

REPORT TO CITY COUNCIL

DATE: JULY 13, 2016

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: GREG RAMIREZ, CITY MANAGER

BY: NATHAN HAMBURGER, ASSISTANT CITY MANAGER *NH*
DOUG HOOPER, PLANNING DIRECTOR *DH*
MICHELLE D'ANNA, CONTRACT PLANNER *M.D.*

SUBJECT: APPEAL OF THE CITY PLANNING COMMISSION'S DENIAL OF CONDITIONAL USE PERMIT CASE NO. CUP-01019-2014, WHICH IS A REQUEST TO CONSTRUCT A 4,374-SQUARE-FOOT, SINGLE-STORY, SINGLE-FAMILY RESIDENCE WITH ROOF TERRACE AND 1,530 SQUARE-FOOT BASEMENT, 800-SQUARE-FOOT DETACHED GARAGE WITH 575-SQUARE-FOOT SECOND-STORY STORAGE ROOM, 700-SQUARE-FOOT SECOND DWELLING UNIT, 1,160-SQUARE-FOOT STORAGE ROOM WITH 1,160-SQUARE-FOOT BASEMENT, 300-SQUARE-FOOT TACK ROOM, AND SWIMMING POOL, AT 6000 LAPWORTH DRIVE; AND ADOPTION OF RESOLUTION NO. 16-1822 (SHAHAZ BRIGITTE BINA, APPELLANT)

The request before the City Council is to conduct a public hearing to consider an appeal by Shahnaz Brigitte Bina of the Planning Commission's denial of Conditional Use Permit Case No. CUP-01019-2014 (CUP), and adoption of Resolution No. 16-1822. The application for appeal is included herein as Attachment 2. The Appellant, Shahnaz Brigitte Bina, is also the property owner and applicant for CUP-01019-2014.

The Appellant's request is to construct, on a 2.81-acre parcel at 6000 Lapworth Drive, a 4,374-square-foot (sq. ft.) single-story single-family residence with a roof terrace and 1,530-sq.-ft. basement, 800-sq.-ft. detached garage with a 575-sq.-ft. second-story storage room, 700-sq.-ft. second dwelling unit, 1,160-sq.-ft. storage room with 1,160-sq.-ft. basement, 300-sq.-ft. tack room, and a swimming pool. The plans indicate that 4,969 square feet of the lot is dedicated to the pool and surrounding patio. The proposed driveway and hardscape areas on the lot will total 9,484 sq. ft. The site is zoned RV-OA-EQ (Very Low Density Residential – Old Agoura Design Overlay – Equestrian Overlay District) and has a General Plan Designation of RV (Very Low Density Residential). The project plans are included herein as Attachment 5.

The project that is the subject of this report, and noted above, is more fully described in the Planning Commission staff report of May 5, 2016 (Attachment 6). It is the same project as that presented to the Planning Commission on May 5, 2016.

At its regularly scheduled meeting on May 5, 2016, the Planning Commission conducted a public hearing and considered the CUP. Staff recommended approval of the CUP, demonstrating how the project met the requirements set forth in the Agoura Hills Municipal Code, as well as how the project could be considered to comply with the Hillside Development Standards, Old Agoura Design Guidelines, and be consistent with the General Plan. The Planning Commission considered the request, staff's analysis of the project and recommendation outlined in the staff report (Attachment 6), along with all written and oral testimony presented at the public hearing. The Planning Commission noted concerns with the project, primarily in terms of compatibility with the rural character of Old Agoura, the project's scale, architectural design, the size of the proposed swimming pool, and the amount of proposed grading on the site.

After the close of the public hearing and following deliberations, the Planning Commission voted 3-0-2 (Commissioners Anderson and Asuncion were absent) to direct staff to return to the next regularly scheduled meeting with a Resolution of Denial. Therefore, on May 19, 2016, the Planning Commission considered the revised Resolution and, on a 3-0-2 (Commissioners Anderson and Asuncion were absent) vote, the Planning Commission adopted Resolution No. 16-1154 (Attachment 8) to deny the requested CUP.

For your reference, the final Planning Commission minutes from both public hearings, May 5, 2016, and May 19, 2016, are also included (Attachments 9 and 10, respectively).

Since filing an appeal on June 3, 2016, the Appellant has submitted a memorandum to the City Council dated June 17, 2016 that lists proposed changes to the project (Attachment 3), including: (1) the zero-entry up to 20 feet of the pool (the shallow end on the west side of the pool) will be a paved patio/garden and only the deeper, east end of the pool area will be used as a new pool (2300 sq. ft); (2) the doors of the main house, garage and the gates will all be of a dark brown wood color; (3) the color of all of the building structures will be medium/light grey stucco and stone; (4) the grills and frames of the French doors and windows will be medium grey instead of black; and, (5) there will be no more railings around the pool area or the roof, but there will be white fencing on all sides of the property. Other than the revised renderings, which were submitted on June 27, 2016, no revised architectural plans have been submitted that reflect these changes.

The new colored renderings show roof gardens on the residence, garage, second dwelling unit, and storage/utility buildings, as well as a reduction in the size of the pool and the addition of a lawn area between the proposed swimming pool and the paved pool terrace (Attachment 4). The roof gardens, reduced swimming pool size, and addition of lawn area between the swimming pool and the paved pool terrace, were not part of the project that the Planning Commission considered. If the City Council would like to consider these additional items, staff recommends that such items be reflected in the architectural and structural plans provided by the Appellant to indicate the feasibility

from an engineering perspective, as well as be reflected in the planting and irrigation plans.

RECOMMENDATION

Staff recommends that the City Council conduct an appeal hearing, and, based on the findings of Planning Commission Resolution No 16-1154, uphold the Planning Commission's decision for denial of the project by approving Resolution No. 16-1822. This Resolution is for the denial of 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.

If the City Council wishes to overturn the Planning Commission's decision and approve the project, it is requested that staff be directed to return with a Resolution of Approval and project conditions at a future City Council meeting.

Attachments:

1. City Council Resolution No. 16-1822
2. Application for Appeal, dated June 3, 2016
3. Memo from S. Brigitte Bina to City of Agoura Hills Council Members, dated June 17, 2016
4. Revised Renderings from S. Brigitte Bina, submitted June 27, 2016
5. Project plans, dated January 5, 2016
6. Planning Commission staff report dated May 5, 2016 (with attachments 2 - 7)
7. Planning Commission staff report, dated May 19, 2016 (with attachments C and D)
8. Planning Commission Resolution No. 16-1154
9. Planning Commission Minutes of May 5, 2016
10. Planning Commission Minutes of May 19, 2016

RESOLUTION NO. 16-1822

A RESOLUTION OF THE CITY COUNCIL 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 CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA HEREBY RESOLVES, DETERMINES, AND ORDERS AS FOLLOWS:

Section I. 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 (sq. ft.) single-story single-family residence with a roof terrace and 1,530-sq.-ft. basement, 800-sq.-ft. detached garage with 575-sq.-ft. second-story storage room, 700-sq.-ft. second dwelling unit, 1,160-sq.-ft. storage room with 1,160 sq.-ft. basement, 300 sq.-ft. tack room, and a swimming pool.

