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September 28, 2023

City of Thousand Oaks
Planning Commission
c/o Justine Kendall, AICP
2100 Thousand Oaks Boulevard
Thousand Oaks, CA 91362

Email only to: JKendall@toaks.org

***Re: APPEAL OF 2021-70328-RPD
170 Erbes Road, Thousand Oaks***

Dear Planning Commission Members:

This office represents Meriko Bradford, the Appellant and owner of 150 Erbes Road, the property directly adjacent to the above-referenced property which is the subject of this appeal.

Ms. Bradford's written appeal states her concerns being the ingress, danger and nuisance caused by the proposed property. Specifically, the ingress causes the danger as vehicles coming into the new construction will literally be feet away from the corner of her garage. An errant car or truck can easily clip and destroy the side of her garage.

Further exacerbating the problem is that Ms. Bradford has no way to make repairs or even maintain the side of her property given the close proximity of the Applicant's proposed project. In fact, there is such little space on the side of Ms. Bradford's house that she will not even be able to access her trash cans.

Third, the massive complex being built will adversely affect Ms. Bradford's property and the quality of life of its occupants. It will effectively be shaded from sunlight and never have the ability to avail itself of solar energy.

Finally, her property will effectively become a fish-bowl with residents of the proposed apartment building being able to peer directly into the back yard. Anyone pulling into the new building will also be able to look straight into the front rooms of Ms. Bradford's house.

Ms. Bradford has tried to work out many of these issues with the developer and while some of the issues are tentatively agreeable, the bigger ones are not. Specifically, we have been unable to resolve the issue of an easement for Ms. Bradford over the Applicant's property to allow her to do maintenance and repairs to her property. Approving the project in its current form amounts to a legal taking.

In addition to requiring Applicant to provide an easement, the following conditions should also be imposed. Many of these have already been discussed between Appellant and Applicant and therefore, it should not be too difficult to do.

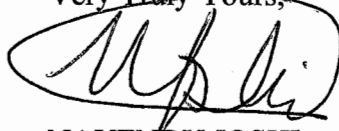
1. Tall trees planted on Applicant's property to protect Appellant from noise, fumes, dust, pollution, and headlights shining into Appellant's house. The trees should be tall enough to provide privacy, while allowing the maximum amount of light.
 2. Bollard posts should be installed on Applicant's property adjacent to Appellant's property to protect it from anyone running their vehicle into Appellant's house.
 3. Applicant should agree to upgrade Appellant's electrical box if required by the electric utility and to ensure minimum loss of power while the electrical pole is replaced.
 4. Replacement of the chain link fence on Applicant's property, should it need to be removed or is otherwise damaged during construction.
 5. Drainage – Appellant's property sits downslope from Applicant's proposed project. There is a continuing issue of water coming onto Appellant's property. With the removal of landscaping that absorbs water, the City must ensure there is adequate drainage adjacent to Appellant's property to ensure there is no extra flow of water during a heavy rainstorm.
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6. Because Appellant is losing access to the back of her property as a result of the new building, Appellant requests a curb cut on the southwest side of her property. This will allow her access to the backyard from the street with any wheeled equipment necessary to perform work thereon. As an example, she may need a bobcat or some other equipment in the future.

In summary, if the above conditions can be met, Appellant is amenable to allowing the project to move forward. However, if the conditions can not be met, especially the easement and curb cut, then the City is legally obligated to deny the Applicant's project.

Thank you for your time and attention. Appellant will be present at the hearing to discuss and answer any questions. If there are any questions prior to that time, please do not hesitate to contact the undersigned.

Very Truly Yours,

A handwritten signature in black ink, appearing to read 'Navendu Joshi', is written over a horizontal line. The signature is enclosed within an oval-shaped stamp or seal.

NAVENDU JOSHI

NJ/wp
