



CITY of CALABASAS

PLANNING COMMISSION AGENDA REPORT
AUGUST 2, 2018

TO: Members of the Planning Commission

FROM: Andrew Cohen-Cutler, Associate Planner

FILE NO.: 180000012

PROPOSAL: A request for a Site Plan Review, a Scenic Corridor Permit, an Oak Tree Permit and a Variance (to the 50-foot minimum ridgeline setback standard per CMC Section 17.20.150(C)(3)) to construct a new approximately 10,004 square-foot two-story single-family residence, an approximately 2,141 square-foot accessory structure (inclusive of an approximately 1,076 square-foot garage and an approximately 1,065 sq.-ft. Accessory Dwelling Unit), an approximately 578 square-foot cabana, and a new pool and spa on an existing certified graded building pad. The existing approximately 8.33 acre legal lot is located at 24101 Dry Canyon Cold Creek Road within the Rural Residential (RR) zoning district and the Mulholland Highway Scenic Corridor (SC) zoning district. (APN: 4455-006-013)

APPLICANT: Stevens Wilson

OWNER: Sonoma, LLC

STAFF RECOMMENDATION:

That the Planning Commission adopt Resolution No. 2018-671, approving File No. 180000012; Site Plan Review, an Oak Tree Permit, a Scenic Corridor Permit and a Variance (for development within 50 horizontal feet and 50 vertical feet of a significant ridgeline (CMC Section 17.20.150(C)(2)) for the proposed construction of an approximately 10,004 square-foot two-story single-family residence, an approximately 2,141 square-foot accessory structure (inclusive of an approximately 1,076 square-foot garage and an approximately 1,065 sq.-ft. Accessory Dwelling Unit), an approximately 578 square-foot cabana, and a new pool and spa. The proposed project would be

constructed on a previously graded building pad on an approximately 8.33 acre lot located at 24101 Dry Canyon Cold Creek Road within the Rural Residential (RR), zoning district and the Mulholland Highway Scenic Corridor (SC Overlay zone).

REVIEW AUTHORITY:

Pursuant to Calabasas Municipal Code (CMC) Section 17.62.090, an Administrative Plan Review application is reviewed and approved by the Community Development Director. In accordance with CMC Section 17.62.080, a Variance application is reviewed and approved by the Planning Commission. Likewise, an Oak Tree Permit seeking approval for greater than 10% encroachment into the tree's protected zone is reviewed by the Planning Commission. Finally, CMC Section 17.62.050 identifies the Planning Commission as the review authority for any new construction or development within the Scenic Corridor (SC) overlay zone. Per Section 17.60.020, an application ordinarily subject to the decision of a lower review authority shall be considered and approved by the higher review authority when the application is filed concurrently with an application subject to the decision of a higher review authority. Consequently, with these applications having been filed concurrently, the appropriate review authority for all requested permits and approvals is the Planning Commission.

BACKGROUND:

On April 5, 2006, the Calabasas City Council adopted Resolution 2006-1012 and Resolution 2006-1013 (see EXHIBIT G) approving a Mitigated Negative Declaration, and approving a tentative Parcel Map, General Plan Amendment, Conditional Use Permit, Variance, and Oak Tree Permit for the subdivision of one existing lot into two separate lots. The original larger lot was bisected by Dry Canyon Cold Creek Road and the parcel map divided the property so that one lot would be north of the roadway and the other lot would be south of the roadway. The scope of the project also included the proposed construction of one single-family residence with accessory structures on the southern lot (parcel "B" on the Parcel Map) and to rough grade and place infrastructure on the northern lot (parcel "A"), which is the subject parcel for the current project.

The Tentative Parcel Map (No.61302) was filed with the Los Angeles County Recorder on May 30, 2008. The Parcel Map included a dedication to the City of Calabasas the right to restrict future subdivision of Parcel "A" (24101 Dry Canyon Cold Creek Road). On May 9, 2012 the City Council approved the final Parcel Map and accepted the dedication to restrict future subdivision of the property. Subsequently, the applicant for the above-mentioned project abandoned the home construction component of the project and sold the two lots.

On January 3, 2018, the applicant submitted an application and plans for an

Administrative Plan Review, an Oak Tree Permit, a Scenic Corridor Permit and a Variance (for development within 50 horizontal feet and vertical feet of a significant ridgeline) for the current project. The proposed new single-family residence will be surrounded by other single-family residences located in a RS zone and HOA maintained open space properties zoned OS-DR to the west; large-lot single-family residential uses on lots zoned OS to the north and east; and, and an undeveloped property zoned Hillside Mountainous (HM) to the south (parcel "A" from the prior Parcel Map project).

The proposed project went before the Development Review Committee (DRC) on January 23, 2018. Comments made by DRC were routed to the applicant to be addressed, and the applicant submitted revised plans on March 14, 2018 and again on May 10, 2018. The proposed project was reviewed by the Architectural Review Panel (ARP) on January 21, 2018, March 23, 2018 and May 25, 2018 (see Exhibit I for ARP meeting minutes). The applicant incorporated the suggestions of the Panel into the final plans and on May 25 the Panel recommended approval.

The applicant erected story poles on the subject property on June 12, 2018. Consequently, the story pole installation has been in place for more than the required four weeks. The installation of the required story poles was certified as having been accurately installed to represent the general building envelope and location by Chris Nelson and Associates on June 12, 2018 (EXHIBIT F).

The project submittal was deemed complete by staff on June 12, 2018.

STAFF ANALYSIS:

The key issues related to this project are discussed below:

A. Site Characteristics:

The vacant approximately 8.33 acre lot is located on the north side of Dry Canyon Cold Creek Road within the Rural Residential (RR) zoning district. The net area of the lot is approximately 4.4 acres because approximately 3.9 acres of the property is to be dedicated as a wildlife conservation easement to the Santa Monica Mountains Conservancy (SMMC).

As depicted in Figure 1 (see page 6 of this report), approximately 1,400 linear feet of mapped significant ridgelines crisscross the property. There are actually two mapped significant ridgelines traversing the property:

- 1) The longer east-west trending ridgeline is a portion of the watershed divide between the Los Angeles basin or watershed and the Malibu Creek basin or watershed. This ridgeline is significantly more prominent on the property with elevations ranging from 1,515 feet to 1,599 feet.