Section II. The Planning Commission of the City of Agoura Hills considered the application at a public hearing held on May 5, 2016, at 6:30 p.m. in the City Hall Council Chambers, 30001 Ladyface Court, Agoura Hills, California. Notice of the time, date, place and purpose of the aforesaid hearing was duly given and published as required by state law.

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

Section IV. Based on the evidence at the hearing, including the staff report and oral and written testimony, 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.

Section V. On May 19, 2016, the Planning Commission approved Resolution No. 16-1154, denying Conditional Use Permit Case No. CUP-01019-2014.

Section VI. On June 3, 2016, Shahnaz Brigitte Bina appealed the Planning Commission's denial of the Conditional Use Permit for the Project, for City Council's de novo review of the Project.

Section VII. The City Council of the City of Agoura Hills considered the application at a public hearing held on July 13, 2016 at 6:00 p.m. in the City Hall Council Chambers,

City Hall, 30001 Ladyface Court, Agoura Hills, California. Notice of the time, date, place and purpose of the aforesaid hearing was duly given.

Section VIII. Evidence, both written and oral, including the staff report and supporting documentation, was presented to and considered by the City Council at the aforesaid public hearing.

Section IX. Based on the evidence presented at the public hearing, including the staff report and oral and written testimony, including the Appeal Application and memo and revised renderings submitted by the Appellant, the City Council finds, pursuant to Section. 9676.2.E of the Agoura Hills Municipal Code, 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 City Council 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 City Council 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 City Council 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)(l) 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 City Council 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 City Council 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 City Council believes that, given the size and contour of the lot, less grading is possible.

Code Section 9555(C)(7) recommends native, drought resistant plants for project landscaping, and Code Section 9652.13(J)(l) 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 a series of fruit trees are proposed. These plants and trees are not demonstrated to be drought-tolerant. The City Council 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 City Council 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 City Council 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 City Council hereby restates the findings and evidence discussed in Subsection IX.A. of this Resolution as if set forth in full below. Based on the findings and evidence stated in Subsection IX.A., the City Council 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 X. The City Council 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 City Council 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 XI. The City Council'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 XII. Based on the aforementioned findings, the City Council hereby denies Conditional Use Permit Case No. CUP-01010-2014, with respect to the property described in Section I hereof.

Section XIII. The City Clerk shall certify to the passage, approval, and adoption of this resolution.

PASSED, APPROVED, and ADOPTED this 13th day of July 2016, by the following vote to wit:

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

Harry Schwarz, Mayor

ATTEST:

Kimberly M. Rodrigues, MMC, City Clerk

APPROVED AS TO FORM:

Candice K. Lee, City Attorney

ATTACHMENT 1

RESOLUTION NO. 16-1822

A RESOLUTION OF THE CITY COUNCIL 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 CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA HEREBY RESOLVES, DETERMINES, AND ORDERS AS FOLLOWS:

Section I. 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 (sq. ft.) single-story single-family residence with a roof terrace and 1,530-sq.-ft. basement, 800-sq.-ft. detached garage with 575-sq.-ft. second-story storage room, 700-sq.-ft. second dwelling unit, 1,160-sq.-ft. storage room with 1,160 sq.-ft. basement, 300 sq.-ft. tack room, and a swimming pool.

Section II. The Planning Commission of the City of Agoura Hills considered the application at a public hearing held on May 5, 2016, at 6:30 p.m. in the City Hall Council Chambers, 30001 Ladyface Court, Agoura Hills, California. Notice of the time, date, place and purpose of the aforesaid hearing was duly given and published as required by state law.

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

Section IV. Based on the evidence at the hearing, including the staff report and oral and written testimony, 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.

Section V. On May 19, 2016, the Planning Commission approved Resolution No. 16-1154, denying Conditional Use Permit Case No. CUP-01019-2014.

Section VI. On June 3, 2016, Shahnaz Brigitte Bina appealed the Planning Commission's denial of the Conditional Use Permit for the Project, for City Council's de novo review of the Project.

Section VII. The City Council of the City of Agoura Hills considered the application at a public hearing held on July 13, 2016 at 6:00 p.m. in the City Hall Council Chambers,

City Hall, 30001 Ladyface Court, Agoura Hills, California. Notice of the time, date, place and purpose of the aforesaid hearing was duly given.

Section VIII. Evidence, both written and oral, including the staff report and supporting documentation, was presented to and considered by the City Council at the aforesaid public hearing.

Section IX. Based on the evidence presented at the public hearing, including the staff report and oral and written testimony, including the Appeal Application and memo and revised renderings submitted by the Appellant, the City Council finds, pursuant to Section. 9676.2.E of the Agoura Hills Municipal Code, 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 City Council 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 City Council 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 City Council 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)(l) 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 City Council 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 City Council 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 City Council believes that, given the size and contour of the lot, less grading is possible.

Code Section 9555(C)(7) recommends native, drought resistant plants for project landscaping, and Code Section 9652.13(J)(I) 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 a series of fruit trees are proposed. These plants and trees are not demonstrated to be drought-tolerant. The City Council 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 City Council 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 City Council 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 City Council hereby restates the findings and evidence discussed in Subsection IX.A. of this Resolution as if set forth in full below. Based on the findings and evidence stated in Subsection IX.A., the City Council 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 X. The City Council 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 City Council 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 XI. The City Council'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 XII. Based on the aforementioned findings, the City Council hereby denies Conditional Use Permit Case No. CUP-01010-2014, with respect to the property described in Section I hereof.

Section XIII. The City Clerk shall certify to the passage, approval, and adoption of this resolution.

PASSED, APPROVED, and ADOPTED this 13th day of July 2016, by the following vote to wit:

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

Harry Schwarz, Mayor

ATTEST:

Kimberly M. Rodrigues, MMC, City Clerk

APPROVED AS TO FORM:

Candice K. Lee, City Attorney

ATTACHMENT 2

CITY OF AGOURA HILLS
2016 JUN -3 PM 3: 21
CITY CLERK



Department of Planning and Community Development
30001 Ladyface Court, Agoura Hills, CA 91301 Phone (818) 597-7309 / Fax (818) 597-7352 www.ci.agoura-hills.ca.us

APPEAL APPLICATION

NAME Shahnaz Brigitte Bina
ADDRESS 2700 Nelson Way #327, Santa Monica, CA 90405
PHONE NO _____
CASE NO. CUP-01019-2014

APPEAL TO:

- PLANNING COMMISSION Decision Date: _____
- CITY COUNCIL Decision Date: May 19, 2016

Applications for appeals must be filed within fifteen (15) days of the date of the decision. This application, along with the appropriate filing fee, should be submitted to the Director of Planning and Community Development Department. As part of the appeal, applicants should be prepared to provide the department with additional sets of project plans and other pertinent materials.

