

ATTACHMENT 6
PUBLIC COMMENTS, INCLUDING
OLD AGOURA HOMEOWNERS' ASSOCIATION
AND APPLICANT'S RESPONSE TO COMMENTS

December 2, 2014

Rene Madrigal, Associate Planner

Department of Planning

City of Agoura Hills

RE: Request for comments 14-CUP-0101 and 14-OTP-029 (applicant: Bina)

Thank you for this opportunity to comment on this project. As you know, our Zoning and Planning Committee of the Old Agoura Homeowners Association does not have any regulatory powers. We do appreciate the opportunity to interface with potential development projects before they are finalized. This allows the applicants advice on how to fit their projects into this unique neighborhood and comply with the City's Old Agoura Overlay to their planning guidelines.

This project is most difficult for us to advise, since it seems to not comply with most of the Old Agoura guidelines. While the lot is rather large, it does present unique challenges because of its topography. Rather than fit the project to the land, it chooses to cantilever much of it above the lot, reminiscent of the eyesore modern designs found along Malibu's coast and sometimes in the Hollywood hills.

Multiple retaining walls are indicated that exceed the cities height restrictions and present a negative visual impact for the neighborhood.

While we have found some modern designs that still fit within Old Agoura including a current applicant on Foothill Drive, this looks like a box on stilts. There is an ill-advised attempt to include window surrounds that do not fit this style. There are no other features that soften the stark look.

Because of the separate entries for each bedroom and the massive amount of parking, we think this looks more like an office business complex than a residence. Although we have no objections to pools, this one is 25% larger than the house itself. We can't help but wonder if this is intended to be part of a swim school in a residential zone. There is no indication of a cover to help with evaporation during this extended drought. The pool is also cantilevered over the lot, rather than fitting the lot.

Although there is a second unit allowable on residential lots in California and there is one indicated on the plans of appropriate size, there is a third residence referred to as storage/recreation but has all the amenities of a third oversized house with its own parking.

Finally in these preliminary comments, with a lot this size and very few oak trees, we cannot understand why there needs to be encroachment within their protected zones.

We would love to meet with the applicant to see if we can be of assistance in a proper design for Old Agoura.

Phil Ramuno

Daniel Farcash

Mike Colabella

Planning Commission
Agoura Hills, Ca
April 12 2016

Re: Rejection of proposed development on 6000 Lapworth Drive

I am writing this letter to the members of the Planning Commission to express all the things that are wrong with this proposed development.

This project consists of four buildings of which three, in reality, are two stories with an additional 300 sqft tack room and an oversized 5000 sqft swimming pool..Every building has at least one bathroom and so far there are eight separate bathrooms..The total square footage is close to 11000 sqft..This includes almost 3000 sqft that are technically not part of the square footage because they are partially under grade but practically speaking can be used as part of the living space in all the buildings.Even the garage has an additional upstairs room and bathroom..I understand that the owner will not be allowed to add bathrooms in these 3000 sqft but who is to know what they will do with the space if approved..There is also an additional 10000 sqft of hardscape that allows a huge amount of parking and when looked at all together will be one very large accumulation of concrete, not an enjoyable sight...Three bedrooms can only be entered from the outside pool area..This does not sound like a residential home and an Olympic Sized Pool seems quite a bit much for the two people that are supposed to be living here..A 2300 sqft "storage room with a bathroom seems like another home altogether..Once again, whats to stop them from adding a kitchen and possibly more bathrooms..No one is going to check on whats going on and if they were checked they would probably be slapped on the wrist.

The size of the pool, at this point in history when there have been extreme water shortages and even though there was supposed to be an el nino, on this date we are at 49% of average for the year..A pool this size is unthinkable..Instead of approving a pool the city should think of putting a moratorium on the building of all pools like many other cities have done so they enact new legislation against the size of pools in southern california..When residents have been asked to water sparingly one day a week and do all kinds of water saving projects the owner of this property should be embarrassed to ask for such a water wasting pool..The pool and the buildings do not fit the contours of the property..Even if an automatic cover was required the amount of water loss by evaporation would be enormous and if you build a very large pool like this you are going to use it often, not just keep it covered up in this hot California climate..

This project does not fit five out of six of the Old Agoura Residential Design Guidelines..For example number 3 reads"Respect Old Agoura's history and create architecture that incorporates both the essence of the historical periods of the area and the designs dictated by the local climate" and number 2 which states"Integrate into the surrounding neighborhood, considering compatible scale, style, color, and feel"..The guidelines also state"A new home should not be out of proportion with adjacent houses..Most of the houses on Lapworth Drive are 2000sqft to 3500 sqft..

The proposed project also does not meet all the requirements for the Conditional Use Permit..Number 2 states"That the proposed project use is compatible with the surrounding property"..I feel that it also does not meet 5 and 6..The design has been called a" box on stilts"

It looks more like a commercial complex than a house and does not fit into the surrounding area..It will be an eyesore..There are other indications that it might be a design for some kind of business venture like another rehab or resort..If that is the case, a single

family home

is not designed for many people using the facilities and streams of cars coming and going at all hours..Lapworth Drive is a very steep, winding private road..The residents of Lapworth have been given a taste of what the building of a large project will do to the congestion on such a unique street by the building in progress

of another home one third the size of this project right next to this..Its been a bit of a nightmare the last several months dealing with all the trucks, fumes, garbage, workers and confusion...

I must add that this property owner has been trying to get her project through plan check for one and one half years without success..There seems to be an explanation why it has been taking so long..As soon as the Old Agoura Homeowners Association wrote their review of the project back in December of 2014 the owner refused to accept any help in changing her plans from them or even talking to them..She was also was told to approach the neighbors to talk about it but she has not done that..She initially wanted her "guest house" to be 1400sqft instead of the legal limit of 700 sqft for any guest house in California and did not relent for months til she was advised that there was no possible chance to get her 1400 sqft guest house..Besides this change from 1400 to 700 sqft she has not really changed the size or design of her project in 1 and a half years..She initially asked for all kinds of variances for oak trees and heights of retaining walls for example and really pushed the envelope..She has not really gotten the message of what is acceptable..I personally believe it is because she is planning to build some business to make a lot of money and does not really care about the character and beauty of Old Agoura or its residents..She would be exposed if she tried to explain it to reasonable people in the city and in the neighbor hood..

The residents of Old Agoura rely on the Planning Commission to do the right thing to keep the character, beauty, and idyllic nature of this whole area..This project certainly goes against this premise..Old Agoura is a one of a kind place in all of California and the residents have been fighting a continuing battle for many years..Just because bigger and bigger houses have been approved does not mean bigger and bigger is progress or the right thing to do..Over the last 10 to 20 years many five to eight thousand sqft houses have been approved and built..A large majority of these houses were sold at a fraction of their asking prices or are still sitting there unable to be sold for a reasonable price so that the builder does not lose money..Maybe this is not the place to keep on building larger and larger homes..This project is not only bigger than almost any other but also just has way too many things wrong with it to be approved..

Please reject this project because of the reasons listed above..

Thank you for your consideration

Jon Levin

5947 Lapworth Drive

Old Agoura

818-706-1879

Jon Levin

*Please come
view the site before
the meeting*

April 18, 2016

Michelle D'Anna, Planner
City of Agoura Hills
30001 Ladyface Court
Agoura Hills, CA 91301

Re Project: 6000 Lapworth Drive, Old Agoura, CA

Dear Planning Commission"

I have always felt fortunate to live in my neighborhood in Old Agoura, it is quiet, clean, family oriented, no traffic, and above all else, safe. There are not too many areas that you can say that about.

Lapworth Drive is a steep and narrow road. The plans to build a large home with three other smaller buildings do not fit in the Old Agoura Building Guidelines. From what I understand - this home would be a "Sober Living" facility. It would house 5-6 fulltime residents. It would be less than a half mile from another "Sober Living" on Balkins/Lapworth. There is another "Sober Living" facility at 6425 Chesebro Road. Even though less than six full-time people reside in this home - there are meetings three to four times a week where 20+ extra cars now drive in and park. We have counted up to 25 cars at one of the meetings - but there are usually at 20 cars most of the time. This means you now have all these cars travelling down Chesebro for these meetings. There are mothers walking their babies in strollers, kids on bikes, dogs, and horses using the street - There are no sidewalks... It now has become a hazard with all this extra traffic.

So what is going to happen on 6000 Lapworth with its narrow street and such a large home? I hate to even think about it....

Please help us to keep Old Agoura Rural!

Kind regards,

Mary Lou Miller
6070 Chesebro Road
Agoura Hills, CA

PC Consultant

From: Jon Levin [jlevin1072@aol.com]
Sent: Tuesday, April 19, 2016 1:10 PM
To: PC Consultant
Subject: bina project 6000 Lapworth

Planning Commission
Agoura Hills
April 19,2016

Re:Opposition of proposed development on 6000Lapworth Drive

Besides the many things that are wrong with this project, like being one of the largest enclosed projects in Old Agoura,if not the largest when you take all of the square footage(including nearly 3000sqft that technically does not count in the square footage because it is mostly below grade), especially when the average size of a home on Lapworth is 2000 to 3500 sqft,when the proposed pool(without a proposed cover) is the largest in Old Agoura, and Southern California is experiencing a long running water shortage and residents have been asked to cut way back on their usage instead of the city proposing a moratorium on pools so the codes can be changed, when the project does not meet most or possibly all of the Old Agoura Design Guidelines and some of The Conditional Use Permit Requirements, especially #2 that states"that the proposed use is compatible with the surrounding property", that the official report of the Old Agoura Homeowners Association states" that the house looks like a box on stilts...and looks more like an office building complex than a residence",that there is a third home called a "storage room" with a bathroom and two floors,even the garage has two floors and a bathroom, and coincidentally the property owners son is a Physician Who Specializes In Rehabilitation Therapy..

Besides all the other negative aspects of this project that show that the project does not fit the guidelines of Old Agoura, this project shows all the indications of being a commercial enterprise...A large business that will specialize in rehabilitation therapy with a constant flow of many patients,not a single family residence as its application states..

Please take this all into consideration when deciding if this is an appropriate project for Old Agoura..It will negatively affect the residents of Lapworth Drive and surrounding homes along with potentially affecting all of Old Agoura and possibly open a floodgate for other similar businesses..This project is bad for Old agoura.

Thank you for your consideration

Jon Levin

5947 Lapworth Drive

April 21, 2016

Dear Planning Commission:

My name is Brant Turner and I reside at 6001 Lapworth Dr., directly across from the proposed Bina project.

According to the Old Agoura Residential Guidelines, any new residence should integrate into the surrounding neighborhood. This project does everything but that! The design of the house with a flat roof looks more like a Howard Johnsons than a residential property. That being said, I guess that is why it comes with a pool which will make us look like fools for allowing it. There is a water shortage and we do not need an Olympic-sized pool on Lapworth - unless we want to be mentioned in the LA Times as an example of people who feel entitled to scoff at the water usage guidelines. Speaking about the size of the pool and the compound that goes with it-where will the registration desk be? This is obviously a commercial development and people will want to know where to check in.

I am not opposed to development in general. I understand that Old Agoura will be built out. All I ask is for you to keep in mind that we are Old Agoura with an accent on the old- horse property with a rural, country feel.

My understanding is that Phil Ramuno tried to guide this project through so that it would not become acrimonious, but it appears that his advice was ignored in every detail. And now it is up to you, the Planning Commission, to decide if this development integrates with the ambience of Old Agoura and whether you want to put your name on it.

Sincerely,
Brant Turner

A handwritten signature in black ink, appearing to read 'Brant Turner', written in a cursive style.

April 21,2016

Dear Planning Commission:

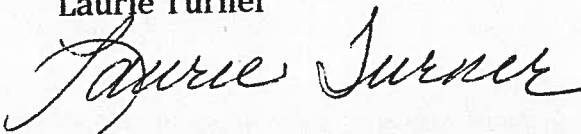
My name is Laurie Turner and I have lived at 6001 Lapworth Dr. in Old Agoura for nearly 30 years. The purpose of my letter is to voice my opposition to the proposed Bina residence at 6000 Lapworth Dr.

The Bina proposal is simply an insult to the Old Agoura Community. When a neighbor approached Mrs. Bina shortly after her purchase of the property and asked what kind of house she wanted to build, she arrogantly said she could build anything she wants. Well, that comment was definitely a harbinger for what is presently proposed. Even though a representative from the Old Agoura Homeowners Association advised the Binas as to what was spelled out in the Old Agoura Guidelines, they refused to consider any of them. This home and its outbuildings looks more like an industrial complex than a residence. The massive retaining walls, the flat roofs, the enormous pool and the storage facilities make it absolutely incompatible with any other home on Lapworth Dr. It is my opinion that the Binas have some type of commercial endeavor in mind for this area. We already have a Drug Rehab Center on Lapworth Dr. Perhaps this is another one.

The Binas' proposed pool is nearly 3 times the size of my entire house! This pool is a slap in the face to all of the Agoura Hills residents, who have followed the water restrictions and have let their lawns and shrubs die in order to conserve water. This attitude of entitlement is an outrage! Agoura Hills should immediately put a moratorium on all pools. That this city would allow an Olympic sized pool to be built in someone's backyard during a 4 year drought is unconscionable.

It has been a privilege to live in the beautiful community of Old Agoura. I value the rural ambiance, and have written numerous letters and attended many Planning Committee meetings trying to preserve the natural beauty of this residential area. It is simply heartbreaking to me to see this proposal. I understand that development is unavoidable, but this project is completely incompatible with the surrounding neighborhood. It is my hope that the Planning Commission will uphold Section 9673.E Item# 2 of the zoning ordinance and reject this proposal in its entirety.