- 2) The shorter north-south trending ridgeline is secondary to the more prominent watershed divide ridgeline, and its elevations range from 1,483 feet to 1,574 feet.

Due to the steep hillside conditions on the property and the significant ridgelines, the policies prescribed in the City's 2030 General Plan Conservation Element, and code requirements identified in CMC Section 17.20.150 (Hillside and Ridgeline Development) apply to this project. As such, the highest points of any of the proposed structures are required to be located at least 50 vertical feet below and 50 horizontal feet away from the significant ridgelines, unless a variance is approved to allow for a lesser setback distance. (Without approval of a Variance to the 50-foot ridgeline setback standard, the proposed new house and other associated structures would have to be constructed approximately 80 feet below ground!) The ridgeline setback Variance is discussed in detail beginning on page 5 of this report.

B. Site Design and Architecture:

The proposed two-story, approximately 10,004 square-foot single-family residence, with an approximately 2,141 square-foot guest house with a garage (inclusive of a 1,065 sq.-ft. Accessory Dwelling Unit), an approximately 578 square-foot cabana, and a new pool and spa are proposed to be constructed on an existing previously graded building pad approximately 34,000 square feet in size. All of the proposed structures have been designed to meet all development standards set forth by the Development Code, including site coverage percentage, pervious surface percentage, setbacks, and building height (please refer to the Technical Appendix on page 15).

The proposed Farmhouse style of the proposed residence incorporates architectural elements that will blend with the eclectic variety of single-family residences along Mulholland Highway and in the surrounding communities. The proposed architecture of the residence will be compatible with the architecture and scale of the surrounding communities and will integrate well with the existing natural environment. The applicant has proposed to use medium to dark colors, and a variety of forms and textures, which will blend into and be compatible with the existing and natural setting.

The Architectural Review Panel reviewed the project on February 23, 2018, March 23, 2018 and May 25, 2018 (ARP meeting minutes are attached as Exhibit I). The Panel made numerous suggestions to the applicant in order to improve the design compatibility with the Scenic Corridor. The applicant has incorporated the panel's suggestions into the final plans. On May 25, 2018 the Panel recommended approval of the improved design.

C. Landscaping / Oak Trees:

Pursuant to CMC Section 17.26.040(B)(1), new development on a property zoned Rural Residential (RR) must provide for a minimum of 70% pervious surface area. The proposed pervious surface area of the project is approximately 99%, which easily meets the minimum standard.

The subject property includes approximately 5.75 acres of scrub oak habitat, of which roughly 98% will be unaffected by the project. Because the proposed construction of the new single-family dwelling and ADU will occur on a previously graded building pad, only 4,324 square feet (about one-tenth of an acre) of scrub oak will be impacted. The applicant is seeking approval of an Oak Tree Permit to allow removal of two (2)-scrub oak trees, and to permit encroachment upon the protected zone of seven (7) scrub oaks. (Collectively, these impacted scrub oaks represent about 2% of the total scrub oak habitat on the subject property.) On July 31, 2017, Richard W. Campbell, ASLA, BSLA, submitted an Oak Tree Report (EXHIBIT D), which had been prepared in accordance with the City of Calabasas Oak Tree Ordinance (#2001-166) and the Oak Tree Preservation and Protection Guidelines. The arborist's report was forwarded to Dudek, the City's oak tree consultant; Noah Stamm of Dudek reviewed the submitted report and made a physical inspection of the subject project site on February 1, 2018. Mr. Stamm's findings and recommendations were submitted on February 8, 2018 (EXHIBIT E).

The Dudek report outlines additional protection measures to be included as part of the permit approval. These steps include the installation of additional protective fencing for the scrub oaks that are located behind (to the north) the two (2) trees (Nos. 1 and 2) that are proposed for removal. Additionally, an updated Arborist Report shall be submitted stipulating that the scrub oak removals will be mitigated by planting new oak trees on an inch-for-inch basis.

The project landscaping has been designed to comply with the requirements of the Model Water Efficient Landscape Ordinance (MWELo) as required by State Law.

D. Variance

Pursuant to CMC Section 17.20.150(C)(2) (Hillside and Ridgeline Development), the highest points of any proposed structure shall be located fifty vertical feet below a significant ridgeline, and all parts of any proposed new structure shall be located at least fifty horizontal feet from a significant ridgeline. The proposed two-story, 10,065 square-foot single-family residence and ancillary structures would be placed on a previously graded and certified building pad, however, the building pad is located on a mapped significant ridgeline. Consequently, a variance is necessary to accommodate the

structures on the building pad.



FIGURE 1: Subject Property and Mapped Ridgelines

In addition to the fact that CMC Section 17.20.150(C)(2) specifically requires the granting of a variance for development which would intrude within either 50 vertical feet or 50 horizontal feet of a mapped significant ridgeline, the granting of a variance may be accomplished only when the following specific mandatory findings can be made (per CMC 17.62.080):

1. That there are special circumstances applicable to the property which do not generally apply to other properties in the same zoning district (i.e., size, shape, topography, location or surroundings), such that the strict application of this chapter denies the property owner privileges enjoyed by other property owners in the vicinity and in identical zoning districts;
2. That granting the variance is necessary for the preservation and enjoyment of substantial property rights possessed by other property owners in the same vicinity and zoning district and denied to the property owner for which the variance is sought;
3. That granting the variance would not constitute the granting of a special privilege inconsistent with the limitations of other properties in the same zoning district;
4. That granting the variance will not be detrimental to the public health,

safety or welfare, or injurious to property or improvements in the vicinity and zoning district in which the property is located; and

5. That granting the variance is consistent with the General Plan and any applicable specific plan.

CMC Section 17.62.080 also includes the following statement: "Variances shall not be issued to allow deviations from allowed land uses, or residential density regulations."

