and Materials Board
- Attachment G Public Correspondence
- Attachment H Draft Notice of Exemption
- Attachment I Planning Commission Resolution No. 2014-568
- Attachment J March 6, 2014 Planning Commission Agenda Report
- Attachment K March 6, 2014 Planning Commission Minutes
- Attachment L April 9, 2014 City Council Staff Report
- Attachment M April 9, 2014 City Council Minutes
- Attachment N May 15, 2014 Planning Commission Staff Report
- Attachment O May 15, 2014 Planning Commission Minutes
- Attachment P Photos of Adjacent Property to the West from Mulholland
- Attachment Q City Council Resolution No. 2003-800

## Item 10 Attachment A

### RESOLUTION NO. 2014-1402

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALABASAS, CALIFORNIA APPROVING FILE NO. 120000173 TO LEGALIZE THE CONSTRUCTION OF A 2,490 SQUARE FOOT GROUND-FLOOR ADDITION (BUILT WITHOUT PERMITS) TO AN EXISTING ONE-STORY 11,021 SQUARE FOOT SINGLE FAMILY RESIDENCE. THE PROJECT INCLUDES REQUESTS FOR THE FOLLOWING: (1) A SITE PLAN REVIEW FOR THE CONSTRUCTION OF THE 2,490 SQUARE FOOT ADDITION, (2) A SCENIC CORRIDOR PERMIT FOR DEVELOPMENT WITHIN A DESIGNATED SCENIC CORRIDOR , (3) A DEVELOPMENT PLAN TO ESTABLISH NEW SETBACKS FOR DEVELOPMENT LOCATED WITHIN THE OPEN SPACE (OS) ZONING DISTRICT, (4) AN OAK TREE PERMIT FOR THE ENCROACHMENT INTO THE PROTECTED ZONE OF ONE (NON-HERITAGE) OAK TREE, AND (5) A VARIANCE REQUEST FOR DEVELOPMENT WITHIN 50 HORIZONTAL FEET AND 50 VERTICAL FEET OF A DESIGNATED SIGNIFICANT RIDGELINE. THE SUBJECT SITE IS LOCATED AT 24107 SAINT ANDREWS LANE, WITHIN THE OPEN SPACE (OS) ZONING DISTRICT.

Section 1. The City Council has considered all of the evidence submitted into the administrative record which includes, but is not limited to:

1. Agenda reports prepared by the Community Development Department.
2. Staff presentation at the public hearing held on June 25, 2014, before the City Council.
3. The City of Calabasas Land Use and Development Code, General Plan, and all other applicable regulations and codes.
4. Public comments, both written and oral, received and/or submitted at or prior to the public hearing, supporting and/or opposing the applicant's request.
5. Testimony and/or comments from the applicant and its representatives submitted to the City in both written and oral form at or prior to the public hearing.
6. All related documents received and/or submitted at or prior to the public hearing.
7. Planning Commission Resolution 2014-568 recommending approval to the City Council of File No. 120000173.

**Section 2. Based on the foregoing evidence, the City Council finds that:**

1. The applicant submitted an application for a Site Plan Review, a Scenic Corridor Permit, and a Development Plan on February 17, 2012. The applicant also submitted an Oak Tree Permit application on April 1, 2013 and a Variance application on October 24, 2013.
2. On March 15, 2012, staff determined that the application was incomplete and the applicant was duly notified of this incomplete status.
3. On January 23, 2014, the application was deemed complete and the applicant was notified.
4. On March 6, 2014, the Planning Commission held a public hearing on the matter and adopted Resolution No. 2014-565 recommending approval of the project to the City Council.
5. On April 9, 2014, the City Council held a public hearing, and remanded the matter back to the Planning Commission for further review and deliberation.
6. On May 15, 2014, the Planning Commission held a second public hearing on the matter, and adopted Planning Commission Resolution No. 2014-568, recommending approval of the project to the City Council.
7. Notice of the June 25, 2014 City Council public hearing was posted at Juan Bautista de Anza Park, the Calabasas Tennis and Swim Center, Gelson's market, the Agoura/Calabasas Community Center, and at Calabasas City Hall.
8. Notice of the June 25, 2014, City Council public hearing was provided to property owners within 500 feet of the property as shown on the latest equalized assessment roll.
9. Notice of the City Council public hearing was mailed or delivered at least ten (10) days prior to the hearing to the project applicant.
10. The project site is currently zoned Open Space (OS).
11. The land use designation for the project site under the City's adopted General Plan is Open Space – Resource Protected (OS-RP).
12. The surrounding land uses around the subject property are zoned Open Space (OS), Residential, Mobile Home (RMH), Open Space – Development Restricted (OS-DR), and Residential Single-Family (RS).

13. Notice of City Council public hearing included the notice requirements set forth in Government Code Section 65009 (b)(2).

**Section 3.** In view of all of the evidence and based on the foregoing findings, the City Council concludes as follows:

### **FINDINGS**

Section 17.62.070(D) Calabasas Municipal Code allows the City Council to approve a **Development Plan Permit** provided that the following findings are made:

- 1. The proposed use is conditionally permitted within the subject zoning district and complies with all of the applicable provisions of this Development Code;*

One single-family home and ancillary uses are allowed in the Open Space (OS) zone pursuant to Section 17.16.020 of the Land Use and Development Code. The parcel is already developed with a one-story, 24 foot high single-family residence previously approved by the City Council through a Development Plan application. For development within the Open Space zoning designation, only the height requirement of 25 feet (maximum) is a stated fixed measurement. The proposed addition to the residence is a maximum of 19 feet at its highest point, and therefore the proposed addition meets this requirement. All other standards are set through the Development Plan process. In this case, the Development Plan process will alter the originally approved street side yard and rear yard setbacks. Approval of the Development Plan application, therefore, establishes code compliant setbacks. To this end, because the use as a single-family residence is an allowed use and the code allows modification of development standards via a Development Plan, the proposed use meets this finding.

- 2. The proposed use is consistent with the General Plan and any applicable specific plan or master plan;*

The proposed project meets this finding because the General Plan Land Use Designation for this parcel is OS-RP (Open Space-Resource Protected) and residential land uses are consistent with this land use designation. The subject parcel is the one of four properties zoned Open Space (OS) within the Saint Andrews Lane gated subdivision and is surrounded by both residential development and vacant property zoned Open Space-Development Restricted (OS-DR). The proposed addition to the existing single-family residence does not alter the residential use on the subject property. In addition, total development of the site will only utilize 1.2 percent of the site, leaving 98.8 percent of the size as open space. Therefore, the project meets this finding.

3. *The approval of the development plan for the proposed use is in compliance with the California Environmental Quality Act (CEQA); and*

The project is exempt from environmental review in accordance with Section 21084 of the California Environmental Quality Act (CEQA) and Section 15301(E)(2) (Existing Facilities) of the CEQA Guidelines because the proposed project consists of constructing less than 10,000 square feet in an area where all public services and facilities are available to allow the maximum development permissible in the General Plan and the new addition is not adversely impacting a protected viewshed or any sensitive resources. Therefore, the project meets this finding.

4. *The location, design, scale and operating characteristics of the proposed use are compatible with the existing and anticipated future land uses in the vicinity.*

The subject property is located within a gated four-lot subdivision on Saint Andrews Lane. Both existing and future anticipated land uses in the vicinity are all residences. The applicant is requesting approval of a 2,490 square foot garage addition to the existing 11,021 square-foot residence via a Development Plan application. A Development Plan application is utilized to establish the setback standards within the Open Space zoning district. Development of the proposed addition is on an already developed pad location, and will decrease the street side yard and the rear yard setbacks of the overall development. However, the subject site is exceptionally large (26.2 net acres) and existing development is setback a minimum distance of 166 feet from property lines at its closest point. Additionally, although the addition will decrease the street side setback from 523 feet to 488 feet and the rear yard setback from 814 feet to 767 feet, no setback will be decreased to a distance less than the existing 166 foot setback from the nearest property boundary at its closest point, which is the side yard setback. Therefore, the addition will leave more than adequate separation between the subject residence and adjacent development.

The subject site is also situated in a designated scenic corridor, and any development has the possibility to impact views from Mulholland Highway. In this case, the existing residence included the construction of a landscaped berm to conceal the development from Mulholland Highway. The proposed addition will be sited on the developed pad, behind the landscaped berm and blocked from view from Mulholland Highway. Because of this, the addition will also be concealed from Mulholland Highway and will not impact any views from existing or future residential uses in the vicinity. Additionally, the landscaping on the existing berm will be improved pursuant to the preliminary landscaping plan, further cloaking the development from view from Mulholland Highway. Further, The City's Architectural Review Panel (ARP) reviewed the project and recommended approval of the proposed design, citing that the addition was

designed consistent with the style, colors and materials of the existing residence, was consistent with the Scenic Corridor Design Guidelines and that the residence (including the proposed addition) will not be visible. For these reasons, the development is compatible with the location, design, scale and operating characteristics of existing and future land uses in the vicinity and the project meets this finding.

Section 17.62.050(D) Calabasas Municipal Code allows the City Council to approve a **Scenic Corridor Permit** provided that the following findings are made:

*1. The proposed project design complies with the scenic corridor development guidelines adopted by the council;*

The proposed project site is located adjacent to Mulholland Highway, a designated Scenic Corridor. As such, proposed development must comply with the Scenic Corridor Development Guidelines. The City has adopted the Scenic Corridor Design Guidelines to ensure that development is sited and designed in such a way as to not adversely impact views from the scenic roadway. The guidelines do this by requiring the use of design techniques including the use of pitched roofs, roofs of a medium to dark color, avoidance of large, blank, straight facades, and the use of landscaping to help blend development. The existing residence, approved by City Council in 2003 was approved consistent with the scenic corridor design guidelines. The residence was designed to be one-story, generally with a height between 18 and 20 feet (with some architectural elements projecting up to 24 feet in height), and with a medium-colored (Spanish tile) pitched roof. Development of the site, although on a designated significant ridgeline, was graded to include a berm south of the residence to help conceal the development. To further conceal the development, landscape elements were placed on the berm so that over time, as the landscaping matures, the minimal portions of the development that were still visible would blend even more.

The proposed addition is one-story (ranging from 12 to 19 feet in height, and designed to match the style, earth-toned colors and materials of the existing residence. It is situated on the developed portion of the site and in an area concealed by the existing landscaped berm. In this respect, the addition will be screened from Mulholland Highway so that no visual impacts will occur. Additionally, the preliminary landscape plan proposes enhancing the landscaping on the berm so that further concealment of the development will occur. Furthermore, the project has been conditioned so that a final landscape plan will be submitted to the Community Development Director in case additional adjustments need to be made. Therefore, the project meets this finding.

*2. The proposed project incorporates design measures to ensure maximum*



*compatibility with and enhancement of the scenic corridor;*

The proposed project is visible from Mulholland Highway, which is a designated Scenic Corridor. The original residence was designed as a one-story residence, included design elements such as earth-toned colors, wood accents, pitched roof elements, use of stone veneer and also included a landscape berm to conceal the development from Mulholland Highway. The addition is designed to match the style, colors and materials of the residence and is situated behind the landscape berm so that it is also concealed as viewed from Mulholland Highway. Furthermore, landscaping enhancements have been proposed on the berm to further conceal the development from Mulholland Highway. Therefore, the project meets this finding.

3. *The proposed project is within a rural or semi-rural scenic corridor designated by the General Plan, and includes adequate design to ensure the continuing preservation of the character of the surrounding area;*

The project site is situated in a rural scenic corridor. Design elements (as discussed above) have been incorporated to preserve the character of the surrounding area. The City's Architectural Review Panel (ARP) reviewed the project and recommended approval of the proposed design, citing that the addition was designed consistent with the style, colors and materials of the existing residence and that the residence (including the proposed addition) will not be visible. Therefore, the project meets this finding.

4. *The proposed structures, signs, site development, grading, and/or landscaping related to the proposed use are compatible in design, appearance, and scale, with existing uses, development, signs, structures, and landscaping of the surrounding area.*

The subject site is located within an existing developed single-family residential neighborhood on Saint Andrews Lane. The community of Saint Andrews Lane is a self-contained gated community consisting of four developed lots. The remaining three parcels in the neighborhood have an average parcel size of approximately 8.5 acres and an average house size of 4,176 square feet (excluding garages). Consequently, the floor area ratios of the three remaining parcels range from 0.006 to .037.

The subject parcel has a residence that is 8,804 square feet, includes 2,217 square feet of garages, and is proposing to add an additional 2,490 square feet of garage space for a total of 13,511 square feet of development. It is currently, and still will be the largest development within the neighborhood by size alone. However, the subject parcel is also 26.2 (net) acres in size, and therefore, the floor area ratio of the project site (even with garage space

included) is 0.012 which is well within the floor area ratio of the community (which was calculated not using garage space), and therefore is consistent with the neighborhood. Furthermore, the existing residence is over 200 feet away from the nearest residence and the proposed addition is over 400 feet away from and not visible from adjacent neighbors.

From a design perspective, the existing residence is Spanish Mediterranean, and the addition will match the style, colors and materials of the existing residence, as well as the predominant design theme of the community, which is Mediterranean-themed. For all these reasons, the project meets this finding.

Section 17.62.020(E) of the Calabasas Municipal Code allows the City Council to approve a **Site Plan Review** provided that the following findings are made:

- 1. The proposed project complies with all of the applicable provisions of this development code;*

The subject site is within the Open Space (OS) zone. The Open Space zone is a special purpose zone characterized by large parcels in areas that are rural in character. As such, most typical development standards such as site coverage, pervious surfaces and setbacks are not a set value, and are instead approved by the appropriate decision making body on a case-by-case basis. In this case, the parcel is already developed with a one-story, 24 foot high single-family residence previously approved by the City Council through a Development Plan application. For development within the Open Space zoning designation, only the height requirement of 25 feet (maximum) is a stated fixed measurement. The proposed addition to the residence is a maximum of 19 feet at its highest point, and therefore the proposed addition meets this requirement. As mentioned earlier, all other standards are set through the Development Plan process. In this case, approval of the Development Plan application will alter the originally approved street side yard and rear yard setbacks. Approval of the Development Plan application, therefore, establishes code compliant setbacks and the project will be consistent with Code requirements.

- 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 the vicinity;*

The General Plan Land Use designation for the subject site is Open Space – Resource Protected (OS-RP), which applies to lands whose primary purpose is the protection of public health and safety, preservation of sensitive environmental resources, or resource management. The underlying zoning on the parcel is Open Space, which allows for residential development.

A stated objective of the Land Use Element of the General Plan is to maintain Calabasas as a predominantly residential community. Land Use Policy II-8 further supports this by requiring development to be compatible with the overall residential character of the community. As mentioned above, the subject parcel is developed with an existing residence, and the proposed addition will not alter the existing use of the property.

The relevant stated objective of the Open Space Element of the General Plan is to maintain a citywide open space system that conserves natural resources and preserves scenic beauty. Open Space Policies III-5, III-7, III-11, III-12 and III-14 promote limiting landform alteration, using native landscape screening, maintaining the visual character of hillsides, and preserving significant ridgelines. The existing residence, approved by City Council in 2003 was approved consistent with the stated General Plan objectives and policies. The residence was designed to be one story, generally with a height between 18 and 20 feet (with some architectural elements projecting up to 24 feet in height), with a medium-colored (Spanish tile) pitched roof. Development of the site, although on a designated significant ridgeline, was graded to include a berm south of the residence to help conceal the development from Mulholland Highway, a locally designated scenic roadway. To further conceal the development, landscape elements were placed on the berm so that over time, as the landscaping matures, the minimal portions of the development that were still visible would be further concealed.

The proposed addition is one-story (ranging from 12 to 19 feet in height, and designed to match the earth-toned colors and materials of the existing Spanish Mediterranean-style residence. It is situated on the developed portion of the site and in an area concealed by the existing landscaped berm. In this respect, the addition will not require any expansion of the development footprint, and will be screened from Mulholland Highway so that no visual impacts will occur. Additionally, the preliminary landscape plan proposes enhancing the native landscaping on the berm so that further concealment of the development will occur. To this end, the proposed project is consistent with the Open Space Element of the City's General Plan.

The relevant stated objective of the Conservation Element of the General Plan is to preserve critical biotic resources and enhance habitat value and biotic resource diversity within the Calabasas area. Conservation Element Policies IV-2, IV-3 and IV-9 require development to protect biotic habitat value in the City's open space areas including the protection of oak trees. As stated above, the proposed addition is limited to the existing developed portions of the property. The use of this existing developed pad for the proposed addition minimizes the amount of required grading. As such, no expansion of the development footprint into ecologically sensitive areas will occur. Additionally, although one

small (2" diameter) oak tree will have its protected zone encroached upon, no impacts to the tree are expected to occur. In this regard, the project meets the relevant objective and policies of the General Plan's Conservation Element.

The goal of the Community Design Element of the General Plan is to maintain a high quality appearance in the existing and future built environment, while protecting hillsides, ridgelines, and open space areas. The proposed project meets this goal because it is attractively designed and does not impact public views of hillsides, ridgelines or open space areas. As already stated, the proposed addition is designed to match the style, colors and materials of the existing Spanish Mediterranean residence, and will be sited on a developed portion of the property that conceals the development from the scenic corridor. Additionally, because the development will not expand the development footprint and will be screened from view from Mulholland Highway, no additional impacts to the ridgeline will occur. Therefore, the project is consistent with the Community Design Element of the General Plan. For all these reasons, the project meets this finding.

3. *The approval of the site plan review for the proposed use is in compliance with the California Environmental Quality Act (CEQA); and*

Staff has determined that the project is exempt from environmental review in accordance with Section 21084 of the California Environmental Quality Act (CEQA) and Section 15301(E)(2) (Existing Facilities) of the CEQA Guidelines because the proposed project is constructing less than 10,000 square feet in an area where all public services and facilities are available to allow the maximum development permissible in the General Plan and the new addition is not adversely impacting a protected viewshed or any sensitive resources. Therefore, the project meets this finding.

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;*

The subject site is located within an existing developed single-family residential community on Saint Andrews Lane. The community of Saint Andrews Lane is a self-contained gated community consisting of four developed lots. The remaining three parcels in the neighborhood have an average parcel size of approximately 8.5 acres and an average house size of 4,176 square feet (excluding garages). Consequently, the floor area ratios of the three remaining parcels range from 0.006 to 0.037.

The subject parcel has an existing residence that is 8,804 square feet, includes 2,217 square feet of garages, and is proposing to add an additional 2,490

square feet of garage space for a total of 13,511 square feet of development. It currently is, and still will be the largest development within the neighborhood by size alone. However, the subject parcel is also 26.2 (net) acres in size, and therefore the floor area ratio (including the garage space) is 0.012 which is well within the floor area ratio range of the community (which was calculated not including garage space), and therefore is consistent with the neighborhood. Furthermore, the existing residence is over 200 feet away from the nearest residence, and the proposed addition is over 400 feet away from and not visible from adjacent neighboring residences.

From a design perspective, the dominant design theme in the neighborhood is Mediterranean. The existing residence is Spanish Mediterranean, and the addition is designed to match the style, color and materials of the existing residence. For all these reasons, the project meets this finding.

*5. The site is adequate in size and shape to accommodate the proposed structures, yards, walls, fences, parking, landscaping, and other development features; and*

The subject parcel is zoned Open Space (OS). As such, excluding height, the basic development standards are not fixed and determined through the Development Plan process. As part of that process, the site is analyzed to determine if a proposed project is properly sited and designed at a size and location that is adequate and consistent with the intent of the Code. In this respect, the 2003 approval of the existing residence by the City Council established a Code Compliant project that adequately fit the site. The subject parcel is 26.2 (net) acres in size and the approved development was situated in the most feasible location which, in this case, was on top of the ridgeline, given the extremely steep slope conditions found throughout the remainder of the parcel. The addition is proposed on portions of the already-developed pad which is large enough (1.75 acres) to accommodate the project without expanding the existing development footprint. As a result, the proposed project meets this finding.

*6. The proposed project is designed to respect and integrate with the existing surrounding natural environment to the maximum extent feasible.*

The subject site is located in the southern portion of the City along Mulholland Highway, a designated rural scenic corridor. This portion of the City is made up of parcels that are generally larger in size and are characterized by steep hillsides with abundant habitat that includes expanses of relatively undisturbed natural vegetation. The subject site is zoned Open Space (OS), is 26.2 (net) acres in size and generally fits the rural character described above. The existing residence, approved in 2003, was designed in such a way to respect the surrounding character. The development footprint was confined to a 1.75 acre

pad area on top of the ridgeline and the residence was concealed by the construction of a landscaped berm on the southern side of the residence. Additionally, the residence was designed to be one-story, Spanish Mediterranean in style, and uses earth-toned colors and landscaping to help it blend with the surrounding environment. The proposed addition is designed to match the style, colors and materials of the existing residence and landscaping has been enhanced on the berm to further conceal and integrate the development with its surrounding. Therefore, the project meets this finding.

Section 17.32.010(E) of the Calabasas Municipal Code allows the City Council to approve an **Oak Tree Permit** provided that the following findings are made:

- 1. 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 subject property, which is otherwise prevented by the presence of the oak tree or scrub oak habitat. In addition, said 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.*

The project site is previously developed with a one-story residence on a graded pad located on top of a ridgeline. The existing pad is oversized (approximately 1.75 acres) and easily accommodates the residence, yard amenities such as a pool/spa, trellises, a detached garage and landscaping. A landscaped berm is located on the southern perimeter of the developed pad to help screen the residence from Mulholland Highway. In this case, it is reasonable to site the development on the existing developed pad to avoid additional impacts to the scenic corridor, habitat resources and to avoid significant additional grading.

The oak tree report states that there are 14 oak trees within the vicinity of the site's development footprint. The trees are located both south of the residence on the south side (and below the crest) of the landscaped berm and in an undeveloped area north of the residence. These were mitigation trees required for the previous removal of scrub oak, and range in size from 1 ¼ inches to 5 inches in diameter.

Of the 14 oak trees, one tree (tree #8), located on the south side of the landscaped berm in the vicinity of the proposed addition, will have its protected zone permanently encroached on by the proposed addition. Since the proposed addition is sited in a reasonable location on the existing developed pad, and oak tree #8 is located on the berm to the south of the proposed addition approximately 13 feet away from the developed pad, encroachment into the protected zone of the tree is both unavoidable and warranted to enable reasonable and conforming use of the site. Encroachment into the protected

zone of oak tree #8 enables the addition to be sited on the existing developed pad, thereby minimizing impacts to natural habitat resources, significantly reducing the required amount of grading, and ensuring protection of the scenic corridor's visual resources as the existing pad is screened from view. Additionally, the oak tree report states that no impact to the oak tree will occur. This conclusion has been confirmed by the City's Arborist. Therefore, the project meets this finding.

Section 17.62.080(E) of the Calabasas Municipal Code allows the City Council to approve a **Variance** provided that the following findings are made:

- 1. That there are special circumstances applicable to the property which do not generally apply to other properties in the same zoning district (i.e., size, shape, topography, location or surroundings), such that the strict application of this chapter denies the property owner privileges enjoyed by other property owners in the vicinity and in identical zoning districts;*

The subject site is within the Open Space (OS) zone. The Open Space zone is a special purpose zone that characteristically includes properties larger in size with steep topography, visual resources (such as ridgelines), and/or various plant and animal habitats. Only a handful of Open Space-zoned properties exist in the City due to these characteristics. The Saint Andrew's Lane subdivision is a four-lot gated community previously developed along and on top of a significant ridgeline.

The City's current Hillside and Ridgeline Ordinance (adopted in 2010 subsequent to the development of Saint Andrew's Lane) requires development to be sited 50 feet below and away from a significant ridgeline. Not all Open Space-zoned properties contain a significant ridgeline. To this end, not all Open Space-zoned properties are subject to the siting standard located in the City's Hillside and Ridgeline Ordinance. Additionally, it is common for existing development in any zone to update, redevelop and/or enlarge over time. In this case, because the existing development was developed on top of the ridgeline prior to the codification of the ridgeline siting standard, any addition to the existing development will not be able to meet the current standard. Additionally, while the subject property is on a designated significant ridgeline, the proposed addition presents the special circumstance of being located on an existing developed pad which is screened from view by a landscaped berm. Unlike typical expansions of structures located on significant ridgelines, where there are no landscape screening features, the proposed addition does not impact the visual resources protected by the significant ridgeline siting standards. Strict application of these standards would deny the property owner the ability to expand the usable garage space in a manner proportional to the amount of garage space of other properties in the Saint Andrews Lane subdivision and

would not take into account the existence of the graded, screened pad on this parcel. Therefore, a special circumstance exists relative to the subject property when compared with other Open Space-zoned properties and other properties located on a significant ridgeline. Given these circumstances, the proposed project meets this finding.

2. *That granting the variance is necessary for the preservation and enjoyment of substantial property rights possessed by other property owners in the same vicinity and zoning district and denied to the property owner for which the variance is sought;*

The subject site is within the Open Space (OS) zone. The Open Space zone is a special purpose zone that characteristically includes properties larger in size with steep topography, visual resources (such as ridgelines), and/or various plant and animal habitats. Only a handful of Open Space-zoned properties exist in the City due to these characteristics.

The City's current Hillside and Ridgeline Ordinance was adopted in 2010, subsequent to the development of the Saint Andrew's Lane community. The statute requires development to be sited 50 feet below and away from a significant ridgeline. It is common for existing development in any zone to be updated, redeveloped and/or enlarged over time. In this case, because the existing development was constructed on top of the ridgeline prior to the codification of the ridgeline siting standard, any addition to the existing development will not be able to meet the current standard.

Additionally, the Saint Andrew's Lane subdivision, which the subject property is a part of, is a four-lot gated community previously developed along and on top of a significant ridgeline. No other Open Space-zoned properties (other than the ones located on Saint Andrews Lane) are located in the immediate vicinity of the subject property. The four developed properties on Saint Andrews Lane range in size (excluding the garages) from 3,657 square feet to 8,804 square feet on properties that range in size from 2.72 (net) acres to 26.2 (net) acres. Consequently, the floor area ratios (i.e. the ratio of development size to parcel size) for the properties located within the Saint Andrews Lane community range from 0.006 to 0.037 (excluding garages). The floor area ratio of the existing development (excluding the garage space) on the subject property is 0.008, well within the range of the community. With the addition of both the previously uncounted existing garage space (2,217 square feet) and the proposed 2,490 square feet of additional garage space, the total floor area ratio will be 0.012 which is still within the range of floor area ratios within the community [which do not include the garages (due to the absence of data)]. To this end, the granting of the variance is warranted and necessary to afford the subject property owner the same rights as properties in the vicinity and with identical



zoning. Given these circumstances, the proposed project meets this finding.

3. *That granting the variance would not constitute the granting of a special privilege inconsistent with the limitations of other properties in the same zoning district;*

Granting of this variance, in this case, will not constitute the granting of a special privilege inconsistent with other properties in the same zoning district because all the residences (including the subject property) on Saint Andrews Lane have garage space to provide off-street parking and storage, and the additional garage space proposed by the subject application does not alter this condition. Additionally, granting this variance would allow the subject property to enjoy a proportional amount of garage space as the other Saint Andrews Lane properties, while remaining within the range of floor area ratios for these properties. Furthermore, the addition will not result in a development that is any more visible from the Scenic Corridor than other existing development within the community. Given these circumstances, the proposed project meets this finding.

4. *That granting the variance will not be detrimental to the public health, safety or welfare, or injurious to property or improvements in the vicinity and zoning district in which the property is located; and*

The project site is previously developed with a one-story residence on a graded pad located on top of a ridgeline and within a rural scenic corridor. Adequate separation exists between the existing development and the closest adjacent residence (approximately 200 feet). Since the proposed addition will be approximately 400 feet away from the closest neighboring residence, no impact to surrounding residences will occur.

Furthermore, the existing pad is oversized (approximately 1.75 acres) and can easily accommodate the residence, yard amenities such as a pool/spa, trellises, a detached garage and landscaping. A landscaped berm is located on the southern perimeter of the developed pad designed to help screen the residence from Mulholland Highway. The addition is proposed on the existing pad and behind the landscaped berm. The proposed expansion will not be visible or silhouetted against the sky when viewed from Mulholland Highway. In this case, siting the addition on the existing developed pad avoids expansion of the existing development footprint, and therefore, minimizes impacts to the scenic corridor and adjacent habitat areas, including avoidance of significant additional grading. Given these circumstances, the proposed project meets this finding.

5. *That granting the variance is consistent with the General Plan and any applicable specific plan.*

The General Plan Land Use designation for the subject site is Open Space – Resource Protected (OS-RP), which applies to lands whose primary purpose is the protection of public health and safety, preservation of sensitive environmental resources, or resource management. The underlying zoning on the parcel is Open Space, which allows for residential development.

As already mentioned, the relevant objectives and policies of the City’s General Plan require limiting landform alteration, using native landscape screening, maintaining the visual character of hillsides, preserving significant ridgelines, and preserving biotic resources. To promote these goals for ridgeline areas, CMC Section 17.20.150 requires development to be sited off of ridgelines as a priority, unless siting development on a ridgeline is the least impactful location. In situations where development on the ridgeline is necessary and warranted, a variance application is required. In this case, the existing residence was entitled and developed prior to the codification of CMC Section 17.20.150, and is located on the ridgeline. Because of this, it is impossible for any addition to the existing residence to meet the siting standards contained in CMC Section 17.20.150. Additionally, the addition is sited in an already developed portion of the site and located behind an existing landscaped berm designed to conceal development. Furthermore, the addition is designed to match the style, color and materials of the existing residence. Development in this location will cause no expansion of the development footprint and therefore protecting both visual resources and biotic resources. The proposed location for the addition, on the already developed pad, adjacent to the existing residence, parallel to the ridgeline, and behind the existing landscaped berm, is the location for the expansion with the least impact. Any alternative location on the parcel for the proposed expansion would require significant additional grading but would not entail greater protection for visual resources because the proposed addition will be screened. As such, any alternative location on the parcel would cause the loss of native habitat without increasing the protection of visual resources. For these reasons, the project is consistent with this finding.