Below, please explain the reasons for the appeal or attach a letter to the application

See Attachment

Signature of the Appellant(s): Shahnaz Brigitte Bina

RECEIVED DATE: 6/3/16 DJ.

ATTACHMENT
TO APPEAL APPLICATION FOR
S. BRIGITTE BINA CUP
FOR CONSTRUCTION of SFD and ACCESSORY STRUCTURES
June 3, 2016

Reasons for appeal of the Planning Commission decision to deny CUP 01019-2014:

The findings of the Planning Commission are not supported by the overwhelming oral and written evidence entered into the administrative record by the appellant and as described in the Staff Report to the Planning Commission dated May 5, 2016 and supporting documentation that the project meets all City requirements, regulations and General Plan policies and goals.

- Findings that are required pursuant to the AHMC
- General Plan Consistency/Policies and Goals
- Zoning Ordinance Consistency
- Hillside Ordinance
- Compatibility

Plans, studies, reports prepared and approved by City Staff and testimony at the Planning Commission Hearing establish the following:

1. General Plan Consistency:

- a. The proposed single family residence and ancillary structures are consistent with the City's General Plan Land Use Designation "Very Low Density Residential" and the following applicable General Plan goals and policies.
 - i. LU-1 and LU-1.2 -- *Building Intensity and Population Density and Development Locations*
 1. a well-planned development, efficient use of infrastructure, infill lot and public services easily serve the property.
 2. A single family residential dwelling with accessory structures that are primarily single story and congregated in a village-type layout.
 - ii. LU-8.3 – *Integration of Development with Natural Setting*
 1. Grading is minimized and view sheds preserved.
 2. No impacts to any of the existing on-site oak trees, thereby preserving the natural environment.
 - iii. LU-7.1 and 7.2 – *Neighborhood Conservation and Housing Character and Design*
 1. Main residence and accessory structures conform to the Code development standards.
 2. Colors are neutral and building materials are primarily natural.

iv. LU-7.7 – *Environmental Setting*

1. Development conforms to the natural slope and structures situated in such a way as to preserve the scenic and visual resources of the neighborhood, with limited grading and the structures are integrated into the hillside.

v. LU-19.4 – *Conserve Natural Hillides*

1. The design of the project is consistent with the Hillside Ordinance with the home stepped down the slope to preserve the topography and minimize grading impacts.

2. Zoning Ordinance Consistency:

- a. The property is zoned Very Low Density Residential – Old Agoura Design Overlay – Equestrian Overlay District. Thus, the zoning is consistent with the General Plan Land Use Designation.
- b. Appellant is proposing a single family residential dwelling with accessory structures that are primarily single story on a 2.81-acre parcel, therefore the proposed project is consistent with the zoning.
- c. All City minimum development standards are met:
 - i. Lot size: minimum required is 1 acre. The subject property is 2.81 acres in size.
 - ii. Lot coverage: ^{15.7}18% (maximum allowed is 25%)
 - iii. Building height: The tallest structure is 19' tall, well below the 35' maximum height allowed under the Code.
 - iv. Hillside development:
 1. The proposed development will utilize ^{15.7}18% of the available land with ^{84.3}82% left in its natural open space condition (Code requires 77.6%).
 2. The proposed structures are sited well below Lapworth Drive and therefore do not obstruct views from surrounding homes.
 - v. Setback standards:
 1. All setbacks meet or exceed Code requirements.
 2. The closest home is directly across the street, approximately 45 feet from the appellant's front property line.
- d. The project incorporates equestrian uses.

3. Hillside Ordinance Consistency:

- a. The proposed project meets all City density, open space, view preservation, fire protection, erosion control, drainage control, ridgeline protections, building design and landscaping requirements.
 - i. Preserving ^{84.3}82% of the property's natural terrain.
 - ii. Structures are situated on the northwest portion of the on-site hillside slope, downslope from Lapworth Drive, which will preserve the views and privacy of the surrounding properties.
- b. Grading minimal to allow stepped down of structure on the sloped lot.
- c. Retaining walls at or below 6' in height pursuant to Code requirements.

4. Compatibility with the surrounding properties (Old Agoura Design Overlay District).

- a. Located in an existing single family residential neighborhood.
- b. The project meets the maximum floor area allowed for neighborhood compatibility pursuant to the City Arch Design Standards and Guidelines.
- c. Contemporary design utilizes building materials that are light-colored, natural tones and natural materials like stone are used; equestrian areas and tack room support the equestrian nature of Old Agoura.
- d. Horse-keeping areas are provided – 1,500 s.f. minimum required with a 300 s.f. area for hay and tack storage.
- e. White, wooden split-rail fence
- f. Design articulation and treatments are provided on all building elevations.
 - i. Appellant incorporated many of the ARP suggestions to enhance the architectural design.
- g. Native vegetation is proposed and additional will be added.
- h. Design is compatible with the topography of the property by stepping down the structure from the street to follow the natural terrain.
- i. The structures are situated below the ridgeline of adjacent hillsides to preserve the natural setting and maximize open space.
- j. All oak trees will be preserved and no encroachments into the protected zone will occur which maintains the natural character of the site and provides privacy between the proposed structures and adjacent structures.
- k. Square footage of the accessory structures is consistent with the Old Agoura Design Guidelines.

5. The public health, safety or welfare, to surrounding properties is protected:

- a. Geotechnical, geological, and drainage studies have been provided and approved by City Staff.
- b. All construction will meet building Code requirements.
- c. The project will be adequately served by public and private service facilities. It's a single family dwelling with accessory structures clustered on the property with a pool available for fire suppression purposes if the need arises.
- d. Septic system has been approved by County LADPH.
- e. Grading plan, erosion and sediment control plan, standard urban stormwater mitigation plan, geotechnical report, conditions from City Public Works/Engineering Department and Building Department, all that establish and ensure that the project will meet safety requirements and does not pose significant threat to life or property.
- f. Final geotechnical reports will be required prior to grading.
- g. The Fire Department has approved the Site Plan for the required access.
- h. A grey water system will be installed thereby reducing water demand from public utilities.

6. The project is compatible with the natural, biotic, cultural, scenic and open space resources of the area.
 - a. Structures are set well below the maximum allowed building height.
 - b. Neighbors view will not be blocked.
 - c. No oak trees will be impacted, preserving the natural environment.
 - d. No significant known biological or cultural resources are located on the property.
 - e. Project is conditioned to protect nesting birds during construction.
 - f. Project is conditioned to incorporate more native and/or naturalized vegetative species.
 - g. Open space resources will be protected as only ^{15.7}18% of the property will be developed.
 - h. A grey water system will be installed thereby providing recycled water to irrigate the plants, trees, shrubs, etc.