Sincerely,
Laurie Turner



TO: THE HONORABLE MEMBERS OF THE PLANNING COMMISSION
FROM: S. BRIGITTE BINA
RE: 6000 LAPWORTH DRIVE AGOURA HILLS April 25, 2016

Honorable members of the Planning Commission, before I respond to the accusations and mis-construed facts about my project, I like to express my sorrow for having Mr. Levin as my future neighbor, I am embarrassed for this neighbor. Ever since I purchased this land on November 4th of 2013, I have been harassed, yelled at, bullied, chased out and disrespected by this neighbor with such a hostility.

It is clear to me that Mr. Levin intends to continue the abuse unless I sell my land and leave. And I am sure he will continue this process with the next land owner.

The problem is not our building plan, rather, some on Lapworth Drive are not too thrilled and don not accept that there will be a house on this land and TO:

Honorable members of the Planning Commission, before I respond to the accusations and mis-construed facts about my project, I like to express my sorrow for having Mr. Levin as my future neighbor. I am embarrassed for this neighbor. I must say that since I purchased this land on November 4th of 2013, I have been harassed, bullied, chased out and disrespected by this neighbor with such a hostility. It is clear to me that Mr. Levin intends to continue the abuse unless I sell my land and leave. And I am sure he will continue this process with the next land owner.

The problem is not our building plan, rather that a few on Lapworth Drive are not too thrilled to accept that there will be a house on this land that they had used as a park for many years

Mr. Levin, and his next door neighbors Turner, Maltese, Meyer have enjoyed my land for decades like a park they have installed and bolted a bench into the ground at the border of my land on the easement, to sit and enjoy the view, they walk their dogs in my land and they don't like to give it up.



Mr. Levin has installed a big post right on my land with very large stones around the only access area where we can drive in or because it is wider we can park to prevent me from parking my car (when I visit). Our landscaper is prevented from entering his truck into our land to clear brushed by the Fire Department ordinance.

I can't even park my car in front of my own land to show the land to my engineers. Mr. Levin embarrassed me the very first time we visited my land. We visited within 3 days of purchasing it. Mr. Levin ran out of his house towards us, waving his arms in the air, shirtless, and barefoot. He was screaming, waving his arms in the air, angrily yelling, "you can't park here- this is private road"- while he was running towards us, he told me that he will not let me build on that land, and that they want to keep it the way it is- undeveloped. " and he ran back into the house.

most of the time I am alone, waiting for some engineer and it has become unbearable, just a few weeks ago I parked my car on the street in front of my land and sat in the car waiting for a builder to meet me, Mr. Levin shouted at me to leave because that street is his land and I cant even stop there for minutes, i said i am parked in the street, he repeated yelling again and I had to park in the Balkins street. Mr Levin has been behaving erratically before even we submitted any plans or knowledge of any plans. I think that

if Mr. Levin feels so strongly about this land he should have purchased it to prevent it from building. He cant expect anyone to just leave their land vacant for neighbors enjoyment.

I purchased this property and pay taxes on it. Shall I just leave it vacant for Mr. Levin to park on and walk on. My structures will be below the Lapworth ridge line, so all the neighbors have full view of the hills across my land as before. I could have planed the structures level with the Lapworth as all these neighbors have, in this case they would not have any views of the far hills.

I have been told by that complaints may be made to the Owner's Association, and the O.A. will not allow me to develop my land. I'm not sure why that would be, since HOA have not contacted me to speak with me. I have seen small tents in my land very early in the morning, I am not sure these tents are rented by a neighbor in my land. There are food residues and cigarette butts on the land. I am concerned.

I am including the picture of the post and the array of stones Mr. Levin placed on my land (we removed some)so that I would not be able to park. The surveyor's report clearly shows that this is my land. It is also a LA County easement.

We have taken the high road so far, and have not objected to this type of harassing and irrational behavior. Mr Levin is not even across from my land, his house is across from Sharma's. I am sure He did not support Mr. Edward's plans when the land belonged to Edwards', the only reason he supported Sharma's plan is because Mr. Levin knows that Edwards plans were approve before, and so will Sharma's plan, so he is keeping his full ammunitions for my land / plans regardless of who owns it.

It is a sad affair but it does not discourage me a bit from building this beautiful land in Old Agoura that we appreciate so much. I am including picture of the above mentioned neighbors houses, so that you see that the buildings on my property (please see renderings) is more in congruence and harmony with the rural character of the Old Agoura that the most of the neighbors houses.

My family and I moved to New England 30 years ago from Maryland, due to my husband's position as an Economics professor. We bought our new house, and the first day of our moving in, our neighbors pleasantly came with trays of refreshments, juices and cakes to greet us and welcome us to the neighborhood, and help us with the move.

I am sure that the majority of people in Old Agoura are very kind and neighborly. I have prepared the plans within 100% of the guidelines of Old Agoura Hills. Our plans for our family home is we have taken the high road so far, and have not objected to this type of harassing and irrational behavior. Mr Levin is not even across from my land, his house is across from Sharma's. I am sure He did not support Mr. Edward's plans when the land belonged to Edwards', the only reason he supported Sharma's plan is because Mr. Levin knows that Edwards plans were approve before, and so will Sharma's plan, so he is keeping his full ammunitions for my land / plans regardless of who owns it.

supported by the Agoura Hills Planning Department.

Sincerely,

S. Brigitte Bina

PC Consultant

From: BRIGITTE [brigitte717@yahoo.com]
Sent: Monday, April 25, 2016 10:45 PM
To: PC Consultant
Subject: Construction detail / description of 6000 Lapworth
Attachments: CONSTRUCTION DESCRIPTION LAPWORTH.pdf

Hello Michelle,

Attached id construction details.
please send this to the Planning Commission.

Thank you,

Brigitte B
(310)310-2991

CONSTRUCTION DETAILS.

**DESCRIPTION FOR THE PROPERTY LOCATED AT # 6000 LAPWORTH DRIVE,
OLD AGOURA HILLS.**

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April 25, 2016

1) Modern amenities and rural/rustic look and feel- blurring the lines between interior exterior spaces surrounded by gardens and large existing 19 oak trees, restrained elegant limited in intensity subordinate to the land sits lightly on the land, green roof keep house cool, reduces energy use, and esthetically pleasing, mini farming oasis, harvest pantry, storage/utility/horse keeping area, horse feed, lime stone sandy creme color cladding, rain water catch basin, solar and geothermal system will be installed for heating cooling.

This property is almost three acres and is designated as "rural equestrian, light— agricultural horse property". in the Old Agoura Hills Ordinance.

The proposed main house on this property is a one story decentralized home in the rustic Tuscan village style.

2) This land is shaped like an auditorium (1/2 bowl shaped) therefore constructing retaining walls are necessary as rules require. The buildings will be constructed lower than the ridge-line of Lapworth drive (in accordance with Old Agoura Guidelines) and almost on the bottom of this bowl in consideration that the buildings don't block the views of our neighbors across the street or do not hover over the neighbors below the hill, all of structures are less than 14 feet in height. The main house is decentralized spread around village style in this the 3 acres of land to soften the views from the below of the hill. The alternative would have to build all in a 2 story building at the same level of Lapworth which would have been less costly and less engineering with the retaining walls, this way we would have block the views of the neighbors completely, just like the way the neighbors have built at the same level of Lapworth and block our view of the beautiful hills in back of their houses. I must mention that our buildings are not visible

from the neighbors view across us on the Lapworth drive, but they still have gorgeous views of the far hills on our side.

3) Initially we asked the City to remove an oak tree. However, since we had to apply for the variance, we revised the original architectural and civil plans, and moved back two of the accessory buildings to avoid removing that one half dead oak tree, we have 19 very large beautiful **oak trees** plus pepper trees and eucalyptus trees.

I am a naturist, so it is my intention not to cut any trees, we will plant fruit and vine trees. We will place drought tolerant, potted shrubs and bushy plants on the roof so that roof appears green instead of brown / combustable shingles. Only organic matter will be used. No pesticides or chemicals will be sprayed. Drip or micro spray will be used for irrigation on this mini farm.

4) All of the retaining walls and accessory buildings and their walls will be covered with vines and shrubs and these accessory buildings will almost disappear in the green landscape as shown in the renderings and pictures. The structures will be built with steel studs, concrete, and stone instead of wood framing. We will not destroy trees to build a house. There shall be no wood waste. "Green standard", energy efficient, solar, non-combustable, nonflammable, and termite free.

5) The **windows** will be double pane and tempered on at least one side of pane.

6) 6 feet high white color wooden railing ranch style fences will be constructed around the property perimeters, and 3 foot high of same type where ever railings are needed for steps.

7) **Fencing** around the roof of the main house will be of the height of 40 inches made of clear glass..

8) In compliance with the **Fire department** we will widen the Lapworth Drive to 20 feet and pave and improve most of the Lapworth Drive that now is in a very bad repair and does not comply with the Fire Code. I am suggestion gravel like (chip seal) to preserve the rural look.

9) The materials of the exterior such as stones were not available to purchase as sample unless we were to order a truck load, however, photos of the gravel for grounds and stones for walls are provided for the city. Also, the exterior color of all concrete exterior building are already submitted. I did provided the City a few sets of renderings

and will show the pictures of the other houses in the neighborhood as well for comparison if on the night of the Commission's Board meeting.

- 10) There will be a 20 feet wide and 6 feet high barn style brown wooden **gates** from Lapworth street to the driveway of the property. The garage door and tack room will be barn style as well.
- 11) **The driveway** coming into the property as it is recommended in the AH code book will be gravel like (chip seal).
- 12) The only **hardscape** will be right in front of the entrance to the main house, the rest of walk ways in the entire property will be gravel, which is very harmonious with beautiful Old Agoura Hills rural character that we absolutely love. We looked for a property like this for 7 years, after relocating to southern California -from living in New England for almost 30 years.
- 13) All of the retaining walls and all the accessory buildings will be aesthetically covered with vines and trees to blend in with the farm greenery.
- 14) According to the code, the height of main house can be up to 35 feet for the main house however the height of the our one story main house is less than 16 feet.
- 15) To meet title 24 code we will install over hangs on windows and they will be cloth of similar color of the exterior stones.
- 16) Per Mr. Hooper's sound advice, we changed the location and positions of the buildings in congruence with the contour of the land.
- 17) We have revised all of our initial plans and re-planned them again with 100% of the recommendations of city consultants, and changed many of the details, it has taken us since 2013.
- 18) All the **driveways and courtyards** will be gravel, chip seal (samples photo are provided). Only a small area in front of the main **house entrance** will be sandstone/ limestone (sample picture provided).
- 19) The deck on between living room and **pool** will be sand/lime stone. The small areas on the right and left sides of pool will be lawn. The back end of pool is actually a retaining wall.

20) The **pool** may seem large, We have reduced the size of pool from initial size so now the pool is smaller now, it starts from -0- entry, to only a couple of feet up to the middle of the pool (this area could have been a paved patio in front of living room instead of a few inches of water view), I have 3 toddler grandchildren who will visit us from Santa Barbara on weekends and the shallow water is designed for their enjoyment and safety. The far left end of pool is 5 feet at the end, 10 feet at the right side deep end. **The pool will have a cover to decrease evaporation.**

If it happened that there is fire in the vicinity, our pool can be a source of water to help out with the demand for water aiding the fire department, if necessary.

21) There are no steps or **various levels** around the main house because I have a past history of falling and injuring myself. I simply intend to prevent tripping and falling in the best way that I can, it certainly is more costly to have even surfaces, but it beats the pain of broken tail bones and injured spine and knees, as I had experienced in the past.

22) During my conversations with the officials of the city of Agoura Hills, I was asked about the basements in our plans, I have lived in Northeast (Maryland and New England) for 40 years and always had basements. It is very odd to me not having a basement in the main house for storage and mechanical room out of reach of children. This land is 3 acres and it is zoned residential / agricultural / horse property and it is different than the other neighboring lands such as Sharma property (#5952) right next to my land that is in process of construction now.

It has been my life's long dream to establish a mini farm to grow our own fruits and vegetables few chickens to have fresh eggs, and have bees for honey, I will plant wild flowers where we are allowed for butterflies and bees. This land is my retirement paradise, a home for my family. Based on this zoning.

I am entitled to have light agricultural activity and numbers of horses and some live stock, therefore I can have a barn and 3 sheds. According to the Rules, for the aesthetic reasons I combined them all in one building called **utility / storage** that with the same style of exterior as the main house for uniformity / neatness.

This area is a fire hazard area therefore using wooden sheds or barn was not a good idea.

This is a horse property so we can have tack room as well. The utility room works as a **barn** for the care and upkeep of animals, to store fruits and vegetables that we are growing, the gardening tools and stable for the numbers of horses we will have.

According to code we can have a 700 square foot guest house which will be used by my grandchildren and their parents on weekend.

We were planning to build a **covered open porch** on the top of garage for a gym, but the city informed us that a covered porch will count as room anyway so we thought we may put walls around it as well, there are no bath rooms on this floor,

23) The utility //storage structure will serve as barn/shed for the horses' necessities. It is located near the horse corrals/equestrian area, and near the gates to Lapworth for easy access. According to the City Code, an equestrian horse property or light agricultural land as this one can have at least a barn for horses and several sheds. I thought it would look better to have less structures on the property of different styles and materials, so I have consolidated them all in one location instead with, the same look and appearance with the main house, this way, the look is more farm like decentralized, and they form a charming rustic village like atmosphere of few cottages on the hill. The structures are not visible from Lapworth drive.

24) The heating / cooling system will be hidden on the far side of building to the North behind the pool retaining walls.

(25) The premier fencing would be white wooden (or mimic wood) equestrian split railings. Railings around the all roof tops and around the pool will be glass. Railings for stairs around the yard will be white wooden (or mimic wood) equestrian split fencing.

(26) The main gate, tack room and the garage doors will be of brown wooden-type barn door style.

My team was asked many times by the City's staff about the future residents of this property, besides the applicant.

