



CITY of CALABASAS

PLANNING COMMISSION AGENDA REPORT
JANUARY 18, 2024

TO: Members of the Planning Commission

FROM: Jaclyn Rackerby, Planner

FILE NO(s): SPR-2019-005, OTP-2021-001, LLA-2021-003

PROPOSAL: Request for a Site Plan Review, Oak Tree Permit, and Lot Line Adjustment to construct a new 3,111 square-foot single-family residence with attached 2-car garage on the vacant lot located at 23720 Summit Dr (APN: 2072-018-017) within the Rural Community (RC) zoning district and Calabasas Highlands (-CH) overlay zone. The proposed project includes minor encroachment into the protected zone of one on-site oak tree and scrub oak. The project also includes a request to merge the eastern half of Lot 3 with Lot 2, which are both part of the same subject parcel (APN: 2072-018-017).

APPLICANT: Vahid Azimi

RECOMMENDATION: That the Commission direct Staff to prepare a resolution for approval, or a resolution for denial, of File No(s).
SPR-2019-005, OTP-2021-001, LLA-2021-003.

REVIEW AUTHORITY:

The Planning Commission is reviewing this project because Section 17.62.020 of the Calabasas Municipal Code (CMC) stipulates that construction of new residential single-family housing requires approval of a Site Plan Review, subject to review by the Commission.

BACKGROUND:

On December 23, 2019, an application was submitted on behalf of the property owner(s) to construct a new single-family residence on a vacant lot located at 23720 Summit Dr (APN: 2072-018-017), within the Rural Community (RC) zoning district and Calabasas Highlands (-CH) overlay zone. The project was reviewed by the City's Development Review Committee (DRC) on January 21, 2020. Review comments included concerns about, and/or plan revisions to address: concerns regarding compliance with development code standards, grading and drainage plans, retaining walls, and oak trees/biological resources present on-site. Following multiple rounds of resubmittals and reviews by City staff, all necessary revisions were accomplished by the applicant, and final plans were submitted on October 3, 2023.

In accordance with Section 2.40.040 of the CMC, the Architectural Review Panel reviewed the project on February 25, 2022, April 5, 2022, and November 18, 2022. (Details regarding the ARP review are discussed further in this report). At the final meeting of the ARP on November 18, 2022, the ARP recommended approval subject to revised plans addressing three of their outstanding comments which had not yet been resolved (See Exhibit C for ARP meeting minutes). The applicant subsequently submitted revised plans to address the outstanding comments.

On October 31, 2023, the application was deemed complete by Staff.

STAFF ANALYSIS:

A. Existing Site/Building Layout: The existing site is a 7,499 square-foot (0.17 acre) undeveloped property located at 23720 Summit Drive (APN: 2072-018-017), within the Rural Community (RC) zoning district and Calabasas Highlands (-CH) overlay zone. The parcel is comprised of two separate lots (Lot 2 and the eastern ½ of Lot 3 of Block 21 in Tract 8550) which are proposed to be merged as part of the project. The property slopes steeply upward from Summit Dr, diagonally from the northwest corner to southeast corner, with an overall elevation difference of approximately 50 feet measured from lowest point to highest point.

The project site abuts open space land to the south (located within an area of unincorporated LA County) owned and maintained by the State of California Santa Monica Mountains Conservancy, and is otherwise surrounded by existing single-family residences ranging from one-story to three-story (with most being

two-story) and ranging in size from approximately 1,200 square feet to 3,286 square feet (see Technical Appendix), according to data from the LA County Assessor. The average home size in the vicinity is 2,208 square feet, and the average lot size is 8,734 square feet.

The applicant proposes to construct a new 3,111 square-foot two-story single-family residence with attached garage, which is within the above-mentioned range of home sizes in the vicinity. The proposed FAR is 0.436, which complies with the 0.45 maximum for the zoning district and is within the range of FARs for the vicinity. The proposed structure would be built into the hillside, with the back walls of the first level being retaining, so that only the second floor is above grade at the rear of the residence. A series of retaining walls and stairways are proposed around the perimeter of the residence, providing access around all sides of the structure for compliance with the LA County Fire Department's requirements. The roof is primarily pitched, with an area of flat roof towards the rear of the residence for mechanical equipment to be located, and an exterior spiral staircase for access at the rear of the residence.

The proposed single-family residence will be set back 20' from the front property line (20' min. required), 10'1" from the west side property line (10' min. required), 24'6" from the east side property line (10' min. required), and 16'7" from the rear property line (15' min. required). The proposed site coverage is 32.8% (35% maximum) and the proposed permeable surface area is 65.2% (65% minimum required) (see Technical Appendix).