7. Essential public services are easily provided to the single family residence and accessory structures with the fire truck turnaround provided, and pool available in the event of a fire.
 - a. All utilities will be brought to the property without interfering with existing infrastructure.
 - b. Lapworth Drive is being widened to 20' along the property frontage.

8. The proposed development will complement the community character.
 - a. Architectural design is contemporary with building articulation and decorative features that provide visual interest. The Guidelines allow for contemporary styles. (See page 54 of the Old Agoura Design Guidelines)
 - b. Building materials include subdued and light colors and natural materials such as stone.
 - c. Design is compatible with the topography and limits grading in that it incorporates the home into the hillside by stepping the structure downward from Lapworth Drive to follow the natural terrain.
 - d. The home is below street level which preserves the public view to the greatest extent possible.
 - e. All oak trees will be preserved.
 - f. Vines and a "green" roof will be incorporated into the project which will provide architectural interest, building articulation, soften building mass and further support the rural, natural condition of the development.

ATTACHMENT 3

From : S. Brigitte Bina
 To: City of Agoura Hills Council Members
 Re: 6000 Lapworth Drive Agoura Hills.

June 17,2016

Some non- architectural changes that will be shown in new renderings.

- 1- The zero entry up to 20 feet of the pool will be a paved patio / garden and only the deep end of this lap pool will be the new pool of 2300 square feet.
- 2- The doors of the main house, garage and the gates will all be in dark brown wood.
- 3- The color of all of the building structures will be medium/ light grey stucco and stone.
- 4- The grills and frames of the French doors and windows will be medium grey instead of previous black.
- 5- There will be no more railings around pool area or the roof, there will be white fencing on all sides of the borders of the property.

PERTINENT DATA

BUILDING SQUARE FOOTAGE:

Main residence		4,374
Main residence-basement	(FAR exempt)	1,530
Garage	(FAR exempt 690 sf)	800
Garage upper level storage		575
Second unit		700
Utility/ Barn.		1,160
Utility/ Barn basement	(FAR exempt).	1,160
Tack room.		300

TOTAL AREA SQUARE FOOTAGE		10,599
TOTAL AREA SQUARE FOOTAGE	(excluding FAR ex.).	7,219

Building Lot Coverage

Building lot coverage total.	7,219
Driveway and hardscape.	9,848

Pool and pool terrace combined sqf (pool 2300 sqf, terrace 2969 sqf)	4,969
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TOTAL LOT COVERAGE	22,036
LAND AREA	122,582 sf. ., or 2.81 acres

OPEN SPACE / LOT COVERAGE PERCENTAGE

BUILDING AREA ONLY.	5.8 %
BUILDING INCLUDING POOL	7.7%
LOT COVERAGE INCLUDING DRIVEWAY AND OUT DOOR SPACE.	18%

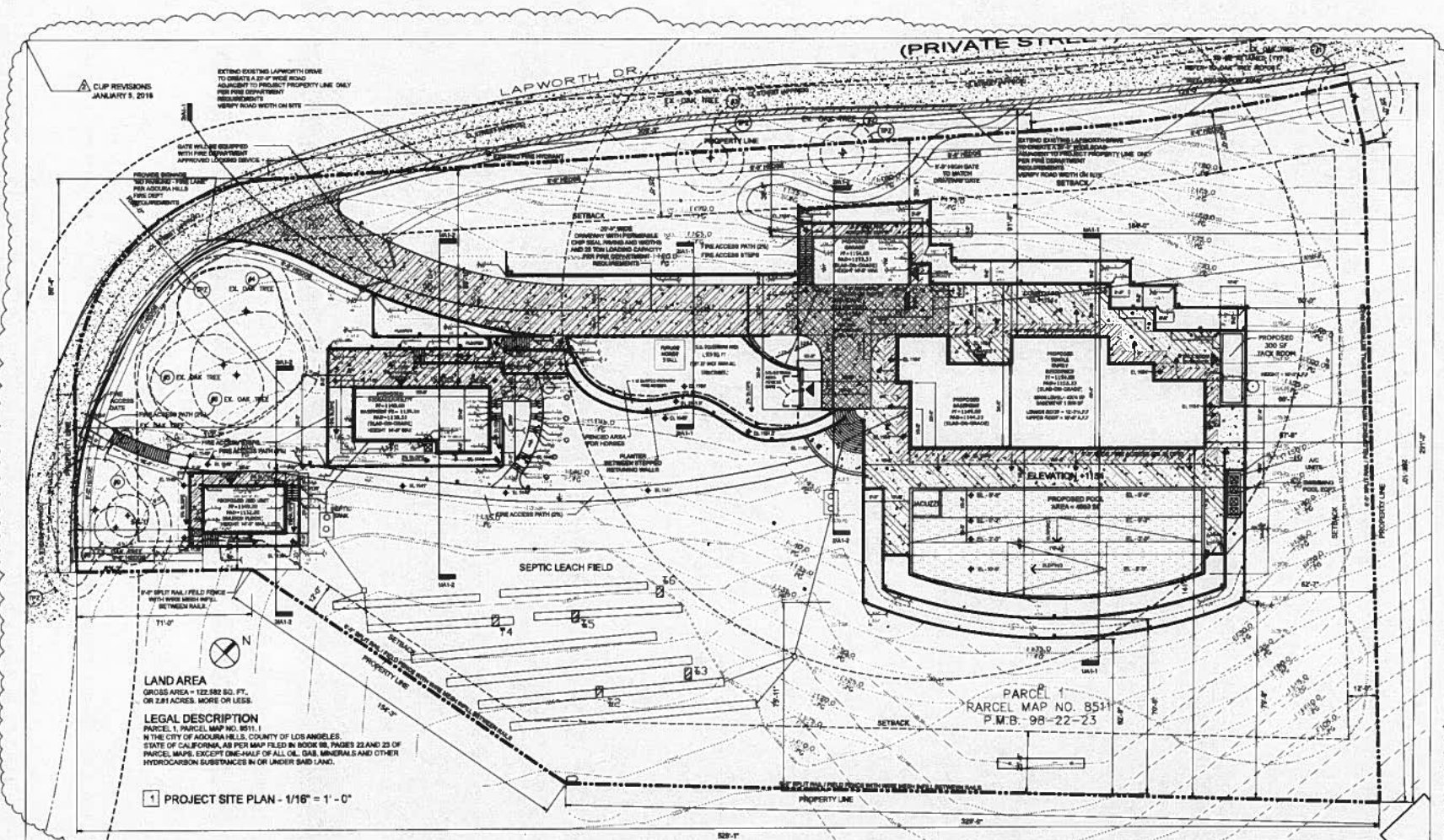
ATTACHMENT 4







ATTACHMENT 5



sand
 12320 Colton Road
 Los Angeles, CA 90044
 Tel: 310 419 4545
 Fax: 310 419 3544
 www.sandco.com

B I N A R E S I D E N C E
 6000 LAPWORTH DRIVE, AGOURA HILLS, CALIFORNIA 91310

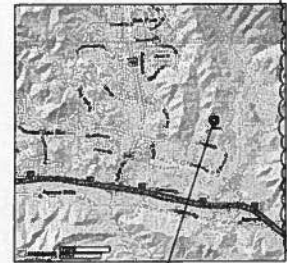
CLIP REVISIONS
 JANUARY 3, 2018
 EXTEND EXISTING LAPWORTH DRIVE
 TO CREATE A 32'-0" WIDE ROAD
 ADJACENT TO PROPERTY LINE ONLY
 PER FIRE DEPARTMENT
 REQUIREMENTS
 VERIFY ROAD WIDTH ON SITE

LAND AREA
 GROSS AREA = 122,582 SQ. FT.
 OR 2.81 ACRES, MORE OR LESS.