My son Bobby and I will be residing in this house.

My son, Bobby Bina is a physician who grew up in Maryland and New England, graduated from Johns Hopkins University. Currently he is a Federal Employee for the Veteran Administration Healthcare System in Long Beach as Chief of the Department of

Pain Management. We will have weekend visits of my three tiny grandchildren from Santa Barbara with their parents.

Dear city officials and members of the Planning commission.

It has taken 2 1/2 years for this project to this point, I have designed this property's architectural and the landscape plans 100% in compliance with the City of Agoura Hills' codes and Old Agora's rules, and have taken into account all of the City's staff and City consultants' recommendations.

I have worked full time, hiring, contracting and coordinating with the city for almost 3 year, I have revised and revised the architecture plans, civil and landscape plans. Initially retaining walls were 10 foot high, I replaced the civil engineer with someone who was able to plan these retaining walls that are not higher than 6 foot. I had to replace the landscape architect with someone who was knowledgeable enough to meet the oak, tree, planting, fuel modification ordinances.

In fact, I did all of the planning twice, with twice the cost to meet the requirements. I believe that everyone has the right to use their property as long as they comply with the city's and county's codes. Our family home project complies with all such codes and is supported fully by the Planning Department.

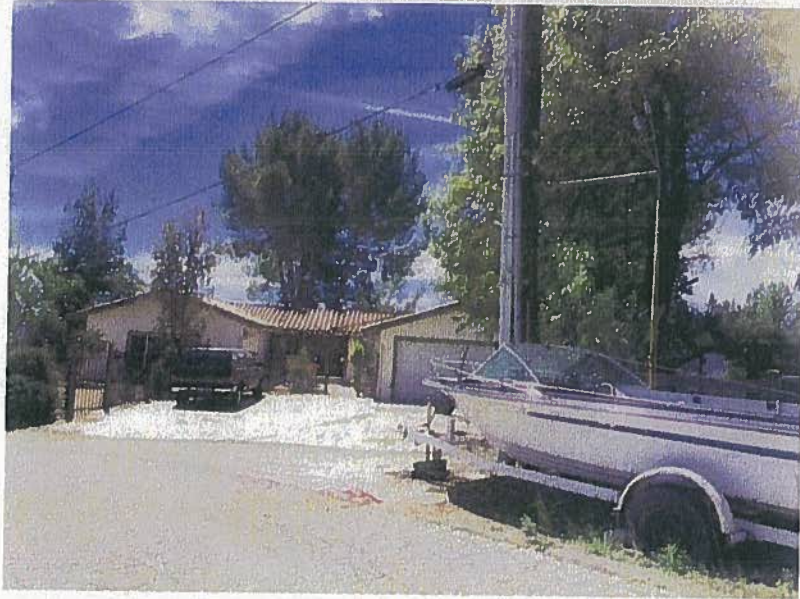
Please let me know if there are any ambiguities or questions that I failed to cover.

Thank you.

Respectfully submitted,

S Brigitte Bina

These are two photos of Mr. Levin's house.



This letter below was sent to the Planning Commission by Jon Levin that I (Brigitte Bina) am responding to.

My responses are inserted in green color text.

April 25, 2016

Jon Levin letters are in black text.

“Planning Commission Agoura Hills, Ca

April 12 2016

Re: Rejection of proposed development on 6000 Lapworth Drive

I am writing this letter to the members of the Planning Commission to express all the things that are wrong with this proposed development.

“This project consists of four buildings of which three, in reality, are two stories”

This is incorrect. Three foot above ground basements in utility building not considered as floor according to code. The basement in the main house is fully underground with no access to the outside.

“with an additional 300 sq. ft. tack room”

A horse property can have tack room.

“and an oversized 5000 sq. ft. swimming pool”

Our pool is less than 5000 sq. ft. And more than half of is a few inches to a couple of feet deep. The deep area is only twice as large as neighbor Sharma’s pool. Sharma’s also have a pond, but we don't have a pond.

“there are eight separate bathrooms..”

Not true there are 4 baths in the main house. There is one toilet and sink in the garage for the gardener. There is one

sink/toilet in the utility room that works as barn and shed. The guest house has bathroom and is compliant with the Old Agoura Ordinance.

“Even the garage has an additional upstairs room and bathroom”
There are no bathrooms upstairs of the garage.

“I understand that the owner will not be allowed to add bathrooms in these 3,000 sq. ft but who is to know what they will do with the space if approved..There is also an additional 10,000 sq. ft of hardscape that allows a huge amount of parking and when looked at all together will be one very large accumulation of concrete”

This is incorrect. The Fire Department requires to have 20 ft wide road and turn around. This land is sloped, and we incorporated the contour of the land for minimal grading in the entire project. There will be trees planted on either side of the driveway inside our property and using gravel or (chip seal), as it is recommended in the guidelines, this will look natural and charming. There will be no concrete or asphalt look.

“not an enjoyable sight...Three bedrooms can only be entered from the outside pool area.”

This not true and not at all consistent with our plans. The three bedrooms have their bedroom entrance doors inside the building from the main hallway. This way, our family may access the bathrooms in the bedrooms from the pool area immediately, instead of walking through the house dripping water all over the floors to enter the bedrooms from inside the hallway. We don't have a pool house or shower outside the main house. Mr. Levin is misconstruing the facts and gives me every reason to believe that he would never

approve anyone to build in this land since he has been using it like a parking lot and dog park to walk his dogs.

“This does not sound like a residential home and an Olympic sized pool seems quite a bit much for the two people that are supposed to be living here..”

I will be retiring in this house, and my son will be living there with his upcoming family.”

“A 2300 sq. ft "storage room with a bathroom”

Again there is no bath, just a sink and toilet.

“The size of the pool, at this point in history when there have been extreme water shortages and even though there was supposed to be an el nino, on this date we are at 49% of average for the year..A pool this size is unthinkable..Instead of approving a pool the city should think of putting a moratorium on the building of all pools like many other cities have done so they enact new legislation against the size of pools in southern caliifornia..when residents have been asked to water sparingly one day a week and do all kinds of water saving projects the owner of this property shoud be embarrassed to ask for such a water wasting pool”

We are not embarrassed at all. This project is beautiful, green, and efficient. The pool is much smaller than what is sensed. That is part of the design. We will have a grey water system, and rain water collection system. The pool is really only 2,000 sq. ft.

“The pool and the buildings do not fit the contours of the property”

We took Mr. Hooper’s advice, and revised our plans to do exactly that, and to go with the land slope and contour.

“Even if an automatic cover was required the amount of water loss by evaporation would be enormous and if you build a very large pool like this you are going to use it often, not just keep it covered up in this hot California climate..”
We do have a pool cover.

“This project does not fit five out of six of the Old Agoura Residential Design”

Not true there are many larger houses on smaller lots in the vicinity. There are all kinds of homes, both old and new, in Old Agoura that may not seem to fit with Old Agoura Residential Design.

“1 D Guidelines..For example number 3 reads"Respect Old Agoura s history and create architecture that incorporates both the essence of the historical periods of the area and he designs dictated by the local climate" and number 2 which states"Integrate into the neighborhood considering compatable scale”

The land is almost 3 acres and large. And the scale should be larger but it is not

“style, color.”

Style is a rustic country Tuscan village with equestrian features and feel.

“..The surrounding ,guidelines also state"A new home should not be out of proportion with adjacent”

The adjacent house to us is Edward's/ Sharma's house. This is an approved 5376 sql with 1446 sql barn and 4 car garage of 910 sq. f. But the Sharma's built it a bit smaller to 4,712 for the main house and studio with 3 car garages. This is all on a lot of 1,38 acre or 59000 sq. f. Out of this 59000 sq.f land, only one acre of Sharma's land is located inside this property and is useable. The excess of one acre makes up the Balkins

road and is unusable. Our land is almost 3 acres of all useable land.

**“Most of the houses on Lapworth Drive are 2000sqft to 3500 sq. f also does not meet all the requirements for the Conditional Use”
This is simply untrue.**

“The proposed project Permit..Number 2 states" That the proposed project use is compatible with the surrounding property" ..I feel that it also does not meet 5 and 6..The design has been called a" box on stilts”

“It looks more like a comercial complex than a house and does not fit into the surrounding It will be an eyesore”

Mr. Levin will not be able even to see our house from his house since our house is lower than Lapworth and Mr Levin is not directly across from our land, Levin's house is across from sharma's but he uses my land to park his cars and he has installed a big post on the ground with several huge stones scattered around so that I can't park inside my land when I visit there, Mr. Levin has blocked the road to the land and we have no other access to enter the land for clearing the brushes now. These are the reasons why he does not want that land to be developed, for him is a parking lot and a park for his use. He installed the post deep into the ground on my property and placed large stones. He did this within one month after I purchased the land.

“There are other indications that it might be a design for area.. ..some kind of business venture like another rehab or resort..If that is the case”

This is untrue and slanderous/libel. I suppose if it looks resort-like, then how could this be an eyesore?

“a single family home is not designed for many people using the facilities and streams of cars coming and going at all hours..Lapworth Drive is a very steep, winding private road..The residents of Lapworth have been given a taste of what the building of a large project will do to the congestion on such a unique street by the building in progress of another home one third the size of this project right next to this..Its been a bit of a nightmare the last several months dealing with all the trucks, fumes, garbage, workers and confusion...

I must add that this property owner has been trying to get her project through plan check for one and one half years without success..

There seems to be an explanation why it has been taking so long..As soon as the Old Agoura Homeowners Association wrote their review of the project back in December of 2014 the owner refused to accept any help in changing her plans from them or even talking to them..She was also was told to approach the neighbors to talk about it but she has not done that..She initially wanted her "guest house" to be 1400sqft instead of the legal limit of 700 sqft for any guest house in california and did not relent for months til she was advised that there was no possible chance to get her 1400 sqft guest house..Besides this change from 1400 to 700 sqft she has not really changed the size or design of her project in 1 and a half years.

She initially asked for all kinds of variances for oak trees and heights of retaining walls for example and really pushed”

We are not cutting any oak trees or any trees the height of retaining walls are no more than 6 foot necessary for the hillside. All 19 oak trees are preserved.

“the envelope..She has not really gotten the message of what is acceptable..I personally believe it is because she is planning to

build some business to make a lot of money and does not really care about the character and beauty of Old Agoura or its residents..She would be exposed if she tried to explain it to reasonable people in the city and in the neighbor hood..

The residents of Old Agoura rely on the Planning Commission to do the right thing”

The members of the Planning Commission seem to be reasonable people, as I have seen on videos of the meetings.

“to keep the character, beauty, and idyllic nature of this whole area..This project certainly goes against this premise..Old Agoura is a one of a kind place in all of California and the residents have been fighting a continuing battle for many years..Just because bigger and bigger houses have been approved does not mean bigger and bigger is progress or the right thing to do..Over the last 10 to 20 years many five to eight thousand sqft houses have been approved and built..A large majority of these houses were sold at a fraction of their asking prices or are still sitting there unable to be sold for a reasonable price so that the builder does not lose money..Maybe this is not the place to keep on building larger and larger homes..This project is not only bigger than almost any other but also just has way too many things wrong with it to be approved..

Please reject this project because of the reasons listed above..”
Irrelevant and biased opinions of Mr. Levin.

Thank you for your consideration

Jon Levin

5947 Lapworth Drive WL F 1

818-796-1879 Lk

This letter below was the second letter sent to the Planning Commission by Jon Levin that I (Brigitte Bina) am responding to, my responses are inserted in green color text.
April 25, 2016

Jon Levin letters are in black text.

Planning Commission
Agoura Hills
April 19,2016

“Opposition of proposed development on 6000Lapworth Drive”

“Besides the many things that are wrong with this project, like being one of the largest enclosed projects in Old Agoura,if not the largest when you take all of the square footage(including nearly 3000sqft that technically does not count in the square footage because it is mostly below grade), especially when the average size of a home on Lapworth is to 3500 sqft”

This is not true, the Sharma house that is currently under construction is located at 5952 Lapworth right next to our property is a 4,712 square foot home with a 692 sq.f. garage. Plus a studio above garage of 604 sq.ft. A swimming pool of nearly 800 sq.f. All this on a 59,983 sq.ft. lot (1.38 acres). The building height for Sharma is 32 ft. They removed an oak tree. These were all approved.

Our building heights are less than 16 feet. Our property at 6000 Lapworth is nearly 3 acres (122,582 sq.f.). Our main house is smaller than Sharma's. Our main house is 4,374

sq.f. Our total lot coverage is 12,579, including the swimming pool. This is less than 6%. The Sharma home looks smaller from the front of their house. However, from the top of Lapworth, the back of the Sharma house is quite large. Sharma's buildings are not the largest in the immediate vicinity. Right across the street on Balkins is a single family home of 5,420 sq.f. on a 1.01 acre parcel. Two lots to the east are home to a single family home of 5,324 sq.f. On the southwest corner of Balkins and Lapworth is a 5,536 sq.f. single family home on a parcel less than one acre of 0.92 acre land. Therefore, the proposed size of our residence is consistent with the most recently approved homes in the surrounding area.

“when the proposed pool(without a proposed cover) is the largest in Old Agoura”

The applicants pool at 6000 Lapworth does have a cover to reduce evaporation, more than half of the pool is less than 2 feet, so that my 3 toddler grand children can play in the shallow water. This pool starts from zero entry to 2-3 feet for most of the pool instead of having a large patio of cement outside of the living room, this area has a few inches of water. In addition we will have a recycled grey water system, which is very unique in the neighborhood in conserving water.

“Southern California is experiencing a long running water shortage and residents have been asked to cut way back on their usage instead of the city proposing a moratorium on pools so the codes can be changed, when the project does not meet most or

possibly all of the Old Agoura Design Guidelines and some of The Conditional Use Permit Requirements”

This is not true the application for 6000 Lapworth drive is 100% in compliance with the Old Agoura Hills guidelines and all of the conditional use permit requirements.