Planning Commission Resolution No. 2018-671 contains the fully articulated findings in support of granting a variance in this case. Meanwhile, a summary discussion of each finding is below:

- 1) A number of special circumstances about the project site support the granting of a variance. First, in spite of the overall size of the property, which might otherwise appear to offer ample opportunity to place a new home far enough away from a ridgeline to meet the setback standard, the ridgelines affecting the property cover approximately 1,400 linear feet and they are situated directly across the central portions of the property. This condition forces potential building sites to the outer edges of the property, but the northern one-half of the property is encumbered by a proposed (required) conservation easement; thus, only the southern portions of the property may be considered. Furthermore, the two mapped ridgelines collectively cover a range of elevations from a highest point of 1,600 feet to a low point of 1,483 feet, and this lowest point is at the edge of the existing graded building pad at the southwest corner of the site. Thus to comply with the requirement that no portion of any structure be within 50 vertical feet, the building pad would have to be graded down to an elevation of roughly 1,405 feet, but no part of the property is lower in elevation than 1,450 feet. (Incidentally, this lowest portion is along the western property line where a narrow ravine exits the subject property.)
- 2) Without the variance the subject property owner would be denied the right to construct, maintain and enjoy a single-family home on a property zoned for single-family residential use (see Table 2-2 in CMC Section 17.11.010). At least 32 other property owners in the vicinity (within 1,500 feet) maintain and enjoy single-family homes which are situated on, or at least well within the 50-foot setback of, a mapped significant ridgeline. NOTE: Although this finding seeks a determination of comparable property right enjoyment among owners of like zoned properties, no other RR zoned properties are located within 2,000 feet of the subject property. (See Figure 2, on the following page.)
- 3) Granting the variance to the 50-foot ridgeline setback standard would not constitute the granting of a special privilege inconsistent with the limitations of other properties in the Rural Residential (RR) zoning district because it would allow for one single-family dwelling, an ADU and other appurtenant accessory

structures, all of which are generally permitted in the zone. Furthermore, it would allow for placement of these permitted uses and structures on the subject property in such a manner that they fully comply with all other zoning standards for the zone.

- 4) Granting a variance to the 50-foot ridgeline setback standard will not be detrimental to the public health, safety or welfare, or injurious to property or improvements in the vicinity and in the RR zoning district because it would allow for the new single-family dwelling, ADU and other appurtenant accessory structures to be placed on a previously graded and engineered building pad without disturbing the surrounding natural hillsides and with minimal to no impacts to the more prominent east-west ridgeline.



FIGURE 2: Subject Site in Relation to Other Ridgeline Homes in the Vicinity

- 5) Granting a variance to the 50-foot ridgeline setback standard in this case is consistent with the General Plan because it would allow for placement of the new single-family dwelling, ADU and other appurtenant accessory structures on a previously graded and engineered building pad with no disturbance of the surrounding natural hillsides and no impacts to the more prominent east-west ridgeline. (There are no specific plan applicable to this property.) Constructing the proposed residence on any other portion of the property would more significantly impact one or both of the mapped ridgelines. Also, placement of the proposed new single-family residence elsewhere on the property would require the grading of an entirely new building pad, resulting in substantially more

disturbance and alteration of the steep hillside slopes and impacting numerous oak trees, scrub oak, and other natural habitat in the process, all of which would be contradictory to General Plan policies. For example, placement of the proposed new single-family residence elsewhere on the property would be inconsistent with General Plan Policies IV-31 and IV-32, which promote balanced grading and seek to regulate potentially destructive practices that remove topsoil or place soils in areas intended to be preserved as open space. Such an alternative would likewise be inconsistent with General Plan Policy IX-37, which promotes the integration of buildings into site topography in order to minimize visual impacts and disturbance to biological resources.

Two final considerations regarding the requested variance to the 50-foot ridgeline setback standard: first, that it is not possible to avoid the need for a ridgeline setback variance because any location on the lot would still trigger it; and second, that while the proposed single-family residence is located on a mapped significant ridgeline, it is located on the lower ridgeline, substantially below the primary and more prominent ridgeline.

To sum up, the project and site conditions satisfy all five of the required variance findings, which are contained within Planning Commission Resolution 2018-671.

Additional required Findings Specific to the Ridgeline Setback.

In addition to meeting the standard required findings for a variance identified in CMC Section 17.62.080, the project must also meet two additional findings as stipulated in CMC Section 17.20.150(C)(3), which are:

- a. Alternative sites within the property or project have been considered and eliminated from consideration based on physical infeasibility or the potential for substantial habitat damage or destruction if any such alternative site is used and that the siting principles outlined under subsection (C)(4) have been applied; and
- b. The proposed project maintains the maximum view of the applicable significant ridgeline through the use of design features for the project including minimized grading, reduced structural height, clustered structures, shape, materials, and color that allow the structures to blend with the natural setting, and use of native landscaping for concealment of the project.

Alternative sites for the project have been considered and eliminated based on the physical infeasibility and the potential for substantial habitat damage or destruction. The proposed project meets the aforementioned finding because the two-story, single-family residence is sited on an existing graded building pad that is located below the natural ridgeline that existed prior to human disturbance, as well as being roughly 75 feet below the more prominent east-west ridgeline. Consequently, the proposed residence is actually located in a position that is more in keeping with the requirements of the Development

Code. Furthermore, a conservation easement must be recorded prior to the issuance of grading permits, which further limits site development to the existing 34,000 square-foot building pad and helps to preserve the surrounding steeply sloping land. Construction of the project on any alternate location on the parcel would result in more grading of the hillsides, inconsistent with General Plan Policies: IV-31; IX-5; IX-6; IX-8; IX-13; and IX-37. Additionally the proposed grading would be inconsistent with the Calabasas Municipal Development Code Chapters 15.10 and 17.20 (Hillside and ridgeline development); specifically the performance standards and guidance stipulated in Sections: 17.20.150(B)(2); 17.20.150(B)(3); and, 17.20.150(B)(6)(a) and (c).

The proposed project satisfies the second required finding because it is not proposing any land alterations that would alter the view of the existing significant ridgeline. The proposed single-family residence will incorporate earth tone colors and materials that will facilitate the project blending with the surrounding built and natural environments. Building on the existing approved building pad makes the most sense from an environmental impact standpoint because it would significantly limit grading compared to what would be required to relocate the project to another location which would require an entirely new graded pad with re-contoured slopes and retaining walls.

Please refer to Planning Commission Resolution 2018-671 (EXHIBIT A) to review in detail all the variance findings as well as all of the other required findings.