LEGAL DESCRIPTION
 PARCEL 1, PARCEL MAP NO. 8511, I
 IN THE CITY OF AGOURA HILLS, COUNTY OF LOS ANGELES,
 STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 98, PAGES 22 AND 23 OF
 PARCEL MAPS, EXCEPT ONE-HALF OF ALL OIL, GAS, MINERALS AND OTHER
 HYDROCARBON SUBSTANCES IN OR UNDER SAID LAND.

1 PROJECT SITE PLAN - 1/16" = 1' - 0"

VICINITY PLAN



PROJECT LOCATION

BUILDING AREA SUMMARY

MAIN RESIDENCE - MAIN LEVEL	4,374 NSF
SECOND UNIT	702 NSF
RICK ROOM	302 NSF
STORAGE / UTILITY - MAIN LEVEL	1,185 NSF
GARAGE	800 NSF
GARAGE (3 CAR GARAGE - 800 SF EXEMPTION)	492 NSF
GARAGE - UPPER LEVEL STORAGE	575 NSF
TOTAL BUILDING AREA	7,219 NSF
SEMI-ENTRY POOL TERRACE	4,698 NSF
TOTAL LOT COVERAGE INCLUDING POOL	12,918 NSF
DRIVEWAY AND ADDITIONAL COURTYARDS	9,848 NSF
TOTAL LOT COVERAGE INCLUDING POOL	22,766 NSF
LAND AREA	GROSS AREA = 122,582 SQ. FT. OR 2.81 ACRES
OPEN SPACES (LOT COVERAGE)	11,111 NSF
(1) LOT COVERAGE PERCENTAGE - BUILDING AREA LIMIT (91)	10.6%
(1) LOT COVERAGE PERCENTAGE - BUILDING INCLUDING POOL (98.1)	10.6%
(1) LOT COVERAGE PERCENTAGE - INC. DRIVEWAY AND OUTDOOR SPACES (94.1)	10.6%
BASEMENT AREAS (EXCEPT FROM PAR CALCULATIONS)	1,520 NSF
MAIN RESIDENCE - BASEMENT	1,185 NSF
STORAGE / UTILITY - BASEMENT	335 NSF

PROJECT DESCRIPTION

THE APPLICANT IS PROPOSING A 4,374 SQUARE FOOT SINGLE-FAMILY DWELLING WITH A 1,530 SQUARE FOOT BASEMENT AND A 1,018 SQUARE FOOT ROOF TERRACE. PROPOSED ACCESSORY STRUCTURES INCLUDE A DETACHED TWO-STORY 800 SQUARE FOOT GARAGE WITH A 875 SQUARE FOOT STORAGE ROOM ON THE UPPER LEVEL, A 700-SQUARE FOOT SINGLE-STORY SECOND DWELLING UNIT, A 1,180 SQUARE FOOT RECREATION UNIT WITH A 1,180 SQUARE FOOT BASEMENT AND A 300 SQUARE FOOT TRICK ROOM.

PROJECT TEAM

OWNER: S. BRODIE BINA 1206 HILSON WAY #327 SANTA MONICA, CA 90404 710-310-2291	ARCHITECT: DGA ARCHITECTS 3021 AVENUE WALLACE E ANDERSON & ASSOC. LOS ANGELES, CA 90008 310-449-8429	CIVIL ENGINEER: DGA ARCHITECTS 3021 AVENUE WALLACE E ANDERSON & ASSOC. LOS ANGELES, CA 90008 310-449-8429
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BUILDING CODE SUMMARY

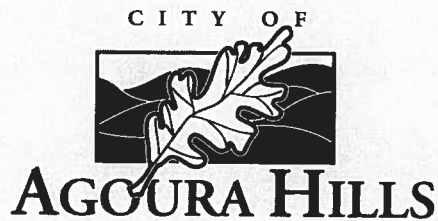
- 1) PROJECT NAME: BINA RESIDENCE
- 2) PROJECT ADDRESS: APN: 288-028-077 / 8000 LAPWORTH DRIVE AGOURA HILLS, CA 91301
- 3) PROJECT OWNERS: S. BRODIE BINA
- 4) PROJECT DESCRIPTION: ACCESSORY BUILDINGS
- 5) OCCUPANCY: GROUP B (SINGLE FAMILY RESIDENCE)
- 6) CONSTRUCTION TYPE: TYPE I, II, III
- 7) FIRE SPRINKLER: YES
- 8) NO. OF STORIES: VARIES / 2 GARAGE
- 9) HEIGHT: VARIES / MAXIMUM 30'-0" TO ROOF PARAPET
- 10) APPLICABLE BUILDING CODES:
 2013 CALIFORNIA BUILDING CODE WITH CITY OF AGOURA HILLS AMENDMENTS
 2013 CALIFORNIA ELECTRICAL CODE WITH CITY OF AGOURA HILLS AMENDMENTS
 2013 CALIFORNIA MECHANICAL CODE WITH CITY OF AGOURA HILLS AMENDMENTS
 2013 CALIFORNIA PLUMBING CODE WITH CITY OF AGOURA HILLS AMENDMENTS
 2013 CALIFORNIA FIRE CODE WITH CITY OF AGOURA HILLS AMENDMENTS