- B. Architecture/Building Design:** The subject site is surrounded by one-story, two-story, and three-story single-family homes that vary in regards to architectural style, colors, and materials. The Architectural Review Panel reviewed the project on February 25, 2022, April 5, 2022, and November 18, 2022, and the meeting minutes are included as Exhibit C. Figures 1 and 2 below demonstrate the project design as reviewed by ARP at their first meeting:



Figure 1: Design at first review by ARP, front elevation.



Figure 2: Design at first review by ARP, west side elevation.

At the first meeting on February 25, 2022, the ARP commented that they appreciated the modern architecture, but that the applicant should consider ways to reduce the extensive amount of grading and retaining walls, and study aspects of the design such as window placement and glazing.

At the second ARP meeting on April 5, 2022, the applicant and his engineer presented minor adjustments to the plan and expressed their opinion that reducing the amount of grading was infeasible. The ARP's consensus was that the proposed project could in fact be revised to require less grading and export, and they recommended the applicant consider re-designing the project in a way that would require less grading. The ARP also expressed concerns regarding the bright white façade that was depicted on the first and second floors of the residence with this submittal.

Finally, prior to the third ARP meeting on November 18, 2022, the applicant worked with Planning and Public Works staff on a redesign that reduced the square footage of the proposed residence (from 3,204 SF to approx. 3,100 SF) and altered the east side yard area to change the configuration of side yard retaining walls and stairs. As a result, the total length of on-site retaining walls were reduced by 55% in comparison with the previously submitted plans, and the amount of proposed grading was reduced from 1,716 cubic yards of cut to 1,473 cubic yards of cut. The ARP recognized and appreciated that some of the major design comments from the two prior meetings had been addressed. But additional comments were still outstanding, including the ARP's recommendation to: 1) revise the proposed white stucco building and retaining wall color to a less bright and reflective choice; 2) ensure all mechanical equipment and ducting will be screened; and, 3) improve articulation at the roofline and between the first and second floors. The ARP recommended approval, subject to the applicant revising the plans to address the outstanding comments, with final revisions to be reviewed by Chair Shepphird.

Following the ARP's third review, the applicant submitted revised plans (Figures 3 and 4) incorporating the above-mentioned suggestions, and the revised plans were sent to Chair Shepphird for review.



Figure 3: Current proposed design, front elevation.



Figure 4: Current proposed design, west side elevation.

As currently proposed, the residence includes white quartz and white marble at the first-floor façade, wood siding on the second floor, black aluminum door/window trim, a charcoal shingle roof, and natural-colored concrete retaining walls. The white stucco has been removed, area of white quartz/marble has been reduced, and white finish on retaining walls has been removed

following the ARP's feedback; the length and number of retaining walls has also been substantially reduced, and wood siding and a planter box have been incorporated at the second floor to better differentiate the first and second floors (See Sheets A301-A303 of Exhibit A).

- C. Landscaping and Oak Trees:** The proposed new residence includes all new landscaping and hardscaping, which is proposed to be primarily permeable pavers. The proposed landscaping package is included as Sheets L-1 through L-4 of Exhibit A.

As described in the Oak Tree Report included as Exhibit E, oak trees and scrub oak are present on the project site, and the proposed project includes minor encroachment into the protected zone and canopy pruning of one coast live oak and scrub oak. There are three scrub oaks and one scrub oak group that are under the required size for protection (2" diameter) and are proposed to be removed, but no protected oak trees are proposed to be impacted as part of the project. In the City Arborist's memo dated October 27, 2023 (Exhibit F), the City Arborist found the applicant's submitted report to be factually accurate, and recommended approval of the Oak Tree Permit subject to the applicant correcting the depiction of fencing within the report, which the applicant has since accomplished. The City Arborist agreed that construction activities were not likely to cause any long-term adverse impact to any on-site protected oak trees, and recommended approval with associated mitigation measures listed in the submitted report.

- D. Grading/Drainage:** The proposed new residential housing unit includes a 2-car garage, kitchen, and living area at the ground level, with four bedrooms and associated bathrooms/closets on the floor above. Two terraced retaining walls are proposed in the southeast area of the property, behind the proposed new structure. Retaining walls and associated concrete drainage swales are also necessary along both sides of the structure, and lower retaining walls will face the street at the northwest corner of the property to level out the steep grade within the front yard area. All proposed retaining walls are no more than six feet tall at their maximum heights (6-foot maximum height allowed).

The preliminary grading and drainage plans (including LID provisions on Sheet 2 of the preliminary grading & drainage plans in Exhibit A) have been reviewed by the Public Works Department, and conditions of approval related to grading, geotechnical, and hydrology have been provided for incorporation into a resolution of approval if so directed by the Commission.

