



DEPARTMENT OF PLANNING

TO: PLANNING COMMISSION

FROM: DOUG HOOPER, PLANNING DIRECTOR

BY: ALLISON COOK, ASSISTANT PLANNING DIRECTOR

DATE: MAY 19, 2016

SUBJECT: APPLICATION FOR A SINGLE FAMILY RESIDENCE AT 6000 LAPWORTH DRIVE (APN 2055-022-040) (CASE NO. CUP-01019-2014)

At its regularly scheduled meeting on May 5, 2016, the Planning Commission conducted a public hearing and considered Case No. CUP-01010-2014 for a single-family residence at 6000 Lapworth Drive. After the close of the public hearing and following deliberations, the Commission directed staff to return to the next regularly scheduled meeting with a Resolution of Denial.

The Draft Resolution of Denial (Resolution No. 16-1154) is included herein as Exhibit A. For your reference, the following items are also attached: Planning Commission staff report dated May 5, 2016 with attachments (Exhibit B); e-mail correspondence and letters received from the public regarding the case after the distribution of the May 5, 2016 Planning Commission packet, and provided to the Commission at the dais prior to the hearing on May 5, 2016 (Exhibit C); one letter from the public submitted during the hearing on May 5, 2016 (Exhibit D); and Draft Minutes from the Planning Commission hearing on May 5, 2016 (Exhibit E).

RECOMMENDATION

Staff respectfully requests that the Planning Commission approve Resolution No. 16-1154, denying Conditional Use Permit Case No. CUP-01019-2014 for the construction of a single-family residence with basement and roof terrace, detached two-story garage, second dwelling unit, storage space with basement, tack room, and swimming pool at 6000 Lapworth Drive.

ATTACHMENTS

- Exhibit A - Draft Resolution No. 16-1154
- Exhibit B - Planning Commission staff report dated May 5, 2016, with attachments
- Exhibit C - Public comments provided to the Commission on May 5, 2016 on the dais
- Exhibit D - Public comments provided to the Commission during the May 5, 2016 hearing
- Exhibit E - Draft Minutes from the May 5, 2016 Commission hearing

EXHIBIT A

DRAFT RESOLUTION NO. 16-1154

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF AGOURA HILLS, CALIFORNIA, DENYING CONDITIONAL USE PERMIT CASE NO. CUP-01019-2014 FOR THE CONSTRUCTION OF A SINGLE-FAMILY RESIDENCE WITH BASEMENT AND ROOF TERRACE, DETACHED TWO-STORY GARAGE, SECOND DWELLING UNIT, STORAGE BUILDING WITH BASEMENT, TACK ROOM AND SWIMMING POOL AT 6000 LAPWORTH DRIVE.

THE PLANNING COMMISSION OF THE CITY OF AGOURA HILLS, CALIFORNIA, HEREBY FINDS, RESOLVES, AND ORDERS AS FOLLOWS:

Section 1. An application was duly filed by Shahnaz Brigitte Bina with respect to the real property located at 6000 Lapworth Drive Road (Assessor's Parcel Number 2055-022-072), requesting the approval of a Conditional Use Permit (Case No. CUP-01019-2014) to construct a 4,374 square-foot single-story single-family residence with basement and roof terrace, 800 square-foot detached garage with second-story storage room, 700 square-foot second dwelling unit, 1,160 square-foot storage room with basement, 300 square-foot tack room, and a swimming pool and terrace totaling 4,969 square feet. A public hearing was duly held on May 5, 2016, at 6:30 p.m. in the Council Chambers of City Hall, 30001 Ladyface Court, Agoura Hills, California; and that notice of time, date and place and purpose of the aforesaid was duly given and published as required by state law.

Section 2. Evidence, both written and oral, including the staff report and supporting documentation, was duly presented to and considered by the Planning Commission at the aforesaid public hearing.

Section 3. Based on the evidence presented at the aforesaid public hearing, including the staff report and oral and written testimony, the Planning Commission directed staff to prepare a Resolution of Denial of Case No. CUP-01019-2014 for the next regularly scheduled Planning Commission hearing of May 19, 2016.

Section 4. The Planning Commission finds, pursuant to Agoura Hills Municipal Code ("Code") Section 9673.2.E, regarding the Conditional Use Permit, that:

- A. The proposed use is inconsistent with the objectives of the Zoning Ordinance and the purposes of the district in which the use is located. The proposed project is located within the Very Low Density Residential-Old Agoura Design Overlay-Equestrian Overlay (RV-OA-EQ) zoning district. The purpose of the Old Agoura Overlay District is to "preserve the unique character of Old Agoura through the establishment of special public improvement standards and design guidelines." The Old Agoura Design Overlay District, and specifically Code Section 9555(B)(2), provide that "residential development in Old Agoura shall embrace an eclectic, rural style that preserves the equestrian nature of the area and shall be

consistent with the Old Agoura Design Guidelines found in the City's Architectural Design Standards and Guidelines and the Equestrian Overlay." For the following reasons, the project is not consistent with the Old Agoura Design Guidelines ("Guidelines"):

1. The project does not embrace an eclectic, rural style of home. Although the term "rural" is not expressly defined in the Guidelines, the Planning Commission believes that the dictionary definition of rural is appropriately applied to design within Old Agoura. "Rural" is defined as relating to, or characteristic of, the countryside rather than the town. The Planning Commission finds that the project's contemporary architecture is not consistent with a rural style because it does not connote the characteristics of the countryside. Although some contemporary architecture can be considered rural if it pays homage to classic and historic styles, the particular architecture of this home does not do so. Rather, it is boxy and stark, and contains minimal design articulations that are typical of more rural styles. The buildings lack roof overhangs or pitches, and the main residence does not have a prominent front door or entryway that is distinctly visible.
2. The project does not preserve existing hillsides because it does not minimize grading or conform to the land. The Planning Commission believes that the proposed developed area of 27,507 is much larger than that of other homes in Old Agoura. The main home and three accessory structures are spread out over a large portion of the property. The large size of the pool and pool terrace (4,969 square feet combined) results in more grading on the site than for a pool size more consistent with that found in Old Agoura. The project grading would also require 7,730 cubic yards of cut and 8,186 cubic yards of fill material.
3. The project does not integrate into the surrounding neighborhood, given its large scale, style, and color. The project is not designed in the rural, classic, or historical styles that primarily characterize Old Agoura. The size of the several buildings and their grouping on the site, while allowed by the RV and OA districts, does not fit within the overall Old Agoura community, as they have the appearance of substantial massing and a larger overall amount of development when compared with the surrounding neighborhood. The large size of the pool and pool terrace (4,969 square feet combined) results in more grading on the site than for a pool size more consistent with that found in Old Agoura. The building elevations contain large expanses of mostly ivory-colored stucco, and in some cases, similar colored stone, with minimal articulation. The use of natural materials, with the exception of some stone, is minimal. The roof deck is proposed to have a glass wall and metal railings. The building colors are not earth tones, rather ivory surfaces punctuated by black

trimmed windows. The parapet roof has minimal articulation with a cornice and cornice caps, as opposed to eaves or pitches.

4. The project does not respect Old Agoura's history and create architecture that incorporates both the essence of the historical periods of the area and the natural surroundings. The contemporary design of the architecture is boxy and stark, contains minimal articulation, and is not reminiscent of the rural or historical style architecture in Old Agoura that is characterized by natural colors, materials, and defining architectural treatments. The ivory-colored building elevations with black window trim are not warm in character and do not represent natural earth tones.
5. Although the home is designed with a horse keeping area, the tack room that would serve equestrians is located approximately 165 feet away from the riding area, and so is impractical to serve the needs of riders.
6. The Guidelines suggest that new homes should not be out of proportion with adjacent homes. Although the project's total floor area complies with the standards set forth in the Guidelines, the layout of the several structures on the site gives the appearance of a large built complex that is out of character in the surrounding area.

Code Section 9555(C)(1) requires proposed development within the Old Agoura Design Overlay District to be "in character with existing development in the Old Agoura District, in terms of height, materials, colors, roof pitch, roof eaves, and the preservation of privacy." The Planning Commission finds that the project is not consistent with these elements. The building elevations, which are contemporary in style, contain large expanses of mostly ivory-colored stucco, and in some cases, similar colored stone, with minimal articulation except for very large windows. The use of natural materials, with the exception of some stone, is minimal. The roof deck is proposed to have a glass wall and metal railings. The building colors are not earth tones, rather ivory surfaces punctuated by black trimmed windows. The parapet roof has minimal articulation with a cornice and cornice caps, as opposed to eaves or pitches.

Code Section 9555(C)(6) requires that the architectural design and location of buildings shall discourage grading on a hillside to the greatest extent possible. The Planning Commission finds that project grading has not been reduced to the greatest extent possible. The large size of the pool and pool terrace (4,969 square feet combined) results in more grading on the site than for a pool size more consistent with that found in Old Agoura. Proposed grading involves an estimated 7,730 cubic yards of cut and 8,186 cubic yards of fill material. The Planning Commission believes that, given the size and contour of the lot, less grading is possible.

Code Section 9555(C)(7) recommends native, drought resistant plans for project landscaping, and Code Section 9652.13(J)(1) requires native or naturalized, or other

plant species that blend naturally with the landscape be used. The Guidelines encourage the use of native plants and water-conserving plants. The proposed landscape plan includes a majority of non-native plants. A series of fruit trees are proposed. These plants and trees are not demonstrated to be drought-tolerant. The Planning Commission finds that the proposed landscaping plans do not meet the Code requirements or recommendations of the Guidelines.

Code Section 9555(C)(5) calls for exterior materials and colors that harmonize with and complement the surrounding natural and built environment. It further stipulates that dominant exterior colors reflect a natural earth tone theme using warm and rich colors, not overly bright, shiny, reflective, or artificial appearance. The building elevations are characterized by ivory-colored stucco, and in some cases, stone. The elevations contain large expanses of windows with black trim. The roof deck has walls of glass and brushed metal details. The colors and materials are stark in appearance rather than warm and rich.

Based on this evidence and all other evidence available in the record, the Planning Commission finds that the proposed use is inconsistent with the objectives of the Zoning Ordinance and the purposes of the district in which the use is located, particularly the Old Agoura Design Overlay District.

- B. The proposed use is incompatible with the surrounding properties. While the project would meet the height, lot coverage, setback, and other development requirements of the zoning district, as well as the maximum floor area allowed for neighborhood compatibility pursuant to the Guidelines, the project's several buildings give the appearance of massing and substantial development, beyond what is found in the adjacent neighborhood. The project proposes a more contemporary architecture than commonly found in Old Agoura, and while the proposed building facades of the main residence are light-colored and, in part, contain stone, the overall appearance of the colors and materials is stark and does not reflect the natural environment or the predominant character of the surrounding built environment. The architectural design is not consistent with the primarily rustic-like setting of Old Agoura. Design articulation is minimal on the building elevations. The parapet roof of the main residence is punctuated by a large chimney, and cornice and cornice caps, but is otherwise not accented with roof overhangs or pitches, characteristic of Old Agoura. The plant palette does not include primarily native or naturalized plantings. The large pool and pool terrace development require more grading than what would normally be needed for a pool and deck area similar to the sizes in the surrounding neighborhood. More of the natural grade would be retained if the pool and associated terrace were reduced to match those in the Old Agoura area.
- C. Portions of the proposed use and the conditions under which the project will be operated or maintained, may be detrimental to the public health, safety or welfare. The pool and adjacent terrace of 4,969 square feet is substantially larger than the majority of pool areas in the surrounding area of Old Agoura. The State of

California continues to suffer from drought conditions, as demonstrated in the Governor's April 9, 2016 emergency drought declaration. The Planning Commission believes that, in order to protect the public health, safety, and welfare, and to minimize use of potable water in the community, the size of the pool should be similar in size to other pools in the surrounding area of Old Agoura.

- D. The Planning Commission hereby restates the findings and evidence discussed in Subsection 4.A. of this Resolution as if set forth in full below. Based on the findings and evidence stated in Subsection 4.A., the Planning Commission finds that the proposed use will not comply with all of the applicable provisions of the Zoning Ordinance, including each and every requirement contained in the Old Agoura Design Overlay district.
- E. The proposed use is not consistent with the City's General Plan. The proposed residence is not located and designed to incorporate the existing terrain into the site plan and to minimize grading, as called for in Policy Section LU-8.3 of the General Plan because the substantially large pool and the associated pool terrace require more grading than would typically be necessarily for a pool that is closer in size to those in the surrounding Old Agoura area. Regarding Land Use Policies LU-7.1 and LU-7.2, the proposed single-family residence and accessory structures conform to the required building coverage, height, and setbacks per the Code, but the colors and building materials are not earth tone or natural, nor is the architectural design rural, historical or classic in style, as found in Old Agoura and specifically in the recommendations of the Guidelines. Regarding Land Use Policy LU-7.7, the proposed dwelling would not protect and enhance the unique features of Old Agoura. While the dwelling and other structures are situated with the natural concave slope of the lot, thereby maintaining the public views from Lapworth Drive, the large amount of development and massing on the site, as well as building design and materials that are stark and contemporary and not compatible with the surrounding residential area, would not preserve the scenic and visual resources of the neighborhood. Regarding Land Use Policy LU-8.3 and Policy LU-19.4, the proposed project does not demonstrate integration of development with the natural setting, as substantial grading would be required for the pool and pool terrace, which are much larger than other pools and pool terraces in the surrounding Old Agoura area.

Section 5. The Planning Commission finds, pursuant to Section 9652.15.A of the Agoura Hills Municipal Code, which establishes special regulations for hillside development areas, that:

- A. The proposed project is not located and designed so as to protect the safety of community residents in certain respects. The State of California continues to suffer from drought conditions, as demonstrated in the Governor's April 9, 2016 emergency drought declaration. The Planning Commission believes that, in order to protect safety and minimize use of potable water in the community, the size of

the pool should be similar in size to other pools in the surrounding area of Old Agoura.

- B. The proposed project is not compatible with the natural and scenic resources of the area. The architectural design of the buildings does not reflect rustic, classic or historical style elements. The stark design, building materials and colors; the massing of the buildings; and the appearance of the overall large amount of development on the site is not consistent with residential properties in the surrounding area and in Old Agoura, and would not preserve the natural scenic environment.
- C. The proposed project can be provided with essential public services but is inconsistent with the objectives and policies of the General Plan. The project will not be consistent with General Plan Goal LU-1 and Policy LU-1.2 in that it does not make efficient use of land and infrastructure. The buildings proposed on-site are arranged in a spread out complex that is not efficient for the provision of services, nor does it exhibit efficient use of land.
- D. The proposed development will not complement the community character. While the proposed project is a single-family dwelling with accessory structures that are primarily single-story and all on-site oak trees would be preserved, the design and arrangement of buildings does not reflect the primary character of the neighborhood of Old Agoura. The project is not consistent with the Old Agoura Overlay District in that the project design does not embrace a rural, historical or classic style reflective of Old Agoura; is not consistent with the Old Agoura section of the Guidelines for building and site design; is not consistent with the existing development in the neighborhood of Old Agoura in terms of materials, building articulation and roof type; does not harmonize with and complement the surrounding natural and human-made environment, given the proposed materials, minimal use of architectural articulation, and parapet roof; does not minimize grading; and does not sufficiently incorporate native or naturalized and drought-tolerant plants. The building design is boxy, flat and stark, with the only natural material an ivory-colored stone on limited facades. The building elevations are mostly flat stucco planes with large glass windows and black window trim. The ivory color of the facades is not earth-tone and subdued, and does not reflect the natural environment. Roof decks are walled in glass and metal accents. The parapet roof with only minimal accent with the large chimney and cornice and cornice cap does not provide sufficient articulation or reflect the natural environment. The design is not reflective of a classic, rural or historical style. The size of the buildings and their grouping on the site, while allowed by the RV and OA districts, does not fit within the overall Old Agoura community, as it has the appearance of a substantial massing and a larger overall amount of development when compared with the surrounding neighborhood. The large size of the pool and pool terrace (4,969 square feet combined) results in more grading on the site than for a pool size more consistent with that found in Old Agoura.

- E. The proposed development is not consistent with all of the general design and construction standards set forth in the Hillside Ordinance. The project does not meet hillside requirements for building design, landscaping, and minimizing grading. The building design is not adequately articulated; the parapet roof does not follow the slope of the hillside; large expanses of walls consist of a single material (stone or stucco); there is insufficient architectural treatment or detail; and the materials and colors do not blend with the natural landscape. In addition, the project proposes a majority of plants and trees that are not native or naturalized.

Section 6. The Planning Commission's approval of this Resolution is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15270 as a disapproved project.

Section 7. After due consideration, and based on the findings contained herein and all the evidence in the record of the proceeding, the Planning Commission hereby denies Conditional Use Permit Case No. CUP-01019-2014 with respect to the property described in Section 1 hereof.

PASSED, APPROVED and ADOPTED this 19th day of May, 2016, by the following vote to wit:

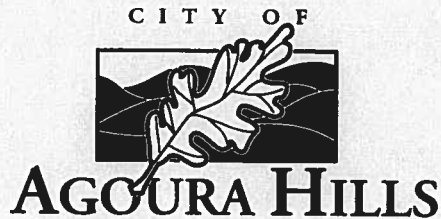
AYES: (0)
NOES: (0)
ABSENT: (0)
ABSTAIN: (0)

John O'Meara, Chairperson

ATTEST:

Doug Hooper, Secretary

EXHIBIT B



DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

DATE: May 5, 2016

TO: Planning Commission

APPLICANT: Shahnaz Brigitte Bina
2700 Neilson Way #327
Santa Monica, CA 90405

CASE NO.: CUP-01019-2014

LOCATION: 6000 Lapworth Drive (APN 2055-022-040)

REQUEST: Request for a Conditional Use Permit to construct a new 4,374 square-foot single-story single-family residence with basement and roof terrace, 800 square-foot detached garage with second-story storage room, 700 square-foot second dwelling unit, 1,160 square-foot storage/utility room with basement, 300 square-foot tack room, and a swimming pool; and make a finding of exemption under the California Environmental Quality Act.

ENVIRONMENTAL DETERMINATION: Exempt from the California Environmental Quality Act (CEQA) per Section 15303 of the CEQA Guidelines.

RECOMMENDATION: Staff recommends the Planning Commission approve Conditional Use Permit Case No. CUP-01019-2014, subject to conditions, based on the findings of the attached draft Resolution.