"Old Agoura Homeowners Association states" that the house looks like a box on stilts."

You may read our response to the Home Owner's Association letter. The fact is that our buildings are not visible from the neighbors living across the street on Lapworth because the buildings are below the ridge line of the land and not at the same level of Lapworth Drive, most of the buildings are tucked into the hillside. There are no stilts. We do not know what that means.

"and looks more like an office building complex than a residence", that there is a third home called a "storage room"

The applicant's property is located in the Equestrian Overlay District which requires properties to accommodate for horse keeping. These include, areas of covered stalls, hay, and tack storage, delivery of supplies, veterinary care, etc. Therefore, the utility/storage building is horse facility, which is close to the gate/drive way and horse arena. In addition, this storage/utility area will house the garden supplies, tools and functions as a barn and shed.

"with a bathroom and two floors, even the garage has two floors and a bathroom”

This is incorrect. The utility room has one toilet and sink. Also, the garage has one sink and toilet. There is no toilet on second floor of the garage. Initially, the second floor of garage was just a covered porch. However, since we were

told by the city personnel that even a covered porch will count as part of the floor ratio, we turned it into a room for our gym equipment.

"and coincidentally the property owners son is a Physician, who Specializes in Rehabilitation Therapy"

The property owner's son is not a Rehabilitation Therapist. He is a Department Chief at the Veteran Administration Hospital in Long Beach, His specialty a Physical Medicine & Rehabilitation Johns Hopkins University. His training is in treating spinal cord, stroke, and brain injured patients.

"Besides all the other negative aspects of this project that show that the project does not fit the guidelines of Old Agoura, this project shows all the indications of being a commercial enterprise...A large business that will specialize in rehabilitation therapy with a constant flow of many patients,not a single family residence as its application states.."

Obviously, Mr Levin is not dealing with the facts, rather his allegations are based on false assumptions and are biased. Six thousand Lapworth Drive will be our family residence and is 100% in compliance with the Old Agoura Hills guidelines.

"Please take this all into consideration when deciding if this is an appropriate project for Old Agoura. It will negatively affect the residents of Lapworth Drive and surrounding homes"

This is the most appropriate development, it is Green, non-combustable, energy efficient, water conserving, low land coverage, low floor coverage- in comparison with recent developments- and a beautiful property that adds to the vicinity. What is affecting the area is that the road is in disrepair- broken asphalt and narrowed road due to the front yards of neighbors encroaching onto the road. Trash cans built up and a parked boat on street of Lapworth by Mr.

Levin- odd structures in the front yard of Meyer- junk cars in front of their properties and unkempt appearance of Mr. Levin's house on Lapworth drive.

"along with potentially affecting all of Old Agoura and possibly open a floodgate for other similar businesses..This project is bad for Old Agoura"

On the contrary. The applicants' project will improve Lapworth Drive of its current broken asphalt and narrowed road that resulted from neighbors front yard encroachment into the road and Los Angeles's County's easements. The applicant's development will increase the value of the neighboring houses by upgrading the road to comply with the Fire Codes.

Thank you for your consideration
Jon Levin
5947 Lapworth Drive

This letter below was sent to the Planning Commission by Mary Lou Miller that I (Brigitte Bina) am responding to, my responses are inserted in green color text. April 25, 2016
Miller's letters are in black text.

Re Project: 6000 Lapworth Drive, Old Agoura, CA

Dear Planning Commission"

"I have always felt fortunate to live in my neighborhood in Old Agoura, it is quiet, clean, family oriented, no traffic, and above all else, safe. There are not too many areas that you can say that about."

Very true. Old Agoura Hills is a unique, delightful paradise. And we love it very much as well.

"Lapworth Drive is a steep and narrow road."

I, as the owner of 6000 Lapworth Drive, must improve, pave and widen this road. This road had been neglected, and has deteriorated. The resident's of this road have encroached into the road onto the easement and caused the road to become narrow.

"The plans to build a large home with three other smaller buildings do not fit in the Old Agoura Building Guidelines. From what I understand"

This person either did not read the Guidelines or did not understand the guidelines.

"this home would be a "Sober Living" facility. It would house 5-6 full-time residents. It would be less than a half mile from another 'Sober Living" on Balkins/Lapworth."

This will be our family home and not a sober living facility. This accusation is absurd. These assumptions are accusatory, unfair, and biased. Just because there is a sober living facility in Agoura Hills does not mean all the developments that are going on are to be one. Does this mean that no doctor can ever move to Agoura because he wishes to establish some kind of center? Rehab centers are run by large companies and must comply with all kinds of hospital-like regulations. Corporations that rent houses may need to be looked at. The remedy may be that the city can prohibit single family homes from being rented to such facilities. I will support such an ordinance.

“There is another “Sober Living” facility at 6425 Chesebro Road. Even though less than six full-time people reside in this home - there are meetings three to four times a week where 20+ extra cars now drive in and park. We have counted up to 25 cars at one of the meetings - but there are usually at 20 cars most of the time. This means you now have all these cars travelling down Chesebro for these meetings. There are mothers walking their babies in strollers, kids on bikes, dogs, and horses using the street - There are no sidewalks... It now has become a hazard with all this extra traffic.”

It seems that Mary Lou Miller from 6070 Chesebro Road, who does not even live in the vicinity of Lapworth Drive and lives miles away, has general complaint about the City of Agoura Hills and the way the City operates. She has general grievances about the City, but Ms. Miller is taking it out on 6000 Lapworth Drive. She is using 6000 Lapworth as a scapegoat.

“So what is going to happen on 6000 Lapworth with its narrow street and such a large home? I hate to even think about it”

This will be our family home. In comparison to other homes in the immediate vicinity and on smaller parcels of land, this home is not large. We have nearly 3 acres and the main house is 4347 sq. ft.

Please help us to keep Old Agoura Rural!

Kind regards,

Mary Lou Miller
6070 Chesebro Road
Agoura Hills, CA

PC Consultant

From: BRIGITTE [brigitte717@yahoo.com]
Sent: Monday, April 25, 2016 11:14 PM
To: PC Consultant
Subject: my response to Phil Ramuno
Attachments: RAMUNO.pdf

Hello Michelle,

Attached are my responses to the comments of Phil Ramuno..
please send this to the Planning Commission.

Thank you,

Brigitte B
(310)310-2991

The buildings in rural farmstead areas are generally decentralized groups of small structures. And, they may serve different purposes. They are never overgrown mansions of over 5,000 square feet.

We are aware that there are several homes in the neighborhood that range from 5,000 to 12,000 sq.f. under one roof. Additionally, these very large homes are on much smaller parcels of land. Our main house is 4,347 square feet. We wanted to move away from such a centralized monolithic design. We will use materials that are natural and fire resistant.

No, there will not be a "swimming school" planned here, as you indicated in your comment letter Mr. Ramuno, it made my family burst into laughter. The majority of the pool is zero entry to a few feet. This design is ideal for my toddler grand children to play. This area could have been a paved patio outside of our living room, but we chose otherwise.

While the materials and systems of the home are state of the art, the look is quite rustic. You have mentioned that it appears to be stark. We redirect your attention to the more than 80 trees and drought tolerant plants that will be planted on the property in addition of existing tens of trees and 19 very large oak trees. All 19 oak trees on our property will be untouched.

We have gone to great lengths not to obstruct the valuable view of our neighbors by building the home much lower than Lapworth drive's ridge line. Our family's safety is of paramount importance, therefore we will avoid multitiered, multileveled terraces that lead to a broken up design and potentially promote people falling and injuring themselves. Our home will host all ages of our family from children to grandparents. Its design is multigenerational with grounds safety being the primary concern. We have worked with the natural contour of the land to minimize grading. We have gone to extra costs to do these designs.

You have concerns about water usage and evaporation, this house will have a grey water system, rain water storage system, and pool cover, to reduce evaporation. We do recognize concerns about pool evaporation, however, we believe that the energy efficient systems and water efficient systems of the home will greatly outweigh any material impact of evaporation from the pool. Most homes in Old Agoura Hills do not have such systems. They waste water as a matter of course daily.

You have mentioned that there are many parking spaces and driveways, and due to this, it looks like a business or offices. We disagree with your opinion that it looks like offices. The driveway is designed to comply fully with the Fire Department's requirements for width and turnaround.

These are exactly what the fire department requires no more no less. We would love to have a narrower driveway with small turnaround, but that is not code compliant. Trees will line the driveway to soften the required size and width of the driveway, driveway will be paved with gravel chip seal and not have an asphalt look. No retaining walls will be higher than 6 feet per code.

Regarding oak trees, we would like to preserve them and appropriately trim them so that we may bring them out of their perpetual state of being unkempt.

We will not cut any oak trees, or any existing trees. All 19 oak trees are to remain undisturbed.

Given the property's prominent position on the hill, any home built there will be visible from below, imagine if this house were 2 stores instead of one. No structures are higher than 16 feet. In contrast, one of our new neighbors has a building height of 32 feet. Every care has been taken for this view to be a pleasant one for our neighbors. From the top of Lapworth Drive, the neighbors on Lapworth cannot even see our home. The views are unobstructed.

We strongly disagree with your characterization of our design. We believe that you have fundamentally misunderstood the concepts of our design. We would have wished that you would have contacted us so that we could have explained all of this to you. However, you chose just to send this odd letter without speaking to us first.

We consider your remarks as unfounded. The plans are fully compliant with Old Agoura Hills and LA County ordinances and codes. We are also required to improve the street (Lapworth Drive) and bring it up to LA County Fire Codes. And that cost is ours to bear.

We believe that our home will enhance the neighboring home values. In addition, the design embraces Old Agoura character, a character that the present melange of existing homes may not always portray.

S. Brigitte Bina

Owner and applicant

APRIL 25, 2016

REPLY TO: MR. PHIL RAMUNO (HOME OWNER'S ASSOCIATION VICE CHAIRMAN)

FROM: S. BRIGITTE BINA (OWNER / APPLICANT)

RE: 6000 LAPWORTH DRIVE, OLD AGOURA HILLS

Dear Mr. Ramuno,

Thank you for your comments in your letter dated December 2, 2014.

Thank you for giving me the opportunity to learn about your points of view regarding our architectural design in the above mentioned property, I am respectfully replying to your comments, if I may:

We do realize that your position is advisory. We are interested and appreciative of constructive comments that are based upon facts and understanding of the design of our home.

We believe that you have fundamentally misunderstood the design and aesthetics of our home. We understand that it is often difficult to visualize two dimensional drawings on paper. We also realize that size and perspective on renderings may not always represent the proper visual perception of the design.

We assure you that we are not out to build an eyesore, or box on stilts (as you wrote), we are not interested in living in such a design. We will build a "green standard," energy-efficient, water conserving, decentralized, village in a rustic Tuscan style. This home will fit in with its surroundings of 3 acres and enhance the rural beauty of its surroundings. The materials used are rustic limestone and/or sandstone along with country French style windows. Instead of constructing a 2-3 story mansion-like house with massive square footage (like some of our neighbors), we chose for the design to be decentralized. This is how rural-style farm houses look like. Our home design embraces the Old Agoura Guidelines. Many of our neighbor's homes look like homes one would see in an urban suburb.

ATTACHMENT 7
OLD AGOURA DESIGN GUIDELINES

VI. Old Agoura Design Guidelines

The goal of the Old Agoura Design Guidelines is to encourage the design of a home and an environment that is rural in its roots. Even the most contemporary of homes can feature elements that are rural and which pay homage to classic and historic styles. Looking to the past provides insight and inspiration for future development in Old Agoura⁷.

The character of historic Agoura can be preserved through development and design that reflect the original quality of life. When beginning plans to build or remodel in Old Agoura, the following goals should be incorporated.

1. Preserve existing hills by situating buildings to use the existing contours of the land, incorporate surrounding oak trees and creeks, and minimize grading and destruction of the natural landscape and view sheds; conform to the land, not impose upon it.
2. Integrate into the surrounding neighborhood, considering compatible scale, style, color, and feel.
3. Respect Old Agoura's history and create architecture that incorporates both the essence of the historical periods of the area and the designs dictated by the local climate.
4. Use natural and traditional materials with an emphasis on excellent design and detail.
5. Use of eco-friendly design including the use of green building materials and energy efficient lighting, heating and cooling systems.
6. Design or preserve horse keeping areas so that the land is made untenable for horses.

⁷ Revisions adopted on January 14th, 2009 per Resolution No. 09-1513.

Home designs should use materials and forms that reflect the semi-rural character of the area and its climate in order to create places intimately connected with nature. Imitation of non-indigenous styles that are closely identified with other geographics is discouraged.

The following are design guidelines for new development and remodels in Old Agoura:

Maintain Neighborhood Scale

A new or remodeled home should not be out of proportion with adjacent houses. A home should be designed to fit the lot and surroundings and with internal design integrity. To help define an acceptable buildable area for each lot, the following Floor Area Ratio (FAR) and Slope Density charts were developed. The FAR is intended to guide the structure's size based on the lot size and slope. The charts are designed to preserve the character of Old Agoura's existing neighborhood by ensuring that new and remodeled homes are compatible and appropriate in scale and bulk with the existing neighborhood.

Table 1 and Table 2 below set forth the recommended maximum size of a new single family home or remodel of an existing single family home including the garage and any attached structures with less than 50% open lattice covering.

Lofts and mezzanines are included in the calculation of floor area. Fractions of .5 or larger should be rounded to the nearest whole number. For the purposes of these Guidelines, a remodel is defined as a project that does not meet the threshold for an administrative site plan review as defined in Section 9233.8 of the Zoning Code.

The maximum size of any single family dwelling including any habitable accessory structures, regardless of lot size, should not exceed 8,000 square feet.