Section 17.20.150(C)(3) of the Calabasas Municipal Code states that for projects that cannot meet the siting requirements of CMC Section 17.20.150(C)(2), the following findings must be made:

- 1. Alternative sites within the property or project have been considered and eliminated from consideration based on physical infeasibility or the potential for substantial habitat damage or destruction if any such alternative site is used and that the siting principles outlined under subsection (C)(4) have been applied*

The siting principles in subsection (C)(4) lists three prioritized locations for siting development on properties with ridgelines. The first priority is to site

development off of ridgelines on areas with a maximum slope of 20%. The second priority is to site development off of ridgelines in areas with slopes ranging between 20% and 30%. The final siting priority states that if the first or second priority cannot be met, then development should be sited in areas on ridge tops with slopes less than twenty (20) percent. Proposed buildings should be set back as far as possible from the edge of the ridge (where downhill slopes begin to exceed twenty (20) percent and landscaped, to minimize visibility.

In this case, the existing residence is developed on a 1.75 acre flat pad on top of the ridgeline that was graded as part of the original development. Areas off of the ridgeline all exceed the slope criteria identified in priority 1 and priority 2 and exhibit both scrub oak and riparian habitat. Therefore, development on top of the flat developed pad area is the only feasible location for expansion of the residence. Further, development of the proposed addition on the existing developed pad complies with subsection (C)(4) as the developed pad is within the third priority category. Moreover, the proposed location, adjacent to the existing residence and on the developed pad, minimizes grading and habitat damage. Therefore, the project meets this finding.

2. *The proposed project maintains the maximum view of the applicable significant ridgeline through the use of design features for the project including minimized grading, reduced structural height, clustered structures, shape, materials, and color that allow the structures to blend with the natural setting, and use of native landscaping for concealment of the project.*

The existing residence is developed on a 1.75 acre flat pad on top of the ridge graded as part of the original development. A landscaped berm was constructed south of the residence designed to conceal development from Mulholland Highway, a locally designated scenic roadway, and minimize impacts to the significant ridgeline. Furthermore, the original residence was designed to be one-story, generally with a height between 18 and 20 feet (with some architectural elements projecting up to 24 feet in height) and with a medium-colored (Spanish tile) pitched roof.

The proposed addition is one-story (ranging from 12 to 19 feet in height, and designed to match the earth toned colors and materials of the existing residence. It is situated on the developed portion of the site and in an area concealed by the existing landscaped berm. In this respect, the addition will be screened from the Mulholland Highway so that no visual impacts will occur to the scenic corridor or the ridgeline. The proposed expansion will not be visible or silhouetted against the sky when viewed from Mulholland Highway. Additionally, the preliminary landscape plan proposes enhancing the landscaping on the berm so that further concealment of the development will occur. Furthermore, the project has been conditioned so that a final landscape plan will

be submitted to the Community Development Director in case additional adjustments need to be made to further conceal the development. Therefore, the project meets this finding.

**Section 4. In view of all of the evidence and based on the foregoing findings and conclusions, the City Council hereby approves File no. 120000173 subject to the following agreements and conditions:**

## **I. INDEMNIFICATION AGREEMENT**

The City has determined that City, its employees, agents and officials should, to the fullest extent permitted by law, be fully protected from any loss, injury, damage, claim, lawsuit, expense, attorney fees, litigation expenses, court costs or any other costs arising out of or in any way related to the issuance of this File No. 120000173, or the activities conducted pursuant to this File No. 120000173. Accordingly, to the fullest extent permitted by law, Hasse and Carmela Birenbaum, in its capacity as the property owner, shall defend, indemnify and hold harmless City, its employees, agents and officials, from and against any liability, claims, suits, actions, arbitration proceedings, regulatory proceedings, losses, expenses or costs of any kind, whether actual, alleged or threatened, including, but not limited to, actual attorney fees, litigation expenses and court costs of any kind without restriction or limitation, incurred in relation to, as a consequence of, arising out of or in any way attributable to, actually, allegedly or impliedly, in whole or in part, the issuance of this File No. 120000173, or the activities conducted pursuant to this File No. 120000173. Hasse and Carmela Birenbaum in its capacity as the property owner shall pay such obligations as they are incurred by City, its employees, agents and officials, and in the event of any claim or lawsuit, shall submit a deposit in such amount as the City reasonably determines necessary to protect the City from exposure to fees, costs or liability with respect to such claim or lawsuit.

## **II. CONDITIONS OF APPROVAL**

### **Community Development Department / Planning Division**

#### **General Conditions**

1. The proposed project shall be built in compliance with the plans on file with the Planning Division.
2. All project conditions shall be imprinted on the title sheet of the construction drawings. The approved set of plans shall be retained on-site for the review of Building Inspectors. Prior to any use of the project site, all conditions of

approval shall be completed to the satisfaction of the Director of Community Development.

3. The project approved herein is depicted on those sets of drawings, elevations, etc., stamped approved by staff on the approval date. Any modifications to these plans must be approved by the Department of Community Development staff prior to the changes on the working drawings or in the field. Changes considered substantial by the Planning staff must be reviewed by the Planning Commission. The determination of whether or not a change is substantial shall be made by the Community Development Director.
4. Prior to issuance of grading or building permits, plans shall be reviewed and approved by the Department of Community Development to ensure compliance with the plans approved by the Planning Commission. The plans shall comply with the conditions contained herein, the Calabasas Municipal Code, and all City Resolutions and Ordinances.
5. This grant shall not be effective for any purposes until after the applicant, or its successors, and the owner of the property involved (if other than the applicant) have recorded this resolution with the Los Angeles County Recorder's Office, and a certified copy of the recorded document is filed with the Community Development Department.
6. The subject property shall be developed, maintained, and operated 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 applicant or its successors to cease any development or activity not in full compliance shall be a violation of these conditions. Any violation of the conditions of approval may result in the revocation of this approval.
7. This approval shall be valid for one year and eleven days from the date of adoption of the resolution. The permit may be extended in accordance with Title 17 Land Use and Development Code, Article VI - Land Use and Development Permits.
8. Prior to the issuance of a Building Permit, the applicant shall submit a final landscape plan to the Community Development Director for review and approval. The landscape plan shall include landscaping placed on the existing berm to adequately screen the proposed project from Mulholland Highway.
9. All landscaping is to be installed within 90 days of occupancy by the applicant to the satisfaction of the Director of the Community Development Department or his or her designee. All landscaping will be consistent with the adopted City

ordinance for landscape and water efficiency. Landscaping planted in compliance with this permit, located on and in close proximity to the berm, which serves to screen the view of the dwelling from the Scenic Corridor shall be maintained in good health and in a fully lush and complete state to accomplish this purpose. The applicant shall submit an annual monitoring report for each of the three years after the date the Community Development Director or his or her designee certifies to the installation of the landscaping, demonstrating that the landscaping has been maintained in compliance with the approved landscaping plan, to the satisfaction of the Director of the Community Development Department or his or her designee.

10. Notwithstanding any provision of the Municipal Code to the contrary, if after the expiration of five years from the date of receiving the final sign off of the building permit, the 2,490 square foot garage addition approved herein is damaged or destroyed in excess of fifty percent (50%) of its current value, it shall not be reconstructed and any remaining portion thereof shall be removed.
11. All ground and roof-mounted equipment is required to be fully screened from view. Upon final inspection, Planning Division staff may require additional screening if warranted, through landscaping, walls or a combination thereof.
12. All exterior lights are subject to the provision set forth in the Lighting Ordinance Chapter 17.20 of the Land Use and Development Code. Lighting of 60 watts or less on residential projects is exempt by the Lighting Ordinance.
13. All exterior colors and materials used for the construction of the project shall be in substantial conformance with the approved materials and colors board exhibit.
14. Prior to commencement of construction, all necessary building permits must be obtained from the Building and Safety Division.
15. The project must comply with the building codes of Title 15.04 of the City of Calabasas Municipal Code at the time of building plan check submittal.
16. The project is located within a designated "Very High Fire Hazard Severity Zone". The requirements of Chapter 15.04.900 of the Calabasas Municipal Code must be incorporated into all plans.
17. The applicant shall provide the construction contractor(s) and each subcontractor related to the project a copy of the final project Conditions of Approval. The applicant and the City agree that these conditions shall be enforceable through all legal and equitable remedies, including the imposition of fines against each and every person who conducts any activity on behalf of the

applicant on or near the project site. The applicant, property owner, and general construction contractor are ultimately responsible for all actions or omissions of a subcontractor.

18. Construction Activities - Hours of construction activity shall be limited to:

- i. 7:00 a.m. to 6:00 p.m., Monday through Friday
- ii. 8:00 a.m. to 5:00 p.m., Saturday

Construction is prohibited on Sundays and Holidays. Stacking of construction worker vehicles, prior to 7:00 a.m. in the morning will be restricted to areas that do not adversely affect adjacent residences or schools. The applicant or its successors shall notify the director of Transportation and Intergovernmental Relations of the construction employee parking locations, prior to commencement of construction.

#### Oak Trees

19. All work performed within the Oak Trees' aerial/root protected zones shall be regularly observed by the applicant's oak tree consultant.
20. The oak tree protective zone fencing (approved fencing materials are in the Oak Tree Guidelines - 5 ft. minimum height) should be installed at the limit of approved work to protect the Oak Trees and surrounding trees from any damage and remain in place until completion of construction. Should any work be required within the limit of work and the temporary fence must be opened, the applicant's oak tree consultant must direct all work at any time the fence is open.
21. Soil compaction within the dripline and/or root zone shall be minimized. No equipment, spoils or debris shall be stored within the dripline and/or Protected Zone of any oak tree. No dumping of liquids or solvents, cleaning fluid, paints, concrete washout or other harmful substances within the driplines and/or Protected Zones shall be permitted.
22. The area within the plastic construction/snow type fence should not be used at any time for material or equipment storage and parking.
23. The applicant should adhere to the specific recommendations contained within the Oak Tree Report dated July 17, 2013 (revision date) and all provisions of the Oak Tree Ordinance and policies of the City of Calabasas.

24. Within ten (10) days of the completion of work, the applicant's oak tree consultant shall submit written certification to the Planning Division. The certification shall describe all work performed and shall certify that such work was performed in accordance with the above permit conditions. If any work was performed in a manner not in conformance with these conditions of approval then the applicant's oak tree consultant shall identify the instance or instances of a deviation to any of these conditions.

**Public Works Department:**

25. Per the Calabasas Municipal Code Chapter 8.16, "no person shall collect and/or dispose of municipal solid waste or recyclable materials in the city without having first been issued a solid waste collection permit. Such permit shall be in addition to any business license or permit otherwise required by the City of Calabasas." **Crown Disposal Co, Inc.** is the only service provider permitted to operate in Calabasas. Please contact (818-767-0675) for any roll-off or temporary container services. An Encroachment Permit is required prior to placing a refuse bin/container on the street.
26. The applicant and contractors shall implement all reasonable efforts to reuse and recycle 75% of construction and demolition debris, to use environmentally friendly materials, and to provide energy efficient buildings, equipment, and systems. The applicant shall provide proof of recycling quantities to get final clearance of occupancy.
27. During the term of the City permit, the contractor, their employees, and subcontractors shall implement appropriate Best Management Practices (BMPs) to prevent pollution to local waterways. Sediments, construction debris, paint, trash, concrete truck wash water and other chemical waste from construction sites left on the ground and streets unprotected, or washed into storm drains, causes pollution in local waterways via the storm drain system is against City Ordinance and State law. The BMPs implemented shall be consistent with City of Calabasas Municipal Code Chapter 8.28. Failure to implement appropriate BMPs shall result in project delays through City issued "Stop Work Notices" and/or fines levied against the owner/developer/contractor.
28. The final grading and drainage plan shall be submitted to the City Engineer for review and approval. The plan shall be in accordance to the City of Calabasas Public Works Department requirements and in conformance with the approved Conceptual Grading and Drainage Plan and the approved Update Geotechnical Engineering Report.
29. The final grading and drainage plan shall be prepared by a registered civil engineer and shall be reviewed and stamped by the applicants consulting Civil



Engineer and Geotechnical & Soils Engineer prior to approval by the City Engineer.

30. All drainage shall be sloped 2% away from all parts of the structure along impervious surface and 5% away along pervious surface, in conformance with California Building Code; and conveyed through an on-site storm drain system to an approved point of disposal.
31. All retaining and privacy walls shall be in conformance with the City's wall requirements pursuant to CMC Section 17.20.100. Any variations require Planning Division approval. The wall details and callouts including top of footings shall be included with the Grading Plans.
32. Prior to Issuance of a Grading Permit, the applicant shall submit official stamped and signed copies of the acknowledgement concerning the employment of a registered civil engineer and technical consultants (Public Works Form K).
33. Changed conditions that affect the approved plans shall be submitted to the Public Works department in the form of a Change Order (Public Works Forms U and U-1) and are subject to review and approval by the City Engineer.

**Section 5. The City Clerk shall certify to the adoption of this resolution and shall cause the same to be processed in the manner required by law.**

**CITY COUNCIL RESOLUTION NO. 2014-1402 PASSED, APPROVED AND ADOPTED this 25<sup>th</sup> day of June, 2014.**

\_\_\_\_\_  
David J. Shapiro, Mayor

ATTEST:

\_\_\_\_\_  
Maricela Hernandez, MMC  
City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Scott H. Howard, City Attorney

ITEM 10 EXHIBIT B  
FOR THIS PROJECT IS  
AVAILABLE FOR VIEWING BY  
CONTACTING THE PLANNING  
DEPARTMENT DURING OFFICE  
HOURS AT 818-224-1600

ITEM 10 EXHIBIT C  
FOR THIS PROJECT IS  
AVAILABLE FOR VIEWING BY  
CONTACTING THE PLANNING  
DEPARTMENT DURING OFFICE  
HOURS AT 818-224-1600

ITEM 10 EXHIBIT D  
FOR THIS PROJECT IS  
AVAILABLE FOR VIEWING BY  
CONTACTING THE PLANNING  
DEPARTMENT DURING OFFICE  
HOURS AT 818-224-1600



21650 Oxnard Street  
Suite 1680  
Woodland Hills, CA 91367  
818.703.8600 phone  
818.703.5118 fax

www.esassoc.com

**Date**            **September 9, 2013**

**To**              **Glenn Michitsch, Senior Planner**

**From**           **Greg Ainsworth, City Arborist**

**Regarding**    **Verification of Inclusion of Scrub Oaks in Oak Tree Report for Garage Addition at 27104 St. Andrews Lane**

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As reported in the oak tree assessment letter prepared by Greg Ainsworth, dated May 10, 2013, there were two clusters of scrub oaks (*Q. berberidifolia*) located to the south of the garage structure that appeared to be located near, or within, the boundary of the new limits of the fuel modification zone. Based on my review of the updated Oak Tree Report prepared by TREES, etc. (July 17, 2013) (received by the City on July 18, 2013), these scrub oak clusters were appropriately mapped and are shown on the plan titled "Existing and Proposed Fuel Modification Lot 4, Tract No. 43565 FFFM-7205200193". As shown on the revised plan, one of the clusters is located outside but immediately adjacent of the proposed fuel modification limits to southwest and the other cluster is located about half way in and half way out of the limits of proposed fuel modification.

Based on the revised Oak Tree Report, all scrub oaks within the fuel modification zone will remain intact and not pruned unless required by the Los Angeles County Fire Department. If understory plants are to be removed within the canopies of the scrub oaks, they will be removed with hand tools only. It should be noted that limbing (i.e., removal of limbs from the ground to approximately 5 feet above grade) of the scrub oaks for fire clearance is permissible; however, no limbs having a diameter of 2 inches or greater shall be cut without prior receipt of a permit from the city of Calabasas.

Please contact Greg Ainsworth at (818) 564-5544 or email at [gainsworth@esassoc.com](mailto:gainsworth@esassoc.com) if you should have any questions regarding the findings provided in this memorandum.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Greg Ainsworth', with a stylized flourish at the end.

Greg Ainsworth, City Arborist  
ISA Certification # WE-7473A



21650 Oxnard Street  
Suite 1680  
Woodland Hills, CA 91367  
818.703.8600 phone  
818.703.5118 fax

[www.esassoc.com](http://www.esassoc.com)

**Date**           **May 10, 2013**

**To**               **Glenn Michitsch, Senior Planner**

**From**           **Greg Ainsworth, City Arborist**

**Regarding**   **Protected Oak Tree Assessment at 27104 St. Andrews Lane**

---

On April 18, 2013, Arborist Greg Ainsworth and Senior Planner Glenn Michitsch visited 27104 St. Andrews Lane to assess the locations of oak trees identified in the Oak Tree Report prepared by TREES Etc. (June 13, 2012) (herein referred to as "tree report"). The tree report identifies all trees located on the property that are within the 200 foot fuel modification zone; the zone in which vegetation must be thinned to reduce fuel load, which includes limbing protected oak trees to raise their canopy above the ground. However, since the preparation of the tree report, the fuel modification zone has expanded. Therefore, the purpose of the site visit conducted by Mr. Ainsworth and Mr. Michitsch was to determine if there are any additional city-protected oak trees within the recently expanded fuel modification zone.

The proposed project includes the construction of a pedestrian path mandated by the Los Angeles County Fire Department for fire personnel access around the southern perimeter of an existing garage structure that is undergoing permit review by the city. At the time of the site visit, the path had been cut, but not completed.

#### **Results and Recommendations**

There are two clusters of scrub oaks (*Q. berberidifolia*) located to the south of the garage structure that appear to be located near, or within, the boundary of the new limits of the fuel modification zone. These clusters were located in the field with an iPhone GPS application. The coordinates these two clusters is at approximately 34° 07' 53" N Latitude and 118° 39' 10" W Longitude. These scrub oak clusters shall be mapped by the applicant's arborist and shown on the site plan and resubmitted to the city for review and consideration. All other information provided in the tree report is accurate and the report was adequately prepared in accordance with the city's Oak Tree Ordinance 2001-166 of the Calabasas Municipal Code.

Please contact Greg Ainsworth at (818) 564-5544 or email at [gainsworth@esassoc.com](mailto:gainsworth@esassoc.com) if you should have any questions regarding the findings provided in this memorandum.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Greg Ainsworth". The signature is stylized with a large, sweeping flourish at the end.

Greg Ainsworth, City Arborist  
ISA Certification # WE-7473A

## MATERIALS SAMPLE BOARD



**GARAGE WOOD DOORS**  
**SHERWIN-WILLIAMS SW6356 COPPER MOUNTAIN**



**WINDOW AND DOOR TRIM / FRAMES**  
**SHERWIN-WILLIAMS SW6356 COPPER MOUNTAIN**



**EXTERIOR STUCCO**  
**SHERWIN-WILLIAMS SW6114 BAGEL**



**EXTERIOR WOOD STAIN**  
**SHERWIN-WILLIAMS SW3114-K WARM CHESTNUT**



**SANTA FE - ROOF CLAY TILE.**

**Birenbaum Residence Garage Addition Project**  
**24107 St Andrews Lane, Calabasas, CA 91302**

Revised 8-29-2013



Phil and Nancy Mundy  
24115 St Andrews Lane  
Calabasas, Ca 01302

March 4, 2014

Mr. Glenn Mitchitsch, Senior Planner  
City of Calabasas  
100 Civic Center Way  
Calabasas Ca 91302

Regarding Approval of Birenbaum addition at 24107 St Andrews Lane, File No. 120000173

Dear Mr. Mitchitsch,

Nancy and I have lived at 24115 St Andrews Lane since 1988. We have watched the property in question change hands 4 times before a home was finally built on it almost 10 years ago. We are in favor of approving the addition in question. It is not visible from our street and blends in beautifully with the existing home. The 4 homes in our tract reside in 50+ acres of which 90% is open space. We are all concerned about our beautiful community and feel that this addition, even though invisible to us, can only enhance our small development.

We urge you to approve this permit.

Sincerely,



Phil Mundy  
Neighbor on St Andrews Lane

**RECEIVED**  
MAR 05 2014  
COMMUNITY DEVELOPMENT  
PLANNING DEPT

Steve and Jill Heimler  
24111 St. Andrews Lane  
Calabasas, California 91302

February 24, 2014

Mr. Glenn Michitsch, Senior Planner  
City of Calabasas  
100 Civic Center Way  
Calabasas, California 91302

*Reference: Birenbaum House Addition Permit Approval*

Dear Mr. Michitsch,

My wife and I are writing this letter in support of the permit requested for the ~2,500 square foot addition to the existing single-family residence located at 24107 Saint Andrews Lane. We have lived on the adjacent property since 2004. Since that time, we have had the pleasure to get to know the Birenbaum family.

There are four parcels located along Saint Andrews Lane, all of which have sizeable property. The lots were all developed with single-family homes in the 1980's, and built under the County of Los Angeles guidelines prior to City's formation. These homes are consistent with the current open space zoning because the development footprint occupies a relatively small portion of each parcel in relation to the lot size. Each lot retains a large amount of open space and natural slope/vegetation all within a rural residential setting.

We feel strongly that the house addition should be approved. The addition has not significantly changed the scenic views from our house or from Mulholland Highway. Further, the area has been developed for decades with single-family uses, and the increased square footage has not created any negative impacts to us personally. As the closest residence in proximity to this house, we urge you to approve this permit for the benefit of our neighbor.

Sincerely,



Steve Heimler



CITY of CALABASAS

Community Development  
 Planning Division  
 100 Civic Center Way  
 Calabasas, CA 91302  
 T: 818.224.1600

www.cityofcalabasas.com

## Notice of Exemption

To:  County Clerk, County of Los Angeles  
 12400 East Imperial Highway, Room 2001  
 Norwalk, CA 90650

Office of Planning and Research  
 1400 Tenth Street, Room 121  
 Sacramento, California 95814

**SUBJECT: FILING OF NOTICE OF EXEMPTION IN COMPLIANCE WITH SECTION 15062 OF THE PUBLIC RESOURCES CODE**

**Project Title/File No.:** 120000173

**Project Location:** 24107 Saint Andrews Lane, in the City of Calabasas, County of Los Angeles.

**Project Description:** A request for a Site Plan Review, Scenic Corridor Permit, Development Plan, Oat Tree Permit and Variance to legalize the construction of a 2,490 square-foot ground-floor addition to an existing one-story 11,021 square foot single-family residence on a 27.88 acre lot located at 24107 Saint Andrews Lane within the Open Space (OS) zoning district.

**Name of approving public agency:** City of Calabasas Planning Commission

**Project Sponsor:** Harry and Carmela Birenbaum, 24107 Saint Andrews Lane, Calabasas, CA 91302

**Exempt Status:**

Ministerial (Sec. 21080(b)(1); 15268)

Declared Emergency (Sec. 21080(b)(3); 15269(a))

Emergency Project (Sec. 21080(b)(4); 15269(b)(c))

Categorical Exemption—Section 15301, (Class 1 - Existing Structures)

Statutory Exemptions. Section

**Reason(s) why Project is exempt:** Categorical Exemption. Section 15301(e) Class 1 - Existing Facilities. The construction of a 2,490 sq. ft. garage addition will not result in an increase of more than 10,000 sq. ft. in an area where all public services and facilities are available to allow for maximum development permissible in the General Plan, and in an area that is not environmentally sensitive.

**Lead Agency/Contact Person:** Glenn Michitsch, Senior Planner, City of Calabasas Planning Division, 100 Civic Center Way, Calabasas, CA 91302.

**Date:** October 3, 2013 **Signature:** \_\_\_\_\_  
 Glenn Michitsch

**Title:** Senior Planner

**Phone:** (818) 224-1600

**Date received for filing and posting:** \_\_\_\_\_

**P.C. RESOLUTION NO. 2014-568**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CALABASAS RECOMMENDING TO THE CITY COUNCIL APPROVAL OF FILE NO 120000173 TO LEGALIZE THE CONSTRUCTION OF A 2,490 SQUARE FOOT GROUND-FLOOR ADDITION (BUILT WITHOUT PERMITS) TO AN EXISTING ONE-STORY 11,021 SQUARE FOOT SINGLE FAMILY RESIDENCE. THE PROJECT INCLUDES REQUESTS FOR THE FOLLOWING: (1) A SITE PLAN REVIEW FOR THE CONSTRUCTION OF THE 2,490 SQUARE FOOT ADDITION, (2) A SCENIC CORRIDOR PERMIT FOR DEVELOPMENT WITHIN A DESIGNATED SCENIC CORRIDOR , (3) A DEVELOPMENT PLAN TO ESTABLISH NEW SETBACKS FOR DEVELOPMENT LOCATED WITHIN THE OPEN SPACE (OS) ZONING DISTRICT, (4) AN OAK TREE PERMIT FOR THE ENCROACHMENT INTO THE PROTECTED ZONE OF ONE (NON-HERITAGE) OAK TREE, AND (5) A VARIANCE REQUEST FOR DEVELOPMENT WITHIN 50 HORIZONTAL FEET AND 50 VERTICAL FEET OF A DESIGNATED SIGNIFICANT RIDGELINE. THE SUBJECT SITE IS LOCATED AT 24107 SAINT ANDREWS LANE, WITHIN THE OPEN SPACE (OS) ZONING DISTRICT.**

**Section 1. The Planning Commission has considered all of the evidence submitted into the administrative record which includes, but is not limited to:**

1. Agenda reports prepared by the Community Development Department.
2. Staff presentation at the public hearing held on March 6, 2014, before the Planning Commission.
3. The City of Calabasas Land Use and Development Code, General Plan, and all other applicable regulations and codes.
4. Public comments, both written and oral, received and/or submitted at or prior to the public hearing, supporting and/or opposing the applicant's request.
5. Testimony and/or comments from the applicant and its representatives submitted to the City in both written and oral form at or prior to the public hearing.
6. All related documents received and/or submitted at or prior to the public hearing.

**Section 2. Based on the foregoing evidence, the Planning Commission finds that:**

1. The applicant submitted an application for a Site Plan Review, a Scenic Corridor Permit, and a Development Plan on February 17, 2012. The applicant also submitted an Oak Tree Permit application on April 1, 2013 and a Variance application on October 24, 2013.
2. On March 15, 2012, staff determined that the application was incomplete and the applicant was duly notified of this incomplete status.
3. On January 23, 2014, the application was deemed complete and the applicant was notified.
4. On March 6, 2014, the Planning Commission held a public hearing on the matter and adopted Resolution No. 2014-565 recommending approval of the project to the City Council.
5. On April 9, 2014 the City Council held a public hearing at which time the matter was remanded back to the Planning Commission for further review and deliberation.
6. Notice of the May 15, 2014 Planning Commission public hearing was posted at Juan Bautista de Anza Park, the Calabasas Tennis and Swim Center, Gelson's market, the Agoura/Calabasas Community Center, and at Calabasas City Hall.
7. Notice of the May 15, 2014, Planning Commission public hearing was provided to property owners within 500 feet of the property as shown on the latest equalized assessment roll.
8. Notice of the Planning Commission public hearing was mailed or delivered at least ten (10) days prior to the hearing to the project applicant.
9. The project site is currently zoned Open Space (OS).
10. The land use designation for the project site under the City's adopted General Plan is Open Space – Resource Protected (OS-RP).
11. The surrounding land uses around the subject property are zoned Open Space (OS), Residential, Mobile Home (RMH), Open Space – Development Restricted (OS-DR), and Residential Single-Family (RS).
12. Notice of Planning Commission public hearing included the notice requirements set forth in Government Code Section 65009 (b)(2).

**Section 3.** In view of all of the evidence and based on the foregoing findings, the Planning Commission concludes as follows:

### **FINDINGS**

Section 17.62.070(D) Calabasas Municipal Code allows the Planning Commission to recommend approval of a **Development Plan Permit** provided that the following findings are made:

1. *The proposed use is conditionally permitted within the subject zoning district and complies with all of the applicable provisions of this Development Code;*

One single-family home and ancillary uses are allowed in the Open Space (OS) zone pursuant to Section 17.16.020 of the Land Use and Development Code. The parcel is already developed with a one-story, 24 foot high single-family residence previously approved by the City Council through a Development Plan application. For development within the Open Space zoning designation, only the height requirement of 25 feet (maximum) is a stated fixed measurement. The proposed addition to the residence is a maximum of 19 feet at its highest point, and therefore the proposed addition meets this requirement. All other standards are set through the Development Plan process. In this case, the Development Plan process will alter the originally approved street side yard and rear yard setbacks. Approval of the Development Plan application, therefore, establishes code compliant setbacks. To this end, because the use as a single-family residence is an allowed use and the code allows modification of development standards via a Development Plan, the proposed use meets this finding.

2. *The proposed use is consistent with the General Plan and any applicable specific plan or master plan;*

The proposed project meets this finding because the General Plan Land Use Designation for this parcel is OS-RP (Open Space-Resource Protected) and residential land uses are consistent with this land use designation. The subject parcel is the one of four properties zoned Open Space (OS) within the Saint Andrews Lane gated subdivision and is surrounded by both residential development and vacant property zoned Open Space-Development Restricted (OS-DR). The proposed addition to the existing single-family residence does not alter the residential use on the subject property. In addition, total development of the site will only utilize 1.2 percent of the site, leaving 98.8 percent of the size as open space. Therefore, the project meets this finding.

3. *The approval of the development plan for the proposed use is in compliance with the California Environmental Quality Act (CEQA); and*

The project is exempt from environmental review in accordance with Section 21084 of the California Environmental Quality Act (CEQA) and Section 15301(E)(2) (Existing Facilities) of the CEQA Guidelines because the proposed project consists of constructing less than 10,000 square feet in an area where all public services and facilities are available to allow the maximum development permissible in the General Plan and the new addition is not adversely impacting a protected viewshed or any sensitive resources. Therefore, the project meets this finding.