ZONING DESIGNATION: RV-OA-EQ (Very Low Density Residential – Old Agoura Design Overlay – Equestrian Overlay District)

GENERAL PLAN DESIGNATION: RV (Very Low Density Residential)

I. PROJECT BACKGROUND AND DESCRIPTION

The property is owned by Shahnaz Brigitte Bina, who is requesting approval of a Conditional Use Permit (CUP) to construct a new 4,374 square-foot, three-bedroom single-story single-family residence with a 1,530 square-foot basement, 800 square-foot detached garage with a 575 square-foot storage room above, 700 square-foot second dwelling unit, 1,160 square-foot storage/utility room with a 1,160 square-foot basement, 300 square-foot tack room, and a swimming pool in the Very Low Density Residential-Old Agoura Design Overlay-Equestrian Overlay (RV-OA-EQ) zoning districts. The total building area proposed is 10,599 square feet.

This hillside lot slopes 70 feet in elevation from the average street elevation along the front property line (1,185 feet) of Lapworth Drive to the average rear elevation (1,115 feet) of the lot, with an average slope of 30 percent. The proposed single-family residence is a permitted use in the Very Low Density Residential (RV) zone (Agoura Hills Municipal Code (Code) Section 9222.1, et. seq.). Since the parcel has an average topographic slope that exceeds 10 percent (30 percent), the project is subject to the City Hillside Ordinance standards and, therefore, requires approval of a Conditional Use Permit.

The proposed single-family residence will meet the required development standards, relative to lot coverage, height and building setbacks. Below are the proposed development data pertaining to the project:

Pertinent Data		
	Proposed	Allowed/Required
Lot Size	2.81 acres (existing) (122,582 sq. ft.)	1 acre min. (43,560 sq. ft.)
Public Street Frontage	439 ft.	n/a
Lot Width	528 ft.	n/a
Lot Depth	266 ft.	n/a
Building Height¹		
Residence	15 ft.	35 ft. max.
Detached Garage with Second Story	19 ft.	35 ft. max.
Second Dwelling Unit	14 ft.	35 ft. max.
Storage/Utility Unit	14 ft.	35 ft. max.
Tack Room	10 ft.	35 ft. max.
Building Square Footage		
Residence	4,374 sq. ft.	n/a
Residence Basement	1,530 sq. ft.	n/a
Detached Garage	800 sq. ft.	n/a
Storage above Garage	575 sq. ft.	n/a
Second Dwelling Unit	700 sq. ft.	n/a
Storage/Utility Unit	1,160 sq. ft.	n/a
Storage/Utility Unit Basement	1,160 sq. ft.	n/a

¹ Pursuant to Code Section 9607.1.B, no building or structure shall exceed a height of fifteen (15) feet above the average elevation of the front lot line. The average elevation of the front lot line is 1177.5 feet.

Pertinent Data		
	Proposed	Allowed/Required
Tack Room	300 sq. ft.	n/a
TOTAL	10,599 sq. ft.	n/a
Bldg. Lot Coverage		
Main Residence	4,374 sq. ft.	n/a
Detached Garage	800 sq. ft.	n/a
Second Dwelling Unit	700 sq. ft.	n/a
Storage/Utility Structure	1,160 sq. ft.	n/a
Tack Room	300 sq. ft.	n/a
Swimming Pool	5,356 sq. ft.	n/a
Pool Terrace	4,969 sq. ft.	n/a
Driveway & Hardscape Areas	9,848 sq. ft.	n/a
TOTAL	22.4% (27,507 sq. ft.)	25%² (30,645 sq. ft.)
Setbacks – Closest Structures		
Front (West/Northwest) - Garage	39 ft.	25 ft. min.
Rear (Southeast) – Main Residence	136 ft.	25 ft. min.
Left Side (Northeast) – Tack Room	50 ft.	12 ft. min.
Right Side (South) – Second Dwelling Unit	14 ft., 10 in.	12 ft. min.
Average Topographic Slope	30 %	n/a

II. STAFF ANALYSIS

Site Plan

The proposed residence and accessory structures, which occupy 8.6 percent of the lot, have been proposed to be situated in the upper, northwestern half of the 2.81-acre lot. The proposed residence and detached garage include a proposed finished floor elevation of 1,154 feet; the proposed storage/utility unit a proposed finished floor elevation of 1,148 feet; and the proposed second unit includes a finished floor elevation of 1,140 feet. The elevation of Lapworth Drive along the property frontage ranges from 1,154 feet to 1,205 feet, so the lower floor elevations of all proposed structures are at or below Lapworth Drive. Lapworth Drive is considered to be the frontage street from which front yard building setbacks are measured. The front of the house faces northwest. The 20-foot wide driveway access to the four (4) car garage, located near the front of the house, is provided from Lapworth Drive.

The applicant is proposing a 4,374 square-foot single-story three-bedroom single-family dwelling with a 1,530 square-foot basement and a 1,500 square-foot roof terrace. Proposed accessory structures include a detached two-story 800 square-foot garage with 575 square-foot of storage on the upper level, a 700 square-foot single-story second dwelling unit, a 1,160 square-foot storage/utility unit with a 1,160 square-foot basement,

² Pursuant to Code Section 9223.3

and a 300 square-foot tack room. The proposed structures and basements total 10,599 square feet.

The 5,356 square-foot swimming pool is proposed 16 feet from the southeast façade of the single-family dwelling on the southeast portion of the property, and is surrounded by a 4,969 square-foot pool terrace. The single-family residence and all accessory structures meet the required setbacks from the lot lines, and from other structures on all sides. The applicant proposes installation of a white wooden split-rail style fence around the property. A series of retaining walls are required. The walls would be constructed of concrete and many of them are proposed to be covered in landscaping (vines). Those that are not shown to be covered in landscaping will be conditioned to be decorative in design and require design approval from the Planning Director prior to installation. The retaining walls, which are necessary on this hillside lot of 30 percent average topographic slope, will not exceed the maximum height allowed by the Code, ranging in height from one (1) foot supporting the driveway to six (6) feet supporting the swimming pool.

The footprint of the proposed residence, detached garage, accessory structures, swimming pool and the hardscape totals 27,507 square feet, or 22.4 percent of the lot area. The driveway by itself, including a required on-site fire truck turnaround area, would occupy 6.1 percent of the lot. The RV zone allows for a maximum 25 percent lot coverage. In addition, the Hillside Ordinance (Code Section 9652.13.B) requires that at least 77.5 percent of the lot remain in undisturbed open space for parcels that have an average slope between 26 and 30 percent. Thus, the maximum amount of construction area should not exceed 22.5 percent of the lot. Currently, the project meets this requirement with 22.4 percent coverage and 77.6 percent of the parcel remaining undeveloped.

The Los Angeles County Fire District has tentatively approved the Site Plan for the required access. There are fourteen (14) on-site oak trees. The location of the proposed structures are outside of the driplines of the existing oak trees on the lot, thereby preserving the trees. No oak trees are slated for removal and no oak trees are proposed to be encroached upon.

The project would require 7,730 cubic yards of cut and 8,186 cubic yards of fill, resulting in a net import of 456 cubic yards of soil.

Existing hillside single-family homes are present on the adjacent properties located to the west, east and south of the subject property. The adjacent property to the north of the lot is vacant. The adjacent properties vary in size from 39,524 to 87,478 square feet. The subject lot, at 122,582 square feet, is double and, in some cases, triple the size of the surrounding properties. The Floor Area Ratio (FAR) (the total building square footage divided by the total lot size) calculations for the residences (main residence only, not garages or accessory structures, which is the information readily available to the Planning Department), constructed on the surrounding properties range from 0.03 to 0.07, depending on the size of the dwelling and the size of the corresponding lot. The FAR calculated for the subject property is 0.03. Still, even if all 10,599 square feet of the proposed structures, including basements, were used in the FAR calculation for the subject property, the FAR would be

0.08, which is only slightly higher than the FAR of some of the surrounding properties taking into account main residences and garages only.

Hillside Development Standards

The project is subject to the City Hillside Ordinance, which establishes development criteria within hillside lots. The regulations protect hillside areas from incompatible development and preserve the natural terrain, quality environment, and aesthetic character while encouraging creative, innovative and safe residential development. The Hillside Ordinance encourages minimal grading that relates to the natural contours of the land, and minimal disturbance to the natural areas of the site. It requires appropriate erosion and drainage control protection measures, and ridgeline protection. With regard to design, the Ordinance encourages architectural enrichments and variation in roof massing and low profile roofs, as well as breaking up building masses through variety in materials and fenestration placement. Native or naturalized plants and natural landform planning are required.

The Hillside Ordinance (Section 9652.13.D) includes a requirement for view preservation, calling for the retention of natural landforms and protecting views in hillside areas by locating dwelling units in such a manner as to avoid obstructing the view of natural landforms from other dwelling units. The proposed dwelling unit and accessory structures would be situated at, or below, the street elevation of Lapworth Drive, respecting the minimum front yard setback requirement of the zoning district and the topography of the site. The natural terrain of the subject property is steeply sloped downward (30 percent) from Lapworth Drive to the rear (northeast) and right side (southeast) property lines, creating a concave lot. The only two-story structure proposed on the site is the garage with a second-story storage room. This nineteen (19) foot tall structure has a proposed finished floor elevation of 1,154 feet and is situated 39 feet from Lapworth Drive, which has an elevation of 1,185 feet. Thus, the structure will be entirely below Lapworth Drive. All other structures are one-story and are stepped down the natural slope. Retaining walls are required to support the structures on the sloped lot, but no retaining wall exceeds a height of six (6) feet, which is the maximum height allowed under the Code. The proposed locations of the structures on the lot would preserve the public views from Lapworth Drive.

The Hillside Ordinance includes a requirement for on-site open space preservation. The minimum amount of area to remain in undisturbed open space is related to the average slope of the property. The average slope of the subject property is 30 percent. For parcels that have an average slope between 26 and 30 percent, the Hillside Ordinance requires that at least 77.5 percent of the lot remain in undisturbed open space. The proposed project provides 77.6 percent of the lot remaining undeveloped.

As addressed further below (see Public Works/Engineering), the project would be required to comply with measures to minimize storm water pollution, erosion, and other drainage impacts, and the project has been conditioned as such.

As discussed in further detail below (see Architectural Design), the architectural style of the proposed dwelling is contemporary. The building colors and materials will be natural earth

tones. The design of the façade provides architectural elements to break up the building mass. And, as discussed in further detail below (see Oak Trees and Landscaping), the Planting Plan consists of both native and ornamental vegetative species. The project has been conditioned to incorporate more native species as called for in the Hillside Ordinance. Therefore, the proposed project would comply with the building design and landscaping requirements of the City's Hillside Ordinance.

Architectural Design

The proposed residence is positioned both parallel and perpendicular to Lapworth Drive, since the northwest property line is on a curve. The most prominent elevation visible from the street (Lapworth Drive) will be the southwest elevation, which from Lapworth drive appears to be a single story. The height of the proposed residence is 15 feet, not exceeding the maximum height allowed for a residence in hillside areas (Code Section 9607.1). The garage is proposed at 19 feet from the finished grade to the height of the second story. The maximum height allowed for this structure is 35 feet, per Code Section 9607.1. All the proposed structures on the property comply with the height requirements for the lot.

The Architectural Review Panel (ARP) reviewed the project and, upon review of the original plans, suggested the following:

- second unit be relocated to avoid encroachment into the dripline of existing oak trees;
- entry to residence should be more defined;
- chimney be clad with stone;
- propose an alternate way of incorporating the pool into the project, without having retaining walls higher than six feet;
- add brick columns to pool retaining walls to create rhythm;
- consider adding sections of stone on elevations of the house;
- consider window frames with the appearance of wood grain;
- consider creating a more contemporary look for the copper roof with a shed appearance rather than a hip roof;
- provide more details of entry gate and materials; and
- provide colored renderings to reflect what the project will look like at eye level.

The applicant did make several of the modifications requested by the ARP. The applicant moved the second dwelling unit such that it no longer encroaches into the dripline of the existing on-site oak trees, thereby eliminating the need for an Oak Tree Permit. The applicant revised the retaining walls supporting the pool such that the walls could be reduced to a maximum six (6) feet in height, thereby eliminating the need for a variance. Vines are proposed to be planted on most retaining walls to soften the appearance of the concrete. Where vines are not proposed, a condition has been placed on the project to require Planning Director approval of the wall material to ensure a decorative design. The entry to the residence, which was originally proposed to have a copper hip roof overhang, remains in the same location but the roof overhang has been removed. Window frames and the chimney remain unchanged.

The building design is contemporary, with cream-colored stucco with steel-troweled finish on some elevations and cream-colored stone finish on others, black window trim, concrete decorative cornices and caps along the parapet roof, roof deck railings of glass and brushed aluminum, fixed canopy overhangs, and a large chimney. Accessory structures reflect the design and materials of the main residence and incorporate brushed aluminum cable guard railings.

The property is located within the Old Agoura Design Overlay District (Code Section 9551 et. seq.), which calls for the preservation of the unique character of Old Agoura. In the Old Agoura Design Overlay District, Code Section 9555.B.1 indicates that solid walls are prohibited in the front yard setback areas. The applicant is not proposing any solid walls in the front yard setback areas, except for a wooden gate for driveway access. A white wooden split-rail equestrian-style fence is proposed around the perimeter of the property.

Section 9555.B.2 calls for residential development to embrace an eclectic, rural style that preserves the nature of the area, and references the City's Architectural Design Standards and Guidelines. While the architectural style of the residence is more modern than the traditional rural style of Old Agoura, the design of the home incorporates equestrian areas and a tack room to support the equestrian nature of Old Agoura. The architectural design reflects the eclectic style in Old Agoura, and incorporates neutral, subdued, light colors and stucco and stone.

Code Section 9555.B.3 indicates that residential development shall not render property unatenable for horses and other farm animals. The proposed plans include a 1,500 square-foot equestrian area that is accessible from an access gate directly off of the main driveway. A horse stall and a 300 square-foot tack room are also proposed. Therefore, the proposed project could support horses and other farm animals.

Section 9555.C.1 calls for the proposed design to be keeping in character with existing development in the Old Agoura Overlay District in terms of height, materials, colors, roof pitch, roof eaves, and the preservation of privacy. Section 9555.C.5 indicates that exterior materials and colors shall harmonize with, and complement the surrounding natural and man-made environment. As discussed above, the single-family residence and accessory structures meet the height requirements of the Code; incorporate neutral, subdued, light colors and stucco and stone; and will preserve the existing oak trees on site which will maintain the natural character of the site and provide privacy between the proposed structures and adjacent structures. The applicant is proposing a contemporary-style architecture with a parapet roof throughout. The parapet roof is articulated with decorative cornices and caps, as well as a large chimney.

Code Section 9555.C.2 indicates a consideration for the relationship between the existing and finished grades of the site to be improved and adjacent properties, while Section 9555.C.6 calls for integrating the building into the existing terrain such that grading is minimized, and viewsheds and oak trees are preserved. The structures are proposed to be placed on the lot in locations that limit grading and integrate the structures into the

hillside. All oak trees would be preserved, and there would be no encroachment into the protected zone of the oaks.

Lighting will be stationary and typical for residential use, and will be deflected away from other properties, as called for in Code Section 9555.C.3. The only proposed exterior lighting shown on the plans includes lights on the columns of the driveway gate. No other exterior lighting is proposed. All building elevations have been architecturally treated with steel troweled stucco or stone finish, using earth-tone colors, consistent with Code Section 9555.C.4. The preliminary landscape plan includes some non-native plants, but a condition has been placed on the project to require more native plants to be incorporated into the plan during the final plan check. Therefore, native, drought resistant plants will be further incorporated into the project pursuant to Code Section 9555.C.7.

In order to maintain neighborhood scale, the City's Architectural Design Standards and Guidelines, specifically Section VI. *Old Agoura Design Guidelines* (Attachment 7), provide the maximum recommended structure size based on the lot size and slope. Per the formula in the Guidelines, 6,593 square feet³ of structures, including the single-family home (4,374 square feet), garage (800 square feet) and any other attached structures (none), would be the maximum recommended for this site. The applicant proposes a 4,374 square-foot single-family home, as well as a detached 800 square-foot garage⁴, with the remaining proposed structures detached. The Guidelines allow for up to 690 square feet of a garage to be exempt from the calculation, meaning that the proposed floor area is 4,484 square feet. Therefore, the proposed project would be consistent with the Guidelines.

The City's Architectural Design Standards and Guidelines encourage a design that respects natural features of the site, preserves oak trees, and minimizes lot coverage. The proposed project is sited on the flatter portions of the site, minimizing extensive grading. All oak trees would be preserved, and there would be no encroachment into the protected zone of the oaks. Lot coverage is 22.4 percent, below the 25 percent maximum allowed.

The City's Architectural Design Standards and Guidelines provide for the visual mass of a structure to be reduced with architectural details, including windows, porches, balconies, trellises and terraces. Roofs should have variation in texture, and roof overhangs are encouraged, but excessively steep roof pitch is discouraged. Dominant exterior colors that are warm, rich and reflect natural earth tones are preferred. As discussed above, the applicant is proposing a contemporary-style architecture with a parapet roof throughout. The parapet roof is articulated with decorative cornices and caps, as well as a large chimney. The design includes cream-colored stucco and stone siding, along with glass and metal railing on balconies and the terrace. White, split rail fencing is proposed along the lot perimeter, consistent with the Guidelines.

³ Calculated using Table 1 of City Architectural Design Standards and Guidelines: 122,582 sq. ft. - 90,001 = 32,581 * 0.009 = 293 sq. ft. Then, 6,300 sq. ft. + 293 sq. ft. = 6,593 sq. ft.

⁴ Second story of garage does not apply to calculation.

Equestrian Overlay District

The property is located within the Equestrian Overlay District, which requires new developments to create, enhance, and protect the equestrian and rural atmosphere within the overlay area. The project was reviewed for compliance with the Equestrian Overlay District, which requires properties to accommodate for a potential horse keeping area of at least 1,500 square feet in size and a 300 square-foot area for hay and tack storage. The proposed project includes a 1,500 horse keeping area and a 300 square-foot tack room, which will be accessed from Lapworth Drive via the proposed on-site driveway.

Old Agoura Homeowners Association and Other Comments

The Old Agoura Homeowners Association (HOA) initially reviewed the project prior to revisions made as a result of the ARP review. A copy of the HOA letter, dated December 2, 2014, is attached to the report for the Commission's review. Revised plans were submitted by the applicant on February 11, 2016. The revised set of plans was submitted to the HOA on February 16, 2016, along with a summary of the key changes from the original site plan. As of the date of this staff report, the HOA has not submitted written comments on the revised plans.

Neighborhood residents have forwarded letters to the Planning Commission regarding this proposal. The applicant has responded to the comments in writing. Attachment 6 includes all public comments submitted for this project, as well as the applicant's responses.