Table 1 – Floor Area Ratio (FAR)

Lot Size	Maximum Allowed Structure Size
10,000 square feet or less	.2 multiplied by the lot area
10,001 to 20,000 square feet	2,000 square feet plus .2 multiplied by the lot area over 10,001 square feet
20,001 to 40,000 square feet	4,000 square feet plus .06 multiplied by the lot area over 20,001 square feet
40,001 to 80,000 square feet	5,200 square feet plus .02 multiplied by the lot area over 40,001 square feet
80,001 to 90,000 square feet	6,000 square feet plus .03 multiplied the lot area over 80,001 square feet
90,001 to 130,000 square feet	6,300 square feet plus .009 multiplied the lot area over 90,001 square feet
130,001 and above	6,660 square feet plus .012 multiplied the lot area over 130,001 square feet

Exemptions from FAR calculations:

- a. Space for a three car garage (230 square feet per space up to a maximum of 690 square feet for a single-family residence).
- b. Attic space under six feet in height.
- c. A basement with no exposed sides in which the finished floor of the level above the basement level, at any point, is not more than three feet above adjacent natural or finished grade, whichever is lower. Such floor area may abut light wells which may occupy not more than forty percent (40%) of the lineal perimeter of that level of the building.
- d. Roofed porches attached to the primary residence, and facing the street, with no enclosure between the height of three feet and seven feet except for the building face to which it is attached.
- e. Unclosed roofed structures for the keeping or maintaining of horses up to three hundred (300 square feet in area and one detached one story barn for the keeping or maintaining of horses up to five hundred seventy six (576) square feet in area.

The following slope factor table was developed to address hillside lots. The slope factor table further reduces the size of the house based on the slope of the parcel. Once the maximum size of the house has been determined using the FAR table (Table 1 above), that number is then multiplied by the related slope factor and the resulting number represents the maximum square footage allowed for the structure.

As average lot slope increases, allowable floor area is lowered per Table 2 below. Fractions of .5 or over are rounded to the nearest whole number.

Table 2 - Slope Factor as Related to Average Slope

% Slope	Slope Factor	% Slope	Slope Factor
15 or less	1.00	31	0.78
16	0.99	32	0.76
17	0.98	33	0.73
18	0.97	34	0.70
19	0.96	35	0.67
20	0.95	36	0.64
21	0.94	37	0.60
22	0.93	38	0.57
23	0.92	39	0.54
24	0.91	40	0.50
25	0.90	41	0.45
26	0.88	42	0.40
27	0.86	43	0.35
28	0.84	44	0.30
29	0.82	45+	0.20
30	0.80		

It should be noted the established square footages represent the maximum recommended not the minimum recommended FAR. The established FAR may need to be reduced if special circumstances exist of the lot that would reduce the actual buildable area of the lot. These special circumstances could include but are not limited to flood zones and irregular shaped lots.

Height

Although the Zoning Code allows up to 35 feet in height for single family homes, homes should be designed to be compatible with the size of the lot, as well as the context of the surrounding neighborhood. Appropriate building heights may vary from site to site in order to be compatible with the established building heights in the area.

Tall plate heights (over ten feet) that unnecessarily add to the volume of a structure should be avoided. Eight foot plate heights, the most common for single family homes, are encouraged. Where appropriate to the architectural style, architectural features that delineate where a first story ends and a second story begins when the structure is viewed from the street should be considered.

Horse Keeping

The following are suggested standards for horse keeping. Details for minimum horse-keeping facilities per horse would consist of a 12 ft x 12 ft stall or shelter (or 144 square ft with a 10 ft minimum interior clearance) and a basic pipe corral paddock, minimum size 12 ft x 24 ft. However, for the large majority of horses that are not worked daily, a minimum 24 ft x 48 ft turnout should be provided, with length for running and kicking up their heels. Larger or multiple turnouts should be planned if more animals are on a property. High use areas should be located on higher ground away from streams, with a 1-2% minimum slope for drainage. Paddocks should have sand or gravel substrate for filtration and not be built on areas with a greater than 10% slope. For pasture areas, avoid steep slopes that are susceptible to erosion; geologists recommend that horse facilities, including barns, turnouts and pasture, not be placed on areas over 10% because of potential slope failure.

A good reference book for best management practices related to runoff from horse keeping areas is "Stable and Horse Management in the Santa Monica Mountains, A Manual on Best Management Practices for the Reduction of Non-point Source Pollution." A copy is available for viewing at the City's public counter.

Access for feed delivery and manure management should be as close to the street as possible, with separate entry gates if needed. A plan for horse keeping facilities should include an area for hay & manure storage, accessory areas, such as horse trailer storage, wash racks, tack rooms, tools, etc. Some items found on site may serve multiple functions, such as septic tanks and leach fields being located under corral or pasture areas. Access can also be solved via turnout areas with wide gates. Barns may be used as storage for an owner who does not intend to keep horses, but future owners should maintain the area so it is convertible. Landscaping such as, but not limited to trees, vineyards, and trellises, should not be placed so as to prevent future conversion to horse keeping areas.

Site Design

Site design should respect the natural features of the site including landforms and trees. Existing natural features, such as a creek or large tree, can provide a special challenge but also opportunities for creative solutions.

Oak Tree Preservation

The existence of oak trees adds to the character of the house as well as to the Old Agoura community as a whole. The City's oak tree ordinance sets forth carefully crafted rules to preserve oak trees and mitigate the loss of oaks. A copy of the ordinance is available from the City.

Minimize lot coverage

The design of a home need not maximize the allowable lot coverage. It should provide ample open space around a structure. The relative placement of horse

keeping areas, house, garage, accessory structures and driveway play a major role in shaping the character of a house. Consideration should also be given to the existing structures and views of the neighbors.

Style

The visual mass of a structure should be reduced with deliberate architectural elements. With the use of windows, porches, balconies, trellises, and terraces help create free-flowing space to the outdoors. Preferred basic features include:

- Wrap-around porches, balconies;
- Rear or side yard-facing garage doors or detached garages;
- Front door or entryway distinctly visible from the road giving a sense of human scale;
- Generous roof overhang (where appropriate to architectural style);
- Use of natural materials such as wood and stone.

When creating architectural details, and especially when utilizing the technology of stone veneer, it is important that they be used in a manner that is honest in their application and consistent with their function in construction technique.

Roofs

Roofs should have variation in texture. Roof overhangs of good proportion and balance provide a fundamental appeal as well as respect for the local climate. Excessively steep roof pitch is discouraged.

Color

Bright colors and reflective surfaces are strongly discouraged. Dominant exterior colors that are warm, rich and reflect natural regional earth tones are preferred.

Hardscape & Driveways

Colors and textures should be chosen to best approximate the natural environment of the homesite. Permeable and semi-permeable surfaces should be installed whenever possible and the amount of paving should be kept to a minimum. In order to reduce runoff and augment ground water recharging use of as much porous material as possible is encouraged. Preferred materials are:

- Decomposed granite or other natural appearing aggregates such as gravel
- Natural flat stone
- Interlocking concrete manufactured pavers
- Grasscrete to reduce the hardscape ratio

If concrete is used, bring out its more natural looking applications by using:

- Stained or stamped concrete
- Exposed aggregate concrete

While the use of asphalt is generally discouraged, a better application is "chip seal," where loose rock is pressed into the surface to provide a gravel look.

Storm Water Drainage

There are very stringent and well-defined laws dealing with water drainage. Basically, the natural or traditional path of water across their property cannot be altered without a legally approved engineering plan.

Fences

Unfenced front yards help promote openness in Old Agoura. If fencing is proposed, white or natural wood, equestrian style fencing is recommended in all yard areas visible from the road. The use of wrought iron with sharp-pointed posts or stakes is discouraged, as is the use of chain link fencing.

Landscape Areas

Landscape plants should be selected with wildfire fuel modification, water conservation, and summer heat and winter cold snaps in mind. Old Agoura has a number of microclimates and frost sensitive trees and plants may be severely damaged during the cold spells, especially in the lowlands along creek beds. The use of native plants is encouraged.

Native California heritage trees should be preserved in place whenever possible and incorporated into the project design.

Outdoor Lighting

All outdoor lighting should be the minimum intensity possible for the task required. All lighting should be non-blinding, indirect, or diffused. All lights should be *off* unless they are being used. Motion sensor switches function well for this purpose.

The source of light in any light fixture, i.e., the bulb or other source of indirect illumination, should not be visible off-site. All light fixtures should be selected for their ability to focus light on the feature (i.e. step, path, entry) to be lighted and to have minimum light spillage.

Zoning Ordinance

In addition to the above Old Agoura Design Guidelines, please refer to the Zoning Ordinance for requirements for each zone (RV, RL, RS, RM, RMH and RH) as well as the Equestrian Overlay (EQ) and Old Agoura Overlay (OA).

ATTACHMENT 7



DEPARTMENT OF PLANNING

TO: PLANNING COMMISSION

FROM: DOUG HOOPER, PLANNING DIRECTOR

BY: ALLISON COOK, ASSISTANT PLANNING DIRECTOR

DATE: MAY 19, 2016

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

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

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

RECOMMENDATION

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

ATTACHMENTS

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

EXHIBIT C

MEMORANDUM

DATE: MAY 5, 2016

TO: HONORABLE CHAIR AND MEMBERS OF THE PLANNING COMMISSION

FROM: ALLISON COOK, ASSISTANT PLANNING DIRECTOR

SUBJECT: PLANNING COMMISSION AGENDA ITEM NO. 2 (BINA SINGLE-FAMILY RESIDENCE)

Attached for your consideration is written correspondence from the public regarding the Bina single-family residence project, Item 2 on the Planning Commission agenda for this evening. Each of these items was received after the Commission agenda packet was distributed, and was previously forwarded to you via e-mail.

Doug Hooper

From: George Colman [GColman@Sacfirm.com]
Sent: Friday, April 29, 2016 11:48 AM
To: 'jomeara@ci.agoura-hilss.ca.us'; Curtis Zacuto; 'kanderson@ci.agoura-hills.ca.us'; 'jrasumin@ci.agoura-hills.ca.us'
Cc: Nathan Hamburger; Doug Hooper; 'rmadriral@ci.agoura-hills.ca.us'; Allison Cook; Valerie Darbouze; Sheila Keckhut
Subject: FW: City of Agoura Hills, CA: Planning Commission

Good day Honorable Commissioners... I am writing with significant concern as to item #2 on the forwarded agenda application for a CUP, and the particular description ;if this is a notice to the public of a proposed build, I am concerned with leaving out the size of what I understand to be a described pool at 5000 sq ft; a proposal that is larger than the foot print of the home by 700 sq ft ...wondering are we looking at something that bespeaks of another use of this property, when we consider all the other aspects of size that are clearly listed ;I hate to suggest that the City Staff that placed this on the agenda was neglectful ,but since this information is for the public to jump in with any concerns about this application ,then a failure occurred ; I am particularly concerned, as are other members of the public ,with the expansion of Sober Living Residences and Rehab facilities ;so is our state legislature, if you have been following AB 1203 and AB 2255; I even wonder how this project travelled so far and got calendared by City Staff; I would appreciate your addressing this lack of clarity and missing formation; it does make the opportunity to have a credible hearing difficult and faulty ..thanks for your consideration ..regards

George Colman - Esq.
The Law Offices of Stephenson, Acquisto & Colman
303 N. Glenoaks Blvd, Suite 700
Burbank, CA 91502
(818) 559 - 4477 - Main
(818) 559 - 5484 - Fax
www.sacfirm.com - Website

From: Kathi Colman [mailto:rtist@pacbell.net]
Sent: Friday, April 29, 2016 9:00 AM
To: George Colman
Subject: Fwd: City of Agoura Hills, CA: Planning Commission

KathiColman.com
KColmanStudio@gmail.com

Begin forwarded message:

From: "City of Agoura Hills, CA" <webmaster@ci.agoura-hills.ca.us>
Date: April 29, 2016 at 7:52:19 AM PDT
To: rtist@pacbell.net
Subject: City of Agoura Hills, CA: Planning Commission
Reply-To: webmaster@ci.agoura-hills.ca.us

Planning Commission

May 4th, 2016

Re: Proposed development at 6000 Lapworth Dr. Agoura Hills CA
To: The Agoura Hills Planning Commission:

Dear Commissioners,

This is Dan Maltese, I live directly across the road from the proposed Bina project. We built our dream house here 27 Years ago and have been enjoying nature and all the wonderful features of Lapworth Drive and Old Agoura. We picked this area because it was not zoned not only "low density RESIDENTIAL " but actually "very low density RESIDENTIAL".

In Agoura Hills The General Plan it is mentioned many times that "hillside building" is a huge concern . Just to remind myself and everyone concerned with this project the general Plan has been prepared in compliance with the requirements of the State California as a guide for decision-making processes including decisions on development approvals, informing citizens, developers, and decision makers with principles that will guide the development with in the city.

Also stated in the General Plan:

1. One of the City's top resources was identified as its natural hillsides.
2. The rich history and unique neighborhoods are to be respected. Promote, maintain and protect the integrity of Old Agoura residential neighborhoods that reflects Agoura Hills history and design and to respect their environmental setting.
3. It is required to respect resource conservation, sustainability, global warming, reducing energy use and conserve water. And it is required to take care of and preserve the viewsheds
4. It is required that buildings be scaled and designed to reflect the existing terrain and minimize grading to the maximum extent possible.
5. It asks to encourage the conservation of natural hillsides in new and existing development in the City's hillside areas, including limitations on density and building scale; preservation of view sheds and protection of the natural contours of the land.
6. Discourage structures that do not relate to exterior spaces and scenic hillsides and designs that do not consider such features.