E. Lot Line Adjustment: The subject site is a 7,499 square-foot (0.17 acre) parcel (APN: 2072-018-017). As confirmed by the submitted title report, the project site is comprised of one legal lot (Lot 2 of Block number 21 in Tract No. 8550) as well as the eastern ½ of Lot 3. The tract map was approved in 1925, with Lots 2 and 3 created as separate legal lots within Block number 21 (See Page 3 of Exhibit J). From the preliminary title report, tax map, and survey submitted by the applicant, it appears that in the time since the tract was initially created, Lot 3 was split into an E ½ and W ½, with the E ½ tied to Lot 2 and the W ½ tied to Lot 4, which is owned by the adjacent property owner to the west. As part of the proposed project, the applicant proposes to remedy the situation on this parcel by merging Lot 2 with the E ½ of Lot 3. As a result, the parcel will now be comprised of one legal lot rather than one and a half lots. The proposed new lot line configuration is depicted within Exhibit I.

REQUIRED FINDINGS:

The findings for a Site Plan Review, and which the Planning Commission would have to make for a project approval, are stated in Section 17.62.020 of the Calabasas Municipal Code as follows:

1. The proposed project complies with all applicable provisions of this development code;
2. The proposed project is consistent with the general plan, any applicable specific plan, and any special design theme adopted by the city for the site and vicinity;
3. The approval of the site plan review is in compliance with the California Environmental Quality Act (CEQA);
4. The proposed structures, signs, site development, grading and/or landscaping are compatible in design, appearance and scale, with existing uses, development, signs, structures and landscaping for the surrounding area;
5. The site is adequate in size and shape to accommodate the proposed structures, yards, walls, fences, parking, landscaping, and other development features; and
6. The proposed project is designed to respect and integrate with the existing surrounding natural environment to the maximum extent feasible.

The findings for a Lot Line Adjustment are stated in Section 17.44.120 of the

Calabasas Municipal Code. The Planning Commission shall deny a proposed Lot Line Adjustment if it finds any of the following:

1. The lot line adjustment does not maintain a position with respect to General Plan or specific plan consistency, parcel design, minimum lot area, environmental quality, and other standards as specified in this development code and other applicable Municipal Code and state law provisions relating to real property divisions, which is equal to or better than the position of the existing lots before adjustment;
2. The adjustment will have the effect of creating a greater number of parcels than are buildable in compliance with applicable provisions of this development code than exist before adjustment;
3. Any parcel resulting from the adjustment will conflict with any applicable regulations of this development code; or
4. The adjustment will result in an increase in the number of nonconforming parcels.

The findings for an Oak Tree Permit are stated in Section 17.32.010 of the Calabasas Municipal Code. The Planning Commission would have to make one of the following findings for a project approval:

1. The request to remove an oak tree or scrub oak habitat is warranted to enable reasonable and conforming use of the subject property, which would otherwise be prevented by the presence of the oak tree or scrub oak habitat. Reasonable use of the property shall be determined in accordance with the guidelines.
2. The request to alter or encroach within the protected zone of an oak tree or scrub oak habitat is warranted to enable reasonable and conforming use of the property, which would otherwise be prevented by the presence of the oak tree or scrub oak habitat. In addition, such alterations and encroachments can be performed without significant long-term adverse impacts to the oak tree or scrub oak habitat. Reasonable use of the property shall be determined in accordance with the guidelines.
3. The condition or location of the oak tree or scrub oak habitat requires altering to maintain or aid its health, balance or structure.

4. The condition of the oak tree or scrub oak habitat warrants its removal due to disease, dangerous condition, proximity to existing structures, high pedestrian traffic areas, such as parking lots and pedestrian walkways when such conditions may be unsafe or cannot be controlled or remedied through reasonable preservation and/or prevention procedures and practices.
5. Removal or altering of the oak tree(s) will have minimal impact on the total hardwood canopy with special emphasis on associated tree growth and their natural regeneration, wildlife habitat and heritage oak trees.

The applicant's proposed justification for the findings listed above is attached as Exhibit B.

REQUESTED COMMISSION ACTION:

Staff requests the Commission conduct the public hearing, and then direct Staff to develop findings in support of either approval or denial of the project, supported by the facts and testimony provided at the hearing. Note: A resolution of denial must include an explanation as to why at least one of the required findings discussed in this report cannot be made.

ENVIRONMENTAL REVIEW:

This project is Exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) (General Rule Exemption) and Section 15303 (New Construction) of the California CEQA Guidelines.

CONDITIONS OF APPROVAL:

If the Commission directs Staff to prepare a resolution of approval, potential project conditions of approval are attached as Exhibit D and will be incorporated into an approval resolution, which would return for Commission adoption at the next meeting.

PREVIOUS REVIEWS:

Development Review Committee (DRC):

January 21, 2020 Substantial comments were provided to the applicant, including compliance with the development standards of the zoning district, and concerns related to grading, drainage, oak trees, biological resources, and proposed retaining walls. (Multiple rounds of resubmittals and reviews followed, prior to submittal and acceptance of final proposed project plans).