Public Works/Engineering Department

The Public Works/Engineering Department has reviewed the proposed Grading Plan and requires that Lapworth Drive be improved along the property street frontage. The street improvements are to include a new driveway approach, extending the existing Lapworth Drive to twenty feet wide along the property frontage and connection to the existing eight-inch main sewer line in Lapworth Drive in front of the subject parcel. All improvements must be reviewed and approved by the City Engineer. The applicant must submit a Final Grading Plan, Erosion and Sediment Control Plan, and Standard Urban Stormwater Mitigation Plan to the City Engineer for review and approval prior to construction.

The proposed project site would be adequately served by the necessary public service facilities. The applicant would be required to provide connection to the existing water and storm drain systems, which are adequate to accommodate the project, and connect to other utilities. The septic leach field plan for the site was submitted to and approved by the Los Angeles County Department of Public Health.

The City's Geotechnical Consultant has reviewed the geotechnical reports prepared for this project and does not object to the project from a geotechnical perspective at this planning stage. A further geotechnical report would need to be submitted to the City prior to issuance of a Grading Permit. The City Geotechnical Consultant concurs with the

report prepared for this project by Subsurface Design, Inc., as amended by the Addendum II: Response to City of Agoura Hills letter dated January 25, 2016. The project has been conditioned to address the comments in the City's Geotechnical Consultant's review sheet (dated February 25, 2016) during the Building and Safety Department final plan check.

Construction traffic trips and related vehicular routes would be reviewed and approved by the City Engineer prior to the issuance of a Grading Permit and Encroachment Permit (for work in the public right-of-way), with the intent to minimize impacts to the neighbors from construction vehicles.

Building Department

The Building Department has reviewed the proposed plans and requires that all exterior materials used for the dwelling meet the Very High Fire Hazard Severity Zone as outlined in the Code. The project would be subject to the 2013 California Building Code, including, but not limited to, the installation of fire sprinklers and handrails for all exterior stairs with more than four risers.

Oak Trees and Landscaping

A total of 14 Coast Live Oak (*Quercus agrifolia*) trees exist on the property. Three additional Coast Live Oak Trees exist adjacent to, but outside of, the property line. According to the Addendum Tree Report prepared by Landscape Architect Richard Campbell, several trees that had been previously identified on the property as being oak trees are in fact white ironbark eucalyptus (*Eucalyptus leucoxylon*). The Addendum Tree Report and the property owner/applicant's memo indicate that no oak trees or their protected zones will be impacted by the proposed construction of the residence and associated buildings and infrastructure on the property. The project plans confirm this, depicting all grading and construction outside of the trees' mapped protected zones. Therefore, no oak trees will be impacted by the proposed construction. Conditions have been placed on the project to ensure no inadvertent impacts to oaks occur.

The preliminary landscape plan includes a majority of non-native plants, but a condition has been placed on the project to require more native plants to be incorporated into the plan during the final plan check. The preliminary landscape plan was reviewed by the City Landscape Consultant, who recommends that the applicant submit final, detailed landscape and irrigation plans for review by the City Landscape Consultant and the Planning Director prior to Building Permit issuance, and subject to attached conditions. The final plans will be reviewed for slope stabilization and the incorporation of more native plant species.

A condition has been placed on the project to require a fuel modification plan to be reviewed and approved by the County of Los Angeles Fire Department prior to issuance of a Building Permit.

General Plan Consistency

Staff finds the project will be consistent with the following applicable General Plan goals and policies:

Goal LU-7: Livable and Quality Neighborhoods. Neighborhoods that provide a variety of housing types, densities, and design, and a mix of uses and services that support the needs of their residents.

- *Policy LU-7.1 Neighborhood Conservation.* Maintain the uses, densities, character, amenities, and quality of Agoura Hills' residential neighborhoods, recognizing their contribution to the City's identity, economic value, and quality of life for residents.
- *Policy LU-7.2 Housing Character and Design.* Require that new and renovated housing within existing single- and multi-family neighborhoods be located and designed to maintain their distinguishing characteristics and qualities, including prevailing lot sizes; building form, scale, massing, and relationship to street frontages; architectural design; landscape; property setbacks; and comparable elements. Continue to implement the City's Architectural Design Standards and Guidelines to ensure that residential units are designed to sustain the high level of architectural design quality and the character of the existing land forms that characterize the Agoura Hills neighborhoods, in consideration of the following principles as identified in the City Architectural Design Standards and Guidelines:
 - Harmony with the natural land forms and native vegetation
 - Response to the local climate (through proper building orientation, appropriate glazing, use of overhangs, shading devices, native vegetation, etc.)
 - Reflection of the highest standards of adjacent buildings and the neighborhood style[s], proportions, colors, and materials

The proposed project, a single family residence and associated structures, conforms to the required building coverage, height and setbacks per the Code and meets the required horse-keeping standards consistent with Old Agoura. It also meets the maximum allowed structure size in the City's Architectural Design Standards and Guidelines. The project is consistent with the following provisions of the Guidelines, which are recommendations only: oak tree preservation; limited grading; subdued earth toned colors; architectural treatments and articulation; and use of natural materials, such as stone. A condition has been placed on the project to require the Final Landscape Plan to consist primarily of locally native and/or naturalized plants.

The proposed project is of a more modern design rather than the traditional architectural design of Old Agoura. However, the Guidelines allow for contemporary styles. Page 54 of the Old Agoura Design Guidelines states that even the most contemporary of homes can feature elements that are rural and which pay homage to classic and historic styles. The design incorporates the use of natural materials (rustic

stone), a detached garage, and equestrian-style split rail fencing that are recommended in the design guidelines. The colors will be neutral and outdoor lighting will be minimal. The only proposed outdoor lighting on the plans includes lighting on the columns that support the front entry gate at Lapworth Drive. The placement of structures will not impede any of the existing on-site oak trees, thereby preserving the harmony of the natural native vegetation.

Therefore, the proposed project is consistent with Policies LU-7.1 and LU-7.2.

- *Policy LU-7.7 Environmental Setting.* Protect and enhance the unique features of Agoura Hills' residential neighborhoods that have contributed to a high-quality aesthetic environment, including the preservation of scenic and visual resources, a quality built environment, open space resources, and attractive streetscapes.

The proposed project involves the construction of a 15-foot tall single-story home with several accessory structures, all of which would be lower in height than many homes in Old Agoura. All of the structures are single-story, except for the garage, which has a second level storage room. The single-family residence has a partial basement. The storage/utility room will have an unfinished basement that is the full width of the storage/utility room to be used like a barn for storage related to the equestrian area and agricultural elements (fruit trees) of the site. The applicant proposes to construct the lot in this fashion to avoid having one large structure on the property, but instead to create a village-like atmosphere on the property to fit within the low-density and semi-rural character of Old Agoura. The structures are proposed to be placed on the lot in locations that limit grading and integrate the structures into the hillside. Additionally, all of the proposed structures have been situated outside of the drip-lines of the existing oak trees on the site to preserve them as visual resources and habitat.

Therefore, the proposed project is consistent with Land Use Policy LU-7.7.

Goal LU-8 Residential Very Low– and Residential Low-Density Neighborhoods (Old Agoura). Residential neighborhoods containing very low–and low-density housing reflecting Agoura Hills' history and designed to respect their environmental setting.

- *Policy LU-8.1 Neighborhood Identity.* Promote and maintain the integrity of Old Agoura residential neighborhoods for their low-density large estates, rustic character, non-urban infrastructure, and keeping of horses and other farm animals.
- *Policy LU-8.2 Development Compatibility with Community Character.* Require that renovation of existing and construction of new housing and property improvements respect the characteristics that distinguish Old Agoura, including its topography, parcel sizes, housing scale and form, nonurban infrastructure and streetscapes (no sidewalks, curbs and gutters, and street lighting), and equestrian trails.

The proposed project conforms to the required building coverage, height and setbacks per the Code and meets the required horse-keeping standards consistent with Old Agoura. It also meets the maximum allowed structure size in the City Architectural Design Standards and Guidelines. The proposed project is of a more modern design rather than the traditional architectural design of Old Agoura. However, the Guidelines allow for contemporary styles. The design incorporates the use of natural materials (stone), a detached garage, and equestrian-style split rail fencing that are recommended in the design guidelines. The colors will be neutral and lighting will be minimal. The placement of structures will not impede any of the existing on-site oak trees, thereby preserving the harmony of the natural native vegetation.

Therefore, the proposed project is consistent with Land Use Policies LU-8.1 and LU-8.2.

- *Policy LU-8.3 Integration of Development with Natural Setting.* Require that buildings be located, scaled, and designed to reflect the existing terrain and minimize grading to the maximum extent possible. Structures shall be integrated into the hillsides, taking care to preserve the viewsheds and natural ridgelines.

The proposed placement of structures will not impede any of the existing on-site oak trees, thereby preserving the harmony of the natural native vegetation. The structures are proposed to be placed on the lot in locations that limit grading and integrate the structures into the hillside. Therefore, the proposed project is consistent with Land Use Policy LU-8.3.

- *Policy LU-8.4 Property Setbacks.* Encourage variable setbacks to enhance streetscape character and increase building separation.

The west and north sides of the lot along Lapworth Drive are considered the front setback. The garage is the closest structure to this property line, and is set back 39 feet from the front property line, which is more than the required 25-foot front setback. The second dwelling unit is situated 14 feet from the right side setback (south), which meets the setback standard. The tack room is proposed 50 feet from the left-side setback (northeast), which meets the setback standard. Due to the terrain, the garage and residence will not be visible from Lapworth Drive along this property line, as these structures will be situated lower than the level of the road. The nearest structure to the rear setback is the single-family dwelling, which is 136 feet from the rear property line (southeast), more than the required setback distance. Therefore, the proposed project meets the required setbacks listed in the Code and is consistent with Land Use Policy LU-8.4.

- *Policy LU-8.5 Building Materials and Colors.* Limit exterior building materials to those that have the appearance of materials that are characteristic of rural environments.

The proposed building materials include concrete stucco, natural stone, metal and glass, which are primarily simple and natural and provide a rustic characteristic that

complements the semi-rural environment of Old Agoura. Additionally, all retaining walls and most accessory structures are proposed to be covered in vines to limit the amount of visible non-natural materials. Therefore, the proposed project is consistent with Land Use Policy LU-8.5.

- *Policy LU-8.6 Landscaping.* Require that on-site landscapes transition smoothly to the natural undeveloped open areas.

The majority of the natural vegetation on the property will be replaced with irrigated landscape, per the planting and irrigation plans. Most of the plants on the planting plan are non-native and, a condition has been placed on the project to increase the number of native and/or naturalized plantings on-site. The existing oak trees on the site, along with their respective drip lines, will be preserved with no encroachment into their protected zones. The remainder of the lot will consist of structures, a swimming pool, driveway, pedestrian pathways, fruit trees and a vineyard. At the property edges, a white wooden split-rail fence is proposed. The front and left-side property lines are bounded by Lapworth Drive. The rear and right-side property lines are bounded by adjacent property. The planting plan identifies citrus and fruit trees to be planted nearest the rear and right-side property lines which will create a transition from the subject property to adjacent properties. Therefore, the proposed project is consistent with Land Use Policy LU-8.6.

- *Policy LU-8.7 Open Spaces.* Encourage the provision of open space areas suitable for horses or other farm animals, thereby enhancing the equestrian and rural character of the area.

The proposed plans include a 1,500 square-foot equestrian area that is accessible from an access gate directly off of the main driveway. A horse stall and a 300 square-foot tack room are also proposed. Therefore, the proposed project could support horses and other farm animals. Therefore, the proposed project is consistent with Land Use Policy LU-8.7.

Environmental Review

The project has been determined to be Categorically Exempt from the California Environmental Quality Act (CEQA) Guidelines per Section 15303. This exemption includes, but is not limited to, the construction of a single-family residence and accessory structures. No significant environmental impacts are expected from development of this project. No exception to this categorical exemption applies as set forth in Section 15300.2 of the CEQA Guidelines including but not limited to subsection (c) which relates to unusual circumstances that could have a significant effect on the environment.

III. RECOMMENDATION

Based on the foregoing analysis, staff recommends that the Planning Commission adopt a motion to approve Conditional Use Permit Case No. CUP-01019-2014, subject to Conditions, based on the findings of the attached Draft Resolution.

IV. ATTACHMENTS

1. Conditional Use Permit Draft Resolution and Conditions
2. Vicinity Map
3. Colored renderings, elevations and material board
4. Reduced copies of project plans
5. Photographs of applicant's lot
6. Public comment letters, including Old Agoura HOA and applicant's responses
7. Old Agoura Design Guidelines

Case Planner: Michelle D'Anna, Contract Planner

ATTACHMENT 1
CONDITIONAL USE PERMIT DRAFT RESOLUTION
AND CONDITIONS

DRAFT RESOLUTION NO. _____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF AGOURA HILLS, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT CASE NO. CUP-01019-2014 FOR THE CONSTRUCTION OF A SINGLE-FAMILY RESIDENCE WITH BASEMENT AND ROOF TERRACE, DETACHED TWO-STORY GARAGE, SECOND DWELLING UNIT, STORAGE BUILDING WITH BASEMENT, TACK ROOM AND SWIMMING POOL AT 6000 LAPWORTH DRIVE; AND MAKING A FINDING OF EXEMPTION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

THE PLANNING COMMISSION OF THE CITY OF AGOURA HILLS, CALIFORNIA, HEREBY FINDS, RESOLVES, AND ORDERS AS FOLLOWS:

Section 1. An application was duly filed by Shahnaz Brigitte Bina with respect to the real property located at 6000 Lapworth Drive Road (Assessor's Parcel Number 2055-022-072), requesting the approval of a Conditional Use Permit (Case No. CUP-01019-2014) to construct a 4,374 square-foot single-story single-family residence with basement and roof terrace, 800 square-foot detached garage with second-story storage room, 700 square-foot second dwelling unit, 1,160 square-foot storage room with basement, 300 square-foot tack room, and a swimming pool. A public hearing was duly held on May 5, 2016, at 6:30 p.m. in the Council Chambers of City Hall, 30001 Ladyface Court, Agoura Hills, California; and that notice of time, date and place and purpose of the aforesaid was duly given and published as required by state law.

Section 2. Evidence, both written and oral, including the staff report and supporting documentation, was duly presented to and considered by the Planning Commission at the aforesaid public hearing.

Section 3. Based on the evidence presented at the public hearing, including the staff report and oral and written testimony, the Planning Commission finds, pursuant to the Agoura Hills Municipal Code (Code) Section 9673.2.E, that:

A. The proposed use, as conditioned, is consistent with the objectives of the Zoning Ordinance and the purposes of the district in which the use is located. The proposed project is located within the Very Low Density Residential-Old Agoura Design Overlay-Equestrian Overlay (RV-OA-EQ) zoning district, which allows for the development of single-family residences. The purpose of the RV zone is for large lot development suitable for equestrian and agricultural oriented uses as well as areas with 25 percent or greater slope which require careful design consideration to minimize grading and visual impact. The RV zone allows for a maximum 25 percent lot coverage for lots that are 10,000 square feet or larger. The subject property is 2.81 acres (122,582 square feet). The property incorporates equestrian uses. This hillside lot slopes 70 feet in elevation from the average street elevation along the front setback (1,185 feet) of Lapworth Drive to the average rear elevation (1,115 feet) of the lot, with an average slope of 30 percent. Since

the slope of the property exceeds ten percent, the project is subject to the City's Hillside Ordinance. The Hillside Ordinance includes a requirement for on-site open space preservation. The minimum amount of area to remain in undisturbed open space is related to the average slope of the property. The average slope of the subject property is 30 percent. For parcels that have an average slope between 26 and 30 percent, the Hillside Ordinance requires that at least 77.5 percent of the lot remain in undisturbed open space. The proposed project provides 77.6 percent of the lot remaining undeveloped. Therefore, the City's minimum development standards have been met for the proposed residence, including those addressing lot coverage, building height, hillside development, and building setbacks from the property lines.

B. The proposed use, as conditioned, is compatible with the surrounding properties. The proposed single-family residence would be located in an existing single-family neighborhood of the City and would meet the height, lot coverage, setback, and other development requirements of the zoning district. It would also meet the maximum floor area allowed for neighborhood compatibility pursuant to the City Architectural Design Standards and Guidelines. While the project proposes a more contemporary architecture than commonly found in Agoura, the proposed building materials of the residence include light-colored, natural tones and natural materials like stone. Adequate horse-keeping areas are provided, and the boundary of the site would be marked with a white, wooden split-rail fence. Design articulation is provided on all building elevations, and the main building is broken up with staggered building walls and a roof terrace. Some native vegetation is proposed as part of the planting plan and a condition on the project will require additional native and naturalized plantings to be provided on the site. While the roof is primarily parapet with a decorative cornice and cornice caps, there are fixed cloth canopies on portions of the main residence. The building design is compatible with the topography of the property, in that it incorporates the residence into the hillside by stepping the structure downward from the street to follow the natural terrain. The residence is situated below the ridgeline of adjacent hillsides to preserve the natural setting and maximize open space on the lot to the greatest extent possible, and all oak trees on-site would be preserved.

C. The proposed use and the conditions under which the project will be operated or maintained, will not be detrimental to the public health, safety or welfare, in that the proposed use will ensure adequate light, air and privacy, and open space to surrounding properties. The proposed structures are situated on the northwest portion of the on-site hillside slope, downslope of Lapworth Drive, which will preserve the views and privacy of the surrounding properties. The project complies with the maximum allowable building height limitations of hillside properties. Geological, geotechnical, and drainage studies, as well as landscape plans, have been provided and approved by the City's Consultants. Vehicular access to the property will be provided via Lapworth Drive. The applicant will be required to construct the project in full compliance with the City's Building Code. The proposed project site will be adequately served by public and private service facilities, as the applicant will be required to provide water and septic systems, adequate storm drains and other utilities. The septic system has been reviewed and approved by the County of Los Angeles Department of Public Health.

D. The proposed use, as conditioned, will comply with each of the applicable provisions of the Zoning Ordinance. The project meets the development standards of the underlying zone relative to the required lot coverage, building height, setbacks, horse-keeping areas, subdued warm colors, use of stone similar to other Old Agoura homes, white wooden split-rail rending, building articulation and design accents on the parapet roof. The Landscape Plan/Planting Plan has been conditioned to incorporate primarily native and/or naturalized species.