Comments RE The 6000 Lapworth Drive Project:

The staff report says this proposal is in scale and character for Old Agoura VERY LOW DENSITY RESIDENTIAL. I'm wondering if this decision was completely done by small scale drawings, ratios, and formulas. And i'm thinking the staff is looking individually at each building and not at the big picture. How could any one not notice that all these buildings, decks, roads and oversell pool proposed do not comply in character and especially SCALE?! As I mentioned building form and scale are continually fa point of concern in the General Plan and especially specific to Old Agoura and even more specific carving out a pristine hillside.

So in light of many of these requirements that are listed over and over in the Plan I would like to focus on the concept of realizing the impact of scale. I have continually been designing, drawing, building, homes, film sets, theme parks, commercial interiors for 37 years. Scale is sometimes hard to grasp. I find that Bina's architects and Engineers are very capable of making this project fit the formula of all the different categories and I am guessing that's why it got recommended for approval. I think the city staff's vision for this recommendation needs to go to a deeper level. Applicants very often play a the numbers game to meet ratios and formulas. It is a challenge of push this and pull that to get it approved. I am concerned that not enough of the staff have actually walked Lapworth Drive to see the bigger picture. Everyone needs to really feel the scale/size of this project. I invite anyone who wishes to walk it with me to see the more than 1 and 1/2 football fields in length of grading and building proposed. Yes it is a large parcel but does the grading and building proposed really fit the scale and character of our neighborhood as described in the General Plan?

NOTE!! There was no plan to even study this project fitting in. No drawing that actually showed this project in scale to all the homes surrounding it. This is a very special parcel seen by all from north, south, east and west and maybe one of the last great hillside parcels in Old Agoura.

Swim pool issues:

We applied to put in a swim pool at our house at 6021 Lapworth. The the city required it to be fiberglass (for earthquake

flexibility) and shallow(to minimize the damage from the weight of the water during an earthquake). Our pool is literally 1/10 the size of the proposed pool. Where did the that requirement disappear too?

So the proposed pool is most obviously a masonry pool. with a min. of 90 thousand gals to fill x 8.33lb/gal = approx. 750,000 lbs. (374 tons!) of water moving in an earthquake. How can this pool possibly be safe with only retaining walls? When The Trolano home downhill behind us was built the city required to pour caissons just to support house with no pool.

What about the safety of parents and kids in homes below the pool? What if some one wants to build a their true dream home on the vacant parcel immediately below and the existing homes. Is the city staff and planning considering this? Ms Bina said the pool is for her and her 2 small grandchildren that will visit occasionally. What's wrong with this picture?

Asthetics:

None I.... the term Tuscan is totally mis-used. And as far as fitting in, the elevations do not look like any home I have seen in any part of Old Agoura and definitely none in the Lapworth-Balkans area. Besides studying architecture all my career my wife and I were on a 2 week survey tour of Tuscany in November. Did not see anything even remotely similar to this design.

Drainage:

We are concerned that this project was recommended for approval by staff based on draining "to the existing 8 inch sewer in Lapworth Drive". I just want to be sure the city knows there is no sewer in Lapworth Drive so please, please, review that item on Page 9 of your comments.

Tack Room- future horse coral:

These items seem appropriate but 300 ft apart. Is this just window dressing to imply a "rustic horse theme"?

In Summary:

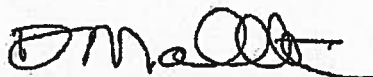
There really seems to be too many inconsistencies with this proposal. The Architect(s) and Engineers(s) so far seemed to have not carefully designed this project or they have revised so many times they haven't completed a valid set of drawings. Whole pages are clouded signifying revisions but nothing is redrawn. I would say a complete set of drawings and engineering is quite essential before moving forward with a large proposal on a huge parcel where is the common sense and vision in recommending this be approved by the City Planning Commission.

Also we know, from a professional source that it is minimally a 3 to 4 million dollar project and we are concerned that if it was to start without all the necessary drawings needed that it might not be completed.

As very concerned adjacent property owners we ask:

- A. That the project be substantially redesigned into a true Old Agoura residential scale and design.
- B. That extra design and engineering care be taken for safety RE the pool size and structure and all stormwater drainage.
- C. A letter of intent stating they will NOT to run a business.
- E. And if they are intending to open a business I suggest they save themselves a large amount of money and trouble and take it somewhere appropriately zoned for what it looks like they intend to do.
- F. With the architects permission please issue less pixelated drawings It's a courtesy but why bother issuing unreadable pdfs, whats the point?
- G. Please, Please come visit and discuss in person with us. I'm sure Jess Thomas or Phil Ramuno would love to quarterback a meeting up on Lapworth.
- H. If the city continues to review this project we seriously suggest a site study with staked out plot of all building and hardscape including all building heights

Thank You,



Dan Mallese 6021 Lapworth Drive Agoura Hills CA 91301

Sheila Keckhut

From: Allison Cook
Sent: Wednesday, May 04, 2016 4:50 PM
To: Sheila Keckhut
Subject: FW: Planning Commission - Bina SF Home Project - Correspondence
Attachments: DOC212.pdf; DOC214.pdf

Hello – Please add this email below from Mr. John Levin and the attached letters to the dais. Thanks.

Allison Cook, AICP
Assistant Planning Director
City of Agoura Hills
30001 Ladyface Court
Agoura Hills, CA 91301
T 818-597-7310 F 818-597-7352

From: Allison Cook
Sent: Wednesday, May 04, 2016 4:45 PM
To: 'John O'Meara'; 'Curtis Zacuto'; 'Mike Justice'; 'Kate Anderson'; 'jrasuncion@hotmail.com'
Cc: Doug Hooper; PC Consultant
Subject: Planning Commission - Bina SF Home Project - Correspondence

Dear Chair O'Meara and Commissioners:

Please see the e-mail below from Mr. John Levin and two letters, attached, one from Joan Maltese and one from Dan Maltese, regarding Item 2 on the agenda of the Planning Commission tomorrow night. Thank you.

Allison Cook, AICP
Assistant Planning Director
City of Agoura Hills
30001 Ladyface Court
Agoura Hills, CA 91301
T 818-597-7310 F 818-597-7352

From: Jon Levin [<mailto:jlevin1072@aol.com>]
Sent: Wednesday, May 04, 2016 4:36 PM
To: Allison Cook
Subject: Fwd: bina

-----Original Message-----

From: Jon Levin <jlevin1072@aol.com>
To: pcconsultant <pcconsultant@ci.agoura-hills.ca.us>
Sent: Wed, May 4, 2016 2:54 pm
Subject: Re: bina

This letter is for the Agoura Hills Planning Commission

Planning Commission
Agoura Hills, Ca.

May 4 2016

After reading the responses Bina had to my letters I felt compelled to respond

I "met" Bina for the first of two encounters about eight months ago..Not in 2016 as she stated..I only learned of her project when I went to Planning to ask about the rehab at the Zoldan house..I walked across the street to ask if she knew where the correct boundary was between our properties because I was not sure..The only true part of her story is that I did not have a shirt on..It was a very hot day..Before I got anywhere close to her where she was standing at her car looking at her plans she waved me away and said "I have a survey"..As I was walking back to my house one person in her entourage walked with me and stated"We can do whatever we want"..I said no you can't and proceeded to my house...That was the end of it and took about 2 minutes..

My second and last encounter with Bina was about 6 to 8 weeks ago..I was pulling out of my driveway and saw her pull up right next to my stone wall in front of my house..I asked her to park some place else and she immediately yelled she could park anywhere she wanted in a very loud angry voice..I explained that the road was an easement , not a place for her to park..The road actually was on my property before we actually changed it from a dirt road to a paved one about 30 years ago..She got the message and moved her car about 40 feet away to the other side of my driveway and sat in it for quite a while..In her response she said she had to go down the hill to Balkans and park...That was a total lie and could only have been said to embellish her story to make me look bad and her like the innocent party..This ended my total time spent anywhere near her..She has stated that I've harassed,bullied,disrespected, blocked her and yelled at her since 2013..Again, not true

She has also accused me of putting boulders and a wooden stake on her property so she and her people couldn't access her property..I've never needed to park there and have had nothing to do with putting anything to block her way..Another false accusation and I can totally prove this..

She has gone on to say many more untrue statements..She says the residents on the street don't want her to build because we all "use" her property so much..I have never seen anyone walking on her property before or after she purchased it and I've lived here for 22 years..Her property does not suit going for leisurely walks with or without animals since it is usually full of high brush, gopher holes, many steep areas, full of of foxtails that can cause serious problems for both humans and dogs, and lots of rattlesnakes..I have caught as many as 15 rattlesnakes in one year and all my neighbors have had similar experiences..

She complains of cigarette butts, food residues, and tents on the property..I don't know anyone on Lapworth that has ever smoked and we all have found all kinds of garbage from liquor bottles, and used condoms and garbage..That is why we installed the gate at the bottom of the street to keep kids from partying at the end of the street..I still often find highschool kids on the Balkins side of my property smoking pot and drinking in their cars..

Bina is making things up as she goes along and is putting words in all of our mouths to suit herself and her project..When I said in my letter that her son is a rehabilitative doctor she said that was incorrect..Several of us looked him up on the internet and his bio says he is a Doctor of Osteopathic Medicine and he attended the University of New England College of Osteopathic Medicine..These kinds of doctors treat the body as a whole..I have gone to one for the last two years nearby..He has a thriving practice and because of the nature of his practice he has at least four other types of doctors and medical practitioners including a chiropractor, massage therapist, cranial sacral expert, and a food specialist along with himself..They are all there most days of the week..This is why because of the size of the project, the strange arrangement of four building, the design of the project as a whole and the gigantic "therapeutic" type pool along with her son being an osteopathic doctor among other things most of the residents feel this will be a very large on going medical business that is illegal in a very low density residential area that we live in..

I kept this letter short because I wanted to show that it is difficult for all of us to believe that her intentions are what she says they are besides the fact that this project is totally inappropriate and unsafe in many way for the residents of our neighborhood and Old Agoura as well..

Thank you

Jon Levin

5947 Lapworth Drive

5/3/16

Re: Proposed development at 6000 Lapworth Dr. Agoura Hills CA
To: The Agoura Hills Planning Commission

Dear Commissioners,

My name is Joan Maltese and I live directly across the road from the 2 story garage structure at the proposed Bina project on Lapworth Drive. Our family moved to Old Agoura over 27 years ago to raise our children in a serene rural area with open space and respect for wild life and a nature as a family value. This area has always maintained a quality of pastoral and family life – unique homes, with unique individuals who share a love of natural environment and peaceful living.

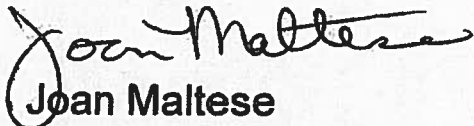
New homes and families in the neighborhood have been welcomed – some growth is inevitable. However, the plan submitted as the Bina project appears to conflict with the sensibilities of the neighborhood as we know it. It seems to be a sprawling, massive, almost industrial looking complex that looks nothing like the hillside homes that surround it. It virtually takes nearly 3 acres of rolling hillside and chops it into multiple buildings and utility spaces surrounded by chain link fence. It raises many red flags in terms of its use as a single residential home – from the unusual multiple master suites, enormous pool, extensive space for equipment storage and unusual configuration of a tack room at some distance from a proposed stable.

I don't know what the compound will be used for, but I do think the project has serious red flags, in terms of how it fits into the surrounding homes and natural hillside. I also wonder if the commission is confident that this project is in fact a single family residence and how its sprawl impacts the natural flow of the hillside.

We raised our children here and now our grandchildren come to visit. One of our sons got his degree in environmental biology – no doubt partly influenced by living in a community that cherishes nature and preservation. We are happy to see new families with young children moving into the area and building new homes. But we also expect that the history of Old Agoura and its commitment to preservation of nature and open space will be carried on for generations to come.

We urge the commission to carefully examine not just the technical aspects of the current Bina project but the appropriate fit in this unique hillside community. A single family dwelling that is in scale with the surrounding environment and that does not carry significant negative environmental impact would be most welcome!

Sincerely,

A handwritten signature in cursive script that reads "Joan Maltese". The signature is written in black ink and is positioned above the printed name.

Joan Maltese
6021 Lapworth Drive
Agoura Hills, CA 91301

PAUL BRENT
6115 Fairview Place
Agoura, CA 91301
(818 876 8535)

CITY OF AGOURA
2016 MAY -3 AM 10:50
CITY CLERK

April 8, 2016

Planning Commission

Agoura Hills, CA

Via Hand Delivery

Re: 6000 Lapworth Drive – Objection to Development

I am sending this letter with regard to objecting to the development of the above property (as well as the continued lack of efforts by the City and Planning Commission to protect Old Agoura and its rural atmosphere).

With regard to the above property it is overly large and its development will further contribute to the congestion that is already existing due to the rehabilitation facility now in existence on Balkins and the other facilities in existence in Old Agoura (all of which are contrary to the old agoura overlay and the proliferation of business in Old Agoura – all of which should be shut down the City).

With regard to the specific property my understanding is that the plans have been resubmitted many times since the original submission and the design and size still inappropriately consist of 4 cheap industrial looking buildings which include a main house, guest house, and exterior buildings totaling over 11,000 square feet and 22,000 square feet of coverage. Further, as all buildings (except apparently the smallest) are 2 story and all buildings have at least one bathroom with a total of 8 so far (and that there are at least eight rooms that can be used as bedrooms) it is self evident that a virtual hotel or boarding facility is being created.

This is even more apparent given that there is a desire to build a 5000 sq. foot pool (which is more square footage than virtually all the homes in Old Agoura and is being built during the worst drought ever suffered by California).

