



DATE: FEBRUARY 15, 2007

TO: PLANNING COMMISSION

FROM: PLANNING STAFF

SUBJECT: CONDITIONAL USE PERMIT CASE NO. 06-CUP-005 AND 06-OTP-008 (AGOURA TNT LLC/TERRY GRAY)

I. BACKGROUND AND DISCUSSION

On November 16, 2006, the Planning Commission held a public hearing to consider Terry Gray's request for a Conditional Use Permit (Case No. 06-CUP-005) 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 separate garage. An Oak Tree Permit (Case No. 06-OTP-008) was also requested to prune and possibly encroach within the protected zone of two (2) Oak trees for the proposed construction. The applicant's 43,995 square foot parcel is located at 6160 Fairview Place. The proposed single-family residence is a permitted use in the RV-OA (Very Low Density Residential – Old Agoura Design Overlay) zones.

The Planning Commission continued the public hearing to February 15, 2007 and recommended that the applicant redesign the project to: 1) reduce the size of the residence for greater neighborhood compatibility and lot portionality; 2) reduce the building's width and massive appearance as viewed from the street; 3) provide an appropriately sized horse keeping area and show details of horse keeping structures; and 4) reduce the number of retaining walls. The project staff report and meeting minutes from the November 16, 2006 Planning Commission meeting are attached for reference.

II. STAFF ANALYSIS

As requested by the Planning Commission, the applicant has redesigned the residence by reducing its size from 5,764 square feet to 5,623 square feet (2%). Approximately 141 square feet has been removed from the residence (122 square feet from the second floor and 19 square feet from the first floor). The attached three-car garage has been reduced from 1,008 square feet to 956 square feet (a reduction of 52 square feet or 5%).

In order to minimize the mass of the residence as viewed from the street, the front elevation has been changed. Specifically, the overall length of the front elevation facing the street was reduced from 133 feet to 115 feet (a reduction of 18 feet or 14%). The second story has been

terraced back 14 feet to the east from its original position, and moved toward the middle of the house, and turned 90 degrees so that the second story is perpendicular to the first story. The second floor extends two thirds the length of the south elevation with the narrowest side of the second story facing Fairview Place. The length of the second story (front elevation) as viewed from the street was reduced from 67 feet to 25 feet (a reduction of 42 feet or 63%), and the width as viewed from the south elevation was increase from 27 feet to 60 feet (an increase of 33 feet or 55%).

The applicant has also redesigned and reduced the size of the attached garage at the southwest corner of the house. The story above the attached garage has been removed, the garage is now a four (4) car garage, and has been turned so that the garage doors are now facing towards the south side of the property instead of towards the rear. The length of the garage as viewed from Fairview Place was reduced from 40 feet to 24 feet (a reduction of 16 feet or 40%) resulting in a 36-foot setback (originally 27.5 feet) to the south side property line. Windows were added to the sides of the garage to help break up the blank wall as seen from the street and rear yard. Pertinent data for the project is given below and findings made for the original proposal remain the same and are included in the attached draft resolution.

Pertinent Data

	<u>Existing</u>	<u>Original Proposal</u>	<u>Revised Proposal</u>	<u>Allowed/ Required</u>
1. Lot Size	1.01 acres (43,995 sq. ft.)	Same	Same	1 acre min. (43,560 sq. ft.)
2. Building Height	None	28.2 ft.	30 ft.	35 ft. max.
3. Building Sizes:				
First floor:	None	4,448 sq. ft.	4,429 sq. ft.	N/A
Second floor:	None	1,316 sq. ft.	1,194 sq. ft.	N/A
Attached 3-Car Garage:	None	1,008 sq. ft.	956 sq. ft.	N/A
<u>Patio Covers</u>	<u>None</u>	<u>955 sq. ft.</u>	<u>983 sq. ft.</u>	N/A
Total:	N/A	7,727 sq. ft.	7,562 sq. ft.	
Separate 2-car Garage:	None	464 sq. ft.	Eliminated	N/A
6. Lot Coverage:				
Bldg. footprint	None	6,875 s.f. (15.6%)	6,368 s.f. (14.5%)	
w/ pool/hardscape	None	8,719 s.f. (19.8%)	6,895 s.f. (5.8%)	
w/ future barn area	None	8,863 s.f. (20.1%)	7,535 s.f. (17.0%)	10,999 s.f. Max. (25%)

5. Building Setbacks

Front (west):	None	25ft.	25 ft.	25 ft. min.
Rear (east):	None	89.5 ft.	89.5 ft.	25 ft. min.
Side (north):	None	88.2 ft.	91.5 ft.	12 ft. min.
Side (south):	None	14.6 ft.	36 ft.	12 ft. min.

6. No. of Oak Trees 19 19 Same N/A

7. Average Topographic Slope 25.21% Same N/A

The separate two-car garage (464 square feet) has been eliminated. The loss of the detached garage at the south side of the residence will provide more open space area and allow for an optional turn out area for horses.

The height of the residence increased 1.8 feet, from 28.2 feet to 30 feet over the second story without exceeding the maximum height of 15 feet at the rear property line per the Hillside Ordinance. The average topographic slope for this parcel is 25.21%. 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 disturbed area should not exceed 37.5% of the lot. The proposed disturbed area has decreased and the undisturbed area for this project has increased from 62.9% to 63%, and is still meeting the hillside requirement.

A new designated area has been identified on the plans for a future equestrian use. The applicant has selected a 640 square foot area on the rear end of the property as the location for a future barn (includes two 16' x 12' horse stalls), feed/tack room, concrete wash pad, and corral. Also the area at the northwest corner of the property, where the septic system is located, has been graded to allow a horse turn-out area. Alterations to the land within the designated equestrian area for grading and retaining walls are also indicated on the plans. If the applicant wishes to construct an equestrian area on the site, separate plans can be submitted at a later date and reviewed and approved by the Director of Planning and Community Development. The applicant has revised his plans to show an adequate area for a future horse keeping area. The Planning Commission's role is to evaluate the feasibility of this proposed future equestrian area.

The terraced walls previously proposed south of the two-car garage have been eliminated. By eliminating the garage allowed transformation of the walls to single walls. The wall locations at the front, rear and sides of the pad have shifted slightly. By relocating the two walls at the front of the property further to the east has allowed the length of the walls to be reduced. The average height of the walls in the front area, except at the front Oak tree area, is two-to-three feet.

Proposed building materials and colors on the residence have changed, lending more towards the rural rustic appearance of Old Agoura. The shutters on the windows have been replaced

with a shed roof over the windows. The front entry, double doors are now a stained, natural-wood single door. The roof line has changed to include a variation in pitch and height not exceeding the 35 foot height requirement.

Engineering Department has reviewed the revisions and has not modified their original draft conditions. The City Oak Tree/Landscape Consultant has reviewed the revisions and has modified their original draft conditions to include conditions number 56, 57 and 58, which are included in the draft Resolution.

III. RECOMMENDATION

If the Planning Commission desires to approve Conditional Use Permit Case No. 06-CUP-005 and Oak Tree Permit No. 06-OTP-008, 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: Reduced Photocopies of Plans
- Exhibit C: Planning Commission Minutes for November 16, 2006
- Exhibit D: November 16, 2006 Staff Report
- Exhibit E: Color and Material Board, Colored Landscape Plan, and Colored Rendering of Residence

Case Planner: Renee Madrigal, Assistant Planner