



DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

DATE: November 16, 2006

APPLICANT: Agoura TNT LLC/Terry Gray
5936 Fairview Place
Agoura Hills, CA 91301

TO: Planning Commission

CASE NOS.: 06-CUP-005 and 06-OTP-008

LOCATION: 6160 Fairview Place
(A.P.N. 2055-023-096)

REQUEST: Request for approval of a Conditional Use Permit to construct a 5,764 square-foot, two-story, single-family residence with a 1,008 square-foot attached garage, a swimming pool, and a 464 square-foot detached garage; and a request for an Oak Tree Permit to prune and possibly encroach on one (1) Oak tree for the proposed construction.

ENVIRONMENTAL DETERMINATION: Exempt from CEQA per Section 15303

RECOMMENDATION: Staff recommends the Planning Commission adopt a motion to approve Conditional Use Permit Case No. 06-CUP-005 and Oak Tree Permit Case No. 06-OTP-008, subject to conditions, based on the findings of the attached draft Resolution.

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

GENERAL PLAN DESIGNATION: RV – (Very Low Density Residential)

I. PROJECT BACKGROUND AND DESCRIPTION

The applicant, Terry Gray, is requesting approval of a Conditional Use Permit to construct a 5,764 square foot, single-family residence in the Very Low Density Residential (RV) zone of Old Agoura. The proposed residence is two-stories in height with a 1,008 square foot, attached three-car garage, a 464 square-foot, detached two-car garage and 955 square feet of attached covered patios.

The parcel has an average topographic slope of 25.21% and rises 12 feet in elevation from the front (west) property line to the lowest finished floor elevation at 1,052 feet. The Zoning Ordinance requires the Planning Commission's consideration and approval of a Conditional Use Permit for any development on lots that exceed a 10% average topographic slope. The building pad, which occupies 14.5% of the lot, is situated at the lower, southwest portion of the 43,995 square foot parcel. The subject parcel is located on the northeast side of Fairview Place, one parcel north of its intersection with Colodny Drive. The property is currently undeveloped although the site has been used as a tree farm by the existing owner. Some of the trees have been removed while others remain onsite. The parcel to the north is vacant and existing single-family homes are located to the south, east and west of the subject property.

The proposed single-family residence is a permitted use in the Very Low Density Residential (RV) zone and will meet the required development standards, relative to lot coverage, height and building placement. Listed below are the proposed development data pertaining to the project:

Pertinent Data

	<u>Proposed</u>	<u>Allowed/ Required</u>
1. Lot Size	1.01 acres (existing) (43,995 sq. ft.)	1 acre min. (43,560 sq. ft.)
2. Building Height	28.2 ft.	35 ft. max.
3. Building Sizes:		
a. First Floor	4,448 sq. ft.	N/A
b. Second Floor	1,316 sq. ft.	N/A
c. Attached Garage	1,008 sq. ft.	N/A
e. <u>Covered Patios</u>	<u>955 sq. ft.</u>	<u>N/A</u>
Total	7,727 sq. ft.	

4. Bldg. Lot Coverage

a. Residence & Attached Garage	5,456 sq. ft. (12.4%)	
b. Detached Garage	464 sq. ft. (1.1%)	
c. Covered Patios	955 sq. ft. (2.2%)	
d. Swimming Pool	486 sq. ft. (1.0%)	
e. Pool Equipment	80 sq. ft. (0.2%)	
f. Hardscape	1,278 sq. ft. (3.0%)	
g. Future Horse Stall	<u>144 sq. ft. (0.3%)</u>	
Total	8,863 sq. ft. (20.1%)	16,498 sq. ft. Max. (37.5%)

5. Building Setbacks:

Front (West)	25 ft.	25 ft. min.
Rear (East)	89.5 ft.	25 ft. min.
Left Side (North)	88.2 ft.	12 ft. min.
Right Side (South)	27.5 ft.	12 ft. min.

6. No. of Oak Trees 19 N/A

7. Average Topographic Slope 25.21% N/A

II. STAFF ANALYSIS

Site Plan

The applicant is proposing to construct a two-story residence in the lower, flatter portion of the parcel, near the south end of the property, with the intent of protecting on-site Oak trees and reducing the amount of required grading on the site. The property consists of a nearly level terrain, ascending from the central portion of the site in a northeastern direction, becoming steeper towards the extreme north side of the lot. The parcel contains street easements, including 13-feet of roadway which can accommodate 8-feet of equestrian trails along Fairview Place.