E. The distance from other similar and like uses is sufficient to maintain the diversity of the community in that the project will meet the minimum yard setback requirements for the RV zone. The residence will be placed 45 feet from Lapworth Drive on the southwest property line and 25 feet from Lapworth Drive on the northwest property line, respecting the minimum front yard setback requirement of the zoning district. Locating the buildings in the middle of the steeped terrain will preserve the public views from Lapworth Drive because the structures will be situated below Lapworth Drive as viewed from the northwestern edge of the property. The closest home is directly across the street from the subject property, approximately 45 feet from the subject property's front property line. In addition, the proposed use is one single-family home with accessory structures and a pool to be developed in the RV Zone, which is the appropriate use for this parcel and, accordingly, its location in proximity to other single-family homes would not threaten the overall diversity of the community.

F. The proposed use is consistent with the City's General Plan. The proposed residence is located and designed to incorporate the existing terrain into the site plan to the maximum extent possible, and to minimize grading and preserve view sheds, as called for in Policy Section LU-8.3 of the General Plan. Regarding Land Use Policies LU-7.1 and LU-7.2, the proposed single-family residence and accessory structures conform to the required building coverage, height, and setbacks per the Code. The colors will be neutral and building materials primarily natural, in keeping with the Code requirements and recommendations of the Old Agoura design guidelines. Regarding Land Use Policy LU-7.7, the proposed dwelling conforms to the natural slope of the property such that the dwelling and other structures are situated with the natural concave slope of the lot, thereby maintaining the public view from Lapworth Drive and preserving the scenic and visual resources of the neighborhood. Regarding Land Use Policy LU-8.3, the proposed project will not impact any of the existing on-site oak trees, thereby preserving the harmony of the natural environment. And, regarding Land Use Policy LU-19.4, the proposed project is designed consistent with the Hillside Ordinance. The residence is stepped down the slope to preserve the topography and minimize grading.

Section 4. The Planning Commission finds, pursuant to Section 9652.15.A of the Agoura Hills Municipal Code, which establishes special regulations for hillside development areas, that:

A. The proposed project, as conditioned, is located and designed so as to protect the safety of current and future community residents, and will not create

significant threats to life and/or property due to the presence of geologic, seismic, slope instability, fire, flood mud flow, erosion hazards or other hazards. The project has been conditioned to comply with the Low Impact Development (LID) requirements of the Code to protect storm water quality and drainage, and will require the following: an approved Grading Plan; Erosion and Sediment Control Plan; and a Standard Urban Stormwater Mitigation Plan. A geotechnical report has been approved by the City Geological Consultant with conditions that shall become a project requirement, and the City's Consultant concludes that the proposed use will not threaten the stability of the hillside. The City Public Works/Engineering Department and Building Department have also reviewed the project and imposed conditions. The conditions will ensure the project would be consistent with safety requirements and do not pose significant threat to life or property. Final geotechnical reports are required for review and acceptance by the City prior to Grading Permit issuance.

B. The proposed project, as conditioned, is compatible with the natural, biotic, cultural, scenic and open space resources of the area. The project is set well below the maximum allowed building height and will not block neighbors' views from Lapworth Drive. The proposed project will not impact any of the existing on-site oak trees, thereby preserving the harmony of the natural environment. No significant known biological or cultural resources are located on the site. The project has been conditioned to protect nesting birds that may occur on-site during construction, and to incorporate more native and/or naturalized vegetative species. Open space resources on-site will be protected, as only 22.4 percent of the site will have building coverage.

C. The proposed project can be provided with essential public services and is consistent with the objectives and policies of the General Plan. All utility services will be brought to the parcel without interference to the existing infrastructure. The project will be consistent with General Plan Goal LU-1 and Policy LU-1.2 that provide for well-planned development, efficient use of infrastructure and primarily infill of existing developed areas in that the site is an infill lot and public services are available to easily serve the site.

D. The proposed development, as conditioned, will complement the community character. The proposed project would complement the community character of the neighborhood because it is a single-family dwelling with accessory structures that are primarily single-story and congregated in a village-type layout that supports the semi-rural residential nature of the neighborhood. The architectural design, while contemporary, includes building articulation and decorative features to provide visual interest. The proposed building materials include subdued and light colors and natural materials such as stone. The building design is compatible with the topography of the property and limits grading, in that it incorporates the residence into the hillside by stepping the structure downward from Lapworth Drive to follow the natural terrain. The residence is situated below street level along the northwestern side of the property, which preserves the public view from Lapworth Drive to the greatest extent possible. All on-site oak trees will be preserved.

E. The proposed development, as conditioned, is consistent with the general design and construction standards set forth in the Hillside Ordinance, including standards for density, open space, view preservation, fire protection, erosion control, drainage control, ridgelines, building design, and landscaping. The project is required to comply with all portions of the Code, including those relating to hillside development, fire protection, erosion, drainage, building design, and landscaping. No ridgelines as identified in the General Plan for protection or as being significant will be affected by the project.

Section 5. The project is a request for one single-family residence with accessory structures and is exempt from the California Environmental Quality Act (CEQA), per CEQA Guidelines Section 15303 (New Construction or Conversion of Small Structures), particularly Subsections (a) and (e). No exception to this categorical exemption applies as set forth in Section 15300.2 of the CEQA Guidelines including but not limited to subsection (c) which relates to unusual circumstances that could have a significant effect on the environment.

Section 6. Based on the aforementioned findings, the Planning Commission hereby approves Conditional Use Permit Case No. CUP-01019-2014, subject to the Conditions of Approval, attached herein as Exhibit A, with respect to the property described in Section 1 hereof.

PASSED, APPROVED and ADOPTED this 5th day of May 2016, by the following vote to wit:

AYES: (0)
NOES: (0)
ABSENT: (0)
ABSTAIN: (0)

John O'Meara, Chairperson

ATTEST:

Doug Hooper, Secretary

EXHIBIT A
CONDITIONS OF APPROVAL
(Case No. CUP-01019-2014)

PLANNING DEPARTMENT CONDITIONS

1. This decision, or any aspect of this decision, can be appealed to the City Council within fifteen (15) days from the date of Planning Commission action, subject to filing the appropriate forms and related fees.
2. The approval of this permit shall not be effective for any purpose until the applicants have agreed in writing that they are aware of, and accept, all conditions of this permit with the Planning Department.
3. Except as modified herein, the approval of this action is limited to and requires complete conformation to the labeled exhibits: Site Plan, Building Elevation Plans, Floor Plan, Roof Plan, Grading Plan, and Landscape Plan.
4. All exterior materials used in this project shall be in conformance with the materials samples submitted as a part of this application.
5. It is hereby declared to be the intent that if any provision of this permit is held or declared invalid, the permit shall be void and the privileges granted hereunder shall lapse.
6. It is further declared and made a condition of this action that if any condition herein is violated, the permit shall be suspended and the privileges granted hereunder shall lapse; provided that the applicant has been given written notice to cease such violation and has failed to do so for a period of thirty (30) days.
7. All requirements of the Zoning Ordinance and of the specific zoning designation of the subject property must be complied with unless set forth in this permit or on the approved Site Plan.
8. No occupancy shall be granted for any new building until all conditions of approval have been complied with as determined by the Director of Planning.
9. A minimum of two (2) enclosed parking spaces shall be provided on the subject property, in conformance with the City Parking Ordinance. A minimum interior clear space of 20 feet by 20 feet must be maintained within the garage.
10. All structures shall conform to the requirements of the Division of Building and Safety of the City of Agoura Hills.
11. The applicant shall comply with the requirements of the Los Angeles County Fire Department prior to the issuance of Building or Grading Permits. The Forester and Fire Warden shall be consulted to ascertain the required fire flows and fire hydrants to accommodate the proposed development.

12. Unless this permit is used within two (2) years from the date of City approval, Conditional Use Permit Case No. 01019-2014 will expire. A written request for a one (1) year extension may be considered prior to the expiration date.
13. The applicant shall pay to the City the applicable General Plan Update Recovery Fee prior to the issuance of a Building Permit. The current fee is \$1.41/\$1,000 of building valuation. Actual fees will be determined at the time of building permit issuance.
14. The applicant shall comply with the school impact fee requirements of the Las Virgenes Unified School District. The current fee is \$3.36 per square foot for residential construction. On May 9, 2016, the fee will be \$3.48 per square foot for residential construction.
15. No roof-mounted equipment, other than attic ventilation systems and solar panels, as allowed by the Municipal Code, shall be permitted.
16. In the event archaeological resources are encountered during ground-disturbing activities, the City Planning Department shall be notified immediately, and work shall stop within a 100-foot radius until a qualified archaeologist approved by the City Planning Department, and retained and paid for by the developer/applicant, has assessed the nature, extent, and potential significance of any remains pursuant to the California Environmental Quality Act (CEQA). In the event such resources are determined to be significant, appropriate actions are to be determined by the archaeologist consistent with CEQA (PRC Section 21083.2) and the City General Plan, in consultation with the City Planning Department.
17. If human remains are unearthed during ground disturbing activities, State Health and Safety Code Section 7050.5 requires that no further disturbances shall occur until the County Coroner has made the necessary findings regarding origin and disposition pursuant to the Public Resources Code Section 5097.98. If human remains are unearthed, the developer/contractor shall contact the City Planning Department and County Coroner immediately. If the remains are determined to be of Native American descent, the Coroner has 24 hours to notify the Native American Heritage Commission (NAHC). The NAHC will then identify the person(s) thought to be the Most Likely Descendent (MLD) of the deceased Native American, who will then help determine what course of action should be taken in dealing with the remains. If an archaeologist and/or a Native American representative is needed to assessed the remains and determine a course of action, all such fees and expenses shall be the responsibility of the developer/contractor and not the City.
18. To the extent feasible, the applicant shall not remove or otherwise disturb vegetation, prepare the site, or conduct any other construction related activities within the work areas to avoid impacts to breeding and/or nesting birds from February 1 through September 1, the recognized breeding, nesting and fledging season for raptor and bird species. If such activities in the work areas during the breeding and nesting season cannot be avoided, then prior to any ground or vegetation disturbing activities, the applicant shall retain a qualified biologist/ornithologist acceptable to the City Planning Department to conduct a survey of all breeding and nesting habitats within the work areas and vicinity within one (1) week of construction or vegetation clearing activities. The extent of the survey buffer area

surrounding the site shall be established by the biologist to ensure that direct and indirect effects to nesting/breeding birds are avoided. A report discussing the results of the bird survey shall be submitted for review by the City Planning Department prior to any vegetation removal, site preparation or construction activity. If active nests are found within the survey area, activities within a 300-foot radius (500 feet for raptors) shall not be allowed until an appropriate buffer can be established. Limits of construction to avoid a nest site shall be established in the field with flagging and stakes or construction fencing. Activities within the buffer area shall be postponed or halted at the discretion of a biological monitor until the nest is vacated and juveniles have fledged, and there is no evidence of a second attempt at nesting. If a state or federally listed species is found, the CDFW and/or the USFWS, as applicable, shall be notified within 24 hours of the sighting, and construction work shall not occur until concurrence has been received that operations may proceed. The biologist shall record the results of the recommended protective measures described above to document compliance with applicable state and federal laws pertaining to the protection of native birds, and provide the documentation to the City Planning Department upon completion of the work and prior to issuance of a Certificate of Occupancy.

19. All outstanding fees owed to the City, if any, shall be paid by the applicant within thirty (30) days from the date of this approval.
20. It is the responsibility of the applicant and/or his or her representatives to report to the City any changes related to any aspects of the construction prior to undertaking the changes.
21. A pre-construction conference shall be held prior to the issuance of a Grading Permit, with all construction personnel involved with the grading operations.
22. If substantial changes are made to the approved Preliminary Landscape Plan, as determined by the Planning Director, the revised Landscape Plan shall be subject to approval by the Planning Commission.
23. Pool fencing shall be subject to approval by the Planning Director. Any site perimeter fencing shall be subject to approval by the Planning Commission and shall be a white split-rail wooden fence or a material that closely mimics a wood fence.
24. Retaining walls not proposed to be screened with vegetation shall be decorative in design, to be approved by the Planning Director during Final Plan Check, prior to issuance of a Grading Permit.
25. Basements shall remain unfinished and uninhabitable, as proposed in this permit application.
26. The applicant shall reimburse the City for any court and attorney's fees which the City may be required to pay as a result of any claim or action brought up against the City because of the approval of this application. Although the applicant is the real party in interest in an action, the City may, at its sole discretion, participate in the defense of the action, but such participation shall not relieve the applicant of any obligation under this condition.

27. The applicant shall defend, indemnify, and hold harmless the City, its agents, officers, and employees from an against any claim, action or proceeding against the City or its agents, officers, or employees to attack, set aside, void, or annul any approval or condition of approval. The City shall notify the applicant of any claim, action or proceeding and the City shall cooperate in the defense. The City reserves the right, at its own option, to choose its own attorney to represent the City, its officers, employees, and agents in the defense of the matter at applicant's expense.

BUILDING AND SAFETY DEPARTMENT CONDITIONS

28. All exterior materials used for eaves, sidings, porch, patio, decks, canopies, carport and other similar structures need to meet the Very High Fire Hazard Severity Zone (VHFHSZ) as outlined in Chapter 7A of the California Building Code and Chapter 2 of Article VIII of the Agoura Hills Municipal Code (AHMC).
29. All new windows will be tempered on at least one side of the dual pane, or a 20 min rated window or glass blocks per Section 704A.3.2.2 of the 2013 California Building Code. All relevant plans shall include a notation of this condition.
30. As part of the permitting process and prior to permit issuance, two (2) complete sets of construction plans, including Structural, Floor Plan, Mechanical, Electrical, Plumbing, Energy Plans, plans will need to be submitted to Building and Safety Department for plan review and approval. Please be advised that this is a preliminary review and does not constitute a final Building and Safety approval.
31. A soils report is required to be submitted to the Building and Safety Department for this project.
32. Slope setbacks shall be met per Agoura Hills Municipal Code Section 8200(g) and 2013 California Building Code Section 1805.3.2.
33. Pool fencing shall be provided. If utilizing the perimeter fencing for this purpose, the fence must meet the pool fencing requirement for the height, type, latch and swing of door, etc., per the Agoura Hills Municipal Code, including but not limited to Section 3401.
34. Per AQMD Rule 445 only fireplaces fueled by gas (such as gas logs) may be installed in a new residence. Permanently installed indoor or outdoor wood-burning fireplaces or stoves are not permitted.
35. Fire Sprinklers will be required for all new structures per Section 903.2, Article VIII of the Agoura Hills Municipal Code 903.2.
36. Los Angeles County Fire Department approval will be required for all new structures.
37. Las Virgenes Municipal Water District approval will be required.

38. Los Angeles County Health Department approval is required for installation of any septic tanks, leach fields or seepage pits.

PUBLIC WORKS/ENGINEERING DEPARTMENT CONDITIONS

39. Prior to permitting, all required plans and studies shall be prepared by a Registered Professional Engineer in the State of California, and submitted to the City Engineer for review and approval.
40. For all work within the public right-of-way, the applicant shall obtain an Encroachment Permit. Prior to issuance of any permits, all improvement plans, which include but are not limited to, street, water, sewer, storm drain, lighting, signing and striping, etc shall be reviewed and approved by the City Engineer. Water plans shall be designed to meet LVMWD standards and contain a signature block for the City Engineer. All associated fees and securities shall be based upon completed Engineering Cost Estimate forms, approved by the Engineering Department. Forms are available for download from the City's website at www.ci.agoura-hills.ca.us.
41. Prior to permitting, the applicant shall pay all applicable Transportation Impact Fee (TIF) to the Building and Safety Department.
42. All existing street and property monuments within or abutting this project site shall be preserved consistent with AB1414. If during construction of onsite or offsite improvements monuments are damaged or destroyed, the applicant shall retain a licensed land surveyor or civil engineer to reset those monuments per City's Standards and file the necessary information with the County Recorder's office.
43. Detailed on-site utility information shall be shown on the grading plan, which includes, but is not limited to, backflow prevention devices, exact location of laterals water meter size and location, invert elevations and grades for all gravity lines. The grading plan will not be approved by the Engineering Department until this detailed utility information is included on the plans.
44. The grading plan shall show location(s) of all Oak trees within the vicinity of the site. The applicant shall adhere to all requirements pertaining to Oak trees as outlined in the City's Oak Tree Consultant's Conditions of Approval, if any.
45. Prior to permitting, the applicant shall submit electronic files (i.e., CAD file, on disc) of project-related off-site improvement plans as deemed necessary by the City Engineer. These electronic files shall accompany original Mylars of improvement plans to be approved/signed by the City Engineer. Improvement plans will not be approved by the City Engineer if not accompanied by CAD files.
46. Prior to permitting, the applicant shall submit a soils/geology report to the project engineer for review and approval in accordance with Government Code, Section 66434.5 as required by the City Engineer.

