



**DEPARTMENT OF PLANNING AND  
COMMUNITY DEVELOPMENT**

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**TO: PLANNING COMMISSION**

**FROM: PLANNING STAFF**

**SUBJECT: CONDITIONAL USE PERMIT CASE NO. 06-CUP-001 AND OAK  
TREE PERMIT CASE NO. 06-OTP-001**

**DATE: NOVEMBER 15, 2007**

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**I. BACKGROUND AND DISCUSSION**

On July 19, 2007, the Planning Commission held a public hearing for Clive Dawson/Erin Anderson, representing the owners Rafi and Orit Sharon, for Conditional Use Permit request (Case No. 06-CUP-001) to construct a 4,960 square foot, two-story, single-family residence with a 704 square foot attached garage, and swimming pool. An Oak Tree Permit (Case No. 06-OTP-001) was also requested for the removal of three (3) Oak trees and encroachment within the protected zone of four (4) Oak trees for the proposed construction located at 28243 Balkins Drive.

The Planning Commission received written and oral testimony from staff, the applicant and the public on July 19, 2007, and continued the hearing to September 6, 2007. The applicant requested, and the Planning Commission granted, three more continuances of the public hearing to allow the applicant additional time to address the concerns raised by the Planning Commission, which included the following: 1) Provide additional articulation to the east building elevation and evaluate the architectural style of the house with the rural character of the neighborhood; 2) Provide perspective renderings of the house, including views taken from Lapworth Drive; 3) Redesign the retaining walls near the pool area; and 4) Provide a larger horse keeping-area. The project staff report and meeting minutes from the July 19, 2007 Planning Commission meeting are attached for reference. Letters received from neighbors since the last meeting are also attached.

**II. STAFF ANALYSIS**

As requested by the Planning Commission, the applicant has redesigned the project for the Planning Commission's consideration. The following changes are intended to address the various concerns that were expressed by the Planning Commission at the July 19, 2007 Planning Commission meeting.

In an effort to provide additional articulation to the building, specifically the east building elevation, and in keeping with the rural rustic appearance of Old Agoura, the round columns on the building have all been changed to square stone columns, utilizing the same stone as proposed for the rest of the house. In addition, stone window sills and ledgers were added on all elevations.

Concerns were raised by the adjacent neighbors to the south and east about the visual impacts of the previously proposed retaining walls near the pool area. In an attempt to minimize the visual effect of the retaining walls, as viewed from the southern and eastern neighbors, the retaining walls have been redesigned to be more freeform with round corners. The retaining walls have been decreased in height from 6 feet to 4 feet, resulting in a 2 foot height reduction. In addition, the swimming pool area was lowered 1.5 feet below the proposed finish floor level (elevation of 101.5 feet) for the living room.

The western side of the property has been designated on the plans for future equestrian use. This horse keeping area has been increased in size from 1,202 square feet to 2,803 square feet to provide sufficient room for the future equestrian use, which includes a 23' x 12' horse shade structure, as previously proposed. In order to accommodate the larger horse keeping area, more cut and grading of the slope was required. The graded slope will be restored with landscaping to match the native vegetation.

As requested by the Planning Commission, the applicant has prepared perspective renderings of the project, including views taken from Lapworth Drive.

The Engineering Department and the City Oak Tree Consultant have reviewed the revisions and have not modified their original draft conditions.

### **III. RECOMMENDATION**

If the Planning Commission desires to approve Conditional Use Permit Case No. 06-CUP-001 and Oak Tree Permit Case Number 06-OTP-001, staff has prepared the draft Resolution and Conditions for the Planning Commission to consider for adoption.

### **IV. ATTACHMENTS**

- Draft Resolution and Conditions of Approval
- Exhibit A: Vicinity Map
- Exhibit B: Renderings of Residence
- Exhibit C: Reduced Photocopies of Plans
- Exhibit D: Planning Commission Minutes for July 19, 2007
- Exhibit E: July 19, 2007 Staff Report
- Exhibit F: Letters from Neighbors