4. *The location, design, scale and operating characteristics of the proposed use are compatible with the existing and anticipated future land uses in the vicinity.*

The subject property is located within a gated four-lot subdivision on Saint Andrews Lane. Both existing and future anticipated land uses in the vicinity are all residences. The applicant is requesting approval of a 2,490 square foot garage addition to the existing 11,021 square-foot residence via a Development Plan application. A Development Plan application is utilized to establish the setback standards within the Open Space zoning district. Development of the proposed addition is on an already developed pad location, and will decrease the street side yard and the rear yard setbacks of the overall development. However, the subject site is exceptionally large (26.2 net acres) and existing development is setback a minimum distance of 166 feet from property lines at its closest point. Additionally, although the addition will decrease the street side setback from 523 feet to 488 feet and the rear yard setback from 814 feet to 767 feet, no setback will be decreased to a distance less than the existing 166 foot setback from the nearest property boundary at its closest point, which is the side yard setback. Therefore, the addition will leave more than adequate separation between the subject residence and adjacent development.

The subject site is also situated in a designated scenic corridor, and any development has the possibility to impact views from Mulholland Highway. In this case, the existing residence included the construction of a landscaped berm to conceal the development from Mulholland Highway. The proposed addition will be sited on the developed pad, behind the landscaped berm and blocked from view from Mulholland Highway. Because of this, the addition will also be concealed from Mulholland Highway and will not impact any views from existing or future residential uses in the vicinity. Additionally, the landscaping on the existing berm will be improved pursuant to the preliminary landscaping plan, further cloaking the development from view from Mulholland Highway. Further, The City's Architectural Review Panel (ARP) reviewed the project and recommended approval of the proposed design, citing that the addition was designed consistent with the style, colors and materials of the existing residence, was consistent with the Scenic Corridor Design Guidelines and that the residence (including the proposed addition)

will not be visible. For these reasons, the development is compatible with the location, design, scale and operating characteristics of existing and future land uses in the vicinity and the project meets this finding.

Section 17.62.050(D) Calabasas Municipal Code allows the Planning Commission to recommend approval of a **Scenic Corridor Permit** provided that the following findings are made:

1. *The proposed project design complies with the scenic corridor development guidelines adopted by the council;*

The proposed project site is located adjacent to Mulholland Highway, a designated Scenic Corridor. As such, proposed development must comply with the Scenic Corridor Development Guidelines. The City has adopted the Scenic Corridor Design Guidelines to ensure that development is sited and designed in such a way as to not adversely impact views from the scenic roadway. The guidelines do this by requiring the use of design techniques including the use of pitched roofs, roofs of a medium to dark color, avoidance of large, blank, straight facades, and the use of landscaping to help blend development. The existing residence, approved by City Council in 2003 was approved consistent with the scenic corridor design guidelines. The residence was designed to be one-story, generally with a height between 18 and 20 feet (with some architectural elements projecting up to 24 feet in height), and with a medium-colored (Spanish tile) pitched roof. Development of the site, although on a designated significant ridgeline, was graded to include a berm south of the residence to help conceal the development. To further conceal the development, landscape elements were placed on the berm so that over time, as the landscaping matures, the minimal portions of the development that were still visible would blend even more.

The proposed addition is one-story (ranging from 12 to 19 feet in height, and designed to match the style, earth-toned colors and materials of the existing residence. It is situated on the developed portion of the site and in an area concealed by the existing landscaped berm. In this respect, the addition will be screened from Mulholland Highway so that no visual impacts will occur. Additionally, the preliminary landscape plan proposes enhancing the landscaping on the berm so that further concealment of the development will occur. Furthermore, the project has been conditioned so that a final landscape plan will be submitted to the Community Development Director in case additional adjustments need to be made. Therefore, the project meets this finding.

2. *The proposed project incorporates design measures to ensure maximum compatibility with and enhancement of the scenic corridor;*

The proposed project is visible from Mulholland Highway, which is a



designated Scenic Corridor. The original residence was designed as a one-story residence, included design elements such as earth-toned colors, wood accents, pitched roof elements, use of stone veneer and also included a landscape berm to conceal the development from Mulholland Highway. The addition is designed to match the style, colors and materials of the residence and is situated behind the landscape berm so that it is also concealed as viewed from Mulholland Highway. Furthermore, landscaping enhancements have been proposed on the berm to further conceal the development from Mulholland Highway. Therefore, the project meets this finding.

3. *The proposed project is within a rural or semi-rural scenic corridor designated by the General Plan, and includes adequate design to ensure the continuing preservation of the character of the surrounding area;*

The project site is situated in a rural scenic corridor. Design elements (as discussed above) have been incorporated to preserve the character of the surrounding area. The City's Architectural Review Panel (ARP) reviewed the project and recommended approval of the proposed design, citing that the addition was designed consistent with the style, colors and materials of the existing residence and that the residence (including the proposed addition) will not be visible. Therefore, the project meets this finding.

4. *The proposed structures, signs, site development, grading, and/or landscaping related to the proposed use are compatible in design, appearance, and scale, with existing uses, development, signs, structures, and landscaping of the surrounding area.*

The subject site is located within an existing developed single-family residential neighborhood on Saint Andrews Lane. The community of Saint Andrews Lane is a self-contained gated community consisting of four developed lots. The remaining three parcels in the neighborhood have an average parcel size of approximately 8.5 acres and an average house size of 4,176 square feet (excluding garages). Consequently, the floor area ratios of the three remaining parcels range from 0.006 to .037.

The subject parcel has a residence that is 8,804 square feet, includes 2,217 square feet of garages, and is proposing to add an additional 2,490 square feet of garage space for a total of 13,511 square feet of development. It is currently, and still will be the largest development within the neighborhood by size alone. However, the subject parcel is also 26.2 (net) acres in size, and therefore, the floor area ratio of the project site (even with garage space included) is 0.012 which is well within the floor area ratio of the community (which was calculated not using garage space), and therefore is consistent with the neighborhood. Furthermore, the existing residence is over 200 feet away from the nearest residence and the proposed addition is over 400 feet away from and not visible from adjacent neighbors.

From a design perspective, the existing residence is Spanish Mediterranean, and the addition will match the style, colors and materials of the existing residence, as well as the predominant design theme of the community, which is Mediterranean-themed. For all these reasons, the project meets this finding.

Section 17.62.020(E) of the Calabasas Municipal Code allows the Planning Commission to approve a **Site Plan Review** provided that the following findings are made:

1. *The proposed project complies with all of the applicable provisions of this development code;*

The subject site is within the Open Space (OS) zone. The Open Space zone is a special purpose zone characterized by large parcels in areas that are rural in character. As such, most typical development standards such as site coverage, pervious surfaces and setbacks are not a set value, and are instead approved by the appropriate decision making body on a case-by-case basis. In this case, the parcel is already developed with a one-story, 24 foot high single-family residence previously approved by the City Council through a Development Plan application. For development within the Open Space zoning designation, only the height requirement of 25 feet (maximum) is a stated fixed measurement. The proposed addition to the residence is a maximum of 19 feet at its highest point, and therefore the proposed addition meets this requirement. As mentioned earlier, all other standards are set through the Development Plan process. In this case, approval of the Development Plan application will alter the originally approved street side yard and rear yard setbacks. Approval of the Development Plan application, therefore, establishes code compliant setbacks and the project will be consistent with Code requirements.

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 the vicinity;*

The General Plan Land Use designation for the subject site is Open Space – Resource Protected (OS-RP), which applies to lands whose primary purpose is the protection of public health and safety, preservation of sensitive environmental resources, or resource management. The underlying zoning on the parcel is Open Space, which allows for residential development.

A stated objective of the Land Use Element of the General Plan is to maintain Calabasas as a predominantly residential community. Land Use Policy II-8 further supports this by requiring development to be compatible with the overall residential character of the community. As mentioned above, the

subject parcel is developed with an existing residence, and the proposed addition will not alter the existing use of the property.

The relevant stated objective of the Open Space Element of the General Plan is to maintain a citywide open space system that conserves natural resources and preserves scenic beauty. Open Space Policies III-5, III-7, III-11, III-12 and III-14 promote limiting landform alteration, using native landscape screening, maintaining the visual character of hillsides, and preserving significant ridgelines. The existing residence, approved by City Council in 2003 was approved consistent with the stated General Plan objectives and policies. The residence was designed to be one story, generally with a height between 18 and 20 feet (with some architectural elements projecting up to 24 feet in height), with a medium-colored (Spanish tile) pitched roof. Development of the site, although on a designated significant ridgeline, was graded to include a berm south of the residence to help conceal the development from Mulholland Highway, a locally designated scenic roadway. To further conceal the development, landscape elements were placed on the berm so that over time, as the landscaping matures, the minimal portions of the development that were still visible would be further concealed.

The proposed addition is one-story (ranging from 12 to 19 feet in height, and designed to match the earth-toned colors and materials of the existing Spanish Mediterranean-style residence. It is situated on the developed portion of the site and in an area concealed by the existing landscaped berm. In this respect, the addition will not require any expansion of the development footprint, and will be screened from Mulholland Highway so that no visual impacts will occur. Additionally, the preliminary landscape plan proposes enhancing the native landscaping on the berm so that further concealment of the development will occur. To this end, the proposed project is consistent with the Open Space Element of the City's General Plan.

The relevant stated objective of the Conservation Element of the General Plan is to preserve critical biotic resources and enhance habitat value and biotic resource diversity within the Calabasas area. Conservation Element Policies IV-2, IV-3 and IV-9 require development to protect biotic habitat value in the City's open space areas including the protection of oak trees. As stated above, the proposed addition is limited to the existing developed portions of the property. The use of this existing developed pad for the proposed addition minimizes the amount of required grading. As such, no expansion of the development footprint into ecologically sensitive areas will occur. Additionally, although one small (2" diameter) oak tree will have its protected zone encroached upon, no impacts to the tree are expected to occur. In this regard, the project meets the relevant objective and policies of the General Plan's Conservation Element.

The goal of the Community Design Element of the General Plan is to maintain a high quality appearance in the existing and future built environment, while protecting hillsides, ridgelines, and open space areas. The proposed project meets this goal because it is attractively designed and does not impact public views of hillsides, ridgelines or open space areas. As already stated, the proposed addition is designed to match the style, colors and materials of the existing Spanish Mediterranean residence, and will be sited on a developed portion of the property that conceals the development from the scenic corridor. Additionally, because the development will not expand the development footprint and will be screened from view from Mulholland Highway, no additional impacts to the ridgeline will occur. Therefore, the project is consistent with the Community Design Element of the General Plan. For all these reasons, the project meets this finding.

3. *The approval of the site plan review for the proposed use is in compliance with the California Environmental Quality Act (CEQA); and*

Staff has determined that the project is exempt from environmental review in accordance with Section 21084 of the California Environmental Quality Act (CEQA) and Section 15301(E)(2) (Existing Facilities) of the CEQA Guidelines because the proposed project is constructing less than 10,000 square feet in an area where all public services and facilities are available to allow the maximum development permissible in the General Plan and the new addition is not adversely impacting a protected viewshed or any sensitive resources. Therefore, the project meets this finding.

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;*

The subject site is located within an existing developed single-family residential community on Saint Andrews Lane. The community of Saint Andrews Lane is a self-contained gated community consisting of four developed lots. The remaining three parcels in the neighborhood have an average parcel size of approximately 8.5 acres and an average house size of 4,176 square feet (excluding garages). Consequently, the floor area ratios of the three remaining parcels range from 0.006 to 0.037.

The subject parcel has an existing residence that is 8,804 square feet, includes 2,217 square feet of garages, and is proposing to add an additional 2,490 square feet of garage space for a total of 13,511 square feet of development. It currently is, and still will be the largest development within the neighborhood by size alone. However, the subject parcel is also 26.2 (net) acres in size, and therefore the floor area ratio (including the garage space) is 0.012 which is well within the floor area ratio range of the community (which was calculated not including garage space), and therefore

is consistent with the neighborhood. Furthermore, the existing residence is over 200 feet away from the nearest residence, and the proposed addition is over 400 feet away from and not visible from adjacent neighboring residences.

From a design perspective, the dominant design theme in the neighborhood is Mediterranean. The existing residence is Spanish Mediterranean, and the addition is designed to match the style, color and materials of the existing residence. For all these reasons, the project meets this finding.

5. *The site is adequate in size and shape to accommodate the proposed structures, yards, walls, fences, parking, landscaping, and other development features; and*

The subject parcel is zoned Open Space (OS). As such, excluding height, the basic development standards are not fixed and determined through the Development Plan process. As part of that process, the site is analyzed to determine if a proposed project is properly sited and designed at a size and location that is adequate and consistent with the intent of the Code. In this respect, the 2003 approval of the existing residence by the City Council established a Code Compliant project that adequately fit the site. The subject parcel is 26.2 (net) acres in size and the approved development was situated in the most feasible location which, in this case, was on top of the ridgeline, given the extremely steep slope conditions found throughout the remainder of the parcel. The addition is proposed on portions of the already-developed pad which is large enough (1.75 acres) to accommodate the project without expanding the existing development footprint. As a result, the proposed project meets this finding.

6. *The proposed project is designed to respect and integrate with the existing surrounding natural environment to the maximum extent feasible.*

The subject site is located in the southern portion of the City along Mulholland Highway, a designated rural scenic corridor. This portion of the City is made up of parcels that are generally larger in size and are characterized by steep hillsides with abundant habitat that includes expanses of relatively undisturbed natural vegetation. The subject site is zoned Open Space (OS), is 26.2 (net) acres in size and generally fits the rural character described above. The existing residence, approved in 2003, was designed in such a way to respect the surrounding character. The development footprint was confined to a 1.75 acre pad area on top of the ridgeline and the residence was concealed by the construction of a landscaped berm on the southern side of the residence. Additionally, the residence was designed to be one-story, Spanish Mediterranean in style, and uses earth-toned colors and landscaping to help it blend with the surrounding environment. The proposed addition is designed to match the style, colors and materials of the existing

residence and landscaping has been enhanced on the berm to further conceal and integrate the development with its surrounding. Therefore, the project meets this finding.

Section 17.32.010(E) of the Calabasas Municipal Code allows the Planning Commission to recommend to the Council approval of an **Oak Tree Permit** provided that the following findings are made:

- 1. 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 subject property, which is otherwise prevented by the presence of the oak tree or scrub oak habitat. In addition, said 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.*

The project site is previously developed with a one-story residence on a graded pad located on top of a ridgeline. The existing pad is oversized (approximately 1.75 acres) and easily accommodates the residence, yard amenities such as a pool/spa, trellises, a detached garage and landscaping. A landscaped berm is located on the southern perimeter of the developed pad to help screen the residence from Mulholland Highway. In this case, it is reasonable to site the development on the existing developed pad to avoid additional impacts to the scenic corridor, habitat resources and to avoid significant additional grading.

The oak tree report states that there are 14 oak trees within the vicinity of the site's development footprint. The trees are located both south of the residence on the south side (and below the crest) of the landscaped berm and in an undeveloped area north of the residence. These were mitigation trees required for the previous removal of scrub oak, and range in size from 1¼ inches to 5 inches in diameter.

Of the 14 oak trees, one tree (tree #8), located on the south side of the landscaped berm in the vicinity of the proposed addition, will have its protected zone permanently encroached on by the proposed addition. Since the proposed addition is sited in a reasonable location on the existing developed pad, and oak tree #8 is located on the berm to the south of the proposed addition approximately 13 feet away from the developed pad, encroachment into the protected zone of the tree is both unavoidable and warranted to enable reasonable and conforming use of the site. Encroachment into the protected zone of oak tree #8 enables the addition to be sited on the existing developed pad, thereby minimizing impacts to natural habitat resources, significantly reducing the required amount of grading, and ensuring protection of the scenic corridor's visual resources as the existing pad is screened from view. Additionally, the oak tree report states that no

impact to the oak tree will occur. This conclusion has been confirmed by the City's Arborist. Therefore, the project meets this finding.

Section 17.62.080(E) of the Calabasas Municipal Code allows the Planning Commission to approve a **Variance** provided that the following findings are made:

1. *That there are special circumstances applicable to the property which do not generally apply to other properties in the same zoning district (i.e., size, shape, topography, location or surroundings), such that the strict application of this chapter denies the property owner privileges enjoyed by other property owners in the vicinity and in identical zoning districts;*

The subject site is within the Open Space (OS) zone. The Open Space zone is a special purpose zone that characteristically includes properties larger in size with steep topography, visual resources (such as ridgelines), and/or various plant and animal habitats. Only a handful of Open Space-zoned properties exist in the City due to these characteristics. The Saint Andrew's Lane subdivision is a four-lot gated community previously developed along and on top of a significant ridgeline.

The City's current Hillside and Ridgeline Ordinance (adopted in 2010 subsequent to the development of Saint Andrew's Lane) requires development to be sited 50 feet below and away from a significant ridgeline. Not all Open Space-zoned properties contain a significant ridgeline. To this end, not all Open Space-zoned properties are subject to the siting standard located in the City's Hillside and Ridgeline Ordinance. Additionally, it is common for existing development in any zone to update, redevelop and/or enlarge over time. In this case, because the existing development was developed on top of the ridgeline prior to the codification of the ridgeline siting standard, any addition to the existing development will not be able to meet the current standard. Additionally, while the subject property is on a designated significant ridgeline, the proposed addition presents the special circumstance of being located on an existing developed pad which is screened from view by a landscaped berm. Unlike typical expansions of structures located on significant ridgelines, where there are no landscape screening features, the proposed addition does not impact the visual resources protected by the significant ridgeline siting standards. Strict application of these standards would deny the property owner the ability to expand the usable garage space in a manner proportional to the amount of garage space of other properties in the Saint Andrews Lane subdivision and would not take into account the existence of the graded, screened pad on this parcel. Therefore, a special circumstance exists relative to the subject property when compared with other Open Space-zoned properties and other properties located on a significant ridgeline. Given these circumstances, the proposed project meets this finding.

2. *That granting the variance is necessary for the preservation and enjoyment of substantial property rights possessed by other property owners in the same vicinity and zoning district and denied to the property owner for which the variance is sought;*

The subject site is within the Open Space (OS) zone. The Open Space zone is a special purpose zone that characteristically includes properties larger in size with steep topography, visual resources (such as ridgelines), and/or various plant and animal habitats. Only a handful of Open Space-zoned properties exist in the City due to these characteristics.

The City's current Hillside and Ridgeline Ordinance was adopted in 2010, subsequent to the development of the Saint Andrew's Lane community. The statute requires development to be sited 50 feet below and away from a significant ridgeline. It is common for existing development in any zone to be updated, redeveloped and/or enlarged over time. In this case, because the existing development was constructed on top of the ridgeline prior to the codification of the ridgeline siting standard, any addition to the existing development will not be able to meet the current standard.

Additionally, the Saint Andrew's Lane subdivision, which the subject property is a part of, is a four-lot gated community previously developed along and on top of a significant ridgeline. No other Open Space-zoned properties (other than the ones located on Saint Andrews Lane) are located in the immediate vicinity of the subject property. The four developed properties on Saint Andrews Lane range in size (excluding the garages) from 3,657 square feet to 8,804 square feet on properties that range in size from 2.72 (net) acres to 26.2 (net) acres. Consequently, the floor area ratios (i.e. the ratio of development size to parcel size) for the properties located within the Saint Andrews Lane community range from 0.006 to 0.037 (excluding garages). The floor area ratio of the existing development (excluding the garage space) on the subject property is 0.008, well within the range of the community. With the addition of both the previously uncounted existing garage space (2,217 square feet) and the proposed 2,490 square feet of additional garage space, the total floor area ratio will be 0.012 which is still within the range of floor area ratios within the community [which do not include the garages (due to the absence of data)]. To this end, the granting of the variance is warranted and necessary to afford the subject property owner the same rights as properties in the vicinity and with identical zoning. Given these circumstances, the proposed project meets this finding.

3. *That granting the variance would not constitute the granting of a special privilege inconsistent with the limitations of other properties in the same zoning district;*



Granting of this variance, in this case, will not constitute the granting of a special privilege inconsistent with other properties in the same zoning district because all the residences (including the subject property) on Saint Andrews Lane have garage space to provide off-street parking and storage, and the additional garage space proposed by the subject application does not alter this condition. Additionally, granting this variance would allow the subject property to enjoy a proportional amount of garage space as the other Saint Andrew's Lane properties, while remaining within the range of floor area ratios for these properties. Furthermore, the addition will not result in a development that is any more visible from the Scenic Corridor than other existing development within the community. Given these circumstances, the proposed project meets this finding.

4. *That granting the variance will not be detrimental to the public health, safety or welfare, or injurious to property or improvements in the vicinity and zoning district in which the property is located; and*

The project site is previously developed with a one-story residence on a graded pad located on top of a ridgeline and within a rural scenic corridor. Adequate separation exists between the existing development and the closest adjacent residence (approximately 200 feet). Since the proposed addition will be approximately 400 feet away from the closest neighboring residence, no impact to surrounding residences will occur.

Furthermore, the existing pad is oversized (approximately 1.75 acres) and can easily accommodate the residence, yard amenities such as a pool/spa, trellises, a detached garage and landscaping. A landscaped berm is located on the southern perimeter of the developed pad designed to help screen the residence from Mulholland Highway. The addition is proposed on the existing pad and behind the landscaped berm. The proposed expansion will not be visible or silhouetted against the sky when viewed from Mulholland Highway. In this case, siting the addition on the existing developed pad avoids expansion of the existing development footprint, and therefore, minimizes impacts to the scenic corridor and adjacent habitat areas, including avoidance of significant additional grading. Given these circumstances, the proposed project meets this finding.

5. *That granting the variance is consistent with the General Plan and any applicable specific plan.*

The General Plan Land Use designation for the subject site is Open Space – Resource Protected (OS-RP), which applies to lands whose primary purpose is the protection of public health and safety, preservation of sensitive environmental resources, or resource management. The underlying zoning on the parcel is Open Space, which allows for residential development.

As already mentioned, the relevant objectives and policies of the City's General Plan require limiting landform alteration, using native landscape screening, maintaining the visual character of hillsides, preserving significant ridgelines, and preserving biotic resources. To promote these goals for ridgeline areas, CMC Section 17.20.150 requires development to be sited off of ridgelines as a priority, unless siting development on a ridgeline is the least impactful location. In situations where development on the ridgeline is necessary and warranted, a variance application is required. In this case, the existing residence was entitled and developed prior to the codification of CMC Section 17.20.150, and is located on the ridgeline. Because of this, it is impossible for any addition to the existing residence to meet the siting standards contained in CMC Section 17.20.150. Additionally, the addition is sited in an already developed portion of the site and located behind an existing landscaped berm designed to conceal development. Furthermore, the addition is designed to match the style, color and materials of the existing residence. Development in this location will cause no expansion of the development footprint and therefore protecting both visual resources and biotic resources. The proposed location for the addition, on the already developed pad, adjacent to the existing residence, parallel to the ridgeline, and behind the existing landscaped berm, is the location for the expansion with the least impact. Any alternative location on the parcel for the proposed expansion would require significant additional grading but would not entail greater protection for visual resources because the proposed addition will be screened. As such, any alternative location on the parcel would cause the loss of native habitat without increasing the protection of visual resources. For these reasons, the project is consistent with this finding.

Section 17.20.150(C)(3) of the Calabasas Municipal Code states that for projects that cannot meet the siting requirements of CMC Section 17.20.150(C)(2), the following findings must be made:

- 1. Alternative sites within the property or project have been considered and eliminated from consideration based on physical infeasibility or the potential for substantial habitat damage or destruction if any such alternative site is used and that the siting principles outlined under subsection (C)(4) have been applied*

The siting principles in subsection (C)(4) lists three prioritized locations for siting development on properties with ridgelines. The first priority is to site development off of ridgelines on areas with a maximum slope of 20%. The second priority is to site development off of ridgelines in areas with slopes ranging between 20% and 30%. The final siting priority states that if the first or second priority cannot be met, then development should be sited in areas on ridge tops with slopes less than twenty (20) percent. Proposed buildings should be set back as far as possible from the edge of the ridge (where downhill slopes begin to exceed twenty (20) percent and landscaped, to minimize visibility.

In this case, the existing residence is developed on a 1.75 acre flat pad on top of the ridgeline that was graded as part of the original development. Areas off of the ridgeline all exceed the slope criteria identified in priority 1 and priority 2 and exhibit both scrub oak and riparian habitat. Therefore, development on top of the flat developed pad area is the only feasible location for expansion of the residence. Further, development of the proposed addition on the existing developed pad complies with subsection (C)(4) as the developed pad is within the third priority category. Moreover, the proposed location, adjacent to the existing residence and on the developed pad, minimizes grading and habitat damage. Therefore, the project meets this finding.

2. *The proposed project maintains the maximum view of the applicable significant ridgeline through the use of design features for the project including minimized grading, reduced structural height, clustered structures, shape, materials, and color that allow the structures to blend with the natural setting, and use of native landscaping for concealment of the project.*

The existing residence is developed on a 1.75 acre flat pad on top of the ridge graded as part of the original development. A landscaped berm was constructed south of the residence designed to conceal development from Mulholland Highway, a locally designated scenic roadway, and minimize impacts to the significant ridgeline. Furthermore, the original residence was designed to be one-story, generally with a height between 18 and 20 feet (with some architectural elements projecting up to 24 feet in height) and with a medium-colored (Spanish tile) pitched roof.

The proposed addition is one-story (ranging from 12 to 19 feet in height, and designed to match the earth toned colors and materials of the existing residence. It is situated on the developed portion of the site and in an area concealed by the existing landscaped berm. In this respect, the addition will be screened from the Mulholland Highway so that no visual impacts will occur to the scenic corridor or the ridgeline. The proposed expansion will not be visible or silhouetted against the sky when viewed from Mulholland Highway. Additionally, the preliminary landscape plan proposes enhancing the landscaping on the berm so that further concealment of the development will occur. Furthermore, the project has been conditioned so that a final landscape plan will be submitted to the Community Development Director in case additional adjustments need to be made to further conceal the development. Therefore, the project meets this finding.

**Section 4. In view of all of the evidence and based on the foregoing findings and conclusions, the Planning Commission hereby recommends to the City Council approval of File no. 120000173 subject to the following agreements and conditions:**

## **I. INDEMNIFICATION AGREEMENT**

The City has determined that City, its employees, agents and officials should, to the fullest extent permitted by law, be fully protected from any loss, injury, damage, claim, lawsuit, expense, attorney fees, litigation expenses, court costs or any other costs arising out of or in any way related to the issuance of this File No. 120000173, or the activities conducted pursuant to this File No. 120000173. Accordingly, to the fullest extent permitted by law, Hasse and Carmela Birenbaum, in its capacity as the property owner, shall defend, indemnify and hold harmless City, its employees, agents and officials, from and against any liability, claims, suits, actions, arbitration proceedings, regulatory proceedings, losses, expenses or costs of any kind, whether actual, alleged or threatened, including, but not limited to, actual attorney fees, litigation expenses and court costs of any kind without restriction or limitation, incurred in relation to, as a consequence of, arising out of or in any way attributable to, actually, allegedly or impliedly, in whole or in part, the issuance of this File No. 120000173, or the activities conducted pursuant to this File No. 120000173. Hasse and Carmela Birenbaum in its capacity as the property owner shall pay such obligations as they are incurred by City, its employees, agents and officials, and in the event of any claim or lawsuit, shall submit a deposit in such amount as the City reasonably determines necessary to protect the City from exposure to fees, costs or liability with respect to such claim or lawsuit.

## **II. CONDITIONS OF APPROVAL**

### **Community Development Department / Planning Division**

#### **General Conditions**

1. The proposed project shall be built in compliance with the plans on file with the Planning Division.
2. All project conditions shall be imprinted on the title sheet of the construction drawings. The approved set of plans shall be retained on-site for the review of Building Inspectors. Prior to any use of the project site, all conditions of approval shall be completed to the satisfaction of the Director of Community Development.
3. The project approved herein is depicted on those sets of drawings, elevations, etc., stamped approved by staff on the approval date. Any modifications to these plans must be approved by the Department of Community Development staff prior to the changes on the working drawings or in the field. Changes considered substantial by the Planning staff must be reviewed by the Planning Commission. The determination of whether or not a change is substantial shall be made by the Community Development Director.

4. Prior to issuance of grading or building permits, plans shall be reviewed and approved by the Department of Community Development to ensure compliance with the plans approved by the Planning Commission. The plans shall comply with the conditions contained herein, the Calabasas Municipal Code, and all City Resolutions and Ordinances.
5. This grant shall not be effective for any purposes until after the applicant, or its successors, and the owner of the property involved (if other than the applicant) have recorded this resolution with the Los Angeles County Recorder's Office, and a certified copy of the recorded document is filed with the Community Development Department.
6. The subject property shall be developed, maintained, and operated 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 applicant or its successors to cease any development or activity not in full compliance shall be a violation of these conditions. Any violation of the conditions of approval may result in the revocation of this approval.
7. This approval shall be valid for one year and eleven days from the date of adoption of the resolution. The permit may be extended in accordance with Title 17 Land Use and Development Code, Article VI - Land Use and Development Permits.
8. Prior to the issuance of a Building Permit, the applicant shall submit a final landscape plan to the Community Development Director for review and approval. The landscape plan shall include landscaping placed on the existing berm to adequately screen the proposed project from Mulholland Highway.
9. All landscaping is to be installed within 90 days of occupancy by the applicant to the satisfaction of the Director of the Community Development Department or his or her designee. All landscaping will be consistent with the adopted City ordinance for landscape and water efficiency. Landscaping planted in compliance with this permit, located on and in close proximity to the berm, which serves to screen the view of the dwelling from the Scenic Corridor shall be maintained in good health and in a fully lush and complete state to accomplish this purpose. The applicant shall submit an annual monitoring report for each of the three years after the date the Community Development Director or his or her designee certifies to the installation of the landscaping, demonstrating that the landscaping has been maintained in compliance with the approved landscaping plan, to the satisfaction of the Director of the Community Development Department or his or her designee.
10. Notwithstanding any provision of the Municipal Code to the contrary, if after the expiration of five years from the date of receiving the final sign off of the

building permit, the 2,490 square foot garage addition approved herein is damaged or destroyed in excess of fifty percent (50%) of its current value, it shall not be reconstructed and any remaining portion thereof shall be removed.