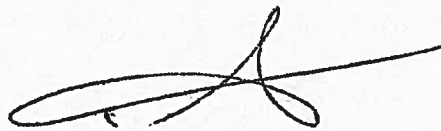
I fully support the conclusion of the Old Agoura Homeowners Association report on this proposed project which reflects that , "it seems to not comply with most of the Old Agoura Guidelines".... "it looks more like an

office building complex than a residence"...."the pool is larger than the house with no indication of a cover"...." the storage room has all the amenities of a third oversized house with its own parking"....(and) "this house looks like a box on stilts".

In short this project does not fit in to the area either in spirit or design or by law nor does it fit into the physical contours of the property and community.

Let's stop Old Agoura from being turned into an inappropriate business area where people just want to ruin it by trying to take as much money as possible instead of allowing it to be the idyllic one of a kind community originally intended and in existence for all these years.

Feel free to contact me with any questions and I am respectfully,

A handwritten signature in black ink, consisting of a series of loops and a long horizontal stroke extending to the right.

Paul M. Brent

May 2nd, 2016

Re: Proposed development at 6000 Lapworth Dr. Agoura Hills CA (Bina Residence)

To: The Agoura Hills Planning Commission:

Dear Commissioners,

About a year ago, my wife and I stood in front of you, asking for permission to build our home on 5952 Lapworth Dr. We were approved, and there was absolutely no opposition from the Old Agoura community and our neighbors. With my experience, as a person who is part of the Old Agoura community now (and someone who went to the planning process recently), I can tell you that the neighbors in Old Agoura are great. They supported us during the whole process of planning and development and we are incredibly grateful for their support. Our relationship with these neighbors was formed over the past 4 years where, from the beginning, we shared our plans for the property development, listened to what they have to say and designed a house that was acceptable to everyone in the vicinity. We knew how opposed the neighbors were to Edwards's project (Mr. Edwards was the owner of the property before us), and so we addresses every concern that the neighbors had with the Edwards project, when we planned ours. We are very proud to say that no one found it necessary to come out against our project for the hearing. Mr. Levin and Mr. Turner actually spoke in favor of our project. **The residents of Old Agoura genuinely care about the community and the land, and they wouldn't oppose a project if they don't have legitimate concerns.**

Before I talk about Bina's project, I want to comment on some things that I have read about our home on this CUP document. Ms. Bina refer to our house (PAGE 98 & 99 of the CUP Document) to justify the size and scope of her proposed project. Most of these 'facts' that she presented are blatant lies. She mentioned that we have a 604 sq.ft. studio above the garage....this a flat Lie we don't have any studio anywhere. She said that we removed an Oak tree...again, a blatant lie (we aren't even encroaching into the protected zone of any oak trees). Our house is 4712 sqft with a 3 car garage. That's it...We don't have any accessory structures, second unit etc. Also, 4712 sqft includes the 1200 sqft that we have in the basement. If I apply the 'Bina sq.ft. calculation methodology' to our home (whereby not counting basement as livable space), then our home is only 3500 sqft. Ms. Bina mentioned that height of our house is 32 Ft...this is true, but the height is inclusive of the basement. Ms. Bina also mentioned that only 1 acre out of out 1.4 acre is 'usable' as a reason why we couldn't build a bigger house ...again, not true. We have easements and setback requirements like other property...that doesn't make our property unusable. We could have built a much bigger house and a second unit if we wanted to. Approved plans from previous owner (Edwards) to build his house on our property prior to us is proof that we could have asked for more....we choose not to do it, respecting the city's design guidelines and wishes of Old Agoura community and our neighborhood.

Going on to Bina project: As an owner building our home just next door, I can't be hypocritical and say that the Bina's can't build on their property. They have every right to do so. However, what is been proposed has all signs point to a commercial, physical rehabilitation facility. In addition to the 4300+ sqft house, and a 700sqft second unit and a 300 sqft tack room...(which should be sufficient for any family), here is what we have:

- A detached 4 car garage as opposed to an attached garage (which would be the choice of 100% of homeowners if they actually intend to use it as a primary residence).
- House has a 1530 sqft. Basement 'storage' that has 9' ceiling, *not counted in square footage.*

- Detached garage has 'storage' upstairs with big windows and bathroom. (I understand that it's only a sink and toilet...but once the plumbing is there putting a shower is pretty simple).
- An additional 1160 sqft 'storage' facility (that intended to house farm animals) with 1160 sqft basement (*not counted in square footage*) with **big windows, French doors, terrace and a bathroom.** (Again, I get that it's only a sink and toilet...but once the plumbing is there putting a shower is pretty simple). May be there are genetically enhanced chickens, hogs and horses, that I don't know of, who need a toilet and all the amenities on the second floor of this storage-barn-pet hotel structure.
- No true master suite, which again would be the choice for any homeowner building a custom home who actually want to use it as a primary residence.
- A 'study room' that looks like a doctor's office, with separate entrance.
- A monstrous (**but shallow**) swimming pool, ideal for Aquatic Therapy.
 - Pool has zero edge makes it wheelchair accessible
 - Dr. Babak Bina is a DO (Physical Medicine & Rehabilitation Specialist)
 - **Aquatic therapy** refers to treatments and exercises performed in water for relaxation, fitness, physical rehabilitation, and other therapeutic benefit. Therapeutic applications include neurological disorders, spine pain, musculoskeletal pain, postoperative orthopedic rehabilitation, pediatric disabilities, and pressure ulcers.

If something walks like a duck and quacks like a duck,..... It is a duck!

Architecturally, this is a modern house that is more suitable a neighborhood like Hollywood hills or Beverly Hills. It's a modern boxy design that is typical to modern architecture (which is fine if you are actually building a modern home in a compatible community). I don't see any rural or rustic elements (I saw the word 'Tuscan' used to define the architecture, there is really nothing Tuscan about the architecture. Using stone veneer and smooth stucco doesn't make a modern home Tuscan). Chip seal driveway is rustic, but it seems to be more a financial decision than an architectural choice. Architecturally, this is a modern architecture plain and simple. This house is designed with 6' stacked retaining walls all around. Even though it is technically below the 6' max height, visually it's the same as staring into a 12' retaining wall. This development will not have much impact on our primary views, but (as seen in the rendering) people on Balkins will be staring in these 12' retaining walls, and the residence/pool above that. From my experience, I can tell you that a 5000 sqft home could have been designed on this parcel with a quarter of retaining walls (but again, what is proposed is what the owners wanted). There is no guarantee that Vines and Landscaping will be maintained. 75% of the property should be in native state....seems like pretty much everything is hardscaped or landscaped. Speaking of all the hardscaping, there is no drainage in this part of the town. Heavy rain will create water runoff from this massive 15000 sqft roofs+hardscape that will flood the properties downhill, and our property is one of them. You have to also think about the inevitable earthquakes when you are in California. It's not a question of if, but when....What if this monstrous 5,400 sqft pool cracks/collapses and spill hundreds of thousands of gallons of water...it could completely flood the neighboring downhill properties. There project has a total of over 5,000 sqft of livable space that is described as 'storage'...this 'storage' in this home is 300 sqft more than our whole house. This project has a pool that is 10 times bigger than any other pool in the area. Let these facts sink in...

We are very concerned with this proposal. If Bina's were in our place, they would be questioning the same things that I am questioning. For us, on the other side of our property, there is already a drug rehab center running. It would be a disaster for our home to be situated between 2 commercial enterprises. We moved in this to live with other families. We want our kids could play with other kids in the

neighborhood and go trick-or-treating in the neighborhood. The blatant commercial use of this residential zoned neighborhood is outrageous and must be stopped.

Maybe Ms. Bina is telling the truth and maybe she does want to live in a house that is built like a commercial property to others. That's her choice and she is entitled to it. However, all the design choices in this proposal point to a commercial rehab facility. **There is no way for us to see the future, so planning commission should ensure that what's approved for this property can't be used for running a rehab business.** Here are the things that could be done to assure the community that this development is not a future run a physical rehab center.

- Basement storage areas should be reduced to less than 6' in height so that it can't be used for anything but storage.
- The 1160 sqft storage facility with 1160 sqft basement should be completely eliminated...I am not even sure how this could even be considered by code when there are 3 other structures on the property.
- The 'storage' above the garage should be eliminated and there shouldn't be any plumbing in that structure.
- The pool should be reduced to 20% of its current size (which will still be a pretty big pool compared to the other pools in the neighborhood).
- Architecturally, it doesn't fit into the rustic, equestrian neighborhood. The architecture should reflect a style of architecture that is compatible with Old Agoura. A Western or Mediterranean with covered porches, arches, tiles roof, wood or wrought iron accents/railings are appropriate and compatible, not flat roof, boxy structure, steel and glass railings.
- In addition to reducing the size substantially, reduction in hardscape is needed to address potential flooding (we saw this winter how quickly a little rain can cause this area to have water runoff issues). Additionally, storm water run-off must be addressed with a bio-filtration pond ensuring that neighboring properties are protected against flooding.

I hope Ms. Bina realize the concerns that the neighbors have and help alleviate those concerns. This is a great community and if she indeed plans to live here, she will find everyone very friendly and helpful. We could work on things together (like Improving Lapworth Dr.), making our community safer and better. I urge the Binas to rework the plans to bring them in line with the community and the neighborhood.

I am in favor of Binas building their home on this property, but not what is proposed.

Regards,
Vineet Sharma
5952 Lapworth Dr.
Agoura Hills CA 91301

**From the Desk of
Andrea Lux**

May 3, 2016

City of Agoura Hills
Planning Commission
30001 Ladyface Court
Agoura Hills, CA 91301

RE: CUP-01019-2014 – 6000 Lapworth Dr

Dear Commissioners,

I have reviewed the staff report on the above referenced project, although the report is difficult to read in some areas, I have some comments and concerns. I live in the immediate area and I have visited the site and I have several concerns. First, I do not see “cohesion” of this project to the immediate neighborhood or even most of Old Agoura. This scope and design of this project does not seem to fit with the designs or styles of any of the existing residences or with the Old Agoura overlay. The listed square footage on the applicants request makes it seem like an “average” single-story, single-family home of 4,374, but great care should be used to determine what the applicant is actually requesting. Total Building Square footage on the report is 10,599. This includes the 700 square foot second dwelling unit plus an additional 1,160 square foot storage/utility room, among other “out buildings” and basements. It is not clear if the 1,160sq foot room is for storage, utility or recreation. The Public Notice I received (as well as the agenda) states that the 1,160 square foot room is for storage/recreation – storage and recreation are different. The plans reference a bathroom in this unit, which would coincide more with recreation instead of utility/storage. What additional utilities besides water would be required to make a “recreation room” useable, would this then be considered another “dwelling unit”, to which I believe 700 sq feet is maximum?

The very large pool should also be taken into consideration when viewing the overall foot print on this hillside lot. I live downslope from this project and the retaining walls will be a complete eyesore (for lack of a better description) to what is now a beautiful natural flowing hillside. With a pool this size constructed in fill, a failure due to natural causes (such as an earthquake), faulty construction, materials, or engineering would be catastrophic to my home as well as my neighbors below this project - there are 4 homes directly below this project. The design is “boxy” and sharply angular; the materials are stark with a nearly white exterior (linen), which is very reflective to the surrounding neighbors. The hardscaping alone seems excessive and heat producing. The impact to our views and any concerns we may have did not seem to be taken into consideration by the applicant.

The road to the site is very steep, narrow and in poor condition, double-dirt haulers bringing in fill as well as other heavy construction equipment will most likely deteriorate it to an unusable condition. The construction traffic and parking will hinder

**From the Desk of
Andrea Lux**

entrance and egress to neighboring properties – this is already a problem with the current construction project underway.

The style of the home appears modern, to which there are no modern homes in the immediate area. There appear to be multiple separate entries for many rooms. This project has all the markings of a commercial facility of some kind. The applicant may or may not intend to use this as a business, the unintended consequences of allowing a project such as this need to be taken into consideration. The applicant for this project may be designing a “single-family residence” for personal purposes but should they decide to sell, rent or end up vacating the residence in some way, this project would be ripe for some businesses to acquire, especially in light of its seemingly commercial design and multiple separate entrances. This project looks more “at home” in the Hollywood hills than Old Agoura.

In the recent past we were approached by another applicant for a project just to the south of this project, which is now under construction. I reviewed the Staff Report and visited the site with the elevations. The applicant was friendly and concerned about our opinion for this project. I believe the applicant worked with the Old Agoura HOA and the other immediate neighbors. We had no objection to this “more reasonable” project. It was difficult to visualize that project as seen on paper and now that it is nearing completion we are a little surprised at the actual scale and outcome of that home on the hillside. I can only imagine what this proposed project will look like should it be approved.

I urge the Commission to please visit the site, visualize the impact and take a look at the current home under construction for comparison. I urge the commission to ask the applicant to redesign the project to preserve and respect Old Agoura’s existing architecture and aesthetics. Changes would include significantly reducing the scale to match the surrounding homes (and pool sizes), better design to contour to the hillside, use of earth tones and natural and permeable materials and providing space for livestock.

Thank you for your consideration.

Sincerely,

Andrea Lux
28233 Balkins Dr
Agoura Hills, CA 91301

Ken and Barbara Leonard
5835 Fairview Place
Agoura Hills, CA 91301

City of Agoura Hills

2016 MAY -3 AM 7: 17

CITY CLERK

April 29, 2014

Planning Commission
City of Agoura Hills
30001 Ladyface Court
Agoura Hills, CA 91301

Dear Commissioners,

This letter concerns the upcoming Planning Commission hearing on May 5, 2016 regarding a Conditional Use Permit for the Bina property at 6000 Lapworth Drive in Old Agoura (CUP-01019-2014). I reviewed the project plans and elevations at the City of Agoura Hills offices on April 28, 2016 and was astonished at the size of the project as designed. We respectfully ask the Commissioners to deny the permit. This project is simply too large for the neighborhood.