In addition to the main residence, the applicant is proposing an attached 1,008 square foot, three-car garage with motor court area and detached 464 square foot, two-car garage to be located on the side of the house between the house and the south property line. The swimming pool is proposed at the rear of the residence, five feet from the covered patio. Access to the residence will be provided by a single driveway proposed on the south side of the parcel, entered from Fairview Place.

The footprint of the residence, the garages, the patios, the swimming pool, the accessory structures and the hardscape total 8,843 square feet or 20.1% of the lot area. The RV zone allows for a maximum 25% lot coverage for lots that have an average slope of less than 10%. However, the Hillside Ordinance requires that at least 62.5% of the lot remain in

undisturbed open space for parcels that have an average slope of 21-25%. Thus, the maximum amount of construction area should not exceed 37.5% of the lot. Currently the project meets this requirement because 62.9% of the parcel remains undisturbed.

To meet the Old Agoura Design Overlay requirement to allow for equestrian use of the property, the applicant has indicated on the Site Plan a future location for a horse-keeping area to be located to the north of the residence. The proposed 144 square foot (12' X 12') accessory stall structure is a permitted use by the Zoning Ordinance when all requirements are met. The Zoning Ordinance requires that any proposed horse structure would need to be located at a minimum 35 feet from any surrounding habitable residence or street. The Site Plan shows the future horse structure located within a sloped area of the lot, 27 feet from the street, 57.6 feet from the residence and more than 35 feet from the surrounding residences. The horse stall structure is not part of this application and it is shown on the plan for reference only. Since the horse stall requires a separate permit, its size, setbacks, and height will be address at that time when a separate application is filed.

Architectural Design

The property is located in the Old Agoura Overlay District. One of the purposes of the Old Agoura Overlay is to preserve the semi-rural character of the community and promote the natural environment with utilization of natural materials, earth tone color palettes and the utilization of native, drought-tolerant materials.

The applicant is proposing earth tone exterior building materials of Tuscan yellow colored stucco, dark brown for the windows and doors, and a "Cappuccino Brown" color for the exterior trim and exposed beams. The applicant is proposing a driveway, courtyard and walkways of decorative stone and brown colored concrete for the stairs, porches, walkways, and columns. The applicant is also proposing an olive green color for the window shutters and the trash enclosure gates. The hip roofs will be clad with a mix of three (3)-tone (brown) clay tiles. To break up the building mass, the applicant is using a one-story element at the left (north) side of the building with the portion of the roof over the entrance raised to provide ceiling height and light with clerestory windows. Matching materials and colors are proposed on the accessory structure.

The overall height of the residence is 28.2 feet. The maximum height allowed for a residence is 35 feet. The City's Architectural Review Panel (ARP) recommends approval of the project design as proposed.

Staff recommends that the driveway material, as well as yard hardscape, be subject to approval by the Director of Planning and Community Development to ensure that it is of a permeable or semi-permeable surface material.

The proposed residence will be largest in the immediate neighborhood that includes average home sizes of 3,002 square feet. There is no required size limitation on proposed residences, but the issue of neighborhood compatibility should be considered by the Planning Commission. The largest single-family residence in the neighborhood that was

recently approved by the Planning Commission was 5,324 square feet in size, on a 2.56 acre parcel near Fairview Place and Balkins Drive.

In an effort to evaluate the compatibility of the proposed size of the home with other Old Agoura properties, a survey of 51 neighboring developed lots was conducted, as shown in an attached exhibit. The results revealed an average lot size of 52,155 square feet and an average dwelling unit size of 3,002 square feet (excluding the garages), resulting in an average floor/area ratio of 0.05. The applicant is proposing a house size of 5,764 square feet on a 43,995 square-foot (1.01 acre) lot, which results in a floor/area ratio of 0.13. The proposal is 2,762 square feet more than the neighborhood average. If the applicant's project is approved, any development of the property beyond what is included on the approved Site Plan would be subject to the Planning Commission's consideration of another Conditional Use Permit.

The Old Agoura Homeowners Association has reviewed the project and suggests a larger equestrian area. A copy of their letter is attached.