DRAWING INDEX

NO.	DESCRIPTION	DATE
1	PROJECT SITE PLAN	01/03/18
2	FOUNDATION PLAN	01/03/18
3	MECHANICAL PLAN	01/03/18
4	ELECTRICAL PLAN	01/03/18
5	PLUMBING PLAN	01/03/18
6	SEWER AND WATER MAIN PLAN	01/03/18
7	LANDSCAPE ARCHITECTURE PLAN	01/03/18
8	TRICK ROOM PLAN	01/03/18
9	RECREATION UNIT PLAN	01/03/18
10	STORAGE ROOM PLAN	01/03/18
11	GARAGE PLAN	01/03/18
12	SECOND UNIT PLAN	01/03/18
13	MAIN RESIDENCE PLAN	01/03/18
14	BASEMENT PLAN	01/03/18
15	ROOF PLAN	01/03/18
16	TRICK ROOM PLAN	01/03/18
17	RECREATION UNIT PLAN	01/03/18
18	STORAGE ROOM PLAN	01/03/18
19	GARAGE PLAN	01/03/18
20	SECOND UNIT PLAN	01/03/18
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54	BASEMENT PLAN	01/03/18
55	ROOF PLAN	01/03/18
56	TRICK ROOM PLAN	01/03/18
57	RECREATION UNIT PLAN	01/03/18
58	STORAGE ROOM PLAN	01/03/18
59	GARAGE PLAN	01/03/18
60	SECOND UNIT PLAN	01/03/18
61	MAIN RESIDENCE PLAN	01/03/18
62	BASEMENT PLAN	01/03/18
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65	RECREATION UNIT PLAN	01/03/18
66	STORAGE ROOM PLAN	01/03/18
67	GARAGE PLAN	01/03/18
68	SECOND UNIT PLAN	01/03/18
69	MAIN RESIDENCE PLAN	01/03/18
70	BASEMENT PLAN	01/03/18
71	ROOF PLAN	01/03/18
72	TRICK ROOM PLAN	01/03/18
73	RECREATION UNIT PLAN	01/03/18
74	STORAGE ROOM PLAN	01/03/18
75	GARAGE PLAN	01/03/18
76	SECOND UNIT PLAN	01/03/18
77	MAIN RESIDENCE PLAN	01/03/18
78	BASEMENT PLAN	01/03/18
79	ROOF PLAN	01/03/18
80	TRICK ROOM PLAN	01/03/18
81	RECREATION UNIT PLAN	01/03/18
82	STORAGE ROOM PLAN	01/03/18
83	GARAGE PLAN	01/03/18
84	SECOND UNIT PLAN	01/03/18
85	MAIN RESIDENCE PLAN	01/03/18
86	BASEMENT PLAN	01/03/18
87	ROOF PLAN	01/03/18
88	TRICK ROOM PLAN	01/03/18
89	RECREATION UNIT PLAN	01/03/18
90	STORAGE ROOM PLAN	01/03/18
91	GARAGE PLAN	01/03/18
92	SECOND UNIT PLAN	01/03/18
93	MAIN RESIDENCE PLAN	01/03/18
94	BASEMENT PLAN	01/03/18
95	ROOF PLAN	01/03/18
96	TRICK ROOM PLAN	01/03/18
97	RECREATION UNIT PLAN	01/03/18
98	STORAGE ROOM PLAN	01/03/18
99	GARAGE PLAN	01/03/18
100	SECOND UNIT PLAN	01/03/18

Drawing Title Number
 SITE PLAN AND GENERAL INFORMATION
 A1.0

ATTACHMENT 6



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/ Swimming Pool	4,969 sq. ft.	n/a
Driveway & Hardscape Areas	9,848 sq. ft.	n/a
TOTAL	22.4% 18% (27,507 22,151sq. 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 2