Architectural Review Panel (ARP):

February 25, 2022 The Panel commented that due to the size of the proposed house, the retaining walls appear too massive for the project site. While the Panel appreciates the modern architecture, the Panel noted that certain details should be studied, such as the window placement and type of glazing. The Panel requested the applicant study how to minimize grading and reduce the size of the retaining walls and return to another ARP meeting for a second review.

April 5, 2022 The Panel members reviewed the revised set of drawings, and expressed concern that the more substantial redesign recommendations from the Panel at the previous meeting had not been seriously considered and implemented at least to an extent. (See Exhibit C for comments in detail). The ARP members agreed that a revised set of plans must be prepared that responds to the Panel's direction, for review at a third meeting of the ARP.

November 18, 2022 The Panel members reviewed the revised set of plans, and overall, the Panel noted that the applicant had addressed some of the ARP's comments from the two prior meetings, but that remaining comments regarding the design and were conditioned to be resolved prior to PC Consideration (See Exhibit C).

ATTACHMENTS:

- Exhibit A: Project Plans
- Exhibit B: Findings Justification Submitted by Applicant
- Exhibit C: ARP Minutes from February 25, 2022, April 5, 2022, and November 18, 2022
- Exhibit D: Draft Conditions of Approval
- Exhibit E: Oak Tree Report submitted by Applicant
- Exhibit F: Peer-reviewed Oak Tree Report from City Arborist
- Exhibit G: Biology Report submitted by Applicant
- Exhibit H: Peer-reviewed Biology Report from City Biologist
- Exhibit I: Lot Line Adjustment Exhibit
- Exhibit J: Tract Map – Tract No. 8550
- Exhibit K: Public Comment

TECHNICAL APPENDIX



Applicable Development Standards:

Code Limit

Lot 2 Size:	5,000	Sq. Ft.		1 Acre (Legal non-Conf.)
Lot 3 (East ½) Size:	2,499	Sq. Ft.		1 Acre (Legal non-Conf.)
Total Net Lot Size (After Lot Line Adjustment):	7,499	Sq. Ft.		1 Acre (Legal non-Conf.)
Total Gross Lot Size (Excluding Easements):	7,120.7	Sq. Ft.		
Floor Area:				
Proposed:	3,111	Sq. Ft.	0.436	0.45
Setbacks:				
Rear:	16 Ft.	7 In.		15 Ft. Min.
Side (west):	10 Ft.	1 In.		10 Ft. Min.
Side (east):	24 Ft.	6 In.		10 Ft. Min.
Front:	20 Ft.	0 In.		20 Ft. Min.
Height:	27 Ft.	0 In.		27 Ft. Max.
Site Coverage:				
Proposed:	2,334	Sq. Ft.	32.8 %	35% Max.
Pervious Surface:				
Proposed:	4,639	Sq. Ft.	65.2 %	65% Min.

Area Home and Lot Size Comparisons:

SITE ADDRESS	RESIDENCE SF	LAND SF	FAR
23720 SUMMIT DR (subject)	3,111	7,499	0.436
23684 CLOVER TRL	3,286	4,940	0.67
23692 ASTER TRL	3,173	9,100	0.35
23735 FERN TRL	3,090	19,410	0.16
23745 FERN TRL	3,090	14,534	0.21
23755 FERN TRL	3,090	18,216	0.17
23691 SUMMIT DR	2,724	5,081	0.54
23742 FERN TRL	2,712	28,909	0.09
23685 SUMMIT DR	2,504	5,041	0.50
23722 SUMMIT DR	2,398	7,535	0.32
23711 SUMMIT DR	2,282	9,054	0.25
23680 SUMMIT DR	2,253	4,790	0.47
23703 SUMMIT DR	2,214	11,621	0.19
23678 SUMMIT DR	1,916	4,951	0.39
23692 CLOVER TRL	1,820	4,966	0.37
3433 VIOLET TRL	1,688	5,114	0.33
23755 CANYON DR	1,545	4,896	0.32
23664 CLOVER TRL	1,446	4,979	0.29
23763 CANYON DR	1,380	4,974	0.28
3434 VIOLET TRL	1,305	4,990	0.26
23685 CLOVER TRL	1,260	4,959	0.25
23690 SUMMIT DR	1,200*	5,344	0.22
AVERAGES (excluding subject site)	2,208	8,734	0.32

Notes:

- 1) The House sizes do not include garages.
- 2) Project Site information obtained from the submitted project plans. Information on neighboring homes obtained from records of the Los Angeles County Tax Assessor Office.
- 3) *23690 Summit Drive square footage was estimated using GIS data, due to unreliable assessor data for this property.