47. Prior to permitting, the project shall obtain a permit from the Los Angeles County Health Department and Las Virgenes Municipal Water District.
48. Building Permits shall not be issued until graded building pad(s) have been certified for compaction and elevation to the City's satisfaction. The applicant shall contact the Engineering Department at 818.597.7322 for approved City certification forms.
49. Building Permits shall not be issued until applicant has obtained septic system approval from Los Angeles County Health Department.
50. Prior to permitting, all public improvements shall be designed in accordance with City Code, Specifications, approved Specific Plan, and/or approved Conditions of Approval for the area. The project is required to install a new concrete driveway approach, widen the Asphalt Concrete (AC) Pavement to 20 feet with 6 inch curb along parcel frontage on Lapworth Drive, and all water appurtenances shall be per Las Virgenes Municipal Water District's standards.
51. The following existing street(s) being cut for new services or being finish with curb and gutter may require an asphalt concrete overlay: Lapworth Drive along entire westerly property line.
52. This property is within the LVMWD service area. The applicant shall make arrangements with LVMWD for those services and provide the City with proof that all LVMWD fees have been paid.
53. All water facilities shall be designed to comply with all LVMWD requirements. Final plans must be reviewed and approved by LVMWD and City.
54. The applicant shall submit a hydrology study and drainage analysis, prepared and signed by a Civil Engineer registered in the State of California, in accordance with the Los Angeles County Hydrology Manual. Additional drainage facilities or portions of the site/grading plan may need to be altered as a result of the findings of this study.
55. This project shall be subject to the Low Impact Development (LID) requirements of Chapter 5 of Article V of the Agoura Hills Municipal Code.
56. Prior to the approval of the Grading Plan and issuance of Grading Permits, an Erosion and Sediment Control Plan (ESCP) shall be submitted to and approved by the Engineering Department. The Erosion and Sediment Control Plan shall specifically identify the Best Management Practices (BMPs) that will be implemented on this project, during construction, to reduce the discharge of sediment and other pollutants into the City's storm drain system. Said plan shall ensure, among other things, that the following minimum requirements are effectively implemented at all construction sites:
 - a. Sediments generated on the project site shall be retained using adequate Treatment Control or Structural BMPs;

- b. Construction-related materials, wastes, spills, or residues shall be retained at the project site to avoid discharge to the streets, drainage facilities, receiving waters, or adjacent properties by wind or runoff;
 - c. Non-storm water runoff from equipment and vehicle washing and any other activity shall be contained at the project site;
 - d. Erosion from slopes and channels shall be controlled by implementing an effective combination of BMPs such as the limiting of grading scheduled during the wet season; inspecting graded areas during rain events; planting and maintenance of vegetation on slopes and covering erosion susceptible slopes.
57. Prior to the approval of the Grading Plan and issuance of Grading Permits, a completed Standard Urban Storm water Mitigation Plan (SUSMP) shall be submitted to and approved by the Engineering Department. The SUSMP shall be prepared per the Los Angeles County Standard Urban Storm water Mitigation Plan (SUSMP) design guidelines. SUSMP shall identify, among other things, all Post-Construction, Site Design, Source Control and Treatment Control Best Management Practices (BMPs) that will be incorporated into the development project in order to minimize the adverse effects on receiving waters.
 58. Prior to issuance of Certificate of Occupancy, all remaining fees/deposits required by the Engineering Department must be paid in full.
 59. Prior to issuance of Certificate of Occupancy, all requirements including construction of improvements covered in condition number 12 must be completed to the satisfaction of the City Engineer.
 60. Prior to issuance of Certificate of Occupancy, the applicant's Engineer shall submit a set of MYLAR, Record (as-built) Drawings, for off-site improvements, to accurately reflect the constructed improvements. This set of Record Drawings reflecting all change orders during construction, must be submitted to the City via City's inspection prior to scheduling of final inspection for acceptance of the improvements. *No final inspection will be scheduled and subsequently no release of securities, posted for the project if any, will take place unless MYLAR, Record (As-built) Drawings, satisfactory to the City, are submitted.*
 61. Prior to issuance of Certificate of Occupancy, the applicant shall record a covenant for continued storm water maintenance, using City-approved forms, with the Los Angeles County. An electronic copy of this document is available on the City's website: www.agoura-hills.ca.us.
 62. All monuments shall be set in accordance with the final map, and all centerline ties shall be submitted to the Engineering Department. Any monuments damaged as a result of construction, shall be reset to the City's satisfaction.
 63. Applicant shall submit a title report that is not older than thirty (30) days.
 64. Upon receiving the Title Report, if conflicts/issues arise regarding recorded documents over property, applicant shall take all measures necessary, as directed by the City Engineer, to

resolve said conflicts/issues. All conditions are to be complied with to the satisfaction of the City Engineer in accordance with the applicable provisions of the Agoura Hills Municipal Code.

65. SWPPP Plan – All projects that develop one (1) acre or more of total land area or which are part of a larger phased development that will disturb at least one acre of land, are required to prepare a Storm Water Pollution Prevention Plan (SWPPP), utilizing the model form in Appendix B of the 2003 CASQA Stormwater BMP Handbook for Construction at: www.cabmphandbooks.com and submit a copy of the plan to the City of Agoura Hills Engineering Department for review. A copy of the adopted SWPPP shall be maintained in the construction site office at all times during construction and the Site Superintendent shall use the plan to train all construction site contractors and supervisory personnel in construction site Best Management Practices, prior to starting work on the site.

Said plan shall, among other things, ensure that the following minimum requirements are effectively implemented at all construction sites:

- a. Sediments generated on the project site shall be retained using adequate Treatment Control or Structural BMPs;
- b. Construction-related materials, wastes, spills, or residues shall be retained at the project site to avoid discharge to the streets, drainage facilities, receiving waters, or adjacent properties by wind or runoff;
- c. Non-storm water runoff from equipment and vehicle washing and any other activity shall be contained at the project site;
- d. Erosion from slopes and channels shall be controlled by implementing an effective combination of BMPs such as the limiting of grading scheduled during the wet season; inspecting graded areas during rain events; planting and maintenance of vegetation on slopes and covering erosion susceptible slopes.

GEOTECHNICAL CONDITIONS

66. The applicant shall comply with all recommendations of the City Geotechnical Consultant's (GeoDynamics, Inc.) Conditions of Approval letter dated February 25, 2016, which is incorporated herein by this reference.

OAK TREE CONDITIONS

67. No damage shall occur within the protective zone (the area within the dripline of an oak tree and extending to a point at least 5 feet outside the dripline, or 15 feet from the trunk[s] of the tree, whichever distance is greater) of a protected oak tree without an approved permit from the City.
68. Exclusionary fencings consisting of chain-link, orange snow drift mesh fencing, or other suitable material shall be placed just outside of the protective zone of preserved oak trees during

construction activities, so that access within the protective zones is prohibited during the construction phase of the project. Any work that will be conducted within the protective zone of an oak tree shall be accomplished under the direct supervision of a qualified arborist.

69. Care must be taken to limit grade changes near the protected zone of any oak tree. Grade changes can lead to plant stress from oxygen deprivation or oak root fungus at the root collar of oaks. Minor grade changes further from the trunk are not as critical but can negatively affect the health of the tree if not carefully monitored by a certified arborist. The grade shall not be lowered or raised around the trunks (i.e., within the protected zone) of any oak tree without prior authorization from the City.
70. No storage of equipment, supplies, vehicles, or debris shall be permitted within the protected zone of any oak tree.
71. No dumping of construction wastewater, paint, stucco, concrete, or any other clean-up waste shall occur within the protected zone of any oak tree or uphill from the protected zone.
72. No temporary structures shall be placed within the protected zone of any oak tree not permitted for removal or encroachments.
73. If pruning is required, pruning shall be limited to the removal of dead wood, and stubs, or removal of branches 2 inches in diameter or less. Pruning methods shall be conducted in accordance with the guidelines published by the National Arborist Association. In no case shall more than 20 percent of the tree canopy of any oak tree be removed. Cuts over 2 inches in diameter shall require authorization by permit from the City.
74. Irrigation water shall not reach within 15 feet of any oak trunk or within the protected zone of an oak tree.
75. If vegetation is proposed within the protective zone of an oak tree, plants shall be limited to drought tolerant species suitable for planting beneath oak trees.

LANDSCAPING CONDITIONS

76. Prior to the issuance of a Building Permit, submit to the City a planting plan that has been approved by the County of Los Angeles Fire Department Fuel Modification Unit.
77. The Irrigation plan prepared by Wynn Landscape Architects, Inc. dated February 3, 2015 has not been approved and will need to be revised as follows prior to the issuance of a Grading Permit or Building Permit, whichever comes first:
 - a. The irrigation site plan is not the same as the site plan shown on the planting plan; the proposed storage room and the proposed 2nd unit floor plans have been relocated, the pool shape and adjacent planters have been revised, the walkways shown on the irrigation plan do not align with the walkways on the planting plan, the slope areas

- are not shown on the irrigation plan. The base plan for the irrigation system and the planting plan must be the same.
- b. The irrigation plan, which is required by the City of Agoura Hills Municipal Code, must comply with the current Water Efficiency Landscaping Ordinance.
 - c. Water allowance calculations must be adjusted to within an ETAF of 0.55 instead of 0.8.
 - d. Separate water meters or sub-meter is required for residential landscapes over 5,000 square feet. This project has 60,050 square feet of landscape area.
 - e. Master valve and flow meter is required.
 - f. Show actual location of the water meter and service line size.
 - g. Provide irrigation hydraulic calculations on the plan per the Ordinance.
 - h. Slope irrigation system must be provided to irrigate the ground covers planted for erosion control.
 - i. Provide manufacture certification that the specified sprinkler heads meet the requirement of the distribution of uniformity low quarter of 0.65 or higher.
78. The Final Landscape Plan shall substantially conform to the Preliminary Landscape Plan prepared by Richard Campbell, ASLA, dated October 22, 2015, as approved by the City of Agoura Hills Planning Commission.
79. Prior to the approval of a Grading Permit, the applicant shall submit three (3) sets of Final Landscape and Irrigation Plans for review by the City Landscape Consultant and approval by the Planning Director. A California – licensed Landscape Architect shall prepare, stamp and sign the plans. The Plans shall be submitted with a copy of the following approved plans: Architectural Site Plan, Building Elevations and Final Grading Plan. Conditions of Approval shall also be submitted with the Landscape and Irrigation Plans. The Landscape and Irrigation Plan shall meet the requirements of the State Model Water Efficient Landscape Ordinance and Division 8, Chapter 6, Article IX of the Agoura Hills Municipal Code.
80. At the time of the Final Landscape Plan submittal, the project Landscape Architect shall provide the City with written confirmation that the project Landscape Architect has reviewed the civil engineering drawings and that the Landscape Plan is not in conflict with the requirements of the National Pollutant Discharge Elimination System (NPDES) or Low Impact Development Standards (LID).
81. Planting Plans shall indicate the botanical name, the plant container sizes and spacing. The minimum size of trees shall be 15-gallon. The minimum size of shrubs shall be five (5) gallon except shrubs planted as groundcovers and or as accent planting, which may be one (1) gallon size. Plant sizes may be increased on some projects at the discretion of the Planning Director. Plant symbols shall depict 75 percent of the size of the plant at maturity.

Palm trees are not permitted in the City of Agoura Hills. All plant material shall be compatible with Sunset's Climate Zone 18.

82. The Final Landscape Plans shall include the following notes:
 - a. The project Landscape Architect shall inspect and certify in writing that the landscape installation is in conformance with the approved Landscape Plans.
 - b. Identification of the total square footage of the landscape area within the project.
83. The Final Irrigation Plans shall be provided separate from, but utilizing the same format as, the Planting Plans. The Final Irrigation Plans shall include calculations that demonstrate the irrigation design hydraulically works given the static and working design pressure of the system.
84. With the Final Landscape Plans, three (3) copies of planting and irrigation details and specifications shall be provided, addressing but not limited to, planting, soil preparation, tree staking, guying, instillation details and post installation maintenance.
85. The approved landscaping shall be continually maintained in a healthy state. Plants that die and plants that are damaged shall be immediately replaced with originally specified material.
86. Invasive non-native plants that can threaten the local wildland ecosystems are not permitted. These plants are listed in the California Invasive Plant Inventory published by the California Invasive Plant Council.
87. The Final Landscape Plan shall be approved by the Fuel Modification Unit of the County of Los Angeles Fire Department, as appropriate, prior to the issuance of a Building Permit.
88. Landscaping and irrigation installation shall be subject to inspection and approval by the Planning Department prior to final Building Permit inspection.
89. Consistent with the City Hillside Ordinance, the Final Landscape Plan shall consist primarily of locally native and/or naturalized plants.

FIRE DEPARTMENT CONDITIONS

90. The applicant shall comply with all conditions of the Los Angeles County Fire District prior to the issuance of a Building Permit.

SOLID WASTE MANAGEMENT STANDARD CONDITIONS

91. To ensure that solid waste generated by the project is diverted from the landfill and reduced, reused, or recycled, the applicant shall submit a "Waste Reduction & Recycling Plan" to the City for review and approval. The plan shall provide for at least 50% of the waste generated

on the project to be diverted from the landfill. Plans shall include the entire project area, even if tenants are pursuing or will pursue independent programs. The plan shall be submitted to and approved by the Department of Planning and Community Development prior to issuance of a building permit. The plan shall include the following information: material type to be recycled, reused, salvaged, or disposed; estimated quantities to be processed, management method used, and destination of material including the hauler name and facility location. The City's Waste Reduction & Recycling Plan form or a similar format shall be used.

92. The project shall comply with the plan and provide for the collection, recycling, and/or reuse of materials (i.e. concrete, wood, metal, cardboard, green waste, etc.) and document results during demolition and/or construction of the proposed project. After completion of demolition and/or construction, the applicant shall complete a Waste Reduction & Recycling Summary Report and provide legible copies of weight tickets, receipts, invoices or letters of verification for materials sent to disposal or reuse/recycling facilities. For other discarded or salvaged materials, the applicant shall provide documentation, on the disposal facility's letterhead, identifying where the materials were taken, type of materials, and tons or cubic yards disposed, recycled or reused and the project generating the discarded materials. The Waste Reduction & Recycling Summary Report shall be submitted and approved prior to issuance of a certificate of occupancy, or final inspection if issuance of a certificate of occupancy is not applicable.
93. The applicant shall arrange for materials collection during construction, demolition, and occupancy with a City permitted hauling company, or shall arrange for self-hauling to an authorized facility.

END

ATTACHMENT 2

VICINITY MAP



A.P.N. 2055-022-072

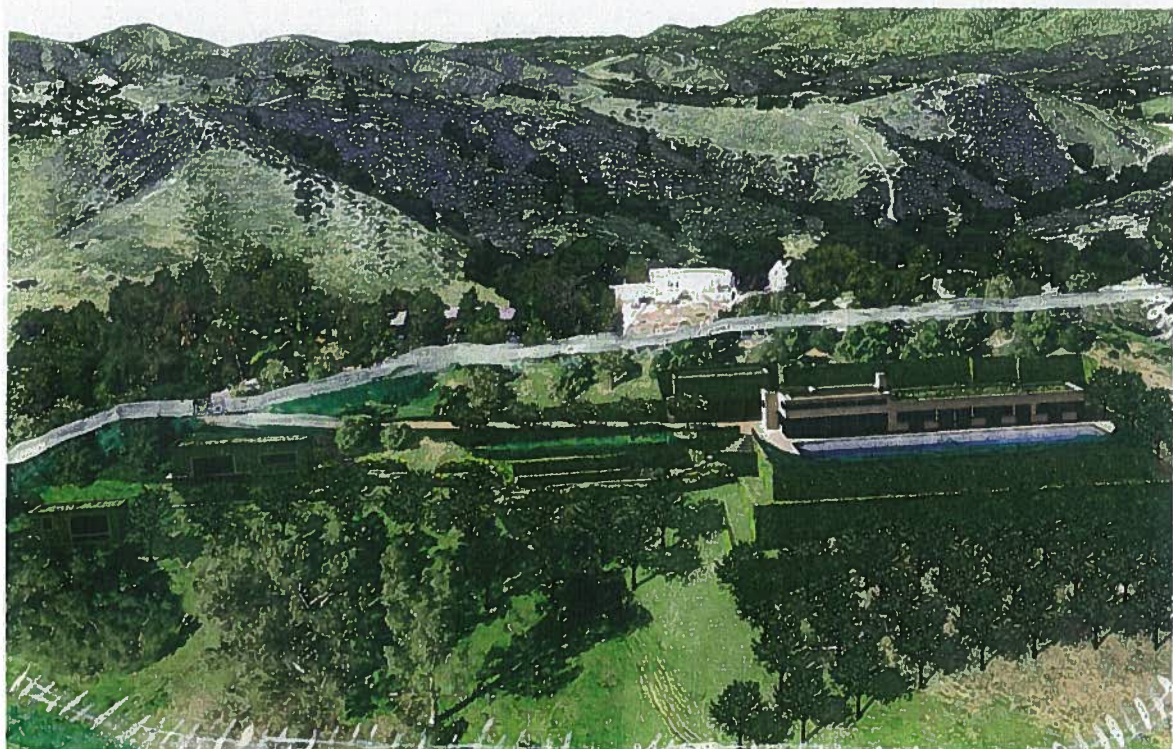
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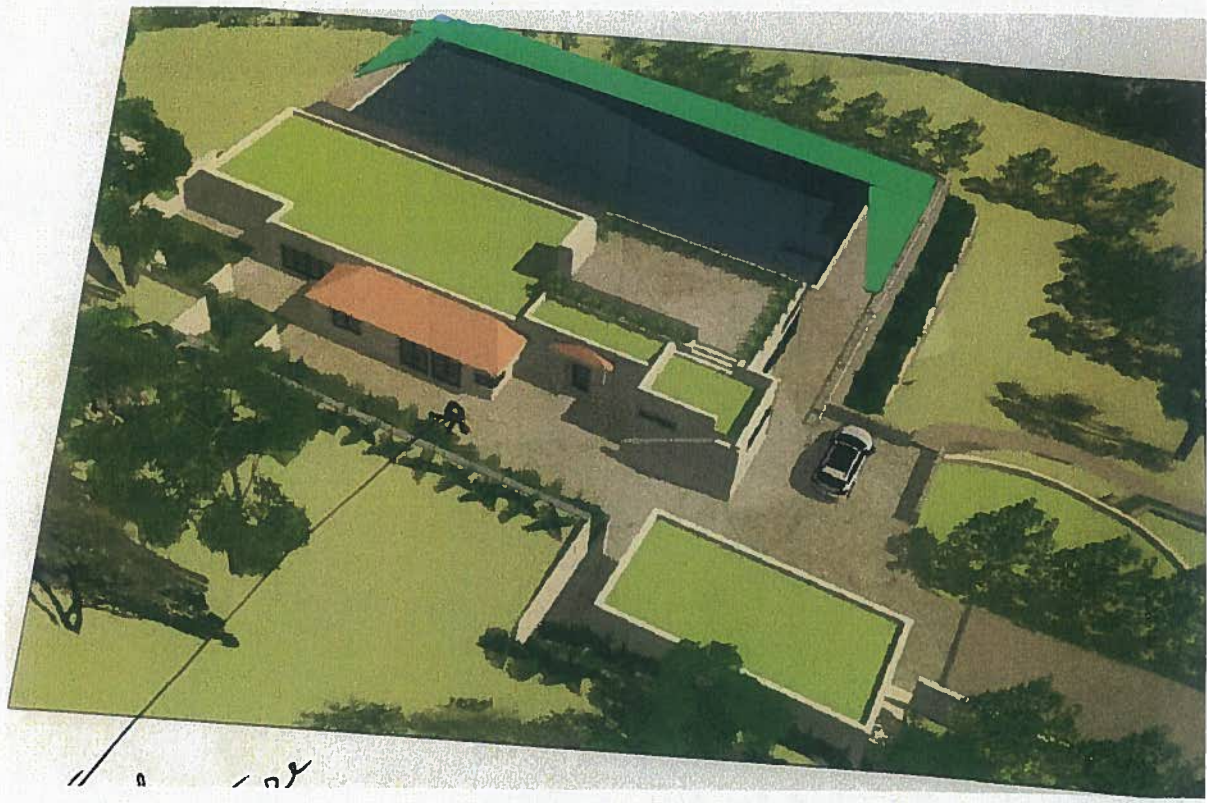
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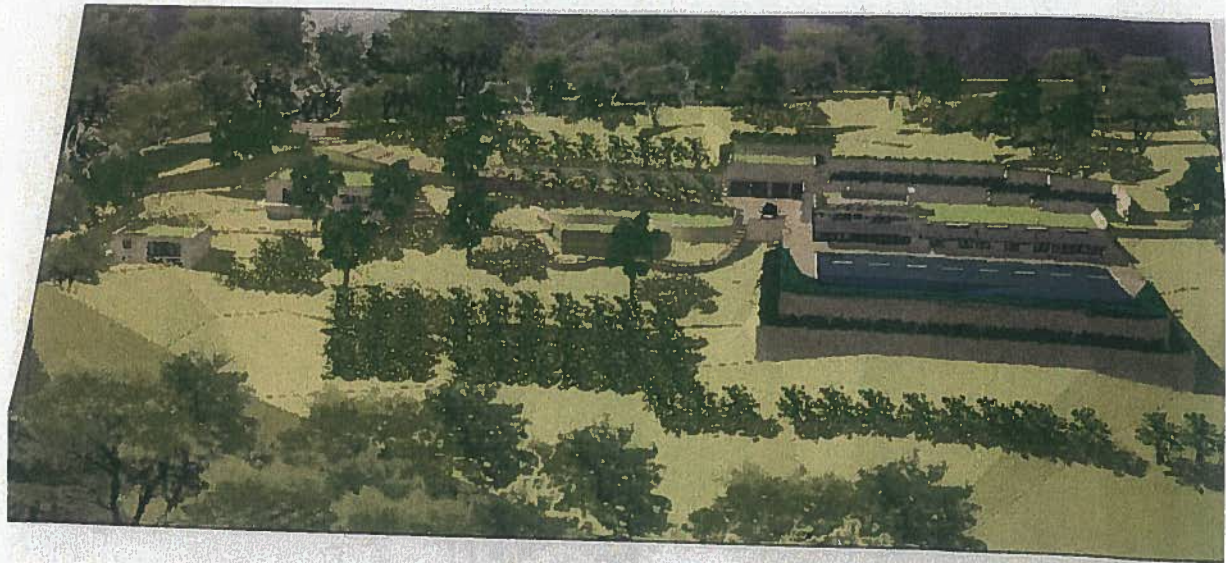
ATTACHMENT 3
COLORED RENDERINGS, ELEVATIONS,
AND MATERIALS BOARD