VICINITY MAP



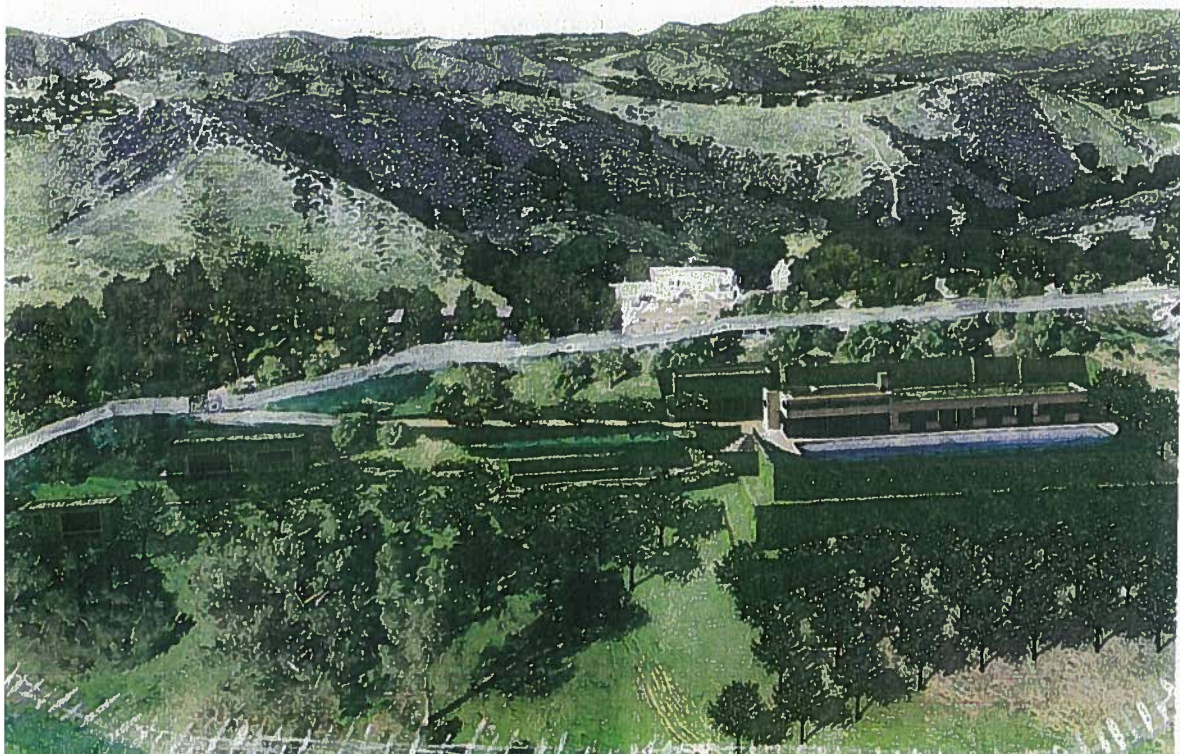
A.P.N. 2055-022-072

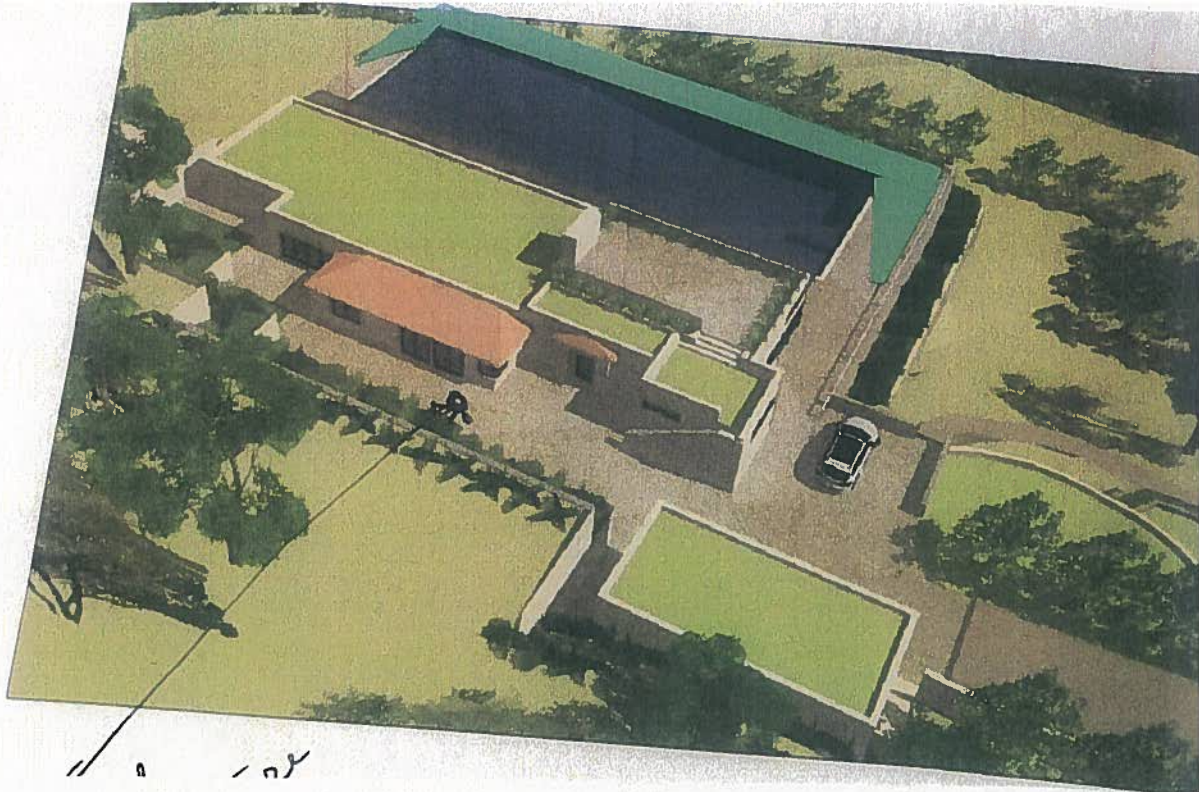
Subject Site

Lapworth Drive
Balkins

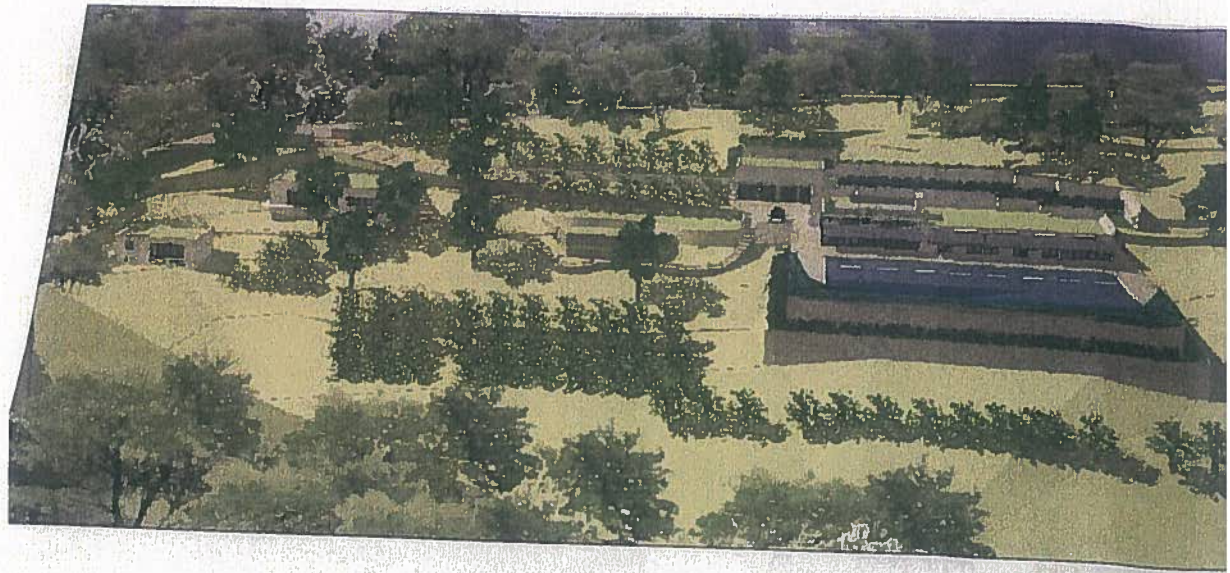
ATTACHMENT 3
COLORED RENDERINGS, ELEVATIONS,
AND MATERIALS BOARD





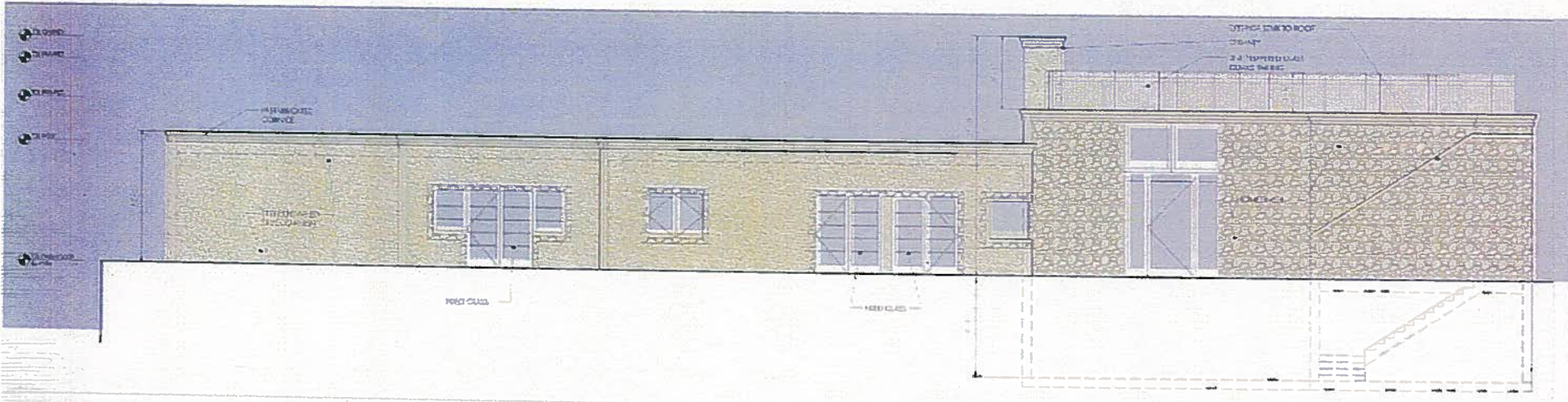


11 a 12



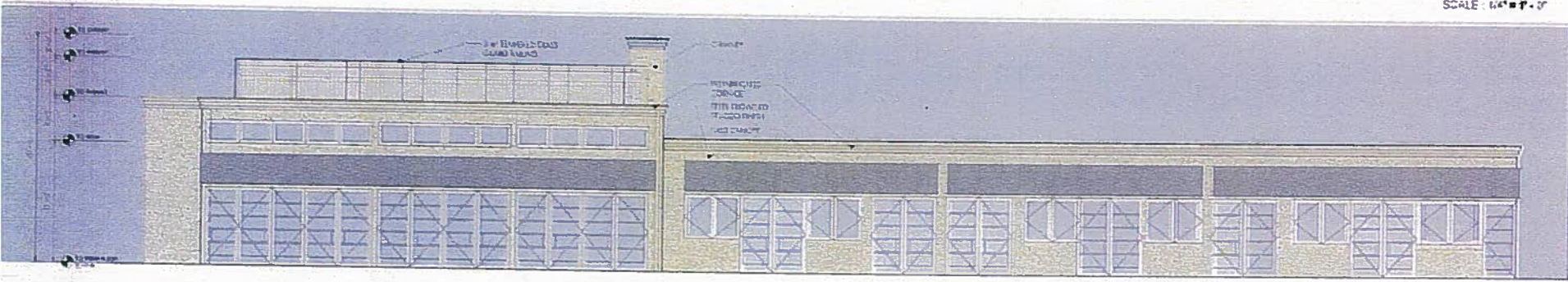
1 VIEW FROM SOUTH





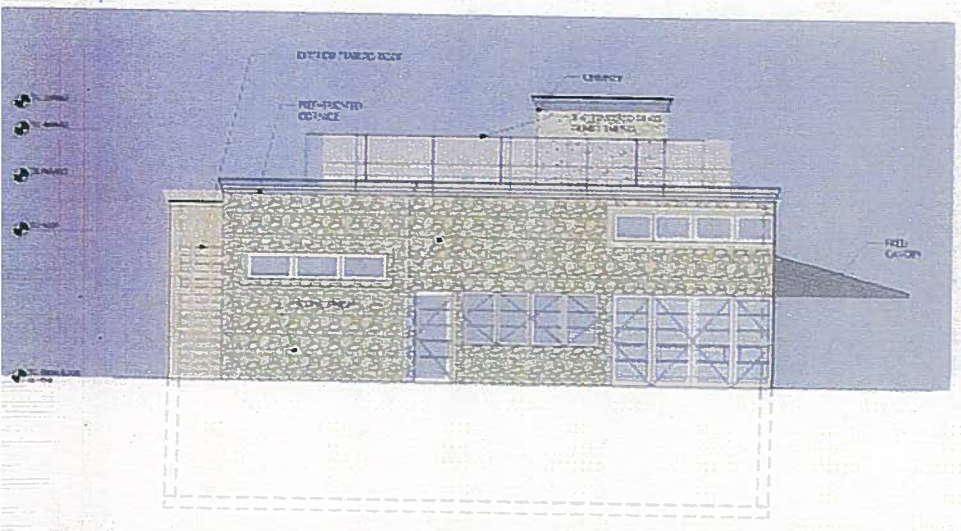
1 MAIN RESIDENCE - NORTH

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



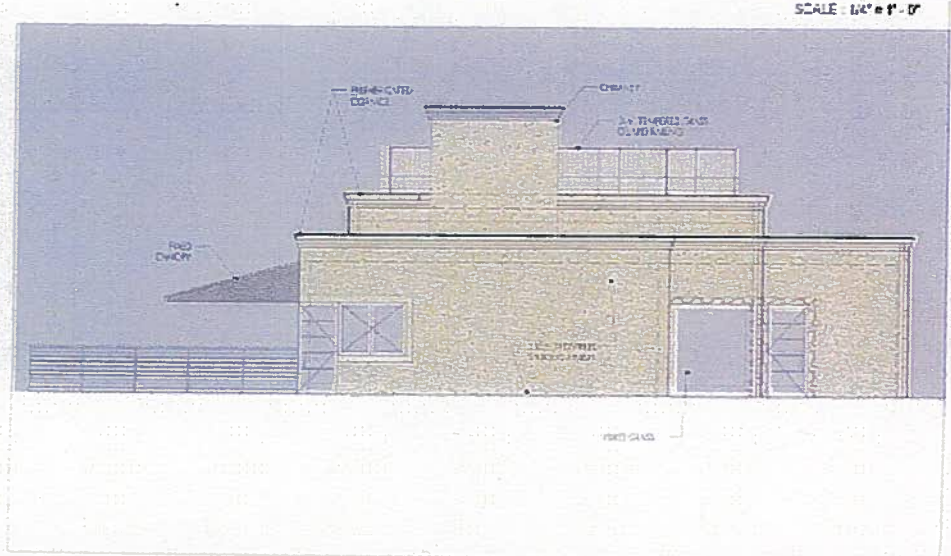
2 MAIN RESIDENCE - SOUTH

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



3 MAIN RESIDENCE - WEST

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



4 MAIN RESIDENCE - EAST

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



Prepared by:
 ARCHITECT'S OFFICE
 1028 E. MAIN ST.
 LOS ANGELES, CALIF. 90012
 TEL: 213.499.8811
 FAX: 213.499.8812

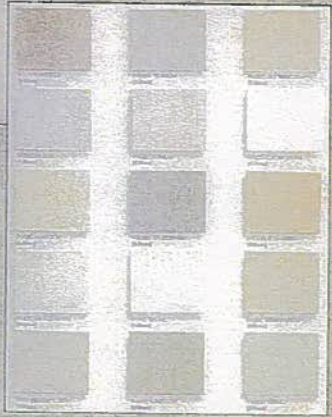
Showing The Plans
 ELEVATION

A5.0

sand

12265 Cimarron Avenue
Los Angeles, CA 90026
phone 310.899.6529
fax 310.375.0264
www.sandco.com

B I N A R E S I D E N C E
PARCEL 1 APN 20955-022-072, AGOURA HILLS, CALIFORNIA 91310



Issued For: Program Set Date: July 30, 2014

Drawing Title / Number
COLOR AND MATERIALS

A6.1

Creame Color Stacco . Black window frames .

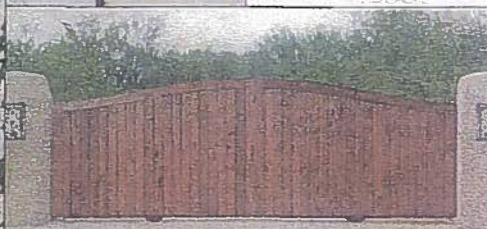


Bigger stone



Creame
Color
Stone
Permeable

Creame
Color
Permeable



sand

B I N A R E S I D E N C E
PARCEL APN 2068-022-072 . AGOURA HILLS . CALIFORNIA 9130

Color and Materials
A6.1

Linen Color RLVL 237
R

chip-seal

LINEN ■ RLWL237

BONE BLACK ■ RLTH226