My wife and I have specific concerns we would like to have addressed:

- First and foremost, the size and scope of the compound, which includes a 4,374 sq. ft. residence, a 800 sq. ft. garage, a 700 sq. ft. second dwelling, a 1,160 sq. ft. storage/recreation room, and a 300 sq. ft. tack room, is spread across a 2.8 acre parcel and dwarfs the surrounding homes. It is definitely not compatible with the surrounding property! Please require the size and scope of the project to be scaled back to fit the neighborhood.
- The proposed swimming pool is massive -- larger than any private pools in the city that we are aware of. The sheer size and weight, once it is filled, will require significant engineering to make sure it does not fail. If it does fail, the damage to the homes downhill will be catastrophic. We urge you to carefully review soils reports and engineering plans before approving the pool as designed, or require a reduction in size.
- Rainwater runoff from approximately 7,334 sq. ft. of built structures plus an additional 15,000 sq. ft. of hardscape will be significant and difficult to control. Natural drainage of that hillside crosses Fairview Place just east of the Balkins intersection. It is a low spot in the road and is often flooded in heavy rains. Please make sure there is an adequate drainage plan that protects the homes below the Bina residence, as well as the low section of Fairview Place.
- Construction-related truck traffic, including heavy equipment transport trucks, dump trucks, cement trucks, and building material delivery trucks pose a major safety issue for Old Agoura residents. Before approving this project we urge you to drive north on Fairview Place to the building site. On the way there is a very narrow section of the road that is basically a single lane. Large trucks traveling up or down this 250 ft. section of roadway are a significant danger to opposing traffic. They cannot back down and many have trouble going forward at low speeds because of their weight and the steep grade. In the past, large trucks have sheared off oak tree limbs, reduced rocks to rubble, flattened landscaping and knocked down mailboxes. We are lucky that, to date, there has never been a fatal accident involving trucks. Traffic to and from the construction site will not only be a danger to other vehicles, but also to kids walking to school, joggers, bikers, and neighbors walking their dogs. The scale of this massive building project will require a significant increase in dangerous truck traffic on Fairview Place. Not only are lives at risk, but the condition of the road, which has been severely damaged by previous construction truck traffic, may not survive intact. Please require the owner, Ms. Bina and/or her representative

to provide an estimate of the number of truckloads to and from the building site, including grade and fill truckloads, cement loads, and materials deliveries. And, tell us how this danger can be mitigated.

In conclusion, the proposed Bina compound is out of scale with the rest of our neighborhood and poses a significant danger, both during and after construction. Please review the plans carefully to make sure that all these concerns have been addressed. If they cannot be addressed or mitigated, please reject the application for the Conditional Use Permit and require the owner to scale back their over-sized plans.

Sincerely,

Ken & Barbara Leonard

EXHIBIT D

Farkash

Bina Project- Lapworth

I'm a resident, and a contractor that has been fortunate to live and work in this community for 30 years. About 8 years ago, I became a general member of the OAHA, and the planning and zoning/architectural review part of the HOA.

As a contractor, I frequently work with the city as a consumer, or recipient of the services they provide. I enjoy the staff, and often tout what wonderful building department we have. As a HOA member, I work with the city, we are- part of the design and approval process for applicants who wishes to alter, add or build a new home, Their plans are sent to us for our comments. One might say, I work on both side of the counter.

Issue# 1 Accessory structure / garage does not comply with height restrictions

As stated in the Agoura Hills municipal code 9606.

- A- Accessory buildings may not be erected in any minimum yard requirement, except a rear yard.
- B- An accessory building up to one story or 14 feet in height.
- C- No Accessory building may be closer than 10 feet to any main building or rear lot line nor shall it be located closer than 5 feet to any side yard.
- D- Not withstanding section 9606. A - In the old Agoura overlay, accessory buildings may be erected in the minimum front yard, provided that they do not exceed one story or 14 feet in height and not occupy more than twenty five percent of the minimum front yard.

Reading the material, it seems quite obvious that the maximum height of an accessory building is 15 feet and limited to one story. (See Accessory structure handout, and the aforementioned above 9606. A-D.)

There is no mention that accessory building can be two stories, or higher than 15 feet.

There is no mention that an accessory structure within the buildable lot area, should, or can comply with more lenient height, or design restrictions as the main building or residence.

It simply states,-- one story, 15 feet. If indeed, it is the intent to allow accessory structures to follow the rules of the main dwelling, the language, the text must be re-written.

Until such a time, the project does not comply.

In the past 8 years since I started working with the HOA, this has never been brought forth or challenged; and more importantly, we have never approved anything similar to the proposed project.

Issue #2 Flat Roof Under our design guidelines, we don't promote steep or flat roofs. "Eaves and roof projections are to be of good proportion, roofs are to be varied in texture". (See page 6 of the architectural design standards and guidelines)

I was present in 2009 when we voted to use the word "guideline". It allows homeowners individuality, an opportunity to express themselves. It seemed futile that a non-conforming project, would or could make it through the approval process with a HOA, the building department, the planning department, and a community, that can express and share its concerns at hearings like this one.

The intent of a guideline is to allow the applicant some design lateral. An example of this would be: the color of a shingle or tile roof, the roof pitch could be between 8/12(fairly steep) or as low as 3/12 which is the lowest possible roof pitch for a shingle type roof. Anything lower is commercial built up or torch down)

To date, we have never approved a house, or addition to a house that had a flat or minimally pitched roof. On the contrary, we had noted and requested one addition be modified as the roof would be have been too flat and will not comply with our guidelines.

The Bina project a proposed, is basically a flat roof. It is only pitched enough to allow for water to drain off. The cap sheet or visible top layer of the roof will be flat. At best, the varied in color and texture will be, the black tar like substance between the layers of the cap sheet found on commercial buildings.

Issue #3

As board members of the HOA we are often called when a dispute between two neighbors about land use.

Our HOA is not a governing body so the board does not have the jurisdiction to get involved in neighbor disputes. I personally know of 2 houses that have, and continue to violate one or more of our building and or planning codes. Our building department does not act on, or correct these violations. When questioned why these activities are allowed to continue, the response is "It's too difficult, too much time, money and resources to get the homeowners to comply."

How sad, that we the residents of our community cannot get the support from our local building department to keep our neighborhoods, safe, clean and residential. We don't have a crystal ball, but we can be accurate when look at the project as whole, and what the property will be used for.

The HOA has offered to meet and advise the applicant. Our offer has fallen upon deaf ears. It appears as if the applicant has their own agenda; and the concerns, and needs of the community are secondary. As stewards of the community, we approve many projects, with many styles of architecture. We suggest approval on homes when they comply our codes and follow the spirit and intent of our guidelines. Doing so, is what makes our community a great place to live.

It is incumbent for this planning commission to consider the facts, hear the concerns of the community and act responsibly to the residents. The text, and graphic pictures provided by the planning dept. clearly do not allow for the project as submitted. TU Daniel Farkash

ATTACHMENT 8

RESOLUTION NO. 16-1154

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

AYES: (3) O'Meara, Zacuto, Justice
NOES: (0)
ABSENT: (2) Anderson, Asuncion
ABSTAIN: (0)


John O'Meara, Chairperson

ATTEST:


Doug Hooper, Secretary

ATTACHMENT 9



DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

**MINUTES OF THE REGULAR SCHEDULED MEETING OF
THE PLANNING COMMISSION
May 5, 2016**

CALL TO ORDER:

Chair O'Meara called the meeting to order at 6:30 p.m.

FLAG SALUTE:

Commissioner Justice

ROLL CALL:

Chair John O'Meara, Vice Chair Curtis Zacuto, and Commissioner Michael Justice.

Also present were Assistant City Manager Nathan Hamburger, Planning Director Doug Hooper, Assistant City Attorney Nicholas Ghirelli, Assistant Planning Director Allison Cook, Planning Consultant Michelle D'Anna, Building Official Amir Hamidzadeh, Engineering Aide II Robert Cortes, and Recording Secretary Sheila Keckhut.

Chair O'Meara stated that the Planning Commissioners had received notification of Commissioner Anderson and Asuncion's request for absence prior to the meeting. Commissioners Anderson and Asuncion were excused from the meeting with no objections.

APPROVAL OF AGENDA:

On a motion by Vice Chair Zacuto, seconded by Commissioner Justice, the Planning Commission moved to approve the May 5, 2016 Meeting Agenda. Motion carried 3-0-2. Commissioners Anderson and Asuncion were absent.

PUBLIC COMMENTS

None

APPROVAL OF MINUTES

1. Minutes – April 21, 2016 Planning Commission Meeting

On a motion by Commissioner Justice, seconded by Vice Chair Zacuto, the Planning Commission moved to approve the Minutes of the April 21, 2016, Planning Commission Meeting. Motion carried 3-0-2. Commissioners Anderson and Asuncion were absent.

NEW PUBLIC HEARING

2. 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/recreation room with basement, 300 square-foot tack room, and a swimming pool; and making a finding of exemption under the California Environmental Quality Act.

APPLICANT:

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

CASE NO.:

CUP-01019-2014

LOCATION:

6000 Lapworth Drive, APN 2055-022-072

ENVIRONMENTAL
DETERMINATION:

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

RECOMMENDATION:

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

PUBLIC COMMENTS:

Chair O'Meara opened the public hearing.

Brigitte Bina, applicant

Scott Natvig, applicant's architect

Eric Mason, applicant's civil engineer

Jon Levin

Phil Ramuno, Old Agoura HOA

Adam Mehr

Dan Maltese

Russ Diamond

Mike Kian

Andrea Lux

Brant Turner

Gerry Carroll

Linda Medvene

Laurie Turner

Daniel Blatt

Jess Thomas, Old Agoura HOA

Jere Glazer

Donald Walt Chandler

Dan Meyer

Deborah Kernahan

Karen Feeban

Russ Diamond for Daniel Farkash

RECESS:

Chair O'Meara called for a recess at 8:07 p.m.

RECONVENE:

Chair O'Meara reconvened the meeting at 8:17

PUBLIC COMMENTS:

Mark Clemens

The following person(s) turned in speaker cards but did not speak on this item.

Andrea Diamond

Joan Maltese

Stephen Cirigliano

Vineet Sharma

Tim Feehan

REBUTTAL:

Dr. Babak Bina, applicant's son representing the applicant, gave rebuttal comments regarding the project. Richard Campbell, Landscape Architect, representing the applicant, answered additional questions of the Planning Commission.

Chair O'Meara closed the public hearing.

ACTION:

On a motion by Vice Chair Zacuto, seconded by Commissioner Justice, the Planning Commission moved to direct staff to return with a Resolution of Denial of the application for Case No. CUP-01019-2014, for the Planning Commission to consider as a consent item at the May 19, 2016, Planning Commission meeting. Motion carried 3-0-2. Commissioners Anderson and Asuncion were absent.

PLANNING COMMISSION/STAFF COMMENTS

None

ADJOURNMENT

At 9:17 p.m., on a motion by Commissioner Justice, seconded by Vice Chair Zacuto, the Planning Commission adjourned the meeting to the next scheduled Planning Commission meeting on May 19, 2016. Motion carried 3-0-2. Commissioners Anderson and Asuncion were absent.

ATTACHMENT 10



DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

**MINUTES OF THE REGULAR SCHEDULED MEETING OF
THE PLANNING COMMISSION
May 19, 2016**

CALL TO ORDER:

Chair O'Meara called the meeting to order at 6:30 p.m.

FLAG SALUTE:

Vice Chair Zacuto

ROLL CALL:

Chair John O'Meara, Vice Chair Curtis Zacuto, and Commissioner Michael Justice.

Also present were Assistant City Manager Nathan Hamburger, Planning Director Doug Hooper, and Recording Secretary Sheila Keckhut.

As Commissioners Anderson and Asuncion were absent from the public hearing held on May 5, 2016, they were excused from this meeting with no objections.

APPROVAL OF AGENDA:

On a motion by Commissioner Justice, seconded by Vice Chair Zacuto, the Planning Commission moved to approve the May 19, 2016 Meeting Agenda. Motion carried 3-0-2. Commissioners Anderson and Asuncion were absent.

PUBLIC COMMENTS

None

APPROVAL OF MINUTES

1. Minutes – May 5, 2016 Planning Commission Meeting

On a motion by Vice Chair Zacuto, seconded by Commissioner Justice, the Planning Commission moved to approve the Minutes of the May 5, 2016, Planning Commission Meeting. Motion carried 3-0-2. Commissioners Anderson and Asuncion were absent.

CONSENT CALENDAR

2. Adopt a resolution of the Planning Commission of the City of Agoura Hills, California, denying Conditional Use Permit Case No. CUP-01019-2014 for the construction of a single-family residence with basement and roof terrace, detached two-story garage, second dwelling unit, storage building with basement, tack room and swimming pool at 6000 Lapworth Drive. (Shahnaz Brigitte Bina, applicant)

PUBLIC COMMENTS: Chair O'Meara called for public comments.

There were no speakers on this item.

Chair O'Meara closed the public comments.

ACTION: On a motion by Vice Chair Zacuto, seconded by Commissioner Justice, the Planning Commission moved to adopt Resolution 16-1154 denying Conditional Use Permit Case No. CUP-01019-2014. Motion carried 3-0-2. Commissioners Anderson and Asuncion were absent.

PLANNING COMMISSION/STAFF COMMENTS

Planning Director Hooper stated the Planning Commission's adoption of the Resolution of denial for Conditional Use Permit Case No. CUP-01019-2014 is final unless appealed to the City Council within fifteen (15) days.

Mr. Hooper also asked the Planning Commission to consider excusing the absence of Commissioners Anderson and Asuncion from this meeting.

ADJOURNMENT

At 6:35 p.m., on a motion by Commissioner Justice, seconded by Vice Chair Zacuto, the Planning Commission adjourned the meeting to the next scheduled Planning Commission meeting on June 2, 2016. Motion carried 3-0-2. Commissioners Anderson and Asuncion were absent.