11. All ground and roof-mounted equipment is required to be fully screened from view. Upon final inspection, Planning Division staff may require additional screening if warranted, through landscaping, walls or a combination thereof.
12. All exterior lights are subject to the provision set forth in the Lighting Ordinance Chapter 17.20 of the Land Use and Development Code. Lighting of 60 watts or less on residential projects is exempt by the Lighting Ordinance.
13. All exterior colors and materials used for the construction of the project shall be in substantial conformance with the approved materials and colors board exhibit.
14. Prior to commencement of construction, all necessary building permits must be obtained from the Building and Safety Division.
15. The project must comply with the building codes of Title 15.04 of the City of Calabasas Municipal Code at the time of building plan check submittal.
16. The project is located within a designated "Very High Fire Hazard Severity Zone". The requirements of Chapter 15.04.900 of the Calabasas Municipal Code must be incorporated into all plans.
17. The applicant shall provide the construction contractor(s) and each subcontractor related to the project a copy of the final project Conditions of Approval. The applicant and the City agree that these conditions shall be enforceable through all legal and equitable remedies, including the imposition of fines against each and every person who conducts any activity on behalf of the applicant on or near the project site. The applicant, property owner, and general construction contractor are ultimately responsible for all actions or omissions of a subcontractor.
18. Construction Activities - Hours of construction activity shall be limited to:
  - i. 7:00 a.m. to 6:00 p.m., Monday through Friday
  - ii. 8:00 a.m. to 5:00 p.m., Saturday

Construction is prohibited on Sundays and Holidays. Stacking of construction worker vehicles, prior to 7:00 a.m. in the morning will be restricted to areas that do not adversely affect adjacent residences or

schools. The applicant or its successors shall notify the director of Transportation and Intergovernmental Relations of the construction employee parking locations, prior to commencement of construction.

### Oak Trees

19. All work performed within the Oak Trees' aerial/root protected zones shall be regularly observed by the applicant's oak tree consultant.
20. The oak tree protective zone fencing (approved fencing materials are in the Oak Tree Guidelines - 5 ft. minimum height) should be installed at the limit of approved work to protect the Oak Trees and surrounding trees from any damage and remain in place until completion of construction. Should any work be required within the limit of work and the temporary fence must be opened, the applicant's oak tree consultant must direct all work at any time the fence is open.
21. Soil compaction within the dripline and/or root zone shall be minimized. No equipment, spoils or debris shall be stored within the dripline and/or Protected Zone of any oak tree. No dumping of liquids or solvents, cleaning fluid, paints, concrete washout or other harmful substances within the driplines and/or Protected Zones shall be permitted.
22. The area within the plastic construction/snow type fence should not be used at any time for material or equipment storage and parking.
23. The applicant should adhere to the specific recommendations contained within the Oak Tree Report dated July 17, 2013 (revision date) and all provisions of the Oak Tree Ordinance and policies of the City of Calabasas.
24. Within ten (10) days of the completion of work, the applicant's oak tree consultant shall submit written certification to the Planning Division. The certification shall describe all work performed and shall certify that such work was performed in accordance with the above permit conditions. If any work was performed in a manner not in conformance with these conditions of approval then the applicant's oak tree consultant shall identify the instance or instances of a deviation to any of these conditions.

### Public Works Department:

25. Per the Calabasas Municipal Code Chapter 8.16, "no person shall collect and/or dispose of municipal solid waste or recyclable materials in the city without having first been issued a solid waste collection permit. Such permit shall be in addition to any business license or permit otherwise required by the City of Calabasas." **Crown Disposal Co, Inc.** is the only service provider permitted to operate in Calabasas. Please contact (818-767-0675) for any

roll-off or temporary container services. An Encroachment Permit is required prior to placing a refuse bin/container on the street.

26. The applicant and contractors shall implement all reasonable efforts to reuse and recycle 75% of construction and demolition debris, to use environmentally friendly materials, and to provide energy efficient buildings, equipment, and systems. The applicant shall provide proof of recycling quantities to get final clearance of occupancy.
27. During the term of the City permit, the contractor, their employees, and subcontractors shall implement appropriate Best Management Practices (BMPs) to prevent pollution to local waterways. Sediments, construction debris, paint, trash, concrete truck wash water and other chemical waste from construction sites left on the ground and streets unprotected, or washed into storm drains, causes pollution in local waterways via the storm drain system is against City Ordinance and State law. The BMPs implemented shall be consistent with City of Calabasas Municipal Code Chapter 8.28. Failure to implement appropriate BMPs shall result in project delays through City issued "Stop Work Notices" and/or fines levied against the owner/developer/contractor.
28. The final grading and drainage plan shall be submitted to the City Engineer for review and approval. The plan shall be in accordance to the City of Calabasas Public Works Department requirements and in conformance with the approved Conceptual Grading and Drainage Plan and the approved Update Geotechnical Engineering Report.
29. The final grading and drainage plan shall be prepared by a registered civil engineer and shall be reviewed and stamped by the applicants consulting Civil Engineer and Geotechnical & Soils Engineer prior to approval by the City Engineer.
30. All drainage shall be sloped 2% away from all parts of the structure along impervious surface and 5% away along pervious surface, in conformance with California Building Code; and conveyed through an on-site storm drain system to an approved point of disposal.
31. All retaining and privacy walls shall be in conformance with the City's wall requirements pursuant to CMC Section 17.20.100. Any variations require Planning Division approval. The wall details and callouts including top of footings shall be included with the Grading Plans.
32. Prior to Issuance of a Grading Permit, the applicant shall submit official stamped and signed copies of the acknowledgement concerning the employment of a registered civil engineer and technical consultants (Public Works Form K).



33. Changed conditions that affect the approved plans shall be submitted to the Public Works department in the form of a Change Order (Public Works Forms U and U-1) and are subject to review and approval by the City Engineer.

**Section 5. In view of the all the evidence and based on the foregoing findings and conclusions, the Planning Commission hereby recommends approval of File No. 120000173.**

PLANNING COMMISSION RESOLUTION NO. 2014-568 PASSED, APPROVED AND ADOPTED this 15<sup>th</sup> day of May, 2014.



Rick Shumacher  
Chairperson

ATTEST:



Tom Bartlett, AICP  
City Planner

APPROVED AS TO FORM:



Matt Summers  
Assistant City Attorney

Planning Commission Resolution No. 2014-568, was adopted by the Planning Commission at a meeting held May 15, 2014, and that it was adopted by the following vote:

AYES: Chair Shumacher, Commissioners Weintraub, Mueller & Sikand

NOES: Commissioner Lia

ABSENT: None

ABSTAINED None

“The Secretary of the Planning Commission shall certify the adoption of this Resolution, and transmit copies of this Resolution to the applicant along with proof of mailing in the form required by law and enter a copy of this Resolution in the book of Resolutions of the Planning Commission. Section 1094.6 of the Civil Code of Procedure governs the time in which judicial review of this decision may be sought.”



CITY of CALABASAS

**PLANNING COMMISSION AGENDA REPORT**  
**MARCH 6, 2014**

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**TO:** Members of the Planning Commission

**FROM:** Glenn Michitsch, Senior Planner

**FILE NO.:** 120000173

**PROPOSAL:** Request to legalize the construction of a 2,490 square foot ground-floor addition (built without permits) to an existing one-story 11,021 square foot single family residence on a 27.88 acre lot. The project includes requests for the following: (1) a Site Plan Review for the 2,490 square foot addition, (2) a Scenic Corridor Permit for development within a designated Scenic Corridor, (3) a Development Plan to establish new setbacks for development within the Open Space (OS) Zoning District, (4) an Oak Tree Permit for the encroachment into the protected zone of one (non-Heritage) oak tree, and (5) a Variance for development within 50 horizontal feet and 50 vertical feet from a designated significant ridgeline. The property is located at 24107 Saint Andrews Lane within the Open Space (OS) zoning district.

**APPLICANT:** Harry and Carmella Birenbaum

**RECOMMENDATION:** Adopt Resolution No. 2014-565 recommending approval of File No. 120000173 to the City Council.

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**STAFF RECOMMENDATION:**

That the Commission adopt Resolution No. 2014-565 recommending approval of File No. 120000173 to the City Council.

**REVIEW AUTHORITY:**

The Planning Commission is reviewing this project because Section 17.62.070 of the Calabasas Municipal Code (CMC) stipulates that a Development Plan is required to establish setbacks in the Open Space Zoning District, which requires review and

recommendation by the Planning Commission to the City Council, who has final decision authority. Although the Site Plan Review, Scenic Corridor Permit, Oak Tree Permit and Variance applications are typically reviewed and decided by the Planning Commission, Section 19.60.020 requires that for concurrent applications, the final review authority on all applications is the higher review authority. In this case, the Council is the review authority for the Development Plan application.

### **BACKGROUND:**

The existing one-story single-family residence, including a detached accessory structure, pool/spa, trellises, driveway, motor court, retaining walls, landscaping and landscape berm, was originally approved by the City Council on February 19, 2003 via City Council Resolution No. 2003-800 (Attachment G). Applications included a Development Plan, a Site Plan Review, a Conditional Use Permit and an Oak Tree Permit. Concurrently, a Mitigated Negative Declaration was also adopted. The significant issues discussed with regard to the original project approval were development on the ridgeline and the associated potential for visual impacts to the Scenic Corridor and ridgeline. Because of the aesthetic concerns, the project was eventually redesigned to include a landscaped berm to help conceal the residence, which is mostly in the 18 to 20 foot height range (with a few architectural projections that are taller). The project approvals also included an Oak Tree Permit to plant mitigation trees (for the previously unpermitted removal of some scrub oaks), which were planted on-site, both on the landscape berm and east of the residence. Construction of the residence was completed in 2006.

Due to a citation from the City's Code Enforcement staff, applications were submitted to the City to legalize a (mostly constructed) 2,490 square foot one-story addition on February 17, 2012. The addition is already framed and roofed; however, no roof tile has been placed on the addition. The proposed project was reviewed by the Development Review Committee (DRC) on March 20, 2012, and comments were forwarded to the applicant after the review. The Architectural Review Panel (ARP) reviewed the project on November 22, 2013. The Panel unanimously recommended approval of the design as proposed. Having addressed all comments made by staff, the application was deemed complete on January 23, 2014.

### **STAFF ANALYSIS:**

The key issues related to this project are discussed below.

- A. Site Design/Building Layout:** The 27.88 gross acre (26.16 acre net) project site is one of four already-developed parcels located in a gated four-lot subdivision located on Saint Andrews Lane (off of Dry Canyon Cold Creek Road near the intersection of Mulholland Highway and Dry Canyon Cold Creek Road). The zoning designation is Open Space (OS), which allows for single-family residential development. Site

characteristics feature a prominent east-west trending ridgeline and steeply sloping topography both to the north and south of the ridgeline. A blue line stream exists in the southern portion of the parcel, adjacent to Mulholland Highway (and approximately 400 feet south of the development). Existing (permitted) development is located on top of (and confined to) the ridgeline, and consists of a one story, 9,980 square foot single-family residence, a detached 1,041 square foot accessory structure, a pool/spa, 1,350 square feet of trellising, retaining walls, a driveway, motor court, and landscaping including a landscape berm constructed to help conceal the development from Mulholland Highway which is a locally designated scenic roadway. Landscaping on site is made up of mostly drought tolerant plant material and includes mitigation oak trees that were required as part of the previous project approvals.

The proposed project is for a 2,490 square foot one-story garage addition to the residence, and a new walkway around the addition that includes some minor on-grade concrete steps. As mentioned before, the addition is already mostly constructed, but still needs finish materials added such as roof tiles and some detail elements. The addition is to the southeast portion of the residence and expands the residence toward the landscape berm in the south, and also further eastward. The addition's southern exterior wall is constructed on top of an existing retaining wall that helped form the original berm. Proposed building colors and materials will match the existing residence. Because the LA County Fire Department requires access around the structure, a 5 foot walkway is required south of the structure, which is also already rough graded (and required approximately 7 cubic yards of excavation and export). Although the walkway cuts into the existing berm, the height of the berm remains intact and the landscaping on the berm has not been substantially altered. The project encroaches into the protected zone of one of the mitigation trees (oak tree #8) planted below the crest of the berm.

- B. Architecture:** The design of the existing residence is Spanish-Mediterranean. It features a pitched roof with variable-colored Spanish roof tile (with a mostly red hue), stucco walls (brownish-tan in color), stone veneer wainscoting and wood elements such as rafter tails and trellising. The residence is one-story (18-20 feet in height) with variable massing including some architectural elements that protrude up to a maximum height of 24 feet.

The proposed addition will match the style, colors and materials of the existing residence, including the use of a pitched roof with Spanish tile, stucco, stone veneer wainscot, rafter tails, and garage doors to match the existing.

On November 22, 2013 the project was reviewed by the City's Architectural Review Panel (ARP). The Panel unanimously recommended approval of the design as presented. Within its recommendation, the Panel noted that the roof of the addition was not designed as well as the original. However, the Panel could support the

application because the residence (and the addition) is not visible to the public or Mulholland Highway. The Panel also recommended that the applicant bring a sample of the panelized garage door to the Planning Commission hearing for review.

- C. Scenic Corridor/Aesthetics: The existing residence is located on top of a designated significant ridgeline that is visible from Mulholland Highway. Because the property is located within 500 feet of Mulholland Highway, a designated scenic roadway, the project requires a Scenic Corridor Permit, and is subject to the Scenic Corridor Design Guidelines. The guidelines state that development within a scenic corridor should be sited and designed not to impact the scenic corridor through the use of design techniques including the use of pitched roofs, roofs of a medium to dark color, avoidance of large, blank, straight facades, and the use of landscaping to help blend development.

The 2003 City approvals ensured that the residence was sited and designed to meet the scenic corridor design standards. The design of the residence is one-story with varied massing, a pitched roof and earth-toned colors. Through discussion and deliberation by the Planning Commission and City Council, the project added a contoured berm south of the residence with added landscape elements to further conceal the development from Mulholland Highway. The result was a residence and site design that has been frequently cited as an example of how best to design homes on a ridgeline, should there be no better location to site development.

The proposed addition expands the residence toward the scenic corridor (on the existing developed pad) and places the southern exterior wall on top of a small retaining wall located on the inside of the berm. No expansion of the residence is proposed beyond the already developed portion of the site. The height of the addition varies between 12 feet in height at the location closest to the berm to 19 feet in height at distance of 50 feet from the crest of the berm. Because of the optimal site design already incorporated in the original development, the addition will only be negligibly visible from Mulholland Highway even though it expands the residence toward the berm. Currently, only a small portion of the roof is visible from Mulholland Highway over the landscaped berm. Because the addition is already constructed, staff has verified this through field inspection.

Additionally, the existing landscaping on the berm, which includes mitigation oak trees and London Plane trees (still relatively young in age), will provide even more screening over time as the landscaping matures. To help further conceal the addition, the applicants have submitted a revised preliminary landscape and fuel modification plan that shows enhanced landscaping on the berm that includes planting "ceanothus" (California Wild Lilac), a hardy drought tolerant shrub that reaches heights of up to 10 feet. Additionally, staff has included a condition to require the applicant to provide a final landscape design to be reviewed and approved by the Director in case additional

adjustments are needed to optimally screen the addition. Given the low height of the addition, the location of the berm and present and future proposed landscaping on the berm, the addition is not expected to impact the scenic corridor.

- D. Oak Trees:** The subject property has both Coast Live Oak trees and scrub oak shrubs on site. The on-site oak trees in the vicinity of the residence were mitigation trees required as part of the original project approval. They are located both on the berm to the south of the residence and in an undeveloped area east of the residence, and range in size from 1¼" inches in diameter to 5" in diameter. Because they were mitigation trees planted for prior removals, they are all considered protected oak trees subject to the City's Oak Tree Ordinance.

Of the 14 oak trees surveyed, only tree #8 will have its protected zone encroached upon (approximately 25%) by the construction of the required Fire Department access around the proposed addition. Oak Tree #8 is small in size (only approximately 2" in diameter), and is located south of the landscape berm's crest. The trunk is located approximately 7' away from and below the elevation of the cut already in place for the access around the addition and approximately 13 feet from the addition. Because of the relatively small size of the tree and its location on the other side of the berm from development, the applicant's oak tree consultant concluded that there would be no impact to Oak Tree #8. The City's oak tree consultant has reviewed the report and its conclusions, inspected the site with staff, and confirmed that no impacts will occur to the tree. Additionally, since the addition and the rough cut for the access is already constructed, the City's oak tree consultant was able to inspect the cut to see if any significant roots were impacted and no roots were observed within the cut.

In addition to the mitigation oak trees, the site is home to a few stands of scrub oak. The closest shrub cluster is located approximately 50 feet from the development and clusters extend to 280 feet from the development (within the surveyed area). Due to the locations of the scrub oak clusters, no direct impact will occur. However, because expansion of the residence altered the County-required fuel modification zones (which extend 200' beyond development of the residence), the applicant's oak tree consultant was asked to plot the shrub locations and identify the potential impacts from fuel modification activities. Two scrub oak clusters were identified in the vicinity of the slightly expanded fuel modification area. These clusters are located approximately 180 feet from the addition. Because Los Angeles County Fire Department fuel abatement identifies Zone C as a thinning zone, the County does not require removal of these shrubs. Periodically, the shrubs may require pruning to keep fuel away from surrounding grasses; however, the pruning is not expected to impact the survival of the shrubs. Therefore, no significant impacts are expected to occur.

- E. Variance:** Project sites with a natural slope of 10% or greater, or that include a ridgeline are subject to the requirements of CMC Section 17.20.150 (Hillside and

Ridgeline Development). The project site meets both these applicability requirements, and because the site includes a ridgeline, the application is further subject to the standards set forth in CMC Section 17.20.150(C), which identifies siting priorities on sites with ridgelines. The statute requires development to be sited off of ridgelines (both 50 vertical and 50 horizontal feet) as a priority, and sited and designed in such a way so as not to be silhouetted against the sky as viewed from any location along a scenic roadway (Mulholland Highway in this case). However, if the top-of-ridge is the only feasible alternative to siting development, then the development requires the approval of a variance application and its required findings for approval along with two additional findings relating to siting and design.

As written, this Code standard applies not only to new site development, but to any development including additions to existing development. In this case, since the existing development was constructed on top of the ridgeline (and prior to the codification of the 50-foot ridgeline setback requirement), any addition to the existing development cannot meet the siting location standards of 50 feet below and off of the ridgeline, and a variance application is therefore required. Additions and renovations over time are common to all development in any zoning district, and if designed properly to meet Code standards, are generally supportable. In the case of ridgeline development such as this one, it is important that the development is sited and designed as to minimize the impact to the ridgeline and the view corridor. As discussed in Section C (Scenic Corridor/Aesthetics) of this staff report, the addition is sited and designed in a manner so that it is concealed by the landscaped berm and minimizes the impacts to the ridgeline and Scenic Corridor. Because of the landscaped berm, neither the existing residence nor the addition will appear silhouetted against the sky, which is consistent with the intent of the Hillside and Ridgeline Ordinance. Additionally, because development is required to be sited off of the ridgeline, and the existing development is already on the ridgeline (which does not meet the Code standard), it is impossible for any addition to the residence to meet the siting standard for parcels with ridgelines. Because of this, there is justification for a variance.

**REQUIRED FINDINGS:**

The findings required in CMC Section 17.62.070 for a Development Plan; CMC Section 17.62.050 for a Scenic Corridor Permit; CMC Section 17.62.020(E) for a site plan review; CMC Section 17.62.080 for a Variance; CMC Section 17.20.150(C)(3) for additional findings related to development on a significant ridgeline; and 17.32.010(E) for an Oak Tree permit are contained in the resolution attached as Exhibit A.

**ENVIRONMENTAL REVIEW:**

This project is Exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301(e)(2) Existing Facilities (additions to existing structures) of the CEQA Guidelines. A Notice of Exemption has been prepared and is attached as Exhibit H.

**CONDITIONS OF APPROVAL:**

See conditions contained in the resolution, attached as Exhibit A.

**PREVIOUS REVIEWS:**

**Development Review Committee (DRC):**

March 20, 2012                      No major issues identified.

**Architectural Review Panel (ARP):**

November 22, 2013                Recommended approval of the design as proposed

**ATTACHMENTS:**

- Exhibit A: Planning Commission Resolution No. 2014-565
- Exhibit B: Site Plan, Elevations, Color Elevations, Fuel Modification/Preliminary Landscape Plans, Grading Plans, and Site Photos
- Exhibit C: Oak Tree Location Maps
- Exhibit D: Oak Tree Review Letter
- Exhibit E: Color and Materials Board
- Exhibit F: Public Correspondence
- Exhibit G: City Council Resolution 2003-800
- Exhibit H: Notice of Exemption



## TECHNICAL APPENDIX

### Location Map:



### Development Standards:

<u>Development Standards:</u>				<u>Code Limit</u>	<u>Meets Code</u>
Lot Size:	1,214,453	s.f.	gross	6,969,600 s.f.	No (legal non-conforming)
<b>Setbacks:</b>					
Front:	762	Ft.		Dev. Plan	Yes
Rear:	767	Ft.		Dev. Plan	Yes
Side:	166	Ft.		Dev. Plan	Yes
Side (street):	488	Ft.		Dev. Plan	Yes
Height (Addition):	19	Ft.		25 Ft. max	Yes
<b>Pervious Surface:</b>					
Proposed:	1,194,172	Sq. Ft.	98.33 %	None	Yes
<b>Site Coverage:</b>					
Proposed:	14,861	Sq. Ft.	1.22 %	None	Yes
<b>Parking Calculations</b>					
# of Spaces Provided:	5			4 min	Yes

**Development Standards:**

**Code Limit**

**Meets Code**

**Proposed Color Palette:**

Stucco Color: Sherwin Williams "Bagel"  
 Stone: Lompoc Stone "Autumn Creek Ledge Blended TV"  
 Accent Color: Sherwin Williams "Copper Mountain"  
 Wood Stain: Sherwin-Williams "Warm Chestnut"  
 Garage Doors: Sherwin-Williams "Copper Mountain"  
 Roof Tile: Santa Fe (Clay)

**Surrounding Properties:**

	Existing Land Use	Zoning	General Plan Designation
Site	Single-family residence	Open Space (OS)	Open Space – Resource Protected (OS-RP)
West	Mobile Home Park	Residential, Mobile-Home (RMH)	Residential-Mobile Home (R-MH)
East	Single-family residence	Open Space (OS)	Open Space – Resource Protected (OS-RP)
North	Open Space	Open Space, Development-Restricted (OS-DR)	Open Space – Resource Protected (OS-RP)
South	Single-family residence	Residential, Single-Family (RS)	Residential-Single Family (R-SF)

**Home Comparison:**

**Project Site:**

<b>APN</b>	<b>Property Address</b>	<b>House Size (SF)</b>	<b>Lot Size (SF)</b>	<b>FAR</b>
4455006019	24107 Saint Andrews Ln	8,804	1,139,737	0.008

**Neighboring Homes:**

<b>APN</b>	<b>Property Address</b>	<b>House Size (SF)</b>	<b>Lot Size (SF)</b>	<b>FAR</b>
4455006018	24111 Saint Andrews Ln	4,458	118,496	0.037
4455006017	24115 Saint Andrews Ln	3,657	566,297	0.006
4455006016	24119 Saint Andrews Ln	4,413	425,625	0.01
Average		4,176	370,139	0.018

- Notes:**
- (1) The House sizes do not include garages.
  - (2) Lot sizes are net (sf)
  - (3) The FAR for the subject property including garage space is 0.012
  - (4) Project Site information obtained from information submitted by the applicant. Information on neighboring homes obtained from records of the Los Angeles County Tax Assessor Office.

**MINUTES OF A REGULAR MEETING OF THE  
PLANNING COMMISSION OF THE CITY OF CALABASAS  
CALIFORNIA, HELD THURSDAY, MARCH 6, 2014**

Opening Matters:

Call to Order / Roll Call of Commission Members

Chair Shumacher called the meeting to order at 7:00 p.m. in City Hall Council Chambers, 100 Civic Center Way, Calabasas, California.

Present: Chair Shumacher, Vice Chair Lia, Commissioners Mueller, Sikand, Weintraub, and Alternate Commissioner Litt

Staff: Bartlett, Summers, and Michitsch.

Pledge of Allegiance

The pledge of allegiance was led by Commissioner Sikand.

Approval of Agenda

**Commissioner Sikand moved, seconded by Commissioner Mueller, to approve the Planning Commission Agenda of March 6, 2014. MOTION CARRIED 5/0.**

Announcements and Introductions

Commissioner Weintraub announced that the Foundation for Las Virgenes Schools would be holding its annual fundraising event on June 7, 2014 and tickets are now available.

Commissioner Sikand stated the dedication of the David Brown Lookout was held the previous weekend and was a nice event that honored Mr. Brown well.

Oral Communications – Public Comment:

There were no public speakers.

Consent Item(s):

1. Approval of Minutes: February 20, 2014

City Planner Bartlett stated staff did not feel there was clear direction to go forward to the City Council with any of the discussed items. He stated the minutes were prepared more thoroughly to provide additional record of the discussion in addition to the Granicus video.

Commissioner Sikand stated he would like additional time to review these minutes as they were lengthy.

Commissioner Mueller stated he agreed with Commissioner Sikand.

Vice Chair Lia and Commissioner Weintraub stated they agreed with the previous comments.

**Vice Chair Lia moved, seconded by Commissioner Sikand, to continue approval of the minutes of the February 20, 2014 meeting to the March 20, 2014 meeting. MOTION CARRIED 5/0.**

Public Hearing Items:

2. File No. 120000173. A request to legalize the construction of a 2,490 square-foot, ground-floor addition (built without permits) to an existing one-story 11,021 square-foot single-family residence on a 27.88 acre lot. The project includes requests for the following: (1) a Site Plan Review for the 2,490 square-foot addition, (2) a Scenic Corridor Permit for development within a designated Scenic Corridor, (3) a Development Plan to establish new setbacks for development within the Open Space (OS) zoning district, (4) an Oak Tree Permit for the encroachment into the protected zone of one (Non-Heritage) oak tree, and (5) a Variance for development within 50 horizontal feet and 50 vertical feet from a designated significant ridgeline. The property is located at 24107 St. Andrews Lane within the Open Space (OS) zoning district. Submitted by: Harry and Carmella Birenbaum. Planner: Glenn Michitsch, Senior Planner.

Senior Planner Michitsch presented the staff report.

The Commissioners asked questions of staff.

Chair Shumacher opened the public hearing.

Ronald Ettinger, member of the project team, thanked staff for their work on the project. He discussed various project details and stated there had been some issues with previous contractors on the project. He stated he was available for questions.

The Commissioners asked questions of Mr. Ettinger.

Susan McEowan stated she was the landscape architect for the original project.

The Commissioners asked questions of Ms. McEowan

Phil Mundy stated he was a neighbor to the project. He discussed the development history of the project area. He stated the current homeowners had maintained the property much better than the previous owners. He discussed landscaping on the property. He stated he was not opposed to the proposed project.

The Commissioners asked questions of Mr. Mundy.

Michael Tugson, representing the property owners, discussed details of the proposed project and addressed questions raised during the public hearing. He urged the Commission to pass the resolution.

Chair Shumacher closed the public hearing.

The Commissioners and staff discussed the application.

By consensus, the Commission agreed to amend the resolution to add the following language to Condition No. 9: "Landscaping planted in compliance with this permit and located on and in close proximity to the berm which serves to screen the view of the dwelling from the scenic

corridor shall be maintained in good health and in a fully lush and complete state to accomplish this purpose. Applicant shall submit a monitoring report prepared by a landscape professional three years after approval of this resolution demonstrating that the landscaping has been maintained in compliance with the landscaping plan to the satisfaction of the Community Development Director, or his or her designee.

**Commissioner Sikand moved, seconded by Vice Chair Lia, to approve Planning Commission Resolution No. 2014-565, as amended, recommending to the City Council approval of File No. 12000173 to legalize the construction of a 2,490 square foot ground-floor addition (built without permits) to an existing one-story 11,021 square foot single-family residence; including (1) a Site Plan Review for the construction of the 2,490 square foot addition, (2) a Scenic Corridor Permit for development within a designated scenic corridor, (3) a development plan to establish new setbacks for development located within the Open Space (OS) zoning district, (4) an Oak Tree Permit for the encroachment into the protected zone of one (non-heritage) oak tree, and (5) a Variance Request for development within 50 horizontal feet and 50 vertical feet of a designated significant ridgeline, located at 24107 Saint Andres Lane within the Open Space (OS) zoning district. MOTION CARRIED 5/0.**

Future Agenda Items and Reports:

3. Director's Report and Update on Current Projects and Future Agenda Items

City Planner Bartlett provided a forecast of future agenda items.

4. Reports from the Planning Commission

There were no reports from the Commissioners.

Adjournment:

Chair Shumacher adjourned the Planning Commission meeting at 9:17 p.m. to March 20, 2014 at 7:00 p.m.