E. Conservation Easement.

When the City Council adopted Resolution 2006-1013 (EXHIBIT G), approving the Parcel Map (including a General Plan Amendment, a CUP, a variance, and Oak Tree Permit) to allow for the subdivision of one lot into two lots, the approval was conditioned, in part, upon the applicant recording an open space conservation easement over roughly 3.9 acres of rugged undevelopable land and various habitat areas in the northern portion of the subject property. Unfortunately, the conservation easement was never recorded by the original developer, and he later abandoned the project.

The current applicant has set aside approximately 3.9 acres to be recorded as a conservation easement (EXHIBIT H), consistent with the previously approved Parcel Map. The recordation of the easement will be required prior to grading or building permit issuance, and this requirement is included as Condition of Approval No. 14 in Resolution 2018-671.

In addition to the conservation easement, a dedication was recorded as part of Parcel Map No. 61302 granting the City of Calabasas the right to restrict further subdivision of the subject.

REQUIRED FINDINGS.

The findings required in Section 17.62.090(E) of the Calabasas Municipal Code for an Administrative Plan Review, an Oak Tree Permit, a Scenic Corridor Permit and Section 17.62.080(E) for a Variance are contained in Resolution 2018-671, EXHIBIT A.

ENVIRONMENTAL REVIEW.

This project is Categorically Exempt from the California Environmental Quality Act (CEQA) in accordance with CEQA Section 21084, and pursuant to Section 15303(a) of the CEQA Guidelines (new construction of a single-family residence) and Section 15303(e) (Accessory structures). The project is also deemed exempt from CEQA in accordance with Section 15332 of the CEQA Guidelines (In-fill Development Projects) because the project will be constructed in an urbanized area with existing development of single-family residences of similar sizes and having densities equal to or exceeding that of the proposed project.

Section 15304 (a) of the CEQA Guidelines exempts grading on land with a slope of less than 10%. The existing graded building pad is essentially flat as depicted on the submitted topographical plan (Sheet A100, EXHIBIT B). Consequently, the proposed grading will occur on a predominantly flat area, making this exemption at least partially applicable. Section 15304(b) exempts gardening and landscaping with water efficient and fire resistant landscape. Consistent with CMC Section 17.26.050, the project has been designed to utilize irrigation systems equipped with smart irrigation controllers and using drought tolerant native plant species. The landscaping must also meet the requirements of the California Model Water Efficient Landscape Ordinance (MWELO). As a result, the proposed landscaping is exempt from CEQA review. Finally, Section 15317 of the CEQA Guidelines exempts open space contracts or easements. The proposed project includes a dedication of approximately 3.9-acres as a conservation easement; accordingly, this action is exempt from CEQA review.

Section 15300.2 of the CEQA Guidelines discusses a number of exceptions to the various listed Categorical Exemptions. Six different exceptions to the categorical exemptions are identified (a through f), and as discussed below none are applicable to this project.

- (a) Identifies the locations where a project might be categorically exempt but there are special circumstances impact may occur on an environmental resource of hazardous or critical concern and where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.

The subject property is not located in an area that meets the above criteria according to the 2013 General Plan Conservation Element or within the

2013 General Plan EIR. Therefore, this exception to a categorical exemption does not apply.

- (b) Identifies cumulative impacts as a factor in determining exceptions to categorical exemptions.

Because the only development allowed on this property will be the one single-family residence with a statutorily permitted ADU, and approximately 3.9 acres of dedicated wildlife conservation easement, and because there are no other projects undergoing review in the vicinity of the project, no additional cumulative adverse environmental impacts would occur.

- (c) Identifies unusual circumstances as a possible basis for not qualifying a project as being categorically exempt from CEQA review.

The one proposed single-family residence and ADU located on an approximately 8.3-acre legal lot zoned for such use, with 3.9 acres of the land being dedicated as a conservation easement, is not an unusual circumstance which would have a significant effect on the environment.

- (d) Identifies an exception to the categorical exemption as a project that may cause damage to scenic resources on or from a state scenic highway.

Mulholland Highway is a locally designated scenic corridor, but it is not a designated state scenic highway. Accordingly, this exception does not apply to the proposed project.

- (e) Identifies project sites located on hazardous waste sites.

The proposed project is not located on any identified hazardous waste site.

- (f) Identifies substantial adverse impacts to historical resources.

There are no records of historic resources on the subject property.

Because of the above reasons, none of the exceptions to the Categorical Exemptions (as listed in CEQA Guidelines Section 15300.2) apply to the proposed project; accordingly, a Notice of Exemption has been prepared and is attached as EXHIBIT F.

CONDITIONS OF APPROVAL

See conditions contained in Resolution 2018-671 attached as EXHIBIT A.

PREVIOUS REVIEWS

Development Review Committee (DRC):

January 23, 2018 Comments relating to the need for additional plan details were forwarded to the applicant

Architectural Review Panel (ARP):

February 23, 2018 The panel concluded that the home will not silhouette on the sky. Additional landscaping should help blend the home into the hillside. The Panel felt that the house generally met the aesthetics of the Scenic Corridor, and liked the proposed farmhouse style. However, they felt there were too many elements in the design and should edit it down to two or three aesthetic presentations. The Panel stated that the proportion of the entry courtyard appears too narrow and not as grand as the house. The Panel asked the applicant to consider improving the massing of the rotunda with a different roof form or make it the center of the home. They also recommended using a less prominent white paint color for the home. The panel requested further review.

March 23, 2018 The Panel acknowledged the revised project affirmatively addressed the previous concerns of the Panel. However, the Panel made the following minor suggestions (at the applicant's discretion): 1) eliminate the rotunda element at the entry and instead consider using a rectilinear element more consistent with the shed feel of the residence, 2) wrap the siding around all elevations (instead of stucco on the rear portions of the house), and 3) wrapping the trellis around the front of the house in lieu of the solid roof. The Panel also had concerns regarding the visibility of the residence from Mulholland, but was satisfied that the applicant proposed landscaping, including some mature trees, that will soften the impact to the scenic corridor.