11 a 102



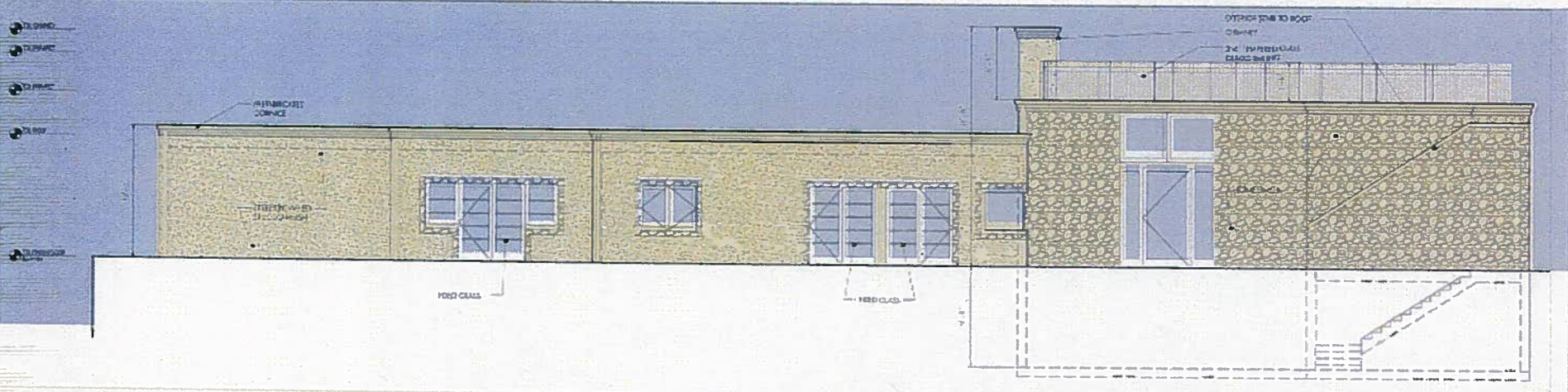
1 VIEW FROM SOUTH





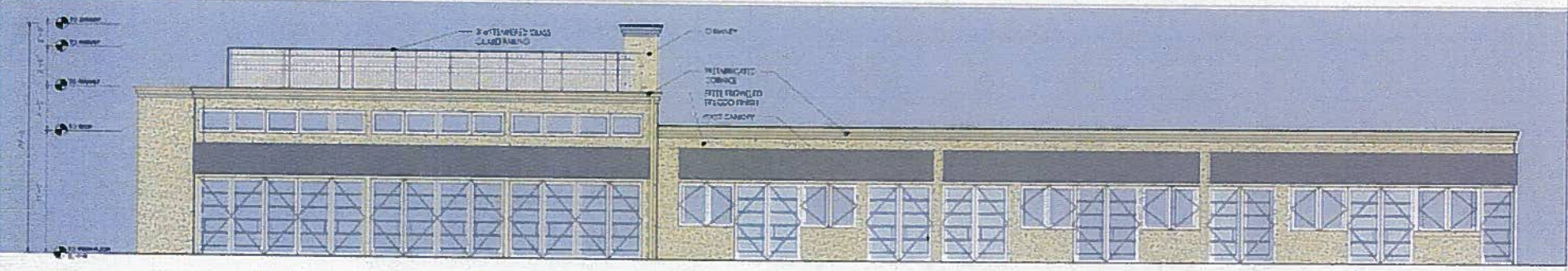
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Checked by: [Name]
Designed by: [Name]

ELEVATIONS



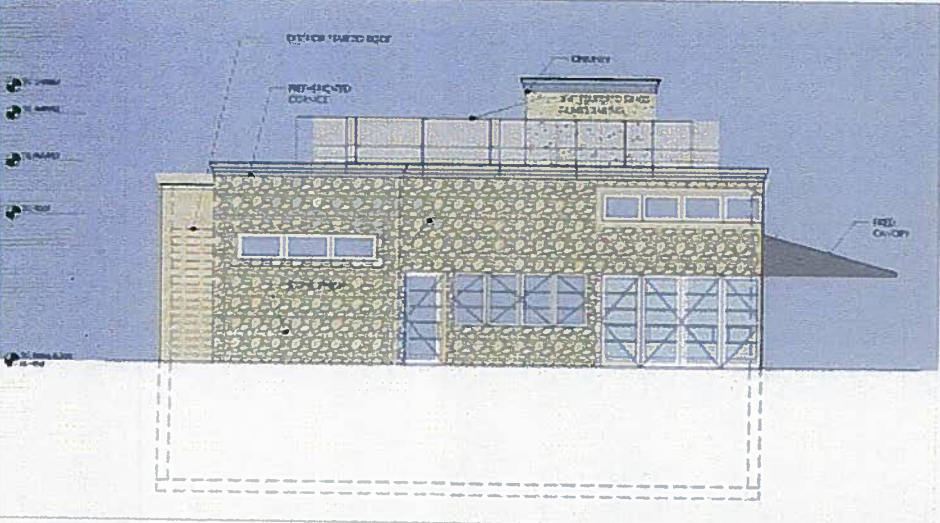
1 MAIN RESIDENCE - NORTH

SCALE: 1/4" = 1'-0"



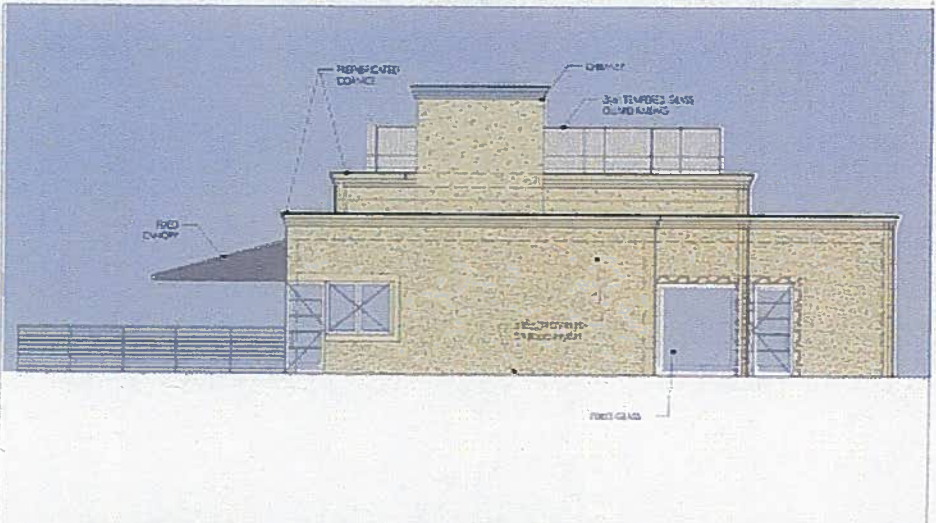
2 MAIN RESIDENCE - SOUTH

SCALE: 1/4" = 1'-0"



3 MAIN RESIDENCE - WEST

SCALE: 1/4" = 1'-0"



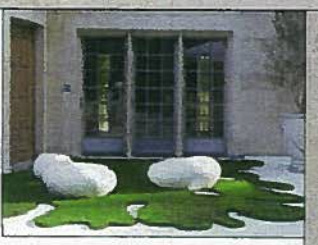
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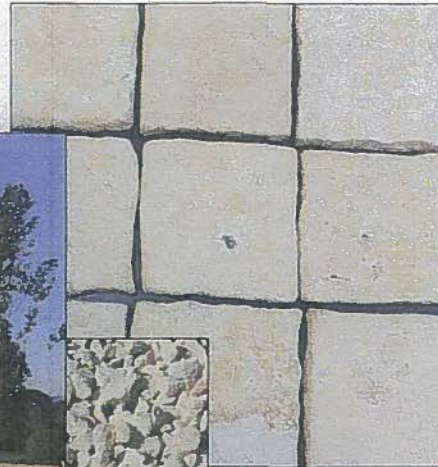
B I N A R E S I D E N C E
 PARCEL 1 APN 2055-022-072 . AGOURA HILLS, CALIFORNIA 91310

Issued for: _____ Date: _____
 Program Set: July 30, 2014

Drawing Title / Number
COLOR AND MATERIALS
A6.1



Creame Color Stacco . Black window frames.



Bigger stone

Creame
Color
Stone
→
Permeable

sand

B I N A R E S I D E N C E
PARCEL 1 APN 20866-022-072 . AGOURA HILLS . CALIFORNIA 91310

←
Creame
Color
←
Permeable

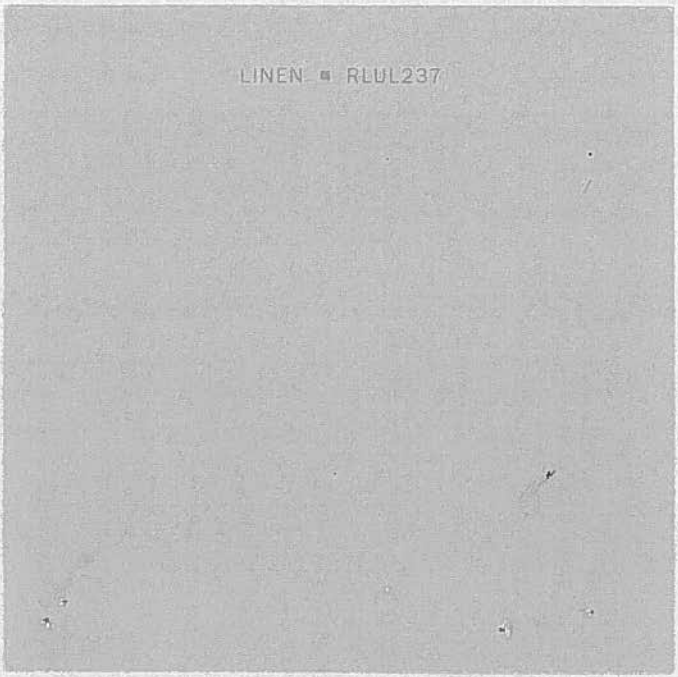


↓
Chip-Seal

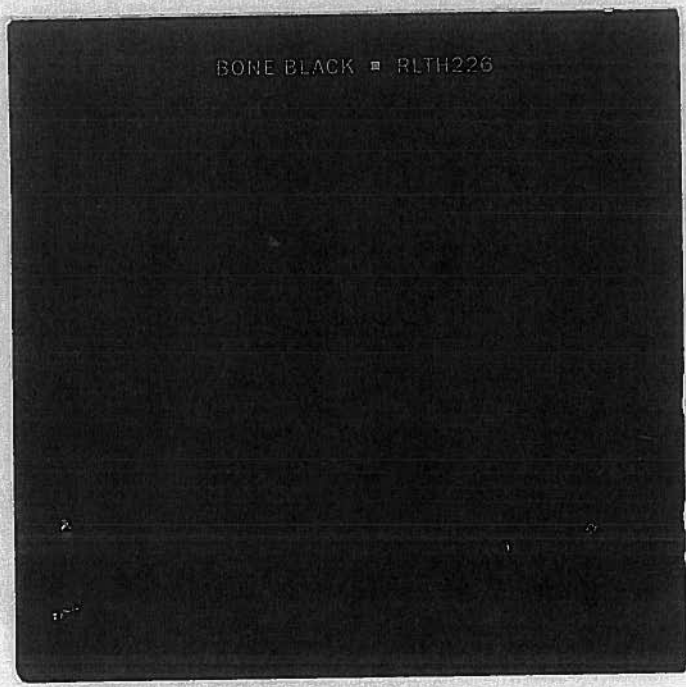
Linen Color RLUL 237
- Bone Black R1TH 226

COLOR AND MATERIALS
A6.1

LINEN ■ RLUL237



BONE BLACK ■ RLTH226



ATTACHMENT 4
REDUCED COPIES OF PROJECT PLANS

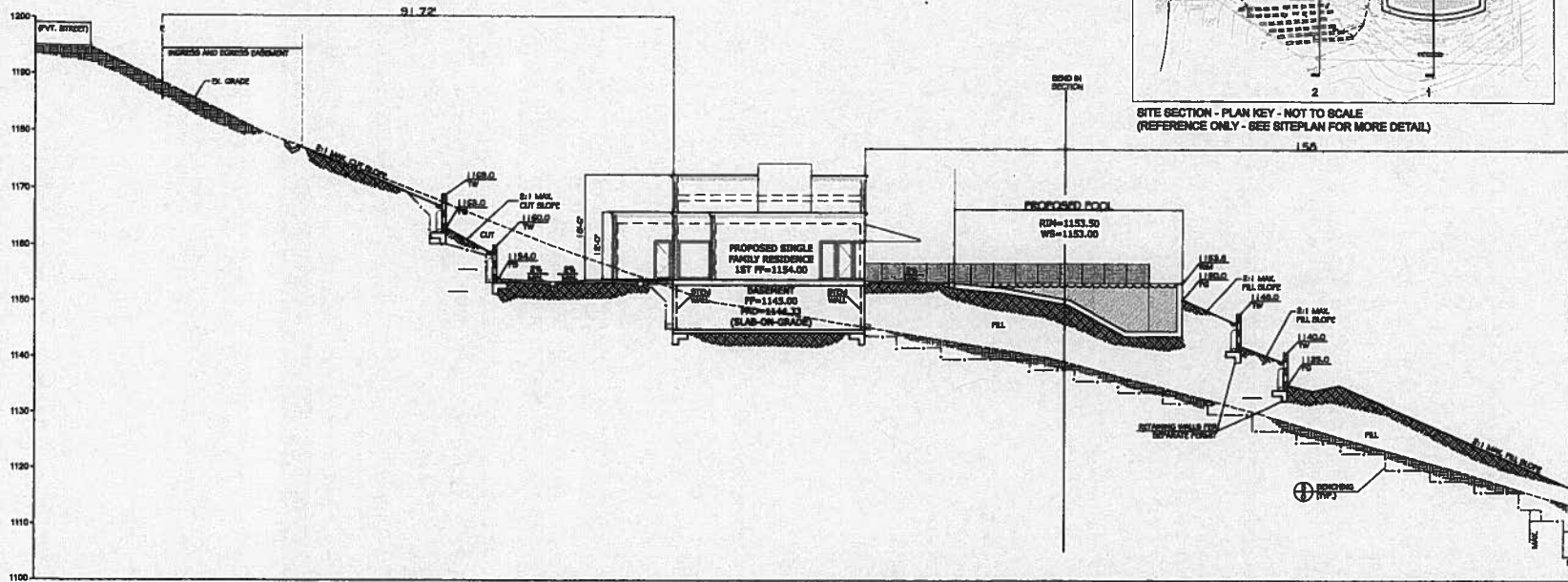
sand
 1717 20th Street
 Agoura Hills, CA 91301
 818-477-1234

BINA RESIDENCE
 6000 LAPWORTH DRIVE, AGOURA HILLS, CALIFORNIA 91310



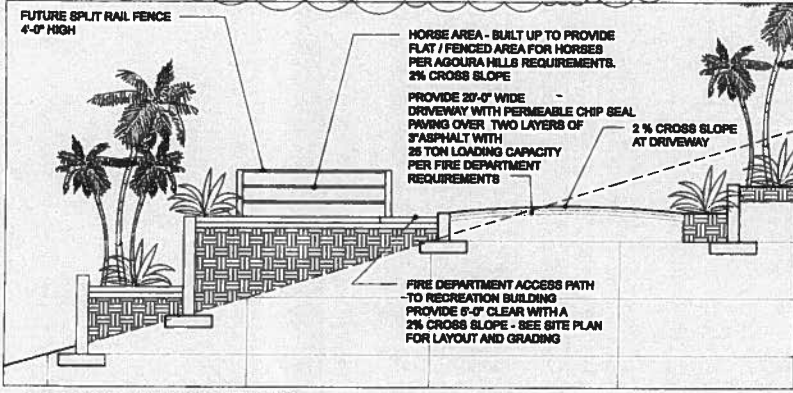
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CLP REVISIONS
JANUARY 5, 2016