Respectfully Submitted:

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Liz Parker

Approved by City Manager:



**CITY of CALABASAS**  
**CITY COUNCIL AGENDA REPORT**

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**DATE:** MARCH 17, 2014

**TO:** HONORABLE MAYOR AND COUNCILMEMBERS

**FROM:** GLENN MICHITSCH, SENIOR PLANNER 

**SUBJECT:** ADOPTION OF RESOLUTION NO. 2014-1402 APPROVING THE LEGALIZATION OF A 2,490 SQUARE FOOT GROUND-FLOOR ADDITION (BUILT WITHOUT PERMITS) TO AN EXISTING ONE-STORY 11,021 SQUARE FOOT SINGLE-FAMILY RESIDENCE. THE PROJECT INCLUDES REQUESTS FOR THE FOLLOWING: (1) A SITE PLAN REVIEW FOR THE CONSTRUCTION OF THE 2,490 SQUARE FOOT ADDITION, (2) A SCENIC CORRIDOR PERMIT FOR DEVELOPMENT IN A DESIGNATED SCENIC CORRIDOR, (3) A DEVELOPMENT PLAN TO ESTABLISH NEW SETBACKS FOR DEVELOPMENT LOCATED WITHIN THE OPEN SPACE (OS) ZONING DISTRICT, (4) AN OAK TREE PERMIT FOR THE ENCROACHMENT INTO THE PROTECTED ZONE OF ONE (NON-HERITAGE) OAK TREE, AND (5) A VARIANCE REQUEST FOR DEVELOPMENT WITHIN 50 HORIZONTAL FEET AND 50 VERTICAL FEET OF A DESIGNATED SIGNIFICANT RIDGELINE. THE SUBJECT SITE IS LOCATED AT 24107 SAINT ANDREWS LANE, WITHIN THE OPEN SPACE (OS) ZONING DISTRICT.

**MEETING DATE:** APRIL 9, 2014

**DATE:**

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**SUMMARY RECOMMENDATION:**

Adopt Resolution No. 2014-1402 approving File No. 120000173.

## **BACKGROUND:**

On February 19, 2003, the City Council adopted City Council Resolution No. 2003-800 (Attachment K), adopting a Mitigated Negative Declaration and approving the existing one-story, 11,021 square foot single-family residence. The original approval included the existing one-story (maximum 24 foot height) home, an infinity pool w/spa, a detached accessory (garage), a landscaped berm (south of the residence), a decomposed granite driveway, trellises, and mitigation oak trees.

On February 17, 2012, applications for a Site Plan Review, Development Plan, Scenic Corridor Permit, Oak Tree Permit and Variance were submitted to the City in response to a citation issued by the Building and Safety's Code Enforcement Division. The requested permits and approvals are necessary to legalize a one-story, 2,490 square-foot ground-floor garage addition to the existing house that is mostly constructed. The applications include additional proposals for a 5 foot walkway (already rough cut) around the addition (required for Fire Department access) and associated on-grade stairs, and the addition of enhanced landscaping to the existing berm placed to further conceal the development.

The applications and project plans were reviewed by the Development Review Committee (DRC) on March 20, 2012, and the Architectural Review Panel (ARP) on November 22, 2013. The addition was designed to match the Spanish Mediterranean style as well as the colors and materials of the existing residence, and the ARP unanimously recommended approval of the design as submitted. The applications were deemed complete on January 23, 2014.

The applications and project plans were reviewed by the Planning Commission on March 6, 2014. At the meeting, the significant issues discussed related to the architecture, aesthetics/scenic corridor, encroachment into the protected zone of one non-heritage oak tree, and a variance related to development on the ridgeline. The Planning Commission commented about being put in an awkward position having to review a project that was mostly constructed; nonetheless, the Commission recommended approval of the project to the City Council. The Commission's approval recommendation was based on the following: (1) that the expanded residence is no more visible than the existing residence (due to the existing contoured berm); (2) that the applicant will have improved the screening of the development by enhancing the landscaping on the berm; (3) that no impacts to the oak tree (Oak Tree #8) or scrub oaks would occur; and (4) that the variance is justifiable because the existing home was already developed on the ridgeline and that any addition to the existing residence could not possibly meet the (new 2010) ridgeline setback standard in the Development Code. Further, because the landscaping which was required for the 2003 approval had not been maintained properly and thus died (the fault of a previous owner), the Commission placed an



additional condition on the project requiring ongoing monitoring of the new landscaping and a report to be submitted after a three year period to ensure that the landscaping is properly established and maintained.

#### **DISCUSSION/ANALYSIS:**

A synopsis of the significant issues regarding this project is discussed below. For an expanded, in-depth analysis of all related topics, refer to the Planning Commission Agenda Report dated March 6, 2014 (Attachment I).

1. Development Plan: The subject project requires the approval of a Development Plan. Related applications for the Site Plan Review, Scenic Corridor Permit, Oak Tree Permit and Variance are typically reviewed and decided by the Planning Commission. However, because the parcel is Zoned Open Space (OS), and the establishment of setbacks in the OS zone require a Development Plan (which requires review and approval by the City Council), the City Council becomes the decision making body for all applications pertaining to this project per CMC Section 17.60.020.

Within the Open Space zone, the City's Development Code does not establish fixed setback requirements. Rather, setbacks are established on a case-by-case basis. This is because lands zoned open space (while allowing for residential development) generally are a larger size, have more of a rural characteristic and contain land worthy of preservation due to the presence of scenic and/or habitat resources. Additionally, development is generally more difficult to appropriately site because of the sloping topography of the parcels.

The existing residence, approved in 2003 by the City Council, had its setbacks established through the same Development Plan process. Because the addition is expanding the project toward the south and east, the setbacks need to be re-established to accommodate a southern street side setback at 488 feet from the southern parcel boundary (previously 523 feet) and an eastern side yard setback at 767 feet from the eastern parcel boundary (previously 814 feet). Both of these setback reductions maintain more than adequate separation from surrounding parcels and development. Additionally, although the on-site development will be expanded from 11,021 square feet to 13,511 square feet, the (net) size of the site is 26.16 acres, and therefore 98.8% of the parcel will remain open space (previously 99%).

2. Aesthetics/Scenic Corridor: The project site is located within the Mulholland Scenic Corridor. As such, any development on-site is required to comply with the Scenic Corridor Development Guidelines. The Guidelines require development to be appropriately sited and designed to protect views from the

scenic roadway. Specific guidelines include the use of pitched roof elements, medium to dark colored roofing materials, avoidance of large blank facades, and use of appropriate landscaping to screen development.

The existing development, approved in 2003, was sited on top of the ridgeline. It was approved as a one-story Spanish Mediterranean style house with a maximum height of 24 feet (although generally in the 18 – 20 foot range). The residence included design elements such as a medium-colored pitched (Spanish style) roof, use of earth toned colors and façade elements, and appropriate building massing. Additionally, the site included a graded berm element enhanced with landscaping to conceal public view of the development from Mulholland Highway. The result was a development that is minimally visible from Mulholland Highway, and the project has often been cited as an example of how best to develop on a ridgeline, in instances when the ridgeline is the least intrusive place to develop.

The addition expands the residence to the south (toward Mulholland Highway) and to the east. It is sited within the existing development footprint on the existing graded building pad, and behind the landscaped berm. Heights for the addition range between 12 feet at the berm location to 19 feet at the point where the addition adjoins the existing house (setback from the berm). These heights are generally lower than the existing residence. The addition is styled and designed to match the existing Spanish Mediterranean architecture of the residence, including the use of identical colors, materials and detailing. The Architectural Review Panel (ARP) reviewed the project on November 22, 2013 and unanimously approved the design, citing that it was consistent with the Scenic Corridor Design Guidelines and was not visible from the Scenic Corridor. Furthermore, the addition was sited and designed to take advantage of the existing berm element. The applicant has submitted both a visual analysis (Attachment B – Project Plans, p. A-7) and photographs taken from Mulholland Highway demonstrating that the addition is only minimally visible from the roadway. The applicant's analysis has been field verified by staff.

The Planning Commission also reviewed the visual analysis and photos, and likewise confirmed that the addition is only minimally visible from the scenic roadway. Additionally, since the applicant has proposed enhanced landscaping on the berm (noting that some of the original landscaping on the berm has died), the Commission commented that in this case, the project will be even better concealed than the original residence because landscaping will both be replaced and enhanced on the berm. Furthermore, the Commission conditioned the project to require landscaping to be maintained in good condition, and required a monitoring report to be submitted by the licensed Landscape Architect three

years after completion of the project to ensure that the landscaping has been well established and maintained.

### 3. Oak Trees:

The application included a request for an Oak Tree Permit due to a 25% encroachment into the protected zone of one non-Heritage oak tree (Oak Tree #8 - planted as mitigation for the 2003 approval on the berm). Oak Tree # 8 has a diameter of 2" and is located on the south side of the berm approximately 13 feet away from the addition (Attachment C). The applicant submitted an oak tree report to address potential impacts to Oak Tree#8, and the report concluded that no impact will occur. The City's Oak Tree Consultant reviewed the Oak Tree Report, conducted a field inspection and concurred with the report's conclusions.

Staff also asked the report to identify any scrub oaks downslope that would potentially be impacted by an expanded fuel modification zone required by the LA County Fire Department (Attachment C). The report identified two small scrub oak clusters within or immediately adjacent to the expanded fuel modification area. Both those scrub oaks are located within or immediately adjacent to Zone C, which is a vegetation thinning zone. Because of this, removals of the scrub oaks are not necessary and no impact to the scrub oaks will occur. This is also demonstrated on the submitted fuel modification plan submitted by the applicant and reviewed by the City's Oak Tree Consultant, who concurs.

### 4. Variance:

The proposed project also requires the review and approval of a variance application. CMC Section 17.20.150 (Hillside and Ridgeline Ordinance) requires development to be sited 50 feet away horizontally and 50 feet below a significant ridgeline. In this case (and based on the 2003 approval which preceded the 2010 adoption of the Hillside and Ridgeline Ordinance), the existing residence was developed on top of the significant ridgeline. To this end, any addition to the existing residence would not be able to meet the setback requirements set forth in CMC Section 17.20.150, and therefore a variance request is required.

The intent of the City's Hillside and Ridgeline Ordinance is to protect scenic vistas and ensure development is not silhouetted against the sky. The application meets this intent in that the addition is concealed behind the existing landscape berm and will be no more visible than the existing residence was prior to the addition. Furthermore, as mentioned in Section 2 above, landscape

enhancements are proposed for the berm to further conceal the residence, and conditions are proposed for the project to require well maintained landscaping and a monitoring report to be submitted after 3 years. Due to these circumstances, the variance is justifiable.

**ENVIRONMENTAL REVIEW:**

This project is Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301(e)(2) Existing Facilities. A Notice of Exemption has been prepared and is attached as Attachment G.

**FISCAL IMPACT/SOURCE OF FUNDING:**

Because the project consists of an addition to an existing residence, no fiscal impact to the City is expected. There may be a negligible increase of City revenues due to an increase of assessed property valuation and the resulting City share of property tax revenue.

**REQUESTED ACTION:**

That the Council adopt Resolution No. 2014-1402 approving File No. 120000173

**ATTACHMENTS:**

- |              |   |
|--------------|---|
| Attachment A | Draft Council Resolution No. 2014-1402  |
| Attachment B | Site Plan, Elevation, Color Elevation, Fuel Modification/Preliminary Landscape Plan, Grading Plans, and site photos |
| Attachment C | Oak Tree Location Maps  |
| Attachment D | Oak Tree Review Letters   |
| Attachment E | Color and Materials Board   |
| Attachment F | Public Correspondence   |
| Attachment G | Draft Notice of Exemption   |
| Attachment H | Planning Commission Resolution No. 2014-565   |
| Attachment I | March 6, 2014 Planning Commission Agenda Report   |
| Attachment J | March 6, 2014 Planning Commission Minutes   |
| Attachment K | City Council Resolution No. 2003-800  |

**MINUTES OF A REGULAR MEETING OF  
THE CITY COUNCIL OF THE CITY OF CALABASAS, CALIFORNIA  
HELD WEDNESDAY, APRIL 9, 2014**

Mayor Shapiro called the meeting to order at 7:08 p.m. in the Council Chambers, 100 Civic Center Way, Calabasas, California. All members of the City Council were present.

**ROLL CALL** Present: Mayor Shapiro, Mayor pro Tem Martin, Councilmembers Bozajian, Gaines and Maurer.  
Absent: None.  
Staff: Bartlett, Cohen-Cutler, Coroallas, Hernandez, Howard, Klein, Michitsch, Rubin, Steller, Tamuri and Yalda.

The Pledge of Allegiance was led by Calabasas High School, Boys' Basketball Head Coach Jon Palarz.

Mayor Shapiro announced that the meeting would be adjourned in memory of Tom Sherak.

**APPROVAL OF AGENDA**

Councilmember Gaines moved, seconded by Councilmember Maurer to approve the agenda. MOTION CARRIED 5/0 as follows:

AYES: Mayor Shapiro, Mayor pro Tem Martin and Councilmembers Bozajian, Gaines and Maurer.

**ANNOUNCEMENTS/INTRODUCTIONS**

Members of the Council made the following announcements:

Councilmember Gaines:

- The Fine Arts Festival is scheduled on May 3-4 at the Commons.
- Lupinhill Elementary School Carnival is scheduled on April 13.
- The Chamber's breakfast is scheduled on April 10.
- The Chamber's wine tasting and silent auction is scheduled on May 9 at the Civic Center Plaza.

Councilmember Maurer:

- The free bulky item pick up is scheduled on April 19.
- New Assemblymember Matt Dababneh will be at the Library on April 17.

Councilmember Bozajian:

- The annual Calabasas Eggstrøme is scheduled on April 11, at De Anza Park.
- The Community Health Expo 4 is scheduled o AGENDA ITEM NO. 1 Hills/Calabasas Community Center.
- Earth Day Festival is scheduled on April 12, at Creekside Village.
- The Canine Classic Dog Walk & Festival is scheduled on April 27, at De Anza Park.
- An earthquake forum is scheduled on April 28, following the Public Safety Commission meeting.

Mayor pro Tem Martin:

- A Lost Hills Interchange update is scheduled on April 10.
- Another Straight Up Reality Party will be scheduled soon.
- The Board of Supervisors approved the City's election date to the first Tuesday after the first Monday in November of odd-numbered years.

The following spoke on this item: Wendy Fassberg, Linda Stock, Rochelle Kasten, Gary Walsh, Steve Kasten, Susan Beeftink, Rob Searcy, Mary Regas, Leslie Bergman, Abraham Fassberg, Alan Kabakoff, Renee Blankenship, Patty Goldberg, Barry Hammond, Don Hasten, Lisa Auerbach, David Litt and Pat Haakstad.

The meeting recessed at 9:25 p.m.  
The meeting reconvened at 9:37 p.m.

Mayor Shapiro closed the public hearing.

Extensive discussion took place.

**Councilmember Gaines moved, seconded by Councilmember Maurer to approve Item No. 6. MOTION CARRIED 3/1 as follows:**

AYES: Mayor Shapiro and Councilmembers Gaines and Maurer.

NOES: Mayor pro Tem Martin.

ABSENT: Bozajian.

Councilmember Bozajian returned to the meeting.

7. Recommendation from the Parks, Recreation and Education Commission to adopt Resolution No. 2014-1401, establishing a new tuition fee schedule for September 2014 for the Calabasas Klubhouse Pre-School and rescind Resolution No. 2012-1319.

Mayor Shapiro opened the public hearing.


Mr. Rubin presented the staff report.

No one expressed the desire to speak on this item.

Mayor Shapiro closed the public hearing.

**Councilmember Gaines moved, seconded by Councilmember Bozajian to approve Item No. 7. MOTION CARRIED 5/0 as follows:**

AYES: Mayor Shapiro, Mayor pro Tem Martin and Councilmembers Bozajian, Gaines and Maurer.

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8. Adoption of Resolution No. 2014-1402 approving the legalization of a 2,490 square foot ground-floor addition (built without permits) to an existing one-story 11,021 square foot single-family residence. The project includes requests for the following: (1) a Site Plan Review for the construction of the 2,490 square foot addition, (2) a Scenic Corridor Permit for development in a designated scenic corridor, (3) a Development Plan to establish new setbacks for development located within the Open Space (OS) Zoning District, (4) an Oak Tree Permit for the encroachment into the protected zone of one (non-Heritage) oak tree, and (5) a Variance request for development within 50 horizontal feet and 50 vertical feet of a designated significant ridgeline. The subject site is located at 24107 Saint Andrews Lane, within the Open Space (OS) Zoning District.

Mayor Shapiro opened the public hearing.

Mr. Michitsch presented the staff report.

The following spoke on this item: Michael Tudzin, Susan Moeowen, Phil Mundy, Ronal Ettinger and Hasse Birenbaum.

Extensive discussion took place.

The meeting recessed at 11:50 p.m.  
The meeting reconvened at 11:51 p.m.

Mayor Shapiro closed the public hearing.

**Councilmember Maurer moved, seconded by Councilmember Bozajian to make the following modifications to Item No. 8:**

- To remand the matter to the Planning Commission to consider further and/or additional mitigation measures.
- Applicant to waive the Permit Streamlining Act time limits to and including August 13.
- The matter is to return to the Council after further Public Commission review, not later than Aug 13.

**MOTION CARRIED 5/0 as follows:**

**AYES:** Mayor Shapiro, Mayor pro Tem Martin and Councilmembers Bozajian, Gaines and Maurer.

#### **INFORMATIONAL REPORTS**

9. Check Register for the period of March 5-26, 2014.

**No action was taken on this item.**

#### **TASK FORCE REPORTS**

Councilmember Bozajian reported his attendance to the Board of Supervisors meeting on April 8, where the date of our election was unanimously approved to the change to the first Tuesday after the first Monday in November of odd-numbered years. Mr. Howard reported that pursuant to Elections Code Section 10403.5, postcards would be mailed to all registered voters in the City informing them of the election date change and extension of term limits for all members of the Council.

#### **CITY MANAGER'S REPORT**

Mr. Corrales reported that a letter was received from the City of Agoura Hills in regard to the annexation outlining some concerns. The Conservancy passed a resolution to accept the parcels if the City were to annex them.

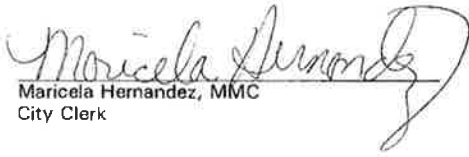
#### **FUTURE AGENDA ITEMS**

Mayor Shapiro requested members of the Council to look at their calendars for dates for a future workshop.

#### **ADJOURN**

Councilmember Bozajian moved, seconded by Mayor pro Tem to adjourn the meeting at 12:47 a.m. in memory of Tom Sherak to their regular meeting scheduled on Wednesday, April 23, 2014, at 7:00 p.m. MOTION CARRIED 5/0 as follows:

AYES: Mayor Shapiro, Mayor pro Tem Martin and Councilmembers Bozajian,  
Gaines and Maurer.

  
Maricela Hernandez, MMC  
City Clerk



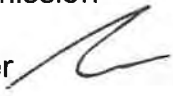


CITY of CALABASAS

**PLANNING COMMISSION AGENDA REPORT**  
**MAY 15, 2014**

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**TO:** Members of the Planning Commission

**FROM:** Glenn Michitsch, Senior Planner 

**FILE NO.:** 120000173

**PROPOSAL:** Reconsideration of a request to legalize the construction of a 2,490 square foot ground-floor addition (built without permits) to an existing one-story 11,021 square foot single family residence on a 27.88 acre lot, per remand of File no. 120000173 by the City Council. The project includes requests for the following: (1) a Site Plan Review for the 2,490 square foot addition, (2) a Scenic Corridor Permit for development within a designated Scenic Corridor, (3) a Development Plan to establish new setbacks for development within the Open Space (OS) Zoning District, (4) an Oak Tree Permit for the encroachment into the protected zone of one (non-Heritage) oak tree, and (5) a Variance for development within 50 horizontal feet and 50 vertical feet from a designated significant ridgeline. The property is located at 24107 Saint Andrews Lane within the Open Space (OS) zoning district.

**APPLICANT:** Harry and Carmella Birenbaum

**RECOMMENDATION:** Adopt Resolution No. 2014-568 recommending approval of File No. 120000173 to the City Council.

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**STAFF RECOMMENDATION:**

That the Commission adopt Resolution No. 2014-568 recommending approval of File No. 120000173 to the City Council.

**REVIEW AUTHORITY:**

The Planning Commission is reviewing this project because Section 17.62.070 of the Calabasas Municipal Code (CMC) stipulates that a Development Plan is required to

establish setbacks in the Open Space Zoning District, which requires review and recommendation by the Planning Commission to the City Council, who has final decision authority. Although the Site Plan Review, Scenic Corridor Permit, Oak Tree Permit and Variance applications are typically reviewed and decided by the Planning Commission, Section 19.60.020 requires that for concurrent applications, the final review authority on all applications is the higher review authority. In this case, the Council is the review authority for the Development Plan application.

### **BACKGROUND:**

On March 6, 2014, the Planning Commission adopted Resolution No. 2014-565 recommending to the City Council approval of File no. 120000173, a retroactive permit for a 2,490 square-foot ground-floor addition to an existing single-family residence. Applications included a Site Plan Review, Development Plan, Scenic Corridor Permit, Oak Tree Permit and Variance (Exhibits B and C). Due to the fact that both the existing and proposed development was situated on top of a significant ridgeline, and that previous landscaping planted on a contoured berm to help screen the development from Mulholland Highway had died, the Commission added a condition requiring the applicant to have a licensed landscape architect submit a monitoring report after a three-year period to ensure that the landscape screening on the berm was established and in good condition. With that condition added, the Planning Commission felt that the findings for the project applications were met, and the project was unanimously recommended for approval to the City Council.

The matter was subsequently heard by the City Council on April 9, 2014. At that meeting, the Council voiced concerns relative to the variance application with specific regard to the potential granting of a special privilege to the property owner, and also of the potential visibility and impact to the scenic corridor. The Council, desiring further vetting of the applications, voted unanimously to remand the project back to the Planning Commission for further review. Specifically, the Council requested that the Planning Commission further consider whether additional mitigation options or enhancement of the existing mitigation with regard to view impacts is appropriate. Some specific considerations mentioned by Council members included:

- Possible addition of landscaping along Mulholland Highway (as an additional mitigation measure); and
- Addition of a condition causing for the termination of the variance upon the destruction or demolition of a significant portion of the garage addition

### **STAFF ANALYSIS:**

At the April 9, 2014 City Council meeting, the Council raised concerns regarding approval of a variance and visual impact of development on a ridgeline. Additionally, the Council suggested that the Planning Commission explore whether additional or enhanced

mitigation measures are appropriate. These key issues are discussed below.

- A. Variance: The Council voiced concern regarding approval of the variance application, which was made necessary in this case because the addition does not meet the setback requirement for development on a significant ridgeline. Section 17.20.150 requires development on a significant ridgeline to be sited 50 feet off of and 50 feet below the ridgeline. Specific concerns were also raised about the size of the development. These concerns warrant discussion both regarding the siting of the development, and the finding relating to the variance not granting a special privilege to the property owner.

Regarding the siting of the development, staff's previous analysis concluded that because the previous residence was approved and constructed prior to the inclusion of CMC Section 17.20.150, any addition to the structure cannot possibly meet the ridgeline setback requirements. Although this analysis was simplified, it should be noted that within the staff's review of the application, and pursuant to the requirements in CMC Section 17.50.150(C)(3), alternative locations on the property were considered and rejected. Specifically, alternative locations also located on the developed pad area (and behind the berm) either were not accessible by vehicles (necessary for a garage structure) or would have been more impactful (visible) to adjacent neighbors. Therefore, placement of the addition in its current location is functionally superior considering the configuration of the existing driveway.

Alternative locations were also considered that could meet the ridgeline setback requirements. However, in this case, siting a new garage structure off of the ridgeline would create new development on steep slopes and the need for vehicle access which would both result in significant grading, significant visual impact to Mulholland Highway, and significant impacts to native habitat present on the slopes. Additionally, since the existing development is mostly screened by the existing berm, siting of the addition in its current location (behind the berm) is the least visually impactful, yet still most functional location for the garage addition. Furthermore, densely spaced and dense-growing native landscaping has been proposed on the berm in front of the addition, and three-year monitoring (a condition added by the Planning Commission in its March 6, 2014 approval recommendation) has been required to ensure landscape has been established and maintained for the purpose of screening what remaining portions of the addition are visible. For these reasons, staff remains supportive of the proposed addition in its current location.

Council's concern regarding the size of the structure relates to a required finding "...*that the Variance would not constitute the granting of a special privilege inconsistent with the limitations of other properties in the same zoning district.*" (emphasis added) Staff's previous analysis was that although both the existing and proposed development's size is larger than the three other adjacent properties (located both in close proximity to the

subject site and in the identical zoning district), that no special privilege results because the resulting Floor Area Ratio (or the ratio of the development area to the parcel's size) is within the range of Floor Area Ratios of the three adjacent parcels. While it is true that development on the subject site is greater in size than any of the adjacent properties, the subject property is also more than three times the average size of the three adjacent properties that are identically zoned, and can therefore accommodate a much larger structure.

Regulation of development size through discretionary action is subjective and different methods may be used. Related to the finding of no special privilege, a simple comparison of house sizes is one method that can be utilized to judge whether a special privilege is being granted. However, the City's Development Code does not place restrictions on the size of development in the Open Space (OS) zoning district. Also, there is no specified Floor Area Ratio (FAR) standard in the OS Zone. In contrast, the City's commercial zones do regulate development size through application of a maximum FAR. Use of FARs in such zones is common and appropriate because FARs allow for measurement of development density in relation to lot size, and lot size in commercial zones often vary by wide margins. Privately owned lot sizes in OS zones also vary substantially (from 1 acre to approximately 28 acres) For this reason, in the OS Zone, staff finds it difficult to compare scale of development for a special privilege judgement using a simple house size comparison, and prefers instead a comparison of development scale based on FARs.

Since the resulting FAR of the subject property after development of the addition lies within the range of the FARs of the three adjacent parcels (see house comparison table on p.10 of the staff report), staff believes this finding has been met. Furthermore, the comparison that staff used is conservative because the subject property's FAR was calculated using garage space, while the FAR of the adjacent three parcels was calculated without including garage space due to lack of data. If the garage spaces of the adjacent three parcels were factored into the calculation, the FARs used for the comparison properties would be even higher, and the subject property would compare even more favorably.

It is also important to note, in relation to the variance finding regarding "no special privilege", that although the post-development condition results in a minimally visible development within the scenic corridor (just like the pre-development condition), the project is no more visible from the scenic corridor than other residences within the neighborhood. Most notably, the neighboring residence to the west is more visible than the subject residence.

- B. Ridgeline Development/Visual Impact:** With regard to ridgeline development and visual impact, staff's previous analysis concluded that while the proposed garage addition did not meet the ridgeline setback standards (as discussed in Section A above), the project

still met the intent of the City's Ridgeline Ordinance because the proposed garage addition was sited in the least visually obtrusive location and was not silhouetted against the sky, as required by CMC Section 17.20.150(C)(2). Furthermore, the project met the additional findings required if development could not meet the ridgeline setback requirements consisting of: 1) that alternative locations were considered and eliminated based on physical infeasibility or the potential for habitat destruction after the defined siting principles were applied, and 2) that the project maintains the maximum view of the significant ridgeline through the use of design features.

In this case, the project was sited on an already developed flat pad (requiring no further grading other than for a Fire Department access path), behind a contoured berm designed to conceal development on the pad, styled, colored and massed in a way to help the development blend with its surroundings, and proposing to plant additional native landscaping on the berm with a species specifically selected and placed to screen the development.

Although concern was voiced by Council, staff supports the original recommendation that the project is designed and sited appropriately, utilizes landscaping selected and placed in such a manner that when mature, will screen the development even better than exists currently, and the project will result in little to no visual impact to the scenic corridor and ridgeline. However, since the proposed addition (as with the original development) is minimally visible from a portion of Mulholland Highway, Section C below identifies some possible additional mitigations for consideration that could serve to further protect to the scenic corridor.

**C. Additional Mitigations/Alternatives To Consider:** Subsequent to the April, 9, 2014 City Council meeting and pursuant to the direction given by Council, staff revisited the project to consider possible enhancement of existing mitigation measures and/or other mitigation strategies that could be implemented. Staff also met with the applicant to discuss these ideas. The following are proposed mitigation measure alternatives above and beyond the mitigations already incorporated into the Planning Commission's March 6, 2014 recommendation that staff believes are reasonable for consideration:

1. Enhancement to landscaping on the berm – the existing project proposed the placement of two varieties of a densely-spaced native shrub (Wild Lilac or "Ceanothus") on the existing berm in the location of the addition. The two species are Ceanothus "Centennial", a ground cover that grows to about 12 inches tall and Ceanothus "Dark Star" which grows to a height of approximately 8 feet. One possible alternative is to incorporate further enhancement of landscaping on the existing berm including either placement of additional taller growing native shrubs and/or native trees to provide more screening. Exhibit D, drafted by the applicant's landscape architect is one possible landscaping enhancement scheme that could be utilized.

2. Raising the berm height and added landscaping – This mitigation alternative would require the height of the berm to be raised and then landscaped with native plant material as described in alternative 1 above for additional screening. Alternative 2 is more involved, requiring import of fill material, raising the height of the existing (inward facing) retaining wall to support additional berm height, removal and replacement of existing irrigation, most likely removal and replacement of the existing mitigation oak trees, and landscaping of the newly raised berm.
3. Placement of landscaping along Mulholland Highway – This alternative considers placement of native plants adjacent to Mulholland Highway, along the only portion of the roadway where the addition is minimally visible. The existing vegetation along that portion of the roadway contains a mix of both mostly native plants and some non-native ruderal vegetation. Alternative 3 would involve careful selection of native plants that will integrate well with the existing vegetation, and extending a water source to establish the plants. An issue to consider with this alternative is the right balance of plant species so that it provides screening for the addition, but not so much screening that travelers lose sight of the mostly undisturbed hillside and ridgeline views. Exhibit E is a possible native plant palette that could be utilized.
4. No changes to the proposed project and mitigation – The commission may also determine that the proposed project, as decided on March 6, 2014, is fully acceptable and that no additional mitigation is necessary.