May 25, 2018 The applicant's design team, as represented by Stephen Ross (President of Montage Development Company) and Alexis Benevidez (with Ken Stockton Architects, Inc.) summarized the key modifications and responded to questions from members

of the Panel. The Panel expressed support for the changes, agreeing that the modifications to simplify some of the rooflines and improved consistency of window sizes and design help to unify the overall design. And the Panel noted that the design previously was found to be excellent, and had been approved, but this modified design is even better.

The panel voted to recommend approval of the project.

ATTACHMENTS:

- EXHIBIT A: Planning Commission Resolution No. 2018-671
- EXHIBIT B: Project Plans including Landscape Plans
- EXHIBIT C: Aerial Photograph Showing Ridgelines
- EXHIBIT D: Oak Tree Report Richard W. Campbell
- EXHIBIT E: Oak Tree Report Review by N. Stamm
- EXHIBIT F: Story Pole Plan and Certification
- EXHIBIT G: City Council Resolution 2006-1012 and 2006-1013
- EXHIBIT H: Notice of Exemption
- EXHIBIT I: Conservation Easement Map
- EXHIBIT J: Minutes of ARP 2/23/18, 3/23/18 and 5/23/18
- EXHIBIT K: Correspondence through 7/26/18

TECHNICAL APPENDIX

Location Map:



Surrounding Properties:

	Existing Land Use	Zoning	General Plan Designation
Site	Vacant	RR	Residential Rural (RR)
West	HOA Open Space	OS-DR	Open Space-Resource Protection (OS-RP)
	and Single-Family Residences	RS	Residential-Single-Family (R-SF)
East	SFR & Open Space	OS	Open Space-Resource Protection (OS-RP)
North	Open Space	OS	Open Space-Resource Protection (OS-RP)
South	Vacant	HM Hillside Mountainous	Hillside Mountainous (HM)

TECHNICAL APPENDIX

Items shown in Italics in the Development Standards section below are further analyzed in the Staff Analysis section of the staff report.

Development Standards:					Code Limit	Meets Code
Lot Size:	362,865	Sq. Ft.			Net: 192,970.SF.	Yes
Setbacks:						
Front:	45	Ft.	0	In.	30 Ft. Minimum	Yes
Rear:	74	Ft.	9	In.	20 Ft. Minimum	Yes
Side (East):	490	Ft.	10	In.	10 Ft. Minimum	Yes
Side (West):	10	Ft.	0	In.	10 Ft. Minimum	Yes
Height:	32	Ft.	0	In.	35 Ft. Maximum	Yes
Site Coverage:						
Proposed:	9,805	Sq. Ft.	5.08	%	30%	Yes
Pervious Surface						
Proposed:	345,671	Sq. Ft.	99.0	%	70%	Yes
Parking Calculations						
# of Spaces Provided:	7					
# of Spaces Required:	2 + 1					

Home Comparison:		(Habitable)		
Address	APN	House Size (SF)	Lot Size (SF)	FAR
Project Site:				
24101 Dry Canyon Cold Creek	4455-006-013	10,004	192,970	0.05
Neighboring Homes:				
3000 Cordova Dr.	4455-057-004	5,416	47,252	0.11
3330 Cordova Dr.	4455-057-003	6,202	45,504	0.13
3380 Cordova Dr.	4455-057-065	5,433	38,797	0.14
3400 Cordova Dr.	4455-057-090	4,629	31,151	0.15
3551 Cordova Dr.	4455-057-079	5,672	28,090	0.20
3371 Cordova Dr.	4455-057-086	8,907	38,201	0.23
3324 Via Verde	4455-057-080	5,041	38,900	0.13
24119 Saint Andrews Lane	4455-006-016	4,822	425,616	0.01
24115 Saint Andrews Lane	4455-006-007	3,657	566,259	0.01
24111 Saint Andrews Lane	4455-006-018	4,458	118,507	0.03
24107 Saint Andrews Lane	4455-006-019	8,732	1,214,610	0.01
Average:		5,331	232,155	0.10

Notes: 1. The House sizes do not include garages or accessory structures. Project Site information obtained from information submitted by the applicant. Information on neighboring homes obtained from records of the Los Angeles County Tax Assessor Office.

2. The properties used for comparison are the RS zoned properties immediately adjacent to the subject property, which is zoned RR. Some RR and OS zoned properties in the vicinity remain undeveloped.



CITY of CALABASAS

**PLANNING COMMISSION AGENDA REPORT
SEPTEMBER 6, 2018**

TO: Members of the Planning Commission

FROM: Andrew Cohen-Cutler, Associate Planner *acc*

FILE NO.: 180000012

PROPOSAL: A request for a Site Plan Review, a Scenic Corridor Permit, an Oak Tree Permit and a Variance (to the 50-foot minimum ridgeline setback standard per CMC Section 17.20.150(C)(3)) to construct a new approximately 8,447 square-foot two-story single-family residence, an approximately 1,366 square-foot accessory structure (inclusive of an approximately 613 sq.-foot garage and an approximately 753 sq.-ft. Accessory Dwelling Unit), an approximately 578 square-foot cabana, and a new pool and spa on an existing certified graded building pad. The existing approximately 8.33 acre legal lot is located at 24101 Dry Canyon Cold Creek Road within the Rural Residential (RR) zoning district and the Mulholland Highway Scenic Corridor (SC) zoning district. (APN: 4455-006-013)

APPLICANT: Stevens Wilson

OWNER: Sonoma, LLC

Note: This report supplements and updates the prior staff report of August 2, 2018. Key revisions to the project have been made by the applicant, such that the proposed building area and height have been reduced. Staff recommendation, discussion, and analysis in this report address the revised and updated project plans.

STAFF RECOMMENDATION:

That the Planning Commission adopt Resolution No. 2018-671(as revised), approving File No. 180000012; Site Plan Review, an Oak Tree Permit, a Scenic Corridor Permit and a Variance (for development within 50 horizontal feet and 50 vertical feet of a significant ridgeline (CMC Section 17.20.150(C)(2)) for the proposed construction of an

approximately 8,447 square-foot two-story single-family residence with an approximately 1,084 square-foot garage, an approximately 1,366 square-foot, one-story accessory structure (inclusive of an approximately 613 square-foot, two-car garage and an approximately 753 square-foot Accessory Dwelling Unit), an approximately 547 square-foot cabana, and a new pool and spa. The proposed project would be constructed on a previously graded building pad on an approximately 8.33 acre lot located at 24101 Dry Canyon Cold Creek Road within the Rural Residential (RR), zoning district and the Mulholland Highway Scenic Corridor (SC Overlay zone).