Engineering Department

The Engineering Department has reviewed the proposed Grading Plan and will require street improvements along the property frontage. These improvements will include a minimum street width of 26 feet, which will satisfy the Los Angeles County Fire Department's requirements; an eight (8) foot equestrian trail along the entire street frontage and per the Old Agoura Standards; and an asphalt curb or a 3 foot wide inverted shoulder to ensure runoff is maintained within the roadway. Final street plans and drainage plans will be subject to approval by the City Engineer prior to issuance of a building permit.

Proposed grading on this lot will include constructing a maximum 14-foot-high 2:1 fill slope, with the toe of the west fill slope being set back 25 feet from the front property line and supported by low retaining walls, and several small walls are planned to provide walkways on the west slope. A building pad with an elevation of approximately 1,051 feet will be created by the site grading. Retaining walls ranging up to 6 feet above grade will be utilized at the rear of the site to provide a level area behind the dwelling. Two maximum 6-foot-high retaining walls will be utilized to terrace the area along the central portion of the south property line, south of the detached garage. A low retaining wall is also proposed along the south side of the proposed driveway which connects with the garage. According to the preliminary grading plan submitted by the applicant, grading of the property will include 1,373 cubic yards of cut, 1,618 cubic yards of fill and 246 cubic yards of import.

A private septic system, located on the northwest side yard, will serve the residence. The location and feasibility of the septic system has been tentatively approved by the Los Angeles County Health Department.

The City's Geotechnical Consultant has reviewed the geotechnical reports prepared for this project and recommends that the project be approved from a geotechnical perspective at the planning stage. The City's Geotechnical Consultant's letter dated July 31, 2006 is attached for reference. Construction traffic and related vehicular routes will also be reviewed by the City Engineer prior to the issuance of a grading permit with the intent to minimize impacts to the neighbors.

Oak Tree Review

A total of nineteen (19) Oak trees, including one (1) off-property tree and one (1) Oak tree in the equestrian trail right-of-way, were evaluated for the proposed project. Two (2) of the Oak Trees will be encroached upon within the projected zone (Oak tree Numbers 12 and 19). Oak tree number 12 located directly to the north of the proposed building will be encroached upon within the protected zone, outside of the dripline, for construction access only. Oak tree number 19 will be encroached upon within the projected zone to construct the required equestrian trail along Fairview Place and to perform corrective pruning. The City Oak Tree/Landscape Consultant requires that the trees be fenced prior to the start of grading and determined that the health of the trees will not be significantly impacted with the recommended conditions of project approval.

Landscape Review

Since the topographic slope of the property exceeds 10%, the applicant is required to prepare a landscape plan for the City's review. The preliminary landscape plan was reviewed by the City Landscape Consultant, who recommends that the applicant submit final, detailed landscape and irrigation plans for review by the City Landscape Consultant and the Director of Planning and Community Development prior to building permit issuance, and subject to attached conditions. The final plans will be reviewed for slope stabilization, screening, and the incorporation of native plant species. The applicant is proposing to plant flowering ornamental shrubs at the sides and front and rear of the property and ground covers on the slopes at the front of the residence for slope stabilization of graded areas.

Environmental Review

Based upon review of this project by the City Environmental Analyst, no environmental impacts have been identified for construction of the project. The project has been determined to be Categorically Exempt from the California Environmental Quality Act per Section 15303. This exemption includes, but is not limited to, the construction of a single-family residence. A copy of the notice of exemption prepared by the City Environmental Analyst regarding the project is attached.

III. RECOMMENDATIONS

Based on the foregoing analysis, staff recommends that the Planning Commission adopt a motion to approve Conditional Use Permit Case No. 06-CUP-005 and Oak Tree Permit Case No. 06-OTP-008, subject to Conditions, based on the findings of the attached Draft Resolution.

IV. ATTACHMENTS

- Draft Resolution and Conditions of Approval
- Exhibit A: Vicinity Map
- Exhibit B: Square Footage Analysis Map
- Exhibit C: Reduced Copies of Plans
- Exhibit D: GeoDynamics Letter of Recommendation
- Exhibit E: Environmental Determination
- Exhibit F: Letter from Old Agoura Homeowners Association
- Exhibit G: Photographs of surroundings

Case Planner: Renee Madrigal, Assistant Planner