Should the Commission decide to recommend additional mitigation (per alternatives 1, 2 or 3 as discussed above) then an additional Condition of Approval should be added to Resolution No. 2014-568 requiring such mitigation.

**D. Alternatives considered and rejected:** The following alternatives were considered, discussed with the applicant, and rejected for the reasons described below:

1. Scaling back of the addition – Staff discussed the possibility of a reduced garage addition where the development would be set back further from the berm. This alternative was rejected because the applicant's objective for the garage addition is to store collectable automobiles and motorcycles. Due to the position of the existing residence, setting the garage back from the berm would reduce the amount of vehicle storage space, limit the internal maneuvering area, and not significantly improve the already minimal visibility of the addition.
2. Lowering the roof height – Staff discussed the possibility of lowering the roof height of the garage addition. This alternative was rejected because lowering the roofline would visually affect the design of the overall residence. Currently, the addition was designed to match the height of the roofline of the existing residence as well as the roof profile and slope. Lowering the roofline, which includes exposed (faux) rafter

tails to match the existing residence, would cause for an asymmetry in the roofline. Additionally, the pitches of the tile roof were designed to be consistent with the existing residence. Pitched roof elements are a required component of the scenic corridor design guidelines.

**REQUIRED FINDINGS:**

The findings required in CMC Section 17.62.070 for a Development Plan; CMC Section 17.62.050 for a Scenic Corridor Permit; CMC Section 17.62.020(E) for a site plan review; CMC Section 17.62.080 for a Variance; CMC Section 17.20.150(C)(3) for additional findings related to development on a significant ridgeline; and 17.32.010(E) for an Oak Tree permit are contained in the resolution attached as Exhibit A.

**ENVIRONMENTAL REVIEW:**

This project is Exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301(e)(2) Existing Facilities (additions to existing structures) of the CEQA Guidelines. A Notice of Exemption has been prepared and is attached as Exhibit H.

**CONDITIONS OF APPROVAL:**

See conditions contained in the resolution, attached as Exhibit A.

**PREVIOUS REVIEWS:**

**Development Review Committee (DRC):**

March 20, 2012                      No major issues identified.

**Architectural Review Panel (ARP):**

November 22, 2013                      Recommended approval of the design as proposed

**ATTACHMENTS:**

- Exhibit A: Planning Commission Resolution No. 2014-568
- Exhibit B: Site Plan, Elevations, Color Elevations, Fuel Modification/Preliminary Landscape Plans, Grading Plans, and Site Photos
- Exhibit C: Color and Materials Board
- Exhibit D: Alternative 1 Landscape Planting Plan
- Exhibit E: Alternative 3 Plant Palette
- Exhibit F: Public Correspondence
- Exhibit G: City Council Resolution 2003-800
- Exhibit H: Notice of Exemption

**TECHNICAL APPENDIX**

**Location Map:**



<b>Development Standards:</b>				<b>Code Limit</b>	<b>Meets Code</b>
Lot Size:	1,214,453	s.f.	gross	6,969,600 s.f.	No (legal non-conforming)
<b>Setbacks:</b>					
Front:	762	Ft.		Dev. Plan	Yes
Rear:	767	Ft.		Dev. Plan	Yes
Side:	166	Ft.		Dev. Plan	Yes
Side (street):	488	Ft.		Dev. Plan	Yes
Height (Addition):	19	Ft.		25 Ft. max	Yes
<b>Pervious Surface:</b>					
Proposed:	1,194,172	Sq. Ft.	98.33 %	None	Yes
<b>Site Coverage:</b>					
Proposed:	14,861	Sq. Ft.	1.22 %	None	Yes
<b>Parking Calculations</b>					
# of Spaces Provided:	5			4 min	Yes



**Development Standards:**

**Code Limit**

**Meets Code**

**Proposed Color Palette:**

Stucco Color: Sherwin Williams "Bagel"  
 Stone: Lompoc Stone "Autumn Creek Ledge Blended TV"  
 Accent Color: Sherwin Williams "Copper Mountain"  
 Wood Stain: Sherwin-Williams "Warm Chestnut"  
 Garage Doors: Sherwin-Williams "Copper Mountain"  
 Roof Tile: Santa Fe (Clay)

**Surrounding Properties:**

	Existing Land Use	Zoning	General Plan Designation
Site	Single-family residence	Open Space (OS)	Open Space – Resource Protected (OS-RP)
West	Mobile Home Park	Residential, Mobile-Home (RMH)	Residential-Mobile Home (R-MH)
East	Single-family residence	Open Space (OS)	Open Space – Resource Protected (OS-RP)
North	Open Space	Open Space, Development-Restricted (OS-DR)	Open Space – Resource Protected (OS-RP)
South	Single-family residence	Residential, Single-Family (RS)	Residential-Single Family (R-SF)

**Home Comparison:**

**Project Site:**

<b>APN</b>	<b>Property Address</b>	<b>House Size (SF)</b>	<b>Lot Size (SF)</b>	<b>FAR</b>
4455006019	24107 Saint Andrews Ln	8,804	1,139,737	0.008

**Neighboring Homes:**

<b>APN</b>	<b>Property Address</b>	<b>House Size (SF)</b>	<b>Lot Size (SF)</b>	<b>FAR</b>
4455006018	24111 Saint Andrews Ln	4,458	118,496	0.037
4455006017	24115 Saint Andrews Ln	3,657	566,297	0.006
4455006016	24119 Saint Andrews Ln	4,413	425,625	0.01
<b>Average</b>		4,176	370,139	0.018

Notes: (1) The House sizes do not include garages.

(2) Lot sizes are net (sf)

(3) The FAR for the subject property including garage space is 0.012

(4) Project Site information obtained from information submitted by the applicant. Information on neighboring homes obtained from records of the Los Angeles County Tax Assessor Office.

**MINUTES OF A REGULAR MEETING OF THE  
PLANNING COMMISSION OF THE CITY OF CALABASAS  
CALIFORNIA, HELD THURSDAY, MAY 15, 2014**

Opening Matters:

Call to Order / Roll Call of Commission Members

Chair Shumacher called the meeting to order at 7:00 p.m. in City Hall Council Chambers, 100 Civic Center Way, Calabasas, California.

Present: Chair Shumacher, Vice Chair Lia, Commissioners Mueller, Sikand, and Alternate Commissioner Litt.

Absent: Commissioner Weintraub (arrived at 7:40 p.m.).

Staff: Summers, Bartlett, and Michitsch.

Pledge of Allegiance

The pledge of allegiance was led by Vice Chair Lia.

Approval of Agenda

**Vice Chair Lia moved, seconded by Commissioner Mueller, to approve the Planning Commission Agenda of May 15, 2014. MOTION CARRIED 5/0.**

Announcements and Introductions

There were no announcements or introductions.

Oral Communications – Public Comment:

There were no public speakers.

Consent Item(s):

1. Approval of Minutes: April 24, 2014 and May 1, 2014

**Vice Chair Lia moved, seconded by Commissioner Mueller, to approve the minutes of the April 24, 2014 Planning Commission meeting. MOTION CARRIED 4/0, Alternate Commissioner Litt abstaining.**

**Vice Chair Lia moved, seconded by Alternate Commissioner Litt, to approve the minutes of the May 1, 2014 Planning Commission meeting. MOTION CARRIED 4/0, Chair Shumacher abstaining.**

Public Hearing Items:

2. File No. 120000173. Reconsideration of a request to legalize the construction of a 2,490 square-foot ground-floor addition (built without permits) to an existing one-story 11,021 square-

foot single-family residence on a 27.88 acre lot, per remand by City Council. The project includes requests for the following: 1) a Site Plan Review for the 2,490 square-foot addition; 2) a Scenic Corridor Permit for development within a designated Scenic Corridor; 3) a Development Plan to establish new setbacks for development within the Open Space (OS) zoning district; 4) an Oak Tree Permit for the encroachment into the protected zone of one (non-heritage) oak tree; and 5) a Variance for development within 50 horizontal feet and 50 vertical feet from a designated significant ridgeline. The property is located at 24107 Saint Andrews Lane within the Open Space (OS) zoning district. Submitted by: Harry and Carmella Birenbaum. Planner: Glenn Michitsch, Senior Planner.

Senior Planner Michitsch presented the staff report.

The Commissioners asked questions of staff.

Chair Shumacher opened the public hearing.

Ronald Ettinger, representing the property owners, discussed project details and proposed alternatives.

Susan McEowan stated she was the landscape architect for both the original and the current project. She discussed landscaping plans submitted with the project and testified as to the benefits and improvements made in the newly revised landscape plans.

Michael Tudzin, representing the applicants, discussed project details and proposed alternatives. He urged the Commission to approve Alternative 1.

The Commissioners asked questions of the various speakers.

Chair Shumacher closed the public hearing.

#### Planning Commission Break

At 9:00 p.m., Chair Shumacher called a recess. The meeting reconvened at 9:10 p.m. with all Commissioners present.

The Commissioners and staff discussed the application and proposed resolution.

By consensus, the Commissioners agreed that Alternative 1 (Exhibit D) is to be included as the landscape plan suggested with this recommendation.

By consensus, the Commissioners agreed to amend the last sentence of Condition No. 9 to read, "The applicant shall submit an annual monitoring report for each of the three years after the date the Community Development Director or his or her designee certifies to the installation of the landscaping demonstrating that the landscaping has been maintained in compliance with the approved landscaping plan, to the satisfaction of the Director of the Community Development Department or his or her designee.

**Commissioner Mueller moved, seconded by Commissioner Sikand, to approve Planning Commission Resolution No. 2014-568, as amended, recommending to the City Council approval of File No. 120000173 to legalize the construction of a 2,490 square-foot ground-floor addition (built without permits) to an existing one-story 11,021 square-foot single-**

family residence. The project includes requests for the following: 1) a Site Plan Review for the construction of the 2,490 square-foot addition; 2) a Scenic Corridor Permit for development within a designated scenic corridor; 3) a Development Plan to establish new setbacks for development located within the Open Space (OS) zoning district; 4) an Oak Tree Permit for the encroachment into the protected zone of one (non-heritage) oak tree; and 5) a Variance request for development within 50 horizontal feet and 50 vertical feet of a designated significant ridgeline. The subject site is located at 24107 Saint Andrews Lane, within the Open Space zoning district. MOTION CARRIED 4/1, Vice Chair Lia dissenting.

Future Agenda Items and Reports:

3. Director's Report and Update on Current Projects and Future Agenda Items

City Planner Bartlett provided a forecast of future agenda items.

4. Reports from the Planning Commission

There were no reports from the Commissioners.

Adjournment:

Chair Shumacher adjourned the Planning Commission meeting at 9:47 p.m. to June 5, 2014 at 7:00 p.m.

Respectfully Submitted:

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Liz Parker

**Photo of Adjacent House to the West From Mulholland Hwy (24111 Mulholland Hwy)**



**Zoomed In Photo of Adjacent House to the West From Mulholland Hwy (24111 Mulholland Hwy)**



**CITY COUNCIL RESOLUTION NO. 2003-800**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALABASAS, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT NO. 01-12, SITE PLAN REVIEW NO. 01-08, AND OAK TREE PERMIT NO. 01-12 TO CONSTRUCT A 9,650 SQUARE FOOT SINGLE FAMILY HOME WITH 1,750 SQUARE FEET OF GARAGE AND TO ESTABLISH A PROGRAM TO MITIGATE PREVIOUS SCRUB OAK REMOVALS AT 24107 SAINT ANDREWS LANE.**

file

**Section 1.** The City Council has considered all of the evidence submitted into the administrative record which includes, but is not limited to:

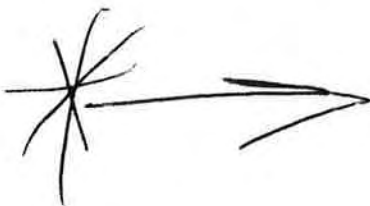
1. Staff reports and a Mitigated Negative Declaration prepared by the Planning Division.
2. Staff presentations at the Public Hearings held on November 6, 2002 December 4, 2002 and January 22, 2003.
3. City of Calabasas Land Use and Development Code, the General Plan, and all other applicable regulations and codes.
4. Public comments, both written and oral, received and/or submitted at, or prior to, the Public Hearing supporting and/or opposing the applicant's request.
5. Testimony and/or comments from the applicant and their representatives submitted to the City in both written and oral form at, or prior to, the Public Hearing.
6. All related documents received and/or submitted at, or prior to, the Public Hearing.
7. Recommendations by the Design Review Panel and Planning Commission.

**Section 2.** Based of the foregoing evidence, the City Council finds that:

1. The applicant submitted an application for a Conditional Use Permit, Site Plan Review, and Oak Tree Permit on September 25, 2001.
2. Within thirty (30) days of the submittal of the Land Use application to the Planning Department, staff determined that the application was incomplete and the applicant was duly notified of this incomplete status.



3. On April 15, 2002 the application was deemed complete and the applicant was notified of this status.
4. Notice of the November 6, 2002, December 4, 2002 and January 22, 2003 City Council Public Hearings were posted at Juan de Anza Bautista Park, the Calabasas Tennis and Swim Center, Gelson's and at Calabasas City Hall.
5. Notice of the City Council Public Hearings were published in the *Acorn* ten (10) days prior to each hearing.
6. Notice of the City Council Public Hearings were provided to property owners within 750 feet of the property as shown on the latest equalized assessment roll.
7. Notice of the City Council Public Hearings were mailed or delivered at least 10 days prior to the hearing to the project applicant.
8. The current zoning of the project site is Open Space (OS). This zoning designation permits the construction of one single-family residence with appurtenant residential structures suitable for the size and topography of the project site.
9. The land use designation for the project site under the City's adopted General Plan is Open Space - Resource Protection (OS-RP).
10. The surrounding land uses are Residential Single-Family to the north, south and east, and Residential Multi-family to the west.
11. The applicant requested approval to construct a 9,650 square foot single story home with 1,750 square feet of garage and to mitigate a previous scrub oak violation at 24107 Saint Andrews Lane. The applicant withdrew the request for a tennis court as part of the subject approval. However, the applicant is not prohibited from applying for a tennis court application at a later date.
12. Notice of the City Council Public Hearing included the notice requirements set forth in Government Code Section 65009 (b)(2).
13. The applicant submitted a letter to the City Council dated January 29<sup>th</sup> discussing several issues pertaining to the project (Attachment "F"). In this letter, the applicant committed to a conservation easement regulation of the open space surrounding the residential building site.



**Section 3.** In view of all of the evidence and based on the foregoing findings, the City Council concludes as follows:

**SITE PLAN REVIEW**

1. The proposed use is conditionally permitted within the applicable zoning district and complies with all applicable provisions of this Development Code.

One Single-family residence per lot is permitted within Open Space zoned properties. The height and design of the house and accessory structures are consistent with all applicable Development Code standards. The proposed house is designed to be a maximum height of 25 feet and the house has been designed to blend into the natural environment using stone cladding and dark wood elements. The pool and spa will be at least 10 feet from other structures on site.

2. The proposed use is consistent with the General Plan, any applicable Specific Plan, and any special design theme adopted by the City for the site and vicinity.

The General Plan Consistency Review Program - Project Site Planning: Grading of ridgelines is prohibited. Structures shall be sited sufficiently below ridgelines so as to preserve unobstructed views of a natural skyline. In cases where application of this performance standard would prevent construction of any structures on a lot of record, obstruction of views of a natural skyline shall be minimized, and landscaping shall be provided to soften the impact of the new structure.

After careful staff and environmental review of all other potential siting options, based on geologic concerns and potential hazards, biological constraints, and slope stability limitations, the existing graded pad along the ridgeline has been deemed to be the only location that is suitable for construction of a structure. Therefore, staff concluded construction on the ridge should be permitted if the previously graded portion of the ridgeline would serve as the primary pad location. The pad is situated at the top of a ridgeline that slopes steeply on the north and south sides. Both the north and south slopes have a history of slope failure and are not suitable for construction. There is also a blue line stream running along the south side of the property adjacent to Mulholland Highway which further constrains the property.

General Plan Consistency Review Program - Architecture Design: The overall scale and massing of structures shall respect the natural surroundings and unique visual resources of the area by incorporating designs which minimize bulk and mass, follow natural topography, and minimize visual intrusion on the natural landscape.

Because of the project's prominent location visually from the surrounding communities, the applicant designed a single story residence that reduces the vertical mass and conforms to the shape of the ridgeline. The proposed residence is purposely located behind two existing knolls on the south and east portions of the ridge minimizing view impacts. Additional berms are planned which will be contour graded to further reduce project visibility. The other three homes on Saint Andrews Lane are two stories. This project will be less visible than existing homes in the subdivision.

General Plan Consistency Review Program - Architecture Design: Collective mass roof lines and elements shall reflect the naturally occurring ridgeline silhouettes and topographical variation, or create an overall variety, that blends with the hillside.

The roof lines are designed to conform with the natural contours of the hillside to blend into the environment. To further limit the visual impact of the proposed residence, the applicant is incorporating a combination of contoured berms and landscaping in select areas along the north and south portion of the ridge.

General Plan Consistency Review Program - Performance Standards for Hillside Development - Architectural Design:

Based upon the graphic principal that dark colors recede and light colors project, medium to dark colors which blend with the surrounding environment should be used for building elevations and roof materials in view sensitive areas. Architectural style, including materials and colors, should be compatible with the natural setting.

With the incorporation of Craftsman design architectural elements and native materials (exposed dark wood elements and stone cladding), the project is consistent with the General Plan Consistency Program.

3. The approval of the Site Plan Review for the proposed use is in compliance with the California Environmental Quality Act (CEQA);

A Mitigated Negative Declaration has been prepared in compliance with the City adopted CEQA guidelines and a Mitigated Monitoring Program for the project has been incorporated into this resolution.

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 areas.

The environment surrounding the project area consists mostly of natural hillsides with a variety of residential housing projects of variable density and visibility. The project design is sensitive to the prominent ridgeline location. The horizontally designed single story residence reduces the vertical mass and conforms to the shape of the ridgeline. The proposed residence is purposely located behind two existing knolls on the southern and eastern portions of the ridge which minimizes view impacts from the surrounding community and the Mulholland Highway Scenic Corridor.

To further limit the visual impact of the proposed residence, the applicant is incorporating a combination of contoured berms (which will be deed restricted to prevent removal) and landscaping in select areas along the northern and southern portions of the ridge.

5. The site is adequate in size and shape to accommodate the proposed structures, yards, walls, fences, parking, landscaping, and other development features; and

The site is approximately 26 acres with a building pad of approximately 80,000 square feet. The site and building pad sizes are more than adequate to accommodate an 11,000 + square foot residence, proposed accessory structures and landscaping.

6. The proposed project is designed to respect and integrate with the existing surrounding natural environment to the maximum extent possible.

Because of the project's prominent location, the applicant designed a single story residence that reduces the vertical mass and conforms to the shape of the ridgeline. The proposed residence is purposely located behind two existing knolls on the southern and eastern portions of the ridge minimizing view impacts.

With the incorporation of Craftsman architectural elements (dark wood elements and stone cladding), the projects' s design integrates well with the natural environment.

To further limit the visual impact of the proposed residence, the applicant is incorporating a combination of contoured berms and landscaping in select areas along the northern and southern portion of the ridge.

## **CONDITIONAL USE PERMIT**

The applicant has provided the necessary findings for approval of the Conditional Use Permit (See Attached Exhibit "A").

## **SCENIC CORRIDOR**

1. The proposed project design has considered and complies with the Scenic Corridor Development Guidelines adopted by the Council;

Scenic Corridor Development Guidelines: The roofs of buildings constructed on sloping land shall be parallel to the natural topography in order to protect the line-of-sight within the view corridor.

The horizontally designed single story design prevent significant line-of-sight impacts within the view corridor. The roof lines have been designed to be consistent with the natural contours of the hillside and to blend into the environment.

Scenic Corridor Development Guidelines: All structures shall be designed and situated on site to minimize adversely impacting views.

The area surrounding the project consists mostly of natural hillside terrain with a variety of residential housing products of variable density and visibility. As revised after Commission, Council and staff critique, the project design is sensitive to it's prominent ridgeline location. The horizontally designed single story residence reduces the structure's vertical mass and conforms to the shape of the ridgeline. The proposed residence is purposely located behind two existing knolls on the south and east portions of the ridge minimizing view impacts.

2. The proposed project incorporates design measures to ensure maximum compatibility with and enhancement of the scenic corridor;

To limit the visual impact of the proposed residence, the applicant is incorporating a combination of contoured berms and landscaping in selected areas along the northern and southern portions of the ridge.

3. The proposed project is within a rural scenic corridor designated by the General Plan, and is designed to ensure the continuing preservation of the rural character of the surrounding area.

With the incorporation of rural Craftsman architectural elements(dark wood elements and stone cladding), the project's design integrates well with the natural environment.

## **DEVELOPMENT PLAN**

1. The proposed use is conditionally permitted within the subject zoning district and complies with all of the applicable provisions of this Development Code;

One Single-family residence per lot is permitted within Open Space zoned properties. As recommended by staff, the height and design of the house and accessory structures are consistent with all applicable Development Code standards. The proposed house is a maximum height of 25 feet and is designed to blend into the natural environment using stone cladding and dark wood elements. The pool and spas will be at least 10 feet from other structures on site.

2. The proposed use is consistent with the General Plan and any applicable Specific Plan or Master Plan;

The General Plan Consistency Review Program - Project Site Planning: Grading of ridgelines is prohibited. Structures shall be sited sufficiently below ridgelines so as to preserve unobstructed views of a natural skyline. In cases where application of this performance standard would prevent construction of any structures on a lot of record, obstruction of views of a natural skyline shall be minimized, and landscaping shall be provided to soften the impact of the new structure.

The existing graded pad along the ridgeline is the only location that is suitable for construction of a structure. Therefore, limited development on the ridge must be permitted to enable the construction of one single-family dwelling as permitted for each Open Space zoned lot of record. The pad is at the top of a ridgeline that slopes steeply on the north and south sides. Both the north and south slopes have a history of slope failure and are not suitable for construction. There is also a blue line stream running along the south side of the property adjacent to Mulholland Highway.

General Plan Consistency Review Program - Architecture Design: The overall scale and massing of structures shall respect the natural surroundings and unique visual resources of the area by incorporating designs which minimize bulk and mass, follow natural topography, and minimize visual intrusion on the natural landscape.

Because of the project's prominent location, the applicant designed a single story residence that reduces the vertical mass and conforms to the shape of the ridgeline. The proposed residence is purposely located behind two existing knolls on the southern and eastern portions of the ridge to minimize view impacts.

General Plan Consistency Review Program - Architecture Design: Collective mass roof lines and elements shall reflect the naturally occurring ridgeline silhouettes and topographical variation, or create an overall variety, that blends with the hillside.

The roof lines are designed with the natural contours of the hillside to blend into the environment. To further limit the visual impact of the proposed residence, the applicant is incorporating a combination of contoured berms and landscaping in selected areas along the northern and southern portions of the ridge to be reviewed and approved by the Community Development Director.

**General Plan Consistency Review Program - Performance Standards for Hillside Development - Architectural Design:**

Based upon the graphic principal that dark colors recede and light colors project, medium to dark colors which blend with the surrounding environment should be used for building elevations and roof materials in view sensitive areas.

Architectural style, including materials and colors, should be compatible with the natural setting.

With the incorporation of rural Craftsman architectural elements (dark wood elements and stone cladding), the project is consistent with the General Plan Consistency Program.

3. The approval of the Development Plan for the proposed use is in compliance with the California Environmental Quality Act (CEQA); and

A Mitigated Negative Declaration has been prepared in compliance with the City adopted CEQA guidelines.

4. The location, design, scale, and operating characteristics of the proposed use are compatible with the existing and anticipated future land uses in the vicinity.

The site is approximately 26 acres with a building pad of approximately 80,000 square feet. The site and building pad sizes are more than adequate to accommodate a 11,000+ square foot residence, proposed accessory structures and landscaping. The single-family use is compatible with the existing uses and the surrounding zoning districts.

**Section 4.** In view of all of the evidence and based on the foregoing findings and conclusions, the City Council hereby approves Conditional Use Permit No. 01-12, Site Plan Review No. 01-08, and Oak Tree Permit No. 01-12 based on those findings cited above and incorporating the conditions contained below:

**I. INDEMNIFICATION AGREEMENT**

The Developer shall defend, indemnify and hold the City and its elective and appointed boards, commissions, officers, agents and employees harmless from

and against all demands, liabilities, costs (including attorneys' fees), or damages claimed by third parties against the City which were incurred by said third parties as a result of the City's negligence regarding the review and/or approval of the design, construction, operation or maintenance of the approved project described herein.

In the event a legal challenge is made to the City's approval of the Conditional Use Permit, Site Plan Review, and Oak Tree Permit, the developer shall indemnify, hold harmless, pay all costs, including attorneys' fees and provide a defense for the City and its elective and appointed boards, commissions, officers, agents and employees in such action.

## **II. PLANNING DIVISION CONDITIONS**

1. All project conditions and mitigation measures shall be imprinted on the title sheet of the construction drawings. The approved set of plans shall be retained on-site for review by Building Inspectors during the course of construction.
2. This approval shall be valid for two years from the date of adoption of the resolution. The permit may be extended in accordance with Title 17 Land Use and Development Code, Article VI - Land Use and Development Permits.
3. This grant shall not be effective for any purposes until the applicant and the owner of the property involved (if other than the owner) have filed, with the office of the Community Development Department, an affidavit recorded as a covenant agreement with the County of Los Angeles (County Clerk - Recorder) stating the applicant and the owner are aware of and agree to accept all conditions of approval and mitigation measures contained in the Mitigated Negative Declaration.
4. The subject property shall be developed, maintained, and operated in full compliance with the conditions and mitigation measures of this grant and any law, statute, ordinance or other regulation applicable to any development or activity on the subject property. Failure of the applicant to cease any development or activity not in full compliance shall be a violation of these conditions.
5. Any violation of the conditions or of approval or mitigation measures may result in the revocation of the Conditional Use Permit.
6. Prior to any use of the project site, all conditions of approval and mitigation measures shall be completed to the satisfaction of the Director of Community Development.



7. Prior to the Issuance of Building Permits, improvement/construction plans shall be submitted to the Engineering, Traffic Engineering, Planning and Building and Safety Departments for review and approval, as required by the conditions of approval.
8. Construction Activities:  
  
Hours of construction activity shall be limited to:  
7:00 a.m. to 6:00 p.m., Monday through Friday  
8:00 a.m. to 5:00 p.m., Saturday  
  
Stacking of construction worker vehicles, prior to 7:00 a.m. in the morning will be restricted to areas that do not adversely effect adjacent property owners. The applicant shall notify the City Traffic Manager of the construction employee parking locations, prior to commencement of construction.
9. The applicant shall comply with all conditions as outlined in the Mitigated Negative Declaration and mitigating monitoring table (attached as Exhibit "B").
10. Any proposed changes to the approved plans that would cause this project to become more visible from the surrounding community (i.e., increasing the size or height of the house, changing house color to a lighter or more visible hue, relocating the house farther out on the ridge, reducing amount of berming or landscaping or any other significant changes) shall be reviewed and approved by the Planning Commission and City Council.
11. Prior to final occupancy, all sewer line trenching shall be fully restored. A program to monitor this restoration and any other required grading restoration shall be funded by the applicant. Monitoring shall be performed by City staff or consultants. A monitoring deposit of \$3,000 shall be submitted to the City prior to issuance of a Building Permit.

### **AESTHETIC AND VISUAL**

1. The proposed home shall be constructed in accordance with the attached plans (Exhibit "C, D, and E") which include site plans, conceptual landscape plans, and building elevations. The applicant shall be responsible for submitting final plans conforming with these exhibits to the Community Development Department for review and approval.
2. The applicant shall incorporate contoured berms and in selected areas along the northern and southern portion of the ridge to be reviewed and approved by the Community Development Director prior to pad certification.

3. All fence plans (including any entry gate or retaining walls) shall be submitted for final approval by the Community Development Director. Any retaining walls shall have a stone or other decorative facade treatment and shall be planted with vines or other landscaping to the satisfaction of the Director of Community Development.
4. Any future application for a tennis court shall be conditioned to be fully screened with landscaping. Protective fencing around the court shall not exceed ten feet. Any future tennis court, sports court, or similar construction, shall be setback at least a 50 foot setback from all property lines.
5. All stucco building walls shall be of a smooth trowel "Mission" finish.

### **LIGHTING**

1. There shall be no recreational lighting along the ridgeline. Lighting for this project shall be consistent with the newly adopted Lighting Ordinance and the Scenic Corridor Ordinance. A photometric plan (including fixture details and height) must be submitted for final approval by the Director of Community Development prior to building permit issuance.

### **LANDSCAPING**

1. Unless otherwise directed or approved by the City Council, the final landscape plans shall be consistent with the approved preliminary plans.
2. Prior to scheduling an inspection of the landscape installation with the City, the applicant's landscape architect shall certify in writing that the installation is in substantial conformance with the approved landscape plans.
3. The plant palette shall not include any plants known to be invasive to the Santa Monica Mountains.
4. Plant materials shall emphasize native and naturalistic plant materials to the satisfaction of the City Arborist and the Community Development Director.
5. Prior to final occupancy, the applicant shall record a deed restriction and accompanying exhibits with the County of Los Angeles prohibiting the removal of the all manufactured and existing berms along the ridgeline. The contents of this restriction shall be reviewed and approved by the Community Development Director and the City Attorney prior to recordation.