REVIEW AUTHORITY:

Pursuant to Calabasas Municipal Code (CMC) Section 17.62.090, an Administrative Plan Review application is reviewed and approved by the Community Development Director. In accordance with CMC Section 17.62.080, a Variance application is reviewed and approved by the Planning Commission. Likewise, an Oak Tree Permit seeking approval for greater than 10% encroachment into the tree's protected zone is reviewed by the Planning Commission. Finally, CMC Section 17.62.050 identifies the Planning Commission as the review authority for any new construction or development within the Scenic Corridor (SC) overlay zone. Per Section 17.60.020, an application ordinarily subject to the decision of a lower review authority shall be considered and approved by the higher review authority when the application is filed concurrently with an application subject to the decision of a higher review authority. Consequently, with these applications having been filed concurrently, the appropriate review authority for all requested permits and approvals is the Planning Commission.

BACKGROUND:

Site history and background are provided in the August 2 Planning Commission Staff Report.

The proposed project was presented to the Planning Commission on August 2, 2018. After a presentation by staff, the Commission Chair opened the public hearing and took testimony in support and opposition to the project. After questioning staff and the applicant, the Commission requested that additional information be provided and moved to continue the open public hearing to the September 6, 2018, regularly scheduled Planning Commission meeting.

On August 27, 2018, the applicant submitted revised plans that included a reduction in the overall size and height of the proposed single-family residence, revisions to the accessory structure, and revisions to the pool cabana.

STAFF ANALYSIS:

The following analysis is supplemental to the information presented in the August 2, 2018 Planning Commission Staff Report.

A. Site Design and Architecture:

Following the August 2, 2018 Planning Commission public hearing, the applicant has submitted revised plans that address the concerns expressed by Commissioners. The revised plans propose that all ceiling/plate heights be reduced from 12' to 10' at the first floor and that the raised roof height over the garage be reduced by 1'. These combined changes reduced the overall building height by approximately 3'. In addition, the roof height of the two-story portion of the proposed residence has been reduced to approximately 30'-7.5" from the 32-foot height originally proposed. Lastly, the originally proposed two-story, approximately 2,141 accessory structure (inclusive of an approximately 1,065 square-foot ADU) has been reduced in size. The plans propose an approximately 1,366 square-foot, one story accessory structure (inclusive of an approximately 753 square-foot ADU).

All of the proposed structures meet all development standards set forth by the Development Code, including site-coverage and pervious surface percentages, setbacks, and building height (see Technical Appendix on page 9).

B. Landscaping / Oak Trees:

The request for an Oak Tree Permit and landscaping were discussed in the August 2, 2018 Planning Commission Staff Report. Please refer to that report for details related to these topics.

The applicant has prepared colored conceptual landscape plans; included as part of the revised plans (see Sheet PL-2, EXHIBIT B). Additionally, the color renderings on pages A702 and A703 now include mature landscape elements showing the extent of growth expected within an eight to ten year period.

C. Variance

The request for a Variance and analysis of how the proposal meets the findings for a Variance were thoroughly discussed in the August 2, 2018 Staff Report. Please refer to that report for a complete analysis of the requested Variance.

In response to the concerns expressed by the Commission on August 2, 2018, the applicant has revised the proposed project plans to reduce the overall height of the

proposed structures. The applicant has reduced the ceiling/plate heights by two feet and reduced the raised roof height over the garages by one-foot. The reduction in height results in an approximate 1.5-ft height reduction of the proposed one-story portion (approximately 90% of the length of the residence facing the Scenic Corridor) of the house. The maximum height of the two-story portion (approximately 10% of the length of the residence facing the Scenic Corridor) of the structure has also been reduced to 30'-7.5" from the original 32' proposed height. Finally, the originally proposed two-story accessory structure has also been redesigned so that it is now a smaller one-story structure. The proposed revision reduces the height of the accessory structure from 25'-2.5" to 20'-4". The newly proposed building heights will result in even less impact to both mapped ridgelines on the property.

Some concerns were voiced about the driveway grading and the possible increase in area to the existing building pad. Exhibits have been included in the revised set of plans that show the originally permitted and completed rough grading, the existing site conditions, and the proposed grading (see Sheets A020, A030 A040, EXHIBIT B). The result of the proposed grading will increase the area of the building pad by approximately 3.3%. The minimal increase allows for legal Fire Department access and far outweighs the options of repositioning the proposed structure on a new building pad elsewhere on the property. Such a move would result in significant additional grading, habitat destruction and greater adverse impacts to the oak trees on the property.

D. Conservation Easement.

Some public comment brought up the idea of possibly increasing the Conservation Easement area. The applicant will set aside approximately 3.9 acres to be recorded as a conservation easement, consistent with the previously approved Parcel Map. The recordation of the easement will be required prior to grading or building permit issuance, and this requirement is included as Condition of Approval No. 14 in Resolution 2018-671. The applicant is willing to consider alternative easement configurations, but has not agreed to any increase in the size of the easement.

REQUIRED FINDINGS.

The findings required in Section 17.62.090(E) of the Calabasas Municipal Code for an Administrative Plan Review, an Oak Tree Permit, a Scenic Corridor Permit and Section 17.62.080(E) for a Variance are contained in the revised Resolution 2018-671 (EXHIBIT A).

ENVIRONMENTAL REVIEW.

Although the following was part of the August 2, 2018 Staff report, it is repeated here for the purpose of emphasis.

This project is Categorically Exempt from the California Environmental Quality Act (CEQA) in accordance with CEQA Section 21084, and pursuant to Section 15303(a) of the CEQA Guidelines (new construction of a single-family residence) and Section 15303(e) (Accessory structures). The project is also deemed exempt from CEQA in accordance with Section 15332 of the CEQA Guidelines (In-fill Development Projects) because the project will be constructed in an urbanized area with existing development of single-family residences of similar sizes and having densities equal to or exceeding that of the proposed project.