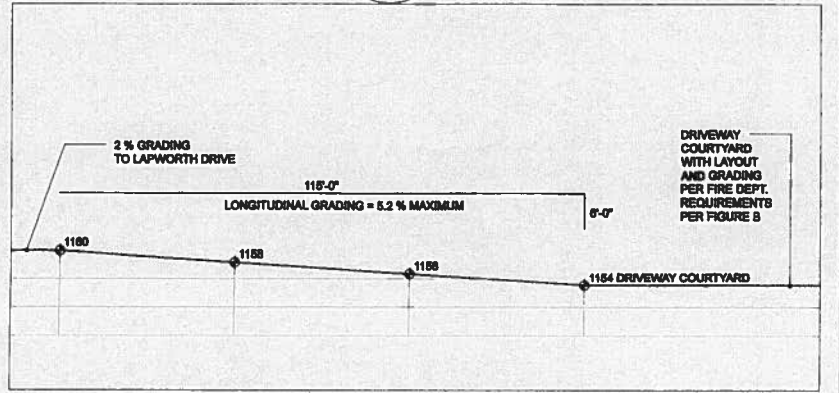
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(REFERENCE ONLY - SEE SITEPLAN FOR MORE DETAIL)

1 SITE SECTION - CROSS SECTION AT MAIN RESIDENCE SCALE: 1/8" = 1'-0"



2 SITE SECTION - DRIVEWAY CROSS SECTION

SCALE: 1/4" = 1'-0"



3 SITE SECTION - DRIVEWAY LONGITUDINAL SECTION

SCALE: 1/8" = 1'-0"

sand
1750
1750
1750
1750
1750

BINA RESIDENCE
8000 LAPWORTH DRIVE, AGOURA HILLS, CALIFORNIA 91310

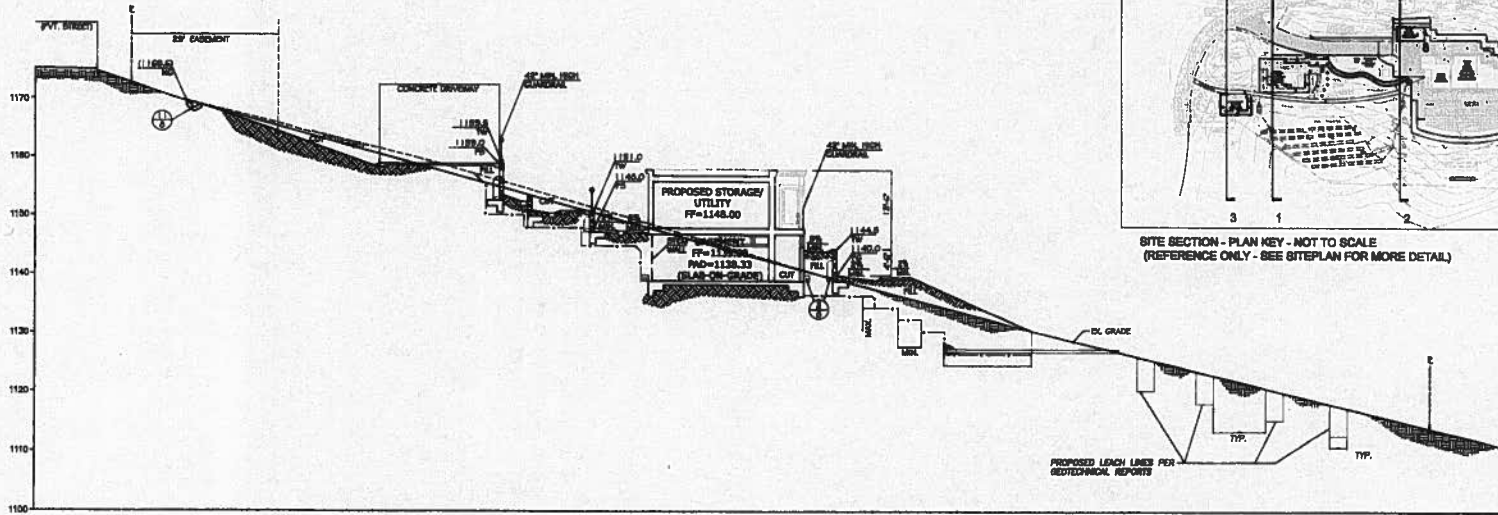


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Checked by: [Name]
Designed by: [Name]
Reviewed by: [Name]
Approved by: [Name]

DATE: 1/5/16

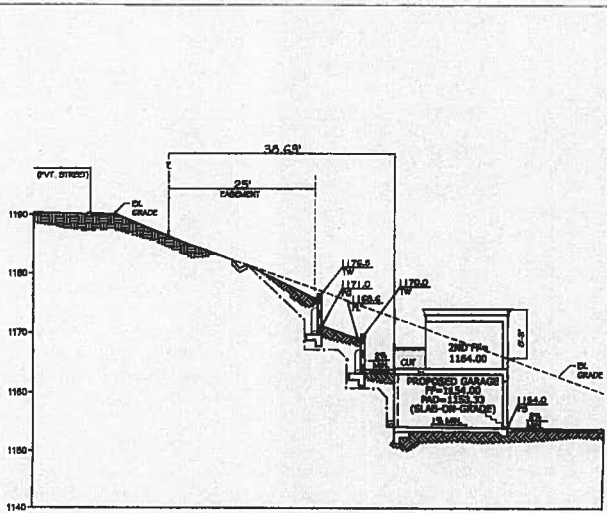
SITE SECTIONS
A1.1

CLP REVISIONS
JANUARY 5, 2018

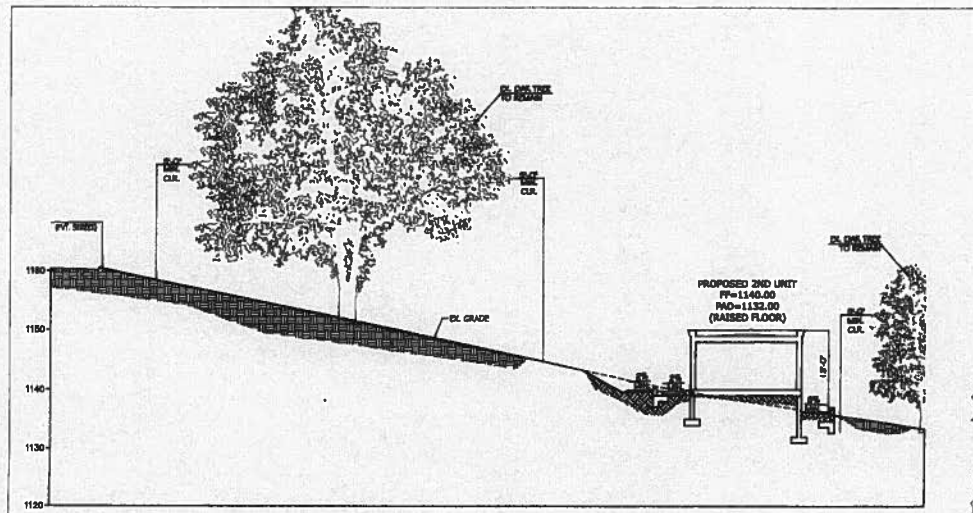


SITE SECTION - PLAN KEY - NOT TO SCALE
(REFERENCE ONLY - SEE SITEPLAN FOR MORE DETAIL)

1 SITE SECTION - STORAGE / RECREATION BUILDING SCALE: 1/8" = 1'-0"



2 SITE SECTION - GARAGE BUILDING SCALE: 1/8" = 1'-0"



3 SITE SECTION - SECOND UNIT SCALE: 1/8" = 1'-0"

sand
INCORPORATED
12000 W. 120th St.
Torrance, CA 90503
TEL: 310.209.1100
WWW.SANDINC.COM

B I N A R E S I D E N C E
8000 LAPWORTH DRIVE, AGOURA HILLS, CALIFORNIA 91301



Author:	DR
Checker:	DR
Engineer:	DR
Contractor:	DR
City/County:	DR
State:	DR
Project:	DR
Sheet:	DR

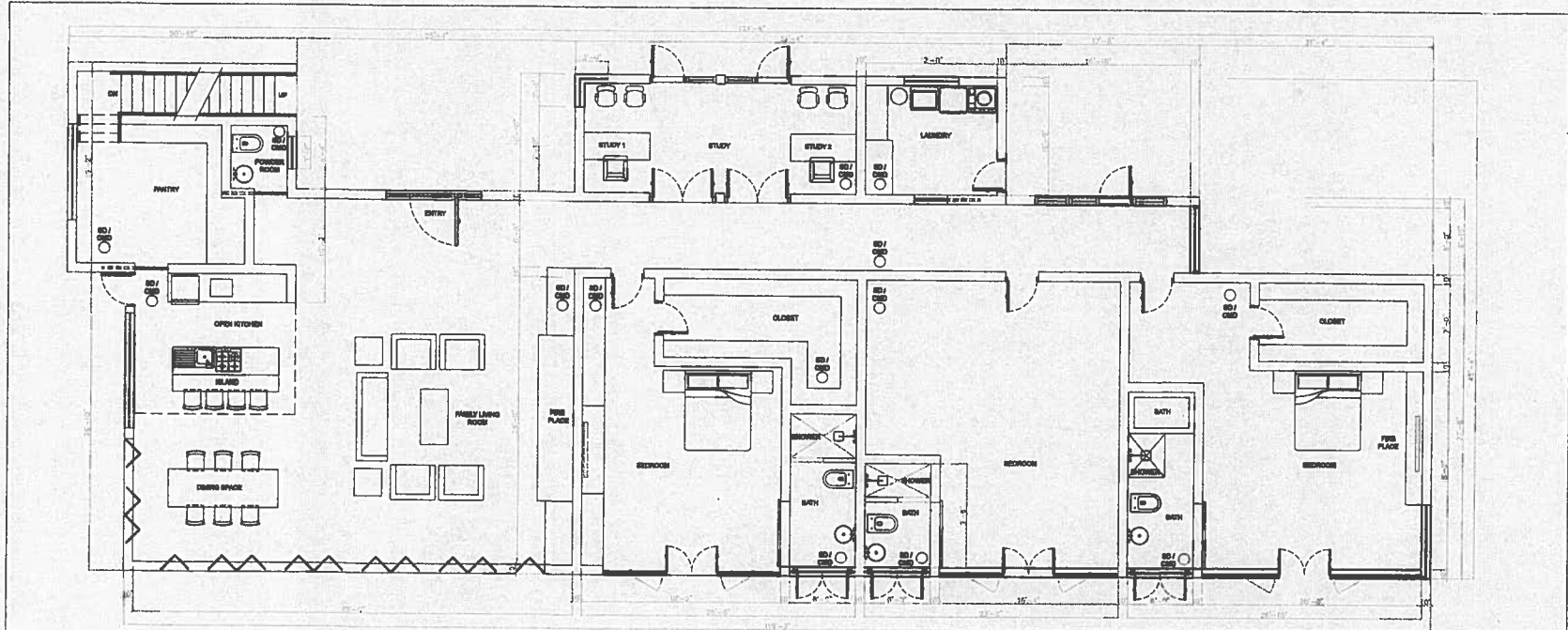
Drawing Title/Number
SITE SECTIONS
A1.2

B I N A R E S I D E N C E
 8000 LAPWORTH DRIVE, AGOURA HILLS, CALIFORNIA 91310

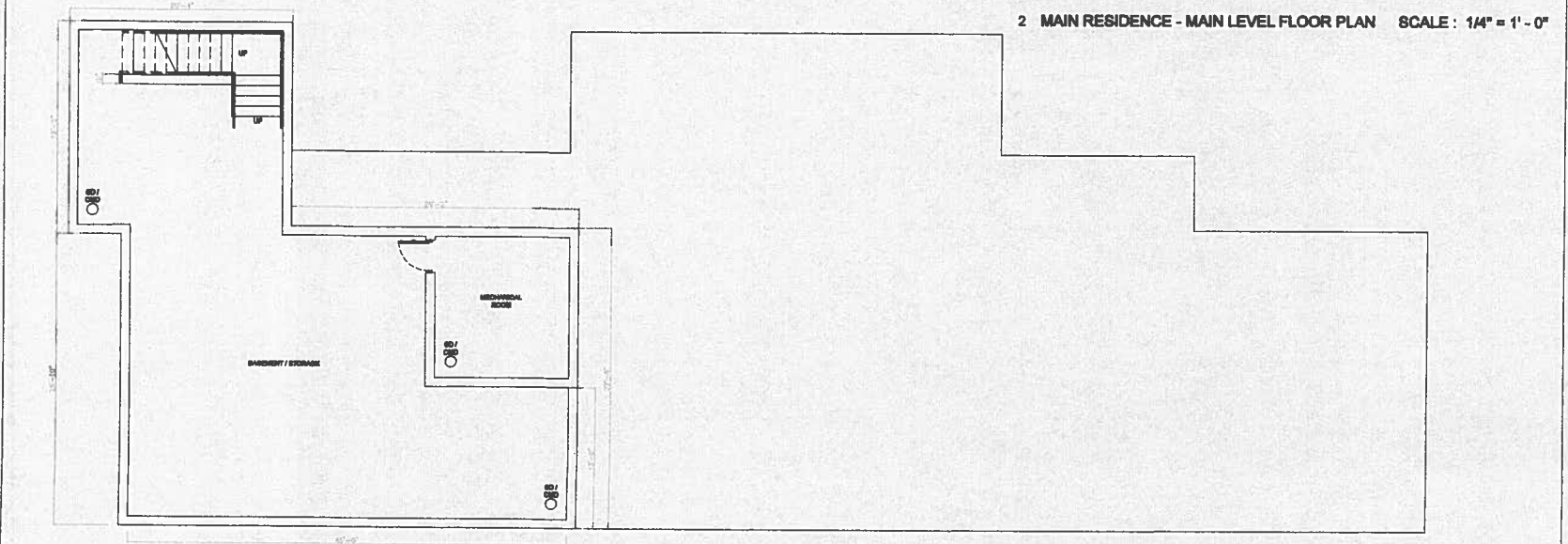


Issue No.	Date
1	08/14/08
2	08/14/08
3	08/14/08
4	08/14/08
5	08/14/08
6	08/14/08
7	08/14/08
8	08/14/08
9	08/14/08
10	08/14/08

Drawing Title / Number
**MAIN RESIDENCE -
 BASEMENT /
 MAIN LEVEL
 FLOOR PLAN**
A2.0



2 MAIN RESIDENCE - MAIN LEVEL FLOOR PLAN SCALE: 1/4" = 1' - 0"

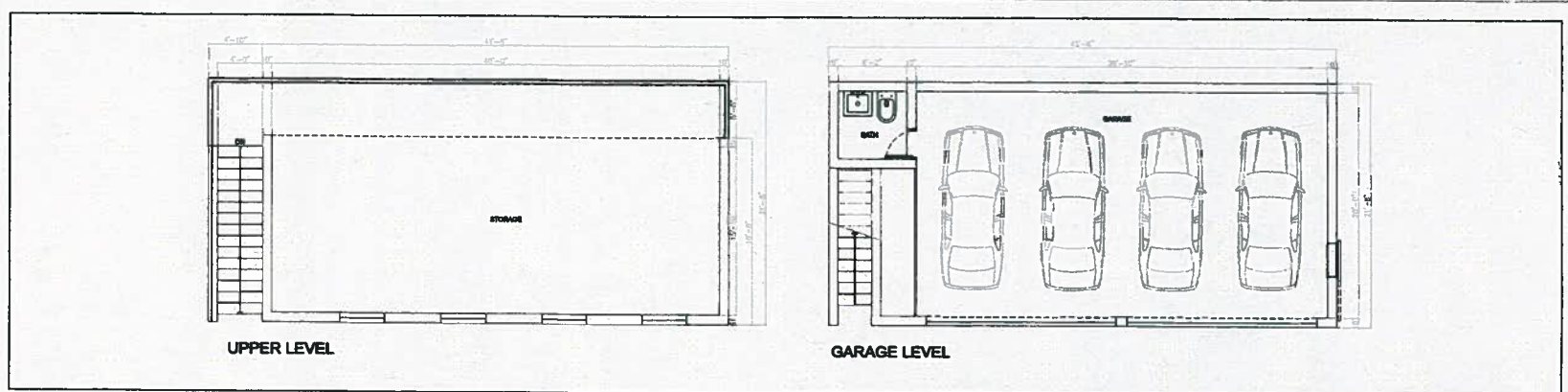


1 MAIN RESIDENCE - BASEMENT LEVEL FLOOR PLAN SCALE: 1/4" = 1' - 0"

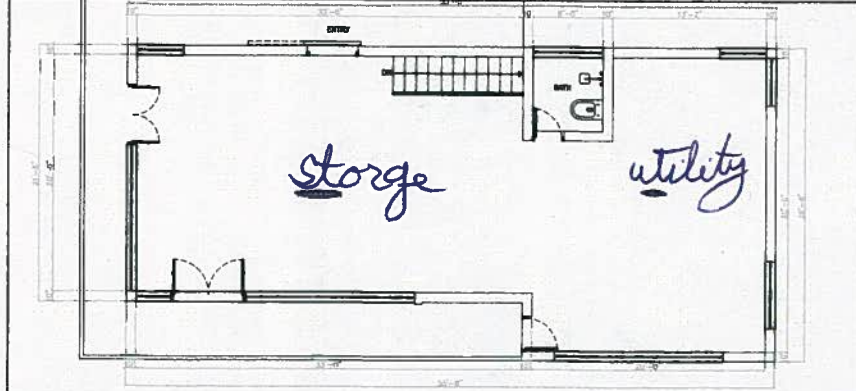


Drawn by	Rev
Checked by	DATE
Approved by	DATE
Contract No.	DATE
Project Name	DATE
Scale	DATE

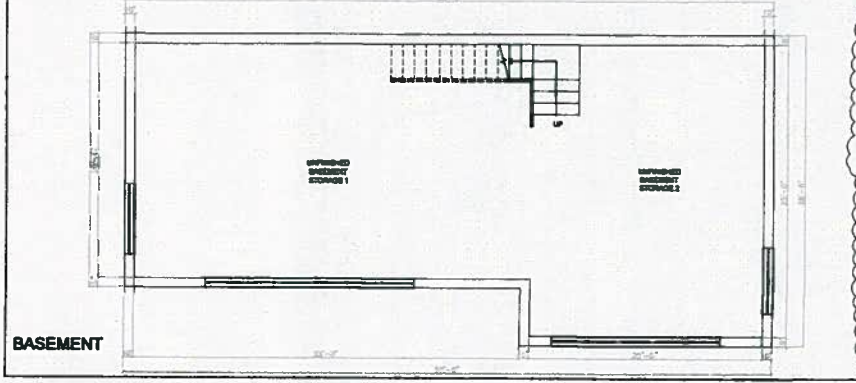
Drawing No / Number
 GARAGE
 STORAGE
 SECOND UNIT
 A2-3