6. The applicant shall install moisture sensors for all irrigation used for watering turf.

### **OAK TREES**

1. Prior to the approval of any permits, the applicant shall submit a mitigation plan for the unauthorized removal of 39,875 square feet of scrub oak habitat by a previous applicant. The mitigation plan shall be subject to the review and approval of the City Arborist and the Community Development Director.
2. The applicant is permitted to modify additional scrub oak habitat as necessary to meet the minimum requirements of the Fuel Modification Plan Guidelines of the County of Los Angeles Fire Department. Prior to the approval of any permits, the applicant shall submit a mitigation plan for the required impacts to approximately 5.5 acres of scrub oak habitat, in addition of that listed above. The mitigation plan shall be subject to the review and approval of the City Arborist and the Community Development Director.
3. All oak mitigation areas shall be located outside of any required fuel modification zones. The applicant may elect to participate in the City's Oak Tree Mitigation Fund in lieu of on site mitigation. The applicant must elect for on-site or in-lieu mitigation prior to issuance of building permits.
4. Prior to the start of any site work, protective fencing shall be placed at the grading limits to protect the adjacent scrub oak habitat. The City Arborist shall inspect and approve the fencing installation. The fence shall remain in place until the Community Development Director approves removal at construction completion.
5. Site irrigation shall be designed to the satisfaction of the City Arborist and the Community Development Director to ensure that adverse impacts do not further degrade the scrub oak habitat on the site. Irrigation plans shall be reviewed and approved by the Community Development Director prior to issuance of Building Permits.

### **III. PUBLIC WORKS CONDITIONS**

1. The owner shall, at the time of issuance of permits or other grants of approval agrees to develop the property in accordance with City codes and other appropriate ordinances such as the Building Code, Plumbing Code, Grading Code, Highway Permit Ordinance, Mechanical Code, Zoning Ordinance, Under grounding of Utilities Ordinance, Sanitary Sewer and Industrial Waste Ordinance, Electrical Code and Fire Code. This note shall appear on the face sheet of the building plans.

## **STREET IMPROVEMENTS**

1. The applicant shall install a mailbox and post per City standards. The mailbox location shall be approved by the U.S. Postal Service prior to installation.
2. The applicant shall comply with the Geologist's recommendations in the Geology Report for restrictions on watering, irrigation, planting and recommended types of plants.
3. The applicant's grading plans and all construction permitted by such plans shall comply with the requirements of the approved oak tree report.
4. The applicant shall obtain an encroachment/construction permit prior to any construction within any street including, St. Andrews Lane, Dry Canyon Cold Creek, and/or Mulholland Highway.

## **GRADING, DRAINAGE & GEOLOGY**

1. The applicant shall submit a grading and drainage plan prior to issuance of a grading permit which must be approved by the City Engineer's office.
2. The applicant shall provide to the City an acknowledgment form to prove that a registered Civil engineer and geologist has been retained to prepare the grading plan and geological report both registered in the State of California.
3. The applicant's grading plan shall be based on a detailed engineering geotechnical report which (a) must be specifically approved by the geologist and/or soils engineer and (b) show all recommendations submitted by them. The grading plan shall bear the Geologist Stamp and acknowledgment that they have reviewed the grading plan and that all geological recommendations are incorporated into the plan. It must also agree with the conditions as approved by the City.
4. The applicant shall either eliminate all geologic hazards associated with this proposed development or delineate a restricted use area to be approved by the consulting geologist and the City Engineer. Restricted use areas shall be dedicated to the City to prohibit the erection of buildings or other structures within the restricted use areas.
5. The applicant shall submit drainage plans, hydrological and hydraulic calculations and any other necessary support documents to comply with Engineering requirements. These reports must be approved to the satisfaction of the City Engineer prior to issuance of the grading permit.

6. If necessary (as determined by federal or state agencies), the applicant shall acquire permits from the Army Corps of Engineers and the Fish & Game Department prior to issuance of grading permits or the commencement of any work within or near any natural drainage course identified by the City as requiring such permits.
7. Grading operations involving the hauling of dirt shall be controlled and reasonable efforts to avoid the spillage of dirt onto Saint Andrews lane and public streets shall be enforced. The grading contractor shall maintain on site at all times a means of preventing blowing dust within the project site and onto adjacent sites.
8. The applicant's engineer shall prepare the grading plan in conformance with the City's Public Works Department administrative policies and procedures for grading plan requirements. A recent topographic survey shall be used in the preparation of the grading plan to reflect topographic information to within (200) two hundred feet beyond the property lines.
9. Prior to issuance of a grading permit, the applicant shall provide the Public Works Department with a City approved soils and geological report.
10. Upon approval of the grading plan and prior to issuance of the grading permit, the applicant's grading contractor, civil engineer, and geotechnical engineer shall meet with the Public Works and Community Development Departments for a preconstruction meeting.
11. Prior to issuance of a building permit, the applicant shall provide a rough grading certificate to be signed by the grading contractor, civil engineer, and geologist of record. The applicant shall also provide a rough grade compaction report for review by the City consultant geologist. Upon approval and acceptance of the rough grade certificate and the soils report, the Building Department will be notified that the pad is ready for building permit issuance. There shall be no excavation for utilities or footings until an approved rough grade certificate is issued by the City. Any violation of this procedure will result in voiding the rough grade certificate and the pad will have to be re-graded and re-certified.
12. Grading of the pad will conform to the Uniform Building Code, Land Use and Development Code and the Public Works administrative policies and procedures manual.
13. Proposed variations from the approved grading plan shall be submitted by the engineer of record to the City. The engineer shall submit three redline copies for review by the Planning Division and the City Engineer. The Community Development Director shall make the determination if the changes require a review by the Planning Commission. Any field

changes made prior to the approval by the City shall result in a stop work order and the project will have to be re-visited by the Planning Commission.

14. Prior to final occupancy, the applicant shall submit a precise grading soils report( as graded soils report) and a precise grading certificate for review and approval by the City.
15. The applicant shall request a final grading inspection from the City engineer and shall submit an as-built plan to the City reflecting any changes to the approved plan prior to initiation of inspection.

#### **NPDES/BUILDING PERMIT**

1. The developer shall comply with all NPDES requirements. Storm water from private streets and drains shall be treated by an oil/water separator, clarifier or by a biological system to remove petroleum based pollutants and other contaminants from storm water. Storm Water mitigation improvements for this project shall also include a filtration basin to accommodate the first flush contaminants in accordance with the requirements of the City Engineer. The filtration basin design must be submitted and approved by the City Engineer prior to grading permit issuance.
2. Prior to grading permit issuance, the developer shall submit a copy of the Storm Water Pollution Prevention Plan (SWPPP) of the NPDES improvements/requirements to the City Engineer. The SWPPP shall be on the project site at all times during construction.
3. The developer shall be responsible for the operation and maintenance of all NPDES related improvements; and shall pay the City's cost for all NPDES inspections, testing, and monitoring of said improvements.
4. Thirty days prior to any soil disturbance occurring from November 1 through April 15, the applicant shall be required to submit an Erosion Control Plan to the City Engineer for review. The Erosion Control Plan shall be installed on site before November 1.
5. The applicant shall be in compliance with the approved Runoff Mitigation Plan at all times, including any post construction maintenance.

#### **IV. ENVIRONMENTAL CONDITIONS**

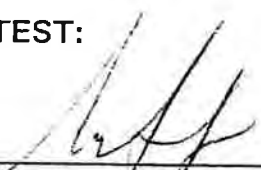
1. The applicant shall comply with all mitigation measures within the attached Mitigated Negative Declaration.

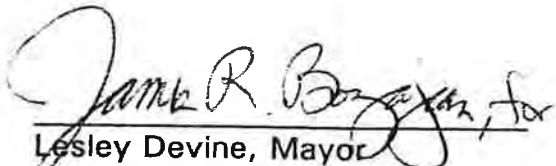
**Section 5.** In view of all of the evidence and based on the foregoing findings and conclusions, the City Council hereby approves Conditional Use Permit No. 01-12, Site Plan Review No. 01-08, and Oak Tree Permit No. 01-12, a request to construct a 9,650 square foot single-family home and remove nine oak trees at the property located at 24107 Saint Andrews Lane.

The City Clerk shall certify to the adoption of this resolution and shall cause the same to be processed in the manner required by law.

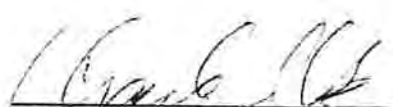
**PASSED, APPROVED AND ADOPTED** this 19th day of February, 2003.

ATTEST:

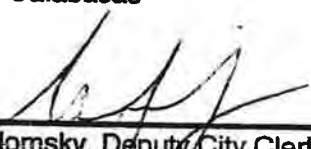
  
\_\_\_\_\_  
Mark Jomsky, Deputy City Clerk

  
\_\_\_\_\_  
Lesley Devine, Mayor

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Charles S. Vose, City Attorney

Certified to be a true and correct copy  
of original document on file with the  
City of Calabasas

  
\_\_\_\_\_  
Mark Jomsky, Deputy City Clerk

STATE OF CALIFORNIA     )  
COUNTY OF LOS ANGELES) SS  
CITY OF CALABASAS     )


I, **MARK JOMSKY**, Deputy City Clerk of the City of Calabasas, California, **DO HEREBY CERTIFY** that the foregoing resolution, being **Resolution No. 2003-800** was duly adopted by the City Council of the City of Calabasas, at a regular meeting of the City Council held February 19, 2003, and that it was adopted by the following vote, to wit:

**AYES:** Mayor Devine, Mayor pro Tem Bozajian, Councilmember Washburn.

**NOES:** Councilmembers Harrison, Lee.

**ABSTAIN:** None.

**ABSENT:** None.

  
\_\_\_\_\_  
Mark Jomsky, Deputy City Clerk  
City of Calabasas, California





# Check Register Report

Bank: BANK OF AMERICA - OPERATING  
 Reporting Period: 6/3/2014 to 6/12/2014

Date: 6/16/2014  
 Time: 6:24:59PM  
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Check No.	Check Date	Vendor Name	Check Description	Amount	Department
<b><u>Administrative Services</u></b>					
87911	6/4/2014	MARTIN & CHAPMAN CO.	ELECTION POSTCARDS	2,992.43	Administrative Services
87936	6/11/2014	ACORN NEWSPAPER	LEGAL ADVERTISING	126.00	Administrative Services
88002	6/12/2014	US BANK	VISA- UPS STORE	10.00	Administrative Services
<b>Total Amount for 3 Line Item(s) from Administrative Services</b>				<b><u>\$3,128.43</u></b>	
<b><u>Boards and Commissions</u></b>					
88002	6/12/2014	US BANK	VISA- RALPHS	34.93	Boards and Commissions
<b>Total Amount for 1 Line Item(s) from Boards and Commissions</b>				<b><u>\$34.93</u></b>	
<b><u>City Council</u></b>					
88002	6/12/2014	US BANK	VISA- ICMA	1,400.00	City Council
87952	6/11/2014	ECONOMIC ALLIANCE	VALLEY OF THE STARS DINNER	275.00	City Council
87952	6/11/2014	ECONOMIC ALLIANCE	VALLEY OF THE STARS DINNER	275.00	City Council
88002	6/12/2014	US BANK	VISA- PICK UP STIX	189.44	City Council
88002	6/12/2014	US BANK	VISA- CALABASAS SELF STORAGE	184.00	City Council
88002	6/12/2014	US BANK	VISA- FRESH BROTHERS	158.40	City Council
87890	6/4/2014	CALABASAS CHAMBER OF COMMERCE	MAYORAL LUNCHEON	140.00	City Council
87949	6/11/2014	CR PRINT	MEMO PADS	106.39	City Council
88002	6/12/2014	US BANK	VISA- THE FOUNDATION	100.00	City Council
88002	6/12/2014	US BANK	VISA- THE FOUNDATION	100.00	City Council
88002	6/12/2014	US BANK	VISA- SAGE PUBLICATION	59.95	City Council
87994	6/11/2014	VERIZON WIRELESS	TELEPHONE SERVICE	38.01	City Council
87890	6/4/2014	CALABASAS CHAMBER OF COMMERCE	MAYORAL LUNCHEON	35.00	City Council
88002	6/12/2014	US BANK	VISA- FINE HOME DISPLAYS	18.38	City Council
<b>Total Amount for 14 Line Item(s) from City Council</b>				<b><u>\$3,079.57</u></b>	
<b><u>City Management</u></b>					
88002	6/12/2014	US BANK	VISA- TOSCA NOVA	61.05	City Management
87890	6/4/2014	CALABASAS CHAMBER OF COMMERCE	MAYORAL LUNCHEON	35.00	City Management
88002	6/12/2014	US BANK	VISA- UPS STORE	18.40	City Management





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Check No.	Check Date	Vendor Name	Check Description	Amount	Department
<b>Total Amount for 3 Line Item(s) from City Management</b>				<b>\$114.45</b>	
<b><u>Civic Center O&amp;M</u></b>					
87909	6/4/2014	LAS VIRGENES MUNICIPAL WATER	WATER SERVICE	821.21	Civic Center O&M
87909	6/4/2014	LAS VIRGENES MUNICIPAL WATER	WATER SERVICE	758.04	Civic Center O&M
87884	6/4/2014	AMTECH ELEVATOR SERVICES	ELEVATOR SERVICES	630.76	Civic Center O&M
87884	6/4/2014	AMTECH ELEVATOR SERVICES	ELEVATOR SERVICES	630.76	Civic Center O&M
87954	6/11/2014	EMERALD COAST PLANTSCAPES, INC	PLANT MAINTENANCE- MAY 2014	500.00	Civic Center O&M
87954	6/11/2014	EMERALD COAST PLANTSCAPES, INC	PLANT MAINTENANCE- MAY 2014	250.00	Civic Center O&M
87980	6/11/2014	SECURAL SECURITY CORP	PATROL CAR SERVICES- CIVIC CTR	212.50	Civic Center O&M
87980	6/11/2014	SECURAL SECURITY CORP	PATROL CAR SERVICES- CIVIC CTR	212.50	Civic Center O&M
87959	6/11/2014	G & F LIGHTING SUPPLY CO.	LIGHTING SUPPLIES	125.92	Civic Center O&M
87959	6/11/2014	G & F LIGHTING SUPPLY CO.	LIGHTING SUPPLIES	125.92	Civic Center O&M
88002	6/12/2014	US BANK	VISA- HOME DEPOT	100.64	Civic Center O&M
88002	6/12/2014	US BANK	VISA- HOME DEPOT	100.63	Civic Center O&M
87900	6/4/2014	G & F LIGHTING SUPPLY CO.	LIGHTING SUPPLIES	73.63	Civic Center O&M
87900	6/4/2014	G & F LIGHTING SUPPLY CO.	LIGHTING SUPPLIES	73.62	Civic Center O&M
87923	6/4/2014	SOUTH COAST A.Q.M.D	HOT SPOTS PROGRAM FEE	59.47	Civic Center O&M
87923	6/4/2014	SOUTH COAST A.Q.M.D	HOT SPOTS PROGRAM FEE	59.47	Civic Center O&M
88002	6/12/2014	US BANK	VISA- FRY SPECIALTY INC	50.08	Civic Center O&M
88002	6/12/2014	US BANK	VISA- HARBOR FREIGHTS	10.20	Civic Center O&M
88002	6/12/2014	US BANK	VISA- HARBOR FREIGHTS	10.20	Civic Center O&M
87909	6/4/2014	LAS VIRGENES MUNICIPAL WATER	WATER SERVICE	7.80	Civic Center O&M
87909	6/4/2014	LAS VIRGENES MUNICIPAL WATER	WATER SERVICE	7.20	Civic Center O&M
<b>Total Amount for 21 Line Item(s) from Civic Center O&amp;M</b>				<b>\$4,820.55</b>	
<b><u>Community Development</u></b>					
87969	6/11/2014	M6 CONSULTING, INC.	PLAN CHECK SERVICES	44,717.30	Community Development
87969	6/11/2014	M6 CONSULTING, INC.	PLAN CHECK SERVICES	9,190.90	Community Development
87969	6/11/2014	M6 CONSULTING, INC.	PLAN CHECK SERVICES	4,615.00	Community Development
87918	6/4/2014	RINCON CONSULTANTS INC	ENVIRONMENTAL CONSULTING	4,031.25	Community Development
87953	6/11/2014	EDGESOFT, INC.	SOFTWARE MAINTENANCE	4,000.00	Community Development
87969	6/11/2014	M6 CONSULTING, INC.	PLAN CHECK SERVICES	2,864.32	Community Development
87969	6/11/2014	M6 CONSULTING, INC.	PLAN CHECK SERVICES	1,961.67	Community Development
87936	6/11/2014	ACORN NEWSPAPER	LEGAL ADVERTISING	186.00	Community Development



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87882	6/4/2014	ACORN NEWSPAPER	LEGAL ADVERTISING	180.00	Community Development
87936	6/11/2014	ACORN NEWSPAPER	LEGAL ADVERTISING	180.00	Community Development
87882	6/4/2014	ACORN NEWSPAPER	LEGAL ADVERTISING	174.00	Community Development
87882	6/4/2014	ACORN NEWSPAPER	LEGAL ADVERTISING	174.00	Community Development
87889	6/4/2014	BLAIR/JESSICA//	PC MINUTE PREPARATIONS	168.00	Community Development
87936	6/11/2014	ACORN NEWSPAPER	LEGAL ADVERTISING	168.00	Community Development
87936	6/11/2014	ACORN NEWSPAPER	LEGAL ADVERTISING	168.00	Community Development
87936	6/11/2014	ACORN NEWSPAPER	LEGAL ADVERTISING	168.00	Community Development
87899	6/4/2014	ENVIRONMENTAL SCIENCE	OAK TREE CONSULTING SVCS	150.00	Community Development
87930	6/4/2014	WAREHOUSE OFFICE & PAPER PROD.	OFFICE SUPPLIES	117.72	Community Development
88002	6/12/2014	US BANK	VISA- APPLE STORE	90.37	Community Development
87996	6/11/2014	WAREHOUSE OFFICE & PAPER PROD.	OFFICE SUPPLIES	86.88	Community Development
88002	6/12/2014	US BANK	VISA- ICC LABC	85.00	Community Development
88002	6/12/2014	US BANK	VISA- RITE AID	14.03	Community Development
87908	6/4/2014	L.A. CO. ASSESSOR	MAPS AND POSTAGE	5.81	Community Development
<b>Total Amount for 23 Line Item(s) from Community Development</b>				<b>\$73,496.25</b>	

## Community Services

87926	6/4/2014	THORNTON/JOHN PAUL//	RECREATION INSTRUCTOR	6,036.80	Community Services
87945	6/11/2014	CALABASAS COUNTRY CLUB	SAVVY SENIOR LUNCHEON	4,275.00	Community Services
87929	6/4/2014	VENCO WESTERN, INC.	LANDSCAPE MAINTENANCE- SCHL	3,055.49	Community Services
88002	6/12/2014	US BANK	VISA- ADVANCED SIGN & BANNER	2,779.50	Community Services
87916	6/4/2014	PARKER-ANDERSON ENRICHMENT	RECREATION INSTRUCTOR	2,733.60	Community Services
87897	6/4/2014	DSR AUDIO	SOUND/POWER- CONCERT	2,500.00	Community Services
88002	6/12/2014	US BANK	VISA- SUNRISE KITCHEN	2,414.55	Community Services
87929	6/4/2014	VENCO WESTERN, INC.	LANDSCAPE MAINTENANCE- SCHL	2,043.95	Community Services
87925	6/4/2014	STONE SOUL BAND	PERFORMANCE- CONCERT	2,000.00	Community Services
88002	6/12/2014	US BANK	VISA- HOLLYWOOD BOWL	1,653.00	Community Services
87999	6/11/2014	WOLF/MEL//	RECREATION INSTRUCTOR	1,604.40	Community Services
87967	6/11/2014	LAS VIRGENES UNIFIED SCHOOL	FACILITY RENTAL	1,010.00	Community Services
87999	6/11/2014	WOLF/MEL//	RECREATION INSTRUCTOR	988.40	Community Services
87981	6/11/2014	SHALEV/ ALINA//	RECREATION INSTRUCTOR	934.94	Community Services
87885	6/4/2014	ANDERSON TROPHY CO	B-BALL TROPHIES	844.42	Community Services
87898	6/4/2014	EDU-CHESS	RECREATION INSTRUCTOR	793.10	Community Services
88002	6/12/2014	US BANK	VISA- ADVANCED SIGN & BANNER	784.80	Community Services
88002	6/12/2014	US BANK	VISA- HUNTINGTON TOURS	720.00	Community Services



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87983	6/11/2014	SO CA MUNI ATHLETIC FEDERATION	CLASS INSURANCE	702.00	Community Services
88002	6/12/2014	US BANK	VISA- CALABASAS SELF STORAGE	658.00	Community Services
88002	6/12/2014	US BANK	VISA- BARCO PRODUCTS	636.22	Community Services
87995	6/11/2014	VIEWPOINT EDUCATIONAL	POOL RENTAL	600.00	Community Services
87974	6/11/2014	PAULIN-RIDGLEY/SYNTHIA//	RECREATION INSTRUCTOR	560.00	Community Services
88002	6/12/2014	US BANK	VISA- TIRE MAN	542.91	Community Services
87907	6/4/2014	KRAUS/PETER//	RECREATION INSTRUCTOR	537.60	Community Services
88002	6/12/2014	US BANK	VISA- COSTCO	513.22	Community Services
87882	6/4/2014	ACORN NEWSPAPER	ARTS FEST ADVERTISING	497.21	Community Services
88002	6/12/2014	US BANK	VISA- FEDEX OFFICE	497.04	Community Services
87982	6/11/2014	SHOEMAKER/BONNIE//	RECREATION INSTRUCTOR	470.40	Community Services
87881	6/4/2014	ABSOLUTE PACKAGING SUPPLY INC	FACILITY MAINTENANCE SUPPLIES	455.18	Community Services
87901	6/4/2014	GESAS/HELAINA W.//	RECREATION INSTRUCTOR	448.00	Community Services
87967	6/11/2014	LAS VIRGENES UNIFIED SCHOOL	FACILITY RENTAL	440.00	Community Services
87882	6/4/2014	ACORN NEWSPAPER	ARTS FEST ADVERTISING	434.70	Community Services
87980	6/11/2014	SECURAL SECURITY CORP	PATROL CAR SERVICES- GATES/GRP	420.00	Community Services
87882	6/4/2014	ACORN NEWSPAPER	ARTS FEST ADVERTISING	401.58	Community Services
87965	6/11/2014	LA BASH/ TED//	RECREATION INSTRUCTOR	369.60	Community Services
87883	6/4/2014	AMICA SOUTHERN CALIFORNIA	SENIOR EXCURSION	364.32	Community Services
87882	6/4/2014	ACORN NEWSPAPER	ARTS FEST ADVERTISING	359.77	Community Services
88002	6/12/2014	US BANK	VISA- ADVANCED SIGN & BANNER	354.25	Community Services
88002	6/12/2014	US BANK	VISA- L.A. TURF CLUB	304.50	Community Services
87879	6/3/2014	MONEY MAILER	ADVERTISING- ARTS FEST	290.00	Community Services
88002	6/12/2014	US BANK	VISA- 7 ELEVEN	275.13	Community Services
87934	6/4/2014	YEEOPP/BETTY//	RECREATION INSTRUCTOR	264.60	Community Services
87882	6/4/2014	ACORN NEWSPAPER	ARTS FEST ADVERTISING	238.74	Community Services
88002	6/12/2014	US BANK	VISA- STAPLES	217.99	Community Services
88002	6/12/2014	US BANK	VISA- VISTA PAINT	192.40	Community Services
87920	6/4/2014	SILVA/ANDREW//	BASKETBALL/OFFICIAL/SCORER	192.00	Community Services
88002	6/12/2014	US BANK	VISA- TICKET PRINTING	189.95	Community Services
87905	6/4/2014	JOHNSTON/KURT//	BASKETBALL/OFFICIAL/SCORER	168.00	Community Services
87932	6/4/2014	WILL/STEPHANIE//	BASKETBALL/OFFICIAL/SCORER	168.00	Community Services
88002	6/12/2014	US BANK	VISA- JOHNNY ROCKETS	164.50	Community Services
88002	6/12/2014	US BANK	VISA- BARONES PIZZERIA	156.87	Community Services
88002	6/12/2014	US BANK	VISA- STAPLES	155.11	Community Services
88002	6/12/2014	US BANK	VISA- RALPHS	123.64	Community Services
88002	6/12/2014	US BANK	VISA- DO IT CENTER	119.56	Community Services



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88002	6/12/2014	US BANK	VISA- BAJA FRESH	116.54	Community Services
88000	6/11/2014	YEEOPP/BETTY//	RECREATION INSTRUCTOR	103.20	Community Services
87930	6/4/2014	WAREHOUSE OFFICE & PAPER PROD.	OFFICE SUPPLIES	88.94	Community Services
87944	6/11/2014	BROWN/RITA KEELEY//	RECREATION INSTRUCTOR	77.00	Community Services
88002	6/12/2014	US BANK	VISA- RABI INC	65.07	Community Services
88002	6/12/2014	US BANK	VISA- AGOURA PAINT	60.76	Community Services
88002	6/12/2014	US BANK	VISA- EAGLE AUTO & TIRE	47.88	Community Services
87996	6/11/2014	WAREHOUSE OFFICE & PAPER PROD.	OFFICE SUPPLIES	38.32	Community Services
87964	6/11/2014	INNER-I ...SECURITY IN FOCUS	GATE REPAIR- CREEKSIDE	36.00	Community Services
88002	6/12/2014	US BANK	VISA- CONSTANT CONTACT	35.00	Community Services
88002	6/12/2014	US BANK	VISA- GELSONS	30.70	Community Services
88002	6/12/2014	US BANK	VISA- FRANKLINS HARDWARE	30.48	Community Services
87996	6/11/2014	WAREHOUSE OFFICE & PAPER PROD.	OFFICE SUPPLIES	27.51	Community Services
88002	6/12/2014	US BANK	VISA- HOME DEPOT	23.92	Community Services
87927	6/4/2014	TRI-CO EXTERMINATING CO.	PEST CONTROL SERVICES	22.50	Community Services
88002	6/12/2014	US BANK	VISA- LOWES	22.31	Community Services
88002	6/12/2014	US BANK	VISA- ALBERTSONS	20.22	Community Services
88002	6/12/2014	US BANK	VISA- DO IT CENTER	16.30	Community Services
88002	6/12/2014	US BANK	VISA- 7 ELEVEN	14.97	Community Services
88002	6/12/2014	US BANK	VISA- AGOURA LOCK TECH	14.13	Community Services
88002	6/12/2014	US BANK	VISA- OFFICE DEPOT	8.72	Community Services
88002	6/12/2014	US BANK	VISA- RALPHS	5.98	Community Services
<b>Total Amount for 77 Line Item(s) from Community Services</b>				<b>\$51,561.39</b>	

## Finance

87937	6/11/2014	ADP, INC	PAYROLL PROCESSING	2,323.27	Finance
87963	6/11/2014	HDL, COREN & CONE INC.	PROPERTY TAX SERVICES	1,250.00	Finance
87937	6/11/2014	ADP, INC	PAYROLL PROCESSING	906.03	Finance
87985	6/11/2014	STATE CONTROLLER	INDEXING SYSTEM FEE	100.00	Finance
87996	6/11/2014	WAREHOUSE OFFICE & PAPER PROD.	OFFICE SUPPLIES	10.78	Finance
<b>Total Amount for 5 Line Item(s) from Finance</b>				<b>\$4,590.08</b>	

## Klubhouse Preschool

88002	6/12/2014	US BANK	VISA- COSTCO	2,028.41	Klubhouse Preschool
88002	6/12/2014	US BANK	VISA- SMART & FINAL	629.82	Klubhouse Preschool



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88002	6/12/2014	US BANK	VISA- SMART & FINAL	510.07	Klubhouse Preschool
88002	6/12/2014	US BANK	VISA- DISCOUNT SCHOOL SUPPLY	337.83	Klubhouse Preschool
88002	6/12/2014	US BANK	VISA- MICHAELS	263.35	Klubhouse Preschool
88002	6/12/2014	US BANK	VISA- SHARKYS	249.82	Klubhouse Preschool
88002	6/12/2014	US BANK	VISA- HOME DEPOT	239.39	Klubhouse Preschool
88002	6/12/2014	US BANK	VISA- MICHAELS	189.88	Klubhouse Preschool
88002	6/12/2014	US BANK	VISA- NAPA STORE	114.71	Klubhouse Preschool
87964	6/11/2014	INNER-I ...SECURITY IN FOCUS	GATE REPAIR- CREEKSIDE	84.00	Klubhouse Preschool
87996	6/11/2014	WAREHOUSE OFFICE & PAPER PROD.	OFFICE SUPPLIES	64.18	Klubhouse Preschool
88002	6/12/2014	US BANK	VISA- CVS PHARMACY	59.69	Klubhouse Preschool
88002	6/12/2014	US BANK	VISA- RUG DOCTOR	56.04	Klubhouse Preschool
88002	6/12/2014	US BANK	VISA- TARGET	54.39	Klubhouse Preschool
87927	6/4/2014	TRI-CO EXTERMINATING CO.	PEST CONTROL SERVICES	52.50	Klubhouse Preschool
<b>Total Amount for 15 Line Item(s) from Klubhouse Preschool</b>				<b>\$4,934.08</b>	