Section 15304 (a) of the CEQA Guidelines exempts grading on land with a slope of less than 10%. The existing graded building pad is essentially flat as depicted on the submitted property survey plan (Sheet A010, EXHIBIT B). Consequently, the proposed grading will occur on a predominantly flat area, making this exemption at least partially applicable. Section 15304(b) exempts gardening and landscaping with water efficient and fire resistant landscape. Consistent with CMC Section 17.26.050, the project has been designed to utilize irrigation systems equipped with smart irrigation controllers and using drought tolerant native plant species. The landscaping must also meet the requirements of the California Model Water Efficient Landscape Ordinance (MWELo). As a result, the proposed landscaping is exempt from CEQA review. Finally, Section 15317 of the CEQA Guidelines exempts open space contracts or easements. The proposed project includes a dedication of approximately 3.9-acres as a conservation easement; accordingly, this action is exempt from CEQA review.

Section 15300.2 of the CEQA Guidelines discusses a number of exceptions to the various listed Categorical Exemptions. Six different exceptions to the categorical exemptions are identified (a through f), and as discussed below none are applicable to this project.

- (a) Identifies the locations where a project might be categorically exempt but there are special circumstances such that an impact may occur on an environmental resource of hazardous or critical concern and where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.

The subject property is not located in an area that meets the above criteria according to the 2013 General Plan Conservation Element or within the 2013 General Plan EIR. Therefore, this exception to a categorical exemption does not apply.

- (b) Identifies cumulative impacts as a factor in determining exceptions to categorical exemptions.

Because the only development allowed on this property will be the one single-family residence with a statutorily permitted ADU, and approximately 3.9 acres of dedicated wildlife conservation easement, and because there are no other projects undergoing review in the vicinity of the project, no additional cumulative adverse environmental impacts would occur.

- (c) Identifies unusual circumstances as a possible basis for not qualifying a project as being categorically exempt from CEQA review.

The one proposed single-family residence and ADU located on an approximately 8.3-acre legal lot zoned for such use, with 3.9 acres of the land being dedicated as a conservation easement, is not an unusual circumstance that would have a significant effect on the environment. Furthermore, other homes on ridgelines in the City range in size between approximately 2,900 sq. ft. and 27,800 sq. ft. The proposed home falls well within that range. Thus, the proposed home does not constitute an unusual circumstance under *Berkeley Hillside* and is exempt from CEQA review.

- (d) Identifies an exception to the categorical exemption as a project that may cause damage to scenic resources on or from a state scenic highway.

Mulholland Highway is a locally designated scenic corridor, but it is not a designated state scenic highway. Accordingly, this exception does not apply to the proposed project.

- (e) Identifies project sites located on hazardous waste sites.

The proposed project is not located on any identified hazardous waste site.

- (f) Identifies substantial adverse impacts to historical resources.

There are no records of historic resources on the subject property.

CONDITIONS OF APPROVAL

See conditions contained in revised Resolution 2018-671, attached as EXHIBIT A.

PREVIOUS REVIEWS

Development Review

Committee (DRC):

January 23, 2018 See PC Staff Report from August 2, 2018 for details.

ARCHITECTURAL REVIEW PANEL:

February 23, 2018 See PC Staff Report from August 2, 2018 for details for
March 23, 2018 all meetings.
May 25, 2018

PLANNING COMMISSION:

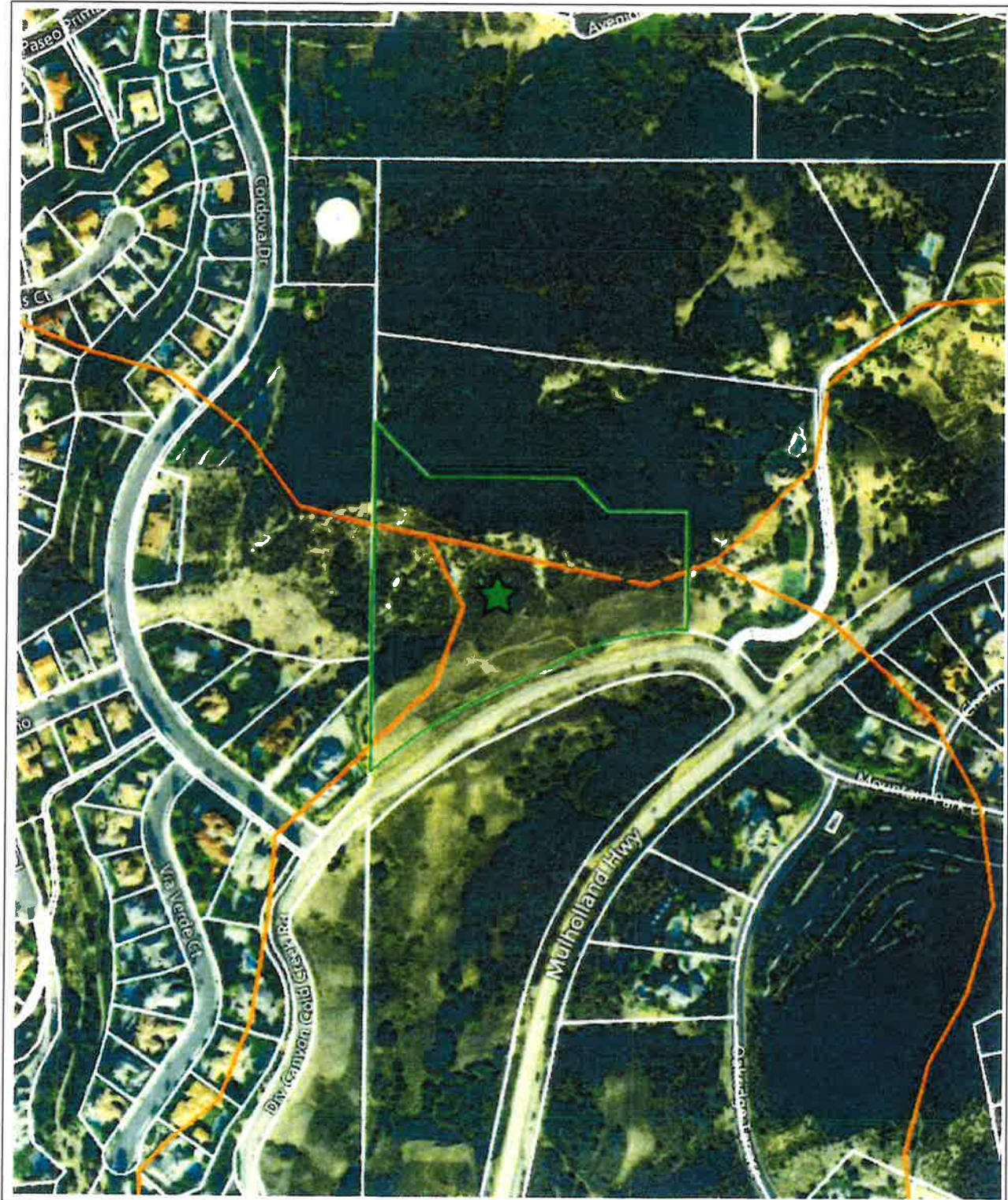
August 2, 2018 The open public hearing was continued to a date certain
September 6, 2018.

