

Development update on 29139 and 29153 Craggs Drive in Agoura. March 1, 2017

As most Lakesider's know, the four-acre Clubhouse property in the middle of our neighborhood at 29139 and 29153 Craggs Drive was designated for community recreation nearly a hundred years ago with the original layout of the neighborhood.

The original houses were small and close together and the Clubhouse property provided the natural vibe and recreational opportunities for the residents. The property featured a large clubhouse, pool, tennis, ball field, trails, a fountain and a maypole. With its frequent parties and events, it became the heart of Lakeside.

For various reasons, the property fell into private ownership in the 1950's and the clubhouse was demolished in the 1980's. Shortly after, new owners planned on building 15 townhomes on the property. This was actively challenged by the community and the Malibu Lakeside Homeowners Association (which is now known as the Malibu Lakeside Community Association or MLCA), and eventually the plan was dropped.

Home development plans reemerged in 2012. This time with two very large single family homes proposed. The site plans were initially approved by the County in the form of a Conditional Use Permit (CUP). The MLCA promptly appealed the CUP, but ultimately elected to withdraw objections in exchange for a list of concessions to the community. The compromise CUP included an irrevocable easement that runs with the land (meaning it remains with the community regardless of whether the property changes hands) on approximately 2/3 of an acre designated for community recreation, a similar permanent easement for the bus-stop property, as well as substantial restrictions on the size, style, and landscaping of the two proposed homes.

The CUP provided a temporary zoning change from R-R (Resort-Recreation) to SFR (Single Family Residential) if the property owner was able to meet the host of stringent requirements outlined in great detail in the CUP. The CUP was granted for a two-year period, with a one-time one-year extension, during which time building permits for both homes had to be issued in order for the CUP to vest. Regardless of whether the property owner was successful in vesting the CUP and permanently changing the zoning to Single Family Residential, Malibu Lakeside achieved its goal of ensuring permanent rights to community recreation for the neighborhood in what we now know as our beloved Lakeside Park.

In 2015, with time running out on the CUP, the property was sold. The new property owner continued with plans to construct and then sell two enormous houses. The original plans were rejected because they failed to conform to the "Ranch style" design as required in the CUP. New plans were developed and construction fencing was installed, which was followed by substantial tree removal. With the improper removal of many large trees and the resulting Stop Work Order issued by the County, the CUP expired without building permits being issued, and the housing project essentially died.

The property has reverted back to its Resort-Recreational zoning and is now for sale. Any new home construction would require a new CUP since the property has lost its temporary zoning for residential use. Given the history and proven difficulty of changing the zoning and successfully progressing through the complex permitting process, it seems doubtful that any developer would attempt a new CUP. This process would be especially challenging since notice of any proposed non-conforming use of the property must be provided to all residences within 500 feet of the property.

The property sits at the very heart of our community and is a bit of a fishbowl, surrounded by approximately 17 homes within the 500-foot notification radius. If two or more property owners raise objections, then the matter goes before the Regional Planning Board, and ultimately back before the Board of Supervisors. Not only is such a lengthy process expensive and time-consuming, but it provides no assurances of a successful outcome for a prospective builder. Since most of the owners of the 17 homes within the notification radius are already on record with the County as being opposed to residential development, it is unlikely that their stances would change just because a new developer entered the scene.

Whether or not future development comes to the two parcels on the lodge lot, Lakeside Park's easement for community recreation has been recorded with the County. As long as MLCA maintains liability insurance and maintains the property, the easement is irrevocable and runs with the land.