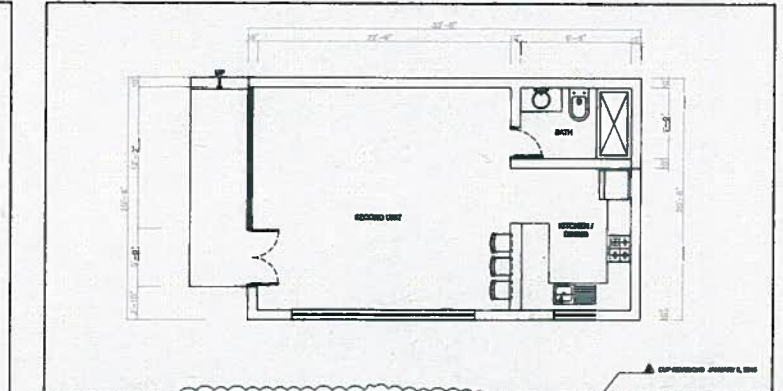
3 GARAGE SCALE: 1/4" = 1'-0"



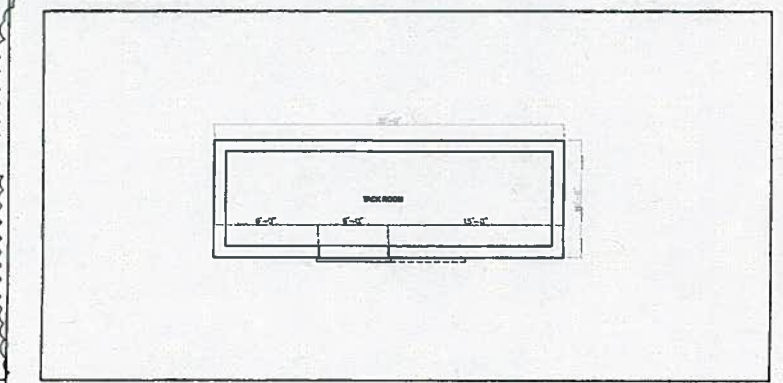
2 STORAGE / UTILITY - MAIN LEVEL SCALE: 1/4" = 1'-0"



2 STORAGE / UTILITY - LOWER LEVEL SCALE: 1/4" = 1'-0"



1 SECOND UNIT SCALE: 1/4" = 1'-0"



4 TACK ROOM SCALE: 1/4" = 1'-0"

BASEMENT



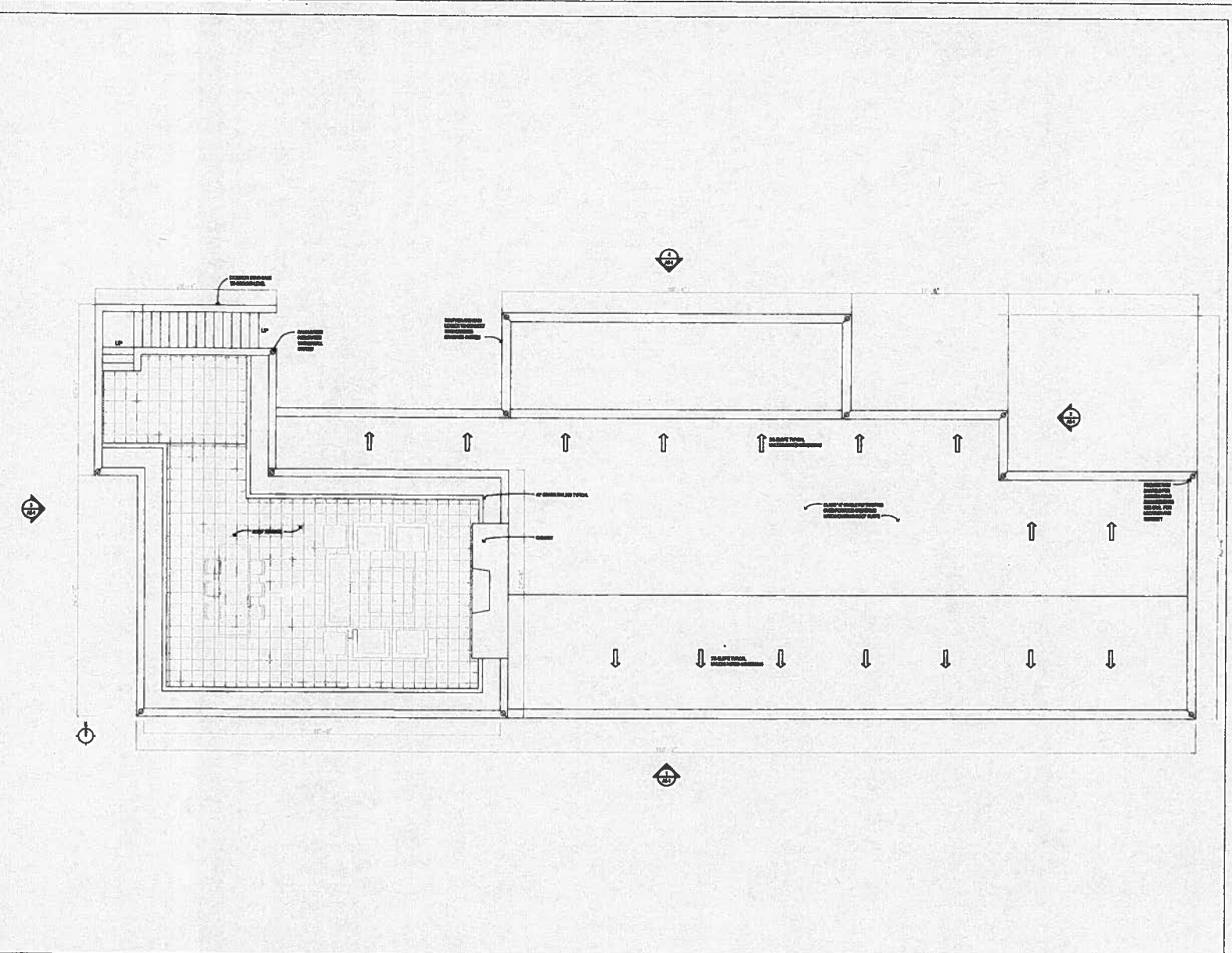
BINA RESIDENCE
 6000 LAPWORTH DRIVE, AGOURA HILLS, CALIFORNIA 91310



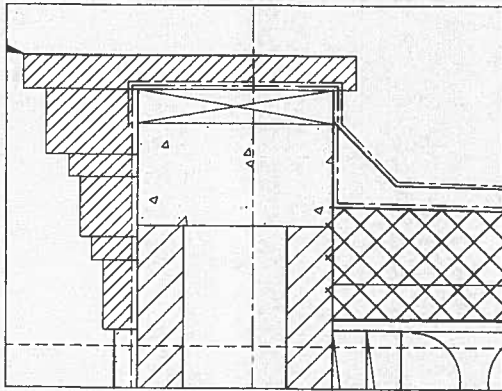
Drawn by	Rev
Checked by	DATE
Approved by	DATE
Project Manager	DATE
Client Representative	DATE
Author	DATE

Drawing Title / Number
**PROPOSED
 ROOF PLAN**

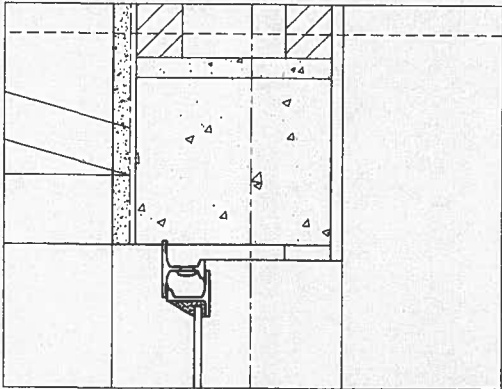
A2.2



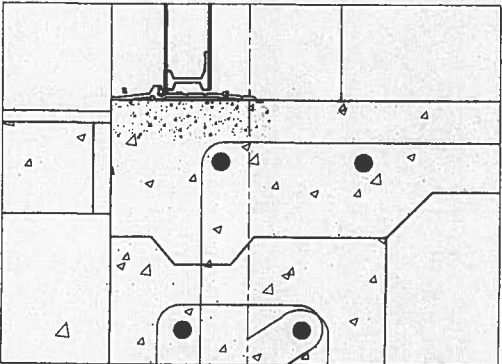
1 PROPOSED ROOF PLAN SCALE : 1/4" = 1' - 0"



2 BUILDING SECTION - PARAPET

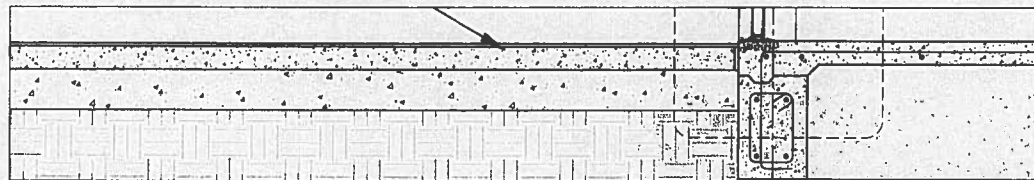
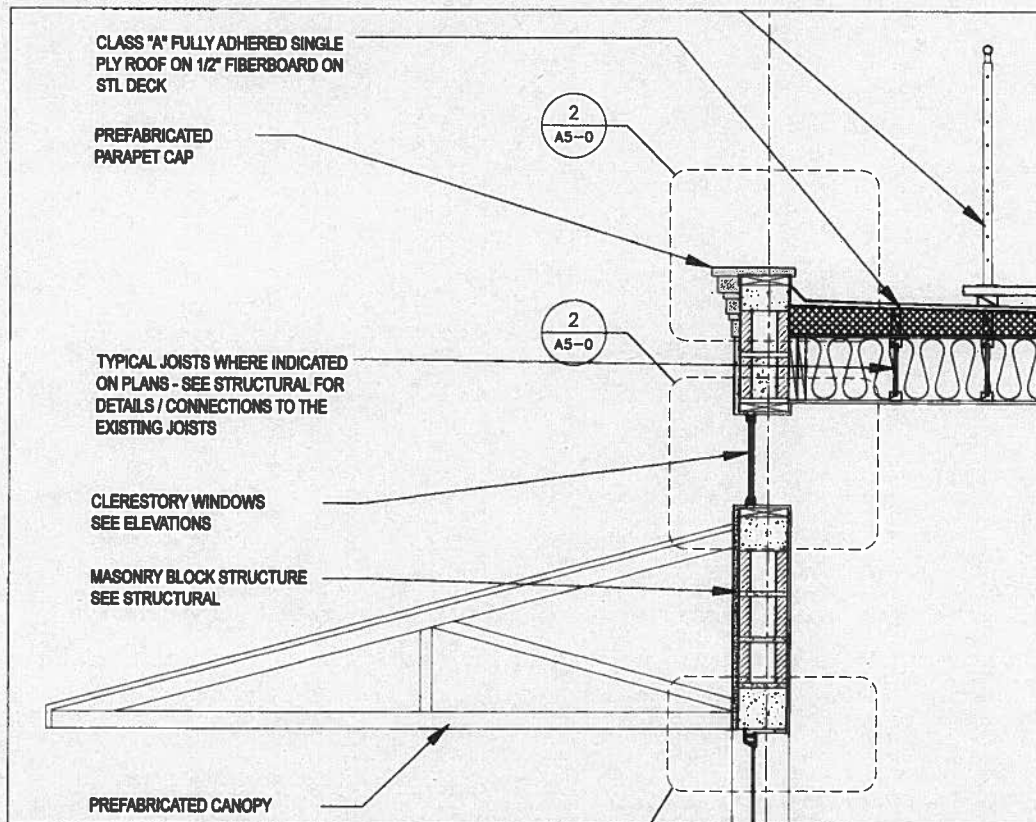


2 BUILDING SECTION - DOOR HEADER



2 BUILDING SECTION - DOOR SILL

SCALE : 1:2



1 BUILDING SECTION - TYPICAL

SCALE : 1 1/2" = 1' - 0"

sand
 1775
 1775
 1775
 1775

B I N A R E S I D E N C E
 6000 LAPWORTH DRIVE . AGOURA HILLS . CALIFORNIA 91910



Revised	By

Drawing Title / Number
BUILDING SECTIONS
A3.0

sand
 1710
 1715
 1720
 1725
 1730

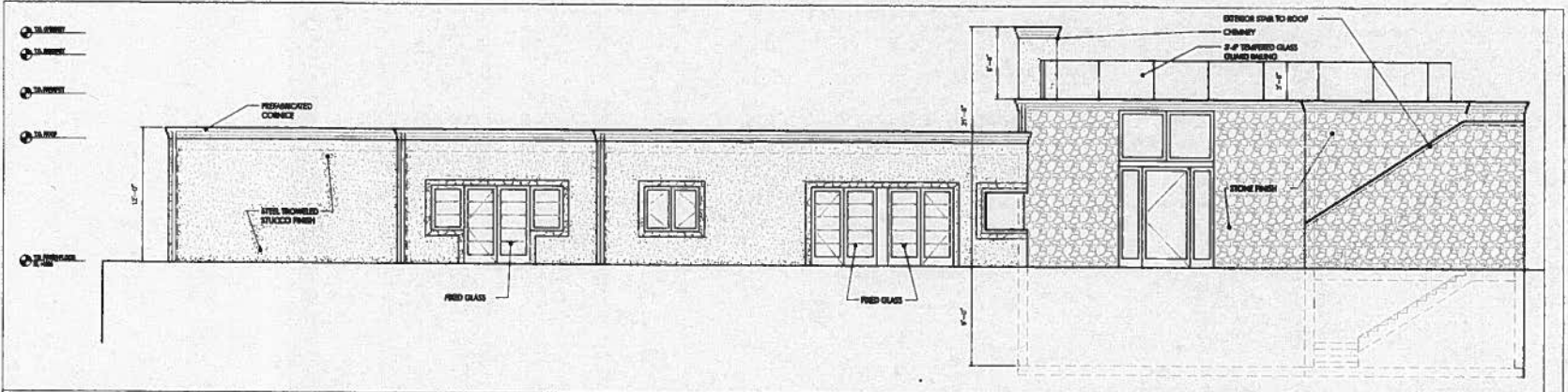
B I N A R E S I D E N C E
 6000 LAPWORTH DRIVE, AGOURA HILLS, CALIFORNIA 91301



Architect: **sand**
 1710
 1715
 1720
 1725
 1730

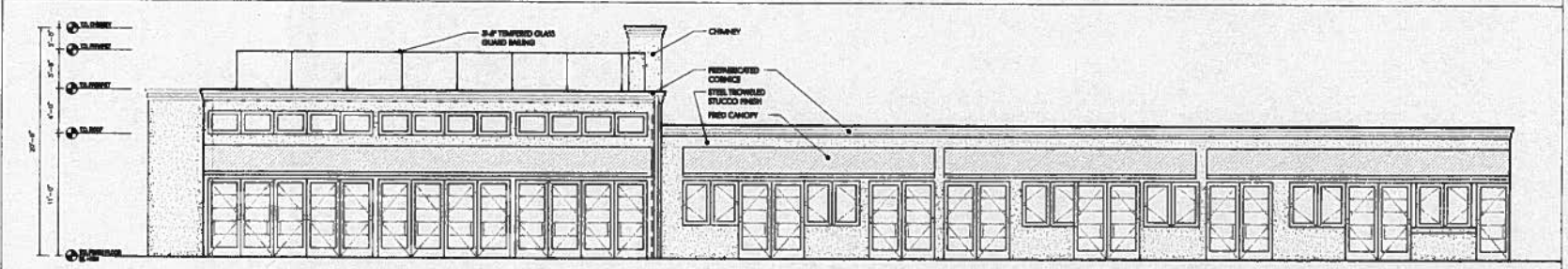
Drawing Title/Number
ELEVATIONS

A5.0



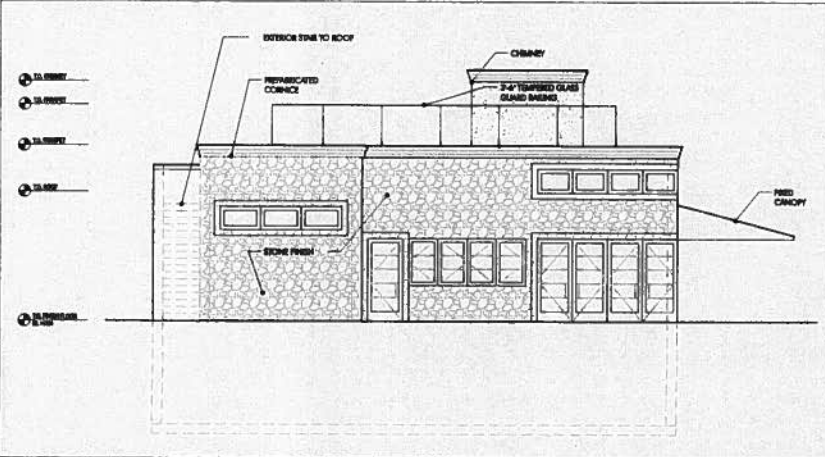
1 MAIN RESIDENCE - NORTH

SCALE: 1/4" = 1' - 0"



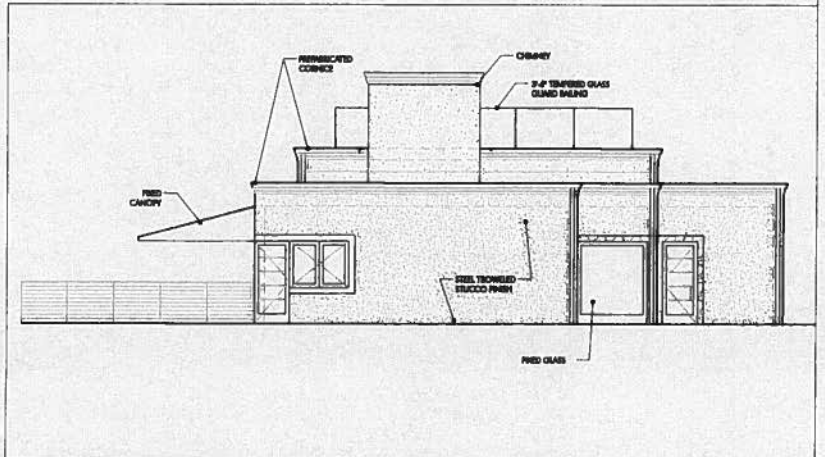
2 MAIN RESIDENCE - SOUTH

SCALE: 1/4" = 1' - 0"



3 MAIN RESIDENCE - WEST

SCALE: 1/4" = 1' - 0"



4 MAIN RESIDENCE - EAST

SCALE: 1/4" = 1' - 0"