ATTACHMENTS:

- EXHIBIT A: Planning Commission Resolution No. 2018-671-**(Revised 9/5/2018)**
- EXHIBIT B: Revised Project Plans including Landscape Plans
- EXHIBIT C: Correspondence Received between 8/2/18 and 8/30/18

TECHNICAL APPENDIX

Location Map:



Surrounding Properties:

	Existing Land Use	Zoning	General Plan Designation
Site	Vacant	RR	Residential Rural (RR)
West	HOA Open Space and Single-Family Residences	OS-DR RS	Open Space-Resource Protection (OS-RP) Residential-Single-Family (R-SF)
	SFR & Open Space	OS	Open Space-Resource Protection (OS-RP)
North	Open Space	OS	Open Space-Resource Protection (OS-RP)
South	Vacant	HM Hillside Mountainous	Hillside Mountainous (HM)

TECHNICAL APPENDIX-Reflects revisions to plans. Please refer to the August 2, 2018 Planning Commission Staff Report for the originally proposed figures.

Development Standards:

					Code Limit	Meets Code	
Lot Size:	362,865	Sq. Ft.			Net: 192,970.SF.	Yes	
Setbacks:							
Front:	45	Ft.	0	In.	30 Ft. Minimum	Yes	
Rear:	74	Ft.	9	In.	20 Ft. Minimum	Yes	
Side (East):	490	Ft.	10	In.	10 Ft. Minimum	Yes	
Side (West):	10	Ft.	0	In.	10 Ft. Minimum	Yes	
Max Height:	30'-7.5"	Ft.	0	In.	35 Ft. Maximum	Yes	
Site Coverage:							
Proposed:	9,942	Sq. Ft.	5.15	%	30%	Yes	
Pervious Surface							
Proposed:	344,969	Sq. Ft.	95.0	%	70%	Yes	

Parking Calculations

# of Spaces Provided:	6
# of Spaces Required:	2 + 1

Updated Home Comparison:		(Habitable)		
Address	APN	House Size (SF)	Lot Size (SF)	FAR
Project Site:				
24101 Dry Canyon Cold Creek	4455-006-013	8,447	192,970 net	0.04
Neighboring Homes:				
3000 Cordova Dr.	4455-057-004	5,416	47,252	0.11
3330 Cordova Dr.	4455-057-003	6,202	45,504	0.13
3380 Cordova Dr.	4455-057-065	5,433	38,797	0.14
3400 Cordova Dr.	4455-057-090	4,629	31,151	0.15
3551 Cordova Dr.	4455-057-079	5,672	28,090	0.20
3371 Cordova Dr.	4455-057-086	8,907	38,201	0.23
3324 Via Verde	4455-057-080	5,041	38,900	0.13
24119 Saint Andrews Lane	4455-006-016	4,822	425,616	0.01
24115 Saint Andrews Lane	4455-006-007	3,657	566,259	0.01
24111 Saint Andrews Lane	4455-006-018	4,458	118,507	0.03
24107 Saint Andrews Lane	4455-006-019	8,732	1,214,610	0.01
<i>3121 Old Topanga Canyon Road</i>	<i>2072-023-013</i>	<i>9,614</i>	<i>217,800</i>	<i>0.05</i>
<i>23355 Mulholland Highway</i>	<i>2069-065-003</i>	<i>7,027</i>	<i>220,929</i>	<i>0.03</i>
<i>23401 Mulholland Highway</i>	<i>2060-065-005</i>	<i>9,881</i>	<i>216,920</i>	<i>0.04</i>
<i>23421 Mulholland Highway</i>	<i>2069-065-006</i>	<i>6,727</i>	<i>272,172</i>	<i>0.02</i>
<i>24067 Chestnut Way</i>	<i>4455-051-005</i>	<i>4,037</i>	<i>30,532</i>	<i>0.13</i>
<i>24075 Chestnut Way</i>	<i>4455-051-004</i>	<i>2,952</i>	<i>57,523</i>	<i>0.05</i>
<i>3435 Oakridge Terrace</i>	<i>4455-051-003</i>	<i>4,370</i>	<i>90,200</i>	<i>0.05</i>
<i>3421 Oakridge Terrace</i>	<i>4455-051-002</i>	<i>4,413</i>	<i>64,266</i>	<i>0.07</i>
<i>3407 Oakridge Terrace</i>	<i>4455-051-001</i>	<i>4,977</i>	<i>66,111</i>	<i>0.08</i>
Average:		5,848	221,217	0.03

- Notes:**
1. The House sizes do not include garages or accessory structures. Project Site information obtained from information submitted by the applicant. Information on neighboring homes obtained from records of the Los Angeles County Tax Assessor Office.
 2. The properties used for comparison are the RS zoned properties immediately adjacent to the subject property, which is zoned RR. Some RR and OS zoned properties within the 50' separation distance requirement from a mapped significant ridgeline in the vicinity remain undeveloped.
 3. The properties in italics were added as additional comparison. These properties are not necessarily within the 50' separation distance from a mapped significant ridgeline but they are either RR zoned or adjacent to Mulholland Highway in the area of the proposed development.