## Library

87978	6/11/2014	PREFERRED BENEFIT	VISION/DENTAL PREMIUM- JUN 14	924.23	Library
87942	6/11/2014	BAKER & TAYLOR	BOOKS-LIBRARY	314.64	Library
87946	6/11/2014	CANON BUSINESS SOLUTIONS, INC.	COPIER SVC PROGRAM- SJN11213	294.17	Library
88002	6/12/2014	US BANK	VISA- COSTCO	271.84	Library
87979	6/11/2014	RECORDED BOOKS, LLC	BOOKS ON CD	246.92	Library
87979	6/11/2014	RECORDED BOOKS, LLC	BOOKS ON CD	237.14	Library
87942	6/11/2014	BAKER & TAYLOR	BOOKS-LIBRARY	200.47	Library
87942	6/11/2014	BAKER & TAYLOR	BOOKS-LIBRARY	196.94	Library
87942	6/11/2014	BAKER & TAYLOR	BOOKS-LIBRARY	124.15	Library
87942	6/11/2014	BAKER & TAYLOR	BOOKS-LIBRARY	99.04	Library
88002	6/12/2014	US BANK	VISA- USPS	79.99	Library
87979	6/11/2014	RECORDED BOOKS, LLC	BOOKS ON CD	78.31	Library
87942	6/11/2014	BAKER & TAYLOR	BOOKS-LIBRARY	66.88	Library
87942	6/11/2014	BAKER & TAYLOR	BOOKS-LIBRARY	63.90	Library
87979	6/11/2014	RECORDED BOOKS, LLC	BOOKS ON CD	56.90	Library
87942	6/11/2014	BAKER & TAYLOR	BOOKS-LIBRARY	49.62	Library
87979	6/11/2014	RECORDED BOOKS, LLC	BOOKS ON CD	40.84	Library
87942	6/11/2014	BAKER & TAYLOR	BOOKS-LIBRARY	38.87	Library
87979	6/11/2014	RECORDED BOOKS, LLC	BOOKS ON CD	25.62	Library
87979	6/11/2014	RECORDED BOOKS, LLC	E-BOOKS	17.97	Library



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87979	6/11/2014	RECORDED BOOKS, LLC	BOOKS ON CD	17.23	Library
88002	6/12/2014	US BANK	VISA- SMART & FINAL	16.15	Library
87979	6/11/2014	RECORDED BOOKS, LLC	BOOKS ON CD	15.16	Library
<b>Total Amount for 23 Line Item(s) from Library</b>				<b>\$3,476.98</b>	
<b><u>LMD #22</u></b>					
87966	6/11/2014	LAS VIRGENES MUNICIPAL WATER	WATER SERVICE	4,732.42	LMD #22
87966	6/11/2014	LAS VIRGENES MUNICIPAL WATER	WATER SERVICE	2,715.68	LMD #22
87966	6/11/2014	LAS VIRGENES MUNICIPAL WATER	WATER SERVICE	1,267.92	LMD #22
87993	6/11/2014	VENCO WESTERN, INC.	LANDSCAPE MAINTENANCE- LMD	1,004.08	LMD #22
87993	6/11/2014	VENCO WESTERN, INC.	LANDSCAPE MAINTENANCE- LMD	788.95	LMD #22
87993	6/11/2014	VENCO WESTERN, INC.	LANDSCAPE MAINTENANCE- LMD	765.00	LMD #22
87924	6/4/2014	SOUTHERN CALIFORNIA EDISON	ELECTRIC SERVICE	493.87	LMD #22
87924	6/4/2014	SOUTHERN CALIFORNIA EDISON	ELECTRIC SERVICE	443.77	LMD #22
87924	6/4/2014	SOUTHERN CALIFORNIA EDISON	ELECTRIC SERVICE	415.63	LMD #22
87924	6/4/2014	SOUTHERN CALIFORNIA EDISON	ELECTRIC SERVICE	246.47	LMD #22
87978	6/11/2014	PREFERRED BENEFIT	VISION/DENTAL PREMIUM- JUN 14	126.35	LMD #22
87924	6/4/2014	SOUTHERN CALIFORNIA EDISON	ELECTRIC SERVICE	49.74	LMD #22
87924	6/4/2014	SOUTHERN CALIFORNIA EDISON	ELECTRIC SERVICE	27.93	LMD #22
<b>Total Amount for 13 Line Item(s) from LMD #22</b>				<b>\$13,077.81</b>	
<b><u>LMD #24</u></b>					
87924	6/4/2014	SOUTHERN CALIFORNIA EDISON	ELECTRIC SERVICE	110.82	LMD #24
87978	6/11/2014	PREFERRED BENEFIT	VISION/DENTAL PREMIUM- JUN 14	9.03	LMD #24
<b>Total Amount for 2 Line Item(s) from LMD #24</b>				<b>\$119.85</b>	
<b><u>LMD #27</u></b>					
87924	6/4/2014	SOUTHERN CALIFORNIA EDISON	ELECTRIC SERVICE	25.08	LMD #27
87978	6/11/2014	PREFERRED BENEFIT	VISION/DENTAL PREMIUM- JUN 14	2.26	LMD #27
<b>Total Amount for 2 Line Item(s) from LMD #27</b>				<b>\$27.34</b>	
<b><u>LMD #32</u></b>					



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87924	6/4/2014	SOUTHERN CALIFORNIA EDISON	ELECTRIC SERVICE	49.04	LMD #32
87978	6/11/2014	PREFERRED BENEFIT	VISION/DENTAL PREMIUM- JUN 14	2.26	LMD #32
<b>Total Amount for 2 Line Item(s) from LMD #32</b>				<b>\$51.30</b>	

## LMD 22 - Common Benefit Area

87966	6/11/2014	LAS VIRGENES MUNICIPAL WATER	WATER SERVICE	26,544.49	LMD 22 - Common Benefit Area
87993	6/11/2014	VENCO WESTERN, INC.	LANDSCAPE MAINTENANCE- LMD	1,372.75	LMD 22 - Common Benefit Area
87993	6/11/2014	VENCO WESTERN, INC.	LANDSCAPE MAINTENANCE- LMD	892.00	LMD 22 - Common Benefit Area
87993	6/11/2014	VENCO WESTERN, INC.	LANDSCAPE MAINTENANCE- LMD	726.00	LMD 22 - Common Benefit Area
87993	6/11/2014	VENCO WESTERN, INC.	LANDSCAPE MAINTENANCE- LMD	665.00	LMD 22 - Common Benefit Area
87993	6/11/2014	VENCO WESTERN, INC.	LANDSCAPE MAINTENANCE- LMD	380.00	LMD 22 - Common Benefit Area
87993	6/11/2014	VENCO WESTERN, INC.	LANDSCAPE MAINTENANCE- LMD	330.00	LMD 22 - Common Benefit Area
87924	6/4/2014	SOUTHERN CALIFORNIA EDISON	ELECTRIC SERVICE	154.41	LMD 22 - Common Benefit Area
87978	6/11/2014	PREFERRED BENEFIT	VISION/DENTAL PREMIUM- JUN 14	85.74	LMD 22 - Common Benefit Area
<b>Total Amount for 9 Line Item(s) from LMD 22 - Common Benefit Area</b>				<b>\$31,150.39</b>	

## Media Operations

87914	6/4/2014	NICKERSON/LAURA//	CTV HOST SERVICES	2,625.00	Media Operations
87984	6/11/2014	SOLID WASTE SOLUTIONS, INC	FILM PERMITS/SERVICES	1,260.00	Media Operations
87887	6/4/2014	AT&T	TELEPHONE SERVICE	1,092.10	Media Operations
87976	6/11/2014	PEREIRA/PABLO//	CTV HOST-SPOTLIGHT CALABASAS	1,000.00	Media Operations
87913	6/4/2014	NATIONAL CAPTIONING INSTITUTE	CLOSED CAPTIONING SVCS	840.00	Media Operations
88002	6/12/2014	US BANK	VISA- FRY'S ELECTRONICS	708.49	Media Operations
87987	6/11/2014	TELECOMMUNICATIONS MANAGEMENT	CTV CONSULTING SERVICES	525.00	Media Operations
87917	6/4/2014	PEREIRA/PABLO//	CTV HOST-SPOTLIGHT CALABASAS	500.00	Media Operations
87971	6/11/2014	MEGAPATH CORPORATION	DSL SERVICE	226.95	Media Operations
87962	6/11/2014	GOLDWASSER/MAXWELL//	CTV HOST SERVICES- TEEN FORUM	200.00	Media Operations
87991	6/11/2014	TRIBUNE MEDIA SERVICES	CTV GUIDE LISTING	88.66	Media Operations
87882	6/4/2014	ACORN NEWSPAPER	CTV ADVERTISING	60.00	Media Operations
87882	6/4/2014	ACORN NEWSPAPER	CTV ADVERTISING	60.00	Media Operations
87882	6/4/2014	ACORN NEWSPAPER	CTV ADVERTISING	60.00	Media Operations
87882	6/4/2014	ACORN NEWSPAPER	CTV ADVERTISING	60.00	Media Operations
88002	6/12/2014	US BANK	VISA- SCAN NATOA	60.00	Media Operations
88002	6/12/2014	US BANK	VISA- GOTOMYPC.COM	50.85	Media Operations
88002	6/12/2014	US BANK	VISA- AMAZON	39.21	Media Operations





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88002	6/12/2014	US BANK	VISA- AOL SERVICE	20.99	Media Operations
<b>Total Amount for 19 Line Item(s) from Media Operations</b>				<b>\$9,477.25</b>	
<b><u>Non-Departmental</u></b>					
88002	6/12/2014	US BANK	VISA- STORAGE ETC	1,925.00	Non-Departmental
87892	6/4/2014	CANON BUSINESS SOLUTIONS, INC.	COPIER SVC PROGRAM- GQM11196	1,792.50	Non-Departmental
87892	6/4/2014	CANON BUSINESS SOLUTIONS, INC.	COPIER SVC PROGRAM- MNF07759	1,268.30	Non-Departmental
88002	6/12/2014	US BANK	VISA- COSTCO	580.30	Non-Departmental
87892	6/4/2014	CANON BUSINESS SOLUTIONS, INC.	COPIER SVC PROGRAM- GPQ10817	525.15	Non-Departmental
87893	6/4/2014	CANON FINANCIAL SERVICES INC	CANON COPIER LEASES	518.19	Non-Departmental
87930	6/4/2014	WAREHOUSE OFFICE & PAPER PROD.	OFFICE SUPPLIES	347.71	Non-Departmental
88002	6/12/2014	US BANK	VISA- COSTCO	301.28	Non-Departmental
87886	6/4/2014	ARROWHEAD	WATER SERVICE	281.83	Non-Departmental
88002	6/12/2014	US BANK	VISA- COFFEE WHOLESAL USA	164.75	Non-Departmental
88002	6/12/2014	US BANK	VISA- COFFEE WHOLESAL USA	161.21	Non-Departmental
88002	6/12/2014	US BANK	VISA- KEURIG	121.41	Non-Departmental
87892	6/4/2014	CANON BUSINESS SOLUTIONS, INC.	COPIER SVC PROGRAM- GPQ10817	91.68	Non-Departmental
87903	6/4/2014	HERNANDEZ/MARICELA//	REIMBURSE SUPPLIES	73.39	Non-Departmental
87895	6/4/2014	CONEJO AWARDS	NAME BADGES	55.90	Non-Departmental
88002	6/12/2014	US BANK	VISA- SMART & FINAL	23.98	Non-Departmental
88002	6/12/2014	US BANK	VISA- RALPHS	15.48	Non-Departmental
<b>Total Amount for 17 Line Item(s) from Non-Departmental</b>				<b>\$8,248.06</b>	
<b><u>Payroll</u></b>					
87978	6/11/2014	PREFERRED BENEFIT	VISION/DENTAL PREMIUM- JUN 14	9,684.53	Payroll
87915	6/4/2014	P&A ADMINISTRATIVE SVCS INC	FSA MONTHLY ADMIN FEE- APR 14	72.00	Payroll
<b>Total Amount for 2 Line Item(s) from Payroll</b>				<b>\$9,756.53</b>	
<b><u>Police / Fire / Safety</u></b>					
87968	6/11/2014	LIFELOC TECHNOLOGIES, INC.	PAS UNIT MAINTENANCE	12.94	Police / Fire / Safety
<b>Total Amount for 1 Line Item(s) from Police / Fire / Safety</b>				<b>\$12.94</b>	



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<b>Public Safety &amp; Emergency Preparedness</b>					
88002	6/12/2014	US BANK	VISA- INNOTECH PRODUCTS	1,352.27	Public Safety & Emergency Preparedness
88002	6/12/2014	US BANK	VISA- MACKAY COMMUNICATION	142.80	Public Safety & Emergency Preparedness
88002	6/12/2014	US BANK	VISA- CORNER BAKERY	117.02	Public Safety & Emergency Preparedness
88002	6/12/2014	US BANK	VISA- MICHAELS PIZZA	54.24	Public Safety & Emergency Preparedness
88002	6/12/2014	US BANK	VISA- ALBERTSONS	16.17	Public Safety & Emergency Preparedness
<b>Total Amount for 5 Line Item(s) from Public Safety &amp; Emergency Preparedness</b>				<b>\$1,682.50</b>	
<b>Public Works</b>					
87935	6/11/2014	ABSOLUTE	WEED ABATEMENT/DEBRIS REMOVAL	37,867.75	Public Works
87891	6/4/2014	CALIFORNIA GREEN CONSULTING	SMART IRRIGATION CONTROL SYS	18,953.00	Public Works
87947	6/11/2014	CLEANSTREET INC	MONTHLY SVC - STREET SWEEPING	6,678.21	Public Works
87993	6/11/2014	VENCO WESTERN, INC.	LANDSCAPE MAINTENANCE- PARKS	5,450.75	Public Works
87933	6/4/2014	WILLDAN ASSOCIATES INC.	GRADING & HYDROLOGY REVIEW	2,668.75	Public Works
87992	6/11/2014	VANDERGEEST LANDSCAPE CARE INC	LANDSCAPE MAINTENANCE	2,400.00	Public Works
87928	6/4/2014	VALLEY CREST LANDSCAPE, INC.	LANDSCAPE MAINTENANCE	2,324.58	Public Works
87977	6/11/2014	PRECISION CONCRETE CUTTING	STREET REPAIRS	1,652.64	Public Works
87933	6/4/2014	WILLDAN ASSOCIATES INC.	GRADING & DRAINAGE REVIEW	1,576.25	Public Works
87912	6/4/2014	MOBILE ONE ENTERPRISES	CLEANING CITY BUS SHELTERS	1,560.00	Public Works
87878	6/3/2014	MARVIN E. LOPATA & ASSOCIATES	LAND APPRAISAL FEES	1,500.00	Public Works
87902	6/4/2014	GOKTAPEH/HALI AZIZ//	ENGINEER CONSULTING	840.00	Public Works
87919	6/4/2014	SALGUERO/BRYAN//	CONSULTING SERVICES	840.00	Public Works
87933	6/4/2014	WILLDAN ASSOCIATES INC.	GRADING & DRAINAGE REVIEW	700.00	Public Works
87933	6/4/2014	WILLDAN ASSOCIATES INC.	GEOTECH REVIEW	525.00	Public Works
88002	6/12/2014	US BANK	VISA- NORCO TRUCK	500.00	Public Works
88002	6/12/2014	US BANK	VISA- APWA	468.00	Public Works
87993	6/11/2014	VENCO WESTERN, INC.	LANDSCAPE MAINTENANCE- PARKS	456.00	Public Works
87896	6/4/2014	COUNTY OF LOS ANGELES	CONTRACT SERVICES	400.40	Public Works
87936	6/11/2014	ACORN NEWSPAPER	LEGAL ADVERTISING	336.00	Public Works
88002	6/12/2014	US BANK	VISA- APWA	312.00	Public Works
87882	6/4/2014	ACORN NEWSPAPER	EARTH DAY ADVERTISING	292.73	Public Works
87882	6/4/2014	ACORN NEWSPAPER	EARTH DAY ADVERTISING	292.73	Public Works
87998	6/11/2014	WILLDAN ASSOCIATES INC.	EASEMENT CHECK	250.00	Public Works
87896	6/4/2014	COUNTY OF LOS ANGELES	CONTRACT SERVICES	182.00	Public Works
87993	6/11/2014	VENCO WESTERN, INC.	LANDSCAPE MAINTENANCE- PARKS	178.50	Public Works
87933	6/4/2014	WILLDAN ASSOCIATES INC.	GRADING & DRAINAGE REVIEW	175.00	Public Works



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87924	6/4/2014	SOUTHERN CALIFORNIA EDISON	ELECTRIC SERVICE	160.55	Public Works
88002	6/12/2014	US BANK	VISA- APWA	156.00	Public Works
88002	6/12/2014	US BANK	VISA- TRANSPOR INDUSTRIES	133.00	Public Works
88002	6/12/2014	US BANK	VISA- ORIENTAL TRADING CO	95.99	Public Works
87912	6/4/2014	MOBILE ONE ENTERPRISES	GRAFITTI REMOVAL	90.00	Public Works
88002	6/12/2014	US BANK	VISA- BATTERY SOLUTIONS	79.99	Public Works
87993	6/11/2014	VENCO WESTERN, INC.	LANDSCAPE MAINTENANCE- PARKS	77.50	Public Works
88002	6/12/2014	US BANK	VISA- SHIRINS RESTAURANT	67.69	Public Works
87940	6/11/2014	ARC	COPY/PRINTING SERVICE	38.70	Public Works
88002	6/12/2014	US BANK	VISA- CORNER BAKERY	22.99	Public Works

**Total Amount for 37 Line Item(s) from Public Works**

**\$90,302.70**

## Recoverable / Refund / Liability

87973	6/11/2014	P&A ADMINISTRATIVE SVCS INC	FSA-MEDICAL CARE REIMBURSEMENT	1,600.42	Recoverable / Refund / Liability
87939	6/11/2014	ALLIANT INSURANCE SERVICES INC	CRIME PROGRAM INSURANCE	1,171.00	Recoverable / Refund / Liability
87915	6/4/2014	P&A ADMINISTRATIVE SVCS INC	FSA-MEDICAL CARE REIMBURSEMENT	442.44	Recoverable / Refund / Liability
87915	6/4/2014	P&A ADMINISTRATIVE SVCS INC	FSA-MEDICAL CARE REIMBURSEMENT	424.44	Recoverable / Refund / Liability
87951	6/11/2014	ECMC	WAGE GARNISHMENT- 5/30/14	273.54	Recoverable / Refund / Liability
87957	6/11/2014	FRANCHISE TAX BOARD	WAGE GARNISHMENT- 5/30/14	184.62	Recoverable / Refund / Liability
87958	6/11/2014	FRANCHISE TAX BOARD	WAGE GARNISHMENT- 5/30/14	179.61	Recoverable / Refund / Liability
87943	6/11/2014	BAKER/ALYSSA//	RECREATION REFUND	135.00	Recoverable / Refund / Liability
87973	6/11/2014	P&A ADMINISTRATIVE SVCS INC	FSA-MEDICAL CARE REIMBURSEMENT	117.79	Recoverable / Refund / Liability
87921	6/4/2014	SOLAR CENTER	REFUND BUILDING PERMIT	62.00	Recoverable / Refund / Liability
87906	6/4/2014	JOSHI/RACHEL//	RECREATION REFUND	60.00	Recoverable / Refund / Liability
87986	6/11/2014	STATE DISBURSMENT	WAGE GARNISHMENT- 5/30/14	46.15	Recoverable / Refund / Liability
87888	6/4/2014	BAGWELL/HEATHER//	RECREATION REFUND	45.00	Recoverable / Refund / Liability
87955	6/11/2014	FICK/JEFF//	RECREATION REFUND	17.00	Recoverable / Refund / Liability
87956	6/11/2014	FICK/SALLY//	RECREATION REFUND	15.00	Recoverable / Refund / Liability

**Total Amount for 15 Line Item(s) from Recoverable / Refund / Liability**

**\$4,774.01**

## Senior Center Construction

87961	6/11/2014	GEODYNAMICS	SENIOR CENTER PRELIM REPORTS	262.50	Senior Center Construction
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**Total Amount for 1 Line Item(s) from Senior Center Construction**

**\$262.50**



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<b>Tennis &amp; Swim Center</b>					
87975	6/11/2014	PEAK ADVENTURES	RECREATION INSTRUCTOR	2,294.25	Tennis & Swim Center
87966	6/11/2014	LAS VIRGENES MUNICIPAL WATER	WATER SERVICE	2,004.27	Tennis & Swim Center
87941	6/11/2014	ATMOSPHERE EVENTS & CATERING	SOCIAL EXPENSE- 20TH ANNIV	1,949.12	Tennis & Swim Center
87988	6/11/2014	TOP SEED TENNIS ACADEMY, INC.	RECREATION INSTRUCTOR	1,279.60	Tennis & Swim Center
87960	6/11/2014	GAYLENE CASCIONE DANCE	RECREATION INSTRUCTOR	1,166.55	Tennis & Swim Center
87964	6/11/2014	INNER-I ...SECURITY IN FOCUS	GATE REPAIR- T&SC	955.00	Tennis & Swim Center
88002	6/12/2014	US BANK	VISA- PATIO EXPERTS	884.43	Tennis & Swim Center
87894	6/4/2014	CASAS ORAMAS/JORGE//	FITNESS EQUIPMENT REPAIRS	830.85	Tennis & Swim Center
88002	6/12/2014	US BANK	VISA- PLAY NETWORK	815.16	Tennis & Swim Center
88002	6/12/2014	US BANK	VISA- HOME DEPOT	787.08	Tennis & Swim Center
88002	6/12/2014	US BANK	VISA- NATIONAL GYM SUPPLY	774.80	Tennis & Swim Center
87894	6/4/2014	CASAS ORAMAS/JORGE//	FITNESS EQUIPMENT REPAIRS	681.13	Tennis & Swim Center
87894	6/4/2014	CASAS ORAMAS/JORGE//	FITNESS EQUIPMENT REPAIRS	500.00	Tennis & Swim Center
88002	6/12/2014	US BANK	VISA- 4IMPRINTS	432.88	Tennis & Swim Center
88002	6/12/2014	US BANK	VISA- SUPERIOR AWNING	339.32	Tennis & Swim Center
87978	6/11/2014	PREFERRED BENEFIT	VISION/DENTAL PREMIUM- JUN 14	329.57	Tennis & Swim Center
87931	6/4/2014	WATERLINE TECHNOLOGIES INC	POOL CHEMICALS	316.10	Tennis & Swim Center
88002	6/12/2014	US BANK	VISA- POWER SYSTEMS	304.90	Tennis & Swim Center
88002	6/12/2014	US BANK	VISA- OFFICE DEPOT	293.32	Tennis & Swim Center
88002	6/12/2014	US BANK	VISA- PYRAMID PIPE & SUPPLY	242.90	Tennis & Swim Center
87964	6/11/2014	INNER-I ...SECURITY IN FOCUS	GATE REPAIR- T&SC	220.00	Tennis & Swim Center
88002	6/12/2014	US BANK	VISA- SPORT CHALET	196.07	Tennis & Swim Center
88001	6/11/2014	ZACHARATOS/GERASSIMOS T//	RECREATION INSTRUCTOR	196.00	Tennis & Swim Center
88002	6/12/2014	US BANK	VISA- LESLIES POOL SUPPLY	192.02	Tennis & Swim Center
88002	6/12/2014	US BANK	VISA- ARC SERVICES	190.00	Tennis & Swim Center
88002	6/12/2014	US BANK	VISA- KRAMES STAYWELL	179.73	Tennis & Swim Center
87997	6/11/2014	WATERLINE TECHNOLOGIES INC	POOL CHEMICALS	158.91	Tennis & Swim Center
87894	6/4/2014	CASAS ORAMAS/JORGE//	FITNESS EQUIPMENT REPAIRS	150.00	Tennis & Swim Center
88002	6/12/2014	US BANK	VISA- RALPHS	111.99	Tennis & Swim Center
88002	6/12/2014	US BANK	VISA- SAFETY SIGN	105.26	Tennis & Swim Center
87978	6/11/2014	PREFERRED BENEFIT	VISION/DENTAL PREMIUM- JUN 14	104.83	Tennis & Swim Center
88002	6/12/2014	US BANK	VISA- CONSTANT CONTACT	95.00	Tennis & Swim Center
88002	6/12/2014	US BANK	VISA- ADOLPH KIEFER	81.90	Tennis & Swim Center
88002	6/12/2014	US BANK	VISA- BEE PROFESSIONALS	75.00	Tennis & Swim Center
88002	6/12/2014	US BANK	VISA- SUBWAY	66.00	Tennis & Swim Center
88002	6/12/2014	US BANK	VISA- AMAZON	45.95	Tennis & Swim Center



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88002	6/12/2014	US BANK	VISA- PARTY CITY	36.97	Tennis & Swim Center
88002	6/12/2014	US BANK	VISA- CRAIGSLIST	25.00	Tennis & Swim Center
88002	6/12/2014	US BANK	VISA- CRAIGSLIST	25.00	Tennis & Swim Center
88002	6/12/2014	US BANK	VISA- SHELL OIL	22.90	Tennis & Swim Center
88002	6/12/2014	US BANK	VISA- VONS	21.46	Tennis & Swim Center
87972	6/11/2014	MILBRAND/KATHLEEN//	REIMB MILEAGE - MAY 2014	10.13	Tennis & Swim Center
<b>Total Amount for 42 Line Item(s) from Tennis &amp; Swim Center</b>				<b>\$19,491.35</b>	

## Transportation

87904	6/4/2014	HUITT-ZOLLARS INC	CONSTRUCTION SVCS-LOST HILLS	128,530.12	Transportation
87880	6/4/2014	A2B TRANSPORTATION COMPANY LLC	DIAL-A-RIDE MAY 2014	10,135.71	Transportation
87910	6/4/2014	MALIBU CANYON SHELL	FUEL CHARGES- MAY 2014 (1/2)	5,834.40	Transportation
87938	6/11/2014	ALL CITY MANAGEMENT SVCS, INC.	SCHOOL CROSSING GUARD SVCS	3,785.08	Transportation
87922	6/4/2014	SOURCE GRAPHICS	ANNUAL SERVICE CONTRACT	1,415.00	Transportation
88002	6/12/2014	US BANK	VISA- FAST SIGNS	774.31	Transportation
87970	6/11/2014	MANERI SIGN, INC.	TRAFFIC SIGNS	549.36	Transportation
87989	6/11/2014	TRAFFIC & PARKING CONTROL	SOLAR STOP SIGN PARTS	468.73	Transportation
87950	6/11/2014	DEPARTMENT OF TRANSPORTATION	TRAFFIC SIGNALS/LIGHTING	451.52	Transportation
87970	6/11/2014	MANERI SIGN, INC.	TRAFFIC SIGNS	412.02	Transportation
87990	6/11/2014	TRAFFIC MANAGEMENT, INC.	TRAFFIC SIGNS	327.00	Transportation
88002	6/12/2014	US BANK	VISA- APWA	312.00	Transportation
87950	6/11/2014	DEPARTMENT OF TRANSPORTATION	TRAFFIC SIGNALS/LIGHTING	267.57	Transportation
87930	6/4/2014	WAREHOUSE OFFICE & PAPER PROD.	OFFICE SUPPLIES	250.66	Transportation
88002	6/12/2014	US BANK	VISA- HONDA OF T.O.	112.75	Transportation
88002	6/12/2014	US BANK	VISA- UNION 76	102.57	Transportation
88002	6/12/2014	US BANK	VISA- EXXON MOBIL	92.47	Transportation
88002	6/12/2014	US BANK	VISA- APEX STORE	77.54	Transportation
88002	6/12/2014	US BANK	VISA- SHELL OIL	46.60	Transportation
88002	6/12/2014	US BANK	VISA- UNION 76	46.00	Transportation
88002	6/12/2014	US BANK	VISA- USA GASOLINE	45.74	Transportation
88002	6/12/2014	US BANK	VISA- UNION 76	45.64	Transportation
88002	6/12/2014	US BANK	VISA- UNION 76	45.37	Transportation
88002	6/12/2014	US BANK	VISA- CANOGA PARK	42.10	Transportation
88002	6/12/2014	US BANK	VISA- RABI INC	41.31	Transportation
88002	6/12/2014	US BANK	VISA- UNION 76	35.10	Transportation
88002	6/12/2014	US BANK	VISA- RABI INC	33.54	Transportation



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87948	6/11/2014	COUNTY OF LOS ANGELES	CONTRACT SERVICES	29.81	Transportation
87896	6/4/2014	COUNTY OF LOS ANGELES	CONTRACT SERVICES	29.48	Transportation
88002	6/12/2014	US BANK	VISA- UNION 76	21.99	Transportation
88002	6/12/2014	US BANK	VISA- UNION 76	19.99	Transportation
88002	6/12/2014	US BANK	VISA- SHELL OIL	9.00	Transportation
88002	6/12/2014	US BANK	VISA- EXXON MOBIL	8.00	Transportation
88002	6/12/2014	US BANK	VISA- AMPCO PARKING	6.00	Transportation
<b>Total Amount for 34 Line Item(s) from Transportation</b>				<b>\$154,404.48</b>	
<b>GRAND TOTAL for 386 Line Items</b>				<b>\$492,075.72</b>	

## FUTURE AGENDA ITEMS

Department      Agenda Headings      Agenda Title/Future Agenda

**13-Aug**

CC	Presentation	MRT presentation
CC	Consent	League's annual conference voting delegates
CD	Public Hearing	Business license Ordinance
CD	New Business	Business registration
CD	Consent	Environmental consulting services
CD	Consent	MOU with Calabasas Tech Center

**Future Items:**

PW	Consent	2014 Annual Street Resurfacing Project
PW	Consent	Finding the City to be in comformance with the Congestion Management Program (CMP) and adopting the CMP Local Development Report in accordance with California Government Code Section 65089
PW	New Business	Lost Hills project update.
PW	Consent	Contract award for Mulholland Hwy. Project Const.
CC	Consent	Conflict of Interest Code
CC	New Business	Section 2.04 Muni Code Amendment - City Council Reorg date
CC	New Business	Muni Code Amendment - Commission Term Expiration date
CC	New Business	Contract reprocurement
CD	Public Hearing	Cost/Fee schedule for scanning of documents
PW	New Business	Stormwater semi-annual quarterly update
PW	Update	Bicycle Master Plan update
CC	New Business	Noticing/public outreach with Commissions recommendations
CC	Presentation	Zev Yaroslavsky recognition

**2014 CITY COUNCIL MEETING DATES**

Aug 27	Nov 12
Sep 10	Nov 26-Cancelled Thanksgiving Eve
Sep 24-Cancelled Rosh Hashanah	Dec 10
Oct 8	Dec 24-Cancelled Christmas Eve
Oct 22	