



HBF
HOLDINGS, LLC

February 13, 2007

VIA EMAIL dhooper@ci.agoura-hills.ca.us

Mr. Mike Kamino
Director of Community Planning
City of Agoura Hills
30001 Ladyface Court
Agoura Hills, CA 91301

Re: Variance Application-Exterior Light Pole Height
Homewood Suites Hotel
28901 Canwood Street
Agoura Hills, CA 91301

Dear Mr. Kamino:

Please see the following findings of fact as they relate to the Burden of Proof Form as a part of the above referenced Variance Application.

1. **Special Circumstances:** The Applicant feels that by allowing the taller light poles, there will be a substantially smaller number of light poles at the site, the light emitted from the taller poles has the desired effect of "subdued" lighting both on the ground and by looking at the Hotel from a distance and finally the taller poles accomplish the goal of allowing more light at both the front of the parking spaces where they meet the curbs and walkways and at the edge of the buildings which are strict safety concerns for all hotel guests.
2. **Special Privileges:** Our investigation has found that numerous other buildings in the immediate area and City in general have light poles higher than 16', thus granting the Hotel a variance for it's light poles is NOT a special privilege.
3. **Unnecessary Hardship:** If the Variance were not granted, the Hotel would have significant hardships conforming to the Zoning Ordinance. They are:
 - A. To accomplish having 16' light poles on the site, the site would require at least 7 additional poles to ensure a proper level of light at the building that both the Applicant and Hilton Hotels, Applicant's hotel franchisor, deem safe for the guests of the Hotel.
 - B. The addition of the 7 light poles would have to be placed in landscaped islands-causing the property to loose 7 parking spaces-which would then drop the Hotel under the 1 parking space for each room requirement.
 - C. If the lower parking requirement were approved, the Applicant would have further hardship in with the proper installation of the lights,

landscaping, etc., the brand new hotel would suffer significant visual damage in the form of parking lot patches, sidewalk patches and the trashing and reinstallation of new landscaping.

4. No Detriment to Public Health: The granting of the Variance will have absolutely no effect on the public health. In fact, by allowing the 25' poles, as discussed above, the light intensity on the ground under the light fixture will actually be softer than the light emitted from the 16' poles. While the 16' light effect certainly won't go so far as a "shopping center" look, it will no doubt be greater than the actual light at the property today.

5. Consistent Character: The Applicant feels that the granting of the variance will be consistent with the surrounding area due to:
 - A. There are numerous existing projects built in the last 20 years with light poles taller than 16'.
 - B. The 25' poles as constructed on the site actually blend in to the building better than a higher count of 16' poles would, therefore minimizing the effect of the poles.
 - C. The light emitted from the 25' poles is softer than the light that would be emitted from the 16' poles needed to accomplish the same light at each and every parking space and at the base of the building. Thereby giving the entire site a soft gentle lighting appearance as opposed to a potential for a "harsh shopping center" or "street intersection" look.

If you have any questions regarding the Burden of Proof form as presented above, please give me a call.

Sincerely,

RT-AH Associates, LP

By: HBF Holdings, LLC

By: its Manager



Noel Heller
Manager